
Public Vehicle Pilot Program Committee

Date

2016/06/27

Time

10:36 AM

Location

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

Members Present

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

Staff Present

Daryl Bell, Manager, Mobile Licensing Enforcement
Douglas Meehan, Manager, Compliance and Licensing
Robert Genoway, Legal Counsel
Diana Rusnov, Manager, Legislative Services & Deputy Clerk
Karen Morden, Legislative Coordinator

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1. **CALL TO ORDER – 10:36 AM**

2. **APPROVAL OF AGENDA**

Al Cormier, PVAC Citizen Member Representative requested clarification on the addition of Items 6.1, 6.2, and 6.3.

Approved (C. Schafer)

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

4. **MINUTES OF PREVIOUS MEETING**

4.1. Minutes from the June 21, 2016 meeting of the Public Vehicle Pilot Program Committee
Approved (A. Cormier)

5. **DEPUTATIONS**

Mark Sexsmith, Taxi Industry Representative suggested that the Committee deal with the Matters to be Considered items prior to hearing from delegates, to which the Committee agreed.

Item 5.1 and 5.2 were not heard at the meeting.

5.1. Item 7.1 Peter Pellier, Taxi Industry

Mr. Pellier did not speak at the meeting.

5.2. Al Moore, Toronto Taxi Industry

Mr. Moore did not speak at the meeting.

6. **MATTERS TO BE CONSIDERED**

6.1. Overview of the currently approved Public Vehicle Licensing By-law 420-04, as amended

Daryl Bell, Manager, Mobile Licensing Enforcement provided an overview of Item 6.1 being an overview of the currently approved Public Vehicle Licensing By-law, Item 6.2 being By-law 0134-2016 a by-law to amend the Public Vehicle Licensing By-law 420-04, as amended, and Item 6.3 being Changes to By-law 420-04, as amended – June 2016.

Mr. Bell advised on the changes in definitions and requirements, the priority list, and the inclusion of apps in the by-law amendment. Mr. Bell further noted that TNCs are

currently required to use licensed vehicles driven by licensed drivers.

Councillor Ras inquired whether an amendment to the by-law would be necessary if a pilot program was developed that didn't fit with the current "Capture Option", to which Mr. Bell advised that it would require an amendment and that a "sunset clause" would be included to allow for the by-law to be re-enacted.

Mark Sexsmith, Taxi Industry Representative requested clarification regarding categorizing TNCs, to which Mr. Bell advised that the by-law allows TNCs to apply for a brokerage licence, using only licensed vehicles and drivers.

6.2. By-law 0134-2016, a by-law to amend the Public Vehicle Licensing By-law 420-04, as amended

Discussion on this item is listed under Item 6.1.

6.3. Changes to By-law 420-04, as amended - June 2016

Discussion on this item is listed under Item 6.1.

6.4. Pilot Program Discussion Framework

Committee Members continued discussion on the Pilot Program parameters, based on the Pilot Program Discussion Framework document. The Committee came to consensus on the following parameters:

1. Duration of the TNC Pilot Program

The Committee recommends that a one-year pilot be implemented.

2. Number of vehicles, either permitted in total and/or allowed in service at any one time, in the Pilot

The Committee recommends that there be no cap on the number of TNCs during the pilot, with the TNCs providing all data to the City monthly with respect to the number of trips taken, number of drivers, length of time driving, and fees that are charged. Additionally, there will be a review of the pilot at three months, six months, nine months, and one year.

With respect to accessibility and the provision of accessible vehicles, Chris Schafer, TNC Sector Representative advised that due to the limited time frame, it wouldn't be feasible for Uber to offer an accessible service but that customers requiring an accessible vehicle would be directed, through the app, to contact a local taxi company. Mr. Schafer further spoke to a possible levy of fees in lieu of

providing accessible service.

3. Restrictions on vehicle/driver hours of operation by time of day during the Pilot

The Committee recommends that there be no 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

Mr. Bell advised that staff had put forth the suggestion of servicing the Malton area, as an underserved area in Mississauga, to which Councillor Ras inquired whether there was a way to incent taxi and TNC drivers to serve underserved areas. Mr. Bell advised that the City is not able to set up an incentive program. Mr. Schafer noted that through the Uber app the driver would see demand in an underserved area and that would incent drivers to go to that area.

The Committee recommends that there be no 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

Mr. Bell outlined the City's vehicle requirements and Mr. Schafer outlined Uber's vehicle requirements, to which Councillor Starr commented that TNCs should follow the City's current by-law restrictions with respect to allowable vehicles.

Mr. Sexsmith suggested that input is needed from the Environmental Action Committee and the Accessibility Advisory Committee on this matter.

The Committee recommends that TNCs follow the current by-law with respect to the types of vehicles permitted in the pilot.

Discussion amongst Members ensued with respect to the model used to regulate TNCs during the pilot (equal regulation, self-regulation with municipal audits with either municipally set standards or TNC set standards).

Councillor Ras inquired whether it would be useful to have a pre-approved list of garages qualified to provide safety inspections, to which Mr. Bell advised it would be unfair for the City to create a preferred list. The Committee did not make a recommendation with respect to item 6 on the Discussion Framework document.

Mr. Bell spoke to criminal record searches, noting that TNCs use a third party to obtain the records while the City uses the police to conduct criminal record searches, providing assurance that the document has not been altered in any way.

Ms. Schafer advised that Uber doesn't receive the actual criminal record check, instead

receiving a “pass” or “fail” from the third party company. In the event that a prospective driver received a “fail”, they would then be required to get a criminal record search from the police. Mr. Bell advised that Uber’s third party process does not indicate who is getting the search, there would be no way to check for accuracy or authenticity, and that the City requires the original document. Mr. Bell spoke to the additional parameters for criminal record searches at the City.

Councillor Starr commented that public safety is first and that he would be concerned that people would alter documents using the third party process. Councillor Starr further noted that the City requires the best source for the information and that the City requires the original document from a criminal record search conducted by police.

Mark Sexsmith commented that part-time taxi drivers go through the same process as full-time drivers and have the same requirements.

Mr. Schafer noted that TNCs believe in public safety and the background checks they do through a third party would be identical to the police criminal record search.

At 11:55 AM Councillor Starr called for a Recess.

The Committee reconvened at 12:06 PM in the Council Chambers. Due to the disruption in the Council Chambers by members of the public, the meeting was adjourned and moved to the Caucus Room.

The Committee reconvened at 12:10 PM. Mark Sexsmith, Taxi Industry Representative was not present.

Discussion resumed with respect to criminal record searches and licence demerit points. Mr. Schafer spoke to Uber’s process for third party checks, to which Al Cormier, PVAC Citizen Member Representative inquired about the number of demerit points that Uber allows their drivers to have. Mr. Schafer noted it is the same as the requirements in the Toronto by-law, to which Councillor Ras advised that the TNC requirements must meet or exceed Mississauga’s regulations.

Mr. Bell spoke to the driver’s abstract, demerit points, and the loss of licence for the taxi industry.

Mr. Schafer commented that medical assessments for their drivers is not a requirement of Uber and that it wouldn’t be necessary, to which Mr. Bell advised that drivers must have a medical certificate issued by a doctor to ensure that the driver does not have a medical condition that could cause damage to passengers.

Mayor Crombie expressed agreement, noting that safety is the first concern, and asked Mr. Schafer if he felt that Uber could conform to the City’s requirements. Mr. Schafer said that they could, but that a medical was not necessary and that criminal record

searches could be done by a third party.

Councillor Ras inquired as to whether staff could ask the police if using a third party is acceptable, to which Mr. Bell advised that Peel Regional Police do not support using a third party for criminal record searches.

Mr. Bell asked Mr. Schafer why Uber had stopped operating in Calgary, to which Mr. Schafer commented on the need for additional flexibility.

Mayor Crombie commented that consumer protection is paramount and that TNCs must meet Mississauga's requirements for public safety, to which Councillor Ras agreed and suggested that Mr. Schafer forward a comparison chart of regulations in Toronto, Ottawa, and Mississauga.

6.5. Council Resolution 0096-2016: Next Steps

Members discussed the proposed June 29, 2016 deadline to report back to General Committee and agreed that more time and additional meetings would be necessary to complete the task of developing a pilot program.

7. **INFORMATION ITEMS**

7.1. Controlled Entry - Correspondence from Peter Pellier, Taxi Industry

No discussion took place on this item.

7.2. Correspondence from Al Moore, Toronto Taxi Industry

No discussion took place on this item.

8. **OTHER BUSINESS** – Nil.

9. **DATE OF NEXT MEETING**

Thursday, August 18, 2016 – 9:00 AM, Council Chambers

10. **ADJOURNMENT** – 12:55 PM