



Steve
Novick
Commissioner

Leah Treat
Director

December 8, 2014

Ms. Brooke Steger
General Manager, Uber, Inc.
506 2nd Avenue #3100
Seattle, WA 98104-2349

Email: brooke@uber.com

Re: Cease and Desist Order – Violations of Portland City Code Chapter 16:40

Dear Ms. Steger:

Portland City Code Chapter 16.40 regulates Private for-hire Transportation within the City of Portland. “[P]roviding vehicular . . . transportation for compensation of any kind within the Portland City Limits” constitutes Private for-hire Transportation subject to the City’s regulations. PCC 16.40.030 HH.¹ The requirements of PCC Chapter 16.40 apply to all Private for-hire Transportation companies, vehicles and drivers conducting business in the City, whether or not legally permitted. PCC 16.40.020. “Conduct[ing] Business” means operating a for-hire vehicle or company, receiving money or other compensation from the use of a for-hire vehicle, causing or allowing another person to do the same, or advertising the same.” PCC 16.40.030 J. “Operate” means “driving a for-hire vehicle, using a for-hire vehicle to conduct a business, receiving money from the use of a for-hire vehicle, or causing or allowing another person to do the same.” PCC 16.40.030 Y.

It has come to our attention that Uber Technologies, Inc. (“Uber”) and/or its wholly owned subsidiary Rasier, LLC (collectively “Uber”) began illegally conducting and operating Private for-hire Transportation (within the definition of PCC 16.40.030 J and Y) in the City of Portland through its uberX platform on the evening of December 5, 2014. Uber and its drivers have failed to comply with the permit and other important public health and safety requirements of PCC Chapter 16.40.

¹ The exception for “transportation provided by a public or governmental entity, transportation that is regulated entirely by the State of Oregon or the federal government” is inapplicable.

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To ensure equal access, the Portland Bureau of Transportation will make accommodations in full compliance with Title VI of the Civil Rights Act of 1964, the ADA Title II, and related statutes and regulations in all programs and activities. For accommodations and additional information, and complaints, contact the Title II and Title VI Coordinator at Room 1204, 1120 SW Fifth Ave., Portland, OR 97204, or by telephone 503-823-5185, City TTY 503-823-6868, or use Oregon Relay Service: 711.

For example, no person may drive a for-hire transportation vehicle without a valid, current for-hire transportation driver's permit issued under Chapter 16.40. PCC 16.40.090 A. Uber drivers operating in Portland have not obtained such permits.

In addition, all for-hire transportation companies are required to obtain a permit to operate. PCC 16.40.020 A, PCC 16.40.130 A, and PCC 16.40.150 A. Under the City's regulatory scheme, there are two types of vehicular Private for-hire Transportation companies: Taxicab Companies and Limited Passenger Transportation Companies. A Taxicab Company is "any entity operating taxicabs other than as a driver and regardless of whether the vehicles so operated are owned by the company, leased, or owned by individual members of the company." PCC 16.40.030 NN.² A Limited Passenger Transportation Company is any "for-hire transportation company other than a taxi company." PCC 16.40.030 V. Both are required to obtain permits under PCC Chapter 16.40. PCC 16.40.150 ("No person or entity may conduct business as a taxicab company without a valid, current permit issued by the City under Chapter 16.40") and PCC 16.40.130 ("No person or entity may conduct business as an LPT for-hire transportation company without a valid, current LPT company permit issued by the City under Chapter 16.40"). All for-hire transportation companies must be validly registered with the Secretary of State of the State of Oregon, including all assumed business names. PCC 16.40.130 D (LPT Companies); PCC 16.40.150 C (Taxicab Companies).

All for-hire transportation companies must also obtain, comply with and maintain minimum levels of insurance to protect the public. PCC 16.40.410. Uber has provided no evidence of compliance with these requirements (or indeed of compliance with any of the City's applicable regulations). A full copy of the City of Portland's Private For-Hire Transportation Regulations can be found online at:

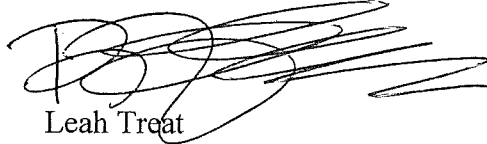
http://www.portlandonline.com/auditor/index.cfm?c=28593#cid_502545.

I am hereby directing that Uber Technologies, Inc., Rasier, LLC, uberX and/or any other Uber-affiliated entity immediately cease and desist operating within the City of Portland until such time as appropriate permits are obtained and Uber is in full compliance with the requirements of PCC Chapter 16.40. Please alert all Uber-affiliated drivers that they are to cease and desist operating any for-hire transportation on your behalf in the City of Portland without the required permits and until they are in full compliance with Chapter 16.40.

² A Taxicab is "any vehicle that carries passengers for-hire where the destination and route traveled may be controlled by a passenger and the fare is calculated on the basis of an initial fee, distance traveled, waiting time, or any combination thereof." PCC 16.40.030 PP.

The City will be taking appropriate enforcement action against Uber's illegal activities and those of its drivers, which may include bringing suit against Uber for injunctive and other relief, imposing civil and criminal penalties, impounding illegally operated for-hire vehicles and any other steps deemed necessary and appropriate to protect the public.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leah Treat', with a large, stylized flourish extending to the right.

Leah Treat
Director, Portland Bureau of Transportation

KAM/kam

c: Gregory Chaimov
Harry Korrell

