

COMMITTEE ON GOVERNMENT OPERATIONS, CONSUMER
AFFAIRS, ENERGY, ENVIRONMENT, AND PLANNING

BILL NO. 33-0304

Thirty-Third Legislature of the Virgin Islands

June 15, 2020

An Act amending title 20, Virgin Islands Code, chapter 37, subchapter I relating to the regulation of automobiles for hire to provide for a special after-hours digital taxi network service

PROPOSED BY: Senator Javan E. James, Sr.

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 20 Virgin Islands Code, chapter 37, subchapter I is amended in the following instances:

(a) Section 402, subsection (f) is amended at the beginning of the subsection before “Upon” by inserting “Subject to section 402b”; and

(b) Section 402a is amended in the first sentence by striking “two” and inserting “three”; and at the end of the section by adding paragraph (3) to read as follows: “(3) As an after-hours network car for hire service wherein, the rider requests through a digital network app a prearranged ride from one point to another without stops for other soliciting persons that may be encountered in route.

SECTION 2. Title 20 Virgin Islands Code, chapter 37, subchapter I is amended by adding section 402b to read as follows:

“§ 402b. After-hour digital network taxi service

(a) The purpose of this section is to create a new class of taxi service that will benefit individuals who commute after business hours. This section is also intended to solve the lack of transportation after hours in the territory, assist individuals who require transportation after drinking alcoholic beverages and reduce the carbon emissions by having fewer vehicles on the road. Additionally, by providing for a cashless system of fare collection, the new class of taxi service will protect the safety of both riders and drivers.

(b) As used in this section, the term,

(1) “After-hour digital network taxicab driver” means an individual who:

(A) Receives connections to potential riders from the Taxicab Commission’s after- hour digital network; and

(B) In return for compensation, provides a prearranged ride to a rider upon connection through a digital network.

(2) Digital network means any online-enabled technology application service, website, or system offered or used by the Taxicab Commission for after hour digital network taxi service which enables the prearrangement of rides with after hour network taxicab drivers.

(3) Prearranged ride” means the provision of transportation by an after-hour network taxicab driver to a rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by the Taxicab Commission, continuing while the after-hour driver transports the rider, and ending when the last rider exits from and is no longer occupying the after hour taxicab. The term does not include a taxicab classified in section 402a, paragraph (1) or paragraph (2).

(4) Rider” means an individual who uses the after hour digital network to connect with an after-hour network taxicab driver in order to obtain a prearranged ride in between points chosen by the rider.

(c) The Taxicab Commission shall establish and operate an after-hour digital network taxicab service between the hours of 7 p.m. and 7 a.m. and using only sedans and SUVs to transport riders.

(1) The Taxicab Commission shall create and maintain a downloadable smartphone application (App) for after-hour taxi service which pre-calculates the fare, estimates a taxicab’s time of arrival, and charges the rider’s credit or debit card when the ride is complete. The Taxicab Commission’s digital network must display a photograph of the after-hour driver and the license plate number of the after-hour driver’s vehicle used for providing the prearranged ride before the rider enters the after-hour driver’s vehicle. Within a reasonable period after the completion of a ride, the after-hour digital network shall transmit an electronic receipt to the rider on behalf of the after-hour driver which lists:

- (A) The origin and destination of the ride;
- (B) The total time and distance of the ride; and
- (C) The total fare paid.

(2) To participate as an after-hour driver and have access to the digital network), a taxi driver shall;

(A) Register on forms provided by the Taxicab Commission and provide the driver’s photograph, a description and license plate number of the driver’s vehicle, and such other information as the Taxicab Commission may request:

(B) Possess a sedan or SUV to transport riders in the after-hour taxi service; and

1 (C) Possess or have access to a smartphone or equivalent device.

2 (d) The after-hour digital network shall accept debit cards and all credit cards. Neither
3 the network nor the after-hour driver may receive cash fares for a prearranged ride.

4 (e) Nothing in this section may be construed to prohibit or limit the two classes of taxi
5 service identified in section 402a, paragraphs (1) and (2) from operating during the hours of 7 p.m.
6 and 7 am.

7 (f) The Taxicab Commission shall promulgate regulation as needed to
8 carry out the purpose of this sect.

9 **BILL SUMMARY**

10 The bill establishes a new class of taxi service. The purpose of bill is to create a new class of
11 taxi service that will benefit individuals who commute after business hours. This section is also
12 intended to solve the lack of transportation after hours in the territory, assist individuals who require
13 transportation after drinking alcoholic beverages and reduce the carbon emissions by having fewer
14 vehicles on the road. Additionally, by providing for a cashless system of fare collection, the new
15 class of taxi service will protect the safety of both riders and drivers.

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17 The bill requires that the Taxicab Commission shall create and maintain a downloadable
18 smartphone application (App) for after-hour taxi service which pre-calculates the fare, estimates a
19 taxicab's time of arrival, and charges the rider's credit or debit card when the ride is complete
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