

Tracy Smith

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**From:** Lynch, Josh <Joshua.Lynch@portlandoregon.gov>  
**Sent:** Wednesday, July 10, 2024 8:01 PM  
**To:** Tracy Smith; camerina.galvan.arias  
**Subject:** Updated Code Language regarding Traffic Violations  
**Attachments:** 03 Topic Submission Make Changes to Code to Allow Driver to Work with Two Infractions Before Disqualification.pdf

Tracy,

This is the language that Darren was hoping would get posted along with the agenda for this month's meeting. This language amends the original topic submission that occurred in October of 2020, which is attached.

The following are potential code revisions that could be made to Portland City Code chapter 16.40, related to a driver's disqualifying factors.

Option 1 –

This language would provide a tiered approach to onboarding drivers, allowing for new applications to have leeway based on their driving history.

**7.** Based on the conviction date, first time applicants have ~~the applicant has two~~ three or more traffic violations, renewing applicants have two or more traffic violations as defined in ORS 801.557 of any kind within the previous 12 months from the date of the application.

Option 2 –

This language would provide a probationary period for drivers when they receive a second traffic violation within a 12 month period.

**7.** Based on the conviction date, the applicant has two or more traffic violations as defined in ORS 801.557 of any kind within the previous 12 months from the date of the application.

**a.** Proof of successfully completing a traffic safety course within 30 days of the second violation will increase the threshold to three or more traffic violations as defined in ORS 801.557 of any kind within the previous 12 months from the date of the application.

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**Joshua Lynch** | Interim Division Manager Regulatory Division

Pronouns: He/Him

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**Name:**

[REDACTED]

**Organization:**

[REDACTED]

**Phone Number:**

**Email:**

**Topic or Description**                      Make changes to the code to allow a driver to work with 2 infractions before disqualification.

**How is this impacting your industry?**                      We are losing drivers to this code. We believe driving with 2 infractions is doable and a third would be cause for dismissal from the industry

**Reason for consideration or change to the regulation?**                      Due to the number of hours of driving done by Taxi Drivers the likelihood of them committing minor traffic violations is greatly increased over that of regular driver. It is simply too harsh a punishment to take away someone's livelihood on their second traffic violation. Prior to this version of the Code, the rule had always been three traffic violations. This change re-instates the prior rule and is much more fair.

16.40.170

**Proposed solution:**

E. Taxi Driver Criminal and Driving History Disqualifications. A driver will not be certified as a Taxi Driver and cannot provide Taxi Services if any of the following conditions exist:

7. The applicant has three or more traffic violations as defined in ORS 801.557 of any kind within the previous 12 months from the date of the application;

10/8/2020

Revised language:

Based on the conviction date, the applicant has ~~three~~two or more traffic violations as defined in ORS 801.557 of any kind within the previous 12 months from the date of the application.

The language above, if approved by City Council, will be reflected in all revevent sections of Chapter 16.40.