

Requested by Representative HOLVEY

**PROPOSED AMENDMENTS TO
HOUSE BILL 3379**

1 On page 1 of the printed bill, line 3, delete “646.607” and insert
2 “221.485”.

3 In line 5, delete “8” and insert “9”.

4 On page 2, delete lines 10 and 11 and insert:

5 “(C) The Department of Transportation regulates as a taxi in accordance
6 with sections 1 to 9 of this 2019 Act or a local government regulates as a taxi
7 under a local ordinance, regulation or other local law.”.

8 Delete lines 30 and 31 and insert:

9 “(C) The department regulates as a transportation network vehicle in
10 accordance with sections 1 to 9 of this 2019 Act or a local government reg-
11 ulates as a transportation network vehicle under a local ordinance, regu-
12 lation or other local law.”.

13 Delete lines 41 through 45 and insert:

14 **“SECTION 2. (1) Subject to the requirements set forth in sections
15 1 to 9 of this 2019 Act:**

16 **“(a) A local government may:**

17 **“(A) License or otherwise authorize a vehicle-for-hire service to
18 operate, and a hired driver to provide rides for hire, within the local
19 government’s jurisdiction;**

20 **“(B) Regulate the operations of the vehicle-for-hire service, and a
21 hired driver’s provision of rides for hire, within the local government’s**

1 jurisdiction; and

2 “(C) Establish and collect fees and surcharges from the vehicle-
3 for-hire service for purposes the local government specifies in an or-
4 dinance, regulation or other local law.

5 “(b) The Department of Transportation may:

6 “(A) License or otherwise authorize a vehicle-for-hire service to
7 operate, and a hired driver to provide rides for hire, within any juris-
8 diction in which a local government has:

9 “(i) Entered into an intergovernmental agreement with the depart-
10 ment to license or otherwise authorize a vehicle-for-hire service to
11 operate and a hired driver to provide rides for hire; or

12 “(ii) Declined to license or otherwise authorize a vehicle-for-hire
13 service to operate and a hired driver to provide rides for hire within
14 the local government’s jurisdiction, except that if the local govern-
15 ment affirmatively requests the department not to license or otherwise
16 authorize the vehicle-for-hire service to operate or a hired driver to
17 provide rides for hire within the local government’s jurisdiction, the
18 department may not do so;

19 “(B) Regulate the operations of the vehicle-for-hire service, and a
20 hired driver’s provision of rides for hire, within any local government
21 jurisdiction for which the department may issue a license or authori-
22 zation under subparagraph (A) of this paragraph; and

23 “(C) Impose and collect a fee or surcharge in accordance with sec-
24 tion 9 of this 2019 Act.

25 “(2) A local government that does not under subsection (1)(a) of this
26 section issue a license or other authorization or regulate a vehicle-
27 for-hire service or a hired driver’s provision of rides for hire may enter
28 into an intergovernmental agreement with the department or another
29 local government in accordance with ORS chapter 190, under which
30 the local government accepts the department’s or the other local

1 government's license or other authorization and regulations as the
2 local government's own authorization for a vehicle-for-hire service to
3 operate, and for a hired driver to provide rides for hire, within the
4 local government's jurisdiction.

5 “(3) A person may not engage in business as a vehicle-for-hire ser-
6 vice, and a hired driver may not provide a ride for hire, except in ac-
7 cordance with sections 1 to 9 of this 2019 Act and any rule the
8 department adopts under section 9 of this 2019 Act or ordinance, reg-
9 ulation or other law under which the department or a local govern-
10 ment issues a license or other authorization to, or otherwise regulates,
11 the vehicle-for-hire service or the hired driver.

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

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

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

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

26 “(c) Requiring the maximum automobile liability insurance cover-
27 age allowed by law at all times during which a hired driver is awaiting
28 a request to provide a ride for hire, is providing a ride for hire or is
29 otherwise operating as a hired driver in or on property that is subject
30 to the airport's, district's, agency's or authority's jurisdiction or con-

1 **trol.”.**

2 On page 3, delete lines 1 through 29.

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

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

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

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

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

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

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

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

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

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

15 In line 7, after “applicable” insert “rules of the Department of Transpor-
16 tation or”.

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

18 In line 36, delete “charge or”.

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

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

21 Delete lines 14 through 21 and insert:

22 “(B) Charging a rate or price to a public passenger with a physical disa-
23 bility that exceeds the rate or price the vehicle-for-hire service charges a
24 public passenger without a physical disability; or

25 “(C) Increasing the rate or price for a ride for hire that the vehicle-for-
26 hire service provides to a public passenger who uses a wheelchair based on
27 the time at which the ride for hire occurs or the location from which the ride
28 for hire begins or at which the ride for hire ends.”.

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

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

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

4 On page 6, line 7, after “that” insert “the Department of Transportation
5 or” and delete “an” and insert “a rule,”.

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

7 In line 23, delete “charged or”.

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

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

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

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

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

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

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

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

16 In line 31, delete “local government’s” and after “jurisdiction” insert “for
17 which the license or other authorization was issued”.

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

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

20 “(b) Uninsured motorist coverage as required under ORS 742.500 to
21 742.506, 742.508 and 742.510, except that, notwithstanding any coverage limit
22 specified in ORS 742.500 to 742.506, 742.508 or 742.510, the automobile insur-
23 ance policy must have a coverage limit of not less than \$500,000; and”.

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

25 In line 22, after “begin” insert a period and delete the rest of the line.

26 Delete lines 23 through 31 and insert:

27 “(b) Uninsured motorist coverage as required under ORS 742.500 to
28 742.506, 742.508 and 742.510, except that, notwithstanding any coverage limit
29 specified in ORS 742.500 to 742.506, 742.508 or 742.510, the automobile insur-
30 ance policy must have coverage with the following limits:

1 “(A) Coverage with a combined single limit of not less than \$50,000 for
2 each injury or death of a person and \$100,000 for each incident of an injury
3 or death at all times during which the hired driver has connected to a digital
4 network and is available to accept an electronic hail but before the hired
5 driver has actually accepted an electronic hail; and

6 “(B) Coverage with a combined single limit of \$1 million for claims arising
7 out of, but not limited to, death or bodily injury that occurs during any
8 period in which the hired driver provides a ride for hire or has accepted an
9 electronic hail and is traveling to the location where the ride for hire will
10 begin; and”.

11 On page 9, line 20, after “by” delete the rest of the line and line 21 and
12 insert “the Department of Transportation or the local government that li-
13 censed or otherwise authorized the vehicle-for-hire service.”.

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

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

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

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

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

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

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

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

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

29 **“(2) The Vehicle for Hire Service Fund is established in the State**
30 **Treasury, separate and distinct from the General Fund. Interest**

1 earned by the Vehicle for Hire Service Fund shall be credited to the
2 fund. The fund consists of moneys deposited in the fund under this
3 section. Moneys in the fund are continuously appropriated to the de-
4 partment for the purposes described in subsection (1) of this section.

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

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

12 “SECTION 10. ORS 221.485 is amended to read:

13 “221.485. The Legislative Assembly finds and declares that privately
14 owned taxicabs, limousines, **transportation network vehicles as defined**
15 **in section 1 of this 2019 Act** and other vehicles for hire are a vital part
16 of the transportation system within this state and provide necessary services
17 in response to the needs of state residents, tourists and business represen-
18 tatives from outside this state. Consequently, the safety and reliability of
19 such vehicles and the economic well-being and stability of their owners and
20 operators are matters of public concern. The regulation of such vehicles is
21 an essential government function and, therefore, it is the intent of the Leg-
22 islative Assembly to reaffirm the authority of political subdivisions in this
23 state to regulate the operation of privately owned taxicabs, limousines,
24 **transportation network vehicles** and other vehicles for hire and to exempt
25 such regulation from liability under federal antitrust laws.

26 “SECTION 11. (1) Sections 1 to 9 of this 2019 Act and the amend-
27 ments to ORS 221.485 by section 10 of this 2019 Act become operative
28 on January 1, 2020.

29 “(2) The Director of the Department of Consumer and Business
30 Services, the Department of Transportation and a local government

1 may adopt, as appropriate, rules, regulations, ordinances or other laws
2 and take any other action before the operative date specified in sub-
3 section (1) of this section that is necessary to enable the director, the
4 department or the local government, on or after the operative date
5 specified in subsection (1) of this section, to exercise all of the duties,
6 functions and powers conferred on the director, the department or the
7 local government by sections 1 to 9 of this 2019 Act and the amend-
8 ments to ORS 221.485 by section 10 of this 2019 Act.

9 **“SECTION 12. This 2019 Act takes effect on the 91st day after the**
10 **date on which the 2019 regular session of the Eightieth Legislative**
11 **Assembly adjourns sine die.”.**

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