

PRIVATE FOR-HIRE TRANSPORTATION BOARD OF REVIEW

MINUTES – October 10, 2007

A. Call to Order: 1:33 p.m. by Chairman Yamasaki.

B. Roll Call / Sign-In

1. Roll Call:

Abma (P) Bauhs (P) Corona (P) Huddleston (P) Rauen (*P)

Miller (P) Ochoa (P) Putman (P) Yamasaki (P) Dufay (P)

*Douglas Rauen stood in for Raye Miles

2. Others / Audience: The list of other attendees is available from the Revenue Bureau.

C. Approval of Agenda:

The agenda was amended to include two items of New Business, Proposal for Bribery Order and Broadway Cab's acquisition of Sassy's Cab. The amended agenda was unanimously approved.

D. Approval of Previous Minutes: Ramon Corona moved to approve the August minutes

The September meeting's cancellation was due to lack of attendance. The motion was seconded by Butch Miller. The minutes were unanimously approved.

E. Supervisor's Report:

1. Chair Yamasaki introduced Frank Dufay, the new Regulatory Program Administrator.

2. Dufay reported that the Revenue Bureau has made a "bump" request that will go to the City Council. If approved, the monies would fund a demand study that will assess the need for For-Hire transportation in Portland. Data collected would also be used to set rates.

3. Dufay recommended that the Private For-Hire Regulations be updated. Chair Yamasaki reported that Revenue Director, Sue Klobertanz, met with the Regulatory Section recently. It was decided at that meeting that a composite document be created from the several versions of the regulations that are currently outstanding. That document will

be forwarded to Shane Abma, City Attorney, who will undertake to work through inconsistencies, etc.

4. Dufay also reported that he has begun to issue penalty letters to companies that are found to be in violation of For-Hire Regulations. One company is choosing to appeal a fine. That appeal will be reviewed by the Appeals Committee. Historically, the For-Hire Transportation Board of Review has functioned as the Appeals Committee. Dawn Huddleston requested that the details of the appeal be forwarded to Board Members in advance of the meeting where the appeal will be heard. Dufay committed to presenting the information as part of the agenda at the next Board of Review Meeting.

5. A new company, EcoShuttle, has opened in Portland. They are operating as a limousine company and use vehicles that utilize biofuel.

F. Old Business

1. Limousine Regulation

Al Ochoa asked for an update on the status of the review of the limousine industry. The City does not currently regulate limousines so a review of this nature falls outside the parameters of the normal demand study. Chair Yamasaki stated that this issue has been referred to the Company Standing Committee. The Committee's report is forthcoming.

G. Standing Committee Reports

1. Company

Doug Rauen reported that the topic of regulating limousines has come before the committee. Some limousines are large enough to accommodate large groups of passengers. Some very long, stretch, limousines may represent a safety risk as they navigate city streets. The Company Committee will continue to research this issue.

The committee also reviewed their Matrix of Vehicle Classification and will refer to this when they make that are vehicles that have been modified to accommodate more passengers than cars designated as "towncars".

2. Driver

Butch Miller reported that the drivers met last month. The meeting was attended by many limousine drivers based in Vancouver, Washington, who are operating regularly in Portland. Those drivers are concerned that regulations may evolve in the City without input from Vancouver drivers. Portland represents a substantial portion of their customer base. The Vancouver drivers were encouraged to continue to attend meetings of the Driver's Standing Committee and to also appear during the monthly Boards of Review.

MetroWest SATs have categorized their company as an ambulance service. Ambulances remain outside the scope of City regulations. Drivers from other For-Hire companies report that MetroWest has recently acquired two Volkswagon Jettas that are clearly unable to operate as ambulances. Chair Yamasaki stated that this company and several others listed as ambulances have all been informed by her office that they are now part of the SAT permitting process. The SAT industry has evolved and expanded since the original regulations were drafted and the scenario involving MetroWest underscores the need for a code review.

There was discussion regarding town cars that undercut prices imposed on taxis by City regulations. Taxi drivers frequently observe town cars parked in taxi zones at hotels. The taxi drivers also report that such cars often leave the scene when they see a PED officer approaching. There is frustration that Parking Enforcement officers charged with enforcement are only on duty during daylight hours.

New Business

1. Regulating Limousines.

Al Ochoa recommended that the Board consider regulating limousines. He stated that regulation has citizen support. Dawn Huddleston asked how limousines would be differentiated from town cars for the purpose of regulation. The Portland City Council has not offered feedback on this topic according to Chairman Yamasaki. Shane Abma stated that regulation is often perceived by the public as a "stamp-of-approval". The

public assumes that an entity regulated by the City must be safe. Al Ochoa moved that the subject of limousine regulation be presented to the Company Standing Committee. Chairman Yamasaki added that an invitation-to-participate should be extended to all local, limousine companies. The motion passed unanimously.

3. LPT Licensing

Gail Bauhs discussed companies from outside the Portland Metro area that bring in passengers for medical care at Portland facilities. What regulations govern vehicles that come in occasionally, drop off the passenger, and wait to transport the passenger home? Chair Yamasaki stated that such trips have not been regulated in the past. Gail Bauhs advocated for drivers who are based in other jurisdictions and as such, are hesitant to come into Portland because they have heard that vehicles that are not permitted in Portland may be penalized if they are found operating within the City limits. She suggested some sort of “pass” that would vouch for drivers who come in from outlying areas and clarify that they are there for a specific purpose and do not intend to do on-going business in the City. Shane Abma raised the issue of permitting vehicles from another state. Federal law regulating interstate commerce prohibits it. Chair Yamasaki referred this matter to the regulatory review process.

4. Proposal for anti-Bribery Order.

Butch Miller of the Driver’s Standing Committee submitted language for a new regulation that would prohibit drivers from paying monies to hotel employees in order to gain preferential treatment when patrons request transportation. There was discussion about how practical a new regulation would be if the specifics of enforcement have not been addressed. Ramon commented that it is important to get support from the General Managers at the hotels. Chair Yamasaki stated that she is working toward bringing the tourism industry representatives together to discuss this issue. The Board will continue to strategize about enforcement and the Regulatory staff will follow through on their plan to expand their activities in the field.

5. Broadway Cab's acquisition of Sassy's Cab.

Butch Miller raised the question of why this purchase was not reviewed by City Council before it occurred. Shane Abma explained that there is no violation of the current moratorium on new companies, given that no new company was formed and there will be no permit issued for a new company. Broadway Cab, a corporation, purchased Sassy's stock and assumed all liability. All else remains the same. A change of ownership does not require approval by the Council.

I. Adjourn

The meeting was adjourned at 3:54 p.m.

Minutes submitted by:

Dionne Starr-Peace

Revenue Bureau, Regulatory Section