

116TH CONGRESS
1ST SESSION

H. R. 4686

To amend title 23, United States Code, to compel States to require illuminated signs and other measures on ride-hailing vehicles, to prohibit the sale of such signs, to require ride-hailing companies to implement an electronic access system on ride-hailing vehicles.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 15, 2019

Mr. SMITH of New Jersey (for himself and Mr. SUOZZI) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 23, United States Code, to compel States to require illuminated signs and other measures on ride-hailing vehicles, to prohibit the sale of such signs, to require ride-hailing companies to implement an electronic access system on ride-hailing vehicles.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as “Sami’s Law”.

1 **SEC. 2. SANCTIONS FOR STATES WITHOUT RIDE-HAILING**
2 **VEHICLE IDENTIFICATION LAWS.**

3 (a) IN GENERAL.—Chapter 1 of title 23, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 171. Sanctions for States without transportation**
7 **network company vehicle identification**
8 **laws**

9 “(a) WITHHOLDING OF FUNDS FOR NONCOMPLI-
10 ANCE.—

11 “(1) FIRST FISCAL YEAR.—On the first day of
12 the fiscal year that is two years after the date of en-
13 actment of this section, the Secretary shall withhold
14 1 percent of the amount required to be apportioned
15 to a State under each of paragraphs (1) and (2) of
16 section 104(b) if the State does not meet the re-
17 quirements of subsection (b) on the first day of the
18 fiscal year.

19 “(2) SUBSEQUENT FISCAL YEARS.—On the first
20 day of each fiscal year beginning 3 years after the
21 date of enactment of this section, the Secretary shall
22 withhold 2.5 percent of the amount required to be
23 apportioned to a State under each of paragraphs (1)
24 and (2) of section 104(b) if the State does not meet
25 the requirements of subsection (b) on the first day
26 of the fiscal year.

1 “(3) EFFECT OF WITHHOLDING OF FUNDS.—
2 No funds withheld under this subsection from appor-
3 tionment to any State shall be available at any point
4 for apportionment to that State.

5 “(b) REQUIREMENTS.—A State meets the require-
6 ments of this subsection if the Governor of the State cer-
7 tifies to the Secretary that the State has enacted and is
8 enforcing the following laws with respect to TNC drivers
9 and TNC vehicles operating in that State:

10 “(1) FRONT AND REAR LICENSE PLATES.—A
11 law requiring that every TNC vehicle has a duly
12 issued general State license plate on both the front
13 and rear of the vehicle.

14 “(2) INSPECTION AND SIGN REQUIREMENTS.—
15 A law requiring TNC drivers to present TNC vehi-
16 cles for inspection not later than 180 days after the
17 date of enactment of such laws (unless the State has
18 enacted and is enforcing a law meeting the require-
19 ments of this subsection on the date of enactment of
20 this section) and annually thereafter. Such law shall
21 include the following:

22 “(A) A provision requiring each TNC driv-
23 er to affix the stickers containing the optical
24 code or label provided to that driver (pursuant
25 to section 3(1)(A) of Sami’s Law) on each win-

1 dow of the TNC driver’s vehicle adjacent to
2 where passengers may sit.

3 “(B) A provision that requires periodic
4 safety inspections of the TNC vehicle performed
5 at intervals of at least once each year.

6 “(C) A provision that requires each TNC
7 vehicle to display a consistent and distinctive
8 sign at all times when the TNC driver is active
9 on the TNC digital platform or providing any
10 prearranged transportation service. Such sign—

11 “(i) shall include the transportation
12 network company’s proprietary trademark
13 or logo;

14 “(ii) shall be readable during daylight
15 hours at a distance of 50 feet;

16 “(iii) shall be illuminated so that it is
17 patently visible in darkness; and

18 “(iv) may be magnetic or removable in
19 nature.

20 “(D) A provision that does not permit a
21 TNC driver to provide TNC services if the TNC
22 vehicle does not pass such inspection.

23 “(3) UNLAWFUL DISPLAY.—A law that pro-
24 hibits an individual who is not a TNC driver for a
25 transportation network company from displaying on

1 any vehicle the sign described in paragraph (2)(C)
2 that is affiliated with that company on any vehicle
3 with the intent to pass himself or herself off as a
4 TNC driver operating a TNC vehicle for the trans-
5 portation network company affiliated with that sign.

6 “(c) DEFINITIONS.—As used in this section—

7 “(1) the term ‘TNC driver’ means an individual
8 who is employed or contracted by a transportation
9 network company to provide transportation services
10 to the public through a TNC platform;

11 “(2) the term ‘TNC platform’ means an online-
12 enabled application or digital network used to con-
13 nect riders to TNC drivers for the purpose of pro-
14 viding prearranged transportation services;

15 “(3) the term ‘TNC vehicle’ means a vehicle
16 owned, leased, or otherwise authorized for use by
17 TNC driver that the TNC driver uses to provide
18 TNC services, also known as a ride-hailing vehicle;
19 and

20 “(4) the term ‘transportation network com-
21 pany’—

22 “(A) means a corporation, partnership,
23 sole proprietorship, or other entity, that uses a
24 digital network to connect riders to drivers af-
25 filiated with the entity in order for the driver

1 to transport the rider using a vehicle owned,
2 leased, or otherwise authorized for use by the
3 driver to a point chosen by the rider; and

4 “(B) does not include a shared-expense
5 carpool or vanpool arrangement that is not in-
6 tended to generate profit for the driver.”.

7 **SEC. 3. ACCESS AND OTHER REQUIREMENTS FOR RIDE-**
8 **HAILING VEHICLES AND RIDE-HAILING COM-**
9 **PANIES.**

10 Not later than 180 days after the date of enactment
11 of this Act, each transportation network company shall es-
12 tablish and implement the following system, prohibition,
13 requirement, and policy:

14 (1) A system that enables each individual who
15 uses a TNC platform to verify the identity of the
16 TNC driver who is provided to such individual via
17 that TNC platform, and such TNC driver to confirm
18 the identity of such individual prior to the beginning
19 of a trip. Such system shall include the following:

20 (A) A machine-readable code or image,
21 such as a QR code (or successor technology),
22 that can be scanned by the individual hailing
23 such driver, using a personal mobile device with
24 a built-in camera. The transportation network
25 company shall provide to each TNC driver for-

1 ward-facing window stickers containing such
2 code or label.

3 (B) The ability, within the transportation
4 network company's TNC platform, to—

5 (i) provide a means by which each in-
6 dividual who is assigned a TNC driver via
7 such platform must, except where such in-
8 dividual chooses to use a personal authen-
9 tication number as provided in clause (ii),
10 scan the unique machine-readable code or
11 label displayed on the window sticker of
12 the TNC vehicle to confirm the identity of
13 the TNC driver who is assigned to the in-
14 dividual, using the TNC platform on the
15 individual's personal mobile device, prior to
16 entering the vehicle;

17 (ii) provide a means by which such in-
18 dividual may opt out of using the machine-
19 readable code or image and instead choose
20 to use a randomly generated 4 digit per-
21 sonal authentication number as described
22 in subparagraph (C);

23 (iii) restrict each TNC driver from
24 commencing a trip by withholding from
25 such driver the destination of the indi-

1 vidual assigned that TNC driver until the
2 individual verifies the identity of the TNC
3 driver by scanning the code or label, or in
4 the case of an individual who opts to use
5 a personal authentication number, as pro-
6 vided in clause (ii), until the driver suc-
7 cessfully verifies the identity of the indi-
8 vidual by entering the individual's personal
9 authentication number into the TNC driv-
10 er's TNC platform, as described in sub-
11 paragraph (C); and

12 (iv) provide a means by which each in-
13 dividual who is assigned a TNC driver via
14 such platform may confirm visually and
15 non-visually that their correct personal au-
16 thentication number has been entered into
17 the TNC driver's platform.

18 (C) The means to provide, through the
19 TNC platform, or by another means if the indi-
20 vidual used a means other than such platform
21 to request a TNC driver, each individual who is
22 assigned a TNC driver via such platform and
23 who opts out of using the machine-readable
24 code or image, as provided in subparagraph
25 (B)(ii), a personal authentication number for

1 each trip requested by the individual which may
2 be displayed on the personal mobile device of
3 the individual who is assigned a TNC driver in
4 such a fashion that either the TNC driver is
5 able to read and enter the personal authentica-
6 tion number into the TNC driver's platform or
7 such individual can read and orally commu-
8 nicate the personal authentication number to
9 the TNC driver.

10 (D) The means by which a TNC driver can
11 enter the personal authentication number as-
12 signed to an individual into the TNC platform
13 of such driver, when provided such number by
14 such individual, to verify the identity of the in-
15 dividual and be enabled to commence the trip
16 by receiving the destination of the individual.

17 (2) A prohibition on a TNC driver from pro-
18 viding TNC services if the TNC vehicle of that driv-
19 er does not pass inspections required by the State in
20 which the TNC driver's vehicle is licenced.

21 (3) A requirement that all TNC vehicles display
22 a consistent and distinctive sign provided by the
23 transportation network company at all times when
24 the TNC driver is active on the TNC digital plat-
25 form or providing any TNC service. Such sign—

1 (A) shall include the transportation net-
2 work company's proprietary trademark or logo;

3 (B) shall be readable during daylight hours
4 at a distance of 50 feet;

5 (C) shall be illuminated so that it is pat-
6 ently visible in darkness; and

7 (D) may be magnetic or removable in na-
8 ture.

9 (4) A policy to require that any sign described
10 in paragraph (3) be returned to the transportation
11 network company when a TNC driver ceases to be
12 employed or contracted by such company.

13 (5) A requirement that all aspects of the TNC
14 platform are non-visually accessible.

15 **SEC. 4. PROHIBITION ON SALE OF RIDE-HAILING SIGN.**

16 It shall be unlawful for any person other than a
17 transportation network company to sell or offer for sale
18 any sign described in section 3(3).

19 **SEC. 5. UNFAIR OR DECEPTIVE ACT OR PRACTICE.**

20 A violation of a section 3 or 4 shall be treated as
21 a violation of a rule defining an unfair or deceptive act
22 or practice prescribed under section 18(a)(1)(B) of the
23 Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).
24 The Federal Trade Commission shall enforce this Act in
25 the same manner, by the same means, and with the same

1 jurisdiction, powers, and duties as though all applicable
2 terms and provisions of the Federal Trade Commission
3 Act (15 U.S.C. 41 et seq.) were incorporated into and
4 made a part of this Act. Any person who violates section
5 3 or section 4 shall be subject to the penalties and entitled
6 to the privileges and immunities provided in the Federal
7 Trade Commission Act (15 U.S.C. 41 et seq.).

8 **SEC. 6. DEFINITIONS.**

9 For purposes of this Act—

10 (1) the term “machine-readable code or image”
11 means a machine-readable optical label that is
12 unique to each TNC driver and the vehicle of such
13 TNC driver and can be scanned using a personal
14 mobile device with a built-in camera;

15 (2) the term “non-visually accessible” refers to
16 digital content that meets the success criteria of the
17 Web Content Accessibility Guidelines (WCAG) 2.1,
18 Level AA, including the Web Accessibility Initiative–
19 Accessible Rich Internet Applications (WAI–ARIA),
20 and any successor to or revision of such guidelines;

21 (3) the term “personal mobile device” means
22 any mobile device that an individual uses to connect
23 to a TNC platform;

24 (4) the term “QR code” means a machine-read-
25 able code or image also known as a quick response

1 code and consists of a matrix or two-dimensional
2 barcode;

3 (5) the term “TNC driver” means an individual
4 who is employed or contracted by a transportation
5 network company to provide transportation services
6 to the public through a TNC platform;

7 (6) the term “TNC platform” means an online-
8 enabled application or digital network used to con-
9 nect riders to TNC drivers for the purpose of pro-
10 viding prearranged transportation services;

11 (7) the term “TNC vehicle” means a vehicle
12 owned, leased, or otherwise authorized for use by
13 TNC driver that the TNC driver uses to provide pre-
14 arranged transportation services, also known as a
15 ride-hailing vehicle; and

16 (8) the term “transportation network com-
17 pany”—

18 (A) means a corporation, partnership, sole
19 proprietorship, or other entity, that uses a dig-
20 ital network to connect riders to drivers affili-
21 ated with the entity in order for the driver to
22 transport the rider using a vehicle owned,
23 leased, or otherwise authorized for use by the
24 driver to a point chosen by the rider; and

1 (B) does not include a shared-expense car-
2 pool or vanpool arrangement that is not in-
3 tended to generate profit for the driver.

4 **SEC. 7. G.A.O. STUDY ON THE INCIDENCE OF ASSAULT AND**
5 **ABUSE OF RIDE-HAILING RIDERS AND DRIV-**
6 **ERS.**

7 The Comptroller General of the United States shall
8 conduct a study on the incidence of assault and abuse per-
9 petrated on drivers by riders using ride-hailing vehicles,
10 and on such riders by drivers of ride-hailing vehicles, and
11 shall submit a report to Congress not later than one year
12 after the date of enactment of this Act. The report shall
13 also examine—

14 (1) the nature and specifics of any background
15 checks conducted by ride-hailing companies on poten-
16 tial drivers, including any State laws which may re-
17 quire such background checks;

18 (2) incidences where individuals who are not
19 ride-hailing drivers try to pose as ride-hailing driv-
20 ers;

21 (3) incidences of ride-hailing passengers enter-
22 ing the wrong vehicle, whether or not the vehicle was
23 a ride-hailing vehicle; and

24 (4) efforts by ride-hailing companies to imple-
25 ment additional safety measures and practices and

1 of State and local governments requiring such meas-
2 ures, and the efficacy of those efforts, practices, and
3 requirements.

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