

Union Calendar No. 673

114TH CONGRESS
2^D SESSION

H. R. 6008

[Report No. 114–860, Part I]

To provide transit benefits to Federal employees who use the services of transportation network companies within the national capital region, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2016

Mr. MEADOWS (for himself, Mr. CONNOLLY, Mrs. COMSTOCK, and Mr. BEYER) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, 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

DECEMBER 8, 2016

Additional sponsors: Ms. NORTON and Mr. SCHWEIKERT

DECEMBER 8, 2016

Reported from the Committee on Oversight and Government Reform with amendments

[Strike out all after the enacting clause and insert the part printed in *italie*]

DECEMBER 8, 2016

The Committee on Ways and Means discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on September 13, 2016]

A BILL

To provide transit benefits to Federal employees who use the services of transportation network companies within the national capital region, 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; FINDINGS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the*
5 *“Transit Benefits Modernization Act”.*

6 (b) *FINDINGS.*—*Congress finds the following:*

7 (1) *The Washington Metropolitan Area Transit*
8 *Authority (“WMATA”) provides approximately 2.3*
9 *million Metrorail and Metrobus trips per year across*
10 *the National Capital Region to Federal employees,*
11 *commuters, and millions of visitors to the Nation’s*
12 *capital.*

13 (2) *Approximately 40 percent of WMATA peak-*
14 *hour commuters are Federal employees.*

15 (3) *WMATA began building its rail system in*
16 *1969, currently serves 91 stations, and has 117 miles*
17 *of track.*

18 (4) *The Federal Transit Administration*
19 *(“FTA”) and the National Transportation Safety*
20 *Board have found significant safety concerns result-*
21 *ing from a backlog of deferred maintenance.*

22 (5) *WMATA has designed a plan, called*
23 *SafeTrack, in an effort to address this backlog of de-*
24 *ferred maintenance.*

1 (6) *SafeTrack* would close the system earlier on
2 weekends and expand weekday maintenance by reduc-
3 ing the number of rails in use at certain stations
4 from two to one.

5 (7) The plan includes 15 “Safety Surges” with
6 around-the-clock single tracking or segment shutdowns
7 that will impact rush hour commutes.

8 (8) *FTA’s* review of *SafeTrack’s* first two “safety
9 surge” areas found a number of defects in the plan’s
10 execution.

11 (9) *SafeTrack* is scheduled to conclude in March
12 2017.

13 (10) During *SafeTrack*, WMATA is encouraging
14 customers to utilize other commuting options, includ-
15 ing ride-sharing services.

16 (11) WMATA has indicated that service interrup-
17 tions will continue to occur following *SafeTrack* as
18 routine maintenance is needed.

19 (12) The Federal Government, which is nega-
20 tively affected when employees cannot easily commute
21 to and from work, has an interest in assisting em-
22 ployees with alternate commuting options.

1 **SEC. 2. PROVIDING A FRINGE TRANSIT BENEFIT FOR USE**
2 **OF TRANSPORTATION NETWORK COMPANIES.**

3 *For purposes of section 132(a) of the Internal Revenue*
4 *Code of 1986, the use of a transportation network company*
5 *by Federal employees as provided for in this Act shall be*
6 *treated as a fringe benefit which qualifies as a qualified*
7 *transportation fringe for the period established in section*
8 *3(a) of this Act.*

9 **SEC. 3. TRANSIT BENEFITS FOR FEDERAL EMPLOYEES FOR**
10 **THE USE OF DIGITAL TRANSPORTATION COM-**
11 **PANIES.**

12 *(a) IN GENERAL.—During the period beginning on the*
13 *date of enactment of this Act and ending on December 31,*
14 *2018, any agency that has a program, including a program*
15 *established under section 7905 of title 5, United States*
16 *Code, or Executive Order 13150 (April 21, 2000; 65 Fed.*
17 *Reg. 24613), to provide transit benefits to employees of the*
18 *agency shall provide transit benefits to employees who use*
19 *the services of any digital transportation company within*
20 *the Washington Metropolitan Area in the same manner as*
21 *such agency provides transit benefits to employees who use*
22 *public transportation services within the Washington Met-*
23 *ropolitan Area.*

24 *(b) REQUIREMENTS.—*

25 *(1) ELECTION.—Unless otherwise statutorily au-*
26 *thorized, an employee may receive transit benefits*

1 *under this section only if the employee agrees in writ-*
2 *ing to not accept any other transit or parking benefit*
3 *offered by the head of any agency with a transit ben-*
4 *efit program while receiving the transit benefits under*
5 *this section.*

6 (2) *LIMITATION.*—*The amount of the transit ben-*
7 *efit provided to an employee under this section during*
8 *any month for the use of services provided by any*
9 *digital transportation company may not exceed the*
10 *amount of the monthly average transit benefit re-*
11 *ceived by the employee during the 6-month period im-*
12 *mediately preceding the month during which an elec-*
13 *tion is made under paragraph (1).*

14 (3) *IMPLEMENTATION.*—*Transit benefits under*
15 *this section shall be provided in a manner substan-*
16 *tially similar to the manner in which transit benefits*
17 *are provided to employees who use mass transpor-*
18 *tation services. The head of any agency with a transit*
19 *benefit program may consult with any digital trans-*
20 *portation company and any other head of any agency*
21 *with a transit benefit program to establish the proce-*
22 *dures necessary to provide transit benefits under this*
23 *section.*

24 (4) *SUBSTANTIATION.*—*The head of any agency*
25 *with a transit benefit program, the Secretary of the*

1 *Department of Transportation, and the Secretary of*
2 *the Treasury shall, in connection with the establish-*
3 *ment of a process for implementing the transit benefit*
4 *for any digital transportation company, work with*
5 *any such digital transportation company in estab-*
6 *lishing a process to substantiate the use of transit*
7 *benefits by Federal employees using the benefit for*
8 *services provided by a digital transportation com-*
9 *pany each month.*

10 *(c) DEFINITIONS.—In this section—*

11 *(1) the term “Washington Metropolitan Area”*
12 *means the District of Columbia; Montgomery, Prince*
13 *George’s, Frederick, and Charles Counties in Mary-*
14 *land; Arlington, Fairfax, Loudon, and Prince Wil-*
15 *liam Counties in Virginia; and all cities now or here-*
16 *after existing in Maryland or Virginia within the ge-*
17 *ographic area bounded by the outer boundaries of the*
18 *combined area of said counties;*

19 *(2) the term “digital transportation company”*
20 *means any transportation network company or car-*
21 *sharing service;*

22 *(3) the term “car-sharing service” means a mem-*
23 *bership or non-membership based service primarily*
24 *designed for shorter time or shorter distance trips*

1 *where individuals are charged per mile or per hour,*
2 *or both, for vehicle usage; and*
3 *(4) the term “transportation network company”*
4 *means a corporation, partnership, sole proprietorship,*
5 *or other entity that uses a digital network to connect*
6 *riders to drivers affiliated with the entity in order for*
7 *a driver to provide transportation services to a rider.*

Amend the title so as to read: “A bill to provide transit benefits to Federal employees who use the services of digital transportation companies within the national capital region, and for other purposes.”.

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