

By Senator Torres

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1 A bill to be entitled
2 An act relating to transportation network companies;
3 amending s. 627.748, F.S.; defining the term
4 "authorized user"; authorizing a person who is 18
5 years of age or older to establish an account with a
6 transportation network company (TNC); providing
7 requirements for establishing an account; authorizing
8 a person to add authorized users to such account under
9 certain circumstances; providing requirements for
10 adding such users; requiring a TNC and a TNC driver to
11 send certain notifications to a person requesting a
12 prearranged ride on behalf of an authorized user;
13 requiring a TNC to allow an authorized user to view
14 such notifications but to prohibit the authorized user
15 from changing the origin or destination of a
16 prearranged ride; requiring a TNC to provide human
17 trafficking awareness training and education to
18 employed TNC drivers; providing training and education
19 requirements; limiting the liability of a TNC in cases
20 of human trafficking; authorizing the Department of
21 Financial Services to seek a court order to require a
22 TNC to comply with certain provisions; providing
23 legislative intent; providing construction; providing
24 an effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:
27

28 Section 1. Present paragraphs (a) through (g) of subsection
29 (1) of section 627.748, Florida Statutes, are redesignated as

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30 paragraphs (b) through (h), respectively, a new paragraph (a) is
31 added to that subsection, present subsections (12) through (15)
32 are redesignated as subsections (15) through (18), respectively,
33 and new subsections (12), (13), and (14) are added to that
34 section, to read:

35 627.748 Transportation network companies.—

36 (1) DEFINITIONS.—As used in this section, the term:

37 (a) "Authorized user" means a rider under 18 years of age.

38 (12) ESTABLISHMENT OF TNC ACCOUNT.—A person who is 18 years
39 of age or older may establish an account with a TNC. The TNC
40 must require a person establishing an account to upload to the
41 TNC's digital network a current photograph of himself or herself
42 and a copy or photograph of his or her valid, government-issued
43 identification, including, but not limited to, a driver license,
44 passport, or state or national identification card. The TNC
45 shall activate the person's account once the TNC confirms the
46 person's identity and age.

47 (13) RIDERS UNDER 18 YEARS OF AGE.—

48 (a) If a TNC provides services to riders under 18 years of
49 age, a person who has established an account with the TNC
50 pursuant to subsection (12) may add one or more authorized users
51 to his or her account. The TNC must require a person adding an
52 authorized user to upload to the TNC's digital network:

53 1. A current photograph of the authorized user.

54 2. The authorized user's first name, last name, and age.

55 3. The authorized user's relationship to the person.

56 (b) Upon receipt of a request for a prearranged ride on
57 behalf of an authorized user, the TNC must send a notification
58 via text message to the person making the request which

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59 includes:

60 1. A photograph of the TNC driver assigned to transport the
61 authorized user.

62 2. The make, model, and license plate number of the TNC
63 driver's vehicle.

64 (c) The TNC driver must send a notification via text
65 message to the person making the request when the authorized
66 user has entered the TNC driver's vehicle and when the
67 authorized user has exited the vehicle at his or her
68 destination.

69 (d) A TNC shall allow an authorized user to view the
70 notifications provided pursuant to paragraphs (b) and (c) via an
71 online-enabled technology application but shall not allow an
72 authorized user to change the origin or destination of the
73 prearranged ride.

74 (14) HUMAN TRAFFICKING AWARENESS TRAINING AND EDUCATION.-

75 (a) By January 1, 2021, each TNC must provide at least 20
76 minutes of classroom or other effective interactive training and
77 education regarding human trafficking awareness to:

78 1. Each TNC driver who is employed as of July 1, 2020.

79 2. Each TNC driver who is employed after July 1, 2020,
80 within 6 months after the date of his or her employment.

81 (b)1. After January 1, 2021, each TNC must provide at least
82 20 minutes of human trafficking awareness training and education
83 as provided in this paragraph to:

84 a. Each newly employed TNC driver within 6 months after the
85 date of his or her employment.

86 b. Each currently employed TNC driver at least once every 2
87 years.

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88 2. The human trafficking awareness training and education
89 required by this paragraph shall include, but is not limited to:

90 a. The definitions of human trafficking and commercial
91 exploitation of children.

92 b. Identification of individuals who are most at risk for
93 human trafficking.

94 c. The difference between labor trafficking and sex
95 trafficking specific to the TNC sector.

96 d. The role of TNC drivers in responding to and reporting a
97 possible case of human trafficking.

98 e. The contact information of appropriate agencies,
99 including, but not limited to, the toll-free National Human
100 Trafficking Hotline, 1-888-373-7888, and text message line,
101 233733; the toll-free Florida Abuse Hotline, 1-800-96-ABUSE; and
102 the telephone numbers of the appropriate local law enforcement
103 agencies.

104 3. The human trafficking awareness training and education
105 required by this paragraph may also include, but is not limited
106 to, materials and information provided by the United States
107 Department of Justice, the Blue Campaign of the United States
108 Department of Homeland Security, the Statewide Council on Human
109 Trafficking, and private nonprofit organizations that represent
110 the interests of victims of human trafficking.

111 4. Failure of a TNC driver to report a case of human
112 trafficking in which the TNC driver's vehicle is involved shall
113 not, by itself, result in the liability of the TNC to the human
114 trafficking victim or victims in the case in question or to any
115 other party.

116 5. If a TNC violates this subsection, the Department of

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117 Financial Services may seek a court order requiring the TNC to
118 comply with this subsection.

119 6. It is the intent of the Legislature in enacting this
120 subsection to establish a minimum threshold for human
121 trafficking awareness training and education provided by a TNC.
122 This subsection may not be construed to discourage or relieve a
123 TNC from providing for longer, more frequent, or more extensive
124 training and education regarding human trafficking awareness.

125 Section 2. This act shall take effect July 1, 2020.