

PRIVATE FOR-HIRE TRANSPORTATION
INNOVATION TASK FORCE

REPORT TO CITY COUNCIL
PHASE 1

APRIL 9, 2015

CHARGE

- Review and evaluate the service performance and regulatory framework of Portland's private for-hire transportation (PFHT) industry
 - Provide guidance and recommendations regarding how Portland's PFHT regulations should evolve and respond to new developments in the PFHT industry, including the entry of Transportation Network Companies (TNCs).
 - Initially (Phase 1) focus on mandated criteria, including insurance, inspections and background checks for TNCs and Taxis.
 - Consider also whether to continue to limit the total number of permits granted; whether to have a regulated pricing system; and availability of accessible PFHT for persons with disabilities.
 - In Phase 2, conduct a comprehensive review of the City's PFHT program, including other modes of private for-hire transportation.
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SUMMARY OF PROCESS

- 10 Task Force meetings
 - Invited briefings from taxi and TNC industries and technology platform companies
 - Drivers Forum
 - Community Forum
 - Research on other communities' approach to TNCs
 - Transparent Process
 - All meetings open to public
 - All external and intra-Task Force member communications posted to project website
 - Public declaration of external contacts
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PRINCIPLES

- Accommodate a variety of modes of private for-hire transportation.
- Create an environment so that T/TNC Drivers are able to compete based on efficient and effective delivery of services to passengers.
- Grant no competitive advantage to any provider for excluding classes of passengers or opting out of compliance with City, State or Federal standards.
- Promote the ability for PFHT drivers to earn a living wage.
- Require reliable, timely and equitable services to be provided by T/TNCs for all passengers and destinations in Portland, including for persons with disabilities.
- Enact a realistic and effective enforcement component to insure that T/TNCs and Drivers meet standards, regulations and codes.
- Require consistent reporting from all for-hire entities.
- Ensure regulations do not operate as a barrier to marketplace innovation.

SCOPE OF RECOMMENDATIONS

- ❑ Intended only to provide a temporary framework.
- ❑ Any and all recommendations may be revisited in Phase 2 when a more holistic review of the City's program will occur.
- ❑ Framework of 16 subject areas in Phase 1.
- ❑ Among the Phase 2 issues:
 - Providing equal services for all, including parity in wait times for those requesting wheelchair accessible vehicles
 - Performance measures
 - Employment status of drivers
 - PFHT Board
 - Driver working conditions
 - Monitoring program
 - Program staffing

THREE TYPES OF REGULATIONS

- Regulations that remain as currently codified
 - Regulations that are modified for both TNCs and taxis
 - Regulations that vary between TNCs and Taxis
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REGULATIONS THAT REMAIN AS CODIFIED

- Driver Conduct
 - Non-Discrimination
 - Caps on Hours (14) of Driving
 - Enforcement
 - Prohibition on Weapons in Vehicles
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MODIFIED REGULATIONS FOR BOTH TNC/T

VEHICLE INSPECTIONS

- Clarify inspector qualifications.
 - Provide exemption for vehicles less than one year old.
 - Require first aid kits and functional heating/cooling systems; eliminate requirement for spare tires and fire extinguishers.
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MODIFIED REGULATIONS FOR BOTH TNC/T

BACKGROUND CHECKS

- Authorize companies to employ third-party background checks that meet or exceed Code requirements, with City certification, auditing and recordkeeping standards.
 - In line with City “ban the box” policy, clarify current disqualification standards to felony “conviction.”
 - Suspend PFHT administrator discretionary authority to waive applicant requirements. Authorize Commissioner-in-charge of PBOT to permit new companies and vehicles.
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MODIFIED REGULATIONS FOR BOTH TNC/T

DRIVER TESTING/TRAINING

- Authorize companies to administer City-approved training and testing programs.
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MODIFIED REGULATIONS FOR BOTH TNC/T

PERMITS

- During Phase 1, suspend any caps on TNC, new taxi company, vehicle and driver permits. In Phase 2, define measures to be applied to assess market capacity factors based upon data that companies are required to submit.
- During Phase 1, shift authority to issue permits from PFHT Board/City Council to Commissioner-in-Charge of PBOT, with new TNC and new taxi company permit applications processed uniformly with no preference given to either company type.

MODIFIED REGULATIONS FOR BOTH TNC/T

PERMITS, cont.

- For TNCs and new taxi companies, issue interim operating permits to qualifying companies during 120-day pilot program; existing taxi company permits remain in effect.
 - For TNCs and new taxi companies, require companies guarantee that drivers and vehicles meet City requirements that include vehicle inspections, background checks of drivers, driver training and testing, and reporting requirements. All drivers classified as independent contractors must also obtain a city business license.
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MODIFIED REGULATIONS FOR BOTH TNC/T

MINIMUM STANDARDS OF SERVICE

Modify standards to reflect all requests for service, beyond those made through telephone dispatch. Eliminate limitations on percentage of fleet in proximity to the airport and percentage of fleet in service at all times.

MODIFIED REGULATIONS FOR BOTH TNC/T

AGENT OF SERVICE (LOCAL PRESENCE)

Require a locally-based agent of service with regular business hours and 24/7 accessibility via telephone and email.

REGULATIONS THAT VARY

INSURANCE

TNCs	TAXIs
Ensure coverage for 3 periods <ul style="list-style-type: none">-- Period 1: Application open and logged in-- Period 2: Ride request accepted but passenger not aboard-- Period 3: Passenger aboard	NA
Require commercial business insurance requirements to be equivalent to those for taxis.	Enact no changes to current insurance requirements.

REGULATIONS THAT VARY

INSURANCE, cont.

TNCs

Establish specific commercial vehicle insurance requirements for all periods of service, with Period 1 (app on and logged in) coverage requirements shifting from contingent to primary as soon as insurance industry products are approved by the State Insurance Commissioner.

TAXIs

Enact no changes to current insurance requirements.

REGULATIONS THAT VARY

EQUITY AND INCLUSION

TNCs	TAXIs
Require that TNCs provide service to requests for WAV transportation either through a company's accessible vehicle fleet or through a City-approved provider.	Require that TNCs provide service to requests for WAV transportation either through a company's accessible vehicle fleet or through a City-approved provider.
Institute a required data reporting program, including data on wait times for passengers requesting WAV transportation.	Institute a required data reporting program, including data on wait times for passengers requesting WAV transportation.
For companies with an app-based dispatch, require mechanism to request WAV transportation.	For companies with an app-based dispatch, require mechanism to request WAV transportation.

REGULATIONS THAT VARY

EQUITY AND INCLUSION, cont.

TNCs	TAXIs
Assess an accessibility fee for data analysis during 120-day TNC pilot program; exempt taxi companies from this fee.	NA
Recommendations on Equal Access (submitted as a minority report)	Recommendations on Equal Access (submitted as a minority report)

REGULATIONS THAT VARY

FARE RATES/PRICING

TNCs	TAXIs
Require fare transparency and receipts.	Require fare transparency and receipts.
Institute no fare regulations. Allow dynamic fare pricing, but require fare notice to customers before entering a vehicle. Dynamic pricing prohibited during times of emergency.	Maintain current fare regulations that set the rate maximums for taxis of \$2.50 plus \$2.60 per mile and wait time at a rate of \$30 per hour

REGULATIONS THAT VARY

FEES

TNCs	TAXIs
Apply a flat fee per company based on cost recovery. In Phase 2, investigate a tiered fee structure based on number of vehicles per company.	Continue to apply the existing fee structure; maintain moratorium on increases in kitties. In Phase 2, investigate a tiered fee structure based on number of vehicles per company.

REGULATIONS THAT VARY

VEHICLE SIGNAGE/NOTICES

TNCs	TAXIs
Require either cameras or a verifiable way to track driver and passenger identity. Provide records within 24 hours if requested by police for purposes of investigation of any crime.	Require either cameras or a verifiable way to track driver and passenger identity. Provide records within 24 hours if requested by police for purposes of investigation of any crime.
Require drivers to display company trade dress and develop specifications for decals and City-permit information.	Retain current signage/notice requirements.

REGULATIONS THAT VARY

STREET HAILING/TAXI LINES

TNCs	TAXIs
Prohibit from accepting street hailed fares and from sitting in taxi stands.	NA

REGULATIONS THAT VARY

DATA REPORTING

TNCs

Require specific data reporting on at least a monthly basis during Phase 1 in a format established by the City; ensure data privacy and security.

TAXIs

Require specific data reporting on at least a monthly basis during Phase 1 in a format established by the City; ensure data privacy and security and require:

- Two years of historical data.
- Information on kitties.

REGULATIONS THAT VARY

REQUIRED DATA (REPORTED IN AGGREGATE)

- Date and time of each ride and where each ride began and ended
 - Wait times between a request for service and vehicle arrival
 - Duration of trips, in minutes and seconds
 - Distance traveled during a trip, in miles
 - Date and time of requests for mobility-device accommodating vehicle service
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PRESENTATIONS

Sue Stahl	Commission on Disabilities
Kayse Jama	Center for Intercultural Organizing



SUMMARY AND QUESTIONS

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