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CITY OF PULLMAN
WASHINGTON

260 SE Kamiaken St., Pullman, WA 99163-2664

MEMORANDUM

To: Mayor Glenn Johnson and Pullman City Council

From: Gary Jenkins, Chief of Police

Subject: Taxicab Ordinance

Date: September 12, 2017

City Council adopted a Taxicab Licensing ordinance in 2010: Pullman City Code (PCC) Chapter 6.94. The purpose of the ordinance is to regulate every person providing taxicab service in the City of Pullman. Taxicab Operator's and Taxicab Owner's Licenses are issued to applicants who comply with ordinance requirements. In 2014, Council approved requiring the submission of taxicab applicant fingerprints as part of the application process to facilitate a background check. The intent of a background check through fingerprinting is to determine potential applicant activities subject to taxicab license denial or revocation, specifically certain criminal acts for which a person has been convicted.

An Uber representative contacted staff in November 2016 about the possibility of operating in Pullman. After informing Uber of City taxicab operator licensing requirements, Uber objected to the requirement for their drivers to be subjected to, and pay for, a local fingerprint-based background check. Uber subjects their drivers to a Social Security number and name-based background check with a third party vendor. Uber contends their background check provides as much positive identification as a fingerprint-based background. Uber would like to provide more services in Pullman, but will not deviate from their national model of utilizing Social Security and name-based background checks. Staff contacted representatives of Lyft, a company with a service model similar to Uber, and discovered that Lyft takes the same position as Uber regarding background checks.

At one point, there were approximately nine (9) Uber drivers licensed to operate in Pullman. All of the drivers obtained a Pullman Taxicab Operator's License after completing Pullman's fingerprint-based background checks. As a consequence, Uber disabled their app in the Pullman area to prevent their drivers from providing service in Pullman.

Staff presented this issue to Council for discussion at the February 28, 2017 City Council meeting. Council directed staff to investigate differences between fingerprint and Social Security number and name-based backgrounds; hold at least one public meeting seeking public input, and send meeting invitations to all currently licensed taxi operators and to Uber; and return to Council with a report and recommendations.

OTHER TAXICAB ORDINANCES IN WASHINGTON STATE

The cities of Vancouver, Olympia, and Kennewick are three Washington State cities that have amended their taxicab ordinances to accommodate Uber-like operations. Vancouver adopted their revised ordinance in March 2015, Olympia in June 2016, and Kennewick in December 2016. All three cities refer to Uber-like operations as "Transportation Network Companies" (TNC), and all permit third-party Social Security number and name-based backgrounds. Also included in their ordinances are provisions for background audits with severe consequences for failure to comply with all regulations, including termination of all service by the TNC in the respective city. Ordinances from the three cities and comparisons to our existing ordinance are provided in Attachment 'A'.

Authorities in Vancouver, Kennewick, and Olympia report that no issues or safety concerns have arisen since adopting their ordinances, although none have yet conducted an audit. They also report that Uber has been responsive to their inquiries. Kennewick specifically mentioned that they have received positive feedback from their community about their TNC ordinance.

PUBLIC INPUT

The Pullman Police Advisory Committee (PAC) hosted a meeting on March 13, 2017 at 5:30 p.m. in the Pullman City Council Chambers. The meeting was streamed on Facebook Live; a video of the meeting is available on the Police Department's YouTube site. The meeting was advertised via a March 3, 2017 news release, social media, and local radio and newspapers. Meeting information and related documents were posted on the Police Department website for public access prior to the meeting.

Besides the seven PAC members present at the public meeting, there were approximately 14 present in the audience. Twelve audience members spoke. Additional input from the public was received via comments posted on the Facebook Live posting, email, and Twitter.

Public Meeting
Most who spoke were from local taxi companies and were not in favor of eliminating the fingerprint-based background check requirement. One taxi owner did indicate that during peak times, local taxi companies do not have enough resources to meet demand, and additional services would be beneficial. Tony Bean, the Pullman-Moscow Regional Airport Director, expressed concern about whether insurance coverage provided through TNCs are adequate to meet Airport requirements. An overview of the public comments are included in the Public Feedback document attached (Attachment 'B').

Emails
Three emails sent by local taxicab operators objected to the elimination of the fingerprint-based background checks.

Facebook
Posts favorable to TNCs outnumbered those favorable to local taxi companies by about three to one.

Twitter
A Twitter message directed to Pullman PD supported fingerprint-based background checks.

Public Provided Documents
Links to articles and documents were provided as input. Those articles and documents are available on the Police Department website (see "Documents" section below for additional information).

INFORMATION FROM TRANSPORTATION NETWORK COMPANIES

Representatives from Uber and Lyft provided documents they would like considered with the deliberation of possibly amending our taxicab ordinance to accommodate TNCs.

DOCUMENTS

A list of documents provided by the public and TNCs is attached (Attachment 'C'). The list includes hyperlinks to the actual documents that are accessible online. The list is also duplicated on the Police Department's website here:
https://www.pullman-wa.gov/departments/police/current-topics-for-public-discussion/taxi-licensing.

Public Provided Documents - Highlights

P-7 Uber background checks missed drivers' criminal records, prosecutors say
District Attorneys in Los Angeles and San Francisco filed a lawsuit against Uber in 2014, alleging that Uber's background checks do not properly weed out drivers, including those with convictions for murder, assault, sex offenses, and child abuse.

P-9 Uber's System for Screening Drivers Draws Scrutiny
In 2013, an Uber driver was accused of assaulting a passenger in San Francisco. He was previously convicted of a felony drug charge, an offense that should have disqualified him from working for Uber under its own procedures.

P-10 Uber's background checks don't catch criminals, says Houston
An applicant who cleared Uber's background check had 24 alias names, five listed birth dates, 10 listed Social Security numbers, and an active warrant for arrest.

P-11 Report: Fingerprint-Based Criminal Background Checks Are 43 Times More Accurate Than Name Checks; P-11a One Standard for All: Criminal Background Checks for Taxicab, For-Hire, and Transportation Network Company (TNC) Drivers
The FBI reports that fingerprint checks have a less than 1% error rate, while name-based background checks can have a potential error rate of 43%.

P-12 Unfinished Business: A Blueprint for Uber, Lyft and Taxi Regulation
Opines that fingerprint-based background checks is the established best practice for identifying drivers with criminal records.

P-14 Police: Uber driver arrested after attempting to murder police officers
After an Uber driver was arrested for attempting to shoot two police officers, a records check revealed previous convictions for weapons possession, arson, armed robbery, burglary, cocaine possession, vehicle theft, and malicious destruction of property.

P-15 Thousands of current Uber, Lyft drivers fail new background checks
The State of Massachusetts conducted state background checks of 70,789 Uber drivers and rejected 8,206 for crimes ranging from violent crimes and sexual offenses to suspended licenses.

Lyft Provided Documents – Highlights

L-1 2017 Economic Impact Report
Lyft presentation highlighting increased local spending, Lyft driver earnings and schedule flexibility, saving of travel hours, passenger mobility, improved city health, reduction in DUIs, and reducing traffic congestion.

L-2 CPUC (CA Public Utilities Commission) Background Check Workshop; L-3 is an accompanying PowerPoint presentation
A detailed description of Lyft's background process, and highlights that the Maryland Public Service Commission found that there was no need to impose a fingerprinting requirement in light of the processes used by Lyft.

L-5 Letter of support for ridesharing and Lyft
The National Sheriffs' Association sent me a letter supporting ridesharing and Lyft, citing positive impacts on DUI.

L-6 Resolution of support for ridesharing and Lyft
The National Sheriff's Association passed a resolution supporting ridesharing and Lyft. Cited in the resolution are studies that report DUI reductions up to 51% and DUI deaths by more than 10%. Also supported is name and Social Security number based background checks.

Uber Provided Documents - Highlights

U-1 Survey of State Criminal History Information Systems, 2010
The U.S. Attorney General produced a report on criminal history background checks, and found the following with regard to arrest dispositions:
Arrests within the past 5 years with dispositions reported:
- 15 states representing 26% of the individual offenders reported 80% or more
  - Washington State reported 92%
- 7 states representing 20% of the individual offenders reported 70-79%
- 6 states representing 15% of the individual offenders reported 60-69%
- 22 states representing 39% of the individual offenders reported less than 69%

All arrests with dispositions reported:
- 15 states representing 26% of the individual offenders reported 80% or more
  - Washington State reported 82%
- 5 states representing 6% of the individual offenders reported 70-79%
- 7 states representing 25% of the individual offenders reported 60-69%
- 23 states representing 43% of the individual offenders reported less than 69%

The U.S. Attorney also reported that in 26 states and Guam, a name-based noncriminal justice background check returns the full criminal history record. Additionally, in 19 states and the District of Columbia, a name-based noncriminal justice background check returns convictions only.

U-3 Safety with Uber
Overview of Uber system safety features.

U-4 The Attorney General's Report on Criminal History Background Checks
Most private employers' demand for criminal history background checks is currently met by private sector enterprises that provide professional background screening services and/or commercial databases that aggregate criminal records that are available to the public from government agencies. The commercial databases are not complete because not all states, and not all agencies within individual states, make their records available to such databases; nor does the FBI make its federal or state criminal records available to such databases. In addition, the information in the commercial databases may only be updated periodically. The commercial databases may also be missing important disposition information that is relevant to a conviction record's use for employment suitability purposes, such as sealing and expungement orders or entry into a pre-trial or post-trial diversion program. Checks of these databases are based not upon positive, biometric identification (such as fingerprints), but upon personal identifiers such as names and other information that can help confirm a person's identity. Nevertheless, these databases provide a source of information that is significantly broader than going to individual county courthouses in the counties where an applicant indicates that he or she has lived. Professional background screening services also provide overall screening services to employers, performing the function of going to all appropriate data sources, whether primary sources (such as a courthouse) or secondary sources (such as public and private databases) to gather criminal history records and other information, such as financial history, that an employer may be seeking to evaluate a candidate. These services also assist in obtaining the current status of a record at the primary source when it may not necessarily be reflected in a database.

The Federal Bureau of Investigation (FBI) maintains a criminal history record repository, known as the Interstate Identification Index (III or "Triple I") system, that contains records from all states and territories, as well as from federal and international criminal justice agencies. The state records in the III are submitted to the FBI by central criminal record repositories that aggregate criminal records submitted by most or all of the local criminal justice agencies in their jurisdictions. The records in the III are all based on 10 rolled fingerprints, which provide a positive, biometric match between the individual and his or her record. Although it is quite comprehensive in its coverage of nationwide arrest records for serious offenses, the III is still missing final disposition information for approximately 50 percent of its records.

No single source exists that provides complete and up-to-date information about a person's criminal history. The FBI-maintained criminal history database, however, is certainly one of the better sources because it is based on positive identification and can provide, at a minimum, nationwide leads to more complete information. If provided such access, however, users may not want to rely exclusively on an FBI and state repository check and may also want to check other record sources, such as commercial databases and local courthouses to obtain more complete and up-to-date information in support of criminal history background screening.

The FBI record system was initially created for the use of government agencies involved in the administration of criminal justice functions, such as investigations, prosecutions, and sentencing. Over time, however, the use of this information has been authorized for numerous non-criminal justice purposes, such as background screening for employment and licensing in industries that either state governments or the federal government have decided to regulate in some fashion.

Non-criminal justice screening using FBI criminal history records is typically done by a government agency applying suitability criteria that have been established by law or the responsible agency. Noncriminal justice checks of the III have generally been required to be supported by fingerprints in order to substantially reduce the twin risks posed by name checks, which can result in false positives (when a person with a common name is associated with another person's record) or false negatives (when a record is missed because an individual provides false identifying information).

U-5 Letter from Eric Holder to the President of the California Public Utilities Commission regarding fingerprint-based background checks
Letter from Eric Holder (in the capacity of a private attorney) to the CPUC about his desire to eliminate policies and regulations that impose unnecessary burdens on people with criminal records who have fulfilled their debts to society. Also mentioned is the shortcomings of fingerprint-based background checks, and a belief that fingerprint-based backgrounds for non-law enforcement purposes have a discriminatory impact on communities of color.

U-6 Wanted: Accurate FBI Background Checks for Employment; Reward: Good Jobs
A report from the National Employment Law Project (NELP) that a significant portion of the arrest data from fingerprint-based (FBI) background checks fail to provide case disposition. NELP believes that this will unfairly disqualify applicants, particularly African-Americans. NELP is an organization that advocates for low-wage and unemployed workers.

U-8 Ensuring Safety in the Digital Age: The Background Check Evolution
A report from the Frazier Group LLC comparing professional background screening to fingerprint-based (FBI) backgrounds. The report cites shortcomings in FBI criminal history data, specifically dispositions, while touting professional background screener access to billions of distinct public record files from thousands of individual data sources.

U10 Pa. police fail to fingerprint thousands of suspected criminals
A report that records checks through the State of Pennsylvania are unreliable. In 2013, 30,000 suspected criminals whose charges included sex crimes, assaults, and murder were not fingerprinted.

U11 State background-check system flawed and unreliable
A report that the State of Ohio fingerprint system is flawed and unreliable for background checks.

U-12 Fingerprints. Vs. Name-Based Background Checks: And The Winner Is…
A report from SterlingBackCheck compares professional background screening to fingerprint-based (FBI) backgrounds and touts that comprehensive name-based background checks are more thorough and accurate than fingerprint-based. SterlingBackCheck provides employment background screening services.

U-13 Performance Audit: Improving the Completeness of Washington's Criminal History Records Database
Washington State Auditor's Office reported in June 2015 that a third of the criminal dispositions were missing, and that dispositions were missing for thousands of people for offenses that would disqualify them from jobs and volunteer positions with vulnerable populations.

U-14 Faulty FBI Background Checks for Employment: Correcting FBI Records Is Key to Criminal Justice Reform
A report from the National Employment Law Project (NELP) with a compilation of information from various U.S. Government agencies on the inadequacies of the FBI's fingerprint system. NELP is an organization that advocates for low-wage and unemployed workers.

U-15 Criminal History Records: Additional Actions Could Enhance the Completeness of Records Used for Employment-Related Background Checks
Government Accountability Office (GAO) reports that FBI records are incomplete and states are making only limited progress in reporting updated information to the FBI. In addition, private companies face challenges in obtaining complete and accurate criminal history records, partly because not all states make their criminal record information accessible for private companies to search. Even when those records are accessible, they may not be regularly updated. Citing an Attorney General report from 2006 (*U-4*), name-based checks can result in false positives and false negatives.

U-16 Myths and Myth Busters about Background Screening and Fingerprinting
A report from the National Association of Professional Background Screeners describing the shortcomings of fingerprint-based backgrounds.

U-17 Transportation Network Company (TNC) Pilot Program Update [Staff Report]
A San Diego County Regional Airport Authority staff report with a TNC Pilot Program Update. Included is a conclusion that the TNC's third party background checks are sufficient, consistent, and capable.

U-22 Brewfest: Record number attendance and low DUI arrests
Reduction in DUI's as a result of Uber's presence.

U-25 Information from Uber Representatives
An overview of background checks by Uber and Uber safety features.

CITY OF PULLMAN'S TAXICAB LICENSING REQUIREMENTS COMPARED TO TNCs

The City of Pullman conducts a fingerprint-based background check for taxicab operator and owner licenses. TNCs require only a name/Social Security number based background check for their drivers. A comparison of driver and background requirements for Pullman's current ordinance, Uber, and Lyft is attached (Attachment 'D'). The one area that Pullman's current ordinance is superior to the TNC's is that some disqualifying offenses include convictions up to ten years prior (rather than seven). However, nearly all of the other TNC requirements are equal, or superior, to Pullman's requirements. Ways in which the TNC's requirements are superior to our current requirements include:
- Some disqualifying offenses can be up to seven years prior (rather than five years)
- Background checks are conducted every two years (instead of five years)
- Proof of vehicle inspections required initially and annually
- Requires vehicles to be no more than ten years old
- Higher insurance coverage required
- Minimum age requirement for drivers
- More restrictive disqualifying offenses for drivers, including driving related offenses

- Maintenance of trip records
- Prohibits soliciting rides or accepting street hails
- Driver suspension required immediately upon complaint alleging violation of zero tolerance policy

PULLMAN-MOSCOW REGIONAL AIRPORT

The Pullman-Moscow Regional Airport imposes requirements separate from the City for taxis and TNC operation at the airport. The Airport accommodates traditional taxi services and allows TNCs to operate when called to the airport via an app. The only airport requirement that does not meet City standards is insurance coverage. The airport requires a minimum of $1 million per occurrence and $2 million aggregate. The current City ordinance requires only $300,000 per occurrence and $300,000 aggregate. Taxi operators must provide verification of insurance coverage to meet airport requirements before they can provide service at the airport.

Uber and Lyft have indicated a desire to work with the local airport to meet insurance requirements. Uber and Lyft have agreements with hundreds of airports across the United States to provide service and meeting airport insurance requirements. Pullman-Moscow Regional Airport Executive Director Tony Bean does not object to TNCs operating at the airport with a written agreement.

TRANSPORTATION NETWORK COMPANY TRENDS

Uber started in 2010 and reached one billion cumulative trips in 2015. Six months later, Uber reached two billion cumulative trips. Uber recently reached 5 billion cumulative rides and holds 77% of the market share. Uber now operates in dozens of countries around the world.

Lyft provides over 1 million rides per day in over 300 cities across the US. Lyft's ride-hailing service has spread to cover nearly 80 percent of the US population. For the whole of 2016, Lyft recorded over 160 million rides. For 48 consecutive months, Lyft has experienced ride growth in excess of 100% year over year. Lyft has begun offering rides in 160 new markets this year, far exceeding the company's goal of entering 100 new markets by the end of this year.

ANALYSIS

The primary criticism of fingerprint-based (FBI) background checks is that criminal history checks based on fingerprints are inaccurate and incomplete. This is due to two reasons. The first is that a significant portion of arrest data fails to provide case disposition. The second is that fingerprints are not always collected from persons who are ultimately convicted of disqualifying charges. Both of these shortcomings could result in faulty licensing decisions when based solely on fingerprint-based backgrounds. Although Washington State reports a high percentage of arrest dispositions, 18% are still unreported. Additionally, not all applicants are from Washington State. Any applicant could have criminal history from elsewhere, including states with low disposition reporting, and states that have flawed and incomplete fingerprinting practices. Note that when conducting taxi license background checks, the Pullman Police Department conducts follow-up to ascertain criminal arrest disposition when none is provided. But this follow-up would not necessarily uncover an arrest or conviction where no fingerprints were obtained.

There are also criticisms about the length of time to receive results when submitting fingerprints, lengthening the time to conduct a background check. However, most of those criticisms are dated, particularly with regard to fingerprint checks conducted by the Pullman PD. Many law enforcement agencies, including Pullman PD, utilize live-scan digital fingerprint devices to collect and transmit digital fingerprint data to the State within minutes to be checked against State and Federal databases, providing results in a matter of hours.

During public comment, the owner of a local taxi company said that during peak times, local taxi companies could use help to provide service when there is increased demand. Uber and Lyft can provide "surge" based services by increasing their presence during periods of high demand.

There was concern presented by local taxi companies about the impact services like Uber and Lyft would have on their business. Consideration of the impact to locally owned and operated taxi services is a factor to be weighed.

TNCs are growing across the US and the world. Public expectations for on-demand services are growing in many arenas, including transportation. Pullman is home to many residents and visitors with experiences and expectations brought with them from other locales across the US and the world. The existence, or lack thereof, of trending and popular transportation services can impact perceptions of Pullman.

The three Washington State cities contacted who have developed TNC based ordinances all report no issues and, at least in one case, positive community feedback. Representatives from those cities all believe that provisions for background check audits, coupled with the ability to terminate all service by the TNC, provide substantial incentive for the TNCs to strictly comply with all requirements and to perform robust background checks.

RECOMMENDATIONS

There are valid arguments for preferring both fingerprint-based background checks and Social Security/name based background checks; both have flaws. Both methods are vulnerable to failing to identify applicants with disqualifying criminal history or other disqualifying acts or status. Uber and Lyft both have more restrictive standards for driver disqualification than our current ordinance. There are also security features when using the Uber or Lyft app not present in traditional taxicab service. Uber and Lyft apps require drivers to verify their identity by taking a photo of themselves before logging in to the app, and their identity is verified before they can access the app platform. Riders are also provided with driver photos and license plate numbers to verify that the driver and vehicle have been screened. Additionally, Uber and Lyft track all ride information, including dates, times, and route by GPS.

Considering the flaws and vulnerabilities of fingerprint-based criminal history checks, staff is satisfied that background checks conducted by vetted background screeners, such as those accredited by the National Association of Professional Background Screeners, will not increase the exposure of taxi riders in Pullman to drivers who should be disqualified. While Council may have other considerations, staff recommends not rejecting a TNC based ordinance due to safety concerns.

Taxi Ordinance Comparisons

City Of Pullman	Kennewick/Olympia/Uber Model
Submit fingerprints for fingerprint based background conducted by City for initial license.	Social Security Number based background conducted by Uber (via third party). Uber provides sworn affidavit of compliance and maintains criminal history of drivers. Incudes criminal history for previous 7 years (or 5 years).
Fingerprints required every five years and a background check is conducted by City.	Uber conducts background check (via third party) every two years.
Provide valid driver's license	Uber provides sworn affidavit of compliance and maintains accurate and up-to-date records. Requires possession of a valid driver's license for at least 1 year prior to initial license.
Provide current abstract driving record	Uber provides sworn affidavit of compliance and maintains accurate and up-to-date records.
Provide list of all vehicles to be used	Uber provides sworn affidavit of compliance and maintains accurate and up-to-date records.
Certify that the vehicles will comply with State vehicle equipment requirements	Vehicle must be inspected initially and then annually by a mechanic certified by the National Institute for Automotive Service Excellence for equipment & safety requirements. Vehicles cannot be more than 10 years old.
Provide proof of registration	Uber provides sworn affidavit of compliance and maintains accurate and up-to-date records.
Provide proof of insurance: • Combined single limits of $300,000 or split limits of minimum $100,000 for personal injuries to one person • Minimum $300,000 for personal injuries caused by any one accident • Minimum $50,000 for property damage caused by any one accident • Underinsured and uninsured motorist insurance	Same insurance coverage requirements as City, except that combined single limits must be minimum $500,000. Uber provides proof of compliance and sworn affidavit of compliance and maintains accurate and up-to-date records.
Taxicab operator license: Valid for 1 year: $100	None
Taxicab owner license: Valid for 1 year: $100	Valid for 1 year • 10 or fewer drivers: $300 • 11-40 drivers: $700 • 42+ drivers: $2,000 - or – • $1,000 flat fee
Business license: required of taxicab owners	Business license: required of Uber and drivers
Age requirement: None	Drivers must be at least 21 years of age

City Of Pullman	Kennewick/Olympia/Uber Model
Denial, suspension, or revocation of license: • Conviction within 10 years of felony homicide, kidnapping, unlawful imprisonment, custodial interference, sex offenses (RCW 9A44), indecent exposure, prostitution. • Conviction of any other felony within 5 years	Denial or revocation • 3 or more moving violations during any 12 month period in the previous 3 years • Registered sex offender • Conviction within 7 years (or 5 years) of DUI, felony fraud, sexual offenses, acts of violence, acts of terror, use of motor vehicle to commit a felony, reckless or negligent driving
Suspension or revocation of license: • Same as conditions for denial • Upon receiving an infraction for vehicle equipment violation, immediately take vehicle out of service, provide proof of repair within 10 days, or have license suspended. License reissued upon proof of repairs or taking the vehicle out of service. • Driver's license is suspended or revoked	
	Uber must maintain records of all trips made by all drivers for at least 1 year.
	Uber drivers can only accept rides arranged through their digital network; they cannot solicit or accept street hails.
	Uber must implement and post on website a zero tolerance policy on the use of drugs and alcohol, and procedures to report complaints about drivers. Uber must immediately suspend a driver upon receipt of a passenger complaint alleging violation of the zero tolerance policy.
	The City may audit Uber's records twice a year to ensure compliance with all provisions. Audit can include up to a maximum of 20 drivers that have operated in the City. If discrepancies are found, City can audit records of all drivers who have operated in the City. Uber must also provide records related to an active investigation involving a violation of the taxi ordinance.
	Vehicles must display trade dress or marks visible from 50 feet
	Potentially require third party background companies to have an accreditation, such as the National Association of Professional Background Screeners.

PUBLIC FEEDBACK RE: TAXI LICENSING PROPOSAL

Public Meeting Held March 13, 2017

Ashalynn Bilton-Smith (College Cabs/Pullman Resident)
-Taxi drivers are held to a high level of excellence.
-Current background check requirements and fees are not unreasonable.
-Safety should not be compromised for convenience.
-Safe and reliable transportation for students when they are at their most
vulnerable is in everyone's best interest.
-Taxi medallions limit the number of vehicles on the road and are a common practice
in cities
nationwide. If Uber cars are limited, there should also be a limit on taxis.
-Ubers should be regulated like taxis are regulated, and should be treated with the
same expectations as taxi cabs are.
-Local cab companies are rated as a whole. Yelp and Google Reviews often reflect
the few bad
experiences, but fail to get customer feedback on a job well done.
-College Cab drivers rent a taxi from the company. They can work as much or as
little as they like, but have to be able to pay their rent for the vehicle.
-College Cabs owners also own several other businesses in the Pullman community.
-Local cab companies do good things for the community, including; delivering lost
bags from the airport, cutting deals to transport groups, assisting elderly residents
with groceries and doctor appointments, doing floral deliveries, making medical
deliveries, and more.
-Uber vehicles are hard to identify. Unless they get pulled over, it's difficult to know
that these vehicles are operating as a ride service. This makes it difficult to regulate
Uber vehicles, and can also be a safety concern as any driver could pick someone
up.

Zeno DeRooy (College Cabs/Pullman Resident)
-Current licensing system seems more secure than a simple social security check.
-Fairness is important. If Uber can use a social security background check, other
taxi companies should be allowed the same privilege.
-Competition is welcome, as long as it's fair.
-Enforcement is important to make sure that Uber-like services are following policies.
-It is difficult to tell which vehicles are operating under Uber.
-Uber is a part-time job opportunity, not a career opportunity.
-The market will take care of itself.

Mary Torrence (Pro Cab/Pullman Resident)
-Pullman is one of the safest towns that a taxi could operate in.
-WSU is a distinguished university, and taxi companies are proud to support WSU
students.
-Taxi drivers are interviewed face-to-face, and business owners get to know them
before they are released in the company's vehicles.

-Accountability is important to taxi companies.

-One local taxi company learned that a driver had been in possession of a firearm in a company vehicle. The driver was let go immediately, and is now driving for Uber.

-If a taxi driver makes a mistake, everyone sees it. They are held accountable by members of the public who report back to taxi companies so that issues can be corrected immediately. Uber does not have the same opportunity to hold drivers accountable.

Keith Curran (Pullman Resident)
-Competition is good for a democratic society. It improves quality.

-Local taxi companies are not always reliable and have resulted in missed flights.

-Social security background checks are more streamlined and efficient.

-Competition causes every company to be as good as they can be.

-There is not a lot of Uber demand currently, but there is a lot of potential for demand. Current demand probably does not require regulation.

-Uber vehicles are required to be inspected diligently. The list of requirements is available online.

-Uber offers a review process after each transaction. Drivers and passengers get to rate one another. Efficiency, vehicle cleanliness, and other categories are scored by customers.

Ceara Maxwell (College Cabs/Pullman Resident)
-Competition makes each company to be the best that it can be.

-Do we need to replace in-depth background checks with something that is streamlined and quick?

-Average rates are slightly higher at local cab companies than with Uber. Taxis charge for mileage and time to compensate drivers when trips take longer due to traffic or other circumstances.

-Uber has a high driver turn-over rate.

Zane Larsen (College Cabs/Pullman Resident)
-Pullman has a high turn-over rate for local businesses. The economic eco-system here is fragile.

-If Uber-like companies come to Pullman, 40%-60% of taxi money that currently stays in the Pullman community will be lost to a company that resides elsewhere. Local business owners spend their money at other local businesses.

-More people will be making less money, requiring assistance from taxpayers, if Uber comes to Pullman.

-Good competition is fair competition.

-Pullman can't be compared to Olympia or Kennewick.

-Consideration should be given to how many ride services the Pullman market can sustain. There should be a cap on how many Uber drivers can operate here.

-Regulation of the number of Uber or ride-share drivers allowed to operate in Pullman is a good idea.

-A lot of taxi companies can't sustain against Uber-like services.

-Cab companies take vehicle maintenance very seriously. Owners have a moral

obligation to set a high standard. Uber has requirements about vehicle age, but they aren't necessarily regulating how safe the vehicles are. Vehicle inspections should be regulated, as is done in Moscow.

-Costs absorbed by Uber are much less than for local cab companies because they operate on such a

large scale, bringing a whole new level of competition.

-Taxi drivers are trained to deal with intoxicated customers who may vomit in cabs. Uber drivers use their own vehicles and may not handle those types of events appropriately.

-College Cabs operates on the "a ride for you is a ride for two" mentality in dealing with intoxicated

passengers, ensuring that they get home safely with the assistance of a friend.

-Local cab companies often transport overly intoxicated passengers directly to the hospital to assure their safety.

-Local drivers are trained to deal with the distractions that come with transporting groups of rowdy passengers, as well as other situations that arise while operating in a college community.

-There are certain times that local cab companies would appreciate having another ride service in town to help accommodate the high number of calls. During these periods when taxi companies don't have enough cars/drivers to meet demand, additional options for safe rides would increase public safety.

Tony Bean (Pullman-Moscow Airport/Pullman Resident)
-The Pullman-Moscow Airport follows the City of Pullman's policy, but also has its own set of insurance requirements that must be met.

-Too many vehicles trying to drop-off/pick-up at the airport causes a public safety and service issue for

the airport.

-Uber drivers don't carry their own insurance to meet airport standards. The company meets those limits for their cars.

Denise James (A Wildcat Taxi/Non-Resident)
-A social security number is just a number on a piece of paper. When taxi drivers come to the station to be fingerprinted, they bring their prints with them and there is no question that they belong to the applicant.

-One article suggested that in a study, a large number of Uber drivers failed the fingerprint-based background check, after passing the social security background.

-Keep our town safe and continue to do what has been done in the past.

-Local taxi companies are responsive and allow customers to speak with a real person in a timely manner.

Raven Conyers (College Cabs/Non-Resident)
-Pullman is a safe city, which is why many students choose WSU for school.

-Taxi companies are already paying $100 and completing the fingerprint-based background check. It doesn't make sense to have a special set of rules for Uber.

-Safety shouldn't be streamlined. It isn't worth changing the laws that have already been keeping Pullman so safe.

Rob Borden (College Cabs/Pullman Resident)
-A level playing field is important for all of the companies that are playing.
-A peer-reviewed study by a team of law enforcement experts on the East coast sent a group of people through the social-security based background check, and then the FBI's fingerprint-based background check. They found that the social security-based system was 43 times less likely to uncover past criminal history.
-In a recent incident, an Uber driver drugged and robbed her passenger. She had previously been

convicted on drug charges in 2002/2003, as well as 2nd degree grand theft in 2012. The FBI background check would have caught this under regular taxi licensing rules, while she flew right through the Uber check.
-It's not worth the risk and the safety of our community to streamline the background process. It
doesn't take long to complete the FBI fingerprint background check.

-Pullman's current ordinance is very good. If the goal is to create an ordinance that is more ride-share friendly, the only needed change is to add "transportation network companies" where references are made to "taxi cab companies" and "transportation network drivers" added to "taxi cab drivers".
-Taxi companies have spent 100 years lobbying to achieve the current taxi regulations across the nation, with the safety of the public in mind.

Karen Kiessling (League of Women Voters/Pullman Resident)
-Kennewick/Olympia ordinances are new, so we don't know what kind of experiences they have had.

Alice Schroeder (League of Women Voters/Pullman Resident)
-Is there a way to require that companies operating in Pullman must be based in Pullman? We are lucky that we have local taxi owners.

Livestream Facebook Feedback
-Taxi cab companies don't always show up when reservations are made.
-Uber drivers are locals. Cougs helping Cougs. Uber makes getting a safe ride easy.

-Uber creates an economic opportunity for people to make additional money that can be fed into the local economy.

-While Uber is an app, the moving parts of the business are the same as a taxi company. They should follow the same rules.

-Unmarked cars are hard to regulate. How will we know if each driver has a license from the City?
 -There was an Uber driver who had a DUI and was using Uber as a means to pay for his fines. Is that who we want driving our sons or daughters?
-Taxi companies put a lot of miles on their cars, which equates to high maintenance costs. This would be a quick way to ruin a new car.
-Uber can come in when they can ensure that those drivers are properly checked to keep customers safe.
-Among Uber drivers are convicted murderers and those convicted of felony sex offenses against children.
-Links to articles:
   (A) http://bit.ly/2mQ0p8H
   (B) http://bit.ly/2lw0dhT
   (C) http://thebea.st/2pM0HyX
   (D) http://bit.ly/2oxNBnl
   (E) http://cnnmon.ie/2b1IE2h
   (F) http://fxn.ws/1PzNw8p
   (G) http://cnet.co/2pm8bvL
   (H) http://on.mash.to/2pLHy05
   (I) http://nyti.ms/2oZyWDf
   (J) http://cnet.co/2pMWYEj

-Uber drops drivers from the platform if they fall below a 4.7 star service rating.
-Uber requires an annual vehicle inspection to ensure safety.
-Adding Uber to Pullman is capitalism. It requires companies to step up customer service.
-Local cabs are notorious for being late, not showing up, having long wait times, overcharging, allowing too many passengers in a vehicle, and being rude.
-Current taxi licensing laws do not require vehicles to be marked.
-Uber matches the driver's license photo and information, including vehicle registration, to the social security number.
-If a limit will be put on Uber-like vehicles, a limit should also be placed on taxis.

-"I only use taxis when I have to and will always take an Uber when able first." Uber means clean vehicles that show up in a reasonable amount of time, as well as the ability to rate the driver.

-Taxi cabs are often called to transport PRH patients who are discharged from the hospital or emergency department without another means of transportation. It is important to know that patients are in good hands with regulated drivers. However, taxis are often unavailable and increased availability with increased safety and security measures would be welcome.

-Uber is throwing a fit because they will have to spend more money to pay by our City's rules that keep our citizens safe.

-Uber will allow college students to have more jobs and will make Pullman a safer city.

Feedback Received via Email
-Uber is people hiding behind an app.
-Pro Cabs drivers already have social security background checks, taking the extra step on their own.

- Link to peer reviewed study about background checks versus security checks and their effectiveness included in this link: (K) http://bit.ly/2oubE7j
-A suggested way forward for taxi and tnc companies and how to make sure we keep the public safe (emphasizing the background checks being fingerprint verse Social Security number based):
(L) http://bit.ly/2ocnhnw
-Examples of failure to catch bad people on the front end of the screening process: http://www.whosdrivingyou.org/rideshare-incidents#assaults *(list of various links-no PDF)*
(M)http://www.whosdrivingyou.org/blog/these-uber-incidents-could-have-been-avoided http://wjla.com/news/crime/police-uber-driver-arrested-after-attempting-to-murder-police-officers
(video – No PDF)

-"I hope that the City of Pullman will keep its fingerprint-based ID system for all persons who pick up strangers for pay; and invite Uber to come to Pullman when they have raised their standard of safety, corporate-wide. My hat's off to the Uber driver who voluntarily stepped up to Pullman's standard."

-" Pullman had been discussing taxi licenses, and decided against it. Then a repeat felon applied for a license in Moscow, which did require a background check. Turns out he was driving for a two-town company based in Moscow, and had been driving for a Pullman company. The ASWSU Senate sent a resolution to the City Council, asking for licensing. They wanted coed students in all states of vulnerability to be safe. They were seeking maximum safety. With that part of licensing, I was and remain in agreement."

Feedback Received via Twitter
-Hope Pullman PD holds firm.

-Link to article:
 (O) http://bit.ly/2obluO3

Pullman Taxi Ordinance Revision Consideration Documents

Public Feedback – Pullman Taxi Ordinance – Ordinance Samples
Public Feedback – Public Meeting – Facebook – Twitter - Email
Pullman Taxi Ordinance
Pullman Taxi Ordinance Comparisons to TNCs
Driver and Background Comparisons
Kennewick Ordinance
Olympia Ordinance
Vancouver Ordinance

Public Provided Documents			
Document	Source	Date	Title of Article/Report
P-1	The Guardian	Mar 2017	Greyball: how Uber used secret software to dodge the law
P-2	The Guardian	Mar 2017	Uber is smart, simple and seductive. But should we still be using it?
P-3	The Daily Beast	Feb 2016	Uber Cuts Prices – and Kneecaps Drivers
P-4	Complex.com	Apr 2016	Uber Paying up $10 Million For Lying About the Quality of Their Background Checks
P-5	CNN	Apr 2016	Uber's never-ending stream of lawsuits
P-6	Associated Press	Mar 2016	Airport aims to use Uber drivers' fingerprints to check past
P-7	C/NET	Aug 2015	Uber background checks missed drivers' criminal records, prosecutors say
P-8	Masable.com	Aug 2015	Uber's big problem that won't go away: background checks
P-9	New York Times	Dec 2014	Uber's System for Screening Drivers Draws Scrutiny
P-10	C/NET	Apr 2015	Uber's background checks don't catch criminals, says Houston
P-11	Who's Driving You?	May 2015	Report: Fingerprint-Based Criminal Background Checks Are 43 Times More Accurate Than Name Checks (full report is P-11a)
P-11a	Matthew W. Daus and Pasqualino "Pat" Russo (CUNY)	May 2015	One Standard for All: Criminal Background Checks for Taxicab, For-Hire, and Transportation Network Company (TNC) Drivers (Summary provided in P-11)
P-12	Schaller Consulting	Sep 2016	Unfinished Business: A Blueprint for Uber, Lyft and Taxi Regulation
P-13	Who's Driving You?	Feb 2017	These Uber Incidents Could Have Been Avoided
P-14	WJLA Washington, DC	May 2016	Police: Uber driver arrested after attempting to murder police officers
P-15	The Boston Globe	Apr 2017	Thousands of current Uber, Lyft drivers fail new background checks

Lyft Provided Documents			
Document	**Source**	**Date**	**Title of Article/Report**
L-1	Lyft	2017	2017 Economic Impact Report
L-2	Lyft	Feb 2017	CPUC (CA Public Utilities Commission) Background Check Workshop
L-3	Lyft	Feb 2017	Lyft Driver Background Check Presentation for the CPUC
L-4	Lyft	May 2017	Pullman WA Model City Ordinance
L-5	Nat'l Sheriffs' Assoc	Aug 2017	Letter of support for ridesharing and Lyft
L-6	Nat'l Sheriffs' Assoc	2017	Resolution of support for ridesharing and Lyft

Uber Provided Documents			
Document	**Source**	**Date**	**Title of Article/Report**
U-1	US Dept of Justice, Office of Justice Programs, Bureau of Justice Statistics	Nov 2011	Survey of State Criminal History Information Systems, 2010
U-2	CA Dept of Justice	Aug 2016	[Email regarding fingerprint submissions and the Sex Offender Registry]
U-3	Uber	Undated	Safety with Uber
U-4	US Dept of Justice, Office of the Attorney General	Jun 2006	The Attorney General's Report on Criminal History Background Checks
U-5	Covington & Burling LLP (Eric H. Holder, Jr.)	Jul 2016	[Letter from Eric Holder to the President of the California Public Utilities Commission regarding fingerprint-based background checks]
U-6	The National Employment Law Project	Jul 2013	Wanted: Accurate FBI Background Checks for Employment; Reward: Good Jobs
U-7	MyStatesman.com	Dec 2015	Pratt: Fingerprinting doesn't tell the whole story
U-8	Frazier Group LLC	Apr 2016	Ensuring Safety in the Digital Age: The Background Check Evolution
U-9	The Journal Record	Sep 2015	Lost evidence: Fingerprints rarely used in Oklahoma cases
U-10	PublicSource	Jun 2014	Pa. police fail to fingerprint thousands of suspected criminals
U-11	The Columbus Dispatch	Aug 2016	State background-check system flawed and unreliable

			Uber Provided Documents, continued
U-12	SterlingBackcheck	2016	Fingerprints. Vs. Name-Based Background Checks: And The Winner Is…
U-13	Washington State Auditor's Office	Jun 2015	Performance Audit: Improving the Completeness of Washington's Criminal History Records Database
U-14	National Employment Law Project	Dec 2015	Faulty FBI Background Checks for Employment: Correcting FBI Records Is Key to Criminal Justice Reform
U-15	US Govt Accountability Office	Feb 2015	Criminal History Records: Additional Actions Could Enhance the Completeness of Records Used for Employment-Related Background Checks
U-16	National Assoc. of Professional Background Screeners	Undated	Myths and Myth Busters about Background Screening and Fingerprinting
U-17	San Diego County Regional Airport Authority	Jun 2016	Transportation Network Company (TNC) Pilot Program Update [Staff Report]
U-18	City of San Jose	Apr 2016	Annual Airport Ground Transportation (Airport) [Memo to Transportation Environment Committee]
U-19	Florida Dept of Law Enforcement	Undated	The Efficacy of Name-Based Searches For Other than Criminal Justice Purposes
U-20	UMASS Lowell	Feb 2014	Mobile Fingerprint Capture
U-21	The Greenlining Institute	Feb 2015	Proposed Fingerprint-Based Background Checks [letter to the San Francisco District Attorney]
U-22	KGWN TV	Jun 2017	Brewfest: Record number attendance and low DUI arrests
U-23	Urban Institute	Jun 2017	Criminal Background Checks and Access to Jobs: A Case Study of Washington, DC
U-24	CA Public Utilities Commission	Sep 2016	Reply Comments of Lyft, Inc. Re: Assigned Commissioner's Ruling Inviting/Instructing Party Comments on Background Checks of Prospective Transportation Network Company Drivers
U-25	Uber	Mar 2017	Information from Uber Representatives

This list is duplicated with links to documents here:
http://www.pullman-wa.gov/departments/police/current-topics-for-public-discussion/taxi-licensing

DRIVER AND BACKGROUND COMPARISONS

Category	Current Pullman Ordinance	Uber	Lyft
Driver Age & License	Licensed driver	• Minimum age of 21 • If 21 or 22, must have had license for 3 or more years • If 23 or older, must have had license for 1 or more years	• Minimum age of 21 • Must have had license for 1 or more years
Driving History - Minor Moving Violations	No disqualifiers	No more than 3 in past 3 years	No more than 3 in past 3 years
Driving History – Major	No disqualifiers unless felony	None in the past 7 years: DUI or drugged driving, speeding 100+ MPH, hit & run, reckless driving street racing	None in the past 3 years: Attempting to elude police, reckless driving, driving on a suspended or revoked license
Criminal	Within 10 years, felony conviction of: • Kidnapping • Unlawful imprisonment • Custodial interference • Homicide • Sex offenses • Indecent exposure-prostitution Within 5 Years conviction of: • Any other felony	Within 7 years conviction of: • Any felony • Any driving related offenses • Violent crimes • Sexual offenses • Child abuse or endangerment	Within 7 years conviction of: • Any class A or B Felony per RCW 9A • Any violent offense or serious offense per RCW 9.94A.030 • Any sex offense per RCW 9.94A.030 • DUI, hit & run, or any other driving-related crime • Sex offender in national database
Insurance Requirements	• Combined single limits of $300,000 or split limits of minimum $100,000 for personal injuries to one person • Minimum $300,000 for personal injuries caused by any one accident • Minimum $50,000 for property damage caused by any one accident • Underinsured and uninsured motorist insurance	• $1 million combined single limit per incident • $50,000 bodily injury per person • $100,000 bodily injury per accident • $30,000 property damage per accident • $1 million uninsured/underinsured bodily injury per incident	• $1 million combined single limit per incident • $50,000 bodily injury per person • $100,000 bodily injury per accident • $30,000 property damage per accident • $1 million uninsured/underinsured bodily injury per incident