

115TH CONGRESS  
1ST SESSION

# H. R. 336

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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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 2017

Mr. MEADOWS (for himself, Mr. CONNOLLY, Mrs. COMSTOCK, Mr. SCHWEIKERT, 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

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## 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.

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:

1           (1) The Washington Metropolitan Area Transit  
2 Authority (“WMATA”) provides approximately 2.3  
3 million Metrorail and Metrobus trips per year across  
4 the National Capital Region to Federal employees,  
5 commuters, and millions of visitors to the Nation’s  
6 capital.

7           (2) Approximately 40 percent of WMATA peak-  
8 hour commuters are Federal employees.

9           (3) WMATA began building its rail system in  
10 1969, currently serves 91 stations, and has 117  
11 miles of track.

12           (4) The Federal Transit Administration  
13 (“FTA”) and the National Transportation Safety  
14 Board have found significant safety concerns result-  
15 ing from a backlog of deferred maintenance.

16           (5) WMATA has designed a plan, called  
17 SafeTrack, in an effort to address this backlog of  
18 deferred maintenance.

19           (6) SafeTrack would close the system earlier on  
20 weekends and expand weekday maintenance by re-  
21 ducing the number of rails in use at certain stations  
22 from two to one.

23           (7) The plan includes 15 “Safety Surges” with  
24 around-the-clock single tracking or segment shut-  
25 downs that will impact rush hour commutes.

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

4           (9) SafeTrack is scheduled to conclude in  
5           March 2017.

6           (10) During SafeTrack, WMATA is encour-  
7           aging customers to utilize other commuting options,  
8           including ride-sharing services.

9           (11) WMATA has indicated that service interrup-  
10          tions will continue to occur following SafeTrack as  
11          routine maintenance is needed.

12          (12) The Federal Government, which is nega-  
13          tively affected when employees cannot easily com-  
14          mute to and from work, has an interest in assisting  
15          employees with alternate commuting options.

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

18          For purposes of section 132(a) of the Internal Rev-  
19          enue Code of 1986, the use of a transportation network  
20          company by Federal employees as provided for in this Act  
21          shall be treated as a fringe benefit which qualifies as a  
22          qualified transportation fringe for the period established  
23          in section 3(a) of this Act.

1 **SEC. 3. TRANSIT BENEFITS FOR FEDERAL EMPLOYEES FOR**  
2 **THE USE OF DIGITAL TRANSPORTATION**  
3 **COMPANIES.**

4 (a) IN GENERAL.—During the period beginning on  
5 the date of enactment of this Act and ending on December  
6 31, 2018, any agency that has a program, including a pro-  
7 gram established under section 7905 of title 5, United  
8 States Code, or Executive Order 13150 (April 21, 2000;  
9 65 Fed. Reg. 24613), to provide transit benefits to em-  
10 ployees of the agency shall provide transit benefits to em-  
11 ployees who use the services of any digital transportation  
12 company within the Washington Metropolitan Area in the  
13 same manner as such agency provides transit benefits to  
14 employees who use public transportation services within  
15 the Washington Metropolitan Area.

16 (b) REQUIREMENTS.—

17 (1) ELECTION.—Unless otherwise statutorily  
18 authorized, an employee may receive transit benefits  
19 under this section only if the employee agrees in  
20 writing to not accept any other transit or parking  
21 benefit offered by the head of any agency with a  
22 transit benefit program while receiving the transit  
23 benefits under this section.

24 (2) LIMITATION.—The amount of the transit  
25 benefit provided to an employee under this section  
26 during any month for the use of services provided by

1 any digital transportation company may not exceed  
2 the amount of the monthly average transit benefit  
3 received by the employee during the 6-month period  
4 immediately preceding the month during which an  
5 election is made under paragraph (1).

6 (3) IMPLEMENTATION.—Transit benefits under  
7 this section shall be provided in a manner substan-  
8 tially similar to the manner in which transit benefits  
9 are provided to employees who use mass transpor-  
10 tation services. The head of any agency with a tran-  
11 sit benefit program may consult with any digital  
12 transportation company and any other head of any  
13 agency with a transit benefit program to establish  
14 the procedures necessary to provide transit benefits  
15 under this section.

16 (4) SUBSTANTIATION.—The head of any agency  
17 with a transit benefit program, the Secretary of the  
18 Department of Transportation, and the Secretary of  
19 the Treasury shall, in connection with the establish-  
20 ment of a process for implementing the transit ben-  
21 efit for any digital transportation company, work  
22 with any such digital transportation company in es-  
23 tablishing a process to substantiate the use of tran-  
24 sit benefits by Federal employees using the benefit

1 for services provided by a digital transportation com-  
2 pany each month.

3 (c) DEFINITIONS.—In this section—

4 (1) the term “Washington Metropolitan Area”  
5 means the District of Columbia; Montgomery, Prince  
6 George’s, Frederick, and Charles Counties in Mary-  
7 land; Arlington, Fairfax, Loudon, and Prince Wil-  
8 liam Counties in Virginia; and all cities now or here-  
9 after existing in Maryland or Virginia within the ge-  
10 ographic area bounded by the outer boundaries of  
11 the combined area of said counties;

12 (2) the term “digital transportation company”  
13 means any transportation network company or car-  
14 sharing service;

15 (3) the term “car-sharing service” means a  
16 membership or non-membership based service pri-  
17 marily designed for shorter time or shorter distance  
18 trips where individuals are charged per mile or per  
19 hour, or both, for vehicle usage; and

20 (4) the term “transportation network company”  
21 means a corporation, partnership, sole proprietor-  
22 ship, or other entity that uses a digital network to  
23 connect riders to drivers affiliated with the entity in

- 1 order for a driver to provide transportation services
- 2 to a rider.

