

CITY COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES

January 29, 2015

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:05 p.m. in the Conference Room on the 29th day of January, 2015, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmember Holman, Miller, Williams, and
Chairman Jungman

ABSENT: None

STAFF PRESENT: Ms. Susan Connors, Director of Planning and
Community Development
Mr. Jim Maisano, Deputy Police Chief
Mr. Shawn O'Leary, Director of Public Works
Ms. Jeanne Snider, Assistant City Attorney
Mr. Mike White, Fleet Maintenance Superintendent
Ms. Syndi Runyon, Administrative Technician IV

OTHER GUESTS PRESENT: Councilmember Kyle Allison
Ms. Karlene Smith, Marketing Specialist for Cleveland
Area Rapid Transit (CART)

Item 1, being:

CART RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED SERVICE FOR THE MONTH OF
DECEMBER, 2014.

Ms. Karlene Smith, Planner and Grant Specialist, Cleveland Area Rapid Transit (CART), highlighted the CART ridership report for December, 2014. She said fixed route ridership was up 6% with the most dramatic increases on the Lindsey East and West and Research routes. She said 309 CART riders traveled with their bicycles and 37 passengers used wheel chairs. She said CARTAccess ridership has increased 4% while Zone 2 trips continue to decline.

Ms. Smith said CART implemented changes discussed in previous meetings that include extending service an additional hour to 10:00 p.m. for the three main routes; modifying the Alameda/East Norman route; moving the bus stop at Halley Avenue and Lexington Street closer to the YMCA to provide better access; and allowing CARTAccess passengers to ride the fixed route for no charge. The University of Oklahoma (OU) and the YMCA are working together to create an ADA accessible stop with a sidewalk to tie into the existing sidewalk. She said CART has begun distributing identification cards to CARTAccess passengers who are able to ride fixed route buses. Ms. Smith said CART promoted the changes with advertisements and news articles in the OU Daily and The Norman Transcript as well as placing information on CART's website, Facebook, and Twitter pages.

Item 1, continued:

Ms. Smith said CART will install three bicycle repair stations and 15 bicycle racks on the OU Campus in March. The repairs stations will be located at the Brooks Street Transfer Station, Research Campus, and the City Hall Complex. CART is also working with the City of Norman and the Bicycle Advisory Committee to install a bus end wrap to promote a “Share the Road” message.

CART has identified \$131,209 in unused grant funds that OU will use to purchase replacement CARTAccess vehicles later this year and CART is also purchasing two new 35 foot Compressed Natural Gas (CNG) buses scheduled to arrive in September.

Items submitted for the record

1. Cleveland Area Rapid Transit Ridership Totals for the Month of December, 2014
2. Cleveland Area Rapid Transit (CART) Monthly Report, December, 2014
3. Flyer entitled “CART. We connect you”

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Item 2, being:

CONTINUED DISCUSSION REGARDING A PROPOSED ORDINANCE REGULATING TRANSPORTATION NETWORK COMPANIES SUCH AS UBER AND LYFT AS WELL AS OTHER AMENDMENTS TO THE CITY OF NORMAN PUBLIC TRANSPORTATION ORDINANCE.

The Community Planning and Transportation Committee (CPTC) met on November 24, 2014, to review the City’s public transportation ordinance and discuss whether or not the Committee would like to consider establishing regulations for Transportation Network Companies (TNC’s) such as Uber and Lyft. TNC’s enable passengers to request transportation network vehicles services through a digital platform. These digital based companies operate through a smartphone application that connects people who needs rides with drivers.

In the November meeting, the Committee requested Staff review ordinances from other cities currently regulating TNC’s and prepare a draft ordinance to bring back for further Committee discussion. Staff was also asked to review current regulations for taxicabs, motorbuses, and limousines to determine if some of the existing regulations were excessive and, if so, include language to consider amending some of those regulations as well.

Some of the cities included in Staff’s review of ordinances and regulations concerning TNC’s include Oklahoma City and Tulsa, Oklahoma; Dallas, Austin, Houston, and San Antonio, Texas; Baton Rouge, Louisiana; Cincinnati, Ohio; Seattle, Washington; Washington D.C.; State of California; and State of Colorado.

Ms. Brenda Hall, City Clerk, highlighted specific areas of interest mentioned in the November meeting as follows:

- Identification of vehicles
- Appropriate insurance coverage
- Driver background checks
- Drug and Alcohol Policy
- Unaccompanied minors (riders)
- Review taxicab/motorbus/limousine regulations to see if there may be areas that need to be adjusted

Item 2, continued:

Ms. Hall said proposed amendments to the existing ordinance include removing the requirement that companies be open 24 hours; removing the requirement for a financial status, unpaid judgments including the nature of the transactions set to the transactions; adding a requirement for submission of a Drug and Alcohol Policy; removing submission of an annual report in February; removing requirement for every taxicab to be painted the same color scheme; and updating standard equipment requirements, e.g., tire tread depth minimum from 2/32-inch to 3/32-inch, adding tail and brake lights, no cracks in driver's view of windshield greater than six inches, and safety belts.

Ms. Hall gave a brief explanation of how TNC's operate as follows:

- Transportation Network Company is defined as a company that enables passengers to request transportation network vehicle services only through a digital platform
- Drivers apply to participate in the digital network using their personal vehicles – No street hails
- Riders register through a digital application (app) and request rides through the digital app
- Riders credit cards are charged – no cash is exchanged during the rides

She highlighted proposed City of Norman TNC regulations as follows:

- Registration with the Secretary of State to conduct business in the state
- Drug and Alcohol Policy
- Proof of insurance – vehicle owner's personal insurance must meet minimum state requirements, TNC shall provide an additional \$1 million per incident from the moment a TNC driver accepts a ride request until the rider exits the vehicle
- Marking or insignia identifying the vehicle as a TNC vehicle
- Drivers – valid Oklahoma driver's license, proof of vehicle registration, proof of insurance
- Rates and charges shall be posted in the TNC digital platform or the internet at all times in a place clearly visible to the person requesting the service prior to the service having been booked
- Local and National criminal background checks for drivers
- Inspections of TNC vehicles by Automotive Service Excellence (ASE) certified mechanic (same equipment with the exception of a taximeter)
- Maintain records for review by City Clerk

Councilmember Miller asked why the insurance required for TNC's is higher than what is required for taxicabs and Ms. Hall said that amount is standard across the nation and TNC's are willing to meet that requirement. She suggested insurance requirements for taxicabs not be changed at this time, but agreed it was probably insufficient.

Ms. Hall said TNC license fees are proposed to be tiered as follows:

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|------------------------|---------|
| • 10 or few drivers | \$ 300 |
| • 11 to 40 drivers | \$ 750 |
| • 41 to 70 drivers | \$1,500 |
| • More than 70 drivers | \$2,000 |

Ms. Hall said some cities charge a flat rate no matter how many vehicles are operating and Oklahoma City charges a per vehicle rate.

Chairman Jungman asked if TNC's would be required to provide information on each driver to the City and Ms. Hall said that paperwork could be very voluminous so draft language states the information would be provided to the City Clerk upon request in the case of a complaint or accident.

Item 2, continued:

Councilmember Allison asked if TNC vehicles would be required to display a decal or insignia and Ms. Hall said a window decal or sticker is being proposed for each unit and those decals/stickers could be provided by the City if that is the Committee's desire. Chairman Jungman and Councilmember Williams said they would like the City to provide the decal/sticker.

Councilmember Allison asked how many active Uber drivers are in Norman and Mr. Adam Dries, General Manager for Uber, said there are several hundred Uber drivers in the metro area.

Chairman Jungman asked if the proposed TNC rates were sufficient to cover the costs of decals/stickers and Ms. Hall said Staff has not looked at those costs and will need time to research costs as well as styles of decals/stickers.

Councilmember Williams asked if the Corporation Commission licenses TNC's and Ms. Hall said not at this time and from conversations with the Corporation Commission, they are not planning to regulate TNC's anytime soon. She said the language was placed in the ordinance in case the Corporation Commission does decide to regulate TNC's in the future.

Councilmember Williams asked about language in Section 12-2009(c)(7) that states, "No persons driving a transportation network vehicle shall while on duty charge and collect more fare than acknowledged by the party requesting the ride at which time the terms of service were accepted by the requesting party on the digital platform." He knows there are transportation services that have peak rates and asked if this was really a problem with TNC's charging higher fares other than at peak times of demand and Ms. Hall said the language was included to protect the public because there have been stories across the nation regarding unexpected surcharges; however, she downloaded the Uber app to better understand the technology and on New Year's Eve at 9:30 a.m. she received an email from Uber stating that rates would be higher from 12:30 a.m. to 2:00 a.m. on January 1, 2015. She felt this was sufficient notification to riders that a higher rate would be charged for a specific period of time and if riders did not want to pay the surcharge, they would need to request a ride prior to or after that time period.

Ms. Hall said she heard personal testimony from the Norman Convention and Visitor's Bureau (NCVB) that taxi waiting times are an hour or longer during peak times (OU game days) and TNC's could be helpful in alleviating that wait time.

Ms. Hall said the final ordinance will have language stipulating that TNC drivers must identify themselves as a TNC driver to police officers if stopped for a traffic violation. Councilmember Allison asked the time limit for a reprimand to the company if a driver is in violation and Ms. Hall said if the driver violates the law, the police take action immediately. She said the City Clerk can also hold a review board to determine if the driver's permit will be revoked or suspended. She said the review board consists of the City Clerk, a City Attorney, and a representative from the Police Department.

Councilmember Miller said everything the Committee asked Staff to address in the November meeting seems to have been addressed and she is happy with the draft ordinance.

Councilmember Williams asked about information regarding unaccompanied minors and Ms. Hall said she will need additional time to visit with the Legal Department on that language. Chairman Jungman asked Ms. Clyda Teegerstrom, Yellow Cab of Norman, how her taxi company handles rides for unaccompanied minors and Ms. Teegerstrom said the parents usually arrange and pay for the ride and to her knowledge, a minor has never called for a ride themselves. Councilmember Williams asked Mr. Dries how Uber handles transportation of unaccompanied minors and Mr. Dries said riders must be 18 years old to use the app, but he would need to review those regulations and follow-up with the Committee on Uber's procedures, if any, for unaccompanied minors.

Item 2, continued:

Mr. Bobby Stevens, Post Office Box 6226, asked if taxi companies work on rotation similar to towing companies and, if so, can a police officer flag down a Uber driver or call a Uber driver to give an intoxicated person a ride home and Ms. Hall said taxi companies are not on a rotation schedule and TNC rides must be requested by the rider through the digital platform and payment secured by a credit card prior to the rider being picked up. She said a police officer would not be able to use the app to obtain transportation for someone needing it nor would they be able to flag down a TNC driver.

Ms. Teegerstrom asked how the City is going to enforce all the TNC regulations since TNC's are currently operating illegally and breaking the rules. She said the City should worry about these companies operating unsupervised. Chairman Jungman said decals/stickers will help identify TNC's, which will help in regulating the companies.

Chairman Jungman asked if the Committee would like to discuss the draft ordinance one more time before moving it forward to full Council in a study session or conference and the Committee said yes. Chairman Jungman asked Staff to place that on the next Committee agenda at their convenience.

Items submitted for the record

1. Memorandum dated January 23, 2015, from Brenda Hall, City Clerk, Council Community Planning and Transportation Committee
2. Draft ordinance
3. PowerPoint presentation entitled, "Public Transportation, Transportation Network Companies," Community Planning & Transportation Committee, January 29, 2015

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Item 3, being:

MISCELLANEOUS PUBLIC COMMENT.

Chairman Jungman said the meeting time for the CPTC is very difficult for him to attend and asked the Committee if they would prefer to meet at 4:00 p.m. or 5:30 p.m. instead of 5:00 p.m. and the Committee's consensus was 4:00 p.m. Chairman Jungman asked Staff to change the meeting time on future agendas.

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The meeting adjourned at 5:58 p.m.

Attest:

City Clerk

Mayor