

BREAKING DOWN THE COMMUTER BENEFITS ORDINANCE & TDM REGULATIONS IN WASHINGTON, DC



DC Commuter Benefits Ordinance

DC has initiatives in place to help employers and employees choose alternative methods of commuting. In effect since January 2016, the **DC Commuter Benefits Ordinance** requires companies with 20+ employees to provide commuter benefits to their employees.

Just offering the required benefits isn't enough, however. In order to make a marked difference, the employer has to make a real effort to inform employees about available options and encourage them to participate.

Transportation Benefits Equity Act of 2019

This is technically classified as a **parking cash-out bill**, but there's more to it. Employers have the choice to choose 1 - 4 of the options listed below to comply.

It's also important to note that this doesn't apply to employers who own the parking spots offered to their employees. That also goes for employers who are in the middle of a parking lease. Those employers will need to comply at the beginning of their next parking lease, if they choose to continue offering free employee parking.

We know this is a very abbreviated overview and there's much more that goes into the bill. To read more, head over to our overview post of the bill for a full breakdown.

1

Clean Air Compliance Fee

This requires employers to pay a \$100-per-month fee for each employee being offered a parking spot.

2

● Implementing a transportation demand management strategy.

3

● Eliminate free parking for employees.

4

Clean Air Transportation Fringe Benefits

● This requires employers to provide benefits to employees who don't drive to work alone.

So, let's get to the TDM checklist:



Commuter Benefits Ordinance.

All companies with 20+ are required to offer employees commuter benefits.



Transportation Benefits Equity Amendment Act of 2019.

Employers of 20+ employees are required to make up the difference of cost between their monthly parking spots and their commuter benefits for non-drivers. You can do this by offering clean air transportation fringe benefits, paying a clean air compliance fee, or implementing a TDM plan.



Commuter Benefits Offerings.

You have to offer at least one of these three options: employee-paid pre-tax benefit, an employer-paid direct benefit, or an employer-provided transportation service at no cost to your employees.



Penalties.

For each month that you fail to meet these standards, you be fined \$100 per covered employee for the first offense, \$200 per covered employee for the second offense, \$400 per covered employee for the third offense, and \$800 per covered employee for any subsequent offenses.



Notify Your Staff.

This isn't just something you should do, but covered employers **must** notify covered employees.



Provide a contact.

You must also provide a contact for employees to learn more and get help when it comes to their commuter benefits.



Submitting complaints.

Employers have to teach employees how to apply for and receive commuter benefits and how they can submit a complaint to the DC Department of Employment Services.



Commuter benefits documents.

DC law requires companies to offer "commuter benefits documents" as part of your employee benefits program or with the Notice of Hire form. We suggest *making this part of your onboarding process* so employees will be less likely to start driving and start commuting by using alternate modes of transit!