

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

As Engrossed: H3/9/23

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)(A) "Delivery company" means an entity that:

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

7 (ii) Operates in this state; and

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

11 (B) "Delivery company" does not include an employer in an
12 employee-employer relationship;

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

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

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

17 (3)(A) "Delivery company driver" means an individual who
18 provides delivery or transportation services through a delivery company's
19 digital network using a personal vehicle.

20 (B) "Delivery company driver" does not include an employee
21 in an employee-employer relationship;

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

25 (A) Any goods by the delivery company driver and the
26 delivery of the goods to the location designated by the delivery company
27 customer; and

28 (B) An individual by the delivery company driver and the
29 delivery of the individual to the location designated by the delivery company
30 customer;

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

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

36 (B) Continues while the delivery company driver transports

1 the requested delivery of goods or person to a designated location; and

2 (C) Ends upon delivery of the requested goods or
3 transportation of the person to:

4 (i) The location designated by the delivery company
5 customer; or

6 (ii) A location designated by the delivery company;
7 (6) "Digital network" means any online application, software,
8 website, or system offered or utilized by a delivery company that enables
9 deliveries with delivery company drivers; and

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

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14 23-13-903. Transparency of payment – Disclosures required.

15 A delivery company shall:

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

20 (2) Disclose on the digital network used by the delivery company
21 the:

22 (A) Amount the delivery company customer paid to the
23 delivery company; and

24 (B) Percentage of the amount paid by the delivery company
25 customer that the delivery company driver will receive for delivery or
26 transportation services.

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28 23-13-904. Applicability.

29 This subchapter does not apply to an employee-employer relationship.

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31 /s/S. Meeks
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