

One Hundred Seventh Congress
of the
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Wednesday,
the twenty-third day of January, two thousand and two*

An Act

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.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Real Interstate Driver Equity Act of 2002”.

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

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

“(d) PRE-ARRANGED GROUND TRANSPORTATION.—

“(1) IN GENERAL.—No State or political subdivision thereof and no interstate agency or other political agency of 2 or more States shall enact or enforce any law, rule, regulation, standard or other provision having the force and effect of law requiring a license or fee on account of the fact that a motor vehicle is providing pre-arranged ground transportation service if the motor carrier providing such service—

“(A) meets all applicable registration requirements under chapter 139 for the interstate transportation of passengers;

“(B) meets all applicable vehicle and intrastate passenger licensing requirements of the State or States in which the motor carrier is domiciled or registered to do business; and

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

“(i) transportation by the motor carrier from one State, including intermediate stops, to a destination in another State; or

“(ii) transportation by the motor carrier from one State, including intermediate stops in another State, to a destination in the original State.

“(2) INTERMEDIATE STOP DEFINED.—In this section, the term ‘intermediate stop’, with respect to transportation by a motor carrier, means a pause in the transportation in order for one or more passengers to engage in personal or business activity, but only if the driver providing the transportation to such passenger or passengers does not, before resuming the transportation of such passenger (or at least 1 of such passengers),

provide transportation to any other person not included among the passengers being transported when the pause began.

“(3) MATTERS NOT COVERED.—Nothing in this subsection shall be construed—

“(A) as subjecting taxicab service to regulation under chapter 135 or section 31138;

“(B) as prohibiting or restricting an airport, train, or bus terminal operator from contracting to provide preferential access or facilities to one or more providers of pre-arranged ground transportation service; and

“(C) as restricting the right of any State or political subdivision of a State to require, in a nondiscriminatory manner, that any individual operating a vehicle providing prearranged ground transportation service originating in the State or political subdivision have submitted to prelicensing drug testing or a criminal background investigation of the records of the State in which the operator is domiciled, by the State or political subdivision by which the operator is licensed to provide such service, or by the motor carrier providing such service, as a condition of providing such service.”

SEC. 3. DEFINITIONS.

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

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

(2) by inserting after paragraph (16) the following:

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

(3) by inserting after paragraph (19) (as so redesignated) the following:

“(20) TAXICAB SERVICE.—The term ‘taxicab service’ means passenger transportation in a motor vehicle having a capacity of not more than 8 passengers (including the driver), not operated on a regular route or between specified places, and that—

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

“(B) is offered by a person that—

“(i) provides local transportation for a fare determined (except with respect to transportation to or from airports) primarily on the basis of the distance traveled; and

“(ii) does not primarily provide transportation to or from airports.”

(b) CONFORMING AMENDMENTS.—

(1) MOTOR CARRIER TRANSPORTATION.—Section 13506(a)(2) of title 49, United States Code, is amended to read as follows:

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

(2) MINIMUM FINANCIAL RESPONSIBILITY.—Section 31138(e)(2) of such title is amended to read as follows:

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“(2) providing taxicab service (as defined in section 13102);”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*