

April 3, 2017

**Oregon Progressive Party
Position on Bill at 2017
Session of Oregon Legislature:**



411 S.W. 2nd Avenue
Suite 200
Portland, OR 97204
503-548-2797
info@progpatty.org

HB 3246: Oppose, unless amended

Dear Committee:

The Oregon Progressive Party (OPP) opposes this bill, unless it is amended to remove its complete preemption of local regulation of transportation network companies (such as Uber and Lyft). Section 2 of this bill provides such complete preemption (boldness added).

SECTION 2. Notwithstanding any other law to the contrary, a transportation network company or participating driver is subject to exclusive regulation under sections 1 to 11 of this 2017 Act and is not subject to regulation or taxation as a taxicab, limousine, commercial vehicle, carrier, as defined in ORS 825.005, common carrier or contract carrier or to a local governmental entity's regulation of the rates the transportation network company charges **or to any other requirements the local governmental entity may impose as a condition of operation within the local governmental entity's jurisdiction.**

This feature of the bill is not noted in the bill's own summary, which states that it:

- Requires transportation network company that operates in this state to obtain license from Department of Consumer and Business Services.
- Requires department to establish licensing program by rule and specifies conditions for obtaining license.
- Requires transportation network company to keep certain records and to make certain disclosures to participating drivers and riders.
- Requires transportation network company to conduct criminal background check on individuals who apply to become participating drivers and to deny applications based on specified criteria.
- Treats participating drivers as independent contractors under specified circumstances.
- Requires transportation network company to adopt, and oblige participating drivers to follow, certain policies.
- Specifies automobile insurance coverage requirements for participating drivers. Permits insurers to exclude coverage for activities in which individual engages as participating driver.
- Permits department to inspect annually random sample of records that transportation network company maintains.
- Permits department to impose civil penalty for violation of provisions of Act.

All of those functions would be desirable, without statewide preemption of local regulation that may add additional requirements.

Oregon Progressive Party

Daniel Meek
authorized legal representative
dan@meek.net
503-293-9021

