



**ROSEBURG CITY COUNCIL  
SPECIAL MEETING AGENDA  
APRIL 16, 2018  
City Council Chambers, City Hall  
900 S. E. Douglas Avenue, Roseburg, OR 97470**

**4:00 p.m.**

**CALL TO ORDER – Mayor Larry Rich**

**City Councilors**

Alison Eggers	Linda Fisher-Fowler	Ashley Hicks	Steve Kaser
John McDonald	Brian Prawitz	Tom Ryan	Andrea Zielinski

**DEPARTMENT ITEMS**

- A.** Proposed Regulations For Vehicle For Hire Services

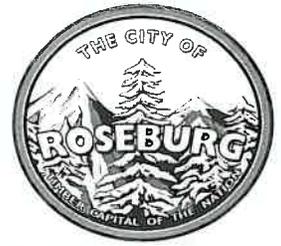
**Adjournment**

**\*\*\* AMERICANS WITH DISABILITIES ACT NOTICE \*\*\***

Please contact the City Recorder's Office, Roseburg City Hall, 900 SE Douglas, Roseburg, OR 97470-3397 (Phone 541-492-6866) at least 48 hours prior to the scheduled meeting time if you need an accommodation. TDD users please call Oregon Telecommunications Relay Service at 1-800-735-2900.

# SPECIAL ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY

4/11/18



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## PROPOSED REGULATIONS FOR VEHICLE FOR HIRE SERVICES

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**Meeting Date:** April 16, 2018  
**Department:** Administration  
**[www.cityofroseburg.org](http://www.cityofroseburg.org)**

**Agenda Section:** Items from Departments  
**Staff Contact:** Sheila R. Cox, City Recorder  
**Contact Telephone Number:** 492-6866

gpc

**ISSUE STATEMENT AND SUMMARY** Council will be considering the first proposed draft of an ordinance regulating vehicle for hire services – which will allow both transportation network companies (TNC) such as Uber and Lyft to operate in Roseburg, while allowing traditional taxi service to continue as well.

### BACKGROUND

**A. Council Action History.** At the March 26, 2018 meeting, Council directed staff to prepare an ordinance that would allow TNCs to operate in Roseburg along with our traditional taxi operators. The ordinance was to be based primarily on the ordinances that had been recently adopted by Medford, Corvallis, Redmond and Salem with two exceptions:

- the City would continue to have the background investigation of all applicants completed by the City Police Department vs. having it done by a qualified third party; and
- the existing Code language relating to past felony convictions would be retained.

**B. Analysis.** The draft ordinance is a blend of our existing taxi regulations as set forth in RMC Chapter 9.08 and language from ordinances adopted by the other cities referenced above. From a convenience standpoint, it made more sense to technically repeal RMC 9.08 as it's currently written and replace it with our new regulations. To provide a "level playing field", I started with current RMC 9.08 and removed regulatory barriers that would prevent TNCs or other vehicle for hire service providers from operating in Roseburg and included language specifically designed for the "ride sharing industry". I understood Council's intent was to have fair, equitable regulations that would provide for the safety, welfare and convenience of the passengers and general public. I believe one set of regulations would best serve that purpose and be easier to administer. I suggest changing the title of the chapter from "*Taxicab and Limousine Services*" to "*Vehicle for Hire Services*". I used the "vehicle for hire" terminology because of its reference in ORS 221.485 and 221.495 and because that term can be defined to include vehicles used by both taxi operators and TNC operators.

As currently written to address taxi companies, our regulations allow the City to have some level of confidence that the people operating the taxi business, as well as the individuals actually driving the taxi vehicles, do not present a foreseeable high level of risk to passengers or to the general driving public. Ridesharing/transportation network service providers have convinced other cities to change their regulations to better accommodate the TNC/ride

sharing business model by allowing background investigations to be performed by the TNC through a “qualified third party” vs. being done by the local Police Department. Further, many of the cities have accepted the TNC belief that a seven year background search is sufficient – meaning if the applicant happened to have a felony conviction *eight* years ago – the applicant could still be approved.

Roseburg requires a criminal background investigation on all business applicants – be it for a general business registration, an alarm installer’s permit, a marijuana dispensary operator’s license or dispenser’s permit – or a taxi operator or driver. Those regulations have been retained in the draft ordinance. If a person has ever been convicted of a felony, or of a misdemeanor within the past five years, the applicant can be denied. In the case of taxi drivers, the applicant can also be denied for a violation of any federal or state law or municipal ordinance (other than minor traffic and parking offenses), involving the operation of a motor vehicle or if there are reasonable grounds to believe that the applicant would endanger life or property while operating a motor vehicle. Staff is concerned that should Council decide to lessen those requirements for vehicle for hire companies and drivers and not do the same for other business related applicants ~ it might be viewed as being “unfair”.

Regulations in current Chapter 9.08 which could only be applied to standard taxi services – such as requiring a vehicle permit, a minimum number of vehicles, an office located in the City with a dispatcher available by phone 24 hours a day, every day of the year, etc. – were not included in the proposed revision. While insurance requirements were incorporated into the new regulations, and coverage will be required by anyone licensed or permitted under the new provisions, we added the regulations from other cities to define “TNC service periods” in Section 9.08.110(C) of the draft.

**C. Financial/Resource Considerations.** The City currently charges taxi operators an original application investigation fee of \$200 and an annual license fee of \$150 per cab, with the requirement that they have a minimum of three cabs available at all times. We also charge them a taxi vehicle permit fee of \$10 for each taxi they operate. So once a taxi company is established, their annual license fee will cost them a minimum of \$480 (3 cabs @ \$150 each + \$30 each for three taxi vehicle permits.) Taxi drivers are charged an original application investigation fee of \$30 and an annual license fee of \$20. Attachment #2 to this memo shows a license fee comparison from other cities who are currently allowing TNCs. Once Council determines how to proceed, we will need to establish the related fees by resolution.

**D. Timing Considerations.** While Uber indicated they were interested in providing service in Roseburg, we have not heard anything further from them since our original phone conversation in late February.

**STAFF RECOMMENDATION/COUNCIL OPTIONS:** Staff will be prepared to discuss the draft ordinance in more detail at the meeting and move forward based on Council’s decision.

**ATTACHMENTS: #1 - Proposed Ordinance Repealing/Replacing RMC 9.08  
#2 - TNC/Taxi License Fee Comparison-Other Cities**

cc: Uber, Inc.-1455 Market St. 4<sup>th</sup> Floor-San Francisco, CA 94103; Sunshine Taxi-1276 Cleveland Rapids Rd.-Roseburg, OR 97471; Elite Taxi-864 SE Stephens St.-Roseburg, OR 97470; Chrono File

**AN ORDINANCE REPEALING ROSEBURG MUNICIPAL CODE CHAPTER 9.08, ENTITLED  
"TAXICAB AND LIMOUSINE SERVICES" AND REPLACING IT WITH NEW CHAPTER 9.08  
ENTITLED "VEHICLE FOR HIRE SERVICES"**

**SECTION 1.** Roseburg Municipal Code Chapter 9.08, entitled "*Taxicab and Limousine Services*" is hereby repealed in its entirety and replaced with a new Chapter 9.08, entitled "*Vehicle For Hire Services*" to read as follows:

**RMC CHAPTER 9.08  
VEHICLE FOR HIRE SERVICES**

**Sections:**

<b>9.08.005</b>	<b>Definitions</b>
<b>9.08.010</b>	<b>Purpose</b>
<b>9.08.020</b>	<b>Vehicle for Hire Operator's License Required</b>
<b>9.08.030</b>	<b>Application for Operator's License</b>
<b>9.08.040</b>	<b>Term of Operator's License</b>
<b>9.08.050</b>	<b>Operator's License Fee</b>
<b>9.08.060</b>	<b>Transfer of Operator's License</b>
<b>9.08.070</b>	<b>Vehicle for Hire Driver's Permit Required</b>
<b>9.08.080</b>	<b>Application for Driver's Permit</b>
<b>9.08.090</b>	<b>Term and Fee for Driver's Permit</b>
<b>9.08.100</b>	<b>Standards of Issuance for Driver's Permit</b>
<b>9.08.110</b>	<b>Insurance Requirements</b>
<b>9.08.120</b>	<b>Operational Requirements</b>
<b>9.08.130</b>	<b>Registered Agent Required</b>
<b>9.08.130</b>	<b>Charges for Vehicle for Hire Services</b>
<b>9.08.140</b>	<b>Audit</b>
<b>9.08.150</b>	<b>Indemnification</b>
<b>9.08.160</b>	<b>Denial, Suspension and Revocation</b>

**9.08.005 Definitions.** As used in this Chapter, unless the context clearly indicates otherwise, the following words and phrases shall mean:

**"Digital Dispatch System"** is an internet-based software application, website, platform or interface that allows for the solicitation, arrangement or provision of vehicle for hire services and the display of rates, calculation of fares or acceptance of payment for vehicle for hire services.

**"Driver"** is any individual person who is licensed by this Chapter to operate a vehicle for hire within the City.

**"Key Personnel"** is any owner, officer, manager, employee or agent of the licensee who exercises management or supervisory authority.

**"Licensee"** is the holder of an operator's license as described in this Chapter.

**“Limousine”** is any luxury motor vehicle which has a total length of twenty feet or more or a seating capacity of more than six but less than ten passengers, which carries passengers for hire, whose journey has originated in the City and where the destination and route may be controlled by the passenger and the fare is calculated on the basis on an hourly rate.

**“Operator” or “Owner”** is any person engaged in the business of furnishing or operating a business defined by this Chapter, whether upon contract or by offering such service to the public generally by use of a taxicab, vehicle for hire or a transportation network vehicle.

**“Operator’s License”** is a license issued to a TNC, taxi or vehicle for hire company pursuant to this Chapter.

**“Taxi” or “Taxicab”** is any motor vehicle for hire, other than a limousine or a transportation network vehicle which carries passengers for hire, whose journey has originated in the City, the destination is controlled by the passenger and the fare is calculated on the basis of any combination of an initial fee, distance traveled and delays.

**“Taxi Company”** is a business operating one or more vehicles for hire, other than as a driver, regardless of the legal form of the entity and regardless of whether the taxis so operated are owned by the company, leased, or owned by individual members of an entity. Taxi companies do not include Transportation Network Companies.

**“Transportation Network”** is one or more drivers working as independent contractors and utilizing a digital dispatch system and personal motor vehicles in the provision of transportation services.

**“Transportation Network Company” or “TNC”** is a company that operates or facilitates a transportation network using an Internet-enabled technology application service, website or system to connect passengers to TNC affiliated drivers who provide prearranged rides in TNC vehicles for hire.

**“Transportation Network Vehicle” or “TNV”** is any personal motor vehicle which is used as a vehicle for hire and is part of a transportation network.

**“Vehicle for Hire”** is any motor vehicle used for the ground transportation of passengers for compensation within the City, including taxis and transportation network vehicles. The following vehicles shall not be considered as vehicles for hire for the purposes of this Chapter: limousines as defined by this Chapter; regularly scheduled buses; bona fide state-approved buses engaged in charter service with a seating capacity of more than twenty persons; vans and mini-buses which carry passengers for hire and have a seating capacity of more than seven passengers; courtesy vehicles operated by vehicle repair businesses, hotels, motels, or residential facilities without charge to the user; ambulances licensed under State law; specially equipped vehicles used exclusively to transport wheelchair-bound passengers and their attendants; non-motorized vehicles such as horse-drawn buggies; and any other vehicle used to provide a transportation related service which is subject to safety and reliability standards and licensed by any state or federal regulatory agency for which evidence of compliance can be presented.

**“Vehicle for Hire Company”** is a business engaged in furnishing or providing one or more vehicles for hire through a digital dispatch system or by any other means, regardless of whether such business has employees or delivers its services through independent contractors, including a transportation network company.

**“Vehicle for Hire Driver”** is any person who carries on the vocation of driving a vehicle for hire.

**“Vehicle for Hire Services”** shall mean motor vehicle transportation services provided by a TNC, taxi or vehicle for hire company.

**9.08.010 Purpose.** It is the purpose of this Chapter to require persons operating vehicles for hire to do so in a safe, fair and efficient manner. The vehicle for hire industry should be allowed to operate without unnecessary restraint, but because the provision of such services constitutes an essential part of the City's transportation system and because transportation fundamentally affects the City's well-being and that of its citizens, some regulation is necessary to ensure the public safety is protected, the public need provided for and the public convenience promoted. The provisions contained in this Chapter should be applied and enforced in such a manner as to require the vehicle for hire industry to regulate itself, under City supervision, to promote innovation and adaptation to changing needs, and respond to the economics of the marketplace, so long as the public interest is served thereby.

Nothing in this Chapter is intended or shall be construed to create any liability on the part of the City or its employees for any injury or damage related to any provision of this Chapter, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this Chapter.

**9.08.020 Vehicle for Hire Operator's License Required.** No person shall provide vehicle for hire services, other than as a driver, within the City without first obtaining an operator's license as required by this Chapter. An application for a vehicle for hire operator's license shall be filed with the City Recorder on a form provided by the City. The City may issue a license to an operator if the operator certifies that it is in compliance with, and will continue to comply with, all requirements of this Chapter, including but not limited to driver and insurance requirements, operating standards and any other Code requirements. The City may include conditions, restrictions or special provisions in the license, including but not limited to conditions related to routes, times of operation, lighting, alternative requirements or means of meeting requirements, if, in the sole discretion of the City, the applicant's vehicles or operations warrant conditions, restrictions or special provisions.

**9.08.030 Application for Operator's License.**

**A.** An application for an original operator's license shall be filed with the City Recorder on a form provided by the City, verified under penalty of perjury, accompanied by a nonrefundable application investigation fee in an amount set by Council resolution and contain the following:

1. The name, date and place of birth, driver's license number and residence address of the operator of the proposed vehicle for hire company and any of the company's key personnel;
2. The company name under which the vehicle for hire service shall operate;
3. A statement whether the operator of the proposed vehicle for hire company, or any key personnel of the company, have ever:
  - a. Been convicted of any felony, misdemeanor or violation of any federal or state law or municipal ordinance (other than minor traffic and parking offenses), the nature of the offense and the punishment or penalty assessed;
  - b. Had a business license or bond denied, revoked or suspended and, if so, a description of the reason for such revocation or suspension.
6. The rates applicant proposes to charge for vehicle for hire service;
7. Such other relevant information as the City Recorder may deem necessary for the proper protection of the public.

**B.** Each licensed vehicle for hire operator shall maintain accurate, current records for each vehicle for hire driver employed by, contracting with, or otherwise affiliated with the company, including all drivers accessing the business's digital network to operate within the City. The records shall include the driver's name, date of birth, address, driver's license information, motor vehicle registration and proof of automobile insurance. Operators shall provide a person in compliance with this Section written confirmation of compliance. Both the operator and each driver must submit a copy of such confirmation of compliance with their application for a vehicle for hire operator's license or a vehicle for hire driver's permit.

**C.** An operator must revoke a driver's authority to operate as a driver for their vehicle for hire company and inform the City if it finds at any time that the standards set forth in this Chapter are no longer being met by the driver.

**B.** Each licensed vehicle for hire operator shall continue to keep the information provided in its application current, and shall inform the City Recorder of any changes within ten days of the occurrence.

**9.08.040 Term of Operator's License.** An operator's license shall be issued for a term of one year, or any portion thereof if the application is received after January 1 of any calendar year. All operator licenses shall expire on December 31st of the year issued. If a licensee intends to continue to operate in the next following license year, not less than thirty days prior to the license expiration date, licensee shall complete a license renewal application and submit the annual license fee as described in Section 9.08.050, to the City Recorder.

**9.08.050 Operator's License Fee.** The annual license fee for an operator's license shall be as set by Council resolution and shall be paid before an original license is issued and thereafter on or before January 1st of each year before a renewal license shall be issued. If the initial operator's license is issued on or after July 1st, the fee shall be reduced by one-half for the initial license year.

**9.08.060 Transfer of Operator's License.** No operator's license may be sold, assigned, mortgaged or otherwise transferred without the consent of the City Recorder. Such transfer shall be subject to the same terms, conditions and requirements as the application for the original license.

**9.08.070 Vehicle for Hire Driver's Permit Required.** No person shall offer, perform or provide vehicle for hire services as a TNC, vehicle for hire or taxi driver within the City without first obtaining a vehicle for hire driver's permit issued pursuant to this Chapter.

**9.08.080 Application for Driver's Permit.** Application for a TNC, vehicle for hire or taxi driver's permit shall be made to the City Recorder on a form provided by the City and accompanied by the payment of a nonrefundable original application investigation fee as set by Council resolution. Upon approval of the application, the annual license fee as set by Council resolution must be paid before the license is granted. Applicants shall provide the following:

1. The applicant's name, date and place of birth, driver's license number and residence address;
2. The name of the TNC, taxi or vehicle for hire company under which the driver shall provide vehicle for hire services;
3. A statement whether the applicant has ever been convicted of any felony, misdemeanor or violation of any federal or state law or municipal ordinance (other than minor traffic and parking offenses), the nature of the offense and the punishment or penalty assessed;

4. Satisfactory proof that the applicant is at least 21 years of age and possesses the appropriate valid Oregon driver's license;
5. Satisfactory proof that the applicant has a current vehicle registration as well as current automobile liability insurance that meets the requirements of this Chapter and state law; and
6. Such other relevant information as the City Recorder may deem necessary for the proper protection of the public.

**9.08.090 Term and Fee for Driver's Permit.** Each person approved to be a vehicle for hire, TNC or taxi driver under this Chapter shall pay an annual permit fee as set by Council resolution. All permits shall expire on December 31st of the year issued. If the original permit is issued on or after July 1st, the permit fee may be reduced by one-half the annual fee for the initial permit year. If permittee intends to continue to operate as a vehicle for hire driver during the next following permit year, not less than 30 days prior to the permit expiration date, permittee shall complete a permit renewal application and pay the annual permit fee as described in Section 9.08.090.

**9.08.100 Standards for Issuance of Driver's Permit.** The City Recorder shall review each application to determine the applicant's fitness to obtain a TNC, taxi or vehicle for hire driver's permit. Among the factors which may be considered are:

1. Whether the applicant has any physical or mental condition which would, in the judgment of the City Recorder, impair the applicant's ability to safely operate a vehicle for hire;
2. Applicant's prior criminal history;
3. Prior traffic violations by the applicant and prior violations of municipal regulations of the City or other municipalities governing vehicle for hire services;
4. The applicant's driving safety record; and
5. Any other relevant factor which the City Recorder may deem necessary.

**9.08.110 Insurance Requirements.**

**A. General Coverage.** Every vehicle for hire operator and driver licensed under this Chapter shall maintain continuous, uninterrupted insurance coverage as described herein, for the duration of the license and any operations within the City. Any lapse in insurance coverage, even if it is later backdated by the insurance company is a violation of this Chapter. Operators shall secure and maintain commercial general liability insurance with limits of not less than \$1 million per occurrence and \$2 million aggregate for claims arising out of, but not limited to, bodily injury and property damage incurred in the course of operating within the City. For all insurance required by this Chapter, operators shall provide certificates of insurance naming the City, its officers, agents and employees as additional insured parties and give at least 30 calendar days' notice to the City before a policy is canceled, expires or has any reduction in coverage. Insurance requirements of this Chapter shall be satisfied by insurance issued by a licensed insurer or an eligible surplus lines insurer in the State of Oregon. The insurance limits for operators are subject to statutory changes as to maximum limits of liability imposed on municipalities of the State of Oregon, other statutory changes or other changes deemed necessary by the City during the term of the operator's license. The adequacy of insurance coverage is subject to the review and approval of the City. Upon request or as part of an application, all TNC, taxi and vehicle for hire operators shall provide the City proof of current, valid insurance covering the affiliated TNC, taxi and vehicle for hire company, and any vehicles and drivers associated with the company

**B. Insurance for Taxi Operators.** Taxi operators licensed under this Chapter shall secure and maintain commercial automobile liability insurance, with a combined single limit of not less than \$1 million per occurrence for claims arising out of, but not limited to, bodily injury and property damage on all vehicles owned by the taxi operator but driven by a vehicle for hire driver.

**C. Insurance Limits During Service Periods for TNC or Vehicle for Hire Operators.** Service periods for operators providing vehicle for hire or TNC services shall be defined as follows:

1. **Period 1:** The TNC or vehicle for hire driver has logged into the operator's digital dispatch system app or is otherwise connected to the operator's digital network, but has not yet accepted a request for a ride from a passenger (when the app is open and the driver is waiting for a match).
2. **Period 2:** A passenger match has been accepted, but the passenger is not yet picked up (the driver is on the way to pick up the passenger).
3. **Period 3:** The passenger is in the vehicle.

**D. Insurance for TNC or Vehicle for Hire Operators.** All TNC or vehicle for hire operators licensed under this Chapter shall secure and maintain the following automobile liability insurance:

1. Primary insurance coverage during Period 1, as defined in the above Subsection 9.08.110(C), with minimum liability limits of \$50,000 per person for death and injury, \$100,000 per incident for death and injury, and \$25,000 for property damage, plus any other state compulsory coverage.
2. Primary coverage during Periods 2 and 3, as defined in the above Subsection 9.08.110(C), with minimum liability limits of \$1 million in combined single limit coverage for death, personal injury and property damage per incident; and \$1 million in combined single limit under/uninsured motorist coverage for death, personal injury and property damage per incident.
3. The required automobile liability insurance shall specifically recognize the driver's provision of TNC or vehicle for hire services and shall comply with the laws of the State of Oregon and/or other applicable governing bodies.

**E. Insurance for TNC or Vehicle for Hire Drivers.** TNC or vehicle for hire drivers shall be responsible for maintaining all personal automobile liability insurance as required by State law.

**9.08.120 Operational Requirements.**

**A.** All vehicles operating for a TNC, vehicle for hire or taxi company shall be no less than ten years old and maintained in a clear, sanitary, safe and mechanically sound condition and shall be clearly marked with the TNC, taxi or vehicle for hire's company name or logo. Vehicles operating for a taxi company shall include the company name or logo, phone number and a vehicle identification number in plain sight. No vehicle may display the words "taxi", "taxicab" or "cab", or attempt to appear as a taxi unless such vehicle is directly affiliated with a taxi company licensed under this Chapter. Vehicles operated solely for TNC or vehicle for hire companies shall be clearly marked as operating for the TNC or vehicle for hire company, although any vehicle marking requirements imposed by a TNC or vehicle for hire company may apply. The signage identifying a TNC or vehicle for hire must be clearly visible from the front and rear of the vehicle from a distance of 20 feet and shall be placed on the interior or exterior of the vehicle body. No vehicle shall be operated as a TNC vehicle or vehicle for hire unless affiliated with a TNC or vehicle for hire company licensed by this Chapter. The TNC's or vehicle for hire's software application or website shall display for the passenger the make, model and license plate number of the TNC vehicle or vehicle for hire.

**B.** TNCs and vehicle for hire companies shall maintain records of all trips made by all drivers for at least one year from the date of the trip. The data may be aggregated or anonymized, and shall at a minimum include the locations by ZIP code of trip origination and destination, vehicle miles traveled, trip origination and completion times, trip duration and passenger wait times from a driver's acceptance of a request for passenger pick-up. The City may require a TNC or vehicle for hire company to enter a data sharing agreement in order to receive a license.

C. TNC or vehicle for hire drivers may not accept street hails, and may only accept rides arranged through a TNC's or vehicle for hire company's digital network.

D. All operators licensed under this Chapter shall implement and maintain at all times a zero tolerance policy on the use of drugs or alcohol applicable to all drivers employed by or affiliated with the company while providing vehicle for hire services. All operators shall provide notice of the zero tolerance policy on their website and/or have it clearly displayed in each vehicle. The notice must include contact information to report a complaint about a driver for possible violation of this policy. An operator shall immediately suspend a driver upon receipt of a passenger complaint alleging violation of the zero tolerance policy for at least the duration of the investigation of the complaint.

E. All operators must provide reasonable accommodations to passengers with disabilities, including passengers accompanied by a service animal, passengers with hearing and visual impairments and passengers with mobility devices. All operators must comply with all applicable requirements of the Americans with Disabilities Act.

F. All TNC, vehicle for hire or taxi drivers employed to carry a passenger to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his destination.

G. It shall be unlawful for any TNC, vehicle for hire or taxi driver to smoke in the presence of any passenger without the consent of such passenger. It shall at all times be unlawful for any person to smoke in a vehicle for hire if oxygen tanks or other devices containing inflammable materials are present in the vehicle.

H. All taxi meters shall be inspected and tested for accuracy by the taxi or vehicle for hire company at least once every six months.

**9.08.130 Registered Agent Required.** TNC and vehicle for hire companies must maintain a registered agent for service of process in the State of Oregon. The name, telephone number, physical address, electronic mail address of the registered agent shall be provided as part of the operator's license application. The company shall notify the City in writing of any changes regarding its registered agent.

**9.08.140 Charges for Vehicle for Hire Services.**

A. All charges for vehicle for hire services shall be calculated and displayed by a taximeter or digital dispatch system. When charges are to be displayed by a taximeter, the taximeter shall be placed in the vehicle for hire so that the reading dial showing the amount to be charged is illuminated and readily discernable to passengers.

B. No taximeter or digital dispatch system shall be operated in a manner so as to cause any charge to be registered thereon except during the time while the vehicle for hire is engaged by a passenger.

C. No passenger shall be carried in a vehicle for hire unless the taximeter or digital dispatch system is in operation, whether or not the trip is entirely within or partially outside the boundaries of the City. The taximeter or digital display system shall be in continuous operation during the entire time that a passenger is being transported for compensation.

D. A TNC, taxi or vehicle for hire company may impose a specialized charge to carry extra passengers or to deliver goods or other items so long as such specialized charge is clearly calculated and displayed before any service is provided.

**9.08.140 Audit.** The City may audit operators licensed under this Chapter up to twice per calendar year for compliance with this Chapter. Upon request, an operator shall provide the City a sample of records for up to thirty (30) drivers affiliated with the operator that have operated in the thirty (30) days preceding the audit. An audit shall occur at a time and location designated by the City. In addition to an audit, the City may require an operator to produce records related to an investigation of a specific allegation of a violation of the Chapter or other applicable law, or to evaluate a complaint. Production of records for an investigation or to evaluate a complaint does not count toward the twice-per-year auditing limit.

**9.08.150 Indemnification.**

A. All operators and drivers issued a license or permit under this Chapter shall agree to pay all damages and penalties the City may legally be required to pay as a result of granting such license or permit and shall agree to defend and indemnify the City against all claims resulting from the granting of such license or permit. These damages or penalties shall include, but not be limited to, damages arising out of the operation or maintenance of a vehicle used to provide vehicle for hire services pursuant to this Chapter whether or not any act or omission complained of is authorized or prohibited by the Chapter.

B. By its application and the granting of an operator's license under this Chapter, the operator agrees to pay all necessary and reasonable expenses incurred by the City in defending itself under this Section, including, but not limited to, reasonable attorney's fees.

**9.08.160 Denial, Suspension and Revocation.**

A. **Operator's License.** In addition to the grounds in Chapter 9.100, the City Recorder may deny an application for an operator's license or suspend or revoke an operator's license upon finding that:

1. The application, operator or key personnel fails to meet the requirements of this Chapter or is doing business in violation of this Chapter or applicable federal, state, county or City law;

2. The applicant, operator or key personnel has provided false or misleading material or information or has omitted disclosure of a material fact on the application or related materials or on the applicant's business records.

3. The applicant's, operator's or key personnel's past or present violation of law or ordinance presents a reasonable doubt about the applicant's or operator's ability to provide TNC, taxi or vehicle for hire services without endangering property or the public health and safety.

4. The information supplied in the application does not indicate that the applicant or key personnel has the experience, knowledge or ability to provide the services required under this Chapter.

B. **Driver's Permit.** In addition to the grounds in Chapter 9.100, the City Recorder may deny an applicant for a TNC, taxi or vehicle for hire permit, or suspend or revoke the driver's permit if the Recorder determines the applicant to be unfit based upon the factors in Section 9.08.100 or if the permittee is convicted of a violation of this Chapter or similar regulations of another municipality or of any state statute involving the operation of a motor vehicle; or if the City Recorder has reasonable grounds to believe that the permittee would endanger life or property while operating a motor vehicle.

**C. Recorder's Decision and Applicant's, Licensee's or Permittee's Right.** The City Recorder's decision to deny an application, to suspend or revoke a license or permit and the rights of an applicant, licensee or permittee shall be governed by this Chapter and Chapter 9.100.

**D. Summary Suspension.** In addition to the grounds in Chapter 9.100, the City Recorder may summarily suspend an operator's license if any vehicle used to provide TNC, taxi or vehicle for hire services under the licensee's business operates without the insurance required by Section 9.08.110 of this Chapter.

**SECTION 2. Applicability to Existing Licenses and Permits.** Any individual currently possessing a taxi operator's license, taxi vehicle permit or taxi driver's permit issued under the provisions of Chapter 9.08 as previously in effect prior to the effective date of this ordinance may continue operating under the standards and conditions in place prior to the effective date of this ordinance, and is exempt from new Chapter 9.08 "*Vehicle for Hire Services*" until January 1, 2019; unless the licensee or permittee wishes to apply under new Chapter 9.08 at an earlier date. All taxi operator licenses, vehicle and driver permits issued prior to the effective date of this ordinance shall expire automatically on December 31, 2018.

ADOPTED BY THE CITY COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

APPROVED BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018.

\_\_\_\_\_  
LARRY RICH, MAYOR

ATTEST:

\_\_\_\_\_  
AMY SOWA, CITY RECORDER

**TNC/TAXI LICENSE FEE COMPARISON**

**SALEM:**

Application Fee	\$40	
Annual Renewal Fee	\$25	Total = \$82.50/yr
Annual Processing Fee	\$12	(both TNC & Taxi)
Annual Automation Fee	\$ 5	

**CORVALLIS:**

Initial Application Fee for Operators	\$100
Annual Taxi Renewal	\$ 50
Annual TNC Renewal	\$100

*\*No Driver or Vehicle Permit Required*

**BEND:**

Annual Taxi License	\$285 + \$50 Business Registration
Annual TNC License	\$685 + \$50 Business Registration

**MEDFORD: *Annually:***

Application & Renewal Fee – TNC	\$1,000
Application & Renewal Fee – Taxi	\$ 100
Driver's Permit	\$ 60

*\*Both TNC & Taxi fees are based on number of drivers...*

**REDMOND: *Annually:***

Taxi or TNC -	1-2 drivers	\$ 75
	3-5 drivers	\$ 125
	6-15 drivers	\$ 250
	16-59 drivers	\$ 500
	51+ drivers	\$1,000

**PORTLAND:**

Taxi or TNC Initial Application Fee	\$ 250
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*\*\$0.50 Per Ride Fee/Paid Quarterly plus 2% business tax*

**EUGENE:**

Taxi Annual License	\$ 500 covers first vehicle only
Annual each additional vehicle	\$ 100 each
Taxi drivers-original license	\$ 70
Annual taxi driver renewal	\$ 50

*\*TNC Annual Fee yet to be established/will be based on number of vehicles, Eugene PD will continue background checks*

**NOTE: Most of the above cities indicated the fees they adopted would be reviewed after they've had the TNC regulations in place for a year and they've been able to determine the true impact of administration and enforcement.**