

ORDINANCE No. 187 472 As Amended

Replace Code Chapter 16.40 pertaining to Private For-Hire Transportation in the City of Portland (Ordinance; replace Code Chapter 16.40)

The City of Portland ordains:

Section 1. The Council finds:

1. 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;
2. 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;
3. 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;
4. The private for-hire market has significantly changed as consumer demands have evolved and as Portland experiences population growth and a thriving tourism industry;
5. 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.
6. Six of the 10 cities in the ECONorthwest study had taxis available at twice the rate as Portland;
7. 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;
8. New models of for-hire transportation have emerged in response to changing markets and consumer demand;
9. 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;

10. 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;
11. Since January 2015, the Task Force has deliberated for nearly 700 hours in public meetings and has heard from taxi drivers, taxi companies, TNC drivers, TNC companies, other PFHT stakeholders and the general public;
12. The Task Force convened a Listening Session for PFHT drivers and a Community Forum for the general public;
13. The Task Force is recommending a two-phase approach to reform PFHT regulations;
14. 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;
15. 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;
16. 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;
17. The Task Force's initial regulatory recommendations for taxi companies and TNCs were presented to Council on April 9, 2015;
18. On April 15, 2015, Portland City Council directed the Portland Bureau of Transportation to initiate a PFHT Pilot Program, during which time TNC permits were made available, regulations for taxi companies were modified and market data was collected and analyzed by the Bureau;
19. The Task Force continued to review PFHT regulations, monitor the PFHT market and solicit public input on revised taxi and TNC regulations and presented Council with final regulatory recommendation on August 20, 2015.
20. Ridership data received from taxi companies and TNCs during the first four months of the Pilot Program indicates that overall ridership in the Portland Metro increased by 40% from the start of May to the end of August, suggesting that consumer demand for for-hire transportation service is now being better served with the addition of new taxi vehicles, new taxi companies and transportation network companies

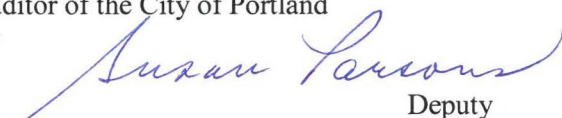
21. The revised taxi and TNC requirements outlined in Chapter 16.40 incorporate recommendations made by the PFHT Innovation Task Force, PFHT industry stakeholders and the riding public and are necessary to ensure public safety, establish consumer protections and to provide sufficient private for-hire supply to meet public demand;
22. The revised taxi and TNC requirements outlined in Chapter 16.40 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;
23. The revised taxi and TNC requirements outlined in Chapter 16.40 will establish specific taxi and TNC 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;
24. The revised taxi and TNC requirements outline in Chapter 16.40 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;
25. That Council is committed to improving for-hire transportation service for people with disabilities and revised requirements outlined in Chapter 16.40 mandate that all permitted taxi companies and TNCs accommodate persons with disabilities;
26. That failure to comply with requirements pursuant to Chapter 16.40 will result in penalties and/or a revocation of a permit;
27. Under Chapter 16.40, operating private for-hire vehicles without permits is a criminal offense, subjecting the operator to arrest and vehicle impoundment;
28. In order to provide greater deterrence, the City believes that continued violations of the criminal provisions of Chapter 16.40 and the property that is used to commit such prohibited conduct should be subject to civil forfeiture.

NOW, THEREFORE, the Council directs:

- a. Replace Code Chapter 16.40, as set forth in Exhibit A.

Passed by the Council, **DEC 02 2015**
Commissioner Steve Novick
Prepared by: Bryan Hockaday
Date Prepared: 10-26-2015

Mary Hull Caballero
Auditor of the City of Portland
By


Deputy

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1230 =

Agenda No. **ORDINANCE 187472** As Amended
Title

Replace Code Chapter 16.40 pertaining to Private For-Hire Transportation in the City of Portland.
(Ordinance; replace Code Chapter 16.40).

<p>INTRODUCED BY Commissioner/Auditor: Commissioner Steve Novick</p>	<p>CLERK USE: DATE FILED <u>OCT 27 2015</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick <i>sm</i></p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>Mary Hull Caballero</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Bureau Head:</p>	<p>ACTION TAKEN:</p> <p>NOV 05 2015 CONTINUED TO NOV 24 2015 9:45 AM As Amended TIME CERTAIN</p> <p>NOV 24 2015 PASSED TO SECOND READING DEC 02 2015 10:00 AM As Amended TIME CERTAIN</p>
<p>Prepared by: Bryan Hockaday Date Prepared: 10/26/2015</p>	
<p>Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan <i>KAM</i></p>	
<p>Council Meeting Date 11/5/2015</p>	

AGENDA
<p>TIME CERTAIN <input checked="" type="checkbox"/></p> <p>Start time: 3PM</p> <p>Total amount of time needed: 3 hrs (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

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