



## Councilor Jennifer Yeh Testimony on HB 3023 and HB 3379 relating to Transportation Network Companies before the Oregon House Committee on Business and Labor, March 18, 2019.

Chair Barker and Members of the Committee:

Thank you for holding a public hearing today on House Bills 3023 and 3379 and for combining both bills to be heard simultaneously. For the Record my name is Jennifer Yeh, and I am a Eugene City Councilor and my testimony today is on behalf of the City of Eugene.

The most important take away that I hope to provide today is that these are two distinct bills. One, HB 3023, is a Transportation Network Company (TNC) industry bill that presents the same regulatory framework that they have been trying to implement in cities and states across the county for the past five years. The industry's framework is preemptive to local authority and if passed would have negative impacts on community safety.

The second bill, HB 3379, is a work group bill that is the product of months of discussion, led by Representative Holvey, and involved representatives from industry, cities, insurance, labor, and other interested stakeholders. It provides a pathway to a statewide system for TNC programs that maintains the regulatory system that individual cities have negotiated and invested thousands of hours and financial resources to produce.

Eugene is in strong opposition to HB 3023 for a few clear reasons. First and foremost, the bill explicitly pre-empts local governance of the TNC operator and system. After years of listening to the public, the taxi industry and the TNCs, Eugene adopted a system that works. It is consistent with our Taxi system and rules, it protects the public, meets the needs of the TNC companies, and is very efficient to operate. Were HB 3023 to pass, Eugene's well-functioning and multi-beneficial system for certifying and monitoring TNC drivers would be preempted and replaced by a system that prevents any local government oversight of TNC drivers.

Aside from the Home Rule Authority concerns, the pre-emption disregards the long standing practice for municipalities to provide oversight on the public passenger vehicle services including taxis, which started in many cases as far back as the 1880's with regulation of horse and carriage operators. These services are best regulated at the local level, both for operational efficiency and responsiveness, and to ensure the service meets the requirements set forth by locally elected officials.

We believe, the driver application system proposed in HB 3023, in particular the method of conducting background checks, would negatively impact rider safety. As HB 3023 is currently written, TNCs would be solely responsible for reviewing, approving, and monitoring TNC drivers.

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While ODOT would be provided annual audits-based on a mutually agreed upon criteria, at no time would ODOT or any law enforcement agency in the state be provided a list of authorized drivers by the TNC company. It is truly the fox guarding the hen house.

Eugene's TNC system is working. At a work group meeting, industry representatives even stated that Eugene's system is working and should be supported. We have not heard any complaints from drivers, operators, or the public in regard to our system. HB 3023 would completely eliminate Eugene's system, a change truly for the worse.

HB 3379 is the product of Representative Holvey's efforts to host multiple work group meetings with stakeholders on four items for statewide consideration. These items are: consistency and flexibility for criminal background checks, consistent insurance requirements from jurisdiction to jurisdiction, vehicle condition and equipment requirements, and data reporting. Each of these topics is viewed through a statewide system that would produce a 'floor' for TNC operations, but allow local flexibility.

Currently, HB 3379 will develop a state-wide TNC system that protects locally adopted ordinances, provides consistency for industry across jurisdictions, and creates opportunities for smaller jurisdictions to adopt a program. We support these outcomes, and HB 3379. We will continue to work with Representative Holvey on HB 3379, to ensure the final statute meets the intent of the work group and does not negatively impact a local government's adopted ordinance.

Thank you again for your time and I would be happy to answer any questions.