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191503

Ordinance

Amend Private For-Hire Transportation Regulations Code to increase vehicle age limit, identify administrative suspension for exemption from eligibility, amend driving history requirements, and require decertification of drivers (amend Code Chapter 16.40)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Portland Bureau of Transportation (PBOT), along with the Private for-Hire Committee, continually seeks to improve its processes to provide the best possible service to residents in the City of Portland. Many of these processes are governed by City Code Title 16, which occasionally needs to be amended.
2. Code Chapter 16.40 increasing the current for-hire vehicle age limit from 10 to 15 years to allow drivers to continue operating without additional financial impact.
3. Through Administrative Rule (see attached document), Chapter 16.40 would allow the Program Administrator to exclude administrative motor vehicle suspensions from consideration for permitting.
4. Amending Code Chapter 16.40 driving history requirements to reflect a driver's ability to remain eligible for a PFHT permit just as long as they can demonstrate that they have had a valid driver's license for at least 365 days, within the 18-month period preceding the application submittal date. Currently a driver would be prevented from driving for a full year if they allow their driver's license to expire for a single day.
5. Addition to Code Chapter 16.40 to require Private for-Hire Transportation companies to inform the Regulatory program when the permitted or certified driver no longer drives for that company. This action creates an official public record that the company and independent contractor relationship has been terminated and may offer protection for the company.

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Transportation](#)

Contact

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date
November 1, 2023

Changes City Code


Portland Policy Document


6. These changes to Code Chapter 16.40 and Ordinance No.188972 are administrative in nature; and necessary in order to decrease the number of barriers to which could hinder an individual's opportunity to drive Private for-Hire.

NOW, THEREFORE, the Council directs:

- A. Amend Code Chapter 16.40 as shown in Exhibit A.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2023/20230628-16-40-exhibit-a-pdf-db.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2023/20230628-16-40-exhibit-a-pdf-db.pdf) 873.81 KB

 [Supplemental Information - Administrative Rule \(https://www.portland.gov/sites/default/files/council-documents/2023/20230628-trn-14-xx-administrative-suspensions-admin-rule-exhibit-b-0.docx\)](https://www.portland.gov/sites/default/files/council-documents/2023/20230628-trn-14-xx-administrative-suspensions-admin-rule-exhibit-b-0.docx) 33.32 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
November 1, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

After the amendments of 2018, the Private for Hire Transportation (PFHT) Advisory Committee identified a number of items which could be revised with the intent to reduce the barriers to potential new drivers. The PFHT industries are still recovering from the COVID-19 pandemic and are in desperate need of new drivers.

PFHT drivers provide a necessary and valuable service throughout our communities and along the public roads and highways we all travel on.

This ordinance will decrease some of the barriers to drivers by making a few language changes to Title 16.40 and update the following requirements.

- Vehicle Age – To increase the Private For-Hire Transportation (PFHT) vehicle age limit from 10 to 15 years.
- Administrative suspensions – Through Admin Rule, this policy would allow the Program Administrator to exclude administrative motor vehicle suspensions. Example: Failure to pay child support or failure to file an SR22. Current rules for one of these will prevent a driver from obtaining a permit for at least three years.
- Driving History Requirements – This would remove the word “uninterrupted” from the current driving history requirement and adds

language allowing a driver to remain eligible for a PFHT permit as long as they can demonstrate that they have had a valid driver's license for a minimum of 365 days within the past 18 months. Current language prevents a driver from obtaining a permit for a full year if they allow their driver's license to expire for a single day.

- Decertification of Drivers – This is a company requirement to inform the Regulatory program when the permitted or certified driver no longer drives for that company. This action creates an official public record that the company and independent contractor relationship has been terminated and may offer protection for the company.

Financial and Budgetary Impacts

There are no financial impacts associated this code change.

Community Impacts and Community Involvement

Decreasing some of the barriers to driver onboarding will aid in alleviating the PFHT industry's driver shortage.

100% Renewable Goal

N/A

Budget Office Financial Impact Analysis

No fiscal impact.

Agenda Items

900 Consent Agenda in [October 25, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/10/25)
(<https://www.portland.gov/council/agenda/2023/10/25>)

Passed to second reading

Passed to second reading November 1, 2023 at 9:30 a.m.

919 Consent Agenda in [November 1, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/11/1)
(<https://www.portland.gov/council/agenda/2023/11/1>)

Passed

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Mayor Ted Wheeler Yea