

Suspend the Rules and Pass the Bill, HR. 4686, with An Amendment

(The amendments strike all after the enacting clause and insert a new text and a new title)

116TH CONGRESS
2^D 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,*

1 **SECTION 1. SHORT TITLE.**

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

3 **SEC. 2. MINIMUM REQUIREMENTS FOR RIDE-HAILING VE-**
4 **HICLES AND RIDE-HAILING COMPANIES.**

5 (a) **REQUIREMENTS FOR TNC PLATFORMS.**—Not
6 later than 90 days after the date of enactment of this Act,
7 each transportation network company shall establish and
8 implement a system and policy within the transportation
9 network company’s TNC platform that shall make avail-
10 able to each passenger a digital method to verify that the
11 driver with whom the passenger has been matched through
12 the transportation network company’s TNC platform has
13 been authorized by the transportation network company
14 to accept the passenger’s trip request prior to the begin-
15 ning of the trip. Such system shall include—

16 (1)(A) an initial notification sent to the pas-
17 senger’s personal mobile device, or otherwise com-
18 municated to the passenger, containing verifiable in-
19 formation specific to the TNC driver or TNC vehicle
20 with which the passenger has been matched;

21 (B) the ability for the passenger, driver, and
22 TNC platform to confirm the verifiable information
23 matching the passenger to the authorized TNC driv-
24 er or TNC vehicle prior to the beginning of the trip;

25 (C) a TNC platform restriction on a TNC driv-
26 er from commencing a trip via the TNC platform

1 until both the passenger and the TNC driver verify
2 the other's identity using the system; and

3 (D) a way for a passenger to use a non-visual
4 arrangement to verify the TNC driver under the sys-
5 tem used in accordance with this subparagraph; or

6 (2) as an alternative to implementing the sys-
7 tem required under paragraph (1), a transportation
8 network company may implement any successor
9 technology-based system that enables verification
10 that the driver with whom the passenger has been
11 matched through the transportation network com-
12 pany's TNC platform has been authorized by the
13 transportation network company to accept the pas-
14 senger's trip requests received through its digital
15 network prior to the beginning of the trip.

16 (b) OPT OUT.—A transportation network company
17 may offer a passenger an option not to use the system
18 that the transportation network company has implemented
19 under subsection (a). Any trip completed by a passenger
20 who opts not to use the system shall not be a violation
21 of this section.

22 (c) EXEMPTIONS.—This section shall not apply to
23 any trips in which—

24 (1) a third party, including any third-party
25 business, non-profit, or government entity, facilitates

1 the trip for the individual who is transported in the
2 TNC vehicle; or

3 (2) compliance with subsection (a) is impracti-
4 cable due to circumstances beyond a transportation
5 network company's control, including instances
6 where a passenger's personal mobile device has
7 failed to operate or there is degraded, reduced, or
8 otherwise insufficient cellular connectivity in order
9 for the system to properly operate.

10 **SEC. 3. SUCCESSOR TECHNOLOGY PERFORMANCE STAND-**
11 **ARDS.**

12 (1) PERFORMANCE STANDARDS.—Not later
13 than 180 days after the establishment of the
14 “SAMI's Law Council” pursuant to section 4, such
15 Council shall recommend to the Secretary of Trans-
16 portation performance standards for the successor
17 technology-based systems permitted under section
18 2(a)(2) and the Secretary shall thereafter issue per-
19 formance standards consistent with the Council's
20 recommendations and provide a reasonable time for
21 a TNC to comply. Such standards shall require, at
22 a minimum, that—

23 (A) any successor technology-based system
24 that enables the verification that the driver with
25 whom the passenger has been matched through

1 the TNC platform has been authorized by the
2 transportation network company to accept the
3 passenger's trip request received through its
4 TNC platform prior to the beginning of the
5 trip;

6 (B) confirmation protocols are visually and
7 non-visually accessible; and

8 (C) a transportation network company im-
9 plement a system incorporating a driver edu-
10 cation and public awareness program related to
11 the use of its successor technology and its re-
12 quired verifiable information.

13 (2) UPDATING PERFORMANCE STANDARDS.—

14 Six months after the establishment of the perform-
15 ance standards required by this section, and, at a
16 minimum, annually thereafter, the Secretary shall
17 solicit input from the SAMI's Law Council, estab-
18 lished under section 4, about whether the perform-
19 ance standards need to be updated or expanded to
20 incorporate new technological developments. The
21 Secretary may amend the performance standards to
22 account for new technological developments.

23 (3) INTERIM STANDARDS.—Prior to the adop-
24 tion of performance standards, a transportation net-
25 work company may adopt and deploy any other suc-

1 cessor technology-based system that enables a pas-
2 senger to verify that the driver with whom the pas-
3 senger has been matched through the transportation
4 network company's platform has been authorized by
5 the transportation network company to accept the
6 passenger's trip requests received through its plat-
7 form prior to the beginning of the trip. A successor
8 technology-based system deployed under this sub-
9 paragraph shall be considered to fulfill the require-
10 ments of section 2(a). A successor technology-based
11 system adopted under this section shall be presumed
12 to meet such standards unless the Secretary deter-
13 mines otherwise. If the Secretary makes such a de-
14 termination, a reasonable time to cure shall be pro-
15 vided.

16 (4) REPORTS.—Upon first issuing performance
17 standards under paragraph (1), and each year there-
18 after, the Secretary shall transmit a report to the
19 Committee on Transportation and Infrastructure of
20 the House of Representatives and the Committee on
21 Commerce of the Senate detailing the performance
22 standards recommended by the SAMI's Law Coun-
23 cil, established under section 4, and issued by the
24 Secretary under paragraph (1), including any up-

1 dates to such standards and explaining the rational
2 for issuing such performance standards.

3 **SEC. 4. SAFETY ACTIONS FOR MATCHING AND IDENTI-**
4 **FYING RIDE SHARE CUSTOMERS ADVISORY**
5 **COUNCIL.**

6 (a) ESTABLISHMENT.—Subject to the availability of
7 appropriations, not later than 60 days after the date of
8 enactment of this Act, the Secretary shall establish the
9 Safety Actions for Matching and Identifying Ride Share
10 Customers' Council (hereinafter referred to as the
11 “SAMI’s Law Council”), an advisory council for the pur-
12 pose of developing recommended performance standards
13 for successor technology that will protect TNC passengers
14 and TNC drivers, as permitted under sections 2(a)(2) and
15 authorized under section 3.

16 (b) COMPOSITION OF THE ADVISORY COUNCIL.—The
17 advisory council shall be composed of the following mem-
18 bers:

19 (1) The Secretary of Transportation shall des-
20 ignate a representative from paragraph (2), who
21 shall serve as Council Chair.

22 (2) One representative, to be appointed by the
23 Secretary of Transportation, from each of the fol-
24 lowing:

1 (A) The National Highway Traffic Safety
2 Administration.

3 (B) The Federal Highway Administration.

4 (C) The National Institute of Standards
5 and Technology.

6 (D) The Federal Trade Commission.

7 (E) The Federal Aviation Administration.

8 (F) An association or trade group that
9 represents technology companies, whose mem-
10 bership includes at least one transportation net-
11 work company.

12 (G) An organization of and for TNC driv-
13 ers and present in at least two States.

14 (3) Two representatives, to be appointed by the
15 Secretary of Transportation, from each of the fol-
16 lowing:

17 (A) Transportation network companies.

18 (B) Law enforcement agencies.

19 (C) National organizations of and for peo-
20 ple with disabilities.

21 (D) Ride-hailing victims advocacy groups.

22 (c) TERMS.—Members of the Council shall serve for
23 a term of 3 consecutive years.

24 (d) VACANCIES.—Any vacancy occurring in the mem-
25 bership of the Council shall be filled in the same manner

1 as the original appointment for the position being vacated.
2 The vacancy shall not affect the power of the remaining
3 members to execute the duties of the Council.

4 (e) DUTIES.—The Council shall gather and analyze
5 data, provide technical advice, and develop and present
6 best practices or recommendations supported by the ma-
7 jority of members of the Council to the Secretary of
8 Transportation regarding performance standards the Sec-
9 retary may adopt regarding any successor technology-
10 based system described in section 2(a)(2).

11 (f) TECHNICAL ASSISTANCE.—On request of the
12 Council, the Secretary shall provide such technical assist-
13 ance to the Council as the Secretary determines to be nec-
14 essary to carry out the Council's duties.

15 (g) DETAIL OF FEDERAL EMPLOYEES.—On the re-
16 quest of the Council, the Secretary may detail, with or
17 without reimbursement, any employee of the Department
18 of Transportation to the Council to assist the Council in
19 carrying out its duties. The detail of any such employee
20 shall not interrupt or otherwise affect the civil service sta-
21 tus or privileges of the employee.

22 (h) PAYMENT AND EXPENSES.—Members of the
23 Council shall serve without pay, except travel and per diem
24 will be paid to each member for meetings called by the
25 Secretary.

1 (i) REVIEW.—Twelve years after the date of enact-
2 ment of this Act, the Secretary shall review, and solicit
3 public input, as to whether it is necessary for the Council
4 to remain in existence. The Secretary shall thereafter have
5 the authority to terminate the Council if the Secretary de-
6 termines that the Council is no longer necessary. If the
7 Secretary terminates the Council, the Secretary shall
8 maintain the authority to update performance standards
9 related to successor technology.

10 **SEC. 5. PROHIBITION ON SALE OF RIDE-HAILING SIGNAGE.**

11 It shall be unlawful for any person to sell or offer
12 for sale any signage that is designed to help a passenger
13 identify a transportation network company vehicle and—

14 (1) contains a transportation network com-
15 pany's proprietary trademark or logo, or

16 (2) purports to be that of a transportation net-
17 work company,

18 unless such person is the transportation network company
19 associated with such proprietary trademark or logo or au-
20 thorized by the transportation network company to sell or
21 offer for sale such signage.

22 **SEC. 6. ENFORCEMENT.**

23 (a) VIOLATIONS OF SECTION 2.—The Secretary is
24 authorized to issue a penalty to a transportation network
25 company of up to \$5,000 per each day of non-compliance

1 with section 2 and a penalty of up to \$20,000 per each
2 day of non-compliance with section 2 when such non-com-
3 pliance is knowing and willful. With regards to a violation
4 relating to any successor technology-based system used by
5 a transportation network company permitted under sec-
6 tion 2(1)(5), the Secretary shall rely on whether such sys-
7 tem meets the performance standards issued under section
8 3.

9 (b) VIOLATIONS OF SECTION 5.—

10 (1) IN GENERAL.—A violation of section 5 shall
11 be treated as a violation of a rule defining an unfair
12 or deceptive act or practice prescribed under section
13 18(a)(1)(B) of the Federal Trade Commission Act
14 (15 U.S.C. 57a(a)(1)(B)). The Federal Trade Com-
15 mission shall enforce this Act in the same manner,
16 by the same means, and with the same jurisdiction,
17 powers, and duties as though all applicable terms
18 and provisions of the Federal Trade Commission Act
19 (15 U.S.C. 41 et seq.) were incorporated into and
20 made a part of this Act. Any person who violates
21 section 5 shall be subject to the penalties and enti-
22 tled to the privileges and immunities provided in the
23 Federal Trade Commission Act (15 U.S.C. 41 et
24 seq.).

1 (2) SAVINGS CLAUSE.—Nothing in this Act
2 shall be construed to limit the authority of the Fed-
3 eral Trade Commission under any other provision of
4 law.

5 **SEC. 7. G.A.O. STUDY ON THE INCIDENCE OF ASSAULT AND**
6 **ABUSE OF PASSENGERS AND DRIVERS OF**
7 **TNC VEHICLES, TAXICABS, AND OTHER FOR-**
8 **HIRE VEHICLES.**

9 The Comptroller General of the United States shall
10 conduct a study on the incidence of assault and abuse per-
11 petrated on drivers by passengers of TNC vehicles, taxi-
12 cabs, and other for-hire vehicles, and on such passengers
13 by drivers of TNC vehicles, taxicabs, and other for-hire
14 vehicles. The Comptroller General shall submit a report
15 to Congress not later than one year after the date of en-
16 actment of this Act. The report shall also examine—

17 (1) the nature and specifics of any background
18 checks conducted on prospective drivers of TNC ve-
19 hicles, taxicabs, and other for-hire vehicles, including
20 any State and local laws which may require such
21 background checks;

22 (2) incidences where individuals who are not
23 TNC drivers, taxicab drivers, or other for-hire vehi-
24 cle drivers try to pose as TNC drivers, taxicab driv-
25 ers, or other for-hire vehicle drivers;

1 (3) incidences of passengers entering the wrong
2 vehicle, whether or not the vehicle was a TNC vehi-
3 cle, taxicab, and other for-hire vehicle; and

4 (4) efforts by transportation network compa-
5 nies, taxicab companies, or for-hire vehicle compa-
6 nies to implement additional safety measures and
7 practices and of State and local governments requir-
8 ing such measures, and the efficacy of those efforts,
9 practices, and requirements.

10 **SEC. 8. DEFINITIONS.**

11 For purposes of this Act—

12 (1) the terms “non-visual” and “non-visually
13 accessible”, with regards to the system required
14 under sections 2(a)(1)(D) and 3(1)(B) mean digital
15 content that—

16 (A) meets the success criteria of the Web
17 Content Accessibility Guidelines (WCAG) 2.0,
18 Level AA, and any successor to or revision of
19 such guidelines that has been incorporated into
20 the Section 508 standards issued by the United
21 States Access Board, including, to the extent
22 applicable, the Web Accessibility Initiative - Ac-
23 cessible Rich Internet Applications (WAI-
24 ARIA); or

1 (B) allows a blind or visually impaired pas-
2 senger to access the same information, and uti-
3 lize the same system offered to other passengers
4 as required under Sections 2(a)(1)(D) and
5 3(1)(B) in a way that provides a comparable
6 level of privacy, independence and substantially
7 equivalent ease of use to the passenger;

8 (2) the term “passenger” means an individual
9 who is matched with a TNC driver by using a TNC
10 platform;

11 (3) the term “personal mobile device” means
12 any mobile device that an individual uses to connect
13 to a TNC platform;

14 (4) The term “Secretary” means the Secretary
15 of Transportation;

16 (5) the term “TNC driver” means an individual
17 who contracts with a transportation network com-
18 pany and provides transportation services to pas-
19 sengers;

20 (6) the term “TNC platform” means an online-
21 enabled application or digital network made available
22 by a transportation network company to connect rid-
23 ers to TNC drivers for the purpose of providing pre-
24 arranged transportation services;

1 (7) the term “TNC vehicle” means a vehicle
2 owned, leased, or otherwise authorized for use by
3 TNC driver that the TNC driver uses to provide pre-
4 arranged transportation services, also known as a
5 ride-hailing vehicle; and

6 (8) the term “transportation network com-
7 pany”—

8 (A) means a corporation, partnership, sole
9 proprietorship, or other entity, that makes
10 available an online-enabled application or digital
11 network to connect passengers to TNC drivers
12 in order for the driver to transport the pas-
13 senger using a vehicle owned, leased, or other-
14 wise authorized for use by the driver to a point
15 chosen by the passenger; and

16 (B) does not include a shared-expense car-
17 pool or vanpool arrangement that is not in-
18 tended to generate profit for the driver; and

19 (9) the term “verifiable information” means
20 data shared between a TNC platform, TNC driver,
21 and passenger that includes a personal authentica-
22 tion number confirmation system, a license plate
23 confirmation system, or a successor technology sys-
24 tem.

Amend the title so as to read: “A bill to require
ride-hailing companies to implement an enhanced digital

system to verify passengers with their authorized ride-hailing vehicles and drivers.”.