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AB-375 Food delivery platforms: disclosure of delivery drivers' identity. (2023-2024)

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Assembly Bill No. 375

CHAPTER 84

An act to add Section 22599.3 to the Business and Professions Code, relating to business.

[Approved by Governor July 15, 2024. Filed with Secretary of State July 15, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 375, Davies. Food delivery platforms: disclosure of delivery drivers' identity.

Existing law, the Fair Food Delivery Act of 2020, defines a "food delivery platform" as an online business that acts as an intermediary between consumers and multiple food facilities, as defined, to submit food orders and arrange for the delivery of the order, and prohibits a food delivery platform from arranging for the delivery of an order from a food facility without first obtaining an agreement with the food facility. Existing law requires a food delivery platform to pay any tip or gratuity for a delivery order, in its entirety, to the person delivering the food or beverage. Existing law also requires a food delivery platform to disclose to the customer an accurate, clearly identified, and itemized cost breakdown of each transaction, as specified.

Commencing on March 1, 2025, this bill would additionally require the food delivery platform to provide to a customer the first name and picture of the driver on its online-enabled application or platform at the time the customer is notified their purchase is out for delivery. The bill would exempt a food delivery platform from that requirement if the food facility uses its own delivery driver for the delivery of an order or receives the order through the food facility's internet website or a third party that is not the food delivery platform.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 22599.3 is added to the Business and Professions Code, to read:

22599.3. (a) Unless exempt pursuant to subdivision (b), a food delivery platform shall provide all of the following information to a customer on its online-enabled application or platform at the time the customer is notified their purchase is out for delivery:

(1) The driver's first name.

(2) A picture of the driver.

(b) This section shall not apply to an order if either of the following apply:

(1) The food facility uses its own delivery driver for delivery of the order.

(2) The food facility receives the order through the food facility's internet website or a third party that is not the food delivery platform.

(c) This section shall take effect on March 1, 2025.