

## IMPACT STATEMENT

**Legislation title:** \*Add definitions and permitting requirements pertaining to Transportation Network Services to the Private For Hire regulations (Ordinance; amend Code Section 16.40.030 and add Code Section 16.40.720).

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**Purpose of proposed legislation and background information:**

This ordinance will add definitions for Transportation Network Services, Transportation Network Companies, Transportation Network Drivers, and Transportation Network Vehicles to private for-hire transportation regulations under City Code Section 16.40.

Transportation Network Service has emerged as a unique model of private for-hire transportation service in many cities around the U.S. and world. As Transportation Network Service operators seek entry into the Portland market, Council may consider changes to the City's private for-hire transportation regulations. Adding the definitions proposed in this ordinance enables Council to amend private for-hire transportation regulations pertaining to individuals or entities that operate Transportation Network Service.

**Financial and budgetary impacts:**

This code amendment has no fiscal impact.

**Community impacts and community involvement:**

This ordinance adds new definitions to the Code and will not directly impact the community. However, adding these definitions is a prerequisite for future action to review and evaluate the regulatory framework for for-hire transportation in Portland generally.

Commissioner Novick convened the Private for-Hire Transportation Innovation Task Force in January 2015 for this purpose. The 12-member community Task Force will provide guidance and recommendations to the Commissioner on how the industry should evolve and respond to new developments in the industry, including the entry of Transportation Network Companies. It is critical that the City provide necessary safeguards and standards to protect consumers, ensure accessibility, and allow for a fair, competitive market for drivers and companies across all sectors of the PFHT industry.

The Task Force, so far, has held four meetings open to the public and two forums were convened to allow the Task Force to hear directly from PFHT drivers and consumers. Additionally, the Task Force has and continues to solicit public input as it develops recommendations. The Task Force reviewed the definitions included in this Code amendment.

**Budgetary Impact Worksheet****Does this action change appropriations?**☐ **YES:** Please complete the information below.☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

Submitted by  
comm. Saltzman  
3/12/2015

**16.40.340 Driver Conduct Requirements and Prohibitions.**

187049

A. No permitted driver shall:

14. Operate any for-hire transportation vehicle while using a mobile communications device without a hands-free accessory as defined in ORS 811.507(1).

**Amendment to Council Item #267**

**187049**

**Amend City Code to add sections 16.40.720 – 16.40.740 as follows:**

**16.40.720 Transportation Network Company Permit Requirements**

- A. No person or entity may conduct business as a Transportation Network Company in the City of Portland without a valid, current permit issued by the City under Chapter 16.40. Failure to comply with this section shall be a violation subject to the penalties provided in Sections 16.40.540 and 16.40.560.

**16.40.730 Transportation Network Driver Permit Requirements**

- A. No person or entity may conduct business as a Transportation Network Driver in the City of Portland without a valid, current permit issued by the City under Chapter 16.40. Failure to comply with this section shall be a violation subject to the penalties provided in Sections 16.40.540 and 16.40.560.

**16.40.740 Transportation Network Vehicle Permit Requirements**

- A. No person or entity may operate a for-hire Transportation Network Vehicle in the City of Portland without a valid, current permit issued by the City under Chapter 16.40. Failure to comply with this section shall be a violation subject to the penalties provided in Sections 16.40.540 and 16.40.560.

**Amend City Code Section 16.40.540 A as follows:**

A. The following table outlines the penalties that will be assessed for a violation of the specific code Sections listed. In addition to the civil penalty, and the suspension and revocation provisions in Section 16.40.550, any second offense is grounds for suspension of the permit and any third or subsequent offense is grounds for revocation of the permit.

Code Section	Requirement	1st Offense	2nd Offense	Subsequent Offenses
16.40.070 D.	Fuel Surcharge Sticker	\$50	\$100	\$500
16.40.080 A.	Pedicab Driver Permit	\$500	\$1,000	\$2,500
16.40.090 A.	LPT and Taxi Driver Permit	\$1,000	\$2,500	\$5,000
16.40.100 E.	Business License	\$250	\$500	\$1,000
16.40.130 A.	LPT Company Permit	\$1,500	\$2,500	\$5,000

16.40.150 A.	Taxi Company Permit	\$1,500	\$2,500	\$5,000
16.40.180 A.	Pedicab Decal	\$250	\$500	\$1,000
16.40.190 A.	LPT Decal	\$1,250	\$2,500	\$5,000
16.40.190 B.	Taxiplate	\$1,250	\$2,500	\$5,000
16.40.210 C.	Taxi Conditions	\$1,250	\$2,500	\$5,000
16.40.220 C. - E.	Decal/Taxiplate	\$1,250	\$2,500	\$5,000
16.40.220 F.	Substitute Vehicle	\$1,250	\$2,500	\$5,000
16.40.240 A.	Decal/Taxiplate Interest	\$1,250	\$2,500	\$5,000
16.40.270	Minimum Standards	\$500	\$1,000	\$2,000
16.40.280	Security Camera	\$1,250	\$2,500	\$5,000
16.40.290 A.	Taxi Fare	\$1,500	\$2,500	\$5,000
16.40.290 D. - F.	Fares	\$500	\$1,000	\$2,500
16.40.300 A.	Wheelchair	\$500	\$1,000	\$2,500
16.40.310	Taximeter	\$1,250	\$2,500	\$5,000
16.40.320	Required Equipment	\$1,250	\$2,500	\$5,000
16.40.330	Identification	\$1,250	\$2,500	\$5,000
16.40.340	Driver Conduct	\$1,250	\$2,500	\$5,000
16.40.360	Pedicab Requirements	\$200	\$500	Suspension
16.40.370	Maximum Hours	\$1,250	\$2,500	\$5,000
16.40.380 A.- B.	Vehicle Requirements	\$1,250	\$2,500	\$5,000
16.40.380 C.	Vehicle Inspection	\$1,250	\$2,500	\$5,000
16.40.390	SAT ID	\$500	\$1,000	\$2,500
16.40.410 A.-E.	Insurance	\$1,250	\$2,500	\$5,000
16.40.420 A.-E.	Pedicab Insurance	\$1,000	Suspension	Revocation
16.40.430	Financial Data	\$250	\$500	\$1,000
16.40.440	Reports to Administrator	\$1,250	\$2,500	\$5,000
16.40.450 A.	Logs Required	\$500	\$1,000	\$2,500

16.40.450 B. - E.	Log Entries	\$500	\$1,000	\$2,500
16.40.450 F.	Log Availability	\$500	\$1,000	\$2,500
16.40.460	Prearranged	\$500	\$1,000	\$2,500
16.40.470	Maximum Fares	\$500	\$1,000	\$2,500
16.40.480	Minimum Fares	\$500	\$1,000	\$2,500
<u>16.40.720</u>	<u>Transportation Network Company Permit Requirements</u>	<u>\$1,500</u>	<u>\$2,500</u>	<u>\$5,000</u>
<u>16.40.730</u>	<u>Transportation Network Driver Permit Requirements</u>	<u>\$1,000</u>	<u>\$2,500</u>	<u>\$5,000</u>
<u>16.40.740</u>	<u>Transportation Network Vehicle Permit Requirements</u>	<u>\$1,500</u>	<u>\$2,500</u>	<u>\$5,000</u>

**Amend City Code Section 16.40.560 as follows:**

A. It is unlawful to tamper with a taximeter or to conduct any fraudulent scheme with the intent to charge any person a fare greater than that allowed by Chapter 16.40.

B. Any violation of Subsection 16.40.560 A. is punishable upon conviction by a fine of not more than \$1,000 or imprisonment for not more than 6 months or both.

C. In addition to the civil penalties listed in Section 16.40.540, any violation of Subsections 16.40.090 A., 16.40.130 A., 16.40.150 A., 16.40.190 A., ~~or 16.40.190 B.~~ 16.40.720, 16.40.730, or 16.40.740 is punishable, upon conviction, by imprisonment for not more than 6 months.

D. Vehicles operated for-hire in violation of Subsections 16.40.090 A., 16.40.130 A., 16.40.150 A., 16.40.190 A., ~~or 16.40.190 B.~~ 16.40.720, 16.40.730, or 16.40.740 are subject to vehicle towing and impoundment.