

321N.2 Permit required — examination of records — sanctions.

1. A transportation network company shall not operate or conduct business in this state without a permit issued pursuant to [this section](#).

2. *a.* Upon the filing of an application by a transportation network company with the department and a determination by the department that the company is in compliance with the provisions of [this chapter](#), the department shall issue a permit to the company. An application filed pursuant to [this section](#) shall be in writing and shall contain all of the following:

(1) The full legal name and tax identification number of the applicant.
(2) The address of the applicant's principal place of business.
(3) A statement agreeing to comply with all applicable requirements of [this chapter](#) signed by the applicant.

(4) Proof of compliance with the financial responsibility requirements of [section 321N.4](#), submitted in a manner prescribed by the department.

(5) Proof that the applicant has established a zero tolerance policy for the use of drugs and alcohol as provided in [section 321N.3](#), submitted in a manner prescribed by the department.

(6) Proof that the applicant requires personal vehicles to comply with applicable motor vehicle equipment requirements as provided in [section 321N.3](#), submitted in a manner prescribed by the department.

(7) Proof that the applicant has adopted and is enforcing nondiscrimination and accessibility policies, submitted in a manner prescribed by the department.

(8) Proof that the applicant has established record retention guidelines, submitted in a manner prescribed by the department, that comply with all of the following:

(a) A record of a prearranged ride shall be retained for at least six years after the date the prearranged ride was provided, unless the company is notified that the record is material to a judicial proceeding, in which case the record shall be retained for at least two years after final disposition of the judicial proceeding.

(b) A record of a transportation network company driver shall be retained for at least six years after the date on which the driver's activation on the company's digital network ended, unless the company is notified that the record is material to a judicial proceeding, in which case the record shall be retained for at least two years after final disposition of the judicial proceeding.

b. The permit application shall be accompanied by a fee of five thousand dollars. All fees received by the department for permits issued pursuant to [this section](#) shall be paid monthly to the treasurer of state and deposited in the road use tax fund.

3. A permit issued pursuant to [this section](#) shall be valid for one year after the date of issuance.

4. The department may deny issuance of a permit if the department determines, and evidence demonstrates, that the applicant is not in compliance or is unable to comply with the provisions of [this chapter](#).

5. The department may examine the records of a transportation network company for the purpose of enforcing [this chapter](#). The examination may include a random sample of the company's records related to transportation network company drivers and prearranged rides. The examination shall take place at the department's motor vehicle division building unless another location is agreed to by the department and the company. Such examinations shall not occur more than twice per year unless additional examinations are necessary to investigate a complaint. Records obtained by the department pursuant to [this subsection](#) are not public records or otherwise subject to disclosure under [chapter 22](#), and shall be kept confidential by the department except to the extent such records may be required to be disclosed in a departmental or judicial proceeding.

6. The department may suspend the permit of a transportation network company for a violation of [this chapter](#) or a rule adopted under [this chapter](#) until the company demonstrates to the department that the company is in compliance with the applicable requirements. The department may revoke the permit of a transportation network company for continued noncompliance with [this chapter](#) or a rule adopted under [this chapter](#).

7. A transportation network company whose application for a permit has been denied, or

whose permit has been suspended or revoked, shall have all rights afforded to the company under [chapter 17A](#) and rules adopted by the department to contest the department's decision.

8. The department may adopt rules pursuant to [chapter 17A](#) to administer [this section](#).
[2016 Acts, ch 1101, §7, 24](#)

Section takes effect January 1, 2017; 2016 Acts, ch 1101, §24
NEW section