

117TH CONGRESS
1ST SESSION

H. R. 1082

To require ride-hailing companies to implement an enhanced digital system to verify passengers with their authorized ride-hailing vehicles and drivers.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2021

Mr. SMITH of New Jersey (for himself, Mr. SUOZZI, Mr. CLYBURN, Mr. WILSON of South Carolina, Mr. SIRES, and Mr. GOTTHEIMER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and the Budget, 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 require ride-hailing companies to implement an enhanced digital system to verify passengers with their authorized ride-hailing vehicles and drivers.

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”.

5 **SEC. 2. DEFINITIONS.**

6 In this Act:

1 (1) COUNCIL.—The term “Council” means the
2 Safety Actions for Matching and Identifying Ride-
3 Share Customers Advisory Council established under
4 section 5(a).

5 (2) NONVISUAL; NONVISUALLY ACCESSIBLE.—
6 The terms “nonvisual” and “nonvisually accessible”,
7 with respect to the systems described in sections
8 3(a)(2)(A)(iv) and 4(b)(2)(B), mean digital content
9 that—

10 (A) meets the criteria for success described
11 in the guidelines entitled “Web Content Acces-
12 sibility Guidelines 2.0, Level AA” (or a suc-
13 cessor to, or revision of, those guidelines) that
14 have been incorporated into the standards
15 issued by the United States Access Board
16 known as the “Section 508 standards”, includ-
17 ing, to the extent applicable, the applications
18 commonly known as the “Web Accessibility Ini-
19 tiative - Accessible Rich Internet Applications
20 (WAI-ARIA)”;

21 (B) otherwise allows visually impaired pas-
22 sengers to access the same information, and use
23 the same systems, offered to nonvisually im-
24 paired passengers under sections 3(a)(2)(A)(iv)
25 and 4(b)(2)(B) in a manner that provides a

1 comparable level of privacy, independence, and
2 substantially equivalent ease of use to visually
3 impaired passengers.

4 (3) PASSENGER.—The term “passenger” means
5 an individual who is matched with a TNC driver by
6 submitting to a transportation network company a
7 trip request using a TNC platform.

8 (4) PERSONAL MOBILE DEVICE.—The term
9 “personal mobile device” means a mobile commu-
10 nications device used by an individual to submit a
11 trip request through a TNC platform.

12 (5) SECRETARY.—The term “Secretary” means
13 the Secretary of Transportation.

14 (6) TNC DRIVER.—The term “TNC driver”
15 means an individual who contracts with a transpor-
16 tation network company to provide transportation
17 services through a TNC platform in exchange for
18 compensation or payment of a fee.

19 (7) TNC PLATFORM.—The term “TNC plat-
20 form” means an online-enabled application or digital
21 network made available by a transportation network
22 company to connect passengers to TNC drivers for
23 the purpose of providing prearranged transportation
24 services.

1 (8) TNC VEHICLE.—The term “TNC vehicle”
2 means a vehicle (also known as a “ride-hailing vehi-
3 cle”) that is—

4 (A) owned, leased, or otherwise authorized
5 for use by a TNC driver; and

6 (B) used by the TNC driver to provide to
7 passengers prearranged transportation services.

8 (9) TRANSPORTATION NETWORK COMPANY.—

9 (A) IN GENERAL.—The term “transpor-
10 tation network company” means a corporation,
11 partnership, sole proprietorship, or other entity
12 that makes available a TNC platform to con-
13 nect passengers to TNC drivers in exchange for
14 compensation or payment of a fee in order for
15 the TNC driver to transport the passenger
16 using a TNC vehicle to a point chosen by the
17 passenger.

18 (B) EXCLUSIONS.—The term “transpor-
19 tation network company” does not include—

20 (i) a shared-expense carpool or van-
21 pool arrangement that is not intended to
22 generate profit for the driver; or

23 (ii) microtransit or other dedicated
24 services provided exclusively on behalf of a
25 government entity, a nonprofit organiza-

1 tion, or a third-party commercial enter-
2 prise.

3 (10) VERIFIABLE INFORMATION.—The term
4 “verifiable information” means data that—

5 (A) are shared among—

6 (i) a TNC platform;

7 (ii) a TNC driver authorized to use
8 the TNC platform; and

9 (iii) a passenger using the TNC plat-
10 form; and

11 (B) include—

12 (i) a personal authentication number
13 confirmation;

14 (ii) a license plate confirmation; or

15 (iii) other information that may be
16 used in a successor technology-based sys-
17 tem.

18 **SEC. 3. MINIMUM REQUIREMENTS FOR TRANSPORTATION**

19 **NETWORK COMPANIES.**

20 (a) TNC PLATFORM SYSTEMS.—

21 (1) IN GENERAL.—Not later than 90 days after
22 the date of enactment of this Act, each transpor-
23 tation network company shall establish and imple-
24 ment, within the TNC platform of the transportation
25 network company, a system and policy under which

1 the transportation network company shall provide to
2 each passenger using the TNC platform a digital
3 method to verify, prior to the beginning of the trip
4 requested by the passenger, that the TNC driver
5 with whom the passenger has been matched through
6 the TNC platform has been authorized by the trans-
7 portation network company to accept the trip re-
8 quest.

9 (2) INCLUSIONS.—Each system under para-
10 graph (1) shall include—

11 (A)(i) an initial notification, containing
12 verifiable information specific to the applicable
13 TNC driver or TNC vehicle with which the ap-
14 plicable passenger has been matched, that is—

15 (I) sent to the personal mobile device
16 of the passenger; or

17 (II) otherwise communicated to the
18 passenger;

19 (ii) a method by which the applicable pas-
20 senger, TNC driver, and TNC platform can
21 confirm the verifiable information matching the
22 passenger to the TNC driver or TNC vehicle
23 prior to the beginning of the requested trip;

24 (iii) a restriction imposed by the TNC plat-
25 form against any TNC driver from commencing

1 a trip through the TNC platform until the sys-
2 tem is used—

3 (I) by the applicable passenger to
4 verify the identity of the TNC driver; and

5 (II) by the applicable TNC driver to
6 verify the identity of the passenger; and

7 (iv) a nonvisual method by which a pas-
8 senger can verify the identity of the applicable
9 TNC driver in accordance with this subpara-
10 graph; or

11 (B) as an alternative to a system described
12 in subparagraph (A), a successor technology-
13 based system that enables verification by the
14 applicable passenger, prior to the beginning of
15 the trip requested by the passenger, that the
16 TNC driver with whom the passenger has been
17 matched through the TNC platform of the
18 transportation network company has been au-
19 thorized by the transportation network company
20 to accept the trip request.

21 (b) PASSENGER OPT-OUT.—A transportation net-
22 work company may offer to passengers an option not to
23 use the system of the transportation network company
24 under subsection (a).

1 (c) EXEMPTIONS.—This section shall not apply to
 2 any trip—

3 (1) with respect to which a passenger elects
 4 under subsection (b) to opt out of using the system
 5 of the relevant transportation network company;

6 (2) that is facilitated by a third party, including
 7 any third-party commercial enterprise, nonprofit or-
 8 ganization, or government entity, for a passenger
 9 who is transported in a TNC vehicle; or

10 (3) with respect to which compliance with sub-
 11 section (a) is impracticable due to circumstances be-
 12 yond the control of the relevant transportation net-
 13 work company, including any instance in which—

14 (A) the personal mobile device of a pas-
 15 senger has failed to operate; or

16 (B) there exists degraded, reduced, or oth-
 17 erwise insufficient cellular connectivity in order
 18 for the system of a transportation network com-
 19 pany under subsection (a) to operate properly.

20 (d) AUTHORITY OF SECRETARY.—

21 (1) REGULATIONS.—The Secretary may pro-
 22 mulgate such regulations as the Secretary deter-
 23 mines to be necessary to carry out this section.

24 (2) INSPECTION AUTHORITY.—The Secretary
 25 may inspect such records of a transportation net-

1 work company as the Secretary determines to be
2 necessary to allow the Secretary to determine wheth-
3 er the transportation network company achieves
4 compliance with the applicable requirements of this
5 section.

6 (e) ENFORCEMENT.—

7 (1) IN GENERAL.—Subject to paragraph (2), a
8 transportation network company that is in violation
9 of an applicable requirement of this section shall be
10 liable to the United States for a civil penalty in an
11 amount equal to not more than \$5,000 per day of
12 violation.

13 (2) KNOWING AND WILLFUL VIOLATIONS.—A
14 transportation network company shall be liable to
15 the United States for a civil penalty in an amount
16 equal to not more than \$20,000 per day of knowing
17 and willful violation of an applicable requirement of
18 this section.

19 (3) COMPROMISE.—The Secretary may com-
20 promise the amount of a civil penalty imposed under
21 this subsection before referral to the Attorney Gen-
22 eral.

23 (4) OFFSET FROM FEDERALLY OWED
24 AMOUNTS.—The Federal Government may deduct
25 the amount of a civil penalty imposed under this

1 subsection (including through compromise under
2 paragraph (3)) from any amounts owed by the Fed-
3 eral Government to the transportation network com-
4 pany liable for the penalty.

5 **SEC. 4. SUCCESSOR TECHNOLOGY-BASED SYSTEM PER-**
6 **FORMANCE STANDARDS.**

7 (a) RECOMMENDATIONS OF COUNCIL.—Not later
8 than 180 days after the date of establishment of the Coun-
9 cil, the Council shall submit to the Secretary information
10 regarding best practices and recommendations supported
11 by the majority of the members of the Council concerning
12 performance standards the Secretary may establish with
13 respect to successor technology-based systems described in
14 section 3(a)(2)(B).

15 (b) ACTION BY SECRETARY.—

16 (1) IN GENERAL.—Not later than one year
17 after the date of receipt of the recommendations of
18 the Council under subsection (a), the Secretary
19 shall—

20 (A) review the recommendations;

21 (B) establish performance standards with
22 respect to successor technology-based systems
23 described in section 3(a)(2)(B); and

24 (C) provide to each transportation network
25 company that elects to use a successor tech-

1 nology-based system subject to a performance
2 standard established under subparagraph (B) a
3 reasonable time to achieve compliance with the
4 applicable standards.

5 (2) REQUIREMENTS.—The standards estab-
6 lished under paragraph (1)(B) shall require, at a
7 minimum, that—

8 (A) a successor technology-based system
9 enables verification by a passenger, prior to the
10 beginning of the trip requested by the pas-
11 senger through a TNC platform, that the TNC
12 driver with whom the passenger has been
13 matched is authorized by the applicable trans-
14 portation network company to accept the trip
15 request;

16 (B) the protocols for verification described
17 in subparagraph (A) are visually accessible and
18 nonvisually accessible; and

19 (C) a transportation network company
20 shall implement a system incorporating a TNC
21 driver education and public awareness program
22 relating to—

23 (i) the use of the successor tech-
24 nology-based system; and

1 (ii) any required verifiable informa-
2 tion.

3 (3) UPDATES.—Not later than 180 days after
4 the date of establishment of performance standards
5 under paragraph (1)(B), and not less frequently
6 than annually thereafter, the Secretary—

7 (A) shall solicit input from the Council re-
8 garding whether the performance standards
9 should be updated or expanded to incorporate
10 new technological developments; and

11 (B) may issue such amended performance
12 standards as the Secretary determines to be
13 necessary to account for new technological de-
14 velopments.

15 (4) INTERIM STANDARDS.—

16 (A) IN GENERAL.—During the period be-
17 ginning on the date of enactment of this Act
18 and ending on the date on which performance
19 standards are established under paragraph
20 (1)(B), a transportation network company may
21 adopt and deploy any successor technology-
22 based system that enables passengers to verify,
23 prior to the beginning of the trip requested by
24 the passenger, that the TNC driver with whom
25 the passenger has been matched through the

1 TNC platform has been authorized by the
2 transportation network company to accept the
3 trip request.

4 (B) TREATMENT.—A successor technology-
5 based system deployed pursuant to subpara-
6 graph (A) shall be considered to meet the appli-
7 cable requirements of paragraph (2) during the
8 period described in that subparagraph, unless
9 the Secretary determines that the successor
10 technology-based system is insufficient.

11 (C) INSUFFICIENCIES.—If the Secretary
12 makes a determination described in subpara-
13 graph (B) with respect to a successor tech-
14 nology-based system deployed by a transpor-
15 tation network company, the Secretary shall
16 provide to the transportation network company
17 a reasonable period to remedy the insufficiency.

18 (5) REPORTS.—On initially establishing per-
19 formance standards under paragraph (1)(B), and
20 not less frequently than annually thereafter until the
21 date of termination of the Council under section
22 5(g)(2), the Secretary shall submit to the Committee
23 on Commerce, Science, and Transportation of the
24 Senate and the Committee on Transportation and

1 Infrastructure of the House of Representatives a re-
2 port that describes—

3 (A)(i) the recommendations of the Council
4 under subsection (a); and

5 (ii) the consideration by the Secretary of
6 those recommendations, including the reasons
7 why the recommendations were accepted or not
8 accepted, as applicable;

9 (B) the performance standards established
10 by the Secretary under paragraph (1)(B), in-
11 cluding any updates to those standards under
12 paragraph (3); and

13 (C) the rationale of the Secretary for es-
14 tablishing those performance standards.

15 **SEC. 5. SAFETY ACTIONS FOR MATCHING AND IDENTI-**
16 **FYING RIDE-SHARE CUSTOMERS ADVISORY**
17 **COUNCIL.**

18 (a) ESTABLISHMENT.—Subject to the availability of
19 appropriations, not later than 90 days after the date of
20 enactment of this Act, the Secretary shall establish a
21 council, to be known as the “Safety Actions for Matching
22 and Identifying Ride-Share Customers Advisory Council”
23 or “SAMI’s Law Council”, to recommend to the Secretary
24 performance standards the Secretary may establish with

1 respect to successor technology-based systems described in
2 section 3(a)(2)(B).

3 (b) MEMBERSHIP.—

4 (1) IN GENERAL.—The Council shall be com-
5 posed of 17 members to be appointed by the Sec-
6 retary, comprised of the following:

7 (A) One or more representatives of each
8 of—

9 (i) the Department of Transportation;

10 (ii) the National Institute of Stand-
11 ards and Technology;

12 (iii) the Federal Trade Commission;

13 (iv) an association or trade group that
14 represents technology companies, the mem-
15 bership of which includes 1 or more trans-
16 portation network companies;

17 (v) an association or trade group that
18 represents ground passenger transpor-
19 tation, the membership of which includes 1
20 or more transportation network companies;
21 and

22 (vi) an organization that is—

23 (I) comprised, and established for
24 the benefit, of TNC drivers; and

1 (II) present in not fewer than
2 two States.

3 (B) Two or more representatives from each
4 of—

5 (i) one national transportation net-
6 work company and one small, local trans-
7 portation network company;

8 (ii) one State government and one
9 unit of local or Tribal government;

10 (iii) law enforcement agencies;

11 (iv) national organizations comprised,
12 and established for the benefit, of individ-
13 uals with disabilities; and

14 (v) ride-hailing victims advocacy
15 groups.

16 (2) CHAIRPERSON.—Of the members of the
17 Council appointed under paragraph (1)(A), the Sec-
18 retary shall designate one to serve as chairperson of
19 the Council.

20 (c) TERM; VACANCIES.—

21 (1) TERM.—A member of the Council shall
22 serve for a term of three years.

23 (2) VACANCIES.—A vacancy on the Council—

24 (A) shall not affect the powers of the
25 Council; and

1 (B) shall be filled in the same manner as
2 the original appointment was made.

3 (d) COMPENSATION OF MEMBERS.—

4 (1) IN GENERAL.—A member of the Council
5 shall serve without compensation.

6 (2) TRAVEL EXPENSES.—A member of the
7 Council shall be allowed travel expenses, including
8 per diem in lieu of subsistence, at rates authorized
9 for an employee of an agency under subchapter I of
10 chapter 57 of title 5, United States Code, while
11 away from the home or regular place of business of
12 the member in the performance of the duties of the
13 Council.

14 (e) TECHNICAL ASSISTANCE.—On request of the
15 Council, the Secretary shall provide such technical assist-
16 ance as the Secretary determines to be necessary to enable
17 the Council to carry out the duties of the Council.

18 (f) DETAIL OF DOT EMPLOYEES.—

19 (1) IN GENERAL.—On receipt of a request from
20 the Council, the Secretary may detail to the Council
21 any employee of the Department of Transportation,
22 with or without reimbursement.

23 (2) CIVIL SERVICE STATUS.—The detail of an
24 employee under paragraph (1) shall be without inter-
25 ruption or loss of civil service status or privilege.

1 (g) REVIEW BY SECRETARY.—

2 (1) IN GENERAL.—Beginning on the date that
3 is 12 years after the date of enactment of this Act,
4 the Secretary shall periodically review, and solicit
5 public comment regarding, whether the continued
6 existence of the Council is necessary.

7 (2) TERMINATION OF COUNCIL.—On a deter-
8 mination by the Secretary under paragraph (1) that
9 the Council is no longer necessary, the Secretary
10 may—

11 (A) terminate the Council; and

12 (B) on termination of the Council under
13 subparagraph (A), update performance stand-
14 ards relating to successor technologies as the
15 Secretary determines to be appropriate.

16 **SEC. 6. PROHIBITION ON SALE OF RIDE-HAILING SIGNAGE.**

17 (a) PROHIBITION.—Except as provided in subsection
18 (b), it shall be unlawful for any person to sell or offer
19 for sale any signage that—

20 (1) is designed to help a passenger to identify
21 a TNC vehicle; and

22 (2)(A) contains a proprietary trademark or logo
23 of a transportation network company; or

24 (B) purports to be signage of a transportation
25 network company.

1 (b) APPLICABILITY.—Subsection (a) shall not apply
2 to any person authorized by a transportation network
3 company to sell or offer for sale signage of the transpor-
4 tation network company described in that subsection.

5 (c) ENFORCEMENT.—

6 (1) IN GENERAL.—A violation of this section
7 shall be considered to be a violation of a rule defin-
8 ing an unfair or deceptive act or practice prescribed
9 under section 18(a)(1)(B) of the Federal Trade
10 Commission Act (15 U.S.C. 57a(a)(1)(B)).

11 (2) ACTION BY FTC.—The Federal Trade Com-
12 mission shall enforce this section in the same man-
13 ner, by the same means, and with the same jurisdic-
14 tion, powers, and duties as though all applicable pro-
15 visions of the Federal Trade Commission Act (15
16 U.S.C. 41 et seq.) are incorporated in this Act.

17 (3) TREATMENT.—Any person who violates this
18 section shall be subject to the penalties, and entitled
19 to the privileges and immunities, provided in the
20 Federal Trade Commission Act (15 U.S.C. 41 et
21 seq.).

22 (d) SAVINGS CLAUSE.—Nothing in this section limits
23 the authority of the Federal Trade Commission under any
24 other provision of law.

1 **SEC. 7. GAO STUDY ON INCIDENCE OF ASSAULT AND ABUSE**
2 **OF PASSENGERS, TNC DRIVERS, AND DRIV-**
3 **ERS OF OTHER FOR-HIRE VEHICLES.**

4 The Comptroller General of the United States shall—

5 (1) conduct a study regarding the incidence of
6 assault and abuse perpetrated—

7 (A) against TNC drivers and drivers of
8 other for-hire vehicles (including taxicabs) by
9 passengers and riders of for-hire vehicles; and

10 (B) against passengers and riders by TNC
11 drivers or drivers of other for-hire vehicles (in-
12 cluding taxicabs); and

13 (2) not later than 14 months after the date of
14 enactment of this Act, submit to Congress a report
15 that includes a description of—

16 (A) the nature and specifics of any back-
17 ground checks conducted on prospective TNC
18 drivers of and drivers of other for-hire vehicles
19 (including taxicabs), including any State and
20 local laws requiring those background checks;

21 (B) incidences in which—

22 (i) individuals who are not TNC driv-
23 ers or drivers of other for-hire vehicles at-
24 tempt to pose as TNC drivers or drivers of
25 other for-hire vehicles; or

- 1 (ii) passengers enter an incorrect vehi-
2 cle, regardless of whether the vehicle is a
3 TNC vehicle or other for-hire vehicle; and
4 (C)(i) efforts by—
5 (I) transportation network companies,
6 taxicab companies, or for-hire vehicle com-
7 panies to implement additional safety
8 measures and practices; and
9 (II) State and local governments to
10 require those measures; and
11 (ii) the efficacy of those efforts, practices,
12 and requirements.

13 **SEC. 8. BUDGETARY EFFECTS.**

14 The budgetary effects of this Act, for the purpose of
15 complying with the Statutory Pay-As-You-Go Act of 2010,
16 shall be determined by reference to the latest statement
17 titled “Budgetary Effects of PAYGO Legislation” for this
18 Act, submitted for printing in the Congressional Record
19 by the Chairman of the House Budget Committee, pro-
20 vided that such statement has been submitted prior to the
21 vote on passage.

○