
Public Vehicle Pilot Program Committee

Date

2016/06/21

Time

10:00 AM

Location

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

Members

Bonnie Crombie

Mayor

Karen Ras

Councillor - Ward 2 **(Vice-Chair)**

Ron Starr

Councillor - Ward 6 **(Chair)**

Al Cormier

PVAC Citizen Member Representative

Chris Schafer

TNC Sector Representative

Mark Sexsmith

Taxi Industry Representative

Contact

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Find it Online

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

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
3. **DECLARATION OF CONFLICT OF INTEREST**
4. **MINUTES OF PREVIOUS MEETING**
 - 4.1. Minutes from the June 13, 2016 meeting of the Public Vehicle Pilot Program Committee
5. **DEPUTATIONS**
 - 5.1. Tracey Cook, Executive Director, Municipal Licensing and Standards and Vanessa Fletcher, Policy Advisor, City of Toronto
6. **MATTERS TO BE CONSIDERED**
 - 6.1. Pilot Program Discussion Framework
 - 6.2. Pilot Project Input - Al Cormier
7. **INFORMATION ITEMS**
8. **OTHER BUSINESS**
9. **DATE OF NEXT MEETING** – To be determined.
10. **ADJOURNMENT**

City of Mississauga
Minutes



Public Vehicle Pilot Program Committee

Date

2016/06/13

Time

4:03 PM

Location

Civic Centre, Hearing Room - Second Floor,
300 City Centre Drive, Mississauga, Ontario, L5B 3C1 Ontario

Members Present

Bonnie Crombie, Mayor
Karen Ras, Councillor - Ward 2 (Vice-Chair)
Ron Starr, Councillor - Ward 6 (Chair)
Al Cormier, PVAC Citizen Member Representative
Chris Schafer, TNC Sector Representative
Mark Sexsmith, Taxi Industry Representative

Staff Present

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

1. **CALL TO ORDER – 4:03 PM**

In the absence of a Chair, Karen Morden, Legislative Coordinator called the meeting to order at 4:03 PM. Ms. Morden called for nominations for the Chair of the Committee.

Councillor Ras nominated Councillor Starr and Councillor Starr confirmed his acceptance of the nomination.

Al Cormier, PVAC Citizen Member Representative nominated Councillor Ras, to which Councillor Ras declined stating that due to Councillor Starr's experience with the Public Vehicle Advisory Committee, she would prefer that he be appointed as Chair.

There were no further nominations and Councillor Starr took the Chair.

Councillor Starr called for nominations of the Vice-Chair and Mr. Cormier nominated Councillor Ras and Councillor Ras confirmed her acceptance of the nomination.

There were no further nominations and Councillor Ras was appointed as Vice-Chair.

2. **APPROVAL OF AGENDA**

Chris Schafer, TNC Sector Representative inquired as to why the Committee was examining a staff report at this meeting as it was his understanding that the Committee would be formulating the pilot program.

Councillor Starr advised that the report provided information to the Committee and provided a starting point for discussion.

Approved (A. Cormier)

3. **DECLARATION OF CONFLICT OF INTEREST**

Councillor Starr called for any declarations of conflict of interest.

Chris Schafer, TNC Sector Representative expressed that all appointed industry/sector representatives had bias inasmuch as their role within their respective industries and the reason for being at the table.

Councillor Starr acknowledged the Members' roles and noted the goals of the Committee and the necessity of having industry/sector Members at the table.

4. **MINUTES OF PREVIOUS MEETING – Nil.**

5. **PRESENTATIONS** – Nil.

6. **DEPUTATIONS** – Nil.

7. **MATTERS CONSIDERED**

7.1. Proposed Transportation Network Company Pilot Project

Councillor Starr requested that staff provide background information on the report.

Al Cormier, PVAC Citizen Member Representative inquired as to why staff had not commented on the submissions made by Members in the staff report, to which Mickey Frost, Director, Enforcement commented that staff did not want to assume the meaning of the submissions, but would prefer that the Members who made submissions speak to their respective documentation. Mr. Frost further noted that he had received submissions from Mr. Cormier and from Mark Sexsmith, Taxi Industry Representative, but had not received one from Mr. Schafer.

Mr. Frost provided a brief background on the report, noting the use of a consultant to provide three different kinds of pilot programs with historical outcomes from several different cities and municipalities, and invited questions from the Committee.

Mr. Cormier spoke to Appendix 1 of the report, being a consultant's report entitled, "Study of Pilot Programs for Transportation Network Companies ("TNCs"), commenting that he felt that the report was not an unbiased study due to the consultant's involvement with the taxi industry in the United States. Mr. Cormier spoke to a report, "America's Urban Future", that he is involved with, noting a reported increase in taxi business and the importance of being open to the sharing economy. Mr. Cormier further commented that the pilot program needs to address accessibility issues and that in voting in support of the Capture Option previously, he did so in the understanding that the City would work to modernize the current traditional taxi industry.

Chris Schafer, TNC Sector Representative inquired about the consultant, asking who had engaged and paid for his services and requested to see the RFP (Request for Proposal) and contractual agreements. Mr. Schafer further commented that the consultant's involvement with the US taxi industry raised a question of bias in the report, noting comments from the consultant in previous staff reports. Mr. Schafer spoke to general vs. specialized pilots, noting that he wants a general pilot, but not those listed in the report.

Councillor Ras inquired as to how the proposed cap of 47 TNCs was determined, to which Mr. Frost advised that there are currently 47 shelved plates and that having TNCs use those would bring the total of operating plates back up to 668. Mr. Frost further

advised that the Hara Report recommended that 21% of plates should be accessible plates and that the use of TNCs would improve service in Malton and in the number of accessible vehicles.

Mark Sexsmith, Taxi Industry Representative spoke to supply and demand in the industry and noted that the taxi industry wants to be more flexible but that they are adamant about the requirements for TNC drivers to be licensed and insured. Mr. Sexsmith further commented that the taxi industry is flexible on pricing, noting that the public wants cheaper transportation and if TNCs were the same price as taxis, no one would use them.

Mayor Crombie spoke in agreement of modernizing the taxi industry and commented that the Committee should review the cities that Mr. Schafer listed. Mayor Crombie further commented that there had been no direction from the Provincial government on insurance to date and spoke to a program in Queensland, Australia where some recovered fees went into a fund to compensate original plate owners. Mayor Crombie spoke to consumer need of seamless travel between municipalities and suggested that the Toronto model could be adopted in Mississauga and inquired as to whether it would be helpful to have a staff person from Toronto attend a meeting to explain their model to the Committee.

Mr. Schafer spoke to the Toronto by-law, noting that Uber is working with city staff, that the by-law comes into force on July 15, 2016, and that Intact insurance should be in place at that time. Mr. Schafer spoke to the need to study UberX as it is operating currently, noted that Uber is putting Mississauga drivers through the Toronto process, and suggested that the City of Mississauga should borrow all elements of the Toronto by-law to mirror what the City of Toronto is doing. Mr. Schafer further commented on general pilot programs that don't limit the number of TNCs and don't designate areas to deliver service, to which Mr. Frost advised that the staff report did not limit service delivery areas and spoke to trip fees.

Councillor Starr spoke to the nature of a true pilot and noted that mirroring Toronto would not be feasible in Mississauga. Councillor Starr further commented that allowing TNCs to operate as they are is not a pilot program.

Mr. Sexsmith spoke regarding Council's adoption the Capture Option and commented that the pilot should reflect that. Mr. Sexsmith spoke to the taxi industry's flexibility with respect to calls and pricing and the ability of any licensed driver to drive with licensed industry owned vehicles. Mr. Sexsmith further commented that the taxi industry currently has apps, can do variable pricing, and can provide a secure, safe ride, to which Councillor Starr inquired whether the industry wanted to have a model that included all of the existing rules and regulations. Mr. Sexsmith agreed, noting that Toronto had deregulated its taxi industry and spoke to the good quality of Mississauga's current

system.

Mr. Cormier commented that TNC companies should have many options and should not be bound by all of the rules, to which Mr. Frost advised that the pilot project is layered on top of the adopted Capture Option and that an insurance model for TNCs has not yet been approved by the Province, which is a limiting factor. Daryl Bell, Manager, Mobile Licensing Enforcement commented that the City has never had plates on the shelf until this year and that there were 74 shelved plates at one point.

Mr. Cormier commented that if Uber isn't in agreement with what is being proposed that there would be no pilot.

Mayor Crombie spoke to the entrance of TNCs growing the sector and attracting new people to using ride services, spoke in agreement of Mississauga being different with respect to a no-hail market, and commented that under the adopted Capture Option the agreement was that the taxi industry needs to modernize. Mayor Crombie further commented that the Committee should look to Toronto for consistency, as people want seamless travel between the two cities.

Mr. Schafer spoke in agreement of looking to Toronto's model, noting that the Capture Option is not a real pilot and suggested that Mississauga look at the model implemented by the City of Boston. Mr. Schafer spoke further to a transit support program, auditing and data sharing, the Uber Assist model in Toronto, Uber's connection with OCAD, and the possible involvement of Mississauga's Accessibility Advisory Committee.

Councillor Starr spoke to the pilot program needing to include new ideas, new formats, and new directions.

Mr. Cormier commented that a pilot program isn't necessary to see if Uber works, as it does work, and suggested that the pilot could focus on having the taxi industry modernize instead. Mr. Cormier further noted the need to measure specific parts of the City. Mr. Schafer expressed agreement with Mr. Cormier's suggestion.

Councillor Starr commented that the Committee needed to have these ideas in writing to start to develop a framework, to which Councillor Ras added that if the Council Resolution required modification, it could be done.

Councillor Starr invited members of the public to speak.

Karam Punian, Taxi Industry and Driver Representative on PVAC inquired as to whether Mr. Schafer had declared a conflict of interest at the start of the meeting, spoke to the Capture Option, the possibility of lawsuits against the City, and inquired as to whether Uber now has to have a taxi plate on their cars. Mr. Bell advised that under the current Capture Option, they do need to be licensed.

Jaskarun Singh, Taxi Industry commented that the taxi industry has dispatch available with an app currently and directed a question with respect to the number of vehicles Uber would require in a pilot, to Mr. Schafer. Mr. Singh asked if 668 vehicles would be sufficient, as that is how many licensed taxis there are currently in Mississauga and inquired as to whether Uber would be willing to work with the taxi industry, to which Mr. Schafer did not provide comment.

Mayor Crombie spoke to next steps and reiterated her request to have City of Toronto staff attend the next meeting to provide explanation and detail on their model.

8. **INFORMATION ITEMS**

8.1. Resolution 0096-2016

No discussion took place on this item.

8.2. Correspondence to the Pilot Program Committee

No discussion took place on this item.

9. **OTHER BUSINESS** – Nil.

10. **DATE OF NEXT MEETING** - Tuesday, June 21, 2016 – 10:00 AM, Civic Centre, Council Chambers

11. **ADJOURNMENT** – 5:50 PM

Public Vehicle Pilot Program Committee
Call for Information – Transportation Network Company (TNC)
Discussion Framework

Purpose of the TNC Pilot Program:

1. Define the purpose of the TNC Pilot Program, i.e. what is the municipality testing?

Parameters of the TNC Pilot Program:

1. Duration of Pilot.
2. Number of vehicles, either permitted in total and/or allowed in service at any one, in the Pilot.
3. Restrictions on vehicle/driver hours of operation by time of day during the Pilot.
4. Restriction on vehicle/driver operation by location/geography during the Pilot.
5. Types of vehicles permitted in the Pilot, i.e. conventional, accessible, green, and/or other.
6. Model used to regulate TNCs during the Pilot, i.e. “Equal Regulation”, self-regulation with municipal audits with either municipally set standards or TNC set standards, or other.
7. What data to collect and monitor to determine the success and/or impact of the Pilot.

8. Specific TNC regulations during the pilot for licensing and training, operating conditions, rate setting and vehicles/markings – follow the Toronto, Edmonton or Ottawa models or consider a “Made in Mississauga” solution.

9. Number of TNCs to include in the Pilot, i.e. include only one TNC in the Pilot or multiple TNCs.

10. Requirement for an agreement between the participating TNC(s) and the municipality?

**City of Mississauga
Public Vehicle Pilot Program Committee
Additional observations by Al Cormier
2016 06 15**

Flowing from our meeting of 2016 06 13, I have the following observations to share with the Committee. Hopefully, these comments will be of value at our meeting of June 21. Point #6 is my proposal for going forward.

1. Creating a pilot project which allow TNCs like Uber to operate in the city pretty much with parameters applicable to their business model would in effect be contrary to the 'capture' option approved by Council.
2. On the other hand, creating a pilot project with different parameters as proposed by staff on 2016 06 13, would be too restrictive to the likes of Uber, particularly if a maximum number of vehicles and drivers is included as that would not demonstrate the full potential of TNCs. In the US general pilot projects described in the consultant's report, there are no limits to the number of vehicles or drivers.
3. If we were to define a middle of the road pilot project with parameters acceptable to both TNCs and the taxi industry, then how do we measure the project's performance and judge if the pilot project service is superior to current taxi service offered to Mississauga residents? My experience with monitoring pilot projects has always involved the ability to compare usage of a new service compared to an old service or to no service.
4. A TNC pilot over the whole city would mean collecting data from regular taxis and from TNCs on number of trips and their details. Even if both sides could provide this level of details, which I doubt, how do we evaluate the data? We now know that Uber has increased the number of trips by taxis in Mississauga so there is no need for a pilot to show that TNCs work in this regard.
5. My original thought was that a pilot should only apply to a part of the city, say west of Hurontario, then we could measure total taxi trips or trips per capita in both areas and see if one is superior to the other. But even under such a scenario, we know the area with TNCs would result in more taxi trips than the other area and could be considered as contrary to the approved Capture Option.
6. **I could be convinced otherwise but my current thinking is that instead of a TNC pilot, we pilot a new set of very less restrictive operating parameters for all taxi services including TNCs and monitor the effects of these new operating rules on usage, safety, complaints etc compared to previous years. If at the end of the year the results are acceptable, then they become entrenched into a revised by-law. This could be interpreted as including TNCs in a 'capture option' but an option that captures everyone with a much less restrictive set of operating parameters.**
7. I would be open to other pilot project suggestions aimed at modernizing the current taxi by-law along principles that support the sharing economy, while at the same time offer basic protection for the consumers.

Respectfully submitted.

Al Cormier