

Senate Bill 1588

Sponsored by Senator GEORGE (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Excludes from definition of "employment," for purposes of unemployment insurance benefits, service performed in operation of passenger motor vehicle operated as taxicab or for nonemergency medical transportation by person with ownership or leasehold interest in vehicle for certain entities operated by board of owner-operators elected by members of entity.

Takes effect on 91st day after adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to exclusion from the definition of employment for certain service performed for certain
3 owner-operator managed entities; and prescribing an effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2012 Act is added to and made a part of ORS 657.043 to**
6 **657.094.**

7 **SECTION 2. (1) As used in this chapter, "employment" does not include service per-**
8 **formed in the operation of a passenger motor vehicle that is operated as a taxicab or a pas-**
9 **senger motor vehicle that is operated for nonemergency medical transportation, by a person**
10 **who has an ownership or leasehold interest in the passenger motor vehicle, for an entity that**
11 **is operated by a board of owner-operators elected by the members of the entity.**

12 **(2) As used in this section:**

13 **(a) "Leasehold" has the meaning given that term in ORS 656.027 (28).**

14 **(b) "Passenger motor vehicle that is operated as a taxicab" means a vehicle that:**

15 **(A) Has a passenger seating capacity of at least three persons and not more than seven**
16 **persons;**

17 **(B) On a route that begins or ends in Oregon, is used primarily to transport persons;**

18 **(C)(i) Carries passengers for hire when the destination and route traveled may be con-**
19 **trolled by a passenger and the fare is calculated on the basis of any combination of an initial**
20 **fee, distance traveled or waiting time; or**

21 **(ii) Is in use under a contract to provide specific service to a third party to transport**
22 **designated passengers to locations selected by the third party; and**

23 **(D) Is not used more than secondarily or incidentally for errand services or to transport**
24 **property, instead of or in addition to transporting passengers.**

25 **(c) "Passenger motor vehicle that is operated for nonemergency medical**
26 **transportation" means a vehicle that:**

27 **(A) Has a passenger seating capacity of at least three persons and not more than seven**
28 **persons;**

29 **(B) On a route that begins or ends in Oregon, is used primarily to transport persons;**

30 **(C) Provides medical transportation services under contract with or on behalf of a mass**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 transit or transportation district; and

2 (D) Is not used more than secondarily or incidentally for errand services or to transport
3 property, instead of or in addition to transporting passengers.

4 (3) The provisions of this section do not apply to service performed for:

5 (a) A nonprofit employing unit;

6 (b) This state;

7 (c) A political subdivision of this state; or

8 (d) An Indian tribe.

9 **SECTION 3.** Section 2 of this 2012 Act applies to service performed on or after the ef-
10 fective date of this 2012 Act.

11 **SECTION 4.** This 2012 Act takes effect on the 91st day after the date on which the 2012
12 regular session of the Seventy-sixth Legislative Assembly adjourns sine die.

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