

By Senator Smith

17-00803A-25

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1 A bill to be entitled
2 An act relating to deactivation from transportation
3 network company digital networks; amending s. 627.748,
4 F.S.; defining the term "deactivation"; specifying
5 circumstances when deactivation may occur; requiring a
6 transportation network company (TNC) to establish and
7 maintain a deactivation policy; specifying
8 requirements for such policy; requiring TNCs to
9 contract with a nonprofit organization for a specified
10 purpose; requiring TNCs to review an appeal and make a
11 determination on the appeal within a certain
12 timeframe; requiring TNCs to make a certain assessment
13 when making such determination; authorizing
14 deactivated drivers to appeal deactivation before a
15 specified third-party arbitrator; specifying the
16 manner of selecting the arbitrator if a TNC and a
17 deactivated driver cannot agree; providing
18 construction; providing an effective date.
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20 Be It Enacted by the Legislature of the State of Florida:
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22 Section 1. Present paragraphs (a) through (h) of subsection
23 (1) of section 627.748, Florida Statutes, are redesignated as
24 paragraphs (b) through (i), respectively, a new paragraph (a) is
25 added to that subsection, and subsection (19) is added to that
26 section, to read:

27 627.748 Transportation network companies.—

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

29 (a) "Deactivation" means a process by which a TNC driver is

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30 no longer authorized to accept rides through the digital network
31 and having his or her access to the TNC digital network revoked.

32 (19) DEACTIVATION.—Deactivation may occur when a TNC driver
33 receives poor rider ratings, violates the TNC’s safety or other
34 policies, or fails to meet vehicle or insurance requirements. A
35 TNC must establish and maintain a clear, written deactivation
36 policy. This policy must provide TNC drivers with the
37 opportunity to appeal deactivation. The TNC must contract with a
38 nonprofit organization that has experience working with diverse
39 populations to assist drivers in navigating the appeals process.
40 The TNC must review any appeal by the TNC driver and issue a
41 determination on deactivation within 30 days after receiving the
42 appeal. In making this determination, the TNC must assess
43 whether the evidence shows that the driver more than likely
44 violated the TNC’s policies. Deactivated drivers may appeal any
45 deactivation before a mutually agreed upon third-party
46 arbitrator who is a member in good standing of the American
47 Arbitration Association (AAA) or its successor. If the TNC and
48 the deactivated driver cannot agree on an arbitrator, the
49 parties must obtain a list of five arbitrators recommended by
50 the AAA. To select the arbitrator, the TNC and the deactivated
51 driver shall alternate eliminating one name from the list until
52 only one remains, who will serve as the arbitrator. This
53 subsection does not prohibit a TNC driver from bringing a cause
54 of action against the TNC in a court of competent jurisdiction
55 regarding the circumstances of a deactivation.

56 Section 2. This act shall take effect July 1, 2025.