



**THE CORPORATION OF THE CITY OF MISSISSAUGA
PUBLIC VEHICLE LICENSING
By-law Number 420-04**

(amended by 64-05, 114-05, 182-05, 183-05, 477-05, 496-05, 270-06, 175-07, 168-08, 200-08, 260-08, 342-08, 257-09, 405-09, 69-10, 180-10, 318-10, 311-11, 8-12, 152-14, 154-15, 157-15, 259-15, 134-16, 94-17, 184-17)

WHEREAS subsection 150 of the *Municipal Act, 2001* S.O. 2001, c.25, provides that a local municipality may license, regulate and govern any business wholly or partly carried on within the municipality even if the business is being carried on from a location outside the municipality;

AND WHEREAS a by-law licensing or imposing any condition on any business or class of business passed under this section comes into force shall include an explanation as to the reason why the municipality is licensing or imposing the condition and how the reason relates to the purpose;

AND WHEREAS the Council of the City of Mississauga considers it desirable and necessary to license, regulate and govern owners and drivers of Taxicabs and the business of Taxicab Brokers for the purposes of Health and Safety, to enhance and encourage safe maintenance and operational practices for Drivers and Owners, ensure experienced and qualified Drivers are providing services, supply passengers with Drivers who have proven themselves to be trustworthy to care for their belongings and their person, and ensure accountability of industry participants for health and safety issues.

AND WHEREAS the Council of the City of Mississauga considers it desirable and necessary to license, regulate and govern Owners and Drivers of Taxicabs and the business of Taxicab Brokers for the purposes of Consumer Protection, to enhance and encourage equal, fair and courteous treatment of passengers, Drivers, Owners and Brokers, protect the property of passengers, ensure competence of Owners and Drivers in providing Taxicab services, promote accountability, ensure consistency in the application of fares, and support proper and good business practices.

AND WHEREAS the Council of the City of Mississauga considers it desirable and necessary to license, regulate and govern Owners and Drivers of Taxicabs and the business of Taxicab Brokers for the purposes of Nuisance Control to promote professional behavior, fair dealing amongst participants in the industry, ensure courteous treatment, and limit or mitigate unsightliness, unnecessary noise, nuisance or disruption for passengers, Drivers, Owners, Brokers and the general public.

AND WHEREAS Section 155 of the *Municipal Act 2001*, so 2001, c.25, as amended provides that a municipality may establish rates and fees;

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AND WHEREAS a public meeting was held on September 14, 2004, at which time a report entitled The New Public Vehicle Licensing By-law, relating to the licensing of the business was presented and considered;

NOW THEREFORE the Council of the Corporation of the City of Mississauga ENACTS the following:

DEFINITIONS AND INTERPRETATION

1. In this by-law:

“Accessible Driver” means a Person who drives an Accessible Vehicle that is also an Airport Public Transportation Vehicle or an Accessible Taxicab;

“Accessible Taxicab” means a Motor Vehicle that is both a Taxicab and an Accessible Vehicle;

“Accessible Vehicle” means an Accessible Airport Public Transportation Vehicle or an Accessible Taxicab that are Motor Vehicles originally constructed or subsequently modified to permit the loading, transportation and off loading of those individuals confined to a wheelchair, or similar device used to assist the Disabled, without transfer and which Motor Vehicles comply otherwise subject to federal and provincial legislation applicable to the transportation of a Disabled Passenger;

“Additional Fee” means a fee, in addition to the licence fee, imposed by the municipality on a business at any time during the term of the licence for costs incurred by the municipality attributable to the activities of the business;

“Administrative Fees” means any fees specified in the Licensing Administrative Penalty By-law and listed in Schedule “B” thereto; (154-15)

“Administrative Penalty” means a monetary penalty as set out in Schedules “A” and “B” to the Licensing Administrative Penalty By-law for a contravention of a Designated By-law; (154-15)

“Affiliated” means where an Owner and Broker are parties to an agreement for the provision of transportation services and “Affiliation” has a similar meaning; (134-16)

“Airport” means Lester B. Pearson International Airport.

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“Airport Municipal Transportation Vehicle” means a Vehicle which has not been altered by more than thirty (30) centimetres from the original manufacturers' length dimensions, is equipped with four (4) Passenger accessible doors and a seating capacity of no less than four (4) Passengers and not more than six (6) Passengers, has attached to it an illuminated Roof Light and identifying numbers attached to the side fenders and does not have a Taxicab Meter, and is used exclusively for the prearranged conveyance of Passengers or goods for hire or reward from any point in the City to Lester B. Pearson International Airport collecting or making only one Fare or charge per Trip.

“Airport Permit” means a valid operating permit issued by the Greater Toronto Airports Authority and its successors and assigns.

“Airport Public Transportation Vehicle” includes an accessible Airport Public Transportation Vehicle and means a Vehicle that has not been altered from the manufacturer's original length dimensions, is equipped with four (4) Passenger accessible doors with a seating capacity exclusive of driver for not less than three (3) Passengers and not more than five (5) Passengers, and does not have a Taxicab Meter, and is used exclusively for the pre-arranged conveyance of passengers or goods for hire or reward from any point in the City to Lester B. Pearson International Airport collecting or making only one Fare or charge per Trip.

“App” means a mobile application that can be downloaded onto or accessed on a mobile phone, tablet or other digital electronic device used in a Vehicle to calculate the Fare payable for transportation services and which performs one or more of the following functions: (134-16)

- (a) allows a person to identify the locations of available Vehicles and allows a Driver to identify the location of a person who is seeking the services of a Vehicle;
- (b) allows a person to request a Vehicle via the mobile phone, tablet or other digital electronic device;
- (c) allows a Driver to receive a request from a potential Passenger; or
- (d) allow for the payment of transportation services through electronic means;

“Appeal Tribunal” means the all-citizen Tribunal duly appointed by Council to conduct hearings under this By-law; (200-08)

“Applicant” means a Person applying for or renewing a Licence under this by-law;

“Benchmark 7” means that standard of English language proficiency where the individual can discuss concrete information on a familiar topic; comfortably engages in conversation at a descriptive level; discourse is fluent; grammar and pronunciation errors rarely impede communication; and uses an expanded inventory of concrete and idiomatic language;

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“Broker” means any Person who carries on the business of accepting Orders and/or Dispatching Orders; or (134-16)

“Brokerage” means the general business of a Broker, and shall be deemed to include the land and premises where such business is carried on.

“City” means The Corporation of the City of Mississauga and its physical boundaries as described in the *Regional Municipality of Peel Act*, R.S.O. 1990, c.R.15, as amended;

“City” means The Corporation of the City of Mississauga; (154-15)

“City of Toronto Livery Cab Fitness Report” means a report issued by the Municipal Licensing and Standards-Taxi Unit of the City of Toronto for livery cabs;

“City of Toronto Vehicle Inspection Report” means a report issued by the Municipal Licensing and Standards of the City of Toronto for Motor Vehicles licenced by the City of Toronto;

“Clerk” means **the** Clerk of the City of Mississauga or his/her duly appointed Deputy;

“Corporation” means the Corporation of the City of Mississauga;

“Council” means the Council for The Corporation of the City of Mississauga;

“Defensive Driving Course” means an accredited course approved by the Licence Manager which provides instructions on driving skills required to prevent collisions regardless of the actions of other drivers or the conditions around them and to foster an attitude of alertness on the roadways.

“Designated By-law” means a by-law or provision of a by-law that is designated under the Licensing Administrative Penalty By-law or any other by-law, as a by-law or provision of a by-law to which the Licensing Administrative Penalty by-law applies; (154-15)

“Disabled” means,

- (a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- (b) a condition of mental impairment or a developmental disability,

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- (c) a learning disability, or a dysfunction in one or more of the process involved in understanding or using symbols or spoken language,
- (d) a mental disorder, or
- (e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*; (“handicap”)

“Disabled Passenger” means a Passenger who is Disabled;

“Dispatch” means the communication of an Order in any manner between a Broker and Driver including sending or assigning a Vehicle for transportation services; (134-16, 94-17)

and “Dispatched” and “Dispatching” have a similar meaning;

“Dispatcher” means a Person who is in the employ of, or working under a contract with, a Broker and whose duties include accepting Orders and/or Dispatching Orders; (134-16)

“Driver” means any person who drives a Taxicab, Limousine, Airport Municipal Transportation Vehicle or Airport Public Transportation Vehicle;

“Drugs” means any substance or combination of substances, other than alcohol, which could so affect the nervous system, brain or muscles of a person as to impair his/her ability to drive a vehicle in a manner that an ordinarily prudent person, in full possession of his/her faculties, using reasonable care, would drive in a similar vehicle under like conditions.

“Dues” means an Monetary charge by a Broker to any Owner or Driver, to receive Orders from the Broker;

“Exclusive Concession Agreement” means an agreement which gives a person the sole right to provide Taxicab, Limousine, Airport Municipal Transportation Vehicle or Airport Public Transportation Vehicle service to or from any public transportation terminal, hotel, motel, Taxicab Stand or any other similar public assembly point, but does not apply to service originating at the Lester B. Pearson International Airport;

“Fare” means: (134-16)

- (a) the amount that shall be calculated using a Taxicab Meter or App in accordance with this By-law;
- (b) the flat rate allowed under this By-law for a Trip; or
- (c) the amount which is permitted to be charged by Limousine Owner and/or Driver according to this By-law

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“Fender Numbers” means permanent lettering representing the owners plate number of at least 15 cm in height, affixed on both front fenders on the top rear of the fender not more than 8 cm. below the top of the fender or in a location or manner approved by the Licence Manager;

“Grossly Unclean Person” means a Person covered in an amount of dirt and/or other material so excessive that if transported by the Driver, the state of the Person could leave the interior of the Vehicle in an unclean state;

“Highway Traffic Act” means the Highway Traffic Act R.S.O. 1990 c.h. 8, as amended, and the regulations thereunder;

“Inactive Driver” means a licensed Driver who does not operate a Vehicle licensed under this By-law for gain or reward.

“Individual” means a natural Person and does not include a corporation, partnership or association;

“Inspector” means a an inspection officer duly appointed by Council;

“Lease” means an agreement between an Owner and a licensed Driver under which the Owner provides his Owner's Plate or Licence Sticker to be operated by the licensed Driver at a fee recovering more than the annual cost of the licence renewal for Taxicab and Special Accessible Taxicab licensed under this By-law;

“Lessee” means a licensed Driver, under this by-law and who has entered into a Lease with a licensed Owner, through which the owner leases out certain rights with respect to the use of the owners license;

“Licence” means the certificate issued by the Licence Manager under this By-law;

“Licence Manager” means the Manager of the Mobile Licensing and Enforcement Section of the City’s Enforcement Division and includes his or her designates. (200-08)

“Licence Sticker” means the stamp or seal issued to an Owner under this by-law;

“Licence Renewal Sticker” means the coloured consecutively numbered sticker issued with the renewal of the Owner's Licence, to be attached to the Owner's Plate. The sticker indicates the expiry year of the Owner's Licence.

“Licensee” means any person licensed under this By-law;

“Licensing Administrative Penalty By-law” means the City’s Licensing Administrative Penalty By-law 0135-2014, as amended (or its successor), being a by-law to establish a system of administrative penalties respecting those who have failed to comply with any part of a system of business licences established by the City; (154-15)

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“Licensing Section” means the Vehicle Licensing Section of the Corporation's Enforcement Division;

“Limousine” means a luxury Motor Vehicle as determined by the Motor Vehicle manufacturer that transports passengers for compensation which does not have a Taxicab Meter; (134-16)

“Maintenance Log” means a series of written information relating to the repair of a Vehicle including the Vehicle Information Number of the Taxicab, its Owner Plate number, make, model and year of the Vehicle, the nature of the repair, the date of the repair, the name of the person performing the repair, and confirmation that the owner of the Vehicle was notified of the repair;

“Mechanical Defect” means damage to, or failure of a part, component or feature of, a Motor Vehicle.

“Medical Specialist” means a Physician who practices in one branch of medicine.

“Model Year” means the age of the Motor Vehicle calculated from May 1st of year noted on the Ontario Motor Vehicle registration of said Motor Vehicle

“Motor Vehicle” includes an automobile, truck, trailer, motorcycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include a motorized snow vehicle or motor-assisted vehicle;

“Municipal Act, 2001” means the *Municipal Act, 2001*, S.O. 2001, c.25, as amended and any regulations thereunder;

“Non-Disabled Passenger” means a Passenger who is not Disabled;

“Notice of Additional Fee” means a written notice from the Licence Manager to a Licensee advising them of their requirement to pay an Additional Fee;

“Notice of Inspection” means a written notice issued by the Licence Manager requiring an Owner to submit the owner's vehicle to an inspection at an appointed time and place;

“Order” means a request for transportation services to be provided by a Taxicab, Limousine, Airport Municipal Transportation Vehicle or Airport Public Transportation Vehicle and which request is received, communicated, facilitated, enabled or authorized by a Broker; (134-16)

“Owner” means the Person licensed under this By-law as the Owner of a Taxicab, Limousine, Airport Municipal Transportation Vehicle or Airport Public Transportation Vehicle;

“Owner's Plate” means a number plate issued to the Owner under this by-law;

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“Passenger” means any Person other than the Driver seated in an Airport Municipal Transportation Vehicle, Airport Public Transportation Vehicle, Limousine , Special Accessible Taxicab or Taxicab;

“Penalty Notice” means a notice given to a Person pursuant to section 4 of the Licensing Administrative Penalty By-law; (154-15)

“Person” includes a corporation and its directors and officers, and the heirs, executors, assignees and administrators or the other legal representatives of an Individual and their respective successors and assignees;

“Personal Care Attendant” means an individual who accompanies a person with a disability who cannot travel independently and provides services and assistance to the person with a disability; (168-08)

“Physician” means a Person authorized to practice medicine under the *Medicine Act*, 1991, S.O. 1991, c.30, as amended;

“Registered Owner” means the Person endorsed under the Vehicle Portion of the Provincial Permit according to the records maintained by the Registrar of Motor Vehicles for the Province of Ontario;

“Robbery Prevention Course” means an accredited course approved by the licence Manager which provides the applicant with the knowledge and understanding of robbery prevention techniques. (114-05)

“Roof Light” means an electrically illuminated roof sign which is securely attached to the top of the Taxicab in a manner approved by the Licence Manager so that it is not illuminated when a Passenger is in the Taxicab and is illuminated when there is no Passenger in the Taxicab; (134-16)

“Sensitivity Training Course” means an accredited course approved by the Licence Manager which provides the knowledge to assist and understand the needs and sensitivities of those persons who have a Disability;

“Service Animal” includes a guide dog and other trained service animal identifiable by a harness and used principally to assist persons with a visual, hearing or other impediment;

“Smoke” or “Smoking” includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment;

“Special Occasion Limousine” means a Limousine which is operated on a per day basis;

“Spouse” has the same meaning as that set out in Section 1 of the *Municipal Act, 2001*, S.O. 2001, c.M.45, as amended which states:

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“Spouse” means a person,

- (a) to whom the person is married, or
- (b) with whom the person is living outside marriage in a conjugal relationship, if the two person;
 - (i) have cohabited for at least one year,
 - (ii) are together the parents of a child, or
 - (iii) have together entered into a cohabitation agreement under section 53 of the Family Law Act; “conjoint”

“Taxicab” means a Motor Vehicle with a seating capacity of six (6) or fewer Passengers exclusive of the driver that transports Passengers for compensation or reward but does not include a Limousine, and Airport Public Transportation Vehicle, Airport Municipal Transportation Vehicle or any Motor Vehicle that forms part of the City’s public bus transportation system according to the City Transit By-law 425-03 or its successor; (134-16)

“Taxicab Driver Orientation Course” means an accredited course approved by the Licence Manager which provides the applicant with knowledge and understanding of the By-law, Customer service, Robbery Prevention, the Cities geography, locations and Tourism.

“Taxicab Meter” means a measuring device located in a Taxicab used to calculate the Fare payable for a Trip but does not include an App; (134-16)

“Taxicab Stand” means the area set aside on a public highway as designated under the Traffic By-law No. 555-00 or the area set aside on private property as designated by the Manager of Mobile Licensing for the Corporation, to be used by a Taxicab while it is waiting for or picking up goods or Passengers; (180-10)

“Taxicab Stand List” means a list of all the Taxicab Stands in the City of Mississauga that is accessed on the Corporation’s official website; (180-10)

“Tint Free” means free from any type of tinting, coloured spray or other reflective material on vehicle windshield and windows that is not standard to the vehicle when sold new or equivalent, and that substantially obscures the interior of the Motor Vehicle when viewed from the outside or, that reduces the visibility of the Driver, Passenger or Passengers;

“To Operate” when used in reference to a Taxicab, a Limousine, an Airport Municipal Transportation Vehicle, a Special Accessible Taxicab or an Airport Public Transportation Vehicle includes to drive the said Vehicle and to make it available to the public for use as a Taxicab, Limousine, an Airport Municipal Transportation Vehicle, a Special Accessible Taxicab or an Airport Public Transportation Vehicle;

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“Trip” means the distance and time traveled or the distance and time to be traveled, measured from the time and point at which the passenger first enters the Taxicab or when the Taxicab Meter or App is first engaged, whichever comes first, to the time and point at which the Passenger finally leaves the Taxicab or the Taxicab Meter or App is disengaged whichever comes last; (134-16)

“Trip Sheet” means the written record of the details of each Trip;

“Vehicle” means a Motor Vehicle.

- (1) In this By-law and attached Schedules, unless the context otherwise requires, words imparting the singular number shall include the plural, and words imparting the masculine gender shall include the feminine and further, the converse of the foregoing also applies where the context so requires.

LICENSING REQUIRED

2. No person shall:

- (1) own or operate an Airport Municipal Transportation Vehicle ,
- (2) own or operate an Airport Public Transportation Vehicle,
- (3) operate as a Broker, (134-16)
- (4) own or operate a Limousine,
- (5) own or operate a Accessible Airport Public Transportation Vehicle,
- (6) own or operate a Special Accessible Taxicab, or
- (7) own or operate a Taxicab;

unless the Person is licensed under this By-law.

AIRPORT EXEMPTION

- 2.1 Notwithstanding Section 2 of this By-law, this By-law does not apply to Vehicles that hold an Airport Permit, that are licensed by another municipality and that are conveying passengers from a point within the City to an Airport. (8-12)

LICENSING SECTION

3. The Licensing Section shall:

- (1) Receive and process all applications for Licences and renewals of Licences; (200-08)

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- (2) Issue all Licences when an application is made in accordance with the provisions of this By-law and attached Schedules, and meets all requirements as provided for under this By-law and attached Schedules; (200-08)
- (3) Impose terms and conditions on a Licence where the Licence Manager is of the opinion that a term or conditions of a Licence should be imposed; (200-08)
- (4) Refuse to issue, renew a Licence or revoke or suspend a Licence, where the Licence Manager is of the opinion that the Applicant is disentitled to a Licence under Section 12; (200-08)
- (5) Maintain complete records showing all applications received and licenses issued; (200-08)
- (6) Enforce the provisions of this by-law and attached Schedules; (200-08)
- (7) Generally perform all the administrative functions conferred upon it by this By-law and the attached Schedules. (200-08)

APPLICATION FORMS FOR A LICENCE AND FOR RENEWAL OF A LICENCE

4. An application for a Licence or for a renewal of a Licence shall be completed on the forms provided by the Licensing Section.

REPRESENTATION OF LICENSING

5. No Person shall hold himself out to be licensed if he is not.

SUBMISSION OF LICENCE APPLICATION TO LICENSING SECTION

6. (1) A completed application for a Licence or for renewal of a Licence shall be delivered to the Licensing Section and shall be accompanied by:
 - (a) a non-refundable payment in the amount of 10 (ten) per cent of the total Licence fee prescribed in Schedule 1 to this By-law. The minimum payment due at the time of filing a Licence application shall be ten (\$10.00) dollars. The maximum payment due at the time of filing a Licence application shall be one hundred and fifty (\$150.00) dollars.
 - (b) any Additional Fee imposed under Section 15(2), and
 - (c) if the Applicant is a corporation, a copy of the incorporating document and a copy of the last annual information return which has been filed with the appropriate government department;

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- (2) In addition to the provisions of subsection (1), on an application for renewal of a Licence, there shall be returned with the application when required by the Licence Manager, the Owner's Plate.
7. The balance of the fee prescribed in Schedule 1 to this By-law, which is the total licence fee minus the deposit made at the time of filing the Licence application, shall become due and payable prior to the issuance of the Licence.

ISSUE OF LICENCE OR RENEWAL OF LICENCE

8. (1) When an application for a Licence or for a renewal of a Licence is made in accordance with the provisions of this by-law and the applicant meets all the requirements of this by-law the Licence Manager shall issue a Licence.
- (2) Unless provided otherwise in this by-law, a Person who is the Owner of more than one Vehicle obtain out a separate Licence for each Vehicle owned by him which is to be used in the City.
- (3) All applications, except renewals of a Licence, made by an Applicant who is:
- (a) a natural person shall be delivered personally to the Licensing Section; or,
- (b) a corporation shall be delivered personally by an officer or director of the corporation, to the Licensing Section.
- (4) All renewal applications of a license may be accepted through personal, postal or automated delivery methods.

TIME FOR RENEWAL

9. (1) When an application for renewal of a Driver's Licence is delivered to the Licensing Section within 6 months after the expiration date of the Licence, the Licensing Section shall process the application as a renewal;
- (2) When an application for renewal of a Driver's Licence is delivered to the Licensing Section any time after 6 months from the expiry date of the Licence but prior to one year from the expiry date of the Licence, the applicant shall provide the Licensing Section along with his application for renewal:
- (a) a then current driving record certificate issued by the Ontario Ministry of Transportation; and
- (b) a then current certificate of criminal conviction data search as issued by the Peel Regional Police Department;

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- (3) When an application for renewal of a driver's Licence is delivered to the Licensing Section any time after one year after the expiry date of the Licence, the applicant shall complete an application as a new applicant.

TERM OF LICENCE

10. Every Licence expires on the expiry date set out in Schedule 2 to this By-law.

LICENCE TRANSFERABLE

11. All Licences issued under this by-law are non-transferable except as specifically provided for within the attached schedules.

GROUND FOR REFUSAL TO ISSUE OR TO RENEW A LICENCE

12. An Applicant whose application meets all the requirements of this By-law and its Schedules is entitled to a Licence or the renewal of a Licence except where:
- (1) There are reasonable grounds to believe that any application or other document provided to the Licensing Section by or on behalf of the Applicant contains a false statement or provided false information; or
 - (2) The past or present conduct of the Applicant, or of any partner, in the case of an Applicant which is a partnership, or of any director or officer of the corporation, if the applicant is a corporation, affords reasonable grounds for the belief that the Applicant will not carry on the activity for which he is to be licensed or to continue to be licensed in accordance with law and with integrity and honesty; or
 - (3) The financial position of the Applicant affords reasonable grounds to believe that the activity for which he is to be licensed or to continue to be licensed in accordance with law will not be carried on in a financially responsible manner; or
 - (4) The issuance of the Licence or renewal of the Licence would be contrary to the public interest; or
 - (5) The applicant has failed to pay the fine or fines imposed by a court as a sentence arising from convictions for breach of a By-law enacted by the City; or
 - (5.1) The applicant has failed to pay and Administrative Penalty imposed by the City arising from a contravention of a Designated By-law; or (154-15)
 - (6) The fee payable in respect of the Licence applied for has not been paid; or

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- (7) A complaint which in the opinion of the Licence Manager is not frivolous or vexatious has been received about the holder of a driver's license relating to the driver's ability to transport a disabled customer or to operate a licensed Vehicle in a defensive manner, regarding the driver's knowledge of the City's geography, in the case of a driver's ability to communicate in English, in which event the Licence Manager may require as a condition of the Diver continuing to hold a license or as a condition of the Driver obtaining a renewal of the license that:
- (a) the Licensee complete a Taxicab Driver Orientation Course; or
 - (b) the Licensee complete, with a mark of at least seventy-five percent (75%), a written test approved and set by the License Manager; or
 - (c) the Licensee complete a Sensitivity Training Course; or
 - (d) the Licensee complete a Defensive Driving Course; or
 - (e) the Licensee demonstrates a proficiency in English to the Canadian Language Benchmarks Assessment Standard for listening/speaking competencies of Benchmark 7 or provides a valid Ontario secondary school graduation diploma or its equivalent as determined satisfactory by the Licence Manager. (157-15)
- (8) The Applicant is carrying on activities that are, or will be, if the Applicant is licensed, in contravention of the by-law; or
- (9) The Applicant fails or refuses to comply with any requirement set out in the By-law to obtain or maintain or renew a Licence issued under this By-law.
- (10) Any Additional Fee imposed on a Licence remains unpaid after the due date as indicated in the Notice of Additional Fee sent to the Licensee.

NOT ENTITLED TO ISSUANCE OF LICENCE

13. (1) The powers and authority to refuse to issue a Licence, to cancel, revoke or suspend a Licence, or to impose terms and conditions on a Licence, are hereby delegated to the Licence Manager and his or her delegates. (200-08)
- (2) Where the Licence Manager is of the opinion that: (200-08)
- (a) an application for a Licence or renewal of Licence should be refused
 - (b) a reinstatement should not be made;
 - (c) a Licence should be revoked;

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- (d) a Licence should be suspended; or
 - (e) a term or condition should be imposed,
- he or she shall make that decision

THE LICENCE MANAGER'S POWER TO REFUSE TO ISSUE, RENEW A LICENCE OR REVOKE OR SUSPEND A LICENCE

14. (1) After a decision is made by the Licence Manager, written notice of that decision shall be given the Applicant or Licensee advising the Applicant or the Licensee of the Licence Manager's decision with respect to the application or Licence. (200-08)
- (2) The written notice to be given under subsection (1) shall: (200-08)
- (a) set out the grounds for the decision;
 - (b) give reasonable particulars of the grounds;
 - (c) be signed by the Licence Manager; and
 - (d) state that the Applicant or Licensee is entitled to a hearing by the Appeal Tribunal if the Applicant or Licensee delivers to the Clerk, within seven (7) days after the notice under subsection (1) is served, a notice in writing requesting a hearing by the Appeal Tribunal and the appeal fee as set out in Schedule 1 of this By-law.
- (3) Where no appeal is registered within the require time period, the decision of the Licence Manager shall be final. (200-08)
- (4) No person shall re-apply with the Licence Manager to obtain or renew a Licence for a minimum of one year from the later of: (152-14)
- (a) the date of the Licence Manager's decision to refuse to issue, renew or revoke a Licence; or
 - (b) where the decision of the Licence Manager is appealed, the date of the Appeal Tribunal's decision if the Appeal Tribunal upholds the decision to refuse to issue, renew or revoke a Licence.

ADDITIONAL FEES ON A LICENCE

15. (1) **section repealed by by-law 200-08**

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- (2) Notwithstanding any other provisions of the By-law, the Licence Manager may impose Additional Fees on a Licence, by way of a Notice Of Additional Fee at any time during the term of the Licence for costs incurred by the municipality attributable to the activities of the business.
- (3) The Notice of Additional Fee shall be sent to the Licensee by Registered Mail and shall provide the Licensee with sixty (60) days from the date of the Notice of Additional Fee is deemed to have been made to pay the outstanding amount.

VEHICLE IN ACTIVITY

- 16. The Owner's Licence and Plate shall be deemed to be inactive from the date the Owner's Licence and Plate are submitted to the Licence Manager or from the date that the inactivity comes to the attention of the Licence Manager, whichever first occurs.
 - (1) A Licence issued to a Taxicab Owner under this by-law may be cancelled by the Licence Manager at any time if the Owner fails to actively operate a Vehicle for which the Owner has been issued an Owner's Licence and accompanying plate, for a period not exceeding ninety(90) days, unless the Taxicab Owner; (200-08)
 - (a) applies to the Licence Manager for an additional period of up to ninety (90) days by: (200-08)
 - (i) making any request thirty (30) days prior to the expiry of such existing ninety (90) day inactivity period,
 - (ii) paying the non-refundable administration fee is paid as provided by Schedule 1 herein, and
 - (iii) providing in writing sufficient reasons to support such a request, or
 - (b) can show to the satisfaction of the Licence Manager just cause for such failure. (200-08)
 - (2) A Licence issued to an Owner under this by-law may be cancelled by the Licence Manager at any time if the Owner fails to actively operate the Vehicle for which the owner's plate has been issued for a continuous period of thirty (30) days or greater unless the Owner can show to the satisfaction of the Licence Manager just cause for such failure. (200-08)

CANCELLATION OF A LICENCE

- 17. Any Licence issued under this by-law may be cancelled by the Licence Manager at any time upon the written request of the Licensee. (200-08)

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THE HEARING BEFORE THE APPEAL TRIBUNAL

18. (1) The powers and authority to conduct appeal hearings are hereby delegated to an all-citizen Appeal Tribunal duly appointed by By-law. (200-08)
- (2) The provisions of sections 5 to 15 and 21 to 24 of the Statutory Powers Procedure Act R.S.O. 1990, c.S.22, as amended, shall apply to all hearings conducted by the Appeal Tribunal under this by-law. (200-08)
- (3) When the Applicant or Licensee who has been given written notice of the hearing does not attend at the appointed time and place, the Appeal Tribunal may proceed with the hearing in his or her absence and the Applicant or Licensee shall not be entitled to any further notice of the proceedings. (200-08)
- (4) At the conclusion of a hearing, the Appeal Tribunal may give its decision orally or reserve its decision, but in any case it shall provide its decision in writing, with reasons, within fourteen (14) days of the hearing to the Applicant or Licensee and the Licence Manager. (200-08)

TRIBUNAL DECISION FINAL

19. In making its decision the Appeal Tribunal may uphold or vary the decision of the Licence Manager, or make any decision that the Licence Manager was entitled to make in the first instance, The decision of the Appeal Tribunal issued under this By-law is final. (200-08)

RETURN OF THE LICENCE AFTER REVOCATION OR SUSPENSION

20. (1) When a Licence has been revoked, deemed unrenovable, cancelled or suspended, the holder of the Licence shall return the Licence to the Licensing Unit within twenty four (24) hours of service of written notice of the decision of the Licence Manager or, where an appeal has been filed, the decision of the Appeal Tribunal, and the Licence Manager may enter upon the Business Premises of the Licensee for the purpose of receiving, taking, or removing the said Licence. (200-08)
- (2) When a person has had his or her Licence revoked or suspended under this by-law he or she shall not refuse to deliver up or in any way obstruct or prevent the Licence Manager from obtaining the Licence in accordance with subsection (1). (200-08)

RIGHT OF INSPECTION OF LICENSED PREMISES OR VEHICLES/DUTY TO PRODUCE

21. (1) The Inspector may at any reasonable time enter upon and inspect the business Premises or Vehicle of any Licensee to insure that the provisions of this by-law have been complied with, and on completion of an inspection shall complete and file a written report on the inspection.

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- (2) Upon an inspection under subsection (1), the Inspector is entitled to request and have produced all relevant Licences and permits and to have access to the invoices, vouchers, appointment books or Trip Sheets or like documents of the person being inspected, provided such documents are relevant for the purposes of the inspection and the person inspecting may remove any of the aforementioned documents for the purpose of photocopying, provided a receipt is given to the Licensee and the documents are returned to the Licensee within two (2) business days of removal.
- (3) Every Driver or Owner Licensed under this by-law shall on request of the Inspector produce his Licence issued under this by-law and such other documentation as is requested upon an inspection under subsection (2).

VEHICLE INSPECTION

22. (1) The Licence Manager may require at any time that an Owner submit his Vehicle for inspection at an appointed place.
- (2) The Owner shall submit his Vehicle for inspection when required to do so by the Licence Manager under subsection (1).

LICENCE PRODUCTION

23. Every Driver shall carry his Licence with him at all times while he is operating a Vehicle and shall surrender the Licence for reasonable inspection upon demand by an Inspector.

NOTIFICATION OF CHANGE OF INFORMATION

24. (1) A Licensee shall carry on business in the City in the name which is set out on the Licence and shall not carry on business in the City in any other name unless he has first notified the Licensing Section and complied with subsection (2).
- (2) When a Licensee changes his name or address or any information relating to his Licence, he shall notify the Licensing Section within thirty two (32) hours of the change of address or any other information relating to his Licence and shall return the Licence immediately to the Licensing Section for amendment.
- (3) When the Licensee is a corporation, and there is any change in the following information given on the application;
 - (a) the names and addresses of officers and directors,
 - (b) the location of the corporate head office, or

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- (c) change of ownership of shares,

the Licensee shall report the change to the Licensing Section within seven (7) days of the change, and if necessary, the Licence shall be returned immediately to the Licensing Section for amendment.

MEDICAL CERTIFICATE

25. The Licence Manager may require a Driver, at any time, if he feels it may be in the public interest, to provide him with a certificate prepared by a Physician, attesting as to whether or not the Applicant is physically fit and able To Operate a Motor Vehicle.

ONTARIO DRIVER'S LICENCE SUSPENDED

26. When a licensed Driver has had his driver's licence issued, under the Highway Traffic Act, cancelled, suspended or revoked or where the licence has expired, the Licence issued under this by-law shall be deemed to be suspended as of the date of cancellation, or suspension or revocation under the Highway Traffic Act and the driver shall immediately return the Licence issued under this by-law to the Licensing Section.

REPHOTOGRAPHING OF DRIVERS

27. If at any time the Driver's photograph required on the application for a Licence is not a reasonable likeness of the Driver because of physical changes, the passage of time or poor quality photography, the Licence Manager may require the driver to have another photograph taken.

INSURANCE CERTIFICATE

28. Every Applicant for an Owner's Licence shall take out and keep in full force and effect automobile liability insurance for the Vehicle for which the Applicant is the Owner, and the insurance policy shall: (134-16)
- (1) be endorsed to provide the Licence Manager with at least ten (10) days notice in writing of a proposed cancellation or expiration of the insurance policy, or of a variation in the amount of the policy;
 - (2) insure against loss or damage resulting from bodily injury to or the death of one or more person, or from loss or damage to property resulting from any one accident and include provision for passenger hazard, with limits of not less than two million dollars (\$2,000,000) per occurrence;
 - (3) be endorsed to include all persons who have any interest in the Vehicle; and
 - (4) not exclude coverage for use of the Vehicle to carry paying passengers.

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INSURANCE CERTIFICATE RENEWALS

29. Every licensed Owner shall file with the Licence Manager a certificate of insurance evidencing the insurance required under this By-law on a City of Mississauga Standard Certificate of Insurance Form completed by an authorized representative of the insurance company prior to the Owner's Licence being issued and on an annual basis thereafter, at least five (5) days prior to the expiry date of the current insurance policy. (134-16)

FAIL TO HAVE INSURANCE

30. (1) When a licensed Owner ceases to have a current and valid Ontario standard automobile insurance policy in good standing and properly endorsed, the Licence shall be deemed to be suspended as of the date on which the cessation of insurance came to the attention of the Licence Manager, and the Licence shall only be reinstated on there being delivered to the Licence Manager, written proof of insurance in accordance with the provisions of this by-law.
- (2) When the licensed Owner has his Licence suspended under subsection (1), he shall forthwith remove the Owner's Plate and return the Owner's Plate and the Licence to the Licence Manager.
- (3) When a licensed Owner cancels his current insurance before the expiry date of the policy, he must produce a certificate of newly acquired insurance or return the Licence to the Licence Manager on the date and time of cancellation.

NOTICE

31. (1) Any notice or order required to be given or served under this by-law is sufficiently given or served if delivered personally or sent by registered mail, addressed to the person to whom delivery or service is required to be made at the last address for service appearing on the records of the Licensing Section.
- (2) When service is made by registered mail, the service shall be deemed to be made on the seventh day after the date of mailing, unless the Person on whom service is being made establishes that he did not, act in good faith, through absence, accident, illness, or other cause beyond his control, receive the notice or order until a later date.

PENALTY

32. (1) Fine - for contravention

Every Person who contravenes any provision of this By-law, and every director or officer of a corporation who concurs in such contravention by the corporation, is pursuant to the *Municipal Act*, 2001 guilty of an offence and on conviction is liable to a fine not exceeding \$25, 000.00. (134-16)

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- (2) Fine - for contravention - corporation

Despite subsection (1) where a corporation is convicted of an offence under the provisions of this By-law pursuant to the *Municipal Act*, 2001 is liable to a fine not exceeding \$50,000.00. (134-16)

- 32.1 Every Person who contravenes any provision of this By-law, when given a Penalty Notice, is liable to pay to the City and Administrative Penalty in the amount specified in the City's Licensing Administrative Penalty By-law and shall be liable to pay to the City Administrative Fees pursuant to the City's Licensing Administrative Penalty By-law, and shall follow the procedures for payment or review/appeal as outlined in the City's Licensing Administrative Penalty By-law. (154-15)
- 32.2 Notwithstanding section 32.1, every Person who contravenes any provision of this By-law is guilty of an offence and is liable to a fine, including the fines set out in this By-law, and such other penalties as provided for the Provincial Offences Act, R.S.O. 1990, cP.33, as amended and the Municipal Act, 2001, as each may be amended from time to time. (154-15)

OBSTRUCT INSPECTOR

33. No Person shall hinder or obstruct, or attempt to hinder or obstruct, an Inspector or the Licence Manager exercising a power or performing a duty under this By-law pursuant to section 426 of the *Municipal Act*, 2001.

PROHIBITION ORDER

34. Pursuant to the *Municipal Act*, 2001, when a Person has been convicted of an offence under this By-law, the Ontario Court of Justice (Provincial Division), or any court of competent jurisdiction thereafter may, in addition to any other penalty or order imposed, make an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation of the repetition of the offence.(134-16)

RESTRAINING ORDER

35. Pursuant to the provisions of section 440 of the *Municipal Act*, 2001 in addition to any other remedy and to any penalty imposed by this By-law, a contravention of this By-law may be restrained by application. (134-16)

STATEMENT OF THE CLERK

36. For the purposes of prosecution, under this By-law and pursuant to the *Municipal Act*, 2001, a statement as to the licensing or non-licensing of any premise or person signed by the Clerk is, without proof of the office or signature, receivable in evidence as proof, in the absence of evidence to the contrary, of the facts stated therein.(134-16)

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COURT ORDERS/BARRING OF ENTRY/CLOSING OF PREMISES

37. The provisions of section 432 of the *Municipal Act*, 2001 respecting the issuance of court orders, the banning of entry, and the closing of Premises shall apply to this By-law where required.

COLLECTION OF FINES

38. Where any part of a fine for a contravention of this By-law remains unpaid after the fine becomes due and payable under section 66 of the *Provincial Offences Act*, R.S.O. 1990, c.P 3, including any extension of time for payment ordered under that section the Licence Manager is hereby authorized, pursuant to section 440(1) of the *Municipal Act*, 2001, to give the person against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than twenty-one (21) days after the date of the notice, by delivering the notice or causing it to be delivered to that person at the person's residence or place of business.

DISTRESS FOR UNPAID FINES

39. (1) Pursuant to subsection 440(3) of the *Municipal Act*, 2001, where a fine remains unpaid after the final date on which it is payable as specified in the notice, the fine shall be deemed to be unpaid taxes and, pursuant to subsection 351 (1) of the *Municipal Act*, 2001, the Licence Manager or the Treasurer of the City may seize the following to recover the taxes and costs of seizure, subject to the exemptions provided for in subsection 351 (3) and (4) of the *Municipal Act*, 2001:
- (a) The personal property belonging to or in the possession of the person fined.
 - (b) The interest of the person fined in any personal property including such person's right to the possession of any personal property under a contract for purchase or a contract to which the person fined becomes the owner of the property upon performance of any condition.
 - (c) The personal property on the land and any interest therein as described in subsection (2) of this By-law of the owner of the land, even if the owner's name does not appear on the tax roll.
 - (d) Any personal property on the land, title to which is claimed under any assignment or transfer made for the purpose of defeating the seizure.
 - (e) Subsections 351(5), (7), (8), (9), (10), (13) and (14) of the *Municipal Act*, 2001 apply with necessary modifications to a seizure for an unpaid licensing fine under this By-law.

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LEVY OF FINES UNDER WARRANT

40. (1) Despite section 40 of this By-law, the treasurer or an Officer of the City may seize personal property, pursuant to section 351 (2) of the *Municipal Act*, 2001, after a tax bill has been sent but before the due date if,
- (a) the treasurer or an officer has good reason to believe that the personal property subject to the seizure is about to be removed from the City before its due date;
 - (b) the treasurer or an Officer makes an affidavit to that effect before a Justice of the Peace or the head of Council of the City; and
 - (c) the Justice of the Peace or head of Council of the City issues a warrant authorizing the Treasurer or an Officer to levy for the fines and costs in the manner provided by this section.
- (2) Subsections 351 (5), (7), (8), (9), (10), (13) and (14) of the *Municipal Act*, 2001 apply with necessary modifications to a seizure for an unpaid licensing fine under this By-law.
- (3) No defect, error or omission in the form or substance of the notice required by this By-law invalidates any subsequent proceedings for the recovery of a fine.

PROCEEDS OF FINES

41. Pursuant to the provisions of section 437 of the *Municipal Act*, 2001, where a person has been convicted of any offence under this By-law, every fine imposed for a contravention of this By-law belongs to the City of Mississauga.

SEVERABILITY

42. Notwithstanding that any section or sections of this By-law, or any part or parts thereof, may be found by any court of law to be invalid or beyond the power of the Council to enact, such section or sections or part or parts thereof shall be deemed to be severable, and all other sections of this By-law, or parts thereof, are separate and independent therefrom and enacted as such.

SCHEDULES

43. All schedules referred to in this by-law and attached to this by-law shall be deemed to be a part of the by-law.

REVIEW OF SCHEDULES

44. (1) Schedule 9 of this By-law, Taxicab Fare, will be reviewed each odd number year. (342-08, 134-16)

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- (2) In addition to the regular reviews set out in subsection (1) of this section, an additional review will be conducted whenever there is a 15% or greater increase or greater than 90 days in any of the five factors measured in the Tariff Review. (342-08)
45. Schedule 13 of this By-law, Plate Issuance Calculation Formula, will be reviewed each even number year.

INTERPRETATION

46. The provisions of the *Interpretation Act* R.S.O. 1990, c.I.11, shall apply to this By-law as required.

REPEAL

47. By-law 142-89, as amended, is hereby repealed.

EFFECTIVE DATE

48. This by-law comes into force and takes effect on the 13th day of October, 2004

SHORT TITLE

49. This by-law shall be known as the Public Vehicle Licensing By-law.

ENACTED AND PASSED this 13th day of October, 2004.

Signed by: Hazel McCallion, Mayor **Crystal Greer, City Clerk**

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**SCHEDULE 1
FEES**

(amended by 405-09, 311-11, 134-16, 184-17)

<u>TYPE OF LICENCE*</u>	<u>New</u>	<u>Renewal</u>
Accessible Airport Public Transportation	\$ 319.00	\$ 291.00
Vehicle Owner Licence		
Airport Municipal Transportation Vehicle Brokerage Licence	\$ 455.00	\$ 425.00
Airport Municipal Transportation Vehicle Driver Licence	\$ 156.00	\$ 152.00
Airport Municipal Transportation Vehicle Owner Licence	\$ 319.00	\$ 284.00
Airport Public Transportation Vehicle Brokerage Licence	\$ 455.00	\$ 425.00
Airport Public Transportation Vehicle Driver Licence	\$ 167.00	\$ 152.00
Airport Public Transportation Vehicle Owner Licence	\$ 319.00	\$ 291.00
Limousine Brokerage Licence	\$ 455.00	\$ 425.00
Limousine Driver Licence	\$ 167.00	\$ 152.00
Limousine Owner Licence , Class A and B	\$ 415.00	\$ 349.00
Special Occasion Limousine One Day Permit (Vehicle Licensed in another Municipality)	\$ 34.00	
Special Occasion Limousine One Day Permit (Vehicle not licensed in another Municipality)	\$ 43.00	
Special Accessible Taxicab Owner Licence	\$ 264.00	\$ 259.00
Taxicab Brokerage Owner Licence	\$ 455.00	\$ 425.00
Taxicab Driver Licence	\$ 167.00	\$ 152.00
Taxicab(Standard and Accessible) Owner Licence	\$ 927.00	\$ 377.00

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**SCHEDULE 1
FEES**

Public Vehicle Transfers *

Transfer of Taxicab Owner Licence	\$ 223.00
Transfer of Taxicab Owner Licence from Deceased Owner to Spouse	\$ 223.00
Transfer of one Taxicab Owner Licence by a Living Owner to a Spouse	\$ 98.00
Transfer of Taxicab or Airport Public Transportation Vehicle Owner Licence from an Individual to a Limited Company Controlled by that Individual.	\$ 223.00
Transfer of Airport Public Transportation Vehicle Owner Licence, First Licence.	\$ 223.00
Transfer of Airport Public Transportation Vehicle Owner Licence, Each Additional Licence.	\$ 98.00

Other Fees*

Appeal Hearing Fee	\$ 393.00
By-law Copy	\$ 25.00
Defensive Driving Course	\$ 127.00
Driver's Examination Fee (per sitting)	\$ 67.00
Driver's Photo Identification Card Replacement	\$ 12.00
Driver's Taxicab Orientation Course	\$ 116.00
English Language Test	\$ 20.00
Extension of Period of Inactivity of an Owner Licence and Plate (each request)	\$ 328.00
Lease Filing Fee	\$ 75.00
Model Year Extension for Taxicab	\$ 79.50
No Smoking stickers	\$ 2.00
Photographs	\$ 24.00
Priority List (Initial)	\$ 328.00
Priority List (Annual Maintenance)	\$ 223.00
Re-inspection Fee	\$ 50.00
Replacement Fee for loss of Driver's or Owner Licence	\$ 12.00
Replacement Fee for lost Owner Licence Plate	\$ 57.00
Replacement Fee for Lost Owner Licence Renewal Sticker	\$ 3.00
Seat belt Cutter	\$ 5.00
Sensitivity Training Course	\$ 116.00
Search of Ontario Driving Record	\$ 12.00
Fare Card Replacement	\$ 6.00
Taxicab Owner Responsibilities Course	\$ 58.00

*** NOTE: These rates shall automatically increase and be rounded to the nearest dollar on the first day of January each year by the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area, published by Statistics Canada, during the 12-month period ending on October 1 in the year immediately preceding the rate increase date. The fees listed in this Schedule will be subject to Harmonized Sales Tax (H.S.T), where applicable**

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**SCHEDULE 2
LICENSE EXPIRY DATES**

1. Every licence issued to a driver, shall be valid for a period of one year effective from the anniversary of his birth (“birthday”) except where:
 - (a) the initial licence issued to a driver, is issued within ninety-one (91) days prior to his birthday, such licence shall be valid until the birthday following his next birthday;
 - (b) the initial licence issued to a driver, is issued on a date which is greater than ninety-one (91) days prior to his birthday, such licence shall be valid until his next birthday;
 - (c) the driver's birthday is February 29th, the expiry date for such driver's licence shall be February 28th, for licensing purposes only.
 - (d) Section 1(a) of this Schedule does not apply to a driver who is also an owner under this By-law and attached Schedules, such driver's licence shall expire on the same date as his owner's licence.

2. The Owner's licences issued pursuant to the following Schedule of this By-law:

Schedule	3	Broker
Schedule	7	Special Accessible Taxicab
Schedule	8	Taxicab

shall expire on February 28 of each year.

3. The Owner's licences issued pursuant to the following Schedules of this By-law:

Schedule	4	Airport Municipal Transportation Vehicle
Schedule	5	Airport Public Transportation Vehicle

shall expire on March 31 of each year.

4. The Owner's licences issued pursuant to the following Schedules of this By-law:

Schedule	6	Limousine
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shall expire on September 30 of each year.

5. The Owner's licences issued pursuant to the following Schedules of this By-law:

Schedule	6	Special Occasion Limousine
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shall be valid, subject to the other provisions of the By-law, for the period of time set out on the licence.

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**SCHEDULE 3
OWNERS AND DRIVERS OF AIRPORT MUNICIPAL
TRANSPORTATION VEHICLES**

(Amended by 114-05, 157-15, 134-16, 184-17)

LICENSING PREREQUISITES - AIRPORT MUNICIPAL TRANSPORTATION VEHICLE DRIVERS

1. (1) Every Applicant for an Airport Municipal Transportation Vehicle Driver's Licence shall:
 - (a) submit to the Licensing Section,
 - (i) proof of being at least 18 years of age;
 - (ii) proof of either,
 - (a) Canadian citizenship,
 - (b) landed immigrant status, or
 - (c) a valid work permit to work as a Driver issued by the Government of Canada;
 - (iii) a valid Airport Driver's Card
 - (iv) a certificate prepared by a Physician which states that the Applicant is fit and able To Operate a Motor Vehicle and obtained within the last thirty (30) days from the date of the application.;
 - (v) a current valid Class 'G' driver's license issued by the Province of Ontario which is in good standing according to the records of the Ministry of Transportation and Communications and obtained within the last thirty (30) days from the date of the application..
 - (vi) a certificate of Criminal Conviction data search as issued by the Peel obtained within the last thirty (30) days from the date of the application.
 - (b) demonstrates a proficiency in English to the Canadian Language Benchmarks Assessment Standard for listening/speaking competencies of Benchmark 7 or provides a valid Ontario secondary school graduation diploma or its equivalent as determined satisfactory by the Licence Manager. (157-15)
 - (c) successfully and within the last five (5) years completed a Defensive Driving Course.

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**SCHEDULE 3
OWNERS AND DRIVERS OF AIRPORT MUNICIPAL
TRANSPORTATION VEHICLES**

- (d) successfully and within the last five (5) years completed a Sensitivity Training Course.
- (e) successfully and within the last five (5) years completed a Robbery Prevention Course
(114-05)

AIRPORT DRIVER'S CARD SUSPENDED OR CANCELLED

- 2. (1) When a licensed Airport Municipal Transportation Vehicle Driver has had his Airport Driver's Card suspended or cancelled, the Licence issued under this by-law shall be suspended or cancelled at the same time for the same period.
- (2) The Airport Municipal Transportation Vehicle Driver Licence issued under this by-law shall be reinstated if and when the Airport Driver's Card is reinstated.

AIRPORT MUNICIPAL TRANSPORTATION VEHICLE DRIVER DUTIES

- 3. Every licensed Airport Municipal Transportation Vehicle Driver shall:
 - (1) not hold himself out as being available for hire in any public place;
 - (2) use the current Greater Toronto Airport Authority GTA Taxi Tariffs for calculating the Fare for Trips commencing within the City to the Airport.
 - (3) not pick up a Fare within sixty (60) metres of a designated Taxicab Stand;
 - (4) only pick up a Fare that is prearranged to be conveyed to Lester B. Pearson International Airport; and
 - (5) not operate an Airport Municipal Transportation Vehicle if his Airport Driver's Card has been suspended or cancelled by the Greater Toronto Airports Authority.
 - (6) not be eligible to apply to be placed , or to remain, by virtue of his status and occupation as an Airport Municipal Transportation Vehicle Driver, on the Priority List.
 - (7) each day before commencing the operation of the vehicle, examine the vehicle for Mechanical Defects or interior or exterior damage to the vehicle including all exit doors and shall report forthwith any defects found to the plate owner of the vehicle;

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**SCHEDULE 3
OWNERS AND DRIVERS OF AIRPORT MUNICIPAL
TRANSPORTATION VEHICLES**

- (8) each day upon completion of the operation of the vehicle return the vehicle to his employer and shall examine the vehicle as provided in subsection (7) and shall report all defects in the vehicle and all accidents to the plate owner;
- (9) carry the Driver's Licence issued under this Schedule and his Ontario driver's licence with him at all times when operating a vehicle;
- (10) be properly dressed, well groomed, neat and clean in personal appearance;
- (11) be civil and behave courteously;
- (12) give a Passenger a receipt on an authorized form showing the Driver's name and Driver's Licence number and an identifying number for the vehicle when requested or whenever there is a dispute over the Fare;
- (13) serve a Prearranged Passenger in the City or a Passenger from the Airport, except when the person:
 - (a) is intoxicated or disorderly; or,
 - (b) refuses to give his destination, or,
 - (c) is in possession of an animal other than a Service Animal, or;
 - (d) is eating or drinking any food or beverage, or;
 - (e) has not paid a previous Fare or cancellation fee, or;
 - (f) is in the opinion of the Driver unable or unwilling to pay the Fare and has been unable or unwilling to satisfy the Driver that he has the funds to pay the Fare;
 - (g) is a Grossly Unclean Person;
 - (h) is a person apparently under the age of twelve (12) years who is not accompanied by an adult.
 - (i) refuses to wear a seat belt and either fails to produce a medical certificate exempting him/her from wearing a seat belt assembly, or fails to satisfy the Driver that his/her weight is under eighteen (18) kilograms (40 lbs).
- (14) punctually keep all his appointments, and shall not make any appointments if a previous engagement would prevent him from fulfilling it;

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- (15) take due care of all property delivered or entrusted to him for conveyance of safekeeping, and immediately upon his termination of any hiring engagement shall examine the interior of his vehicle for any property lost or left therein, and all property or money left in his vehicle shall be forthwith delivered over to the person owning the property or money and if the owner of the property or money cannot at once be found, the Driver shall deliver the property or money to the nearest police station with all information in his possession regarding the property or money;
- (16) when a dispute arises between a passenger and a Driver of a vehicle about the Fare the Driver may refer the dispute to the nearest police officer for arbitration;
- (17) keep a daily Trip Sheet showing:
 - (a) the name of the Driver, the date and the Airport Municipal Transportation Vehicle Owner's Plate number;
 - (b) the location and time of the beginning and end of every Trip made;
 - (c) the amount of the Fare collected for each Trip;
- (18) retain all Trip Sheets for at least twelve (12) months and make them available for inspection at the request of an Inspector or the License Manager;
- (19) keep in his Airport Municipal Transportation Vehicle a current street guide for the City and the surrounding vicinity which is of a type approved by the License Manager;
- (20) turn off any radio, tape player or any other sound-producing mechanical device in his Airport Municipal Transportation Vehicle and shall turn down the volume on the two-way radio upon being requested so to do by any Passenger, and having done so shall leave such devices in the off position or if two-way radio turned down until termination of the Trip with that Passenger.
- (21) not smoke in the Airport Municipal Transportation Vehicle.
- (22) if requested, assist a Disabled or elderly person to get into and out of the taxicab and ensure the Passenger is properly secured in the Vehicle prior to transport. If the Driver is unable to properly assist and/or secure the Passenger, the Driver shall notify their Broker and request a Driver or other appropriate service capable of handling the request. The Driver shall record the request and results on the Trip Sheet. The Driver shall remain with the Passenger until assistance from another Driver or appropriate service has arrived.

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AIRPORT MUNICIPAL TRANSPORTATION VEHICLE DRIVER PROHIBITIONS

4. No licensed Airport Municipal Transportation Vehicle Driver shall:
- (1) carry in any Vehicle a greater number of Passengers than is set out in the manufacturer's rating of seating capacity for such Vehicle;
 - (2) drive a Vehicle with luggage or any object placed in, hung on or attached to the Vehicle or in such a manner as will obstruct the Driver's view of the highway;
 - (3) take, consume or have in his possession any alcohol, Drugs or intoxicants while he is in charge of his Vehicle for which he is a Driver;
 - (4) take on any additional Passengers after the Vehicle has departed with one or more Passengers from any one starting point except under the following circumstances:
 - (a) when done at the request of a Passenger already in the Vehicle;
 - (b) in an emergency situation;
 - (5) drive a Vehicle whose owner is not a licensed Owner.
 - (6) permit a Passenger to stand in the Vehicle while the Vehicle is in motion;
 - (7) be required to accept any Order when the expenditure of money by the Airport Municipal Transportation Vehicle Driver is required on behalf of the Passenger;
 - (8) recommend hotels or restaurants or other like facilities unless requested to do so by the Passengers;
 - (9) be required to provide change for any note larger than twenty dollars (\$20.00) unless the Fare is at least one-half ($\frac{1}{2}$) of the value of said note;
 - (10) use mobile phones while operating an Airport Municipal Transportation Vehicle except when the use of the phones do no affect the safe operation of the Airport Municipal Transportation Vehicle.
 - (11) refuse to serve a Passenger with a Service Animal; except where:
 - (a) the driver has an allergy, and has filed with the Licence Manager a certificate from his doctor evidencing that due to the allergy the driver is unable to provide service to a Passenger with a Service Animal.

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- (b) when the Driver is unable to service a Passenger for the reason set out in paragraph(a), the Driver shall make proper arrangements for service before proceeding to his next engagement.
- (12) smoke in the Airport Municipal Transportation Vehicle
- (13) speak in an obscene, foul, boisterous, racist, loud, threatening or abusive manner to any Person, including a Dispatcher, while Operating an Airport Municipal Transportation Vehicle;

RETRAINING REQUIREMENTS

- 5. (1) The License Manager may require a Driver at any time to complete the Defensive Driving Course because of complaints received against the Driver, relevant convictions registered on the Driver's provincial driving record or if the License Manager is of the opinion that it would be in the public interest to require the Driver to complete the Defensive Driving Course.
- (2) Where a complaint has been received which in the opinion of the License Manager is not frivolous or vexatious and relates to the Driver's ability to transport a disabled customer, the License Manager may require the Licensee to complete a Sensitivity Training Course, as a condition of the continuation or renewal of the Driver's license.
- (3) Every licensed Driver shall be required to complete a Sensitivity Training Course every five (5) Years.
- (4) Every licensed Driver shall be required to complete the Defensive Driving Course every five (5) Years.
- (5) Every Inactive Driver shall be exempt from subsections 5 (3), (4) and (6) but must comply with the subsections prior to operating a vehicle licensed under this By-law.(114-05)
- (6) Every Driver shall be required to complete a Robbery Prevention Course every five (5) years.
(114-05)
- (7) Subsection (6) shall come into effect as of the renewal of Driver Licences for the year of 2007.
(114-05)

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ADVERTISING

6. No licensed Driver or Plate Owner shall display or permit the display of any sign, emblem, decal, ornament or advertisement on or in his Airport Municipal Transportation Vehicle except with a content and in a form and location approved by the License Manager.

OWNER'S LICENSING PREREQUISITES

7. (1). Every Applicant for a Licence as an Owner of an Airport Municipal Transportation Vehicle shall hold a valid Airport Permit in good standing To Operate the Vehicle at the Lester B. Pearson International Airport, issued by the Greater Toronto Airports Authority.
- (2) Every Applicant for an Airport Municipal Transportation Vehicle Owner's license shall be a natural Person who shall also be required to be licensed under this by-law as a Driver.
- (3) Every Applicant for an Airport Municipal Transportation Vehicle Owner's license shall meet the requirements of section 10 of this Schedule relating to Vehicle approval.

AIRPORT PERMIT SUSPENDED OR CANCELLED

8. (1) When a licensed Airport Municipal Transportation Vehicle Owner has had his Airport Permit suspended or cancelled, the Licence issued under this by-law shall be suspended or cancelled at the same time for the same period.
- (2) The Airport Municipal Transportation Vehicle Owner's Licence issued under this by-law shall be reinstated if and when the Airport Permit is reinstated.

UNREGISTERED VEHICLE

9. No licensed Driver or plate Owner shall operate a Vehicle or permit a Vehicle to be operated which is not registered under this by-law;

VEHICLE APPROVAL

10. (1) An Applicant for an Owner's Licence, before using the Vehicle to be registered by the Licensing Section, shall:
- (a) attend at the Licensing Section and produce and file the following documents

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- (i) a copy of the current Provincial Permit for the Vehicle, in good standing, issued by the Ontario Ministry of Transportation in the Owner's name
- (ii) a copy of the Owner's Licence;
- (iii) a copy of the current Motor Vehicle Liability Insurance Card endorsed to show the Vehicle being registered; and
- (iv) either;
 - (a) an Ontario Ministry of Transportation and Communication Vehicle Inspection report showing that the Vehicle has been accepted within the previous sixty (60) days,
 - (b) a Safety Standard Certificate issued under the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, within the previous sixty (60) days.
- (b) pay the fee set out in Schedule 1 to this by-law; and
- (c) submit the Vehicle to be registered for inspection and approval by the Licensing Section;
- (2) If the inspection and approval provided for under clause (10)(1)(c) cannot be completed during normal business hours the Vehicle can be used provided the Owner returns the Vehicle for inspection on the date and time specified by the Licensing Section.
- (3) An Owner licensed under this by-law who disposes of his Vehicle or otherwise ceases to use his Vehicle for the purposes permitted under this by-law and acquires another Vehicle for the purposes permitted under this by-law, before using the Vehicle, shall comply with subsections (1) and (2).
- (4) When the licensed Owner meets all the requirements of this section and Section 14 of this Schedule the Vehicle shall be deemed to be registered.

LIMITATION ON OWNERS LICENCES

- 11. Only Forty (40) Airport Municipal Transportation Vehicle Owner's Licences shall be issued under this by-law.

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OWNERS DUTIES

12. Every Airport Municipal Transportation Vehicle Owner shall:
- (1) personally operate the Vehicle as a Driver for not less than twenty-five percent (25%) of the time that the Vehicle is in service; and
 - (2) in cases where the ownership of the Airport Municipal Transportation Vehicle is jointly held by two (2) Individuals each Individual shall drive minimum of twenty-five percent (25%) of the time that the Vehicle is in service
 - (3) employ or use only the services of licensed Airport Municipal Transportation Vehicle Drivers under this Schedule;
 - (4) repair any mechanical defect in the Vehicle reported to him by a licensed Driver.
 - (5) provide the Licensing Section and, where applicable, any licensed Broker with whom he may be Affiliated with the name of the licensed Driver operating his Vehicle within three (3) business days of the time when the licensed Driver has commenced To Operate the said Vehicle.

OWNER PROHIBITION'S

13. (1) No licensed Airport Municipal Transportation Vehicle Owner shall:
- (a) enter into any Lease agreement pertaining to the Owner's Airport Municipal Transportation Vehicle Licence;
 - (b) install or use any type of Taxicab Meter device in an Airport Municipal Transportation Vehicle; and
 - (c) operate or permit to be operated an Airport Municipal Transportation Vehicle if his Airport Permit has been cancelled or suspended by the Greater Toronto Airports Authority.
 - (d) hold more than one (1) Airport Municipal Transportation Vehicle Owner's licence.

VEHICLE STANDARDS

14. Every licensed Airport Municipal Transportation Vehicle Owner and Licensed Driver as such under this By-law, shall at all times, cause his Airport Municipal Transportation Vehicle to be in conformity, with the following standards:

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- (1) has useable trunk capacity such that the vehicle is capable of being able to accommodate a wheel chair, walker or similar device used to aid the disabled;
- (2) operate or permit to be operated any vehicle which has been licensed for road use for a period in excess of six years;
- (3) has at least 424 litres (15 cubic feet) of useable trunk capacity for an Airport Municipal Transportation Vehicle that has a seating capacity of up to and including five(5) Passengers;
- (4) has at least 509 litres (18 cubic feet) of useable trunk capacity for an Airport Municipal Transportation Vehicle that has a seating capacity of six (6) Passengers;
- (5) be equipped with functioning air conditioning and heater;
- (6) be equipped with clear untinted glass windows, except such tint as installed by the original manufacturer of the Vehicle;
- (7) is clean, dry and in good repair as to its interior;
- (8) is clean, and in good repair as to its exterior, free from exterior body damage and with a well maintained exterior paint finish;
- (9) is equipped with an extra tire, wheel and jack ready for use for that vehicle or be equipped with a run-flat free tire system or air compressor/tire sealant combination unit; (184-17)
- (10) has identical wheel coverings and or wheel design;
- (11) has a seat belt cutting tool in a good state of repair which is easily accessible to the Driver;
- (12) have Fender Numbers;
- (13) have a Roof Light identifying the vehicle as being an AMTV;
- (14) affix the Owner's Plate to the rear of the vehicle in a place approved by the License Manager;
- (15) keep in the Vehicle and maintain a Maintenance Log for the Vehicle registered under the Owner's Licence.
- (16) affix the Licence Renewal Sticker to the bottom right corner of the Owner's Plate.

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- (17) keep in the Vehicle and maintain a Maintenance Log for the Vehicle registered under the Owner's Licence

AIRPORT MUNICIPAL TRANSPORTATION VEHICLE OPERATING IN BROKERAGES

15. No Airport Municipal Transportation Vehicle Driver or Owner shall;
- (1) put any name, address, or telephone number or other identification other than that of himself or the Airport Municipal Transportation Vehicle Broker with whom he is Affiliated on his Airport Municipal Transportation Vehicle or Roof Light;
 - (2) use or permit to be used on his Airport Municipal Transportation Vehicle any emblem, decal, roof sign or other markings which are the same shape and/or colour or similar to any distinctive emblem, decal, roof sign or other marking being used by any Airport Municipal Transportation Vehicle broker with whom he is not Affiliated;
 - (3) operate or permit his Airport Municipal Transportation Vehicle to be operated in Affiliation with a Airport Municipal Transportation Vehicle Broker who is not licensed under this by-law;
 - (4) use or permit to be used a two-way radio or monitoring device in his Airport Municipal Transportation Vehicle which enables him or his Driver to transmit and/or receive any frequency of an Airport Municipal Transportation Vehicle Broker licensed under this by-law with whom he is not Affiliated;
 - (5) **SECTION REPEAL BY 134-16**

AIRPORT MUNICIPAL TRANSPORTATION VEHICLE DRIVER LEAVES AIRPORT MUNICIPAL TRANSPORTATION VEHICLE BROKER

16. Every Driver or Plate Owner who ceases to be Affiliated with an Airport Municipal Transportation Vehicle Broker shall:
- (1) remove from his vehicle the Roof Light, radio crystals and telephone number of the Airport Municipal Transportation Vehicle Broker he is leaving;
 - (2) change and remove from the vehicle the decals or other Airport Municipal Transportation Vehicle Brokerage markings on the vehicle;
 - (3) return to the Airport Municipal Transportation Vehicle Broker he is leaving all business cards and other equipment belonging to that Airport Municipal Transportation Vehicle Broker.

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DISPOSAL OF AIRPORT MUNICIPAL TRANSPORTATION VEHICLE

17. (1) When the licensed Airport Municipal Transportation Vehicle Owner disposes of or otherwise ceases to use a Vehicle as an Airport Municipal Transportation Vehicle he shall immediately remove from the said Vehicle being disposed of:
- (a) the Roof Light;
 - (c) all identifying decals or markings;
 - (d) Fender Numbers;
 - (e) and all other items which make the vehicle appear to the public to be an Airport Municipal Transportation Vehicle.

MANDATORY AIRPORT MUNICIPAL TRANSPORTATION VEHICLE INSPECTIONS

18. (1) The Licence Manager shall give notice to the licensed Airport Municipal Transportation Vehicle Owner of the mandatory inspection for each Airport Municipal Transportation Vehicle he owns.
- (2) Upon receipt of notice of inspection under subsection (1) each licensed Airport Municipal Transportation Vehicle Owner or his agent shall attend with his Vehicle at the appointed time and place and shall bring with him either:
- (a) an Ontario Ministry of Transportation and Communication Vehicle Inspection Report showing that the Vehicle has been accepted within the previous sixty (60) days, or
 - (b) a Safety Standard Certificate issued under the *Highway Traffic Act* within sixty (60) days of this submission.
- (3) When a Vehicle has been inspected under section 10 of this Schedule within sixty (60) days of the date set out in the notice of mandatory inspection referred to in subsection (2), the Airport Municipal Transportation Vehicle Owner or his agent shall not be required to have the Vehicle reinspected as required by the notice but this section does not affect any inspection required under section 22 of the By-law.

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(amended by 114-05, 183-05, 157-15, 134-16, 184-17)

**LICENSING PREREQUISITES - AIRPORT PUBLIC TRANSPORTATION VEHICLE
DRIVERS**

1. (1) Every Applicant for an Airport Public Transportation Vehicle Driver's Licence shall:
 - (a) submit to the Licensing Section,
 - (i) proof of being at least 18 years of age;
 - (ii) proof of either,
 - (a) Canadian citizenship,
 - (b) landed immigrant status, or
 - (c) a valid work permit to work as a driver issued by the Government of Canada;
 - (iii) a valid Airport Driver's Card
 - (iv) a certificate prepared by a Physician that states that the Applicant is fit and able To Operate a Motor Vehicle and obtained within the last thirty (30) days from the date of the application.
 - (v) a current valid Class 'G' driver's license issued by the Province of Ontario that is in good standing according to the records of the Ministry of Transportation and Communications and obtained within the last thirty (30) days from the date of the application.
 - (vi) a certificate of Criminal Conviction data search as issued by the Peel Regional Police Department and obtained within the last thirty (30) days from the date of the application.
 - (b) demonstrates a proficiency in English to the Canadian Language Benchmarks Assessment Standard for listening/speaking competencies of Benchmark 7 or provides a valid Ontario secondary school graduation diploma or its equivalent as determined satisfactory by the Licence Manager. (157-15)
 - (c) successfully and within the last five (5) years completed a Defensive Driving Course.

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- (d) successfully and within the last five (5) years completed a Sensitivity Training Course.
- (e) successfully and within the last five (5) years completed a Robbery Prevention Course. (114-05)

AIRPORT DRIVER'S CARD SUSPENDED OR CANCELLED

- 2. (1) When a licensed Airport Public Transportation Vehicle Driver has had his Airport Driver's Card suspended or cancelled, the Licence issued under this by-law shall be suspended or cancelled at the same time for the same period.
- (2) The Airport Public Transportation Vehicle Driver Licence issued under this by-law shall be reinstated if and when the Airport Driver's Card is reinstated.

AIRPORT PUBLIC TRANSPORTATION VEHICLE DRIVER DUTIES

- 3. Every licensed Airport Public Transportation Vehicle Driver shall:
 - (1) be dressed in a uniform of a type approved by the Owner and the License Manager.
 - (2) not hold himself out as being available for hire in any public place;
 - (3) use the current Greater Toronto Airport Authority GTA Limousine Tariffs for calculating the Fare for Trips commencing within the City to the Airport.
 - (4) not pick up a pre-arranged Fare within sixty (60) metres of a designated Taxicab Stand;
 - (5) only pick up a Fare that is prearranged to be conveyed to Lester B. Pearson International Airport; and
 - (6) not operate an Airport Public Transportation Vehicle if his Airport Driver's Card has been suspended or cancelled by the Greater Toronto Airports Authority.
 - (7) not be eligible to apply to be placed , or to remain, by virtue of his status and occupation as an Airport Public Transportation Vehicle Driver, on the Priority List.
 - (8) each day before commencing the operation of the vehicle, examine the vehicle for mechanical defects or interior or exterior damage to the vehicle including all exit doors and shall report forthwith any defects found to the Owner of the vehicle;

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- (9) each day upon completion of the operation of the vehicle return the vehicle to his employer and shall examine the vehicle as provided in subsection (8) and shall report all defects in the vehicle and all accidents to the Plate Owner;
- (10) carry the Driver's Licence issued under this schedule of the by-law and his Ontario driver's licence with him at all times when operating a vehicle;
- (11) be properly dressed, well groomed, neat and clean in personal appearance;
- (12) be civil and behave courteously;
- (13) give a Passenger a receipt on an authorized form showing the Driver's name and Driver's Licence number and an identifying number for the vehicle when requested or whenever there is a dispute over the Fare;
- (14) serve a Prearranged Passenger in the City or a Passenger from the Airport, except when the person:
 - (a) is intoxicated or disorderly; or,
 - (b) refuses to give his destination, or,
 - (c) is in possession of an animal other than a Service Animal , or;
 - (d) is eating or drinking any food or beverage, or;
 - (e) has not paid a previous Fare or cancellation fee, or;
 - (f) is in the opinion of the Driver unable or unwilling to pay the Fare and has been unable or unwilling to satisfy the Driver that he has the funds to pay the Fare;
 - (g) is a Grossly Unclean Person;
 - (h) is a person apparently under the age of twelve (12) years who is not accompanied by an adult.
 - (i) refuses to wear a seat belt and either fails to produce a medical certificate exempting him/her from wearing a seat belt assembly, or fails to satisfy the Driver that his/her weight is under eighteen (18) kilograms (40 lbs).
- (15) punctually keep all his appointments, and shall not make any appointments if a previous engagement would prevent him from fulfilling it;

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- (16) take due care of all property delivered or entrusted to him for conveyance of safekeeping, and immediately upon his termination of any hiring engagement shall examine the interior of his vehicle for any property lost or left therein, and all property or money left in his vehicle shall be forthwith delivered over to the person owning the property or money and if the owner of the property or money cannot at once be found, the Driver shall deliver the property or money to the nearest police station with all information in his possession regarding the property or money;
- (17) when a dispute arises between a Passenger and a Driver of a Vehicle about the Fare the Driver may refer the dispute to the nearest police officer for arbitration;
- (18) keep a daily Trip Sheet showing:
 - (a) the name of the Driver, the date and the Airport Public Transportation Vehicle Owner's Plate number;
 - (b) the location and time of the beginning and end of every Trip made;
 - (c) the amount of the Fare collected for each Trip;
- (19) retain all Trip Sheets for at least twelve (12) months and make them available for inspection at the request of an Inspector or the License Manager;
- (20) keep in his Airport Public Transportation Vehicle a current street guide for the City and the surrounding vicinity which is of a type approved by the License Manager;
- (21) turn off any radio, tape player or any other sound-producing mechanical device in his Airport Public Transportation Vehicle and shall turn down the volume on the two-way radio upon being requested so to do by any Passenger, and having done so shall leave such devices in the off position or if two-way radio turned down until termination of the Trip with that Passenger.
- (22) not smoke in the Airport Public Transportation Vehicle.
- (23) if requested, assist a Disabled or elderly person to get into and out of the taxicab and ensure the Passenger is properly secured in the Vehicle prior to transport. If the Driver is unable to properly assist and/or secure the Passenger, the Driver shall notify their Broker and request a Driver or other appropriate service capable of handling the request. The Driver shall record the request and results on the Trip Sheet. The Driver shall remain with the Passenger until assistance from another Driver or appropriate service has arrived.

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PROHIBITIONS AIRPORT PUBLIC TRANSPORTATION VEHICLE DRIVER

4. No licensed Airport Public Transportation Vehicle Driver shall:
- (1) carry in any Vehicle a greater number of Passengers than is set out in the manufacturer's rating of seating capacity for such Vehicle;
 - (2) drive a Vehicle with luggage or any object placed in, hung on or attached to the Vehicle or in such a manner as will obstruct the Driver's view of the highway;
 - (3) take, consume or have in his possession any alcohol, Drugs or intoxicants while he is in charge of his Vehicle for which he is a Driver;
 - (4) take on any additional Passengers after the Vehicle has departed with one or more Passengers from any one starting point except under the following circumstances:
 - (a) when done at the request of a Passenger already in the Vehicle;
 - (b) in an emergency situation;
 - (5) drive a Vehicle whose owner is not a licensed Owner.
 - (6) permit a Passenger to stand in the Vehicle while the Vehicle is in motion;
 - (7) be required to accept any Order when the expenditure of money by the Airport Public Transportation Vehicle Driver is required on behalf of the Passenger;
 - (8) recommend hotels or restaurants or other like facilities unless requested to do so by the Passengers;
 - (9) be required to provide change for any note larger than twenty dollars (\$20.00) unless the Fare is at least one-half ($\frac{1}{2}$) of the value of said note;
 - (10) use mobile phones while operating an Airport Public Transportation Vehicle except when the use of the phones do no affect the safe operation of the Airport Public Transportation Vehicle.
 - (11) refuse to serve a Passenger with a Service Animal; except where:
 - (a) the Driver has an allergy, and has filed with the Licence Manager a certificate from his doctor evidencing that due to the allergy the Driver is unable to provide service to a Passenger with a Service Animal.

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- (b) when the Driver is unable to service a Passenger for the reason set out in paragraph(a), the Driver shall make proper arrangements for service before proceeding to his next engagement.
- (12) smoke in the Airport Public Transportation Vehicle
- (13) speak in an obscene, foul, boisterous, racist, loud, threatening or abusive manner to any Person, including a Dispatcher, while Operating an Airport Public Transportation Vehicle;

RETRAINING REQUIREMENTS

- 5. (1) The License Manager may require a Driver at any time to complete the Defensive Driving Course because of complaints received against the Driver, relevant convictions registered on the Driver's provincial driving record or if the License Manager is of the opinion that it would be in the public interest to require the Driver to complete the Defensive Driving Course.
- (2) Where a complaint has been received which in the opinion of the License Manager is not frivolous or vexatious and relates to the Driver's ability to transport a Disabled customer, the License Manager may require the Licensee to complete a Sensitivity Training Course, as a condition of the continuation or renewal of the Driver's license.
- (3) Every licensed Driver shall be required to complete a Sensitivity Training Course every five (5) Years.
- (4) Every licensed Driver shall be required to complete the Defensive Driving Course every five (5) Years.
- (5) Every Inactive Driver shall be exempt from subsections 5 (3), (4) and (6) but must comply with the subsections prior to operating a vehicle licensed under this By-law.(114-05)
- (6) Every Driver shall be required to complete a Robbery Prevention Course every five (5) years.
(114-05)
- (7) Subsection (6) shall come into effect as of the renewal of Driver Licences for the year of 2007. (114-05)

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ADVERTISING

6. No licensed Driver or Owner shall display or permit the display of any sign, emblem, decal, ornament or advertisement on or in his Airport Public Transportation Vehicle except with a content and in a form and location approved by the License Manager.

OWNER'S LICENSING PREREQUISITES

7. (1) Every Applicant for a license as an Owner of an Airport Public Transportation Vehicle shall hold an Airport Permit in good standing To Operate the Vehicle at the Lester B. Pearson International Airport, issued by the Greater Toronto Airports Authority.
- (2) Every Applicant for an Airport Public Transportation Vehicle Owner's license shall meet the requirements of section 9 of this Schedule relating to Vehicle approval.

AIRPORT PERMIT SUSPENDED OR CANCELLED

8. (1) When a licensed Airport Public Transportation Vehicle Owner has had his Airport Permit suspended or cancelled, the Licence issued under this by-law shall be suspended or cancelled at the same time for the same period.
- (2) The Airport Public Transportation Vehicle Owner's Licence issued under this by-law shall be reinstated if and when the Airport Permit is reinstated

VEHICLE APPROVAL

9. (1) An Applicant for an Owner's Licence before using the Vehicle to be registered by the Licensing Section shall:
- (a) attend at the Licensing Section and produce and file the following documents:
- (i) a copy of the current Provincial Permit for the Vehicle, in good standing issued by the Ontario Ministry of Transportation in the Owner's name
- (ii) a copy of the Owner's Licence;
- (iii) a copy of the current Motor Vehicle Liability Insurance Card endorsed to show the Vehicle being registered; and

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- (iv) either;
 - (a) an Ontario Ministry of Transportation and Communication Vehicle Inspection report showing that the Vehicle has been accepted within the previous sixty (60) days,
 - (b) a Safety Standard Certificate issued under the Highway Traffic Act within the previous sixty (60) days.
 - (c) submit the Vehicle to be registered for inspection and approval by the Licensing Section;
- (2) if the inspection and approval provided for under clause (9)(1)(c) cannot be completed during normal business hours the Vehicle can be used provided the Owner returns the Vehicle for inspection on the date and time specified by the Licensing Section.
- (3) An Owner licensed under this by-law who disposes of his Vehicle or otherwise ceases to use his Vehicle for the purposes permitted under this by-law and acquires another Vehicle for the purposes permitted under this by-law before using the Vehicle shall comply with subsections (1) and (2).
- (4) When the licensed Owner meets all the requirements of this section and Section 14 of this schedule the Vehicle shall be deemed to be registered.

LIMITATION ON OWNERS LICENCES

- 10. (1) Only two hundred and ninety (290) Airport Public Transportation Vehicle Owner's Licences shall be issued under this by-law.(183-05)
- (2) Only six (6) Accessible Airport Public Transportation Vehicle Owner's Licences shall be issued under this by-law.

UNREGISTERED VEHICLE

- 11. No Driver or Plate Owner shall operate a Vehicle or permit a Vehicle to be operated which is not registered under this by-law;

OWNERS DUTIES

- 12. Every licensed Airport Public Transportation Vehicle Owner shall:
 - (1) employ or use only the services of licensed Airport Public Transportation Vehicle Drivers under this Schedule;

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- (2) repair any mechanical defect in the Vehicle reported to him by a licensed Driver.
- (3) provide the Licensing Section and, where applicable, any licensed Airport Public Transportation Vehicle Broker with whom he may be Affiliated with the name of the licensed Driver operating his Vehicle within seventy-two (72) hours of the time when the licensed Driver has commenced To Operate the said Vehicle.

PROHIBITIONS OWNERS

13. No licensed Airport Public Transportation Vehicle Owner shall:
 - (1) install or use any type of Taxi Meter device in an Airport Public Transportation Vehicle; and
 - (2) operate or permit to be operated an Airport Public Transportation Vehicle if his Airport Permit has been cancelled or suspended by the Greater Toronto Airports Authority.

VEHICLE STANDARDS

14. Every Airport Public Transportation Vehicle Owner Licensed and Driver as such under this By-law shall cause his, her or its Airport Public Transportation Vehicle used in the City to conform, at all times, to the following standards:
 - (1) has useable trunk capacity such that the Vehicle is capable of being able to accommodate a wheel chair, walker or similar device used to aid the Disabled;
 - (2) operate or permit to be operated any Vehicle which has been licensed for road use for a period in excess of six (6) years.
 - (3) has at least 424 litres (15 cubic feet) of useable trunk capacity for a Airport Public Transportation Vehicle that has a seating capacity of up to and including five(5) Passengers;
 - 4) has at least 509 litres (18 cubic feet) of useable trunk capacity for a Airport Public Transportation Vehicle that has a seating capacity of six (6) Passengers.
 - (5) be equipped with functioning air conditioning and heater; and
 - (6) be equipped with clear untinted glass windows, except such tint as installed by the original manufacturer of the Vehicle.
 - (7) is clean, dry and in good repair as to its interior;

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- (8) is clean, and in good repair as to its exterior, free from exterior body damage and with a well maintained exterior paint finish;
- (9) is equipped with an extra tire, wheel and jack ready for use for that Vehicle or be equipped with a run-flat free tire system or air compressor/tire sealant combination unit; (184-17)
- (10) has identical wheel coverings and or wheel design;
- (11) has a seat belt cutting tool in a good state of repair which is easily accessible to the Driver;
- (12) affix the Licence Sticker on the Vehicle in a location approved by the License Manager;
- (13) keep in the Vehicle and maintain a Maintenance Log for the Vehicle registered under the Owner's Licence.
- (14) affix the Licence Renewal Sticker to the GTAA Plate.

ACCESSIBLE AIRPORT PUBLIC TRANSPORTATION VEHICLES OWNER'S LICENCES

- 15. (1) every Applicant for a license as an Owner of an Accessible Airport Public Transportation Vehicle shall hold an Airport Permit in good standing To Operate the Vehicle at the Lester B. Pearson International Airport, issued by the Greater Toronto Airports Authority.
- (2) every Applicant for an Accessible Airport Public Transportation Vehicle Owner's license shall in addition to meeting the requirements of section 9 of this Schedule relating to Vehicle approval, only operate an Accessible Vehicle under the Licence.
- (3) pay the fee set out in Schedule 1 of this By-law.

ACCESSIBLE AIRPORT PUBLIC TRANSPORTATION VEHICLE OWNER DUTIES

- 16. In addition to the general Owner's duties prescribed by this by-law a licensed Accessible Airport Public Transportation Vehicle Owner shall:
 - (1) ensure that every licensed Accessible Vehicle be equipped with a dry chemical fire extinguisher having and effective total rating equivalent to at least 4-BC, weighing at least 2.27 kg (approximately 5 lbs) and being in a good state of repair

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AIRPORT PUBLIC TRANSPORTATION VEHICLE OPERATING IN BROKERAGES

17. No Airport Public Transportation Vehicle Driver or Owner shall;
- (1) put any name, address, or telephone number or other identification other than that of himself or the Airport Public Transportation Vehicle Broker with whom he is Affiliated on his Airport Public Transportation Vehicle;
 - (2) use or permit to be used on his Airport Public Transportation Vehicle any emblem, decal or other markings which are the same shape and/or colour or similar to any distinctive emblem, decal or other marking being used by any Airport Public Transportation Vehicle broker with whom he is not Affiliated;
 - (3) operate or permit his Airport Public Transportation Vehicle to be operated in Affiliation with an Airport Public Transportation Vehicle Broker who is not licensed under this by-law;
 - (4) use or permit to be used a two-way radio or monitoring device in his Airport Public Transportation Vehicle which enables him or his Driver to transmit and/or receive any frequency of an Airport Public Transportation Vehicle Broker licensed under this by-law with whom he is not Affiliated;
 - (5) **SECTION REPEALED BY 134-16**

AIRPORT PUBLIC TRANSPORTATION VEHICLE DRIVER LEAVES AIRPORT PUBLIC TRANSPORTATION VEHICLE BROKER

18. Every Driver or Owner who ceases to be Affiliated with an Airport Public Transportation Vehicle Broker shall:
- (1) remove from his vehicle the radio crystals and telephone number of the Airport Public Transportation Vehicle Broker he is leaving;
 - (2) change and remove from the vehicle all decals or other Airport Public Transportation Vehicle Brokerage markings on the vehicle;
 - (3) return to the Airport Public Transportation Vehicle Broker he is leaving all business cards and other equipment belonging to that Airport Public Transportation Vehicle Broker.

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DISPOSAL OF AIRPORT PUBLIC TRANSPORTATION VEHICLE

19. (1) When the licensed Airport Public Transportation Vehicle Owner or licensed Airport Public Transportation Vehicle Driver disposes of or otherwise ceases to use a Vehicle as an Airport Public Transportation Vehicle he shall immediately remove from the said vehicle being disposed of:
- (a) all identifying decals or markings;
 - (b) and all other items which make the vehicle appear to the public to be an Airport Public Transportation Vehicle.

MANDATORY AIRPORT PUBLIC TRANSPORTATION VEHICLE INSPECTIONS

20. (1) The Licence Manager shall give notice to the licensed Airport Public Transportation Vehicle Owner of the mandatory inspection for each Airport Public Transportation Vehicle he owns.
- (2) Upon receipt of notice of inspection under subsection (1) each licensed Airport Public Transportation Vehicle Owner or his agent shall attend with his Vehicle at the appointed time and place and shall bring with him either:
- (a) an Ontario Ministry of Transportation and Communication Vehicle Inspection Report showing that the Vehicle has been accepted within the previous sixty (60) days, or
 - (b) a Safety Standard Certificate issued under the *Highway Traffic Act* within sixty (60) days of this submission.
- (3) When a Vehicle has been inspected under section 9 of this Schedule within sixty (60) days of the date set out in the notice of mandatory inspection referred to in subsection (2), the Airport Public Transportation Vehicle Owner or his agent shall not be required to have the Vehicle reinspected as required by the notice but this section does not affect any inspection required under section 22 of the By-law.

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(amended by 134-16)

1. This section repealed by by-law 134-16
2. (1) Every application for a Licence under this By-law and Schedule shall be accompanied by:
 - (a) written proof of compliance with the zoning by-laws for the established business location.

Broker Duties

3. Every licensed Broker shall:
 - (1) maintain an office within the City from which the Brokerage is operated;
 - (2) submit to the Licensing Section by the tenth (10th) day of each month a list showing in numerical order by Owners's plate number,
 - (a) the name of every Driver operating any Vehicle with which the Broker has entered into any arrangement for the provision of Brokerage services;
 - (b) noting any additions or deletions of Owner's Licences Affiliated with the Broker;
 - (3) carry on the Brokerage business twenty-four (24) hours a day during the term of the Broker's license unless otherwise directed by Council;
 - (4) keep a record of each accepted Order and Dispatched Order, the time and date of receipt of the Order, and the pickup location, and shall retain the records for a period of at least three (3) months from the date the Order is taken; (134-16)
 - (5) supply the Licensing Section with a copy of the Broker's Federal Radio License call sign and frequency number if any;
 - (6) upon request, inform any customer of the anticipated length of time required for a Vehicle to arrive at the pickup location;
 - (7) when the volume of business is such that service will be delayed to a prospective customer, inform the customer of the approximate length of the delay before accepting the Order or Dispatching the Order; (134-16)
 - (8) Dispatch an Order or accept an Order unless the person requesting service has not paid for a previous Trip; (134-16)

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- (9) file a list of Brokerage rules and procedures including the terms and conditions of payment to Drivers with the Licensing Section and display the list prominently in the Brokerage;
 - (10) carry on business only in the name in which it is licensed;
 - (11) not Dispatch an Order to any Vehicle if the licensed Owner or licensed Driver, in the opinion of the Licence Manager, has contravened any section of this by-law; (134-16)
4. In addition to the Broker's duties prescribed by this by-law, every licensed Airport Municipal Transportation Vehicle Broker shall:
- (1) require all Owners of Taxicabs who are Affiliated with a Broker to use a Roof Light; and (134-16)
 - (2) require all Owners to produce and file a sample of the Roof Light referred to in subsection (1) above with the Licensing Section;
5. In addition to the Broker's duties prescribed by this by-law, every licensed Taxicab Broker shall:
- (1) where service requested is of a type which would require an Accessible Vehicle or special Accessible Vehicle and the Broker is unable to provide such service, direct the person requesting such service to another licensed Brokerage which can provide such service;
 - (2) where the Brokerage provides Accessible Vehicles or special Accessible Vehicles, provide priority service to Disabled persons;
 - (3) not refuse to service an Order from a person who gives no preference for any type of Vehicle;
 - (4) provide the Licence Manager on a monthly basis accepted Order and Dispatched Order counts which record the number of Trips each Vehicle has made for Disabled and Non-Disabled Passengers; (134-16)
 - (5) provide the Licence Manager each year with the annual accepted Order and Dispatched Order counts within one (1) month of the end of each calendar year; (134-16)
 - (6) require all Owners of Taxicabs who are Affiliated with a Broker to use a Roof Light; (134-16)

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- (7) require all Owners to produce and file a sample of the Roof Light referred to in subsection (6) above with the Licensing Section;
- (8) be permitted to accept Orders or Dispatch Orders notwithstanding that the Taxicab Owners are not licensed by the City under this by-law provided that the Taxicab Owners hold a valid Airport Permit; (134-16)
- (9) provide the Licensing Section on or before the tenth (10th) day of each month a list showing in numerical order by Owner's municipal plate number :
 - (a) the name of every Driver operating a non-Mississauga licensed Taxicab with which the Broker has entered into any agreement for the provisions of Brokerage services; and
 - (b) noting any additions or deletions of any non-Mississauga licensed Taxicab;
- (10) ensure that all Owners and Drivers of Taxicabs not licensed by the City to whom the Broker Dispatches comply with the requirements of a Driver in a Brokerage licensed by the City. (134-16)

Broker Prohibitions

- 6. No Broker shall:
 - (1) increase his Dues unless he has first:
 - (a) submitted in writing a notice of intent to Licence Manager at least one (1) month prior to the proposed effective date of any increase; and
 - (b) prominently displayed in the Brokerage a copy of the notice of intent for a least one (1) month prior to the proposed effective date of any increase;
 - (2) implement any change to the rules and procedures outlined in the subsection 3(9) until said change is filed with the Licensing Section and displayed prominently in the Brokerage;
 - (3) Dispatch Orders for parcel delivery to a Driver unless the Driver first consents to make the parcel delivery; (134-16)
 - (4) require any Driver to accept any Order necessitating an expenditure of money by the Driver on behalf of the customer;

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- (5) operate using an App or allow any Person to use an App that: (134-16)
 - (a) has not been approved by the Licence Manager; or
 - (b) has been suspended by the Licence Manager
 - (6) Dispatch to any person who which is not on the list provided under subsections 3(2); (134-16)
 - (7) possess or use on Premises associated with the Brokerage a scanner or radio that is capable of monitoring a Broker's radio frequency other than its own.
7. In addition to the Broker's prohibitions prescribed under this by-law, no licensed Airport Municipal Transportation Vehicle Broker shall:
- (1) charge a tariff or enter into an agreement to charge a tariff which is not accordance with the current Greater Toronto Airport Authority GTA Taxi Tariffs.
8. In addition to the Broker's prohibitions prescribed under this by-law, no licensed Airport Public Transportation Vehicle Broker shall:
- (1) charge a tariff or enter into an agreement to charge a tariff that is not in accordance with the Greater Toronto Airport Authority GTA Limousine Tariffs.
9. In addition to the Broker's prohibitions prescribed under this by-law, no licensed Taxicab Broker shall:
- (1) accept Orders for, or in any way Dispatch or direct Orders to, a Taxicab:
 - (a) where the service requested of the Broker or taxi Driver is illegal under this by-law, or any other municipal by-law or provincial or federal statute;
 - (b) where the Fare is less than that permitted Fare permissible under this By-law.(134-16)
 - (2) be permitted to have exclusive rights to any Taxicab Stand in the City or enter into or become a party to any Exclusive Concession Agreement;
 - (3) allow the number of Airport Permitted, unlicensed Mississauga Taxicabs to be Dispatched by licensed Broker to exceed 49% of the overall total number of Taxicabs being Dispatched by that Broker;

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- (4) Dispatch an Order or accept an Order originating from the City to a Taxicab not licensed under this by-law except for Fares originating at any of the passenger terminals at the Airport.(134-16)
 - (5) charge a Fare or enter into an agreement to charge a Fare that is not in accordance with the appropriate Fare in this by-law; (134-16)
 - (6) Dispatch to any person who is not on the list provided under subsection 6(9); (134-16)
10. The provisions of section 10(5) do not apply to a prearranged run for school children

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**SCHEDULE 6
OWNERS AND DRIVERS OF LIMOUSINES**

(amended by 64-05, 182-05, 69-10, 157-15, 259-15, 134-16, 94-17, 184-17)

A By-law to provide for licensing, regulating and governing Limousine drivers and owners

GENERAL ADMINISTRATIVE PROVISIONS AND LICENSING REQUIREMENTS:

1. There are three (3) classes of Limousine Licenced under this schedule which are described as follows;
 - (1) ***“Limousine Class A”*** means a Limousine with a seating capacity of not less than five (5) Passengers or less, including the Driver; (134-16)
 - (2) ***“Limousine Class B”*** means a Limousine with a seating capacity of not less than five (5) Passengers and not more than eight (8) Passengers including the Driver; (134-16)
 - (3) ***“Special Occasion Limousine”*** means any Limousine Class A and Limousine Class B which is operated on a per day basis by permit/licence.

LIMOUSINE OWNER LICENCE PRE-REQUISITE

2. (1) Every Applicant for an Owner's Licence shall:
 - (a) submit, file and maintain an Ontario business registration; or
 - (b) submit and file a copy of his Articles of Incorporation
 - (c) **section repealed by by-law 134-16**
 - (d) **section repealed by by-law 134-16**
 - (e) maintain an established business location for the purpose of operating the Limousine business and submit proof of compliance with the zoning by-laws for the established business location. (134-16).
 - (f) file with the Licensing Section a schedule of all hourly Fare rates to be charged and such rates shall be:
 - (i) a minimum two (2) hour duration at a charge of not less than fifty dollars (\$50.00) for the first hour and thirty dollars (\$30.00) for each additional hour for a Limousine Class A; and
 - (ii) a minimum charge of fifty dollars (\$50.00) for the first hour or any part thereof and thirty dollars (\$30.00) for each additional hour for a Limousine Class B.

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- (g) submit to the Licensing Section, a current Provincial Permit for the Vehicle which is in good standing and the Vehicle Portion endorsed in the registered owner's name by the Ministry of Transportation for the Motor Vehicle;

CRIMINAL RECORD CHECKS AND DRIVER ABSTRACTS

- 2.1 (1) Every Applicant for a Limousine Licence under this Schedule 6 shall provide the Licence Manager with: (259-15)
- (a) a criminal record search issued within sixty (60) days of the application date by the Peel Regional Police, or other police service in Ontario; and
 - (b) Driver's abstract
- (2) No Applicant shall be issued a Limousine Licence or a renewal Licence where the Licence Manager has determined based on a review of the criminal record search and driver's abstract provided according to subsection 2.1(1) of this Schedule 6 that the Applicant: (259-15)
- (a) has received any criminal conviction within five (5) years of the date of application or renewal;
 - (b) has received a criminal conviction for any of the offences listed Schedule 15 to this By-law;
 - (c) has a driver's abstract that contains more than eight (8) demerit points or its equivalent from outside the Province of Ontario; or (94-17)
 - (d) has received an individual *Highway Traffic Act* conviction which resulted in at least four (4) demerit points being added to the Applicant's driver's abstract or its equivalent from outside the Province of Ontario.
- (3) Notwithstanding subsections 2.1(2)(a) and 2.1(2)(b), the Licence Manager may issue a conditional licence where the Applicant provides documentation which establishes that the current application to the Parole Board of Canada for a record suspension in accordance with the Criminal Records Act is actively being pursued. (259-15)
- (4) All criminal convictions older than five (5) years and not appearing in Schedule 15 will be reviewed by the Licence Manager. (259-15)

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VEHICLE APPROVAL

3. (1) An applicant for an owner's Licence before using the Vehicle to be registered by the Licensing Section shall:
 - (a) attend at the Licensing Section and produce and file the following documents:
 - (i) a copy of the current Provincial Permit for the Vehicle, in good standing issued by the Ontario Ministry of Transportation in the owner's name
 - (ii) a copy of the Owner's Licence;
 - (iii) a copy of the current Motor Vehicle Liability Insurance Card endorsed to show the Vehicle being registered; and
 - (iv) either;
 - (a) an Ontario Ministry of Transportation and Communication Vehicle Inspection report showing that the Vehicle has been accepted within the previous sixty (60) days,
 - (b) a Safety Standard Certificate issued under the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, within the previous sixty (60) days.
 - (c) a City of Toronto Vehicle Inspection Report accompanied by a City of Toronto Livery Cab Fitness Report showing that the Vehicle has been accepted within the previous sixty (60) days;
 - (b) pay the fee set out in Schedule 1 to this by-law; and
 - (c) submit the Vehicle to be registered for inspection and approval by the Licensing Section;
- (2) if the inspection and approval provided for under clause 4(1)(c) cannot be completed during normal business hours, the Vehicle can be used, provided the owner returns the Vehicle for inspection on the date and time specified by the Licensing Section.
- (3) An Owner licensed under this by-law who disposes of his Vehicle or otherwise ceases to use his Vehicle for the purposes permitted under this by-law and acquires another Vehicle for the purposes permitted under this by-law before using the Vehicle, shall comply with subsections (1) and (2).

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- (4) When the plate owner meets all the requirements of this section and section 8 of this Schedule the Vehicle shall be deemed to be registered.

UNREGISTERED VEHICLE

4. No Driver or Owner shall operate a Vehicle or permit a Vehicle to be operated which is not registered under this by-law;

LIMITATION ON OWNERS LICENCES

5. ~~section repealed by by-law 182-05~~

OWNERS DUTIES

6. Every licensed Limousine Owner shall:
- (1) employ or use only the services of licensed Limousine Drivers under this By-law;
 - (2) repair any mechanical defect in the Vehicle reported to him by a licensed Driver.
 - (3) provide the Licensing Section the name of the licensed Driver operating his Vehicle within seventy-two (72) hours of the time when the licensed Driver has commenced To Operate the said Vehicle.

PROHIBITIONS OWNERS

7. No licensed Limousine Owner shall:
- (1) enter into any lease agreement pertaining to the owner's Limousine Licence;
 - (2) install or use any type of Taxi Meter device in a Limousine; and
 - (3) use an App that has: (134-16)
 - (a) has not been approved by the Licence Manager; or
 - (b) been suspended by the Licence Manager

VEHICLE STANDARDS

8. Every Limousine Owner and Driver licensed as such under this Schedule shall cause his, her or its Livery Cab used in the City to conform, at all times, to the following standards:

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- (1) use only a Limousine Class A or a Limousine Class B Vehicle on the appropriate Licence.
- (2) use only a Vehicle which is equipped with air-conditioning and heating in both the driver and Passenger compartments.
- (3) has useable trunk capacity such that the Vehicle is capable of being able to accommodate a wheel chair, walker or similar device used to aid the Disabled;
- (4) operate or permit to be operated any Vehicle which has been licensed for road use for a period in excess of seven years. (94-17)
- (5) has at least 283 litres (10 cubic feet) of useable trunk capacity for a Limousine that has a seating capacity of up to and including four(4) Passengers; (69-10)
- (6) has at least 509 litres (18 cubic feet) of useable trunk capacity for a Limousine that has a seating capacity of six (6) Passengers.
- (7) is clean, dry and in good repair as to its interior;
- (8) is clean, and in good repair as to its exterior, free from exterior body damage and with a well maintained exterior paint finish;
- (9) is equipped with an extra tire, wheel and jack ready for use for that Vehicle or be equipped with a run-flat free tire system or air compressor/tire sealant combination unit; (184-17)
- (10) has identical wheel coverings and or wheel design;
- (11) has a seat belt cutting tool in a good state of repair which is easily accessible to the Driver;
- (12) affix the Owner's Plate on the Vehicle in a location approved by the Licence Manager;
- (13) keep in the Vehicle and maintain a Maintenance Log for the Vehicle registered under the Owner's Licence.
- (14) affix the Licence Renewal Sticker to the Owner's Plate.
- (15) use only a four door Vehicle; (94-17)

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LIMOUSINE CLASS B MODEL YEAR LIMITATIONS

9. (1) **section repealed by by-law 94-17**
- (2) No Motor Vehicle used as a Limousine Class B shall be more than seven (7) Model Years old. (94-17)
- (3) **section repealed by by-law 94-17**

LICENSING PREREQUISITES - LIMOUSINE DRIVERS

10. (1) Every applicant for a Limousine Driver's Licence shall:
- (a) submit to the Licensing Section,
 - (i) proof of being at least 18 years of age;
 - (ii) proof of either,
 - (a) Canadian citizenship,
 - (b) landed immigrant status, or
 - (c) a valid work permit to work as a driver issued by the Government of Canada;
 - (iii) **section repealed by by-law 94-17**
 - (iv) a current valid Class 'G' driver's license issued by the Province of Ontario which is in good standing according to the records of the Ministry of Transportation and Communications and obtained within the last thirty (30) days from the date of the application.
 - (v) a certificate of Criminal Conviction data search as issued by the Peel Regional Police Department and obtained within the last thirty (30) days from the date of the application.
 - (b) **section repealed by by-law 94-17**
 - (c) **section repealed by by-law 94-17**
 - (d) **section repealed by by-law 94-17**

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LIMOUSINE DRIVER DUTIES

11. Every licensed Limousine Driver shall:
- (1) **section repealed by by-law 134-16**
 - (2) not hold himself out as being available for hire in any public place;
 - (3) use the current schedule of hourly rates filed with the Licensing Section for calculating the Fare for Trips.
 - (4) not pick up a pre-arranged Fare within sixty (60) metres of a designated Taxicab Stand;
 - (5) only pick up a Fare that is prearranged.
 - (6) not be eligible to apply to be placed , or to remain, by virtue of his status and occupation as a Limousine Driver, on the Priority List.
 - (7) each day before commencing the operation of the Vehicle, examine the Vehicle for Mechanical Defects or interior or exterior damage to the Vehicle including all exit doors and shall report forthwith any defects found to the plate owner of the Vehicle;
 - (8) each day upon completion of the operation of the Vehicle return the Vehicle to his employer and shall examine the Vehicle as provided in subsection (8) and shall report all defects in the Vehicle and all accidents to the plate owner;
 - (9) carry the Driver's Licence issued under this by-law and his Ontario driver's licence with him at all times when operating a Vehicle;
 - (10) be properly dressed, well groomed, neat and clean in personal appearance;
 - (11) be civil and behave courteously;
 - (12) give a Passenger a receipt on an authorized form showing the Driver's name and Driver's Licence number and an identifying number for the Vehicle when requested or whenever there is a dispute over the Fare;
 - (13) serve a Prearranged Passenger in the City, except when the person:
 - (a) is intoxicated or disorderly; or,
 - (b) is in possession of an animal other than a Service Animal, or;

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- (c) is in the opinion of the Driver unable or unwilling to pay the Fare and has been unable or unwilling to satisfy the Driver that he has the funds to pay the Fare;
 - (d) is a Grossly Unclean Person;
 - (e) refuses to wear a seat belt and either fails to produce a medical certificate exempting him/her from wearing a seat belt assembly, or fails to satisfy the Driver that his/her weight is under eighteen (18) kilograms (40 lbs).
- (14) punctually keep all his appointments, and shall not make any appointments if a previous engagement would prevent him from fulfilling it;
 - (15) take due care of all property delivered or entrusted to him for conveyance of safekeeping, and immediately upon his termination of any hiring engagement shall examine the interior of his Vehicle for any property lost or left therein, and all property or money left in his Vehicle shall be forthwith delivered over to the person owning the property or money and if the Owner of the property or money cannot at once be found, the Driver shall deliver the property or money to the nearest police station with all information in his possession regarding the property or money;
 - (16) when a dispute arises between a Passenger and a Driver of a Vehicle about the Fare, the Driver may refer the dispute to the nearest police officer for arbitration;
 - (17) keep a daily Trip Sheet showing:
 - (a) the name of the Driver, the date and the Limousine Owner's Plate number;
 - (b) the location and time of the beginning and end of every Trip made;
 - (c) the amount of the Fare collected for each Trip;
 - (18) retain all Trip Sheets for at least twelve (12) months and make them available for inspection at the request of an Inspector or the Licence Manager;
 - (19) keep in his Limousine a current street guide for the City and the surrounding vicinity which is of a type approved by the Licence Manager;
 - (20) turn off any radio, tape player or any other sound-producing mechanical device in his Limousine and shall turn down the volume on the two-way radio upon being requested so to do by any Passenger, and having done so shall leave such devices in the off position or if two-way radio turned down until termination of the Trip with that Passenger;

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- (21) not smoke in the Limousine;
- (22) if requested, assist a Disabled or elderly person to get into and out of the taxicab and ensure the Passenger is properly secured in the Vehicle prior to transport. If the Driver is unable to properly assist and/or secure the Passenger, the Driver shall notify their Owner and or Broker and request a Driver or other appropriate service capable of handling the request. The Driver shall record the request and results on the Trip Sheet. The Driver shall remain with the Passenger until assistance from another Driver or appropriate service has arrived;
- (23) ensure that a valid Ontario Ministry of Transportation inspection report is obtained on an annual basis which shall be made available for inspection in the Limousine at all times; and (94-17)
- (24) have access to a functioning GPS technology. (94-17)

LIMOUSINE DRIVER PROHIBITIONS

12. No licensed Limousine Driver shall:

- (1) carry in any Vehicle a greater number of Passengers than is set out in the manufacturer's rating of seating capacity for such Vehicle;
- (2) drive a Vehicle with luggage or any object placed in, hung on or attached to the Vehicle or in such a manner as will obstruct the Driver's view of the highway;
- (3) take, consume or have in his possession any alcohol, Drugs or intoxicants while he is in charge of his Vehicle for which he is a Driver;
- (4) take on any additional Passengers after the Vehicle has departed with one or more Passengers from any one starting point, except under the following circumstances:
 - (a) when done at the request of a Passenger already in the Vehicle;
 - (b) in an emergency situation;
- (5) drive a Vehicle whose owner is not a licensed Owner.
- (6) permit a Passenger to stand in the Vehicle while the Vehicle is in motion;
- (7) be required to accept any Order when the expenditure of money by the Limousine Driver is required on behalf of the Passenger;
- (8) recommend hotels or restaurants or other like facilities unless requested to do so by the Passengers;

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- (9) be required to provide change for any note larger than twenty dollars (\$20.00) unless the Fare is at least one-half (1/2) of the value of said note;
- (10) use mobile phones while operating a Limousine except when the use of the phones do no affect the safe operation of the Limousine;
- (11) refuse to serve a Passenger with a Service Animal; except where:
 - (a) the Driver has an allergy, and has filed with the Licence Manager a certificate from his doctor evidencing that due to the allergy the Driver is unable to provide service to a Passenger with a Service Animal;
 - (b) when the Driver in unable to service a Passenger for the reason set out in paragraph(a), the Driver shall make proper arrangements for service before proceeding to his next engagement;
- (12) smoke in the Limousine;
- (13) speak in an obscene, foul, boisterous, racist, loud, threatening or abusive manner to any Person, including a Dispatcher, while Operating a Limousine;
- (14) use an App that has: (134-16)
 - (a) not been approved by the Licence Manager; or
 - (b) been suspended by the Licence Manager;

RETRAINING REQUIREMENTS

- 13. (1) **section repealed by by-law 94-17**
- (2) **section repealed by by-law 94-17**
- (3) **section repealed by by-law 94-17**
- (4) **section repealed by by-law 94-17**
- (5) **section repealed by by-law 94-17**

ADVERTISING

- 14. No licensed Limousine Driver or Owner shall display or permit the display of any sign, emblem, decal, ornament or advertisement on or in his Limousine except with a content and in a form and location approved by the Licence Manager.

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LIMOUSINE OPERATING IN BROKERAGES

15. No Limousine Driver or Owner shall;
- (1) put any name, address, or telephone number or other identification other than that of himself or the Limousine Broker with whom he is Affiliated on his Limousine;
 - (2) use or permit to be used on his Limousine any emblem, decal or other markings which are the same shape and/or colour or similar to any distinctive emblem, decal or other marking being used by any Limousine Broker with whom he is not Affiliated;
 - (3) operate or permit his Limousine to be operated in Affiliation with a Limousine Broker who is not licensed under this by-law;
 - (4) use or permit to be used a two-way radio or monitoring device in his Limousine which enables him or his Driver to transmit and/or receive any frequency of a Limousine Broker licensed under this by-law with whom he is not Affiliated;
 - (5) **section repealed by by-law 134-16**

LIMOUSINE DRIVER/OWNER LEAVES LIMOUSINE BROKER

16. Every Driver or Owner who ceases to be deal Affiliated with a Limousine Broker shall:
- (1) change and remove from the vehicle all decals or other Limousine Brokerage markings on the vehicle;
 - (2) return to the Limousine Broker he is leaving all business cards and other equipment belonging to that Limousine Broker.

DISPOSAL OF LIMOUSINE

17. (1) When the licensed Limousine Owner or licensed Limousine Driver disposes of or otherwise ceases to use a Vehicle as a Limousine, he shall immediately remove from the said vehicle being disposed of:
- (a) all identifying decals or markings;
 - (b) and all other items which make the vehicle appear to the public to be a Limousine.

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MANDATORY LIMOUSINE INSPECTIONS

18. (1) **section repealed by by-law 94-17**
- (2) **section repealed by by-law 94-17**
- (3) **section repealed by by-law 94-17**

SPECIAL OCCASION LIMOUSINE OWNER LICENCE

19. Every Owner of a livery cab which is to be used as a special occasion Vehicle may be issued a Special Occasion Limousine permit, if he pays the fee set out in Schedule 1 to this by-law and he provides the Licence Manager with the following documentation:
- (a) a valid Municipal Limousine Owner's Licence from another municipality; or;
 - (b) a copy of the current Provincial Permit for the Vehicle, in good standing issued by the Ontario Ministry of Transportation in the Owner's name
 - (c) a copy of the current Motor Vehicle Liability Insurance Card endorsed to show the Vehicle being registered; and
 - (d) either;
 - (i) an Ontario Ministry of Transportation and Communication Vehicle Inspection report showing that the Vehicle has been accepted within the previous sixty (60) days,
 - (ii) a Safety Standard Certificate issued under the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, within the previous sixty (60) days.
 - (iii) a City of Toronto Vehicle Inspection Report accompanied by a City of Toronto Livery Cab Fitness Report showing that the Vehicle has been accepted within the previous sixty (60) days;
 - (e) a contract or itinerary for clients as to the type of occasion and duration, date and time of service for the livery cab.
 - (f) an Ontario business registration; or
 - (g) a copy of his Articles of Incorporation

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**SCHEDULE 7
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(amended by 64-05, 114-05, 182-05, 496-05, 200-08, 180-10, 157-15, 134-16, 184-17)

SPECIAL ACCESSIBLE TAXICAB LICENSING REQUIREMENTS

1. Every Applicant for a Licence as an Owner of a Special Accessible Taxicab shall:
 - (1) be a licensed Taxicab Brokerage, with a minimum of twenty-five (25) Licenced Mississauga Taxicab Owner's affiliated with the Brokerage (182-05)

LIMITATION OF TAXICAB OWNER LICENCES

2.
 - (1) Each qualified Taxicab Brokerage shall be issued two (2) Special Accessible Taxicab Owner's Licences.(182-05)
 - (2) **section repealed by by-law 182-05**
 - (3) **section repealed by by-law 182-05**

LICENCE APPLICATION PROCEDURES

3.
 - (1) Every Application for an additional Licence under this By-law and Schedule shall be accompanied by;(182-05)
 - (a) a proposal which shall include but not be limited to the following:
 - (i) the Applicant's proof of financial stability to start up and operate such a business on a 24 hours a day seven days a week basis;
 - (ii) the Applicant's past experience in the public transportation field;
 - (iii) the Applicant's administrative capabilities to plan and carry out the integrated service with priority to Disabled Passengers;
 - (iv) the Applicant's plan for integrating with existing Taxicab services in the City. All proposals will be considered and decided by the Licence Manager. (200-08)
 - (2) meet the requirements of section 4 of this Schedule of the By-law relating to vehicle approval.(182-05)

VEHICLE APPROVAL

4.
 - (1) An Applicant for an Owner's Licence before using the vehicle to be registered by the Licensing Section shall:

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- (a) attend at the Licensing Section and produce and file the following documents:
 - (i) a copy of the current Provincial Permit for the vehicle, in good standing issued by the Ontario Ministry of Transportation. (496-05)
 - (ii) a copy of the Owner's Licence;
 - (iii) a copy of the current Motor Vehicle Liability Insurance Card endorsed to show the vehicle being registered; and
 - (iv) either;
 - (a) an Ontario Ministry of Transportation and Communication Vehicle Inspection report showing that the vehicle has been accepted within the previous sixty (60) days,
 - (b) a Safety Standard Certificate issued under the Highway Traffic Act within the previous sixty (60) days.
 - (b) only register a Vehicle that complies subject to federal and provincial legislation applicable to the transportation of Physically Challenged Persons .
 - (c) pay the fee set out in Schedule 1 to this by-law; and
 - (d) submit the Vehicle to be registered for inspection and approval by the Licensing Section;
- (2) if the inspection and approval provided for under clause 4(1)(d) cannot be completed during normal business hours the vehicle can be used provided the Owner returns the vehicle for inspection on the date and time specified by the Licensing Section.
- (3) An Owner licensed under this Schedule of the By-law who disposes of his vehicle or otherwise ceases to use his vehicle for the purposes permitted under this by-law and acquires another vehicle for the purposes permitted under this by-law before using the vehicle shall comply with subsections (1) and (2).
- (4) When the Plate Owner meets all the requirements of this section and section 7 of this Schedule, the Vehicle shall be deemed to be registered.

UNREGISTERED VEHICLE

5. No licensed Taxicab Driver or Special Accessible Taxicab Owner shall operate a vehicle or permit a vehicle to be operated which is not registered under this Schedule of the By-law;

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SPECIAL ACCESSIBLE TAXICAB OWNERS DUTIES

6. Every licensed Special Accessible Taxicab Owner shall:
- (1) employ or use only the services of Taxicab Drivers licensed under Schedule 8 of this By-law;
 - (2) repair any Mechanical Defect in the vehicle reported to him by a licensed Driver.
 - (3) provide the Licensing Section and, where applicable, any licensed Taxicab Broker with whom he may be associated with the name of the licensed Driver operating his vehicle within seventy-two (72) hours of the time when the licensed Driver has commenced To Operate the said vehicle.
 - (4) shall keep accurate records of the number of Trips made monthly for Disabled Passengers and Non-Disabled Passengers.

VEHICLE STANDARDS

7. (1) Every Driver and Special Accessible Taxicab Owner shall operate or permit to be operated a Vehicle that:
- (a) meets the standards required for the issue of an acceptance under an Ontario Ministry of Transportation and Communications Vehicle Inspection Report or meets the standards for the issue of a Safety Standard Certificate of mechanical fitness;
 - (b) has useable baggage storage capacity such that the Vehicle is capable of being able to accommodate a wheel chair, walker or similar device used to aid the disabled;
 - (c) has approved wheelchair tie downs;
 - (d) has a first aid kit;
 - (e) has a dry chemical fire extinguisher having an effective total rating to at least 4-B C, and at least weighing 2.27 kg (approximately 5 lbs);
 - (f) is equipped with operable air-conditioning and heating;
 - (g) has Tint Free windows;
 - (h) is clean, dry and in good repair as to its interior;

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- (i) is clean, and in good repair as to its exterior, free from exterior body damage and with a well maintained exterior paint finish;
- (j) is equipped with an extra tire, wheel and jack ready for use for that Vehicle or be equipped with a run-flat free tire system or air compressor/tire sealant combination unit; (184-17)
- (k) has identical wheel coverings and or wheel design;
- (l) has a seat belt cutting tool in a good state of repair which is easily accessible to the Driver;
- (m) has a Fare card which bears the plate number affixed to the rear passenger window in a manner that is plainly readable by Passengers in the back; (134-16)
- (n) has no smoking signage affixed to the rear passenger window in with municipal requirements;
- (o) has any Fare card, other than that obtained from the Licensing Section or remove, exchange, lend or otherwise dispose of the Fare card; (134-16)
- (p) display and maintain in good, legible condition a true copy of the Taxicab Passenger Rights and Responsibilities Schedule 10 in an area of the Special Accessible Taxicab as approved by the Licence Manager;
- (q) has a Taxicab Meter; and each Taxicab Meter shall be;
 - (i) illuminated between dusk and dawn;
 - (ii) located in a position clearly visible to the Passengers in the Special Accessible Taxicab;
 - (iii) adjusted in accordance with the rates prescribed by Schedule 9;
 - (iv) used only when the seal thereon is intact;
 - (v) used for not longer than one year without re-testing and resealing; and
 - (vi) kept in good working condition at all times.

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- (r) has on display any Owner's Plate, decal or sticker issued by any other municipal licensing authority;
 - (s) is equipped with ramp capable of allowing persons using a wheelchair to enter the Vehicle without exiting the wheelchair
 - (t) is equipped with a fully operational security camera that meets the specifications set out in Schedule 14 of the By-law.(114-05)
- (2) Every licensed Taxicab Driver and Special Accessible Taxicab Owner shall keep at all times in the Vehicle, the original or a Photostat copy of the original of each of the following documents:
- (a) the current Ontario Ministry of Transportation and Communications Passenger Motor Vehicle Permit issued for that licensed Vehicle;
 - (b) the current Owner's Licence permit issued under this by-law;
 - (c) the certificate of liability insurance for the Vehicle, in accordance with this by-law;
- (3) Every licensed Taxicab Driver and Special Accessible Taxicab Owner shall have affixed to the outside of the Taxicab:
- (a) the Owner's Plate firmly affixed to the left rear of the Vehicle or at a location and manner approved by the Licence Manager;
 - (b) Fender Numbers;
 - (c) a Roof Light; or
 - (d) lettering on the side of the Vehicle indicating the Brokerage name and phone number, in lettering approximately three (3) inches (7.5cm) in height;
 - (e) the Licence Renewal Sticker affixed to the Owner's Plate.
- (4) Every Licensed Driver and Owner shall keep in the Vehicle and maintain a Maintenance Log for the Vehicle registered under the Owner's Licence.

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MODEL YEAR RESTRICTIONS

8. (1) No Motor Vehicle more than three (3) Model Years old may be registered for the first time as a Special Accessible Taxicab under this Schedule of the By-law;
- (2) No Motor Vehicle more than seven (7) Model Years old shall be used as a Special Accessible Taxicab under this Schedule of the By-law;
- (3) The requirements of subsections (1) and (2) shall come into effect Commencing May 1, 2006 and the following phased in approach will be in effect;
 - (a) any Motor Vehicle from 1996 or older shall not be used as a Special Accessible Taxicab in the City after May 1, 2005, and may be replaced with a Motor Vehicle with a Model Year 2001 or newer.
 - (b) any Motor Vehicle from Model Years 1999 or older shall not be used as a Special Accessible Taxicab in the City after May 1, 2006, and may be replaced with a Motor Vehicle with a Model Year 2003 or newer.

LEASE

9. (1) Every Owner of a Special Accessible Taxicab may enter into a lease under the following conditions: (157-15)
 - (a) He/she must file with the Licence Manager all documentation relating to the Lease including the lease agreement; and
 - (b) the Owner's Plate may not be sub-leased
- (2) No Owner of a Special Accessible Taxicab may enter into a Lease with a person for a period of less than one (1) year or more than three (3) years.
- (3) No Owner of a Special Accessible Taxicab shall permit his/her Licence to be used by a Lessee unless a copy of the Lease has been file with the Licensing Section.
- (4) All new lease agreements shall be filed with the Mobile Licensing Manager at least 10 days before expiry of the current lease agreement.
- (5) The Licensing Section will not accept any new Lease agreements that do not comply with this Schedule of the By-law.

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TAXICAB METER SEALING

10. When the Licence Manager is not available to seal the Special Accessible Taxicab Meter as required under subsection 7(q)(iv) because his services have been requested outside the regular business hours of the Licensing Section, the licensed Special Accessible Taxicab Owner or licensed Taxicab Driver who has had the Special Accessible Taxicab Meter altered, repaired or replaced in the Special Accessible Taxicab may operate the taxicab on a weekend for a period up to seventy-two (72) hours and during the week for a period up to forty-eight (48) hours provided that the licensed Taxicab Driver has in his possession a certificate or receipt for the repair or installation of the Taxicab Meter signed by the person who made the repairs or installation, and the receipt sets out the date, time and nature of the repair or installation.

TAXICAB STANDS

11. Special Accessible Taxicab Vehicles may operate from Taxicab Stands on public and private property in the City of Mississauga. (180-10)

EXCLUSIVE CONCESSION AGREEMENTS

12. No licensed Special Accessible Taxicab Owner shall;
- (1) enter into or become a party to an Exclusive Concession Agreement;
 - (2) agree to pay, accept a fee or consideration or do any other act or thing pursuant to an Exclusive Concession Agreement;

ADVERTISING

13. No licensed Special Accessible Taxicab Owner shall display or permit the display of any sign, emblem, decal, ornament or advertisement on or in his Special Accessible Taxicab except with a content and in a form and location approved by the Licence Manager.

DISPOSAL OF SPECIAL ACCESSIBLE TAXICAB

14. (1) When the licensed Special Accessible Taxicab Owner disposes of or otherwise ceases to use as a Special Accessible Taxicab the Vehicle registered he shall immediately remove from the said Vehicle being disposed of:
- (a) the Roof Light;
 - (b) Taxicab Meter;
 - (c) all identifying decals or markings;

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- (d) fender numbers;
- (e) and all other items which make the Vehicle appear to the public to be a Taxicab.

MANDATORY SPECIAL ACCESSIBLE TAXICAB INSPECTIONS

15. (1) The Licence Manager shall give notice to the licensed Special Accessible Taxicab Owner of two mandatory inspections a year for each Special Accessible Taxicab he owns.
- (2) Upon receipt of notice of inspection under subsection (1) each licensed Special Accessible Taxicab Owner or his agent shall attend with his Vehicle at the appointed time and place and shall bring with him either:
- (a) an Ontario Ministry of Transportation and Communication Vehicle Inspection report showing that the Taxicab has been accepted within the previous thirty (30) days, or
 - (b) a Safety Standard Certificate issued under the *Highway Traffic Act* within thirty (36) days of this submission.
- (3) When a Vehicle has been inspected under section 6 of this Schedule within thirty six (36) days of the date set out in the notice of mandatory inspection referred to in subsection (2), the Taxicab Owner or his agent shall not be required to have the Vehicle reinspected as required by the notice but this section does not affect any inspection required under section 22 of the By-law.

SPECIAL ACCESSIBLE TAXICAB DRIVER DUTIES

16. (1) Every licensed Taxicab Driver operating a Special Accessible Taxicab Vehicle shall comply with sections 3, 4, 5, 6, 8, 9, 11, 12 and 13 from Schedule 8 of this By-law.
- (2) Every licensed Taxicab Driver operating a Special Accessible Taxicab Vehicle shall, if requested, assist a Disabled or elderly person to get into and out of the taxicab and ensure the passenger is properly secured in the Vehicle prior to transport. If the Driver is unable to properly assist and/or secure the Passenger, the Driver shall notify their Broker and request a Driver or other appropriate service capable of handling the request. The Driver shall record the request and results on the Trip Sheet. The Driver shall remain with the Passenger until assistance from another Driver or appropriate service has arrived.

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**SCHEDULE 8
OWNERS AND DRIVERS OF TAXICABS**

(Amended by 114-05, 496-05, 270-06, 200-08, 257-09, 69-10, 180-10, 157-15, 259-15, 134-16, 94-17, 184-17)

DEFINITIONS

1. ***“Accessible Driver”*** means a person licensed under this by-law as a Taxicab driver who operates an Accessible Taxicab;

“Accessible Taxicab” means an Accessible Vehicle which is licensed as a Taxicab;

“Driver” means any person who drives a Taxicab;

“Taxicab Broker General Manager” means a person who is in charge of the day to day operations of a Taxicab Broker's office whose duties include the hiring and firing of office staff, Taxicab Drivers, collection of Brokerage fees and Dues and the solicitation of business on behalf of the licensed Taxicab Broker;

“Plate Owner” means the person issued the Taxicab Owner's Licence and includes any Lessee of the plate.

LICENSING PREREQUISITES - TAXICAB DRIVERS

2. (1) Every Applicant for a Taxicab Driver's Licence shall:
- (a) submit to the Licensing Section,
 - (i) proof of being at least 18 years of age;
 - (ii) proof of either,
 - (a) Canadian citizenship,
 - (b) landed immigrant status, or
 - (c) a valid work permit to work as a Driver issued by the Government of Canada;
 - (b) **section repealed by by-law 94-17**
 - (c) a current valid Class 'G' driver's license issued by the Province of Ontario which is in good standing according to the records of the Ministry of Transportation and Communications and obtained within the last thirty (30) days from the date of the application.

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- (d) submit to the Licence Manager a criminal record search issued within sixty (60) days of the application date by the Peel Regional Police, or other police service in Ontario; and (259-15)
- (e) submit to the Licence Manager a driver's abstract. (259-15)
- (2) attend at the Licensing Section to have his photograph taken;
- (3) **section repealed by by-law 94-17**
- (4) **section repealed by by-law 94-17**
- (5) **section repealed by by-law 94-17**
- (6) **section repealed by by-law 94-17**
- (7) **section repealed by by-law 94-17**
- (8) **section repealed by by-law 94-17**

CRIMINAL RECORD CHECKS AND DRIVER ABSTRACTS

- 2.1 (1) No Applicant shall be issued a Taxicab Driver's Licence or a renewal Licence where the Licence Manager has determined based on a review of the criminal record search and driver's abstract provided according to subsections 2(1)(d) and 2(1)(e) of this Schedule 8 that the Applicant: (259-15)
- (a) has received a criminal conviction within five (5) years of the date of application or renewal;
 - (b) has a criminal conviction for any of the offences listed in Schedule 15 to this By-law;
 - (c) has a driver's abstract that contains more than eight (8) demerit points or its equivalent from outside the Province of Ontario; or (94-17)
 - (d) has received an individual *Highway Traffic Act* conviction which resulted in a least four (4) demerit points being added to the Applicant's driver's abstract or it equivalent from outside the Province of Ontario.

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- (2) Notwithstanding subsections 2.1(1)(a) and 2.1(1)(b), the Licence Manager may issue a conditional licence where the Applicant provides documentation which establishes that a current application to the Parole Board of Canada for a record suspension in accordance with the *Criminal Records Act* is actively being pursued. (259-15)
- (3) All criminal convictions older than five (5) years and not appearing in Schedule 15 will be reviewed by the Licence Manager. (259-15)

TAXICAB DRIVER DUTIES

3. Every licensed Driver shall:
 - (1) each day before commencing the operation of the vehicle, examine the vehicle for Mechanical Defects or interior or exterior damage to the vehicle including all exit doors and shall report forthwith any defects found to the Plate Owner of the vehicle;
 - (2) each day upon completion of the operation of the vehicle return the vehicle to his employer and shall examine the vehicle as provided in subsection (1) and shall report all defects in the vehicle and all accidents to the Plate Owner;
 - (3) carry the Driver's Licence issued under this by-law and his Ontario driver's Licence with him at all times when operating a vehicle;
 - (4) at all times when driving a Taxicab have his photograph and name affixed in a place approved by the Licence Manager, one of which places may be the back of the front seat, and in such manner that the same is clearly displayed to and readable by Passengers in the back seat;
 - (5) be well-groomed, neat and clean in personal appearance, and dressed in pants (no jeans or sweat pants) or skirt, shirt or blouse with a collar and shoes, all free from obvious wear or damage;
 - (6) be civil and behave courteously;
 - (7) give a Passenger a receipt on an authorized form showing the Driver's name and Driver's Licence number and an identifying number for the vehicle when requested or whenever there is a dispute over the Fare;
 - (8) subject to subsections 6(2) and (3), and except when he has a previous Order or engagement serve the first person requiring the service of his vehicle at any place within the City, at any time by day or night, except when the person:

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- (a) is intoxicated or disorderly; or,
 - (b) refuses to give his destination, or,
 - (c) is in possession of an animal other than a Service Animal,
or,
 - (d) is eating or drinking any food or beverage, or;
 - (e) has not paid a previous Fare or cancellation fee, or;
 - (f) is in the opinion of the Driver unable or unwilling to pay the Fare and has been
unable or unwilling to satisfy the Driver that he has the funds to pay the Fare,
or,
 - (g) is a Grossly Unclean Person, or,
 - (h) is a person under the age of twelve (12) years who is not accompanied by an
adult, or,
 - (i) refuses to wear a seat belt and either fails to produce a medical certificate
exempting him/her from wearing a seat belt assembly, or fails to satisfy the
Driver that his/her weight is under eighteen (18) kilograms (40 lbs), or,
 - (j) is intending to Smoke in the Vehicle.
- (9) punctually keep all his appointments, and shall not make any appointments if a
previous engagement would prevent him from fulfilling it;
- (10) take due care of all property delivered or entrusted to him for conveyance of
safekeeping, and immediately upon his termination of any hiring engagement shall
examine the interior of his vehicle for any property lost or left therein, and all property
or money left in his vehicle shall be forthwith delivered over to the person owning the
property or money and if the owner of the property or money cannot at once be found,
the Driver shall deliver the property or money to the nearest police station with all
information in his possession regarding the property or money;
- (11) when a Passenger enters a Vehicle and gives the Driver the desired destination, take
the shortest possible route to the destination desired unless the Passenger designates
otherwise;
- (12) when a dispute arises between a Passenger and a Driver of a Vehicle about the Fare,
the Driver may refer the dispute to the nearest police officer for arbitration;

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- (13) keep a daily Trip Sheet showing:
 - (a) the name of the Driver, the date and the Taxicab owner's plate number;
 - (b) the location and time of the beginning and end of every Trip made;
 - (c) the amount of the Fare collected for each Trip;
- (14) retain all Trip Sheets for at least twelve (12) months and make them available for inspection at the request of an inspector or the Licence Manager;
- (15) subject to subsections (16) and 8(3), commence the calculation of the Fare using a Taxicab Meter or App when the Passenger enters the cab and keep it engaged through out the Trip except where a flat rate is applicable; (134-16)
- (16) be allowed to commence the calculation of the Fare using a Taxicab Meter or App before the Passenger enters the vehicle only after the Taxicab Driver has notified the Passenger of his arrival and has waited a reasonable time after the due time of the Order; (134-16)
- (17) at the conclusion of the Trip, disengage the Taxicab Meter or App. (134-16)
- (18) keep in his Taxicab a current street guide for the City and the surrounding vicinity which is of a type approved by the Licence Manager;
- (19) turn off any radio, tape player or any other sound-producing mechanical device in his Taxicab and shall turn down the volume on the two-way radio upon being requested so to do by any Passenger, and having done so shall leave such devices in the off position or if two-way radio turned down until termination of the Trip with that Passenger.
- (20) if requested, assist a Disabled or elderly person to get into and out of the taxicab and ensure the Passenger is properly secured in the Vehicle prior to transport. If the Driver is unable to properly assist and/or secure the Passenger, the Driver shall notify their Broker and request a Driver or other appropriate service capable of handling the request. The Driver shall record the request and results on the Trip Sheet. The Driver shall remain with the Passenger until assistance from another Driver or appropriate service has arrived.
- (21) ensure that a valid Ontario Ministry of Transportation inspection report is obtained on an annual basis which shall be made available for inspection in the Taxicab at all times; and (94-17)
- (22) have access to a functioning GPS technology. (94-17)

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ACCESSIBLE DRIVER DUTIES

4. In addition to the Driver duties prescribed under this schedule every Accessible Driver shall:
- (1) record the results of the daily inspection of the Vehicle in a log book on a daily basis and shall ensure that the log book remains with the licensed Vehicle at all times; and
 - (2) produce the log book described in paragraph 4(1) of this By-law for inspection upon request of the Licence Manager.

TAXICAB DRIVERS PROHIBITIONS

5. No Taxicab Driver shall:
- (1) carry in any vehicle a greater number of Passengers than is set out in the manufacturer's rating of seating capacity for such vehicle;
 - (2) drive a vehicle with luggage or any object placed in, hung on or attached to the vehicle or in such a manner as will obstruct the Driver's view of the highway;
 - (3) take, consume or have in his possession any alcohol, Drugs or intoxicants while he is in charge of his vehicle for which he is a Driver;
 - (4) take on any additional Passengers after the vehicle has departed with one or more Passengers from any one starting point except under the following circumstances:
 - (a) when done at the request of a Passenger already in the vehicle;
 - (b) in an emergency situation;
 - (c) when operating a vehicle which is being used exclusively for the transportation of children to and from school;
 - (d) when operating an Accessible Vehicle which is being used pursuant to a prearranged contract for transportation of Disabled Passengers.
 - (5) drive a vehicle whose owner is not a licensed owner.
 - (6) permit a Passenger to stand in the vehicle while the vehicle is in motion;
 - (7) be required to accept any Order when the expenditure of money by the licensed Taxicab Driver is required on behalf of the Passenger;
 - (8) recommend hotels or restaurants or other like facilities unless requested to do so by the Passengers;

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- (9) be required to provide change for any note larger than twenty dollars (\$20.00) unless the Fare is at least one-half ($\frac{1}{2}$) of the value of said note;
- (10) use mobile phones while operating a Taxicab except when the use of the phones do not affect the safe operation of the Taxicab.
- (11) make any charge for time lost through defects or inefficiency of the Vehicle or the incompetence of the Driver;
- (12) make any charge for the time elapsed due to early arrival of the Vehicle in response to a call for vehicle to arrive at a fixed time;
- (13) refuse to serve a Passenger with a Service Animal; except where:
 - (a) the Driver has an allergy, and has filed with the Licence Manager a certificate from his doctor evidencing that due to the allergy the Driver is unable to provide service to the Passenger with a Service Animal.
 - (b) when the Driver is unable to service the Passenger for the reason set out in paragraph(a), the Driver shall make proper arrangements for service before proceeding to his next engagement.
- (14) smoke in the Taxicab
- (15) speak in an obscene, foul, boisterous, racist, loud, threatening or abusive manner to any Person, including a Dispatcher, while Operating a Taxicab;
- (16) use an App that has: (134-16)
 - (a) not been approved by the Licence Manager; or
 - (b) been suspended by the Licence Manager;
- (17) operate a Taxicab which does not meet the vehicle requirements for Taxicabs according to this By-law. (134-16)

EXEMPTIONS

- 6. (1) The provisions of subsection 3(8) do not apply to a Driver who has a disability, impairment or allergy, and has filed with the Licence Manager a certificate from his doctor evidencing such disability, impairment or allergy and is unable to serve the Fare by reason of the disability, impairment or allergy.

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- (2) When a Driver is unable to service a Fare for the reasons set out in subsection (1), the licensed Driver shall make proper arrangements for service of that Fare before proceeding to his next engagement.
- (3) For the purposes of subsection 4(1) an infant, two years of age or younger, carried by an adult and sitting on the lap of the adult while in the vehicle shall not be included in the calculation of manufacturer's rating of seating capacity for such vehicle.
- (4) The provisions of subsections 9(1)(a)(c) and section 12, do not apply to an Accessible Vehicle being used pursuant to a pre-arranged contract for transportation of Disabled persons.

RETRAINING REQUIREMENTS

- 7. (1) **section repealed by by-law 94-17**
- (2) **section repealed by by-law 94-17**
- (3) **section repealed by by-law 94-17**
- (4) **section repealed by by-law 94-17**
- (5) **section repealed by by-law 94-17**
- (6) **section repealed by by-law 94-17**
- (7) **section repealed by by-law 94-17**
- (8) **section repealed by by-law 94-17**

FLAT RATE

- 8. (1) When a Driver picks up a Passenger within the City for a Trip with the destination outside the City, the Driver and the Passenger may agree before the commencement of the Trip to a flat rate.
- (2) When the Driver under subsection (1) drives a Taxicab he shall engage the Taxicab Meter while the Taxicab is within the City.
- (3) When a Driver is operating a Taxicab with an Airport Permit , the Driver shall not engage the Taxi Meter on Fares to and from the Airport terminals and shall use the Greater Toronto Airport Authority GTA Taxi Tariffs to calculate the Fare.

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RATES

9. (1) Every Driver shall not;
- (a) charge a Fare which is not in accordance with appropriate Fare set out in Schedule 9 to this bylaw except where the trip is requested using an App as approved by the Licence Manager; (134-16, 94-17)
 - (b) induce any person to engage his vehicle by any misleading or deceiving statement or representation to that person about the location or distance of any destination named by that person;
 - (c) **section repealed by by-law 94-17**
 - (d) make any charge for time lost through defects or inefficiency of the vehicle or the incompetence of the Driver;
 - (e) make any charge for the time elapsed due to early arrival of the vehicle in response to a call for vehicle to arrive at a fixed time;
- (2) The provisions of subsections 9(1)(a) and (c), do not apply to a pre-arranged run for school children;

TAXICAB STANDS

10. (1) The power to designate an area on private property as a Taxicab Stand is of a minor nature and is delegated to the Manager of Mobile Licensing for the Corporation. (180-10)
- (2) At the request of a property owner the Manager of Mobile Licensing for the Corporation may set out and designate an area, on the private property, as a Taxicab Stand for the purposes of this By-law. (180-10)
- (3) The Manager of Mobile Licensing for the Corporation may remove the Taxicab Stand designation from an area on private property after which that area is no longer a Taxicab Stand for the purposes of this By-law. (180-10)
- (4) Taxicab Stands on public highways shall be designated under the Traffic By-law No. 555-00 and are set out at Schedule 23 of the by-law. (180-10)
- (5) A description and location of all Taxicab Stands will be set out in the Taxicab Stand List that will be placed for public viewing on the Corporation's official website and the Taxicab Stand List shall be regularly maintained and updated by the Manager of Mobile Licensing, or his/her delegate. (180-10)

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TAXICAB STAND RULES

11. (1) Every Driver shall have properly affixed to the vehicle, the Owner's Plate, Roof Light and Fender Numbers prior to entering a Taxicab Stand or the moving line at the Airport vehicle compound holding area. (180-10)
- (2) Every Driver shall only enter a Taxicab Stand, by taking his position at the end of any line formed by the Taxicabs already on the stand.
- (3) Every Driver shall while waiting at a Taxicab Stand or at any public place:
- (a) not obstruct or interfere in any way with the normal use of the Taxicab Stand or public place, or interfere with the surrounding traffic patterns,
 - (b) not make any loud noise or disturbance,
 - (c) be sufficiently close to his Taxicab to have it under observation at all times,
 - (d) not wash the Taxicab,
 - (e) not make repairs to his Taxicab, unless the repairs are immediately necessary;
 - (f) not stop or park his or her Taxicab within sixty (60) metres of a Taxicab Stand, unless for the purposes of loading a prearranged parcel or Passenger or unloading a parcel or Passenger or unless the Taxicab is stopped or parked in the feeder lane operated in conjunction with a Taxicab Stand designated under this By-law and the said stand is on the same property to which this prohibition refers.
- (4) Every Driver shall not pick up any Passenger within sixty (60) metres of a Taxicab Stand when there are one or more Taxicabs upon the stand:
- (a) unless an arrangement has been previously made with the Passenger to pick him up at that location and that Taxicab Driver notifies the Driver of the first Taxicab on the Taxicab Stand.
 - (b) unless the Passenger exhibits a preference for that Taxicab and the chosen Taxicab Driver notifies the Driver of the first Taxicab on the Taxicab Stand;

EXCLUSIVE CONCESSION AGREEMENTS

12. No Driver or Plate Owner shall;
- (1) enter into or become a party to an Exclusive Concession Agreement;

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- (2) agree to pay, accept a fee or consideration or do any other act or thing pursuant to an Exclusive Concession Agreement;

ADVERTISING

13. No Driver or Plate Owner shall display or permit the display of any sign, emblem, decal, ornament or advertisement on or in his Taxicab except with a content and in a form and location approved by the Licence Manager.

TAXICAB OWNERS LICENSING PREREQUISITES

14. (1) Every Applicant for a Taxicab owner's Licence shall:
- (a) if a natural person, be licensed under this by-law as a Driver, or
 - (b) if a corporation, the Individual person holding the shares carrying at least fifty-one percent (51%) of the voting rights attached to all shares of the corporation for the time being issued and outstanding, be licensed as a Driver under this by-law;
 - (c) notwithstanding subsection 14(1)(a) of this section, where an owner's license has been legally transferred to a Spouse from a deceased owner, there will be no Driver requirements for the Spouse of the deceased owner so long as the Spouse successfully completes a Taxicab Owner Responsibilities Course.
 - (d) meet the requirements of section 38 of this Schedule relating to vehicle approval.
- (2) **section repealed by by-law 134-16**

LIMITATION OF TAXICAB OWNER LICENCES

15. (1) Seven Hundred and Six (706) Taxicab Owner's Licences shall be issued by the Licence Manager under this By-law. (270-06, 200-08, 260-08, 94-17)
- (2) The total number of Taxicab Owner Licences issued at any given time shall be established by the Plate Issuance Formula, Schedule 3 of the By-law;
- (3) No Taxicab Owner shall be issued more than twelve (12) Taxicab Owner's Licences under this By-law.

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PRIORITY LIST

16. (1) The Licence Manager shall maintain a Priority List, which shall contain the names of Applicants for a Taxicab Owner Licence in the order of the receipt of their application and in accordance to the provisions of this Schedule.
- (2) No Person, by virtue of the submission of an application for a Taxicab Owner Licence or by virtue of the placing of their name on the Priority List, shall obtain a vested right to a Taxicab Owner Licence, or to remain on the Priority List at any time and Council reserves the right to amend or repeal this By-law and any successor By-laws and to place further additional requirements or restrictions on such Applicants or Persons at any time and from time to time , or to purge or eliminate the Priority List at any time or from time to time.
- (3) Those Persons whose names appeared on the previous Priority List under By-law 142-89, as amended shall, if they continuously comply at all times with all of the requirements of this Schedule and Appendix's, have their names placed and maintained on the Priority List in the order in which they appeared on the said Priority List, as of the date of repeal of By-law 142-89, as amended, and in priority to all Applicants under this By-law.

GETTING ON PRIORITY LIST

17. When a completed application for a Taxicab Owner's Licence is received by the Licensing Section and it meets all the requirements of this By-law, but a Licence cannot be issued because of the limitation on the number of Licences set out in section 15, the Applicant's name shall be placed on the Priority List by the Licence Manager for the issuance of a Taxicab Owner Licence. (134-16)

RE-ENTRY ON PRIORITY LIST

18. No person who has been issued an Owner's Licence from the Priority List may re-enter his name on the Priority List.
- (1) This section is not retroactive for Drivers who have had their name entered and are currently on the Priority List.

STAYING ON PRIORITY LIST

19. When a name has been placed on the Priority List, under section 17 of this Schedule to the By-law it shall remain on the list if:
- (1) the Applicant is a licensed Driver in good standing and has filed annually a Statutory Declaration in a form approved by the Licence Manager;

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- (2) **section repealed by by-law 134-16**
- (3) The Applicant has renewed his Taxicab Driver's Licence within ninety(90) days of the date of expiry of the License.

NON-DRIVING QUALIFYING OCCUPATIONS

- 20. **section repealed by by-law 134-16**

EXEMPTION FOR MEDICAL LEAVE

- 21. **section repealed by by-law 134-16**

EXEMPTION FOR EDUCATIONAL LEAVE

- 22. **section repealed by by-law 134-16**

LEAVE OF ABSENCE

- 23. **section repealed by by-law 134-16**

EXEMPTION FOR SUSPENDED ONTARIO DRIVER'S LICENCE

- 24. **section repealed by by-law 134-16**

VACATION ACCRUAL

- 25. **section repealed by by-law 134-16**

DUPLICATION OF A NAME ON THE PRIORITY LIST

- 26. The Applicant's name shall only appear once on the Priority List at any one time.

INSPECTION OF PRIORITY LIST

- 27. (1) The Priority List shall be available for inspection during normal business hours at the office of the Licensing Section.
- (2) A copy of the Priority List shall be provided by the Licensing Section to each Taxicab Broker to display in their office each year.

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REVIEW OF THE PRIORITY LIST

28. The Licence Manager shall review the Priority List at regular intervals a minimum of once per calendar year, to determine that the listed persons are in compliance with the provisions of this Schedule and any person whose name is on the list who fails to comply with the provisions for this Schedule, shall be notified by the Licence Manager that his name is to be removed from the Priority List and such a person may appeal this decision.

REMOVAL FROM THE LIST

29. A person who has been notified that his name has been removed from the Priority List pursuant to subsection (6) herein, shall have thirty (30) days from the date of such notification of removal, to file a written request to the Appeal Tribunal for an appeal hearing.(200-08)
- (1) Such appeal hearing shall be heard as soon as possible by Appeal Tribunal and the provisions of this by-law relating to appeal hearing shall apply. (200-08)

PROCEDURE FOR ISSUANCE FROM PRIORITY LIST

30. When an Applicant's name has been place on the Priority List in accordance with the provisions of section 17 and has remained on that list in accordance with the provisions of this Schedule and a plate is to be issued, the plate shall be issued to the person whose name appears first on the list.

INTENT TO ISSUE OWNER'S LICENCES NOTICE

31. When the Licence Manager intends to issue a plate from the Priority List they shall first publish notice of their intention to issue and shall publish the names of the person shown according to the Priority List to be entitled to the issuance of the Licence.(200-08)

PUBLICATION OF NOTICE

32. The notice shall be published once in a newspaper of general circulation in the City and by posting in the office of all the licensed Taxicab Brokers.

OBJECTION

33. The notice referred to under section 32 shall state that any person objecting to the issuance must file their objection with the Licence Manager on or before ten (10) days from the date of publication of the notice.

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INVESTIGATION OF OBJECTIONS

34. Where an objection is received under section 33, the Licence Manager shall:
- (1) note beside the names on the Priority List that an objection has been received; and
 - (2) investigate the reasons for the Objection, and based on the findings the Licence Manager shall;
 - (a) if the findings of the investigation indicate non-compliance of the Priority List requirements, issue a notice to the person on the Priority List named in the objection, his intentions to remove the name from the Priority List; or
 - (b) if the findings of the investigation indicate compliance of the Priority List requirements, proceed with the issuance of the Owner's Licence

ONUS OF PROOF

35. Where the person named in the Notice referred to in section 31 fails to meet any of the requirements to remain on the Priority List the onus of proving compliance with the provisions of this Schedule before the Appeal Tribunal shall rest with the person named in the Notice. (200-08)

REMOVAL OF NAME AFTER ISSUANCE

36. When a plate is issued to an Applicant whose name is on the list, the name of that Applicant shall be removed from the list by the Licence Manager and all other Applicant's names shall be moved forward one position.

EFFECTIVE ISSUE FROM PRIORITY LIST

37. When a Taxicab owner's plate is issued from the Priority List, the Taxicab owner who has been approved for the issuance shall within one month of the date of issuance of the plate by the Licence Manager affix the plate to a vehicle registered in his name which shall be operated as a Taxicab and he shall not transfer that plate for three (3) years after the date of issuance unless the transfer is approved by the Licence Manager for financial, health or other reasons. (200-08)
- 37.1 When a Taxicab Owner's Licence is issued from the Priority List, the Taxicab Owner who has been issued the Licence, shall operate as a Driver for a minimum of three (3) years following the date of issuance to the satisfaction of the Licence Manager. (134-16)

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**ISSUANCE FROM PRIORITY LIST AS A RESULT OF THE TRANSPORTATION
NETWORK COMPANY PILOT PROJECT**

- 37.2 (1) Notwithstanding the Priority List requirements as set out in the Schedule 8, the Licence Manager shall issue 38 owner's plates to the first 38 qualified persons on the Priority List on July 1, 2017 in response to the pilot project that will be introduced on the same date for transportation network companies as further described in the Transportation Network Company Pilot Project Licensing By-law. (94-17)
- (2) The persons issued the owner's plates according to 37.2(1) shall be required to meet the requirements of this By-law before being issued an owner's plate and shall otherwise comply with the By-law. (94-17)

VEHICLE APPROVAL

38. An Applicant for an owner's Licence before using the vehicle to be registered by the Licensing Section shall:
- (1) attend at the Licensing Section and produce and file the following documents:
- (a) a copy of the current Provincial Permit for the vehicle, in good standing issued by the Ontario Ministry of Transportation. (496-05)
- (i) deleted by by-law 496-05
- (b) a copy of the Owner's Licence;
- (c) a copy of the current Motor Vehicle Liability Insurance Card endorsed to show the Vehicle being registered; and
- (d) either;
- (i) an Ontario Ministry of Transportation and Communication Vehicle Inspection report showing that the vehicle has been accepted within the previous sixty (60) days,
- (ii) a Safety Standard Certificate issued under the Highway Traffic Act within the previous sixty (60) days; or
- (e) pay the fee set out in Schedule 1 to this by-law; and
- (f) submit the vehicle to be registered for inspection and approval by the Licence Manager;

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- (2) if the inspection and approval provided for under subsection 38(1)(f) cannot be completed during normal business hours the vehicle can be used provided the owner returns the vehicle for inspection on the date and time specified by the Licensing Section.
- (3) An owner licensed under this by-law who disposes of his vehicle or otherwise ceases to use his vehicle for the purposes permitted under this by-law and acquires another vehicle for the purposes permitted under this by-law before using the vehicle shall comply with subsections (1) and (2).
- (4) When the Plate Owner meets all the requirements of this section and Section 41 of this Schedule the Vehicle shall be deemed to be registered.

UNREGISTERED VEHICLE

39. No Driver or Plate Owner shall operate a vehicle or permit a vehicle to be operated which is not registered under this by-law;

TAXICAB OWNERS DUTIES

40. Every licensed Taxicab owner shall:
- (1) employ or use only the services of licensed Taxicab Drivers under this By-law;
 - (2) repair any Mechanical Defect in the vehicle reported to him by a licensed Driver.
 - (3) provide the Licensing Section and, where applicable, any licensed Taxicab Broker with whom he may be associated with the name of the licensed Driver operating his vehicle within seventy-two (72) hours of the time when the licensed Driver has commenced To Operate the said vehicle.

VEHICLE STANDARDS

41. (1) Every licensed Driver and Plate Owner shall operate or permit to be operated a vehicle that:
- (a) meets the standards required for the issue of an acceptance under an Ontario Ministry of Transportation and Communications Vehicle Inspection Report or meets the standards for the issue of a Safety Standard Certificate of mechanical fitness;
 - (b) has useable trunk capacity such that the vehicle is capable of being able to accommodate a wheel chair, walker or similar device used to aid the Disabled;

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- (c) **section repealed by by-law 94-17**
- (d) **section repealed by by-law 94-17**
- (e) is equipped with operable air-conditioning and heating;
- (f) has Tint Free windows;
- (g) is clean, dry and in good repair as to its interior;
- (h) is clean, and in good repair as to its exterior, free from exterior body damage and with a well maintained exterior paint finish;
- (i) is equipped with an extra tire, wheel and jack ready for use for that vehicle or be equipped with a run-flat free tire system or air compressor/tire sealant combination unit; (184-17)
- (j) has identical wheel coverings and or wheel design;
- (k) has a seat belt cutting tool in a good state of repair which is easily accessible to the Driver;
- (l) **section repealed by by-law 94-17**
- (m) has no smoking signage affixed to the rear passenger window in with municipal requirements;
- (n) **section repealed by by-law 94-17**
- (o) display and maintain in good, legible condition a true copy of the Taxicab Passenger Rights and Responsibilities (Schedule 10) in an area of the Taxicab as approved by the Licence Manager;
- (p) has a Taxicab Meter; and each Taxi Meter shall be;
 - (i) illuminated between dusk and dawn;
 - (ii) located in a position clearly visible to the Passengers in the Taxicab;
 - (iii) adjusted in accordance with the rates prescribed by Schedule 9 of this By-law;
 - (iv) used only when the seal thereon is intact;

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- (v) used for not longer than one year without re-testing and resealing; and
 - (vi) kept in good working condition at all times.
 - (q) has on display any owner's plate, decal or sticker issued by any other municipal licensing authority;
 - (r) **section repealed by by-law 94-17**
- (2) Every licensed Driver and Plate Owner shall keep at all times in the vehicle, the original or a Photostat copy of the original of each of the following documents:
- (a) the current Ontario Ministry of Transportation and Communications Passenger Motor Vehicle Permit issued for that licensed vehicle;
 - (b) the current Owner's Licence permit issued under this by-law;
 - (c) the certificate of liability insurance for the vehicle, in accordance with this by-law;
- (3) Every Driver and Plate Owner shall have affixed firmly to the outside of the Taxicab:
- (a) the owner's plate firmly affixed to the left rear trunk or at a location and manner approved by the Licence Manager;
 - (b) Fender Numbers;
 - (c) a Roof Light.
 - (d) the Licence Renewal Sticker affixed to the bottom right corner of the Owner's Plate
- (4) Every Driver and Plate Owner shall file with the Licence Manager all documents to report any change in the information filed under Sub-Section 45(4).
- (5) Every Licenced Driver and Plate Owner shall keep in the Vehicle and maintain a Maintenance Log for the Vehicle registered under the Owner's Licence.

MODEL YEAR RESTRICTIONS

42. (1) No Motor Vehicle more than seven (7) Model Years old shall be used as a Taxicab according to this Schedule 8. (94-17, 184-17)

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- (2) Notwithstanding subsection 42(1) of this Schedule 8, the Licence Manager has the ability to extend the seven (7) Model Years restriction for one (1) additional year if the following conditions are met; (184-17)
- (a) a valid Safety Standard Certificate is provided for the Motor Vehicle which has been issued by a garage which is independent to the Taxicab and Brokerage associated with the Taxicab within sixty (60) days of the expiration of the seven (7) Model Years for the Motor Vehicle; (184-17)
 - (b) the Motor Vehicle is submitted to the Licence Manager for an inspection and in the opinion of the Licence Manager, the Motor Vehicle is safe and free of any mechanical defects; (184-17)
 - (c) the Licensee has paid the Administrative Fee as set out in Schedule 1 of the By-law; and (184-17)
 - (d) the Licensee has met the requirements of (a) and (c) of the subsection and has provided their Motor Vehicle for an inspection to the Licence Manager within thirty (30) days of the expiration of the seven (7) Model Years. (184-17)

ACCESSIBLE TAXICAB REQUIREMENTS

43. In addition to the Vehicle Requirements prescribed in this Schedule every Driver and Plate Owner shall only operate a vehicle which:
- (1) has approved wheelchair tie downs,
 - (2) has a first aid kit,
 - (3) has a dry chemical fire extinguisher having an effective total rating to at least 4-B C, and at least weighing 2.27 kg (approximately 5 lbs).

TAXICAB METER SEALING

44. When the Inspector is not available to seal the Taxicab Meter as required under subsection 41(1)(p) because his services have been requested outside the regular business hours of the Licensing Section, the licensed Taxicab owner or licensed Taxicab Driver who has had the Taxicab Meter altered, repaired or replaced in the Taxicab may operate the Taxicab on a weekend for a period up to seventy-two (72) hours and during the week for a period up to forty-eight (48) hours provided that the licensed Taxicab Driver has in his possession a certificate or receipt for the repair or installation of the Taxicab Meter signed by the person who made the repairs or installation, and the receipt sets out the date, time and nature of the repair or installation.

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LEASING

45. (1) Every Owner may enter into a Lease under the following conditions;
- (a) he must file with the Licence Manager all documentation relating to Lease.
 - (b) the Owner's Plate may not be sub-Leased.
- (2) deleted by by-law 496-05
- (3) No Owner or Driver may enter into a Lease with a person for a period of less than one (1) year or more than three (3) years;
- (4) No Owner shall permit his Licence to be used by a Lessee unless a copy of the Lease has been filed with the Licensing Section.
- (5) No Owner or Driver shall enter into a Lease agreement which restricts the movement of the owner's Licence from one licensed Taxicab Brokerage to another licensed Taxicab Brokerage unless all parties to the Lease agree to such a restriction and the agreement to the restriction is set out in the Lease filed with the Licence Section.
- (6) The provisions of subsections (1) shall come into effect as of January 1, 2005, for all existing Leases and sub-Leases.
- (7) The Licensing Section will not accept any new Lease agreements that do not comply with this Schedule of the By-law after the passing of this By-law.

TAXICABS OPERATING IN BROKERAGES

46. No Driver or Plate Owner shall;
- (1) put any name, address, or telephone number or other identification other than that of himself or the Taxicab Broker with whom he is Affiliated on his Taxicab or Roof Light;
 - (2) use or permit to be used on his Taxicab any emblem, decal, roof sign or other markings which are the same shape and/or colour or similar to any distinctive emblem, decal, roof sign or other marking being used by any Taxicab Broker with whom he is not Affiliated;
 - (3) operate a Taxicab which has the same distinctive colour scheme being used by any Taxicab Broker with whom he is not Affiliated;
 - (4) operate or permit his Taxicab to be operated in Affiliation with a Taxicab Broker who is not licensed under this by-law;

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- (5) use or permit to be used a two-way radio or monitoring device in his Taxicab which enables him or his Driver to transmit and/or receive any frequency of a Taxicab Broker licensed under this by-law with whom he is not Affiliated;

- (6) **SECTION REPEALED BY 134-16**

TAXICAB DRIVER LEAVES TAXICAB BROKER

47. Every Driver or Plate Owner who ceases to be Affiliated with a Taxicab Broker shall:
- (1) remove from his Vehicle the Roof Light, radio crystals and telephone number of the Taxicab Broker he is leaving;
 - (2) change and remove from the Vehicle the colour scheme and all decals or other Taxicab Brokerage markings on the Vehicle;
 - (3) return to the Taxicab Broker, he is leaving, all business cards and other equipment belonging to that Taxicab Broker.

DISPOSAL OF TAXICAB

48. (1) When the licensed Taxicab Owner or licensed Taxicab Driver disposes of or otherwise ceases to use as a Taxicab, the Vehicle registered he shall immediately remove from the said vehicle being disposed of:
- (a) the Roof Light;
 - (b) Taxicab Meter;
 - (c) all identifying decals or markings;
 - (d) Fender Numbers;
 - (e) and all other items which make the vehicle appear to the public to be a Taxicab.
- (2) When a licensed Taxicab owner or licensed Taxicab Driver disposes of a Taxicab which involved a Lease the licensed Taxicab owner or licensed Taxicab Driver shall change the ownership forthwith out of the plate holders name.

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MANDATORY TAXICAB INSPECTIONS

- 49. (1) **section repealed by by-law 94-17**
- (2) **section repealed by by-law 94-17**
- (3) **section repealed by by-law 94-17**

TRANSFER OF TAXICAB OWNER'S LICENCE

- 50. (1) No Taxicab Owner shall transfer or otherwise dispose of a Licence unless:
 - (a) the Taxicab Owner transferring his owner's Licence shall:
 - (i) complete and file with the Licensing Section a declaration provided by the Licensing Section;
 - (ii) provide a fully detailed contract of sale for the Owner's Plate or Licence Sticker;
 - (iii) return to the Licensing Section the Owner's Plate and Licence Sticker issued in his name which is being transferred, and;
 - (b) he pays the fee set out in Schedule 1.
- (2) Where a Taxicab Owner or Driver has been issued an Owner's Licence from the Taxicab Priority List pursuant to Section 37 of this Schedule, he shall not be allowed to transfer or otherwise dispose of such owner's Licence for a period of three (3) years from the date of issue of said Licence.
- (3) When at least 51 percent of the voting rights attaching to all shares of a corporation that is duly licensed under this by-law as a Taxicab Owner are sold or otherwise disposed of, it shall be deemed to be a transfer of a Taxicab Owner's and the provisions of subsections (1) and (2) shall apply.
- (4) When transfer is approved by the Licence Manager, the new Taxicab Owner must submit his vehicle for examination in accordance with section 38 of this Schedule before the Licence and an Owner's Plate or, Licence Sticker is issued.
- (5) Notwithstanding the provisions of subsections (1) and (2), the holder of a Taxicab Owner's Licence, who has been issued an original Licence from the City, may petition Council to permit a transfer or other disposition of said Licence within three years from the date of issuance.

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- (6) Where a Taxicab owner has purchased an owner's Licence with his own personal funds, such owner shall be exempted from the three (3) year restriction on transfers provided for in subsection (2).
- (7) Where a Taxicab Owner has transferred or otherwise disposed of a Licence which he purchased with his own personal funds, and, such transfer or disposal takes place at least three (3) years after the original Licence purchase, such owner shall not be restricted from purchasing another Licence in this same class.
- (8) Where a Taxicab Owner has transferred or otherwise disposed of an owner's Licence which he has purchased with his own personal funds within three (3) years of the original transfer date for said Licence, such owner will be restricted from purchasing another owner's Licence in the same class for a period of four (4) years from the date of said Licence transfer or disposal.
- (9) Notwithstanding the provisions of subsection (3) where a Taxicab Owner transfers an Owner's Licence to or from a limited company in which he controls at least 51% of the voting rights attaching to all shares of that limited company, such a transfer shall be exempt from either the three (3) year restriction in subsections (6) and (7) or the four (4) year restriction referred to in subsection (8).

LICENCE BECOMES ASSET OF THE ESTATE

51. (1) The provisions of section 50 of this Schedule, do not apply where the Licence becomes the asset of the estate of a deceased Owner. (257-09)
- (2) Where the owner of a Taxicab Licence dies the Licence become an asset of the estate and may be held in the name of the estate for a period of one year from transfer and if it is not disposed of in that period it may be revoked by the Licence Manager. (257-09)
- (3) Where the Owner of a Taxicab Licence is a corporation and the individual person holding at least fifty-one percent (51%) of the voting shares of the corporation dies, such voting shares may only be transferred or otherwise disposed of to an Individual who is licensed as a driver under this By-law. (257-09)
- (4) Notwithstanding subsection 1(3) of this section, where the shares have been legally transferred to a Spouse, there will be no Driver requirements for the Spouse of the deceased Individual, provided the Spouse successfully completes a Taxicab Owner Responsibility Course. (200-08, 257-09)
- (5) Where the Owner of a Taxicab Licence dies and where the Motor Vehicle ownership is not solely in the Lessee's name, the following shall be filed with the Licence Manager by the personal representative of the estate: (257-09)

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- (a) a copy of the death certificate;
 - (b) proof of insurance in the name of the estate;
 - (c) proof of ownership of the Motor Vehicle in the name of the estate.
- (6) Where the Owner of a Taxicab Licence dies and where the Motor Vehicle ownership is solely in the Lessee's name, the following shall be filed with the Licence Manager by the personal representative of the estate: (257-09)
- (a) a copy of the death certificate;
 - (b) proof of insurance in the name of the estate.
- (7) Where the Owner of a Taxicab Licence dies, the Licence may only be transferred or otherwise disposed of by the personal representative of the estate who shall confirm their status by filing with the Licence Manager either: (257-09)
- (a) a Certificate of Appointment for Estate Trustee with a Will, or
 - (b) a Certificate of Appointment for Estate Trustee without a Will

TAXICAB EXEMPTIONS

- 52. section repealed by by-law 94-17
- 53. section repealed by by-law 94-17

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**SCHEDULE 9
TAXICAB FARE**

(Amended by By-law 477-05, 168-08, 342-08, 318-10, 134-16)

BY DISTANCE - ONE TO FOUR PASSENGERS

For the first 141 metres as part thereof \$ 4.25

For additional 141 metres or part thereof \$ 0.25

WAITING TIME WHILE UNDER ENGAGEMENT

For each 30 seconds \$ 0.25

ADDITIONAL CHARGES

For each additional passenger in excess of four \$1.50*

**additional passenger surcharge does not apply to Personal Care Attendants for Disabled Passenger(s)*

For each odd item, parcel, or container over .085 cubic metres (3 cu. ft.) or over 27 kilograms (60lbs.) in weight not covered by this Fare, charges should be agreed upon between the driver and the passenger before commencement of the Trip.

SENIOR CITIZEN PRODUCING A SENIOR CITIZEN PRIVILEGE CARD WILL BE EXEMPT FROM ADDITIONAL CHARGES FOR OVERSIZED ITEMS.

CANCELLATION FEE

A cancellation fee of \$2.00 is payable to the driver if the driver reaches the pickup location before the customer has cancelled his Trip through the dispatcher.

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**SCHEDULE 10
TAXICAB PASSENGER RIGHTS AND RESPONSIBILITIES**

(amended by 94-17)

Mississauga Taxicab Passengers are Entitled to a **PROFESSIONAL DRIVER WHO:**

- Is licensed by the City of Mississauga and prominently displays his/her Taxicab Driver Licence inside the taxicab;
- Is knowledgeable and knows the major routes and destinations in the City;
- Is well-groomed, neat and clean in personal appearance, and dressed in pants (no jeans or sweat pants) or skirt, shirt or blouse with a collar and shoes, all free from obvious wear or damage;
- Is courteous and provides assistance;
- Provides a safe ride;
- Knows and obeys City by-laws and all traffic laws;
- Offers a silent ride if desired;
- Takes the most direct route to the destination unless otherwise directed by the passenger;
- Is physically able to assist passengers into the vehicle and to assist them with their belongings;
- Keeps the interior of his/her taxicab clean and free of debris; and
- Issues a receipt upon request noting the date and time of the trip, place of pick up, place of discharge, Taxicab Licence number, Provincial Plate number and the fare charges and paid.

Mississauga Taxicab Passengers are Entitled to a **QUALITY TAXICAB:**

- In good mechanical and physical condition;
- With a properly calibrated and sealed taximeter;
- With a clean exterior, passenger area and trunk;
- Is heated or air conditioned on demand;
- With easy access to seatbelts; and
- With a smoke-free environment.

Mississauga **TAXICAB PASSENGERS** are Responsible For:

- Not eating or drinking inside the taxicab;
- Not smoking in the taxicab;
- Not interfering with the taxicab driver in the conduct of his/her duties;
- Any damage caused to the taxicab, such as cigarette burns; and
- Paying the required fare

Customer compliments and/or complaints may be directed to the City's Licensing Information Line at (905) 896-5643 or by e-mail at vehicle.licensing@mississauga.ca.

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**SCHEDULE 11
DESIGNATED PUBLIC PROPERTY TAXICAB STANDS**

SCHEDULE 11 REPEALED BY BY-LAW 180-10

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**SCHEDULE 12
DESIGNATED PRIVATE PROPERTY TAXICAB STANDS**

SCHEDULE 12 REPEALED BY BY-LAW 180-10

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**SCHEDULE 13
PLATE ISSUANCE CALCULATION FORMULA**

(Amended by 270-06)

<u>CRITERIA STATISTICS</u>	<u>WEIGHTING FACTORS</u>
1. Number of Trips Dispatched by Brokerage	17.2
2. Increase in Business Industry	11.1
3. Population Related Factors	30.4
4. Information on Drivers/Operators	11.8
5. Licence Value	29.5

1. Trips Dispatched by Brokerage Calculation

<u>ITEMS CALCULATED</u>	<u>CALCULATION</u>
Number of Trip runs Dispatched by Brokerage Percentage change = 1. Trips dispatched by Brokerage	Percentage change over previous two years.

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2. Increase in Business Industry

<u>ITEMS CALCULATED</u>	<u>CALCULATION</u>
48. Hotels	1) Percentage change in total number of hotel rooms over previous two years;
i) Total Rooms	ii) Percentage change in total hotel occupancy rate over previous two years;
ii) Occupancy Rate	iii) Percentage change in number of convention group nights over previous two years.
iii) Number of Convention Group Nights	
b) Halls	i) Percentage change in number of licenced bingo events over previous two years;
i) Bingo - number of Licenced Events	ii) Percentage change in number of banquet halls over previous two years.
ii) Number of Banquet Halls	
(3) Office Space - Occupancy (sq ft)	(d) Percentage change in occupancy rate of office space (sq ft) over previous two years.
(e) Number of Theatres	(f) Percentage change in number of theatres over previous two years.
5. Number of Licenced Bars & Nightclubs	Percentage change in number of licenced bars restaurants, taverns and nightclubs over previous two years.
6. Shopping Centres, Malls & Plazas (sq M)	Percentage change in shopping centres, malls and plazas (sq M) over previous two years.
(7) GO Transit Ridership (Daily Average)	Percentage change in the daily average GO Transit Ridership over previous two years.
A TO G (Total: 9 Items)	$\frac{\text{Add Items A - G}}{9 \text{ Items}} = 2. \text{ Group Total Average (Increase in Business Industry)}$

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3. Population Related Factors

<u>ITEMS CALCULATED</u>	<u>CALCULATION</u>
<p>a) Overall Population</p> <p>b) Sectors</p> <p>i) Apartment/Townhome Population ii) Social Assistance Caseload iii) Senior Population</p>	<p>a) Percentage change in overall population over previous two years = A</p> <p>i) Percentage change in number of apartment /Townhome population over previous two years; ii) Percentage change in social assistance caseload over previous two years; iii) Percentage change in senior population over previous two years.</p> <p>Add i) to iii) = B</p> <p>B = Total & Change in b) Sectors (including Apartment/Townhome population, social assistance caseload and senior population)</p> <p style="text-align: center;">B $\frac{\quad}{3 \text{ Items in b)}} = \text{C (Sub-total)}$</p> <p>C (Sub-total) + A (Overall Population) = D (% Chg)</p> <p style="text-align: center;">D $\frac{\quad}{2} = \text{3. Group Total Average}$ (2 Yr Avg) (Population Related Factors)</p>

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4. Information on Drivers/Operators

<u>ITEMS CALCULATED</u>	<u>CALCULATION</u>
a) Average Total Income Per Day	a) Percentage change in the average total income made per day over previous two years.
b) Operating Expenditures/Year	b) Percentage change in operating expenditures over previous two years.
c) Number of Drivers/Taxicab	c) Percentage change in number of drivers /taxicabs over previous two years.
A TO C (Total 3 Items)	$\frac{\text{Add Items A to C}}{3 \text{ Items}} = 4. \text{ Group Total Average (Information on Drivers/Operators)}$

5. Licence Value

<u>ITEMS CALCULATED</u>	<u>CALCULATION</u>
a) Average Sale Price	a) Percentage change in average sale price over previous two years.
b) Average Lease Price	b) Percentage change in average lease price over previous two years.
A AND B (2 Items)	$\frac{\text{Add Items A + B}}{2 \text{ Items}} = 5. \text{Group Total Average (Market Value of Licences)}$

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**SCHEDULE 13
PLATE ISSUANCE CALCULATION FORMULA**

TAXI LICENCE ISSUANCE MODEL

Step 1

<u>CRITERIA STATISTICS</u> (% Results of 1 to 5)	<u>WEIGHTING FACTORS</u>	<u>CALCULATION</u> (= Weighted % Change)
1. Number of Trips Dispatched by Brokerage	17.2	1 X .172 = A
2. Increase in Business Industry	11.1	2 X .111 = B
3. Population Related Factors	30.4	3 X .304 = C
4. Information on Drivers/Operators	11.8	4 X .118 = D
5. Licence Value	29.5	5 X .295 = E
		Add A to E = Total Net % Change in Criteria Statistics

Step 2:

To calculate the # of Additional New licences which should be issued:

$$\frac{\text{Total Net \% Change}}{100} \times \text{Actual \# of Licences in Operation in the City} = \text{Number of Additional New Licences (Airport Plates are not included)}$$

100

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**SCHEDULE 14
SPECIFICATIONS FOR DIGITAL TAXI CAMERAS**

Operational Specifications

The specifications outlined below are the minimum standard required to comply with the City of Mississauga Policy

- The approved system must be 100 % solid state design and operational between 8 and 15 volts DC and be protected against reverse voltage, short circuits and high voltage transients likely to be encountered in the vehicle electrical system.
- The system shall not interfere with any other systems on board the taxi, and shall itself not be effected in any way by any sources of interference likely encountered on the taxi.
- The system shall have a back up system to preserve images in the event of loss of power. The system shall be equipped with flash memory or non volatile memory. Battery back-up will not be permitted.

Storage Capacity

- The camera must be capable of recording and storing a minimum of 500 images and each image shall comprise of not less than 300 kb.

Camera Head

- The camera and all system components shall be installed in a manner that does not interfere with the driver's vision or view of mirrors or otherwise normal operation of the vehicle.
- The camera head shall be designed to disconnect for ease of removal and replacement by maintenance personnel.
- All stored images must be time and date stamped including a vehicle identification number (Plate or car number).
- Each recorded image shall be automatically stamped with a unique and non-modifiable code that identifies the controller that was used to record the image.
- The camera must be equipped with infrared lighting source and operate automatically and in conjunction with image capture for day and night use.
- The lens of the camera must be of a type that captures the drivers and all passengers of the vehicle on the recorded image.
- The camera must be able to produce clear pictures.

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NOTE: Vehicles equipped with a shield must be equipped with a 2 (two) camera system. One camera shall be located in the approved location as set out above and the second camera shall be situated such that the lens is against the shield, so to produce a clear image of the passengers in the rear seat.

**Storage Device
(Recorder)**

- The image storage unit shall be concealed from view and effectively inaccessible except by authorized personnel.
- The recorder shall be impact resistant, sufficient to withstand a typical car accident, or striking with a large, heavy object such as a suitcase.
- The image storage unit shall be designed to disconnect for ease of removal and replacement by maintenance personnel.
- The recorder shall be equipped with a communication port for downloading by authorized personnel. This port shall be located in the trunk of the vehicle, situated so as not to be accidentally damaged during regular taxicab business.

Public Notices

- The system shall have no microphone or audio recording capabilities.
- Decals must be installed on the right and left rear windows of the vehicle to advise passengers that a digital camera system is in operation. The decals must be printed with a double-sided message for interior and exterior visibility.
- The decals will read “This vehicle is fitted with camera security; **YOU WILL BE PHOTOGRAPHED**”

Door / Meter Activation

- The recorder shall activate when any door is opened, or upon meter activation, with a minimum of 1 (one) image being recorded every 5 seconds, within the first 60 seconds of the door opening. The recorder shall capture additional images recording at a rate of 1 (one) image every 50 seconds for the next five minutes; and thereafter 1 (one) image for each 300 (three hundred) second period interval for 25 minutes. The recorder shall then reset for the next door opening event, and shall also reset if a door is opened prior to completing any cycle.

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SPECIFICATIONS FOR DIGITAL TAXI CAMERAS**

Manual Activation

- The driver/owner shall have no control of the imaging system, except for the emergency activation button.

Emergency Activation

- An emergency activation button will lock into memory a minimum of 15 prior images and shall record an additional 15 images per activation when triggered or engaged. The unit must be capable of recording, storing and locking in all emergency activation images for 3 events, with minimum of 15 images per event. These images shall be stored for a minimum of 72 hours before they can be recorded over.

Down Loading

- All stored images shall be secured in a way to prevent unauthorized access.
- Provisions shall be made by all approved manufacturers to provide a means of downloading images using the camera image recorder unit removed from the vehicle. The use of a docking station and power converter must be supplied with the software.
- Stored images must be password protected to access or download.
- It shall be possible to determine if the image has been manipulated in any way. This may be done by using signature encryption.

System Information

- The unit manufacturer shall have a service log shipped with the unit and will be marked with the serial number and provision for the installer to indicate the installation date. The manufacturer shall also enclose detailed instructions for the drivers/owners with each unit shipped. An installation manual shall also be furnished to authorized installers and fleet operators.
- The system shall be provided with clear and concise operation instructions which are written with due consideration to varying levels of literacy.

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**SCHEDULE 14
SPECIFICATIONS FOR DIGITAL TAXI CAMERAS**

Test Centre Inspections

- The driver shall have an indicator showing when the system is operational and when there is a malfunction. These indicators shall be mounted/installed for the driver's vision only and not to be visible by a front or rear seat passenger(s). The indication system shall incorporate the following minimum features.
 - a) normal display/system operational – green
 - b) valid image capture – flashing green
 - c) emergency activation memory full – alternating red/green flashes
 - d) system malfunction – red flashing continuous until fault cleared

- Where a system is fitted with an indicator to show that the system is on, this indicator shall be separate to those listed above or of a different colour to avoid any possible confusion on the part of the driver using the system.

- The system shall be designed and installed such that the system may be easily tested by the operator or Municipal Licensing and Standards Officers to ensure that all features are operating and that images are recorded as prescribed.

- The unit shall have a “test button” located in the vehicle glove compartment.

General

- The system shall provide reliable and full functionality in all operational and environmental conditions encountered in the operation of taxis.

- It shall be possible to change timing and parameters without the requirement to change components.

- The recording system shall be configured such that recording of images will automatically commence re-recordings once the image capacity has been reached. The oldest images shall be overwritten first.

**THE CORPORATION OF THE CITY OF MISSISSAUGA
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BY-LAW NUMBER 420-04**

SCHEDULE 15

<u>Criminal Code Offences</u>	<u>Description</u>
Explosives	Using explosives; possession.
Terrorism	Providing or collecting property for certain activities; providing or making available property or services for terrorist purposes; using or possessing property for terrorist purposes; participation in activity of terrorist group; facilitating terrorist activity; instructing to carry out activity for terrorist group; instructing to carry out terrorist activity.
Firearms and Weapons	commission of offence; careless use of firearm; pointing a firearm; possession of weapon for dangerous purposes; carrying weapon while attending public meeting; carrying concealed weapon; unauthorized possession of firearm; possession of firearm knowing its possession is unauthorized; possession at unauthorized place; unauthorized possession in motor vehicle; possession of prohibited or restricted firearm with ammunition; possession of weapon obtained by commission of offence; breaking and entering to steal firearm; robbery to steal firearm; weapons trafficking; possession for purpose of weapons trafficking; transfer without authority; making automatic firearm; discharging firearm with intent; causing bodily harm with intent — air gun or pistol.
Sexual Offences against Minors	Sexual interference; invitation to sexual touching; sexual exploitation; sexual exploitation of person with disability; incest; making child pornography; parent or guardian procuring sexual activity; householder permitting sexual activity; corrupting children; luring a child; prostitution of person under eighteen.
Sexual Offences against persons other than minors	Sexual exploitation of person with disability; incest; indecent acts; sexual assault.
Criminal Negligence	Causing death by criminal negligence; causing bodily harm by criminal negligence.
Murder	Murder; manslaughter; infanticide; attempt to commit murder; accessory to murder.

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SCHEDULE 15

<u>Criminal Code Offences</u>	<u>Description</u>
Operation of vehicles, vessels, or aircraft	Dangerous operation of motor vehicles, vessels and aircraft; flight; causing death by criminal negligence (street racing); causing bodily harm by criminal negligence (street racing); dangerous operation of motor vehicle while street racing; failure to stop at scene of accident; operation while impaired; operation while disqualified.
Harassment and threats	Criminal harassment; uttering threats; intimidation.
Assault	Assault; assaulting a peace officer.
Major assault and sexual assault offences	Sexual assault with a weapon, threats to a third party or causing bodily harm; aggravated sexual assault; assault with a weapon or causing bodily harm; aggravated assault; unlawfully causing bodily harm.
Confinement	Kidnapping; Trafficking in persons; Hostage taking; Abduction of person under sixteen; Abduction of person under fourteen; Abduction in contravention of custody order; Abduction.
Theft Over, forgery and fraud	Theft over; destroying documents of title; fraudulent concealment; theft and forgery of credit card; theft from mail; forgery; uttering forged document; drawing document without authority; fraud; using mails to defraud; arson for fraudulent purpose.
Robbery and extortion	Robbery; extortion.
Breaking and entering	Breaking and entering.
Possession of property obtained by crime	Possession of property obtained by crime; possession of property obtained by excise offences.
Arson	Arson
Counterfeit money	Making counterfeit money
Participation in criminal organization	Participation in criminal organization; Commission of offence for criminal organization; instructing commission of offence for criminal organization

**THE CORPORATION OF THE CITY OF MISSISSAUGA
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SCHEDULE 15

Criminal Code Offences	Description
Trafficking	Trafficking in controlled substance - Schedule I or II - Schedule III - Schedule IV
Importing and exporting	Importing and exporting of controlled substance - Schedule I or II - Schedule III - Schedule IV
Production	Production of controlled substance - Schedule I or II (except marihuana) - Schedule III - Schedule IV

**THE CORPORATION OF THE CITY OF MISSISSAUGA
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SCHEDULE 16

App Based Service

(amended by 134-16, 94-17)

1. The Licence Manager is authorized to approve an App through which a Broker may provide, arrange or make available transportation services.
2. The Licence Manager may only approve an App if the Person who administers, owns, licences or has control over the App holds a valid Broker Licence with the City.
3. The Licence Manager may only approve an App if the App:
 - (1) calculates a Fare which complies with this By-law;
 - (2) estimates the total Fare to be charged to the Passenger before the commencement of a Trip;
 - (3) can accept specific requests for an Accessible Taxicab that comply with *Accessibility for Ontarians with Disabilities Act*;
 - (4) records the following information:
 - a. the time, date and location where and when the Passenger is to be picked up; and
 - b. the destination where the Passenger is to be discharged;
 - (5) at the conclusion of the trip, immediately provides to the customer an electronic receipt containing:
 - a. the Passenger's name; and
 - b. the total Fare.
4. The Licence Manager shall immediately suspend an App if the Licence Manager has reasonable grounds to believe that an App previously approved according to this Schedule no longer complies with this Schedule 16.
5. The Licence Manager shall only lift a suspended App if the Licence Manager is satisfied that the App once again complies with this Schedule 16.
6. is based on functioning GPS technology to be used by Taxicab Drivers. (94-17)