

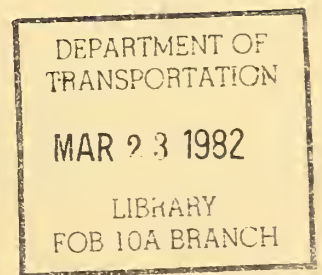
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UMTA/TSC Project Evaluation Series

Taxi Regulatory Revision in Portland, Oregon Background and Implementation

Interim Report
September 1980



Service and Methods Demonstration Program



U.S. DEPARTMENT OF TRANSPORTATION
Urban Mass Transportation Administration and
Research and Special Programs Administration
Transportation Systems Center

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16. Abstract The Portland Council has adopted successive waves of taxi regulatory revisions. Effective in March, 1979, the previous ceiling on total permits was removed and entry was opened to qualified applicants. The new regulations also provided for flat, discount or contractual rates for certain types of trips. Authority for determining operator qualifications and other regulatory functions was vested in a new official, the Taxi Supervisor. In April, 1980, the Council re-imposed some restrictions on entry, including consideration of public need for service and the current ratio of licenses to population. It also transferred authority from the Taxi Supervisor back to the City Council. Subsequent changes adopted in June, 1980 stiffen requirements for driver permits and require operators to submit financial and operating data. This report summarizes the historical background and implementation of these regulatory changes, compares the old and new regulations and describes the local industry prior to and during the regulatory change process.					
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PREFACE

This report describes the historical background and implementation of taxi regulatory revisions adopted by the Portland City Council. Portland first relaxed its entry restrictions in March, 1979 and provided greater latitude in rate setting by allowing flat fares, discount and contractual rates. Authority for qualifying operators and other regulatory functions was vested in a new official, the Taxi Supervisor. In April, 1980 the City re-imposed some restrictions on entry, including consideration of public need for service and the ratio of licenses to population. It also transferred authority from the Taxi Supervisor back to the City Council. Subsequent changes adopted in June, 1980 stiffen requirements for driver permits and require operators to submit financial and operating data.

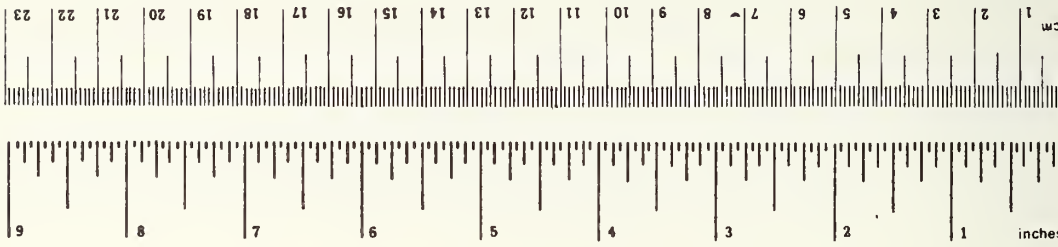
This interim report was prepared by DeLeuw, Cather & Company for the Transportation Systems Center (TSC) of the U.S. Department of Transportation, under Technical Task Directive DOT-TSC-1409-19A. The report was co-authored by Pat M. Gelb, Steven B. Colman, Robert Donnelly and Gordon Shunk, formerly of the DeLeuw, Cather staff.

Acknowledgement is due to a number of people for their cooperation and assistance in the preparation of this interim report. Carla Heaton, Technical Monitor, Transportation Systems Center, and Larry Bruno, Project Manager, UMTA, have provided valuable guidance and support. Pam Holley, Taxi Supervisor, and William Dirker, Planning Bureau, City of Portland, provided much needed information, as have Steve Tookey and Tom Malloy of the Teamsters Union. Thanks are also due for their cooperation to operators from each of Portland's taxi companies: Broadway Cab, New Rose City Cab, Portland Cab and Radio Cab.

Professor Gorman Gilbert, University of North Carolina, and James Womack, Massachusetts Institute of Technology, reviewed the draft report and provided valuable commentary.

METRIC CONVERSION FACTORS

Approximate Conversions to Metric Measures				Approximate Conversions from Metric Measures			
Symbol	When You Know	Multiply by	To Find	Symbol	When You Know	Multiply by	To Find
LENGTH							
in	inches	2.5	centimeters	mm	millimeters	0.04	inches
ft	feet	30	centimeters	cm	centimeters	0.4	inches
yd	yards	0.9	meters	m	meters	3.3	feet
mi	miles	1.6	kilometers	km	kilometers	1.1	yards
						0.6	miles
AREA							
in ²	square inches	6.5	square centimeters	cm ²	square centimeters	0.16	square inches
ft ²	square feet	0.09	square meters	m ²	square meters	1.2	square yards
yd ²	square yards	0.8	square meters	km ²	square kilometers	0.4	square miles
mi ²	square miles	2.6	square kilometers	ha	hectares (10,000 m ²)	2.5	square miles
	acres	0.4	hectares				acres
MASS (weight)							
oz	ounces	28	grams	g	grams	0.035	ounces
lb	pounds	0.45	kilograms	kg	kilograms	2.2	pounds
	short tons (2000 lb)	0.9	tonnes	t	tonnes (1000 kg)	1.1	short tons
VOLUME							
tsp	teaspoons	5	milliliters	ml	milliliters	0.03	fluid ounces
Tbsp	tablespoons	15	milliliters	l	liters	2.1	pints
fl oz	fluid ounces	30	milliliters	l	liters	1.06	quarts
c	cups	0.24	liters	l	liters	0.26	gallons
pt	pints	0.47	liters	m ³	cubic meters	35	cubic feet
qt	quarts	0.95	liters	m ³	cubic meters	1.3	cubic yards
gal	gallons	3.8	liters				
ft ³	cubic feet	0.03	cubic meters				
yd ³	cubic yards	0.76	cubic meters				
TEMPERATURE (exact)							
°F	Fahrenheit temperature	5/9 (after subtracting 32)	Celsius temperature	°C	Celsius temperature	9/5 (then add 32)	Fahrenheit temperature



*1 in = 2.54 (exactly). For other exact conversions and more detailed tables, see NBS Misc. Publ. 286, Units of Weights and Measures, Price \$2.25, SD Catalog No. C13.10.286.

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EXECUTIVE SUMMARY

Portland adopted three successive waves of regulatory revisions during 1979 and 1980. Effective March 21, 1979, the population-based ceiling on taxi permits was removed and entry opened to new operators on the basis of specified service standards and a finding that the new supply was in the public interest. Unaffiliated independents were excluded since the new law required that applicants operate "sufficient cabs to provide citywide service," and this was interpreted as no fewer than ten cabs. Authority for taxi regulatory functions was vested in a new official, the Taxi Supervisor, whose responsibilities consolidated functions formerly divided among the Council, the Chief of Police's Office, and Business License Division, and the Bureau of Traffic.

Maximum rates of fare for exclusive ride service continued to be regulated by the City Council as before, and operators had to file their chosen rate up to this maximum with the Taxi Supervisor. The new regulations also included flat rates for shared-ride trips between the airport and downtown and wholly within downtown, and allowed operators to develop discount or other contractual rates for special groups or services, such as shared riding, taxi pools, and fixed route service in addition to conventional exclusive ride service. Both flat rates were originally instituted as part of a compromise 34 percent rate increase approved in 1977; they were simply carried over into the new ordinance.

In October 1979, the Portland Council increased the maximum rate for exclusive ride service from \$1.00 drop and first 1/9 mile (or \$0.90 fixed) plus \$0.90 per mile, \$9.00 per hour waiting and \$0.25 per extra passenger to \$1.00 drop and first 1/12 mile (\$0.90 fixed), plus \$1.20 per mile, \$12.00 waiting and \$0.50 per extra passenger. All operators filed this rate within a matter of weeks, although one continues to offer a 10 percent discount to elderly and handicapped patrons. The flat rate for trips between the airport and downtown was increased from \$3.00 to \$4.00 per person. One individual could still elect to pay the three-person minimum of \$12.00. The downtown flat rate, formerly \$1.00 for trips wholly within the downtown area, was eliminated, evidently from lack of use.

On April 24, 1980, reportedly as a result of difficulties in establishing the Supervisor's authority to grant new permits, Council re-imposed some restrictions on entry and transferred final authority for new entry from the Taxi Supervisor back to the Council. The City also sought to clarify ambiguities in the language of the March 1979 law and to specify the requirements for new entry. This revision emphasized that ultimate authority and responsibility for taxi regulation and appeal rest with the Council. It specifies a public hearing for new permit applications and lists factors to be considered in qualifying new entrants, including the need for additional service (the burden of proof is on the applicant) and the current ratio of taxi licenses to population. The minimum number of taxicabs required for citywide service is increased to fifteen, ten of which must be operational at all times.

Last, on June 3, 1980, the Council adopted new regulations stiffening the requirements for taxi drivers' permits and the rules governing driver conduct and requiring operator submission of financial and operating data on a monthly basis.

Jurisdictions Affected

None of the major taxi regulatory changes adopted by the City of Portland effects a transfer of responsibilities between jurisdictions. The principal change was the consolidation of responsibilities from various City departments under the Taxi Supervisor within the Department of Public Utilities. The State of Oregon gives jurisdiction to the incorporated cities to regulate taxicabs within three air miles of their municipal boundaries. Counties do not regulate taxicabs. When a taxicab company's operating area is not within a city jurisdiction, the city in which the taxicab company is based has jurisdiction over its licensing and operations. Thus the County was unaffected by the new taxi regulations.

The Port of Portland has regulatory responsibility for taxicabs operating at Portland International Airport (PIA). A major source of revenue to taxi operators, PIA passengers contributed nearly 200,000 taxi trips in 1978. There is no ceiling on airport taxi permits, although the Port

requires that airport operators be City-licensed. The only fee operators pay the Port is a 50 cent charge each time the vehicle enters the airport commercial area. Taxi waiting areas consist of a main queue with space for six vehicles in front on the main terminal and a back-up queue. The queues are operated on a strict first in, first out basis. Airport police provide minimal supervision over airport taxi operations.

Industry Characteristics

Pre-revisions Size and Structures. All taxi permits issued by the City of Portland were held by companies or associations of owner-operators. These included, in 1978: Broadway Cab (incorporating Broadway Deluxe) which held 113 permits; Radio Cab which held 102; and New Rose City Cab which held 11. The total of 226 outstanding permits was less than the 235 which would have been permitted under the pre-revisions ceiling calculated on the basis of one license to every 2900 residents in the City's extended jurisdiction (population 680,000).

Some of these permits were apparently unused. Permit holders wishing to leave the industry would typically resell their license back to the association, which would hold it until a buyer could be found. Since the licenses allegedly accrued monetary value under closed entry, few were automatically returned to the City. The affected cabs would go unused during the period prior to resale of the license. (The new regulations addressed this problem by providing for revocation of unused taxi licenses.)

In addition to owner-operated and company-operated taxicabs -- the latter typically run by hired-drivers -- Portland's taxi industry includes part-owners. Owners of "half cabs," as they are called, each own the cab for one of its two principal shifts and constitute a type of partnership. Broadway and Radio Cab companies included 131 jointly-owned vehicles, or over half of all licensed taxicabs, in 1977-78.

Owner-drivers of full and half cabs pay dues to their respective association to cover dispatch service and general administrative and overhead costs. Hired drivers receive a commission of 50 percent of the meter total, less 10 cents per trip to cover employee benefits.

Union. All taxi drivers but those affiliated with New Rose City Cab were (and are) covered by a union contract with Teamsters Local #281. In addition to hired drivers, the union contract also includes owner-drivers, dispatchers, and clerical staff.

Operating Practices. Both Broadway and Radio Cab companies have continued to serve the entire City without concentrating on specific areas. The City's in-house consultant reported in 1978 that nearly all of New Rose City Cab's business was airport-generated. The two former companies are radio-dispatched; the City's consultant reported that New Rose City was not. In keeping with these differences, over 85 percent of Broadway and Radio Cab Companies' business was initiated by telephone request; the majority of the remaining trips were pick-ups from cab stands and only a small fraction came from cruising. New Rose City Cab reportedly handled little telephone or pick-up business other than at the airport. (All operations now are required to be radio-dispatched.) There was no data to indicate the extent of service refusals.

Pre-Revisions Fare Structure. Prior to the initial regulatory revisions the City Council had established a maximum rate of fare of \$1.00 drop including the first 1/9 mile (or .90 fixed charge*) plus \$0.90 per mile (10 cents per 1/9 mile). The maximum charge for waiting time was \$9.00 per hour; there was a 25 cent surcharge for each passenger beyond the first and a 50 cent surcharge to enter the airport. Operators were permitted to file rates below the maximum, but all three companies charged the maximum rate.

The cost of the average 3.5 mile taxi trip increased from \$2.00 to \$4.05 between 1957 and 1979. Five rate increases were enacted during this twenty-one year period; four of the five were adopted since 1970.

Pre-Revisions Industry Economics. Because the Portland industry has resisted submitting financial reporting information, the financial data which was available over the pre-revision period varied a good deal in

*Throughout the taxi case study reports, rates are presented in terms of the drop, mileage and fixed charges (the drop charge less mileage). Here 1/9 mile costs 10¢, so the fixed charge is 90¢.

completeness and among taxicabs in the hours and miles operated, paid to total mile ratios and revenue produced. The overall ratio of paid miles to total miles during 1977 was about 48 percent which is close to the national average. Nonetheless the overall operating ratio of costs to revenues was reportedly unfavorable; owners of cabs driven by hired drivers operated at an average loss during 1977. Owner-drivers did only slightly better, receiving no return on their capital investment and lower wages than those paid to hired drivers.

Taxicab operation costs have risen more rapidly than the consumer price index during the 1970's. Gasoline costs rose 60 percent compared to a 36 percent increase in consumer prices generally; taxi insurance costs rose over 200 percent. Another possible indication of the reduced profitability of the Portland taxi industry is the substantial decrease in the value of taxicab licenses between 1974 and 1978. License values including ownership equity and "good will" were estimated between 10 and 13 thousand dollars in a 1974 report. Discussions with cab company managers during 1978 revealed estimated license values of between 4.3 and 7.2 thousand dollars. (Note that a day half costs an average of 62 percent more than a night half.) No comparable data is currently available to permit assesment of industry economics during the post-revision period.

Revision Process

Objectives and Institutional Views. Portland was actively considering taxi regulation changes throughout the 1970's. Both taxi regulators and other local public officials had expressed the desire to see the Portland taxi industry become sufficiently "self regulating" to allow municipal resources to be devoted to alternative and "more important" City functions. The 1979 ordinance expressed the industry's right to operate without unnecessary restraint while maintaining that some regulation is necessary to ensure protection of the public interest. Companion objectives included the desire to promote alternative transportation services and to induce competition in the local industry.

The impulse to regulatory revision arose within the City administration and was supported by City-sponsored studies of the local industry. Attitudes among regulators varied, however, with some Commissioners -- especially the Mayor -- emphasizing the competition-inducing effects of the proposed changes while others sought to "let well enough alone" as far as taxis were concerned. The industry actively opposed relaxation of entry restrictions and consolidation of regulatory authority and discretionary powers under the Taxi Supervisor, but generally accepted the rate structure change and minimum service standards. As in the other case study sites, taxi operators expressed strong doubt that City regulators fully comprehended the complexities of the taxi industry. Organized labor was a particularly powerful adversary. Continued discussions among the industry, City Commissioners and administrative staff over taxi issues and various versions of the proposed changes were integral in achieving implementation of a generally acceptable ordinance in both the 1979 and 1980 waves of regulatory revision.

Although the City had considered taxi regulatory revisions for many years in order to conserve municipal resources and induce competition and service innovations, the Portland case study does not present a situation of large and long-standing demand for new taxi permits. The total of outstanding permits was apparently under the ceiling established by population ratio. Indeed, one objective of the 1979 ordinance was to reduce the number of unused licenses. Available data indicate that the Portland taxicab industry had shown low profitability in the years preceding the changes, while license values had reportedly dropped an average 49 percent.

Interest in taxis as alternative transportation with its concomitant focus on taxi regulation arose within the City Planning Bureau during the nationwide gasoline crisis of 1973-74. A 1974 industry request for a rate increase served to focus this attention, and the next few years saw a series of staff and consultant studies commissioned by the City government to report on taxi issues. These reports focussed on local taxicab economics and regulatory practice and recommended regulatory revisions. Although the consultants differed in the degree and type of regulation they proposed, the 1979 code revisions adopted some of the suggestions they produced.

The flat rate for airport-downtown trips and the consolidation of taxi regulatory responsibilities under a single staff position are specific examples.

The changes subsequently adopted in April 1980 appeared as a step backwards to some. But the City maintained that this retrenchment was necessary both to clarify ambiguities in the language of the new ordinance and to avoid continuing difficulties in establishing the Taxi Supervisor's authority. The Supervisor's second award of permits to the only new company to apply from them was appealed by all the existing firms. Although the appeal was ultimately dropped, it demonstrated the vulnerability of the Supervisor's position to industry challenge. The subsequent revisions restated the factors to be considered in qualifying new operators and provide for appeal of the Taxi Supervisor's decisions on new permits to the full Council, wherein final authority for taxi regulatory matters was clearly vested.

Post-Revisions Changes

Industry Size. One new firm, Portland Cab Company, entered the local industry during the year-long duration of open entry, obtaining seven licenses in May 1979 and an additional five licenses in December 1979. In addition, Radio Cab acquired three new licenses. These changes brought the total of outstanding licenses to 241.

Operating Practices. Operating practices have changed little as a result of the revisions. The industry's newest entrant, Portland Cab Company, implemented discounts for shared ride service and for the elderly, temporarily charged a lower rate for exclusive ride services than the allowable maximum, and uses some station wagons. (Portland Cab Company presently charges the maximum rate for exclusive ride service.)

Transferable Implications

The need for three waves of regulatory revisions and the difficulties experienced in Portland in achieving compliance with the present provisions -- operators are reluctant to supply the required financial information, for example -- emphasize that the revisions process can be extremely time-consuming and involve considerable expenditure of City staff time and other resources. The Taxi Supervisor's position was expanded from half to full time in October of 1979. The fact that Council has already raised the maximum rate of fare emphasizes that the revisions have so far had little effect on reducing Council's involvement in periodic rate review and rate setting.

The comparative ease with which City-licensed cabs may obtain permission to operate at the airport means there is potential for the City's relaxation of entry requirements to affect the airport. Increasing numbers of airport taxis along with variable rate provisions could exacerbate ordinary queue problems, increasing short-haul refusals, backloading or soliciting, and producing conflicts between driver. Current problems are minimal, however; widespread price gouging and service refusals have not been reported.

1.0 INTRODUCTION

This section briefly describes the interests and scope of the SMD Program and its case study evaluations of taxi regulatory revisions in three U.S. cities. It then discusses the major issues of interest and the evaluation framework for each of these case studies. The introduction concludes with a description of the focus and data sources examined for this Interim Report as well as those to be investigated during the formal evaluation effort.

1.1 Overview*

A major reason for developing paratransit services is to make better use of existing transportation resources in both the public and private sectors. As a result of growing concern about energy consumption, traffic congestion and air pollution, transportation planners and policy-makers have been looking at paratransit services as an alternative to the single-occupant auto in addition to conventional transit. Even excluding publicly-owned school buses, social service agency vehicles and vanpools, there are thousands of taxis, limousines, jitneys and other vehicles for hire that could be utilized to complement existing transit operations.

In fact, paratransit services have been shown to be more effective and efficient than conventional transit for particular applications. Demand-responsive and shared ride taxi services, for example, are particularly efficient where origins and destinations are scattered over low-density areas and conventional transit vehicles would be more costly and less maneuverable. Shared ride and jitney services can also be used both as feeders to conventional fixed-route transit services and as alternative fixed-route services themselves.

*The material in this and the following section is adapted from Service and Methods Demonstration Program, Annual Report, August 1979, UMTA-MA 06-0049-79-8.

A variety of factors combine to inhibit development and implementation of such innovative paratransit services, however. Exclusive ride service has become the model of taxi operations over many years. Many operators and riders are unfamiliar with the current variety of alternative service options. Existing taxi and paratransit regulations also impose barriers to the development of such alternative services. For example, jitney services have been specifically prohibited in many cities for many years. Other regulations inhibit or proscribe shared riding and zone-based or per capita fare systems.

The historic rationale for regulating taxi operations, dating back to the 1920's, includes such factors as the desire of public transit or taxi operators to protect their market share, or to secure a minimum level of earnings. Public welfare considerations such as continuation of adequate service, passengers' physical safety, and protection from price gouging have also played a part. Over the years analysis has focused on the impacts of regulation on the structure and service characteristics of the taxi industry, with more frequent debate over the merits of regulation.

1.2 The SMD Program Interest in Taxi Regulatory Revisions

The UMTA Service and Methods Demonstration (SMD) Program was established in 1974 to provide a comprehensive framework within which innovative transportation management techniques and transit services could be developed, demonstrated and evaluated, and the results disseminated to transportation planners, policymakers and transit operators. Demonstration projects sponsored by the SMD program specifically address one or more of UMTA's major program objectives which are to:

1. Provide more efficient public transportation service.
2. Provide more effective public transportation service.

3. Encourage ridesharing and transit use through local regulatory and pricing authority.
4. Develop a mix of innovative transit service models appealing to a wider range of user groups.
5. Integrate the use of private and public providers into a comprehensive set of public transportation services.
6. Develop information to assist local, state, and Federal policy formulation.
7. Guide an improved level of local response to UMTA regulations concerning TSM, E&H, and Alternatives Analysis.

Innovative service and methods concepts that realize these objectives are actively sought by the SMD program. Demonstration ideas can emerge either from within the program itself or from promising strategies which have already received limited application. Application of a concept in different sized cities or with significant variations is generally necessary to understand how and under which conditions a viable concept has the most potential.

In addition to actual demonstrations of innovative service and methods applications, the program has also included evaluation of non-SMD funded projects. Case studies of potentially innovative concepts initiated outside of the SMD program are conducted where it appears that the concepts warrant study and dissemination of findings that would not otherwise occur. The program's evaluations of taxi regulatory revisions in several American cities are of this latter type. In these cases, the SMD Program did not solicit application of revised regulatory policies,

but given that local government intended to implement changes, the SMD program sought to evaluate their effects in order to determine what if any potential they had for achieving improved transportation services. UMTA's support in these cases extends only to enable the evaluation effort and provide for the necessary evaluation data base.

The SMD Program became interested in taxi regulatory changes as local planners and regulators began to articulate the implications their regulations have for transportation service innovation and productivity. Over eighteen months ago the Transportation Systems Center (TSC) learned of the impending relaxation of fare and entry restrictions on Seattle's taxi industry and initiated a case study evaluation of the changes in that locale. Subsequently municipal legislators in San Diego and Portland, Oregon implemented changes in their taxi ordinances, and case studies were begun in these cities as well.

There are strong reasons for SMD Program interest in these developments. Prior to these evaluations there had been no rigorous study of regulatory revisions of the nature and scope provided by these case studies. Moreover, changes in the taxi institutional environment are viewed as a potential stimulus to innovations in the type, quality and quantity of taxi services provided by local operators. Thus the experience in these three sites should be of considerable interest to policymakers at all levels of government, regulators, taxi operators, transportation planners and researchers in this country and abroad.

1.3 Overview of the Regulatory Revisions Case Studies

TSC has undertaken case study evaluation of regulatory revisions in three American cities: Seattle, Portland, Oregon, and San Diego. The code revisions in all three cities involve relaxation of entry and fare restrictions, but there are significant differences among them in the degree to which controls have been removed, the service and operator

types affected, and the manner in which the changes have been implemented. In addition are three limited investigations into past, current, and proposed changes in Indianapolis and Oakland and Berkeley, California. These smaller studies are much more summary and narrative than a formal evaluation.

The larger case studies offer the opportunity to do a comprehensive evaluation of the effects of the regulatory revisions on industry operators, regulators, taxi users and the general public. Because the development of an effective institutional framework is an essential precondition for developing the operational features of the services themselves in these cases, the evaluations also focus on the implementation of the new regulations as well as on their effects. The precise scope of each case study necessarily depends upon the nature and magnitude of the regulatory revisions and the availability of the necessary data. Nonetheless the evaluation methodology and findings will be as consistent as possible across all three sites in order to facilitate cross-cutting comparisons and analyses using combined data. The evaluations have two major objectives (1) a thorough documentation and analysis of the regulatory changes process and (2) an assessment of the impacts of the changes on operators, travelers, and regulators. Specific impact issues to be examined include the effects of the regulatory revisions on the composition and fluidity of the taxi (and jitney) industries, operating practices, investment decisions and costs; the quality, quantity and price of services; operating efficiency, revenues and profitability; and the administrative costs associated with paratransit regulation.

Evaluation of these impacts will be structured in accordance with principles of supply-demand analysis. On the supply side this means examination of the nature and magnitude of changes in operator behavior along dimensions such as entry and exits, pricing practices, service offerings, investment decisions and operating practices. On the demand side, this includes analysis of changes in traveler behavior in

terms of mode choice, taxi trip frequency and timing, and destination choice decisions. The interaction of supply changes and demand responses produces a new level of supply and demand which is reflected in measures of service utilization, revenues and profitability statistics.

Analysis of these changes will be presented in a subsequent evaluation report. This interim report aims to fulfill the first of the two primary case study objectives, to document and analyze the changes themselves as well as the process of their implementation. Major emphasis here has been placed on describing the administrative procedures, public information efforts and operational procedures which necessarily interact with the regulatory changes. Similar interim documents have been prepared for all three case studies.

Project monitoring and impact evaluation efforts will continue on the Seattle and San Diego case studies over the next seventeen months, with a final evaluation report to be presented on each site by August 1981. Continuing efforts on the Portland case study will consist of lower-level monitoring of the impacts of the regulatory revisions. No subsequent evaluation report on Portland is currently contemplated.

1.4 The Portland Case Study

The purpose of this report is to provide background information on issues related to taxicab regulation in Portland, Oregon. It documents the changes in taxi regulation effected by the new ordinance, provides institutional background on how these changes were made, and examines the supply and demand characteristics of the taxi industry in Portland. The information presented here is based on written evaluations performed by consultants to the city, and upon DCCO review of the old and revised codes and interviews with key local individuals familiar with taxi issues and problems. Only readily available data was utilized in this report. The intent is to provide a broad overview of the

situation in order to report what code changes were made and determine whether the situation warrants further study. While the report highlights the major taxi issues, definitive conclusions about the effects of the regulatory changes at this time would be inappropriate. The Portland City Council continues to consider additional revisions which will likely change the regulatory and industry environment in Portland. Monitoring these regulatory changes will be the primary focus of the continuing effort on the Portland case study. No subsequent evaluation report is contemplated.

The report is divided into three major sections. The first deals with the salient demographic, political, and transportation features of the Portland area. The second covers taxi industry characteristics, including an overview of regulatory institutions, industry structure, fares, taxi operating practices and levels of service, demand, productivity and economics, and attitudes toward the industry. The third section discusses the evolution of the regulatory changes, including a chronology of the regulatory change process, a parallel comparison of the old and new codes, and implementation of the changes. An appendix has forms used by various governmental units in regulating taxis.

2.0 SITE DESCRIPTION

2.1 Demographics and Geography

2.1.1. The Portland Metropolitan Area

The Portland metropolitan area spans a valley formed by the confluence of the Columbia and Willamette Rivers near the border between Oregon and Washington (see Figure 1, next page). The region has 1.1 million persons; while the region's population has grown by about 35 percent in the last 15 years, the population of the City of Portland has remained constant at around 380,000 persons. This is comparable to the populations of El Paso, TX; Minneapolis, MN; and Newark, NJ. The City's share of the SMSA population has dropped from 53 percent in 1950 to 34 percent in 1975. The declining importance of Portland relative to its region affects the taxi business, since the downtown here (as in most cities) is one of the key taxi markets.

Portland is the largest city in Oregon, and the second largest in the Pacific Northwest (next to Seattle). It serves as the regional headquarters for a number of businesses, mostly in the agricultural, forestry, mining, and retailing sectors. Total employment within the City limits is around 250,000. Median family income in 1975 was \$13,266, as opposed to a national average of \$12,158 in that year. The City has a fairly low population density, averaging 23 persons per net residential acre.¹ Richmond, VA; Toledo, OH; Worcester, MA; and Glendale, CA all have population densities approximately equal to Portland's (4,000 to 4,500 inhabitants per square mile).

Counties do not regulate taxicabs in Oregon. The State has given jurisdiction to each incorporated city to regulate taxis within

1

"Net residential acre" includes land area devoted solely to residential use, thus excluding such uses as local streets, parks, and so on.

Area Covered by
Portland Taxi Regulations
County Boundaries

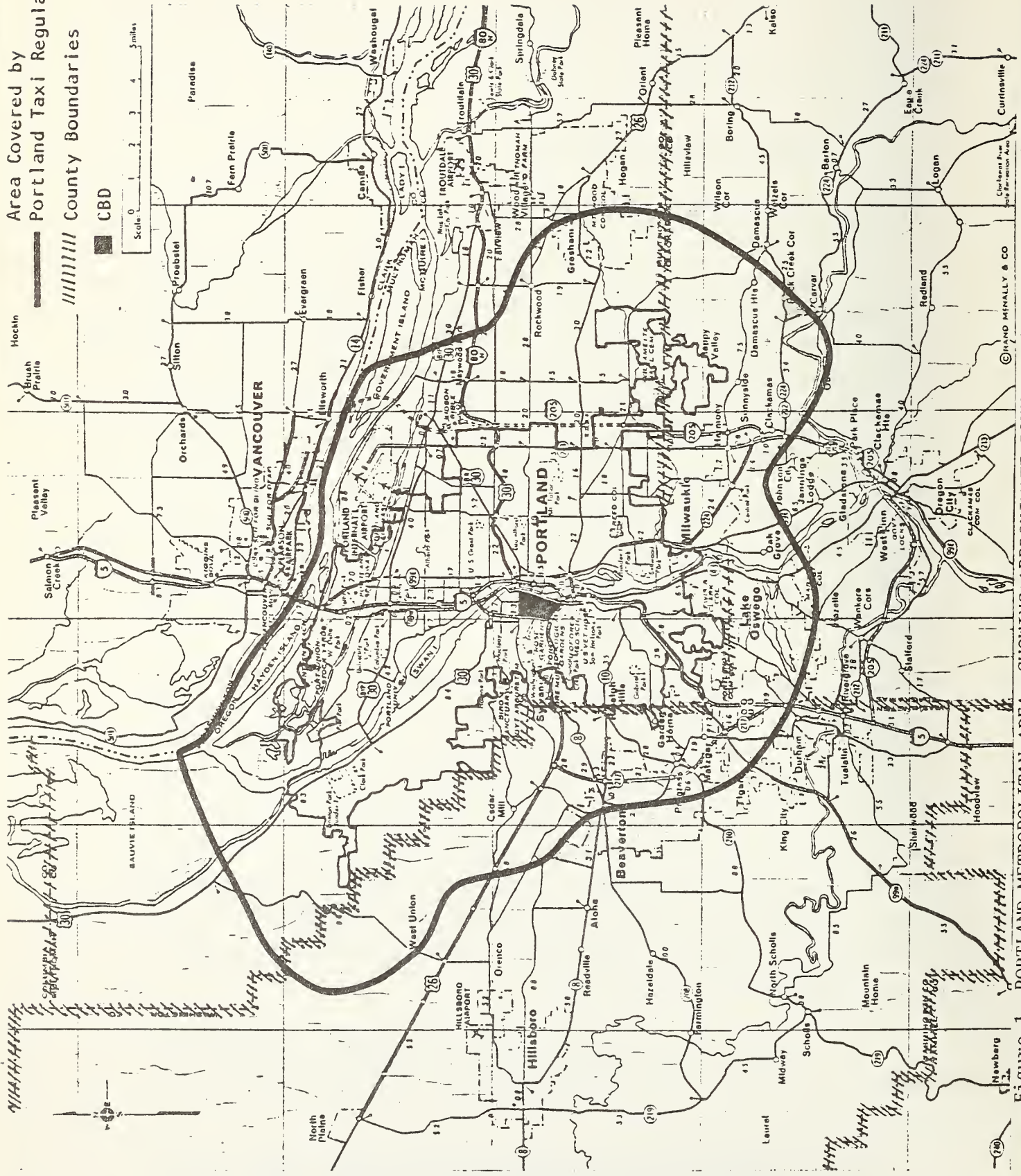


Figure 1 PORTLAND METROPOLITAN AREA, SHOWING APPROXIMATE BOUNDARIES OF TAXI JURISDICTION

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three air miles of its boundaries. Portland taxi regulations also extend 3 miles outside the city limits, as shown in Figure 1. The population of the total area covered by City regulation, therefore, was about 680,000 in 1978. Apparently, overlapping boundaries do not cause many problems, and those which do arise are informally resolved by the two cities involved. If an area is not included in any city's taxi regulation area, then the city in which the cab company is based has effective jurisdiction over cab licensing. Areas outside of municipal taxi jurisdiction are naturally quite low-density in nature, and consequently the amount of business generated by them is small in comparison to the number of trips in-town.

2.1.2. Downtown Portland

The Portland CBD occupies a relatively flat location situated between the Willamette River on the east and rolling hills on the west. The heaviest traffic flows in the downtown area are on the north-south streets, although the bridge approaches and Stadium Freeway off-ramps are significant generators of cross-town traffic. Blocks are quite short (generally 200 feet square), and most of the east-west streets are narrow (40 feet or less).¹ Only a few major streets have two-way traffic. Since January 1978, 11 blocks along Fifth and Sixth Avenues have been devoted exclusively to bus use; together the two streets are known as the Portland Mall. Taxi stands are located at a few places along the Mall, and cabs are permitted to travel short distances along the Mall to pick-up or discharge passengers (under the same restrictions as private autos, during business hours).²

¹ In the downtown's original planning, short blocks were used to obtain as much retail street frontage as possible. However, this grid makes timing of traffic signals difficult in the downtown area, since vehicle queues may block cross streets.

² Autos and cabs may use special access lanes along the Mall at all hours, for travel as well as passenger loading. Evenings and holidays, cabs may use all lanes on the Mall, but must yield to buses.

CBD employment in 1977 was 68,000, about 27 percent of the City's jobs and 14 percent of the region's jobs. The southernmost part of downtown is occupied by Portland State University (PSU), with some high-income residential and low-rise office buildings scattered in the area. This section of downtown has the heaviest concentration of residences, since it includes both high-rise apartment/condominiums as well as PSU student dorms. PSU student enrollment is around 16,000.

The office core is located in the center of the Portland CBD, and is generally aligned along a north-south axis. While the borders of this core are not distinct, the most intensive uses are between Broadway and Fourth. The retail core is a rectangle perpendicular to the office core, near the center of the CBD. North of the Burnside Bridge lies the Old Town redevelopment area, which consists of a number of historic buildings, some of which are being renovated. At present, however, much of this area is occupied by deteriorating hotels and low-income housing mixed with land-extensive business activities (warehousing, automotive, motels, etc.).

2.2 Public Transportation Setting

2.2.1. Tri-County Metropolitan Transportation District (Tri-Met)

The Tri-County Metropolitan Transportation District of Oregon, (Tri-Met) is a municipal corporation operated by State legislation to provide transit services in the three counties of Multnomah, Washington, and Clackamas. Service is provided on about 70 routes during peak hours, at five to twenty minute intervals. During off-peak hours, most buses operate on fifteen to sixty minute headways, however bus service is provided less frequently in some sparsely populated portions of the some 1000 square miles of the district's service area.

Tri-Met provided over 20 million miles of service in 1977.

Transit ridership has continued to increase dramatically in conjunction with major service improvements implemented since 1974. It is estimated that about 5 percent of all regional travel is made by transit; about 30 percent of peak hour travel to the Portland CBD is made by transit. On a typical weekday, Tri-Met serves about 115,000 trips with its fixed-route bus system. Service is provided seven days a week, twenty-four hours a day in the Portland metropolitan area. Tri-Met offers chartered service in addition to its scheduled service.

In December 1976 Tri-Met undertook a two-year Special Needs Transportation Demonstration, the LIFT, in coordination with local social service agencies to implement curb-to-curb service for registered elderly and handicapped clients.¹ A fleet of 12 lift-equipped small buses operated by Tri-Met and supplemented by private taxi operators, provided advanced reservation-type demand responsive service to the some 4,300 persons registered in the program in 1977. Most of the program participants used the program infrequently, however; approximately one-quarter actually used the LIFT during a given month of the demonstration. About 325 trips were served per day during the demonstration; about 16 percent were for wheel chair-bound persons. Perhaps the most relevant finding of the TSC/UMTA evaluation of the program was that taxi service used to supplement the LIFT bus service proved to be less expensive than the LIFT. The cost to provide transportation service for the average passenger trip was found to be \$6.77 by taxi, as compared with \$8.92 for trips served by the LIFT buses.

Following the termination of the demonstration, Tri-Met has continued the LIFT program in cooperation with local social service

¹ Crain and Associates. "The LIFT: Special Needs Transportation in Portland, Oregon. Report Number DOT-TSC-UMTA-78-35. June 1978.

agencies. Tri-Met's fleet has been reduced to 6 operating vehicles. About 10 percent of all E&H trips served by the program in the City of Portland are dispatched to participating taxi operators; these trips are typically exclusive-ride ones which need to be made in either the early morning or late evening hours of the day.¹

2.2.2. Metropolitan Service District (Metro)

This agency is the local metropolitan planning organization (MPO) since its February 1979 merger with the former MPO, the Columbia River Association of Governments. Metro has responsibilities for long-range transportation planning in the region and production of the Transportation Systems Management Element of the regional transportation plan. It also holds unexercised authority to operate the local transit system (Tri-Met). Metro covers most of the developed portion of the three counties. In the past, this agency has not taken a strong interest in taxicab services nor regulation, and no one is specifically delegated responsibilities for studying taxi/para-transit services. The 12 Councilmembers governing Metro are elected for four year terms.

2.3 Political Jurisdiction and Responsibilities

2.3.1. Portland City Council

The City of Portland has a commission form of government. City Commissioners sit, along with the Mayor, as the City Council. Commissioners have both legislative and administrative/managerial duties. There are 4 Commissioners, plus the Mayor.

¹ Tri-Met also operates a downtown free-fare zone known as "Fareless Square." The question of whether this service has had an impact on taxi business in Portland is a matter for some debate, but available evidence tends to support the contention that there is little if any impact. See De Leuw, Cather & Company, "Case Studies in Reduced Fare Transit: Portland's Fareless Square," April 1979, prepared under this contract for the Transportation Systems Center.

City Commissioners run in non-partisan, at-large elections every four years, as does the Mayor. However, candidates for Mayor run specifically for the office of Mayor. The most significant difference between the Mayor and Commissioners is that the mayor has the power to assign responsibility for the various City bureaus to Commissioners. Each Commissioner will typically handle several different bureaus, acting as chief manager of that bureau, with budgetary and administrative authority.

2.3.2. County Governments

The Portland region has three counties: Washington, Clackamas, and Multnomah. Most of the City proper is in Multnomah County, although a small portion is within Washington County. The most recently available population figures for the counties are as follows (generally for 1978 or 1979); as we have seen, these counties do not have taxicab regulating authority.

Clackamas County	220,000
Multnomah County	549,000
Washington County	215,000

2.3.3 Port of Portland

The Port of Portland is a municipal corporation created by the State of Oregon to operate marine facilities and airports within the Portland metropolitan area. As such, it owns and operates the Portland International Airport (PIA), the region's major airport facility. The nine Port Commissioners are appointed by the Governor and serve as the governing body of the Port. The Port has property taxing powers granted by its enabling legislation, but does not use such powers to pay for facilities at PIA. PIA is located approximately ten miles from downtown Portland. About four million passengers used PIA in 1978.

2.3.4. State of Oregon

Two state agencies should be briefly mentioned in this background section because their authority extends to taxicab operations. The State Department of Motor Vehicles issues chauffeurs' licenses to all taxi drivers as required by City ordinance. The State Public Utilities Commission (PUC) regulates two potential aspects of taxi operations.

1. The PUC regulates inter- and intra-city messenger and parcel delivery for parcels of more than ten pounds. Under PUC rules, a fee must be paid, and proof of cargo insurance must be provided. Tariffs for such service must be filed, approved, and published. Operators are generally issued such permits unless there is a protest, and no demonstration of public convenience and necessity is required. No cab companies in Portland presently hold permits to haul such packages, however.
2. Vehicles with a rated passenger seating (i.e., excluding driver) of five or more, and which operate outside the three-mile limit controlled by cities, are covered by PUC regulation. Obtaining a license to operate such vehicles requires proof of public convenience and necessity. Since taxis typically seat five or fewer passengers, however, the impact of this regulation on taxis is minimal.

3.0 TAXI INDUSTRY CHARACTERISTICS BEFORE REGULATORY REVISION

3.1 Regulatory/Administrative Overview

This section covers four major areas related to the regulatory and institutional considerations in the Portland taxi industry prior to regulatory revision in February 1979: the features of the present code regulating taxis and its history, responsibilities of public agencies dealing with taxis, administrative procedures for enforcing regulations, and interagency coordination.

3.1.1. Brief History and Salient Features of Taxi Regulatory Code

The first taxi regulations in Portland date back over 60 years, to 1915, when cabs were required to post rates and pass City inspection. The following year regulations were adopted requiring inspections of taxi meters. And in 1917, the first rate regulations were promulgated, fixing rates for cab trips originating at the Portland rail depot.

Most of the regulations in force until the 1979 revisions date from the late 1940's, however. The principal objective of the law at that time was to reduce alleged illicit activities in the taxi business. The law froze the number of companies which could operate in Portland, and tied the number of permits to a population ratio of one permit per 2,400 residents within the City's jurisdiction.¹

The major features of the Portland taxi regulations as they existed immediately prior to the 1979 regulatory revisions are shown in

¹ The ratio was changed by subsequent regulation, and included a "grandfather" clause for existing operators.

Table 1. The table summarizes the specific provisions of the previous law as well as their effect on local Portland practice and industry characteristics.

Briefly, these regulations included the population-based ceiling on total taxi permits--the ratio had been increased to 1 for every 2900 residents within the City's jurisdiction--and the Council-established maximum rate of fare. Although taxi operators were permitted to charge less than the maximum fare, all three firms had filed the maximum rate. The rate regulations also included the airport and downtown flat fares. The ordinance specified liability insurance requirements and vehicle and business tax fees. These were administered to the letter of the law. Vehicle inspections were also required, to be conducted on an as-needed basis. In practice these inspections were rarely performed. In fact, the chief responsibility for these inspections had been transferred from the Chief of Police's Office to the operators themselves during the early seventies; this was a pre-revisions example of industry self-regulation. Both taxi and driver permits were required, but the driver examination stipulated in the law was not administered.

3.1.2. Public Agencies and Their Responsibilities

3.1.2.1. City of Portland

The City of Portland is the principal regulator of taxicabs in the metropolitan area, with State-granted authority to permit operating within its corporate limits, as well as three miles outside such limits, as shown in Figure 1. The City Council, Chief of Police's Office, Business finance Division, Bureau of Traffic and City Attorney's Office shared various aspects of taxi regulation responsibility prior to the 1979 regulating revisions.

TABLE 1
 PORTLAND REGULATION OF TAXIS PRIOR TO 1979 REVISIONS

Issue	Legal Regulation	Effective Practice
Entry	Maximum number of licenses issued not to exceed 1 for every 2900 residents within City limits plus a 3-mile radius.	229 licenses issued, while 234 would be permitted by the 1978 population estimate. Also, some of the 229 licensed cabs apparently rarely or ever operated.
Fares	Maximum rates set by City Council. Special airport and downtown flat fares.	All firms charge maximum rates. Downtown flat fare almost never used.
Vehicle Inspections	To be conducted by Office of Police Chief whenever necessary for public safety.	No inspections conducted for many years; position unfunded.
Vehicle Fees	Taxicab fee of \$2/vehicle/year. Business occupation tax of 0.55% of net income paid by vehicle owner.	Same as required.
Drivers' Permits	All drivers must obtain license to operate cabs, for \$2/year. Every applicant to pass examination on safe driving, knowledge of traffic laws, and knowledge of streets and buildings.	Licenses issued, except examination not required.
Insurance	Minimum requirement \$100,000 personal injury per person, \$300,000 for any one accident; \$20,000 property damage. Bureau of Licenses to be given 30 days notice of cancellation.	Same as required.

3.1.2.2. The Port of Portland

The Port Commission controlled all taxi access to the Portland International Airport (PIA). Its regulatory restrictions required that an operator at PIA have a City of Portland taxicab license. There were no ceilings on the number of operators that could obtain authority to operate at the airport. The only fee operators paid for using the Port was 50¢ each time the vehicle entered the airport commercial area through an automatic gate, similar to those found in parking lots. (Revenue collected from this gate in FY 78/79 indicated that 217 taxi vehicles per day on average used this area.) The Port Police provided minimal supervision for airport taxi operations. There was no starter.

A taxi queue system was begun a few years ago, after a quota system was abandoned. The taxi queue consisted of a holding area in front of the main terminal (but one roadway away) with a capacity for six vehicles. The back-up queue was upstream of this area. The back-up queue was long during peak periods; a Port staff member estimated 30 minute waits at some times. Both queues operated on strict first-in, first-out discipline. At the same time as it instituted the queue system, the Port raised the cab entrance fee from 25 to 50 cents. This led drivers to add on the 50¢ fee as a surcharge on all trips from the airport, whereas the 25¢ fee previously was absorbed by the operator. It has been estimated that nearly 5% of 1978 passengers at PIA used taxis; the airport therefore contributed about 460 trips per day from air passengers alone, in addition to the taxi business generated by airport hotels and other commercial establishments.

There apparently has been no severe short-haul refusal problem at the airport, although the Port retains the right to revoke permit on the strength of such complaints. In addition, "the Port reserves

the right to expel and thereafter exclude from the Airport any driver or other representative of a Taxicab Company considered by the Port to be objectionable and contrary to the best interest of the Port."

3.1.3. Interagency Coordination

Interagency coordination in Portland has been relatively simple, due to very few jurisdictions involved in taxi regulation since the counties hold no such authority over taxicabs. The overlaps between different cities' taxi jurisdictions have apparently resulted in few problems; differences in regulations have been resolved with informal agreements between the affected cities. The Port of Portland, although a major generator of taxi trips, has taken relatively little interest in taxi issues beyond assuring that an adequate number of cabs and adequate quality of service are provided at the airport.

3.1.4. Administrative Procedures for Enforcing Regulations

Prior to regulatory revision, there were two ways to obtain authority to operate a taxicab in Portland. One was to purchase a share in an existing association, which included the vehicle, meter, radio, and membership in the association. This was by far the most common way of going into the taxi business. The other was to petition the City Council for new taxi licenses. Application for new taxi permits was to the Business Licenses Division. Decisions on the applications were made by City Council. Both new and existing operators were eligible, since the population formula allowed for more licenses than were actually issued throughout much of the 1970's. Little interest in acquiring new permits was expressed by existing operators or new entrants, however. Only once in recent history -- in 1970 when Rose City Cab was formed -- had a new operator obtained Portland licenses.

Exiting from the taxi business was most often achieved by reselling one's share in an association, often to the association itself, which would operate the vehicle as a company cab until another buyer could be found. From all indications, licenses were never returned to the City,

even though some were not used for a period of time. There were no minimum operating requirements prior to the recent changes, and since the license had a market value, an operator would prefer to try to sell it to another operator than return it to the City. It should be noted that licenses were held jointly by the association and the owner-operator, and could not be moved freely from one association to another.

Applications for maximum rate changes were handled no differently before the revision ordinance was passed than after. The applicant petitioned the City Council for a rate change (embodied in a new ordinance). There were no formal criteria or warrants for defining what constituted a justifiable rate, although the City commissioned a consultant to study this issue in 1974.¹

Regulations governing safety and vehicle condition were a matter for internal enforcement by the taxicab companies. Prior to 1974, a police inspector was assigned responsibility for these duties, but in that year the position was eliminated for budgetary reasons. This left the responsibility for inspections up to the individual companies. Meter inspections were confirmed by a certificate from a certified meter repair shop. The City had no facilities for inspecting nor testing meters.

The Licenses Division within the Bureau of Financial Affairs was responsible for collecting the City's business license tax. This tax was paid annually on the owner/operator's net income. The object of this duty of the Licenses Division was solely related to raising revenue; they were not empowered to place economic or non-economic controls on taxis.

3.2 Pre-Revisions Industry Structure

This section deals with the number and size of taxicab operators in Portland, the various services they provide, the incidence of license transfers and the historical changes in firm size over time prior to regulatory revisions.

1

The report, though never formally adopted by the City, proposed an operating ratio be used to regulate rates, with 88-96 percent being the target cost-revenue ratio. Such a scheme would require comprehensive records (and probably extensive auditing), which were never provided on a regular basis.

3.2.1. Number and Size of Taxi Operators¹

The 1950's and 1960's were rough times for transit and para-transit services in Portland. Families left the City for low-density suburbs which were not as easily served by taxis as the inner-city; increased auto ownership resulted from rising personal incomes and low gasoline prices; taxi prices increased while profits eroded. By the 1960's competitive pressures had left only two cab companies, Broadway and Radio Cab, which had progressively absorbed the smaller and financially weaker companies. These remained the only two companies until the birth of Rose City Cab in 1970.

A black-owned company, Rose City Cab applied for and was granted, over the protests of the existing operators, authority to operate eleven cabs.² By 1971 Rose City Cab had filed for bankruptcy. There were a number of reasons for this, among them that Rose City Cab was unable to adequately serve cab stands beyond the downtown area with its small fleet, and did not have radio dispatching services (as did the two much larger competitors). The company was re-established during the same year, however, under the name of New Rose City Cab, and continues to operate today.

Taxi operating permits in Portland have traditionally been held by companies (or associations). By 1978 licenses had been issued to three such companies with the following distribution:

	<u>Authorized Licenses Issued</u>
Broadway Cab Company (and Broadway Deluxe Cab)	113
Radio Cab Company	102
New Rose City Cab Company	<u>11</u>
TOTAL LICENSES ISSUED	226

¹ Much of this material is from the Price-Waterhouse study, "Report on the Study of Taxicab Regulation in Portland," November 30, 1974, p.9f.

² Broadway and Radio Cab were apparently each issued 5 to 6 permits at the same time.

This total was less than the 235 licenses which would have been permitted under the established population ratio of 1 license to every 2900 of population. (The total number of licenses issued had increased with population in the Portland service area. In 1957 there were 182 licenses. The 1978 total thus represents an increase of 30 percent over the 21 years between 1957 and 1978.)

The Portland industry includes three forms of taxicab ownership:

- Owner-driver of full taxicab
- Owner-driver of a half taxicab
- Company taxicabs

An individual wanting to become an owner-driver may purchase stock in the association at the current market value of the taxicab license. He has the option to purchase a "full cab," including the right to operate the taxicab on both day and night shifts; or a "half cab," where he would own the cab for only one of the two principal shifts. Generally, if a full taxicab is purchased, the owner operates the cab for one of the two shifts and hires a driver to operate it for the other. Or the owner may hire a driver for both shifts. In the former case, if a driver is not hired, the taxicab would be idle for the second shift. This circumstance has given rise to a type of partnership, where a single cab is owned by two individual owner-operators; the first owner sells the second half to a second owner. Typically, these owners each drive the cab for one of the two shifts. It should be noted, however, that the night shift is generally less remunerative than the day shift.

The distribution of cabs by ownership type for 1977-78 is shown in Table 2.

3.2.2. Service Type and Geographic Concentration

Three types of service specialization are briefly covered here: the first two are by geographic area and by type of user (elderly and handicapped); package delivery service constitutes the third.

TABLE 2
STRUCTURE OF PORTLAND TAXICAB OWNERSHIP AND OPERATION,
1977-1978

<u>Category</u>	<u>Company</u>			<u>Portland Total</u>
	Broadway ^a	Radio ^b	New Rose City ^c	
OWNERSHIP (Owners)				
o Drivers	141	150	4	295
o Non-Drivers	<u>10</u>	<u>15</u>	<u>1</u>	<u>26</u>
Total Cab Owners	151	165	5	321
 OPERATIONS (Licensed Vehicles)				
o One Operator: Sole Owner or Lease Driver	47	31	5	83
o Two Operators: Half Owners	<u>57</u>	<u>74</u>	<u>-</u>	<u>262</u>
Total Operating Cabs	104	105	5	214
o Non-Operating Cabs	<u>9</u>	<u>-*</u>	<u>6</u>	<u>12</u>
Total Licenses Issued	113	102	11	226

Source: James D. Allen, "Regulation of Taxicabs in the City of Portland: Review and Recommendations." Volume Two: Report. City of Portland. June 1978.

^aMarch 31, 1978

^bSeptember 30, 1977

^cMarch 31, 1977

*May reflect the fact that some vehicles were operating without current licenses at the time of the report.

Geographic specialization by Portland cab companies has been minimal, although New Rose City Cab reportedly has obtained a higher proportion of its trips from downtown and airport stands than other companies. While New Rose City claimed to have had a working dispatch system, it was not apparently used much.¹ (The new ordinance requires that all cabs be radio-dispatched.) Because of the large size of Broadway and Radio Cab, they have been able to serve the entire City without concentrating on any particular areas.

Since 1977 Tri-Met has contracted with taxi companies in Portland to supply transportation to supplement its LIFT services to the elderly and handicapped. The first contract was with a joint Radio/Broadway Cab consortium to provide services on an as-needed basis.² Tri-Met supplements its own fleet of six lift-equipped vehicles with vehicles loaned by Multnomah County, and uses taxi services in addition in order to reduce the costs of the service to the District. Taxicabs are called into service when the Tri-Met vehicles are fully booked, when a call is in an area more economically served by taxis than by the Tri-Met vehicles, or when the call occurs during Tri-Met driver overtime. Typically, 30 to 40 Tri-Met E&M LIFT rides per day are carried by taxis.³ Tri-Met does not refer wheelchair patrons to taxicabs, however.

Package delivery services have also constituted an important source of revenue to Portland taxis, amounting to between 15 and 20 percent of total revenue in 1978. All companies have offered package delivery on parcels weighing under ten pounds and routed wholly within the taxi service regulation area. Shipments over this limit, or outside of the regulatory authority of the City, require a permit from the Oregon PUC, which none of the operators holds.

¹ The 1978 Allen report noted, "The New Rose City Cab Company does not currently operate a dispatch service, though it reportedly has the equipment to do so. All, or nearly all, of its business is generated by servicing the airport."

² See Crain & Associates, op. cit., 1978. The two cab companies alternated each month in providing services, with Radio providing all services one month and Broadway the next.

³ The number of vehicle-trips is about equal to the number of passenger-trips, because there is very little ride-sharing.

3.2.3. Incidence of License Transfer

There are no data available on taxi license transfers. Since license transfers constitute a sale of a share within a private corporation, the City is not informed of such transactions. The only records which exist on the matter are the Business License Tax records, which have information on the current owners of taxis in Portland, as well as information on "out of business" owners. This latter file, while it potentially allows for tracking of the rate of license transfer, is not stratified by business type. Thus, it would require a manual analysis of thousands of records to ascertain taxi license transfers over time.

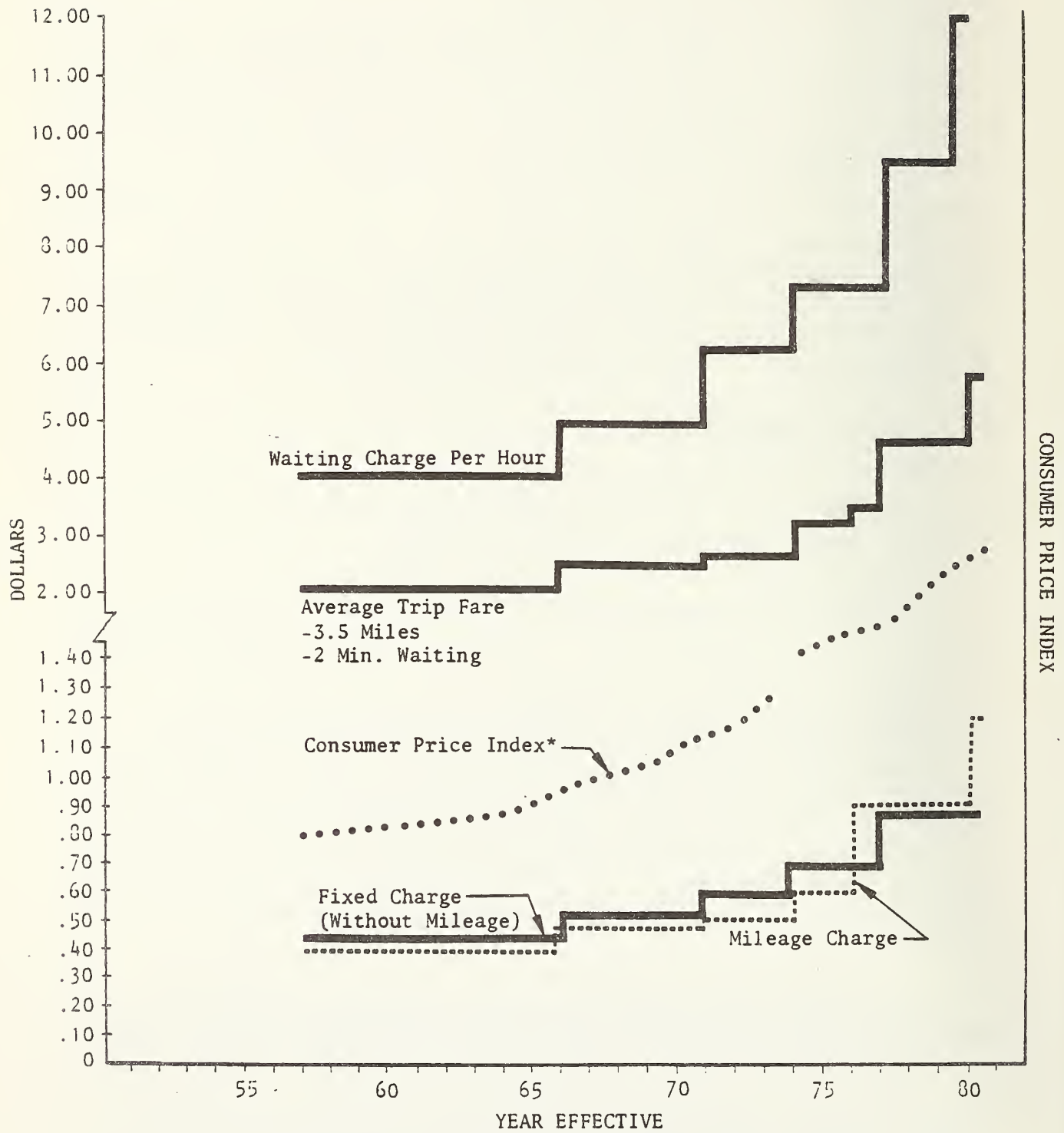
3.3 Fare Structure

This section discusses the fare structure and pressure for fare increases immediately prior to regulatory revision.

Taxi rate increases had been adopted relatively infrequently in Portland prior to the late '60's. The pre-1966 rate had been in effect at least since 1957. The new rate adopted in 1966 lasted until 1971, but subsequent increases became more frequent. There were four increases during the '70's. Rates changed from 50 cent drop and 40 cent per mile effective in 1957 to \$1.00 drop and 90 cents per mile in 1977. The cost of an average 3.5 mile trip including two minutes of wait time rose from \$2.00 to \$5.50. These changes are shown in Figure 2. Note that the drop charge shown is the drop charge less mileage, or "fixed" charge.

The rapid rise in gasoline prices caused by the 1973-74 gas crisis threatened taxi operator revenues and prompted an industry request for a rate increase in 1974. Council approved an interim increase, but also requested that operators supply additional financial information to demonstrate their need for the increase. In fact, the combined concern of City administrators and taxi operators with public transportation options under gas crisis conditions became one of the factors in the genesis of

Figure 2
 CHANGES IN TAXI RATE STRUCTURE IN PORTLAND, 1957 - 1979



Based upon Price-Waterhouse Study, p.6 (see Appendix for complete citation).
 *Bureau of Economic Statistics, Consumer Price Index for Portland Metropolitan Area, 1947-May, 1980, Handbook of Basic Economic Statistics, Vol. XXXIV, No. 7, July, 1980

regulatory revision (see section 4.1). There was little pressure for a subsequent rate increase in 1978, immediately prior to the passage of regulatory revision. The maximum fare carried into the revised ordinance was that adopted in 1977

3.3.1. Maximum Rate

The last fare increase passed before regulatory revision was a 34% increase passed in 1977. This maximum rate, in force until October 1979 and passed as an emergency measure, was as follows:

- \$1.00 drop and first 1/9th mile (90¢ fixed excluding mileage)
- \$0.90 per mile thereafter (10¢ for each 1/9th mile)
- 25¢ for each passenger beyond the first
- Waiting time charge of \$9.00 per hour
- 50¢ surcharge for trips from the airport

These rates represent maximums, and operators were permitted to file rates below them (though none apparently ever did).

In addition, two shared-ride fares were provided for as part of a compromise fare increase in 1977; they were subsequently carried over into the revised ordinance, see section 4.2. These are:

3.3.2. Airport Flat Fare

For trips between downtown and PIA in either direction, a passenger may elect to pay either the meter rate or the airport flat rate. The airport flat rate was \$3.00 per person, with a minimum of three people, unless specified otherwise by the Taxi Supervisor. Interestingly, fewer than three persons could elect to pay the three person fare, \$9.00. Since the metered fare was typically \$10-\$12, even a single passenger would often be better off paying this fare. The taxicab driver was required by ordinance to verbally inform downtown-bound passengers of the airport flat rate prior to starting the meter. We were not able to ascertain from airport authorities or others, however, exactly the extent to which drivers were fully complying with this law.

3.3.3. Downtown Flat Fare

For trips wholly within the downtown area, the first passenger boarding a taxi could elect to pay either the meter rate or the downtown flat rate of \$1.00. If they elected the flat rate, the cab driver was permitted to accept other passengers while enroute and could select the most direct route for delivering all passengers to their respective destinations. The driver had to verbally inform passengers of the availability of the downtown flat rate before starting the meter. There were some indications that this fare received relatively little use. In addition to the above rates, passengers could share a cab to non-common destinations (or from non-common origins) with the driver redropping the flag for each subsequent leg of the trip. The old code effectively prohibited any contractual rate agreements (see Section 7.75.400 of the old code). Rate changes adopted since the 1979 ordinance went into effect are described under section 4.3.

3.4 Taxi Operating Practices

This section includes discussions of taxi industry labor conditions (unionization and driver compensation), dispatching practices, and types of requests for service prior to regulatory revision, as well as the effect of the pre-revisions regulations on operations.

3.4.1. Labor

Organized labor has played an important role in the taxi industry in Portland. All taxi owners and drivers, except those affiliated with New Rose City Cab, have been covered by a union contract with Teamsters Local #281. In addition to hired drivers, union members include owner-drivers, dispatchers, and clerical support staff.

Cab labor has been supplied by two groups of people: owner-drivers and hired drivers. Most cab owners drive their own vehicle in Portland, paying their cab association monthly dues or membership fees. These fees are \$780/month at Broadway Cab, and cover dispatching services, general administrative and overhead costs. They do not cover gasoline or repair costs. A cab owner may also choose to hire a driver for certain shifts. Broadway and Radio Cab paid drivers 50% of total meter revenue, less 10 cents per trip for employee benefits.

In 1977, the average full-time driver earned about \$8,500 per year -- a little over \$4 per hour, not including tips. Full-time drivers also received health benefits costing \$791, pension contributions of \$415, and one to four weeks paid vacation.

3.4.2. Dispatching

All Radio and Broadway cabs reportedly had radios prior to regulatory revision. Dispatch requests were allocated via a zone system. Each company divided the City into a number of zones, and each cab became available for service in that zone when it crossed into it. Trips originating within a particular zone were offered to the unoccupied taxicab which first entered the zone. If the driver of that cab refused the call, it was offered to the next cab. If all drivers refused, however, the call might go unanswered. (Lack of response is most likely during the late night shifts, when fewer cabs are available, or for calls originating in outlying areas, where the trip is likely to be least profitable.) Occasionally, when a company received a call from an outlying area, it contacted the other company to see if it had a cab available to take the call. There are no data available to indicate whether service refusal has been a significant problem in Portland, as it is in some other cities.

3.4.3. Trip Requests

Most requests for taxicab service in Portland were initiated by telephone. The managers of Radio and Broadway Cab estimated that about 85-90 percent of their total trips were requested by telephone. This is somewhere around the national average found by Wells (see Bibliography, Reference 12, pp. 8-24). Most of their other trips were initiated from cab stands (most often from the airport and downtown), and a very small fraction were from customers hailing a cruising cab. The percentage of telephone requests does not vary considerably between Radio and Broadway. New Rose City Cabs have spent most of their time working the airport stands, and consequently have not handled much telephone business.

3.4.4. Effect of Current Regulations on Operations

The two principal impacts that the regulations had on taxis were on the cost of entering the taxi business, and on the operation of taxi stands. Because the population ratio limited the number of cabs which

could do business, the license itself came to have a market value. This was estimated to be in the range of \$4-7,000 in 1978, including equity in company assets (see Table 3). The extent to which license values deterred new operators from entering the business is unclear. The cost of amortizing the license on a per trip basis was certainly only a fraction of the average fare.

The issue of taxi stand and zone usage in Portland has been a major problem in the past. Since approximately 10 to 15 percent of total taxicab trips have been initiated at taxi stands, this issue affects an important source of ridership. Although Portland has had many taxi stands, only a few prime stands have generated high income. The others were generally used by cabs waiting to be dispatched. Discussion with the City and operators indicate the five prime taxicab stands (listed in importance for obtaining ridership) were: 1) the Greyhound Bus Depot, 2) the Benson Hotel, 3) the Hilton Hotel, 4) the Sheraton Hotel, and 5) Lloyd Center.

Historically, most of the taxi stands in Portland were controlled by Yellow Cab Company. On dissolution of this company in 1957, rights to most of the stands were sold to Broadway and Radio Cab, and by mutual agreement several stands in various areas were to be rotated between the two associations on an every-other-day basis. Although never incorporated into City ordinance, this system, with some modifications, was used until 1979 for allocation of some of the taxi zones, including the five prime zones. While the City has never issued franchises for these zones, the stand protocol has been self-enforcing.

A major modification to the rotation system was made in 1970 when Rose City Cab Company was established. A formula was developed which would allocate the rotating taxicab zones based upon the number of licenses held by each organization.¹ This allocation passed to new Rose City Cab when the former company was dissolved in 1971.

¹ Because of its small fleet, Rose City was allowed preference at key stands only every 21st day.

The City Bureau of Traffic Engineering had responsibility for designating taxi zones on public streets. Cabs were not permitted to use cab zones unless the company associated with the cab held a taxicab zone permit; permits expire annually on November 1.

3.5. Taxi Level of Service

Taxi level of service refers to the quantity and quality of service as they are perceived by the user. Level of service reflects the interaction of service supply of operators and demand by users. Measures of level of service available for Portland include number of vehicles available for service and vehicle-miles operated.

Immediately prior to regulatory revision, there were 226 validly licensed taxi vehicles in the Portland service area. With an estimated population of 680,000 this represents a ratio of 0.33 licenses per 1,000 population. In a 1970 study of licensing in 741 communities, Wells¹ found that somewhere between 75-80 percent of all communities had a higher ratio of licenses per population than this.

Taxicabs in Portland operated 930,000 total miles per month (based on the most recently available data, from the third quarter of 1977), of which about 460,000 miles were paid and 470,000 were non-revenue. The average individual vehicle operated about 3,900 total miles per month.²

3.6. Taxi Demand

During the year, the average Portland taxi makes approximately 6,900 paid vehicle-trips. No data on the number of passengers carried

¹ John D. Wells, et. al. "Economic Characteristics of the Urban Public Transportation Industry."

² See James D. Allen, "Regulation of Taxicabs in the City of Portland," Portland Bureau of Planning, June 1978, Vol. 2, p. 14.

have been reported, but the Price-Waterhouse study estimated that Portland taxicabs carry 1.25 passengers per trip. This figure, if accurate, is low; the national average is 1.46, and average occupancies in Seattle and San Diego appear to be closer to that figure. Using both the Price-Waterhouse estimate and the national average, the average Portland cab carried between 8,500 and 10,000 passengers during 1977. This represents 1.8-.2.1 million passenger-trips per year. In contrast, Tri-Met buses carried 39.3 million passengers in FY 77/78.

There is no demand data disaggregated spatially or temporally. Some very sketchy data exists on patronage by firm, but it is generally not considered reliable, and consequently not reported here.¹

3.7. Taxi Operator Productivity and Economics²

This section describes available data on operating cost elements and trends, license value, and the general state of the industry's financial health.

No taxicab company has submitted the annual income and expense report designed by Price-Waterhouse and Company, and hence no direct analysis of cost-revenue relationships is possible. Some general statements can be made, however.

The cost of entering the taxicab business has decreased since 1974. Though equipment costs have increased slightly, the value of a license has decreased substantially. The following table sets out purchase costs for 1974 and 1978:

¹ See James D. Allen, op. cit., Vol. 3, Appendix K.

² Much of this section was adapted from the Allen Report (op. cit.), pp. 20-23).

TABLE 3

TAXICAB PURCHASE COSTS

<u>Equipment</u>	1974 ¹ <u>Cost Range</u>	1978 ² <u>Cost Range</u>
Vehicle	\$ 4,000 - 4,500	\$ 4,200 - 5,200
Radio	1,000 - 1,000	1,000 - 1,500
Meter and Misc.	500 - 500	500 - 550
License ³	<u>9,500 - 13,000</u>	<u>4,300 - 7,250</u>
<u>Total Cost of Cab</u>	\$15,000 - 19,000	\$10,000 - 15,000

¹Source: Price-Waterhouse Report, App. P., p. 10.

²Source: Discussion with cab company managers.

³Includes equity in ownership assets.

The cost of a night half is substantially less than the cost of a day half. A night half in 1978 sold for from \$3,000 to \$7,000, but a day half sold for from \$7,000 to \$9,000. The cost of a Radio Cab was approximately 50% higher than the cost of a Broadway cab, perhaps because Broadway had a fair number of idle cabs.

Costs of doing business have risen more rapidly than the consumer price index. The cost of gasoline has risen over 60% between 1973 and 1978, as opposed to a 36% rise in consumer prices generally. Insurance costs have skyrocketed: the annual cost of insuring a taxicab was reported by the Price-Waterhouse Report to be \$750 in 1973. According to the managers of Broadway and Radio Cab Companies, the cost in 1978 was between \$2,200 and \$2,640 a year, and was expected to rise to between \$2,500 and \$2,880. This represents a cost increase of between 233% and

284%. Across the nation, many companies are finding it difficult to find insurers at any price.

Every other cost component has risen as well. Other costs include such direct costs as drivers' wages and fringe benefits, maintenance and repair costs and indirect costs paid through dues to the taxicab company, including dispatcher, management and clerical salaries and various overhead costs.

Though these increased costs are partially off-set by revenue increases, not all taxicab owners receive the full benefit of these increases. As noted above, hired drivers receive as wages roughly half of the gross receipts they take in. Thus a taxi owner who hires a driver will only reap the benefit of half of any revenue increase.

Though there is no hard data available, the information on hand suggests that cost increases have lessened the profitability of the industry despite whatever benefits owners may have received from revenue increases. The operating ratio (ratio of costs to receipts) is a measure of profitability, and an operating ratio of 90 to 96% is regarded as appropriate for taxicab operations. Operating ratios in excess of 100% indicate that the business is operating at a loss.

The Price-Waterhouse Report estimated that the operating ratio for the Portland taxicab industry in 1974 was 108.4%. Wages and benefits for owner-drivers equal to those received by hired drivers were included as expenses in making this estimation, regardless of the income actually received by owner-drivers. Thus the ratio of 108.4% does not indicate that owners actually operated at a loss, but only that owner-drivers did not receive income for their labor equal to that of hired drivers. Owners who do not drive their cabs may have suffered real losses, however.

The operating ratio certainly indicates inadequate profitability, for owner-drivers should reasonably receive compensation for their labor equal to hired drivers and all owners should receive a reasonable return on their capital investment.

Rough data suggests that in 1977 the average taxicab operator in 1977 had an operating ratio of from 114 to 129%, indicating that profitability had significantly decreased since 1974, despite a rate increase and revenue gains. Radio Cab's operating ratio is significantly higher than Broadway's, due to Radio's lower revenues per cab. See Table 4.

If the hypothetical owner of this average half-cab hired a driver, he showed an actual loss for 1977. If the owner drove the cab himself, he received no return on his capital investment and he received wages lower than a hired driver would have earned. A Broadway owner-driver received only \$5,921 for a full year's employment, and a Radio owner-driver received only \$2,820.

These figures appear to be supported by data gathered from an examination of business license tax returns filed for 1977. For the 140 owners who completed reports, the average net income was \$3,950. This figure has some information value, but does not necessarily represent accurately the actual average earnings of an owner-driver of a single cab. The figure is simply the average earnings of all reporting owners of taxicabs, and includes earnings of owners of both half-cabs and full cabs and those that own more than one cab. It also includes owners that drive the cabs themselves and pay no wages and owners that hire drivers. The limited information available on the tax returns made further discrimination impossible.

TABLE 4

ESTIMATED INCOME STATEMENT - "AVERAGE" HALF CAB, PORTLAND, 1977

	<u>Radio</u>	<u>Broadway</u>
Gross Receipts	\$14,610	\$16,697
Expenses		
Driver's Salary	7,119	8,197
Pension	415	415
Health & Welfare	(included in office dues)	791
Payroll Taxes	1,068	1,230
Gasoline	1,445	1,416
Depreciation	810	810
Maintenance & Repair	1,100	1,100
Office Dues (includes insurance)	6,660	4,680
Other Expenses	<u>292</u>	<u>334</u>
<u>Total Expenses</u>	\$18,909	\$18,973
Income	(4,299)	(2,276)
Operating Ratio	129.4%	113.6%

Source: Allen report, Vol. 2, p. 22 and Appendix O.

The profitability of individual taxicabs appears to vary a great deal. The raw data submitted by the taxicab companies shows significant variation between different taxicabs in the hours and miles operated, mile and paid-mile ratios and revenues produced. The net incomes reported on business license tax returns ranged from a loss of \$3,350 to a profit of \$14,356. Seventeen owners, or 12%, reported losses, and eight owners, or 6%, reported profits in excess of \$10,000.

This variation may be due, at least in part, simply to differences in the character of different taxicab owners and drivers. Some owner-drivers work very hard, attempting to generate as many trips in a shift as possible. For others, driving a taxicab is a part-time or semi-retirement activity, and they are not as active. Some drivers plan ahead and schedule themselves to be in certain areas at high-yield times (e.g., at the airport when several flights are scheduled to arrive, near the bus depot when several buses arrive, near a concentration of bars at closing time). Others simply park the cab when they drop off a fare and wait for a radio call from the dispatcher. Thus, even when market conditions are such that an industrious and aggressive driver-owner can produce adequate profits, the "average" profitability may be lower than adequate.

Low profitability in taxicab operations is not unique to Portland. In 1975, the most recent year for which data is available, the revenues of nearly 50% of all operators did not cover total costs, including capital costs, and the revenues of approximately 25% did not cover out-of-pocket costs.¹ Taxicab industry profitability deteriorated drastically between 1970 and 1975 and, if the figures presented here are accurate and representative, that deterioration continued into 1978.

¹ Gorman Gilbert *et. al.*, Establishing Innovative Taxicab Services: A Guidebook, DOT-NC-11-0005, August, 1977, p. 3.

3.8 Attitudes Toward the Industry

The following paragraphs consider attitudes toward the taxicab industry prior to regulatory revision among three primary groups: operators, regulators and the general public.

Regulators and public officials in Portland have stated a desire to see the industry become "self-regulating" so that municipal resources could be devoted to more important tasks. For example, the police inspections of cabs were eliminated in the early seventies, and responsibility for such inspections was effectively left to the operator associations (this arrangement continues today). Allen noted in his reports that other sections of the taxi regulatory code were never enforced, and indeed there seemed little desire to do so. Policy-makers expressed what they considered to be the public attitude toward taxi regulation: that taxis were a relatively unimportant focus of municipal energies and funds. Although a number of City officials have stated their displeasure at the quality and quantity of data the industry has provided in support of these requests, the Council has been willing to grant four fare increases between 1970 and 1979. On the other hand, Mayor Goldschmidt, a leading proponent of the original regulatory revisions, advocated open entry as a means of inducing competition rather than chiefly for administrative time savings.

The existing taxi operators' attitude toward regulatory revision has been one of strident opposition, alleging that City regulators do not fully comprehend the complexity of the industry. Taxicab drivers have generally been supportive of association management, which took the lead in opposing early versions of the regulatory changes.¹ One observer claimed that the Teamsters were the single most effective opposition in regulatory revision.

¹ The final bill which actually passed was a compromise measure, and was supported by the industry.

4.0 EVOLUTION AND IMPLEMENTATION OF REGULATORY CHANGES

4.1 Background and Chronology of Regulatory Change Process

4.1.1 The 1979 Law

Recent interest in taxis as alternative transportation with a concomitant focus on taxi regulation arose within the City Planning Bureau during the nationwide gasoline crisis of 1973-74. A 1974 industry request for a rate increase served to focus this attention and the next few years saw a series of staff and consultant studies commissioned by the City government to report on taxi issues. The Price-Waterhouse report, completed in 1974 (see bibliography), was probably the first comprehensive evaluation of taxi economics and regulatory practices in Portland. It primarily offered the pros and cons of issues without providing the strong policy direction which the Council seemed to desire at that time. As a consequence, a minimal increase in fares was approved. The Council seemed unwilling to make some of the substantial changes which the Price-Waterhouse report suggested without further supporting evidence. The City staff was requested to make further studies of the taxi regulatory issue in 1975. Additional data was requested from taxi operators to support the fare increase already granted.

There was continued interest in taxicabs and their regulation, particularly among the Mayor's staff and in the Bureau of Planning. The innovative fares which had been suggested by the 1974 Price-Waterhouse report were approved as a downtown flat-fare and an airport shared-ride fare in 1977. The purpose of the flat rates was to increase ridership and promote competition, and the rates were vigorously supported by the Mayor with no industry opposition. In addition, there was sufficient interest for the City to hire an in-house consultant in Fall 1977 to prepare a comprehensive review of taxi regulation, along with proposed legislative revisions. This report was written during the first half of 1978, and the final reports issued in June of 1978. Public hearings

were held as a part of the preparation of the report, but the taxi industry continued to voice substantial opposition to the proposals for relaxing entry and rate regulation.

During the summer of 1978, the City Attorney's Office reviewed the consultant's work and codified the proposed changes into a draft ordinance. This draft ordinance was submitted to the City Council during the latter part of the summer. The press was generally supportive of the new legislation, although the proposal for a Taxi Supervisor position drew fire as "creating new bureaucracies."¹ The taxi industry remained unplacated, and continued to resist efforts to relax fare and entry controls.²

A major hearing on the proposed ordinance took place on November 2. Two Commissioners spoke openly against the bill, one of them, preferring to leave well enough alone, referred to the whole issue of taxi regulation as a "sleeping dog." After a heated meeting, the chances for passage of the ordinance (as it then stood) did not seem great. The hearing was continued until December 7.³

During the time between the preparation of the draft ordinance in the summer and final passage of the bill in February, discussions

¹ See "Free the Taxicabs" (editorial) The Oregonian, 30 August 1978, p. D20.

² New Rose City was apparently interested in some relaxation of regulatory controls.

³ Throughout the entire process, citizen groups (i.e., those without a major financial or professional interest in taxi regulation) seemed surprisingly indifferent to what was going on. Perhaps part of this was due to the meager press coverage given the hearings, but public indifference was reflected in the pronouncements of some law makers.

continued between the operators, City Council Commissioners, the consultant, and City staff interested in taxi issues. These discussions produced a series of compromises between policy-makers and operators. This process was apparently successful, for at the City Council meeting of 21 February 1979, the amended ordinance was passed by a vote of 3 to 1, with one Commissioner absent. All of the three Portland cab companies indicated that they supported the "as passed" legislation. The Council vote was peculiar, however: two Commissioners who had opposed reducing regulation voted in favor, while the early bill's strongest advocate, Mayor Goldschmidt, voted against. The Mayor apparently felt the amended ordinance did not go far enough, and was quoted in the press as saying, "I think the barriers to entry (of new cab companies) into the market that we've created are unnecessary to protect the public. The ordinance is an improvement over what we've got, but it doesn't give the kind of opening I'd like to see for new competition."¹ The ordinance took effect on March 24. Its provisions are examined in Section 4.2. There are no indications that the industry is trying to have the ordinance repealed. Indications are that the majority of drivers went along with company management in opposing the more substantial regulatory changes proposed by Allen. This occurred in spite of the fact that some of these recommendations would have benefited drivers directly, but not management. (For example, Allen recommended that ownership of cab licenses be vested with the vehicle owner rather than the cab company.)

The hearings held in 1978/79 on regulatory revision drew very little public comment. While the press covered the hearings with brief articles, there were no "in-depth" explorations of the industry's problems and potentials. The major concern of the press was the municipal cost of taxi regulation, an issue which was later to draw fire when consolidation of regulatory responsibilities into a newly funded city position was proposed.

¹ "City Council Overhauls Regulation for Taxis." The Oregonian, 22 February 1979, p. B3.

4.1.2. The 1980 Revisions

Several factors influenced the Portland City Council to adopt subsequent changes to its taxi ordinance. Lawyers for the existing companies attacked sections of the new ordinance as unclear, particularly regarding the requirements for obtaining new or additional permits. These companies expressed their objections to the new law in their appeal of the Taxi Supervisor's issuance of a second group of permits to Portland Cab Company, the City's newest operator, in December of 1979. Although the appeal was subsequently withdrawn, it demonstrated to the City Council and administrative staff that the Taxi Supervisor's discretionary authority was vulnerable to continual challenges. This kind of reaction had reportedly been predicted by the City Attorneys' office on the basis of the ambiguous text of the new law.

Seeking to avoid repeated appeals and the concomitant public hearings, the City proposed to discuss the ordinance's provisions with the industry to achieve an acceptable compromise. It should be noted that the taxi regulation issue had become politicized under the Goldschmidt administration and it was only somewhat less so after Mayor Goldschmidt left Portland in mid-year to assume leadership of the Federal Department of Transportation. Connie McCreedy was appointed to replace him in September of 1979. By the beginning of 1980, many of the staff who had been involved in the draft of the 1979 ordinance had left Portland government; those remaining did not take an active role in developing the subsequent revisions. Charges were made that this "faction" was deliberately excluded from the discussions, but the present Taxi Supervisor refutes the allegation by pointing to the official letters notifying all interested parties of the relevant meeting.

The new law was developed with a threefold objective: to clarify ambiguities in the 1979 ordinance; to limit the Taxi Supervisor's discretionary authority; and to respond to industry complaints and (evidently rather successful) lobbying efforts regarding the 1979 version. Although some of the changes were represented as compromises with the industry's requests,

and are seen as a step backward by some -- specifically the factors to be considered in qualifying new applicants -- City staff maintain that the April 1980 law effects no sweeping return to pre-1979 provisions. These provisions are described in Section 4.2.2 below.

Although the industry actively participated in development of the April 1980 changes, the public was not directly involved. Mayor McCready reportedly also took relatively little interest in taxicab matters.

4.2 Comparison of Old and Revised Regulatory Code

4.2.1. The 1979 Law

This section compares the revised taxicab regulations (effective March 24, 1979) with those which existed immediately prior to that time. Section 4.2.2 details the subsequent changes adopted in April and June, 1980. Table 5 is the cornerstone of this section, and highlights the provisions in both the pre- and post-March 1979 codes dealing with various taxi regulatory issues. The following paragraphs first describe the most significant features of the new provisions.

The new regulations adopted by the City Council (Ordinance No. 147243) repealed statutes dealing with taxi regulation in the "Motor Vehicles for Hire" Chapter of the Business Licenses and Regulations Code, and replaced them with a chapter dealing solely with taxi regulation. The new ordinance added a statement of purpose, which was not included in the old ordinance. This section, under 16.48.010 of this code, reads as follows:

16.48.010 Purpose. It is the purpose of this chapter to require that those persons operating taxicabs do so in a safe, fair and efficient manner. The taxicab industry should be allowed to operate without unnecessary restraint, but because taxicabs constitute an essential part of the City's transportation systems and because transportation so fundamentally affects the City's well-being and that of its citizens,

Table 5
 PARALLEL PROVISIONS OF OLD AND NEW (REVISED) ORDINANCES COVERING
 TAXI REGULATION IN PORTLAND (OREGON) *

Old code was in Business Regulations and License Code, Chapter 7.76. New code is in Chapter 16.48. Numbers in parentheses refers to subsection of code.

Issue	Old Code	New Code
Vehicle Fees	Covers taxicabs, limousines, for-hire cars, sightseeing buses, out-patient cars. Taxicab fee \$2/vehicle/year. An occupation license is required: 1/2% of gross revenue/year. (7.76.010 <u>et. seq.</u>)	Application cost for new taxi company is \$100. Annual fee of \$50 per vehicle licensed to be paid by taxi company. (16.48.080)
Display of Vehicular License Card	License cards issued by the City must be placed in plain sight in the vehicle. The card contains the name and address of the registered owner, the number of the state license, and signature of owner. (7.76.060)	Identification of taxi company affiliation must be prominently displayed on outside of vehicles. (16.48.110)
Taxicab Definition	Motor vehicle having seating capacity of 5 passengers or less, used for transportation of passengers over shortest and most direct route, with charges made according to taximeter readings. (7.76.080)	Motor vehicle for hire carrying passengers to destinations and by routes controlled by the passenger. Such service use fares calculated on any combination of initial fee, distance traveled, or waiting time. (16.48.020e)
Records Keeping	The licensee must keep available trip sheets of all operations for the inspection of the City for one year. Trip sheet data is not specified. (7.76.110)	Financial operating data is to be kept and reported in a form the Taxi Supervisor decides is appropriate. (16.48.160)
Insurance	Minimum specified: \$100,000 bodily injury to 1 person; \$300,000 from any one accident; \$20,000 property damage. Proof of insurance must accompany application. Bureau of Licenses must be given 30 days notice of cancellation. (7.76.130)	No change, except Taxi Supervisor must receive notification of cancellation. (16.48.150)
Vehicle Inspections	Taxicabs and other vehicles are to be examined under direction of the Chief of Police whenever found necessary for public safety. (7.76.150) No license required by the chapter shall be issued except upon a certificate of inspection. (7.76.160) (7.76.340)	Taxi Supervisor is to establish safety and quality standards. (16.48.140)
Drivers' Permits	Drivers must obtain a permit to operate cabs. Bureau of Police to keep records of complaints against drivers. Oregon chauffeur's license required. A fee of \$2 to be charged for license. Every applicant for an original permit must pass an examination on safe driving, knowledge of traffic laws, and knowledge of public streets and buildings. Such an examination may be required by the Police on renewal. Permits expire on December 31 of each year. Permit card must be posted in a conspicuous place inside the vehicle. (7.76.180)	Taxi Supervisor may investigate complaints about drivers or cab service. (16.48.170) Drivers must obtain permit and have valid Oregon chauffeur's license. Permits expire December 31. (16.48.190) Annual fee of \$10 charged (16.48.200) Permit card shall be posted in a prominent place within the passenger compartment of the cab. (16.48.220).

*Includes changes through March 1979; 1980 revisions are described in Sections 4.1.2. and 4.2.2 of this report.

Table 5
(cont'd.)

Issue	Old Code	New Code
Vehicle Transfers	\$1 fee charged for transfer of vehicle ownership. (7.76.200)	Not covered.
Lost Articles	Drivers must report any property of value left in cabs to the Bureau of Police. (7.76.260)	Company must maintain record of and hold lost articles for 90 days. (16.48.180)
Number of Licenses Authorized	Population ratio, 1 license per 2,900 residents within city limits plus a 3 mile radius. (7.76.270)	Taxicab company permit required. Taxi company must apply to taxi supervisor to obtain additional permits. Supervisor may grant if he finds the interest of the chapter and the public interest will be served. License may be cancelled by the supervisor if he finds the vehicles have failed to operate as a taxicab. (16.48.070, 16.48.100)
Taximeters	All taxis must operate with an inspected taximeter. (7.76.290) Illegal to make any charge which is not based, measured, and computed by reading the fare of the taximeter. (7.76.300) Taximeters must be inspected, and proof of such inspection filed with the police, every 2 years. (7.76.310)	Every cab must have a taximeter which is to be inspected annually. Certificate of inspection must be kept on file at offices of the taxicab company. (16.48.120)
Routing	Driver employed to carry passengers to a definite point shall take the most direct route possible (7.76.350)	Driver must use the most direct route, unless requested to do otherwise by passenger. (16.48.230)
Luggage	Conveyance of light baggage shall not be charged for. (7.76.380)	Not substantively changed. (16.48.130)
Filing of Rates	Schedule of maximum rates must be filed with Council. (7.76.400)	Schedule of rates must be filed with Taxi Supervisor. (16.48.130)
Display of Rates	Rates must be conspicuously posted and visible both outside the cab and inside. Enforcement given to Chief of Police. (7.76.410)	Same, only form to be approved by Taxi Supervisor. (16.48.130(3)(i))
Maximum Rates	No charge shall be made in excess of the amount indicated on the rate card. After 7/1/72, all applications for rate changes must be accompanied by audited financial results for the preceding calendar year. (7.76.420) Rates greater than those filed may not be charged. (7.76.490) No charges can be made for traveling empty, except in delivery service. Senior Citizens entitled to 10 percent discount in fare. (7.76.510)	Maximum rates are set and may not be exceeded. Taxi Supervisor may permit a higher maximum rate between hours of 11 PM and 6 AM. No charge is to be made for traveling empty. Contractual rates may be made and must be filed with the Taxi Supervisor. Fare charged must be that posted on the cab, or in the contract. (16.43.130)
Zonal/Flat Rates Shared-ride Rates	Unlawful to collect any fee on a flat or zone rate. (7.76.510(4)) Unlawful to accept more than 1 passenger on the same trip unless such passengers are a single party group. Separate destinations are acceptable; the driver then must proceed to the closest destination, receive payment for fare, and then re-drop the flag for each passenger's subsequent trip(s). (7.76.520)	Rates filed may contain special rates for zone fares, ride sharing, taxi pooling, jitney service, or fixed route service. Fare charged may not exceed maximum metered rate. Downtown shared-ride rate created of \$1. Airport to downtown rate of \$3/person created for 3+ passengers may be used. Passenger may choose to pay either metered or shared-ride rate and must inform passenger of the presence of these fares. Only one flag drop is to be made. (16.48.130)

Table 5
(cont'd.)

Issue	Old Code	New Code
Division of Responsibilities to Implement/Enforce Taxi Regulations	Responsibilities divided between police chief, business license division, bureau of traffic, and City Attorney's office. No overall coordination (various sections).	Taxicab Regulation Supervisor created. Authority given to adopt and enforce regulations interpreting and applying law, including criteria for granting permits. Decisions may be appealed to Council, Supervisor must make quarterly reports to council. (16.48.030, <u>et. seq.</u>) (16.48.080) Taxi Supervisor may revoke permits for cause. (16.48.260)
Minimum Service Standards	Not covered.	Minimum service standards (for staffing and response to requests for service) established (16.48.090)
Penalties for Non-Compliance	Not covered in Chapter 7.76.	\$500 fine and/or 6 months jail for tampering with taximeter, falsifying records required, or operating without a valid permit.

some regulation is necessary to insure that the public safety is protected, the public need provided, and the public convenience promoted. The provisions contained herein should be applied and enforced in such a manner as to require the taxicab industry to regulate itself, under City supervision, to promote innovation and adaptation to changing needs, and to allow competition and response to the economic forces of the market place, so long as the public interest is served thereby. It is not the purpose of this chapter to displace competition with regulation or monopoly public service.

The most significant change under the new provisions is removal of the previous ceiling on taxi permits based upon a ratio of licenses to population. Application for new permits is opened to new and existing operators according to the qualifications and authorities described below.

Chief authority for the issuing of new taxi permits is vested in the Taxi Supervisor within the City administration.¹ Under Portland's form of government, executive functions of the City are delegated by the Mayor to individual Commissioners. Creation of the Taxi Supervisor's position and responsibilities, however, was the first time that several taxi regulatory functions had been consolidated under a single position. This re-organization was originally recommended in 1974 by Price-Waterhouse.² The Taxi Supervisor's duties began in March of 1979; the Supervisor's position became full-time in October of 1979.

Another significant change was the inclusion of minimum taxi service standards in the City Code for the first time. These standards require:

¹ Final authority for the issuance of new permits was re-established as a Council prerogative in April 1980. Although the Taxi Supervisor retains the authority to issue additional permits to existing firms, appeal of all of the Supervisor's decisions is to the full Council.

² On the other hand, the previous statement of purpose represented a substantial departure from another recommendation from Price-Waterhouse; who concluded that it is probably in the best interests of both the public and the industry to have the Portland taxicab industry regulated rather heavily. Price-Waterhouse report, op. cit., p.29.

1. An office open and staffed for a minimum of 8 hours a day, 5 days a week.
2. A dispatch system in operation 24 hours each day, capable of providing reasonably prompt service in response to requests received by telephone.³
3. Facilities and personnel sufficient to insure that the requirements of the chapter are met by every taxicab operated by the company.
4. Sufficient operational taxicabs to provide service on a citywide basis in accordance with standards adopted by the Taxi Supervisor.
5. That a taxicab company not refuse to respond to any request for taxicab service received from a location within the City limits and three airline miles thereof.
6. That a log be maintained by each driver in which a record of every trip shall be kept, in a form approved by the Taxi Supervisor. This log shall be maintained for at least one year after the last entry therein by the taxicab company.

Essentially, entry for a new company was opened so long as the Taxi Supervisor found that the company could meet the service standards mentioned above, and that the public interest would be served by such a new company. (The April 1980 changes described below add to the list of factors to be considered in qualifying new applicants and relegate final authority for issuing new permits to the City Council. The Taxi Supervisor retains authority for granting additional permits to existing companies, and appeal of the Supervisor's decisions to the full Council is provided.) Maximum fares continue to be regulated, although more latitude has been given to operators to develop special discounts for various groups (taxipools, repeat riders, advanced reservations, and so on).

¹ This provision does not specifically require a radio dispatch system, however. At this writing, Portland Cab Company was using a telephone-pager service because of difficulties in obtaining FCC-approval of a radio dispatch system.

The chief points for demonstrating a need for new service are that the service standards be met; that the company operate sufficient cabs to provide citywide service (this has been interpreted as a fleet of ten or more cabs); and that the company demonstrate possession of the financial resources necessary to conduct the business.

In addition to these key provisions, the 1979 ordinance also broadens the definition of a taxicab vehicle, requires financial operating information, includes changes in taxi vehicle fees, steps up meter inspections from once each two years to once a year, and allows the Taxi Supervisor to establish vehicle safety and maintenance standards and to investigate complaints.

4.2.2. The 1980 Revisions

A subsequent revision of the taxi ordinance adopted on April 29, 1980 shifts the ultimate authority and responsibility for taxi regulation back to the City Council. It provides for a public hearing to be held on applications for new or additional taxi permits; the hearing is to be presided over by the Taxi Supervisor or the Council. The Supervisor's decisions may be appealed to the Council, however, and such decisions are then stayed pending the outcome of the appeal. The Council is to set all rules and requirements regulating taxicabs.

The factors to be considered (at the Council's discretion) in qualifying permit applicants are stated to include the following:

1. adequacy of the local public transportation system;
2. the applicant's demonstration of the need for additional taxi service;
3. the ratio of taxi licenses to population;
4. the utilization pattern of current taxis; and
5. the local commitment of the applicant.

The minimum number of taxicabs required to provide citywide service is increased to 15, ten of which must be operational at all times.

Finally, on June 3, 1980, the Portland City Council passed additional regulations stiffening requirements for taxi drivers' permits and requiring submission of operator financial and operating data. These include a criminal records check and specify offenses for which a new or renewal permit may -- at the Supervisor's discretion -- be denied. The conditions for suspension and revocation of drivers' permits are also established at the supervisor's discretion. Submission of financial and operating data is to be on monthly data reporting forms prepared by the Supervisor. Failure to comply with this requirement is punishable by a fine, or suspension or revocation of a taxicab company's permit.

Although the factors to be considered in qualifying new applicants certainly resemble those prevailing during the "public convenience and necessity certification" era, City staff point out that the words "to be considered" leave their consideration to the Council's discretion. Staff also maintain that new entry is no more difficult since the April 1980 law than under the March 1979 provisions. Indeed, they say, it is easier, since applicants can be in no doubt as to the informational and procedural steps required.

The minimum vehicle requirement was reportedly raised not as a further entry restriction but in order to meet the citywide service requirement already on the books. Finally, reduction of the Taxi Supervisor's discretionary authority is represented as an evolutionary change once the practical problems in day-to-day administration were perceptible.

4.3 Implementation of Changes

4.3.1. Changes in Regulatory Agency Responsibilities

The regulatory revision ordinance effective in March 1979 effects changes only in the authority of City bureaus dealing with taxis. The

responsibilities and roles of other agencies remain unchanged. The greatest single change was the creation of a Taxicab Supervisor, whose consolidated responsibilities include duties formerly scattered among several City bureaus, including the Police Chief's Office, the Business License Division, the Bureau of Traffic, and the City Attorney's Office. The Supervisor was originally given broad discretionary authority to adopt and enforce regulations interpreting and applying City law, including criteria for granting permits. The Supervisor is also responsible for maintaining the rates filed by operators. The April 1980 revisions somewhat reduce the Supervisor's discretionary authority and provide for appeal of the Supervisor's decisions to the full Council.

4.3.2 Changes in Administrative Procedures

As part of the revised ordinance, fees on taxis were increased to defray a larger part of the regulatory costs. The fees increased from \$2 to \$50 per vehicle per year. The Business Revenue Tax (0.55% of net income) remained unchanged. In anticipation of new firms applying for taxi licenses, a \$100 application fee for new taxicab companies was also established. While the Taxi Supervisor is empowered to establish safety and inspection standards, to this writing no new standards had been established. The previously existing system, whereby cab associations were responsible for the appearance and safety of their member vehicles, has continued. Apparently there are few public complaints related to safety or appearance.

The revised ordinance also gives the Taxi Supervisor power to require financial and operational data from operators. A standardized reporting form was promulgated with the June 1980 regulations.

4.3.3. Post Implementation Changes in Taxi Operational Environment

One of the major changes brought about by the new ordinance is the introduction of a new firm, Portland Cab Company, into the Portland industry. Seven new licenses were issued to this firm in May 1979, and

another five in December. Issuance of the five additional licenses was appealed by the other three companies during January 1980. The original hearing was deferred and Radio and New Rose City Cab Companies withdrew from the joint appeal. Although Broadway moved for a second deferral until March, it too finally dropped the meter. The focus of this appeal was the Taxi Supervisor's discretionary authority to grant or deny new entry. The experience seemed to indicate that all subsequent licensing issues could be contested similarly and resulted in substantial revision of the 1979 ordinance; see Sections 4.1.2 and 4.2.2.

Meanwhile, Portland Cab instituted a number of innovative services and fares, including use of station wagons, a lower exclusive-ride fare, discounts for shared-ride service and for the elderly.¹ Portland Cab provides a considerable amount of service to the north/northeast area of Portland, where its company offices are located.

Another impact on operations is the elimination of the old cabstand rotation system. This system, whereby companies rotated priority usage of various high-yield cab stands, was abandoned when the new ordinance took effect in March 1979. This does not appear to have had a major impact on cab users, although the manager of New Rose City Cabs claims his firm is doing much better as a consequence of this action. Queueing at stands is now via a simple first-in, first-out system.

Although there is potential for increasing numbers of taxis operating at the airport to effect airport operations and citywide service characteristics, no impact has been indicated to date.

4.3.4. Additional Changes to Rate Structure

Not directly as a cause of the regulatory revisions but subsequent to them have been several additional changes in the Portland rate structure.

¹ A 10 percent discount on any fare over \$7 which involves two or more stops. Portland Cab Company currently charges the maximum rate for exclusive ride service as do the other operators. None is actually supplying shared-ride service at this writing.

First was an increase in the maximum rate of fare, adopted as of October 1979. The new maximum is \$1.00 drop including the first 1/12 mile (or \$0.90 fixed charge) and \$1.20 per mile with a wait time charge of \$12.00 per hour. Extra passenger charges are \$0.50 per passenger after the first. All four taxicab companies, including Portland Cab, are charging the maximum rate as of this writing.

In addition to the change in the maximum rate, the flat rate for airport-downtown trips was increased to \$12.00, with a minimum of three passengers. Although there had been industry requests for a \$1.50 maximum drop charge for shared ride fares, no specific provision for computed shared ride fares has been enacted. Portland Cab remains the only operation to offer 10 percent discounted fares to elderly and handicapped patrons.

4.3.5. Public Information Program

The City has not developed any formal public information program on taxicabs. Taxis apparently generate few requests for information, and operators generally charge the same rates (also see section 4.4), so there is little need for such a program. City staff have expressed no interest in or intention to embark on such a program. The taxi companies also feel that it is their duty (and not the City's) to provide public information. Portland Cab Company, the City's newest operator, has reportedly devoted significant resources to advertising and promotional gimmicks.

4.3.6. Problems and Public Complaints

From the evidence gathered in discussion with operators and City officials, it does not appear that the rate of public complaints has changed significantly since before regulatory revision. The most significant problem has apparently been obtaining data from operators to support or refute applications for new service. Portland Cab applied for 18 new

licenses, but was stalled in late 1979 when the Taxi Supervisor found insufficient evidence had been provided to justify the need for such new service. On the other hand, operators who opposed the Portland Cab application also failed to come up with their own evidence to support the contention that no new service was needed. The industry has been requested to provide basic information on cab utilization on several occasions, but to date, such information has not been forthcoming. The industry has consistently tried to avoid providing such information, necessitating the code requirement adopted in June 1980.

5.0 CONCLUSIONS

This final section covers the major transferable points of the regulatory revision experience in Portland, and identifies the significant issues which warrant special attention as events unfold. Conclusions with transferable implications for other localities are:

1. The taxi regulatory changes took a long time to implement and required a significant amount of the regulatory authorities' time. Both technical staff and policy level individuals in the City of Portland spent significant portions of their time dealing with the regulatory revision. It was five years between commissioning the first study of the industry (in 1974) and passage of the ordinance modifying the regulations. Members of the industry also spent significant portions of their time analyzing the proposals and testifying at public hearings. (It should be noted that the industry was required to supply substantial amounts of data to the City for study and the effort and cost of providing this data should not be minimized.)
2. Revisions of current rate structure did not appear to engender as strong opposition from the taxi industry as those dealing with entry controls. The February 1979 ordinance included rate changes passed by the City Council in 1977 without industry opposition. Subsequent rate increases passed in October 1979 were also implemented relatively smoothly. On the other hand, relaxation of entry restrictions -- because it increases competition and influences license values -- has been rigorously opposed. All three other operators joined forces to challenge issuance of additional permits to Portland Cab. Although the appeal was eventually dropped, the experience also demonstrated that discretionary authority over new entry, such as that vested in the Taxi Supervisor, was vulnerable to repeated challenge.

3. Portland's regulatory revisions did not succeed in removing the City Council from taxi regulation. New revisions were developed and adopted within the next 10 to 14 months, partly as a result of problems in the new law and partly owing to industry opposition to it.
4. Taxi regulation apparently did not stir much interest on the part of the press or the public. Much of the impetus towards regulatory revision in Portland came from a few City staff members along with former mayor Neil Goldschmidt. Public hearings on the revisions were poorly attended by those outside the taxi industry; press coverage of the hearings was perfunctory. In essence, taxicabs have maintained a fairly low profile in Portland.
5. There were no problems with interagency coordination and inter-jurisdictional licensing in Portland because only one agency in the area (the City of Portland) has authority for licensing taxicabs. This simplified the regulatory revision process considerably in comparison with what it might have been had the county or other jurisdictions been involved.
6. The City retains a significant degree of control over industry structure by requiring new firms to have enough vehicles to provide citywide service (first 10 and currently 15 vehicles) and to have dispatch services. This provision was intended not only to minimize the City's costs of regulation, but also to exclude independent owner-operators. It was felt by many in the City that it would be easier to deal with a small number of moderate to large size firms (or associations) than a large number of very small firm.

Some of the issues which deserve continued monitoring as events unfold are:

- (1) Entry Requirements. The past year has seen only limited growth in the number of licensed vehicles operating in Portland. A second request by Portland Cab Company was reduced by the Taxi Supervisor to only five new permits, but even their issuance was challenged by joint action of the other three companies. The potential for future appeals and the Taxi Supervisor's anticipation of future requests for permits since the April 1980 revisions of the City's entry requirements bear continued monitoring.

- (2) Fare Structure. Maximum rate increases have been enacted frequently throughout the 1970's; a 34 percent increase was adopted in October 1979, eight months into the revised ordinance. Moreover, all firms now charge the maximum rate. (Although Portland Cab originally undersold its competition, it now charges similar rates.) It is questionable, therefore, whether the revised ordinance has eased Council's burden in evaluating or enacting rate changes or had much effect in influencing competition within the Portland taxi industry. In addition, local operators have continued to avoid supplying to Council on a regular basis the financial information necessary to justify rate increases, necessitating a code requirement to that effect in June 1980..

- (3) New Services and Price Competition. A form of service competition has already taken place with Portland Cab Company operating in the northeast area of Portland and providing discounts to elderly and handicapped patrons. Owing to this service innovation and its concentrated promotional effects, the Taxi Supervisor reports that Portland Cab has been able to take a

substantial share of the areawide taxi market despite its relatively small size. There was surprizingly little interest from all operators to promote the two flat-rate fares (for trips between the airport and downtown and wholly within downtown). Contract services, legalized as part of the regulatory revision process, reportedly also offering a sizeable market to Portland Cab Company. These developments bear monitoring.

- (4) Airport Problems. To date, the airport has not been a significant source of complaints about taxi service although there is a certain amount of short haul refusal. It will be useful to monitor whether airport taxi operations become problematic in the future.

- (5) Vehicle Appearance and Safety. Both industry and regulatory sources indicate that vehicle appearance and safety have not been problematic issues in Portland in the past. Vehicle safety inspections have been adequately performed by the cab companies themselves for several years. Maintenance levels could deteriorate with new entrants, however, or if competition induces operators to economize by reducing their expenditures on vehicle maintenance, and these developments should be monitored.

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APPENDIX A.1
REVISED CITY OF PORTLAND TAXI REGULATIONS

Chapter 16.48

TAXICAB REGULATION

Sections:

- 16.48.010 Purpose.
- 16.48.020 Definitions.
- 16.48.030 Regulations.
- 16.48.040 Public hearing.
- 16.48.050 Appeal.
- 16.48.060 Reports to City Council.
- 16.48.070 Taxicab company permit required.
- 16.48.080 Application, fees, renewal.
- 16.48.090 Minimum standards for taxicab service companies.
- 16.48.100 Limitations on number of taxicabs operated by taxicab company.
- 16.48.110 Identification.
- 16.48.120 Equipment.
- 16.48.130 Rates.
- 16.48.140 Safety inspections and certification.
- 16.48.150 Insurance.
- 16.48.160 Financial and operating data.
- 16.48.170 Complaints.
- 16.48.180 Items lost and found.
- 16.48.190 Driver's permits required.
- 16.48.200 Application and renewal.
- 16.48.210 Denial of permit.
- 16.48.220 Driver's permit to be posted.
- 16.48.230 Conduct of drivers.
- 16.48.240 Parking and use of taxicab zones.
- 16.48.250 Reports to supervisor.
- 16.48.260 Suspension and revocation.
- 16.48.270 Criminal penalties.
- 16.20.020 Prohibited in specified places.
- 16.20.400 Authorization for taxicab zones.
- 16.20.420 Taxicab zone permits required.
- 16.20.430 Fees.
- 16.20.440 Changes in zones during the year.
- 16.20.450 Prohibited conduct.
- 16.20.460 Procedure upon adoption.

ORDINANCE NO. 147243

An Ordinance amending Chapters 16.20 and 16.48 of the City Code by revising regulation of taxicabs and for-hire vehicles.

The City of Portland ordains:

Section 1. The Council finds:

- (1) The City presently regulates the taxicab and for-hire vehicle industry.
- (2) Existing regulations are in need of change because they do not allow for needed innovation and adaption to changing circumstances.
- (3) Pursuant to Ordinance No. 144758, passed and effective November 23, 1977, the City has hired a consultant to review existing regulations and recommend changes.
- (4) The consultant has completed his study, held public meetings and filed his report.
- (5) The recommendations should be adopted by amending the City Code as provided for and modified herein.

NOW, THEREFORE, the Council directs:

- (a) Chapter 16.48, Motor Vehicles For Hire is hereby repealed and a new chapter is substituted therefor, to be numbered, titled and to read as follows:

Chapter 16.48

TAXICAB REGULATION

16.48.010 Purpose. It is the purpose of this chapter to require that those persons operating taxicabs do so in a safe, fair and efficient manner. The taxicab industry should be allowed to operate without unnecessary restraint, but because taxicabs constitute an essential part of the city's transportation systems and because transportation so fundamentally affects the city's well-being and that of its citizens, some regulation is necessary to insure that the public safety is protected, the public need provided, and the public convenience promoted. The provisions contained herein should be applied and enforced in such a manner as to require the taxicab industry to regulate itself, under city supervision, to promote innovation and adaptation to changing needs, and to allow competition and response to the economic forces of the market place, so long as the public interest is served thereby. It is not the purpose of this chapter to displace competition with regulation or monopoly public service.

16.48.020 Definitions.

(a) "Downtown area" means that area bounded by and including S.W. Oak Street, S.W. 13th Avenue, S.W. Market Street, and S.W. Front Avenue

(b) "Operate" means to drive a vehicle, to use a vehicle in the conduct of a business, to receive money from the use of a vehicle, or to cause or allow another person to do the same.

(c) "Supervisor" means the Taxicab Regulation Supervisor or his authorized agent.

(d) "Permittee" means a person to whom a permit to operate a taxicab company has been issued.

(e) "Taxicab" means any motor vehicle which carries passengers for hire where the destination and route traveled may be controlled by a passenger and the fare is calculated on the basis of any combination of an initial fee, distance traveled, or waiting time. Any vehicle which is held out to be a taxicab or which has an appearance deceptively similar to a taxicab is a taxicab for the purposes of this chapter.

(f) "Taxicab company" means any entity operating taxicabs other than as a driver and regardless of whether the vehicles so operated are owned by the company, or leased, or owned by individual members of the company.

(g) "Taximeter" means a mechanical or electronic device which calculates and displays a fare.

(h) "Waiting time" means time during which the taxicab is under the direction of a passenger and the taxicab is not moving.

16.48.030 Regulations. The supervisor shall have the power to adopt and to enforce regulations interpreting and applying this chapter consistent with Section 16.48.010. Prior to the adoption of such regulations, the supervisor shall give public notice of his intent to adopt regulations, provide copies of the proposed regulations to interested parties, and conduct a public hearing on the proposed regulations. Public notice shall be given when regulations have been finally adopted. Copies of current regulations shall be made available to the public upon request. It is a violation of this chapter to violate regulations duly adopted by the supervisor.

16.48.040 Public hearing. The supervisor shall preside over all public hearings held pursuant to this chapter. He shall have the power to establish and limit the matters to be considered at the hearing, to prescribe procedures for the conduct of the hearings, to administer oaths and take evidence, and to preserve order. Technical rules of evidence shall not be applied in such hearings. Notice of all hearings shall be given to the public and all permittees. The supervisor shall make written findings to support all decisions.

16.48.050 Appeal. (a) Appeal may be taken from any act by the supervisor, including the adoption of regulations pursuant to Section 16.48.030, but only in the manner prescribed by this section.

(l) Any person aggrieved by an act of the supervisor shall, within ten days of that act, file a written notice of appeal with the City Auditor and serve a copy of that notice upon the supervisor.

(c) The City Auditor shall fix the time for the appeal to be heard by the City Council, place the hearing of the appeal upon the calendar of the Council, and notify the appellant and the supervisor of the time fixed no less than five days prior to that time.

(d) The appellant shall be entitled to appear personally and by counsel and present such facts and arguments as may tend to support his appeal.

(e) The supervisor shall be present at the hearing and, if requested by the Council, shall explain the reasons for and present facts and arguments in support of the act appealed from.

(f) The Council shall take such action upon the appeal as it sees fit and such action by the Council shall be final.

(g) The supervisor, or the commissioner in charge may stay the effect of any action of the supervisor pending the appeal of that action except if the action appealed is from a suspension that has become effective immediately pursuant to Section 16.48.260(b).

16.48.060 Reports to City Council. By the end of the first month following the end of each fiscal quarter the supervisor shall submit to the City Council a summary report of every official action taken by him during that quarter.

16.48.070 Taxicab company permit required. No person shall conduct business as a taxicab company without a current permit to do business issued under this chapter except that any person lawfully doing business as a taxicab company on the effective date of this section may continue to do so and regardless of whether such person is in compliance with the minimum standards established by Section 16.48.090 upon payment of the fees established in Section 16.48.080 and conditioned upon compliance with all other provisions of this chapter. Such person may not operate any taxicabs in excess of the number permitted prior to the adoption of this section except as authorized pursuant to Section 16.48.100.

16.48.080 Application, fees, renewal. (a) An applicant for a permit to do business as a taxicab company shall submit to the supervisor an application form containing such information as the supervisor may require, and a nonrefundable fee of One Hundred Dollars. If, after a public hearing, the supervisor finds that the applicant has established his fitness and ability to comply with the requirements of this chapter, and that the applicant has sufficient financial resources to be able to meet the minimum standards established by Section 16.48.090, he shall issue a permit to the applicant. The permit may contain such terms or conditions as the supervisor deems advisable. Violation of these terms or conditions may result in revocation of the permit. The supervisor shall fix the number of vehicles that may be operated as taxicabs by the company.

(b) In addition to the application fee, each person granted a permit to do business as a taxicab company shall pay an annual fee equal to Fifty (\$50.00) Dollars times the maximum number of vehicles to be operated as taxicabs by the company as fixed by the supervisor.

(c) Permits to do business as a taxicab company shall expire on December 31 of each year, but shall be renewed without a hearing unless revoked for cause upon payment of the annual fee provided for in subsection (b) above.

(d) The supervisor shall, pursuant to Section 16.48.030, establish standards for the issuance of permits, the number of taxicabs to be approved, and the imposition of special terms and conditions.

16.48.090 Minimum standards for taxicab service companies. Any taxicab company holding a permit to do business issued under this chapter shall maintain the following minimum standards:

(a) An office open and staffed for a minimum of 8 hours a day, 5 days a week.

(b) A dispatch system in operation 24 hours each day capable of providing reasonably prompt service in response to requests received by telephone.

(c) Facilities and personnel sufficient to insure that the requirements of this chapter are met by every taxicab operated by the company.

(d) Sufficient operational taxicabs to provide service on a city wide basis in accordance with standards adopted pursuant to Section 16.48.030.

(e) Insurance policies in force sufficient to meet the requirements of Section 16.48.150 and to protect the company to the same limits of liability.

(f) A taxicab company shall not refuse to respond to any request for taxicab service received from a location within the city limits and three (3) airline miles thereof.

(g) A log shall be maintained by each driver in which a record of every trip shall be kept, in a form approved by the Supervisor. This log shall be maintained for at least one year after the last entry therein by the taxicab company.

16.48.100 Limitations on number of taxicabs operated by taxicab company.

(a) No taxicab company may operate more taxicabs than authorized by the supervisor in granting the permit to do business. No vehicle may be operated as a taxicab unless it is listed on the register of vehicles operated by a taxicab company as maintained on the company's official records.

(b) A taxicab company may apply to the supervisor for an increase of the number of taxicabs which the company may operate. The application shall be in a form established by the supervisor. The supervisor may after a public hearing, grant the application in whole or in part upon finding that the purpose of this chapter and the public interest will be served.

(c) The supervisor may, after notice to the company concerned and a public hearing if requested by the company affected, reduce the maximum number of taxicabs that may be operated by a company upon finding that the company has failed to operate the vehicle as a taxicab.

(d) The supervisor shall establish, pursuant to Section 16.48.030, regulations further defining circumstances constituting the failure to operate a taxicab and defining standards for the approval of request for an increase in the number of taxicabs to be operated.

16.48.110 Identification. Every taxicab shall prominently display on the outside of the vehicle the name of the taxicab company by whom it is operated and the phone number of that company where service can be requested. Every taxicab shall be painted in the colors of that company, no two companies having the same colors. The supervisor shall designate the colors when approving the application for a permit to do business.

16.48.120 Equipment. (a) Every taxicab shall be equipped with a taximeter in accurate operating condition, with a lighted face which can be easily read by a passenger at all times. Every taximeter shall be inspected and certified at installation, at change in rate, and within one year of the last inspection. A certificate of inspection shall be issued by a qualified taximeter repair service upon each inspection, such certificate to include:

- (1) the identifying number of the taximeter,
- (2) the make, model and license number of the taxicab in which the taximeter is installed,
- (3) the name of the taxicab company,
- (4) the date of inspection,
- (5) a certification that the taximeter has been inspected and approved as operating within the limits of accuracy specified by this section and on the basis of rates on file with the supervisor in accordance with 16.48.130.
- (6) the signature of the individual making the certification.

A copy of the certificate shall be kept on file in the office of the taxicab company. No taxicab shall be operated with a taximeter which does not operate within the following limits of accuracy: Plus or minus one hundred fifty feet in one mile and five seconds in one minute of waiting time. A certificate of inspection may be examined or a taximeter reinspected by any police officer, the supervisor or his agent, at any time.

(b) Every taxicab shall be equipped with a top light.

(c) Every taxicab will be equipped with such safety equipment as is required by state or federal law, this code, or by the supervisor's regulations. Every taxicab shall be equipped with seat belts or other restraining devices for every passenger.

16.48.130 Rates. (a) Every taxicab company shall file with the supervisor a schedule of rates to be charged for the services of taxicabs it operates.

(b) The rate schedule filed with the supervisor may contain special rates for zone fares, ride sharing, taxi pooling, jitney service, fixed route service or any other special services offered by the company. Each rate schedule shall also include a meter based fare that shall not exceed the maximum fare established in paragraph (c) of this section. The fare

chedule shall also provide

(1) for trips wholly within the downtown area, the first passenger or passengers boarding a taxicab may elect to pay either the meter rate or the downtown flat rate. If they elect to pay the downtown flat rate, the taxicab driver may accept other passengers while enroute and may select the most direct route for delivering all passengers to their respective destinations. The downtown flat rate shall be One Dollar per passenger, unless specified otherwise by the supervisor by regulation. The taxicab driver shall orally inform passengers who board the cab in the downtown areas of the availability of the downtown flat rate prior to starting the meter;

(2) for trips between the downtown area and Portland International Airport in either direction, the passenger or passengers may elect to pay either the meter rate or the airport flat rate. The airport flat rate shall be Three Dollars per person, with a minimum of three people, unless specified otherwise by the supervisor by regulation. Fewer than three passengers may elect to pay the three-person fare. The taxicab driver shall orally inform passengers qualified for the airport flat rate of its availability prior to starting the meter, and shall not misrepresent the estimated meter rate.

(c) The following schedule of rates shall be the maximum fare which shall be charged and collected for the transportation of passengers in taxicabs for trips within the city and within three airline miles from the city limits.

(1) An initial charge of One Dollar, for which one passenger shall be entitled to transportation for a distance not to exceed one-ninth mile or fraction thereof, and/or waiting time at a rate of \$9.00 per hour or proportionate fraction thereof.

(2) Subsequent to the initial charge provided for in subdivision (1) the maximum rate shall be Ten Cents for each one-ninth mile or fraction thereof, waiting time subsequent to the initial charge provided in subdivision (1) shall be at the rate of \$9.00 per hour or proportionate fraction thereof.

(3) For each extra passenger, Twenty-five Cents additional charge.

(d) The supervisor may upon a finding of public necessity and convenience allow rates in excess of the maximum rate to be applicable during the hours of 11:00 P.M. to 6:00 A.M.

(e) Except as provided in subsections (b)(1) and (b)(2) of this section or as specified in the rate schedule, where passengers board or leave the cab at different points, the last person leaving the cab is responsible for the entire fare. Passengers may make whatever arrangements for payment of the fare between themselves that they desire. One flag drop shall be

made at the beginning of the trip but not again until all passengers have been delivered to their respective destinations.

(f) Where a passenger is being transported, no extra charge is to be made for transporting any items belonging to that passenger, including personal luggage and aids necessary for travel by disabled persons, if those items will fit within the interior of the taxicab including the trunk, each item can be carried by a single person and all such items can be carried by the passenger or passengers and the driver in a single trip to the taxicab.

(g) No charge is to be made for time lost or distance traveled while the taxicab is disabled. No charge is to be made for traveling empty while enroute to pick up a passenger, unless the person requesting the taxicab refuses to hire it after it arrives, in which case an amount equal to the minimum charge on file as specified in subsection (c)(1) of this section may be made.

(h) A taxicab company may make written contractual arrangements to charge rates other than those specified in the filed rate schedules, provided that these contracts not be made effective prior to filing with the supervisor in the same manner as prescribed for rate schedules.

(i) A clear and complete summary of the rate schedule filed with the supervisor shall be printed on a rate card to be posted in a conspicuous place in the passenger compartment of every taxicab and a summary of the meter rate in a form approved by the supervisor shall be placed in a manner to be visible from the outside of every taxicab. The supervisor shall approve the form of the rate summaries prior to their being posted. When a change of rate schedule is filed with the supervisor, the taximeter, rate card, and rates posted shall be converted for every taxicab as soon as practicable. The rates posted shall not vary from those used in the taximeter in any taxicab in service.

(j) No person shall charge, or cause or allow any person to charge any fare other than the applicable fare from rate schedules posted on the taxicab or from contracts approved by the supervisor.

(k) It is unlawful for any person to refuse or fail to pay the applicable fare for a taxicab after hiring or requesting that taxicab. In the event of a dispute over a fare, the passenger shall pay the fare demanded by the driver. The driver shall give the passenger a receipt noting the amount of the fare and a description of the trip. The passenger may apply for a refund of any overcharge and ask that the driver be disciplined.

16.48.140 Safety inspections and certification. (a) Every taxicab shall be kept clean, of good appearance, in good repair, properly equipped, and in a safe condition. All pollution control equipment and safety devices originally installed by the manufacturer shall be maintained in good working order. The supervisor shall establish safety and quality standards to be met by every taxicab.

16.48.150 Insurance. No person shall operate any vehicle as a taxicab unless that vehicle is covered by liability insurance in the minimum amount of one hundred thousand dollars indemnity for bodily injuries to one person,

three hundred thousand dollars indemnity for bodily injuries from one accident, and twenty thousand dollars property damage. Insurance policies on vehicles regulated under this chapter shall contain a provision that the policy will not be reduced in coverage or cancelled without thirty days prior written notice to the supervisor. Policies in existence at the effective date of this section which provide for notice to the business licenses division need not be modified until time for their renewal. Evidence of insurance coverage in compliance with this section must be on file with the supervisor at all times. The supervisor may authorize alternatives to the insurance requirements of this section, such as those provided in ORS 767.-210 and 767.215, if he determines that the public safety and well-being will not be reduced thereby. Use of any such alternative must be approved by the City Council.

16.48.160 Financial and operating data. (a) Financial and operating data shall be reported to the supervisor in such form and at such periods as the supervisor shall require. The taxicab company shall compile the necessary data and submit reports to the supervisor. A taxicab driver shall not fail to timely submit complete records to the taxicab company. A taxicab company shall not fail to timely submit required reports to the supervisor. Information submitted to the supervisor shall be used within the city government only, and shall not be released to the public except in aggregate form, identifying only the taxicab companies and not the individual drivers or licensees.

(b) After seventy-two hours notice, the supervisor has the right to examine any and all books, records, or files of relating to the operation of taxicabs or any person holding a permit issued pursuant to this chapter.

16.48.170 Complaints. (a) Every taxicab shall have posted in a prominent place within the passenger compartment the following notice: "The driver of this taxicab is required by the Portland City Code to give a receipt for services provided to any passenger who requests one. If you have a complaint about a taxicab, contact the taxicab company (name, address, phone number) or the taxicab Regulation Supervisor, (mailing address, phone number)."

(b) The supervisor shall have the power to investigate any and all complaints received or known to him concerning possible violations of this chapter or regulations adopted hereunder.

16.48.180 Items lost and found. Taxicab drivers shall examine their cabs at the end of each shift and turn over any items left by a passenger within the cab to the taxicab company. The taxicab company shall maintain a written record of all items turned over to it. This record shall contain a description of the item, the date it was turned in, the cab in which it was found, and the driver who turned in the item. The item shall be examined and the owner identified and notified, if possible. If the item is claimed, a record shall be made of the name and address of the claimant. No item shall be disposed of, other than by return to its owner, within ninety days of the date it is turned in, and if disposed of a record must be made of its disposition.

16.48.199 Driver's permits required. No person shall drive or allow another person to drive a taxicab without a valid Oregon chauffeur's license and a taxicab driver's permit issued under this chapter. Taxicab driver's permits shall be valid for no more than one year and all such permits shall expire on December 31 of each year.

16.48.200 Application and renewal. An applicant for a taxicab driver's permit shall submit to the supervisor an application form containing such information as the supervisor may require, two passport size photographs, and a nonrefundable fee of ten dollars. The applicant shall submit to fingerprinting if requested to do so. Except as provided in 16.48.420, driver's permits shall be renewed upon the payment of a renewal fee of ten dollars on or before December 1 of each year. If any of the information contained in the application changes, the applicant or permittee shall promptly report the change to the supervisor.

16.48.210 Denial of permit. No taxicab driver's permit shall be issued or renewed to any person if the supervisor determines, after a review of that person's traffic and criminal record and any other information the supervisor deems pertinent, that the public safety would not be served by the issuance or renewal of a permit to that person. Provided that no permit may be denied under this section except for cause specified in regulations adopted pursuant to Section 16.48.030.

16.48.220 Driver's permit to be posted. (a) Upon receipt of the application materials specified in 16.48.190, the supervisor shall issue to the applicant a temporary taxicab driver's permit, valid for thirty days after date of issuance. This permit shall prominently display the words, "TEMPORARY DRIVER'S PERMIT. NOT VALID AFTER. . .", followed by the expiration date of the permit in numerals of the same size. This temporary permit shall be posted in the manner specified below, and shall be surrendered if the taxicab driver's permit is denied.

(b) When a taxicab driver's permit has been granted and any temporary permit surrendered, the supervisor shall furnish to the permittee a printed card containing the permit number and the permittee's name, date of birth, sex, height, weight, and photograph. This card shall be posted in a prominent place within the passenger compartment of any taxicab being driven by the permittee, and shall be shown to any passenger, police officer, or the supervisor or his agent upon request. No person shall drive or allow any person to drive any taxicab without a valid permit or with the permit of another person, displayed in accordance with this section.

(c) Upon presentation of convincing evidence that a taxicab driver's permit has been lost or destroyed and a payment of a replacement fee of five dollars, the supervisor shall issue a replacement permit.

16.48.230 Conduct of drivers. No taxicab driver shall:

(a) allow another person to use his driver's permit,

(b) operate any vehicle while under the influence of intoxicants or in a careless or reckless manner or in a manner contrary to the laws of this city or this state,

- (c) use a taxicab in the commission of any crime,
- (d) use profane or obscene language while operating a taxicab,
- (e) smoke or chew tobacco without the consent of the passenger,
- (f) charge a fare higher than that authorized by this chapter or defraud a passenger in any way,
- (g) be discourteous to a passenger or fail to accede to a passenger's reasonable requests,
- (h) drive a passenger to his destination by any other than the most direct route, unless requested to do so by the passenger,
- (i) refuse to transport to his requested destination any passenger of proper department who requests his services or is assigned to him by the taxicab service company when not already in service,
- (j) solicit business in any way other than in a normal tone of voice while seated in or standing adjacent to a taxicab.
- (k) refuse to issue a receipt for a fare paid if one is requested.

16.48.240 Parking and use of taxicab zones. (a) No taxicab driver shall park or stop his vehicle upon a public street in any manner prohibited by the laws of this city or this state.

(b) No driver of any taxicab shall make repairs to or wash his vehicle while parked in a taxicab zone.

(c) No taxicab driver shall leave his vehicle unattended in a taxicab zone adjacent to a fire hydrant for any reason. No person shall leave a taxicab unattended in any other taxicab zone except when assisting passengers to enter or alight from the taxicab or carry their baggage or when delivering packages, and then for no more than ten minutes.

(d) No taxicab driver shall stop or park his vehicle in a taxicab zone upon a street which has been designated a tow-away zone during the time that parking is prohibited in that zone, and any taxicab occupying such a zone during such times shall be impounded as any other vehicle.

16.48.250 Reports to the supervisor. (a) Every permittee shall immediately report to the supervisor the occurrence of the following events as soon as they become known to the permittee: (1) the arrest or conviction for any criminal offense of the permittee, officer or principal managing employees of the permittee;

(2) any vehicle accident required to be reported to the State of Oregon involving a vehicle driven by or for the permittee whether or not a taxicab;

(3) the filing of a lawsuit against or on behalf of the permittee, or

(4) the initiation of bankruptcy proceedings or corporate or partnership dissolution by the permittee;

(5) any information required to be disclosed by subparagraph (b).

(b) Every taxicab driver shall immediately report to the supervisor and any permittee for whom he drives the occurrence of the following events:

(1) any arrest, charge or conviction for any criminal offense, including traffic violations;

(2) any vehicle accident required to be reported to the State of Oregon involving any vehicle driven by the driver whether or not a taxicab.

16.48.260 Suspension and revocation. (a) Any permit issued under this chapter may be revoked or suspended by the supervisor if he determines that:

(1) the provisions of this chapter or regulations adopted thereunder have been violated,

(2) any statement contained in the application for such permit or license is false, or

(3) revocation or suspension is otherwise authorized by this chapter.

(b) If the supervisor determines that the continued operation of the permittee or licensee would cause imminent danger to the public safety or morals, a suspension shall be effective upon notice to the permittee or licensee, pending the outcome of a hearing as provided for in subsection (c) of this section.

(c) Except as provided in subsection (b) of this section, the supervisor shall hold a hearing prior to the issuance of an order of suspension or revocation. The permittee or licensee shall be given notice of the hearing, including specifications of the grounds for such action, no less than two weeks prior to the scheduled date of the hearing, and shall be entitled to attend the hearing, be represented by counsel, and present evidence in his behalf. The supervisor shall issue a written decision within ten days of the hearing and if revocation or suspension is ordered, such revocation or suspension shall be effective no less than ten days after the written decision is issued, unless requested otherwise by the permittee or licensee.

(d) The supervisor may specify a fine which the permittee or licensee may pay in lieu of a suspension.

(e) A suspension or revocation, except a suspension ordered pursuant to subsection (b) of this section, shall be automatically stayed upon the filing of an appeal in accordance with 16.48.050.

16.48.270 Criminal penalties. The violation of the following provisions is punishable upon conviction by a fine of not more than five hundred dollars or by imprisonment not exceeding six months or both.

(a) It is unlawful to tamper with a taximeter or to conduct any fraudulent scheme with the intent to charge any person a fare greater than that allowed by this chapter.

(b) It is unlawful for any person to knowingly falsify any application, certification, report, or document of any kind required by this chapter.

(c) It is unlawful to operate a taxicab without a valid permit to do so issued pursuant to this chapter.

(d) It is unlawful for any passenger to violate the provisions of Section 16.48.130(j).

(b) Section 16.20.020 is amended to read as follows:

16.20.020 Prohibited in specified places. It is unlawful for the driver of any vehicle to stop, stand, or park such vehicle, whether attended or unattended, except when necessary to avoid conflict with other traffic in compliance with the directions of a police officer or traffic control signal, in any of the following places:

(1) No change

* " "
* " "
* " "
* " "
* " "

(23) " "

(24) In any truck loading zone except as to a commercial vehicle when actually engaged in loading or unloading goods, wares, merchandise, or materials, for a period not exceeding twenty minutes; and as to taxicabs when loading or unloading passengers or packages, for a period not exceeding ten minutes.

(25) No change

* " "
* " "
* " "
* " "
* " "

(32) " "

(c) Sections 16.20.380, 16.20.390, 16.20.400, 16.20.410, 16.20.420, 16.20.430, 16.20.440, 16.20.450, 16.20.460, 16.20.470, 16.20.480, 16.20.490, 16.20.500, 16.20.510, 16.20.520, 16.20.530, 16.20.550,

16.20.500, 16.20.570, 16.20.580, 16.20.590, 16.20.600, 16.20.610, 16.20.620 and 16.20.630 are hereby repealed.

(d) A new Section 16.20.400 is hereby substituted to read as follows:

16.20.400 Authorization for taxicab zones. The Bureau of Traffic Engineering is hereby authorized to designate, establish, and maintain taxicab zones alongside the curb of any street in the city. Location of such zones shall be determined by the bureau with the advice of the Taxicab Regulation Supervisor, upon the initiative of the bureau or request from the adjacent property owner or a taxicab company. Taxicab zones may be located adjacent to a fire hydrant if the zone is approved by the Chief of the Bureau of Fire.

(e) A new Section 16.20.420 is hereby substituted to read as follows:

16.20.420 Taxicab zone permits required. (a) No person shall stand any taxicab in any taxicab zone unless the taxicab company operating the taxicab holds a taxicab zone permit.

(b) Any taxicab service company desiring to stand its taxicabs in a taxicab zone shall, on or before November 1 of each year, file an application for a taxicab zone permit with the Bureau of Traffic Engineering.

(f) A new Section 16.20.430 is hereby substituted to read as follows:

16.20.430 Fees. (a) The permit fee for the use of all taxicab zones shall be the amount equal to the number of such zones multiplied by the maximum number of taxicabs the company is permitted to operate multiplied by seventeen cents (17¢).

(b) On or before December 1 of each year, the bureau shall inform each applicant of the total fees to be paid. Each taxicab service company shall pay the required fees on or before December 31 or its application for taxicab zone permits shall be denied. Fees paid shall not be refunded for any reason, but may be converted into credits as specified in 16.20.440.

(g) A new Section 16.20.440 is hereby substituted to read as follows:

16.20.440 Changes in zones during the year. (a) If, prior to the end of the year, existing zones are eliminated or new zones are created, such that the permit fee will be different the following year than the fee that has already been paid, the following procedure shall be followed: If the new fee is larger, no additional fees need be paid for the remainder of the year. If the new fee is smaller, the permit holder is entitled to a credit equal to the difference between the fees prorated by the number of full months remaining in the year. These credits may be applied against fees for the next succeeding year, but shall in no event be refunded.

(b) If the location of a zone is changed this paragraph shall not apply and the fees paid shall not be affected.

ORDINANCE No.

(b) A new Section 16.20.450 is hereby substituted to read as follows:

16.20.450 Prohibited conduct. (a) It is unlawful to stand any vehicle in a taxicab zone other than a taxicab operated by a taxicab company holding a permit for that zone or an emergency vehicle responding to an emergency.

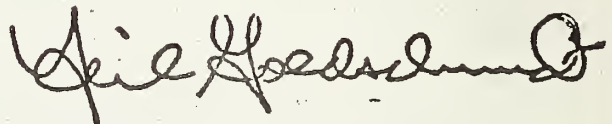
(b) It is unlawful for any person to interfere with, damage, or destroy any taxicab zone sign.

(c) It is unlawful for any person to place any vehicle in such relation to a taxicab as to cut off or unreasonably obstruct entrance to or exit from the taxicab, or otherwise unreasonably interfere with the management of such vehicle.

(i) A new Section 16.20.460 is hereby substituted to read as follows:

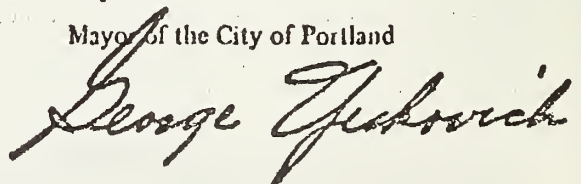
16.20.460 Procedure upon adoption. Within thirty days of the effective date of the ordinance amending 16.20.400 to 16.20.460, the bureau shall select from existing taxicab zones those zones to be classified as taxicab zones. Every taxicab company holding a permit issued by the Taxicab Supervisor shall be entitled to the use of those zones until January 1 of the next year without payment of any fee.

Passed by the Council, FEB 21 1979



Mayor of the City of Portland

Attest:



Auditor of the City of Portland

Mayor Goldschmidt
January 15, 1979
DBCooper/fg

An Ordinance amending Chapter 16.48, Taxicab Regulation of the code to provide for regulation of taxicab companies, drivers and vehicles, making other changes.

The City of Portland ordains:

Section 1. The Council finds:

- (1) That Ordinance Nos. 139316 and 147243, passed February 15, 1979 and effective March 24, 1979, adopted city code Chapter 16.48, Taxicab Regulation;
- (2) That the Taxicab Supervisor has determined that certain amendments to Chapter 16.48 are necessary to allow for more effective regulation of the taxicab industry;
- (3) That such amendments include that the decision as to which new business shall be permitted to operate as taxicab companies will be made by the Council, and that certain factors will be considered by the Council in making such a decision;
- (4) That such amendments further provide that certain additional standards are necessary to further regulate the operations of taxicab companies and drivers;
- (5) That such amendments further provide for the eliminating of the downtown flat rate for taxicab service;

NOW, THEREFORE, the Council directs:

- (a) That Chapter 16.48, Taxicab Regulation, is amended to read as follows:

Chapter 16.48

TAXICAB REGULATION

Sections:

- 16.48.010 Purpose.
- 16.48.020 Definitions.
- 16.48.030 Regulations.
- 16.48.040 Public hearing.
- 16.48.050 Appeal.
- 16.48.060 Reports to city council.
- 16.48.070 Taxicab company permit required.
- 16.48.080 Application, fees, renewal.
- 16.48.085 Factors to be considered in determining whether to grant taxicab company permit.
- 16.48.090 Minimum standards for taxicab service companies.
- 16.48.100 Limitations on number of taxicabs operated by taxicab company.
- 16.48.110 Identification.

- 16.48.120 Equipment.
- 16.48.130 Rates.
- 16.48.140 Safety inspections and certification.
- 16.48.150 Insurance.
- 16.48.160 Financial and operating data.
- 16.48.170 Complaints.
- 16.48.180 Items lost and found.
- 16.48.190 Driver's permits required.
- 16.48.200 Application and renewal.
- 16.48.210 Denial of permit.
- 16.48.220 Driver's permit to be posted.
- 16.48.230 Conduct of drivers.
- 16.48.240 Parking and use of taxicab zones.
- 16.48.250 Reports to the supervisor.
- 16.48.260 Suspension and revocation.
- 16.48.270 Criminal penalties.

16.48.010 Purpose. (No change)

16.48.020 Definitions. (No change)

16.48.030 Regulations. (No change)

16.48.040 Public hearing. The supervisor or the council, as appropriate, shall preside over all public hearings held pursuant to this chapter. He shall have the power to establish and limit the matters to be considered at the hearing, to prescribe procedures for the conduct of the hearings, to administer oaths and take evidence, and to preserve order. Technical rules of evidence shall not be applied in such hearings. Notice of all hearings shall be given to the public and all permittees. The supervisor shall make written findings to support all decisions.

16.48.050 Appeal. (a) (No change)

(b) (No change)

(c) (No change)

(d) (No change)

(e) (No change)

(f) (No change)

(g) The decision of the supervisor, or the commissioner in charge shall be stayed pending the outcome of an appeal properly filed pursuant to this section, except if the action appealed is from a suspension that has become effective immediately pursuant to section 16.48.260(b).

16.48.060 Reports to city council. (No change)

16.48.070 Taxicab company permit required. No person shall conduct business as a taxicab company without a current permit to do business issued under this chapter except that any person lawfully doing business as a taxicab company on the effective date of this section may continue to do so and regardless of whether such person is in compliance with the minimum standards established by section 16.48.090 upon payment of the fees established in section 16.48.080 and conditioned upon compliance with all other provisions of this chapter. A person lawfully doing business as a taxicab company on the effective date of any amendments to section 16.48.090 may continue to do so regardless of whether such person is in compliance with the minimum standards of that section, so long as that person is in compliance with all other provisions of this chapter. Such person may not operate any taxicabs in excess of the number permitted prior to the adoption of this section except as authorized pursuant to section 16.48.100.

16.48.080 Application, fees, renewal. (a) An applicant for a permit to do business as a taxicab company shall submit to the supervisor an application form containing such information, and a non-refundable fee of one hundred dollars. The supervisor shall forward such application with his recommendation, to the city council, and shall set, through the auditor's office, a hearing date before the council. The council shall conduct a public hearing regarding the application. At such hearing, the officers or major stockholders in the applicant company may be directed to personally appear before the council. If, after such hearing, the council finds that the applicant has established his fitness and ability to comply with the requirements of this chapter, that the interests of the city will, after consideration of the factors listed in section 16.48.085 be served thereby, and that the applicant has sufficient financial resources to be able to meet the minimum standards established by section 16.48.090, the council shall issue a permit to the applicant. The permit may contain such terms or conditions as the council deems appropriate. Violation of these terms or conditions may result in revocation of the permit. The council shall fix the number of vehicles that may be operated as taxicabs by the company.

(b) In addition to the application fee, each person granted a permit to do business as a taxicab company shall pay an annual fee equal to fifty dollars times the maximum number of vehicles to be operated as taxicabs by the company as fixed by the council.

(c) (No change)

(d) The council shall, with the assistance of the supervisor, adopt such further standards as it deems appropriate in addition to those listed in section 16.48.085, for the issuance of taxicab company permits, the number of taxicabs to be approved, and the imposition of special terms and conditions.

16.48.085 Factors to be considered in determining whether to grant taxicab company permit. The council shall consider the following factors in determining whether or not to grant a person a permit to do business as a taxicab company:

(a) The current status of the public transportation system in the city, including, but not limited to that system's current and future ability to provide for the timely and effective movement of persons,

(b) The demonstrated need, as shown by the applicant for such permit, for additional taxicab service in the city that is not, or cannot be, accomplished by existing companies,

(c) In consideration of the current status of the city's public transportation system, the ratio of population of the area to the number of taxicabs currently in operation,

(d) The present utilization patterns of taxicabs currently in operation,

(e) The interests of the applicant for such permit in establishing a local business to legitimately serve the citizens of this city, and

(f) The extent to which granting the permit will serve the purposes of this chapter, as set out in section 16.48.010.

16.48.090 Minimum standards for taxicab service companies. Any taxicab holding a permit to do business issued under this chapter shall maintain the following minimum standards:

(a) (No change)

(b) (No change)

(c) (No change)

(d) Not less than 15 taxicabs, with two thirds of the total fleet to be operational at all times, to provide service on a city-wide basis in accordance with standards adopted pursuant to section 16.48.030.

(e) (No change)

(f) (No change)

(g) (No change)

16.48.100 Limitations on number of taxicabs operated by taxicab company.

(a) No taxicab company may operate more taxicabs than authorized by the council in granting the permit to do business, unless additional taxicabs have been authorized by the supervisor pursuant to this section. No vehicle may be operated as a taxicab unless it is listed on the register of vehicles operated by a taxicab company as maintained on the company's official records.

(b) (No change)

(c) (No change)

(d) (No change)

(e) The effect of any order of the supervisor, authorizing either an in-

crease or decrease in the number of taxicabs operated by a taxicab company, shall be automatically stayed if a timely appeal to the council of such order, pursuant to the procedure of section 16.48.050, is filed.

16.48.110 Identification. Every taxicab shall prominently display on the outside of the vehicle, on both sides, the full name of the taxicab company, the cab number, the telephone number of that company where service can be requested, and the word "taxi" or "cab". Every taxicab shall be painted in the colors of that company, no two companies having the same colors. The supervisor shall approve the colors when approving the application for a permit to do business.

16.48.120 Equipment. (a) (No change)

(b) A copy of the certificate shall be kept on file in the office of the taxicab company. No taxicab shall be operated with a taximeter which does not operate within the following limits of accuracy. Plus or minus one hundred fifty feet in one mile and five seconds in one minute of waiting time. A certificate of inspection may be examined or a taximeter reinspected by any police officer, the supervisor or his agent, at any time, during normal business hours.

(c) Every taxicab shall be equipped with a top light.

(d) Every taxicab will be equipped with such safety equipment as is required by state or federal law, this code, or by the supervisor's regulations. Every taxicab shall be equipped with seat belts or other restraining devices for every passenger.

16.48.130 Rates (a) (No change)

(b) (No change)

(1) Deleted

(2) Relettered (1)

(c) (No change)

(d) Deleted

(e) Relettered (d)

(f) Relettered (e)

(g) Relettered (f)

(h) Relettered (g)

(i) Relettered (h)

(j) Relettered (i)

(k) Relettered (j)

- 16.48.140 (No change)
- 16.48.150 (No change)
- 16.48.160 (No change)
- 16.48.170 (No change)
- 16.48.180 (No change)
- 16.48.190 (No change)
- 16.48.200 (No change)
- 16.48.210 (No change)
- 16.48.220 (No change)
- 16.48.230 (a) (No change)

(b) operate any taxicab while consuming, or while under the influence of alcohol, or in a careless or reckless manner or in a manner contrary to the laws of this city or this state,

(c) operate any taxicab while consuming, or while under the influence of, drugs, unless such drugs are available commercially over the counter, or are being taken pursuant to a doctor's prescription, and, in any case, such drug usage does not impair the driver's ability to operate the taxicab,

(d) use a taxicab in the commission of any crime

(e) use profane or obscene language offensive to the passenger while operating a taxicab,

(f) use tobacco without the consent of the passenger,

(g) charge a fare higher than that authorized by this chapter for passenger transportation or defraud a passenger in any way.

(h) be discourteous to a passenger,

(i) drive a passenger to his destination by any other than the most direct and safe route, unless requested to do so by the passenger,

(j) refuse to transport to his requested destination any passenger of proper demeanor who requests his services or is assigned to him by the taxicab service company when not already in service, and who is able to demonstrate that he can pay the fare,

(k) refuse to issue a receipt for a fare paid if one is requested.

16.48.240 Parking and use of taxicab zones. (a) [Deleted]

(a) No driver of any taxicab shall make major repairs to his vehicle while parked in a taxicab zone.

(b) No taxicab driver shall leave his vehicle unattended in a taxicab zone adjacent to a fire hydrant for any reason. No person shall leave a taxicab unattended in any other taxicab zone except when assisting passengers to enter or alight from the taxicab or carry their baggage or when delivering packages, and then for no more than twenty (20) minutes.

(c) Taxicabs are hereby authorized to utilize truck loading zones, as described in Chapter 16.20.020(24) of the code, for the loading and unloading of passengers or goods, for a period not to exceed twenty (20) minutes.

16.48.250 Reports to the supervisor. (a) Every permittee shall immediately report to the supervisor as soon as it becomes known, the occurrence of any of the following events, :(1) the arrest or conviction for any criminal offense, of the permittee, officer or principal managing employees of the permittee, which involves the operation of the taxicab company.

(2) any taxicab accident required to be reported to the state of Oregon involving a vehicle driven by or for the permittee;

(3) the filing of a lawsuit against or on behalf of the permittee related to the operation of the taxicab company,

(4) (No change)

(5) any information required to be disclosed by subparagraph (b) that comes to the attention of the permittee,

(b) Every taxicab driver shall immediately report to the supervisor, and any permittee for whom he drives, the occurrence of the following:

(1) any arrest, charge, or conviction for any criminal offense, and any traffic violations, that arise out of or occur during the taxicab driver's operation of a taxicab,

(2) any arrest, charge or conviction for any criminal offense involving theft, robbery, burglary, assault, sex crimes, drugs, prostitution, or any related offense,

ORDINANCE No.

(3) any vehicle accident required to be reported to the state of Oregon involving any taxicab operated by the driver,

(4) any restriction, suspension or revocation of the taxi driver's operator's license.

16.48.260 Suspension and revocation. (No change)

16.48.270 Criminal penalties. (No change)

Passed by the Council,

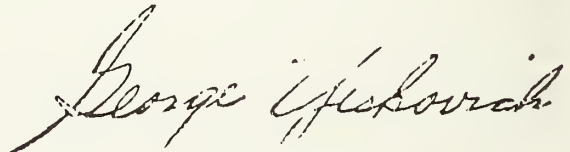
APR 9 1980

Commissioner Ivancie
April 9, 1980
KHScomperdis/fg



Mayor of the City of Portland

Attest:



Auditor of the City of Portland

REGULATIONS DEFINING STANDARDS FOR THE ISSUANCE, DENIAL, RENEWAL,
SUSPENSION AND REVOCATION OF TAXICAB DRIVER'S PERMITS, AND SUBMISSION
OF MONTHLY FINANCIAL AND OPERATIONAL DATA

The following regulations are hereby proposed by the Taxicab Supervisor pursuant to Section 16.48.030 of the Code of the City of Portland:

I. Issuance, denial and renewal of taxicab driver's permits will be based upon Section 16.48.190, 16.48.210 and the following regulations interpreting those sections:

A. After the taxicab driver's initial or renewal application for a permit has been received, the supervisor will obtain a criminal history records check of the applicant.

B. The application for an initial permit or for a renewal of a permit shall be denied if:

1. The applicant has committed: (a) any criminal offense involving theft, robbery, burglary, assault, sex crimes, drugs, prostitution, weapons, any major traffic offense or repeated minor traffic offenses, or any related offense,

(b) any criminal offense during the operation of a taxicab which causes or reasonably could have caused danger to the public safety or morals,

2. The applicant has demonstrated, through past relevant work performance and contacts with people, insufficient emotional stability to effectively operate a taxicab and deal with the public.

3. Notwithstanding the mandatory direction of subsections 1 and 2 of this section, the supervisor may grant a permit despite the presence of one or more of the factors enumerated in subsections 1 and 2 above if he concludes that the applicant has established to his satisfaction that the behavior evidenced by such factor is not likely to reoccur, or is remote in time, or occurred under circumstances which diminish the seriousness of the factor as it relates to the purposes of Chapter 16.48.

C. The application for an initial permit or for a renewal of a permit may be denied if the supervisor finds that the applicant has committed serious or repeated conduct violations, such as those listed in Section 16.48.230, during the operation of a taxicab or other public transportation vehicle.

D. The application for a renewal of a permit may be denied if the supervisor finds that the applicant has committed any serious violation of any of the provisions of Chapter 16.48.

E. The application for an initial permit or for a renewal of a permit may be denied if the applicant:

1. refuses to provide, upon written request of the supervisor, any information, in a wholly truthful manner, that relates to taxicab operations,

2. refuses to appear personally, upon the written request of the supervisor, or to discuss any information, in a wholly truthful manner, that relates to taxicab operations.

II. Suspension and revocation of taxicab driver's permits will be based upon Section 16.48.260 and the following regulations interpreting that section:

A. A taxicab driver's permit may be suspended or revoked if the supervisor finds that the driver has committed any act which brings, or reasonably could bring, discredit upon the taxicab industry, thereby showing that the public's safety, need and convenience are not being protected and promoted.

B. A taxicab driver's permit may be suspended or revoked if the supervisor finds that the driver attempted, or committed, any act of assault or physical abuse upon any member of the public during the operation of a taxicab, unless the driver reasonably believed that such act was necessary to defend himself or another person from imminent physical harm.

C. A taxicab driver's permit may be suspended or revoked if the supervisor finds that the driver has committed any act which would be grounds for the denial of a permit upon application, or has committed any act which is a serious violation of any of the provisions of Chapter 16.48.

III. Submission of financial and operational data will be based upon Section 16.48.160 of City Code, and the following regulations interpreting that section:

A. Financial and operational data sheets approved by the Taxicab Supervisor, and distributed to each taxicab company, will be submitted to the office of the Taxicab Supervisor on a monthly basis, by each taxicab company.

B. All required financial and operational data will be compiled by the taxicab company.

C. Failure to comply with this requirement in a timely fashion could lead to a fine, or suspension, or revocation of a taxicab company's permit as authorized by City Code Section 16.48.260.

APPENDIX A.2

OLD CITY OF PORTLAND TAXI REGULATIONS

BUSINESS LICENSES AND REGULATIONS

7.74.180 Records of permittees. Every person granted a permit under this chapter shall maintain a system of accounting which shows to the satisfaction of the commission all contributions solicited and the disbursement thereof.

7.74.190 Reports required. All persons issued permits under this chapter shall furnish the commission, within ninety days after the solicitation has been completed, a detailed report and financial statement showing the amount raised by the solicitation, the amount expended in collecting such funds, including a detailed report of wages, fees, commissions, and expenses paid to any person in connection with such solicitation and a statement as to the cost of any show, benefit, dance, bazaar, raffle, sporting or social event, or other similar event, given in connection with the solicitation or the cost of any publication made in connection with the solicitation. The report shall also disclose the disposition of the balance of the funds collected by the solicitation. The report shall be available for public inspection at the office of the bureau of licenses at any reasonable time. For good cause shown, the commission may extend for an additional period of thirty days the time for the filing of the report.

Every permit holder shall make available to the commission or to any person designated in writing by the commission as the representative for such purpose, all books, records and papers for the purpose of checking the accuracy of the report required by this section.

7.24.200 Use of canisters. (a) If any person intends to solicit by means of canisters, his application for a solicitations permit shall so state, and in addition it shall state the number of canisters to be used, the dates they will be used and the method to be employed in distributing and picking them up.

(b) Use of canisters shall be limited to periods of not more than thirty consecutive days within the effective period of the solicitations permit, and canisters shall be picked up promptly after the end of the authorized period.

(c) As a minimum requirement canisters must be identified by placing on each one, the name, local address and local telephone number of the person or organization conducting the solicitation, a serial number and the effective dates of the canister solicitation.

(d) An accounting shall be maintained of each canister which shall include the serial number, the date placed, location in which placed, the date picked up, and the amount of money collected therein.

Chapter 7.76

MOTOR VEHICLES FOR HIRE*

Sections:

- 7.76.010 Vehicular license fees.
- 7.76.020 Occupational licenses.
- 7.76.030 License terms.
- 7.76.040 Payment of license fees.
- 7.76.050 Prerequisite for licenses.
- 7.76.060 Vehicular license card.
- 7.76.070 Exclusions.
- 7.76.080 Definitions.
- 7.76.090 Permit to engage in business.
- 7.76.100 Application for and granting of licenses.
- 7.76.110 Report of gross revenues by occupation licensees.
- 7.76.120 Appeal and collection.
- 7.76.130 Insurance required.
- 7.76.140 Cancellation of license—Additional penalty.
- 7.76.150 Vehicle examination.
- 7.76.160 Certificate of inspection prerequisite to license.
- 7.76.170 Contents of certificate of inspection.
- 7.76.180 Driver's permit.
- 7.76.190 Stand or zone permits required.
- 7.76.200 Transfer and fee.
- 7.76.210 Appeal.
- 7.76.220 Suspension and revocation of driver's permit.
- 7.76.230 Revocation of business permit or license.
- 7.76.240 Conduct of drivers.
- 7.76.250 Age limit for drivers.
- 7.76.260 Report of lost articles.
- 7.76.270 Number of taxicab licenses authorized.
- 7.76.280 Number of for-hire car licenses authorized.
- 7.76.290 Taximeters required for taxicabs and out-patient cars.

*For Charter provisions authorizing the setting of rates for the transportation of passengers or property see, Charter Sec. 2-105(a)28.

- 7.76.300 Fare computed by taximeters.
- 7.76.310 Inspection of taximeter—Certificate.
- 7.76.320 Taximeter installation and charges regulated.
- 7.76.330 Proper use of taximeter flag.
- 7.76.340 Vehicles to be inspected, kept clean and properly equipped.
- 7.76.350 Direct route to be traveled—Fares not charged when vehicle disabled.
- 7.76.360 Receipt of fare given when.
- 7.76.370 Refusal to pay fare.
- 7.76.380 Light baggage conveyed in taxicab.
- 7.76.390 Load limit.
- 7.76.400 Schedule of rates to be filed.
- 7.76.410 Rate cards to be displayed.
- 7.76.420 Change in rates.
- 7.76.430 Charge while empty.
- 7.76.440 Odometer or speedometer.
- 7.76.450 Interference with distance or timing devices.
- 7.76.460 Overcharging.
- 7.76.470 Driver of another class of vehicle not to engage in taxicab business.
- 7.76.480 Display of signs or names on vehicles.
- 7.76.490 Certain contracts and offers prohibited.
- 7.76.500 Information of sight seeing tour.
- 7.76.510 Maximum taxicab fares.
- 7.76.520 Multiple fare groups.
- 7.76.530 Special equipment for out-patient cars.
- 7.76.540 Inspection for sanitation.
- 7.76.550 Inspection of special equipment on out-patient cars.

7.76.010 Vehicular license fees. License fees for the vehicles herein named shall be as follows, subject to the occupation license required of certain classes of business as set forth in Section 7.76.020:

- (1) Taxicabs, for each vehicle, annually \$2.00
- (2) For-hire cars, for each vehicle, annually 2.00
- (3) Sight-seeing busses, for each vehicle, annually 2.00
- (4) Limousine busses, for each vehicle, annually 100.00

- (5) Out-patient cars, for each vehicle, annually 2.00

The fee prescribed for limousine busses may be paid quarterly provided that once a license has been issued for any year, the fee must be paid for each succeeding quarter unless the licensee gives the bureau of license written notification within five days of the beginning of any quarter for which the licensee does not desire to renew the license.

7.76.020 Occupational licenses. It is unlawful for any person to engage in the business of operating one or more taxicabs, for-hire cars, sight seeing busses, drive-yourself vehicles, or out-patient cars, even though such person has obtained a permit to engage in such business, without first obtaining in addition to the vehicular license as provided in Section 7.76.010 an occupation license for such business. The measure of occupation license fee for operating the business of sight seeing busses, for-hire cars, drive-yourself vehicles, one or more taxicabs, or out-patient cars, shall be one-half of one percent of the gross revenues received by such licensee, which gross revenues shall be computed as follows: (1) On or before January 20 of each year for which an occupation license has been or is to be issued the licensee shall pay to the bureau of licenses an amount equal to one-half of one percent of the gross revenues of the licensee for the period extending from October 1 through December 31 of the preceding calendar year, both dates inclusive; (2) On or before April 20 the licensee shall pay an amount equal to one-half of one percent of the gross revenues for the period extending from January 1, through March 31 of the same year, both dates inclusive; (3) On or before July 20 such licensee shall pay an amount equal to one-half of one percent of the gross revenues for the period extending from April 1 through June 30 of the same year, both dates inclusive; and (4) On or before October 20 such licensee shall pay an amount equal to one-half of one percent of the gross revenues for the period extending from July 1 through September 30 of the same year, both dates inclusive; but such operation of said classes of vehicles shall also subject such vehicles to vehicular license fees as set forth in Section 7.76.010. Any person for the first time obtaining a permit to engage in business, vehicular licenses and an occupation license under this chapter shall make his initial payment

on or before the twentieth day following the quarter year period within which such operations are commenced. In the event a licensee terminates operations which come within the scope of this chapter he shall make his final payment on or before the twentieth day following the date of such termination.

7.76.030 License terms. Vehicular licenses shall be issued for a three month period extending from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31, all dates inclusive. The occupation license shall extend during the calendar year for which it is made or the remainder of the calendar year in which it is issued if application be made on or after January 2 of the same year.

7.76.040 Payment of license fees. All fees for vehicular licenses shall be paid in advance and no such license shall be issued for less than the fee set forth in Section 7.76.010. Fees for occupation licenses hereunder shall not be paid in advance but shall be paid in accordance with provisions set forth in Section 7.76.020.

7.76.050 Prerequisite for licenses. No vehicular license nor any occupation license shall be issued under this chapter unless the applicant shall first have obtained a permit to engage in the business as described elsewhere in this chapter.

7.76.060 Vehicular license card. When a vehicular license is issued the bureau of licenses shall furnish to the applicant a numbered license registration card for each vehicle rented, hired out or permitted to be used, which numbered registration card shall contain on the face thereof the following data:

- (1) The name of the registered owner of the motor vehicle;
- (2) The owner's business address;
- (3) The number of the state license of such motor vehicle for the current year;
- (4) A blank space for the signature of the licensed owner of the motor vehicle, which shall be signed by such licensed owner immediately after the receipt of such numbered license registration card, and placed by the licensed owner in each motor vehicle rented, hired out or permitted to be used in the business, securely fastened in plain sight within the driver's

compartment of the motor vehicle. In the event of the loss or destruction of the numbered license registration card the bureau of licenses upon being satisfied that the numbered license registration card has been lost or destroyed, may issue a duplicate registration card upon payment of a fee of twenty-five cents.

7.76.070 Exclusions. Any person operating a mortuary and/or owning one or more vehicles used solely for transporting pallbearers and mourners shall not be included in this chapter, nor shall said vehicles nor the drivers thereof be subject to the provisions of this chapter; nor shall any person operating streetcars, or other vehicles under a franchise or council permit in lieu of franchise, be included nor shall such vehicles be included in this chapter.

7.76.080 Definitions. The following terms shall have the meaning ascribed to them in this section:

(1) "Taxicab" means and includes every motor vehicle having a seating capacity of five passengers or less, as per manufacturer's rating, except cars for rent without drivers, used for the transportation of the passengers for hire within the corporate limits of the city and a three mile radius beyond the limits, not operated exclusively over a fixed and defined route, but used for transportation of passengers to a specified destination by the shortest and most direct route, for which a charge is made according to taximeter reading. Taxicabs shall be equipped with a taximeter which shall be an instrument or device by which the charge for transportation by a passenger carrying vehicle is mechanically measured or calculated, either for the distance traveled by such vehicle, or for waiting time, or for both, and upon which such charges shall be indicated by means of figures;

(2) "For-hire car" means and includes every motor vehicle, except taxicabs, sightseeing and limousine busses and drive-yourself vehicles, as otherwise classified herein, which is offered or engaged in carrying passengers for hire within the corporate limits of the city and a three mile radius beyond the limits, not operating exclusively over a fixed and defined route, not used for the transportation of passengers for hire to a specified destination by the shortest and most direct route, but rather engaged on a basis of payment for the time consumed in the operation, and having seats for five or more

passengers, but excluding those having seats for four or less passengers unless specially permitted by the council;

(3) "Sight-seeing bus" means and includes every motor vehicle, except vehicles otherwise classified herein, which is offered or engaged in carrying passengers for hire within the corporate limits of the city and a three mile radius beyond the limits, operating on a route fixed by the operator for sight-seeing or other purpose and for which a fixed charge or flat rate is made;

(4) "Limousine bus" includes every motor vehicle used under contract with a person, firm or corporation engaged in a different business, by which contract persons doing business with such person, firm or corporation are carried to a fixed destination for a flat fee, and every motor vehicle used for transportation of persons as a service connected with or incidental to a different business whether or not the charge for such transportation is paid separately from the charge for the service of the main business;

(5) "Drive-yourself vehicle" means and includes every vehicle rented or hired out to a person other than the owner, for which no chauffeur or driver is furnished, to be used by the person driving the same. The term covers the activities referred to as drive-yourself vehicles, drive it yourself, U drive it, drive it yourself system, autos for hire, driverless autos for hire, or any similar term used in the business for hiring out vehicles for the use of a person to whom such vehicles are hired, regardless of whether such renting or hiring be for a short or long period of time, and whether or not the name of the person obtaining such vehicle be upon the vehicle. In the event that the name of the person obtaining the vehicle is placed upon it, the name and address of the person furnishing the vehicle shall be placed on the exterior portion of the body thereof near the front seat in letters not less than two inches in height in contrast with the color of the body, showing that such person is the owner or lessor thereof;

(6) "Motor vehicle" means and includes every vehicle used for public hire, propelled by mechanically produced power and intended for use on streets and highways, except street cars, interurban street cars and motor busses operated under franchise;

(7) "Seating capacity" means the capacity of a vehicle to seat adult persons other than the driver in regular permanent seats without the use of any box, board, or other device of temporary nature, with not more than one person other

than the driver in the front seat; provided, however, that permanently built-in jump seats shall be considered regular permanent seats and vehicles having a front seat of seventy-two or more inches may allow two passengers in the front seat but this shall not be taken to increase the permitted capacity of a taxicab;

(8) "Gross revenues" include any revenue earned from: Carriage of persons, or persons and property, in a taxicab, for-hire car or sight-seeing bus from any point of origin within the corporate limits of the city, or within a three mile radius therefrom, to any point of destination within the corporate limits, or a three mile radius therefrom, which carriage either alone or in conjunction with another vehicle or vehicles operated by the same person, is not a part of any journey beyond the limits and a three mile radius therefrom.

"Gross revenues" further include all revenue earned from the rental of a drive-yourself vehicle which is located within the corporate limits of the city or within a three mile radius therefrom regardless of the destination of the vehicle or the fact that it may not be returned to Portland at the end of the rental period;

(9) (Amended by Ord. No. 134295 passed and effective Mar. 30, 1972.) "Out-Patient car" means and includes every vehicle not licensed as an ambulance under this title, and not provided with dispatch service by the Bureau of Police, which is specially equipped and used for transportation of ill or handicapped persons and provided a physician requests or approves the transportation of any person transported in a recumbent position and provided further that all persons transported do not require emergency medical attention, first aid, oxygen supplement or blood transfusion.

7.76.090 Permit to engage in business. The applicant for a license for any motor vehicle covered by this chapter shall first obtain a permit to engage in the business. Application for such permit shall be made to the commissioner in charge on such forms as the commissioner may supply, and such application shall contain the following information: (1) The name of the applicant and his classification as a person, firm or partnership or corporation; (2) The business address of such applicant; (3) The type of transportation for which a permit is sought; (4) A description of the motor vehicle for which a license will be sought if a permit is granted; (5) A brief financial statement showing the assets of

BUSINESS LICENSES AND REGULATIONS

the applicant and their types; (6) The liabilities of the applicant and their types; (7) The recommendation of three real property owners within the city in writing, signed by such property owners, as to the honesty, integrity and responsibility of the applicant; and (8) Such other information as the commissioner in charge may require. Such application shall be filed in the office of the commissioner in charge. Within thirty days, unless such time is extended by action of the council, after such application is filed, the commissioner shall transmit such application to the council with such recommendation as he may see fit, and thereafter the council may, in its discretion, grant such permit if not found detrimental to the public safety, convenience or welfare. After a permit has been obtained no new permit need be obtained as a prerequisite to subsequent licenses. Such permit is nonassignable, shall run to the permittee personally and is not a franchise or a property right in any particular.

7.76.100 Application for and granting of licenses. Every person desiring to obtain a vehicular license for the operation of a vehicle under the provisions of this chapter shall file a written application therefor with the bureau of licenses setting forth: (1) The name of the person to whom the license is to be issued; (2) The number of vehicles proposed to be operated; (3) The name of the maker and the maker's number of each vehicle; (4) The seating capacity of each vehicle; and (5) The number of the state license of each vehicle. Should the state license number of any vehicle be changed during the license period, the change of number shall be immediately reported to the commissioner in charge and to the bureau of licenses. When a certificate of inspection and approval shall have been issued the inspector of licenses shall, upon receipt of the license fee or fees herein provided for each vehicle to be operated under such license, cause a vehicular license to be issued to such applicant in accordance with the provisions of this chapter. Every person desiring to obtain an occupation license for the operation of one or more taxicabs, for-hire cars, sight-seeing busses, drive-yourself vehicles, or out-patient cars, shall file a written application therefor with the bureau of licenses. Such application for occupation license shall be made on forms supplied by the bureau of licenses and shall be filed before any operations under a permit to

engage in business are commenced. Applications for occupation licenses, after the initial license, shall be made on or before December 31 of the following calendar year. Upon filing of such application for an occupation license and presentation of proof that a council permit to engage in such business has been issued, the bureau of licenses shall issue the license, payment of the fees for which is deferred in accordance with the terms of Section 7.76.020.

7.76.110 Report of gross revenues by occupation licensees. Coincidentally with the payment of the occupation license fee required in this chapter for engaging in the business of operating one or more taxicabs, for-hire cars, sight-seeing busses, drive-yourself vehicles, or out-patient cars, such licensee shall file with the license inspector a report of the gross revenues of the licensed operations for the period upon which the occupation license fee is computed. Within thirty days from the date such report is filed or such additional time as the council may allow, the license inspector shall investigate the report and determine the accuracy of the amounts reported. However, neither payment nor failure to make such investigation shall be deemed to estop the city in any way or prevent a subsequent investigation by any officer or agent of the city and collection of any amount due. The licensee shall retain and keep available for inspection by the license inspector or by any other officer or agent of the city, the trip sheets of all operations during the quarter year period upon which the license fee is computed, for a period of one year following the date of payment of such occupation licensee fee. If the fee paid is determined to be excessive the licensee shall be entitled to a refund of the excess paid. If the fee paid is found to be insufficient, the license inspector shall notify the licensee of the amount of the deficiency and demand payment of the amount.

7.76.120 Appeal and collection. Within ten days from the date of notice by the license inspector that the occupation license paid is insufficient and additional payment demanded the licensee may appeal in writing to the council from such demand, specifying the grounds of such appeal. If no such appeal be taken within ten days, or if an appeal be taken and the council decides adversely to the licensee or decides that any other amount is due, thereafter

the license inspector shall proceed to collect the amount determined to be due and unpaid.

7.76.130 Insurance required. (Amended by Ord. No. 131287 passed Aug. 6, effective Sept. 7, 1970.) Every application for a permit under this chapter shall be accompanied by evidence that the applicant has in full force and effect public liability insurance covering all motor vehicles included in the application at a minimum sum of one hundred thousand dollars indemnity for bodily injuries to one person, three hundred thousand dollars indemnity for bodily injuries arising from any one accident, and twenty thousand dollars property damage. The evidence of insurance shall contain a provision that the policy will not be reduced in coverage or canceled without thirty days prior written notice to the bureau of licenses. Where the insurance covers a drive-yourself vehicle, it shall expressly provide coverage during the time such vehicle is rented out and shall cover the liability of the driver of such vehicle whether or not such vehicle is retained beyond the expected time of return to the licensee.

7.76.140 Cancellation of license — Additional penalty. When any vehicular license shall be canceled by the council there shall be refunded to the licensee the unearned portion of the license fee paid, if such license fee was in excess of twenty-five cents. Vehicular licenses may be canceled for any of the reasons set out in Section 7.76.020. If any occupation licensee fails to make payment of the deficiency of such license fee determined to be due and unpaid in accordance with the provisions of Section 7.76.120 within ten days of such final determination (unless the grace period is extended by the council), the commissioner of public utilities may suspend the occupation license and any and all vehicular licenses issued to the licensee, in lieu of any other penalties prescribed in this code or other ordinance provisions. If any person engages in the business of operating one or more taxicabs, for-hire cars or sight-seeing busses without first obtaining the occupation license as required in this chapter or during a period of suspension, such person shall be liable for an occupation license fee computed

at four percent of the revenues received during the quarter year period on which the fee for occupation license is based.

7.76.150 Vehicle examination.* All vehicles, falling under the provisions of this chapter shall be examined under the direction of the chief of police whenever found necessary for public safety and as provided in Section 16.28.010. The person or persons making such examination or reexamination of any such vehicle shall, if he finds that the steering gear, brakes, safety devices or any other part or parts of the vehicle is in such condition as to be dangerous, place or cause to be placed on such vehicle a tag on which shall be printed or embossed the words "Out of Repair" in letters at least one inch in height, and stating the part or parts to be repaired or replaced. Such tag shall be attached securely to the vehicles in a conspicuous place by wire, the ends of which shall be twisted together and sealed; or by any other device which may be properly sealed to prevent removal. It is unlawful for any person other than the officer thereunto duly authorized by the chief of police to remove such tag, and such tag shall not be removed until such person shall find that the necessary repair and/or replacement has been made so that the vehicle is rendered safe. It is unlawful for any driver, chauffeur or other person to drive such vehicle for carrying any passenger or passengers within the territory falling within the jurisdiction of the city while such a tag is attached thereto. If and when such vehicle shall have been withdrawn from service the owner thereof may obtain a removal of such tag upon showing to such officer that such vehicle has been withdrawn and so altered as not to be useful for service. It is unlawful for the owner or person in control of such vehicle to return it to service without notifying the bureau and obtaining a re-inspection and approval, and it is unlawful for any person to drive or cause such vehicle to be driven in service if the tag has not been removed.

7.76.160 Certificate of inspection

*See also Section 7.76.340.

prerequisite to license. No license required by this chapter shall be issued except upon a certificate of inspection and approval as above provided, and such license shall be in accordance with such certificate and with the terms of this chapter.

7.76.170 Contents of certificate of inspection. All certificates issued as provided in Section 7.76.160 shall set forth the name of the person to whom the license is to be issued, the number of vehicles proposed to be operated, the maker and the maker's number of each vehicle, the seating capacity and the number of the state license of each vehicle to be operated by such licensee.

7.76.180 Driver's permit. (a) It is unlawful for any person to drive or operate a taxicab, for-hire vehicle, sight seeing bus, limousine bus, or out-patient car, within the city or within a three mile radius thereof without having first obtained a permit so to do. Each such permit shall have imprinted thereon a number assigned thereto by the issuing office.

(b) The permit mentioned in subsection (a) hereof shall be issued by the office of the chief of police when and if the applicant proves himself eligible as hereinafter provided. The chief of police is hereby authorized to designate one or more persons, members of the bureau of police, to receive applications for the above mentioned permits, conduct examinations required therefor, and do all other things necessary to the issuance or denial of the permits, all with the approval of the chief of police. The person or persons designated by the chief of police as herein provided, shall keep a record of complaints against any driver concerning his fair treatment of passengers or lack of fair treatment.

(c) Only those persons who are of good moral character and who hold a current valid Oregon chauffeur's license shall be eligible to apply for the permit required by this chapter.

(d) A fee of two dollars must accompany the application for an original permit. Thereafter, a fee of two dollars must be paid each time the permittee is required to furnish new photographs as required by subsection (f) hereof.

(e) Every person desiring a permit as required by subsection (a) hereof shall file a written application with the person designated by the

chief of police. The application shall be on a form furnished by the office of the chief of police and shall contain such information as required by the office of the chief of police. The application shall be subscribed and sworn to by the applicant as to the verity of all statements contained therein. Each application for an original permit shall include the fingerprints of the applicant.

(f) Every person who has complied with all the requirements of this section and is otherwise eligible to have issued to him a permit as required by subsection (a) hereof, shall present himself to the record division of the bureau of police for photographing. The record division number will appear on the face of the photograph. One print of the photograph shall be attached to the permit before issuance and one print shall be retained by the record division for identification purposes. Each permittee shall present himself to the record division within thirty days prior to the expiration of his Oregon operator's license for the purpose of having new photographs made to be used as hereinabove set out.

(g) Each person applying for an original permit must successfully pass a written and/or practical examination testing his safe driving ability, and his knowledge of the traffic laws of the city and the state, and the location of the streets and the public buildings in the city. At the discretion of the office issuing the herein required permit any person applying for a renewal of his permit may be required to successfully pass the examination before a renewal permit may be issued.

(h) Each permit required by the terms of this section, either original or renewal, shall expire on December 31, of the year for which the permit is issued. Each application for a renewal of the permit shall be filed not later than December 1.

(i) In the event any applicant is denied a permit, either original or renewal, he shall be notified forthwith of such denial, and shall likewise be notified of his rights of appeal. A copy of the notice of denial shall at the same time be forwarded to the office of the city auditor.

(j) Any person who has been denied a permit, either original or renewal, may appeal to the city council. All such appeals shall be processed in the following manner:

(1) The applicant shall within five days of the

denial give written notice of appeal to the city auditor, and on the same day serve a certified copy of the notice on the chief of police;

(2) Upon receiving notice of appeal, the city auditor shall forthwith place the appeal upon the calendar of the city council to be heard in the regular course of business;

(3) The auditor shall fix the time for the appeal to be heard by the city council, and notify the appellant and the chief of police of the time fixed, at least five days in advance of the time so fixed;

(4) The appellant shall have the right to appear personally and by counsel if desired, and present such facts and other argument as may tend to support his appeal;

(5) It shall be the duty of the chief of police or a person designated by him to be present at such hearing, state the reasons why such permit was denied and present to the council such evidence and argument as may tend to support the denial;

(6) The action of the council upon the appeal shall be final.

(k) It is unlawful for any owner of a motor vehicle as defined herein, except a drive-yourself vehicle, to cause or permit the same to be operated on any street within the city or within a three mile radius thereof by any person who does not have a permit as herein provided, or to cause or permit the same to be operated by any person whose permit card is not posted in a conspicuous place inside the vehicle. It is unlawful for any person to drive such motor vehicle on any street in the city without having his permit posted in a conspicuous place inside the vehicle. The driver then in charge of the vehicle shall not allow any permit referring to any other driver to be posted at any time while he is driving the vehicle. It is unlawful for any person who has been issued a permit to leave the same in any vehicle as defined herein during any time when he is not in charge of the same or permit any other person to post or use the permit issued to him.

7.76.190 Stand or zone permits required. No taxicab, for-hire car, sight-seeing bus, limousine bus, or out-patient car, shall be licensed by the bureau of licenses unless the applicant shall first have obtained from the commissioner in charge of the use of public streets a zone permit as provided in Chapter 16.20, if such applicant expects to use street

area for taking on passengers or parking while not engaged in service; provided, that a renewal license may be obtained without a new permit for a stand if a permit theretofore obtained remains effective. The stand (or zone) permit when first obtained shall be presented to the city treasurer by the applicant who shall authorize the city treasurer to credit the deposit theretofore made for a stand permit to the payment of the stand fee. The evidence of such payment shall be submitted to the bureau of licenses and proper credit given therefor on the stand or zone fee. It is unlawful for any owner or driver of a motor vehicle covered by this chapter to use street area for standing or parking while not engaged in service.

7.76.200 Transfer and fee. When vehicles are owned by the same permittee, the chief license inspector shall, upon proper application and the payment of a transfer fee of one dollar, transfer the license issued under the provisions of this chapter from such licensed vehicle to another vehicle, provided that the vehicle to which the license is transferred passes the examination required by Section 7.76.150. When a currently licensed vehicle is sold to a new owner who desires to operate the vehicle under the provisions of this chapter, the chief license inspector shall, upon proper application and the payment of a transfer fee of one dollar, if satisfied that the change of ownership is bonafide, transfer the license covering such vehicle to such new owner, provided that such new owner has been granted a permit to engage in the class of business in which such vehicle is to be used, and the number of vehicles authorized in the permit will not be exceeded by such transfer.

7.76.210 Appeal. Any person aggrieved by any action of the commissioner of the department of public utilities may appeal to the council by serving upon the commissioner a written notice of appeal and filing a duplicate thereof with the auditor within five days after such action. Thereupon the auditor shall place the appeal upon the calendar of the council to be heard in the course of business of the council, and notify the appellant and the commissioner of the time of hearing.

7.76.220 Suspension and revocation of driver's permit. The chief of police shall have the

authority on proper showing by the inspector to revoke a driver's permit issued under this chapter when he finds that such driver fails to comply with any of the provisions of this chapter, or of the traffic regulations of the city or state, or is unskilled in handling such vehicles or fails to exercise good judgment or fails to treat the public courteously, honestly and efficiently, or if such driver fails upon notice from said inspector to present himself and submit to a new examination concerning any or all of said matters. If any person holding a permit has been arrested for felony, or if any person holding a driver's permit has been arrested for a violation of state or federal law or city ordinance which the chief of police finds to involve moral turpitude, narcotics or intoxicating liquor, and the chief of police finds that the violation charged is in any way connected with, or that opportunity therefor was afforded by the use of a driver's permit, or if the chief of police finds that continued use of such driver's permit would in any way facilitate further or similar violations, then the chief of police shall suspend his city driver's permit pending final adjudication of the charge or dismissal thereof. If the charge is dismissed, or the person charged and arrested is acquitted, when upon final adjudication the driver's permit shall be reinstated. If the permittee is convicted, his driver's permit shall be revoked. If any driver shall drive such vehicle while under the influence of intoxicating liquor or under the influence of narcotics, his driver's permit shall be revoked and he shall not be granted another driver's permit by the city for a period of at least one year from and after the date of such revocation. Any driver having his permit revoked as herein provided shall have a right of appeal to the council, provided that such appeal be taken in the time and manner provided by Section 7.76.180, and the proceedings and the effect of action by the council thereon shall be as provided in Section 7.76.180. Pending the appeal and decision thereon by the council the permit shall stand in suspension and no driving shall be done by the driver nor any new permit issued to him. In case of revocation of a permit no new permit shall be issued to such driver for a period of one year from the date of revocation. The hearing on all appeals hereunder shall be de novo.

7.76.230 Revocation of business permit or

license. Whenever any driver is convicted of any violation of the provisions of this chapter, or any owner to whom a permit to engage in the business of transporting passengers for-hire has been granted, or any of the officers, agents or employees of such owner, is convicted of any violation of this chapter, the council may revoke any license or permit to engage in business issued either to the offending owner or to any offending driver. If the owner of any such vehicle shall knowingly permit any driver whose driver's permit has been revoked or suspended to operate any such vehicle within the city limits and a three mile radius therefrom, the council may revoke the owner's permit to engage in business. Notice and hearing in accordance with the procedure set forth in Section 7.06.030 shall precede any revocation under this section.

7.76.240 Conduct of drivers. No driver shall operate any taxicab, for-hire car, sight-seeing bus, limousine bus, or out-patient car, in a careless or reckless manner, use profane or obscene language, use tobacco in an offensive manner, or smoke without the consent of the passenger.

7.76.250 Age limit for drivers. It is unlawful for any licensee under this chapter to permit any person under the age of twenty-one years to drive any taxicab, for-hire vehicle, sight-seeing bus, limousine bus, or out-patient car owned or controlled by him within the city and a three mile radius therefrom.

7.76.260 Report of lost articles. The driver of any vehicle, covered by this chapter or the owner or his agent shall promptly notify the central police station within twenty-four hours of any and all property of value left in his vehicle by any passenger. A record of such notices shall be made by the bureau of police.

7.76.270 Number of Taxicab Licenses Authorized. (Amended by Ord. No. 131118 passed and effective July 1, 1970.) The number of taxicabs authorized to operate in the city and a three mile radius therefrom and for which licenses may be issued shall be based upon the population of the city and the area within the three mile radius, being determined at the rate

of one taxicab to each two thousand nine hundred inhabitants reported in the latest official census within the city plus the estimate by the city of the population within the three mile radius outside the city.

7.76.280 Number of for-hire car licenses authorized. The number of for-hire cars authorized to operate within the city and a three mile radius therefrom and for which licenses may be issued shall be based upon the population of the city and the area within the three mile radius, being determined in the ratio of one for-hire car to each twenty thousand inhabitants reported in the preceding United States government census. It shall be conclusively presumed that the population of the area within the three mile radius and outside the city limits is one hundred thousand and that on January 1, 1965, the population within the city is ten thousand greater than the 1960 census figures, for the purpose of computing such number of for-hire cars. The council may, upon written application therefor, grant any person, firm or corporation additional licenses for for-hire cars on a showing that such additional licenses are necessary for the business; or reasonably in the public interest.

7.76.290 Taximeters required for taxicabs and out-patient cars. It is unlawful for any person to drive or operate, or engage in the business of operating a taxicab, or out-patient car, unless each of the taxicabs and out-patient cars be equipped with a taximeter in operating condition which has been duly inspected and for which a certificate of taximeter inspection has been filed as required by Section 7.76.310.

7.76.300 Fare computed by taximeters. It is unlawful for any person to drive or operate, or engage in the business of operating a taxicab or taxicabs, or out-patient car or out-patient cars unless a taximeter is at all times used on each of such taxicabs or out-patient cars in determining the fare or rate to be charged and collected, subject to any exceptions contained in the fare structure as set forth in this chapter. It is unlawful for any person operating or driving or engaging in the business of operating a taxicab or taxicabs, or out-patient car or out-patient cars, to charge, demand, collect or receive any fare, rate or charge which is not directly based, measured and computed upon the record of the

reading fare of the taximeter used in such taxicab or taxicabs, or out-patient car or out-patient cars, subject to the exceptions above mentioned.

It is unlawful for any person to use or employ any other or different method of computing or measuring distance or time charged than by this chapter provided. All fares, with the exception of the charge made for extra passengers, shall be computed on the basis of mileage traveled or time elapsed, or a combination of both, subject to the provisions of this chapter relative to maximum fares.

7.76.310 Inspection of taximeter—Certificate. (a) It shall be the duty of the owner, lessee in possession or any other person having possession or control of any taxicab or out-patient car to keep such taxicab or out-patient car equipped with a taximeter in an accurate and operating condition. On or before March 1, 1960 such person shall file with the motor bus inspector, bureau of police, a certificate of taximeter inspection showing that the taximeter has been inspected between March 1, 1958 and the date of such filing. After March 1, 1960, he shall thereafter file an additional certificate of taximeter inspection within each of two years following the last inspection date as filed. Such certificate of taximeter inspection shall contain the following information:

- (1) The identifying number of the taximeter;
- (2) The make, model and license number of the taxicab or out-patient car in which said taximeter is installed;
- (3) The name of the taxicab or out-patient car company and owner;
- (4) That said taximeter has been installed, inspected and approved as operating within the "limits of accuracy" as defined below by a qualified taximeter repair service;
- (5) The date of inspection.

(b) The motor bus inspector, bureau of police, shall have the right to order reinspection of a taximeter whenever he deems it necessary.

(c) For the purposes of this section "limits of accuracy" of a taximeter shall be plus or minus one hundred fifty feet in one mile and 5 seconds per a ten cent drop in waiting time. In the time provided for reinspection a deviation not greater than one percent per measured mile, or ten seconds per ten cent drop in waiting time is permitted.

7.76.320 Taximeter installation and charges regulated. Every taximeter shall be installed at the right side of the driver and at such height that the flag thereof may be readily seen by observers on the street. The reading face of such taximeter shall at all times be well lighted and readily discernible to the passengers riding in the taxicab or out-patient car. It is unlawful to change the size of the wheels or tires of any taxicab or out-patient car or the gears operating the said taximeter, or to change the taximeter from one taxicab or out-patient car to another unless such taximeter is reinspected and a certificate of taximeter inspection as outlined in Section 7.76.310 is filed with the motor bus inspector, bureau of police.

7.76.330 Proper use of taximeter flag. It is unlawful for any driver of a taxicab or out-patient car while carrying passengers or under employment to display the flag attached to the taximeter at such a position as to denote such taxicab or out-patient car is not employed, or to throw the flag of the taximeter at a recording position when such vehicle is not actually employed, or to fail to throw the flag of such taximeter at a nonrecording position at the termination of each and every service.

7.76.340 Vehicles to be inspected, kept clean and properly equipped.* All vehicles operating under authority of this chapter shall be inspected from time to time as provided by Section 16.28.010 by the motor bus inspector for the purpose of determining whether the same are clean, properly equipped, of good appearance, and in a safe condition for the transportation of passengers. The inspector shall, at the time of such inspection, determine for the guidance of the public the classification and capacity of the vehicle inspected. It is unlawful for any person to drive or operate, or engage in the business of operating such vehicle unless and until the same has been so inspected and approved.

7.76.350 Direct route to be traveled—Fares not charged when vehicle disabled. Any driver of a taxicab or out-patient car employed to carry passengers to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his

destination.

In the event any vehicle described in this chapter shall, while under employment, become disabled, or break down without fault of the passenger, the time of stoppage shall be deducted from the charge.

7.76.360 Receipt of fare given when. Whenever so demanded by the passenger, the driver in charge of a taxicab, for-hire car, or out-patient car, shall deliver to the person paying for the hiring of such vehicle at the time of such payment, a receipt therefor in legible printing or writing, containing the name of the owner and his address, the name of the driver and his permit number, the taximeter number, if the vehicle be a taxicab, or out-patient car, and an account of any and all items for which a charge is made, the total amount paid and the date of payment.

7.76.370 Refusal to pay fare. It is unlawful for any person to refuse to pay the regular fare for a motor vehicle licensed under this chapter after having hired the same.

7.76.380 Light baggage conveyed in taxicab. Every person being served by a vehicle under this chapter shall be entitled to have conveyed without charge such small valises or other light baggage as can be conveniently carried within the vehicle. He shall be entitled to have a small trunk carried thereon at a charge not to exceed twenty cents. Each driver shall load and unload such baggage without additional charge. Any person canceling a call for a taxicab after the cab has been dispatched in answer thereto shall pay a calling charge of not less than twenty-five cents. If any such vehicle is equipped for carrying heavier and larger articles a reasonable charge for carrying same may be collected.

7.76.390 Load limit. No driver of any motor vehicle under this chapter shall carry more than two persons in excess of the ordinary seating capacity for which such vehicle was designed and built. No more than two persons shall be permitted in the seat with the driver, nor more than one unless the seat is seventy-two inches or more long, but this shall not be taken to increase the permitted capacity of a taxicab, and no person or passenger shall be allowed to be or remain on the steps, or running board of

*See also Section 7.76.150.

any such motor vehicle while the same is in motion.

7.76.400 Schedule of rates to be filed. No person shall maintain or operate any for-hire vehicle, sight-seeing bus, limousine bus, or out-patient car, within the city or within a radius of three miles from the city limits without previously having filed with the council a schedule showing the maximum rates proposed to be charged for the service of such vehicle. The rates for for-hire cars shall not exceed four dollars per hour with fifty cents per hour extra for each passenger in excess of six and a minimum fee of one dollar shall be charged for any hire or engagement of such for-hire vehicle. The rates for sight-seeing or limousine busses shall not exceed one and one-quarter dollars per passenger for a continuous trip of approximately one and one-half hours and the flat rate amount for any regular scheduled trip shall be shown in such schedule. A duplicate of each such rate schedule shall be filed by the licensee in the office of the commissioner of public utilities. The council may fix the maximum rate for out-patient car service.

7.76.410 Rate cards to be displayed. The driver or operator of any vehicle under this chapter operating within the city and a three mile radius therefrom shall post and keep posted a copy or copies of such rates in accordance with the schedule filed with the council in a conspicuous place or places on such vehicle where such rates may be easily read by the passengers from both the inside and outside of such vehicle. Each copy of such rates shall be headed with the word "Rates" in letters not less than one-half inch in length and the text thereof shall be in letters of not less than twelve point type, printed, typed or painted on card board sheets not less than four by six inches in size. Such rates shall be tabulated so as to be easily read and understood, and no copy of rates shall be posted or used which has not been approved by the council as to the tabulation and schedule thereof. It shall be the duty of the chief of police to see that the tabulation of all rates is in such form as to be easily read and understood.

7.76.420 Change in rates. (Amended by Ord. No. 133858 passed Dec. 22, 1971, effective Jan. 22, 1972.) No charge shall be made in excess of the amount indicated by schedule of rates filed

with the council and posted in the vehicle, and no change in such schedule shall be made without first having filed with the council a new schedule showing the new rates. Such new schedule shall be filed with the council and a duplicate thereof filed with the commissioner of public utilities not less than thirty days prior to the date when such new rates are to take effect. Upon approval of a change in rates a rate card in accordance with the new schedule shall be posted as set forth in Section 7.76.410. No change in rates shall be permitted after July 1, 1972 unless the licensee presents to the City evidence of his financial results of operations for the preceding calendar or fiscal year in a form prescribed by the City. Such financial report shall be audited by a certified public accountant at the expense of the licensee.

7.76.430 Charge while empty. All such schedules of rates shall be framed so that no charge shall be made for traveling empty, whether going or returning.

7.76.440 Odometer or speedometer required. (a) It shall be the duty of the owner, lessee in possession or any other person having possession or control of a for-hire vehicle to keep such for-hire vehicle equipped with an accurate odometer or speedometer. The same shall be so placed as to enable the passenger or passengers easily to read the same. At night the driver shall carry a flashlight or other light, and throw the same upon such instrument so as to enable the passenger or passengers to read the same both at the time of starting and at the time of stopping, except where such vehicle is equipped with an illuminating device which throws a constant light upon such instrument when such vehicle is being employed after dark. On or before March 1, 1960, such person shall file with the motor bus inspector, bureau of police, a certificate showing that such odometer or speedometer has been inspected between March 1, 1958 and the date of such filing. After March 1, 1960 he shall thereafter file an additional certificate within each two years following the last inspection date as filed. Such certificate shall contain the following information:

(1) The identifying numbers of the odometer or speedometer;

(2) The make, model and license number of the for-hire vehicle in which the odometer or speedometer is installed;

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(3) The name of the owner of the for-hire vehicle:

(4) That the odometer or speedometer has been installed, inspected and approved as operating within the "limits of accuracy" as defined below by a qualified odometer or speedometer repair service.

(b) Every odometer or speedometer used on any for-hire vehicle shall be subject at all times to inspection and examination by the motor bus inspector, bureau of police.

(c) It is unlawful for any person to drive or operate or engage in the business of operating a for-hire vehicle, unless each of the for-hire vehicles be equipped with an odometer or speedometer in operating condition which has been duly inspected and for which a certificate evidencing inspection has been filed as required by this section.

(d) For the purposes of this section "limits of accuracy" of an odometer and speedometer is plus or minus one hundred fifty feet in one mile. In the time provided for reinspection a deviation not greater than one percent per measured mile is permitted.

7.76.450 Interference with distance or timing devices. It is unlawful for any driver of any vehicle under this chapter to manipulate the odometer, timepiece or any other device so as to cause a registration to be made of more time or greater distance than the correct amount of time and distance for the particular trip.

7.76.460 Overcharging. In any case of disagreement between the driver and passenger of any vehicle, under this chapter relative to the amount of fare to be paid, the driver shall convey the passenger to the nearest police station, and the officer in charge shall have authority, after hearing their statements, immediately to decide the matter. If the decision is in favor of the passenger, the driver shall convey the passenger from the police station to his original destination without additional charge. If the passenger is about to leave the city by railroad, steamboat or otherwise, the police officer on duty at the depot or wharf shall have the same power and authority as the officer in charge at the nearest police station and shall decide the matter.

7.76.470 Driver of another class of vehicle not to engage in taxicab business. Drivers of for-hire

cars, sight-seeing busses, limousine busses, or out-patient cars, shall not at any time engage in taxicab service. Drivers of for-hire cars, sight-seeing busses, limousine busses, shall not solicit patronage nor accept any multiple fare group, nor, at any time accept hire by a passenger until the passenger has been told that such service is not taxi service but on hourly rates. Drivers of out-patient cars shall not accept hire by a passenger until the passenger has been told that such service is for the special classes of persons unable or unwilling to use regular vehicles or who desire the special equipment of such out-patient cars.

7.76.480 Display of signs or names on vehicles. It is unlawful for any driver of a for-hire car to display any sign stating or implying that it is a taxicab or that the rates will be based upon the distance traveled. Whenever a for-hire car is not engaged or hired by some person, and during such time as the vehicle is open to engagement or hiring, there shall be displayed upon such vehicle a sign not less than eight by ten inches containing the words "For-Hire Car, hourly rates only," printed or painted thereon in letters at least one inch in height.

7.76.490 Certain contracts and offers prohibited. It is unlawful for any person engaged in operating motor vehicles under this chapter to make contact for such service at a greater price than any rate herein provided or in excess of any schedule filed and approved as herein provided. It is unlawful for any driver of such vehicle to make any tender or offer of any kind or character to any person by which any passenger shall be caused or expected to pay a sum of money for service greater than is provided by the rate or schedule filed and posted as set forth herein.

7.76.500 Information on sight seeing tour. In addition to the posted schedule of rates, a map, tracing or chart shall be available or displayed by the operator of any sight-seeing bus, showing the route of travel and points of interest thereon. It is unlawful for the driver of such sight-seeing bus to practice deception upon patrons by giving false information on any points of interest upon such route.

7.76.510 Maximum taxicab fares. (Amended by Ord. No. 133858 passed Dec. 22, 1971, effective Jan. 22, 1972.) The following schedule of rates shall be the maximum fare which shall be charged and collected for the transportation of passengers in taxicabs for trips within the city and within three airline miles from the city limits, and it is unlawful for any charge in excess thereof to be made:

(1) (Amended by Ord. No. 137825, passed and effective Feb. 14, 1974.) An initial charge of eighty cents, for which one passenger shall be entitled to transportation for a distance not to exceed one-sixth mile or fraction thereof, and/or waiting time of \$7.00 per hour or proportionate fraction thereof.

(2) (Amended by Ord. No. 137825, passed and effective Feb. 14, 1974.) Subsequent to the initial charge provided for in subdivision (1) the maximum rate shall be ten cents for each one-sixth mile or fraction thereof, waiting time subsequent to the initial charge provided in subdivision (1) shall be at the rate of \$7.00 per hour or proportionate fraction thereof.

(3) For each extra passenger, twenty cents additional charge.

(4) (Amended by Ord. No. 136365 passed Apr. 12, effective May 14, 1973.) Except as provided in (8), it is unlawful to charge or collect any fee on a flat or zone rate.

(5) Waiting time includes the time when the taxicab is not moving beginning with the time of arrival at the place to which the taxicab has been called, or the time consumed while the taxicab is standing or waiting at the direction of the passenger, or forced to stand because of prevailing traffic conditions. No charge shall be made on account of time lost on account of inefficiency of the taxicab or its operation, or time consumed by premature response to a call.

(6) (Amended by Ord. No. 136365 passed Apr. 12, effective May 14, 1973.) Except as provided for in (8), no charge shall be made for traveling without passenger unless the taxicab shall have been engaged for messenger or delivery service, in which event the rates applicable to a single passenger shall be the maximum charge therefor.

(7) Upon presentation of his "Honored Citizen Card" issued by the Tri-County Metropolitan Transportation District (Tri-Met) to the driver by a passenger, such passenger shall be entitled to ten percent discount on the fare.

(8) (Added by Ord. No. 136365 passed Apr. 12, effective May 14, 1973.) For the transportation of a person unable or unwilling to

drive a vehicle who requests that he be transported and a vehicle be driven for him, the rates shall be as follows:

A. When origin and destination are both within the City limits, a flat fee of \$10.00 or four times the regular meter rate, whichever is the lesser;

B. When either origin or destination is outside the city limits, but within three airline miles of the city limits, the maximum charge shall be four times the regular meter rate.

7.76.520 Multiple fare groups. It is unlawful for the driver of any taxicab or out-patient car who is engaged by any person within the city and three miles from the city limits to accept more than one passenger on the same trip, unless such passengers are a single party group and request that they be carried together. In the event that all the passengers of a taxicab or out-patient car constituting a single party group do request a trip together where different passengers are seeking to reach different destinations, then the driver shall drive by the most direct route to the destination of the passenger or passengers going the shortest distance and shall operate the taximeter as if this were his only fare; and then continuing the trip the driver shall drive by the shortest route to the destination of the passenger or passengers who go to the next nearest point of destination whereupon the driver shall operate the taximeter as a new and separate fare and then continue in the same manner until the entire trip is completed and all passengers are delivered and in cases where two or more passengers go to the same place, the fare shall be as for one passenger plus the additional passenger or passengers going to that same destination.

7.76.530 Special equipment for out-patient cars. (Amended by Ord. No. 134295 passed and effective Mar. 30, 1972.) In addition to mechanical features and the terms of this chapter any vehicle used or intended to be used as an out-patient car shall be equipped for such special service in accordance with the provisions of this section and the special equipment shall be approved by the chief of police before a license is issued for such vehicle:

(1) Each car shall have door openings with clearance of sufficient width to accommodate wheel chairs and stretchers.

(2) Each car shall be equipped with ramps or lifting devices for elevating wheel chairs from curb or sidewalk into vehicles.

(3) Each car shall be provided with adequate means of securing wheel chairs, stretchers or other devices to the inside of the vehicle and shall be equipped with safety belts for each passenger.

(4) In addition to side doors normally provided on the vehicle for ingress and egress of driver and passenger, a door shall be provided on each out-patient car located at the rear of the vehicle to be used as a method of escape in the case of emergency.

(5) A fire extinguisher shall be kept easily available in the vehicle.

(6) Each out-patient car shall have painted upon the exterior surface of both front doors and the rear of such vehicle so as to be plainly visible at all times the name of the licensee, the vehicle license number and identification of the transportation service provided.

(7) The vehicle shall carry first aid equipment and supplies as the city health officer may prescribe from time to time, and any vehicle used to transport any person in a recumbent position shall be equipped with suction apparatus and appropriate catheters, oxygen tank with appropriate regulators and tubing, oropharyngeal airways and face masks.

(8) There shall be at least two attendants in every vehicle that is used to transport recumbent persons, one of whom shall have basic and advanced first aid training and have successfully completed the Emergency Medical Technician training course (EMT) with standards established by the National Registry of Emergency Medical Technicians.

It shall be the city health officer's duty to enforce the requirements of subsection 7 and 8 of this section.

7.76.540 Inspection for sanitation. Every out-patient car operator shall at all times submit his out-patient car to inspection by the city health officer or his duly appointed assistants or inspectors. The city health officer hereby is authorized and empowered to inspect the same or cause inspection thereof to be made whenever and as often as he may deem proper. If, upon any inspection, he shall find an out-patient car operated, managed, or maintained in violation of the provisions of this chapter or any health or sanitation ordinances, rules and regulations of the city, the health officer hereby is authorized

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to suspend the operation of the out-patient car. In that event, he shall recommend to the city license director the revocation of any license issued for the operation or maintenance of such out-patient car, and the city license director shall transmit such report to the city council, recommending that a time be set for hearing and that the licensee be notified to appear to show cause why, if any, the license should not be revoked.

7.76.550 Inspection of special equipment on out-patient cars. Every out-patient car operator shall submit his vehicle to inspection by the chief of police or his duly appointed assistants or inspectors. The chief of police is hereby authorized and empowered to inspect the same or cause inspection thereof to be made whenever and as often as he may deem proper. If upon any inspection he shall find that such out-patient car is without any of the special equipment required in this chapter, or any such special equipment is not in good working order he hereby is authorized to suspend the operation of the out-patient car. In that event he shall recommend to the city license director the revocation of any license issued for the operation or maintenance of such out-patient car, and the city license director shall transmit such report to the city council, recommending that a time be set for hearing and that the licensee be notified to appear to show cause why, if any, the license should not be revoked.

Chapter 7.77

AMBULANCES

Sections:

- 7.77.010 Definitions.
- 7.77.020 Fees-Plates.
- 7.77.030 Application-Insurance.
- 7.77.040 Schedule of rates.
- 7.77.050 First aid equipment.
- 7.77.060 General inspection.
- 7.77.070 Drivers and attendants.
- 7.77.080 Inspection-Revocation.
- 7.77.090 Complaints.
- 7.77.100 Sanitation.
- 7.77.110 Reports.
- 7.77.120 Dispatching.
- 7.77.130 Suspension or revocation.

7.77.010 Definitions. As used in this chapter, the word "ambulance" means a vehicle specially designed, equipped and used for the transportation of sick, injured, infirm and/or convalescent persons; provided, however, that this chapter shall not apply to nonresident operators transporting persons from points without to points within the city or through the city.

The words "ambulance operator" mean any person who, as owner, agent or otherwise, furnishes, operates, advertises or otherwise professes to be engaged in the business of furnishing or operating ambulances.

7.77.020 Fees-Plates. Ambulance operators shall pay an annual license fee for each ambulance of two hundred dollars.

No provisional license shall be issued. However, upon the approval of the bureau of health and the motor bus inspector, a license once duly issued may be transferred to another qualified vehicle under the same ownership, upon proper application to the bureau of licenses and the payment of a transfer fee of one dollar.

In addition to the regular license issued, the city licenses director shall issue for each ambulance licensed by the city, a distinctive license plate or tag, or similar device, which shall be affixed by the operator to the ambulance so that it is plainly visible.

7.77.030 Application-Insurance. The application for ambulance license, in addition to general requirements, shall include the description by make, model and serial number of each ambulance sought to be licensed.

Each ambulance license application shall be accompanied by evidence that the applicant has in full force and effect public liability insurance including patients and/or passengers, in the sum of one hundred thousand dollars indemnity for bodily injuries to one person, three hundred thousand dollars indemnity for bodily injuries arising from any one accident, twenty thousand dollars property damage, and shall specifically cover the emergency operation of such a vehicle as an ambulance. The policy shall further provide that a thirty day notice shall be given the bureau of licenses before any alteration or cancellation of such insurance. The insurance shall be submitted to the office of the city attorney for approval as to form prior to the

APPENDIX A.3

ORDINANCE INCREASING TAXI FARES (SEPTEMBER 1979)
AND REVISING NEW ORDINANCE

ORDINANCE NO. 148477

An Ordinance amending Chapters 16.48.130 of the City Code to provide for an increase in the maximum rates chargeable by Taxicabs pending further study, establishing conditions and declaring an emergency

The City of Portland ordains:

Section 1. The Council finds:

1. Section 16.48.130 presently establishes maximum taxicab rates at the following level:
 - \$1.00 - flag drop for first 1/9 mile
 - \$0.10 - for each additional 1/9 mile
 - \$9.00 per hr. - waiting time
 - \$0.25 - extra passengers
 - \$3.00 (per person, minimum 3) - airport service
2. Persons operating taxicab companies have requested a rate increase.
3. Based on initial research by Price-Waterhouse Inc., a consulting firm hired to study the permanent rate question, a need does exist for some rate relief. (See attached interim study marked Exhibit "A")
4. There is presently, however, a lack of complete industry data necessary for Council to set permanent rates.
5. The industry has agreed to furnish all information requested by the City but indicates the preparation time creates an increased economic hardship on the drivers.
6. To relieve the industry of further negative economic hardship while the permanent rate study continues, an interim increase is justified.
7. The proposed interim rates are as follows:
 - \$1.00 - flag drop for first 1/12 mile
 - \$0.10 - for each additional 1/12 mile
 - \$12.00 - waiting time
 - \$0.50 - for each extra passenger
 - \$4.00 (per person, minimum 3 people) - airport service

NOW, THEREFORE, the Council directs.

Chapter 16.48.130 is hereby amended to read as follows:

16.48.130 Rates. (a) No change

(b) The rate schedule filed with the supervisor may contain special rates for zone fares, ride sharing, taxi pooling, jitney service, fixed route service or any other special services offered by the company. Each rate schedule shall also include a meter based fare that shall not exceed the maximum fare established in paragraph (c) of this section. The fare schedule shall also provide

(1) for trips wholly within the downtown area, the first passenger or passengers boarding a taxicab may elect to pay either the meter rate or the downtown flat rate. If they elect to pay the downtown flat rate, the taxicab driver may accept other passengers while enroute and may select the most direct route for delivering all passengers to their respective destinations. The downtown flat rate shall be One Dollar per passenger, unless specified otherwise by the supervisor by regulation. The taxicab driver shall orally inform passengers who board the cab in the downtown areas of the availability of the downtown flat rate prior to starting the meter;

(2) for trips between the downtown area and Portland International Airport in either direction, the passenger or passengers may elect to pay either the meter rate or the airport flat rate. The airport flat rate shall be Four Dollars per person, with a minimum of three people, unless specified otherwise by the supervisor by regulation. Fewer than three passengers may elect to pay the three-person fare. The taxicab driver shall orally inform passengers qualified for the airport flat rate of its availability prior to starting the meter, and shall not misrepresent the estimated meter rate.

(c) The following schedule of rates shall be the maximum fare which shall be charged and collected for the transportation of passengers in taxicabs for trips within the city and within three airline miles from the city limits.

(1) An initial charge of One Dollar, for which one passenger shall be entitled to transportation for a distance not to exceed one-twelfth mile or fraction thereof, and/or waiting time at a rate of \$12.00 per hour or proportionate fraction thereof.

(2) Subsequent to the initial charge provided for in subdivision (1) the maximum rate shall be Ten Cents for each one-twelfth mile or fraction thereof, waiting time subsequent to the initial charge provided in subdivision (1) shall be at the rate of \$12.00 per hour or proportionate fraction thereof.

(3) For each extra passenger, Fifty Cents additional charge.

- (d) No change
- (e) No change
- (f) No change
- (g) No change

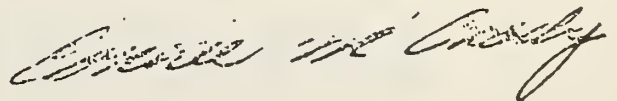
ORDINANCE No.

- (h) No change
- (f) No change
- (j) No change
- (k) No change

Section 2 The Council declares that an emergency exists because a delay in granting the interim increase will continue to severely impact the economic vitality of the Taxicab Industry; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

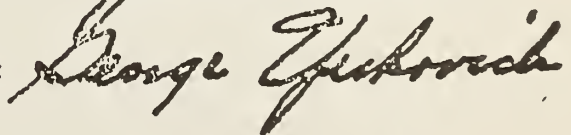
Passed by the Council, SEP 20 1979

Commissioner Ivancie
S.Cooper:mm
September 14, 1979



Mayor of the City of Portland

Attest:



Auditor of the City of Portland

APPENDIX A.4

CITY OF PORTLAND FORMS USED IN LICENSING TAXICABS

CITY OF
PORTLAND

1979
TAXICAB DRIVER
PERMIT # _____

Name

Birthdate

Sex

Height

Weight

TAXICAB OPERATION PERMIT

COMPANY

VEHICLE LICENSE PLATE #

OWNER

OWNER

CAB # _____

NON-TRANSFERABLE

VALID 1-1-79 to 12-31-79

PHOTO

TAXICAB DRIVERS PERMIT
Application
City of Portland

Approved	Supervisor/ Date
Permit #	
Renewal: Yes	No
Currently	
Driving for	
Date Submitted	

(All information submitted will be held confidentially)

I. PERSONAL

Name _____
 Last First Middle Date

Residence Address _____
 City State Zip

Residence Phone No. _____
 Date of Birth _____
 Place of Birth _____
 Social Security Number _____

Height _____
 Weight _____
 Color eyes _____
 Color hair _____

II. VEHICLE LICENSES

Oregon Motor Vehicles License No./Expiration Date	Oregon Chauffer's / Expiration License No. Date
_____	_____
	Chauffer's Date Issued

III. HISTORY, EMPLOYMENT (LAST THREE (3) JOBS, MOST CURRENT LIST FIRST)

1. Date Started: _____
 Date Left: _____
 Employer _____

Employer Address _____
 City/State _____ Zip _____ Phone _____

Position: _____ Supervisor: _____

Reason for Leaving: _____

2. Date Started: _____
 Date Left: _____
 Employer _____

Employer Address _____
 City/State _____ Zip _____ Phone _____

Position: _____ Supervisor: _____

Reason for Leaving: _____

3. Date Started: _____
 Date Left: _____
 Employer _____ Phone _____

Employer Address _____
 City/State _____ Zip _____

Position: _____ Supervisor: _____

Reason for Leaving: _____

(Please continue on other side)

IV. PERSONAL HISTORY

1. Have you ever driven a taxicab previously? Yes _____ No _____

If so, where and for whom. (Last two taxicab employment periods)

(a) Date: From _____ To _____
Company _____

Business Address _____ City/State _____ Zip _____ Phone _____

Reason for leaving _____

(b) Date: From _____ To _____
Company _____

Business Address _____ City/State _____ Zip _____ Phone _____

Reason for Leaving _____

2. Have you ever had a taxi drivers permit that was revoked? Yes _____ No _____
If yes, please indicate date of revocation, for what offense, and in what city, county, and state:

3. Have you ever had an application for a taxicab drivers permit rejected by any city, county, or state jurisdiction? Yes ___ No _____. If so, please indicate date of rejection, for what reason, and in what city, county, and state:

4. Within the last seven years, have you been convicted for a violation of the law other than minor traffic violations? Yes _____ No _____. If yes, please indicate date of conviction, for what crime, and in what city, county, and state where offense occurred:

5. Within the last three years, have you been convicted for violation of ANY traffic laws? Yes _____ No _____. If yes, please indicate date of conviction, for what violation, and in what city, county, and state where offense occurred:

I CERTIFY ALL STATEMENTS CONTAINED HEREIN ARE TRUE TO THE BEST OF MY KNOWLEDGE. FALSE INFORMATION SUBMITTED BY APPLICANT SHALL BE CONSIDERED GROUNDS FOR REJECTION OR REVOCATION OF CITY OF PORTLAND TAXI CAB DRIVERS PERMIT.

Signature _____

Date _____

Permit Fee \$10.00 Annually
Please make check payable to: City Treasurer

APPENDIX B.1

PORT OF PORTLAND FORMS USED IN LICENSING TAXICABS

TAXICAB USE PERMIT

between

THE PORT OF PORTLAND

and

at

PORTLAND INTERNATIONAL AIRPORT

I N D E X

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TAXICAB USE PERMIT

THE PORT OF PORTLAND, a municipal corporation of the state of Oregon, hereinafter referred to as Port, hereby authorizes _____, hereinafter referred to as Taxicab Company, to use the Port property described herein for the purposes and subject to the conditions set forth herein, until such time as this Permit shall be cancelled and terminated by the Port upon written notice.

W I T N E S S E T H:

ARTICLE I - DEFINITIONS

"Airport Management" as that term is used herein shall mean the Executive Director or Deputy Executive Director of the Port, Aviation Director, Airport Manager, Airport Operations Manager, or other duly authorized representative thereof.

"Airport" as that term is used herein shall mean the land and facilities known as the Portland International Airport.

"Airport Roadways" as that term is used herein shall mean those portions of the Airport designated by the Port for use by Taxicabs under this Permit and upon compliance with such rules and regulations as the Port may from time to time prescribe.

"Taxicab" as that term is used herein shall mean any motor vehicle that is equipped with a taximeter and authorized by the City or Public Utilities Commission to transport passengers for hire.

"Taximeter" as that term is used herein shall mean a mechanical instrument or device by which the charge for hire is calculated, either for distance traveled or for waiting time, or for both, and upon which charges shall be indicated by figures.

"Taxicab Parking Area" as that term is used herein is that area at the Airport set aside exclusively for Taxicabs as shown on Drawing No. PIA 75-102, which is attached hereto and by this reference made a part hereof.

"Taxicab Company" as that term is used herein shall mean any person, partnership, or corporation acting or purporting to act on the behalf of or in the interest of the person, partnership, or corporation to whom this Permit is issued.

ARTICLE II - TAXICAB OPERATION

Section 2.01 - Quality of Service: The Taxicab Company shall operate its Taxicabs while on the Airport in a manner designated to render to the users thereof high quality service. The Airport Management shall have the right to call to the attention of the Taxicab Company or its drivers, any defects or deficiencies in the quality of service rendered or in the operation of its Taxicabs at the time such defect or deficiency occurs, which shall be promptly corrected by the Taxicab Company.

Section 2.02 - Right to Accept Passengers: No Taxicab of the Taxicab Company shall accept passengers at the Airport unless it shall:

A. Proceed to the Taxicab Parking Area as soon as possible after arrival at the terminal building.

B. Assume the proper position in the Taxicab Parking Area.

C. Depart from the Taxicab Parking Area only when so authorized by a prospective passenger, starter, Port representative or other Port-authorized means.

D. Deposit Fifty Cents (\$0.50) in the meter of the automatic coin-operated gate located at the exit of the Taxicab Parking Area.

Section 2.03 - Taxicab Parking Area Operation: A maximum of six (6) cabs will be permitted in Parking Area No. 1. Of these six (6) cabs, two (2) may be in front of the gate arm. The order of these cabs for passenger loading will be in the order of arrival.

When taxi Parking Area No. 1 becomes filled to capacity, additional Taxicabs shall wait in the area at the east end of the long-term paid parking lots as described in Drawing No. 75-102, hereto attached. If there are cabs waiting in Parking Area No. 2, they will wait in a first-come first-serve system.

Any dispute between companies concerning the proper position of any Taxicab shall be subject to final settlement by the Airport Management. Such settlement shall be conclusive and binding on all parties concerned.

Section 2.04 - Taxicab Stand Gate Charge: The taxicab stand gate charge is paid by the Taxicab Company for the right to pick up passengers on the Airport. The Taxicab Company shall not misrepresent to any passenger the nature of the charge as herein defined.

Section 2.05 - Driver's Conduct: The drivers of the Taxicabs in Parking Area No. 1 shall at all times, until engaged for hire, remain in the operator's seat of their vehicles or outside and within five (5) feet of their vehicles. The drivers shall at no time obstruct vehicular or pedestrian traffic.

The Port reserves the right to expel and thereafter exclude from the Airport any driver or other representative of a Taxicab Company considered by the Port to be objectionable and contrary to the best interest of the Port.

Placing, throwing, or dropping of waste, refuse, or rubbish upon the ground or roadways of the Airport is prohibited. The Airport Management shall have the right to require such taxicab drivers as are then present to clean and restore such taxicab stand area to a clean and sanitary condition if the Airport Management believes the conduct of the drivers

has materially contributed to an unclean or unsightly condition. The drivers shall conduct themselves at all times while on the Airport in an orderly and proper fashion acceptable to the Port.

Section 2.06 - Solicitation, Inducement or Encouragement of Passengers: The Taxicab Company and its drivers shall not solicit, induce, or encourage the acceptance of passengers by any visual or manual device or other manifestation deemed improper by the Port.

Section 2.07 - Discharge of Passengers: All Taxicabs may discharge their passengers in accordance with the passenger's request; provided, however, that no new passengers may be accepted at the Airport until the Taxicab shall have complied with Article II, Section 2.02 herein.

Section 2.08 - Rules and Regulations: The Port shall have the right to adopt and enforce reasonable rules and regulations with respect to the use of the Airport, terminal building, and related facilities, which the Taxicab Company agrees to observe and obey.

ARTICLE III - CANCELLATION

Provided always, this entire Permit is upon this condition, that if the Taxicab Company shall fail to pay the taxi stand gate charge prior to picking up passengers, or if said Taxicab Company shall fail or neglect to do or perform or observe any of the conditions contained in this Permit on its part to be kept and performed, or if said Taxicab Company shall fail or neglect to do so or perform or observe any of the rules or

regulations duly adopted by the Port, and such failure or neglect shall continue after the Port has notified the Taxicab Company in writing of the Taxicab Company's default hereunder and the Taxicab Company has failed to correct such defaults, or if the Taxicab Company shall be declared to be bankrupt or insolvent according to law, or if any assignment of its property shall be made for the benefit of creditors, then in such cases or events the Port may cancel and terminate this Permit.

ARTICLE IV - INDEMNITY

Section 4.01 - Indemnity: The Taxicab Company assumes responsibility for the safe and proper carriage and delivery of passengers, their baggage, and personal effects hereunder and agrees to indemnify and hold the Port harmless from and against any and all liabilities, demands, claims, suits, losses, damages, cause of action, fines or judgments, including costs, attorneys and witness fees and expenses incident thereto, or injuries to persons (including death) and for loss, damage to, or destruction of property arising out of or in connection with the operations permitted hereunder unless caused by the gross negligence or willful misconduct of the Port. In the event that any claim or demand is made or suit is commenced against the said Port, the Port shall give prompt written notice thereof to the Taxicab Company.

Section 4.02 - Licensing and Regulations: The Taxicab Company shall observe all laws and regulations which apply to the business performed by it hereunder and shall at its own expense, procure and maintain in effect

all licenses or permits for federal, state, municipal or other government authorities which may lawfully be necessary to enable the Taxicab Company to furnish the service required hereunder.

ARTICLE V - ASSIGNMENT

The Taxicab Company shall not assign any right granted in this Permit or any interest therein without the written consent of the Port being first obtained.

ARTICLE VI - NONWAIVER

Any waiver of any breach of conditions herein contained to be kept and performed by the Taxicab Company shall not be deemed or considered as a continuing waiver and shall not operate to bar or prevent the Port from cancelling and terminating this Permit for any succeeding breach, either of the same condition or otherwise.

ARTICLE VII - NOTICES

Notices to the Port provided herein shall be sent by certified mail, postage prepaid, addressed to the Executive Director, The Port of Portland, P. O. Box 3529, Portland, Oregon 97208. Notices to the Taxicab Company shall be sent by certified mail, postage prepaid, addressed to

The parties may from time to time designate other addresses by giving written notice thereof to the other party.

ARTICLE VIII - SECURITY

Taxicab Company recognizes its obligations to comply with Federal Airport Security regulations. The Taxicab Company will reimburse the Port in full for any fines or penalties levied against the Port for security violations as a result of any actions on the part of the Taxicab Company, its agents, suppliers, guests, customers or employees or any violation occurring at any field access point under the control of the Taxicab Company.

The term of this Permit shall commence on the _____ day of _____, 1979, and shall continue on a month-to-month basis.

TAXICAB COMPANY

THE PORT OF PORTLAND

By _____

By _____

By _____

By _____

APPROVED AS TO FORM

Counsel for
The Port of Portland

L1E-R:L/I

5/9/79

REPORT OF NEW TECHNOLOGY

The work performed under this contract, while not leading to any new inventions or patents, has provided new information on the background and implementation of taxicab regulatory and administrative revisions. These research findings will be useful to other communities throughout the United States in the planning of improved transportation services.

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Taxi regulato
Portland, Or

Arlington Central

Form DOT F 1720.2
FORMERLY FORM DOT F

DOT LIBRARY



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