

Requested by Representative MCLAIN

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 3023**

1 On page 2 of the printed A-engrossed bill, line 44, delete “person” and  
2 insert “transportation network company”.

3 In line 45, delete “as a transportation network company” and delete  
4 “person” and insert “transportation network company”.

5 On page 3, line 2, delete “person” and insert “transportation network  
6 company” and delete “as a transportation network company”.

7 In line 6, after “licensing” insert “and regulatory”.

8 In line 10, after “licensing” insert “and regulatory”.

9 In line 30, delete “three” and insert “seven”.

10 In line 34, delete “three” and insert “seven”.

11 In line 41, delete “Director” and insert “Department”.

12 On page 4, line 1, delete “a” and insert “an annual”.

13 On page 5, line 1, after “transportation” insert “network”.

14 In line 7, after “transportation” insert “network”.

15 In line 19, delete “of Transportation”.

16 In line 25, delete “applicant’s” and insert “individual’s”.

17 In line 26, delete “applicant’s” and insert “individual’s”.

18 Delete lines 29 and 30 and insert:

19 “(2) Before engaging an individual as a participating driver, and at least  
20 once each year after the individual becomes a participating driver, a trans-  
21 portation network company shall, for the individual:”.

1 In line 36, delete “and”.

2 In line 38, delete the period and insert “; and

3 “(c) Require the completion of an educational and safety course that the  
4 Department of Transportation approves by rule.”.

5 On page 6, line 15, delete “10-year” and insert “seven-year”.

6 In line 27, delete “or”.

7 After line 27, insert:

8 “(h) Has completed, under the laws of this state, a diversion program for  
9 driving under the influence of intoxicants; or”.

10 In line 28, delete “(h)” and insert “(i)”.

11 In line 32, before “company’s” insert “network”.

12 On page 7, after line 9, insert:

13 “(f) A participating driver may not remain connected to the transporta-  
14 tion network company’s digital network, and may not provide or be available  
15 to provide prearranged rides, for more than 14 consecutive hours in any  
16 24-hour period.”.

17 In line 11, after “transportation” insert “network”.

18 In line 23, delete “two” and insert “seven”.

19 On page 8, line 24, delete “Transporta-” and insert “the Department of  
20 Consumer and Business Services”.

21 In line 25, delete “tion”.

22 After line 42, insert:

23 “(10) This section does not prohibit an airport or other transportation  
24 authority from requiring the maximum automobile liability insurance cover-  
25 age allowed or required by law at all times during which a participating  
26 driver is providing a prearranged ride or is connected to a digital network  
27 and available to provide a prearranged ride in or on property that is subject  
28 to the airport’s or transportation authority’s jurisdiction or control.”.

29 On page 9, delete lines 40 through 45.

30 On page 10, delete lines 1 through 3 and insert:

1       **SECTION 10.** (1)(a) The Department of Transportation may:

2       “(A) Inspect each quarter a random sample of records that a transporta-  
3       tion network company maintains under section 4 (1)(a) and (b) of this 2019  
4       Act solely for the purpose of verifying that the transportation network  
5       company is complying with sections 1 to 15 of this 2019 Act. If after the in-  
6       itial inspection the department reasonably concludes that the transportation  
7       network company is not complying with sections 1 to 15 of this 2019 Act, the  
8       department may conduct an additional random inspection of the transporta-  
9       tion network company’s records.

10       “(B) Inspect transportation network company documents that are neces-  
11       sary to investigate and resolve a specific complaint against the transporta-  
12       tion network company or a participating driver.

13       “(b) The department shall determine by rule the method for collecting  
14       samples for inspection in accordance with paragraph (a) of this  
15       subsection.”.

16       Delete lines 27 through 34 and insert:

17       “(4) The department or a local government may enter into an agreement  
18       with a transportation network company to share data for the purposes of  
19       transportation planning. The agreement may provide for sharing:

20       “(a) The total number of prearranged rides that participating drivers as-  
21       sociated with the transportation network company provided;

22       “(b) The city in which a prearranged ride began or ended; and

23       “(c) The number of prearranged rides for which a rider required a trans-  
24       portation network company vehicle that could accommodate an individual  
25       with a physical disability.

26       **SECTION 11.** (1) The Department of Transportation may enter into an  
27       intergovernmental agreement with a state agency or a local government to  
28       enforce sections 4 (1)(c) and (d) and 8 of this 2019 Act. The agreement must  
29       include provisions that facilitate cooperation in, and prevent duplication and  
30       expenses of, enforcement activities.

1       “(2) The department by rule shall establish guidelines for state agency  
2 and local government actions to enforce sections 4 (1)(c) and (d) and 8 of this  
3 2019 Act. The guidelines must include a requirement that each state agency  
4 or local government report to the department and to the affected transpor-  
5 tation network company when the state agency or local government takes  
6 an enforcement action or issues a citation or fine for a violation.

7       “(3)(a) The department may by rule impose on a transportation network  
8 company a fee for each prearranged ride a transportation network company  
9 provides to a rider in an amount that is sufficient, when aggregated, to meet  
10 the expenses that state agencies and local governments incur in connection  
11 with the intergovernmental agreement described in subsection (1) of this  
12 section. The department shall deposit the moneys the department receives  
13 under this subsection into the State Treasury to the credit of a subaccount  
14 the department establishes for the purpose of disbursing funds to state  
15 agencies and local governments in accordance with the provisions of sub-  
16 section (5) of this section. Moneys in the fund are continuously appropriated  
17 to the department for the purposes described in this subsection.

18       “(b) Before disbursing to a state agency or local government the proceeds  
19 of the fee described in paragraph (a) of this subsection, the department shall  
20 require the state agency or local government to submit a detailed and item-  
21 ized list of the cost and nature of enforcement activities the state agency or  
22 local government conducted under the intergovernmental agreement de-  
23 scribed in subsection (1) of this section. The department by rule shall require  
24 a state agency or local government that receives the proceeds of the fee to  
25 submit to the department each quarter a statement that shows that the state  
26 agency or local government used the proceeds solely for enforcement activ-  
27 ities in accordance with the intergovernmental agreement.

28       “(c) A state agency or local government that receives during any calendar  
29 quarter a disbursement under this subsection that exceeds the amount of  
30 expenses that the state agency or local government actually incurs in con-

1 nection with the intergovernmental agreement described in subsection (1) of  
2 this section shall:

3 “(A) Return the excess amount of the disbursement to the department; and

4 “(B) Cooperate in providing information the department needs to correctly  
5 forecast the amount of the fee described in this subsection that is necessary  
6 to meet the actual expenses of state agencies and local governments in con-  
7 nection with the intergovernmental agreement.”.

8 In line 35, delete “of Transportation”.

9 On page 11, line 1, delete “subsection” and insert “subsections (3) and”.

10 In line 3, delete “sub-”.

11 In line 4, delete the first “section” and insert “subsections (3) and”.

12 Delete lines 8 through 17 and insert:

13 “(6)(a) The department, not later than 60 days after the end of each cal-  
14 endar quarter, shall disburse from the moneys in the fund described in sub-  
15 section (3) of this section to each state agency and local government with  
16 which the department has an intergovernmental agreement described in  
17 subsection (1) of this section a sum that is equivalent to the expenses the  
18 state agency or local government incurred in connection with enforcement  
19 activities under the intergovernmental agreement.

20 “(b) The department, not later than 60 days after the end of each calendar  
21 quarter, shall disburse from the moneys in the fund described in subsection  
22 (4) of this section to the local government of each city or county within  
23 which a prearranged ride originated a sum that is equivalent to the propor-  
24 tion of prearranged rides that originated within the city or county during  
25 the previous calendar quarter.

26 **“SECTION 12.** (1) As used in this section, ‘qualifying governmental  
27 body’ means the local governments of two or more cities:

28 “(a) That have entered into an intergovernmental agreement to jointly  
29 run a transportation program for people who use wheelchairs; and

30 “(b) The jurisdictions of which extend not more than 15 radial miles

1 outward from the boundary of the largest city that is a party to the inter-  
2 governmental agreement.”.

3 In line 23, delete the period and insert “within the area that is subject  
4 to the jurisdiction of the qualifying governmental body.

5 “(b) A qualifying governmental body may require as part of a transpor-  
6 tation program described in paragraph (a) of this subsection that the fee that  
7 a transportation network company charges to a rider who uses a fixed-frame  
8 wheelchair may not vary as a consequence of the overall demand for prear-  
9 ranged rides at the time the rider requests or obtains a prearranged ride.”.

10 In line 24, delete “(b)” and insert “(c)”.

11 In line 27, delete “(c)” and insert “(d)”.

12 In line 29, delete “(b)” and insert “(c)”.

13 In line 37, delete “two” and insert “five”.

14 On page 12, line 4, after “with” insert “manufacturers of charging stations  
15 and”.

16 Delete lines 8 through 28 and insert:

17 “(5) On January 1 of each even-numbered year following January 1, 2022,  
18 the department by rule may adjust the fees described in subsection (1) of this  
19 section, taking into consideration any change that occurred during the pre-  
20 vious two years in the Consumer Price Index for All Urban Consumers, West  
21 Region (All Items), as published by the Bureau of Labor Statistics of the  
22 United States Department of Labor.

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

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

26 “[A)] a fee in an amount the department specifies for each prearranged  
27 ride for the purpose of administering the provisions of sections 1 to 15 of this  
28 2019 Act[: *and*].

29 “[B) *A fee of five cents for each prearranged ride for the purpose of de-*  
30 *ploying throughout this state charging stations and related infrastructure for*

1 *electric vehicles.]*

2 “(b) The department shall deposit the moneys the department receives  
3 under this subsection into the State Treasury to the credit of a subaccount  
4 the department establishes for the [*purposes*] **purpose** set forth in this sub-  
5 section. Moneys in the subaccount are continuously appropriated to the de-  
6 partment for the [*purposes*] **purpose** set forth in this subsection.

7 “(2) A transportation network company not later than 45 days after the  
8 end of each calendar quarter shall remit to the department the fees the  
9 transportation network company collected for the [*purposes*] **purpose** set  
10 forth in subsection (1) of this section.

11 “[*(3) Subsection (1)(a)(B) of this section does not apply to a prearranged*  
12 *ride that a transportation network company provides by means of an electric*  
13 *vehicle.]*

14 “[*(4) Before disbursing moneys for the purpose of providing charging*  
15 *stations and related infrastructure, the department shall consult with man-*  
16 *ufacturers of charging stations and each transportation network company from*  
17 *which the department received the proceeds of the fee the department imposed*  
18 *under subsection (1)(a)(B) of this section as to the type and location of all*  
19 *charging stations and related infrastructure that the moneys will fund.]*

20 “[*(5)*] **(3)** On January 1 of each even-numbered year [*following January 1,*  
21 *2022,*] the department by rule may adjust the [*fees*] **fee** described in sub-  
22 section (1) of this section, taking into consideration any change that oc-  
23 curred during the previous two years in the Consumer Price Index for All  
24 Urban Consumers, West Region (All Items), as published by the Bureau of  
25 Labor Statistics of the United States Department of Labor.”.

26 On page 14, delete lines 39 through 45.

27 On page 15, delete lines 1 and 2 and insert:

28 **“SECTION 17. (1) Sections 1 to 13 and 15 of this 2019 Act and the**  
29 **amendments to ORS 825.017 by section 16 of this 2019 Act become op-**  
30 **erative on January 1, 2020.**

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

3       **“(3) The Department of Transportation may adopt rules and take**  
4 **any other action before the operative date specified in subsection (1)**  
5 **of this section that is necessary to enable the department, on and after**  
6 **the operative date specified in subsection (1) of this section, to exercise**  
7 **all of the duties, functions and powers conferred on the department**  
8 **by sections 1 to 13 and 15 of this 2019 Act and the amendments to ORS**  
9 **825.017 by section 16 of this 2019 Act.”.**

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