
Public Vehicle Advisory Committee

Date

2019/09/17

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**

2. **APPROVAL OF AGENDA**

3. **DECLARATION OF CONFLICT OF INTEREST**

4. **MINUTES OF PREVIOUS MEETING**

4.1. Public Vehicle Advisory Committee Minutes - July 15, 2019

5. **DEPUTATIONS**

5.1. Harimohan Sharma, Taxi Industry, regarding protocols for ride sharing companies

5.2. Michael Foley, Manager, Mobile Licensing Enforcement regarding Accessible on Demand Services

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)

7.3. Draft Public Vehicle Advisory Committee Terms of Reference (For review/approval)

8. **INFORMATION ITEMS** - Nil

9. **OTHER BUSINESS**

10. **DATE OF NEXT MEETING** – December 3, 2019 – 10:00 AM, Civic Centre, Council Chambers, Second Floor.

11. **ADJOURNMENT**

City of Mississauga
Minutes



Public Vehicle Advisory Committee

Date

2019/07/15

Time

10:02 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)
Tarlochan Saggu (Limousine Brokerages)
Mark Sexsmith (Taxi Industry Representative)
Baljit Singh Pandori (Taxicab Brokerages)
Harsimar Singh Sethi (Taxi Driver Representative)
Ashwani Tangri (Citizen Member) (arrived 10:20 AM)

Staff Present

Michael Foley, Manager, Mobile Licensing Enforcement
Alexandra Schwenger, Policy Analyst, Enforcement
Megan Piercey, Legislative Coordinator, Legislative Services

Find it online

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

1. **CALL TO ORDER** – 10:02 AM

1.1. **Appointment of Chair**

Megan Piercey, Legislative Coordinator, called the meeting to order and called for nominations for appointment to the office of the Chair for Public Vehicle Advisory Committee for the term ending November 14, 2022. Mark Sexsmith, Taxi Industry Representative, nominated Councillor Ron Starr. No further nominations were received.

RECOMMENDATION

PVAC-0014-2019

That Councillor Ron Starr be appointed Chair of the Public Vehicle Advisory Committee for the term ending November 14, 2022, or until a successor is appointed.

Approved (M. Sexsmith)
Recommendation PVAC-0014-2019

1.2. **Appointment of Vice-Chair**

Councillor Starr called for nominations for appointment to the office of the Vice-Chair for the Public Vehicle Advisory Committee for the term ending November 14, 2022. Harsimar Singh Sethi, Taxi Driver Representative, nominated Councillor John Kovac for appointment. No further nominations were received.

RECOMMENDATION

PVAC-0015-2019

That Councillor John Kovac be appointed Vice-Chair of the Public Vehicle Advisory Committee for the term ending November 14, 2022, or until a successor is appointed.

Approved (H. S. Sethi)
Recommendation PVAC-0015-2019

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**

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

Mr. Edwards discussed concerns with the wait time for accessible taxis in Mississauga. Michael Foley, Manager, Mobile Licensing Enforcement advised the committee that there will be a report coming in the fall discussing accessible services and requirements.

Mr. Edwards also discussed concerns regarding accessible MiWay services. However, Councillor Starr advised Mr. Edwards to make a deputation at a General Committee meeting, as this matter did not fall under the purview of the Public Vehicle Advisory Committee.

RECOMMENDATION

PVAC- 0013-2019

1. That the deputation from Warren Edwards, resident on June 18, 2018 in regards to accessibility within the taxi industry be received;
2. That Warren Edwards be requested to make a deputation at the next General Committee meeting in regards to MiWay accessibility.

Approved (B. S. Pandori)

Recommendation PVAC-0013-2019

6. **PUBLIC QUESTION PERIOD** - Nil

7. **MATTERS CONSIDERED**

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

At this time Committee Members and staff continued the Line-by-Line review of the Public Vehicle Licensing By-law 420-04, as amended and the following sections were repealed: 16(2), 5(1), 12(1), 13, 14(1), 15(3), 37.1, 41.(1)(f), 41(1)(k), 41(1)(q), (41)(5), 46(1), 46(2), 50(2), 50(5), 50(6), 50(7), 50(8), 50(9), 51(4), 6(3), 8(9), 8(10), 8(11), 11(7) and 11(8). The committee agreed to amend section 16(1) as the requirement to repeatedly seek the authorization of the Licence Manager is excessive. Items 2(f), 8(13) and 9(1)(a) were discussed, however they were held to for the next meeting. Committee members decided to stop reviewing the by-law at this time and to continue the review at the next meeting on September 17, 2019.

RECOMMENDATION

PVAC-0016-2019

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 (A. Cormier)

Recommendation PVAC-0016-2019

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. Committee Members noted approval.

RECOMMENDATION

PVAC-0017-2019

That the Public Vehicle Advisory Committee Work Plan be approved.

Approved (A. Cormier)

Recommendation PVAC-0017-2019

8. **INFORMATION ITEMS**8.1. Report dated May 28, 2019 from the Commissioner of Transportation and Works: **Taxicab Licence Fees, Ontario Wide Licensing and Owners Compensation**

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

RECOMMENDATION

PVAC-0018-2019

That the Corporate Report dated May 28, 2019 from the Commissioner of Transportation and Works entitled "Taxicab Licence Fees, Ontario Wide Licensing and Owners Compensation" be received for information.

Received (M. Sexsmith)

Recommendation PVAC-0018-2019

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

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

RECOMMENDATION

PVAC-0019-2019

That the email dated May 14, 2019 from Sami Khairalla, Peel Taxi Alliance, in regards to TNC pilot project report, be received for information.

Received (M. Sexsmith)

Recommendation PVAC-0019-2019

9. **OTHER BUSINESS** - Nil

10. **DATE OF NEXT MEETING** - Tuesday, September 17, 2019 – 10:00 AM, Civic Centre, Council Chambers, Second Floor.

11. **ADJOURNMENT** – 11:33 AM (Councillor Kovac)

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>	Accepted July 15 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
	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>	Accepted July 15 th /2019	
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 Mobile Licensing Enforcement.</p>		
10	<p>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;</p> <p>(see below)</p>	Accepted April 30 th /2019	
11	<p>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;</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>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) <i>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.</i>□</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) <i>carry in any vehicle a greater number of Passengers than is set out in the manufacturer's rating of seating capacity for such vehicle;</i>□</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>	Accepted July 15 th /2019	

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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			
9. (1) Every Driver shall not:			
20	<p>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 off peak rates based on a posted discount to the meter rate as an inducement to potential customers.</p>	Held July 15 th /2019	<p>Baljit Singh Pandori: The taxi industry will then be undercutting each other.</p> <p>Councillor Starr: This will be discussed at the next PVAC meeting after the committee seeks feedback from the industry over the summer.</p>
EXCLUSIVE CONCESSION AGREEMENTS			
12. No Driver or Plate Owner shall:			
21	<p>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>	Accepted July 15 th /2019	
ADVERTISING			
22	13. No Driver or Plate Owner shall display or permit the display of any sign, emblem, decal, ornament or advertisement	Accepted July 15 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>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) <i>Every Applicant for a Taxicab owner's Licence shall:</i></p> <p><i>(a) if a natural person, be licensed under this by-law as a Driver, or</i></p> <p><i>(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;</i></p> <p><i>(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.</i></p> <p><i>(d) meet the requirements of section 38 of this Schedule relating to vehicle approval.</i>□</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>	Accepted July 15 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 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>	Accepted July 15 th /2019	
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>	Accepted July 15 th /2019	
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>		

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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>	Accepted July 15 th /2019	
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	

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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>	Accepted July 15 th /2019	
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>	Accepted July 15 th /2019	

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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>	Accepted July 15 th /2019	
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>	Accepted July 15 th /2019	
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>	Accepted July 15 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
	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>	Accepted July 15 th /2019	
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>	Accepted July 15 th /2019	

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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>	Accepted July 15 th /2019	
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>	Accepted July 15 th /2019	
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>	Accepted July 15 th /2019	
42	50. (9) Notwithstanding the provisions of subsection (3)	Accepted July 15 th /2019	

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	<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>	Accepted July 15 th /2019	
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>	Held July 15 th /2019	Mark Sexsmith: Taxis would then be the only industry members to have a fare restriction.

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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) 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.□</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>	Accepted July 15 th /2019	
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>	Accepted July 15 th /2019	Harsimar Singh Sethi: Would also like this to be applied to the taxi industry.

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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>	Accepted July 15 th /2019	
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>	Accepted July 15 th /2019	
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>	Held July 15 th /2019	Michael Ogilvie: Is a physical copy of a safety certificate required for the limousine industry?

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

Item	Proposed Amendments	Action Taken at PVAC	Comments
LIMOUSINE DRIVER DUTIES			
<input type="checkbox"/> 11. Every licensed Limousine Driver shall:			
50	<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;</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>	Accepted July 15 th /2019	
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;</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>	Accepted July 15 th /2019	
52	<p><input type="checkbox"/> 11. (10) be properly dressed, well groomed, neat and clean in personal appearance;</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>		

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Item	Proposed Amendments	Action Taken at PVAC	Comments
53	<p><input type="checkbox"/> 11. (11) be civil and behave courteously;<input type="checkbox"/></p> <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</p>		

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Item	Proposed Amendments	Action Taken at PVAC	Comments
	Licensing Enforcement would investigate any complaint related to charges that vary from the Limousine brokerages posted rates filed 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>		

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Item	Proposed Amendments	Action Taken at PVAC	Comments
59	<p>□11. (20) turn off any radio, tape player or any other sound-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;□</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 □12. No licensed Limousine Driver shall:□			
60	<p>□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;□</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>□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;□</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</p>		

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

Item	Proposed Amendments	Action Taken at PVAC	Comments
	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.		
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			

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Item	Proposed Amendments	Action Taken at PVAC	Comments
	<p><input type="checkbox"/> 14. No licensed Limousine Driver or Owner shall display or permit the display of any sign, emblem, decal, ornament or advertisement on or in his Limousine except with a content and in a form and location approved by the Licence Manager. <input type="checkbox"/></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
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
Memorandum



Date: 2019/09/05
To: Chair and Members of Public Vehicle Advisory Committee
From: Megan Piercey, Legislative Coordinator
Meeting Date: 2019/09/17
Subject: Public Vehicle Advisory Committee Terms of Reference

The Terms of Reference for the Public Vehicle Advisory Committee have been updated to reflect the following Resolution No. 0095-2019 that was adopted by Council on April 24, 2019:

That the Terms of Reference for the Public Vehicle Advisory Committee (PVAC) be amended to have Council appoint the three members preciously elected to serve on PVAC.

The updated Terms of Reference also reflects an increased range for the amount of Citizen Members from 2 to 2 – 4 Members.

Attachments

Appendix 1: Draft Public Vehicle Advisory Committee Terms of Reference

Megan Piercey
Legislative Coordinator
Legislative Services, Office of the City Clerk
300 City Centre Drive, Mississauga, ON L5B 3C1
(905) 615-3200 ext. 4915
megan.piercey@mississauga.ca

Terms of Reference for Public Vehicle Advisory Committee

Mandate

The Mississauga Public Vehicle Advisory Committee is an advisory committee of Council established to make recommendations to the Council of the City of Mississauga designed and intended to provide a safe, efficient and orderly public vehicle for hire service for the residents of Mississauga.

Objectives/Goals

The Mississauga Public Vehicle Advisory Committee shall operate according to the Procedural By-law regulating the operation of meetings of Council and its Committees. Appointed members are required to attend meetings on a bi-monthly and on an 'as required' basis to discuss issues related to the public vehicle for hire industry in the City of Mississauga. Staff reports are primarily generated based on referral from the Public Vehicle Advisory Committee.

Work Plan

The Public Vehicle Advisory Committee shall prepare an annual Work Plan which they will send to their parent standing committee, then to Council at the beginning of the New Year, as well as a progress update at the end of the year. Committee members shall work collaboratively with City staff to devise these Work Plans to ensure that the workload is manageable and appropriately shared between the two parties. Work plans will need to be carefully crafted in order to meet the Committee's mandate and objectives, as well as the City's Strategic Plan, Master Plans, and budgetary capacity.

The work plan shall speak directly to the specific goals the committee aims to accomplish.

The work plan for the Public Vehicle Advisory Committee attempts to use the City's Strategic Plan Pillars, action items, master plans, or legislation as sub-headings to organize the committee's focus and nature of work.

The Committee shall present its accomplishments as they relate to the work plan, to Council annually.

Definitions

Not applicable

Procedures and Frequency of Meetings

The Public Vehicle Advisory Committee will meet bi-monthly (6 times per year), usually on the second Tuesday of every month, or as determined by the Committee at the call of the Chair, or at the direction of General Committee.

The dates of the meetings will be confirmed upon agreement of the Public Vehicle Advisory Committee annual work plan so as to integrate well with the plans and projects under discussion.

The Chair of the Public Vehicle Advisory Committee, in consultation with the Commissioner of Transportation and Works (or their designate), may cancel a meeting if it is determined there are insufficient items to discuss.

Membership

All members are subject to the Code of Conduct and Complaint Protocol for Local Boards.

http://www7.mississauga.ca/documents/CityHall/pdf/2014/Local_Boards_Code_of_Conduct.pdf. and Corporate Policy 02-01-01: Citizen Appointments to Committees, Boards and Authorities.
<http://inside.mississauga.ca/Policies/Documents/02-01-01.pdf>

The membership on the Mississauga Public Vehicle Advisory Committee shall consist of appointments by Resolution of Council for Citizen Members and Council Members. Membership shall also consist of the appointment of Industry Members who are selected by the industry and will comprise of the following with voting rights:

Appointment of Members (by Council Resolution)

- 2 Councillors
- 2 - 4 Citizens

Industry Members (by Council Resolution)

- 1 Representative from the Taxicab Owners
- 1 Representative from the Taxicab Drivers
- 1 Representative from the Taxicab Industry

Industry Members (by Industry Appointment)

- 1 Representative from the Limousine Owners
- 1 Representative from the Taxicab Brokerages

The Term of Office for citizen members and Council members on the Mississauga Public Vehicle Advisory Committee shall run concurrent with the term of Council, or until successors are appointed.

Role of Chair

The role of the Chair is to:

1. Preside at the meetings of Public Vehicle Advisory Committee using City of Mississauga's Procedure By-law, and keep discussion on topic.
2. Provide leadership to Public Vehicle Advisory Committee to encourage that its activities remain focused on its mandate as an Advisory Committee of Council.
3. Review agenda items with the Committee Coordinator and Enforcement Office in the City.
4. Recognize each Member's contribution to the Committee's work.
5. Serve as an *ex-officio* member of subcommittees and attend subcommittee meetings when necessary.
6. Liaise with the Manager of Mobile Licensing on a regular basis.

At the first meeting of the new term of the Mississauga Public Vehicle Advisory Committee, the members shall elect, from among their number, a Chair and Vice-Chair who will not be a member of the public vehicle industry. The Chair should be a member of Council.

Role of Committee Members

The role of Committee Members is to:

1. Ensure that the mandate of Public Vehicle Advisory Committee is being fulfilled.
2. Provide the Chair with solid, factual information regarding agenda items.
3. When required, advise Council on matters relating to public vehicles for hire.
4. Notify the Committee Coordinator if they are unable to attend Public Vehicle Advisory Committee meetings to ensure that quorum will be available for all meetings.

Quorum

1. Quorum of the Public Vehicle Advisory Committee shall be reached with the presence of a majority of the appointed members, at a time no later than thirty (30) minutes past the time for which the beginning of the meeting was scheduled and so noted on the agenda or notice of the meeting.
2. The issuance of an Agenda for a meeting of this Committee will be considered as notice of that meeting.
3. The presence of one (1) of the appointed Council members shall be required to establish quorum.
4. Members of the taxicab industry who are appointed and who are unable to attend a meeting, may appoint a designate who is licensed under the

same category as the absent member to attend in their place and who shall constitute quorum.

5. The appointed member of the taxicab industry must comply with the section in the Procedural By-law regarding attendance at meetings in that a member shall not miss three consecutive meetings without appointing a designate or without the consent of Council.

Subcommittees

That, as per the Procedure By-law 139-2013, a Committee of Council may establish a subcommittee which shall consist of members of the parent Committee, as may be determined by such parent Committee and any other member approved by Council.

- Sub-committees will be formed to deal with specific issues, and will make recommendations to the parent Committee. Once the specific issue is dealt with the subcommittee shall cease.
- All appointed members of the subcommittee have the right to vote.
- The Chair of the subcommittee will be appointed at the first meeting of the subcommittee.