



# PRIVATE FOR-HIRE TRANSPORTATION BOARD OF REVIEW

Minutes for October 13, 2010 meeting

## 1. Call to Order: 1:35 p.m. by Kathleen Butler

### Roll Call

Present: John Case, Kirk Foster\*, Michael Huggins, Aryn Seiler, Ramon Corona, Gail Bauhs, Jeff Blosser, Al Ochoa, , Jon Putman, Steve Entler\*, Kathleen Butler, Frank Dufay, and Patrick Kramer

Absent: Ryan Hashagen, Chris Whalen, and Jacob Slaughter

\* Alternate

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

## 2. Agenda

No changes made

## 3. Approval of Minutes

**Motion to approve minutes: Bauhs**

**Seconded: Putman**

Discussion: None

**Passed unanimously**

## 4. Board Member Comments

Deputy City Attorney Shane Abma has accepted a position with Portland Business Alliance. Ken McGair will serve as his replacement. We have already had the opportunity to meet with him and are confident that this will be a smooth transition.

An additional staff position has been approved for the Private for-Hire Transportation Program. This new position will help us with streamlining the permitting process and increasing enforcement.

Steve Entler asked where company renewal late fees were discussed in Code. Due to time constraints, Butler offered to follow up with Entler to provide the answer to his question.

## 5. Public Comment

(Each person who speaks to the Board is required to state their name and affiliation. There is a 3 minute limit per person.)

Casey Martel spoke regarding the Pedicab safety inspections and the cost of insurance. He stated he was fined for operating without permits and feels that the safety inspections should be established prior to requiring permits.

Butch Miller passed out a flyer being distributed to hotel guests regarding money being paid by taxi drivers to valets for fares. He also took issue with an Island Coach van being used on demand at one hotel and as a shuttle at others. He was encouraged to file written complaints of City Code violations to Frank Dufay. It was suggested that the flyer not indicate that all hotel valets are involved.

Karlie Edwards from the hotel and restaurant employees union introduced herself and communicated that they are looking to find a constructive resolution to these issues.

## **6. Committee Reports**

- a) Company Standing Committee: A meeting was not held in September due to lack of agenda. The August 17<sup>th</sup> meeting discussed vehicle replacement costs and cabbie payoffs.
- b) Taxi Driver Standing Committee: No meeting due to lack of agenda.
- c) LPT Driver Standing Committee: We have received an email from Jacob Slaughter in which he resigned from his position as the LPT Driver Standing Committee Representative.

## **7. Driver Appearance Standards**

This item was postponed until the next meeting. The Board Member who brought this agenda item forward was not able to attend today's meeting.

## **8. Discussion of Availability of Accessible Taxi Vehicles**

In the past issues with accessible cabs have come up. With a larger aging population, there is a trend toward regulatory agencies requiring more accessible vehicles. Some municipalities have made an exception to their taxi permit moratorium by issuing additional taxi vehicle permits for accessible vehicles. Butler proposed that a sub committee be formed to discuss this further. Bauhs volunteered to be on that sub committee.

## **9. Hotel Issues**

The last meeting with hotel managers went very well. Almost all of the hotel managers had issue with their valets requiring money for fares. The outcome of that meeting was for the hotel industry to provide a set of voluntary professional standards. The Revenue Bureau also met with Karlie from the valets' union and they also do not condone valets requiring money for fares. They offered to propose standards for all valets to follow. San Francisco is drafting an ordinance banning the practice of requiring money for fares. No ordinance has passed yet but they have offered to share information and update progress with Portland.

## **10. Horse Drawn Carriage**

Dufay provided a brief background of the process behind proposing horse drawn carriage regulations. Mayor Adams directed the Revenue Bureau to create some regulations for horse drawn carriages after the death of a horse in downtown Portland. The horse drawn carriage industry, prominent veterinarians, and the regulations of peer cities were all consulted. Proposed

regulations are now posted on the mayor's website.

Teresa Ritchie who owns a horse drawn carriage company spoke about her feeling on the proposed regulations. She expressed that while she appreciates the need for regulation, the fees could be an issue. The vet fees add up quickly. She has heard other companies say they will no longer operate in Portland. The rates for horse carriage rides are approximately \$150 for 50 minutes or \$100 for ½ hour. An hour ride takes 4 hours of preparation. She also wanted to let the taxi industry know that she is not taking any fares away from them.

Putman asked what are the rules governing the use of streets with train tracks by horse drawn carriages. Butler answered that the proposed regulations allow them to cross the tracks but not ride along side the tracks.

There are less than a dozen horse drawn carriage operators and Teresa's company is the only one that regularly operates in Portland. Other companies focus more on special events and come to Portland much less frequently.

## **11. Staff Report: Shuttle Permitting Procedures**

Ochosa reported on a proposed solution for bringing shuttles into full compliance with the City Code definition of shuttle. Beginning January 1, 2011 no shuttle permits will be renewed without having a fixed route and schedule approved by the Revenue Bureau. The Revenue Bureau will consult with the Port of Portland when reviewing proposed shuttle routes to and from the airport. Shuttle companies who prefer not to operate on a fixed route and schedule will be offered the option of being issued an Executive Sedan category permit which allows operating on a reservation only basis. Shuttles must also submit a fee schedule which must be posted in their vehicles in a form approved by the Administrator. The Regulatory Division will develop a fee schedule for area outside the downtown area. Another shuttle subcommittee meeting will be held to discuss this proposal in further detail. One issue still to be worked out is how to address companies who expire in January and will be under the new requirement while others are still allowed to operate under the current system. The criteria for the route is twofold: 1) They must be able to realistically be able to keep the schedule they provide with their current permitted fleet of vehicles and 2) The Port of Portland must be able to accommodate routes to or from the airport. Due to space limitations there are only a certain number of vehicles that are able to pick up or drop off at the same time.

A discussion followed about how to define a route. Does a route have designated stops? It was suggested that we make sure to define route. A requirement of multiple stops may be looked at in the future. The immediate focus is bringing all the providers in compliance with City Code. It was suggested that we bring all the providers in compliance then refine the details. There will be another shuttle subcommittee to discuss the proposal in detail prior to the next Board meeting.

## **12. Patrick Kramer, re: Permit Numbers by Company Type**

A report on the number of permitted vehicles which are subject to the moratorium. There were

169 Executive Sedan permits reported, down from 183 in September 2009 and 88 Shuttle permits down from 99 in September 2009. While some companies have gone out of business there have also been 13 revoked vehicle permits as a result of the Regulatory Division's focus on increased enforcement. The report also included applications approved by the Board. Allied Airbus has been given temporary approval for 3 Executive Sedan permits. Allied Airbus will apply through the usual Relief from Moratorium process. Their application for permit issuance will be heard in the January Board meeting. The temporary issuance was due to a request from Delta Airlines who had specifically requested the use of Allied Airbus for all their transportation needs. Ambassador Transportation was issued one Executive Sedan permit administratively by the Regulatory Division. Ambassador Transportation was under the impression that they had applied for relief from the moratorium but no application had reached the Board for consideration. In addition, a permit from the company that he worked for was not renewed. Under those circumstances the Regulatory Division found that it was appropriate to issue the permit. One issue we would like to address is the amount of time an approved applicant has to come in and get permitted. From this time forward we are allowing the approved applicant 6 months to get permitted. After 6 months the approval is rescinded and they must reapply to the Board for permits.

A discussion ensued about how wine tour companies are permitted. Wine Tour companies are permitted by vehicle type. While we plan to refine the vehicle type definitions the current classifications are: Limousines and Limo buses are permitted as limousines, Executive vans and Executive Sedans are permitted as Executive Sedans.

### **13. Frank Dufay, re: Enforcement Report**

We have been very busy in enforcement activities. We have found that the amount of complaints received goes up as word gets out that we are stepping up enforcement. We have an appeal coming up on the penalty issued to Americab for operating without a permit. We are working with the City Attorney to give us more options for enforcement. Our working relationship with the Port has greatly enhanced our enforcement efforts. The ability to turn off their access cards to the airport when appropriate has proved to be effective. Improved communication with hotel management has also had a positive impact on our enforcement efforts. Hotels are updated on suspended or revoked companies and this information is passed down to the valets who will then avoid putting their guests in vehicles from those companies. We have also revised our agreement with Parking Enforcement. They will renew their efforts in providing reports of observed illegal operators and other code violations.

Bauhs asked if we are taking a look at the VIII rating. She has found that providers are having difficulties finding insurance companies who meet that requirement. Butler stated that these requirements are something that we are currently working on. Ochoa has been consulted extensively due to his insurance background. Ochoa stated the requirements of jurisdictions do vary; however A- VII is common. It was suggested that we review requirements from other bureaus of the City of Portland as well as of other jurisdictions. The letter rating refers to the overall financial health of the company and the other rating refers to the financial reserves of a company.

A conversation ensued about the large amount of companies advertising as offering taxi service in Portland. We continue to work on this and pursue unpermitted companies who advertise as serving Portland. We are also working with the City Attorney to strengthen City Code language to address unpermitted companies advertising service in Portland. The ability of towing or impounding of a frequent violator's vehicle is also being pursued for.

#### **14. Future Agenda Items**

Insurance, Shuttle Plan, Out of Area SAT Providers and Stretcher Vehicles were topics suggested for the next Board meeting.

#### **15. Announcements**

Reminder provided that all drivers are required to pass the PFHT Driver Skills Test by December 31, 2010. Companies were urged to communicate this to their drivers. We are currently working on having the test administered electronically. There are still a significant number of drivers who have not yet passed the test. There is no payment required for the test. Bauhs offered to post a reminder message on the online system for all the SAT providers who contact with Tri-Met. A suggestion was made to utilize a company who specializes in administering testing as an alternative to the Revenue Bureau administering the test.

#### **16. Adjourn**

**Motion to adjourn: Huggins**  
**Seconded by: Seiler**  
**Motion passed unanimously**

Meeting was adjourned at approximately 3:30pm. The next meeting will be Wednesday November 10, 2010.

**Minutes submitted by:**  
Patrick Kramer, Regulatory Program Specialist