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**TNC DRIVERS ADVISORY COMMITTEE MEETING SUMMARY DRAFT FINAL**

**April 10, 2023 • 3:30 PM – 5:00 PM**

Zoom Meeting Call

| <b>Advisory Committee Members</b> | <b>Organization</b>  | <b>Present</b> |
|-----------------------------------|--|----------------|
| Chad Derrington                   | TNC Driver, Acting 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 | No             |
| Mark Williams                     | Interim PBOT Parking Group Manager (non-voting member)                     | Yes            |
| 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             |
| Hank Kaplan                       | Ombuds Team, Bennett Hartman Attorneys at Law, LLP                         | No             |
| Julie Reading                     | Ombuds Team, Bennett Hartman Attorneys at Law, LLP                         | Yes            |
| 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            |

| Advisory Committee Members | Organization | Present |
|----------------------------|--------------|---------|
|                            |              |         |

**Other Attendees:** Karyssa Jackson, Lyft Community Engagement; Darin Campbell, Chair, Private for-Hire Transportation Advisory Committee, and Radio Cab; Carrie McKowen, Contracts Administrator, Port of Portland Ground Transportation; Amy Ruiz, Strategies 360.

**INTRODUCTIONS:** TRACY M. SMITH, FACILITATOR

- Chad Derrington called the meeting to order at 3:32 pm.

**ANNOUNCEMENTS FROM COMMITTEE MEMBERS:** CHAD DERRINGTON, ACTING CHAIR

- Owen Christofferson did not renew his term as chair and is no longer on the committee.
- The meeting documents were not posted for the public on PBOT’s website, so Action Item agenda items couldn’t be voted on.

**APPROVAL OF 12/12/2022 MEETING SUMMARY:** CHAD DERRINGTON, ACTING CHAIR

- No action items.
- Approved: No revisions or objections to the Draft Final December 12, 2022, Meeting Summary.

**GENERAL UPDATES FROM TECHNICAL ADVISORY PANEL & PUBLIC COMMENTS:** CHAD DERRINGTON, ACTING CHAIR, AND MARK WILLIAMS, PBOT

- Darin Campbell shared the details of the [murder of a Radio Cab driver](#) on April 9, 2023. Darin Campbell encouraged the committee to push for technology that captures video and audio recordings for the safety of drivers and passengers. Committee members asked questions regarding the incident.
- April Murchinson shared that there are resources for crime victims available for the driver’s family. She suggested that she and Darin Campbell connect offline to share resources.
- Uber is working on app technology to transfer information immediately. This will prevent drivers from having to purchase equipment to store data in a secure location away from the camera.
- Phil Berger suggested that Uber and Lyft purchase cameras in bulk and sell them at a discounted price to drivers. Keenan Browe suggested that drivers receive the cameras and earn to keep them after a certain number of rides.

**PBOT PROGRAM UPDATES:** MARK WILLIAMS, PBOT

- **TNC Driver Survey:** PBOT surveyed TNC drivers with standard industry and driver safety questions. Mark Williams shared the survey results.
  - **ACTION ITEMS:** Mark Williams will talk to staff regarding the survey logic.
- **Public Room:** A new policy will be implemented where the public has up to three days before the meeting to sign up to attend the TNC Advisory Committee in person. If no one signs up, the room will not be available.

**CONSIDERATION: TOPIC SUBMISSION: PHOTO ID:** CHAD DERRINGTON, ACTING CHAIR

- Keenan Browe feels that having the name and the photo of the passenger match could lead to increased cases of passenger discrimination. Chad Derrington feels it is another layer of protection, so drivers know whom they are picking up. Richard Rohrich supports the topic submission but is concerned about operationalizing it for third-party rides.

- Ana Richter Taylor shared a [help feature](#) available to Uber drivers. She reported that Uber regularly conducts audits to clear the system of profiles with false names. Uber is concerned about passenger profiling.
- Annadiana Johnson suggested that the passenger's photo and name match the passenger the ride was arranged for, considering that people who are seniors, are neurodivergent, or have a disability rely on someone else arranging a ride on their behalf.
- Annadiana Johnson motioned to discuss the topic submission further. Richard Rohrich seconded it.
  - Approved: The motion passed unanimously.

**CONSIDERATION: TOPIC SUBMISSION: MINIMUM COMPENSATION: CHAD DERRINGTON, ACTING CHAIR**

- Chad Derrington reviewed the TNC Driver Minimum Compensation Ordinance implemented in Seattle until January 2023.
- Sally LaJoie shared the [updated Washington state compensation code](#) and the [Transportation Network Company Driver's Rights](#) for Washington.
- Sally Lajoie mentioned in the chat, "Drivers that live in Portland, but take a ride in Washington, would be entitled to the Washington fare, per the Washington Drivers Union. The drivers' residence does not impact the rate, just the Washington location."
- Chad Derrington wants a minimum compensation rate for TNC drivers in Portland and the surrounding cities.
- The topic submission originated in the Fees and Fares Subcommittee per Dan Mark's submission.
- Mark Williams recommended that the topic submission be discussed in depth in the Fees and Fares Subcommittee, particularly to determine how the subcommittee arrived at 75% compensation, the recommendation language, and how to implement it.
- Annadiana Johnson suggested that the difference between Washington and Oregon's income tax structure and state tax must be considered when calculating the Portland TNC drivers' minimum compensation rate.
- Phil Berger shared that when Uber and Lyft first arrived in Portland, the driver compensation percentage was above 75%, but it's been consistently lowered. This is also an issue of transparency. The drivers don't necessarily know what the passenger is paying and what percentage of the ride the driver is compensated for. The rate determined will be tied to transparency.
- Keenan Browe motioned to continue the discussion in the Fees and Fares Subcommittee. Richard Rohrich seconded it.
  - Approved: The motion passed unanimously.

**DISCUSSION: TOPIC SUBMISSION: THIRD-PARTY RIDES: MARK WILLIAMS, PBOT**

- Third-party rides are rides ordered on behalf of someone else. The committee members recounted the significant points of discussion in past meetings.
- Uber has a third-party ride feature. The rider doesn't need to have an account. Lyft has a [third-party ride feature](#), and the rider must have a Lyft account.
- Phil Berger shared those third-party passengers for business rides, such as dealerships, can't tip the driver.
- Mark Williams suggested that additional requirements for compensation for third-party rides, opting out, and built-in tips should be addressed in a new topic submission. Keenan Browe, Phil Berger, and Chad Derrington agreed.
- Keenan Browe motioned to mark the Topic Submission Third Party Rides as complete. It was seconded.
  - Approved: The motion passed unanimously.

- **ACTION ITEM:** The Fees and Fares Subcommittee is charged with developing a new topic submission regarding improvements to third-party ride features.

**DISCUSSION: OMBUDS QUARTERLY REPORT: SALLY LAJOIE, OMBUDSPERSON**

- Sally LaJoie shared the [2-2023 Ombuds Report](#). Major highlights included:
  - Three complaints were closed without getting the resolution that the driver wanted. Two drivers remain deactivated, and the third is nonresponsive to the OMBUDS team. One of the drivers remains deactivated from BIKETOWN, outside the prevue of PBOT and OMBUDS.
  - One new complaint was opened regarding a driver with 23,000 rides across six years and a 5.0 driver rating. The driver had 6-7 complaints about inappropriate conversations and offensive statements and was deactivated. Sally LaJoie submitted follow-up questions to Lyft.
- The previously mentioned driver resides in Vancouver, Washington, and they contacted the Drivers Union in Washington. Sally LaJoie learned from the Drivers Union that per Washington\_state law, every deactivated driver receives a notice about the Drivers Union and Driver Support Program. The Drivers Union program reported it has settled over 500 deactivations, primarily through informal negotiations and with few arbitrations. There are still negotiations regarding the Seattle ordinance and the pay rate increases which were passed into law in early 2022. If it is not resolved in negotiations it will move to binding arbitration. This will impact Oregon TNC drivers when they cross into Washington state.
- Deactivations have been a topic of discussion in the Fees and Fares Subcommittee.
- Sally LaJoie was invited to attend the Fees and Fares Subcommittee.
  - **ACTION ITEM:** Camerina Galvan will notify Darin Campbell that it was requested that Sally LaJoie attend the following Fees and Fares Subcommittee Meeting.

**ACTION ITEM: TOPIC SUBMISSION: TNC DRIVER INSURANCE: MARK WILLIAMS, PBOT**

- The action item was not discussed because PBOT failed to post a notice about this meeting, and the public wouldn't have adequate time to prepare to give public comment. TNC Driver Insurance will appear on the next meeting agenda.

**CHAIR ADJOURNED THE BUSINESS MEETING AT 5:00 pm.**

**NEXT MEETING:** The next meeting will be Monday, June 12, 2022, 3:30 pm—5:00 pm.

Submitted by Camerina Galván, Notetaker, Galvan Consulting LLC.