



Open Government Impact Statement

80th Oregon Legislative Assembly
2019 Regular Session

Measure: HB 3023-B

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Requires transportation network company that operates in this state to obtain license from Department of Transportation. Requires department to establish licensing and regulatory 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. Requires transportation network company to perform criminal background check each year after engaging participating driver.

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 each quarter to inspect random sample of certain records that transportation network company maintains solely for purpose of verifying that transportation network company is complying with Act and to investigate and resolve complaint against transportation network company or participating driver. Permits department to inspect additional records if department determines that transportation network company is not in compliance. Requires transportation network company to bar participating driver from digital network if transportation network company substantiates certain complaints against participating driver. Permits transportation network company to share certain information with department or local government for purposes of transportation planning.

Permits department to enter into intergovernmental agreement with state agency or local government to enforce certain provisions of Act under specified conditions. Requires department to specify by rule guidelines for enforcement. Permits department to impose by rule fee that is sufficient, when aggregated, to meet expenses that state agencies and local governments incur for enforcement. Permits department to impose fee of 10 cents per ride for enforcement activities in jurisdictions with which department does not have intergovernmental agreement. Permits department to collect other fees for administering provisions of Act and for deploying charging stations and related infrastructure for electric vehicles throughout state. Sunsets fee for charging stations and related infrastructure for electric vehicles on January 1, 2026. Permits local government to charge fee for purpose of establishing and implementing transportation program for people who use wheelchairs.

Permits department to impose civil penalty for violation of provisions of Act.

Becomes operative on January 1, 2020.



Takes effect on 91st day following adjournment sine die.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts from public disclosure records obtained from a transportation network company by the Department of Transportation during a compliance audit or in investigating a complaint against the transportation network company or a participating driver.

If the public records were instead subject to mandatory disclosure under public records law, trade secret information of transportation network companies and rider histories could be made publicly available. Additionally, the public could receive additional information regarding compliance audits and documents submitted in response to complaints filed against transportation network companies and participating drivers.