

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1556

5 By: Representative S. Meeks
6 By: Senator M. Johnson
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAWS CONCERNING MOTOR CARRIERS;
10 TO CREATE THE PAYMENT TRANSPARENCY FOR DELIVERY OR
11 TRANSPORTATION SERVICES ACT; TO MANDATE A MINIMUM
12 PAYMENT OF THE FARE TO A DELIVERY DRIVER OF CERTAIN
13 COMMON CARRIERS BY MOTOR VEHICLE; TO REQUIRE
14 DISCLOSURE OF DISTRIBUTION OF PAYMENT; AND FOR OTHER
15 PURPOSES.
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Subtitle

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19 TO CREATE THE PAYMENT TRANSPARENCY FOR
20 DELIVERY OR TRANSPORTATION SERVICES ACT;
21 AND TO MANDATE A MINIMUM PAYMENT OF A
22 FARE TO A DELIVERY DRIVER OF CERTAIN
23 COMMON CARRIERS BY MOTOR VEHICLE.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code Title 23, Chapter 13, is amended to add an
29 additional subchapter to read as follows:
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31 Subchapter 9 – Payment Transparency for Delivery or Transportation Services
32 Act
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34 23-13-901. Title.

35 This subchapter shall be known and may be cited as the "Payment
36 Transparency for Delivery or Transportation Services Act".



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2 23-13-902. Definitions.

3 As used in this subchapter:

4 (1) "Delivery company" means an entity that:

5 (A) Is a corporation, partnership, sole proprietorship, or
6 other entity;

7 (B) Operates in this state; and

8 (C) Uses a digital network to connect a delivery company
9 customer to a delivery company driver to provide delivery or transportation
10 services;

11 (2) "Delivery company customer" means a person who:

12 (A) Orders the delivery or transportation services; and

13 (B) Directs the delivery company driver as to the location
14 for delivery or transportation services;

15 (3) "Delivery company driver" means an individual who provides
16 delivery or transportation services through a delivery company's digital
17 network using a personal vehicle;

18 (4) "Delivery or transportation services" means the fulfillment
19 of delivery of goods or transportation requests made by a delivery company
20 customer through a digital network, including the pickup of:

21 (A) Any goods by the delivery company driver and the
22 delivery of the goods to the location designated by the delivery company
23 customer; and

24 (B) An individual by the delivery company driver and the
25 delivery of the individual to the location designated by the delivery company
26 customer;

27 (5) "Delivery service period" means the period that:

28 (A) Begins when a delivery company driver starts operating
29 a personal vehicle en route to pick up goods for a delivery or to provide
30 transportation services as documented through a digital network controlled by
31 a delivery company;

32 (B) Continues while the delivery company driver transports
33 the requested delivery of goods or person to a designated location; and

34 (C) Ends upon delivery of the requested goods or
35 transportation of the person to:

36 (i) The location designated by the delivery company

1 customer; or

2 (ii) A location designated by the delivery company;

3 (6) "Digital network" means any online application, software,
4 website, or system offered or utilized by a delivery company that enables
5 deliveries with delivery company drivers; and

6 (7) "Personal vehicle" means a motor vehicle that is used by a
7 delivery company driver to provide delivery or transportation services through
8 a digital network.

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10 23-13-903. Transparency of payment – Disclosures required.

11 A delivery company shall:

12 (1) Pay a delivery company driver at least two-thirds (2/3) of
13 the payment made by a delivery company customer, after deduction of
14 applicable government fees, taxes, or airport fees, based on the delivery
15 service period; and

16 (2) Disclose on the digital network used by the delivery company
17 the:

18 (A) Amount the delivery company customer paid to the
19 delivery company; and

20 (B) Percentage of the amount paid by the delivery company
21 customer that the delivery company driver will receive for delivery or
22 transportation services.

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