

FIRST REGULAR SESSION

HOUSE BILL NO. 1220

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MITTEN.

0255H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 387, RSMo, by adding thereto one new section relating to the dissemination of certain recordings by TNC drivers, with penalty provisions.

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

Section A. Chapter 387, RSMo, is amended by adding thereto one new section, to be known as section 387.437, to read as follows:

387.437. 1. Except as provided in subsection 3 of this section, no TNC driver shall willfully or intentionally disseminate any recording or video of any TNC rider that was obtained through a prearranged ride. Any signage posted in a TNC vehicle indicating that recordings or videos of prearranged rides may be disseminated does not constitute a waiver by TNC riders for the dissemination of such recordings or videos, and such signage shall not be used as a defense by TNC drivers in any criminal prosecution or civil cause of action.

2. A TNC shall inform, in writing, any TNC driver that if the TNC discovers that a TNC driver disseminated recordings or videos in violation of subsection 1 of this section, such conduct will be reported to the local prosecuting attorney.

3. Recordings or videos obtained from a prearranged ride may be disseminated as necessary to assist in a criminal or civil investigation or as a defense in a criminal prosecution or civil action.

4. (1) A TNC rider shall have a civil cause of action against:

(a) A TNC driver who disseminates recordings or videos in violation of subsection 1 of this section; and

(b) A TNC that:

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.

18 **a. Knew or should have known that a TNC driver was disseminating recordings or**
19 **videos in violation of subsection 1 of this section; or**

20 **b. Failed to give a TNC driver the required information under subsection 2 of this**
21 **section.**

22 **(2) In a civil cause of action, a TNC rider shall be entitled to recover from the TNC**
23 **driver and the TNC the following:**

24 **(a) Actual damages;**

25 **(b) Punitive damages; and**

26 **(c) A reasonable attorney's fee and any litigation costs reasonably incurred.**

27 **5. Any TNC driver in violation of subsection 1 of this subsection shall be guilty of**
28 **a class A misdemeanor.**

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