

SENATE BILL 747

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5lr2285
CF HB 1030

By: **Senators Kramer and Lam**

Introduced and read first time: January 27, 2025

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation Network Companies – Deactivation of Operators – Policy and**
3 **Appeal Procedure**

4 FOR the purpose of altering the definitions of “transportation network company” and
5 “transportation network operator” for purposes of provisions of law regarding
6 transportation network companies; requiring a transportation network company to
7 maintain a deactivation policy that provides the policies and procedures for the
8 deactivation of operators; prohibiting a transportation network company from
9 deactivating an operator unless the deactivation is consistent with the company’s
10 deactivation policy; requiring a transportation network company to provide notice
11 and certain information to the transportation network company’s operators and any
12 operator who is deactivated; requiring a transportation network company to
13 maintain an internal deactivation appeal procedure; authorizing an operator who
14 receives a notice of deactivation to appeal the deactivation; and generally relating to
15 the deactivation of transportation network company operators.

16 BY repealing and reenacting, without amendments,
17 Article – Public Utilities
18 Section 10–101(a)
19 Annotated Code of Maryland
20 (2020 Replacement Volume and 2024 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Public Utilities
23 Section 10–101(l) and (m) and 10–401
24 Annotated Code of Maryland
25 (2020 Replacement Volume and 2024 Supplement)

26 BY adding to
27 Article – Public Utilities
28 Section 10–409

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Public Utilities

10–101.

(a) In this title the following words have the meanings indicated.

(l) “Transportation network company” means [a company that operates in the State using a digital network to connect passengers to transportation network operators or transportation network partners for transportation network services] **AN ORGANIZATION, INCLUDING A CORPORATION, PARTNERSHIP, OR SOLE PROPRIETOR, THAT USES AN ONLINE–ENABLED APPLICATION, PLATFORM, OR DIGITAL DISPATCH SYSTEM TO:**

(1) CONNECT PASSENGERS AND CUSTOMERS WITH TRANSPORTATION NETWORK DRIVERS;

(2) PRESENT OFFERS TO TRANSPORTATION NETWORK DRIVERS THROUGH A DIGITAL LABOR PLATFORM; OR

(3) FACILITATE THE PROVISION OF TRANSPORTATION SERVICES FOR COMPENSATION BY TRANSPORTATION NETWORK DRIVERS.

(m) “Transportation network operator”, “transportation network partner”, or “transportation network driver” means an individual who:

(1) has been issued a transportation network operator’s license, or is otherwise authorized, by the Commission to provide transportation network services;

(2) [receives, through a transportation network company’s digital network application, a connection to a potential passenger to transport the passenger between points chosen by the passenger in exchange for the payment of a fee to the transportation network company] **PROVIDES TRANSPORTATION TO PASSENGERS OR CUSTOMERS:**

(I) THROUGH A TRANSPORTATION NETWORK COMPANY’S PLATFORM; AND

(II) BETWEEN POINTS CHOSEN BY THE PASSENGER OR CUSTOMER IN EXCHANGE FOR PAYMENT:

1 **1. OF A FEE TO THE TRANSPORTATION NETWORK**
2 **COMPANY; AND**

3 **2. FOR THE OPERATOR’S SERVICE MADE THROUGH OR**
4 **BY THE TRANSPORTATION NETWORK COMPANY; and**

5 (3) uses a motor vehicle that is owned, leased, or otherwise authorized for
6 use by the individual and is approved **BY THE COMMISSION AND THE TRANSPORTATION**
7 **NETWORK COMPANY** for use in providing transportation network services [by the
8 Commission].

9 10–401.

10 (a) In this subtitle the following words have the meanings indicated.

11 (b) **(1) “EGREGIOUS MISCONDUCT” MEANS AN ACTION OR A BEHAVIOR**
12 **BY AN OPERATOR THAT:**

13 **(I) POSES AN IMMEDIATE THREAT TO THE PHYSICAL SAFETY OF**
14 **A PASSENGER OR CUSTOMER, ANOTHER PERSON, OR AN ANIMAL; OR**

15 **(II) INTENTIONALLY CAUSES IMMEDIATE AND IRREPARABLE**
16 **ECONOMIC HARM TO A PASSENGER OR CUSTOMER, ANOTHER PERSON, OR THE**
17 **TRANSPORTATION NETWORK COMPANY.**

18 **(2) “EGREGIOUS MISCONDUCT” INCLUDES:**

19 **(I) 1. THREE OR MORE NONCRIMINAL MOVING VIOLATIONS**
20 **WITHIN A 3–YEAR PERIOD; OR**

21 **2. THREE OR MORE AT–FAULT TRAFFIC COLLISIONS IN A**
22 **3–YEAR PERIOD; AND**

23 **(II) ANY CONDUCT THAT THE COMMISSION DEFINES BY**
24 **REGULATION AS EGREGIOUS MISCONDUCT.**

25 **(3) “EGREGIOUS MISCONDUCT”, EXCEPT AS PROVIDED IN**
26 **PARAGRAPH (2) OF THIS SUBSECTION, DOES NOT INCLUDE CONDUCT RELATED TO**
27 **NONCRIMINAL MOVING VIOLATIONS OR TRAFFIC COLLISIONS.**

28 **(C) “Insurance Commissioner” means the Insurance Commissioner of the**
29 **Maryland Insurance Administration.**

(D) “MOVING VIOLATION” HAS THE MEANING STATED IN § 11–136.1 OF THE TRANSPORTATION ARTICLE.

[(c)] (E) “Operator” means a transportation network operator, transportation network partner, or transportation network driver.

(F) “OPERATOR ADVOCACY ORGANIZATION” MEANS A MEMBERSHIP–BASED, MEMBER–LED NONPROFIT OR LABOR ORGANIZATION THAT:

(1) HAS OPERATED IN THE STATE FOR AT LEAST 2 YEARS WITH THE PRINCIPAL PURPOSE OF SUPPORTING OPERATORS;

(2) HAS NOT PREVIOUSLY AND DOES NOT CURRENTLY RECEIVE FUNDING, DIRECTLY OR INDIRECTLY, FROM A TRANSPORTATION NETWORK COMPANY;

(3) IS NOT EXCESSIVELY INFLUENCED OR CONTROLLED BY A TRANSPORTATION NETWORK COMPANY; AND

(4) HAS NOT PREVIOUSLY AND IS NOT CURRENTLY AFFILIATED WITH ANY OTHER ENTITY:

(I) THAT RECEIVES FUNDING, DIRECTLY OR INDIRECTLY, FROM ANY ENTITY CONTROLLED BY A TRANSPORTATION NETWORK COMPANY; OR

(II) THAT IS, DIRECTLY OR INDIRECTLY, EXCESSIVELY INFLUENCED OR CONTROLLED BY A TRANSPORTATION NETWORK COMPANY.

10–409.

(A) (1) IN THIS SECTION, “DEACTIVATE” OR “DEACTIVATION” MEANS AN ACTION BY A TRANSPORTATION NETWORK COMPANY THAT RESTRICTS AN OPERATOR’S ACCESS TO THE COMPANY’S DIGITAL NETWORK FOR 48 HOURS OR MORE.

(2) “DEACTIVATE” OR “DEACTIVATION” INCLUDES:

(I) BLOCKING AN OPERATOR’S ACCESS TO A DIGITAL NETWORK;

(II) SUSPENDING AN OPERATOR; AND

1 (III) CHANGING AN OPERATOR'S STATUS FROM ELIGIBLE TO
2 INELIGIBLE TO PROVIDE TRANSPORTATION NETWORK SERVICES FOR 48 HOURS OR
3 MORE.

4 (B) (1) A TRANSPORTATION NETWORK COMPANY SHALL:

5 (I) MAINTAIN A WRITTEN POLICY THAT PROVIDES THE
6 POLICIES AND PROCEDURES FOR THE DEACTIVATION OF OPERATORS; AND

7 (II) MAKE THE DEACTIVATION POLICY AVAILABLE:

8 1. ON THE TRANSPORTATION NETWORK COMPANY'S
9 WEBSITE AND THROUGH THE TRANSPORTATION NETWORK COMPANY'S DIGITAL
10 NETWORK APPLICATION;

11 2. IN ENGLISH AND OTHER LANGUAGES THE
12 TRANSPORTATION NETWORK COMPANY KNOWS OR HAS REASON TO KNOW ARE
13 SPOKEN BY THE TRANSPORTATION NETWORK COMPANY'S OPERATORS; AND

14 3. FOR AT LEAST 3 YEARS AFTER THE LAST DAY THAT
15 THE POLICY IS IN EFFECT.

16 (2) ANY UPDATE OR CHANGE TO THE DEACTIVATION POLICY SHALL
17 BE PROVIDED TO THE TRANSPORTATION NETWORK COMPANY'S OPERATORS AT
18 LEAST 72 HOURS BEFORE THE UPDATE OR CHANGE TAKES EFFECT.

19 (C) (1) THE DEACTIVATION POLICY SHALL BE SPECIFIC ENOUGH FOR AN
20 OPERATOR TO UNDERSTAND WHAT CONSTITUTES A VIOLATION OF THE POLICY AND
21 HOW TO AVOID VIOLATING THE POLICY.

22 (2) (I) THE DEACTIVATION POLICY SHALL BE REASONABLY
23 RELATED TO THE SAFE AND EFFICIENT OPERATION OF THE TRANSPORTATION
24 NETWORK COMPANY.

25 (II) THE DEACTIVATION POLICY MAY NOT INCLUDE A POLICY
26 THAT WOULD RESULT IN A DEACTIVATION BASED ON:

27 1. AN OPERATOR'S AVAILABILITY TO WORK, INCLUDING
28 THE NUMBER OF HOURS THE OPERATOR IS AVAILABLE TO WORK;

29 2. AN OPERATOR'S ACCEPTANCE OR REJECTION OF ANY
30 INDIVIDUAL OFFER, ANY TYPES OF OFFERS, OR ANY NUMBER OR PROPORTION OF
31 OFFERS;

1 3. AN OPERATOR'S CANCELLATION OF AN OFFER WITH
2 CAUSE;

3 4. AN OPERATOR CONTACTING THE TRANSPORTATION
4 NETWORK COMPANY;

5 5. STATEMENTS BY AN OPERATOR REGARDING THE
6 TERMS AND CONDITIONS OF THE WORK THAT ARE MADE TO CUSTOMERS, OTHER
7 OPERATORS, OTHER TRANSPORTATION NETWORK COMPANIES, THE MEDIA, PUBLIC
8 OFFICIALS, OR THE GENERAL PUBLIC;

9 6. A QUANTITATIVE METRIC DERIVED FROM
10 AGGREGATE CUSTOMER RATINGS OF AN OPERATOR'S PERFORMANCE;

11 7. AN OPERATOR ASSERTING THEIR LEGAL RIGHTS,
12 WHETHER IN COURT OR THROUGH PROCEDURES PROVIDED BY ANY LOCAL, STATE,
13 OR FEDERAL AGENCY; OR

14 8. EXCEPT IN THE CASE OF EGREGIOUS MISCONDUCT OR
15 WHERE DEACTIVATION IS OTHERWISE REQUIRED BY LAW, THE RESULTS OF A
16 BACKGROUND CHECK, CONSUMER REPORT, DRIVING RECORD, OR RECORD OF
17 TRAFFIC VIOLATIONS.

18 (3) THE COMMISSION MAY ADOPT REGULATIONS:

19 (I) ESTABLISHING THE FORM AND DESCRIPTION OF THE
20 DEACTIVATION POLICY, THE MANNER IN WHICH THE DEACTIVATION POLICY IS
21 DISTRIBUTED, AND THE LANGUAGES THE DEACTIVATION POLICY MUST BE
22 PROVIDED IN; AND

23 (II) DEFINING REASONABLENESS OF A DEACTIVATION POLICY.

24 (D) (1) EXCEPT AS PROVIDED IN SUBSECTIONS (F) AND (G) OF THIS
25 SECTION, BEFORE DEACTIVATING AN OPERATOR, A TRANSPORTATION NETWORK
26 COMPANY SHALL:

27 (I) CONDUCT A FAIR AND OBJECTIVE INVESTIGATION; AND

28 (II) DEMONSTRATE BY A PREPONDERANCE OF THE EVIDENCE
29 THAT THE ALLEGED VIOLATION OF THE DEACTIVATION POLICY OCCURRED.

1 **(2) A TRANSPORTATION NETWORK COMPANY MAY NOT DEACTIVATE**
2 **AN OPERATOR UNLESS THE INVESTIGATION IS THOROUGH ENOUGH TO JUSTIFY THE**
3 **DEACTIVATION.**

4 **(3) IF AN OPERATOR DOES NOT PARTICIPATE IN AN INVESTIGATION**
5 **CONDUCTED UNDER THIS SUBSECTION OR PROVIDE RELEVANT INFORMATION, A**
6 **TRANSPORTATION NETWORK COMPANY MAY COMPLETE THE INVESTIGATION BASED**
7 **ON AVAILABLE SOURCES OF INFORMATION.**

8 **(E) (1) A TRANSPORTATION NETWORK COMPANY MAY NOT DEACTIVATE**
9 **AN OPERATOR:**

10 **(I) FOR AN UNWARRANTED REASON OR A REASON THAT IS**
11 **INCONSISTENT WITH THE COMPANY'S DEACTIVATION POLICY; OR**

12 **(II) IF THE DEACTIVATION IS INTENDED TO OR RESULTS IN**
13 **DISCRIMINATION OR A DISCRIMINATORY ACT.**

14 **(2) A TRANSPORTATION NETWORK COMPANY SHALL APPLY THE**
15 **DEACTIVATION POLICY AND PENALTIES FOR VIOLATING THE POLICY IN A**
16 **CONSISTENT MANNER.**

17 **(3) THE PENALTY OF DEACTIVATION MUST:**

18 **(I) BE REASONABLY RELATED TO A VIOLATION OF THE**
19 **TRANSPORTATION NETWORK COMPANY'S DEACTIVATION POLICY; AND**

20 **(II) TAKE INTO ACCOUNT MITIGATING CIRCUMSTANCES,**
21 **INCLUDING THE OPERATOR'S PAST WORK HISTORY WITH THE TRANSPORTATION**
22 **NETWORK COMPANY.**

23 **(F) A TRANSPORTATION NETWORK COMPANY MAY IMMEDIATELY**
24 **DEACTIVATE AN OPERATOR IF:**

25 **(1) THE DEACTIVATION IS REQUIRED TO COMPLY WITH ANY**
26 **APPLICABLE COURT ORDER OR LOCAL, STATE, OR FEDERAL LAW OR REGULATION;**
27 **OR**

28 **(2) SUBJECT TO SUBSECTION (G) OF THIS SECTION, THE OPERATOR**
29 **HAS CLEARLY ENGAGED IN EGREGIOUS MISCONDUCT.**

30 **(G) (1) IF AN OPERATOR IS ALLEGED TO HAVE ENGAGED IN EGREGIOUS**
31 **MISCONDUCT, THE TRANSPORTATION NETWORK COMPANY MAY DEACTIVATE THE**

1 OPERATOR BEFORE COMPLETING AN INVESTIGATION UNDER SUBSECTION (D) OF
2 THIS SECTION.

3 (2) (I) EXCEPT FOR EXTRAORDINARY CIRCUMSTANCES, THE
4 INVESTIGATION OF EGREGIOUS MISCONDUCT MAY NOT EXCEED 14 DAYS.

5 (II) IF THE INVESTIGATION IS DELAYED DUE TO
6 EXTRAORDINARY CIRCUMSTANCES, THE TRANSPORTATION NETWORK COMPANY
7 SHALL PROVIDE THE OPERATOR WITH WRITTEN NOTICE THAT THE INVESTIGATION
8 IS DELAYED, THE REASON FOR THE DELAY, AND THE DATE ON WHICH THE
9 COMPLETION OF THE INVESTIGATION IS ANTICIPATED.

10 (H) (1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
11 PARAGRAPH, A TRANSPORTATION NETWORK COMPANY SHALL PROVIDE AN
12 OPERATOR WITH NOTICE OF A DEACTIVATION AT LEAST 14 DAYS BEFORE THE
13 DEACTIVATION AND ON THE DATE THE DEACTIVATION BECOMES EFFECTIVE.

14 (II) A TRANSPORTATION NETWORK COMPANY SHALL PROVIDE
15 AN OPERATOR WHO IS DEACTIVATED FOR EGREGIOUS MISCONDUCT THE NOTICE OF
16 DEACTIVATION ON OR BEFORE THE EFFECTIVE DATE OF THE DEACTIVATION.

17 (2) (I) THE COMMISSION SHALL DESIGNATE THE FORM AND
18 MANNER OF DELIVERY OF THE NOTICE OF DEACTIVATION.

19 (II) THE COMMISSION MAY CREATE AND DISTRIBUTE A MODEL
20 NOTICE OF DEACTIVATION IN ENGLISH AND OTHER LANGUAGES THE COMMISSION
21 DETERMINES ARE APPROPRIATE.

22 (3) THE NOTICE OF DEACTIVATION SHALL INCLUDE A WRITTEN
23 STATEMENT OF:

24 (I) THE REASON FOR THE DEACTIVATION, INCLUDING:

25 1. THE BEHAVIOR THAT VIOLATED THE
26 TRANSPORTATION NETWORK COMPANY'S DEACTIVATION POLICY; AND

27 2. THE SPECIFIC INCIDENT OR PATTERN OF INCIDENTS
28 THAT VIOLATED THE TRANSPORTATION NETWORK COMPANY'S DEACTIVATION
29 POLICY;

30 (II) THE EFFECTIVE DATE OF THE DEACTIVATION;

1 (III) RECORDS OR OTHER EVIDENCE RELIED ON DURING THE
2 INVESTIGATION REQUIRED UNDER SUBSECTION (D) OF THIS SECTION TO CONFIRM
3 OR SUBSTANTIATE A VIOLATION OF THE DEACTIVATION POLICY;

4 (IV) THE LENGTH OF THE DEACTIVATION;

5 (V) THE STEPS THE OPERATOR CAN TAKE TO REMEDY THE
6 DEACTIVATION;

7 (VI) THE OPERATOR'S RIGHT TO APPEAL THE DEACTIVATION;

8 (VII) THE TRANSPORTATION NETWORK COMPANY'S PROCESS
9 FOR APPEALING DEACTIVATION UNDER SUBSECTION (J) OF THIS SECTION,
10 INCLUDING THE METHODS AVAILABLE FOR AN OPERATOR TO INITIATE AN APPEAL;

11 (VIII) THE CONTACT INFORMATION FOR AN OPERATOR ADVOCACY
12 ORGANIZATION OR OTHER ENTITY THAT MAY BE ABLE TO ASSIST THE OPERATOR;
13 AND

14 (IX) ANY OTHER INFORMATION THAT THE COMMISSION
15 REQUIRES.

16 (I) (1) UNLESS OTHERWISE PROVIDED BY LOCAL, STATE, OR FEDERAL
17 LAW, A TRANSPORTATION NETWORK COMPANY THAT ISSUES A NOTICE OF
18 DEACTIVATION TO AN OPERATOR SHALL PROVIDE THE OPERATOR WITH THE
19 RECORDS RELIED ON BY THE TRANSPORTATION NETWORK COMPANY TO CONFIRM
20 OR SUBSTANTIATE A VIOLATION OF THE DEACTIVATION POLICY.

21 (2) THE RECORDS REQUIRED TO BE PROVIDED UNDER PARAGRAPH
22 (1) OF THIS SUBSECTION INCLUDE:

23 (I) THE DATE, TIME, AND LOCATION OF ANY INCIDENT
24 SUPPORTING THE DEACTIVATION DECISION;

25 (II) A COPY OF THE EVIDENCE THAT THE TRANSPORTATION
26 NETWORK COMPANY CONSIDERED DURING THE DEACTIVATION INVESTIGATION;
27 AND

28 (III) A CERTIFIED STATEMENT FROM AN INDIVIDUAL AT THE
29 TRANSPORTATION NETWORK COMPANY WITH AUTHORITY TO REINSTATE THE
30 OPERATOR ATTESTING THAT THE RECORDS ARE TRUE AND ACCURATE.

1 **(3) IF THE TRANSPORTATION NETWORK COMPANY TAKES**
2 **POSSESSION OR HAS KNOWLEDGE OF ADDITIONAL RECORDS THAT SUBSTANTIATE**
3 **THE DEACTIVATION, THE TRANSPORTATION NETWORK COMPANY SHALL PROVIDE**
4 **OR NOTIFY THE OPERATOR OF THE RECORDS AS SOON AS PRACTICABLE AND NOT**
5 **LATER THAN 14 DAYS AFTER THE DATE THAT THE TRANSPORTATION NETWORK**
6 **COMPANY TAKES POSSESSION OR HAS KNOWLEDGE OF THE RECORDS.**

7 **(4) (I) IF THE RECORDS SUBSTANTIATING A DEACTIVATION**
8 **CONTAIN INFORMATION RELATED TO THE IDENTITY OF A PASSENGER, CUSTOMER,**
9 **OR OTHER PARTY AND THE TRANSPORTATION NETWORK COMPANY REASONABLY**
10 **BELIEVES THAT THE INFORMATION COULD COMPROMISE THE PASSENGER,**
11 **CUSTOMER, OR OTHER PARTY'S SAFETY, THE TRANSPORTATION NETWORK**
12 **COMPANY MAY REDACT THE INFORMATION THAT IS RELATED TO OR COULD**
13 **REASONABLY INFORM THE OPERATOR OF THE IDENTITY OF THE PASSENGER,**
14 **CUSTOMER, OR OTHER PARTY.**

15 **(II) IF A COMPLAINT FROM A PASSENGER, CUSTOMER, OR**
16 **OTHER PARTY IS THE SOLE BASIS FOR A DEACTIVATION, THE TRANSPORTATION**
17 **NETWORK COMPANY MAY PROVIDE A SUMMARY DESCRIPTION OF THE RECORDS**
18 **SUBSTANTIATING THE DEACTIVATION.**

19 **(III) THE COMMISSION MAY ADOPT REGULATIONS REGARDING**
20 **MEASURES A TRANSPORTATION NETWORK COMPANY MAY TAKE TO SUMMARIZE THE**
21 **RECORDS SUBSTANTIATING A DEACTIVATION OR REDACT INFORMATION RELATED**
22 **TO THE IDENTITY OF A PASSENGER, CUSTOMER, OR OTHER PARTY.**

23 **(5) A TRANSPORTATION NETWORK COMPANY SHALL RETAIN THE**
24 **RECORDS REQUIRED UNDER THIS SUBSECTION FOR 3 YEARS AFTER THE DATE OF**
25 **THE DEACTIVATION OF AN OPERATOR.**

26 **(6) IF A TRANSPORTATION NETWORK COMPANY FAILS TO DISCLOSE**
27 **ANY RECORDS IN ACCORDANCE WITH THIS SUBSECTION, THERE IS A PRESUMPTION,**
28 **REBUTTABLE BY CLEAR AND CONVINCING EVIDENCE, THAT THE TRANSPORTATION**
29 **NETWORK COMPANY VIOLATED THIS SUBSECTION.**

30 **(J) (1) (I) A TRANSPORTATION NETWORK COMPANY SHALL**
31 **ESTABLISH AN INTERNAL PROCEDURE FOR AN OPERATOR TO APPEAL A**
32 **DEACTIVATION.**

33 **(II) AN OPERATOR WHO IS DEACTIVATED BY A**
34 **TRANSPORTATION NETWORK COMPANY HAS THE RIGHT TO APPEAL THE**
35 **DEACTIVATION THROUGH THE COMPANY'S INTERNAL PROCEDURE.**

1 (III) AN OPERATOR SHALL HAVE 90 DAYS TO APPEAL A
2 DEACTIVATION UNDER THIS SUBSECTION BEGINNING ON THE DATE THE OPERATOR
3 RECEIVES A NOTICE OF THE DEACTIVATION.

4 (IV) A TRANSPORTATION NETWORK COMPANY SHALL MAKE
5 AVAILABLE TO A DEACTIVATED OPERATOR INFORMATION REGARDING THE
6 INTERNAL DEACTIVATION APPEAL PROCEDURE:

7 1. IN WRITING, IN A FORMAT THAT IS READILY
8 ACCESSIBLE TO THE OPERATOR, AND IN ENGLISH AND ANY LANGUAGE THAT THE
9 TRANSPORTATION NETWORK COMPANY KNOWS OR HAS REASON TO KNOW IS THE
10 PRIMARY LANGUAGE OF THE OPERATOR; AND

11 2. FOR AT LEAST 3 YEARS AFTER THE DEACTIVATION.

12 (V) 1. A TRANSPORTATION NETWORK COMPANY SHALL
13 ESTABLISH A SYSTEM ACCESSIBLE TO OPERATORS THAT INFORMS OPERATORS OF
14 THEIR ELIGIBILITY TO APPEAL A DEACTIVATION UNDER THIS SUBSECTION.

15 2. THE SYSTEM SHALL BE AVAILABLE TO THE OPERATOR
16 THROUGH A SMART PHONE APPLICATION AND ON THE COMPANY'S INTERNET WEB
17 PORTAL FOR AT LEAST 3 YEARS AFTER THE DEACTIVATION.

18 (VI) THE COMMISSION MAY ADOPT REGULATIONS SPECIFYING:

19 1. THE FORM AND CONTENT OF THE DESCRIPTION OF
20 THE INTERNAL DEACTIVATION APPEAL PROCEDURE;

21 2. THE MANNER OF DISTRIBUTING INFORMATION
22 REGARDING THE PROCEDURE; AND

23 3. THE LANGUAGES INTO WHICH THE PROCEDURE MUST
24 BE TRANSLATED.

25 (2) (I) A TRANSPORTATION NETWORK COMPANY SHALL REVIEW
26 AND RESPOND TO AN OPERATOR'S APPEAL OF DEACTIVATION WITHIN 14 DAYS
27 AFTER RECEIVING NOTICE OF THE APPEAL.

28 (II) A TRANSPORTATION NETWORK COMPANY'S RESPONSE TO
29 AN OPERATOR'S APPEAL OF DEACTIVATION SHALL INCLUDE A WRITTEN
30 STATEMENT, CERTIFIED BY AN INDIVIDUAL AT THE TRANSPORTATION NETWORK
31 COMPANY WITH AUTHORITY TO REINSTATE THE OPERATOR, OF:

1 1. THE EVIDENCE THAT SUBSTANTIATES THE
2 DEACTIVATION CONSIDERED DURING THE INVESTIGATION REQUIRED UNDER
3 SUBSECTION (D) OR (G) OF THIS SECTION AND SUBSTANTIVE RESPONSES TO
4 QUESTIONS OR CLAIMS MADE BY THE OPERATOR IN THE APPEAL OF DEACTIVATION;

5 2. A DESCRIPTION OF THE EXTRAORDINARY
6 CIRCUMSTANCES NECESSITATING A DELAYED TIMELINE FOR A RESPONSE, AND AN
7 ANTICIPATED DATE FOR A RESPONSE THAT SUBSTANTIATES THE DEACTIVATION OR
8 REINSTATES THE OPERATOR; OR

9 3. A DETERMINATION THAT THE OPERATOR DID NOT
10 VIOLATE THE TRANSPORTATION NETWORK COMPANY'S DEACTIVATION POLICY AND
11 THE DATE THAT THE OPERATOR WILL BE REINSTATED.

12 (3) AN OPERATOR MAY FILE A COMPLAINT WITH THE COMMISSION OR
13 BRING A CIVIL ACTION FOR A VIOLATION UNDER THIS SUBSECTION:

14 (I) ON RECEIPT OF THE TRANSPORTATION NETWORK
15 COMPANY'S INITIAL RESPONSE TO THE INTERNAL APPEAL; OR

16 (II) WITHIN 14 DAYS AFTER AN OPERATOR INITIATES AN
17 INTERNAL APPEAL.

18 (4) AN OPERATOR MAY APPEAL THE DEACTIVATION AND PURSUE ALL
19 AVENUES OF RELIEF AVAILABLE REGARDLESS OF THE GEOGRAPHIC LOCATION OF
20 THE INCIDENT THAT LEADS TO THE TRANSPORTATION NETWORK COMPANY'S
21 DECISION TO DEACTIVATE THE OPERATOR.

22 (K) (1) THE COMMISSION SHALL ADOPT REGULATIONS REQUIRING A
23 TRANSPORTATION NETWORK COMPANY TO TRANSMIT TO THE COMMISSION
24 INFORMATION AND RECORDS ON THE DEACTIVATION OF OPERATORS:

25 (I) ON AT LEAST A QUARTERLY BASIS ON OR BEFORE JULY 1,
26 2028; AND

27 (II) AT LEAST ONCE EVERY 6 MONTHS AFTER JUNE 30, 2028.

28 (2) THE INFORMATION AND RECORDS REQUIRED UNDER PARAGRAPH
29 (1) OF THIS SUBSECTION MAY INCLUDE:

30 (I) A COPY OF THE TRANSPORTATION NETWORK COMPANY'S
31 DEACTIVATION POLICY;

1 (II) A COPY OF THE TRANSPORTATION NETWORK COMPANY'S
2 DEACTIVATION APPEAL PROCEDURE, INCLUDING THE AVAILABLE METHODS OF
3 CONTACT FOR AN OPERATOR TO INITIATE AN APPEAL;

4 (III) INFORMATION AND RECORDS REGARDING THE NUMBER OF
5 DEACTIVATIONS INITIATED BY A TRANSPORTATION NETWORK COMPANY;

6 (IV) INFORMATION AND RECORDS REGARDING THE
7 DEACTIVATION POLICY VIOLATION THAT MOST COMMONLY RESULTS IN THE
8 DEACTIVATION OF AN OPERATOR;

9 (V) THE NUMBER OF OPERATORS THAT APPEAL A
10 DEACTIVATION DECISION AND THE PROCESS THAT EACH OPERATOR USES TO
11 APPEAL THE DEACTIVATION;

12 (VI) THE NUMBER OF OPERATORS REINSTATED AFTER A
13 DEACTIVATION DECISION, INCLUDING THE LENGTH OF EACH DEACTIVATION
14 BEFORE REINSTATEMENT, AND THE LENGTH OF SERVICE WITH THE
15 TRANSPORTATION NETWORK COMPANY OF AN OPERATOR BEFORE A DEACTIVATION
16 DECISION; AND

17 (VII) ANY OTHER INFORMATION OR RECORD THE COMMISSION
18 DETERMINES IS NECESSARY FOR THE PURPOSES OF THIS SUBSECTION.

19 (3) THE COMMISSION SHALL ADOPT REGULATIONS PROVIDING FOR
20 THE FORMAT, SECURITY, AND PRIVACY OF THE RECORDS REQUIRED UNDER THIS
21 SUBSECTION.

22 (L) (1) A TRANSPORTATION NETWORK COMPANY SHALL PROVIDE EACH
23 OF THE COMPANY'S OPERATORS WRITTEN NOTICE OF THE RIGHTS ESTABLISHED
24 UNDER THIS SECTION WITHIN 24 HOURS OF THE OPERATOR PROVIDING
25 TRANSPORTATION NETWORK SERVICE FOR THE TRANSPORTATION NETWORK
26 COMPANY.

27 (2) (I) AT LEAST ONCE A YEAR, A TRANSPORTATION NETWORK
28 COMPANY SHALL PROVIDE EACH OF THE COMPANY'S OPERATORS NOTICE OF THE
29 OPERATORS' RIGHTS UNDER THIS SECTION.

30 (II) THE NOTICE OF RIGHTS REQUIRED UNDER SUBPARAGRAPH
31 (I) OF THIS PARAGRAPH SHALL INCLUDE INFORMATION ON:

32 1. THE RIGHT TO APPEAL A DEACTIVATION THROUGH A
33 TRANSPORTATION NETWORK COMPANY'S INTERNAL DEACTIVATION APPEAL

1 PROCEDURE AND ANY OTHER PROCEDURE AVAILABLE TO APPEAL THE
2 DEACTIVATION;

3 2. THE TRANSPORTATION NETWORK COMPANY'S
4 INTERNAL DEACTIVATION APPEAL PROCEDURE;

5 3. THE OPERATOR'S RIGHT, EXCEPT IN THE CASE OF
6 EGREGIOUS MISCONDUCT, TO AT LEAST 14 DAYS' NOTICE OF DEACTIVATION;

7 4. THE OPERATOR'S RIGHT TO ACCESS THE RECORDS
8 RELIED ON BY THE TRANSPORTATION NETWORK COMPANY TO CONFIRM OR
9 SUBSTANTIATE THE DEACTIVATION;

10 5. THE OPERATOR'S RIGHT TO BE PROTECTED FROM
11 RETALIATION BY A TRANSPORTATION NETWORK COMPANY FOR THE GOOD FAITH
12 EXERCISE OF THE RIGHTS ESTABLISHED UNDER THIS SECTION; AND

13 6. THE RIGHT TO FILE A COMPLAINT WITH THE
14 COMMISSION OR BRING A CIVIL ACTION FOR A VIOLATION OF THIS SECTION.

15 (3) A TRANSPORTATION NETWORK COMPANY SHALL:

16 (I) PROVIDE THE NOTICE OF RIGHTS IN:

17 1. AN ELECTRONIC FORMAT THAT IS READILY
18 ACCESSIBLE BY THE COMPANY'S OPERATORS; AND

19 2. ENGLISH AND ANY LANGUAGE THE TRANSPORTATION
20 NETWORK COMPANY KNOWS OR HAS REASON TO KNOW IS THE PRIMARY LANGUAGE
21 OF THE OPERATOR; AND

22 (II) MAKE THE NOTICE OF RIGHTS AVAILABLE TO THE
23 OPERATOR THROUGH THE OPERATOR'S SMARTPHONE OR E-MAIL OR ON THE
24 COMPANY'S INTERNET WEB PORTAL.

25 (4) (I) THE COMMISSION MAY ADOPT REGULATIONS PROVIDING
26 FOR THE FORM AND CONTENT, METHOD OF DISTRIBUTION, AND REQUIRED
27 LANGUAGES FOR THE NOTICE OF RIGHTS REQUIRED UNDER THIS SUBSECTION.

28 (II) THE COMMISSION MAY CREATE AND DISTRIBUTE A MODEL
29 NOTICE OF RIGHTS REQUIRED UNDER THIS SUBSECTION IN ENGLISH AND ANY
30 OTHER LANGUAGE THE COMMISSION DETERMINES IS APPROPRIATE.

1 **(M) (1) A TRANSPORTATION NETWORK COMPANY SHALL RETAIN:**

2 **(I) RECORDS THAT DOCUMENT COMPLIANCE WITH THIS**
3 **SECTION FOR EACH OF THE COMPANY’S OPERATORS; AND**

4 **(II) A COMPLIANCE FILE FOR EACH DEACTIVATION FOR A**
5 **PERIOD OF 3 YEARS AFTER THE DEACTIVATION.**

6 **(2) THE COMPLIANCE FILE FOR EACH DEACTIVATION MAY INCLUDE:**

7 **(I) THE DEACTIVATION NOTICE PROVIDED TO THE OPERATOR;**

8 **(II) THE DATE OF COMPLETION FOR AN INVESTIGATION OF THE**
9 **CONDUCT THAT RESULTED IN THE DEACTIVATION;**

10 **(III) IF THE DEACTIVATION WAS THE RESULT OF EGREGIOUS**
11 **MISCONDUCT, A DESCRIPTION OF THE EGREGIOUS MISCONDUCT;**

12 **(IV) IF THE INVESTIGATION WAS DELAYED BY EXTRAORDINARY**
13 **CIRCUMSTANCES, THE EXTRAORDINARY CIRCUMSTANCES THAT RESULTED IN THE**
14 **DELAY;**

15 **(V) THE NUMBER OF RIDES COMPLETED BY THE OPERATOR IN**
16 **THE 180 DAYS BEFORE THE DEACTIVATION NOTICE, REGARDLESS OF WHETHER THE**
17 **RIDES WERE COMPLETED IN THE STATE OR OUTSIDE THE STATE;**

18 **(VI) THE DATE A DEACTIVATION APPEAL WAS INITIATED AND**
19 **COMPLETED; AND**

20 **(VII) THE COMPANY’S RESPONSE TO AN OPERATOR REGARDING A**
21 **DEACTIVATION APPEAL.**

22 **(3) IF A TRANSPORTATION NETWORK COMPANY DOES NOT RETAIN**
23 **THE RECORDS REQUIRED UNDER THIS SUBSECTION, THERE IS A PRESUMPTION,**
24 **REBUTTABLE BY CLEAR AND CONVINCING EVIDENCE, THAT THE COMPANY**
25 **VIOLATED THIS SUBSECTION FOR THE RELEVANT PERIODS AND FOR EACH**
26 **OPERATOR FOR WHOM THE RECORDS WERE NOT RETAINED.**

27 **(4) THE COMMISSION MAY ADOPT REGULATIONS PROVIDING FOR**
28 **THE FORMAT AND CONTENT OF THE RECORDS REQUIRED UNDER THIS SUBSECTION.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That on or before November 1,
30 2025, a transportation network company shall provide each of the company’s operators with

1 notice of the operator's rights required under § 10–409(l) of the Public Utilities Article, as
2 enacted by Section 1 of this Act.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2025.