

# Minutes



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## PUBLIC VEHICLE ADVISORY COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

**WEDNESDAY, AUGUST 12, 2015 – 10:03 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)  
Vikesh Kholi (Citizen Member)  
Rajendra Singh (Citizen Member)  
Baljit Pandori (Taxicab Brokerages)  
Karam S. Punian (Taxicab Drivers) – (arrived at 10:08 A.M.)  
Harsimar Singh Sethi (Elected At Large)  
Nirmal Singh (Taxicab Owners) – (arrived at 10:24 A.M.)

#### **Members Absent:**

Joshua Zahavy (Limousine Brokers)

#### **Staff Present:**

Mickey Frost, Director, Enforcement  
Daryl Bell, Manager, Mobile Licensing Enforcement  
Robert Genoway, Legal Counsel  
Crystal Greer, Director, Legislative Services & City Clerk  
Diana Rusnov, Manager, Legislative Services & Deputy Clerk  
Karen Morden, Legislative Coordinator

Contact: Karen Morden, Legislative Coordinator  
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CALL TO ORDERDECLARATIONS OF CONFLICT OF INTEREST – Nil.PRESENTATIONS - NilDEPUTATIONS

A. Chris Schafer, Uber Public Policy Manager – Canada, with respect to Uber operations.

Mr. Schafer spoke regarding Uber operations, providing an overview of Uber, how it works, a historical perspective, how it currently operates in Mississauga and other municipalities, and the future plans for operating in the City of Mississauga.

Discussion ensued amongst Members and several questions were posed to Mr. Schafer, including:

- Whether Uber would be willing to license drivers and taxi plates;
- The percentage split of ride fees between Uber drivers and the company;
- Whether HST was collected and reported and by whom;
- Whether ride fees were changeable with Uber;
- Whether Uber drivers were also licensed taxicab drivers.

Mr. Schafer advised that Uber seeks to be regulated in Mississauga, though does not consider Uber a taxi service. Mr. Schafer noted that Uber drivers receive 80% of the ride fees, while the company receives 20% and that drivers were responsible for reporting HST. He further noted that Uber does not collect HST, only the drivers. To the inquiry regarding changing/variable rates and fees for Uber rides, Mr. Schafer advised that rates do change on occasion based on demand and that the fees are always transparent to the customer. Mr. Schafer further noted that while some Uber drivers are also taxicab drivers, most are not.

Further discussion amongst Members developed additional inquiries of Mr. Schafer including:

- Uber's insurance policy and whether it had been filed in Mississauga;
- Whether Uber drivers were permitted to perform an additional pick-up after delivering a passenger from another city;
- Whether Uber's statistical data is available to be shared amongst cities;
- Why Uber applied for a brokerage licence in both Toronto and Mississauga, despite not classifying themselves as a taxi company;
- How Uber drivers were monitored/supervised;

- Whether Uber drivers were permitted to refuse a short trip;
- Whether Uber would advocate for a fair priced buy-out for licensed taxicab plate owners in talks with the Province;
- Whether Uber had a preferred/priority passenger list and whether Uber had removed individuals, such as City employees, from their passenger lists.

Mr. Schafer noted that Uber does have insurance and was unsure if it had been filed in Mississauga. Regarding additional cross-cities pick-ups, Mr. Schafer said he was unsure whether it was happening, but was aware of Barrie to Toronto pick-ups. Mr. Schafer further noted that Uber has an arrangement to share data with the City of Boston with protections and audit practices in place. Mr. Schafer commented that Uber had applied for a taxi brokerage licence as part of a process in the hopes of becoming regulated in Toronto and Mississauga and noted that Uber drivers do not refuse short trips as they do not know the passengers' destination until the transaction is completed in-car. He further noted that Uber drivers and passengers were part of an online rating system and that both drivers and passengers had been removed from the Uber system due to poor ratings, though he was not aware of the removal of specific groups of people, such as City employees. Mr. Schafer commented that the taxi plate values had not fallen to be useless in other places and they had not advocated for anything in that regard but that Uber does advocate for the unlicensed driver.

Several audience members spoke to the matter:

Atif Awan, Taxicab Driver commented on the requirements of the By-law in Mississauga and the need for enforced regulations.

Yad Sidhu, Taxicab Industry commented on the increase of taxis in operation, insurance issues, and employment issues.

Peter Pellier, Taxicab Industry commented on legality issues of mobile taxicab applications.

Justin Fergus, Uber passenger, Newmarket Ontario, commented on his preference for using Uber and his positive experience in utilizing the service.

Maria Lendvay, Taxicab Driver commented on the City of Mississauga and the taxicab industry's ability to determine the need of additional taxicabs and provide an adequate number of plates and vehicles to meet that need, under the current By-law.

Varinder Singh, Taxicab Industry commented on the fluctuating rates/fees of Uber fares as determined by the company and the need for rules and regulations.

Phillip Sheridan, Taxicab Industry commented on legality issues of Uber operations, the lengthy waiting list to obtain a taxicab plate licence in Mississauga, and inquired whether there is a statement on the job application for Uber indicating that income must be reported to Revenue Canada, to which Mr. Schafer confirmed there is.

Antoine Khairallah, Taxicab Owner commented on the fee he had paid for his taxicab licence plate and the necessity of paying taxes on earnings.

Syed Shah, Taxicab Driver commented on conditional insurance policies.

Mr. Schafer spoke to his meetings with City Councillors and Enforcement staff in 2014, noted that the current regulatory system is not working and a new regulatory framework should be considered, and that Uber will continue to focus on servicing the customers and drivers across Canada.

Councillor Starr encouraged members of the taxicab industry and consumers to provide feedback to the Councillors on PVAC and related staff.

#### RECOMMENDATION

That the deputation and associated handout from Chris Schafer, Uber Public Policy Manager – Canada, regarding Uber operations, be received for information.

Received (H. S. Sethi)

Recommendation PVAC-0030-2015

#### MATTERS CONSIDERED

1. Minutes of Previous Meeting

- 1.1 Minutes of the Public Vehicle Advisory Committee meeting held on June 16, 2015.

Approved (A. Cormier)

2. Changes to the Public Vehicle Licensing By-law 420-04, as amended, for the Licensing of Taxi and Limousine Drivers

Corporate Report dated July 21, 2015 from the Commissioner of Transportation and Works entitled, “Changes to the Public Vehicle Licensing By-law 420-04, as amended, for the Licensing of Taxi and Limousine Drivers”.

Mickey Frost, Director, Enforcement briefly spoke to the report and noted that the report was brought forward for comments from PVAC for a future report to General Committee.

Councillor Parrish noted agreement with the recommended changes to the By-law which would bring the requirements in-line with the tow truck drivers’ requirements.

RECOMMENDATION

1. That the report from the Commissioner of Transportation and Works, dated July 21, 2015 and entitled, “Changes to the Public Vehicle Licensing By-law 420-04, as amended, for the Licensing of Taxi and Limousine Drivers”, be received;
2. That staff incorporate comments received from the Public Vehicle Advisory Committee and prepare a report to be considered by General Committee on the recommended changes to the requirements for the licensing of taxi and limousine drivers.

Received (Councillor Parrish)  
Recommendation PVAC-0031-2015

3. Engagement of Consulting Services for the Regulation of Taxicab Mobile Applications

Corporate Report dated July 28, 2015 from the Commissioner of Transportation and Works entitled, “Engagement of Consulting Services for the Regulation of Taxicab Mobile Applications”.

Councillor Parrish suggested that the financial impact of the consulting services be decreased to \$30,000 and that the Request for Proposal move forward in consultation with the PVAC Councillors.

Al Cormier, Citizen Member commented that other cities should be consulted regarding their approach in dealing with taxicab mobile applications, including those who are working with companies such as Uber.

RECOMMENDATION

1. That the report from the Commissioner of Transportation and Works dated July 28, 2015 and entitled “Engagement of Consulting Services for the Regulation of Taxicab Mobile Applications”, be received;
2. That staff amend the projected financial impact in the Request for Proposal to \$30,000;
3. That staff proceed with the process to procure consulting services for the regulation of Taxicab Mobile Applications, in consultation with Councillor Starr and Councillor Parrish.

Received (Councillor Parrish)

Recommendation PVAC-0032-2015

4. Information Items

4.1 Uber Update

Corporate Report dated July 7, 2015 from the City Solicitor entitled, “Uber Update”, as presented to Council at their meeting on July 8, 2015.

RECOMMENDATION

That the Corporate Report dated July 7, 2015 from the City Solicitor entitled, “Uber Update”, be received for information.

Baljit Pandori, Taxicab Brokerages requested a progress update.

Robert Genoway, Legal Counsel provided a brief update with respect to charges. Mr. Frost further advised that charges were before the court and referred back to the discussion on Item 3 – Engagement of Consulting Services for the Regulation of Mobile Taxicab Regulations.

Received (H. S. Sethi)

Recommendation PVAC-0033-2015

4.2 Change of Inspection Place

Mohammad Shabbeer, Taxicab Driver spoke regarding his email dated July 24, 2015 with respect to a change of the location for inspections for taxicabs and distributed a handout to the PVAC Members outlining the reasons for his request to have the inspection location moved back to the original location at the airport.

Daryl Bell, Manager, Mobile Licensing Enforcement responded to Mr. Shabbeer's request, noting the reasons the location had been changed to the Mobile Enforcement location at 3235 Mavis Road in 2012.

RECOMMENDATION

That the email dated July 24, 2015 from Mohammad Shabbeer, Taxicab Driver with respect to a change of the location for inspections be received for information.

Received (H. S. Sethi)

Recommendation PVAC-0034-2015

4.3 Requested Changes to By-law 420-04, as amended

Email dated August 4, 2015 from Mark Sexsmith, All Star Taxi with respect to an amendment to the Public Vehicle Licensing By-law 420-04, as amended regarding the "Definitions and Interpretations" section of the By-law.

Mr. Sexsmith spoke regarding his recommended amendments to the "Definitions and Interpretations" section, noting that a change to the definition of a "taxicab driver" and a "taxicab brokerage" would better reflect the interpretation of these positions, thus making it easier to enforce the By-law with unlicensed drivers.

Councillor Starr advised that his suggestions would be referred back to staff to be considered for inclusion in the work of the consultant engaged to review practices of the regulation of mobile taxicab applications.

RECOMMENDATION

That the email dated August 4, 2015 from Mark Sexsmith, All Star Taxi with respect to an amendment to the Public Vehicle Licensing by-law 420-04, as amended regarding the "Definitions and Interpretations" section of the By-law, be referred to staff for consideration and report back to the Public Vehicle Advisory Committee.

Referred (A. Cormier)

Recommendation PVAC-0035-2015

#### 4.4 Terms of Reference for the Public Vehicle Advisory Committee

Memorandum dated July 8, 2015 from Karen Morden, Legislative Coordinator regarding the Terms of Reference for the Public Vehicle Advisory Committee.

No discussion took place on this item.

#### RECOMMENDATION

That the memorandum dated July 8, 2015 from Karen Morden, Legislative Coordinator with respect to the Terms of Reference for the Public Vehicle Advisory Committee, be received for information.

Received (K. S. Punian)

Recommendation PVAC-0036-2015

#### 4.5 Public Vehicle Advisory Committee – Action List

Updated Public Vehicle Advisory Committee Action List for 2015.

No discussion took place on this item.

#### RECOMMENDATION

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

Received (A. Cormier)

Recommendation PVAC-0037-2015

### OTHER BUSINESS

- a) Karam Punian, Elected Member - Taxicab Drivers, requested further discussion on Item 2. Mr. Punian was advised that a future report would go to General Committee and would include any comments from the industry. Mr. Frost further advised that the report was not brought forth for approval, but for comments.

Mr. Punian requested that a poll be taken individually to ensure that Members understood the report and that it be re-opened for discussion. Councillor Starr reiterated that the report was before the Committee for comments and receipt, that Mr. Punian's comments would be included in the future report to General Committee, and that he is welcome to attend General Committee to provide further comments.



- b) Yad Sidhu, Taxicab Industry requested an update with respect to the June 16, 2015 PVAC meeting discussion regarding the regulation of Uber. Councillor Starr advised that Councillors and staff are working on a solution. Mr. Frost clarified that staff have not been asked by Council to shut Uber down, but to explore various solutions to a complicated issue so that an informed decision could be made.

DATE OF NEXT MEETING

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

ADJOURNMENT – 12:55 P.M.