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HOUSE BILL NO. 460

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Commerce and Energy

on _____)

(Patron Prior to Substitute--Delegate Bennett-Parker)

A BILL to amend and reenact § 59.1-587 of the Code of Virginia, relating to food delivery platforms; fee transparency.

Be it enacted by the General Assembly of Virginia:

1. That § 59.1-587 of the Code of Virginia is amended and reenacted as follows:

§ 59.1-587. Food delivery platform; agreements required; fee transparency.

A. No food delivery platform shall submit an order on behalf of a consumer to a restaurant or arrange for the delivery of an order from a restaurant without first obtaining an agreement with the restaurant expressly authorizing the food delivery platform to submit orders to and deliver food prepared by the restaurant. Such agreement between a restaurant and a food delivery platform may, if the restaurant elects, include a provision to forego the requirements of subsection B.

B. Prior to the confirmation of any online order by a food delivery platform, the food delivery platform shall clearly display through its online ordering system (i) the baseline cost of the food order and (ii) any additional fees associated with the order being charged by the food delivery platform to the restaurant, including the amounts and purposes of such fees.

C. If a restaurant uses an independent online ordering system to facilitate orders of food for sale to consumers that includes with the order the option of delivery by a specific food delivery platform, then the restaurant may elect to display a single total cost of the order rather than clearly listing each fee associated with the order.

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