

PRIVATE-FOR-HIRE TRANSPORTATION ADVISORY COMMITTEE

FINAL DRAFT MEETING SUMMARY

October 14, 2019 • 1:00 PM – 3:00 PM

Oregon Convention Center, Room E146, 777 NE MLK Jr. Blvd, Portland, OR 97232

Advisory Committee Members	Organization	Present
Mark Williams	PFHT Program Manager, PBOT (non-voting member)	Yes
Mike Greenfield	Chair (non-voting member)	Yes
Marlo Maroon	Travel Portland	Yes
Nickole Cheron	Portland Commission on Disabilities	Yes
Idris Khoshnaw	Shuttle Driver	Yes
Steve Hext, Vice Chair	Broadway Cab	Yes
Caleb Weaver	Uber	No
Ilene Brown	TNC driver	No
Vacant	LPT Driver	n/a
Vacant	LPT Company	n/a
Vacant	Limousine or Party Bus Company	n/a
Vacant	Tour Bus Company	n/a
Vacant	Shuttle Company	n/a
Andrea Lins	Brewcycle	No
Kirk Foster	Wapato Shores	Yes
Debbie Brooks	Port of Portland	No
Michael Huggins	Port of Portland	No
Sirous Tanzadeh	Radio Cab, Driver Rep.	Yes
Margo Moore	TriMet-Accessible Transportation	Yes
Dave Benson	PBOT	No

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Erika Nebel	City Policy Advisor	No
Matt Grumm	Commissioner's Office	No
Ken McGair	City Attorney's Office	No
Mary Everson	PBOT PFHT Regulatory Program	No
Kimberely Patterson	Sr. Administrative Specialist	No
Matthew Erickson	PFHT Program Manager	No
Tracy M. Smith, Facilitator	Inhance LLC	Yes
Jamie Lynne K. Souza, Recorder	Inhance LLC	Yes

Other Attendees: Darin Campbell, Radio Cab; Alcenia Munio, WV Transport; David Beagle, Gray Line; David Duncan, Gray Line; Steve Entler, Radio Cab; Gene Schaeter, Paradigm Medical Transportation; Michelle Krummenacker, IHC Transportation; Vyacheslav Karkhu, New Green Cab; Teal Abel, New Rose City Cab; Noah Ernst, Radio Cab; Jason Clary, Orientation & Career Center for the Blind; Kris Cooke, Oregon Commission for the Blind.

INTRODUCTIONS AND REVIEW OF MEETING AGENDA: MIKE GREENFIELD, CHAIR

- Mike called the meeting to order at 1:00 PM.

ANNOUNCEMENTS FROM COMMITTEE MEMBERS: COMMITTEE MEMBERS

- Mark: Would like to form a subcommittee to bring recommendations to the PFHT Advisory Committee regarding the Safe Ride Home Program. PBOT provided a list of names for the subcommittee: PBOT Vision Zero Designee (TBD), Csilla Wischner, Regulatory Division Designee; Darin Campbell, Radio Cab, Industry Representative; Sgt. Mike Francis, Portland Police Bureau; Dan Lenzen, Entertainment District Representative. Safe Ride Home is expanding and PBOT is wanting to expand to larger non-profit events that serve alcohol.
- No questions. No objections. APPROVED to start subcommittee.
- Marlo: Would like to form a subcommittee to evaluate rates and fees within PFHT. The subcommittee would look into the current permit fee structure for companies, vehicles, and drivers. The purpose is to

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look through a lens of equity with a small business focus and see what the impact would be on the tax revenue.

- Mark: Would like to see a PBOT representative and also recommend Kirk Foster and Steve Hext to be on the subcommittee.
- Sirous: Would like someone who pays for those fees to be on the subcommittee.
- Marlo: The subcommittee is to see how the rates stand and compare to other cities. Review the different sectors impacted by it and make sure it's equitable and if any adjustments need to be made. The purpose is to see a holistic view of what they are and what they could be.
- No further questions. No objections. APPROVED to start subcommittee.

APPROVAL of 07/22/19 MEETING SUMMARIES: MIKE GREENFIELD, CHAIR

- No revisions or objections made to July 22, 2019, Meeting Summary.

VOTE: Unanimous approval.

ACTION: No action is taken.

PFHT PROGRAM STAFF REPORT: MARK WILLIAMS, PBOT

- PBOT is in process of implementing the driver module in Fast Track Gov, where drivers will go online to apply and pay for their permit.
- PBOT would like ideas from the industry on how to launch this program. IT would like to introduce training videos that companies can share with drivers in the new system and how to claim their account and apply for a vehicle permit.
- Original active permits will be implemented into the new system; however, the driver's pictures will not be carried over. Therefore, drivers will have to get their photo taken at one of the portable locations, such as the airport and another location to be determined, to complete the permit process online.
- For companies, PBOT will have a couple of webinars online to help show how to affiliate a driver and unaffiliate a driver that leaves the company. If there are any ideas on how this process can be better, please give me a call.

DISCUSSION ITEM: PERMIT FEES- REINSTATING TAXI VEHICLE PERMIT FEES: TRACY M. SMITH, FACILITATOR

- The taxi vehicle permit fee will be reinstated to \$225.00. The fee was inadvertently left off the fee schedule.
 - Mark: All fees are in the PBOT fee schedule, including PFHT fees and parking fees in Administrative Rule, not in Chapter 16.40. The taxi vehicle fee was left off, so PBOT is applying the original fee.
 - Noah Ernst, Radio Cab: From October to July, there was no replacement vehicle fee for taxis in the code or the PBOT fee schedule. However, PBOT was charging a \$225 fee for new vehicles and

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replacement vehicles when neither fee was in the code. PBOT then offered to refund Radio Cab the \$45 difference to bring the new vehicle fee back to \$180, which is the correct annual permit. However, other taxi companies were still being charged \$225 for the replacement fee. Why is PBOT not refunding those taxi companies who were incorrectly charged?

- Mark: The new vehicle fee has always been \$225. However, it didn't make it in the Administrative Rule. Vehicle renewals are \$180 and are correct in the system. However, due to being left out of the Administrative Rule the new vehicles are \$180 right now. Without it being in the rule it's no longer valid so PBOT will be reimbursing the companies that paid the \$225 new vehicle fee for a replacement vehicle or a new vehicle. PBOT is going to adjust the rate and apply a credit to those companies that were wrongly charged.

INFORMATION ONLY: ADMINISTRATIVE FEE CHANGE: TRACY M. SMITH, FACILITATOR

- Background checks will be reduced from \$75 to \$50 and the temporary vehicle replacement fee will also be \$50, previously \$150.
 - Mark: Background check costs depend on the number of places a person lives because there are more places to check. Therefore, taking the overall city cost over an entire year and averaging it out came out to \$75. This rate will fluctuate and may go up, but it can be helpful to keep the cost down for all.
 - Kirk: Is this for companies that don't self-certify?
 - Mark: Yes, this is for those that don't self-certify. Companies that self-certify and use one of the approved companies are paying the cost of the certification and background check.
 - Steve Hext, Vice-Chair: How does the temporary replacement fee work?
 - Mark: When something happens to one of your vehicles and you need to replace it with another, whether permanent or temporary. If you are replacing a vehicle in the fleet, PBOT is proposing to reduce that rate to \$50. If you are adding a new vehicle without removing one, then that's considered a new vehicle fee at \$225.
 - Sirious: When does this start?
 - Mark: This won't go into effect until the Director signs and PBOT publishes a new Administrative Rule.

COMMITTEE CONSIDERATION: DIRECTOR AND COMMITTEE PROCESS: TRACY M. SMITH, FACILITATOR

- Typically, there'll be a discussion and the Committee determines if they want to discuss it at the next meeting. In this case, if an agenda item falls under Exhibit B it can be brought up, listen to public comment, be discussed and voted on in the meeting.
 - Mark: The only action to be done is to hear public comment on the particular item. As long as that item is published to the Committee within two weeks in advance, the Committee can take action on that item.

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PUBLIC COMMENT-NON-AGENDA: MIKE GREENFIELD, CHAIR

- Noah Ernst, Radio Cab: I have two questions related to the \$225 fee. Is this the announcement meeting or the testimony meeting that is required by code?
 - Mark: In Chapter 16.40, it only requires that PBOT present the items to the Committee.
 - Noah: The Administrative Rule requires that PBOT make changes to the fee schedule according to code. The code requires the chair to announce the recommendation at a regularly scheduled meeting and provide a copy to attendees. The chair will then announce the date and time of the testimony meeting which must take place no less than 14 days and no more than 75 days from the announcement meeting. Is this the announcement meeting or testimony meeting?
 - Mark: This would be the announcement meeting, but I'll go back and review the language. If it will satisfy the Committee, I will bring this proposal back to the next meeting. I wish we could've made a reduction that would've impacted companies and drivers right away.
 - Noah: The second question, both the Administrative Rule that governs PBOT's changing of fees states that the fees are to be adjusted annually. If the fee takes effect on a different date, what code authority is there for PBOT to do that?
 - Mark: In the fee schedule and Administrative Rule, the bureau director has the authority to increase fees by 25%. I'm happy to review this offline. However, the background fees will stay at \$75 instead of \$50 until we resolve this issue.
- Michelle Kruppenacker, IHC Transportation: There was a misunderstanding and change of rules with WAV extensions. I was contacted by Mark to apply for the WAV Extension program last July, but in April I was told things changed.
 - Mark: I apologize for the misunderstanding, but the program has not changed. The Vehicle Age Extension was only extended to on-demand WAV vehicles. However, we do have that topic on the agenda today and the new proposal would be that all WAV vehicles, not just on-demand, including non-emergency medical transportation WAV vehicles will be extended to a maximum of 15 years.
- Vyacheslav Karkhu: In code, it states that to be a taxi company, a fleet must have a minimum of 15 vehicles. Why can't a company start small and then scale up?
 - Mark: The code has always required a taxi company fleet to have 15 vehicles and it's been that way for years. Suggest you submit a topic submission to ask that the number of cars is reduced and see what the Committee thinks.
 - Mike: So, it's being suggested that the first reading of a proposal to reduce the required number of taxis for a taxi fleet?
 - Mark: Yes, PBOT will put this on the next agenda.

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ACTION ITEM: PROPOSED ADMIN RULE- DIGITAL RECORDS REQUIREMENT: TRACY M. SMITH, FACILITATOR

- Mark: This is the second reading with a list of cameras PBOT researched that meet the digital records requirements. Most cabs have the right camera in their vehicles, but this is for new vehicles that don't have camera systems or those cameras that don't meet the digital records requirements. This is within Administrative Rule, so we can add or remove cameras from this list.
 - Steve: Is there a need to schedule criteria for existing systems in cabs?
 - Mark: PBOT found that VerifEYE meets all requirements. However, since those are no longer available, PBOT wanted to add more options that still meet the digital records requirements and help protect the driver.
 - Kirk: Question about criteria. Are you getting a pre-triggered data score as well?
 - Mark: Will check with his researcher and will let you know, but the assumption is it does record a moving frame.
 - Steve Entler: The third system doesn't meet the requirements because it does not have a remote hard drive. And the first system's information cannot be found online, so the only system that looks qualified is the middle one, 247 TVS6 System (DVR and Camera).
 - Mike: This is not focused on the cameras, but more of the criteria that they need to meet. Because it's an Administrative Rule a camera system can be removed or added when needed.
 - Kirk: Can you send a list of the requirements?
 - Mark: If the Committee is comfortable with him sending out an email verifying this information, PBOT can get this in an Administrative Rule and get this published as quickly as possible. He has no problem sending this back to the Committee for final review.
 - Mike: Is the proposal the suggested cameras and is it also to approve these standards with the latitude to add or subtract camera systems if something better comes out.
 - Mark: PBOT will go back and look at those camera systems.
- Motion to Approve. Seven approved, one objection. APPROVED.

ACTION ITEM: REVISE EXECUTIVE SEDAN LIST ADMIN RULE: MARK WILLIAMS, PBOT

- In the last meeting, the Committee was asked to allow PBOT to adjust the Executive Sedan List without having to get approval from the Committee. What this is proposing is adding the additional language to include "List B". List B wouldn't be your typical executive sedans; however, you'd have to have a fleet of 30 vehicles minimum including cars from List A & B.
 - Idris: In all of Portland, what company has that many vehicles?
 - Mark: If the Committee feels the number is too high, we can adjust. PBOT has had requests for unique types of transportation services that don't exactly fit in any box of service. This list would allow some flexibility for those unique services.

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- Idris: Somebody should represent that industry.
 - Mark: We do not have anyone that represents that industry. This list was prepared by PBOT from past practices to preserve the integrity of a luxury sedan. If the Committee feels this list is obsolete, then let's not have it. We want safe vehicles, safe drivers and customer service. Based on Chapter 16.40, PFHT service is when you're compensated for that transportation.
 - Darin Campbell, Radio Cab: If you're going to make changes, then enforcement is key and making sure these companies stay in their lane and do the job they say they're going to do. I agree that a 30-vehicle minimum is too high.
 - Mark: There are two options: OPTION A: Keep the existing list but add a non-luxury list (List B) with no fleet minimum. OPTION B: Eliminate the Sedan List and establish a minimum number for a fleet requirement.
 - Nickole: I make a motion to go with OPTION A with no list but establish criteria, provided by PBOT, to approve vehicles that can be used in the business and no fleet minimum.
 - Michelle: We've had requests for special accommodations where "special" does not mean fancy. When the criteria move forward, it needs to have a very broad definition to serve the needs of the community.
- Motion to Approve with OPTION A. No objections. APPROVED.

REVIEW ITEM: REVISE ACCESSIBLE SERVICE FUND, ACCESSIBLE SERVICE PROGRAM ADMIN RULE: MARK WILLIAMS, PBOT

- PBOT would like to expand the Accessible Service Fund to include other accessible needs for vision impaired and the Safe Ride Home program. When PBOT designed PDX WAV we focused on people with wheelchairs that needed accessible service. PBOT realized there are a lot more challenges with accessible service and want to include other individuals like visually impaired.
 - Nathan: What is the current status of the balance of the accessibility account?
 - Mark: The fund is being drawn from the surcharges that come in and the total approximately \$7.9M. However, PBOT has a lot of programs that have not yet launched, and this is one of the programs that the fund balance will support and overtime will see that fund balance depreciates quite a bit.
 - Kirk: More clarity on the transportation program and how that fits in and what was the decision to include impaired driving in the WAV program?
 - Mark: This is not the WAV program. The WAV program is part of the Accessible Service Program that is all funded by the Accessible Service Fund. The Transportation Wallet started as a pilot to provide transportation services for low-income families. It provided funding and a couple of taxi programs, Uber and Lyft provided coupons and discounts where families could take advantage of public transportation. It was a successful program and that's what made PBOT include Safe Ride Home and we'd like to revise the rule to incorporate those programs.

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- Nickole: Adding a program under that access specifically for the blind and low vision is a no brainer. Has concerns about Safe Ride Home being included. Doesn't know how that it fits around access. Would like to talk more about how Safe Ride fits and how the fund would be designated to each program under it.
- Mark: When PDX WAV started PBOT was unsure of the costs. Once we complete a year, we'll look at the budget and know how much money would be in PDX WAV's box. Once we start launching other programs, we will do the same. However, since PBOT has been doing the Safe Ride Home Program we reviewed it with an attorney, and they agreed it fell within an accessible service for the impaired and keeping our city safe. The other option though is taking it out and putting it in its own rule. The funds all come from the \$.50 surcharge, so the customer is paying for it. These surcharges fund programs that go back to the drivers and benefit the constituents we serve. PBOT is providing an opportunity for drivers to generate revenue while providing services that are much needed.
- Kirk: Concerns about including someone who's impaired or intoxicated under accessible service. I agree they should have access to transportation but should be a separate issue. If we have funds, we should look at subsidizing the rates for those riders using accessible service.
- Mark: We have been looking at how this program can help subsidize the costs of those constituents under this plan. We want to expand these programs beyond holidays and beyond basketball games at the Moda Center. We want people to be able to afford to go anywhere.
- Nickole: My concern there needs to be very clear lanes for us to add intoxication. There needs to be clarity around the percentage we're talking about until we know how much PDX WAV costs.
- Margo: ADA is more of a right, but it's not a requirement that someone has to be picked up. We should keep accessibility for those who are intoxicated separate.
- Mark: When we talk about accessibility, we are not just talking ADA. We include the Transportation Wallet because lower-income families need accessible transportation too. Looking through that lens is why we included the impaired. However, if the Committee is comfortable with removing the section that talks about impaired driving it can be placed elsewhere.
- Jason Clary, Orientation & Career Center for the Blind: My job is to help Oregonians who experience vision loss to receive blindness skills and training. We teach people how to take public transportation and how to get around, but not every person can reach that level of skill. If public transportation doesn't work out, then they'd call Lyft which has an hour to two-hour window. I want to stress the safety issue when waiting outside in the elements and how it can be terrifying for someone new to being visually disabled. Having some sort of accessibility with this ride system is critical in terms of safety.
- Kris Cooke, Oregon Commission for the Blind: They are one of 30% of blind people that are employed. Knowing about and taking advantage of the services in Portland helps them be independent. They try to be very efficient and it's hard to be with the Trimet and Lyft system with waiting around in the elements and missing the windows of opportunities. To be able to have

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accessible, affordable, convenient and efficient service to work, home or anywhere would be efficient. They encourage the Committee to consider this as an investment.

- Darin Campbell: ADA is not a right, it's an equal right. With wheelchairs, blindness or any disability, we need to make sure they're treated equally as possible. One concern is that drivers in the City need to know how to deal with the visually impaired and those in wheelchairs. We need to look at that and make sure our drivers and fleets are properly trained.
- Kirk: I make a motion to adopt the proposal minus the Safe Ride Home program.
- Motion to Approve. No objections. APPROVED.

REVIEW ITEM: REVISE THE ADMIN RULE FOR VEHICLE AGE EXEMPTION: TRACY M. SMITH, FACILITATOR

- This would revise the current Administrative Rule for vehicle age exemption allowing any wheelchair vehicle, whether be on-demand or non-emergency medical transportation to remain in service for 15 years considering it meets all other requirements.
 - Mark: Will remove "On Demand".
- Motion to Approve. No objections. APPROVED.

DISCUSSION ITEM: PROPOSED LANGUAGE FOR ADMINISTRATION SUSPENSIONS: TRACY M. SMITH, FACILITATOR

- Mark: This language would go into code, not the Administrative Rule.
 - Kirk: DMV does not constructively send out notifications in 30 days and people can't respond on time if the DMV isn't on time. Add 60 days.
 - Mark: Yes, I will revise the language to say 60 days.

CHAIR ADJOURNED THE BUSINESS MEETING AT 3:18 PM.

NEXT MEETING: Mark Williams will let everyone know the date and location of the next meeting.

Submitted by, Jamie Lynne K. Souza, Recorder