

ORDINANCE NO. 26-07

**AN ORDINANCE ADOPTING CERTAIN PROVISIONS DEALING WITH THIS ISSUANCE OF
TRANSPORTATION NETWORK COMPANY LICENSES.**

THE CITY OF ASTORIA ORDAINS AS FOLLOWS:

Section 1.

TRANSPORTATION NETWORK COMPANIES

8.615. Definitions.

The following words, terms, and phrases, have the meanings described below when used in this chapter:

- A. Digital network means an internet-enabled platform or application used to connect passengers with TNC drivers Driver means any individual natural person who operates a vehicle for hire within the City.
- B. License means the written form of permission required to operate a business or pursue a vocation as required by this chapter.
- C. Manager means the Astoria City Manager and includes those persons authorized by the City Manager to perform the designated function,
- D. Operate a TNC in the City of Astoria means a TNC uses its digital network to connect a TNC driver to a passenger for a trip originating in the City of Astoria.
- E. Operate as a TNC driver in the City of Astoria means a TNC driver accepts a trip request over a TNC's digital network that originates in the City of Astoria.
- F. Person, as used in this section, includes individuals, and any form of organization including but not limited to corporations, associations, firms, partnerships, and limited liability companies.
- G. TNC driver means an individual who uses a personal vehicle to provide transportation services arranged through a TNC's digital network.
- H. Transportation network means one or more vehicle for TNC drivers working as independent contractors, utilizing a digital dispatch system, and using personal motor vehicles in the provision of transportation services.
- I. Transportation network company or TNC means a person that operates or facilitates a transportation network.
- J. Transportation network vehicle means a personal motor vehicle which is used as a vehicle for hire and is part of a transportation network.

8.620.Occupational Tax Compliance required.

- A. It is a violation of this chapter for any TNC to operate in the City of Astoria without complying with the General Occupation Taxing requirements of Astoria Code §8.000-8.035.
- B. It is a violation of this chapter for any TNC driver, who is an independent contractor affiliated with a TNC, to operate in the City of Astoria complying with the General Occupation Taxing requirements of Astoria Code §8.000-8.035. It is the responsibility of the TNC to communicate this requirement to TNC drivers.

C. TNC drivers must keep proof of their compliance with the General Occupation Taxing requirements of Astoria Code §8.000-8.035 in their vehicle when logged on and accepting rides from the TNC's digital network. It is the responsibility of the TNC to communicate this requirement to TNC drivers.

D. Except as described in subsections B and C of this section, the TNC shall have no obligations as to TNC's driver compliance with the General Occupation Taxing requirements of Astoria Code §8.000-8.035.

8.625. License Issuance.

A. It is a violation of this chapter for any TNC to operate in the City of Astoria without a current and valid City of Astoria TNC license.

B. The Manager may issue a TNC license; provided, that the TNC applicant submits an affidavit sworn under penalty of perjury, on a form provided by the city, that to the best of the applicant's knowledge, formed after a diligent inquiry into the facts, the TNC is in full compliance with this chapter, including, but not limited to, all driver, vehicle, insurance, and operational requirements.

C. The TNC license shall be effective for one year.

D. The annual TNC license fee shall be inserted into the Fee Schedule and established by Resolution by the Astoria City Council and shall be paid in full at the time of submitting all initial and renewal applications.

8.630. TNC License Required.

A. It is a violation of this chapter for any TNC to operate in the City of Astoria without a current and valid City of Astoria TNC license.

B. The Manager may issue a TNC license; provided, that the TNC applicant submits an affidavit sworn under penalty of perjury, on a form provided by the city, that to the best of the applicant's knowledge, formed after a diligent inquiry into the facts, the TNC is in full compliance with this chapter, including, but not limited to, all driver, vehicle, insurance, and operational requirements.

C. The TNC license shall be effective for one year.

D. The annual TNC license fee shall be inserted into the Fee Schedule and established by Resolution. and shall be paid in full at the time of submitting all initial and renewal applications.

8.635.TNC Driver requirements.

A. TNC drivers shall certify that they have no known physical or mental infirmity which jeopardizes their ability to safely operate as a TNC driver transporting the public.

B. TNC drivers may only be a natural person and shall be at least twenty-one years old. An autonomous driving system, automated driving system, artificial intelligence system, or similar technology—including technology used to operate a motor vehicle without onboard human control—is not an individual.

C. TNC drivers shall possess a valid Oregon State driver's license and shall have been continuously licensed as a driver by the state of Oregon and/or another state for at least one year immediately prior to operating as a TNC driver in Astoria. A home state driver's license with active military ID or student ID with proof of full-time enrollment and nonresident status may be an acceptable alternative, subject to review and approval.

D. TNC drivers shall certify that they have insurance that meets minimum liability requirements for the State of Oregon, including insurance coverage for use of the vehicle for transportation of

passenger for-hire as required by this chapter as enacted or amended.

E. TNC drivers shall not have been convicted or found to have committed three or more moving violations during any twelve-month period during the three years prior to operating as a TNC driver in Astoria.

F. TNC drivers shall possess proof of motor vehicle registration and proof of current automobile liability insurance. The TNC shall certify that all drivers have insurance that meets the requirements of this chapter, including insurance coverage for use of the vehicle for transportation of passengers for-hire as required by this chapter as enacted or subsequently amended.

8.640. TNC Requirements.

A. The TNC or its agent shall maintain accurate and up-to-date records for all TNC drivers accessing its digital network to provide TNC services in the City of Astoria. Said records shall include the driver's name, age, address, social security number, criminal history, driver's license, motor vehicle registration, vehicle safety inspection records, and proof of at least the minimum automobile liability insurance coverage required by the state of Oregon, including insurance for use of the vehicle for transportation of passengers for-hire as required by this chapter as enacted or subsequently amended.

B. Prior to permitting a person to act as a TNC driver on its digital network, and annually thereafter, the TNC shall obtain and review a criminal background check report for such person. The criminal background check shall include a search of no less than five years of database history, unless prohibited by law, in which case the duration of the search shall be the maximum number of years permitted by law. The criminal background check shall include local, state, and national criminal history databases and national and state sex offender registries. Any person who is on a sex offender registry or who has a criminal conviction, within the past five years, of crimes involving driving under the influence of alcohol or controlled substances, felony fraud, sexual offenses, felony property damage or theft, acts of violence, acts of terror, reckless driving or negligent driving, or use of a motor vehicle to commit a felony, shall not be permitted to act as a TNC driver on the TNC's digital network. The TNC or its agents shall maintain records of such criminal background checks for a period of two years. For purposes of this section, the term "criminal conviction" includes a conviction and bail forfeitures.

C. The TNC shall only permit an individual to act as a TNC driver on its digital network if it finds that the standards set forth in this section are met by such individual. The TNC shall revoke a driver's authority to act as a TNC driver on its digital network if the standards set forth in this section are not met.

8.645. Insurance requirements.

A. TNCs shall comply with the insurance requirements of this chapter and provide certificates of insurance naming the City, its officers, agents, and employees as additional insured parties and give at least 30 calendar days' notice to the City before a policy is canceled, expires, or has any reduction in coverage.

B. Insurance requirements of this section shall be satisfied by insurance issued by a licensed insurer or an eligible surplus lines insurer in the State.

C. The insurance limits for TNCs are subject to statutory changes as to maximum limits of liability imposed on municipalities of the State during the permit's term, or other statutory changes.

D. The adequacy of insurance coverage is subject to the review and approval of the City.

E. Every TNC shall maintain continuous, uninterrupted coverage for the duration of the license and any operations in the City. Any lapse in insurance coverage, even if it is later backdated by the insurance company, is a violation this section.

F. TNCs shall secure and maintain commercial general liability insurance with limits of not less than \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate for claims arising out of, but not limited to, bodily injury and property damage incurred while operating in the City.

G. TNC service periods defined:

1. Period 1. The TNC Driver has logged into the App or is otherwise connected to the TNC's digital network but has not yet accepted a request for a ride from a passenger (for example, the App is open and the driver is waiting for a match).
2. Period 2. A passenger match has been accepted, but the passenger is not yet picked up (for example, the driver is on the way to pick up the passenger).
3. Period 3. The passenger is in the vehicle.

H. Upon City request or as part of an application, TNCs shall provide proof of current valid insurance for City approval covering all affiliated TNC drivers and vehicles for hire operating for such company and satisfying the minimum requirements of Periods 1, 2, and 3.

I. All TNCs shall maintain and provide the City with proof of the following automobile liability coverages:

1. Primary insurance coverage during Period 1 with minimum liability limits of \$50,000.00 per person for death and injury, \$100,000.00 per incident for death and injury, and \$25,000.00 for property damage, plus any other state compulsory coverage.
2. Primary insurance coverage during Periods 2 and 3 with minimum liability limits of \$1,000,000.00 in combined single limit coverage for death, personal injury and property damage per incident; and \$1,000,000.00 in combined single limit under/uninsured motorist coverage for death, personal injury and property damage per incident.
3. The required automobile liability insurance shall specifically recognize the driver's provision of TNC and vehicle for hire services and shall comply with the laws of the State and/or other applicable governing bodies.

J. TNC drivers shall be responsible for maintaining all personal automobile liability insurance required by state law.

8.650 Vehicle Inspection and Maintenance.

A. TNC vehicles operating in the City of Astoria shall be no more than ten years old.

B. The TNC shall inspect or cause to be inspected annually and every year thereafter every motor vehicle used by a TNC driver before allowing the driver to use the motor vehicle to provide transportation services.

C. The inspection required in subsection B of this section must include, without limitation, an inspection of the foot and emergency brakes, steering, windshield, rear window, other glass, windshield wipers, headlights, taillights, turn indicator lights, braking lights, front seat adjustment mechanism, doors, horn, speedometer, bumpers, steering system, muffler, exhaust, tires, rear view mirrors, and safety belts. The inspection must ensure that all of the components listed are in proper functioning order.

D. The TNC shall maintain vehicle safety inspection records for a minimum of three years.

8.655 Registered agent required.

The TNC shall maintain a registered agent for service of process in the State of Oregon. The name, telephone number, and physical address of the registered agent shall be submitted to the City of Astoria at the time of license application. The TNC shall notify the City of Astoria in writing of any changes to its registered agent during the term of the license.

8.660. Audit.

The City may audit the TNC and TNC driver records up to twice per calendar year to review compliance with this Chapter. Upon request by the City, a TNC shall provide the City a sample of records for up to 30 drivers chosen at random from an anonymized list of drivers affiliated with the TNC that have operated in the City in the 30 days preceding an audit. An audit shall occur at a time and location designated by the City. In addition to an audit, the City may require a company to produce records related to investigation of a specific allegation of a violation of this Code or other applicable law, or to evaluate a complaint. Production of records for an investigation or to evaluate a complaint does not count toward the twice-per-year auditing limit. A TNC may designate any records required to be provided under this section as confidential. Records designated as confidential may not be disclosed to a third party without prior written consent of the taxi company or TNC, unless required by Court order or under Oregon Public Records Law.

8.665 Operational Requirements.

A. TNC drivers shall accept only rides arranged through a TNC's digital network and shall not solicit or accept street hails by persons seeking transportation.

B. While in service in the city, each TNC vehicle shall display removable trade dress or marks which are visible from fifty feet and clearly associates the vehicle with a licensed TNC company.

C. The TNC's digital network or website shall display for the passenger the first name and photograph of the TNC driver as well as the make, model, and license plate number of the TNC vehicle.

D. The TNC's digital network or website shall display for the passenger the applicable rates being charged and the option to receive an estimated fare before the passenger enters the TNC vehicle.

E. The TNC shall implement a zero-tolerance policy on the use of drugs or alcohol applicable to any TNC driver on its digital network. The TNC shall provide notice of the zero-tolerance policy on its website, as well as the procedures to report a complaint about a TNC driver with whom the passenger was matched and for whom the passenger reasonably suspects was under the influence of drugs or alcohol during the ride. The TNC shall immediately suspend a driver upon receipt of a passenger complaint alleging a violation of the zero-tolerance policy. The suspension shall last the duration of the investigation.

8.670. Nondiscrimination--Accessibility.

A. The TNC shall adopt a policy of nondiscrimination on the basis of destination, age, disability, race, religion, color, national origin, sex, sexual orientation, gender identity, and expression,

family structure or relationship status. The City of Astoria also requires its contractors and grantees to comply with this policy.

- B. TNC drivers shall comply with all applicable laws regarding nondiscrimination against riders or potential riders on the basis of destination, age, disability, race, religion, color, national origin, sex, sexual orientation, gender identity, and expression, family structure or relationship status. The City of Astoria also requires its contractors and grantees to comply with this policy.
- C. TNC drivers shall comply with all applicable laws relating to accommodation of service animals.
- D. A TNC shall not impose additional charges for providing services to persons with physical disabilities because of those disabilities.

8.675. Revocation, suspension or denial of TNC license.

A. A TNC license may be revoked, suspended, or denied by the Manager for any of the following reasons:

1. Failure to meet or maintain any of the requirements or qualifications set forth in this chapter for obtaining a TNC license.
2. A materially false statement contained in the application for the license.
3. Any violation of this chapter.

B. Prior to any revocation, suspension or denial of any TNC license, the city shall inform the TNC of their right to a hearing thereon. Such hearing, if requested, shall be conducted by and in the manner determined by the City Manager prior to the implementation of any revocation, suspension or denial.

8.680. Enforcement

The manager shall have the administrative authority to implement and enforce this chapter. The manager may adopt rules and regulations for its administration, not inconsistent with this chapter. This provision shall not be construed to abrogate or limit the jurisdiction of the Astoria police department to enforce any provisions of this chapter or of any other city ordinance relating to motor vehicles or the operation of TNC vehicles

8.685 Penalty.

A. In addition to all other provisions and standards of this chapter, the acts or omissions set forth in this section are prohibited. Any TNC or TNC driver who shall fail to comply with any provision or standard of this chapter shall be in violation of this chapter. A TNC may be held responsible for violations by TNC drivers if the TNC is provided notice of the violation and fails to cure it within a reasonable period. Any special license granted to a TNC may be suspended or revoked by the Manager for such violation.

B. Submitting a Materially False Affidavit or Attestation. Any TNC submitting a materially false affidavit shall be deemed to have committed a violation of this ordinance, and if found guilty, shall be subject to a fine not to exceed \$1,000.00. Each day shall be a separate offense. In the event of a continuing violation or failure to comply, the second and subsequent days shall be punishable by a fine not to exceed \$5,000.00. Each day shall be a separate offense. Continuing violation shall mean the same type of violation which is committed within a year of the initial

violation.

C. Operating without a TNC License. Any TNC affiliating with a driver who is picking up a passenger in the City of Astoria without having first obtained a TNC license shall be a violation of this ordinance and subject to a fine not to exceed \$1,000.00. Each day shall be a separate offense. In the event of a continuing violation or failure to comply, the second and subsequent days shall be punishable by a fine not to exceed \$5,000.00.

D. While in service, any TNC driver picking up a passenger in the City of Astoria without having a current contract with a special licensed TNC shall be subject to a fine not to exceed \$1,000.00. Each day shall be a separate offense. In the event of a continuing violation or failure to comply, the second and subsequent days shall be punishable by a fine not to exceed \$5,000.00. Each day shall be a separate offense

E. Any independent contractor TNC driver who picks up a passenger in the City of Astoria and who has not obtained a business license under shall be subject to penalties as stated in AC 8.035.

8.695 Delegation and reciprocity.

A. The City of Astoria may delegate the administration and enforcement of TNC licenses to a partner jurisdiction by intergovernmental agreement.

B. The City of Astoria will honor valid TNC licenses issued by partner jurisdictions pursuant to an intergovernmental agreement if their ordinances regarding TNC licenses remain substantially the same as the City of Astoria's. A person holding a valid TNC license from a partner jurisdiction is authorized to conduct the licensed business within the City of Astoria in the same manner and subject to the same rules and regulations as a person holding a license from the City of Astoria.

SECTION 4. EFFECTIVE DATE. This ordinance will be effective on the 30th day after adoption by the City Council.

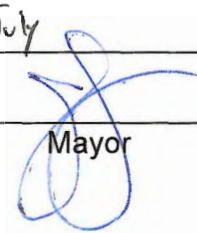
ADOPTED BY THE CITY COUNCIL THIS 20 DAY OF July, 2026

APPROVED BY THE MAYOR THIS 20 DAY OF July, 2026.

ATTEST:



City Manager



Mayor

ROLL CALL ON ADOPTION	YEA	NAY	ABSENT
Councilor Davis			X
Mazzarella			X
Adams	X		
Conklin	X		
Mayor Fitzpatrick	X		