



Fri, Nov 1, 2024 at 12:34 PM

To: CDLE_LaborStandardsRules@state.co.us

Dear Director Moss:

As the sponsors on SB 75 and HB 1129, we are writing in response to the draft rules which have inspired comments from two companies that are not Colorado companies, but instead are subsidiaries of Uber.

Colorado Independent Drivers Union, Towards Justice and the Colorado AFL-CIO and sponsors of the 2024 bill entered negotiations with Uber and Lyft after a bill regulating DNCs and TNCs was lost in committee in 2023. Those negotiations started in earnest in the summer of 2023 and continued until the final passage of SB24-075 and HB24-1129 out of the legislature. Including conversations during the 2023 session, these groups negotiated with the PUC registered Colorado TNCs for almost a year.

When the bills were close to final passage, we reached out to the Public Utilities Commission to make sure there were no other TNCs we had inadvertently left out of the conversation. At the time, there was only Uber, Lyft, and HopSkipDrive. All of them were aware and intimately involved with the bill.

Yet, on September 13, 2024, Portier and Rasier, LLC submitted comments that directly attack major points of negotiations on SB 75 and HB 1129. In those comments, they requested changes that are not legally possible for CDLE since the agency can only make rules clarifying statute, not change the statute. Their objections include definitions, the size of font for the disclosure to the driver, IRS reimbursement rates (and the types of cars their drivers drive), and information disclosed to drivers were all areas of contention that are now being resurfaced through rulemaking.

We urge CDLE to not only disregard these comments but recognize them as an attempt by Uber to undermine the legislation agreed upon by all parties in good faith. While Rasier identifies itself as a licensed TNC, they are not a separate TNC from Uber. They are one in the same as a licensed TNC in Colorado through the PUC. We are disappointed by these attempts to undermine legislation through rulemaking by Uber and reiterate that the bill is a compromise agreed to by Uber before the bill passed the legislature.

Sincerely,

