



PBOT

PORTLAND BUREAU OF TRANSPORTATION

1120 SW Fifth Ave, Suite 1331, Portland OR 97204

Main: 503-823-5185 TTY: 503-823-6868 Fax: 503-823-7576 Portland.gov/Transportation

Jo Ann Hardesty Commissioner Chris Warner Director

TNC DRIVERS ADVISORY COMMITTEE MEETING SUMMARY DRAFT FINAL

August 8, 2022 • 3:30 PM – 5:00 PM

Zoom Meeting Call

Advisory Committee Members	Organization	Present
Owen Christofferson	TNC Driver, Chair	Yes
Chad Derrington	TNC Driver, Vice-Chair	Yes
Keenan Browe	TNC Driver	Yes
Richard Rohrich	TNC Driver	No
Philip Berger	TNC Driver	Yes
Rachel Keller	TNC Driver	Yes
Guy Auker	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	Yes
Mark Williams	Regulatory Division Mgr., PBOT (non-voting member)	Yes
Gabby Sanchez	PBOT Regulatory Division, Office Support Specialist II	Yes
Dave Benson	PBOT Parking Group Manager	Yes
Sally LaJoie	Ombuds Team, LaJoie Mediation and Consulting, LLC	Yes
Leah Bazzani	Ombuds Team, Bennett Hartman Attorneys at Law, LLP	No
Hank Kaplan	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	Galván Consulting LLC (Inhance LLC)	Yes



PBOT

PORTLAND BUREAU OF TRANSPORTATION

1120 SW Fifth Ave, Suite 1331, Portland OR 97204

Main: 503-823-5185 TTY: 503-823-6868 Fax: 503-823-7576 Portland.gov/Transportation

Jo Ann Hardesty Commissioner Chris Warner Director

TNC DRIVERS ADVISORY COMMITTEE MEETING SUMMARY DRAFT FINAL

August 8, 2022 • 3:30 PM – 5:00 PM

Zoom Meeting Call

Advisory Committee Members	Organization	Present
Vacant	At Large Member of the Public	N/A

Other Attendees: Carrie McKowen, Ground Transportation, Port of Portland; Clayton Harris, Director of Government Affairs from Central to Western United States, Lyft; Elizabeth Gallagher, Senior Manager Regulatory Compliance, Lyft; Kyle Endert, Parking and Traffic Manager, Trail Blazers and the Rose Quarter; Darin Campbell, Private-for-Hire Transportation Advisory Committee, Fees and Fares Subcommittee, and Radio Cab; Ian Sergeant, Part-time TNC Driver, and Program Manager, Forth; Kara, Captioner.

INTRODUCTIONS: TRACY M. SMITH, FACILITATOR

- Owen Christofferson called the meeting to order at 3:30 pm.

ANNOUNCEMENTS FROM COMMITTEE MEMBERS: MARK WILLIAMS, PBOT

- Mark Williams welcomed Annadiana Johnson, Guy Auker, and Kris Meagher as newly appointed committee members.
- Philip Berger requested the TNC Advisory Committee Meeting return to a monthly 2-hour meeting. Owen Christofferson is willing to entertain the idea and would like more discussion.
 - Action Item:** Returning to a monthly 2-hour meeting will be a discussion item at the next meeting.
- Owen Christofferson asked Mark Williams if committee members could be compensated.
 - Action Item:** Mark Williams will follow up with the Office of Community and Civic Life as they work on advisory committee compensation.

APPROVAL OF 06/13/2022 MEETING SUMMARY: OWEN CHRISTOFFERSON, CHAIR, AND CAMERINA GALVÁN, NOTETAKER

- Four outstanding action items were reviewed.

Action Item 10 Response: Anna Richter Taylor did not have an update.

- Action Item:** Anna Richter Taylor and Owen Christofferson will connect to discuss presenting upfront the per minute and mile to the drive.



PBOT

PORTLAND BUREAU OF TRANSPORTATION

1120 SW Fifth Ave, Suite 1331, Portland OR 97204

Main: 503-823-5185 TTY: 503-823-6868 Fax: 503-823-7576 Portland.gov/Transportation

Jo Ann Hardesty Commissioner Chris Warner Director

TNC DRIVERS ADVISORY COMMITTEE MEETING SUMMARY DRAFT FINAL

August 8, 2022 • 3:30 PM – 5:00 PM

Zoom Meeting Call

Action Item 12 Response: Anna Richter Taylor did not have an update.

- **Action Item:** Anna Richter Taylor will connect with Philip Berger to discuss the location of the pins at the Port of Portland.

Action Item 14 Response: Anna Richter Taylor and Clayton Harris will share their responses separately. Lyft submitted in writing that they request Admin Rule Notification Requirement 2 to be set to 15-days. Uber agrees with Admin Rule Notification Requirement 2.

Action Item 15 Response: Owen Christofferson did not connect with Clayton Harris.

- **Action Item:** Owen Christofferson will connect with all committee members to ask if they have any questions and communicate the question to Clayton Harris.
- Approved: No revisions or objections made to the final June 13, 2022, Meeting Summary. Annadiana Johnson abstained from voting because she wasn't a committee member at the June 2022 meeting.

GENERAL UPDATES FROM TECHNICAL ADVISORY PANEL & PUBLIC COMMENTS: OWEN CHRISTOFFERSON, CHAIR, AND CHAD DERRINGTON, VICE-CHAIR

- No public comment and no updates from the Technical Advisory Panel.
- **Fees and Fares Subcommittee Update:** The subcommittee is working on a TNC driver earnings survey and discussing driver and rider rate transparency. The subcommittee meets bi-monthly.

DISCUSSION ITEM: PBOT PROGRAM UPDATES: MARK WILLIAMS, PBOT

- **Minimum Compensation:** Owen Christofferson submitted a letter to the PBOT Director and Mark Williams. The Director has received the letter, and legal is researching whether an Oregon revised statute may prevent enacting a minimum compensation.
 - Action Item: Mark Williams will update the committee as more information becomes available.
- **Learning Management System (LMS):** There is a required training all advisory committee members must complete. It will be rolled out in the next couple of weeks.
- **Update to the Topic Submission Form:** The [Topic Submission Form](#) has been updated. File attachments can now be uploaded.



PBOT

PORTLAND BUREAU OF TRANSPORTATION

1120 SW Fifth Ave, Suite 1331, Portland OR 97204

Main: 503-823-5185 TTY: 503-823-6868 Fax: 503-823-7576 Portland.gov/Transportation

Jo Ann Hardesty Commissioner Chris Warner Director

TNC DRIVERS ADVISORY COMMITTEE MEETING SUMMARY DRAFT FINAL

August 8, 2022 • 3:30 PM – 5:00 PM

Zoom Meeting Call

Philip Berger asked that when a Topic Submission is not addressed by the committee, the author of the topic submission must be notified. Topic Submission Forms are reviewed by Mark Williams, the Chair, and Vice-Chair. Topics outside the committee's power or the regulatory jurisdiction are not considered.

- **Action Item:** Mark Williams will discuss a notification process with Owen Christofferson and Chad Derrington.

ACTION ITEM: REVISION TO 30-DAY NOTIFICATION ADMIN RULE: OWEN CHRISTOFFERSON, CHAIR

- The [30-Day Notification Admin Rule](#) was revised. Notification Requirement 4 was removed and will be submitted as a separate item to be discussed at a future meeting. The City Attorney is reviewing Uber and Lyft's binding arbitration language and will share their comments. Notification Requirement 4 was omitted because there were questions about whether it was legal. Mark Williams recommended the committee move forward with Notification Requirements 1 and 2.
- Anna Richter Taylor shared Lyft favors the 15-day notice for any adjustment to driver pay rate. Lyft is not in favor of any days prior notification to an adjustment to TNC Driver Terms of Service since the language is overly broad, burdening, and places limitations on what Lyft can do across the country. Lyft has only one Terms of Service for all drivers, and they do not want to be out of compliance with Portland and the other markets.
- Clayton Harris shared Uber agrees with Notification Requirements 1 and 2. Uber wants the Terms of Service agreement to be addressed separately since the language is broad. Discussions between attorneys must ensure the admin rule is operationally feasible and meets committee goals. If the admin rule passes, Uber will send a letter to the Director asking for discussions with attorneys for potential modifications.
- Chad Derrington shared it was easy for TNC companies to develop Terms of Service for different areas. He encouraged taking action and presenting the recommendations to the Director. Rachel Keller agreed the admin rule needs to move forward and hesitated with the broadness of Notification Requirement 3. She encouraged adding Portland or Portland Metro Area into the language.
- Owen Christofferson made a motion to approve the admin rule as is.
 - Opposed: Motion failed.
- Owen Christofferson motioned to approve the admin rule with Notification Requirements 1 and 2.
 - Approved: Motion passed.



PBOT

PORTLAND BUREAU OF TRANSPORTATION

1120 SW Fifth Ave, Suite 1331, Portland OR 97204

Main: 503-823-5185 TTY: 503-823-6868 Fax: 503-823-7576 Portland.gov/Transportation

Jo Ann Hardesty Commissioner Chris Warner Director

TNC DRIVERS ADVISORY COMMITTEE MEETING SUMMARY DRAFT FINAL

August 8, 2022 • 3:30 PM – 5:00 PM

Zoom Meeting Call

DISCUSSION ITEM & PUBLIC COMMENT: OMBUDS QUARTERLY REPORT: SALLY LAJOIE, OMBUDSPERSON

- The Ombudsperson received an uptick in complaints. Since the [Quarterly Report](#) was submitted, two additional complaints were filed, for nine complaints from seven drivers. All except one complaint was about deactivation, and the other complaint related to a temporary suspension. The two most recent complaints were from the same TNC driver—one complaint against Uber and one against Lyft. Ombuds learned that if a TNC driver had already taken the 7x7 course and been reinstated as a driver to the platform, they were not allowed to retake it per company policy. Cases in which the driver has been declined reactivation have not been closed. The Ombudsperson is waiting for more information from the TNC companies and assumes this will be provided since the administrative rule is in the process.
- The administrative rule requiring TNC companies to cooperate with Ombuds investigations cleared the legal review process. If the Director approved, it would be recorded by the Auditor and become law. Mark Williams estimated it would become law in 1-2 weeks.

DISCUSSION ITEM & PUBLIC COMMENT: TOPIC SUBMISSION: SHORTCUT FROM PDX TO RIDESHARE AREA VIA AIR CARGO ROAD CLOSED: PHILIP BERGER, COMMITTEE MEMBER

- A shortcut to the rideshare staging area at the Port of Portland through Air Cargo Road was closed. Phillip Berger requested the accessway be reopened, that in the future, TNC drivers be consulted before roadway changes were made that impacted them and that a sign be posted indicating the roadway was closed. Rachel Keller agreed with Philip Berger and would appreciate traffic control notifications.
- The construction is related to the TriMet Better Red, Better Track, PDX Bicycle, and Pedestrian Path. The Port of Portland discouraged ground transportation providers from using the roadway. The area will be under construction from August 8-13, 2022, and it is uncertain how long the roadway will be closed. The lack of notifications to ground transportation providers was an oversight due to Port of Portland's internal reorganization. In the future, the department charged with roadway management will notify the Ground Transportation Department, which will notify ground transportation company managers and owners at least three days in advance.
 - **Action Item:** April Murchinson will ask the individuals managing the roadway if a sign can be posted and will check if there is a date for reopening the roadway.
- Mark Williams invited drivers to [sign up for PBOT alerts](#) because alerts could take up to a week to be posted to the TNC app.
 - **Action Item:** PBOT will work with Uber and Lyft on language encouraging TNC Drivers to sign up for PBOT alerts.



PBOT

PORTLAND BUREAU OF TRANSPORTATION

1120 SW Fifth Ave, Suite 1331, Portland OR 97204

Main: 503-823-5185 TTY: 503-823-6868 Fax: 503-823-7576 Portland.gov/Transportation

Jo Ann Hardesty Commissioner Chris Warner Director

TNC DRIVERS ADVISORY COMMITTEE MEETING SUMMARY DRAFT FINAL

August 8, 2022 • 3:30 PM – 5:00 PM

Zoom Meeting Call

- **Action Item:** PBOT will send a message to TNC drivers to sign up for PBOT alerts.

DISCUSSION ITEM: DRIVER PROTECTIONS AND SAFETY TOOLS FOR DRIVERS: CHAD DERRINGTON, VICE-CHAIR

- Chad Derrington proposed that PBOT implement a maximum seating requirement for Portland that leaves the front passenger seat open to add a layer of protection for both drivers and passengers. He proposed Uber and Lyft implement requirements for riders to use a name that matches their credit card and a valid photo on their profile.
- Having the rider profile and credit card match may not be the best solution for occasions when a ride is made on behalf of a person. The rider's profile may need to be improved to indicate they are making a ride on behalf of someone else.
 - **Action Item:** Anna Richter Taylor will find out more about rider profile requirements and report to the committee.
 - **Action item:** Clayton Harris will follow up with the Lyft safety team about rider profile requirements and report to the committee.
- Uber allows the rider to request a ride for someone else by putting the person's name in the app. TNC drivers are required to pick up riders who have service animals.
- Owen Christofferson made a motion to continue this discussion at the next meeting.
 - Approved: Motion passed.

CHAIR ADJOURNED THE BUSINESS MEETING AT 4:59 pm.

NEXT MEETING: The next meeting will be Monday, October 10, 2022.

Submitted by Camerina Galván, Notetaker, Galván Consulting LLC.