

.....
(Original Signature of Member)

114TH CONGRESS
2^D SESSION

H. R. _____

To provide transit benefits to Federal employees who use the services of transportation network companies within the national capital region, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M____. _____ introduced the following bill; which was referred to the Committee on _____

A BILL

To provide transit benefits to Federal employees who use the services of transportation network 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:

7 (1) The Washington Metropolitan Area Transit
8 Authority (“WMATA”) provides approximately 2.3

1 million Metrorail and Metrobus trips per year across
2 the National Capital Region to Federal employees,
3 commuters, and millions of visitors to the Nation's
4 capital.

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

7 (3) WAMTA began building its rail system in
8 1969, currently serves 91 stations, and has 117
9 miles of track.

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

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

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

21 (7) The plan includes 15 "Safety Surges" with
22 around-the-clock single tracking or segment shut-
23 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 132(a) of the Internal Revenue Code
19 of 1986, the use of a transportation network company by
20 Federal employees as provided for in this Act shall be
21 treated as a fringe benefit which qualifies as a qualified
22 transportation fringe for the period established in section
23 3(a) of this Act.

1 **SEC. 3. TRANSIT BENEFITS FOR FEDERAL EMPLOYEES FOR**
2 **THE USE OF TRANSPORTATION NETWORK**
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 transportation network
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 transportation network company may not exceed
2 the amount of the monthly average transit benefit
3 received by the employee during the six month pe-
4 riod immediately preceding the month during which
5 an 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 transpor-
12 tation network 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 transportation network company, work
22 with any such transportation network company in
23 establishing a process to substantiate the use of
24 transit benefits by Federal employees using the ben-

1 efit for services provided by a transportation net-
2 work company 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; and

12 (2) the term “transportation network company”
13 means a corporation, partnership, sole proprietor-
14 ship, or other entity that uses a digital network to
15 connect riders to drivers affiliated with the entity in
16 order for a driver to provide transportation services
17 to a rider.