

**PRIVATE FOR-HIRE TRANSPORTATION BOARD OF REVIEW
MINUTES – April 9, 2008**

A. Call to Order: 1:30 p.m. by Sue Klobertanz

B. Roll Call / Sign-In

1. Roll Call:

Abma (P) Bauhs (A) Corona (P) Rauen (P) Blosser (P) Thornes (P)
Miller (P) Ochoza (P) Putnam (P) Yamasaki (A) Dufay (P) Klobertanz (P)

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

C. Approval of Agenda:

Sue added under Supervisor’s report; Status of the Rate Increase.

D. Approval of Previous Minutes:

Ramon Corona moved to approve the February minutes, with name corrected. The motion was seconded by Butch Miller. The agenda was unanimously approved.

E. Supervisor’s Report:

1. Enforcement Report, Dufay: Printed report for March and April passed out to each attendee. The following companies received warnings:

Yellow Cab, Reshad Alnaji – operating in Portland without permit

The following companies were issued civil penalties:

**Portland Executive and Great Ride Town car - Hotel zone violation \$100
Salim Al Fatlawi - no company permit \$500
Liberty Limousine - \$35.00 PDX fare \$500**

An audience member stated that City Council this morning did recognize there is a problem with town cars operating as “On Demand” vehicles. Frank assured the Board that he is pursuing civil penalties against the violators, when appropriate, and will continue to patrol.

2. Status of Rate Increase – The rate increase was approved by the City Council as an emergency ordinance this morning. Sue thanked those in the room who had attended the City Council meeting. There was discussion of exactly how the rate increase would be executed in terms of acquiring new rate decals for vehicles, placement of decals, recertifying meters, and exactly when to implement the increase. The increase is effective immediately.

Some interested parties were unaware of the City Council meeting this morning and

expressed concern about the communication process for making them aware of PFH issues brought before Council. This rate increase issue was posted on the City web page as an agenda item, but there is no communication system currently in place to alert Board members when specific issues are up for Council vote. Sue indicated that Board will be notified in the future.

3. Frank stated that he will be having surgery in early May and will be off work for 6 weeks.

F. Old Business

Frank Dufay passed out the “PRIVATE FOR HIRE TRANSPORTATION PROPOSED PROGRAM CHANGES” document that had been modified to reflect changes brought up in the Company Standing Committee. Most substantive changes are those in the definitions. The intention was to get agreement to move forward with these changes and take to Council for vote there.

First comment was about the first paragraph on P 7 that states level of involvement that the Taxi Board would have in the permit process. Conflict of Interest concerns lend the statement to be interpreted that the Board has limited or no control. The board members should represent a group or class of people, not their particular company so conflict of interest should not be an issue. Shane states that the City Code is what established Board authority; this document will not override the City Code. The moratorium was established by the Board and the Board will be the body that can lift or change the moratorium. The Board will make the decision to move the permits forward, but will not make the decision about what shuttle service or executive vehicles would get additional permits.

Sue suggested that the paragraph be removed entirely from this document in order to move the process along. Jon Putnam introduced a motion to strike the entire paragraph 1 B under Taxi Permits. Butch Miller seconded the motion. There was a roll call vote and the motion passed unanimously.

The discussion continued with issues on Page 7 A, using the word “passenger” instead of “customer”. Many rides are contracted where the “customer “is paying the fee and setting the route, but is not the passenger. Trimet contract rides where stated as an example. It was agreed that the term “customer” would be most descriptive.

The definition of “classic cars” was discussed.

The issue was raised that the paper included the words “on demand” in describing a shuttle. There was discussion of “on demand” versus “reservation”. Another issue raised was the description of town cars and to the exact time requirement for a “prior” reservation.

Jon stated that he would not feel comfortable voting on the current form of the paper and would want to see the proposed changes incorporated in a final draft before the Board votes to confirm. Sue passed out the draft calendar for implementing the changes and getting the new company and vehicle permits distributed.

More concern was expressed about modified/non-modified SUV regulation. These vehicles are currently not regulated but are to be brought into regulation with the new code changes. The concern is that there are only 16 permits available and there are already far more than that number of SUV vehicles legally operating in the city. It was stated that some businesses will be compromised when permits are required. Discussion proceeded on what other steps might be taken to address regulation of SUV's in lieu of permit requirements. Frank proposed leaving these vehicles in the definition with limousines in order to look at this issue later. The plan is to regulate the limousine vehicles in the future and SUV's could be included at that time.

There was concern about the current time frame listed for new companies to submit paperwork. It was stated 1 month may not be enough time for a new company to prepare documentation.

Jon Putnam admonished the company representatives to add more ADA accessible vehicles to their fleets.

More discussion followed a statement about the need for the Rate/Demand Study before any permits are released.

Sue suggested that the group table the definitions in the white paper document and go with the definitions in the code in order to issue the agreed permits in a timely manner.

Sue reviewed changes that had currently been discussed and explained what the white paper document is designed to accomplish in relation to existing code. A vote was requested to proceed in order to remain within the proposed calendar dates for new permits. Discussion seemed to indicate that definitions need more work before code can be referred to Council.

The number of taxi permits allowed was discussed. Under the proposal, all companies will get 4 or 5 permits which leads to a percentage advantage for smaller companies. There is a large variation in the number of current vehicles each taxi company has registered. This gives the smaller companies an advantage in this fixed permit increase situation.

Again, there was discussion of the need for the Rate/Demand study.

Sue proposed a poll of the Board to determine whether to move forward with the proposed white paper.

Vote resulted in 5 no, 2 yes. The white paper will not move forward at this time.

G. Standing Committee Reports

1. Company

Nothing to report

2. Driver

Meeting was cancelled. Butch did bring up an Oregonian article regarding Pedi cabs. Sue stated that they should have a business license. The definition of "Taxi" includes the statement that it is motorized. Even if they are PFH, they are not regulated.

New Business

Jon brought up that he experienced two different instances with two different companies, where the accessibility ramp was operational, but not functional. Companies stated that they would welcome Jon's help in assuring that the ramps on their vehicles actually provide the designed service.

Butch handed out an analysis of the PFH regulatory program that was submitted by Justin Dune in February, 2005. Since the white paper had been tabled, Butch suggested no discussion, but that it would be valuable if the attendees read the report at their leisure. There was conversation to describe how the city historically implemented the regulation and permitting of town cars.

Audience members made statements as to their disappointment in the Board decision to table the white paper and effectively postpone issuing new permits. The Board has been working toward the distribution of new permits and was about to reach target date, now the process will start again. The Executive Town Car companies are not in competition with the taxi companies and need to grow their business. The permit process has now been halted in what was interpreted to be disagreement between two taxi companies. There was more discussion of whether there is a need to add more vehicles and it was again stated that it is important it is to get the Rate/Demand Study done.

I. Adjourn

Next meeting, May 14, 2008. The meeting was adjourned at 3:00 p.m.

Minutes submitted by:

Marsha Brecheen, Regulatory Program Specialist