

RESOLUTION No. 37120 As Amended

Direct the Director of the Portland Bureau of Transportation to initiate a 120-day Private for-Hire Transportation Innovation Pilot Program. (Resolution)

WHEREAS, the purpose of the City of Portland's Private For-Hire Transportation Program (PFHT) is to provide for the safe, fair and efficient operation of private "for-hire" transportation services; and

WHEREAS, the City Code defines private for-hire transportation as providing vehicular, horse-drawn carriage or pedicab transportation for compensation of any kind within the Portland City limits. However, it does not include transportation provided by a public or governmental entity, transportation that is regulated entirely by the state of Oregon or the federal government; and

WHEREAS, The City of Portland has a responsibility to ensure the safety and reliability of vehicles for-hire as a matter of public concern and has the authority, delegated by ORS 221.495, to license, control and regulate privately owned vehicles for hire operating within the City of Portland; and

WHEREAS, the private for-hire market has significantly changed as consumer demands have evolved and as Portland experiences population growth and a thriving tourism industry; and

WHEREAS, an ECONorthwest study found that in 2013, Portland had 7.5 taxis per 10,000 residents in 2013, the second-lowest among 10 cities in the study; and

WHEREAS, six of the ten cities in the ECONorthwest study had taxis available at twice the rate as Portland; and

WHEREAS, new models of for-hire transportation have emerged in response to changing markets and consumer demand; and

WHEREAS, City Council has defined a new PFHT business models as "Transportation Network Companies" (TNCs) under section 16.40.030 of City Code; and

WHEREAS, the City of Portland's private for-hire transportation network is made up of different modes of PFHT service with different business models, privileges and regulatory burdens, and that each type of service serves an essential role in the overall city-wide transportation network; and

WHEREAS, the City has an interest in ensuring that each type and mode of PFHT provider complies with City regulations that protect public health, safety, consumer protection, morals or general welfare; and

WHEREAS, Transportation Commissioner Steve Novick convened a 12-member, community PFHT Innovation Task Force (Task Force) to provide guidance and recommendations on how the City's PFHT regulatory program should evolve and respond to new developments in the industry, including the entry of TNCs; and

WHEREAS, the Task Force has met ten times since January 2015 and has heard from taxi drivers, taxi companies, TNC drivers, TNC companies and the general public; and

WHEREAS, the Task Force convened a Listening Session for PFHT drivers and a Community Forum for the general public; and

WHEREAS, the Task Force is recommending a two-phase approach to reform PFHT regulations; and

WHEREAS, the Task Force recommends that Phase 1 include a 120-day pilot program, during which time TNC permits will be made available, regulations for taxi companies will be modified and market data will be collected and analyzed; and

WHEREAS, the Task Force recommends that during Phase 2, the Task Force will assess market data and solicit public input that will inform recommendations for an overhaul to all of the City's PFHT rules; and

WHEREAS, the Task Force's final report is expected in July 2015 with regulatory recommendations for all modes of for-hire transportation, including taxicabs, TNCs, accessible for-hire transportation service, Limited Passenger Transportation companies, pedicabs and shuttles; and

WHEREAS, the Task Force's Phase 1 recommendations were presented to Council on April 9, 2015; and

WHEREAS, City Council met in worksession regarding private for hire transportation on April 14, 2015; and

WHEREAS, the PFHT Innovation Pilot Program (Pilot Program), outlined in administrative rules to City Code Section 16.40 is necessary to implement the Task Force recommendations in order to ensure public safety and consumer protections in light of the evolving private for-hire transportation; and

WHEREAS, the Pilot Program will allow permitted Transportation Network Companies to operate in the City of Portland and create parity, where possible, between the permitted taxi companies and TNCs to avoid any prejudice to the interests of affected parties; and

WHEREAS, this Pilot Program is necessary to provide sufficient private for-hire supply to meet currently unmet demand for service, including wheelchair accessible service; and

WHEREAS the Pilot Program will allow the City to gather critical market and industry data in to improve all aspects of the City's PFHT regulations and the Portland's transportation network.

NOW, THEREFORE, BE IT RESOLVED that City Council directs the Director of the Portland Bureau of Transportation to exercise administrative rule authority to initiate a PFHT Innovation

Pilot Program (Pilot Program) for not longer than 120 days, in accordance to the guiding principles in attached Exhibit A; and

BE IT FURTHER RESOLVED THAT the Pilot Program will be detailed under administrative rules to City Code section 16.40; and

BE IT FURTHER RESOLVED THAT the Pilot Program will establish a TNC permit with specific requirements for the following: Equity and inclusion, vehicle inspections, driver background checks, insurance, driver training and testing, permit fees and penalties, minimum standards of service, local agents of service, fare rates and pricing, vehicle signage/notices, street hailing and taxi stands, and data reporting; and

BE IT FURTHER RESOLVED that rules for taxi companies, drivers and vehicles outlined City Code Section 16.40 will be modified in keeping with Phase 1 recommendations from the Task Force; and

BE IT FURTHER RESOLVED that Council and the Task Force is committed to improving for-hire transportation service for people with disabilities;

BE IT FURTHER RESOLVED that Pilot Program status reports will be submitted to Council at 30-day increments; and

BE IT FURTHER RESOLVED that failure to comply with the Pilot Program requirements will result in penalties and/or a revocation of a Pilot Program permit.

Adopted by the Council, APR 21 2015  
Commissioner Steve Novick  
Prepared by: Bryan Hockaday  
Date Prepared: 4-16-2015

Mary Hull Caballero  
Auditor of the City of Portland  
By



Deputy

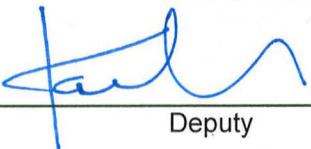


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Agenda No. **37120** As Amended  
**RESOLUTION**  
Title

Direct the Director of the Portland Bureau of Transportation to initiate a 120-day Private for-Hire Transportation Innovation Pilot Program. (Resolution)

<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Commissioner Steve Novick</b>	CLERK USE: DATE FILED <u>APR 17 2015</u>
<b>COMMISSIONER APPROVAL</b>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  Deputy</p> <p><b>ACTION TAKEN:</b></p>
Mayor—Finance and Administration - Hales	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Novick 	
<b>BUREAU APPROVAL</b>	
Bureau: Bureau Head:	
Prepared by: Bryan Hockaday Date Prepared: 4/9/2015	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
<b>City Auditor Office Approval:</b> required for Code Ordinances	
<b>City Attorney Approval:</b> required for contract, code, easement, franchise, charter, Comp Plan 	
Council Meeting Date <b>4/21/2015</b>	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input checked="" type="checkbox"/> <b>Start time: 5:00 Pm</b>
<b>Total amount of time needed: 2 hrs</b> (for presentation, testimony and discussion)
<b>CONSENT</b> <input type="checkbox"/>
<b>REGULAR</b> <input type="checkbox"/> <b>Total amount of time needed: _____</b> (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz		✓
2. Fish		✓
3. Saltzman	✓	
4. Novick	✓	
Hales	✓	