
General Committee (Afternoon Session)

Date

2017/03/22

Time

12:30 PM

(Please note that the General Committee (Afternoon Session) will not start before 12:30pm and the General Committee (Morning Session) meeting must be finished.)

Location

Civic Centre, Council Chamber,
300 City Centre Drive, Mississauga, Ontario, L5B 3C1 Ontario

Members

Mayor Bonnie Crombie	
Councillor Jim Tovey	Ward 1 (Chair)
Councillor Karen Ras	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor John Kovac	Ward 4
Councillor Carolyn Parrish	Ward 5
Councillor Ron Starr	Ward 6
Councillor Nando Iannicca	Ward 7
Councillor Matt Mahoney	Ward 8
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10
Councillor George Carlson	Ward 11

Contact

Sacha Smith, Legislative Coordinator, Legislative Services
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Find it Online

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

INDEX - GENERAL COMMITTEE - MARCH 22, 2017
AFTERNOON SESSION

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
3. **DECLARATION OF CONFLICT OF INTEREST**
4. **DEPUTATIONS**
- 4.1. Item 6.1 Michael Foley, Acting Manager, Parking Enforcement
5. **PUBLIC QUESTION PERIOD** - 15 Minute Limit
(Persons who wish to address the General Committee about a matter on the Agenda. Persons addressing the General Committee with a question should limit preamble to a maximum of two (2) statements sufficient to establish the context for the question. Leave must be granted by the Committee to deal with any matter not on the Agenda.)
6. **MATTERS TO BE CONSIDERED**
- 6.1. Transportation Network Company (TNC) Licensing Pilot Project
7. **ADJOURNMENT**

City of Mississauga
Corporate Report



Date: 2017/03/08

To: Chair and Members of General Committee

From: Geoff Wright, P. Eng, MBA, Commissioner of
 Transportation and Works

Originator's files:

Meeting date:
 2017/03/22

Subject

Transportation Network Company (TNC) Licensing Pilot Project

Recommendation

1. That a by-law be enacted to provide for an 18 month Pilot Project permitting the operation of Transportation Network Companies (TNCs) in Mississauga as outlined in the report from the Commissioner of Transportation and Works, dated March 8, 2017 entitled "Transportation Network Company (TNC) Licensing Pilot Project."
2. That a by-law be enacted to amend the Public Vehicle Licensing By-law 420-04, as amended, to minimize impediments to taxi and limousine operators providing service in a manner competitive with TNCs as outlined in the report from the Commissioner of Transportation and Works, dated March 8, 2017 entitled "Transportation Network Company (TNC) Licensing Pilot Project."
3. That staff report to General Committee at the completion of the Pilot Project with recommendations for future regulations for the public vehicle industry.

Report Highlights

- The issues surrounding TNC regulation and the role they play in providing consumer choice and convenience has been extensively investigated by both staff and consultants retained by the City.
- The implementation of the Pilot Project provides an appropriate regulatory framework in the interest of public safety and consumer protection.
- Licensed TNC's will be required to supply periodic confirmation from an independent auditor confirming the information provided to the City is complete and accurate for the purposes of enforcement.
- To create some parity for traditional public vehicle service providers, the report recommends a Pilot Project with amendments to the Public Vehicle Licensing By-law 420-

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04, as amended.

- The Pilot Project will be a total of 18 months with the final six months used by staff to collate and interpret the data from the initial 12 months and to prepare a final report to General Committee.

Background

TNCs have been active in the City of Mississauga since early 2012. The issues surrounding TNC regulation and the role they play in providing consumer choice and convenience has been extensively investigated both by staff and consultants whose services have been retained by the City.

A summary of the Council resolutions and staff reports dealing with TNCs can be found in Appendix 1.

Currently, Mobile Licensing Enforcement officers are enforcing the Public Vehicle Licensing By-law through the issuance of charges against TNC drivers for operating as a taxicab driver without a licence. To-date, over 500 charges have been filed against the TNCs and TNC drivers.

On November 9, 2016 Council passed the following resolution:

“Whereas by Resolution 0096-2016 Council created the Public Vehicle Pilot Program Committee tasked with developing a pilot program to allow Transport Network Companies (TNCs) to operate in Mississauga under proper rules and regulations; and

Whereas the Public Vehicle Pilot Program Committee has held 5 meetings; and

Whereas the Committee and staff have heard from numerous industry stakeholders, experts, and the public, as well as received sufficient information to develop a pilot program;

Therefore be it resolved that the Public Vehicle Pilot Program be dissolved immediately; and

Therefore be it further resolved that Enforcement staff be directed to prepare a report for General Committee recommending the terms of a public vehicle pilot program.”

Staff, having received input from Council, members of the Public Vehicle Pilot Program Committee, and the public vehicle industry, developed the terms and regulations for a Pilot Project that would permit the operation of TNCs, allow Mobile Licensing Enforcement to better understand the complexity of regulating this new category of vehicle for hire and determine the responsiveness of this industry to municipal regulation. Staff are also proposing changes to existing public vehicle regulations to allow for the taxi and limousine industries to be more competitive with TNCs.

Comments

Municipal Benchmarking/TNC Activity Estimates

A comparison and analysis of municipalities who have approved TNC licensing (see Appendix 2) has helped enforcement staff to develop an appropriate framework for a Pilot Project for Mississauga. Staff believe that the implementation of this Pilot Project provides an appropriate regulatory framework in the interest of public safety and consumer protection and will, at a minimum, fully recover all associated costs.

The TNC currently operating in Mississauga, Uber, was approached by enforcement staff in the preparation of this report. Staff requested that Uber supply current data showing the number of trips originating weekly in Mississauga and the number of drivers that are registered who are operating in Mississauga. Staff requested this information to assist in estimating the workload and related resource requirements to regulate Uber during the Pilot Project. This request was declined by Uber.

Based on information derived from the benchmarking process, which identified the levels predicted or identified for other municipalities where TNC licensing has taken place, staff estimate that approximately 60,000 trips per week are occurring in Mississauga. Furthermore, it is estimated that 25,000 individuals are registered with the TNC as drivers and are available to conduct business in Mississauga. Staff were unable to estimate the number of TNC drivers operating in Mississauga at any given time.

While this represents a significant volume of activity, it is recognized that the level of activity is not an overriding consideration for the Pilot Project, which is focussed on developing a regulatory strategy to deal with what may become a new licence classification.

Pilot Project Goals

The five goals of the Pilot Project are shown below:

1. To confirm that TNCs are collecting appropriate, current information for those registered with the TNC, particularly related to driver and vehicle standards, to ensure consumer protection and public safety.
2. To ensure that TNC users are receiving the service that they have requested from individuals who are authorized to do so under the TNC licensing structure.
3. To identify the number of requests that TNCs receive for accessible service, their capability to service these requests and their ability to satisfy this demand in a regulatory framework.
4. To test a regulatory framework for TNCs, as well as the proposed by-law deregulations for the taxi and limousine industries, to determine their effectiveness and sustainability, prior to bringing forward more permanent regulations for General Committee's consideration at the conclusion of the Pilot Project.

5. To determine the TNCs appetite for regulations and willingness to adhere to formal legislative requirements aimed at ensuring public safety and consumer protection.

To address these issues it was identified that a model similar to those in place in Ottawa and Oakville, where the municipality establishes the regulations, the TNC self-regulates and the municipality periodically reviews the TNCs self-regulation efforts, would provide the best fit for Mississauga. Under this licensing process Mobile Licensing Enforcement staff will be provided, by the TNC, access to data related to trips occurring in Mississauga, drivers currently operating here, as well as the vehicles used by the drivers.

Data will also be collected regarding requests that cannot be filled by the TNC, including requests made for accessible services, how these requests are dealt with, and the number of registered TNC vehicles that are accessible. The Public Vehicle Licensing By-law 420-04, as amended, requires that requests for accessible service be addressed by the brokerage. Further, the by-law indicates that if a brokerage cannot meet the request for accessible service, it must refer the request to another licensed brokerage that can meet the request for accessible service.

Data collected will be reviewed by Enforcement staff and each TNC participating during the Pilot Project will be required to supply periodic confirmation from an independent auditor, at the implementation date and then on a quarterly basis for the remainder of the Pilot Project, confirming that the information provided to the City of Mississauga is complete and accurate for the purposes of enforcement. The cost of the independent audits is to be borne by the TNC.

In light of information culled from the municipalities identified in Appendix 2, who are currently licensing TNCs, staff are recommending a TNC framework that will permit comprehensive enforcement of regulations for TNC drivers, the vehicles in use and the TNC itself. During the Pilot Project, the TNC will be licensed by the City. In turn, the TNC will require that the TNC drivers meet the requirements as set out in the Pilot Project, collect the documentation establishing the driver's suitability and make the documentation available to the City in a timely manner, upon request.

Details of these regulations can be found in Appendix 2. They identify the minimum requirements for vehicles, drivers and the responsibility of the TNC to participate in the regulatory process.

The proposed fee schedule for the licensing of TNCs is also reflective of the benchmarking completed for other municipalities and is in keeping with the requirements of the *Municipal Act, 2001*, which grants the right to license for the purposes of consumer protection, public safety and protection from nuisance, while allowing the municipality the ability to recover the cost of providing these services.

To this end, the following fees are proposed:

- A yearly TNC Brokerage licensing fee of \$20,000; and,

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- A TNC Vehicle Operator licensing fee of 30 cents for each ride originating within the City of Mississauga collected and remitted by the TNC on the 15th of each month.

TNC drivers themselves will not require a municipal licence because under the regulatory framework proposed for the Pilot Project, the TNC itself is licensed by the City and the TNC drivers themselves will be operating under the TNC licence. This aligns with a self-regulatory model and places the onus on the TNC to comply with municipal regulations.

Proposed Amendments to the Public Vehicle Licensing By-law for Traditional Public Vehicle Service Providers

In order to better address issues of parity between regulatory efforts directed towards traditional public vehicle service providers, namely taxicabs and limousines, and the emerging ride sharing industry, a number of amendments to existing regulations for taxicabs and limousines are proposed. The purpose of these amendments is to allow traditional providers to compete more effectively with vehicles operating under the TNC licence. These proposed amendments are outlined in Appendix 3 and are similar to efforts being made in other municipalities to provide similar regulatory relief to the traditional industries

It is also recommended that for the duration of the Pilot Project the issuance of new taxi plates be suspended as a proactive measure to reduce competitive pressure on the existing fleet of licensed taxicabs. However, accessible taxi plates will continue to be issued in accordance with the requirements of the Public Vehicle Licensing By-law 420-04, as amended. The taxicab plate issuance model review will be reconsidered at the conclusion of the Pilot Project, in concert with the issue of accessible public vehicle service in accordance with the conclusion contained in the report “Summary of Proposed Regulations for Transportation Network Companies” dated March 14, 2016. Which states the following:

“The process to issue taxicab and accessible taxicab plates will be considered by PVAC and General Committee in a separate report from the Commissioner of Transportation and Works once General Committee has approved a framework for the regulation of TNCs.”

Enforcement Action Plan

With the initiation of the proposed TNC Pilot Project, Municipal Law Enforcement Officers (MLEOs) will be assigned to conduct field inspections using “Inspection Accounts” set up by the TNC and with the stipulation that these accounts not be blocked or manipulated by the TNC. These “Inspection Accounts” will allow a MLEO to view all vehicles registered with the TNC and in operation, and will allow the MLEO to request a ride. Upon arrival, the TNC vehicle will be inspected by the MLEO, and once completed, the vehicle will be released. The driver information, vehicle information and inspection results will then be transmitted to administrative staff who will then request background documentation held by the TNC to confirm that the driver and vehicle are in compliance with the applicable by-law provisions of the Pilot Project. (As previously identified, periodic audits by the TNC, at the TNC’s cost, will provide assurance to the City that the information being provided to the municipality by the TNC, under the requirements of the self-regulatory model proposed in the Pilot Project, is complete and accurate).

Inspections will be prioritized based on vehicles operating in Mississauga. As the Pilot Project unfolds, additional contract staff will be employed, as required, to address the increased capacity required for both inspection and support staff, but again, staffing levels will be directly related to achieving cost recovery.

During inspections conducted through the use of Inspection Accounts, the MLEO will confirm the following:

- the driver operating the vehicle is the driver currently permitted to operate under the TNC Pilot Project;
- the vehicle is currently authorized for use as a TNC vehicle;
- the GPS in the vehicle is functioning; and,
- the vehicle has no excessive interior or exterior damage that would lead the MLEO to believe that the vehicle was not suitable for use on the road.

Operators of TNC vehicles found to be in contravention of City by-law requirements may be assessed with an Administrative Penalty of an amount consistent with the Administrative Penalty System (APS) as applied to other for hire public vehicles. For the purpose of the Pilot Project, the TNC will be viewed as the “Operator” and as such, any assessed penalty will be applied to the TNC only.

Enforcement staff will coordinate with the Communications Division to provide the general public with notification that TNCs are being regulated through a Pilot Project and that if concerns arise with the activity or the quality of product provided by a TNC, they may contact the City of Mississauga.

Enforcement staff will provide the Citizen Contact Centre (311) messaging and information to assist with addressing service requests related to TNCs, their drivers and the vehicles being operated. Service requests will be investigated within the prescribed service level expectations for Mobile Licensing Enforcement.

Complaints related to serious misconduct on the part of TNC vehicle drivers will result in the Mobile Licensing Enforcement Manager requiring the immediate suspension of a TNC driver by the TNC until such time that the complaint is investigated completely. In cases where there is sufficient evidence to conclude that the vehicle operator has breached the conditions imposed by the Pilot Project, the Mobile Licensing Enforcement Manager may require that the vehicle operator be removed from operation in the City for the duration of the Pilot Project; or, the Mobile Licensing Enforcement Manager may impose an appropriate Administrative Penalty, or both. This practice is similar to the practice employed for the taxi and limousine industries based on the provisions of the Public Vehicle Licensing By-law 420-04, as amended.

For the purpose of the Pilot Project, TNC vehicles operating out of the Greater Toronto Airport Authority (GTAA) will be treated in the same manner as trips originating within Mississauga. Staff have been advised that the GTAA has in place a negotiated agreement with at least one TNC; however, Mobile Licensing Enforcement staff have not been made privy to the contents or

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details of the agreement. As such, TNC vehicles that operate from the airport will remain subject to the requirements of the Pilot Project and the associated fees.

Duration

The proposed Pilot Project will encompass 18 months in total, from July 1, 2017 until December 31, 2018. The July 1, 2017 start date allows for the time necessary for the creation of a new by-law specifically for the Pilot Project, as well as amendments to the Public Vehicle Licensing Bylaw 420-04, as amended, to be written by Legal Services and approved by Council. The July 1, 2017 date also provides the lead time required to put the necessary resources in place to fulfill the Enforcement Action Plan.

The initial 12 month period of the TNC Pilot Project will be used to:

- collect data related to the level of TNC activity within the City, where the TNC trips originate, where they terminate, when they occur and the fares charged;
- investigate complaints, and identify their types, severity and response;
- examine the TNC's responsiveness to regulatory initiatives, the provision of accurate information in a timely manner, and the consistency and quality of data provided;
- assess the effectiveness of the regulatory framework proposed in the TNC Pilot Project as well as the changes to the regulations for taxicabs and limousines with a view to developing a more permanent regulatory framework for implementation following the completion of the Pilot Project;
- a detailed analysis identifying the estimated costs and offsetting revenues that would be associated with any adoption of permanent regulations for TNCs;
- an analysis of the TNCs ability to provide accessible service; and,
- a review of the impact of TNC regulated operations on the traditional public vehicle industries, including ridership and taxicab plate values, based on the information available to staff.

During the final six months of the Pilot Project all regulations will remain in place while staff collate and interpret the data collected from the initial 12 months, prepare a final report, and make their recommendations to General Committee. Staff will also review the experiences of the municipalities benchmarked in Appendix 2 to gauge the results of their regulatory efforts of TNCs as well as the deregulation of the taxi and limousine industries.

Financial Impact

The TNC Pilot Project will have net zero financial impact on the City and enforcement activity will be structured to establish full cost recovery. Based on the proposed 30 cents per ride licensing fee and the estimated level of activity of 60,000 rides per week, the annual revenue generated is projected to be approximately \$850,000. This would be used to offset the costs of the following:

- five contract enforcement staff conducting field inspections to fulfill the City's role in ensuring that TNC vehicles are in compliance with the conditions set in the Pilot Project;
- two contract administrative staff coordinating the collection and organization of data from both the TNC and field inspection staff;
- one contract Pilot Project co-ordinator to oversee the day- to-day operation of the project, provide updates to the Public Vehicle Advisory Committee and General Committee, and to author the final report to Council; and,
- associated costs including vehicles, mileage, field computing resources and training.

Should the actual volumes of activity, and with them the licensing fees charged, vary significantly from the projections contained in this report, the use of existing staff initially and contract staff moving forward will permit Mobile Licensing Enforcement the level of flexibility needed to achieve full cost recovery during the Pilot Project. A higher than predicted volume of TNC activity will trigger the requirement for additional short-term contract staff positions. A lower than predicted volume of TNC activity will trigger the requirement for fewer short-term contract staff positions.

Conclusion

Staff conclude that a by-law permitting a TNC Pilot Project to operate for a period of 18 months, subject to the regulations and fee structure outlined in this report, is both feasible and a reasonable step to regulate the operation of TNCs offering transportation services to the general public.

Furthermore, staff conclude that the creation of a new by-law to incorporate the regulations required for a TNC Pilot Project, coupled with additional amendments to the Public Vehicle Licensing By-law 420-04, as amended, identified in this report, are appropriate measures to regulate TNCs and to create regulatory parity between TNCs and the traditional public vehicle industries.

Attachments

Appendix 1: Overview of Resolutions and Reports to Council Regarding TNCs

Appendix 2: Detailed Analysis: Transportation Network Company Regulations in Effect

Appendix 3: Proposed TNC Regulatory Framework



Geoff Wright, P. Eng, MBA, Commissioner of Transportation and Works

Prepared by: Daryl Bell, Manager, Mobile Licensing Enforcement

Overview of Council Resolutions and Reports to Council Regarding TNCs 2012 - 2016

Resolution#	Date		Resolution
0268-2014	2014-12-04		<p><i>That the report titled 'Legal and Enforcement Options regarding Uber Canada Inc.' dated December 4, 2014 from the City Solicitor be received for information.</i></p> <p><i>That the City Solicitor or her designate be authorized to continue with an application for injunctive relief against Uber Canada Inc. restraining Uber from continuing to operate a taxicab and limousine brokerage in the City of Mississauga contrary to the City's Public Vehicle Licensing By-law.</i></p>
0105-2015	2015-04-29		<p><i>THEREFORE BE IT RESOLVED THAT the Mayor write a letter to the Minister of Transportation, Province of Ontario requesting that the Ministry of Transportation for the Province of Ontario pass legislation and/or regulations to address taxicab mobile applications such as Uber and enclosing a copy of the City's resolution in this regard and a copy of the report from the Commissioner of Transportation and Works, dated February 18, 2015 entitled 'Regulation of Taxicab Mobile Applications'.</i></p>
0082-2016	2016-05-11		<p><i>1. That the Public Vehicle Licensing By-law 420-04, as amended, be amended to incorporate the "capture option" for the regulation of transportation network companies where transportation network companies will be required to obtain a broker licence and operate using only licensed taxi and limousine drivers, operating licensed taxi and limousine vehicles;</i></p> <p><i>2. That the Public Vehicle Licensing By-law 420-04, as amended, be amended to facilitate licensed taxi and limousine drivers being able to work for more than one brokerage;</i></p> <p><i>3. That staff be directed to report back to the Public Vehicle Advisory Committee on ways to modernize the regulation of taxi and limousine industries.</i></p>
0083-2016	2016-05-11		<p><i>Now therefore be it resolved that that a committee be created with the aim to developing a terms of reference for a limited one-year pilot program to allow Transport Network Companies (TNCs) to operate in Mississauga to determine how TNCs can operate within the Mississauga marketplace and under Council regulation; and</i></p>

			<p><i>Be it further resolved that this committee be comprised of two Councillors, one being the Chair of the Public Vehicle Advisory Committee (PVAC), and the Mayor as ex officio, and one of each of the following: a citizen representative, a taxi cab industry representative, and a representative from the TNC sector; and</i></p> <p><i>Be it further resolved that this Committee will work with enforcement staff to develop a report with recommendations on the framework for a pilot for the September 21, 2016 General Committee meeting; and</i></p> <p><i>Be it further resolved that Council instruct all TNCs operating in Mississauga to cease operations in this city until such time as the pilot program is instituted; and non-compliance will result in the Committee being disbanded;</i></p> <p><i>Be further resolved that Councillor Starr and Councillor Ras be appointed to the Committee and;</i></p> <p><i>That a representative be appointed by the Taxi Industry and TNCs by Monday, May 16, 2016 and;</i></p> <p><i>That staff be directed to contact the citizen representative's on PVAC to confirm one representative to sit on the Committee.</i></p>
0092-2016			<p><i>That the report titled 'Potential Legal Impacts Resulting from the Regulation of Transportation Network Companies' be received for information.</i></p>
0095-2016			<p><i>Whereas Council passed Resolution 0083-2016 on May 11, 2016 that recommended the creation of a committee to develop a pilot program for transport network companies (TNCs) to operate in Mississauga, subject to prescribed conditions; and</i></p> <p><i>Whereas Uber, the only TNC company currently operating in Mississauga has signalled in correspondence to the City of Mississauga's Enforcement Department in response to the May 11, 2016 motion that they are willing to work with the City of Mississauga on the development of such a pilot program; and</i></p> <p><i>Whereas at the May 18, 2016 General Committee Meeting, Council requested and awaits further clarification from Uber on their position on the pilot program; and</i></p> <p><i>Whereas based on feedback from Uber, changes to Resolution 0083-2016 may be</i></p>

			<p><i>required; and</i></p> <p><i>Whereas a motion to reconsider is required to re-open debate on Resolution 0083-2016;</i></p> <p><i>Therefore be it resolved that reconsideration be given to Resolution 0083-2016 based on new information gathered since the May 18, 2016 General Committee Meeting.</i></p>
0096-2016	2016-05-25		<p><i>Now therefore be it resolved that a committee be created with the aim to developing a terms of reference for a limited one-year pilot program to allow Transport Network Companies (TNCs) to operate in Mississauga to determine how TNCs can operate within the Mississauga marketplace and under Council regulation; and</i></p> <p><i>Be it further resolved that this committee be comprised of two Councillors, one being the Chair of the Public Vehicle Advisory Committee (PVAC), and the Mayor as ex officio, and one of each of the following: a citizen representative, a taxi cab industry representative, and a representative from the TNC sector; and</i></p> <p><i>Be it further resolved that this Committee will work with enforcement staff to develop a report with recommendations on the framework as soon as possible and no later than June 29, 2016 General Committee meeting; and</i></p> <p><i>Be it further resolved that Councillor Starr and Councillor Ras be appointed to the Committee and;</i></p> <p><i>That a representative be appointed by the Taxi Industry and TNCs by Monday, May 30, 2016 and if not the Committee will proceed;</i></p> <p><i>That staff be directed to contact the citizen representatives on PVAC to confirm one representative to sit on the Committee.</i></p>
0111-2016			<p><i>WHEREAS the Municipal Act, 2001, as amended (the 'Act'), requires Council to pass a resolution prior to closing part of a meeting to the public;</i></p> <p><i>AND WHEREAS the Act requires that the resolution states the act of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting;</i></p> <p><i>NOW THEREFORE be it resolved that a portion of the Council meeting held on June 8, 2016 shall be closed to the public to deal with the following matters:</i></p>

			<p>(a) Pursuant to the Municipal Act, Section 239 (2)</p> <p>18.1 Advice that is subject to solicitor - client privilege re: Proposed By-law Amendments for Transportation Network Companies and the Potential Legal Impacts.</p>
0120-2016	2016-06-08		<p>That the report titled "Proposed By-law Amendments for Transportation Network Companies ("TNCs") and the Potential Legal Impacts" from the City Solicitor dated June 1, 2016, be received for information.</p> <p>That Council amend the Public Vehicle Licensing By-law 420-04 to enact Capture Option 2 as outlined in the report titled "Proposed By-law Amendments for Transportation Network Companies ("TNCs") and the Potential Legal Impacts".</p> <p>That the City Solicitor be authorized to take all necessary action to prepare for and file an application for injunctive relief against TNC that fails to comply with the new by-law provisions, and advise Council of any such action taken.</p>
0207-2016	2016-11-09		<p>Whereas by Resolution 0096-2016 Council created the Public Vehicle Pilot Program Committee tasked with developing a pilot program to allow Transport Network Companies (TNCs) to operate in Mississauga under proper rules and regulations; and Whereas the Public Vehicle Pilot Program Committee has held 5 meetings; and Whereas the Committee and staff have heard from numerous industry stakeholders, experts, and the public, as well as received sufficient information to develop a pilot program;</p> <p>Therefore be it resolved that the Public Vehicle Pilot Program be dissolved immediately; and</p> <p>Therefore be it further resolved that Enforcement staff be directed to prepare a report for General Committee recommending the terms of a public vehicle pilot program.</p>
0214-2016			<p>That Council receives the report titled 'Legal Update regarding the enforcement of the Public Vehicle Licensing By-law 420-04 as amended with respect to Transportation Network Companies and private for hire drivers', for information.</p>

Reports to PVAC, Subcommittees, and GC			
To:	Date	Subject	Recommendation/Conclusion
Public Vehicle Advisory Committee. (PVAC)	2012-11-02	iPhone/Android Cellular Telephone Application "Hailo" for Taxicabs	<p>That the Report be received for Information.</p> <p>The report concluded that the web based applications met the by-law definition of "brokerage" and that a regulatory conflict emerged when drivers attached to a traditional brokerage also wished to participate in an on-line platform.</p>
PVAC	2014-09-17	Taxicab Mobile Applications	<p>That the Report be received for Information.</p> <p>The report concluded that Taxicab Mobile Applications (TMAs) would require a taxicab brokerage licence and that taxicabs themselves may only be affiliated with one brokerage.</p>
PVAC	2015-02-18	Regulation of Taxicab Mobile Applications	<p>That Council request the Ministry of Transportation 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 February 18, 2015 entitled "Regulation of Taxicab Mobile Applications"</p> <p>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> <p>The report concluded that Uber is operating in the City of Mississauga contrary to the requirements of City by-laws and the <i>Highway Traffic Act</i>. Also concluded regulations regarding TMAs should be made at the provincial level to provide consistency across municipal borders.</p>
PVAC	2015-07-28	Engagement of Consulting Services for the Regulation of Taxicab Mobile Applications.	<p>That the Report "Engagement of Consulting Services for the Regulation of Taxicab Mobile Applications." be received.</p> <p>The report concluded that consulting services were required to assist staff in developing regulations to deal with the TNC issue.</p>
PVAC	2015-11-25	Consultants Review of Policy	That the report from the Commissioner of Transportations and Works dated November

		Alternatives for the Regulation of Transportations Network Companies.	<p>25/2015 entitled “Consultants Review of Policy Alternatives for the Regulation of Transportations Network Companies.”, be received.</p> <p>That the Public Vehicle Advisory Committee provide comments on the policy initiatives outlined in Appendix 1 to the report from the Commissioner of Transportations and Works dated November 25/2015 entitled “Consultants Review of Policy Alternatives for the Regulation of Transportations Network Companies.” for incorporation in a future report from staff to General Committee.</p>
General Committee	2016-02-11	Regulation of Transportation Network Companies	<p>That staff be directed to prepare a by-law to amend the Public Vehicle Licensing By-law 420-04, as amended, to incorporate the provisions of the New Licensing Category Option (Equal Regulation) including licensing requirements and training, operating conditions, fleet size restrictions, rate setting, brokerage affiliation and vehicles/markings as outlined in the report from the Commissioner of Transportation and works dated February 11, 2016 entitled “Regulation of Transportation Network Companies”</p> <p>That staff report on the additional resources required by Regulatory Services, and the related additional recoveries, to regulate transportation network companies in concert with general Committee’s consideration of the by-law to amend the Public Vehicle Licensing By-law 420-04, as amended, to incorporate the provisions of the New Licensing Category Option (Equal Regulation) as outlined in the report from the Commissioner of Transportation and works dated February 11, 2016 entitled “Regulation of Transportation Network Companies”</p>
PVAC	2016-04-14	Summary of Proposed Regulations for Transportation Network Companies	<p>That the Public Vehicle Advisory Committee provide comments on the report from the Commissioner of Transportation and Works , dated April 14, 2016 entitled “Summary of Proposed Regulations for Transportation Network Companies” and that these comments be incorporated into a future report on this matter for consideration by General Committee.</p> <p>The report concluded that when by-law changes came into force staff would monitor the operation of the Public vehicle industry to determine if further adjustments were required.</p>

			That the process to issue new taxicab and accessible plates will be considered by PVAC and General Committee in a separate report once a framework for TNCs had been approved.
Chair and Members of Public Vehicle Pilot Program Committee	2016-06-08	Proposed Transportation Network Company Pilot Project	That the Chair and Members of the Public Vehicle Pilot Program Committee provide direction to staff on the parameters for the implementation of the transportation network company pilot program based on the information provided in the report from the Commissioner of Transportation and Works, dated June 8, 2016 entitled "Proposed Transportation Network Company Pilot Project".

DETAILED ANALYSIS:
TRANSPORTATION NETWORK COMPANY REGULATIONS IN EFFECT

Who is licensed and licence fees	<p>Transportation Network Company (TNC) licensed by the municipality</p> <p>\$1,753 for the TNC and \$220 per driver or</p> <p>TNC driver licence \$220 or \$15 plus 20 cents per trip</p> <p>The TNC shall remit to the city 20 cents per trip quarterly.</p>	<p>Personal Transportation Provider (PTP) licensed by the municipality</p> <p>1 to 24 vehicles \$500 25 to 99 vehicles \$20,000 Over 100 vehicles \$50,000</p> <p>The TNC shall remit to the city six cents per trip.</p>	<p>TNC licensed as a broker</p> <p>1 to100 vehicles \$500 101 to 500 vehicles \$10,000 501 to 1,000 vehicles \$15,000 1,001 plus vehicles \$50,000</p> <p>The TNC shall remit to the city 11 cents per trip on the 15th of each month.</p> <p>Private Vehicle for Hire (PVFH) driver \$5 per month No fee for PVFH owner.</p>	<p>TNC</p> <p>1 to 24 Vehicles \$1,000 25 to 99 Vehicles \$2,500 100 or more vehicles \$7,500</p> <p>The TNC shall remit to the city 11cents per trip on the 15th of each month.</p>	<p>TNC</p> <p>\$50,000 TNC licence fee</p> <p>The TNC shall remit to the city 11 cents per trip on the 15th of each month.</p>	<p>Private Transportation Company (PTC) Licence.</p> <p>1 to 24 vehicles \$807</p> <p>25 to 99 vehicles \$2,469</p> <p>100 plus vehicles \$7,253</p>	<p>PTC Licence</p> <p>PTC Application: \$20,000</p> <p>PTC fee/driver: \$15.00</p> <p>The TNC shall remit to the City 30 cents per trip quarterly.</p>	<p>TNC</p> <p>1 to 50 vehicles \$150 51 to100 vehicles \$300 101 to150 vehicles \$600 151 to 200 vehicles \$1,200 201 to 500 vehicles \$2,400 501 to 999 vehicles \$4,800 1,000 to 2,999 vehicles \$50,000 3,000 plus \$22 per vehicle.</p> <p>The TNC shall remit to the Region twenty cents per trip.</p>	<p>TNC</p> <p>TNC to pay Minister quarterly instalment</p> <p>Charge per trip based on the number of hours reported by the TNC. number of hrs. worked per week: 0 to 50,000 hours per week : 0.97 cents per trip</p> <p>50,001 to 100,000 hours per week: \$1.17 per trip</p> <p>100,001 to 150,000 hours per week: \$1.33 per trip</p>	<p>TNC</p> <p>TNC Licence \$20,000</p> <p>The TNC shall remit to the city 30 cents per trip on the 15th of each month.</p> <p>The data will be reviewed by the City with random external audits.</p> <p>The licensing of the TNC does constitute an agreement with the TNC and the municipality.</p>
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Private Vehicle Driver and Owner	Municipal Licence required for the TNC drivers and vehicles.	<p>PTP driver and vehicle must be registered with the licensed PTP</p> <p>The PTP is required to collect and maintain driver information including Criminal Record Search (CRS), driver abstract, vehicle information and vehicle safety certificates. The PTP is required to review and ensure the driver and vehicles are in compliance with the by-law. The City will audit.</p>	<p>Municipal Licence required for the PVFH Driver and a separate licence for the PVFH Owner.</p> <p>Licence issued with a term of three, six, nine, 12 or 24 months from the date of issuance.</p>	<p>TNC registers the vehicle and driver before providing to Niagara Regional Police Services (NRPS) for approval.</p> <p>No audits as they are reviewing all records.</p>	<p>The TNC is required to collect and maintain driver information including CRS, driver abstract, vehicle information and vehicle safety certificates.</p> <p>The TNC is required to review and ensure the driver and vehicles are in compliance with the by-law. The City will audit.</p>	<p>The PTC is required to collect and maintain driver information including CRS, driver abstract, vehicle information and vehicle safety certificates.</p> <p>The PTC is required to review and ensure the driver and vehicles are in compliance with the by-law. The City will audit.</p>	<p>Municipal Licence required for the PTC Driver and Vehicle.</p> <p>The City is auditing through the licensing process.</p>	<p>The TNC is required to collect and maintain driver information including CRS, driver abstract, vehicle information and vehicle safety certificates.</p> <p>The TNC is required to review and ensure the driver and vehicles are in compliance. The City will audit.</p>	<p>TNC must ensure that every partner-driver holds a Class 4C licence issued by the Société de l'assurances automobiles du Québec in accordance with the Highway Safety Code.</p> <p>No information available on auditing.</p>	<p>The TNC is required to collect and maintain driver information including CRS, driver abstract, vehicle information and vehicle safety certificates.</p> <p>The TNC is required to review and ensure the driver and vehicles are in compliance with the by-law.</p> <p>The City will perform random audits.</p>
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Vehicle identification	Municipal issued decal required	Municipal approved decal required.	Municipal “Private Vehicle for Hire” Owners Plate required.	NRPS approved decal required.	Municipal approved decal required.	No requirements	Municipal approved decal required.	City licence plate hangtag on mirror with permit number required.	TNC must provide every partner-driver an identification sticker to be affixed to the windshield of the TNC vehicle.	Municipal approved decal required.
Type of Vehicle permitted?	Four door vehicle	No restrictions	Four door vehicle Maximum seating capacity of 10 passengers and driver.	Four door vehicle Maximum seating capacity seven passengers including the driver.	Four door vehicle Maximum seating capacity seven passengers including the driver	Four door vehicle Maximum seating capacity seven passengers including the driver	Four door vehicle Maximum seating capacity seven passengers including the driver	Four door vehicle Maximum seating capacity seven passengers including the driver	Less than 350,000 km Four door vehicle with seating for four people.	Four door vehicle Maximum seating capacity seven passengers including the driver Approved at the subcommittee meeting. Item #5 PVAC Public Vehicle Pilot Program Committee, approved by committee
Model Year Restriction	Maximum of 10 model years.	Maximum of 10 model years.	Maximum of eight model years. Maximum of nine model years for low emission vehicles	Maximum of 10 model years.	Maximum of seven model years.	Maximum of 10 model years.	Maximum of seven model years.	No restrictions on years	Maximum of 10 model years.	Maximum of seven model years. Approved at the subcommittee meetings. Item #5 PVAC Public Vehicle Pilot Program Committee, approved by committee

Mechanical Safety Certificate required? Inspection frequency?	<p>TNC to submit a copy of a record of inspection to the Chief Livery Inspector (CLI) that indicates vehicle was inspected by a garage approved by the Alberta Motor Vehicle Industry Council, passed inspection, dated no later than 12 months from last inspection.</p> <p>TNC Driver to keep most recent record of inspection in TNC vehicle at all times.</p> <p>Driver collects inspection certificate and submits to City.</p> <p>Municipal random on-the-road vehicle inspections</p> <p>Annual inspection certificate is required. If the vehicle exceeds 50,000 km since last inspection bi-annual certificates are required.</p>	<p>Ontario Safety Certificate required to be submitted to the TNC on an annual basis.</p> <p>In-the-field random vehicle inspections performed by the municipality.</p>	<p>Ontario Safety Certificate required to be submitted to the TNC on an annual basis.</p> <p>In-the-field random vehicle inspections performed by the municipality.</p>	<p>Ontario Safety Certificate required to be submitted to the TNC on an annual basis.</p> <p>The TNC is required to maintain the certificates for NRPS review.</p> <p>NRPS can order inspection of vehicles at their discretion.</p>	<p>Ontario Safety Certificate required to be submitted to the TNC on an annual basis.</p> <p>In-the-field random vehicle inspections performed by the municipality.</p>	<p>Ontario Safety Certificate required to be submitted to the PTC on an annual basis.</p> <p>In-the-field random vehicle inspections performed by the municipality.</p>	<p>Ontario Safety Certificate required to be submitted to the City on an annual basis.</p> <p>In-the-field random vehicle inspections performed by the municipality.</p>	<p>Ontario Safety Certificate required to be submitted to the TNC on an annual basis.</p> <p>In-the-field random vehicle inspections performed by the municipality.</p>	<p>Province permits TNC to use certified mechanics not designated by the Province (SAAQ) provided that the mechanics follow the correct list of inspection points as provided in the regulations pertaining to safety standards on the road.</p> <p>Driver must keep the certificate in the vehicle.</p> <p>Random on-the-road inspections are performed by the regulating authority.</p>	<p>Ontario Safety Certificate required to be submitted to the TNC on an annual basis.</p> <p>In-the-field random vehicle inspections performed by the municipality.</p>
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<p>Who collects the data?</p> <p>How is the information submitted to the municipality?</p>	<p>TNC collects and maintains all data: 1) the Owner Licence number; 2) the Driver's name and Driver Licence number; 3) the date and time of Dispatch; 4) the address to which the vehicle is Dispatched; 5) the time of arrival at pick up for all Trips; 6) the time of arrival at the destination for all Trips; 7) the fare charged for all Trips;</p> <p>TNC provides data to the municipality electronically on a weekly basis.</p>	<p>PTP collects and maintains all data: 1) Owner Licence number; 2) Driver's name and Driver Licence number; 3) date and time of dispatch; 4) address to which the vehicle is dispatched; 5) time of arrival at pick up for all trips; 6) the time of arrival at the destination for all trips; 7) the fare charged for all trips;</p> <p>PTP provides data to the municipality electronically at the Licence Manager's request for audit.</p>	<p>TNC keeps a record for every vehicle for hire which includes vehicle make and model, VIN for each vehicle, vehicle owner's name and contact information and a copy of the vehicle ownership.</p> <p>TNC must maintain records for six months for all trips and shall include: 1) Owner Licence number; 2) Driver's name and Driver Licence number; 3) date and time of dispatch; 4) address to which the vehicle is dispatched; 5) time of arrival at pick up for all trips; 6) the time of arrival at the destination for all trips; 7) the fare charged for all trips; 8) geographic routing of all Trips taken for a period of at least 30 days;</p> <p>The TNC shall provide to the Licence Manager on request any records for audit.</p>	<p>TNC collects and maintains all data: 1) Owner Licence number; 2) Driver's name and Driver Licence number; 3) date and time of dispatch; 4) address to which the vehicle is dispatched; 5) time of arrival at pick up for all trips; 6) the time of arrival at the destination for all trips; 7) the fare charged for all trips;</p> <p>TNC to provide electronic records to NRPS for auditing and review on a weekly basis.</p>	<p>TNC collects and maintains all data: 1) Owner Licence number; 2) Driver's name and Driver Licence number; 3) date and time of dispatch; 4) address to which the vehicle is dispatched; 5) time of arrival at pick up for all trips; 6) the time of arrival at the destination for all trips; 7) the fare charged for all trips;</p> <p>TNC to provide electronic records to the municipality at the Licence Manager's discretion for audit</p>	<p>PTC collects and maintains all data: 1) Owner Licence number; 2) Driver's name and Driver Licence number; 3) date and time of dispatch; 4) address to which the vehicle is dispatched; 5) time of arrival at pick up for all trips; 6) the time of arrival at the destination for all trips; 7) the fare charged for all trips;</p> <p>PTC to provide electronic records to the municipality at the Chief Licence Inspector's direction in real time.</p>	<p>PTC collects and maintains all data: 1) Owner Licence number; 2) Driver's name and Driver Licence number; 3) date and time of dispatch; 4) address to which the vehicle is dispatched; 5) time of arrival at pick up for all trips; 6) the time of arrival at the destination for all trips; 7) the fare charged for all trips;</p> <p>PTC maintains driver information, trip fare (for one passenger and multiple passengers), length of trip information and geography information.</p> <p>Information downloaded electronically from PTC database to the City daily.</p>	<p>TNC collects and maintains all data: 1) Owner Licence number; 2) Driver's name and Driver Licence number; 3) date and time of dispatch; 4) address to which the vehicle is dispatched; 5) time of arrival at pick up for all trips; 6) the time of arrival at the destination for all trips; 7) the fare charged for all trips;</p> <p>TNC to provide electronic records to the municipality with regional audits.</p> <p>The TNC must provide access to the data on a quarterly basis.</p>	<p>TNC to provide monthly reports/ documents to the Ministry of Transport, Sustainable Mobility and Transportation to ensure all obligations under the agreement for a pilot project are being met.</p>	<p>Driver submits to the TNC TNC collects and maintains all data: 1) Owner Licence number; 2) Driver's name and Driver Licence number; 3) date and time of dispatch; 4) address to which the vehicle is dispatched; 5) time of arrival at pick up for all trips; 6) the time of arrival at the destination for all trips; 7) the fare charged for all trips; 8) geographic routing of all Trips taken for a period of at least 30 days; TNC provides all data for trips, drivers and vehicles to the City at the City's request. For the duration of the pilot project the TNC will submit the required data electronically to the City. The accuracy of the data will be reviewed through an external third party audit occurring at the start of the Pilot Project and quarterly thereafter.</p>
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Cameras	Cameras are not required for TNC vehicles.	Cameras are not required for TNC vehicles.	Cameras are not required for TNC vehicles.	Cameras are not required for TNC vehicles.	Cameras are not required for TNC vehicles.	Cameras are not required for TNC vehicles.	Cameras are not required for TNC vehicles.	Cameras are not required for TNC vehicles.	Cameras are not required for TNC vehicles.	Cameras are not required for TNC vehicles.
Driver Medical certificate	Not required.	Not required.	Not required.	Not required.	Not required.	Not required.	Not required.	Not required.	Medical certificate is required to verifying a driver is fit to drive a motor vehicle.	Medical certificate is required verifying a driver is physically fit to drive a motor vehicle and able to assist passengers. The certificate is to be submitted to the TNC and available to the City for audit.
English Assessment	Not required.	Not required.	Not required.	Not required.	Not required.	Not required.	Not required.	Not required.	Not required.	Not required

By-law Orientation, Sensitivity and Defensive Driving Training	City trains the TNC and the TNC is required to train their TNC drivers. No details available for the training requirements.	Training for PTP drivers is the responsibility of the PTP and is not a requirement of the by-law.	Training is not identified as a requirement for PVFH drivers.	Training for TNC drivers is the responsibility of the TNC and is not a requirement of the by-law.	Training for TNC drivers is the responsibility of the TNC and is not a requirement of the by-law.	Training for TNC drivers is the responsibility of the TNC and is not a requirement of the by-law.	Training for TNC drivers is the responsibility of the TNC and is not a requirement of the by-law.	Training for TNC drivers is the responsibility of the TNC and is not a requirement of the by-law.	<p>TNC must provide each partner-driver with training in:</p> <ul style="list-style-type: none">- Operation of the mobile app.- Quality of services offered- Legal framework of the Pilot project- Mechanical inspection of the vehicle- Transportation of persons with disabilities- Fiscal responsibilities of a partner-driver. <p>The permit holder must publish the description of the training on the permit holder's website.</p> <p>City of Montreal requires the provincial training offered as a condition of obtaining the Class 4C licence</p>	Training for TNC drivers is the responsibility of the TNC and is not a requirement of the by-law.
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Criminal Record Search (CRS) Who collects, reviews and screens	<p>Required</p> <p>No third party records</p> <p>TNC driver applies for a CRS from the Calgary Police Service who submit the CRS directly to the City and the City reviews</p>	<p>Required</p> <p>No third party records</p> <p>Driver submits a CRS from the local police service to the PTP. The PTP collects and submits to the City for review.</p>	<p>Required</p> <p>Third party records accepted.</p> <p>TNC collects all records for all drivers, reviews and maintains for audit by the City and an external auditor at the direction of the City.</p>	<p>Required</p> <p>No third party records</p> <p>The TNC provides a list of all drivers to NRPS weekly and the police service runs a weekly check for all drivers.</p> <p>NRPS performs a separate CRS check and review.</p>	<p>Required</p> <p>No third party records</p> <p>Driver submits a CRS from the local police service to the TNC.</p> <p>TNC collects and reviews to ensure compliance with the by-law with municipal audits.</p>	<p>Required</p> <p>No third party records</p> <p>Driver submits a CRS from the local police service to the TNC.</p> <p>TNC collects and reviews to ensure compliance with the by-law with municipal audits.</p>	<p>Required</p> <p>Third party records accepted</p> <p>Coburg Police provide third party CRS to the TNC</p> <p>TNC reviews the record and provides to the City</p> <p>The City Reviews.</p>	<p>Required</p> <p>Third party records accepted.</p> <p>TNC screens based on Regional criteria.</p> <p>Region audits TNC records</p>	<p>Required</p> <p>Third party records accepted provided they meet the Quebec Charter of Rights and Freedoms</p> <p>TNC screens in accordance with provincial standards.</p>	<p>Required</p> <p>No third party records</p> <p>TNC collects a CRS for each driver from a local police force in the municipality of the driver's residence. The TNC shall review the record to ensure that the driver has a clear criminal record for five years prior to the date of application. Any conviction older than five years but appearing in the by-law will not be allowed to operate in the City. A separate by-law will be written for the Pilot Project.</p> <p>The TNC shall be responsible to collect, maintain and ensure compliance with the by-law.</p> <p>The City shall audit.</p>
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<p>Driver abstracts/history Who collects/screens</p> <p>Demerit point reviews</p>	<p>Driver abstract required City accesses provincial driver's license database. It is checked by the municipality licensing clerks as part of the intake/application process.</p> <p>Maximum 10 demerit points under the <i>Traffic Safety Act</i> are grounds to revoke the TNC driver licence.</p>	<p>Driver abstract required The PTP drivers provide the driver abstract to the PTP.</p> <p>PTP collects and reviews to ensure compliance with the by-law with municipal audits</p>	<p>Driver abstract required MTO record submitted to the city for review.</p> <p>Licence Manager may refuse to issue if the TNC driver has accumulated nine or more demerit points within a three year period.</p>	<p>Driver abstract required TNC provides a list of all drivers who will be operating on the platform to NRPS. NRPS performs a review of the abstract and CRS.</p>	<p>Driver abstract required The TNC drivers provide the driver abstract to the TNC.</p> <p>TNC collects and reviews to ensure compliance with the by-law with municipal audits</p>	<p>Driver abstract required The TNC drivers provide the driver abstract to the TNC.</p> <p>TNC collects and reviews to ensure compliance with the by-law with municipal audits</p>	<p>Driver abstract required MTO record submitted to the PTC for review.</p> <p>PTC screens to ensure compliance;</p> <p>City has final approval prior to driver activation on the PTC platform.</p> <p>If PTC driver's provincial driver's licence is suspended/revoked, the PTC must immediately suspend/terminate the PTC drivers account.</p>	<p>Driver abstract required TNC drivers provide the driver abstract to the TNC TNC screens based on Regions' criteria.</p> <p>TNC provides the records to the Region.</p> <p>Region audits. A TNC Driver shall be denied permission to operate on the platform where the driver has: Been found guilty of any of the following offences in the preceding five years from the date of application: -Careless driving - Impaired driving -Racing/Stunt driving -Exceeding the speed limit by 50 km/hr. or more. Accumulated six points or three or more convictions on their driving abstract within three years of date of application or had their driving licence suspended within one year of the date of application.</p>	<p>Driver abstract required Provincial licence must be valid at time of application/renewal (includes driver screening).</p>	<p>Driver abstract required The TNC drivers provide the driver abstract to the TNC.</p> <p>TNC collects and reviews to ensure compliance with the by-law with municipal audits</p> <p>A TNC driver shall be denied or removed from the platform if they have accumulated more than six demerit points for minor offences or any one conviction which carries a demerit point value of four or more demerit points.</p> <p>Collected by the TNC. Audited by the City.</p>
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Insurance Who collects, submits and reviews	<p>The vehicle must be insured by a policy that has been approved by the Alberta Superintendent of Insurance. \$1M third party liability \$2M when fare accepted.</p> <p>TNC to provide to City.</p> <p>City reviews the insurance to ensure compliance with the by-law.</p>	<p>General Liability insurance \$5M.</p> <p>Automobile insurance of \$2M.</p> <p>The Automobile Liability Insurance required shall include a Permission to carry paying passengers for PTP or an equivalent endorsement or insurance</p> <p>Prove of insurance for each driver is collected by the PTP.</p> <p>The insurance records are audited by the City.</p>	<p>General Liability insurance \$5M.</p> <p>Automobile insurance of \$2M.</p> <p>The Automobile Liability Insurance required shall include a Permission to carry paying passengers for TNC or an equivalent endorsement or insurance</p> <p>Information on the collection and auditing of insurance was not provided.</p>	<p>General Liability insurance \$5M.</p> <p>Automobile insurance of \$2M.</p> <p>The Automobile Liability Insurance required shall include a Permission to carry paying passengers for TNC or an equivalent endorsement or insurance</p> <p>Prove of insurance for each driver is collected by the TNC.</p> <p>The insurance records are audited by the NRPS.</p>	<p>General Liability insurance \$5M.</p> <p>Automobile insurance of \$2M.</p> <p>The Automobile Liability Insurance required shall include a Permission to carry paying passengers for TNC or an equivalent endorsement or insurance</p> <p>Prove of insurance for each driver is collected by the TNC.</p> <p>The insurance records are audited by the City.</p>	<p>General Liability insurance (GLI) \$5 million.</p> <p>Automobile insurance of \$2 million.</p> <p>The Automobile Liability Insurance required shall include the NPCTF 6TN – Permission to carry paying passengers for Transportation Network Company endorsement, or an equivalent endorsement or insurance acceptable to the City Clerk and Solicitor, and the insurance coverage may be obtained by the PTC Driver, the PTC with which the PTC Driver is affiliated, or any combination of the two acceptable to the City Clerk and Solicitor, provided that if the PTC Driver fails to obtain the required coverage, or the coverage lapses, such coverage must be maintained by the affiliated PTC. Collected by the TNC. Audited by the City.</p>	<p>General Liability insurance \$5M.</p> <p>Automobile insurance of \$2M.</p> <p>The Automobile Liability Insurance required shall include a Permission to carry paying passengers for PTC or an equivalent endorsement or insurance</p> <p>Insurance company completes form which they submit directly to City (Uber has umbrella insurance).</p>	<p>General Liability insurance \$5M.</p> <p>Automobile insurance of \$2M.</p> <p>The Automobile Liability Insurance required shall include a Permission to carry paying passengers for TNC or an equivalent endorsement or insurance</p> <p>Prove of insurance for each driver is collected by the TNC.</p> <p>The insurance records are audited by the Region.</p>	<p>The permit holder must have, under the Automobile Insurance Act, a liability insurance contract guaranteeing compensation for property damage caused by the automobiles used by partner-drivers when providing remunerated passenger transportation services and such contract must comply with any condition/restriction imposed by the AMF.</p> <p>Remunerated transportation begins when the partner-driver connects to the permit holder’s mobile application and ends when the partner-driver disconnects.</p>	<p>General Liability insurance \$5M.</p> <p>Automobile insurance of \$2M.</p> <p>The Automobile Liability Insurance required shall include a Permission to carry paying passengers for TNC or an equivalent endorsement or insurance</p> <p>Prove of insurance for each driver is collected by the TNC.</p> <p>The insurance records are audited by the City.</p>
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Driver and vehicle identification	Driver and vehicle identified through the mobile app	Driver and vehicle identified through the mobile app. Drivers are also issued an identification card.	Driver and vehicle identified through the mobile app. Drivers are also issued an identification card.	Driver and vehicle identified through the mobile app.	Driver and vehicle identified through the mobile app.	Driver and vehicle identified through the mobile app.	Electronic licence - App. PTC driver is issued an electronic licence which is displayed in the app, where it is made available to the customer.	Driver and vehicle identified through the mobile app.	Driver and vehicle identification was not addressed in the agreement for a pilot project.	Driver and vehicle identified through the mobile app.
Fare rates and surge pricing	TNC can set its own fare. Consumer to decide to accept or not. Surge pricing permitted.	TNC can set its own fare. Consumer to decide to accept or not. Surge pricing permitted.	TNC can set rates at their discretion, however, at no time will rates be increased above the maximum approved taxicab tariffs rates.	TNC can set its own fare. Consumer to decide to accept or not. Surge pricing permitted.	TNC can set its own fare. Consumer to decide to accept or not. Surge pricing permitted.	TNC can set its own fare. Consumer to decide to accept or not. Surge pricing permitted.	TNC can set its own fare. Consumer to decide to accept or not. Surge pricing permitted.	TNC can set its own fare. Consumer to decide to accept or not. Surge pricing permitted.	TNC to inform minister of basic rate change. In the event of disaster the TNC is to limit the increase to 1.5 times the regular rate.	TNC can set its own fare. Consumer to decide to accept or not. Surge pricing permitted.

Hailing permitted	TNCs are not permitted to hail.	TNCs are not permitted to hail.	TNCs are not permitted to hail.	TNCs are not permitted to hail.	TNCs are not permitted to hail.	TNCs are not permitted to hail.	TNCs are not permitted to hail.	TNCs are not permitted to hail.	TNCs are not permitted to hail.	TNCs are not permitted to hail.
Accessible Service	City has not addressed. A policy review is underway.	TNCs are not required to provide accessible service.	Municipal licence issued for “Accessible Private Vehicle for Hire” owner and driver.	No information provided.	TNCs are not required to provide accessible service.	No information provided.	PTC is required to provide on-demand accessible service in accordance with the by-law. In the event that they are not able to provide service they are required to make alternate arrangements. In Toronto Uber entered into an agreement with a taxi brokerage to provide the service on their behalf.	The issue of accessible service is under review.	No information provided.	TNC is required to provide on-demand accessible service in accordance with the by-law. In the event that they are not able to provide service they are required to make alternate arrangements

Staffing to address TNC Licensing.	No additional staff required.	One full-time Municipal Law Enforcement Officer One full-time Licensing Administrator	No information provided.	No information provided.	No staffing increases at this time, will review in the future.	No information provided.	Toronto has hired 6 admin staff to address the administration of licences. They also employed a team of IT staff for software development. 10 additional Municipal Law Enforcement officers were added for enforcement	No information provided	No information provided.	Five full- time contract officers dedicated to the enforcement of TNCs Two full- time contract administration staff for the reviewing of TNC records and random audits One full time contract Project manager for the pilot project.
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Restrictions on number of TNCs	No restrictions on the number of TNCs	No restrictions on the number of TNCs	No restrictions on the number of TNCs	No restrictions on the number of TNCs	No restrictions on the number of TNCs	No restrictions on the number of TNCs	No restrictions on the number of TNCs	No restrictions on the number of TNCs	No restrictions on the number of TNCs	No restrictions on the number of TNCs
Estimated number of TNC drivers and number of trips per year.	No data provided	Estimated 24,000 drivers registered with the PTP. Estimated 1M trips per year	No driver data Estimated 1.5M trips per year	No data provided	Estimated 25,000 drivers registered with the TNC. Estimated 400,000 trips per year.	No data provided	36,239 Licensed PTP drivers Average of 62,000 trips per day.	2,500 registered drivers The TNC is Licensed as a broker with a maximum number of drivers set at 2,999 drivers. Average of 62000 trips a month in the Region.	No data provided	Estimate of 25,000 registered with the TNC. Estimate of 60,000 rides per week.

Proposed TNC Regulatory Framework

Pilot Project	TNC Regulations (Proposed)	Taxicab Amendments (Proposed)	Limousine Amendments (Proposed)
Duration	<p>Pilot Project duration: 18 months; 12 months of initial monitoring - six months preparation of final report. July 1, 2017 Start Date- Ending December 31, 2018.</p> <p>(Item #1 PVAC Public Vehicle Pilot Program Committee approved for twelve months however, staff recommend 12 month study period and an additional six months of regulatory authority to permit preparation of report)</p>	<p>Amendments to current Taxicab regulation to improve regulatory parity will be implemented simultaneously and be subject to any sunset clauses.</p>	<p>Amendments to current Limousine regulation to improve regulatory parity will be implemented simultaneously and be subject to any sunset clauses.</p>
Number of Vehicles	<p>Number of vehicles operating is not limited but will be monitored by enforcement staff.</p> <p>(Item #2 PVAC Public Vehicle Pilot Program Committee, approved by Committee)</p>	<p>The suspension of the issuance of new Taxicab Plates will remain in force for the duration of the Pilot Project.</p>	<p>Number of vehicles operating continues to be unlimited.</p>
Operating Time	<p>No restriction of operating time.</p> <p>(Item #3 PVAC Public Vehicle Pilot Program Committee, approved by Committee)</p>	<p>No change - 24 hours per day on a year round basis</p>	<p>No change - 24 hours per day on a year round basis</p>

Criminal Record Searches	<p>No third party Criminal Record Searches (CRS) will be accepted. Each TNC driver will be required to obtain a CRS from the municipality in which they reside.</p> <p>The TNC shall review the record to ensure that the driver has a clear criminal record for five years prior to the date of application. Any person with a conviction older than five years but identified by the City in the TNC regulations shall not be permitted to operate. (The criminal convictions in the TNC regulations will be similar to those appearing in Schedule 14 of the Public Vehicle Licensing By-law 420-04, as amended)</p> <p>The TNC shall be responsible to collect, maintain and ensure compliance with the by-law. The TNC will provide information related to driver's CRS to the regulatory authority upon request.</p>	<p>CRS Required</p> <p>The Licensing Manager shall review the record to ensure that the driver has a clear criminal record for five years prior to the date of application. Any person with a conviction older than five years but appearing on Schedule 14 of the Public Vehicle Licensing By-law 420-04, as amended, shall not be permitted to operate.</p> <p>The Licensing Authority will be responsible to collect, maintain and ensure compliance with the by-law.</p>	<p>CRS Required</p> <p>The Licensing Manager shall review the record to ensure that the driver has a clear criminal record for five years prior to the date of application. Any person with a conviction older than five years but appearing on Schedule 14 of the Public Vehicle Licensing By-law 420-04, as amended, shall not be permitted to operate.</p> <p>The Licensing Authority will be responsible to collect, maintain and ensure compliance with the by-law.</p>
Accessibility	<p>Accessibility Requests that cannot be addressed by the TNC must be redirected to a licensed supplier of these services. The TNC will provide</p>	<p>No change - Accessibility Requests that cannot be addressed by the Taxi Broker must be redirected to a licensed supplier of these services.</p>	<p>No accessibility requirements.</p>

	the City with data related to accessibility requests for the purpose of evaluating the Pilot Project.			
Trip Records	The TNC will be required to maintain and supply information related to the numbers and locations of trips originating in the City of Mississauga and to supply this information to the regulatory authority periodically.		No change - Taxi Brokerages will continue to be required to maintain records for all trips dispatched through the brokerage for a period of three months. Brokerages supply total numbers of all dispatched trips yearly.	No change - Limousines required to maintain records of all booked trips for twelve months and submit them for inspection when requested by the Licensing Manager or an Inspector.
Driver Documents	The TNC will be required to maintain all documentation related to the eligibility of each driver to operate under the conditions imposed by the Pilot Project. This information will be supplied to the regulatory authority upon request and will be utilized for random field inspections and complaint investigation.		Not applicable - Driver records will continue to be maintained by Mobile Licensing Enforcement.	Not applicable - Driver records will continue to be maintained by Mobile Licensing Enforcement.
Inspection Accounts	The TNC will cooperate with the creation of passenger and driver accounts for inspectors to use while conducting random in-field investigations. The TNC will agree that any costs associated to inspections in the field		Not applicable.	Not applicable.

	will be waived or borne entirely by the TNC.			
Contact Information	All TNCs will be required to provide a telephone number and email address that is active on a 24 hour basis.		No change - Brokerage will maintain current contact information with Mobile Licensing Enforcement.	No change - Limousine company will maintain current contact information with Mobile Licensing Enforcement.
Business Location	All TNCs must maintain an Ontario business address for the service of legal documents.		No change - Required to have a Zoning Certificate in the city in which they operate.	No change - Required to have a Zoning Certificate in the city in which they operate.

Driver Info	For the purpose of consumer safety the TNC will provide passengers with an estimated cost, vehicle description, licence plate number, driver name and photograph prior to the commencement of a ride contracted through the platform.		No change - Driver identification card remains a requirement in the taxicab.		No change - Driver identification card remains a requirement in the limousine.
Pilot Participation	No limitation will be imposed on the number of TNCs wishing to participate during the Pilot Project period.		Plate issuance review and the issuance of new plates will be suspended for the duration of the Pilot Project. Issuance of Accessible plates will continue during the Pilot Project in accordance with the by-law requirements.		No change - open entry to the market place.
Model Year Restriction	Vehicle restricted to not more than seven model years in age.		Vehicle restricted to not more than seven model years in age. Requirement that new taxis entering the industry be three models years or less in age will be repealed.		Vehicle restricted to not more than seven model years in age.

Vehicle Type	<p>All vehicles operating on the platform will be four door, with a maximum seating capacity of seven passengers.</p> <p>(Item #5 PVAC Public Vehicle Pilot Program Committee, approved by Committee)</p>		<p>Current vehicle restrictions regarding vehicle dimensions will be repealed, permitting the use of any four door vehicle meeting the model year requirement.</p>		<p>Four door luxury vehicle.</p>
Vehicle Registration	<p>All vehicles operating on the platform will be registered with and licensed by the Province of Ontario.</p>		<p>No change - Ontario registration required.</p>		<p>No change - Ontario registration required.</p>
Insurance	<p>The by-law will require all TNC drivers to maintain automobile liability insurance at all times when the automobile is operated on a roadway (required by the <i>Compulsory Automobile Act</i>). Drivers on the platform will require insurance associated with operating a vehicle for hire, an additional \$2,000,000 ridesharing coverage will be required by the TNC driver, as an endorsement to their personal policy or commercial insurance. If a TNC chooses to obtain insurance for all vehicles using its platform, the insurance must be effective from the</p>		<p>No change - Taxicabs require \$2,000,000 in commercial liability and \$5,000,000 insurance for the brokerage.</p>		<p>No change - Limousines require \$2,000,000 in commercial liability and \$5,000,000 insurance for the brokerage.</p>

	moment a ride is accepted up until the moment of passenger drop-off. The insurance must have limits of not less than \$2,000,000 per occurrence for bodily injury, death and damage to property.			
Mechanical Safety Certificate	<p>To ensure the safety of passengers using TNCs, each vehicle will be required to obtain a safety standards certificate from a licensed Ontario mechanic at a motor vehicle inspection station on an annual basis.</p> <p>Inspections to determine compliance with the by-law will be performed in-the-field and on a random basis.</p>		<p>Mandatory vehicle inspections for taxicabs will be eliminated during the term of the Pilot Project. Taxicabs will only be required to obtain a safety standards certificate from a licensed Ontario mechanic at a motor vehicle inspection station on an annual basis. Presently, taxicabs are required to undergo two mandatory vehicle inspections per year. Inspections to determine compliance with the by-law will be performed in-the-field and on a random basis.</p>	<p>Mandatory vehicle inspections for limousines will be eliminated during the term of the Pilot Project. Limousines will only be required to obtain a safety standards certificate from a licensed Ontario mechanic at a motor vehicle inspection station on an annual basis. Presently, limousines are required to undergo two mandatory vehicle inspections per year. Inspections to determine compliance with the by-law will be performed in-the-field and on a random basis.</p>
Municipal Licence on Display	No		Yes	Yes

Rate Card	Not Required.		Requirement to be repealed.		Not required.
Meter	Not required.		Required.		Not required.
Camera	Cameras will not be required in TNC vehicles.		The requirement for in-car cameras in taxicabs to be repealed.		No change – In-car cameras not a requirement.
Navigation	Functioning Global Positioning System device required. The requirement provides a reasonable assurance that drivers will be capable of efficiently navigating the City.		Functioning Global Positioning System device required for all new drivers licensed during Pilot Project. Due to the waiver of training the GPS provides a reasonable assurance that drivers will be capable of efficiently navigating the City.		Functioning Global Positioning System device required for all new drivers licensed during Pilot Project. Due to the waiver of training the GPS provides a reasonable assurance that drivers will be capable of efficiently navigating the City.
Hailed Rides	Prohibited from accepting hailed rides.		No change - hailed rides permitted.		Prohibited from accepting hailed rides.
Rates and Pricing	“Surge Pricing” will be permitted.		Taxicab operators will not be confined to the “meter rate” for trips booked through an online application. Hailed rides require the use of the taxi meter. For all other rides booked through the		Limousines rates defined in the by-law will be repealed. Requirement to book 30 minutes minimum in advance is repealed. Pre-booked trips will adhere to pre negotiated rates.

			use of an application the rate identified by the application will be considered valid.		For all other rides booked through the use of an application the rate identified by the application will be considered valid.
Vehicle Identification	Vehicles operating on a TNC platform will display a municipally approved decal that identifies the TNC.		Colour schemes and decal requirements are currently repealed. Taxicab roof light showing service status remains a requirement.		No change - no requirement for external identification.
City Issued Licence	Not required, drivers are registered with the TNC.		No change - operate under licence issued by City.		No change - operate under licence issued by City.
Proof of Status/ Work permit eligibility	Drivers are required to submit proof of, Canadian citizenship, landed immigrant status, or a valid work permit to work as a driver issued by the government of Canada, to the TNC.		Drivers are required to submit proof of, Canadian citizenship, landed immigrant status, or a valid work permit to work as a driver issued by the government of Canada, to the Licensing Section.		Drivers are required to submit proof of, Canadian citizenship, landed immigrant status, or a valid work permit to work as a driver issued by the government of Canada, to the Licensing Section.
In-the-field Inspections	TNC drivers approached by a Municipal Law Enforcement Officer will provide all documentation required by the Pilot Project for the purpose of inspection.		No change - drivers approached by a Municipal Law Enforcement Officer will provide all documentation required by the by-law for the purpose of inspection.		No change - drivers approached by a Municipal Law Enforcement Officer will provide all documentation required by the by-law for the purpose of inspection.

Age/Licence Requirement	TNC Drivers must be 18 years of age and maintain an unrestricted Class G Ontario driver's licence.		No change - Drivers must be 18 years of age and maintain an unrestricted Class G Ontario driver's licence.		No change - Drivers must be 18 years of age and maintain an unrestricted Class G Ontario driver's licence.
Drivers Abstract	Drivers abstract must be submitted at the time of registration with the TNC and each year thereafter, showing not more than six demerit points and with no single infraction with a value of four more demerit points.		No change - Drivers abstract must be submitted at the time of licensing and each year thereafter, showing not more than six demerit points and having no single infraction with a value of four more demerit points. The abstract is reviewed and retained by the Licensing Section.		No change - Drivers abstract must be submitted at the time of licensing and each year thereafter, showing not more than six demerit points and having no single infraction with a value of four more demerit points. The abstract is reviewed and retained by the Licensing Section.
Medical Certificate	A medical certificate to verify that a doctor has certified the driver to be physically fit to drive a motor vehicle and able to assist customers will be required.		No change - Required prior to initial licensing and every year thereafter. The medical letter is reviewed and retained by the Licensing Section.		No change - Required prior to initial licensing and every year thereafter. The medical letter is reviewed and retained by the Licensing Section.

English Assessment	No English Language Assessment is required.		The requirement for an English Language assessment will be suspended for the duration of the Pilot Project.		The requirement for an English Language assessment will be suspended for the duration of the Pilot Project.
Training	Specific training requirements for TNC drivers will be set by the TNC itself.		Requirement to complete Taxicab Training, Sensitivity Training and Defensive Driving courses prior to initial licensing and every five years after initial licensing would be suspended for the duration of the Pilot Project. Training requirements will be set by the Taxi Brokerage or plate owner.		Requirement to complete Sensitivity Training and Defensive Driving courses prior to initial licensing and every five years after initial licensing would be suspended for the duration of the Pilot Project. Training requirements will be set by the Limousine brokerage or plate owner.