

116TH CONGRESS
1ST SESSION

S. 1871

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

IN THE SENATE OF THE UNITED STATES

JUNE 13, 2019

Mr. CARDIN (for himself, Mr. BLUMENTHAL, and Mr. MENENDEZ) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

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

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. DEFINITIONS.**

2 In this Act, the terms “machine-readable code or
3 image”, “personal mobile device”, “QR code”, “TNC driv-
4 er”, “TNC platform”, “TNC vehicle”, “trade dress”, and
5 “transportation network company” have the meanings
6 given those terms in section 171(a) of title 23, United
7 States Code.

8 **SEC. 3. SANCTIONS FOR STATES WITHOUT TRANSPOR-**
9 **TATION NETWORK COMPANY VEHICLE IDEN-**
10 **TIFICATION LAWS.**

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

14 **“§ 171. Sanctions for States without transportation**
15 **network company vehicle identification**
16 **laws**

17 “(a) DEFINITIONS.—In this section:

18 “(1) MACHINE-READABLE CODE OR IMAGE.—
19 The term ‘machine-readable code or image’ means a
20 machine-readable optical label that—

21 “(A) is unique to each TNC driver and the
22 vehicle of the TNC driver; and

23 “(B) can be scanned using a special scan-
24 ner or a personal mobile device with a built-in
25 camera.

1 “(2) PERSONAL MOBILE DEVICE.—The term
2 ‘personal mobile device’ means any mobile device
3 that an individual uses to connect to a TNC plat-
4 form.

5 “(3) QR CODE.—The term ‘QR code’ means a
6 machine-readable code or image that—

7 “(A) is also known as a quick response
8 code; and

9 “(B) consists of a matrix or 2-dimensional
10 barcode.

11 “(4) TNC DRIVER.—The term ‘TNC driver’
12 means an individual who is employed or contracted
13 by a transportation network company to provide
14 transportation services to the public through a TNC
15 platform.

16 “(5) TNC PLATFORM.—The term ‘TNC plat-
17 form’ means an online-enabled application or digital
18 network used to connect passengers with drivers
19 using vehicles for the purpose of providing pre-
20 arranged transportation services for compensation.

21 “(6) TNC VEHICLE.—The term ‘TNC vehicle’
22 means a vehicle of a TNC driver that the TNC driv-
23 er uses to provide TNC services (also known as a
24 ride-hailing vehicle).

1 “(7) TRADE DRESS.—The term ‘trade dress’
2 means anything designed or used to promote or sig-
3 nify a transportation network company or a vehicle
4 used to provide transportation services to the public,
5 such as the logo of the company, and includes the
6 color, shape, size, or any other feature that makes
7 the presentation of the service distinctive.

8 “(8) TRANSPORTATION NETWORK COMPANY.—
9 The term ‘transportation network company’ means a
10 company that uses an online-enabled application
11 platform or digital network to connect passengers
12 with drivers using personal, noncommercial vehicles
13 of the drivers to provide transportation services.

14 “(b) WITHHOLDING OF FUNDS FOR NONCOMPLI-
15 ANCE.—

16 “(1) FIRST FISCAL YEAR.—On October 1 of
17 second full fiscal year beginning after the date of en-
18 actment of this section, the Secretary shall withhold
19 1 percent of the amount required to be apportioned
20 to a State under each of paragraphs (1) and (2) of
21 section 104(b) for that fiscal year if the State is not
22 in compliance with subsection (c) on that date.

23 “(2) SUBSEQUENT FISCAL YEARS.—On October
24 1 of the third full fiscal year beginning after the
25 date of enactment of this section, and each October

1 1 thereafter, the Secretary shall withhold 2.5 per-
2 cent of the amount required to be apportioned to a
3 State under each of paragraphs (1) and (2) of sec-
4 tion 104(b) for that fiscal year if the State is not
5 in compliance with subsection (c) on that date.

6 “(3) EFFECT OF WITHHOLDING OF FUNDS.—
7 No funds withheld under this section from an appor-
8 tionment to a State shall be available to that State.

9 “(c) REQUIREMENTS.—A State shall be in compli-
10 ance with this subsection if the State has in effect the
11 following laws with respect to transportation network com-
12 panies operating in that State:

13 “(1) FRONT AND REAR LICENSE PLATES.—A
14 law requiring that each TNC vehicle display a State-
15 issued license plate on both the front and rear of the
16 vehicle.

17 “(2) INSPECTION AND SIGNAGE REQUIRE-
18 MENTS.—A law requiring TNC drivers to present
19 TNC vehicles for inspection by not later than 180
20 days after the date of enactment of that law, or, in
21 the case of a State that already has in effect a law
22 that meets the requirements of this paragraph, not
23 later than 180 days after the date of enactment of
24 this section, and annually thereafter, including each
25 of the following:

1 “(A) A provision requiring each TNC driv-
2 er to affix a sticker with a machine-readable
3 code or image, provided to that driver pursuant
4 to section 4(b)(2) of Sami’s Law, on each win-
5 dow of the vehicle of the TNC driver adjacent
6 to where passengers may sit.

7 “(B) A provision that prohibits a TNC
8 driver from providing TNC services if the TNC
9 vehicle does not pass the inspection.

10 “(C) A provision that requires periodic
11 safety inspections of the TNC vehicle performed
12 at intervals of not less frequently than once
13 each year.

14 “(D) A provision that requires, at all times
15 when the TNC driver is active on the TNC
16 platform or providing any TNC service, each
17 TNC vehicle to display a consistent and distine-
18 tive signage or emblem that—

19 “(i) is recognized as a trade dress for
20 the transportation network company;

21 “(ii) is readable during daylight hours
22 at a distance of 50 feet;

23 “(iii) includes an illuminated trans-
24 portation network company sign that dis-
25 plays the proprietary trademark or logo of

1 the company that is patently visible so as
2 to be seen in darkness; and

3 “(iv) may be magnetic or removable in
4 nature.

5 “(3) UNLAWFUL DISPLAY.—A law providing
6 that an individual who is not a TNC driver may be
7 charged with a misdemeanor for displaying the illu-
8 minated sign described in paragraph (2)(D)(iii) on
9 any vehicle with the intent to impersonate a TNC
10 driver operating a TNC vehicle.”.

11 (b) CLERICAL AMENDMENT.—The analysis for chap-
12 ter 1 of title 23, United States Code, is amended by add-
13 ing at the end the following:

“171. Sanctions for States without transportation network company vehicle
identification laws”.

14 **SEC. 4. ACCESS AND OTHER REQUIREMENTS FOR TRANS-**
15 **PORTATION NETWORK COMPANY VEHICLES**
16 **AND TRANSPORTATION NETWORK COMPA-**
17 **NIES.**

18 (a) IN GENERAL.—Not later than 180 days after the
19 date of enactment of this Act, each transportation network
20 company shall—

21 (1) establish and implement a system that re-
22 quires—

23 (A) each individual who uses the TNC
24 platform of a transportation network company

1 to verify the identity of the TNC driver as-
2 signed to the individual via the TNC platform
3 for the trip; and

4 (B) that TNC driver to confirm the iden-
5 tity of the individual prior to the beginning of
6 a trip.

7 (b) INCLUSIONS.—A system under subsection (a)
8 shall include—

9 (1) a machine-readable code or image that is
10 unique to each TNC driver and the vehicle of the
11 TNC driver, such as a QR code or a successor tech-
12 nology, that can be scanned by the individual hailing
13 the driver, using a personal mobile device with a
14 built-in camera;

15 (2) forward-facing window stickers containing
16 the machine-readable code or image described in
17 paragraph (1) that shall be provided to each TNC
18 driver;

19 (3) the ability, via the TNC platform of the
20 transportation network company—

21 (A) to provide to each individual who is as-
22 signed a TNC driver the unique machine-read-
23 able code or image of that driver; and

24 (B) to provide a means by which that indi-
25 vidual may scan the machine-readable code or

1 image displayed on the window sticker of the
2 TNC vehicle, using the TNC platform on the
3 personal mobile device of the individual, to con-
4 firm the identity of the TNC driver who is as-
5 signed to the individual prior to entering the ve-
6 hicle; and

7 (4) policies or procedures that—

8 (A) restrict each TNC driver from com-
9 mencing a trip until the individual who has re-
10 quested the trip successfully verifies the identity
11 of the TNC driver by scanning the machine-
12 readable code or image;

13 (B) prohibit a TNC driver from providing
14 TNC services if the TNC vehicle or TNC driver
15 is not in compliance with this section;

16 (C) require a periodic safety inspection of
17 the TNC vehicle performed at intervals of not
18 less frequently than once each year; and

19 (D) require each TNC vehicle, at all times
20 when the TNC driver is active on the TNC
21 platform or providing any TNC service, to dis-
22 play a consistent and distinctive signage or em-
23 blem that—

24 (i) is recognized as a trade dress for
25 the transportation network company;

1 (ii) is readable during daylight hours
2 at a distance of 50 feet;

3 (iii) includes an illuminated transpor-
4 tation network company sign displaying
5 the proprietary trademark or logo of the
6 company that is patently visible so as to be
7 seen in darkness; and

8 (iv) may be magnetic or removable in
9 nature.

10 (c) SIGNAGE POLICY.—Not later than 180 days after
11 the date of enactment of this Act, each transportation net-
12 work company shall implement a policy to require that any
13 illuminated signage described in section 171(e)(2)(D)(iii)
14 of title 23, United States Code, be returned to the trans-
15 portation network company when a TNC driver ceases to
16 be employed or contracted by the company.

17 **SEC. 5. PROHIBITION ON SALE OF TRANSPORTATION NET-**
18 **WORK COMPANY SIGNAGE.**

19 It shall be unlawful for any person to sell or offer
20 for sale any illuminated sign described in section
21 171(e)(2)(D)(iii) of title 23, United States Code.

22 **SEC. 6. UNFAIR OR DECEPTIVE ACT OR PRACTICE.**

23 (a) IN GENERAL.—A violation of section 4 or section
24 5 shall be treated as a violation of a rule defining an un-
25 fair or deceptive act or practice prescribed under section

1 18(a)(1)(B) of the Federal Trade Commission Act (15
2 U.S.C. 57a(a)(1)(B)).

3 (b) POWERS OF FEDERAL TRADE COMMISSION.—

4 (1) IN GENERAL.—The Federal Trade Commis-
5 sion shall enforce sections 4 and 5 in the same man-
6 ner, by the same means, and with the same jurisdic-
7 tion, powers, and duties as though all applicable
8 terms and provisions of the Federal Trade Commis-
9 sion Act (15 U.S.C. 41 et seq.) were incorporated
10 into and made a part of such sections.

11 (2) PRIVILEGES AND IMMUNITIES.—Any person
12 who violates section 4 or section 5 shall be subject
13 to the penalties and entitled to the privileges and
14 immunities provided in the Federal Trade Commis-
15 sion Act (15 U.S.C. 41 et seq.).

16 **SEC. 7. GAO STUDY ON THE INCIDENCE OF ASSAULT AND**
17 **ABUSE OF TRANSPORTATION NETWORK COM-**
18 **PANY PASSENGERS AND DRIVERS.**

19 The Comptroller General of the United States shall—

20 (1) conduct a study on the incidence of assault
21 and abuse perpetrated on drivers by passengers
22 using TNC vehicles, and on passengers by drivers of
23 TNC vehicles, including an examination of—

1 (A) incidences in which individuals who are
2 not TNC drivers attempt to pose as TNC driv-
3 ers;

4 (B) incidences of passengers who hailed a
5 ride through a TNC platform entering the
6 wrong vehicle, whether or not the vehicle was a
7 TNC vehicle;

8 (C) efforts by transportation network com-
9 panies, States, and local governments to imple-
10 ment additional safety measures, practices, and
11 requirements, and the efficacy of those meas-
12 ures, practices, and requirements; and

13 (D) the nature and specifics of any back-
14 ground checks conducted by transportation net-
15 work companies on potential TNC drivers, in-
16 cluding any State laws that may require such
17 background checks; and

18 (2) submit to Congress a report on the results
19 of the study under paragraph (1) by not later than
20 1 year after the date of enactment of this Act.

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