

Requested by Representative MCLAIN

**PROPOSED AMENDMENTS TO
HOUSE BILL 3023**

- 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 air-
- 10 port or other transportation facility if the fee is comparable with fees the
- 11 airport or other transportation facility charges to other persons that provide
- 12 ground transportation;
- 13 “(B) Entering into a contract, lease or other agreement with a transpor-
- 14 tation network company for operations on the airport’s or other transporta-
- 15 tion facility’s property; or
- 16 “(C) Designating locations for picking up passengers or conducting re-
- 17 lated operations.”.
- 18 In line 35, delete “11” and insert “15”.
- 19 In line 39, delete “11” and insert “15”.
- 20 In line 43, delete “11” and insert “15”.
- 21 On page 3, line 5, delete “11” and insert “15”.

1 In line 6, delete “11” and insert “15”.

2 In line 12, delete “11” and insert “15”.

3 Delete lines 24 through 36 and insert:

4 “(c) Require a participating driver, while providing a prearranged ride,
5 to:

6 “(A) Use a transportation network company vehicle that meets any ap-
7 plicable safety and emissions standards for motor vehicles in the jurisdiction
8 in which the transportation network company vehicle is registered;

9 “(B) Provide to the transportation network company on a form the Di-
10 rector of Transportation specifies by rule, before the participating driver
11 begins providing prearranged rides, a written report that shows that any
12 transportation network company vehicle the participating driver intends to
13 use with an odometer that registers more than 10,000 miles, or that is more
14 than one year old as of the date on which the participating driver will pro-
15 vide a prearranged ride, has undergone and passed a safety inspection that
16 must include the following components of the transportation network com-
17 pany vehicle:

18 “(i) Brakes;

19 “(ii) The steering mechanism;

20 “(iii) Windows and other glass, including all interior and exterior mirrors;

21 “(iv) Windshield wipers;

22 “(v) Headlights, tail lights, brake lights and turn signal lights;

23 “(vi) The adjustment mechanisms for the front seat or seats;

24 “(vii) Doors;

25 “(viii) The horn;

26 “(ix) The speedometer;

27 “(x) The bumpers;

28 “(xi) The muffler and exhaust system;

29 “(xii) Tires, including the tread depth of the tires; and

30 “(xiii) Safety belts;

1 “(C) Display consistently at all times during which the participating
2 driver is connected to a digital network and available to provide prearranged
3 rides, or is providing prearranged rides, a distinctive sign or emblem in a
4 form that the department approves and that:

5 “(i) Is sufficiently large and has a sufficient contrast in any colors used
6 so as to enable a person to read the sign or emblem from a distance of at
7 least 50 feet in daylight;

8 “(ii) Is reflective, illuminated or otherwise visible in darkness;

9 “(iii) Identifies the transportation network company with which the par-
10 ticipating driver is associated; and

11 “(iv) Does not display the words ‘taxi,’ ‘taxi cab’ or ‘cab’; and

12 “(D) Refrain from displaying a light or sign on top of the transportation
13 network company vehicle with any of the words set forth in subparagraph
14 (C)(iv) of this paragraph, from using a taxi meter or taxi plate or from oth-
15 erwise attempting to indicate that the transportation network company ve-
16 hicle is a taxi.”.

17 On page 4, line 18, delete “and any related services”.

18 In line 19, delete “and any related services”.

19 In line 21, delete “a reasonable time” and insert “24 hours”.

20 On page 5, line 15, delete “one year” and insert “three years”.

21 In line 16, delete “more than three” and insert “two or more”.

22 Delete lines 25 through 27 and insert:

23 “(B) In the seven-year period before the date of the individual’s applica-
24 tion under subsection (1) of this section, of a misdemeanor or, in the relevant
25 jurisdiction, of the equivalent of a misdemeanor that involved:”.

26 On page 6, line 6, delete the second “or”.

27 After line 6, insert:

28 “(F) Marital status;

29 “(G) Age; or”.

30 In line 7, delete “(F)” and insert “(H)”.

1 In line 13, delete “or related services”.

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

3 In line 22, after “section” insert “concerning a violation of subsection
4 (1)(e) of this section”.

5 In line 32, delete “11” and insert “15”.

6 In line 34, delete “11” and insert “15”.

7 In line 39, after “that” insert “recognizes that the participating driver is
8 providing prearranged rides for a transportation network company and”.

9 On page 7, delete lines 6 through 9 and insert:

10 “(b) Uninsured motorist coverage as required under ORS 742.500 to
11 742.506, 742.508 and 742.510; and

12 “(c) Personal injury protection coverage as provided in ORS 742.518 to
13 742.542.”.

14 Delete lines 13 through 16 and insert:

15 “(b) Uninsured motorist coverage as required under ORS 742.500 to
16 742.506, 742.508 and 742.510; and

17 “(c) Personal injury protection coverage as provided in ORS 742.518 to
18 742.542.”.

19 Delete lines 22 and 23 and insert:

20 “(5) An automobile insurance policy that a transportation network com-
21 pany maintains under this section may not require an insurer that provides
22 an automobile insurance policy to a participating driver, or an automobile
23 insurance policy that provides coverage for a participating driver, to deny
24 a claim as a condition of providing coverage under the transportation net-
25 work company’s automobile insurance policy.”.

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

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

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

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

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

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

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

3 In line 4, delete “and re-”.

4 In line 5, delete “lated services”.

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

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

9 In line 29, delete “or”.

10 In line 30, delete “related services”.

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

12 Delete lines 34 through 36 and insert:

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

18 Delete lines 43 through 45.

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

20 **“SECTION 10. (1) The Department of Transportation each quarter
21 may inspect a random sample of records that a transportation network
22 company maintains under section 4 (1)(a) and (b) of this 2019 Act solely
23 for the purpose of verifying that the transportation network company
24 is complying with sections 1 to 15 of this 2019 Act. The department
25 may also inspect transportation network company documents that are
26 necessary to investigate and resolve a specific complaint against the
27 transportation network company or a participating driver. The de-
28 partment shall agree with the transportation network company on a
29 method for choosing a sample for inspection under this subsection and
30 on a location at which the inspection occurs.**

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

3 **“(a) Is confidential and is not subject to disclosure to another per-**
4 **son without the written consent of the transportation network com-**
5 **pany; and**

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

8 **“(3)(a) A transportation network company may not permit a par-**
9 **ticipating driver to connect to the transportation network company’s**
10 **digital network as a participating driver if the transportation network**
11 **company substantiates a complaint that the participating driver has**
12 **engaged in behavior involving unlawful violence or threats of unlawful**
13 **violence or has engaged in conduct that, if charged as a criminal of-**
14 **fense, would constitute:**

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

16 **“(B) Driving under the influence of intoxicants, as defined in ORS**
17 **813.010;**

18 **“(C) A sex offense;**

19 **“(D) Damage to property; or**

20 **“(E) Theft, as described in ORS 164.015;**

21 **“(b) The transportation network company shall notify the depart-**
22 **ment immediately after denying a participating driver the ability to**
23 **connect to the transportation network company’s digital network un-**
24 **der paragraph (a) of this subsection. In the notice, the transportation**
25 **network company shall disclose the name of the participating driver**
26 **and the license plate number of the participating driver’s transporta-**
27 **tion network company vehicle.**

28 **“(c) The department shall notify every transportation network**
29 **company the department has licensed in this state of the transporta-**
30 **tion network company’s action under paragraph (a) of this subsection**

1 under a process and within a period of time the department specifies
2 by rule.

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

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

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

14 **“(4) The Department of Transportation may by rule impose on a**
15 **transportation network company a fee of not more than 10 cents for**
16 **each prearranged ride the transportation network company provides**
17 **to a rider. The department shall deposit the moneys the department**
18 **receives under this subsection into the State Treasury to the credit**
19 **of a subaccount the department establishes for the purpose of dis-**
20 **bursing funds to cities in accordance with subsection (6) of this section**
21 **for the exclusive purpose of conducting enforcement activities under**
22 **this section. Moneys in the fund are continuously appropriated to the**
23 **department for the purposes described in this subsection.**

24 **“(5) A transportation network company not later than 45 days after**
25 **the end of each calendar quarter shall:**

26 **“(a) Remit to the department the sum of the fees the transportation**
27 **network company collected in accordance with subsection (4) of this**
28 **section; and**

29 **“(b) Submit to the department:**

30 **“(A) A written report that lists the total number of prearranged**

1 rides for which the transportation network company collected a fee
2 required under subsection (4) of this section during the previous cal-
3 endar quarter; and

4 “(B) Identify in writing for each city and county in this state the
5 total number of prearranged rides that originated within the bounda-
6 ries of the city or county during the previous calendar quarter.

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

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

15 “(a) A local government of a city with a population greater than
16 100,000; or

17 “(b) The local governments of two or more contiguous and adjacent
18 cities with a combined population greater than 100,000 that have en-
19 tered into an intergovernmental agreement to jointly run a transpor-
20 tation program for people who use wheelchairs.

21 “(2)(a) A qualifying governmental body may by ordinance, regu-
22 lation or other law impose on a transportation network company a fee
23 of not more than 10 cents for each prearranged ride. The qualifying
24 governmental body shall deposit the moneys the qualifying govern-
25 mental body receives from the transportation network company into
26 a fund and use the moneys in the fund for the exclusive purpose of
27 establishing, implementing and administering a transportation pro-
28 gram for people who use wheelchairs.

29 “(b) A qualifying governmental body that passes an ordinance,
30 regulation or other law described in paragraph (a) of this subsection

1 shall notify the Department of Transportation at least 60 days before
2 the ordinance, regulation or other law becomes effective.

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

7 “(3) A transportation network company not later than 45 days after
8 the end of each calendar quarter shall remit to each qualifying governmental
9 body the fees the transportation network company collected
10 for the purposes set forth in subsection (2) of this section.

11 **“SECTION 13. (1)(a) The Department of Transportation may by rule
12 impose on a transportation network company:**

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

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

19 **“(b) The department shall deposit the moneys the department receives
20 under this subsection into the State Treasury to the credit of
21 a subaccount the department establishes for the purposes set forth in
22 this subsection. Moneys in the subaccount are continuously appropriated
23 to the department for the purposes set forth in this subsection.**

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

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

1 **“(4) Before disbursing moneys for the purpose of providing charging**
2 **stations and related infrastructure, the department shall consult with**
3 **each transportation network company from which the department re-**
4 **ceived the proceeds of the fee the department imposed under sub-**
5 **section (1)(a)(B) of this section as to the type and location of all**
6 **charging stations and related infrastructure that the moneys will**
7 **fund.**

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

9 **“Sec. 13.** (1)(a) The Department of Transportation may by rule impose on
10 a transportation network company[:]

11 ~~“(A) a fee in an amount the department specifies for each prearranged~~
12 ~~ride for the purpose of administering the provisions of sections 1 to 15 of this~~
13 ~~2019 Act; and]~~

14 ~~“(B) A fee of two cents for each prearranged ride for the purpose of de-~~
15 ~~ploying throughout this state charging stations and related infrastructure for~~
16 ~~electric vehicles].~~

17 “(b) The department shall deposit the moneys the department receives
18 under this subsection into the State Treasury to the credit of a subaccount
19 the department establishes for the purposes set forth in this subsection.
20 Moneys in the subaccount are continuously appropriated to the department
21 for the purposes set forth in this subsection.

22 “(2) A transportation network company not later than 45 days after the
23 end of each calendar quarter shall remit to the department the fees the
24 transportation network company collected for the purposes set forth in sub-
25 section (1) of this section.

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

29 ~~“(4) Before disbursing moneys for the purpose of providing charging~~
30 ~~stations and related infrastructure, the department shall consult with each~~

1 *transportation network company from which the department received the pro-*
2 *ceeds of the fee the department imposed under subsection (1)(a)(B) of this sec-*
3 *tion as to the type and location of all charging stations and related*
4 *infrastructure that the moneys will fund.]”.*

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

6 In line 11, delete “than \$100”.

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

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

11 On page 11, line 19, delete “13” and insert “17” and delete “11” and insert
12 “15”.

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

14 After line 20, insert:

15 “(2) The amendments to section 13 of this 2019 Act by section 14 of this
16 2019 Act become operative on January 1, 2026.”.

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

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

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

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

21
