



Licensing Division
City of Bend
710 NW Wall Street, Bend OR 97703
(541) 388-5580 option 8
www.bendoregon.gov/businesslicense

VEHICLE FOR HIRE OPERATING LICENSE TNC COMPANY ACKNOWLEDGEMENT

This submittal form is to be completed as part of your application with the City of Bend. *Download this form before completing fillable fields*, then upload with your application through the Online Permit Center at www.bendoregon.gov/permitcenter.

The City of Bend, per **Bend Code Chapter 7.35** requires that vehicle for hire companies obtain a Vehicle for Hire (VFH) Operating License for their operations within the City. The City may include conditions, restrictions or special provisions in the License related to routes, times of operation or lighting if necessitated by the vehicles or operations of the companies. The City may also waive or lessen the requirements if the type of vehicles or operations of a company render the requirements unreasonable or unnecessary, in the sole discretion of the City.

“Vehicle for hire” means any vehicle used for the ground transportation of passengers for compensation within the City, including taxis and Transportation Network Companies (“TNC”) vehicles.

“Transportation Network Company” or “TNC” means a company or other entity that exclusively uses an internet-enabled platform or application to connect passengers with vehicles for hire and/or TNC drivers.

Term and Effective Date

Licenses are valid for one calendar year, with the term beginning in January and ending in December. Any renewal must be approved by the City prior to the expiration date in order for the company to continue providing vehicle for hire services within the City.

License Fees

Upon submission of the original application, the applicant shall submit a non-refundable license fee as set by City Council resolution (currently \$680) based on the cost of administering the program.

Standards of Operation

TNCs shall maintain records of all trips made by all drivers for at least one year from the date of the trip. The data may be aggregated and/or anonymized and shall include, at minimum, the locations by ZIP code of a trip origination and designation, vehicle miles traveled, trip origination and completion times, trip duration and passenger wait times from a driver’s acceptance of a request to passenger pick-up. The City may require a TNC to enter a data sharing agreement in order to receive or renew a License.

Vehicles operated for TNC services shall be marked with a customary “trade dress” type of identification, such as a sticker or placard. The TNC’s software application or website shall display for the passenger the make, model, and license plate number of the TNC vehicle.

TNCs may not accept street hails and may only accept rides arranged through a TNC’s digital network.

All companies shall implement and maintain at all times a zero-tolerance policy on the use of drugs or alcohol applicable to all drivers employed by or affiliated with the company while providing vehicle for hire services. Companies shall provide notice of the zero-tolerance policy on their website and/or have it clearly displayed in each vehicle. The notice must include contact information to report a complaint about a driver for possible violation of policy. A company shall immediately suspend a driver upon receipt of a passenger complaint alleging a violation of the zero-tolerance policy, for at least the duration of the investigation of the complaint.

Companies must provide reasonable accommodations to passengers with disabilities, including passengers accompanied by a service animal, passengers with hearing and visual impairments and passengers with mobility devices, and must comply with all applicable requirements of the Americans with Disabilities Act.

Driver Requirements

All drivers shall be at least 21 years of age and shall possess a valid driver's license, proof of motor vehicle registration and proof of current automobile liability insurance that meets the requirements of **Bend Code Chapter 7.35** and state law.

Every company shall maintain accurate, current records for all drivers employed by, contracting with or affiliated with the company, including all drivers accessing a company's digital network to operate in the City. The records shall include the driver's name, date of birth, address, social security number, criminal background check results, driver's license information, motor vehicle registration and automobile insurance. These records will be made available to the City promptly upon request.

Prior to permitting a person to operate as a driver, and annually thereafter, the company shall conduct, or have a qualified third-party conduct, a criminal background check. The criminal background check shall include a search of no less than seven 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 all accessible sex offender registries. Any person who is on a sex offender registry or has a record of felony conviction within the previous seven years may not act as a driver. A record of a conviction of any of the following within the previous seven years will also disqualify a person from acting as a driver: crimes involving driving under the influence of alcohol or controlled substances, sexual offenses or crimes involving physical harm or attempted physical harm to a person. The company or its agent shall maintain records of criminal background checks for a period of at least two years. For purposes of this section, the term "conviction" includes convictions, bail forfeitures and other final adverse findings.

A company must revoke a driver's authority to operate as a driver for their company and inform the City if it finds at any time that the standards set forth in **Bend Code 7.35.030** are no longer being met by the driver. The company shall only reinstate a driver upon a finding by the company that all standards are again being met by the driver.

Notwithstanding the standards of this section, upon application by a company, the Bend Chief of Police has authority to allow a person to act as a driver if the Chief determines public safety would not be compromised. Please contact Licensing Program Staff at licensing@bendoregon.gov if you desire to do so.

Insurance Requirements

For all required insurance, companies shall 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 cancelled, expires or has any reduction in coverage.

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

The insurance limits for all companies are subject to statutory changes as to maximum limits of liability imposed on municipalities of the State of Oregon during the License's term, other statutory changes or other changes deemed necessary by the City.

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

All companies 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 of **Bend Code Chapter 7.35**.

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

TNC Service Periods Defined:

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.

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.

Period 3. The passenger is in the vehicle.

TNC's 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.

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 per person for death and injury, \$100,000 per incident for death and injury, and \$25,000 for property damage, plus any other state compulsory coverage.
2. Primary insurance coverage during Periods 2 and 3 with minimum liability limits of \$1 million in combined single limit coverage for death, personal injury and property damage per incident; and \$1 million 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 of Oregon and/or other applicable governing bodies.

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

Audits

The city may audit TNC records up to twice per calendar year to review compliance with **Bend Code Chapter 7.35**. 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 an 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.

Revocation, Suspension, Penalties and Enforcement

In addition to any other enforcement options provided by the Bend Code, the City may suspend, revoke, or refuse to issue a License if the vehicle for hire-company has violated or not met any of the provisions of **Bend Code 7.35**. A violation includes any failure to meet or maintain any of the requirements or qualifications set forth, including the procedures and requirements for obtaining and maintaining a License, as well as the making of any materially false statement or representation. The decision to suspend, revoke or refuse to issue a License may be appealed to the City Council, which will conduct a hearing where the company and the City may present evidence and argument. The company shall have the burden of proving it has complied with all requirements of this code necessary to obtain or maintain the License. The decision of the City Council on the appeal shall be the final decision of the City.

A violation of **Bend Code Chapter 7.35** is a Class A civil infraction.

The City has the administrative authority to implement and enforce Bend Code Chapter 7.35, including adoption of rules, regulations or policies. This provision shall not be construed to abrogate or limit the jurisdiction or authority of the Bend Police Department or any law enforcement agency.

To view the Bend Code regarding this new program, please visit www.bendoregon.gov/vehiclesforhire

Acknowledgement

By signing this document, I acknowledge that I have read the information provided in this document and am fully aware and knowledgeable of the applicable rules and regulations established by Bend Code Chapter 7.35. The applicant and vehicle for hire company agrees to abide by the Vehicle or Hire Operating License requirements as stated in Bend Code Chapter 7.35. I warrant that the information provided on this application is true and agree that by typing my name in the signature box I am providing an electronic signature that is the legal equivalent of my manual signature on this application. Disclosure: Information on this application is a public record subject to disclosure upon request under the Oregon Public Records Law unless an exemption applies.

How many drivers are currently in your company? _____

Printed Name

Date

LIC - Vehicle for Hire Operating License - TNC Company - Acknowledgement - *Last Revised Date: 06/12/2024*



Accommodation Information for People with Disabilities

To obtain this information in an alternate format such as Braille, large print, electronic formats, etc. please contact the Licensing Division at licensing@bendoregon.gov or (541) 388-5580 ext. 8; Relay Users Dial 7-1-1.