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TNC DRIVERS ADVISORY COMMITTEE MEETING SUMMARY DRAFT FINAL

October 9, 2023 • 3:30 PM – 5:00 PM

Zoom Meeting Call

Advisory Committee Members	Organization	Present
Keenan Browe	TNC Drive, Chair	Yes
Richard Rohrich	TNC Driver	Yes
Phil Berger	TNC Driver, Vice Chair	Yes
Rachel Keller	TNC Driver	No
Annadiana Johnson	At Large Member of the Public - Representative of People with Disabilities	Yes
Kris Meagher	At Large Member of the Public – Representative of People with Disabilities	No
Mark Williams	Interim Parking and Regulatory Group Director	No
Josh Lynch	PBOT Regulatory Division, Interim Manager	No
Matt Erickson	PBOT Regulatory Division	No
Gabby Sanchez	PBOT Regulatory Division, Office Support Specialist II	Yes
Sally LaJoie	Ombuds Team, LaJoie Mediation and Consulting, LLC	Yes
Leah Bazzani	Ombuds Team, Bennett Hartman Attorneys at Law, LLP	No
Julie Reading	Ombuds Team, Bennett Hartman Attorneys at Law, LLP	No
Eliot Rose	Technical Advisory Panel, Metro	No
Ken Puckett	Technical Advisory Panel, Providence Park/Portland Timbers	No
April Murchinson	Technical Advisory Panel, Port of Portland	Yes
Anna Richter Taylor	Technical Advisory Panel, Uber	Yes
Richard Fedesco	Technical Advisory Panel, Moda Center/Trailblazers	No
Tracy M. Smith, Facilitator	Inhance LLC	Yes
Camerina Galván, Notetaker	Galvan Consulting LLC (Inhance LLC)	Yes
Vacant	At Large Member of the Public	N/A
Vacant	TNC Driver (2-year term)	N/A

Vacant	TNC Driver (3-year term)	N/A
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Other Attendees: Karyssa Jackson, Lyft; Darin Campbell, Radio Cab & Chair of the Private for-Hire Transportation Advisory Committee; Kyle Endert, Moda Center/Trailblazers; Erica Mighetto; Sean Hobbs Waters; Steven Koester, Port of Portland; Jake Taylor, Lyft and Uber Driver.

INTRODUCTIONS: TRACY M. SMITH, FACILITATOR

- Tracy M. Smith called the meeting to order at 3:36 pm.
- The quorum was met.
- Tracy M. Smith introduced Keenan Browe as the newly elected chair and Phil Berger as the newly elected vice-chair.

ANNOUNCEMENTS FROM COMMITTEE MEMBERS: KEENAN BROWE, CHAIR

- Phil Berger shared he’s frustrated with the committee’s slow pace. Keenan Browe would like the meetings to be more efficient and generate more recommendations for the Bureau Director and TNC companies.
- Phil Berger made the following recommendations based on City Council Resolution 37355 and the TNC Drivers Advisory Committee Bylaws:
 - Call a special meeting to review the TNC Drivers Advisory Committee Bylaws and the City Charter.
 - Increase the frequency of the meetings to conduct more business.
 - At the beginning of the meetings, committee members and the Technical Advisory Panel share issues they have identified since the previous meeting that can become a topic submission or addressed in a subcommittee.
- Annadiana Johnson is frustrated with the inaction of the TNC Driver Advisory Committee. They have questioned the value they bring to the meetings. They have identified topics in other committees on this committee, particularly Title VI and nondiscriminatory regulation compliance. They would appreciate a better understanding of the charter and the intent behind the committee’s formation.
- Anna Richter Taylor would like clarity about when it is appropriate for her to speak up in the meetings as a member of the Technical Advisory Panel. She suggested having a monthly, one-hour meeting to give cadence and to keep the conversation moving because the current meetings are long and full of information.
- Keenan Browe said more work can be done between meetings to identify issues.

APPROVAL OF 06/12/2023 MEETING SUMMARY: KEENAN BROWE, CHAIR

- Not Approved: Phil Berger raised two questions regarding the June 12, 2023, meeting summary draft final, and the committee did not vote.
 - Phil Berger cited on page three of June 12, 2023, Meeting Summary, “Matt Erickson clarified that rates, rights, and regulations for Washington don’t apply if a Washington resident driver conducts a pickup in Oregon. The ride has to originate in Washington for the state laws to apply.” As a Washington resident, he has noticed that if he picks up a ride in Oregon that is going to Washington, he receives split fares, meaning that for the time the ride is in Oregon, he receives Oregon rates, and once he crosses to Washington, he receives Washington rates.
 - **ACTION ITEM:** Tracy M. Smith will ask Matthew Erickson to confirm the policy.
 - Phil Berger stated there is a conflict between the number of committee members listed on the May 2023 roster and the number indicated in the bylaws. The August 14, 2023, meeting summary, which has a revised roster as of May 2023, shows ten positions.

- **ACTION ITEM:** Tracy Smith will explore this and will send an email with her findings.
- The draft final June 12, 2023, meeting summary will be approved in the December 2023 meeting.
- **Action Items:** There were three pending action items from the 06/12/2023 meeting:
 - Pending Action Item 47: Anna Richter Taylor will obtain the number of riders cleared from the platform using a fake name.
 - Anna Richter Taylor reported that Uber conducted a scrub, but she does not have the number.
 - Phil Berger asked if Uber could implement a program where drivers submit information about riders using fake names to the company.
 - **ACTION ITEM:** Anna Richter Taylor will share the trend line of riders cleared from the platform for using fake names since the start of the program.
 - **ACTION ITEM:** Anna Richter Taylor will ask Uber if a program can be set up for drivers to submit screenshots of a rider profile utilizing a fake name.
 - Pending Action Item 48: Anna Richter Taylor will investigate why the Uber PIN code system was discontinued and the possibility of re-initializing it.
 - Update: Anna Richter Taylor can't answer why the PIN code system was discontinued. She is advocating internally to reinstate the PIN code system so drivers can request that riders submit a PIN to continue the ride.
 - Riders can activate, but drivers cannot. A PIN code system for drivers would be a new feature.
 - Uber launched the dash cam program in Portland because of the focus on driver and rider safety.
 - Pending Action Item 50: Karyssa Jackson will confirm if anything akin to a PIN code system has been considered or implemented at Lyft.
 - Update: Karyssa Jackson shared that Lyft has nothing like a PIN code system. The feedback has been shared with the company. Lyft continues to work on rider identification and photo identification.
 - Phil Berger asked Karyssa Jackson's opinion on why Lyft allows riders to provide profile pictures while Uber has been resistant.

GENERAL UPDATES FROM TECHNICAL ADVISORY PANEL & PUBLIC COMMENTS: KEENAN BROWE, CHAIR, AND JOSH LYNCH, PBOT

- Steven Koester shared that the pickup area for Uber and Lyft is moving into level 1 of the short-term garage on October 24, 2023. Uber and Lyft will have their dedicated areas. The Port of Portland posted notices with maps in the hold lot breakroom and curbs. The TNC app will notify drivers of the new location. This will increase the size of the pickup areas for TNCs and make it safer for customers.
- Jake Taylor, a TNC and Lyft driver for nearly eight years, shared that his PBOT driver's permit expired on August 31, 2023. He contacted Uber and Lyft through their online channels and was told to contact the City of Portland to get it renewed. The City of Portland's email stated Uber and Lyft need to contact the city to get it renewed. He did receive support at the Uber Hub a month ago, but the permit has yet to be renewed. Without a Lyft hub, he could not talk with a representative. He wants to know why he can't renew his permit and why the process is funneled through the TNCs.
 - **ACTION ITEM:** PBOT will be notified of the issue to determine if they can provide follow-up.
 - Anna Richter Taylor and Karyssa Jackson encouraged Jake Taylor to share his email in the Chat.
 - Anna Richter Taylor entered her email in the Chat (Anna@artpublicaffairs.com) and shared that she can work to identify the issue with their TNC and PBOT contacts and try to solve the issue.

- **ACTION ITEM:** Josh Lynch will report to the committee if TNCs or PBOT are responsible for permit renewals.
- Darin Campbell shared that the city has allowed TNCs to self-certify drivers. The apps should have notified Jake Taylor well before the permit expired.
- Sean Hobbs Waters acknowledged that a robust transit system needs on-demand transit from TNCs. Sean Hobbs Waters would like more information regarding rider and driver fare transparency. As a rider, Sean Hobbs Waters feels fare calculations are ambiguous.
 - **ACTION ITEM:** Keenan Browe or Phil Berger will help Sean Hobbs Water submit a Topic Submission form.

DISCUSSION: OMBUDS QUARTERLY REPORT: SALLY LAJOIE, OMBUDS PERSON

- Sally LaJoie recognized her associate Leah Bazzani.
- There were no new complaints this quarter and no updates on complaints. PBOT now handles the non-deactivations, and Ombuds is undertaking more serious complaints.
 - **ACTION ITEM:** Josh Lynch will report whether PBOT received any non-deactivation complaints.
- Jake Taylor was unaware the Ombuds resource was available and asked if the resource was made known to drivers.
 - Sally LaJoie responded that PBOT publicized the Ombuds program in the updates sent to drivers, and she is not certain how regularly the updates are sent. It’s her understanding that the program was made known. Even if Jake Taylor had filed a complaint, it would have been designated to PBOT, not the Ombuds team, because the issue isn’t a serious deactivation.
- Keenan Browe pointed to a larger issue about what committee information is available to the public on the PBOT website and who the messaging is directed at. Phil Berger would also like to see the TNC Drivers Advisory Committee website updated.
 - **ACTION ITEM:** Josh Lynch will report if the TNC Drivers Advisory Committee website language can be updated.
- Phil Berger asked Sally LaJoie to update the quarterly report format to track the number of requests over time to see the growth or decrease. He is concerned that PBOT is taking on a portion of the Ombuds program’s work because he wants greater reporting. He would like more transparency from the TNCs regarding how many drivers are deactivated per period compared to the number of drivers filing deactivation complaints.
 - **ACTION ITEM:** Sally LaJoie will update the quarterly report format to track the number of requests over time to see the growth or decrease in complaints.
- Sally LaJoie suggested adding to the agenda time for PBOT to report on the complaints. She would find it interesting to see the number of drivers who accept the deactivation and those who file complaints, how many drivers know about the program, what is their first language, and if they find the process overwhelming.
- Phil Berger asked the TNC representatives if companies could create a report on the number of deactivations. Eventually, he would like to know how many drivers are being deactivated, for what reason, and if the deactivation is justified before the drivers can defend themselves and lose income. This is a high priority.
- Anna Richter Taylor and Karyssa Jackson need more information about the request.
 - **ACTION ITEM:** The committee will follow up regarding the request.
- The committee is advisory; ultimately, PBOT will determine if that action should be taken.

- Annadiana Johnson agrees it would be advantageous to know when a driver is deactivated, especially if it is not their choice because it results in a loss of income.
- Erica Mighetto shared in the Chat that we need to know how many drivers are unwillingly deactivated quarterly. How many are reported to the program? How many are re-activated? Can a phone number be provided for appeal when a driver is notified of their deactivation?"

PBOT PROGRAM UPDATES: JOSH LYNCH, PBOT

- **Fees and Fares Subcommittee:** Darin Campbell and PBOT decided to pause the Fees and Fares Subcommittee meetings.
- **60/40 Fare Split:** This item was not on today's agenda.
 - Erica Mighetto added in the Chat the 60/40 fare split has been delayed for a year. Keenan Browe said the 60/40 fare split issue could be on the next agenda if reintroduced as a Topic Submission.

DISCUSSION: TOPIC SUBMISSION: PHOTO ID: KEENAN BROWE, CHAIR

- Keenan Bowe recapped the previous discussion regarding the Topic Submission.
- Richard Rohrich asked why riders aren't required to take a picture of themselves with the app, just as drivers are periodically required to take a picture of themselves before starting their shift. Anna Richter Taylor wonders if the request will have legal implications. Uber is concerned with rider discrimination.
 - **ACTION ITEM:** Anna Richter Taylor will ask Uber if the company can require riders to photograph themselves with the app to verify their identity periodically.
- Jake Taylor asked in the Chat that if discrimination is the concern, could the app reveal the photo and name once the driver arrives? Erica Mighetto liked the suggestion.
- Karyssa Jackson shared that the capability to upload a photo already exists within the app, and riders are encouraged to do so.
- **ACTION ITEM:** Karyssa Jackson can share the question with Lyft, investigate the implications, and report to the committee.
- Richard Rohrich motioned to move the topic submission to an action item. Phil Berger seconded it.
 - Approved: The motion passed unanimously. The topic submission will be on the next agenda as an action item.
- Committee members are encouraged to come prepared with action items for the next meeting.

DISCUSSION: TOPIC SUBMISSION: THIRD-PARTY RIDES: KEENAN BROWE, CHAIR

- Keenan Bowe recapped the previous discussion regarding the topic submission.
- Phil Berger would like to see the same safety precautions required of the drivers for riders, such as a background check and photo ID. He would like an option for drivers to opt out of third-party rides, and drivers that opt-in should be compensated. There are subdivisions of third-party rides that are unfair to drivers. The likelihood of being tipped on a third-party ride is extremely low. Jake Taylor shared in the Chat he agrees.
- The issues raised by Phil Berger are not addressed in the topic submission, and it warrants an amendment. Phil Berger invited committee members and guests to draft the new topic submission with him next week.
 - **ACTION ITEM:** Phil Berger will submit an amended topic submission for third-party rides.
- Anna Richter Taylor requested a list of questions regarding third-party rides before the next meeting to provide information that could be useful in drafting the amended topic submission.

- **ACTION ITEM:** Phil Berger will send Anna Richter Taylor a list of questions regarding third-party rides before drafting the amended topic submission.
- Phil Berger requests that Josh Lynch send him and Keenan Browe the topic submissions upon receipt. If approved for discussion by the chair and vice-chair, the topic submissions would be posted to the website and shared with the committee members before the rest of the meeting documents are shared. Richard Rohrich, Keenan Browe, Annadiana Johnson, and Sean Hobbs Waters are in favor.
 - **ACTION ITEM:** Josh Lynch will report if topic submissions can be expedited.
- Phil Berger motioned to amend the topic submission and take action at the next meeting. Richard Rohrich seconded it.
 - Approved: The motion passed unanimously. The topic submission will be amended, and action will be taken at the next meeting.
- Historically, the technical advisory panel members do not attend the agenda planning meetings. Phil Berger would prefer to approve the topic submission sooner and have a conversation with Anna Richter Taylor weeks before the committee meeting.
 - **ACTION ITEM:** PBOT will advise if Anna Richter Taylor can be an observer during the agenda-planning meetings.

DISCUSSION: PUBLIC COMMENTS

- Phil Berger wanted to reopen the Public Comment. Tracy M. Smith recommended that members of the public comment in the chat because the meeting was running behind on time.
- Darrin Campbell asked in the Chat if the chair could reopen public comments. Erica Minghetto requested in the Chat that the public be allowed to comment on what has been discussed. Jake Taylor shared in the Chat that the Public Comment section should be opened at the end of the meeting to comment on what was discussed.
- Phil Berger requested that public comments be allowed at multiple points throughout the meeting.
- Tracy M. Smith recommended that public comments be moved to the end of the agenda.
 - **ACTION ITEM:** PBOT will advise if time at the end of the meeting can be used for public comment.

DISCUSSION: UBER DASH CAMS: PHIL BERGER, VICE CHAIR

- Phil Berger attended the Uber dash cam event and was disappointed that the products offered didn't capture what happens inside the vehicle. He wished Uber had consulted drivers.

DISCUSSION: COMMITTEE RECRUITMENT: PHIL BERGER, VICE CHAIR

- Phil Berger would like recruitment to be the committee's top priority.
 - **ACTION ITEM:** Phil Berger will submit a topic submission requesting a budget for recruitment, committee member stipends, and parking coupons.
- Phil Berger would like the following:
 - Attend all subsequent committee meetings in person in room 202 at City Hall and make this a one-time request.
 - All meeting participants arrive prepared to share their experiences and issues since the last meeting with fewer restrictions of Robert's Rules of Order.
 - See a full slate of committee members.
 - Make a motion to add recruiting issues to the next meeting agenda.

- Phil Berger would like to meet with Keenan Browe and non-committee members to develop a topic submission addressing a recruitment plan.
- Keenan Browe and Phil Berger would like to explore the possibility of having more meetings.
 - **ACTION ITEM:** Keenan Browe will discuss having more meetings with Josh Lynch.
 - **ACTION ITEM:** Recruitment will be discussed at the agenda-planning meeting.
 - **ACTION ITEM:** Josh Lynch will regularly contact Phil Berger to discuss opening room 202.
 - **ACTION ITEM:** Josh Lynch will report on the request for a budget.
 - **ACTION ITEM:** Keenan Browe will follow up with Jake Taylor (jaketaylor82@gmail.com) and Erica Mighetto (erica_mighetto@yahoo.com) outside the meeting.

CHAIR ADJOURNED THE BUSINESS MEETING AT 4:58 pm.

NEXT MEETING: The next meeting will be Monday, December 11, 2023, 3:30 pm—5:00 pm.

Submitted by Camerina Galván, Notetaker, Galvan Consulting LLC.