



COUNCIL ORDINANCE NO. 20590

COUNCIL BILL 5183

AN ORDINANCE CONCERNING PUBLIC PASSENGER VEHICLE SERVICES; AMENDING SECTIONS 3.005 AND 3.345 OF THE EUGENE CODE 1971; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

ADOPTED: APRIL 23, 2018

SIGNED: APRIL 25, 2018

PASSED: 7:1

REJECTED:

OPPOSED: Syrett

EFFECTIVE: April 25, 2018



ORDINANCE NO. 20590

AN ORDINANCE CONCERNING PUBLIC PASSENGER VEHICLE SERVICES;
AMENDING SECTIONS 3.005 AND 3.345 OF THE EUGENE CODE, 1971;
AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 3.005 of the Eugene Code, 1971, is amended to add the following definitions under the "Public Passenger Vehicle" heading:

3.005 For the purposes of this chapter, the following words and phrases shall mean:

Public Passenger Vehicles:

Transportation Network Company. A person or business that provides a digital or software application scheduling platform or service that enables a prospective passenger to connect to a vehicle-for-hire.

Transportation Network Driver. An employee or independent contractor of a transportation network company that operates a vehicle-for-hire by transporting passengers for compensation utilizing the transportation network company's digital or software application scheduling platform or service.

Transportation Network Vehicle. A vehicle-for-hire operated by a transportation network driver.

Vehicle-for-Hire. A vehicle used for providing shared transport, which transports one or more passengers for a fee between locations of the passengers' choice, including, but not limited to, all public passenger vehicles and all transportation network vehicles.

Vehicle-for-Hire Company. All public passenger vehicle companies and all transportation network companies.

Section 2. Section 3.345 of the Eugene Code, 1971, is amended to provide:

3.345 **Public Passenger Vehicle Services.**

(1) **Vehicle-for-Hire Company Licensure Requirements.**

- (a) No person or business may operate a vehicle-for-hire company without a public passenger vehicle company license; however, an unlicensed vehicle-for-hire operating outside the jurisdictional limits of Eugene and Springfield may deliver a fare from outside those limits to a location within the limits, and if the vehicle waits for the person, retrieves the person for the return trip back outside the jurisdictional limits.
- (b) Unless driving a vehicle-for-hire for a person or business that has obtained a public passenger vehicle company license, no person may

- drive a vehicle-for-hire without first obtaining a public passenger vehicle company license.
- (c) No person or business required to obtain a public passenger vehicle company license may solicit or accept any passenger within the city limits except as provided in this subsection.
 - (d) No vehicle-for-hire company may operate at the Eugene Airport unless authorized by the Airport to do so.
 - (e) All vehicle-for-hire companies shall:
 - 1. Maintain accurate, current records for all drivers employed by, contracting with, or otherwise affiliated with the company, including all drivers utilizing the company's digital or software application scheduling platform in the city; and
 - 2. Notify all drivers that they must obtain a driver certification card in accordance with subsection (2) of this section; and
 - 3. Revoke a driver's authority to operate as a driver for their company if the city revokes the driver's public passenger vehicle driver certification card; and
 - 4. Not locate its central operation in a residential zone unless expressly authorized by the city manager.
- (2) Vehicle-for-Hire Driver Certification Card Requirements. No person may drive a vehicle-for-hire unless that person possesses a valid public passenger vehicle driver certification card. An applicant may be issued a driver certification card without any waiting period if the person's application is complete and includes documentation demonstrating that the applicant has been hired by a vehicle-for-hire company after undergoing a criminal background check in accordance with the vehicle-for-hire company's criminal background check procedures. For purposes of this section, "hired by a vehicle-for-hire company" means a driver employed by, contracting with, or otherwise affiliated with the vehicle-for-hire company.
- (3) Fare. The actual fare charged for each trip by a vehicle-for-hire shall not exceed the higher of:
- (a) The meter calculated rate, including authorized and posted surcharges, or
 - (b) The minimum fare as posted on the interior and exterior of the vehicle, or
 - (c) The smartphone application calculated rate, including displayed and passenger-confirmed surcharges.
- (4) Audit. The city manager may audit vehicle-for-hire companies up to twice per calendar year to review compliance with applicable city code and administrative rules. Upon request, a vehicle-for-hire company shall provide the city manager a sample of records for up to thirty (30) drivers affiliated with the vehicle-for-hire company that have operated in the thirty (30) days preceding the audit. The audit shall occur at a time and location designated by the city manager. In addition to an audit, the city manager may require a vehicle-for-hire company to produce records related to an investigation of a specific allegation of a violation of applicable city code administrative rules, or other applicable law, or to evaluate a complaint. Production of records for an investigation or to evaluate a complaint does not count toward the twice-per-year auditing limit.
- (5) Rules. The city manager shall adopt rules setting standards and establishing requirements for vehicle-for-hire companies; vehicles-for-hire; public

passenger vehicle companies; public passenger vehicles; public passenger vehicle drivers; the issuance of public passenger vehicle company licenses; and the issuance of public passenger driver certification cards. Such rules shall be consistent with this code and be designed to ensure that the public safety is protected, the public needs are met, and the public convenience is promoted.

- (6) Term. The term for a license issued hereunder shall commence on January 1 and expire on December 31 of the year issued. The license fee for applications received after January 1 shall be prorated on the basis of that term. An application for extension or renewal of an existing license must be submitted by November 1, accompanied by the required license fee. Failure to submit the license fee with the extension or renewal application, or to pay the same before the end of the current license term may result in the licensee being required to submit a new application and pay an application fee. A licensee who submits an extension or renewal application after November 1 may be assessed a penalty fee of \$20 per day for each day between November 1 and the date the application is submitted.
- (7) Per-Trip Fee. In addition to licensure and certification card fees, a per-trip fee to be paid by the vehicle-for-hire company or the passenger may be established by the city manager pursuant to section 2.020 of this code. The purpose of the per-trip fee is to cover program costs required to adequately administer this Section 3.345 and the administrative rules adopted thereunder, increase the availability of accessible vehicles, and any other purpose related to public passenger vehicle services specifically identified by the city manager in the notice of proposed fee.

Section 3. Pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, this Ordinance shall become effective immediately upon adoption by the Council and approval by the Mayor, or passage over the Mayor's veto. An immediate effective date is necessary to address a community need for additional transportation options.

Section 4. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

23rd day of April, 2018



Deputy City Recorder (A/C)

Approved by the Mayor this

25 day of April, 2018



Mayor