

Vehicle for hire statute revisions

Paragraph 1

G: remove exclusively and add “any internet enabled platform including standard Taxi companies”.

There is no reasonable grounds to exclude taxi’s or anyone else from operating an internet enabled dispatch.

License and application Fees:

A: **Remove the term** “certifies on an acceptable form” and replace with “Provides continuing proof that it is in compliance with all requirements as taxi companies. This includes equal commercial liability insurance, driver reports, and background checks. TNC vehicles shall be clearly identifiable as such and permanently numbered to identify the vehicle. All TNC drivers must obtain and maintain individual business license.

TNC operators should be subject to business licenses and an operator’s tax, by the city up to a maximum , equal to what taxi drivers pay for their taxi license. *This makes the cost to the operator equal to the burden of the Taxi industry, thus, maintaining an equal playing field.*

B: The number of drivers should be restricted to anticipated demand. In my experience, any more than 20 more cars in town would be an over kill. Salem does not need 500 UBER drivers. The city of Portland has over 4,500 drivers parked, driving around, and sleeping in cars waiting for the next ride.

Remove the statement “ The City may waive or lessen the requirements of this chapter if the types of vehicles or operations of a Taxi company or TNC render the requirements unreasonable or unnecessary, in the sole discretion of the City”. *All providers should be treated equally and what is good for one is good for all. This statement allows for bias and unfair competition.*

C: Licensing for any new entity should be on a probationary period for the first year providing full compliance then on a yearly basis or until revoked. Licensing of any Taxi or TNC business shall be immediately revoked if convicted of any criminal offense in the operation of any said company in any state.

D: Change to: Fee amounts are to be addressed by the City Council to cover city cost of inclusion of TNC’s, including the enforcement and oversight costs if having to add personnel.

Driver requirements

A; Commercial drivers must be 23 years of age, possess a valid driver's license, and have 3 continuous years of previous driving experience prior. *Taxi company's commercial liability insurance carriers require this. Keep it fair.*

B: ADD: All driver's information shall be made public information, including vehicle description; accessible by regulatory agencies, insurance companies and on public request.

C: Back ground checks and restrictions should be the same for any operator whether taxi or TNC. EG: Taxi companies are required a background check for 10 years. Allowing TNC's only a 7 year background check creates an unfair advantage. Allowances, Limitations or restrictions allowed under any TNC agreement with the City of Salem shall be applied to any Taxi company equally.

Background checks and driver qualifications should be the same for all operators. If background checks are provided by a third party, the City will perform background checks, at the expense of the TNC, for quality control at a rate of 25 percent of all TNC drivers annually. Incidents involving TNC operators must be reported to the City. This is to verify the accuracy of the third party background checks. Language should include allowances for convicted individuals on probation or parole and the length of time from last release from jail or prison. *To clarify myself I am saying the "if it's not allowed for the local Taxi companies applicants it should not be allowed for TNC companies applicants".*

ADD: A TNC must maintain a log of consumer complaints, traffic violations and accident involving their drivers and report any and all incidents to the City within 48 hours of the incident. Providers must have "how to file a complaint" information clearly visible to any passenger. Suspended drivers must be

D: Last sentence should read.

"The company shall only reinstate a driver upon a finding by the company and after a review by the City Public safety Office that all standards are being met by the driver". As a public safety matter both parties need to agree.

Insurance:

Insurance coverage requirements shall be the same for all Taxi and TNC companies.

G: Should include TNC's as this verbiage creates undue hardships of liability to Taxi companies not shared by the TNC's. Again, to be fair. What is good for one is good for the other.

Add: All TNC drivers must report to their insurance companies that they also provide commercial transportation services. Failure to report this will be subject to a civil penalty and loss of drivers license.

Insurance companies need to be protected.

J: Primary insurance coverage needs to be the same as Taxi Companies. The proposed TNC's coverage is too low. Drivers need to be covered under policies.

Operational Requirements:

A: The TNC is required to maintain a data sharing agreement, including sales data. The TNC's may be liable for any future city taxes, tolls, fees.

D: Rewrite the last sentence to regarding the zero tolerance policy to clarify the reporting information must be clearly displayed in the vehicle and shared with the City. Reports are to be investigated by the City and resolved mutually.

ADD: All vehicles shall pass a third party, licensed in Salem, Vehicle safety inspection and proof must be submitted to the City of Salem.

ADD: Any illegal activity by any TNC or Taxi company within the City of Salem is prohibited. This includes any activity that involves any deception, restrictions or interference with the City officials performance of monitoring of any duties. Any company found to be guilty of such activities shall be barred from operating in the city.

Add: All contractors working for any TNC must have a current individual "Vehicle for Hire" license on display at all times. Uber signs and a vehicle ID number must be clearly displayed at all times on the outside of the vehicle similar to identification as required of Taxi Companies, except phone number. Top lights are not required.

All TNC contractor/drivers have the right to set their own rates with the TNC. It shall be up to the TNC to hire the operator. The rates may be on a bid basis or a collective bargaining agreement.

If operators cannot establish their own rates then they are employees with only the freedom to work the hours/time they want as any job sharing situation. This makes sense.

Are the operators required to be covered under workers compensation? Please answer.

I know there is a lot here to absorb in a short time frame but Mayor Bennett told me personally that Taxi Companies would be involved in the development of the rules development. The City council had rules in place but Uber refused to operate under the same conditions as Taxi companies. I wish to remain hopeful the playing field can be level and equally applicable.

Best Regards,

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