

REFERENCE TITLE: transportation services employees; drivers; wages

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

HB 2728

Introduced by
Representative Ortiz

AN ACT

AMENDING TITLE 23, CHAPTER 2, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 9.1; RELATING TO EMPLOYEE WAGES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 23, chapter 2, Arizona Revised Statutes, is
3 amended by adding article 9.1, to read:

4 ARTICLE 9.1. WAGES AND HOURS OF TRANSPORTATION SERVICES EMPLOYEES

5 23-399. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "DIGITAL NETWORK OR SOFTWARE APPLICATION" MEANS EITHER OF THE
8 FOLLOWING:

9 (a) ANY ONLINE-ENABLED APPLICATION, SOFTWARE, WEBSITE OR SYSTEM
10 THAT IS OFFERED OR USED BY A TRANSPORTATION NETWORK COMPANY AND THAT
11 ENABLES A POTENTIAL PASSENGER TO ARRANGE A RIDE WITH A TRANSPORTATION
12 NETWORK COMPANY DRIVER.

13 (b) ANY ONLINE-ENABLED APPLICATION, SOFTWARE, WEBSITE OR SYSTEM
14 THAT IS OFFERED OR USED BY A TRANSPORTATION DELIVERY COMPANY AND THAT
15 ENABLES A POTENTIAL CUSTOMER TO REQUEST THAT A TRANSPORTATION DELIVERY
16 COMPANY DRIVER PICK UP AND DROP OFF GOODS AT A DESTINATION POINT.

17 2. "TRANSPORTATION DELIVERY COMPANY" MEANS AN ENTITY THAT OPERATES
18 IN THIS STATE, THAT USES A DIGITAL NETWORK OR SOFTWARE APPLICATION TO
19 CONNECT CUSTOMERS TO TRANSPORTATION DELIVERY SERVICES PROVIDED BY
20 TRANSPORTATION DELIVERY COMPANY DRIVERS AND THAT MAY BUT IS NOT DEEMED TO
21 OWN, OPERATE OR CONTROL A PERSONAL MOTOR VEHICLE OF A TRANSPORTATION
22 DELIVERY COMPANY DRIVER.

23 3. "TRANSPORTATION DELIVERY COMPANY DRIVER" MEANS AN INDIVIDUAL WHO
24 RECEIVES CONNECTIONS TO POTENTIAL DELIVERY SERVICE JOBS FROM A
25 TRANSPORTATION DELIVERY COMPANY IN EXCHANGE FOR PAYMENT OF A FEE TO THE
26 TRANSPORTATION DELIVERY COMPANY AND THE INDIVIDUAL WHO OPERATES A MOTOR
27 VEHICLE THAT IS BOTH OF THE FOLLOWING:

28 (a) OWNED, LEASED OR OTHERWISE AUTHORIZED FOR USE BY THE
29 INDIVIDUAL.

30 (b) USED TO PROVIDE TRANSPORTATION DELIVERY SERVICES.

31 4. "TRANSPORTATION DELIVERY SERVICES" MEANS THE TRANSPORTATION OF A
32 GOOD BETWEEN POINTS CHOSEN BY THE CUSTOMER WHO REQUESTS THE GOOD AND
33 ARRANGES DELIVERY OF THE GOOD WITH A TRANSPORTATION DELIVERY COMPANY
34 DRIVER THROUGH THE USE OF A TRANSPORTATION DELIVERY COMPANY'S DIGITAL
35 NETWORK OR SOFTWARE APPLICATION, WHICH BEGINS WHEN THE TRANSPORTATION
36 DELIVERY COMPANY DRIVER ACCEPTS THE REQUEST FOR TRANSPORTATION DELIVERY
37 SERVICES RECEIVED THROUGH THE TRANSPORTATION DELIVERY COMPANY'S DIGITAL
38 NETWORK OR SOFTWARE APPLICATION, CONTINUES WHILE THE TRANSPORTATION
39 DELIVERY COMPANY DRIVER PROVIDES TRANSPORTATION DELIVERY SERVICES IN A
40 TRANSPORTATION DELIVERY COMPANY VEHICLE AND ENDS WHEN THE GOOD IS
41 DELIVERED TO THE DESTINATION POINT OR THE TRANSPORTATION DELIVERY SERVICE
42 IS CANCELED.

43 5. "TRANSPORTATION NETWORK COMPANY" HAS THE SAME MEANING PRESCRIBED
44 IN SECTION 28-9551.

