

AGENDA



PUBLIC VEHICLE ADVISORY COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

TUESDAY, JUNE 16, 2015 – 10:00 A.M.

COUNCIL CHAMBERS

SECOND FLOOR, CIVIC CENTRE

300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO, L5B 3C1

<http://www.mississauga.ca/portal/cityhall/publicvehicleadvisory>

Members

Councillor Ron Starr, Ward 6 (CHAIR)

Councillor Carolyn Parrish, Ward 5 (VICE-CHAIR)

Al Cormier (Citizen Member)

Vikesh Kohli (Citizen Member)

Rajendra Singh (Citizen Member)

Karam S. Punian (Taxicab Drivers)

Harsimar Singh Sethi (Elected at Large)

Nirmal Singh (Taxicab Owners)

Baljit Singh Pandori (Taxicab Brokerages)

Joshua Zahavy (Limousine Owners)

Contact: Karen Morden, Legislative Coordinator
Office of the City Clerk 905-615-3200 ext. 5471 Fax 905-615-4181
karen.morden@mississauga.ca

CALL TO ORDER

APPOINTMENT OF THE CHAIR

APPOINTMENT OF THE VICE-CHAIR

APPROVAL OF THE AGENDA

DECLARATIONS OF CONFLICT OF INTEREST

PRESENTATIONS

DEPUTATIONS

MATTERS TO BE CONSIDERED

1. Minutes of Previous Meeting

- 1.1 Minutes of the Public Vehicle Advisory Committee meeting held on April 21, 2015.

RECOMMEND APPROVAL

2. Amendments to the Public Vehicle Licensing By-law 420-04, as amended, Safety Standard Certificate Requirements

Corporate Report dated June 4, 2015 from the Commissioner of Transportation and Works entitled, "Amendments to the Public Vehicle Licensing By-law 420-04, as amended, Safety Standard Certificate Requirements".

RECOMMENDATION

That the Public Vehicle Advisory Committee provide comments to staff for inclusion in a future report to General Committee on the report from the Commissioner of Transportation and Works, dated June 4, 2015 and entitled "Amendments to the Public Vehicle Licensing By-law 420-04, as amended, Safety Standard Certificate Requirements."

3. Amendments to the Public Vehicle Licensing By-Law 420-04, as amended, Lease Agreement Requirements

Corporate Report dated June 4, 2015 from the Commissioner of Transportation and Works entitled, "Amendments to the Public Vehicle Licensing By-law 420-04, as amended, Lease Agreement Requirements".

RECOMMENDATION

That the Public Vehicle Advisory Committee provide comments to staff for inclusion in a future report to General Committee on the report from the Commissioner of Transportation and Works, dated June 4, 2015 and entitled "Amendments to the Public Vehicle Licensing By-law 420-04, as amended, Lease Agreement Requirements."

4. Information Items

4.1 Public Vehicle Advisory Committee - Action List

Updated Public Vehicle Advisory Committee Action List for 2015.

RECOMMEND RECEIPT

4.2 Leasing A-Plates

Email dated April 17, 2015 from Peter Pellier, Taxicab Industry with respect to leasing A-Plates.

RECOMMEND RECEIPT

4.3 Mandatory Snow Tires

Email dated April 24, 2015 from Mark Sexsmith, Taxicab Industry with respect to mandatory snow tires.

RECOMMEND RECEIPT

4.4 Public Vehicle Licensing By-law – Proposed Amendments

Email dated May 1, 2015 from Peter Pelier, Taxicab Industry with respect to proposed amendments to the Public Vehicle Licensing By-law 420-04, as amended.

OTHER BUSINESS

DATE OF NEXT MEETING

Tuesday, September 22, 2015, 10:00 AM - Council Chambers, Mississauga Civic Centre, 300 City Centre Drive, Mississauga L5B 3C1

ADJOURNMENT



Minutes (DRAFT)

PUBLIC VEHICLE ADVISORY COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

TUESDAY, APRIL 21, 2015 - 9:37 A.M.

COUNCIL CHAMBERS

SECOND FLOOR, CIVIC CENTRE

300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO, L5B 3C1

<http://www.mississauga.ca/portal/cityhall/publicvehicleadvisory>

Members

Members Present:

- Councillor Ron Starr, Ward 6 (Chair)
- Councillor Carolyn Parrish, Ward 5 (Vice-Chair)
- Al Cormier (Citizen Member)
- Nabil A. Nassar (Citizen Member)
- Baljit Pandori (Taxicab Brokerages)
- Karam S. Punian (Taxicab Drivers)
- Harsimar Singh Sethi (Elected At Large)
- Nirmal Singh (Taxicab Owners)
- Joshua Zahavy (Limousine Brokers)

Staff Present:

- Mickey Frost, Director, Enforcement
- Daryl Bell, Manager, Mobile Licensing Enforcement
- Carla Mariuz, Project Manager, APS
- Karen Morden, Legislative Coordinator

Contact: Karen Morden, Legislative Coordinator
 Office of the City Clerk 905-615-3200 ext. 5471 Fax 905-615-4181
karen.morden@mississauga.ca

CALL TO ORDER

Karen Morden, Legislative Coordinator, Office of the City Clerk, called the meeting to order at 9:37 AM.

APPOINTMENT OF THE INTERIM CHAIR

Ms. Morden, Legislative Coordinator, Office of the City Clerk, advised that due to the Committee not having completed Member appointments, a call for an Interim Chair would take place. Ms. Morden called for nominations for appointment to the office of the Interim Chair of the Public Vehicle Advisory Committee (PVAC) for the term ending upon the completion of the Citizen Appointments to PVAC and the Committee meets as a whole.

Karam Punian, Taxicab Drivers, nominated Councillor Carolyn Parrish for appointment to the office of the Interim Chair for PVAC and Councillor Parrish accepted the nomination.

Al Cormier, Citizen Member, nominated Councillor Ron Starr for appointment to the office of the Interim Chair for PVAC and Councillor Starr accepted the nomination.

No further nominations were received.

A vote was called and Councillor Starr received the majority of votes.

RECOMMENDATION

That Councillor Ron Starr be appointed Interim Chair of the Public Vehicle Advisory Committee for a term ending upon the completion of the Citizen Appointments to PVAC and the Committee meets as a whole.

Approved (A. Cormier)

Recommendation PVAC-0012-2015

APPOINTMENT OF THE INTERIM VICE-CHAIR

Ms. Morden called for nominations for appointment to the office of Interim Vice-Chair of the Public Vehicle Advisory Committee (PVAC) for a term ending upon the completion of the Citizen Appointments to PVAC and the Committee meets as a whole.

Nabil Nassar, Citizen Member, nominated Councillor Carolyn Parrish for appointment to the office of Interim Vice-Chair of PVAC and Councillor Parrish accepted the nomination.

No further nominations were received.

RECOMMENDATION

That Councillor Carolyn Parrish be appointed Interim Vice-Chair of the Public Vehicle Advisory Committee for a term ending upon the completion of the Citizen Appointments to PVAC and the Committee meets as a whole.

Approved (N. Nassar)

Recommendation PVAC-0013-2015

Councillor Starr took over the meeting as Chair.

DECLARATIONS OF CONFLICT OF INTEREST – Nil.

PRESENTATIONS - Nil

DEPUTATIONS – Nil

Councillor Starr advised the Committee that a staff person, Rachel Treadgold, Senior Policy & Program Advisor, from the Ministry of Transportation was present in the audience and was available to answer questions with respect to the Pan Am/Para Pan Am Games being hosted in Mississauga.

A brief discussion ensued between Members and staff with respect to ensuring that all vehicles that are providing service at the Games are licensed by the City. Daryl Bell, Manager Mobile Licensing Enforcement, noted that practices had been reviewed to ensure this and that they would be working with Peel Regional Police to also enforce this. Harsimar Singh Sethi, Elected At-Large, suggested signs be posted to advise passengers to use licensed taxicabs only and Mr. Bell noted that he would share that suggestion.

Al Cormier, Citizen Member inquired whether the demand for accessible transportation during the Para Pan Am Games would impact regular users of accessible transportation such as Transhelp. Ms. Treadgold noted that they are working closely with MiWay and Transhelp to ensure the availability of accessible transportation and that they are currently developing a “Call One” service to ensure this.

MATTERS CONSIDERED1. Minutes of Previous Meeting

- 1.1 Minutes of the Public Vehicle Advisory Committee meeting held on March 3, 2015.

Approved (A. Cormier)

2. Review and Approval of the Public Vehicle Advisory Committee Terms of Reference

Review and approval of the Public Vehicle Advisory Committee Terms of Reference.

Karen Morden, Legislative Coordinator briefly outlined the amendments to the Terms of Reference for the Public Vehicle Advisory Committee (PVAC). Ms. Morden noted that a further amendment was imminent with respect to Committee quorum and the ability of Industry Members, whether elected or industry-appointed; to appoint a designate in their absence and further commented that the ability to do so is an anomaly to other Committees of Council and is not within Council Procedure By-law 139-13.

Discussion ensued amongst Industry Members who were in support of continuing to allow the appointment of designates due to their possible occasional inability to attend due to work commitments and the importance of having the entire industry representative positions represented at each meeting.

Al Cormier, Citizen Member suggested a compromise allowing Industry Members to appoint a designate in their absence, without voting rights.

Peter Pellier, Taxicab Industry suggested that one of the industry members that ran in the PVAC election but was not elected could be a regular designate and could be required to attend all meetings.

There was a general consensus that the Committee was in support of Mr. Cormier's suggestion.

RECOMMENDATION

That the Terms of Reference for the Public Vehicle Advisory Committee be referred back to staff to determine best practices with respect to committee quorum and report back to PVAC at the June 16, 2015 meeting.

Referred (A. Cormier)

Recommendation PVAC-0014-2015

3. Amendments to the Public Vehicle Licensing By-law 420-04, as amended, Lease Agreements for Accessible Taxicabs

Corporate Report dated April 9, 2015 from the Commissioner of Transportation and Works entitled, "Amendments to the Public Vehicle Licensing By-law 420-04, as amended, Lease Agreements for Accessible Taxicabs".

Mickey Frost, Director, Enforcement and Daryl Bell, Manager, Mobile Licensing Enforcement spoke to the subject report and noted that the amendment effectively brought the By-law in line with the existing practice in the industry and would incur the same fees as are currently required.

Al Cormier, Citizen Member inquired as to whether a decision on this matter should wait until after receiving the consultant's report. Mr. Frost noted that the consultant's report may require amendments to the by-law and will be done so accordingly, notwithstanding current practices.

RECOMMENDATION

That the report from the Commissioner of Transportation and Works, dated April 9, 2015 and entitled, "Amendments to the Public Vehicle Licensing By-law 420-04, as amended, Lease Agreements for Accessible Taxicabs", be received.

Received (A. Cormier)

Recommendation PVAC-0015-2015

4. Amendments to the Public Vehicle Licensing By-law 420-04, as amended, English Language Assessments for the Owners and Drivers of Airport Municipal Transportation Vehicles

Corporate Report dated April 9, 2015 from the Commissioner of Transportation and Works entitled, "Amendments to the Public Vehicle Licensing By-Law 420-04, as amended, English Language Assessments for the Owners and Drivers of Airport Municipal Transportation Vehicles".

Mr. Bell briefly explained the provisions of the current practice with respect to English language speaking and listening and noted the difficulty with having taxicab drivers who hold Canadian Citizenship tested through Adult Education services due to Adult Education's mandate. Mr. Bell clarified that the requirements will only include speaking and listening English language requirements and would remove the written requirement portion.

RECOMMENDATION

That the report from the Commissioner of Transportation and Works dated April 9, 2015 and entitled "Amendments to the Public Vehicle Licensing By-law 420-04, as amended, English Language Assessments for the Owners and Drivers of Airport Municipal Transportation Vehicles", be received.

Received (N. Nassar)

Recommendation PVAC-0016-2015

5. Amendments to Public Vehicle Licensing By-law 420-04, as amended, to enable enforcement through the Administrative Penalty System

Corporate Report dated April 10, 2015 from the Commissioner of Transportation and Works entitled, "Amendments to Public Vehicle Licensing By-law 420-04, as amended, to enable enforcement through the Administrative Penalty System".

Mr. Frost spoke to the report and explained that the implementation of the Administrative Penalty System (APS) was in response to concerns from the industry. Mr. Frost noted that the implementation simplified processes and allowed for an impartial, objective resolution, providing an easier appeal process and more timely resolution.

Carla Mariuz, Prosecutor, Legal Services explained the Administrative Penalty System and noted that it consists of a two tier review process with first tier screening by screening officers who have been in place since June 2014 and currently deal with animal services, animal control and parking administration and, if the complainant is dissatisfied with the outcome of the first tier screening, the ability to appeal the decision.

Karam Punian, Taxicab Drivers noted his opposition to the Administrative Penalty System and inquired as to whether other municipalities are using this system and requested clarification with respect to the ability to appeal. Ms. Mariuz commented that Oshawa, Vaughan and Brampton have implemented the APS with success and clarified the APS noting the two level process of review, that Provincial legislation dictates the process and that the system allowed for a fair decision.

Nabil Nassar, Citizen Member inquired as to the process if it involved both the *Municipal* and *Provincial Acts*. Mr. Frost advised that Municipal penalties are dealt with by the APS and that Provincial penalties will continue to follow the Provincial process. Mr. Frost further commented that under the APS there will be no difference other than that the APS issues a penalty notice and not a Provincial fine.

Councillor Parrish noted that the Committee had previously received a report addressing the classification of minor/major offenses and the associated warning system from the Enforcement Division and commented on the improvements to the system the APS would provide.

Mr. Frost advised that Council has approved the Administrative Penalty System for licensing and parking matters and that the Public Vehicle Licensing By-law 420-04, as amended, clearly lists and defines all infractions and corresponding infraction rates.

RECOMMENDATION

That the report from the Commissioner of Transportation and Works, dated April 10, 2015 and entitled "Amendments to Public Vehicle Licensing By-law 420-04, as amended, to enable enforcement through the Administrative Penalty System" be received for information.

Received (N. Nassar)

Recommendation PVAC-0017-2015

6. Public Vehicle Advisory Committee 2015 Meeting Dates

Memorandum dated April 14, 2015 from Karen Morden, Legislative Coordinator, regarding the 2015 meeting dates for the Public Vehicle Advisory Committee.

Members briefly discussed the meeting time and noted that a 10:00 a.m. start time would be preferred in future.

RECOMMENDATION

1. That the memorandum dated April 14, 2015 from Karen Morden, Legislative Coordinator, regarding the 2015 meeting dates for the Public Vehicle Advisory Committee be received for information;
2. That all future meetings of the Public Vehicle Advisory Committee be scheduled to begin at 10:00 a.m.

Received (H. S. Sethi)

Recommendation PVAC-0018-2015

7. Public Vehicle Advisory Committee - Action List

No discussion took place on this item.

RECOMMENDATION

That the Public Vehicle Advisory Committee Action List for 2015 be received for information.

Received (B. Pandori)

Recommendation PVAC-0019-2015

OTHER BUSINESS

Update on Uber X

Baljit Singh Pandori, Taxicab Brokerages inquired as to whether staff had an update with respect to Uber X and discussion ensued amongst the Members and staff.

Members expressed concerns regarding the operation of ridesharing services in Mississauga and the limitations of the Public Vehicle Licensing By-law to enforce penalties on drivers.

Mr. Bell advised that there are no further details on Uber practices at this time, that staff are continuing to enforce the by-law and that Municipal Law Enforcement do not have the authority to enforce Provincial laws or the Highway Traffic Act as the police are responsible for Provincial enforcement matters. Mr. Frost noted that Legal is pursuing an injunction on Uber X to stop services, as is the City of Toronto.

Councillor Parrish noted that recent news reports indicated that Uber had joined with Loblaws stores in Toronto, offering a free ride to and from the grocery store, without penalty from Toronto enforcement.

A member of the audience from the taxicab industry addressed the Committee with respect to ridesharing companies and commented that the problem is bigger with the existence of mobile applications and that industry members had met with Peel Regional Police who advised them that off-duty officers were being employed to the airport to go after "scoopers".

Councillor Starr commented on the need to partner with the Province to bring about change.

Mr. Punian suggested the possibility of creating a Regional by-law that would penalize anyone driving people without the appropriate licence.

Councillor Parrish suggested that staff could design a messaging postcard affixed with the City of Mississauga logo, self-addressed to the Premier of Ontario with respect to the regulation of taxicab mobile applications. Discussion and agreement ensued amongst members.

RECOMMENDATION

1. That staff design and print a messaging postcard affixed with the City of Mississauga logo, self-addressed to the Premier of Ontario with respect to the regulation of taxicab mobile applications;
2. That upon completion the postcard be sent for review and approval to the Public Vehicle Advisory Committee;
3. That staff distribute the postcard to taxicab brokerages to distribute to taxicab drivers and taxicab passengers for signature;
4. That the signed postcards be collected at the City and forwarded en masse to the Premier of Ontario.

Referred (Councillor Parrish)
Recommendation PVAC-0020-2015

DATE OF NEXT MEETING – Tuesday, June 16, 2015 at 10:00 AM, City of Mississauga, Council Chambers

ADJOURNMENT – 11:38 A.M.



Corporate Report

Public Vehicle Advisory Committee
JUN 16 2015

Clerk's Files

Originator's
Files

DATE: June 4, 2015

TO: Chair and Members of the Public Vehicle Advisory Committee
Meeting Date: June 16, 2015

FROM: Martin Powell, P. Eng.
Commissioner of Transportation and Works

SUBJECT: **Amendments to the Public Vehicle Licensing By-law 420-04, as amended, Safety Standard Certificate Requirements**

RECOMMENDATION: That the Public Vehicle Advisory Committee provide comments to staff for inclusion in a future report to General Committee on the report from the Commissioner of Transportation and Works, dated June 4, 2015 entitled "Amendments to the Public Vehicle Licensing By-law 420-04, as amended, Safety Standard Certificate Requirements".

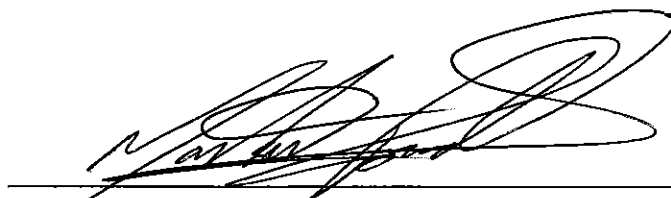
BACKGROUND: The Public Vehicle Licensing By-law 420-04, as amended, states "a Safety Standard Certificate issued under the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, within the previous sixty (60) days". Staff identified a conflict between the Public Vehicle Licensing By-law 420-04, as amended, and the Safety Standards Certificate, which is supplied for each mandatory inspection and clearly states that it is valid for 36 days.

COMMENTS: Staff reviewed the discrepancy between the wording of the by-law and the actual Safety Standards Certificate. The Safety Standards Certificate referred to as a requirement is issued under the authority of the Ministry of Transportation. The Ministry of Transportation inspects vehicles for safety items with a list of items that they have

concluded are essential to a vehicle's safety. The vehicle safety certificate is valid for 36 days and not 60 days as indicated in the by-law.

FINANCIAL IMPACT: This report has no financial impact on the City of Mississauga.

CONCLUSION: Staff recommend that the Public Vehicle Licensing By-law 420-04, as amended, be amended to be consistent with the provisions of the Ministry of Transportation and that the Safety Standards Certificate be valid for 36 days.



Martin Powell, P. Eng.

Commissioner of Transportation and Works

Prepared By: Daryl Bell, Manager Mobile Licensing Enforcement



Corporate Report

Public Vehicle Advisory Committee

Clerk's Files JUN 16 2015

Originator's
Files

3

DATE: June 4, 2015

TO: Chair and Members of the Public Vehicle Advisory Committee
Meeting Date: June 16, 2015

FROM: Martin Powell, P. Eng.
Commissioner of Transportation and Works

SUBJECT: **Amendments to the Public Vehicle Licensing By-law 420-04, as amended, Lease Agreement Requirements**

RECOMMENDATION: That the Public Vehicle Advisory Committee provide comments to staff for inclusion in a future report to General Committee on the report from the Commissioner of Transportation and Works, dated June 4, 2015 entitled "Amendments to the Public Vehicle Licensing By-law 420-04, as amended, Lease Agreement Requirements."

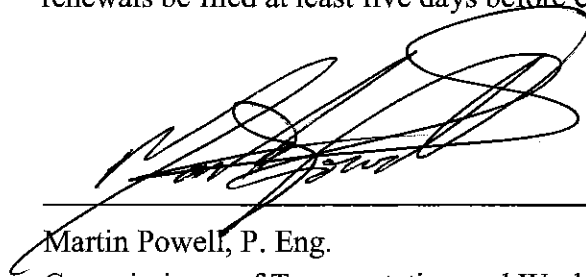
BACKGROUND: The Public Vehicle Licensing By-law 420-04, as amended, requires taxicab plate owners who are leasing out their taxicab plate to file the lease agreement with the Licensing Manager. The requirements provide that a lease agreement may be for a minimum time frame of one year to a maximum of three years and that no owner shall permit a lessee to use their licence unless the lease agreement has been filed with Mobile Licensing Enforcement. Staff have identified that often the lease agreement expires without the new lease agreement being properly filed and staff only become aware the lease has expired when the taxicab owner licence is being renewed.

COMMENTS: Staff reviewed the by-law and are of the opinion that a provision be added to the by-law to have a new lease agreement filed with Mobile Licensing Enforcement at least five days prior to the expiration of the

lease. This will make the taxicab plate owner responsible to ensure that all documents are filed and maintained in a reasonable time frame and hold the taxicab plate owner responsible for their own plate and all documents required for the administration of a licence. This would be consistent with the requirements currently in the by-law for insurance certificate renewals.

FINANCIAL IMPACT: This report has no financial impact on the City of Mississauga.

CONCLUSION: Staff recommend that the Public Vehicle Licensing By-law 420-04, as amended, be amended to include a requirement that lease agreement renewals be filed at least five days before expiration.



Martin Powell, P. Eng.

Commissioner of Transportation and Works

Prepared By: Daryl Bell, Manager Mobile Licensing Enforcement

Public Vehicle Advisory Committee 2015 Action List

Updated: JUNE 2015

Issue	Last Discussed on	Who	Status
Accessible plates	September 11, 2012	Enforcement Office	Completed <ul style="list-style-type: none"> - Subcommittee meeting on April 29, 2013 - Subcommittee meeting on May 13, 2013 - Public meeting on June 11, 2013 - This sub-committee was completed as it was to determine the percentage of accessible taxicabs as per the requirements of the AODA which went back to PVAC.
Term of plate leases coincide with vehicle year limit	September 11, 2012	Enforcement Office	Completed
Mobile taxi application	September 11, 2012	Enforcement Office	Completed
Airport taxi's – Stickers on windshields	September 11, 2012	Enforcement Office	Completed
Advance payment in evenings	September 11, 2012	Enforcement Office	Completed
Hotel Shuttles	April 29, 2013	Enforcement Office	In progress <ul style="list-style-type: none"> • Directed to hold public consultation
Regulations of DADD drivers	October 15, 2013	Enforcement Office	In progress <ul style="list-style-type: none"> • Directed to hold public consultation
Public Meetings – Licensing of medical transfers and shuttle service vehicles.	October 15, 2013	Enforcement Office	In progress <ul style="list-style-type: none"> • Directed to hold public consultation
Parcel Delivery service	October 15, 2013	Enforcement Office	In progress <ul style="list-style-type: none"> • Directed to hold public consultation
Need for taxi stands	October 15, 2013	Enforcement Office	Completed

Public Vehicle Advisory Committee
JUN 15 2015

Public Vehicle Advisory Committee 2015 Action List
 Updated: JUNE 2015

2010 and 2012 Taxicab Plate Issuance	February 4, 2014	Enforcement Office	Completed
Timing of taxicab plate renewal issuance - priority list, identification requirement	September 29, 2014	Enforcement Office	In progress
Mobile Licensing Enforcement Practices	March 3, 2015	Enforcement Office	<p>Completed Update to PVAC: 2016</p> <p>PVAC-0004-2015</p> <ol style="list-style-type: none"> 1. That the report from the Commissioner of Transportation and Works, dated February 18, 2015 entitled "Mobile Licensing Enforcement Practices for the Taxicab and Limousine Industries" be received for information; 2. That staff provide an update to the Public Vehicle Advisory Committee in 2016.
Taxicab Mobile Applications	April 21, 2015	Enforcement Office	<p>Completed</p> <ul style="list-style-type: none"> • Staff to prepare a report – Completed: March 3, 2015 <p>PVAC-0005-2015</p> <ol style="list-style-type: none"> 1. That Council request the Ministry of Transportation for the Province of Ontario pass legislation and/or regulations to address taxicab mobile applications such as Uber as outlined in the report from the Commissioner of Transportation and Works, dated

Public Vehicle Advisory Committee 2015 Action List

Updated: JUNE 2015

			<p>February 18, 2015 entitled “Regulation of Taxicab Mobile Applications”.</p> <p>2. That a copy of the report from the Commissioner of Transportation and Works, dated February 18, 2015 entitled “Regulation of Taxicab Mobile Applications”, be forwarded to the Minister of Transportation, Province of Ontario.</p>
Consultant’s Report	April 21, 2015	Enforcement Office	<p>In progress</p> <ul style="list-style-type: none"> • March 3, 2015 – Update to PVAC • September 2015 – Final Report
Issuance of Accessible Plates	March 3, 2015	Enforcement Office	<p>In progress</p> <ul style="list-style-type: none"> • March 3, 2015 – Recommendation: PVAC-0007-2015 <p>1. That the email dated February 11, 2015 from Peter Pelier regarding a moratorium on the issuance of A-Plates be received;</p> <p>2. That a three month moratorium on the issuance of A-Plates be enacted and that five (5) current Temporary A-Plate applicants be exempt from the moratorium.</p>
Review of the Terms of Reference for PVAC	April 21, 2015	Clerk’s Office	<p>In progress</p> <ul style="list-style-type: none"> • April 21, 2015 – Recommendation:

Public Vehicle Advisory Committee 2015 Action List

Updated: JUNE 2015

			<p>PVAC-0014-2015 That the Terms of Reference for the Public Vehicle Advisory Committee be referred back to staff to determine best practices with respect to committee quorum and the appointment of designates and report back to PVAC at the June 16, 2015 meeting.</p>
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Karen Morden

From: Karen Morden
Sent: 2015/06/03 4:01 PM
To: Karen Morden
Subject: RE: LEASING A-PLATES

From: Peter Pellier
To: mayor@mississauga.ca; carolyn.parrish@mississauga.ca; ron.starr@mississauga.ca; Al Cormier; mickey.frost@mississauga.ca; daryl.bell@mississauga.ca; karen.morden@mississauga.ca
CC: Mark Sexsmith; Ronnie B.
Subject: LEASING A-PLATES
Date: Fri, 17 Apr 2015 09:19:28 -0400

THE CHAIR & MEMBERS,
PVAC.

Since the City is considering an amendment to the By-law that legalizes the leasing of A-plates, why not go one necessary step further by transferring control of these plates from the brokers to the respective operators?

Given these plates are non-transferable, and, thus, have no equity value; given the operators pay the entire cost associated with the vehicles in question; and given the operators are ultimately responsible for providing the service, it is both reasonable and fair that they have complete control over their livelihoods.

It begs the question, why should the brokers exert control over those who have made a considerable investment of time, effort and money servicing disabled members of the community?

High time, this matter was remedied.

PETER D. PELLIER

Karen Morden

From: Karen Morden
Sent: 2015/04/24 11:52 AM
To: Karen Morden
Subject: RE: Mandatory snow tires

From: MARK SEXSMITH [REDACTED]
Sent: 2015/04/24 9:02 AM
To: Mickey Frost
Cc: Daryl Bell
Subject: Mandatory snow tires

Dear Mr. Frost:

Some years ago I had requested that Mobile Licensing investigate the practicality of requiring all taxis in Mississauga to have snow/winter tires. This was put on one of the PVAC agendas, but never got seriously revisited.

The budget the Provincial presented this week has an item which, if passed, will require insurance companies to offer discounts to vehicle owners using snow/winter tires. Is it time to once again bring this up before the PVAC?

Several points come to mind:

Fleet taxis normally use up two sets of tires a year. Having one set as snow/winter tires would not be a serious financial setback for the owners.

Single shift operators are moving towards having two sets of rims and tires, appropriate for summer and winter use, and these drivers have found that they actually save money because they do not have to pay for changing tires over between one set of rims. Furthermore, they can easily change over their tire sets when the weather permits, rather than waiting for tires to wear out, or until another service stop for other items.

If the Province can mandate lower insurance costs, everyone in the industry will be ahead.

Mandatory snow tire legislation in Quebec apparently has resulted in lower accident rates; data to this effect would be useful in any discussion put before the PVAC.

The City would face no extra cost for enforcement, as you could mandate having winter tires on at the fall inspection.

The industry would be able to promote the fact that, unlike the rideshare services, all vehicles are equipped with proper tires.

You could investigate the situation with the new "all weather" tires (as opposed to the old "all season" tires) and determine if these fall within the parameters of the requirements for winter tires under the Provincial plan.

A bylaw change could probably be in place in time to implement this in the fall.

Is there any chance that you could bring this up at the next PVAC meeting?

Best regards,
Mark Sexsmith

Karen Morden

To: Karen Morden
Subject: RE: PUBLIC VEHICLE LICENSING BY-LAW - PROPOSED AMENDMENTS

From: Peter Pellier

To: ron.starr@mississauga.ca; carolyn.parrish@mississauga.ca; mayor@mississauga.ca; Al Cormier; Baljit Pandori; mickey.frost@mississauga.ca; daryl.bell@mississauga.ca; Mark Sexsmith; Ronnie B.; danhara@haraassociates.com; karen.morden@mississauga.ca

Subject: PUBLIC VEHICLE LICENSING BY-LAW - PROPOSED AMENDMENTS

Date: Fri, 1 May 2015 09:11:26 -0400

THE CHAIR & MEMBERS,
PVAC.

With the Public Vehicle Licensing By-law about to undergo a major review, I offer the following for your consideration.

(1) Schedule 8, Subsection 45(5) of the By-law, headed: Leasing, states: '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 restriction is set out in the lease filed with the Licensing Section.'

Given the balance of power rests squarely in the hands of the plate owner, in the case of a standard plate, and with the broker, in the case of an A-plate, this provision effectively binds a lessee to a particular brokerage much the same as the reserve clause did with major league baseball players until it was banned in 1975. That the lessee has a sizeable investment in his business, particularly for those who operate A-plates, perforce, should confer the freedom either to affiliate with the brokerage of choice, or operate as an independent.

Drivers are the heart and soul of the industry. It follows, those who enter into lease agreements, thus benefiting both plate owners and A-plate holders, fully deserve the opportunity to work where they choose. To that end, Subsection 45(5) should be amended by striking: 'unless all parties to the lease agreement to such a restriction and the restriction is set out in the lease filed with the Licensing Section.'

(2) Subsection 12(3) of the By-law, headed: 'Grounds For Refusal To Issue Or Renew A Licence', states: '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 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.'

4.4a

During the period City-Peel Taxi operated a brokerage, the company failed to operate in a financially responsible manner. Time and again, monies owed affiliated owners and drivers for charges submitted was not forthcoming on the due date, creating considerable uncertainty for the many individuals who were directly affected. When apprised of the ongoing problem, the City refused to get involved, claiming the matter was strictly between the drivers and the company. Under the circumstances, this was a wholly untenable position, particularly given the wording found in Subsection 12(3). Consequently, an amendment is needed signalling to brokers that the By-law will be enforced in where financial obligations to affiliated owners and drivers are not met.

It is worth noting that Subsection 47(3) of Schedule 8, headed: 'Taxicab Driver Leaves Taxicab Broker', states: 'Every driver or plate owner who ceases to be affiliated with a taxicab broker shall return to the taxicab broker he is leaving all business cards and other equipment belonging to that taxicab broker.' Surely, if the City sees fit to intervene on behalf of the brokerage regarding business cards and equipment, by rights, it should intervene on behalf of owners and drivers regarding the more serious matter of monies owed.

To that end, Schedule 8, Section 3, headed: 'Broker Duties', needs to be amended by adding Subsection (12), as follows: 'Every licensed broker shall ensure monies owed licensed owners and licensed drivers for charges submitted are paid on time in accordance with the mutually agreed to arrangement in place.' Furthermore, Schedule 8, Section 6, headed: 'Broker Prohibitions', should be amended by adding Subsection (8), as follows: 'No broker shall fail to ensure that monies owed licensed owners and licensed drivers for charges submitted are paid on time in accordance with the mutually agreed to arrangement in place.'

(3) Schedule 8, Subsection 51(2), headed: 'Licence Becomes Asset Of The Estate', states: 'Where an owner of a taxicab licence dies, the licence shall be suspended and the plate or licence sticker shall be removed forthwith.' Subsection 51(3) goes on to state that: 'Subject to Subsection (2), on the death of a taxicab owner, the plate or licence sticker shall be returned to the Licensing Section....'

By virtue of Section 51, lessees and drivers operating the plate or plates of a deceased owner are left high and dry. This is patently unfair as well as unreasonable, particularly in situations where probate is either impossible due to the lack of a will, or prolonged due to its complexity. Such was the case involving the death of former owner, Richard Mueller, whose plates were rendered inactive for a considerable length of time due to the absence of a will, resulting in considerable financial difficulty for the drivers in question.

Section 51 needs to be amended by adding a provision that results in the issuance of a temporary plate, or plates, as may be the case, in the name of the estate, thus enabling the continued operation of the taxicab(s) in question, until such time as the disposal of the plate(s) has been satisfactorily resolved.

(4) On December 31st, 1956, the then Toronto Township ratified its first meter rate, thus embarking on a regulated taxi industry. Cabs serving the area have been regulated ever since. (For the record, the rate approved was as follows: For the first mile....50 cents; for each one-third of a mile.....10 cents; for each 120 seconds.....10 cents. How times have changed.)

History and experience have taught that the regulation of taxicabs serves the public well. Which brings us to Uber Technologies, the global corporate pariah that defiantly snubs its nose at playing by the rules. This outlaw operation has caused untold grief for legitimate taxi operators around the world, triggering a myriad of lawsuits aimed at upholding the rule of law.

Quite frankly, the definition of a broker found in the Definitions and Interpretation section of the By-law appears sufficient to lay charges against Uber. After all, it clearly states that a broker is: 'Any person who carries on the business of accepting orders for, or dispatching in any manner to vehicles licensed under this By-law, that are not owned by the person.' Surely, the reference to 'dispatching in any manner' covers the app-based approach adopted by Uber and other so-called technology companies. Surely, the definition infers that brokers can direct orders to only to vehicles licensed under the By-law. Apparently, such is not the case, particularly with UberX.

Clearly, Uber is a commercial operation which directs orders to operators equipped with the company app, and, as such, is acting in the same manner as a taxicab broker. I suggest amending the definition of a broker to: 'Any person, and/or related subsidiary or associate, who carries on the business of accepting orders for, or dispatching in any manner to vehicles that must be licensed under this By-law, which are not owned by the person or a related subsidiary or associate.'

Under the Broker Duties section, Section 3 needs to be amended by adding Subsection (13): 'Every licensed broker shall dispatch in any manner calls to licensed vehicles only.' Under the Broker Prohibition section, Section 6 needs to be amended by adding Subsection (9): 'No licensed broker shall dispatch in any manner calls to any vehicle which is not licensed.'

Thank you.
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