

House Engrossed

transportation network companies; liability

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HOUSE BILL 2713

AN ACT

AMENDING TITLE 28, CHAPTER 30, ARTICLE 3, ARIZONA REVISED STATUTES, BY
ADDING SECTION 28-9559; RELATING TO TRANSPORTATION NETWORK COMPANIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 28, chapter 30, article 3, Arizona Revised
3 Statutes, is amended by adding section 28-9559, to read:
4 28-9559. Transportation network companies; liability
5 A. EXCEPT AS PROVIDED IN SUBSECTION B, IN AN ACTION FOR PERSONAL
6 INJURY, PROPERTY DAMAGE OR WRONGFUL DEATH THAT IS SOLELY BASED ON THE USE,
7 OPERATION OR POSSESSION OF A MOTOR VEHICLE TO PROVIDE TRANSPORTATION
8 NETWORK SERVICES WHILE THE TRANSPORTATION NETWORK COMPANY DRIVER IS LOGGED
9 ON TO THE DIGITAL NETWORK OR SOFTWARE APPLICATION, A TRANSPORTATION
10 NETWORK COMPANY IS NOT LIABLE FOR OWNING, OPERATING OR MAINTAINING A
11 DIGITAL NETWORK OR SOFTWARE APPLICATION ACCESSED BY A TRANSPORTATION
12 NETWORK COMPANY DRIVER OR PASSENGER OR FOR BEING THE ENTITY THAT IS
13 AFFILIATED WITH A TRANSPORTATION NETWORK COMPANY DRIVER, IF ALL OF THE
14 FOLLOWING APPLY:
15 1. THERE IS NOT NEGLIGENCE OR CRIMINAL WRONGDOING ON THE PART OF
16 THE TRANSPORTATION NETWORK COMPANY.
17 2. THE TRANSPORTATION NETWORK COMPANY FULFILLED ITS OBLIGATIONS TO
18 THE TRANSPORTATION NETWORK COMPANY DRIVER AS REQUIRED BY THIS ARTICLE.
19 3. THE TRANSPORTATION NETWORK COMPANY IS NOT THE OWNER OR CUSTODIAN
20 OF THE TRANSPORTATION NETWORK COMPANY VEHICLE.
21 B. THIS SECTION SHALL NOT BE CONSTRUED TO LIMIT A RIGHT OF ACTION
22 THAT EITHER EXISTED AT COMMON LAW OR FINDS ITS BASIS IN THE COMMON LAW AT
23 THE TIME THE STATE CONSTITUTION WAS ADOPTED.