

My name is Steve Entler. I am the General Manager for Radio Cab Company. I have been affiliated with Radio Cab in various capacities for almost 48 years. Our driver owned and operated company has been permitted to operate in and around Portland since 1946. I have served on the City of Portland Private for Hire Board of Review, for several years, and currently I am serving on the Autonomous Vehicle Taskforce for the Oregon Department of Transportation.

I'm here this morning to express my concerns with HB3023, which is a Bill that, clearly, was written by the Transportation Network companies in order to give an overwhelming operational advantage to the Transportation Network companies. It is cleverly crafted with almost total disregard for items such as: public safety, fairness, traffic congestion, operational transparency, local regulatory control, financial responsibility for vehicle damage, and business costs passed on to unwary taxpayers. It is a Bill that is riddled with vague and unconscionable requirements that make me question how it managed to get sponsored by the likes of Representative McClain. I'm thinking that she must have drunk a little too much Uber/Lyft Cool Aid and it somehow blurred her normally sharp vision.

So, let's take a better look at some of the advantages that would be afforded to the Transportation Network companies as a result of the passage of this Bill.

Section 1. Would allow the TNC's to hold themselves apart from Taxi's, Limo's, or other Vehicles for Hire, even though they provide, essentially the same service.

Section 2. Would allow that the TNC's and their affiliated vehicles become exclusively regulated by the Department of Transportation, even though there is no mechanism for funding or enforcement of regulations in place, nor are there plans for any that I am aware of. This section would also prevent local municipalities from regulating or collecting taxes or fees, even though a disproportionate amount of the TNC vehicles regularly travel from outlying areas and other states to operate within the confines of Portland and other populous metropolitan areas. Traffic congestion and parking, along with wear and tear on the infrastructure are already suffering, and this Bill would prevent Cities from attempting to collect compensation for the effects that result from their invasive and uncontrolled business practices.

Section 3. Would allow the TNC's to operate an unlimited number of vehicles, traveling an unlimited number of miles, on an unlimited number of roadways for

an annual fee of just \$5,000 per company. Is it only me that thinks this number is missing a few digits?

Section 4. Within this section is an outline that would allow a TNC vehicle to provide service for a total of 10 years without ever undergoing a vehicle safety inspection. There is a different requirement for onboarding a used vehicle that is more than a year old or has greater than 10,000 miles showing on the odometer. In this case only a single initial inspection would be required. After that, the vehicle is approved for unlimited usage without ever being inspected again. In addition, the section doesn't specify who performs the inspection. I'm guessing that the TNC driver's brother in law would be okay.

Also, in this section is a requirement that a Transportation Network Company notify their participating driver that their personal auto insurance policy might not be valid if their insurance company finds out that it is being used for commercial purposes, such as rideshare service. I feel, very strongly, that it should be an absolute requirement for TNC drivers to supply a document issued by their personal auto insurance company to the Transportation Network Company and the Department of Transportation that acknowledges that it is aware of the commercial usage of the TNC vehicle. It is unfair for all of the other people that purchase personal auto insurance to bear part of the increased costs that are incurred as an indirect result of unauthorized vehicle usage by TNC drivers that is purposely not exposed to their personal auto insurance company.

Section 5. Describes all of the requirements for an individual to become a TNC driver. It requires an application and a criminal background check along with a number of other things. The main problem with all of this is that everything can be done online without any face to face meeting. No verification of identity, whatsoever. Without a fingerprint background check, the validity of most of the requirements are a total farce.

Section 6. Lays out all of the rules that participating TNC drivers are supposed to adhere to. It covers things such as prohibiting them from taking cash fares, not being intoxicated while providing service, not avoiding undesirable trips, etc. etc.

Problem is, there is no provision for enforcement of these rules. No enforcement body, no enforcement funding. Nothing. It will be a free for all. Trust me on this one, I know how things will work. It is already happening, to some degree, in

Portland, even under the watchful eyes of PBOT Regulatory enforcement people. This Bill would eliminate those enforcement people.

Section 7. A transportation network company may not create a false impression, etc. etc. or otherwise engage in a deceptive practice to mislead a governmental body or evade the enforcement of the regulations contained in this Bill. The key word here is the word "may". It makes the entire section unenforceable. Besides, didn't Uber create the greyball software to make that sort of thing possible in the first place? How noble of them to include this requirement in the Bill, now that it is no longer even necessary.

Section 8. Describes the various levels of auto liability insurance coverage required to be provided by a Transportation Network company and exactly when those levels are to be provided. During the time when a participating TNC driver is logged onto the app and has accepted a trip request and is actively driving to pick up a passenger, or while the driver is actually transporting the passenger, the coverage limit is 1 million dollars. As soon as the passenger exits the vehicle, the coverage limit is drastically reduced to \$50K for bodily injury or death, per person, with \$100K aggregate BI per accident, and \$25K for property damage. If you are a pedestrian that is about to be hit by a TNC vehicle, better hope there is a passenger in it, otherwise, your life isn't worth much. My company's experience over its long history has revealed that most accidents for Taxis, and I suspect for TNC vehicles, as well, occur when the vehicle is unoccupied by a passenger. Does it make sense to reduce coverage during the period when most accidents occur? It doesn't to me. The coverage should be the same for all periods.

Another thing that we have noticed from getting involved in numerous accidents with TNC vehicles, is that the TNC company insurance information is seldom initially offered at the scene of an accident. In the case where the TNC vehicle is at fault, the TNC driver's personal auto insurance is usually shown because it has a lower deductible for collision, thereby creating an incentive for the TNC driver to use it rather than the TNC company insurance, which usually has a higher deductible. This practice has the effect of passing off insurance claim costs on to the driver's personal auto insurance company, and, consequently, to all of that personal auto insurance company's policyholders, when it should actually be the responsibility of the Transportation Network company's auto insurance provider.

Section 9. This section attempts to clarify which insurance policy is responsible for damages as a result of a motor vehicle accident involving a TNC vehicle, because of the different coverage limits that apply during the various driving events that occur during a TNC driver's normal activities. Adding to the coverage confusion, is the practice of TNC drivers offering to provide service for more than one Transportation Network company in the same vehicle and at the same time. Different coverage limits can change within seconds, so a conflict often arises requiring a detailed investigation into the exact timing of an accident and the operational status of the TNC driver. Of course, all of this could be avoided if the Transportation Network Companies simply provided equal limits of liability coverage at all times that a TNC driver is active on their platform. It really shouldn't matter whether a TNC vehicle is traveling to pick up a passenger or traveling back after dropping a passenger off. It would also be helpful for the Transportation Network Company to provide collision coverage with reasonable deductibles for TNC drivers involved in "at fault" accidents. This would help deter the TNC drivers from making bogus claims on their personal auto policy rather than on the Transportation Network Company insurance policy.

Section 10. Allows the Department of Transportation to review a random sample of prearranged rides provided to participant drivers, for the purpose of verifying that the Transportation Network Company is complying with the terms outlined in this Bill. It appears that this inspection is only to be allowed once per year, and the company is allowed to not disclose the identity of a TNC driver or rider.

Section 11. Outlines the penalty that can be issued by the Department of Transportation to a Transportation Network Company for violating any of the provisions contained in this Bill. Maximum penalty is \$100. Wow! Really?

Also, noticeably absent from this bill are any requirements for Transportation Network Companies to provide equivalent accessible service for disabled riders. I guess that task just doesn't fit into their business plan.

Thank you for allowing me to weigh in on this important subject this morning, and I would be happy to answer any questions that you would like to ask.