

# Union Calendar No. 169

107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2546

[Report No. 107-282]

To amend title 49, United States Code, to prohibit States from requiring a license or fee on account of the fact that a motor vehicle is providing interstate pre-arranged ground transportation service, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2001

Mr. BLUNT (for himself, Mr. ANDREWS, Mr. PALLONE, Mr. TANCREDO, Mr. BARTLETT of Maryland, Mr. PASCRELL, Mr. LOBIONDO, Mr. CAPUANO, Mr. SHAYS, Ms. DELAURO, Ms. BROWN of Florida, Mr. MICA, Mr. ISAKSON, Mr. SAXTON, Mr. SMITH of New Jersey, Mr. JEFFERSON, Mr. ENGLISH, Mr. CARDIN, and Mr. TOWNS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

NOVEMBER 13, 2001

Additional sponsors: Mr. GRAVES, Mr. KIRK, and Mr. FERGUSON

NOVEMBER 13, 2001

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on July 18, 2001]

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## A BILL

To amend title 49, United States Code, to prohibit States from requiring a license or fee on account of the fact

that a motor vehicle is providing interstate pre-arranged ground transportation service, 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 the “Real Interstate Driver*  
 5 *Equity Act of 2001”.*

6 **SEC. 2. REGULATION OF INTERSTATE PRE-ARRANGED**  
 7 **GROUND TRANSPORTATION SERVICE.**

8       *Section 14501 of title 49, United States Code, is*  
 9 *amended by adding at the end the following:*

10       “(d) *PRE-ARRANGED GROUND TRANSPORTATION.—*

11               “(1) *IN GENERAL.—No State or political sub-*  
 12 *division thereof and no interstate agency or other po-*  
 13 *litical agency of 2 or more States shall enact or en-*  
 14 *force any law, rule, regulation, standard or other pro-*  
 15 *vision having the force and effect of law requiring a*  
 16 *license or fee on account of the fact that a motor vehi-*  
 17 *cle is providing pre-arranged ground transportation*  
 18 *service if the motor carrier providing such service—*

19                       “(A) *meets all applicable registration re-*  
 20 *quirements under chapter 139 for the interstate*  
 21 *transportation of passengers;*

22                       “(B) *meets all applicable vehicle and intra-*  
 23 *state passenger licensing requirements of the*

1           *State or States in which the motor carrier is*  
2           *domiciled or registered to do business; and*

3           “(C) *is providing such service pursuant to*  
4           *a contract for—*

5                     “(i) *travel from one State, including*  
6                     *intermediate stops, to a destination in an-*  
7                     *other State; or*

8                     “(ii) *travel from one State, including*  
9                     *one or more intermediate stops in another*  
10                    *State, to a destination in the original State.*

11           “(2) *MATTERS NOT COVERED.—Nothing in this*  
12           *subsection shall be construed—*

13                     “(A) *as subjecting taxicab service to regula-*  
14                     *tion under chapter 135 or section 31138;*

15                     “(B) *as prohibiting or restricting an air-*  
16                     *port, train, or bus terminal operator from con-*  
17                     *tracting to provide preferential access or facili-*  
18                     *ties to one or more providers of pre-arranged*  
19                     *ground transportation service; and*

20                     “(C) *as restricting the right of any State or*  
21                     *political subdivision of a State to require that*  
22                     *any individual operating a vehicle providing*  
23                     *prearranged ground transportation service origi-*  
24                     *nating in the State or political subdivision have*  
25                     *submitted to a criminal background investiga-*

1            *tion of the records of the State in which the oper-*  
2            *ator is domiciled, by the motor carrier providing*  
3            *such service or by the State or political subdivi-*  
4            *sion by which the operator is licensed to provide*  
5            *such service, as a condition of providing such*  
6            *service.”.*

7    **SEC. 3. DEFINITIONS.**

8            *(a) IN GENERAL.—Section 13102 of title 49, United*  
9            *States Code, is amended—*

10            *(1) by redesignating paragraphs (17), (18), (19),*  
11            *(20), (21), and (22) as paragraphs (18), (19), (21),*  
12            *(22), (23), and (24), respectively;*

13            *(2) by inserting after paragraph (16) the fol-*  
14            *lowing:*

15            *“(17) PRE-ARRANGED GROUND TRANSPORTATION*  
16            *SERVICE.—The term ‘pre-arranged ground transpor-*  
17            *tation service’ means transportation for a passenger*  
18            *(or a group of passengers) that is arranged in ad-*  
19            *vance (or is operated on a regular route or between*  
20            *specified points) and is provided in a motor vehicle*  
21            *with a seating capacity not exceeding 15 passengers*  
22            *(including the driver).”;* and

23            *(3) by inserting after paragraph (19) (as so re-*  
24            *designated) the following:*

1           “(20) *TAXICAB SERVICE*.—The term ‘taxicab  
2           *service*’ means passenger transportation in a motor  
3           vehicle having a capacity of not more than 8 pas-  
4           sengers (including the driver), not operated on a reg-  
5           ular route or between specified places, and that—

6                   “(A) is licensed as a taxicab by a State or  
7                   a local jurisdiction; or

8                   “(B) is offered by a person that—

9                           “(i) provides local transportation for a  
10                           fare determined (except with respect to  
11                           transportation to or from airports) pri-  
12                           marily on the basis of the distance traveled;  
13                           and

14                           “(ii) does not primarily provide trans-  
15                           portation to or from airports.”.

16           (b) *CONFORMING AMENDMENTS*.—

17                   (1) *MOTOR CARRIER TRANSPORTATION*.—Section  
18                   13506(a)(2) of title 49, United States Code, is amend-  
19                   ed to read as follows:

20                           “(2) a motor vehicle providing taxicab service;”.

21                   (2) *MINIMUM FINANCIAL RESPONSIBILITY*.—Sec-  
22                   tion 31138(e)(2) of such title is amended to read as  
23                   follows:

24                           “(2) providing taxicab service (as defined in sec-  
25                           tion 13102);”.

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