

The Oregonian

Mayor Ted Wheeler has new \$50 million plan to fix Portland's roads

By Jessica Floum

April 30, 2017

Portland Mayor Ted Wheeler plans to seize an unusual opportunity to start rebuilding Portland's crumbling roads and deteriorating infrastructure.

A prime feature of the city budget Wheeler will propose Monday, the initiative would have the city issue bonds to be repaid over the next 20 years in order to spend \$50 million repairing roads, parks and other projects starting as soon as 2018.

"This is what people are asking us to do," Wheeler said in an exclusive interview with The Oregonian/OregonLive Thursday. "Not a day goes by that somebody doesn't say, 'Why the heck aren't you investing in streets, projects, bridge maintenance, park infrastructure?'...People say, 'Why aren't you prioritizing these core, basic things?'"

Wheeler plans to repay the bond debt primarily with tax revenues that will be freed up as various urban renewal areas that the city has created within its bounds expire. Once such an area hits its expiration date, taxes that have been diverted to pay for improvements in the area once again flow to the city's general fund. If the mayor gets his way, that money would largely go to pay off the bonds for the project he's calling Build Portland.

The urban renewal taxes won't start flowing back to the general city coffers until 2020, however, or in big numbers until 2026. So Wheeler's budget proposal will include allocating \$2 million a year of general funds to pay interest on the bond debt.

If this City Council agrees to issue \$50 million in bonds, future councils will have no choice but to repay the money.

Larger payments wouldn't start until 2026—six years after Wheeler's first term ends. These would be the first payments toward the principal. His proposed bond repayment plan projects the city will spend \$4.7 million a year from 2026 through 2038 to retire the debt.

City estimates show that by 2035, upwards of \$47 million a year in taxes from expired urban renewal areas will flow into its general fund.

The money will come from Portland's 10 urban renewal areas, districts where the city puts a cap on the amount of property taxes it collects for its general fund and uses any taxes on top of that cap to develop the area. Once developed, the areas yield higher property taxes for the city, which is how the city justified diverting taxes specifically to those areas for a period of intense improvement.

The City Budget Office estimates the first urban renewal area set to expire, Airport Way, will return \$517,000 a year to the general fund starting in 2020. That alone won't come close to covering the bond's debt payments. Larger revenues aren't expected to come in until 2024, when the River District expires and starts yielding \$11 million annually for the general fund, according to city estimates.

That is why the city's proposal for repaying the \$50 million "backloads some of those repayment amounts to the later years when we're receiving that revenue," City Budget Officer Andrew Scott said.

The mayor said he plans to also designate tax revenue other than bond proceeds for infrastructure investments in his proposed budget for next year.

The city wouldn't issue the bond for more than a year, but this action would lock in a "strong and dedicated source of funding," Wheeler said.

"Rather than allowing that to be spent on pet projects or the issue de jour, we want to lay out a clear strategy today that focuses on this long neglected basic investment in infrastructure," Wheeler said.

Patching Portland's many deep potholes and paving over Northwest 23rd Avenue every year is merely a Band-Aid on a bigger problem, and that's not good enough, Wheeler said.

[A report released earlier this month](#) by City Auditor Mary Hull Caballero called for greater investment in the city's transportation infrastructure, most of which the report said is in "fair to poor condition."

The city faces a \$281 million annual gap when it comes to funding infrastructure improvements. Transportation requires the most investment to repair at \$285.3 million.

As road conditions deteriorate, the cost of the repairing the streets dramatically increases.

Roads in poor condition cost the city around \$500,000 per mile to replace, while roads in fair condition cost about \$150,000 per mile, City Budget Office Director Andrew Scott told the Portland City Council at a budget work session in March.

Wheeler's envisions his proposed \$50 million bond is part of a long-term initiative under which he envisions the city issues \$500 million worth of bonds over the next 20 years to continue to invest in infrastructure.

The mayor acknowledged that he has no way of ensuring that future city councils continue to invest windfalls from renewal areas into infrastructure bonds. But he hopes his first such bond will demonstrate the ability it brings to fund major projects on basic infrastructure that "in the absence of this source, wouldn't get done."

Commissioner Nick Fish said he supports the mayor's proposed investment in infrastructure, but that he expects the council will debate whether to endorse future councils spending urban renewal money in the same way beyond the mayor's first \$50 million bond.

Fish said he'd like to see urban renewal money allocated to affordable housing and spent on local contractors.

"I'm not giving the mayor a blank check in terms of spending all the revenue going forward, but I think he has identified a need, a revenue source and a significant downpayment in our transportation infrastructure, and I do support that."

If Wheeler's grandiose \$500 million plan were to happen, the city would not have to spend more than 70 percent of urban renewal money on the proposed infrastructure bonds at any point, said Scott, the city budget officer. The rest could be used for affordable housing or other city priorities, he said.

Transportation Commissioner Dan Saltzman said that while he hasn't seen specifics on the proposal, he supports the idea.

"We have a crying need to catch up on our infrastructure needs," Saltzman said.

Commissioner Chloe Eudaly called it "promising" and said it is the right choice. "We can't continue to put off our backlog of maintenance," she said via a text. "While it's not something people are excited about spending money on, it's one of the top concerns citywide."

Commissioner Amanda Fritz declined to comment, saying she didn't know enough.

Wheeler said he's confident that the infrastructure boost will be so popular that it will put political pressure on future councils to follow through on his long term plan.

"It will be very difficult for future city councils to unravel this," Wheeler said.

Update: This story has been updated to more accurately reflect potential uses for urban renewal area revenue. It could be used for a number of city priorities in addition to affordable housing.

The Portland Tribune

Wheeler releases ambitious budget

By Jim Redden

May 1, 2017

Mayor Ted Wheeler released his first proposed budget Monday. It includes requested funding increases to fulfill campaign promises to reduce homelessness, improve community policing, and repair the city's crumbling infrastructure.

"These are the issues I hear about every day when I talk to Portlanders. My budget makes significant investments in the things people care about that city government is uniquely positioned to address," Wheeler said when announcing the release.

The budget balances \$12.3 million in last-minute funding increases approved by the previous City Council against \$15 million in general fund budget cuts requested from city agencies.

"Portland's economy is booming, with unemployment at its lowest point in decades and another record year for business license tax revenues. However, recent City budget trends reveal the need for a prudent fiscal approach and a renewed focus on the core responsibilities of City governance," Wheeler said.

Major new initiatives include:

- Adding than \$25 million to the city-county Joint Office of Homeless Services to invest in supportive housing, diversion programs, rapid rehousing, shelter, and system coordination.
- Launching "Build Portland," a plan to invest \$600 million over 20 years in upgrading the city's infrastructure by committing returning general fund monies from expiring urban renewal districts to dedicated revenue bonds. It is projected to invest \$50 million in such projects in the first year.
- Creating an Office of Landlord-Tenant Affairs that will develop a new rental unit registration program, collect and analyze data from the approximately 6,000 eviction notices currently filed through the Multnomah County court system, provide referrals to people at risk of or experiencing eviction to existing community services, and increase by five times the number of people served with fair housing legal assistance.
- Funding a first-of-its-kind Community Service Officer program within the Portland Police Bureau to increase the amount of time patrol officers are able to spend on proactive community police work.
- Improving responses to extreme winter events by authorizing Portland Bureau of Transportation to purchase three additional snow blades for existing trucks and contract with private companies for snow plowing and removal services.
- Increasing livability by adding four park rangers to patrol the Springwater Corridor and parks in East Portland, adding five rangers to retain patrol services in the central business district during the evening hours the right of way, and improving efforts to remove trash, needles, and semi-permanent structures from city-owned properties.

"My proposed budget focuses our limited resources on the things that make a real difference in the lives of Portland residents. By doing so we can put our city on the right track and set ourselves up for long-term success," Wheeler said.

As promised, Wheeler assigned all city bureaus to himself last Thursday to help the council members be more objective about them during the budget process. He will reassign the bureaus after it is approved by the council. All liaison responsibilities remain the same.

The City Budget Office reports Portland continues to experience record-breaking revenue growth but still faces an ongoing \$1.8 million deficit driven by previous spending decisions. The more than \$11 million of ongoing general fund dollars allocated to these priorities outpaced the growth in property taxes, transient lodging taxes, and other city revenues.

In contrast to the ongoing deficit, Portland is projected to have a \$17.1 million one-time surplus because of strong revenue growth in the near term. Under the city's financial policy, one-time resources should be spent on infrastructure or other one-time investments.

Budget hearings are set for May 11 and 17 at City Hall. The council is scheduled to adopt the budget June 8. It takes effect July 1.

Portland may subpoena Uber over 'Greyball'

*By KOIN 6 News
April 28, 2017*

Uber used a software tool to deliberately evade Portland regulators before a pilot program was approved by the City Council and has since refused to provide information about the technology, Commissioner Dan Saltzman says in an April 27 memo.

Saltzman's memo to the council also suggests the city subpoena Uber to force them to provide the information the city wants.

The issue came to light through a New York Times article about "Greyball," a technology which Uber utilized to skirt local regulators around the world. After it was published, the City Council authorized the Portland Bureau of Transportation to conduct an audit of Uber and the other so-called Transportation Network Companies (TNC).

Saltzman oversaw PBOT before Mayor Ted Wheeler assigned all bureaus to himself Thursday as part of this year's budget approval process.

The audit and Saltzman's summary said no TNC used any tech program to block regulators and riders since Portland's pilot program began in April 2015.

But Saltzman's memo says, Uber "has admitted to having applied 'Greyball' tags against 17 riders in Portland and blocked 3 riders on 29 separate ride requests during a two-week time period in December of 2014."

Saltzman wants the city to get more information from Uber to "determine if further regulatory or legislative action is necessary."

Commissioner Nick Fish has also criticized Uber over the practice.

In a statement from Uber, spokesman Nathan Hambley told KOIN 6 News:

"It is unfortunate this investigation and the report have become so politically charged, and that Commissioner (Nick) Fish has used the process to make baseless claims about our conduct in Portland."

Hambley added, "As indicated to the city, Uber has not used the Greyball technology with respect to regulators in Portland at any time during or since the implementation of Portland's TNC regulations and pilot program in April 2015."

Vision not quite zero

*By Pete Korn
April 27, 2017*

Here's the whole Vision Zero debate in a nutshell. Portland has introduced its first automated speed cameras—the latest two weeks ago on Southeast Division Street and Southeast 122nd Avenue. Unlike the city's red light cams, which take a photo of the back license plate of offender's cars, the speed cams take a photo or video of the drivers of speeding cars, who receive their \$160 speeding tickets in the mail.

But wait, say officials at American Traffic Solutions (ATS), the country's largest vendor of traffic cam technology. They've studied the videos and discovered that 19 percent of the drivers caught speeding can also be clearly seen holding their cell phones and texting or talking. Seeing as how distracted driving is more dangerous than speeding, why not a second citation for cell phone driving? If we're really interested in eliminating crashes, the ostensible point of the Vision Zero policy, that is. Vision Zero stands for the intended zero traffic violence standard.

Why not indeed, says Rick Gustafson, long-time executive director of Portland Streetcar, Inc. who now teaches traffic management at Portland State University. If the city truly wants to commit to making its streets as safe as possible, Gustafson says, it will expand the use of traffic cameras just about everywhere, and let them enforce as much as they can. Portland currently has 11 red light camera intersections and two of the new automated speed cameras. Make the cameras ubiquitous and people will get the idea that they can't speed and can't rush through red lights.

"I'd cover most of the city and most of the state," Gustafson says.

Dan Saltzman, Portland's traffic commissioner, agrees, to a point. He says he'd like to be able to double cite speeding texters and he'd also like many more traffic cams around the city, if legislators in Salem will tweak the necessary state laws.

"I'm a firm believer that we should be using technology to keep our residents safe," Saltzman says.

The city's Vision Zero plan calls for more traffic enforcement, but concerns over racial profiling during traffic stops have been an obstacle, according to Saltzman, who points out that the profiling problem is greatly solved by technology.

"That is the beauty of cameras," Saltzman says. "They are color blind."

The new speed cams represent a significant change in policy from red light cameras, which Portland has had operating since 2011. Both are intended to keep people safe, and there's a reasonable amount of data showing both do that. But while most people find the notion that driving through a red light without stopping deserves a ticket, not as many are on board with automated tickets for speeders. We all do it, right?

In Washington, D.C., traffic cams not only give tickets to red light runners and speeders; they've also been installed at stop signs to ticket drivers who roll on through or don't wait for pedestrians. The drivers of trucks recorded driving on restricted height streets get caught and ticketed. In San Francisco buses are outfitted with forward facing cams that take photos of cars blocking the dedicated transit traffic lanes and since 2008 over 24,000 citations have been issued.

Seattle is working toward putting cams on school buses so drivers who ignore the stop sign arm and pass buses while kids hop on and off will automatically get ticketed.

The move to automated speed cams taking photos of drivers opens up a whole new world of technology use. They're cheap, pay for themselves through the citations they produce, and can compensate for the inability of cities to supply enough traffic police officers to keep people driving safely. Throw in a little facial recognition software and tweak state law, say the experts, and the cams could catch bike riders blowing through stoplights and pedestrians ignoring Don't Walk signals. Our streets could become incredibly safe.

Not so fast, say traffic cam detractors. Jay Beeber, executive director of Safe Streets L.A. just might be the most vocal of those detractors. He consults all around the country to organizations hoping to roll back the clock on cams, and he's seen more than a few successes. Houston shut down its red-light cameras in 2011 and Los Angeles has gutted its once extensive red-light program.

One basic problem with traffic cams, according to Beeber, is they lack the judgment of a traffic officer. "They're enforcing to the absolute letter of the law...If we enforce every law to the absolute letter of the law everybody would be guilty of things all day long," he says.

Most of the citations generated by red light cameras are for drivers failing to fully stop before turning right on red. That's too letter of the law, Beeber says.

"Whether you stop or not is not the problem," he says. "It's whether or not you yield to somebody."

A traffic cop sees someone driving 50 mph in a 45 mph zone and makes a decision based on road traffic conditions and a slew of other factors whether to cite the driver for speeding, which is basically unsafe driving, Beeber says. But the officers sitting in an office reviewing videos from speed cams don't use that discretion, according to Beeber.

"They're sitting there going, 'Technically, did that person break the law?' And yes, they did, and they click a mouse and there's a ticket.

"That's not the kind of society I want to live in, in which everything we do is monitored by the government and every time you step out of line you get a ticket," Beeber says.

Gerald Bucher is mostly on board with the new speed cam installed in front of his video business on Southeast Division Street despite the annoying photo light that nearly blinds him every time a speeder is caught. Bucher knows that there have been a number of pedestrians hit trying to cross near his shop.

But Bucher isn't sure the Division Street cams are fair. The pedestrians that get hit are usually among those he sees trying to cross Division's four fast lanes of traffic mid-street.

"The drivers take the brunt of it because the pedestrians are too stupid," Bucher says.

He'd like to see more designated crossings which allow pedestrians to press a button to stop traffic. He'd also like to see the Division Street speed limit pushed back up to 35 mph. It has been lowered to 30.

"That's too slow," he says.

On the other hand, Teresa Hartsock, who lives on Division two blocks down from the new cam, isn't quite as sold on the new technology. That's a surprise, considering Hartsock is pushing a stroller that holds her five-year-old daughter.

"Right after they go past they'll speed up," Hartsock says of drivers slowing down as they approach the new camera, which has warning signs up-road. "So they're going 45 or 60. Late at night you'll hear them really bad."

Would Hartsock support more traffic cam enforcement, say, at stop signs as well? "I don't know," she says. "It's a lot of nanny state. It is sort of creepy knowing there's a lot of cameras and you're always being watched."

People may start to view Portland's new speed cameras with skepticism, says Kent Grayson, coordinator of the Trust Project at Northwestern University. "People feel like if you go through a red light you don't need an umpire to say whether it's a ball or a strike," Grayson says. "On the other hand, the speed limit, in many people's minds, is meant as a suggestion rather than a ball or a strike."

People think in terms of rules and norms, according to Grayson. Rules we have to obey, while with norms we expect a little variation. We may grumble when we learn the person sitting next to us on an airplane paid half what we did for a seat, but we have come to accept surge pricing as a norm. In some things. According to Grayson, when Coke tried vending machines that increased the price of a drink the colder the drink came out, people were totally unwilling to accept the concept. That seemed against the rules.

"We all grow up with a sense of what the rules of the game are," Grayson says. "We know which games have strict rules and which games don't."

So we sort of know that a police officer catching us going five miles an hour over the speed limit in light traffic will probably let us go. But cams don't do that, nor will they overlook a rolling right turn at a stop sign. And that could be a problem.

"The introduction of these cameras changes the rules of the game in a way people feel they're getting a right taken away from them," Grayson says. "In people's minds it's not fair for a camera to be there because I'm used to a system where I'm only caught if the police are present. You're using new technology to change the rules of the game."

Which may be why Jay Beeber has had so much success. By his count, a few years ago there were automated red light cameras in 107 California municipalities and today the count is down to 32.

"People hate these programs," Beeber says. "ATS will tell you they're well accepted and only a few people are disgruntled, but when these things go to the ballot box something like ninety percent of the time they are voted out."

If a city is looking to reduce crashes, the cams are a money saver. In fact, in cities that voted to abolish the cams, the most effective argument has been that they are more about generating revenue than keeping people safe. If they are working well, experts say, drivers adapt, tickets go down and the cams lose their ability to become self-supporting. But there is evidence that they still catch enough speeders to pay their way.

Concerns about privacy are another reason people approach speed cams with skepticism, and with good reason, says Clare Garvie, assistant professor at the Georgetown Law School Center on Privacy and Technology. Given the advent of facial recognition technology, speed cams could become a big tool if private corporations and government agencies such as Homeland Security were to gain access to the footage.

Yes, Garvie says, it's true that we can be tracked already through our cell phones. But we have a choice there. "You can leave your phone at home. You cannot leave your face at home," she says.

Oregon is among a handful of states looking at laws to reign in applications of facial recognition, according to Garvie. She estimates that a quarter of U.S. law enforcement agencies currently make use of such systems.

But maybe all this won't matter a few years down the road, says Trust Project coordinator Grayson. "Driverless cars will be programmed to obey the rules, so all these problems go away quickly," he says.

That is unless the self-driving cars allow drivers to override their operating systems and determine how closely they obey the rules of the road, says Gustafson. Until then, he'd like cams to become ubiquitous, catching speeders, stop sign California rollers, bicyclists who ignore red lights, and possibly more.

"It ought to become more understood that you're going to get caught...It is a feasible way of getting very close to that zero death policy," he says.

Streetcar goes the extra mile (and money), for safety

Portland officials don't really mean it when they talk about Vision Zero, says Portland transportation consultant Rick Gustafson. If they did, we'd see a lot more automated traffic cameras.

Consider the new Tilikum Crossing bridge, says Gustafson, executive director of Portland Streetcar, Inc. when the bridge was built. He says bridge designers immediately identified a problem. There is a point on the bridge where the streetcar needed to turn left and cross in front of the MAX line, exposing the streetcar to a T-bone-style crash. The most feasible acceptable solution, Gustafson says, was an automated signal that would tell one of the drivers to stop. But the absolutely best solution, and the one streetcar officials chose at an extra cost of about \$100,000 per car, is a system that automatically stops the streetcar when it detects a MAX train nearby.

"When you tolerate some deaths you will use the most feasible approach to a safety problem. When you have a zero death policy you will use the best available technology," Gustafson says.

Speed cams slow traffic

Before automatic speed cameras were installed on Southwest Beaverton-Hillsdale Highway, an average 1,417 vehicles a day traveled 51 mph or faster in the 40 mph zone. Immediately after cameras were installed, an average 93 vehicles traveled 51 mph or faster each day. One month after their August, 2016 installation on Beaverton-Hillsdale Highway, speed cams recorded 72 violations a day. By January, 2017, 20 violations a day were being recorded. Most violations result in a \$160 ticket. The city's monthly cost for leasing speed cams recording both directions at one site: \$6,400 a month — still easily covered by the violation revenue.

Oregon speed-related fatalities

2015: 118

2014: 105

2013: 95

Data: National Highway Safety Administration

Oregon Traffic Crashes

Year - Fatal Crashes - Non-fatal injury crashes

2015 - 410 - 28,647

2014- 312 - 24,208

2013- 292 - 22,984

2012 - 305 - 24,457

Source: Oregon Dept. of Transportation

Willamette Week

Uber Declined to Provide "Greyball" Playbook or Software as Part of City Investigation

By Rachel Monahan

April 28, 2017

The last time Portland City Council sought a subpoena, the city was looking for information related to the energy-trading company Enron, whose name has become a byword for corporate corruption.

Now City Commissioner Dan Saltzman is planning to seek a subpoena of Uber, the company with its ride-hailing app, known for its aggressive avoidance of city and other regulators.

OPB and The Oregonian first reported on Saltzman's request for subpoenas, which will be issued after Council votes on them next month.

The Portland Bureau of Transportation released its investigation of Lyft and Uber today, using data the city collects from the companies, complaints from customers and answers the city got from companies, finding no irregularities since the companies began legally operating in Portland in 2015.

But Uber did not respond to the city's request for the playbook for the way the company uses the "Greyball" technology as well as a copy of the software. It's not clear whether a playbook exists.

"[Uber] seemed to indicate there wasn't a playbook," says Saltzman. "I remain skeptical."

The company admits that it used that technology in Portland in 2014, to block 17 users, 16 of which the company identified as city inspectors, from using the ride-sharing app, but the company hasn't answered questions about the use of the technology since that time to the satisfaction of city officials.

Saltzman's position on the investigation now mirrors that of Commissioner Nick Fish, who called for a subpoena last month.

Uber released a statement today highlighting the fact that the city has found no wrongdoing by the company since 2014, and specifically taking issue with Fish's criticisms of the company.

"It is unfortunate this investigation and the report have become so politically charged, and that Commissioner Fish has used the process to make baseless claims about our conduct in Portland," says Bryce Bennett, general manager of Uber in Portland.

Company officials provided a link to the city's report showing that Uber had expanded transportation options across the city. Fish had previously questioned whether the company

might be redlining residents from low-income neighborhoods if they could exclude regulators from the app.

Fish expressed support for Saltzman's efforts to seek a subpoena and criticized the company's "dismal track record."

"I will continue to work with my colleagues to protect the public interest," he says in a statement. "And I do not intend to stop speaking out when Uber fails to play by the rules and compromises consumer safety. "

In background information provided to reporters, Uber officials indicated Greyball had not been used in Portland since 2014 for the narrow purpose of evading regulators—in their words, "with respect to regulators in Portland."

A letter to the city on April 21 from Uber attorney Thomas Perrelli, released as part of PBOT's report, indicates that the company uses the technology for marketing and for safety of drivers, but did not after 2014 use the technology in Portland to exclude anyone from getting an Uber ride.

The Portland Mercury

Portland's "Greyball" Investigation Turns Up Little, But More Drama Is Coming

*By Dirk VanderHart
April 28, 2017*

When Uber crashed into Portland in December 2014, it immediately began Greyballing.

That's the verb that's come to correspond to the controversial tool—Greyball—that the ride-sharing giant used to weed out potential regulators, ensuring they weren't given rides and so couldn't crack down on drivers.

In Portland, where irate officials were demanding Uber cease operations while regulations were crafted, the company Greyballed 17 users from December 5 to December 19, 2014. It denied a total of 29 requests for rides (26 of those requests from one account) over that two-week period, according to an audit the Portland Bureau of Transportation released on Friday.

Eventually Uber and the city reached an accord, and the company ceased operating in Portland. According to the PBOT's report, the ride-sharing service doesn't appear to have used Greyball after it began operating legally in April 2015.

The city audit [began in March](#), after the New York Times reported the existence of Greyball. At the time, angry city officials were saber rattling because of new evidence of chicanery from the company. But the report released today didn't shake out many skeletons.

Uber had already admitted to using Greyball in Portland for a time, and the city can't prove it has employed the tactic more extensively. Auditors also didn't find evidence Uber—or its competitor Lyft, which was also scrutinized—sought to give disparate service to varying zip codes or in any way attempted to evade regular inspections.

The audits "don't seem to show any evidence of discriminating against people based on income, nor that our regulators had had any trouble [inspecting] Uber," says Commissioner Dan Saltzman, who was the city's transportation commissioner until yesterday (Mayor Ted Wheeler has temporarily assigned himself all city bureaus while a budget is developed).

Despite the fairly sanguine conclusions of PBOT's report, though, legal drama and code changes appear likely to arise from the document.

Saltzman told OPB and the Oregonian yesterday he will push his City Council colleagues to okay a subpoena seeking Uber's "playbook" for how to use Greyball, along with any algorithm the software uses. Saltzman could bring a resolution for a subpoena to council in two weeks, though, [as OPB noted](#), there's not much precedent for the city using that particular legal instrument.

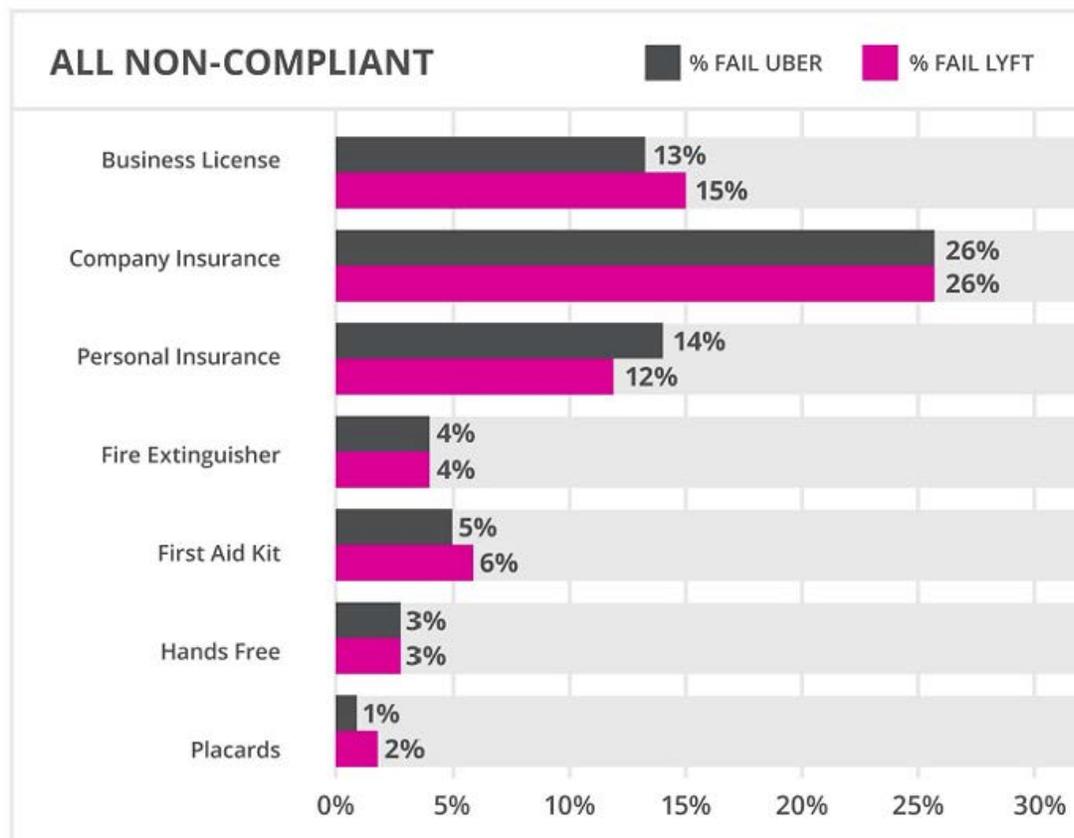
"I actively believe they owe us that information," says Saltzman, noting the city hopes to use the data to figure out if Uber is using any other software tricks officials aren't aware of.

You can probably expect Uber to put up a fight. The reason Saltzman's pushing for a subpoena—a step initially threatened by Commissioner Nick Fish, who has a longstanding ire where Uber is concerned—is that the company refused to supply the data voluntarily. Today's PBOT audit notes:

"PBOT views Uber's failure to comply with deep concern. This failure calls into question Uber's commitment to comply in general with the City of Portland's regulatory framework. It also raises questions about Uber's ability to be a trustworthy partner in PBOT's efforts to ensure that Portland's TNC customers receive safe and reliable service."

Portland officials are also planning to use the audit to develop stricter code regulations around so-called Transportation Network Companies like Uber and Lyft, though Saltzman couldn't offer specifics.

The entire audit [[PDF](#)] is worth a glance. It includes some interesting tidbits, such as the fact that more than a quarter of Uber and Lyft drivers whom the city has inspected weren't able to provide a proof of their company insurance.



It also includes an interesting account of Uber's use of Greyball in Portland from the company's New York-based attorney, who writes that the company was "deeply concerned that its driver partners would be penalized financially" for being illegal Uber drivers in 2014.

The attorney, Thomas Perrelli, downplays the software's use for thwarting enforcement. At the same time Uber shows regulators fake maps of where its vehicles are (as happened in Portland), it also uses the technology to, for instance, change the appearance of Uber vehicles in the app to reflect city sports teams, Perrelli writes.

In response to the audit, Uber praised many of the report's conclusions. Company spokesman Nathan Hambley also couldn't resist taking a shot at Fish, the most persistent Uber critic on council.

"It is unfortunate this investigation and the report have become so politically charged, and that Commissioner Fish has used the process to make baseless claims about our conduct in Portland," the statement reads.

Update, 9 am, May 1: FISH RESPONDS. The commissioner sent this statement over the weekend.

"Uber may not like the sunshine on their business practices, but our job is to enforce the law and protect consumers. Since the company failed to turn over all the documents the city requested, I will join Dan in voting to authorize a subpoena."