
Public Vehicle Pilot Program Committee

Date

June 21, 2016

Time

10:00 AM

Location

Council Chamber

2nd Floor

300 City Centre Drive

DEPUTATIONS

- 5.1. Removal of Item 5.1., being a deputation by Tracey Cook and Vanessa Fletcher, City of Toronto.

Ms. Cook and Ms. Fletcher will join the meeting at 11:00 AM and will speak to the Toronto model and answer questions from the Committee at that time.

ADDITIONAL MATTERS TO BE CONSIDERED

- 6.3. Response to June 13 Panel – Taxi Industry
- 6.4. Pilot Programme Parameters – Peter Pellier, Taxi Industry
- 6.5. City of Toronto Model – Tracey Cook and Vanessa Fletcher, City of Toronto
Municipal Licensing and Standards
- 6.6. Second Reply to Pilot Panel – Taxi Industry

Contact

Karen Morden, Legislative Coordinator, Legislative Services

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June 15, 2016

City of Mississauga
300 City Centre Drive
Mississauga, ON, L5B 3C1

Attention: Mr. Ron Starr, Chair, Public Vehicle Pilot Program Committee

RE: Response to Initial proposals outlined during June 13, 2016 meeting

Dear Mr. Starr:

On behalf of the Peel Taxi Association, I would like to offer our response to the various proposals put forth at the June 13, 2016 meeting.

STAFF PROPOSAL:

We agree with Staff's insistence that this pilot program have "minimal effect" on the existing taxi industry. As they pointed out, the Hara Report indicates a sufficient service level across Mississauga, with the main shortcomings being in the accessible taxi service and service around the Malton area. The Staff's requirement that there be a limit on the number of TNC vehicles mirrors Mississauga's long standing commitment to ensuring that there be a supply/demand balance that ensures adequate public service while enabling the for hire industry to recover costs and provide operators with a reasonable return on their investment and labour input. While the Hara Report indicates shortcomings in the provision of accessible taxi service in Mississauga, it would be counterproductive to have a pilot program for TNC's that did not in fact require some level of accessibility from the TNC's in order to reconcile a valid comparison of the merits of the service provisions of both modes of transportation.

Additionally, we would note that Staff's requirements for regulation of drivers and vehicles would enable the City to ensure that a minimum level of public safety is guaranteed. We fully support the Staff's requirement for HST/GST compliance, but we would like to suggest that there be a further guarantee that the HST will be included in all TNC fares, in order to maintain the level playing field between the taxi/limo owners and the TNC operators. We concur that the TNC's should be paying fees as to be determined by the Mobile Licensing Office.

It is our position that the TNC's provide Staff with all details of any insurance agreements that are arrived at with insurance companies for the benefit of the TNC drivers. It is our position that the City and the Province should move towards a level playing field in terms of what insurance various companies provide the TNC's with and with that which is currently being provided to the taxi/limo industry.

TNC PROPOSAL:

Although no written proposal was tendered by the TNC representative, during the course of the meeting we were given a general outline of what they considered the parameters of their service provision for the Pilot Program.

Generally speaking, the TNC representative put forth the proposition that the most efficient method of running the Pilot Program would be for the TNC to continue to operate as they currently are, with no oversight by the City other than reviewing reports provided by the TNC as to trip information. All restrictions or regulatory requirements were deemed to be unnecessary intrusions into the efficient working of their “Business Model”.

The TNC’s continue to categorize themselves as “ride sharing” companies, when it is obvious that they are not “sharing” anything, but are providing the same for hire transportation services as traditional taxi/limo services.

It is the opinion of the PTA that this model is completely unsatisfactory, as it virtually guarantees taxi/limo deregulation in Mississauga (as has happened in Toronto), and will lead to the collapse of the traditional taxi/limo industry, and a degradation of public service as has been the case in any number of cities around the world that have gone down this road, with the attendant demise of customer service levels, price protection, and accessibility that goes along with deregulation.

PTA PROPOSAL:

As outlined in Appendix 3 of the Agenda for the June 13, 2016 meeting, the PTA is offering the TNC’s, the City and the travelling public the services of fully licensed and regulated vehicles and drivers who will serve customers on all service platforms, be it on street pickups and phone in orders (municipally regulated fares), taxi/limo app fares (at fares registered with the City), contractual fares between public service institutions, or TNC app fares (at the TNC fare rate).

This plan does not exclude any of the players that are currently engaged in these discussions about a Pilot Program, and in fact is more inclusive, as other players such as new comers to the Mississauga TNC field are accommodated and potential operators of TNC vehicles who do not have eligible vehicles are in fact given a chance to enter the taxi/limo driver field.

With a level playing field in terms of vehicle/driver requirements, the real pilot program could in fact proceed, that of a comparison between which brokers, traditional or TNC, can provide the public with the best levels of service. In the end, it should be the public that decides what the future of for hire transportation should be, always with the provision that the City maintains a regulatory regime that provides the public with the guarantee of a safe, secure ride.

This is a critical point in the whole debate about TNC’s. Given a level playing field in terms of offering variable pricing regimens, which business plan is going to be more successful, that of the traditional taxi/limo industry broker or the TNC broker industry? Or, given equal requirements in drivers and vehicles, can they co-exist, and what rules must the City formulate in order that this co-existence be recognized under law in Municipal regulations.

Best regards,

Mark Sexsmith, Taxi/Limo Industry Rep

From: [Peter Pellier](#)
To: [Mayor Bonnie Crombie](#); [Ron Starr](#); [Karen Ras](#); [Mark Sexsmith](#); [Al Cormier](#); chris.schafer@uber.com; [Karen Morden](#); [Mickey Frost](#); [REDACTED]; [Daryl Bell](#)
Cc: baljit@blueandwhitetaxi.ca; sami@aeroporttaxi.com; [REDACTED]
Subject: PILOT PROGRAMME PARAMETERS
Date: 2016/06/17 9:28:07 AM

THE CHAIR & MEMBERS,
PILOT PROGRAM COMMITTEE.

After perusing the minutes from the June 13th meeting, and in light of the fact the Committee will be addressed by MLS Executive Director, Tracey Cook, I have concerns that the Capture Option, potentially, could be compromised in an attempt to create a seamless for-hire ground transportation between Mississauga and Toronto.

Given the sheer amount of time and effort expended by the PVAC before unanimously recommending the Capture Option, and given the fact it was subsequently adopted by Council, it follows any pilot must reflect the fact TNCs are to be regarded as taxi services for purposes of regulation.

Until and unless Council amends Resolution 0082-20016, the principles underpinning the Capture Option cannot be circumvented under any circumstances. After all, the law is the law.

PETER D. PELLIER

From: [MARK SEXSMITH](#)
To: [Karen Morden](#)
Subject: Fw: 2nd Reply to Pilot Panel, as per request of Karen Morden June 17
Date: 2016/06/19 11:29:07 AM
Attachments: [June 17 Reply to request for Panel input.pdf](#)

Good day Karen:

Please add the attached letter to the agenda for this week's meeting of the TNC pilot project panel.

Best regards,

Mark Sexsmith

On Friday, June 17, 2016 1:46 PM, MARK SEXSMITH [REDACTED] wrote:

Good Afternoon All: Please go over this letter. If it is OK, let me know, and I will forward to Karen.

Mark Sexsmith

June 17, 2016

City of Mississauga
300 City Centre Drive
Mississauga, ON, L5B 3C1

Attention: Mr. Ron Starr, Chair
Public Vehicle Pilot Program

Re: Call for information request from the Clerk's Office

Dear Mr. Chairman:

The taxi/limo industry would like to provide input as follows to the questions listed in the "Discussion Framework" request for comments.

PURPOSE OF THE TNC PILOT PROGRAM:

1. The purpose of the TNC Pilot Program is to determine how the TNC's can provide transportation services to their customers in a fashion that does not negatively impact the existing for hire transportation system that the City of Mississauga has put in place with the "Capture Option", while at the same time providing adequate levels of for hire transportation service to customers who wish to use the TNC ordering platforms.
2. Furthermore, the Pilot Program should resolve the outstanding issues concerning regulation and compliance by the TNC's. Any pilot program is a non starter if the TNC's do not acknowledge that they are in fact taxi/limo dispatch brokers, and adhere to all regulations that are currently in place governing such businesses.
3. Additionally, the TNC's should acknowledge that their actions to date in their operations in Mississauga have contravened existing By Laws, and as such, should put the City on notice that they will not challenge outstanding warrants against themselves or their operators.

PARAMETERS OF THE TNC PILOT PROGRAM

1. Duration of Pilot. Staff recommendation for 1 year is sufficient.
2. Number of vehicles. Under the taxi industry proposal, the TNC's would have use of 668 licensed taxis in Mississauga. Under the Staff recommendation, the TNC's would have the suggested 47 vehicles, which is acceptable to the taxi/limo industry.
3. Under the taxi industry proposal, the only restrictions on the TNC's being able to provide service are those already enshrined in the current By Law, and any changes that arise out of the rewrite of the By Law to reflect the "Capture Option".
4. Under the taxi industry propel, the only vehicle restrictions on the TNC's being able to provide service are those already enshrined in the Current By Law, and any changes that arise out of the rewriting of the By Law to reflect the "Capture Option".
5. Staff's recommendations in regard to the vehicle mix are acceptable if the taxi/limo industry suggestion for use of existing taxis/limos is not acted upon.

6. The taxi/limo industry remains committed to the “Capture Option” model passed by Council. Any other model considered must have equal regulation for all for hire vehicles.
7. With the taxi/limo model proposed, the City would be able to monitor the volume of calls and the nature of the calls, i.e., phone in, street hail, taxi app calls, TNC app calls, and contract runs. At the end of the test, the City would be able to determine the ratio of calls from various sources, and be able to assess the success of the pilot project in satisfying the demand for TNC app based calls. The Staff’s proposal for a limited number of regulated TNC operators (including accessible taxis) would be able to provide a fair measure of the ability of the TNC operators to provide service in comparison to that of the taxi industry. The City could publicize the existence of the Pilot Program, and ask for stakeholder input as part of the ongoing measurement of the success of the program. It would be useful to have the TNC’s publish comparative gross income reports for the year of the program using licensed taxis/limos in comparison to the previous year when they were operating with part time, illegal operators.
8. The taxi/limo industry would prefer a “made in Mississauga” approach to the entire Pilot Program, as the makeup of the industry in Mississauga is unique in terms of the percentage of street hails, the existence of a major international airport which has an anticipated 41,986,156 passengers coming and going by 2018 (figures supplied by GTAA), and which services a population moving across the boundaries of the largest population centre (the GTHA) in Canada. It is essential that the City Staff set and enforce the parameters of driver qualifications and training, as well as the parameters of vehicle specifications, safety maintenance and insurance. The panel should be wary of working with the excesses that have arisen in Toronto, with the virtual deregulation of an industry that has, by any estimation, been beset by decades of mismanagement, and has deteriorated to the point where there is no level of serious regulation at all in place.
9. The taxi/limo industry is concerned that any program which gives one TNC a monopoly in the pilot stage would not serve the demands of the public. The taxi/limo proposal opens up the market to all TNC operators that wish to comply with licensing requirements of the City. Any other proposal would leave the City in the paradoxical situation of legitimizing one operator in this new market, while continuing to outlaw and persecute other operators.
10. There obviously has to be an agreement by any and all operators, including TNC’s, to work within the framework of the By Laws of the City of Mississauga. The taxi/limo industry proposal would require that all TNC’s presently operating illegally in the City conform to regulations currently in place, or put in place as a result of the implementation of the “Capture Option” that was recently passed by City Council.

We thank you for the opportunity to contribute to this debate, and we look forward to working with you at subsequent meetings to resolve this matter in a fashion that gives the public a safe and secure network of for hire transportation providers.

Yours truly,

Mark Sexsmith
 Taxi/Limo Representative
 Public Vehicle Pilot Program Committee