

**City of Portland, Oregon, TNC Drivers Advisory Committee (“DAC”)  
Quarterly Ombudsperson Report: February 4, 2022  
Prepared for TNC Drivers Committee Meeting February 14, 2022**

## Executive Summary

**Six New Complaints Filed.** All complaints related to offboarding/deactivation or suspension. This single category is a result of the modification of the Ombuds program in June 2021. The Ombuds now processes only complaints filed by drivers that were offboarded/deactivated. PBOT assists drivers with the remaining complaints filed including deactivations addressed by State law or City Code. The Ombuds typically receives additional complaints near the time a DAC meeting is held and expects the number of complaints is also reflective of the December 2021 meeting cancellation.

**1 of 5 Prior Pending Complaints Closed.** Of the five complaints that were open as of the September 29, 2021 Quarterly Report, one has now been closed. The remaining four open complaints are in pending status; all relate to deactivations or suspensions. The Ombuds Team has placed these four complaints in pending status in the event the Committee’s recommendation is adopted, after which time they will be reopened. The Ombuds team expects that at this time, without adoption and implementation of the recommended code change by the DAC (which would require the TNCs to engage in a more interactive process) no additional progress will be made

**Status of New Complaints.** Of the six complaints received this quarter, five have been resolved. Two complaints were closed with a satisfactory outcome for both the driver and TNC. Three resolved with the Ombuds closing the file and referring the driver to arbitration/small claims court. The most recent complaint is open and pending further investigation.

**Recommendations.** The Ombuds has no recommendations this Quarter.

## Introduction

In the 8<sup>th</sup> Quarter, a total of six complaints were filed due to deactivation/suspension.

Status of Complaints in current reporting period (QR8):

- Complaints resolved as driver requested / in favor of driver & TNC: 2
- Complaints open / pending: 1
- Complaints unresolved / neutral / closed: 0
- Complaints referred to outside source: 3

## Detail of Complaints in Current Reporting Period<sup>1</sup>

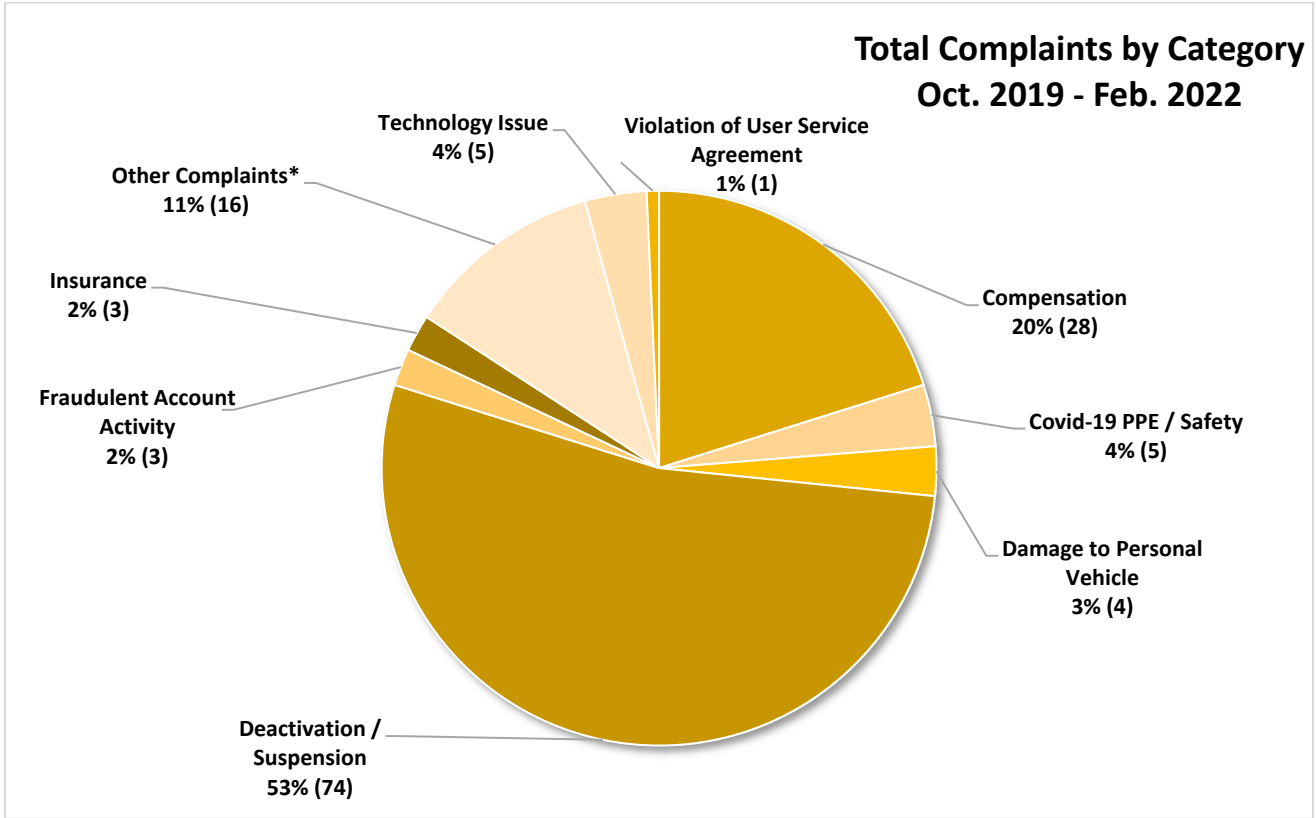
### Deactivation / Offboarding / Suspension – 6 Complaints

- **Six drivers filed complaints for deactivations after riders filed specific complaints:**
  - Uber. 19101-00. Rider filed a complaint with Uber claiming among other details, that they were pepper sprayed by the driver, and the driver was deactivated. Driver disputed these events and reported the rider was intoxicated and became angry after entering the wrong destination address in the app. When the rider became violent and started striking the windows and shouting profanities, the driver exited the car. Uber was contacted and driver was reactivated. Driver did not have a dash cam but indicated they would purchase one during the Ombuds process.
  - Lyft. 19102-00. Driver was reported by a rider to have been dozing while driving. The driver disputed these reports. According to Lyft, the driver had two prior rider complaints of the same nature. Lyft responded that the deactivation will remain. Ombuds sent arbitration and small claims materials and closed file.
  - Lyft. 19103-00. Accusation of inappropriate contact with rider. Account was reviewed again by Lyft and Lyft determined that the driver will remain deactivated. Ombuds closed file and sent driver arbitration and small claims court information.
  - Uber. 19103-01. Driver deactivated based by Uber, based upon HireRight's reporting of Lyft's deactivation. Uber reviewed driver's account at Ombuds' request and determined driver would remain deactivated. Ombuds closed file and sent driver arbitration and small claims court information.
  - Lyft. 19074-02. Driver received a rider complaint of driving under the influence immediately after prematurely ending a trip with an angry rider. Driver requested that Lyft administer a substance test as proof that he was not under the influence and pointed out that no other riders had reported intoxicated behavior. Lyft reactivated driver's account but issued a warning regarding future deactivation. Driver resolved the issue directly with Lyft before the Ombuds intervened. Complaint closed.
  - Uber. 19104-00. Driver's Uber account was deactivated several years ago based on rider complaints related to his driving safety. Driver reports 45 years driving successfully with a CDL and disputes this deactivation. File is open and pending investigation.

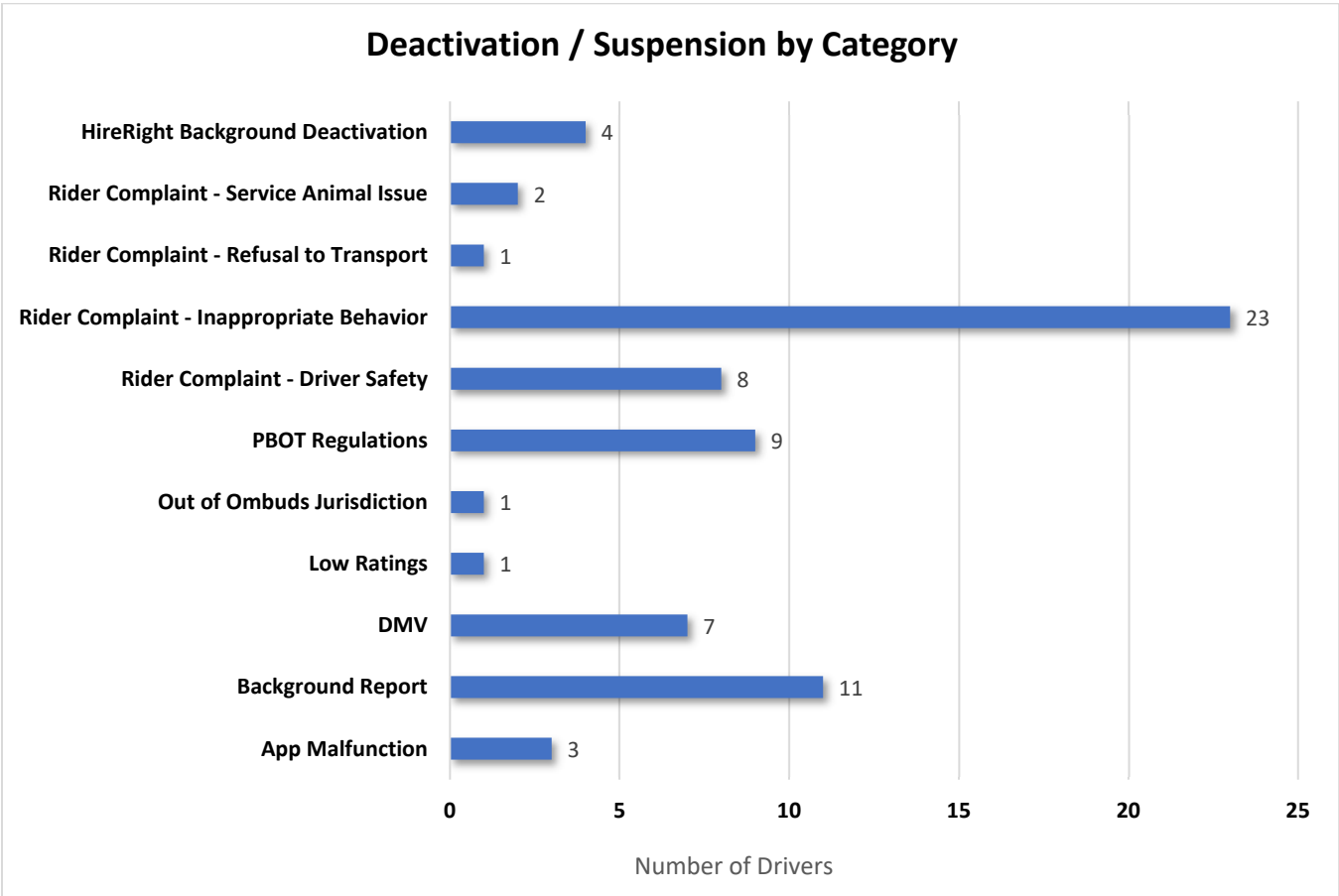
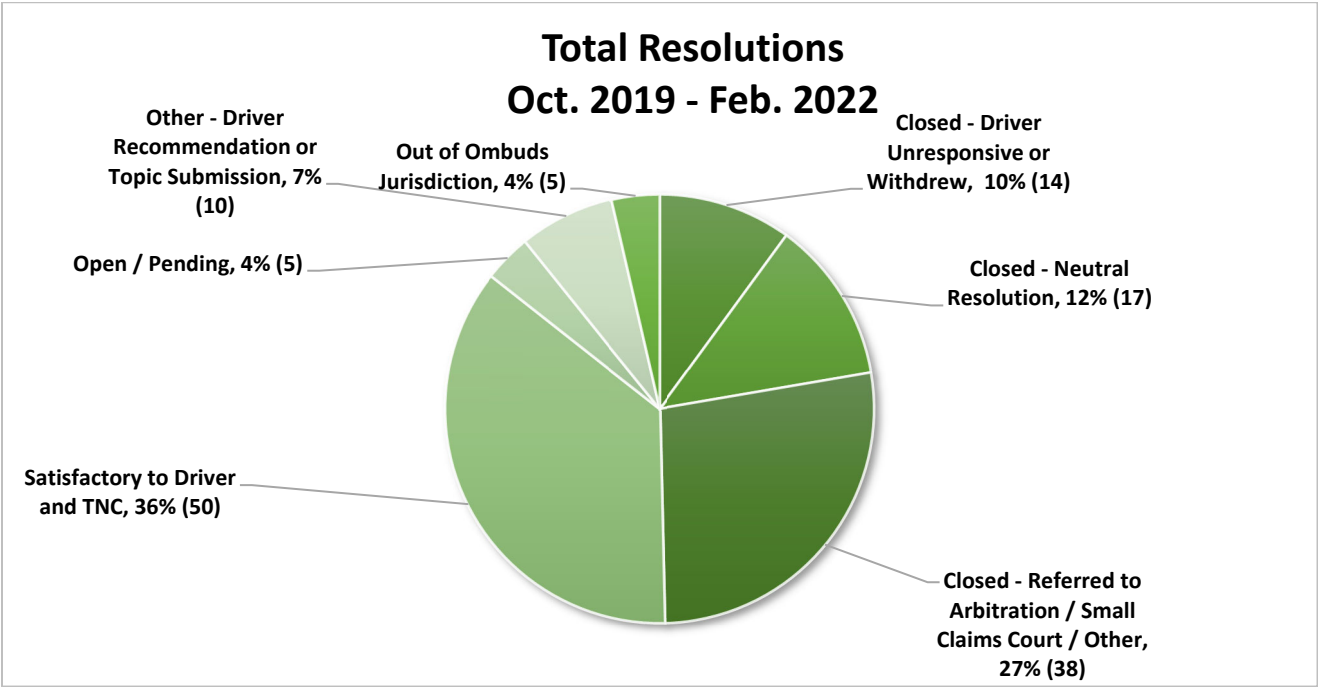
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<sup>1</sup> In some cases, the driver's report/complaint has not been validated by documentation, or the TNC, and some statements by complainants in this report are disputed by the TNC.

**Data Compiled Between October 2019 and February 4, 2022**

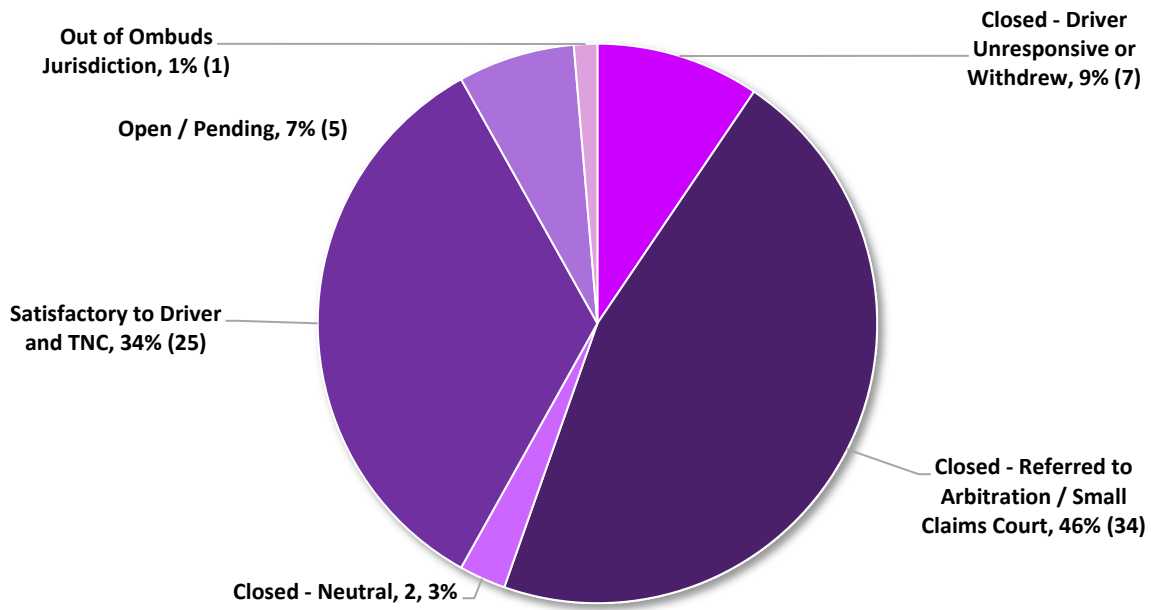


**N = 139 total complaints**



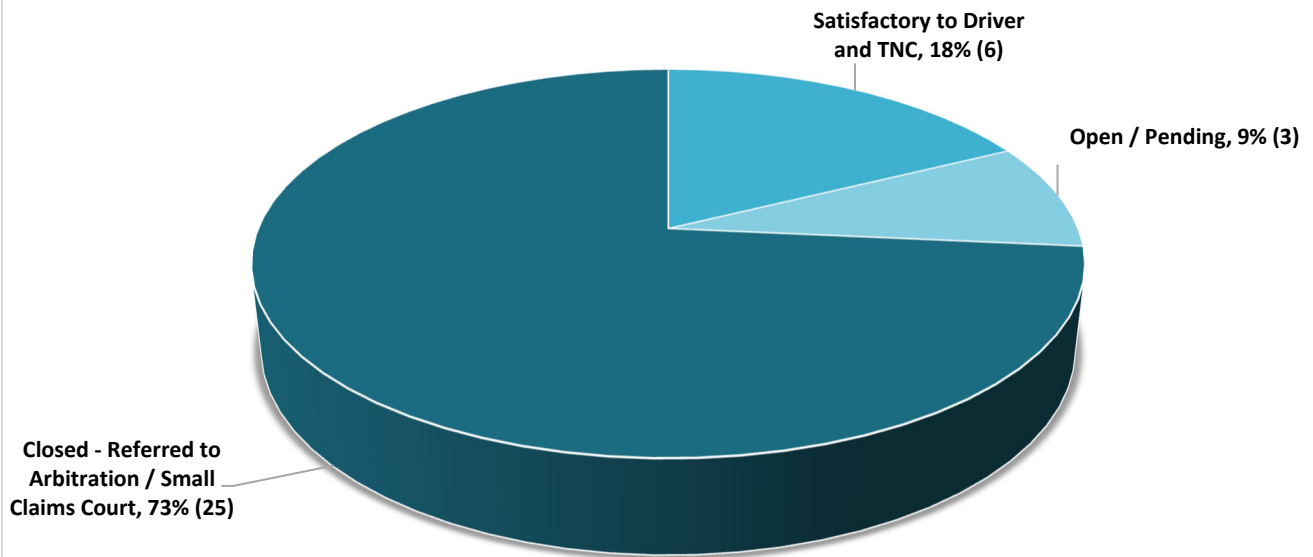
**N = 74**

## Deactivation / Suspension Resolutions



N = 74

## Rider Complaint Resolutions



N = 34

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## Appendix 1

### Ombuds Recommendations by Quarter

#### Quarter 1: January 13, 2019 Recommendations

**Recommendation 1:**

Timeline for Compensation Review by TNCs

**Recommendation 2:**

Uber Compensation made by TNC in Responses to Complaint treated as Settled

**Recommendation 3:**

Procedural Due Process in Suspension and Deactivation of Drivers

#### Quarter 2: June 30, 2020 Recommendations

**Recommendation 1:**

Procedural Due Process in Suspension and Deactivation of Drivers

**Recommendation 2:**

Service Animal Policy Protections for Drivers and Riders Under the ADA

#### Quarter 3: September 14, 2020 Recommendations

**Recommendation 1:**

Procedural Due Process in Suspension and Deactivation of Drivers

**Recommendation 2:**

Transparency of Lyft Platform and Service Fees

**Recommendation 3:**

Dash Cameras Available to Drivers at Reduced or No-Cost

**Recommendation 4:**

24 Hour TNC Customer Service Line for Drivers Experiencing Fraud and Other Urgent Matters

#### Quarter 4: November 30, 2020 Recommendations

*Recommendations were the same as prior months.*

**Quarter 5: February 8, 2021 Recommendations**

*No additional recommendations.*

**Quarter 6: June 14, 2021 Recommendations**

*No additional recommendations.*

**Quarter 7: October 11, 2021 Recommendations**

*No additional recommendations.*

**Quarter 8: February 14, 2022 Recommendations**

*No additional recommendations.*