

HOUSE AMENDMENTS TO HOUSE BILL 3023

By COMMITTEE ON BUSINESS AND LABOR

April 16

- 1 On page 1 of the printed bill, line 5, delete “11” and insert “15”.
- 2 On page 2, line 14, delete “11” and insert “15”.
- 3 In line 15, delete “11” and insert “15”.
- 4 In line 17, after “section” insert “and section 15 of this 2019 Act”.
- 5 In line 18, delete “11” and insert “15”.
- 6 In line 24, delete “11” and insert “15”.
- 7 Delete lines 27 through 30 and insert:
- 8 “(b) Prohibit an airport or other transportation authority from:
- 9 “(A) Charging a transportation network company a fee for using the airport or other transpor-
- 10 tation facility if the fee is comparable with fees the airport or other transportation facility charges
- 11 to other persons that provide ground transportation;
- 12 “(B) Entering into a contract, lease or other agreement with a transportation network company
- 13 for operations on the airport’s or other transportation facility’s property; or
- 14 “(C) Designating locations for picking up passengers or conducting related operations.”.
- 15 In line 35, delete “11” and insert “15”.
- 16 In line 39, delete “11” and insert “15”.
- 17 In line 43, delete “11” and insert “15”.
- 18 On page 3, line 5, delete “11” and insert “15”.
- 19 In line 6, delete “11” and insert “15”.
- 20 In line 12, delete “11” and insert “15”.
- 21 Delete lines 24 through 36 and insert:
- 22 “(c) Require a participating driver, while providing a prearranged ride, to:
- 23 “(A) Use a transportation network company vehicle that meets any applicable safety and emis-
- 24 sions standards for motor vehicles in the jurisdiction in which the transportation network company
- 25 vehicle is registered;
- 26 “(B) Provide to the transportation network company on a form the Director of Transportation
- 27 specifies by rule, before the participating driver begins providing prearranged rides, a written report
- 28 that shows that any transportation network company vehicle the participating driver intends to use
- 29 with an odometer that registers more than 10,000 miles, or that is more than one year old as of the
- 30 date on which the participating driver will provide a prearranged ride, has undergone and passed
- 31 a safety inspection that must include the following components of the transportation network com-
- 32 pany vehicle:
- 33 “(i) Brakes;
- 34 “(ii) The steering mechanism;
- 35 “(iii) Windows and other glass, including all interior and exterior mirrors;

1 “(iv) Windshield wipers;
2 “(v) Headlights, tail lights, brake lights and turn signal lights;
3 “(vi) The adjustment mechanisms for the front seat or seats;
4 “(vii) Doors;
5 “(viii) The horn;
6 “(ix) The speedometer;
7 “(x) The bumpers;
8 “(xi) The muffler and exhaust system;
9 “(xii) Tires, including the tread depth of the tires; and
10 “(xiii) Safety belts;
11 “(C) Display consistently at all times during which the participating driver is connected to a
12 digital network and available to provide prearranged rides, or is providing prearranged rides, a
13 distinctive sign or emblem in a form that the department approves and that:
14 “(i) Is sufficiently large and has a sufficient contrast in any colors used so as to enable a person
15 to read the sign or emblem from a distance of at least 50 feet in daylight;
16 “(ii) Is reflective, illuminated or otherwise visible in darkness;
17 “(iii) Identifies the transportation network company with which the participating driver is as-
18 sociated; and
19 “(iv) Does not display the words ‘taxi,’ ‘taxi cab’ or ‘cab’; and
20 “(D) Refrain from displaying a light or sign on top of the transportation network company ve-
21 hicle with any of the words set forth in subparagraph (C)(iv) of this paragraph, from using a taxi
22 meter or taxi plate or from otherwise attempting to indicate that the transportation network com-
23 pany vehicle is a taxi.”
24 On page 4, line 18, delete “and any related services”.
25 In line 19, delete “and any related services”.
26 In line 21, delete “a reasonable time” and insert “24 hours”.
27 On page 5, line 15, delete “one year” and insert “three years”.
28 In line 16, delete “more than three” and insert “two or more”.
29 Delete lines 25 through 27 and insert:
30 “(B) In the seven-year period before the date of the individual’s application under subsection (1)
31 of this section, of a misdemeanor or, in the relevant jurisdiction, of the equivalent of a misdemeanor
32 that involved.”
33 On page 6, line 6, delete the second “or”.
34 After line 6, insert:
35 “(F) Marital status;
36 “(G) Age; or”.
37 In line 7, delete “(F)” and insert “(H)”.
38 In line 13, delete “or related services”.
39 In line 15, delete “and related services”.
40 In line 22, after “section” insert “concerning a violation of subsection (1)(e) of this section”.
41 In line 32, delete “11” and insert “15”.
42 In line 34, delete “11” and insert “15”.
43 In line 39, after “that” insert “recognizes that the participating driver is providing prearranged
44 rides for a transportation network company and”.
45 On page 7, delete lines 6 through 9 and insert:

1 “(b) Uninsured motorist coverage as required under ORS 742.500 to 742.506, 742.508 and 742.510;
2 and

3 “(c) Personal injury protection coverage as provided in ORS 742.518 to 742.542.”

4 Delete lines 13 through 16 and insert:

5 “(b) Uninsured motorist coverage as required under ORS 742.500 to 742.506, 742.508 and 742.510;
6 and

7 “(c) Personal injury protection coverage as provided in ORS 742.518 to 742.542.”

8 Delete lines 22 and 23 and insert:

9 “(5) An automobile insurance policy that a transportation network company maintains under
10 this section may not require an insurer that provides an automobile insurance policy to a partic-
11 ipating driver, or an automobile insurance policy that provides coverage for a participating driver,
12 to deny a claim as a condition of providing coverage under the transportation network company’s
13 automobile insurance policy.”

14 In line 32, delete “or related services”.

15 In line 34, delete “and related services”.

16 In line 36, delete “or related services”.

17 In line 38, delete “and related services”.

18 In line 43, delete “or related services”.

19 In line 45, delete “and related services”.

20 On page 8, line 3, delete “or related services”.

21 In line 4, delete “and re-”.

22 In line 5, delete “lated services”.

23 In line 22, delete “11” and insert “15”.

24 In line 26, after “company” insert “and an insurer that provides coverage under section 8 of this
25 2019 Act” and after the first “an” insert “adjuster’s or a claim coverage”.

26 In line 29, delete “or”.

27 In line 30, delete “related services”.

28 In line 31, delete “and related services”.

29 Delete lines 34 through 36 and insert:

30 “(6) A transportation network company and an insurer that provides coverage under section 8
31 of this 2019 Act shall provide a clear description of the insurance coverage, exclusions and limits
32 under the automobile insurance policy to a party involved in an accident, an investigating police
33 officer or another insurer.”

34 Delete lines 43 through 45.

35 On page 9, delete lines 1 through 9 and insert:

36 “**SECTION 10. (1) The Department of Transportation each quarter may inspect a random**
37 **sample of records that a transportation network company maintains under section 4 (1)(a)**
38 **and (b) of this 2019 Act solely for the purpose of verifying that the transportation network**
39 **company is complying with sections 1 to 15 of this 2019 Act. The department may also inspect**
40 **transportation network company documents that are necessary to investigate and resolve a**
41 **specific complaint against the transportation network company or a participating driver. The**
42 **department shall agree with the transportation network company on a method for choosing**
43 **a sample for inspection under this subsection and on a location at which the inspection oc-**
44 **curs.**

45 “(2) A record that is subject to the department’s inspection under this section:

1 “(a) Is confidential and is not subject to disclosure to another person without the written
2 consent of the transportation network company; and

3 “(b) Is not a public record and is not subject to disclosure under ORS 192.311 to 192.478.

4 “(3)(a) A transportation network company may not permit a participating driver to con-
5 nect to the transportation network company’s digital network as a participating driver if the
6 transportation network company substantiates a complaint that the participating driver has
7 engaged in behavior involving unlawful violence or threats of unlawful violence or has en-
8 gaged in conduct that, if charged as a criminal offense, would constitute:

9 “(A) A felony that involves using a motor vehicle;

10 “(B) Driving under the influence of intoxicants, as defined in ORS 813.010;

11 “(C) A sex offense;

12 “(D) Damage to property; or

13 “(E) Theft, as described in ORS 164.015.

14 “(b) The transportation network company shall notify the department immediately after
15 denying a participating driver the ability to connect to the transportation network company’s
16 digital network under paragraph (a) of this subsection. In the notice, the transportation
17 network company shall disclose the name of the participating driver and the license plate
18 number of the participating driver’s transportation network company vehicle.

19 “(c) The department shall notify every transportation network company the department
20 has licensed in this state of the transportation network company’s action under paragraph
21 (a) of this subsection under a process and within a period of time the department specifies
22 by rule.

23 “SECTION 11. (1) As used in this section, ‘local law enforcement officer’ means a person
24 that a local government authorizes to carry out enforcement activities described in this
25 section including, but not limited to, a police officer or a regulator inspector.

26 “(2) A local government may enforce sections 4 (1)(c) and (d) and 8 of this 2019 Act.

27 “(3) A local law enforcement officer that enforces section 4 (1)(c) or (d) or 8 of this 2019
28 Act shall disclose to a participating driver, with any appropriate identification, that the local
29 law enforcement officer is an official of the local government before conducting an inspection
30 or examination.

31 “(4) The Department of Transportation may by rule impose on a transportation network
32 company a fee of not more than 10 cents for each prearranged ride the transportation net-
33 work company provides to a rider. The department shall deposit the moneys the department
34 receives under this subsection into the State Treasury to the credit of a subaccount the de-
35 partment establishes for the purpose of disbursing funds to cities in accordance with sub-
36 section (6) of this section for the exclusive purpose of conducting enforcement activities
37 under this section. Moneys in the fund are continuously appropriated to the department for
38 the purposes described in this subsection.

39 “(5) A transportation network company not later than 45 days after the end of each cal-
40 endar quarter shall:

41 “(a) Remit to the department the sum of the fees the transportation network company
42 collected in accordance with subsection (4) of this section;

43 “(b) Submit to the department a written report that lists the total number of prear-
44 ranged rides for which the transportation network company collected a fee required under
45 subsection (4) of this section during the previous calendar quarter; and

1 “(c) Identify in writing for each city and county in this state the total number of prear-
2 ranged rides that originated within the boundaries of the city or county during the previous
3 calendar quarter.

4 “(6) The department, not later than 60 days after the end of each calendar quarter, shall
5 disburse from the moneys in the fund described in subsection (4) of this section to the local
6 government of each city or county within which a prearranged ride originated a sum that is
7 equivalent to the proportion of prearranged rides that originated within the city or county
8 during the previous calendar quarter.

9 “SECTION 12. (1) As used in this section, ‘qualifying governmental body’ means:

10 “(a) A local government of a city with a population greater than 100,000; or

11 “(b) The local governments of two or more contiguous and adjacent cities with a com-
12 bined population greater than 100,000 that have entered into an intergovernmental agreement
13 to jointly run a transportation program for people who use wheelchairs.

14 “(2)(a) A qualifying governmental body may by ordinance, regulation or other law impose
15 on a transportation network company a fee of not more than 10 cents for each prearranged
16 ride. The qualifying governmental body shall deposit the moneys the qualifying governmental
17 body receives from the transportation network company into a fund and use the moneys in
18 the fund for the exclusive purpose of establishing, implementing and administering a trans-
19 portation program for people who use wheelchairs.

20 “(b) A qualifying governmental body that passes an ordinance, regulation or other law
21 described in paragraph (a) of this subsection shall notify the Department of Transportation
22 at least 60 days before the ordinance, regulation or other law becomes effective.

23 “(c) The department shall notify each transportation network company the department
24 has licensed of the requirements and effective date of each ordinance, regulation or other
25 law of which the department receives notice under paragraph (b) of this subsection.

26 “(3) A transportation network company not later than 45 days after the end of each cal-
27 endar quarter shall remit to each qualifying governmental body the fees the transportation
28 network company collected for the purposes set forth in subsection (2) of this section.

29 “SECTION 13. (1)(a) The Department of Transportation may by rule impose on a trans-
30 portation network company:

31 “(A) A fee in an amount the department specifies for each prearranged ride for the pur-
32 pose of administering the provisions of sections 1 to 15 of this 2019 Act; and

33 “(B) A fee of two cents for each prearranged ride for the purpose of deploying throughout
34 this state charging stations and related infrastructure for electric vehicles.

35 “(b) The department shall deposit the moneys the department receives under this sub-
36 section into the State Treasury to the credit of a subaccount the department establishes for
37 the purposes set forth in this subsection. Moneys in the subaccount are continuously ap-
38 propriated to the department for the purposes set forth in this subsection.

39 “(2) A transportation network company not later than 45 days after the end of each cal-
40 endar quarter shall remit to the department the fees the transportation network company
41 collected for the purposes set forth in subsection (1) of this section.

42 “(3) Subsection (1)(a)(B) of this section does not apply to a prearranged ride that a
43 transportation network company provides by means of an electric vehicle.

44 “(4) Before disbursing moneys for the purpose of providing charging stations and related
45 infrastructure, the department shall consult with each transportation network company

1 **from which the department received the proceeds of the fee the department imposed under**
2 **subsection (1)(a)(B) of this section as to the type and location of all charging stations and**
3 **related infrastructure that the moneys will fund.**

4 “**SECTION 14.** Section 13 of this 2019 Act is amended to read:

5 “**Sec. 13.** (1)(a) The Department of Transportation may by rule impose on a transportation net-
6 work company[:]

7 “[*(A)*] a fee in an amount the department specifies for each prearranged ride for the purpose of
8 administering the provisions of sections 1 to 15 of this 2019 Act[; and]

9 “[*(B)*] *A fee of two cents for each prearranged ride for the purpose of deploying throughout this*
10 *state charging stations and related infrastructure for electric vehicles*].

11 “(b) The department shall deposit the moneys the department receives under this subsection into
12 the State Treasury to the credit of a subaccount the department establishes for the purposes set
13 forth in this subsection. Moneys in the subaccount are continuously appropriated to the department
14 for the purposes set forth in this subsection.

15 “(2) A transportation network company not later than 45 days after the end of each calendar
16 quarter shall remit to the department the fees the transportation network company collected for the
17 purposes set forth in subsection (1) of this section.

18 “[*(3)*] *Subsection (1)(a)(B) of this section does not apply to a prearranged ride that a transportation*
19 *network company provides by means of an electric vehicle.*]

20 “[*(4)*] *Before disbursing moneys for the purpose of providing charging stations and related*
21 *infrastructure, the department shall consult with each transportation network company from which the*
22 *department received the proceeds of the fee the department imposed under subsection (1)(a)(B) of this*
23 *section as to the type and location of all charging stations and related infrastructure that the moneys*
24 *will fund.*]”.

25 In line 10, delete “11” and insert “15” and delete “of not more”.

26 In line 11, delete “than \$100”.

27 In line 12, delete “11” and insert “15” and after “Act” insert “including, but not limited to, a
28 failure to timely or accurately remit any fees required under section 11, 12 or 13 of this 2019
29 Act”.

30 In line 14, delete “12” and insert “16”.

31 On page 11, line 19, delete “13” and insert “17” and delete “11” and insert “15”.

32 In line 20, delete “12” and insert “16”.

33 After line 20, insert:

34 “(2) The amendments to section 13 of this 2019 Act by section 14 of this 2019 Act become op-
35 erative on January 1, 2026.”.

36 In line 21, delete “(2)” and insert “(3)”.

37 In line 24, delete “11” and insert “15”.

38 In line 25, delete “12” and insert “16”.

39 In line 26, delete “14” and insert “18”.