

SECOND REGULAR SESSION

# HOUSE BILL NO. 1725

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE COSTLOW.

4154H.01I

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal sections 387.420 and 387.436, RSMo, and to enact in lieu thereof three new sections relating to transportation network companies, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 387.420 and 387.436, RSMo, are repealed and three new sections  
2 enacted in lieu thereof, to be known as sections 387.420, 387.436, and 575.121, to read as  
3 follows:

387.420. 1. Before allowing an individual to accept trip requests through a TNC's  
2 digital network, the TNC shall:

3 (1) Require the individual to register with the TNC by submitting information  
4 regarding his or her address, age, driver's license, motor vehicle registration, automobile  
5 liability insurance, and other information required by the TNC;

6 (2) Conduct, or have a third party conduct, a local and national criminal background  
7 check for each applicant that shall include:

8 (a) Multistate/multijurisdiction criminal records locator or other similar commercial  
9 nationwide database with validation, also known as a primary source search; and

10 (b) United States Department of Justice National Sex Offender public website; and

11 ~~[(e)]~~ (3) Obtain and review, or have a third party obtain and review, a driving history  
12 research report for such individual.

13 2. The TNC shall not permit an individual to act as a TNC driver on its digital  
14 network who:

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 (1) Has had more than three moving violations in the prior three-year period, or one  
16 violation in the prior three-year period resulting in assessment of six or more points pursuant  
17 to section 302.302, including but not limited to driving on a suspended or revoked license;

18 (2) Has been convicted, within the past five years, of a first violation of section  
19 577.010 or 577.012, a violation of section 304.012, or resisting or interfering with arrest  
20 where the conviction results in a class A misdemeanor;

21 (3) Has been convicted, within the past seven years, of a second or subsequent  
22 violation of section 577.010 or 577.012, fraud, a sexual offense, resisting or interfering with  
23 arrest where the conviction results in a ~~[class E]~~ felony **of any classification**, use of a motor  
24 vehicle to commit a felony, an offense involving property damage, theft, an act of violence, or  
25 an act of terror;

26 (4) Is a match in the United States Department of Justice National Sex Offender  
27 public website;

28 (5) Does not possess a valid driver's license;

29 (6) Does not possess proof of registration for the motor vehicle or vehicles used to  
30 provide prearranged rides;

31 (7) Does not possess proof of automobile liability insurance for the motor vehicle or  
32 vehicles used to provide prearranged rides; ~~[or]~~

33 (8) Is not at least nineteen years of age; **or**

34 (9) **Is not a United States citizen or authorized to work under a current**  
35 **employment authorization document.**

36 3. A TNC driver who is qualified to accept trip requests through a TNC's digital  
37 network pursuant to this section shall not be required to obtain any other state or local license  
38 or permit to provide prearranged rides.

387.436. 1. Upon receipt of information that a TNC driver has been convicted of a  
2 violation of section **304.012**, 577.010, or 577.012, fraud, a sexual offense, **resisting or**  
3 **interfering with arrest where the conviction results in a class A misdemeanor or a felony**  
4 **of any classification**, use of a motor vehicle to commit a felony, an offense involving  
5 property damage, theft, an act of violence, or an act of terror, or no longer maintains the  
6 minimum motor vehicle financial responsibility required to be carried under chapter 303, a  
7 TNC shall immediately revoke such driver's ability to accept trip requests through the TNC's  
8 digital platform, and as soon as practicable, notify the department of the TNC driver's name,  
9 license number, and license plate number.

10 2. **Upon the expiration of an employment authorization document of a TNC**  
11 **driver, a TNC shall immediately revoke such driver's ability to accept trip requests**  
12 **through the TNC's digital platform, and as soon as practicable, notify the department of**  
13 **the TNC driver's name, license number, and license plate number.**

14           **3.** Upon receipt of information that a TNC driver has been involved in a traffic  
15 accident or incident that results in serious bodily injury or a fatality, a TNC shall notify the  
16 department of the driver's name, license number, and license plate number.

17           ~~[3.]~~ **4.** The department shall develop and implement a process to provide any  
18 information received under subsections 1 and 2 of this section to all other TNCs licensed in  
19 this state.

20           ~~[4.]~~ **5.** Notwithstanding any other provision of law, any information provided to the  
21 department under this section shall be exempt from disclosure under chapter 610.

**575.121. 1. A person commits the offense of impersonating a transportation  
2 network company driver if the person:**

3           **(1) Makes a false statement, uses a false display of distinctive signage or  
4 emblems known as a trade dress, trademark, branding, or logo of the transportation  
5 network company, or any other act that falsely represents that the person has a current  
6 connection with a transportation network company; or**

7           **(2) Falsely represents that the person is responding to a passenger ride request  
8 for a transportation network company.**

9           **2. Except as provided in subsections 3 and 4 of this section, the offense of  
10 impersonating a transportation network company driver is a class A misdemeanor.**

11           **3. The offense of impersonating a transportation network company driver is a  
12 class C felony if the person impersonates a transportation company network driver  
13 during the commission of:**

14           **(1) Any felony offense and causes great bodily injury to another person other  
15 than to an accomplice; or**

16           **(2) The offense of kidnapping in the first degree, kidnapping in the second  
17 degree, kidnapping in the third degree, or child kidnapping under chapter 565, or any  
18 sexual offense under chapter 566.**

19           **4. The offense of impersonating a transportation network company driver is a  
20 class A felony if the person impersonates a transportation company network driver  
21 during the commission of any felony offense and causes the death of another person  
22 other than to an accomplice.**

23           **5. Nothing in this section shall preclude prosecution under any other law.**

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