
Public Vehicle Advisory Committee

Date

2019/07/15

Time

10:00 AM

Location

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

Members

Ron Starr	Councillor - Ward 6 (Chair)
John Kovac	Councillor - Ward 4 (Vice-Chair)
Al Cormier	Citizen Member
Vikesh Kohli	Citizen Member
Michael Ogilvie	Citizen Member
Tarlochan Saggu	Appointed Industry Member – Limousine Brokerages
Mark Sexsmith	Citizen Member – Taxi Industry Representative
Baljit Singh Pandori	Appointed Industry Member – Taxi Brokerages
Harsimar Singh Sethi	Citizen Member – Taxi Drivers Representative
Ashwani Tangri	Citizen Member
(Vacant)	Citizen Member – Taxi Owner Representative

Contact

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Find it online

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

1. CALL TO ORDER

1.1. Appointment of Chair

1.2. Appointment of Vice-Chair

2. APPROVAL OF AGENDA**3. DECLARATION OF CONFLICT OF INTEREST****4. MINUTES OF PREVIOUS MEETING**

4.1. Public Vehicle Advisory Committee Minutes – April 30, 2019

5. DEPUTATIONS

5.1. Warren Edwards, Resident, in regards to accessibility within the taxi industry

6. PUBLIC QUESTION PERIOD - 15 Minute Limit (5 Minutes per Speaker)

Pursuant to Section 42 of the Council Procedure By-law 0139-2013, as amended the Public Vehicle Advisory Committee may grant permission to a member of the public to ask a question of the Committee with the following provisions:

1. The question must pertain to a specific item on the current agenda and the speaker will state which item the question is related.
2. A person asking a question shall limit any background explanation to two (2) statements, followed by the question.
3. The total speaking time shall be five (5) minutes maximum per speaker.

7. MATTERS TO BE CONSIDERED

7.1. Line-by-Line Review of the Public Vehicle Licensing By-law 420-04, as amended

7.2. 2018-2022 Public Vehicle Advisory Committee Work Plan (For review/approval)

8. INFORMATION ITEMS8.1. Report dated May 28, 2019 from the Commissioner of Transportation and Works:
Taxicab Licence Fees, Ontario Wide Licensing and Owners Compensation

8.2. Email dated May 14, 2019 from Sami Khairalla, Peel Taxi Alliance, in regards to TNC Pilot Project Report

9. OTHER BUSINESS10. **DATE OF NEXT MEETING** – September 17, 2019 – 10:00 AM, Civic Centre, Council Chambers, Second Floor.**11. ADJOURNMENT**

City of Mississauga

Minutes



Public Vehicle Advisory Committee

Date

2019/04/30

Time

10:34 AM

Location

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

Members Present

Councillor Ron Starr, Ward 6 (Chair)
Councillor John Kovac, Ward 4 (Vice-Chair)
Al Cormier (Citizen Member)
Vikesh Kohli (Citizen Member)
Michael Ogilvie (Citizen Member)
Baljit Singh Pandori (Taxicab Brokerages)
Harsimar Singh Sethi (Elected at Large)

Members Absent

(Vacant) (Taxicab Drivers)
Nirmal Singh (Taxicab Owners)
Ashwani Tangri (Citizen Member)
Joshua Zahavy (Limousine Owners)

Staff Present

Samuel Rogers, Director, Enforcement
Michael Foley, Manager, Mobile Licensing Enforcement
Alexandra Schwenger, Policy Analyst, Enforcement
Karen Morden, Legislative Coordinator, Legislative Services

Find it online

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

1. **CALL TO ORDER** – 10:34 AM

2. **APPROVAL OF AGENDA**

Approved (A. Cormier)

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

4. **MINUTES OF PREVIOUS MEETING**

4.1. Public Vehicle Advisory Committee Minutes - February 11, 2019

Approved (H. S. Sethi)

5. **DEPUTATIONS** - Nil

6. **PUBLIC QUESTION PERIOD**

6.1 Mark Sexsmith, Taxi Industry, spoke to his correspondence in relation to item 7.1 that was distributed before the meeting. Mr. Sexsmith inquired about the fees for inactive plates, pre-approved fares, not allowing exclusive service agreements, using plates from multiple jurisdictions and smoke-free regulations for TNCs.

Michael Foley, Manager, Mobile Licensing Enforcement, responded to the above inquires and noted that the renewal fee for inactive fees had been waived, pre-approved fares would require changes to the fare model, the by-law did not speak to dispatching vehicles in other jurisdictions and Mr. Foley also noted that the City has not received any complaints regarding TNC vehicles in regards to smoking.

7. **MATTERS CONSIDERED**

7.1. Memorandum dated April 1, 2019 from Megan Piercey, Legislative Coordinator:
Recommendation to bring back the Line-by-Line Review of the Public Vehicle Licensing By-law 420-04, as amended.

At this time Committee Members and staff began the Line-by-Line review of the Public Vehicle Licensing By-law 420-04, as amended and the following sections were repealed: 3(1), 3(2),3(5),3(6),3(8) (f), 3(9),3 (13),3(14),3(18),3(19), 5 (1), 5(2),5 (3), 5 (8), 41 (l) (j). The committee agreed to amend section 3(12) because the issue should, whenever possible, be resolved by the taxicab brokerage owner. Section 5(9) was also proposed to be amended, as it was determined that it was a customer service issue and there are very few complaints on record. Committee members decided to stop reviewing the by-law at this time and to continue the review at the next meeting on June 18, 2019.

RECOMMENDATION

PVAC-0010-2019

1. That the Line-by-Line Review of the Public Vehicle Licensing By-law 420-04, as amended, be received;
2. That the Public Vehicle Advisory Committee (PVAC) continue the Line-by-Line Review at their next meeting;
3. That staff incorporate comments from PVAC regarding the Line-By-Line Review into a future report to General Committee, upon completion of the review.

Approved (Councillor Kovac)

Recommendation PVAC-0010-2019

7.2. 2014-2018 Public Vehicle Advisory Committee Work Plan (For Review/Approval)

Michael Foley, Manager, Mobile Licensing Enforcement provided a brief overview of the status of each item on the work plan. Staff was directed to amend the work plan and bring it forward to the next Public Vehicle Advisory Committee meeting.

RECOMMENDATION

PVAC-0011-2019

1. That the Public Vehicle Advisory Committee Work Plan be received;
2. That staff amend the Work Plan to reflect the current status and bring the amended document forward at the next meeting.

Approved (Councillor Kovac)

Recommendation PVAC-0011-2019

8. INFORMATION ITEMS8.1. Email dated April 18, 2019 from Peter Pelier, Taxi Industry, with respect to the Quebec compensation package for members of the taxi industry

No discussion took place regarding this item. Committee Members noted receipt.

RECOMMENDATION

PVAC-0012-2019

That the email dated April 18, 2019 from Peter Pelier, Taxi Industry with respect to the Quebec compensation package for members of the Taxi Industry, be received for information.

Received (H. S. Sethi)

Recommendation PVAC-0012-2019

9. **OTHER BUSINESS**

Baljit Singh Pandori, Taxicab Brokerages, inquired if the Public Vehicle Advisory Committee (PVAC) would be holding an election in 2019. Councillor Starr noted that Council approved a resolution to amend the PVAC terms of reference to have council appoint the three members previously elected to serve on PVAC.

10. **DATE OF NEXT MEETING** - Tuesday, June 18, 2019 – 10:00 AM, Civic Centre, Council Chambers, Second Floor.

11. **ADJOURNMENT** – 12:12 PM (B. S. Pandori)

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
VEHICLE IN ACTIVITY			
1	<p><input type="checkbox"/> 16. The Owner's Licence and Plate shall be deemed to be inactive from the date the Owner's Licence and Plate are submitted to the Licence Manager or from the date that the inactivity comes to the attention of the Licence Manager, whichever first occurs.</p> <p>(1) A Licence issued to a Taxicab Owner under this by-law may be cancelled by the Licence Manager at any time if the Owner fails to actively operate a Vehicle for which the Owner has been issued an Owner's Licence and accompanying plate, for a period not exceeding ninety(90) days, unless the Taxicab Owner; (200-08)</p> <p>(a) applies to the Licence Manager for an additional period of up to ninety (90) days by: (200-08)</p> <p>(i) making any request thirty (30) days prior to the expiry of such existing ninety (90) day inactivity period,</p> <p>(ii) paying the non-refundable administration fee is paid as provided by Schedule 1 herein, and</p> <p>(iii) providing in writing sufficient reasons to support such a request, or</p> <p>(b) can show to the satisfaction of the Licence Manager just cause for such failure. (200-08) <input type="checkbox"/></p> <p>Amend. This section seeks to limit the amount of time that an Owner's plate may remain inactive. There is little that would support the initiative from a regulatory perspective. The shelving of Owners Plates on a temporary basis may be reflective of the ebb and flow in demand for taxi service. There is a significant financial incentive for Plate Owners to identify a lessee willing to operate the plate in circumstances where the Owner does not wish to operate the plate through their own resources.</p> <p>The requirement to repeatedly seek the authorization of the Licence Manager is excessive. Staff identify that the inactivity of an</p>		

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	owner's plate may provide important data for considerations related to plate issuance and tariff review. In this vein, staff would recommend that inactive plates be placed with Mobile Licensing Enforcement at the discretion of the Plate Owner with no requirement to supply additional notification. An amendment of this type would have no significant impact on public safety or consumer protection.		
2	<p>16. (2) A Licence issued to an Owner under this by-law may be cancelled by the Licence Manager at any time if the Owner fails to actively operate the Vehicle for which the owner's plate has been issued for a continuous period of thirty (30) days or greater unless the Owner can show to the satisfaction of the Licence Manager just cause for such failure. (200-08)</p> <p>Repeal. There is no similar requirement in the TNC Licensing By-law. The clause appears to be overly regulatory as it limits the ability of the licence holder to withdraw from active participation in the industry.</p>		
Schedule 8- Owners and Drivers of Taxicabs.			
TAXICAB DRIVER DUTIES			
3. Every licensed Driver shall:			
3	<p>3. (1) each day before commencing the operation of the vehicle, examine the vehicle for Mechanical Defects or interior or exterior damage to the vehicle including all exit doors and shall report forthwith any defects found to the Plate Owner of the vehicle;</p> <p>Repeal. This is not a requirement for TNC drivers. While generally accepted as good practice prior to operating a motor vehicle, there is no practical way to enforce as a by-law requirement. Staff identify that this requirement would more appropriately be viewed as the responsibility of the driver. Repeal would have minimal impact on public safety or consumer protection.</p>	Accepted April 30 th /2019	

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
4	<p><input type="checkbox"/> 3. (2) each day upon completion of the operation of the vehicle return the vehicle to his employer and shall examine the vehicle as provided in subsection (1) and shall report all defects in the vehicle and all accidents to the Plate Owner;<input type="checkbox"/></p> <p>Repeal. This is not a requirement of TNCs, is difficult to enforce by regulatory staff and again would be more appropriately viewed as the responsibility of the driver as defined by the vehicle owner or brokerage. Repeal would have minimal impact on public safety or consumer protection.</p>	Accepted April 30 th /2019	
5	<p><input type="checkbox"/> 3. (5) be well-groomed, neat and clean in personal appearance, and dressed in pants (no jeans or sweat pants) or skirt, shirt or blouse with a collar and shoes, all free from obvious wear or damage;<input type="checkbox"/></p> <p>Repeal. Not a requirement of TNC drivers. This section is viewed as more appropriate to an internal policy for brokerages or taxicab owners as opposed to an issue to be enforced through a by-law due to the subjective nature of the requirement. There would be no impact on public safety or consumer protection.</p>	Accepted April 30 th /2019	
6	<p><input type="checkbox"/> 3. (6) be civil and behave courteously;<input type="checkbox"/></p> <p>Repeal. TNCs provide access for consumers to rate the driver's performance immediately upon completion of a trip. Taxicab passengers have a similar venue through which to file a complaint with a brokerage directly. Issues with customer service and the behaviour shown by drivers are more appropriately dealt with at this level where compensation can be provided if the complaint is believed to be valid. There is no definition provided as to what would constitute being <input type="checkbox"/>civil<input type="checkbox"/>and courteous. The requirement that a regulatory body investigate subjective complaints of this type presents significant challenges and is an issue that more properly</p>	Accepted April 30 th /2019	

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	lies with the business itself.		
7	<p><input type="checkbox"/> 3. (8)(f) is in the opinion of the Driver unable or unwilling to pay the Fare and has been unable or unwilling to satisfy the Driver that he has the funds to pay the Fare, or,</p> <p>Repeal. This clause was found to be entirely subjective and inconsistent with the TNC By-law. There is no criteria upon which a taxicab driver could be reasonably expected to evaluate the ability or willingness of a potential passenger to pay a proposed fare prior to a trip commencing.</p>	Accepted April 30 th /2019	
8	<p><input type="checkbox"/> 3. (9) punctually keep all his appointments, and shall not make any appointments if a previous engagement would prevent him from fulfilling it;</p> <p>Repeal. There is no standard for punctuality identified in the Public Vehicle By-law. As such, there is limited ability to enforce. TNCs provide real time data as to the location of the booked ride and the decision is customer based as to whether the time frame is acceptable. Taxi brokerages that have not done so should explore adopting a similar strategy. Repeal would have minimal impact on public safety or consumer protection.</p>	Accepted April 30 th /2019	
9	<p><input type="checkbox"/> 3. (12) when a dispute arises between a Passenger and a Driver of a Vehicle about the Fare, the Driver may refer the dispute to the nearest police officer for arbitration;</p> <p>Amend. The dispute over the price of a fare should, whenever possible, be resolved by the brokerage or taxicab owner. This is not a matter that should be addressed through the use of limited police resources. Disputes that involve the overcharging of a customer based on a faulty or malfunctioning taxicab meter should be referred to Mobile Licensing Enforcement for investigation. Disputes with a TNC over an amount paid, the appropriateness of</p>	Accepted April 30 th /2019	

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	<p>the fare charged and the amount are dealt with internally by the brokerage or owner.</p> <p>Because the issue of calibration of the meter directly relates to the By-law, there is a consumer protection issue and, as such, the By-law should be amended to replace the nearest police officer with <input type="checkbox"/> Mobile Licensing Enforcement.<input type="checkbox"/></p>		
10	<p><input type="checkbox"/> 3. (13) keep a daily Trip Sheet showing: (a) the name of the Driver, the date and the Taxicab owner's plate number; (b) the location and time of the beginning and end of every Trip made; (c) the amount of the Fare collected for each Trip;<input type="checkbox"/></p> <p>(see below)</p>	Accepted April 30 th /2019	
11	<p><input type="checkbox"/> 3 (14) retain all Trip Sheets for at least twelve (12) months and make them available for inspection at the request of an inspector or the Licence Manager;<input type="checkbox"/></p> <p>Repeal. The production and retention of trip sheets was intended, primarily, to verify the level of a driver's involvement in the taxi industry, to establish their compliance with requirements associated with the Priority List. These Priority List requirements were repealed in 2016 and in doing so the driver managed trip sheets have become obsolete. Most brokerages track dispatched trip data electronically in a manner comparable to TNCs. It is recommended that these clauses be repealed.</p> <p>Repeal would have minimal impact on public safety or consumer protection.</p>	Accepted April 30 th /2019	
12	<p><input type="checkbox"/> 3. (18) keep in his Taxicab a current street guide for the City and the surrounding vicinity which is of a type approved by</p>	Accepted April 30 th /2019	

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	<p><i>the Licence Manager;</i>□</p> <p>Repeal. The ubiquity of smart phones and applications providing map and routing information make this requirement obsolete. TNCs are not required to obtain a street guide under the current regulations. Repeal would have minimal impact on public safety or consumer protection.</p>		
13	<p>□3. (19) turn off any radio, tape player or any other sound-producing mechanical device in his Taxicab and shall turn down the volume on the two-way radio upon being requested so to do by any Passenger, and having done so shall leave such devices in the off position or if two-way radio turned down until termination of the Trip with that Passenger.□</p> <p>Repeal. There is no similar requirement in place for TNCs and the activity is primarily a customer service issue as opposed to a consumer protection or public safety concern. Complaints regarding this issue should be directed to the brokerage or owner to take measures they feel appropriate as opposed to a by-law enforcement investigation.</p>	Accepted April 30 th /2019	
TAXICAB DRIVERS PROHIBITIONS			
□ 5. (1) No Taxicab Driver shall: □			
14	<p>□5. (1) carry in any vehicle a greater number of Passengers than is set out in the manufacturer's rating of seating capacity for such vehicle;□</p> <p>Repeal. The use of seatbelts is mandated through the <i>Highway Traffic Act</i> and, as such, this clause has limited value from a by-law perspective. Convictions for violations related to issue are captured in the Drivers Abstract reviewed yearly. There is no similar restriction found in the TNC By-law. The repeal of this clause would have minimal impact on public safety or consumer protection.</p>		

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
15	<p><input type="checkbox"/> 5. (2) drive a vehicle with luggage or any object placed in, hung on or attached to the vehicle or in such a manner as will obstruct the Driver's view of the highway;<input type="checkbox"/></p> <p>Repeal. The obstruction of the drivers view from the vehicle is regulated through the <i>Highway Traffic Act</i> and, as such, this clause has limited value from a by-law perspective. Convictions for violations related to issue are captured in the Drivers abstract reviewed yearly. There is no similar restriction found in the TNC By-law. The repeal of this clause would have minimal impact on public safety or consumer protection.</p>	Accepted April 30 th /2019	
16	<p><input type="checkbox"/> 5. (3) take, consume or have in his possession any alcohol, Drugs or intoxicants while he is in charge of his vehicle for which he is a Driver;<input type="checkbox"/></p> <p>Repeal. The possession of alcohol, drugs or other intoxicants is regulated through the <i>Highway Traffic Act</i> and, as such, this clause has limited value from a by-law perspective. Convictions for violations related to issue are captured in the Drivers abstract and/or the Criminal Record Search, reviewed yearly. There is no similar restriction found in the TNC By-law. The repeal of this clause would have minimal impact on public safety or consumer protection.</p>	Accepted April 30 th /2019	
17	<p><input type="checkbox"/> 5. (8) recommend hotels or restaurants or other like facilities unless requested to do so by the Passengers;<input type="checkbox"/></p> <p>Repeal. It is unclear as to what purpose the clause serves except as part of the prohibition against entering into an exclusive concession agreement, which is also recommended for repeal. There is little evidence that this issue has been identified as problematic by the public. This issue is also challenging to enforce given the nature of the evidence that would be required to pursue</p>	Accepted April 30 th /2019	

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	the matter through a court action. Members of the public who identify that they have been <input type="checkbox"/> pestered <input type="checkbox"/> by a driver to use particular services would be able to provide a complaint to the taxi brokerage to deal with the issue. Repeal would have minimal impact on public safety or consumer		
18	<p><input type="checkbox"/>5. (9) <i>be required to provide change for any note larger than twenty dollars (\$20.00) unless the Fare is at least one-half (½) of the value of said note;</i><input type="checkbox"/></p> <p>Amend. One of the most problematic clauses contained in the current By-law as it is unclear as to what specifically the driver must do to respond in this situation; waive the fare entirely, keep the money being proffered by the passenger even though it substantially exceeds the fare amount? Most taxicabs now provide multiple means through which to provide payment. The driver also has the option to stop at any number of locations so that the passenger may obtain smaller denominations. There is no similar requirement contained in the TNC By-law due to their payment systems that do not require cash transactions. The repeal of the clause may encourage taxicab drivers to carry larger amounts of cash with which to provide change, which could increase the risk of robbery. Staff recommend that consultation be undertaken with industry representatives to develop a viable requirement.</p>	Accepted April 30 th /2019	
FLAT RATE			
19	<p><input type="checkbox"/>8. (1) <i>When a Driver picks up a Passenger within the City for a Trip with the destination outside the City, the Driver and the Passenger may agree before the commencement of the Trip to a flat rate.</i><input type="checkbox"/></p> <p>Amend. This clause provides the benefit of a fixed fare only to those leaving the jurisdiction. The option of a pre-negotiated fixed price should be made available to taxicab drivers for all passengers. This would provide a flexible tool with which to attract</p>	Held April 30 th /2019	

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	new ridership during off peak hours and would be similar to the pricing strategy of TNCs.		
RATES			
<input type="checkbox"/> 9. (1) Every Driver shall not:			
20	<p><input type="checkbox"/> 9. (1)(a) charge a Fare which is not in accordance with appropriate Fare set out in Schedule 9 to this bylaw except where the trip is requested using an App as approved by the Licence Manager; (134-16, 94-17)</p> <p>Amend. The clause limits the ability of taxicabs to compete based on price and arbitrarily sets the value of a trip regardless of the immediate supply of taxicabs available or the current demand for their services. It is recommended that the section of the By-law be amended to set the meter rate as the maximum allowable under the By-law. Individual taxicabs and taxicab brokerages would then be able to offer <input type="checkbox"/> off peak <input type="checkbox"/> rates based on a posted discount to the meter rate as an inducement to potential customers.</p>		
EXCLUSIVE CONCESSION AGREEMENTS			
<input type="checkbox"/> 12. No Driver or Plate Owner shall:			
21	<p><input type="checkbox"/> 12. (1) enter into or become a party to an Exclusive Concession Agreement; (2) agree to pay, accept a fee or consideration or do any other act or thing pursuant to an Exclusive Concession Agreement;</p> <p>Repeal. There is no similar restriction contained within the TNC By-law. Exclusive concession agreements may provide a viable avenue through which to enhance the business opportunities of a taxi brokerage or owner. The repeal of this clause would have minimal effect on public safety or consumer protection.</p>		
ADVERTISING			
22	<input type="checkbox"/> 13. No Driver or Plate Owner shall display or permit the display of any sign, emblem, decal, ornament or advertisement		

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	<p><i>on or in his Taxicab except with a content and in a form and location approved by the Licence Manager.</i>□</p> <p>Repeal. There is no similar restriction in the TNC By-law. The use of a taxicab as a platform for advertising should be considered as a viable revenue stream for taxicab owners whose vehicles maintain a high level of public visibility. Repeal would have minimal impact on public safety or consumer protection.</p>		
TAXICAB OWNERS LICENSING PREREQUISITES			
23	<p>□14. (1) Every Applicant for a Taxicab owner's Licence shall:</p> <p>(a) if a natural person, be licensed under this by-law as a Driver, or</p> <p>(b) if a corporation, the Individual person holding the shares carrying at least fifty-one percent (51%) of the voting rights attached to all shares of the corporation for the time being issued and outstanding, be licensed as a Driver under this by-law;</p> <p>(c) notwithstanding subsection 14(1)(a) of this section, where an owner's license has been legally transferred to a Spouse from a deceased owner, there will be no Driver requirements for the Spouse of the deceased owner so long as the Spouse successfully completes a Taxicab Owner Responsibilities Course.</p> <p>(d) meet the requirements of section 38 of this Schedule relating to vehicle approval.□</p> <p>Repeal. It is unclear as to the intent of this clause requiring that the owner of a taxicab also be required to be licensed as a driver. It would appear that the rationale may have been to promote a close relationship between the ownership of taxicabs and the operation of the taxicabs. There is, however no requirement that the owners actually operate the taxicab they own or any taxicab for that matter.</p>		

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	The By-law currently permits taxicab drivers to maintain a <input type="checkbox"/> non-driving <input type="checkbox"/> status on their individual licence. Repeal would have minimal impact on public safety or consumer protection.		
LIMITATION OF TAXICAB OWNER LICENCES			
24	<p><input type="checkbox"/>15. (2) The total number of Taxicab Owner Licences issued at any given time shall be established by the Plate Issuance Formula, Schedule 3 of the By-law;<input type="checkbox"/></p> <p>Amend. Under the Pilot Project, TNCs are not limited in the number of vehicles that they may operate. It is recommended that this clause be amended to provide a more flexible issuance model for taxicab plates to provide a closer approximation to the regulations regarding other vehicles for hire. Staff recommend that this be done through consultation with the taxicab industry and based on the findings of the Pilot Project scheduled for completion in 2019.</p>		
25	<p><input type="checkbox"/>15. (3) No Taxicab Owner shall be issued more than twelve (12) Taxicab Owner's Licenses under this By-law.<input type="checkbox"/></p> <p>Repeal. There is no similar limitation in the TNC regulations. The repeal of this section would permit individuals in the taxi industry to acquire sufficient licences to create a fleet of vehicles to provide uniformity of service, enhance competition, improve stability, and move away from a model where brokerages are reliant on a fleet of semi-independent owners and drivers. Repeal would have minimal impact on public safety or consumer protection.</p>		
EFFECTIVE ISSUE FROM PRIORITY LIST			
26	<input type="checkbox"/> 37. When a Taxicab owner's plate is issued from the Priority List, the Taxicab owner who has been approved for the issuance shall within one month of the date of issuance of the plate by the Licence Manager affix the plate to a vehicle registered in his name which shall be operated as a Taxicab		

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	<p><i>and he shall not transfer that plate for three (3) years after the date of issuance unless the transfer is approved by the Licence Manager for financial, health or other reasons. (200-08)</i>□</p> <p>Amend. Given the period of time typically required to move through the Priority Waiting List, it would appear reasonable that a vehicle be placed into service within 30 days of the issuance of a plate. Staff were unable to identify what benefit is gained by the requirement that no plate transfer be permitted within three years of the date of issuance unless supported by the Licence Manager for financial, health or other reasons.□ Due to the vagueness of the language "health or other reason" it would be a challenge to enforce given the licence holder's recourse for appeal. There is no similar restriction in place for TNCs. It is recommended that Section 37 be amended to remove the three year restriction on plate transfer. An amendment would have minimal impact on public safety or consumer protection.</p>		
27	<p><i>□37.1 When a Taxicab Owner's Licence is issued from the Priority List, the Taxicab Owner who has been issued the Licence, shall operate as a Driver for a minimum of three (3) years following the date of issuance to the satisfaction of the Licence Manager. (134-16)</i>□</p> <p>Repeal. The approval of the above recommendation to amend section 37 would eliminate the necessity for this clause. Repeal would have no impact on public safety or consumer protection. The By-law currently identifies "not driving" as a status consistent with the definition as being licensed as a driver.</p>		
TAXICAB OWNERS DUTIES			
<i>□40. Every licensed Taxicab owner shall:□</i>			
28	<i>□40. (3) provide the Licensing Section and, where applicable, any licensed Taxicab Broker with whom he may be associated</i>		

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	<p><i>with the name of the licensed Driver operating his vehicle within seventy-two (72) hours of the time when the licensed Driver has commenced To Operate the said vehicle.</i><input type="checkbox"/></p> <p>Repeal. In that this section recognizes that both the driver and the owner are properly licensed, the clause would appear to be overly regulatory and of concern primarily to the brokerage. It is recommended that, as an internal matter between the broker and the taxicab owner, this should be addressed through their internal policies as opposed to a by-law. Repeal would have minimal impact on public safety or consumer protection.</p>		
VEHICLE STANDARDS			
<input type="checkbox"/>41. (1) Every licensed Driver and Plate Owner shall operate or permit to be operated a vehicle that: <input type="checkbox"/>			
29	<p><input type="checkbox"/>41. (1)(f) has Tint Free windows;<input type="checkbox"/></p> <p>Repeal. The application of tint to automotive windows presents a number of significant advantages including improved visibility, protection of the interior surfaces of the vehicle from damaging ultraviolet light, reduction of the need for cooling and the associated fuel usage, and a healthier work environment for the driver. Some concern has been expressed previously regarding the use of tint obscuring the interior of the vehicle but staff identify that this risk is, at most, marginal.</p> <p>TNC vehicles are not subject to tint restrictions. Limitations regarding the tinting of motor vehicle windows is addressed in the <i>Highway Traffic Act</i>. It is recommended that this section be repealed as there would be minimal impact on public safety or consumer protection.</p>		
30	<p><input type="checkbox"/>41. (1)(j) has identical wheel coverings and or wheel design;<input type="checkbox"/></p> <p>Repeal. This is a purely cosmetic consideration that is not a TNC requirement. Repeal would have no impact on public safety or</p>	Accepted April 30 th /2019	

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	consumer protection.		
31	<p>41. (1)(k) has a seat belt cutting tool in a good state of repair which is easily accessible to the Driver;</p> <p>Repeal. This requirement was originally adopted as a safety requirement in the event of a vehicle rollover where the driver is trapped by the vehicle seatbelt and is required to extricate both themselves and passengers similarly trapped. This is not a requirement of TNCs. Staff were unable to identify any circumstance where a driver has been required to deploy the device. Repeal would have minimal impact on public safety and no impact consumer protection.</p>		
32	<p>41. (p)(v) has a Taxicab Meter; and each Taxi Meter shall be; used for not longer than one year without re-testing and resealing;</p> <p>Repeal. With the repeal of the mandatory inspections for the duration of the Pilot Project the calibration and accuracy of taxicab meters is problematic. It is recommended that that this clause also be repealed. The requirement that the meter accurately reflect the appropriate fare is contained in Section 41(p)(iii). Meter accuracy will be checked during in-field inspections.</p>		
33	<p>41. (1)(q) has on display any owner's plate, decal or sticker issued by any other municipal licensing authority;</p> <p>Repeal. This clause was adopted to restrict taxicab owners from using the same vehicle in multiple jurisdictions. TNC vehicles do not operate in a similar fashion, and may operate in each jurisdiction where they meet the requirements set out by the licensing authority. For taxicabs, this may necessitate the use of multiple meters or a meter that can be easily reprogrammed. This would be a technical issue that could be addressed by the</p>		

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	individual taxi owner or brokerage. A repeal would have no impact on public safety and minimal impact on consumer protection.		
34	<p>41. (5) Every Licenced Driver and Plate Owner shall keep in the Vehicle and maintain a Maintenance Log for the Vehicle registered under the Owners Licence.</p> <p>Repeal. The clause requires a maintenance log that serves no enforcement purpose. There is no practical manner for officers to establish the authenticity of the entries in the log. Staff recognize that ongoing maintenance is critical to the performance and longevity of the vehicle, but note that this should be the priority of the business owner. There is no requirement for TNCs to possess a maintenance log. Repeal of this clause would have no impact on public safety or consumer protection.</p>		
TAXICABS OPERATING IN BROKERAGES			
46. No Driver or Plate Owner shall:			
35	<p>46. (1) put any name, address, or telephone number or other identification other than that of himself or the Taxicab Broker with whom he is Affiliated on his Taxicab or Roof Light;</p> <p>Repeal. The repeal of the section dealing with the use of the taxicab for the purpose of advertising would conflict with this requirement necessitating its repeal.</p>		
36	<p>46. (2) use or permit to be used on his Taxicab any emblem, decal, roof sign or other markings which are the same shape and/or colour or similar to any distinctive emblem, decal, roof sign or other marking being used by any Taxicab Broker with whom he is not Affiliated;</p> <p>Repeal. The clause was identified as an attempt to regulate the branding of taxicabs and their associated brokerages. The clause is vague to a degree where staff were unable to identify a scenario</p>		

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	where enforcement could take place in any meaningful manner. Permitting taxicabs to be used for advertising purposes, including vehicle wraps, may necessitate that vehicles from different brokerages may be similar in design and colour. There is no similar clause contained in the TNC By-law. Repeal would have no impact on public safety or consumer protection.		
TRANSFER OF TAXICAB OWNER'S LICENCE			
37	<p>50. (2) Where a Taxicab Owner or Driver has been issued an Owner's Licence from the Taxicab Priority List pursuant to Section 37 of this Schedule, he shall not be allowed to transfer or otherwise dispose of such owner's Licence for a period of three (3) years from the date of issue of said Licence.</p> <p>Repeal. It was identified that the rationale for a three year waiting period limiting the transfer or sale of a plate issued from the Priority Waiting List may have been to support the value of existing plates when an issuance takes place. The clause would require the continued participation of the recipient of the plate for the defined period. Given that a taxicab owner is not required to physically drive a taxi and may maintain a "Not Driving" status there would appear to be little benefit to public safety or consumer protection contained in the restriction. There is no similar restriction contained in the TNC By-law. Repeal of this clause would have no impact on public safety or consumer protection.</p>		
38	<p>50. (5) Notwithstanding the provisions of subsections (1) and (2), the holder of a Taxicab Owner's Licence, who has been issued an original Licence from the City, may petition Council to permit a transfer or other disposition of said Licence within three years from the date of issuance.</p> <p>Repeal. The proposed repeal of 50(2) would eliminate the requirement for Council approval to transfer a plate issued from the Priority Waiting List prior to three years having elapsed. This</p>		

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	clause contradicts section 37, which identifies that the Licence Manager has the authority to approve transfer prior to the three years.		
39	<p>50. (6) Where a Taxicab owner has purchased an owner's Licence with his own personal funds, such owner shall be exempted from the three (3) year restriction on transfers provided for in subsection (2).</p> <p>Repeal. The proposed repeal of 50 (2) would eliminate the necessity for this exemption.</p>		
40	<p>50. (7) Where a Taxicab Owner has transferred or otherwise disposed of a Licence which he purchased with his own personal funds, and, such transfer or disposal takes place at least three (3) years after the original Licence purchase, such owner shall not be restricted from purchasing another Licence in this same class.</p> <p>Repeal. The proposed repeal of 50 (8) would render this clause unnecessary.</p>		
41	<p>50. (8) Where a Taxicab Owner has transferred or otherwise disposed of an owner's Licence which he has purchased with his own personal funds within three (3) years of the original transfer date for said Licence, such owner will be restricted from purchasing another owner's Licence in the same class for a period of four (4) years from the date of said Licence transfer or disposal.</p> <p>Repeal. There is no clearly definable benefit to either public safety or consumer protection contained in this restriction. The restriction does not apply to instances where a taxicab plate is owned by a company or is part of the estate of a deceased owner.</p>		
42	50. (9) Notwithstanding the provisions of subsection (3)		

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	<p><i>where a Taxicab Owner transfers an Owner's Licence to or from a limited company in which he controls at least 51% of the voting rights attaching to all shares of that limited company, such a transfer shall be exempt from either the three (3) year restriction in subsections (6) and (7) or the four (4) year restriction referred to in subsection (8).</i>□</p> <p>Repeal. The proposed repeal of the preceding clauses in section 50 would render this clause as unnecessary.</p>		
LICENCE BECOMES ASSET OF THE ESTATE			
43	<p>□ 51. (4) Notwithstanding subsection 1(3) of this section, where the shares have been legally transferred to a Spouse, there will be no Driver requirements for the Spouse of the deceased Individual, provided the Spouse successfully completes a Taxicab Owner Responsibility Course. (200-08, 257-09)□</p> <p>Repeal. There is no identifiable public safety or consumer protection concerns that are addressed through this clause.</p>		
Schedule 6 Owners and Drivers of Limousines.			
LIMOUSINE OWNER LICENCE PRE-REQUISITE			
□ 2. (1) Every Applicant for an Owner's Licence shall: □			
44	<p>□ 2. (f) file with the Licensing Section a schedule of all hourly Fare rates to be charged and such rates shall be: <i>(i) a minimum two (2) hour duration at a charge of not less than fifty dollars (\$50.00) for the first hour and thirty dollars (\$30.00) for each additional hour for a Limousine Class A; and</i> <i>(ii) a minimum charge of fifty dollars (\$50.00) for the first hour or any part thereof and thirty dollars (\$30.00) for each additional hour for a Limousine Class B.</i>□</p> <p>Repeal. The regulation was created to protect the taxi industry</p>		

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	from predatory practices by limousine companies. Given the other restriction contained in the limousine schedule requiring prearranged trips and the different sectors that these vehicles service, it would appear that the By-law clause is overly regulatory and an attempt to fix prices at an arbitrary rate. Limousine services should be free to establish a rate that they identify as sufficient to meet their business requirements and not to protect an industry with which there is little overlap, so long as those fees are communicated to the passenger in advance.		
OWNERS DUTIES			
□6. Every licensed Limousine Owner shall:□			
45	<p>□6. (3) <i>provide the Licensing Section the name of the licensed Driver operating his Vehicle within seventy-two (72) hours of the time when the licensed Driver has commenced To Operate the said Vehicle.</i>□</p> <p>Repeal. In that this section recognizes that both the driver and the owner are properly licensed, the clause would appear to be overly regulatory and of concern primarily to the limousine company. It is recommended that, as an internal matter between the limousine owner and the driver, this should be addressed through their policies as opposed to a by-law. Repeal would have minimal impact on public safety or consumer protection.</p>		
VEHICLE STANDARDS			
□8. Every Limousine Owner and Driver licensed as such under this Schedule shall cause his, her or its Livery Cab used in the City to conform, at all times, to the following standards:□			
46	<p>8. (9) is equipped with an extra tire, wheel and jack ready for use for that Vehicle;□</p> <p>Repeal. It has been identified that due to weight issues and vehicle modifications, many limousines cannot be jacked using equipment carried in the vehicle. As such, this clause would appear</p>		

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	to be excessive. Repeal would have minimal impact on public safety or consumer protection.		
47	<p><input type="checkbox"/> 8. (10) has identical wheel coverings and or wheel design;</p> <p>Repeal. This is a purely cosmetic requirement that is not a TNC requirement. Repeal would have no impact on public safety or consumer protection.</p>		
48	<p><input type="checkbox"/> 8. (11) has a seat belt cutting tool in a good state of repair which is easily accessible to the Driver;</p> <p>Repeal. This requirement was originally adopted as a safety requirement in the event of a vehicle rollover where the driver is trapped by the vehicle seatbelt and is required to extricate himself and passengers similarly trapped. This is not a requirement of TNCs. Staff were unable to identify any circumstance where a driver has been required to deploy the device. Repeal would have minimal impact on public safety and no impact consumer protection.</p>		
49	<p><input type="checkbox"/> 8. (13) keep in the Vehicle and maintain a Maintenance Log for the Vehicle registered under the Owner's Licence.</p> <p>Repeal. The clause requires a maintenance log that serves no enforcement purpose. There is no way for officers to establish the authenticity of the entries on the log. Staff recognize that ongoing maintenance is critical for the maintenance of the vehicle but that this should be the priority of the business owner. There is no requirement for TNCs to maintain a maintenance log. Repeal of this clause would have no impact on public safety or consumer protection.</p>		
LIMOUSINE DRIVER DUTIES			
<input type="checkbox"/> 11. Every licensed Limousine Driver shall:			
50			

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	<p>11. (7) each day before commencing the operation of the Vehicle, examine the Vehicle for Mechanical Defects or interior or exterior damage to the Vehicle including all exit doors and shall report forthwith any defects found to the Plate Owner of the Vehicle;<input type="checkbox"/></p> <p>Repeal. This is not a requirement of the TNC vehicles. While generally accepted as good practice prior to operating a motor vehicle, there is no practical way to enforce as a by-law requirement. Staff identify that this requirement would more appropriately be viewed as the responsibility of the driver. Repeal would have minimal impact on public safety or consumer protection.</p>		
51	<p><input type="checkbox"/> 11. (8) each day upon completion of the operation of the Vehicle return the Vehicle to his employer and shall examine the Vehicle as provided in subsection (8) and shall report all defects in the Vehicle and all accidents to the Plate Owner;<input type="checkbox"/></p> <p>Repeal. Not a requirement of TNCs. This clause is challenging to enforce by regulatory staff and again would be more appropriately viewed as the responsibility of the driver as defined by the vehicle owner or Limousine Company. Repeal would have minimal impact on public safety or consumer protection.</p>		
52	<p><input type="checkbox"/> 11. (10) be properly dressed, well groomed, neat and clean in personal appearance;<input type="checkbox"/></p> <p>Repeal. Not a requirement of TNCs. This section is viewed as more appropriate to an internal policy for a Limousine company as opposed to an issue to be enforced through a by-law due to subjectivity. There is no discernable impact on public safety or consumer protection.</p>		
53	<p><input type="checkbox"/> 11. (11) be civil and behave courteously;<input type="checkbox"/></p>		

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Item	Proposed Amendments	Action Taken at PVAC	Comments
	<p>Repeal. TNCs provide access for consumers to rate the driver immediately upon completion of a trip. Limousine passengers have a similar venue through which to file a complaint with the Limousine Company directly. Issues with customer service and the behaviour engaged in by drivers are more appropriately dealt with at this level where compensation can be provided if the complaint is believed to be valid. The requirement that a regulatory body investigate subjective complaints of this type presents significant challenges and is an issue that more properly lies with the business itself.</p>		
54	<p><input type="checkbox"/> 11. (14) punctually keep all his appointments, and shall not make any appointments if a previous engagement would prevent him from fulfilling it;<input type="checkbox"/></p> <p>Repeal. There is no standard for punctuality identified in the Public Vehicle By-law. As such, there is limited ability to enforce. TNCs provide real time data as to the location of the booked ride and the decision is customer based as to whether the time frame is acceptable. Limousine operators and companies should look at adopting a similar strategy. Repeal would have minimal impact on public safety or consumer protection.</p>		
55	<p><input type="checkbox"/> 11. (16) when a dispute arises between a Passenger and a Driver of a Vehicle about the Fare, the Driver may refer the dispute to the nearest police officer for arbitration;<input type="checkbox"/></p> <p>Amend. The dispute over the price of a fare should be resolved by the Limousine brokerage or owner. This is not a matter that should be addressed through the use of limited police resources. Disputes with a TNC over an amount paid, the appropriateness of the fare charged and the amount are dealt with internally by the Company. This process should be adopted by Limousine operators. Mobile Licensing Enforcement would investigate any complaint related to charges that vary from the Limousine brokerages posted rates filed</p>		

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	with the City.		
56	<p><input type="checkbox"/> 11. (17) keep a daily Trip Sheet showing: (a) the name of the Driver, the date and the Limousine Owner's Plate number; (b) the location and time of the beginning and end of every Trip made; (c) the amount of the Fare collected for each Trip;<input type="checkbox"/></p> <p>Repeal. Trip sheets were previously used to verify the level of work that was engaged in by a driver as a means to determine qualification to enter onto and remain on the Priority Waiting List. Limousine Drivers are not eligible for inclusion on the Priority Waiting List and, as such, this clause has little value from an enforcement perspective. No impact to consumer protection or public safety.</p>		
57	<p><input type="checkbox"/> 11. (18) retain all Trip Sheets for at least twelve (12) months and make them available for inspection at the request of an Inspector or the Licence Manager;<input type="checkbox"/></p> <p>Repeal. If subsection (17) is repealed, this section would become unnecessary.</p>		
58	<p><input type="checkbox"/> 11. (19) keep in his Limousine a current street guide for the City and the surrounding vicinity which is of a type approved by the Licence Manager;<input type="checkbox"/></p> <p>Repeal. The ubiquity of smart phones and applications providing map and routing information make this requirement obsolete. TNCs are not required to obtain a street guide under the current regulations. Repeal would have minimal impact on public safety or consumer protection.</p>		
59	<input type="checkbox"/> 11. (20) turn off any radio, tape player or any other sound-		

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	<p><i>producing mechanical device in his Limousine and shall turn down the volume on the two-way radio upon being requested so to do by any Passenger, and having done so shall leave such devices in the off position or if two-way radio turned down until termination of the Trip with that Passenger;</i><input type="checkbox"/></p> <p>Repeal. There is no similar requirement in place for TNCs and the activity is primarily a customer service issue as opposed to a consumer protection or public safety concern. Complaints regarding this issue should be directed to the brokerage or owner to take measures they feel appropriate as opposed to a by-law enforcement investigation.</p>		
LIMOUSINE DRIVER PROHIBITIONS <input type="checkbox"/> 12. No licensed Limousine Driver shall: <input type="checkbox"/>			
60	<p><input type="checkbox"/> 12. (1) carry in any Vehicle a greater number of Passengers than is set out in the manufacturer's rating of seating capacity for such Vehicle;<input type="checkbox"/></p> <p>Repeal. The use of seatbelts is mandated through the <i>Highway Traffic Act</i> and, as such, this clause has limited value from a by-law perspective. Convictions for violations related to issue are captured in the Drivers Abstract reviewed yearly. There is no similar restriction found in the TNC By-law. The repeal of this clause would have minimal impact on public safety or consumer protection.</p>		
61	<p><input type="checkbox"/> 12. (2) drive a Vehicle with luggage or any object placed in, hung on or attached to the Vehicle or in such a manner as will obstruct the Driver's view of the highway;<input type="checkbox"/></p> <p>Repeal. The obstruction of the drivers view from the vehicle is regulated through the <i>Highway Traffic Act</i> and, as such, this clause has limited value from a by-law perspective. Convictions for violations related to issue are captured in the Drivers Abstract</p>		

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	reviewed yearly. There is no similar restriction found in the TNC By-law. The repeal of this clause would have minimal impact on public safety or consumer protection.		
62	<p><input type="checkbox"/> 12. (3) take, consume or have in his possession any alcohol, Drugs or intoxicants while he is in charge of his Vehicle for which he is a Driver;<input type="checkbox"/></p> <p>Repeal. The possession of alcohol, drugs or other intoxicants is regulated through the <i>Highway Traffic Act</i> and, as such, this clause has limited value from a by-law perspective. Convictions for violations related to issue are captured in the Drivers Abstract and/or the Criminal Record Search, reviewed yearly. There is no similar restriction found in the TNC By-law. The repeal of this clause would have minimal impact on public safety or consumer protection.</p>		
63	<p><input type="checkbox"/> 12. (8) recommend hotels or restaurants or other like facilities unless requested to do so by the Passengers;<input type="checkbox"/></p> <p>Repeal. It is unclear as to what purpose the clause serves except as part of the prohibition against entering into an exclusive concession agreement, which is also recommended for repeal. There is little evidence that this issue has been identified as problematic by the public. This issue is also difficult to enforce given the nature of the evidence that would be required to pursue the matter through a court action. Members of the public who identify that they have been <input type="checkbox"/>pestered<input type="checkbox"/>by a driver to use particular services would be able to provide a complaint to the Taxi brokerage to deal with the issue. Repeal would have minimal impact on public safety or consumer</p>		
ADVERTISING			
64	<input type="checkbox"/> 14. No licensed Limousine Driver or Owner shall display or permit the display of any sign, emblem, decal, ornament or		

Line by Line Review of The Public Vehicle Licensing By-law 420-04 Status Tracker

Item	Proposed Amendments	Action Taken at PVAC	Comments
	<p><i>advertisement on or in his Limousine except with a content and in a form and location approved by the Licence Manager.</i>□</p> <p>Repeal. The use of a limousine as a platform for advertising should be considered as a viable revenue stream for limousine owners whose vehicles maintain a high level of public visibility. Repeal would have minimal impact on public safety or consumer protection.</p>		

Public Vehicle Advisory Committee Work Plan

Issue	Action	Scope	Target Date
Line-by-Line Review of the Public Vehicle Licensing By-law	Item for Discussion	<ul style="list-style-type: none"> • 65 total line items • To reach a consensus on each line item • Level the playing field through deregulation 	On-going
TNC Update	Item for Discussion	<ul style="list-style-type: none"> • Regulatory and operational updates 	On-going
Renewal Fee for Inactive Plates Review	Staff Report	<ul style="list-style-type: none"> • Assess the current rate 	2019 Quarter 3
On Demand Accessible Vehicle-for-Hire Service	Staff Report	<ul style="list-style-type: none"> • Dependant on a TNC resolution • Development of options 	2019 Quarter 3 / Quarter 4
Mobile Licensing Enforcement Practices	Item for Discussion	<ul style="list-style-type: none"> • Verbal Report • Dependant on the Line-by-Line Review of the Public Vehicle Licensing By-law 	2019 Quarter 4
Public Vehicle By-law Review	Staff Report	<ul style="list-style-type: none"> • Follow up report 	2020

City of Mississauga

Corporate Report



Date: 2019/05/28

To: Mayor and Members of Council

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

Originator's files:

Meeting date:
2019/06/05

Subject

Taxicab Licence Fees, Ontario Wide Licensing and Owners Compensation

Recommendation

1. That the report from the Commissioner of Transportation and Works, dated May 28, 2019 entitled "Taxicab Licence fees, Ontario Wide Licensing and Owners Compensation" be received for information;
2. That a copy of the report from the Commissioner of Transportation and Works, dated May 28, 2019 entitled "Taxicab Licence fees, Ontario Wide Licensing and Owners Compensation" be sent to the Province of Ontario for information; and
3. That a copy of the report from the City Solicitor, dated April 30, 2019, entitled "Compensation for Taxicab Licence Owners" be sent to the Province of Ontario for information.

Report Highlights

- Provisions currently exist in the Public Vehicle By-law 420-04 to temporarily reduce the fee associated with the renewal of an inactive Taxicab Owners Licence.
- A jurisdictional scan indicates that the renewal fee for a Taxicab Owners Licence is below average.

Background

On May 15, 2019 General Committee approved the following recommendation (GC-0302-2019)

1. *That the report from the City Solicitor dated April 30, 2019 entitled "Compensation for Taxicab Licence Owners" be received for information.*
2. *That staff be directed to report back on the following matters:*
 - a) *The renewal of the yearly taxicab license fee*

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- b) *Alternative methods to work with the Provincial Government to allow compensation for Taxicab Licence Owners*
- c) *An Ontario wide taxicab licence."*

The purpose of this report is to respond to GC-0302-2019.

Present Status

Taxicab Owners Licence Fees

The current renewal fee for a taxicab owners licence is \$472. The licence is valid for one year and expires on February 28 of each year.

Public Vehicle Licensing By-law 420-04, as amended, (the "Public Vehicle Licensing By-law") addresses "Vehicle Inactivity" in Schedule 8, section 16:

"The Owner's Licence and Plate shall be deemed to be inactive from the date the Owner's Licence and Plate are submitted to the Licence Manager or from the date that the inactivity comes to the attention of the Licence Manager, whichever first occurs.

(1) A Licence issued to a Taxicab Owner under this by-law may be cancelled by the Licence Manager at any time if the Owner fails to actively operate a Vehicle for which the Owner has been issued an Owner's Licence and accompanying plate, for a period not exceeding ninety(90) days, unless the Taxicab Owner; (200-08)

(a) applies to the Licence Manager for an additional period of up to ninety (90) days by: (200-08)

(i) making any request thirty (30) days prior to the expiry of such existing ninety (90) day inactivity period,

(ii) paying the non-refundable administration fee is paid as provided by Schedule 1 herein, and

(iii) providing in writing sufficient reasons to support such a request, or

(b) can show to the satisfaction of the Licence Manager just cause for such failure. (200-08)

(2) A Licence issued to an Owner under this by-law may be cancelled by the Licence Manager at any time if the Owner fails to actively operate the Vehicle for which the owner's plate has been issued for a continuous period of thirty (30) days or greater unless the Owner can show to the satisfaction of the Licence Manager just cause for

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such failure. (200-08)“

The non-refundable administration fee identified in section 1(ii) is \$357 (\$403.41 with GST). This fee is currently being waived for owners with inactive licences.

At this time there are 82 owners licences that are inactive and being held at the Mobile Licensing Enforcement Office. Of these, nine are identified as being shelved for a short term as the lessee is on vacation or out of the country temporarily. Nine other licences are associated with the estates of deceased owners.

The remaining 64 owners' licenses are associated with 57 individuals. Of these only three have been inactive for a period greater than one year and, 19 have been inactive for greater than six months.

Ontario Wide Taxicab Licensing

The Public Vehicle Licensing By-law identifies in Schedule 8, section 41(1) (q) that:

“Every licensed Driver and Plate Owner shall operate or permit to be operated a vehicle that:

(q) has on display any owner's plate, decal or sticker issued by any other municipal licensing authority;[sic]”

The intent of this provision was to prevent taxicab operators from jurisdictions outside of Mississauga from also acquiring a Mississauga Owners Licence to conduct business in both jurisdictions.

Comments

Taxicab Owners Licence Fee

Of the 82 Taxicab Owners Licences currently identified as being inactive, 18 are identified as only temporarily inactive while a lessee is absent and the owners licence returned to save on insurance costs or are held by the estate of a deceased owner. The remaining 64 licences are inactive for various reasons including:

- an inability to find a lessee for the licence;
- an unwillingness or inability on the part of the owner to operate a taxicab; and,
- speculative purposes in anticipation of an increase in licence values, increase lease revenues or compensation from some level of government.

Of these 64 inactive licences, only three have been inactive for a period greater than one year. Given that it is a requirement that a taxicab be licensed when operating and that 95% of the

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inactive plates have operated within the last twelve months, the introduction of a reduced or prorated fee for inactive licences is not recommended at this time.

It is noted that the payment of the Taxicab Owner's full licence fee may represent some financial hardship for individuals whose licence is inactive at the time of renewal. However, the By-law does permit in Section 6 (1)(a):

“(1) A completed application for a Licence or for renewal of a Licence shall be delivered to the Licensing Section and shall be accompanied by:

(a) a non-refundable payment in the amount of 10 (ten) per cent of the total Licence fee prescribed in Schedule 1 to this By-law. The minimum payment due at the time of filing a Licence application shall be ten (\$10.00) dollars. The maximum payment due at the time of filing a Licence application shall be one hundred and fifty (\$150.00) dollars.”

Therefore, an inactive taxicab owners licence could be renewed for \$47.20, with the remainder due prior to the reactivation of the licence or the end of the licence term.

In regards to the issue of taxicab inactivity it was the recommendation of staff in the September 6, 2017 report to the Public Vehicle Advisory Committee entitled “A Line by Line Review of the Public Vehicle Licensing By-law 420-04, as amended”, that the sections of the by-law relating to “vehicle inactivity” be repealed. As noted previously, the fee associated with vehicle inactivity has not been charged within the period during which Transportation Network Companies have been active in the City.

Staff conducted a jurisdictional scan of taxi owner licence renewal fees in effect for Brampton, Burlington, Markham, Oakville, Ottawa, Toronto, Hamilton, and Vaughan.

The table below displays the renewal fees for each jurisdiction. Brampton, Oakville, and Vaughan are the only jurisdictions which have a renewal fee that is less than the City of Mississauga. Mississauga still remains below the average renewal fee for the jurisdictions scanned.

Taxi Owner Licence Renewal Fee Scan										
Fee	Brampton	Burlington	Markham	Mississauga	Oakville	Ottawa	Toronto	Hamilton	Vaughan	Average
Taxicab Owner - Renewal	\$ 439.00	\$ 698.70	\$ 651.00	\$ 472.00	\$ 328.00	\$567.00	\$ 984.16	\$ 642.00	\$ 359.00	\$ 571.21
Taxicab Owner - New	\$ 3,852.00	\$ 3,350.70	\$ 6,516.00	\$ 1,061.00	\$ 350.00	\$567.00	\$ -	\$ 4,560.00	\$ 555.00	\$ 2,312.41

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Ontario Wide Taxicab Licensing

The Public Vehicle Licensing By-law identifies in Schedule 8, Sect 41(1) (q) that:

“Every licensed Driver and Plate Owner shall operate or permit to be operated a vehicle that:

(q) has on display any owner's plate, decal or sticker issued by any other municipal licensing authority;[sic]”

This section was identified in the 2017 report “A Line by Line Review of the Public Vehicle Licensing By-law 420-04, as amended” as a clause whose repeal would improve the competitiveness of the taxicab industry by allowing the use of licensed vehicles across multiple jurisdictions.

The Municipal Act, 2001 (the “Municipal Act”) authorizes municipalities to establish fares, provide for their collection and limit the number or class of taxicabs. The City’s by-laws in relation to taxicabs apply within City boundaries only.

The issue of an Ontario-wide taxicab licence administered by the Province would require an amendment to the Municipal Act by the Province and also to the by-laws of municipalities in the Province licensing taxicabs within their jurisdictions.

Alternative methods to work with the Provincial Government to allow compensation for Taxicab Licence Owners

The City does not have the statutory authority to provide compensation to taxicab licence owners under the Municipal Act. Staff recommend that a copy of this report, along with the report from the City Solicitor, dated April 30, 2019, entitled “Compensation for Taxicab Licence Owners” be sent to the Province for information on the issue of compensation to taxi licence owners.

Financial Impact

There would be no financial impact created by the recommendations.

Conclusion

The Public Vehicle Licensing By-law currently contains clauses that provide temporary financial relief for Taxicab Owners whose Licence is inactive at the time of renewal.

Staff have made recommendations that would see the repeal of restrictions contained in the Public Vehicle Licensing By-law and allow for licences from multiple jurisdictions. A province

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wide licence administered by the Province of Ontario would require an amendment to the *Municipal Act* as well as amendments to municipal by-laws in other jurisdictions.



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

Prepared by: Michael Foley, Manager, Mobile Licensing Enforcement

From: [Karen Morden](#)
To: [Sami Khairallah](#)
Cc: [Megan Piercey](#)
Subject: RE: Speaking at May 15,19 GC Meeting
Date: 2019/05/14 4:29:19 PM
Attachments: [image001.png](#)

Sami,

Thank you so much for your feedback. I will ensure this is on the next PVAC agenda. By copy to Megan Piercy, please note the correspondence below.

Karen



Karen Morden

Legislative Coordinator, Legislative Services
 T 905-615-3200 ext.5471

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[City of Mississauga](#) | Corporate Services Department,
 Office of the City Clerk

From: Sami Khairallah [REDACTED]
Sent: 2019/05/14 4:26 PM
To: Karen Morden <Karen.Morden@mississauga.ca>
Subject: Speaking at May 15,19 GC Meeting

Madam Mayor and Councillors

On behalf of Peel Taxi Alliance would like to thank Mr. Wright for his report. This report it has a significant importance to our industry and the livelihood of so many taxi drivers, owners and their families.

We request that this report be sent to PVAC for discussion and allow the industry enough time to respond keeping in mind that this report only became available to us two days ago.

Kind Regards