



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 FINAL DRAFT

October 10, 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	Yes
Phil Berger	TNC Driver	Yes
Rachel Keller	TNC Driver	No
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	No
Dave Benson	PBOT Parking Group Manager	No
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
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



PBOT
PORTLAND BUREAU OF TRANSPORTATION

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Camerina Galván, Notetaker	Galván Consulting LLC (Inhance LLC)	Yes
Vacant	At Large Member of the Public	N/A

Other Attendees: Clayton Harris, Director of Government Affairs from Central to Western United States; Steve Koester, Port of Portland, Parking & Shuttle Buses Manager; Erica Mighetto-Raviart, Board Member, Ride Share Drivers United; Darin Campbell, Chair, Private-for-Hire Transportation Advisory Committee, and Fees and Fares Subcommittee; Elizabeth Gallagher, Senior Manager Regulatory Compliance, Lyft; Jerry Crosby, TNC Driver.

INTRODUCTIONS: TRACY M. SMITH, FACILITATOR

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

ANNOUNCEMENTS FROM COMMITTEE MEMBERS: MARK WILLIAMS, PBOT

- No announcement from committee members.

APPROVAL OF 08/08/2022 MEETING SUMMARY: OWEN CHRISTOFFERSON, CHAIR, AND CAMERINA GALVÁN, NOTETAKER

- Approved: No revisions or objections made to the Draft Final August 8, 2022, Meeting Summary.
- Action Items:
 - Action Item 18: The Office of Community and Civic Life has not established a formal policy for committee member compensation. PBOT is allowed to provide compensation, but an internal policy needs to be established before compensating committee members. Mark Williams does not know when this will occur.
 - Action Items 19 and 20 will be carried over to the next meeting.
 - Action Item 21: Owen Christofferson will collect committee member questions regarding Lyft via email (owenchristofferson@gmail.com). Questions will be forwarded to Nicholas Johnson, West Coast Director of Government Affairs.
 - Action Items 24 and 25: PBOT needs to craft language directing drivers to sign up for PBOT alerts. This item will be carried over to the next meeting.
 - Action Item 26: The photo issue has challenges because of the possibility of discrimination. Ana Richter Taylor is inquiring if a rider profile name can be required to match the card on file.
 - Action Item 27: In response to driver and passenger photo verification and front seat requirements, Clayton Harris reported that Uber operates similar to Lyft. Regarding third-party rides, people can



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request a ride for another passenger through the Uber app. The third-party passenger needs an app profile for the driver to identify them. The driver has the option to decline a ride if no profile exists. Rides for unaccompanied minors are prohibited. Uber is working to inform riders of their policies.

- An Uber driver cannot refuse a ride due to a service animal. The rider can report the incident through the app if there is a problem.
- **ACTION ITEMS:** Darin Campbell (Darinduck@hotmail.com) asked Annadiana Johnson to contact him to discuss service animals in the Chat.
- Chad Derrington added that in the Lyft app, a third-party ride could be set up using the passenger's first name, last name, and phone number.

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

- No updates from the Technical Advisory Panel. No public comments.
- **Fees and Fares Subcommittee Update:** The subcommittee is working on a second TNC Driver Survey and discussing Uber's Upfront Fares Program and third-party rides.

DISCUSSION ITEM: PBOT PROGRAM UPDATES: MARK WILLIAMS, PBOT

Driver Training: All committee members should have received an invite to complete the training.

- **Learning Management System (LMS):** LMS includes a new Driver Etiquette Training to help drivers avoid conversations and learn how to best support passengers who have disabilities and service animals. The LMS is moving forward slower than expected. When launched, LMS will include the existing Private-for-Hire Transportation training. Committee members should have received a PBOT user account and an email from Mark Williams explaining the training. Any questions can be sent to Mark Williams.

CONSIDERATION: TOPIC SUBMISSION: DRIVER PROTECTIONS: CHAD DERRINGTON, VICE-CHAIR

- Driver protections discussed include valid passenger pictures on their account, passengers' first and last names matching billing information, and not allowing a passenger in the front seat. No longer being considered are drivers carrying self-defense tools in the vehicle.
- The city does not have a policy concerning what items a driver can carry for their protection. Taxis must carry cameras because they hail rides, and a camera provides a digital transaction record.
- Phil Berger wants drivers and third-party passengers to see photos of those requesting a ride. He'd like both TNCs to indicate when a ride is a third-party ride.
- Keenan Browe, Owen Christofferson, and Phil Berger voiced their support for driver safety measures.



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- Mark Williams recommends a policy recommendation with clear language be developed, and the committee takes public comment.
 - **Action Items:** Mark Williams will consult with the district attorney to review the maximum seating requirement as it will impact the entire industry.
 - Owen Christofferson called a motion to move forward the following driver safety measures as three separate topic submissions items: (1) passengers have a valid photo in the app, (2) the front passenger seat is not occupied during rides, and (3) third-party rides are flagged in the app.
 - Approved: Unanimously passed.
 - **Action Item:** Chad Derrington will develop language for the three topic submissions.

CONSIDERATION: TOPIC SUBMISSION: DRIVES RECEIVE 75% OF THE FARE: CHAD DERRINGTON, VICE-CHAIR

- The Fees and Fares Subcommittee discussed the fare percentage change and the lack of transparency on behalf of TNCs to drivers and passengers. Passengers' rates are inflated, and drivers are not being compensated fairly. Chad Derrington encourages PBOT to require TNCs doing business in Portland to compensate drivers 75% of the fare. He believes drivers are making less than minimum wage.
- Erica Mighetto-Raviart confirms studies conducted in California, such as a study completed by Ken Jacobs from UC Berkley and Ride Share Drivers United (RDU), found that drivers make less than minimum wage and are forced to write-off more in taxes than they are earning. Some drivers take out a loan against the equity of their vehicles for cash flow. The 80/20 split was equitable, and TNC drivers cannot take as many days off.
- A pay study is not feasible. Chad Derrington suggests submitting a letter to the Bureau Director and City Council. Richard Rohrich and Phil Berger urge that transparency be included in the recommendation. Phil Berger noted that fare models that incentivize drivers to work unfavorable hours to make a livable wage would be a non-issue. Annadiana Johnson advised that studies be cited in the letter.
 - **ACTION ITEM:** Owen Christofferson will search for a summary or the complete Seattle study with accessible language.
 - **ACTION ITEM:** Chad Derrington will invite Erica Mighetto-Raviart (ericamighetto24@gmail.com) to the next Fees and Fares Subcommittee Meeting.
- Owen Christofferson called a motion to move forward with minimum compensation that includes a limit on the percentage TNCs can take from drivers and driver and passenger fare transparency.
- Approved: All voted in favor except Keenan Browe, who voted in opposition.



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DISCUSSION: OMBUDS QUARTERLY REPORT: SALLY LAJOIE, OMBUDSPERSON

- **OMBUDS QUARTERLY REPORT:** Sally LaJoie shared there were four serious complaints. Two complaints about DMV background checks were resolved. Two complaints about deactivations remain open and pending. One of those was a service animal issue. The other complaint pertained to a Lyft passenger who reported derogatory comments. In both cases, video or audio recordings were not captured.
- There were 12 older reports that remained open and pending, all would benefit from additional information and cooperation between TNCs, Ombuds, and the city. These are being held open pending additional information from the TNCs, dependent upon the administrative rule implementation.
 - An Uber driver was reported for driving a car that did not match the vehicle registered in the app. The driver allegedly had registered two vehicles, Uber disputes the driver had registered the second vehicle at the time of the riders' complaints. They remain ineligible to drive; additional information has been requested from Uber.
 - A Lyft long-term driver received a complaint from a passenger about derogatory comments about their nationality. The driver reported they never picked up the customer. This complaint is open pending additional investigation.
 - A Lyft driver filed a complaint because they were deactivated due to a passenger complaint about inappropriate touching. A follow-up request for information has been submitted to the TNC.
- **Ombuds and TNC Investigation and Dispute Resolution Process:** The TNCs had concerns about the draft administrative rule. A follow-up conversation is pending scheduling between the TNCs and Ombuds.
- Sally LaJoie agreed cameras were key to resolving many passenger-driver complaints.

ADDITIONAL COMMENTS

- Keenan Browe and Chad Derrington shared with Anna Richter-Taylor experiences with the Uber app glitching, resulting in driver information not matching what the passenger sees on the app.
- Phil Berger asked that drivers not be deactivated until they respond to the complaint. Sally LaJoie recalls the committee considered recommending that drivers would not be deactivated for less serious complaints and could continue to earn income during a pending investigation.
 - **ACTION ITEM:** Phil Berger will submit a Topic Submission Form.
- April Murchinson shared that at the Port of Portland, some situations warrant immediate driver suspension, the gathering of documentation, and notification to TNCs. Generally, the TNC deactivates the driver immediately as well.
 - **ACTION ITEM:** April Murchinson will share a list of occurrences resulting in immediate deactivation.



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- Jerry Crosby commented TNC drop-off spot at the Port of Portland has been occupied by rental cars. April Murchinson can answer his questions (april.murchinson@portofportland.com).
 - **Action Item:** Tracy M. Smith will send Jerry Crosby (paintufleur@gmail.com) April Murchison's email.

CHAIR ADJOURNED THE BUSINESS MEETING AT 4:58 pm.

NEXT MEETING: The next meeting will be Monday, December 12, 2022.

Submitted by Camerina Galván, Notetaker, Galván Consulting LLC.