
Special Public Vehicle Advisory Committee

Date

2016/04/08

Time

1:03 PM

Location

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

Members Present

Councillor Ron Starr, Ward 6 (Chair)
Councillor Carolyn Parrish, Ward 5 (Vice-Chair)
Al Cormier (Citizen Member)
Vikesh Kohli (Citizen Member)
Rajendra Singh (Citizen Member)
Baljit Singh Pandori (Taxicab Brokerages)
Karam S. Punian (Taxicab Drivers)
Harsimar Singh Sethi (Elected at Large)
Nirmal Singh (Taxicab Owners) (Arrived at 1:12 PM)
Joshua Zahavy (Limousine Owners)

Also Present

Mayor Bonnie Crombie
Councillor Jim Tovey, Ward 1 (Departed at 2:00 PM)

Staff Present

Mickey Frost, Director, Enforcement
Daryl Bell, Manager, Mobile Licensing Enforcement
Robert Genoway, Legal Counsel
Karen Morden, Legislative Coordinator, Legislative Services

Find it online

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

1. **CALL TO ORDER** - 1:03 PM

2. **APPROVAL OF AGENDA**

Approved (H. Sethi)

3. **DECLARATION OF CONFLICT OF INTEREST** - Nil.

4. **MINUTES OF PREVIOUS MEETING**

4.1. Minutes from the December 7, 2016 Public Vehicle Advisory Committee Meeting

Approved (Councillor Parrish)

5. **DEPUTATIONS**

5.1. Mickey Frost, Director, Enforcement provided a PowerPoint presentation with respect to the regulation of Transportation Network Companies (TNCs) in the City of Mississauga.

Mr. Frost gave a brief overview of the seven (7) policy options and provided an in-depth description and evaluation of Option #1, the "Capture Option", and Option # 3, the "New Licensing Category Option (Equal Regulation)".

Nirmal Singh, Taxicab Owners representative, arrived at 1:12 PM.

Mr. Frost advised that staff is in support of the New Licensing Category Option (Equal Regulation). Mr. Frost further provided a summary of proposed by-law changes that would occur under the New Licensing Category Option (Equal Regulation) with respect to licensing requirements, training, operating conditions, rate setting, fleet size restrictions, brokerage affiliation, and vehicles/markings. Additionally, Mr. Frost noted several other changes to requirements that could also be considered and spoke to the recent reports from Ottawa and Toronto noting the similarities and differences in regulatory requirements to those being proposed in Mississauga.

Karam Punian, Taxicab Drivers inquired about plate values to which Mr. Frost advised that the value of plates is not something that the City controls and Robert Genoway, Legal Counsel further advised that the Municipal Act does not authorize the City to regulate the value of plates, instead they have market value. Mr. Punian further questioned plate transfer fees to which Daryl Bell, Manager, Mobile Licensing Enforcement noted that the transfer fee is in the by-law to enable staff to track transfers in plate ownership.

Mr. Punian made further inquiries regarding the English language assessment, in-car cameras, vehicle model year requirements, and surge pricing to which staff advised that in-car cameras would not be mandated, the proposed vehicle model year requirements

match what Uber is currently doing, and that allowing surge pricing could provide flexibility to the traditional industry.

Al Cormier, Citizen Member inquired as to the number of letters and names of TNCs who would have received a letter to stop operation from the City to which Mr. Bell advised that two letters had been sent to Uber. Mr. Cormier further inquired about the quality of data that was received from the industry, noting that there was discrepancy. Mr. Bell advised that all information reviewed and used had come directly from the taxi brokerages.

Harsimar Singh Sethi, Elected At Large inquired as to the number of tickets issued to Uber since March 2, 2016 to which Mr. Bell advised that there had been 28 since that date, noting that staff are working diligently on the issue.

Councillor Starr commented that due to the advanced technology of the Uber app, City Enforcement staff had met roadblocks in continuing to access service from Uber in order to lay charges, noting that ISPN numbers, credit card numbers, and smartphone numbers have become known to Uber and staff is no longer able to set up accounts with them. Mr. Bell further commented that all matters were before the court.

Mr. Frost commented that the way to regulate TNCs is to pass a by-law that acknowledges and actually regulates them as then legal action can be taken. Mr. Frost further noted that ticketing and charging TNCs is not an effective way to regulate them and that staff would be more effective with a by-law that regulates them.

Councillor Parrish spoke to standards being set to protect the public and expressed support for staff's recommendations. Councillor Parrish suggested that the City hire 50 security staff to enforce the by-law with Uber and noted the importance of finding a technology solution to block Uber signals in the City.

Councillor Starr inquired whether there is a way that Council could vote to ban Uber from operating to which Mr. Genoway advised that the City can only ask them to comply with the by-law and that staff considers Uber to be a taxi and that is how the charges have been laid. Mr. Genoway further advised that upon enactment of a new by-law that includes TNCs, an injunction could be sought through the court and that the court could then shut down their operations.

Nirmal Singh, Taxicab Owners noted that Brampton had imposed a minimum fine on TNCs of \$5,000 and inquired whether Mississauga could do the same. Mr. Frost noted that staff would look into the request. Mr. Genoway advised that the fine amounts are set in the by-law and that a change in amount could be requested of the court once the City has new provisions in the by-law in place.

Baljit Pandori, Taxicab Brokerages inquired whether Peel Regional Police could do spot-

checks on Uber drivers and whether the City considered Uber to be illegal. Mr. Bell noted that the police are most concerned with moving violations, not the enforcement of by-laws. Mr. Genoway further commented that the only way to shut Uber down is to obtain a court injunction.

Mr. Frost spoke to the necessity of bringing forth a regulatory framework for Council to consider, noting that staff will continue to lay charges. Mr. Frost requested that the industry stakeholders provide comments on the particulars of the report, the presentation, and other noted considerations, to which Councillor Starr agreed and noted that an abbreviated report could be considered at the April 19, 2016 PVAC meeting.

Mr. Pandori spoke in favour of the Capture Option, to which Mr. Punian agreed.

Councillor Parrish spoke to the need to impose restrictions on the number of Uber vehicles, a set time-frame that they are able to be on the road, and requested that more stringent requirements be placed on Uber drivers.

Mayor Crombie expressed thanks to all present for attending and commented that this is an opportunity to modernize the by-law, equalize the regulations, and if Uber is unable to compete within the by-law, that they can choose not to operate in Mississauga. Mayor Crombie further commented that it is essential to acknowledge TNCs in the by-law in order to enforce regulations on them and noted that the City has to look beyond the Capture Option.

Councillor Parrish requested that TNCs monitoring their own drivers and surge pricing be taken out of the proposed by-law amendments.

Councillor Starr encouraged all present to provide their comments to staff and Councillors.

RECOMMENDATION

1. That the deputation and associated PowerPoint presentation by Mickey Frost, Director, Enforcement with respect to the Regulation of TNC Report, be received for information;
2. That staff be directed to prepare a summary report outlining the requirements of the proposed regulatory framework for amending the Public Vehicle Licensing By-law 420-04, as amended, for the April 19, 2016 Public Vehicle Advisory Committee meeting.

Approved (Councillor Parrish)
Recommendation PVAC-0001-2016

6. MATTERS TO BE CONSIDERED

6.1. Recommendation GC-0130-2016
RECOMMENDATION

That Recommendation GC-0130-2016 with respect to the regulation of Transportation Network Companies, be received for information.

Received (Councillor Parrish)
Recommendation PVAC-0002-2016

6.2. Regulation of Transportation Network Companies

RECOMMENDATION

That the Corporate Report and related appendices from the Commissioner of Transportation and Works, considered by General Committee on March 2, 2016 with respect to the Regulation of Transportation Network Companies, be received for information.

Received (Councillor Parrish)
Recommendation PVAC-0003-2016

7. **INFORMATION ITEMS**

7.1. Committee Correspondence

No discussion took place on this item.

RECOMMENDATION

That the correspondence to the Public Vehicle Advisory Committee received for the April 8, 2016 meeting, be received for information.

Received (Councillor Parrish)
Recommendation PVAC-0004-2016

7.2. Public Vehicle Advisory Committee 2016 Action List

No discussion took place on this item.

RECOMMENDATION

That the Public Vehicle Advisory Committee 2016 Action List, updated for the April 8, 2016 meeting, be received for information.

Received (Councillor Parrish)

Recommendation PVAC-0005-2016

8. **OTHER BUSINESS** - Nil.

9. **DATE OF NEXT MEETING(S)**

Tuesday, April 19, 2016 – 10:00 AM, Council Chambers, Civic Centre

10. **ADJOURNMENT** - 3:21 PM