



Subject: Vehicle for Hire By-law

Department: Corporate Services

Division: Clerks

Report #: CPS-2022-004

Meeting Date: 2022-01-24

Recommendations

That report CPS-2022-004, Vehicle for Hire By-law, be received;

And that a public meeting be held on March 7, 2022, to receive feedback and comments on the proposed Vehicle for Hire By-law;

And that staff report back to Council on April 11, 2022, on the comments and feedback received.

Background and Analysis

Pursuant to Report CPS-2021-085, Regulatory By-law Work Plan Review Update, Town staff were tasked with drafting and presenting the Vehicle for Hire By-law for the consideration of Council and adoption in early 2022.

Vehicle for Hire By-law

The Town currently regulates taxi and limousine services through the Taxi By-law. Through the proposed Vehicle for Hire By-law, the Town would also regulate transportation network companies (TNCs).

The Clerk's Division has undergone a review of the current by-law with consideration of the following:

- the goal of creating an administrative framework that would increasingly level the playing field amongst various types of transportation services, such as taxis, limousines, and TNCs;
- a broader goal to establish general licensing provisions that can be applied across other licence types;

- an analysis of enforcement information to date regarding the licensing of taxis and limousines;
- clearly establishing a hearing process regarding the refusal and revocation of a licence;
- a review of regulations relating to TNCs and other municipalities; and
- relevant legislation such as the Municipal Act, Accessibility for Ontarians with Disabilities Act, and the Human Rights Code.

The proposed Vehicle for Hire By-law seeks to provide transportation stakeholders a streamlined framework and improve the Town’s ability to administer the licensing program.

The table below outlines key regulatory changes, as proposed in the Vehicle for Hire By-law:

Proposed Additions to By-law	
Licence Type: Taxi & Limo Driver	Schedules A, B, & G
<ul style="list-style-type: none"> • Drivers abstract within 60 days (<i>current</i>) • Read and sign an acknowledgment of the Town’s Accessibility Standards for Customer Service • Proof of either Canadian Citizenship, landed immigrant status or valid work permit • Proof of employment from owner/broker • Keep electronic records of each transportation service for one year • Be professional attired (<i>Limo</i>) • Provide copy of fares to licence issuer (<i>Limo</i>) 	
Licence Type: Taxi Owner	Schedule C & D
<ul style="list-style-type: none"> • Vehicles cannot exceed 10 model years (<i>currently 12 years</i>) • Display a no smoking sign • Bear the compliance label required by Motor Vehicle Safety Regulation CRC c 1038 of the Motor Vehicle Safety Act S.S 1993. C 16 as amended • Green/Electric Vehicles: Green plates now defined within by-law and proposed licence fee discount 	

Removed

- *Remove First Aid Kit and Emergency roadside kit*
- *Remove bi-annual safety*

Licence Type: Brokers

Schedule E

- Commercial general liability insurance of \$2,000,000
- where the broker has more than five (5) taxicabs affiliated with its brokerage, proof that one (1) taxicab is an accessible taxicab
- ensure each taxicab that is dispatched is equipped:
 - i) to accept credit card and debit card payments;
 - ii) with a fully functioning global positioning system

Licence Type: Accessible Taxicabs

Schedule D

- Vehicles be equipped securement devices that limit motion of wheelchairs
- Be equipped with first aid kit containing various items
- One dry chemical fire extinguisher
- Be in compliance with Highway Traffic Act reg 629
- Proposed licence fee discount

Licence Type: Limousines

Schedule G, H, I & J

- Keep record of signed contracts for services rendered. (I.e., driver ID, service, fare charged, etc.)
- Keep and maintain all records of repair
- No vehicles can exceed 10 model years (*currently 12 years*), except for vintage vehicles
- a list of all **limousine drivers** operating **limousines**, which list shall include the following information:
 - i) the name of the **limousine driver**;
 - ii) the year, make, model and Ontario licence plate number of the **limousine** operated by the **limousine driver**;
 - iii) the name of the **limousine owner** and **plate** number;

- a copy of the **fares** to be charged for the use of the **limousine**

Removed

- *Definition limiting the vehicle to specific dimensions*
- *Bi-annual safety certificate for vehicles more than 8 model years old*

Licence Type: Transportation Network Companies (TNC)

Schedule K & L

- TNC companies are to submit:
 - a. Name of each driver
 - b. Year, make and model of vehicle
 - c. Insurance coverage showing \$5,000,000.00 in coverage
- TNC companies need to demonstrate:
 - a. The app used shows TNC name and contact information
 - b. First name and photo of TNC driver
 - c. Licence plate of vehicle
 - d. Estimated fare
 - e. Current location of vehicle
 - f. App provides link to rate or comment on driver
 - g. App provides a process allowing a passenger to accept or refuse the service
 - h. Provides secure payment methods
 - i. Provides printed or electronic receipt
 - j. App incorporates GPS system
 - k. Vehicles are accessible to a person with a disability
- Not permit the hailing or solicitation of rides
- Not obstruct access to the app to the licence issuer
- Make public:
 - a. The insurance coverage provider
 - b. Transportation services offered
 - c. Applicable screening processes for drivers and vehicles
 - d. TNC driver cannot accept cash

TNC Driver

Schedule L

When applying for affiliation with a TNC and annually thereafter, the applicant shall provide:

- a. Proof of 18 years of age
- b. Proof of Canadian Citizenship, landed immigrant status, valid work permit
- c. Valid A, B, C, D, E, F or G class
- d. Drivers abstract within 60 days
- e. Criminal record check within 60 days
- f. Copy of motor vehicle ownership
- g. Safety standards certificate within 60 days
- h. Able to communicate English to the extent necessary to perform his/her duties
- i. Issue a TNC drivers ID card.
- j. TNC Drivers are to;
 - a. Hold \$2,000,000.00 insurance coverage
 - b. Display a TNC identifier (I.e., sticker or logo)
- k. Shall not refuse service to person requiring a service animal

Next Steps

As part of the notification process, staff will solicit feedback from applicable stakeholders, including current licensees.

Furthermore, a public meeting will be held on March 7, 2022, to obtain feedback regarding the proposed by-law and staff will report back to Council on April 11, 2022, with recommendations regarding adoption of the by-law.

Given the proliferation of transportation network companies (TNCs) and the establishment of municipal regulations in this regard, a review of the Vehicle for Hire by-law is recommended 5-6 years after adoption.

Strategic Alignment

Orangeville Forward – Strategic Plan

Priority Area: Strong Governance

Objective: Transparent and fair decision-making processes

Sustainable Neighbourhood Action Plan

Theme: Transportation System

Strategy: Promote a shift to more sustainable and efficient transportation options to move people and goods

Notice Provisions

The Town's Notice Policy requires that notice be placed on the Town's website and published in a newspaper once per week for two consecutive weeks prior to the meeting at which the matter is to be considered, or prior to the holding of a public meeting.

Financial Impact

Attachment #1 – Proposed Fees outlines the recommended fees for each licence type under the Vehicle for Hire By-law. The proposed fees are representative of the cost to administer the licensing program and associated enforcement.

Respectfully submitted

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Attachments:

1. Proposed Fees
2. Proposed Vehicle for Hire By-law