

Chapter 231

(Senate Bill 740)

AN ACT concerning

Transportation Network Companies – Deactivation of Operators

FOR the purpose of ~~altering the definitions of “transportation network company” and “transportation network operator” for purposes of provisions of law regarding transportation network companies;~~ requiring a transportation network company to maintain a deactivation policy that provides the policies and procedures for the deactivation of operators; prohibiting a transportation network company from deactivating an operator ~~unless the deactivation is consistent with the company’s deactivation policy~~ for certain violations; requiring a transportation network company to allow an operator whose account is deactivated to withdraw certain earnings under certain circumstances; requiring a transportation network company to provide notice and certain information to ~~the transportation network company’s operators and~~ any operator who is deactivated; and generally relating to the deactivation of transportation network company operators.

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 10–101(a), ~~(l), (m), and (n)~~ and 10–401(a) and (c)

Annotated Code of Maryland

(2025 Replacement Volume and 2025 Supplement)

~~BY repealing and reenacting, with amendments,~~~~Article – Public Utilities~~~~Section 10–101(l) and (m) and 10–401~~~~Annotated Code of Maryland~~~~(2025 Replacement Volume and 2025 Supplement)~~

BY adding to

Article – Public Utilities

Section 10–410

Annotated Code of Maryland

(2025 Replacement Volume and 2025 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.

(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; and

(3) uses a motor vehicle that is owned, leased, or otherwise authorized for use by the individual and is approved for use in providing transportation network services by the Commission.

(n) (1) “Transportation network services” means the activities of an operator during:

(i) transportation network coverage period one, during which the operator is logged onto and ready to accept a prearranged ride request made through a transportation network company’s digital network application;

(ii) transportation network coverage period two, during which the operator accepts a ride request from a passenger that is prearranged through a transportation network company’s digital network application, and is traveling to a predetermined location to pick up the passenger; and

(iii) transportation network coverage period three, during which the operator transports the passenger and continuing until the passenger departs the motor vehicle.

(2) “Transportation network services” does not include:

(i) providing taxicab services, sedan services, or limousine services;

(ii) any shared expense carpool arrangement or service or other type of arrangement or service in which a driver receives a fee that does not exceed the driver’s costs associated with providing a ride; or

(iii) transportation services that a nonprofit organization provides through the use of a volunteer driver and the volunteer driver’s personal vehicle.

10-401.

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

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

10-410.

(A) IN THIS SECTION, “DEACTIVATE” OR “DEACTIVATION” MEANS AN ACTION BY A TRANSPORTATION NETWORK COMPANY TO PERMANENTLY CHANGE AN OPERATOR’S ACCOUNT STATUS FROM ELIGIBLE TO PROVIDE TRANSPORTATION NETWORK SERVICES TO INELIGIBLE TO PROVIDE TRANSPORTATION NETWORK SERVICES.

(B) THIS SECTION DOES NOT APPLY TO AN OPERATOR’S LOSS OF ACCESS TO A TRANSPORTATION NETWORK COMPANY’S DIGITAL NETWORK APPLICATION IF THE LOSS OF ACCESS:

(1) IS CONTINGENT ON AN OPERATOR’S COMPLIANCE WITH A LICENSE, INSURANCE, OR A REGULATORY REQUIREMENT;

(2) WAS IMPLEMENTED BY THE TRANSPORTATION NETWORK COMPANY FOR A LEGITIMATE FINANCIAL, BUSINESS, OR ECONOMIC REASON AND NOT RELATED TO THE OPERATOR’S CONDUCT;

(3) IS ABLE TO BE RESOLVED THROUGH UNILATERAL ACTION BY THE OPERATOR; OR

(4) IS THE RESULT OF ACCESS RESTRICTIONS DUE TO INCLEMENT WEATHER OR NETWORK OUTAGES.

(C) A TRANSPORTATION NETWORK COMPANY SHALL:

(1) MAINTAIN A WRITTEN PLAIN-LANGUAGE DEACTIVATION POLICY THAT PROVIDES FOR THE POLICIES AND PROCEDURES FOR THE DEACTIVATION OF OPERATORS; AND

(2) MAKE THE DEACTIVATION POLICY AVAILABLE ONLINE THROUGH THE TRANSPORTATION NETWORK COMPANY’S DIGITAL NETWORK APPLICATION.

(D) THE DEACTIVATION POLICY SHALL:

(1) STATE THAT THE DEACTIVATION POLICY IS ENFORCEABLE AS A TERM OF THE TRANSPORTATION NETWORK COMPANY’S CONTRACT WITH THE OPERATOR;

(2) DEFINE “SERIOUS MISCONDUCT” AND SPECIFY THAT SERIOUS MISCONDUCT INCLUDES:

(I) REFUSAL TO PROVIDE TRANSPORTATION NETWORK SERVICES FOR ANY REASON RELATED TO A POTENTIAL PASSENGER’S DISABILITY, INCLUDING THE USE OF A MOBILITY AID OR TRAVEL WITH A SERVICE ANIMAL; AND

(II) ANY OTHER CONDUCT THAT WOULD CONSTITUTE AN ACT OF APPARENT DISCRIMINATION UNDER FEDERAL OR STATE LAW;

(3) INCLUDE A NONEXHAUSTIVE LIST OF EXAMPLES OF CONDUCT THAT CONSTITUTES SERIOUS MISCONDUCT UNDER THE DEACTIVATION POLICY;

(4) PROVIDE THE OPERATOR WITH A REASONABLE UNDERSTANDING OF WHAT MAY CONSTITUTE A VIOLATION THAT WARRANTS DEACTIVATION UNDER THE DEACTIVATION POLICY;

(5) DESCRIBE THE PROCEDURES FOR NOTIFYING AN OPERATOR OF A DEACTIVATION AND THE REASON FOR THE DEACTIVATION;

(6) DESCRIBE THE PROCEDURES AND ELIGIBILITY CRITERIA FOR THE RECONSIDERATION OF A DEACTIVATION DECISION AND THE PROCESS, CONSISTENT WITH SUBSECTION (I) OF THIS SECTION, FOR AN OPERATOR TO REQUEST A DEACTIVATION APPEAL WITH THE TRANSPORTATION NETWORK COMPANY; AND

(7) BE SPECIFIC ENOUGH FOR AN OPERATOR TO UNDERSTAND WHAT CONSTITUTES A VIOLATION OF THE POLICY AND HOW TO AVOID VIOLATING THE POLICY.

(E) A TRANSPORTATION NETWORK COMPANY MAY NOT DEACTIVATE AN OPERATOR FOR A VIOLATION NOT REASONABLY UNDERSTOOD TO BE PART OF THE TRANSPORTATION NETWORK COMPANY’S DEACTIVATION POLICY.

(F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A TRANSPORTATION NETWORK COMPANY MAY NOT RELY SOLELY ON A PASSENGER REPORT AS THE BASIS FOR A DEACTIVATION.

(2) A TRANSPORTATION NETWORK COMPANY MAY RELY SOLELY ON A PASSENGER REPORT AS THE BASIS FOR A DEACTIVATION IF:

(I) THE REPORT WAS SUBMITTED WITHIN 14 DAYS AFTER THE DATE OF THE ALLEGED INCIDENT; OR

(II) 1. THE REPORT INVOLVES AN ALLEGED VIOLATION OF A FEDERAL OR STATE LAW;

2. THE REPORT INVOLVES AN ALLEGED VIOLATION OF THE TRANSPORTATION NETWORK COMPANY'S NONDISCRIMINATION POLICY;

3. THE REPORT INVOLVES AN ALLEGED ACT OF FRAUD UNDER TITLE 8 OF THE CRIMINAL LAW ARTICLE, AS DEFINED IN THE TRANSPORTATION NETWORK COMPANY'S CONTRACT WITH THE OPERATOR, OR IN THE TRANSPORTATION NETWORK COMPANY'S TERMS, INCLUDING:

A. DELIBERATELY INCREASING THE TIME OR DISTANCE OF A PASSENGER TRIP OR ACCEPTING A PASSENGER TRIP WITHOUT THE INTENTION OF COMPLETING THE TRIP;

B. USING ANOTHER OPERATOR'S ACCOUNT OR CREATING A FAKE OR DUPLICATE ACCOUNT ON A TRANSPORTATION NETWORK COMPANY'S DIGITAL NETWORK APPLICATION;

C. INTENTIONALLY REQUESTING OR ACCEPTING FRAUDULENT OR FALSIFIED PASSENGER TRIPS; OR

D. INTENTIONALLY DISRUPTING OR MANIPULATING THE NORMAL FUNCTIONING OF A TRANSPORTATION NETWORK COMPANY'S DIGITAL NETWORK APPLICATION, INCLUDING MANIPULATING THE SETTINGS ON A PHONE TO PREVENT THE PROPER FUNCTIONING OF A TRANSPORTATION NETWORK COMPANY'S DIGITAL NETWORK APPLICATION; OR

4. THE REPORT INVOLVES OPERATOR, ROAD, OR PERSONAL SAFETY.

(G) A TRANSPORTATION NETWORK COMPANY SHALL ALLOW AN OPERATOR WHOSE ACCOUNT IS DEACTIVATED TO WITHDRAW EARNINGS THAT ACCRUED BEFORE THE DEACTIVATION UNLESS:

(1) THE TRANSPORTATION NETWORK COMPANY REASONABLY BELIEVES THAT A PORTION OF THE EARNINGS ARE CONNECTED TO CRIMINAL OR FRAUDULENT CONDUCT; OR

(2) THE WITHDRAWAL WOULD VIOLATE A FEDERAL OR STATE LAW.

(H) (1) A TRANSPORTATION NETWORK COMPANY SHALL PROVIDE AN OPERATOR WITH WRITTEN NOTICE OF A DEACTIVATION:

(I) ON THE DATE THE DEACTIVATION BECOMES EFFECTIVE; OR

(II) FOR SERIOUS MISCONDUCT, WITHIN 3 DAYS AFTER THE DEACTIVATION.

(2) A WRITTEN NOTICE OF DEACTIVATION SHALL INCLUDE:

(I) THE REASON FOR THE DEACTIVATION;

(II) INFORMATION ON AN OPERATOR'S RIGHT TO APPEAL THE DEACTIVATION; AND

(III) INSTRUCTIONS FOR AN OPERATOR TO APPEAL THE DEACTIVATION.

(I) (1) A DEACTIVATION POLICY SHALL INCLUDE AN APPEALS PROCESS FOR AN OPERATOR TO APPEAL A DEACTIVATION.

(2) AN OPERATOR WHO IS DEACTIVATED BY A TRANSPORTATION NETWORK COMPANY HAS THE RIGHT TO APPEAL THE DEACTIVATION BEGINNING ON THE DATE THE OPERATOR RECEIVES NOTICE OF THE DEACTIVATION.

(3) AN APPEALS PROCESS SHALL PROVIDE AN OPERATOR WITH:

(I) AT LEAST 30 DAYS FROM THE DATE OF THE NOTICE OF DEACTIVATION TO APPEAL THE DEACTIVATION; AND

(II) AN OPPORTUNITY TO PROVIDE THE TRANSPORTATION NETWORK COMPANY OR THIRD PARTY, AS APPROPRIATE, WITH INFORMATION TO SUPPORT THE APPEAL.

(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A TRANSPORTATION NETWORK COMPANY SHALL REVIEW AND MAKE A FINAL DECISION ON AN APPEAL OF A DEACTIVATION WITHIN 15 DAYS AFTER RECEIPT OF THE APPEAL AND ANY INFORMATION THE OPERATOR PROVIDES TO SUPPORT THE APPEAL.

(II) A TRANSPORTATION NETWORK COMPANY OR AN OPERATOR MAY REQUEST AN ADDITIONAL 15 DAYS TO REVIEW AND MAKE A FINAL DECISION ON

AN APPEAL OF DEACTIVATION OR PROVIDE INFORMATION TO SUPPORT THE APPEAL, AS APPROPRIATE.

(5) A TRANSPORTATION NETWORK COMPANY MAY USE A THIRD PARTY TO ASSIST IN THE APPEALS PROCESS.

(6) A TRANSPORTATION NETWORK COMPANY SHALL CONSIDER ALL INFORMATION PROVIDED BY THE OPERATOR DURING THE APPEALS PROCESS.

(7) FOR AN APPEALED DEACTIVATION TO BE UPHELD UNDER THE APPEALS PROCESS A TRANSPORTATION NETWORK COMPANY OR A THIRD PARTY MUST DETERMINE THAT UNDER THE TOTALITY OF THE CIRCUMSTANCES THERE IS EVIDENCE TO FIND THAT IT IS MORE LIKELY THAN NOT THAT A VIOLATION OF THE DEACTIVATION POLICY HAS OCCURRED.

~~(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~~

~~(H) BETWEEN POINTS CHOSEN BY THE PASSENGER OR CUSTOMER IN EXCHANGE FOR PAYMENT;~~

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

~~2. FOR THE OPERATOR'S SERVICE MADE THROUGH OR BY THE TRANSPORTATION NETWORK COMPANY; and~~

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

~~10-401.~~

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

~~(b) (1) "EGREGIOUS MISCONDUCT" MEANS AN ACTION OR A BEHAVIOR BY AN OPERATOR THAT:~~

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

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

~~(2) "EGREGIOUS MISCONDUCT" INCLUDES:~~

~~(I) 1. THREE OR MORE NONCRIMINAL MOVING VIOLATIONS WITHIN A 3-YEAR PERIOD; OR~~

~~2. THREE OR MORE AT-FAULT TRAFFIC COLLISIONS IN A 3-YEAR PERIOD; AND~~

~~(II) ANY CONDUCT THAT THE COMMISSION DEFINES BY REGULATION AS EGREGIOUS MISCONDUCT.~~

~~(3) "EGREGIOUS MISCONDUCT", EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, DOES NOT INCLUDE CONDUCT RELATED TO NONCRIMINAL MOVING VIOLATIONS OR TRAFFIC COLLISIONS.~~

~~(C) “Insurance Commissioner” means the Insurance Commissioner of the 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.~~

~~10-410.~~

~~(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;~~

~~(H) SUSPENDING AN OPERATOR; AND~~

~~(HH) CHANGING AN OPERATOR'S STATUS FROM ELIGIBLE TO INELIGIBLE TO PROVIDE TRANSPORTATION NETWORK SERVICES FOR 48 HOURS OR MORE.~~

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

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

~~(H) MAKE THE DEACTIVATION POLICY AVAILABLE:~~

~~1. ON THE TRANSPORTATION NETWORK COMPANY'S WEBSITE AND THROUGH THE TRANSPORTATION NETWORK COMPANY'S DIGITAL NETWORK APPLICATION;~~

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

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

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

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

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

~~(H) THE DEACTIVATION POLICY MAY NOT INCLUDE A POLICY THAT WOULD RESULT IN A DEACTIVATION BASED ON:~~

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

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

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

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

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

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

~~7. AN OPERATOR ASSERTING THE OPERATOR'S LEGAL RIGHTS, WHETHER IN COURT OR THROUGH PROCEDURES PROVIDED BY ANY LOCAL, STATE, OR FEDERAL AGENCY; OR~~

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

~~(3) THE COMMISSION MAY ADOPT REGULATIONS:~~

~~(i) ESTABLISHING THE FORM AND DESCRIPTION OF THE DEACTIVATION POLICY, THE MANNER IN WHICH THE DEACTIVATION POLICY IS DISTRIBUTED, AND THE LANGUAGES THE DEACTIVATION POLICY MUST BE PROVIDED IN; AND~~

~~(ii) DEFINING REASONABLENESS OF A DEACTIVATION POLICY.~~

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

~~(i) CONDUCT A FAIR AND OBJECTIVE INVESTIGATION; AND~~

~~(H) DEMONSTRATE BY A PREPONDERANCE OF THE EVIDENCE THAT THE ALLEGED VIOLATION OF THE DEACTIVATION POLICY OCCURRED.~~

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

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

~~(E) (1) A TRANSPORTATION NETWORK COMPANY MAY NOT DEACTIVATE AN OPERATOR:~~

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

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

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

~~(3) THE PENALTY OF DEACTIVATION MUST:~~

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

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

~~(F) A TRANSPORTATION NETWORK COMPANY MAY IMMEDIATELY DEACTIVATE AN OPERATOR IF:~~

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

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

~~(G) (1) IF AN OPERATOR IS ALLEGED TO HAVE ENGAGED IN EGREGIOUS MISCONDUCT, THE TRANSPORTATION NETWORK COMPANY MAY DEACTIVATE THE OPERATOR BEFORE COMPLETING AN INVESTIGATION UNDER SUBSECTION (D) OF THIS SECTION.~~

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

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

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

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

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

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

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

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

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

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

~~(H) THE EFFECTIVE DATE OF THE DEACTIVATION;~~

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

~~(IV) THE LENGTH OF THE DEACTIVATION;~~

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

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

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

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

~~(IX) ANY OTHER INFORMATION THAT THE COMMISSION REQUIRES.~~

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

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

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

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

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

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

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

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

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

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

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

~~(J) (1) (i) A TRANSPORTATION NETWORK COMPANY SHALL ESTABLISH AN INTERNAL PROCEDURE FOR AN OPERATOR TO APPEAL A DEACTIVATION.~~

~~(ii) AN OPERATOR WHO IS DEACTIVATED BY A TRANSPORTATION NETWORK COMPANY HAS THE RIGHT TO APPEAL THE DEACTIVATION THROUGH THE COMPANY'S INTERNAL PROCEDURE.~~

~~(iii) AN OPERATOR SHALL HAVE 90 DAYS TO APPEAL A DEACTIVATION UNDER THIS SUBSECTION BEGINNING ON THE DATE THE OPERATOR RECEIVES A NOTICE OF THE DEACTIVATION.~~

~~(iv) A TRANSPORTATION NETWORK COMPANY SHALL MAKE AVAILABLE TO A DEACTIVATED OPERATOR INFORMATION REGARDING THE INTERNAL DEACTIVATION APPEAL PROCEDURE:~~

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

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

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

~~2. THE SYSTEM SHALL BE AVAILABLE TO THE OPERATOR THROUGH A SMARTPHONE APPLICATION AND ON THE COMPANY'S INTERNET WEB PORTAL FOR AT LEAST 3 YEARS AFTER THE DEACTIVATION.~~

~~(vi) THE COMMISSION MAY ADOPT REGULATIONS SPECIFYING:~~

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

~~2. THE MANNER OF DISTRIBUTING INFORMATION REGARDING THE PROCEDURE; AND~~

~~3. THE LANGUAGES INTO WHICH THE PROCEDURE MUST BE TRANSLATED.~~

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

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

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

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

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

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

~~(i) ON RECEIPT OF THE TRANSPORTATION NETWORK COMPANY'S INITIAL RESPONSE TO THE INTERNAL APPEAL; OR~~

~~(ii) WITHIN 14 DAYS AFTER AN OPERATOR INITIATES AN INTERNAL APPEAL.~~

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

~~(k) (1) THE COMMISSION SHALL ADOPT REGULATIONS REQUIRING A TRANSPORTATION NETWORK COMPANY TO TRANSMIT TO THE COMMISSION INFORMATION AND RECORDS ON THE DEACTIVATION OF OPERATORS:~~

~~(i) ON AT LEAST A QUARTERLY BASIS ON OR BEFORE JULY 1, 2028; AND~~

~~(H) AT LEAST ONCE EVERY 6 MONTHS AFTER JUNE 30, 2028.~~

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

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

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

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

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

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

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

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

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

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

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

~~(ii) THE NOTICE OF RIGHTS REQUIRED UNDER SUBPARAGRAPH (i) OF THIS PARAGRAPH SHALL INCLUDE INFORMATION ON:~~

~~1. THE RIGHT TO APPEAL A DEACTIVATION THROUGH A TRANSPORTATION NETWORK COMPANY'S INTERNAL DEACTIVATION APPEAL PROCEDURE AND ANY OTHER PROCEDURE AVAILABLE TO APPEAL THE DEACTIVATION;~~

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

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

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

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

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

~~(3) A TRANSPORTATION NETWORK COMPANY SHALL:~~

~~(i) PROVIDE THE NOTICE OF RIGHTS IN:~~

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

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

~~(H) MAKE THE NOTICE OF RIGHTS AVAILABLE TO THE OPERATOR THROUGH THE OPERATOR'S SMARTPHONE OR E MAIL OR ON THE COMPANY'S INTERNET WEB PORTAL.~~

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

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

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

~~(I) RECORDS THAT DOCUMENT COMPLIANCE WITH THIS SECTION FOR EACH OF THE COMPANY'S OPERATORS; AND~~

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

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

~~(I) THE DEACTIVATION NOTICE PROVIDED TO THE OPERATOR;~~

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

~~(III) IF THE DEACTIVATION WAS THE RESULT OF EGREGIOUS MISCONDUCT, A DESCRIPTION OF THE EGREGIOUS MISCONDUCT;~~

~~(IV) IF THE INVESTIGATION WAS DELAYED BY EXTRAORDINARY CIRCUMSTANCES, THE EXTRAORDINARY CIRCUMSTANCES THAT RESULTED IN THE DELAY;~~

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

~~(VI) IF THE DEACTIVATION WAS APPEALED, THE DATE THE APPEAL WAS INITIATED AND COMPLETED; AND~~

~~(VII) IF THE DEACTIVATION WAS APPEALED, THE COMPANY'S RESPONSE TO THE OPERATOR REGARDING THE APPEAL.~~

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

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

~~SECTION 2. AND BE IT FURTHER ENACTED, That, on or before November 1, 2026, a transportation network company shall provide each of the company's operators with notice of the operator's rights required under § 10-410(l) of the Public Utilities Article, as enacted by Section 1 of this Act.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026 January 1, 2027.~~

Approved by the Governor, April 28, 2026.