

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: H3/9/23
A Bill

HOUSE BILL 1556

By: Representative S. Meeks

By: Senator M. Johnson

For An Act To Be Entitled

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

Subtitle

TO CREATE THE PAYMENT TRANSPARENCY FOR
DELIVERY OR TRANSPORTATION SERVICES ACT;
AND TO MANDATE A MINIMUM PAYMENT OF A
FARE TO A DELIVERY DRIVER OF CERTAIN
COMMON CARRIERS BY MOTOR VEHICLE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 23, Chapter 13, is amended to add an
additional subchapter to read as follows:

Subchapter 9 – Payment Transparency for Delivery or Transportation Services
Act

23-13-901. Title.

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



23-13-902. Definitions.As used in this subchapter:

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

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

(ii) Operates in this state; and

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

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

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

(A) Orders the delivery or transportation services; and

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

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

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

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

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

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

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

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

(B) Continues while the delivery company driver transports

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

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

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

(ii) A location designated by the delivery company;

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

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

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

A delivery company shall:

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

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

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

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

23-13-904. Applicability.

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

/s/S. Meeks