

Report to Community and Protective Services Committee

To: Chair and Members
Community and Protective Services Committee
From: Scott Mathers, MPA, P.ENG, Deputy City Manager
Planning and Economic Development
Subject: Vehicle for Hire By-law – Amendments / Information Report
Date: September 12, 2023 – Public Participation Meeting

Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development the following actions be taken:

- (a) the attached proposed by-law (Appendix “A”) **BE INTRODUCED** at the Municipal Council meeting to be held on September 26, 2023, to amend By-law No. L.-130-71, being the Vehicle for Hire By-law including increasing the vehicle age limit requirements of all zero emission vehicles and hybrid gas-electric vehicles.
- (b) this report **BE RECIEVED** for information purposes.

Executive Summary

In summary, this report is recommending an amendment to the Vehicle for Hire By-law to increase the age limit for zero emission or hybrid gas-electric vehicles to address Climate Emergency Action Plan initiatives and provide an update on the most recent industry proposal presented to the City of London Accessibility Community Advisory Committee (ACAC) on June 22, 2023.

Linkage to the Corporate Strategic Plan

Section 1.2 (Mobility and Transportation) of the 2023-2027 Strategic Plan, recommends increased access to sustainable mobility options, and includes the following recommendation: *be ready future transportation technologies, including connected and automated vehicles*. Similarly, section 1.3 recommends equitable access to reliable public transportation options for people with disabilities, including paratransit; *by assessing opportunities to increase access to accessible vehicles for hire*.

The recommendations contained within this report are directly inline with the 2023-2027 Strategic Plan.

Analysis

1.0 Background Information

A full review of the Vehicle for Hire By-law was undertaken in 2017 to better regulate taxicabs, limousines, and private vehicle for hire companies (i.e. Uber) to help promote a greater sense of safety for both drivers and passengers.

On July 25, 2023, Municipal Council resolved, *that the following actions be taken with respect to the 4th Report of the Accessibility Community Advisory Committee, from its meeting held on June 22, 2023: the presentation, from K. Al Tarhuni, MyGREEN Taxi, with respect to Accessible Taxi Cabs, BE FORWARDED to the Civic Administration for review and a report back to a future meeting of the Accessibility Community Advisory Committee and the Community and Protective Services Committee with options related to vehicles for hire and accessible transportation*.

1.1 Previous Reports Related to this Matter:

Community and Protective Services Committee (CPSC): September 22, 2015, March 30, 2016, June 21, 2016, July 16, 2018, and September 11, 2018.

1.2 Climate Emergency Action Plan information

In April 2022, Municipal Council approved the Climate Emergency Action Plan (CEAP) with the goal of reducing community-wide emissions to net-zero by 2050. Greenhouse gas emissions from personal vehicles is the largest local source of emissions from London, accounting for 27 per cent of city-wide emissions in 2022. The CEAP includes 59 Categories of Actions and contains 200 individual actions including Transforming Transportation and Mobility.

1.3 Accessibility for Ontarians with Disabilities Act (AODA)

The AODA came into effect in 2005. The overall goal of the Act is to achieve accessibility for Ontarians with disabilities. All businesses and organizations that provide goods and services to people in Ontario are required to meet certain accessibility standards in five important areas including transportation. The Act directs that every municipality shall consult with its municipal accessibility advisory committee, the public and persons with disabilities to determine the proportion of on-demand accessible taxicabs required in the community.

1.4 Accessibility Community Advisory Committee (ACAC)

The role of ACAC is to initiate and provide recommendations, advice, and information to Council through the CPSC. ACAC shall advise and assist in promoting and facilitating a barrier-free London for citizens of all abilities (universal accessibility), including persons with disabilities. This is intended to be achieved through the review of municipal policies, programs and services and the identification, removal and prevention of barriers faced by persons with disabilities.

2.0 Discussion and Considerations

2.1 Staff response to Accessibility Community Advisory Committee (ACAC)

During the June 22, 2023, ACAC meeting, a taxi broker presented a list of recommendations to staff including: *the requirement for a City operated accessible training course, removing age restrictions on accessible vans, permitting rear entry vs. side entry vans, insurance concerns, removing business licence fees for accessible taxis and calling on other levels of government to be involved.*

In early 2023, the Municipal Compliance Services applied for and was granted \$40,000 from the City's corporate accessibility fund. This funding is exclusively available to support the implementation of the Ontarians with Disabilities Act, the Accessibility for Ontarians with Disabilities Act, and applicable City regulations and must be utilized by the end of 2023.

Civic Administration is offering to waive the 2024 accessible taxi licensing fees. The objective of waiving the accessible taxi licencing fees is to retain the 11 active accessible vehicles and optimistically draw interest to other drivers to licence accessible vans that are currently not in operation. These fees were previously waived as part of the pandemic recovery program. Additionally, staff are working on various options on how to better support the vehicle for hire industry by means of providing accessible driver training. Offering training programs and support for taxi drivers to familiarize them with the operation of accessible vehicles will be very beneficial to both the driver and the customer. Municipal Compliance, Accessibility Inclusion and City Procurement staff will collaborate on how to best deliver this training.

During this meeting, there was also some discussion regarding side entry accessible vehicles versus rear entry accessible vehicles. Civic Administration would like to clarify that both models are currently permitted to operate as long as meet all appropriate safety regulations.

2.2 Current proposal: Increase the age limit of zero emission vehicles, hybrid gas-electric vehicles.

The By-law currently states that “*no motor vehicle more than 10 (ten) years old may be Plated as a Vehicle for Hire under this By-law*”.

The proposed amendment would increase the age restriction for all zero emission or hybrid gas-electric vehicles from a maximum of 10 years to 12 years. At any time, the Licence Manager may also request additional vehicle inspections and Safety Standards Certificate to be submitted. This amendment provides additional flexibility and incentive for drivers and/or brokers to acquire a zero emission or hybrid vehicle as well as works towards implementing the CEAP.

2.3 Future review of Vehicle for Hire By-law

The CEAP includes the following action item: *Reviewing and providing options for the Vehicle-for-Hire By-Law to mandate the use of electric vehicles or other zero emission vehicles including municipal scan, applicable jurisdiction, implementation benefit, and complexity analysis.*

The amendment contained in this report is an initial step towards encouraging the use of electric and zero emission vehicles within the Vehicle for Hire industry. The timing of this amendment is to implement the extended time frame during the annual October renewal period. Recognizing that there is a large component where private vehicles are utilized as vehicles-for-hire (UBER), Civic Administration will continue to research, review and report back with options on further encouraging the use of electric and zero emission vehicles for on-demand transportation services.

3.0 Conclusion

The City of London considers it necessary and desirable for the public to regulate Vehicle for Hire for the purposes of health and safety, consumer protection and service quality including the provision of accessible on-demand services. The recommendation implements both CEAP and ACAC initiatives.

Civic Administration recommends amending the Vehicle for Hire By-law by increasing the vehicle age limit for all zero emission vehicles and hybrid vehicles. As part of an ongoing initiative to support the accessible on-demand services, staff will continue to collaborate with the Vehicle for Hire industry and ACAC and continue to bring forward recommendations for future service improvements, including but not limited to waving accessible licence fees and helping to provide accessible driver training.

This report was prepared in consultation with the Climate Change and Accessibility Inclusion service areas.

Prepared by: Mark Hefferton, MURP, RPP, MCIP
Development Policy Coordinator, Municipal Compliance

Submitted by: Nicole Musicco
Manager, Policy, and Special Operations
Planning and Economic Development

**Reviewed and
Concurred by:** Orest Katolyk, MLEO (C)
Director, Municipal Compliance

Recommended by: Scott Mathers, MPA, P.ENG.,
Deputy City Manager, Planning and Economic
Development

Bill No. _____
2023

By-law No. - _____

A by-law to amend By-law No. L.-130-71, referred to as the Vehicle for Hire By-law, to amend Part 2.

WHEREAS section 434.1 of the Municipal Act and Section 15.4.1 of the Building Code Act authorizes the City to require a person, subject to conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality;

AND WHEREAS the Municipal Council on October 16, 2018 passed By-law No. L.-130(a)-494 being "A by-law to provide for the licensing, regulating and governing of vehicles for hire, including cabs, accessible cabs, limousines, private vehicles for hire and accessible vehicles for hire;"

NOW THEREFORE the Council of The Corporation of the City of London enacts as follows:

1. That Schedule 1 – Vehicle for Hire Drivers, 2.0 Vehicle Requirements of By-law No. L.-130-71 be amended by DELETING the existing text and replacing it with the following:
 - 2.3 No motor vehicle more than 10 (ten) years of age may be plated as a Vehicle for Hire under this By-law, except for a *Zero Emission Vehicle* and/or a *Hybrid Gas-Electric Vehicle* as per the definition, shall have a vehicle age limit maximum of 12 (twelve) years.

SCHEDULE XX VEHICLE FOR HIRE BY-LAW (L.-130-71)

1.0 DEFINITIONS:

"Zero Emission Vehicle" means a vehicle that can operate without producing tailpipe emissions, such as battery-electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

"Hybrid Gas-Electric Vehicle" means a vehicle powered by an internal combustion engine in combination with one or more electric motors that only uses regenerative braking and the internal combustion engine to charge batteries to reduce fuel use.

This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on September __, 2023,

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – September __, 2023
Second Reading – September __, 2023
Third Reading – September __, 2023