

HOUSE AMENDMENTS TO HOUSE BILL 3379

By COMMITTEE ON BUSINESS AND LABOR

April 16

- 1 On page 1 of the printed bill, line 3, delete “646.607” and insert “221.485”.
- 2 In line 5, delete “8” and insert “9”.
- 3 On page 2, delete lines 10 and 11 and insert:
- 4 “(C) The Department of Transportation regulates as a taxi in accordance with sections 1 to 9
- 5 of this 2019 Act or a local government regulates as a taxi under a local ordinance, regulation or
- 6 other local law.”.
- 7 Delete lines 30 and 31 and insert:
- 8 “(C) The department regulates as a transportation network vehicle in accordance with sections
- 9 1 to 9 of this 2019 Act or a local government regulates as a transportation network vehicle under
- 10 a local ordinance, regulation or other local law.”.
- 11 Delete lines 41 through 45 and insert:
- 12 **“SECTION 2. (1) Subject to the requirements set forth in sections 1 to 9 of this 2019 Act:**
- 13 **“(a) A local government may:**
- 14 **“(A) License or otherwise authorize a vehicle-for-hire service to operate, and a hired**
- 15 **driver to provide rides for hire, within the local government’s jurisdiction;**
- 16 **“(B) Regulate the operations of the vehicle-for-hire service, and a hired driver’s provision**
- 17 **of rides for hire, within the local government’s jurisdiction; and**
- 18 **“(C) Establish and collect fees and surcharges from the vehicle-for-hire service for pur-**
- 19 **poses the local government specifies in an ordinance, regulation or other local law.**
- 20 **“(b) The Department of Transportation may:**
- 21 **“(A) License or otherwise authorize a vehicle-for-hire service to operate, and a hired**
- 22 **driver to provide rides for hire, within any jurisdiction in which a local government has:**
- 23 **“(i) Entered into an intergovernmental agreement with the department to license or**
- 24 **otherwise authorize a vehicle-for-hire service to operate and a hired driver to provide rides**
- 25 **for hire; or**
- 26 **“(ii) Declined to license or otherwise authorize a vehicle-for-hire service to operate and**
- 27 **a hired driver to provide rides for hire within the local government’s jurisdiction, except that**
- 28 **if the local government affirmatively requests the department not to license or otherwise**
- 29 **authorize the vehicle-for-hire service to operate or a hired driver to provide rides for hire**
- 30 **within the local government’s jurisdiction, the department may not do so;**
- 31 **“(B) Regulate the operations of the vehicle-for-hire service, and a hired driver’s provision**
- 32 **of rides for hire, within any local government jurisdiction for which the department may is-**
- 33 **sue a license or authorization under subparagraph (A) of this paragraph; and**
- 34 **“(C) Impose and collect a fee or surcharge in accordance with section 9 of this 2019 Act.**
- 35 **“(2) A local government that does not under subsection (1)(a) of this section issue a li-**

1 **cense or other authorization or regulate a vehicle-for-hire service or a hired driver's pro-**
2 **vision of rides for hire may enter into an intergovernmental agreement with the department**
3 **or another local government in accordance with ORS chapter 190, under which the local**
4 **government accepts the department's or the other local government's license or other au-**
5 **thorization and regulations as the local government's own authorization for a vehicle-for-**
6 **hire service to operate, and for a hired driver to provide rides for hire, within the local**
7 **government's jurisdiction.**

8 **“(3) A person may not engage in business as a vehicle-for-hire service, and a hired driver**
9 **may not provide a ride for hire, except in accordance with sections 1 to 9 of this 2019 Act**
10 **and any rule the department adopts under section 9 of this 2019 Act or ordinance, regulation**
11 **or other law under which the department or a local government issues a license or other**
12 **authorization to, or otherwise regulates, the vehicle-for-hire service or the hired driver.**

13 **“(4) A transportation network company may not accept a request from a member of the**
14 **public to begin a ride for hire, and a hired driver associated with a transportation network**
15 **company may not begin to provide a ride for hire to a member of the public, unless the**
16 **transportation network company has a license or other authorization from the department**
17 **or a local government to operate within the local government's jurisdiction.**

18 **“(5) This section and sections 5, 6 and 7 of this 2019 Act do not prohibit an airport or**
19 **other transportation district, transportation agency or transportation authority from:**

20 **“(a) Charging a fee for using property that is subject to the airport's, district's, agency's**
21 **or authority's jurisdiction or control;**

22 **“(b) Designating a location at which a hired driver may begin a ride for hire; or**

23 **“(c) Requiring the maximum automobile liability insurance coverage allowed by law at**
24 **all times during which a hired driver is awaiting a request to provide a ride for hire, is pro-**
25 **viding a ride for hire or is otherwise operating as a hired driver in or on property that is**
26 **subject to the airport's, district's, agency's or authority's jurisdiction or control.”.**

27 On page 3, delete lines 1 through 29.

28 In line 30, after “that” insert “the Department of Transportation or”.

29 In line 31, delete “(2)” and insert “(3)”.

30 In line 32, after “to” insert “the department or”.

31 In line 40, after “amount” insert “the department or”.

32 In line 41, delete “a” and insert “another”.

33 In line 42, after “before” insert “the department or”.

34 In line 44, after “(2)” insert “The department or”.

35 In line 45, after “zation” insert “the department or” and delete “(2)” and insert “(3)”.

36 On page 4, line 1, delete “8” and insert “9” and after the period insert “The department or”.

37 In line 3, delete “8” and insert “9”.

38 In line 7, after “applicable” insert “rules of the Department of Transportation or”.

39 In line 11, after “applicable” insert “rule,”.

40 In line 36, delete “charge or”.

41 In line 45, after “requirements” insert “the department or”.

42 On page 5, line 9, after “a” insert “rule,”.

43 Delete lines 14 through 21 and insert:

44 **“(B) Charging a rate or price to a public passenger with a physical disability that exceeds the**
45 **rate or price the vehicle-for-hire service charges a public passenger without a physical disability;**

1 or

2 “(C) Increasing the rate or price for a ride for hire that the vehicle-for-hire service provides to

3 a public passenger who uses a wheelchair based on the time at which the ride for hire occurs or the

4 location from which the ride for hire begins or at which the ride for hire ends.”.

5 In line 27, delete “A state agency, if the state agency” and insert “The department or another

6 state agency, if the department or the state agency”.

7 In line 28, after “and” insert “the department’s or”.

8 In line 30, after “prevent” insert “the department or” and after “by” insert “rule,”.

9 On page 6, line 7, after “that” insert “the Department of Transportation or” and delete “an” and

10 insert “a rule,”.

11 In line 21, after “service” insert “, the department”.

12 In line 23, delete “charged or”.

13 In line 24, after “(3)” insert “The department or”.

14 In line 29, delete “an” and insert “a rule,”.

15 In line 36, delete “8” and insert “9”.

16 In line 37, after “applicable” insert “rule,”.

17 On page 7, line 20, after “whom” insert “the department or”.

18 In line 22, after the comma insert “the department or”.

19 In line 26, after “to” insert “the department or”.

20 In line 30, after “(b)” insert “The department or”.

21 In line 31, delete “local government’s” and after “jurisdiction” insert “for which the license or

22 other authorization was issued”.

23 In line 32, after “if” insert “the department or”.

24 On page 8, delete lines 6 and 7 and insert:

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

26 except that, notwithstanding any coverage limit specified in ORS 742.500 to 742.506, 742.508 or

27 742.510, the automobile insurance policy must have a coverage limit of not less than \$500,000;

28 and”.

29 In line 18, after the semicolon insert “and”.

30 In line 22, delete “and”.

31 Delete lines 23 through 31 and insert:

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

33 except that, notwithstanding any coverage limit specified in ORS 742.500 to 742.506, 742.508 or

34 742.510, the automobile insurance policy must have coverage with the following limits:

35 “(A) Coverage with a combined single limit of not less than \$50,000 for each injury or death of

36 a person and \$100,000 for each incident of an injury or death at all times during which the hired

37 driver has connected to a digital network and is available to accept an electronic hail but before

38 the hired driver has actually accepted an electronic hail; and

39 “(B) Coverage with a combined single limit of \$1 million for claims arising out of, but not limited

40 to, death or bodily injury that occurs during any period in which the hired driver provides a ride

41 for hire or has accepted an electronic hail and is traveling to the location where the ride for hire

42 will begin; and”.

43 On page 9, line 20, after “by” delete the rest of the line and line 21 and insert “the Department

44 of Transportation or the local government that licensed or otherwise authorized the vehicle-for-hire

45 service.”.

1 In line 40, delete “8” and insert “9”.

2 On page 10, line 15, delete “8” and insert “9”.

3 In line 17, after “mislead” insert “the Department of Transportation or”.

4 In line 20, after “(2)” insert “The department or” and after “any” insert “rule,”.

5 In line 21, after “law” insert “the department or”.

6 In line 22, delete “8” and insert “9” and after “any” insert “rule,” and after “law” insert “the
7 department or”.

8 In line 24, delete “8” and insert “9”.

9 Delete lines 25 through 45 and delete page 11 and insert:

10 **“SECTION 9. (1) The Department of Transportation, for the purpose of administering the**
11 **provisions of sections 1 to 9 of this 2019 Act, may by rule impose on a vehicle-for-hire service**
12 **a fee for each ride for hire that a hired driver provides in jurisdictions for which the de-**
13 **partment issued a license or other authorization under section 2 of this 2019 Act.**

14 **“(2) The Vehicle for Hire Service Fund is established in the State Treasury, separate and**
15 **distinct from the General Fund. Interest earned by the Vehicle for Hire Service Fund shall**
16 **be credited to the fund. The fund consists of moneys deposited in the fund under this section.**
17 **Moneys in the fund are continuously appropriated to the department for the purposes de-**
18 **scribed in subsection (1) of this section.**

19 **“(3) A vehicle-for-hire service, not later than 45 days after the end of each calendar**
20 **quarter, shall remit to the department the fees the vehicle-for-hire service collected under**
21 **subsection (1) of this section. The department shall deposit the fees into the Vehicle for Hire**
22 **Service Fund.**

23 **“(4) The department may adopt rules to carry out the provisions of sections 1 to 9 of this**
24 **2019 Act.**

25 **“SECTION 10. ORS 221.485 is amended to read:**

26 **“221.485. The Legislative Assembly finds and declares that privately owned taxicabs,**
27 **limousines, transportation network vehicles as defined in section 1 of this 2019 Act and other**
28 **vehicles for hire are a vital part of the transportation system within this state and provide neces-**
29 **sary services in response to the needs of state residents, tourists and business representatives from**
30 **outside this state. Consequently, the safety and reliability of such vehicles and the economic well-**
31 **being and stability of their owners and operators are matters of public concern. The regulation of**
32 **such vehicles is an essential government function and, therefore, it is the intent of the Legislative**
33 **Assembly to reaffirm the authority of political subdivisions in this state to regulate the operation**
34 **of privately owned taxicabs, limousines, transportation network vehicles and other vehicles for**
35 **hire and to exempt such regulation from liability under federal antitrust laws.**

36 **“SECTION 11. (1) Sections 1 to 9 of this 2019 Act and the amendments to ORS 221.485**
37 **by section 10 of this 2019 Act become operative on January 1, 2020.**

38 **“(2) The Director of the Department of Consumer and Business Services, the Department**
39 **of Transportation and a local government may adopt, as appropriate, rules, regulations, or-**
40 **dinances or other laws and take any other action before the operative date specified in sub-**
41 **section (1) of this section that is necessary to enable the director, the department or the**
42 **local government, on or after the operative date specified in subsection (1) of this section,**
43 **to exercise all of the duties, functions and powers conferred on the director, the department**
44 **or the local government by sections 1 to 9 of this 2019 Act and the amendments to ORS**
45 **221.485 by section 10 of this 2019 Act.**

