

--	--

TO:	CHAIR AND MEMBERS COMMUNITY AND NEIGHBOURHOODS COMMITTEE
FROM:	G. KOTSIFAS, P. ENG. DIRECTOR OF BUILDING CONTROLS, CHIEF BUILDING OFFICIAL AND LICENCE MANAGER
SUBJECT:	TAXI/LIMOUSINE BY-LAW REVIEW–PUBLIC PARTICIPATION MEETING November 29, 2011, 7:00 P.M.

RECOMMENDATION

That on the recommendation of the Director of Building Controls, Chief Building Official and Licence Manager, this report which includes a proposed draft (Appendix A) by-law **BE RECEIVED** for information purposes; and that Administration **BE REQUESTED** to report back in January 2012 with any proposed changes to the draft by-law in response to comments received at the November 29, 2011 public meeting.

PREVIOUS REPORTS

- April 26, 2010 – Taxi/Limousine By-law Review – ETC
- June 7, 2010 – Summary of May 2010 Workshop – ETC
- December 14, 2010 – Policy Options – CNC
- July 19, 2011 – Draft By-law – CNC
- October 18, 2011 – Response to Information Request – CNC

BACKGROUND

The taxi-limousine industry is a vital element of London's public transportation service. For several reasons, their role adds value to the public transportation system. Typically, vehicles for hire are the only form of transportation available 24/7. The demand for vehicles for hire either by hail service or dispatch service provides a customized 'departure to arrival' service not provided by other forms of public transportation. The service is available to elderly and handicapped customers who often cannot easily access alternate forms of transportation. For tourists and out-of-town business clients, the use of taxis and limousines often forms the initial impressions of the city. The presence of two large educational institutions for higher learning also creates additional demand for this form of transportation from the large number of students who reside in the city. Having readily available transportation services plays a large role in reducing public safety concerns which might otherwise occur from impaired driving. Courteous and qualified drivers, safe vehicles and efficient brokers are laudable goals for all urban transportation services.

On April 26, 2010 a report was presented to the Environment and Transportation Committee (ETC) on the proposed plan and consultation schedule to implement a review of the taxi / limousine by-law. The report noted that the consultation process will consist of three distinct proposed outcomes. The first workshop focused on issue identification. This workshop was held on May 25, 2010 and was summarized in a report to ETC on June 7, 2010. Staff reviewed the issues identified at the workshop and presented a Policy Options report to the inaugural meeting of Community and Neighbourhoods Committee (CNC) on December 14, 2010.

A second round of public consultation sessions occurred in December 2010 / January 2011. These sessions were open to the public and were attended by primarily participants from the vehicle for hire industry. These sessions were held and comments we received mainly in



response to the Policy Options report released on December 14, 2010. A summary of comments received at the three sessions are attached to this report as Appendix B. A draft by-law was presented to CNC on July 19, 2011.

In order to receive comments on the issue of transportation services demanded by accessible customers, the report and accompanying draft by-law presented to CNC on July 19, 2011 was placed on the September 22, 2011 agenda of the Accessibility Advisory Committee. However, due to lack of quorum, Administration did not have the opportunity to make a presentation, as such, the proposed by-law has been resubmitted for a presentation on November 24, 2011.

The taxi/limousine industry is a vital part of London's transportation sector and consistent with other Ontario municipalities is highly regulated. To be relevant and effective, the regulation of the industry must be aligned with the objectives of:

- **Safety and consumer protection** – to provide adequate regulations to ensure safe and secure transportation services to the traveling public and to promote accountability in transportation fares;
- **Quality service** – to provide sufficient regulations to ensure quality services provided by knowledgeable experienced drivers and to provide for efficient administration and enforcement procedures; and
- **Availability of service** – to ensure the availability of adequate transportation services to meet customer demands including the needs of students, the elderly and accessible customers alike.

The municipality as the regulator is primarily concerned with providing safe and enhanced customer service to the travelling public.

These three objectives form the guiding principles used to evaluate comments received with respect to the proposed by-law presented to CNC on June 19, 2011. It is typical when public consultation sessions are held by municipalities regarding the vehicle for hire industry, the vast majority of comments received are from drivers, brokers and vehicle owners alike. Very few comments are received from the general public. However, as the public regulator of this transportation industry, the municipality must continue to focus on the ultimate customer of this transportation service.

This report outlines the key issues discussed at the public consultation sessions (May 10, 2010, December 21, 2010, January 18, 2011, and January 25, 2011) and subsequent meetings and how changes which meet the guiding principles were incorporated in the recommended by-law. For each issue identified, the guiding principle used as the foundation of the commentary is noted.

1. By-law Title

Guiding Principle – Quality service

Commentary – The draft by-law as presented to CNC on June 19, 2011 was titled “A by-law to licence, regulate and govern taxis in the City of London.” The definition of “Taxi” means a motor vehicle that is conveying or available for conveying one or more persons in exchange for a fee or other consideration. A “taxi” includes a “Cab” and a “Limousine”. In the field, the industry and in many cases the general public refer to these vehicles as either taxicabs, cabs or taxis and limos or limousines. There appears to be some confusion with the title of the by-law as “Cabs” and “Limousines” are referenced to as “Taxis”. A concern has been raised by the taxicab industry with respect to this confusion. In order to provide clarity to this issue, the by-law title should be “A by-law to licence, regulate and govern vehicles for hire in the City of London”. The term “Vehicle for Hire” should be defined in the by-law using the former “Taxi” definition.

Recommendation – In order to clarify the types of vehicles referenced in the by-law the recommended short form title of the by-law is the “Vehicle for Hire By-law”.



2. Issuance of Licences

Guiding Principle – Quality service

Commentary - Under the current by-law, the Licence Manager shall issue a licence where the applicant meets the requirement of the by-law. City Council may, upon the conclusion of a hearing of the Licensing Appeals Committee, refuse to grant, renew, revoke or suspend a licence. The current grounds for revocation are ambiguous and very few hearings are held annually (one hearing was held in 2010).

The London Taxi Association has commented that if the License Manager wishes to revoke a licence, the matter should go before the CNC and 3 members of the industry should be present for a debate.

In terms of efficiency and effectiveness, the Licensing Manager should be authorized to: issue a licence, refuse to issue or renew a licence; cancel, revoke or suspend a licence; and impose conditions on a licence. If an applicant does not agree with the decision of the Licence Manager, the applicant is entitled to a hearing conducted under the provisions of the Statutory Powers Procedures Act. This process would streamline the application and renewal process and would improve the consistency of application evaluations for new licence applications. The License Manager should be permitted to undertake administration actions and these matters should not be brought forward to a Committee of Council to discuss individual licensing matters.

Recommendation – The Licence Manager should be given the authority to make administrative decisions on individual licensing matters. This includes the full spectrum of issuance of new licenses and revocation of existing licenses.

3. Limousine Fares

Guiding Principle – Safety and Consumer Protection

Commentary – A number of concerns have been brought forward from the taxicab industry with respect to the difference between taxicab and limousine fares. Some comments suggest that the 15% fare differential remain and other suggest an initial limousine fee plus the zone chart as a method of payment for limousine service.

The current by-law sets out fares for taxis and limousines. Taxi fares are calculated based on taxi meters (maximum fare) and limousine fares are calculated based on zones travelled (minimum fare) or an hourly rate. The by-law also contains a regulation stating that limousine fares should be at least 15% higher than taxi fares. In order to gather some information on the relativity of taxi fares and limousine fares, 40 trips were taken in a City vehicle equipped with a taxi meter. Of the 40 trips, in 15 of the cases, the conveyance service was cheaper in a limousine than in a taxi. In order to recognize fare comparisons, it is recommended that limousine fares increase by \$0.75 per zone for Zones 4 and above.

Although the City directly impacts the industry through the relegation of supply of vehicles and fare structures, the demand for service is greatly impacted by factors which are uncontrollable by industry participants such as seasonality, weather, time of day, topography, rail lines etc. It is literally impossible to ensure that each limousine fare will be at least 15% greater than a comparable taxi fare.

The London Taxi Association has recommended a revised schedule of limousine fares and a cap on the number of limousines licences issued based on the number of taxicab plates issued. Administration does not support caps on limousines as this would result in the very same issue of having artificial market costs for licences due to an arbitrary cap. Currently there is no cap on limousines and the number of limousine owner licences issued is determined by market demand and satisfaction of services provided.

Recommendation – Recognizing that there is a historic public demand for limousines, minimum limousine fares should increase for Zone 4 and higher by \$0.75 per zone and that the existing provision of the 15% comparison differential not be included in the proposed by-law given the fact that expending staff resources to continuously monitor this matter does not enhance consumer protection as a vehicle for hire goal.



4. Taxicab Flat Rates

Guiding Principle – Safety and Consumer Protection

Commentary – the issue of flat rates was raised by a broker who has historically provided a flat rate service in London. Provisions permitting flat rates have been included in the taxi / limousine by-law for a long period of time, however, the regulation was deleted from the by-law in 2004 following a consultant review of the vehicle for hire industry.

The previous by-laws which permitted flat rates required that an owner and customer enter into a contract with agreed upon rates and the contract be reviewed by the City Clerk. It is not known how many, if any, flat rate agreements were approved by former City Clerk prior to the 2004 amendment. From a public policy perspective, the uniform fare should be accurately determined by the taxi meter which calculates the fare based on distance and time. This rate should be uniform irrespective of the brokerage used to dispatch the call. This position is supported by the Taxi, Limousine and Para-transit Association.

However, notwithstanding the deletion of this provision in 2004, flat fares have continued as a standing practice in London for many years. As such, it would be reasonable to allow it to continue for customers, including employees of customers, between fixed points. This will potentially impact drivers salaries, however, the City is not obligated to ensure drivers earn a fixed salary based on trips offered. Drivers have the option to choose from which broker they choose to receive dispatched calls from.

Recommendation – In order recognise a long standing practice that was removed from the by-law in 2004 as a result of a consultant's review, it would be reasonable to re-introduce the permission for flat fares for customers only for trips between fixed points.

5. Licence Renewals

Guiding Principle – Quality service

Commentary – Historically, licence renewals are administered annually during the fall season (i.e., licences expire on October 31 annually). This annual renewal permit requires significant staffing resources (MLEO, LPS, MTO) and due to volume of applications, enforcement staff spend a great deal of time on renewal issues in place of on-the-street enforcement. Administration had previously proposed to stagger renewals based on the drivers' birth month. The concern raised by the industry was the perceived large number of applicants born in January. Based on a review of existing drivers, this perception was partially correct, however, the distribution for the remaining months of the year would result in a manageable distribution for driver licence renewals. Of the existing drivers, 150 are born in January with all remaining drivers generally evenly distributed throughout the year (ranging from 75 – 100 per month).

Furthermore, for purposes of administrative efficiency, driver renewals will be processed on a two year basis. Vehicle owner licences will be renewed on an annual basis in order to validate vehicle ages. This process is planned to be implemented for the post 2011 fall renewal period. Renewal fees will be pro-rated based on the month of birth.

Recommendation – The renewal process will be streamlined by staggering the renewals of driver licences only by month of birth of the applicants and by issuing licences on a two year renewal cycle.

6. Criminal Background Checks

Guiding Principle – Safety and Consumer Protection

Commentary – The current by-law requires Criminal Information Reports (CIR) for new applications and renewals, however, there are no criteria in the by-law which would trigger whether an applicant or licensee should continue to hold their licence or receive a licence in the first place.

In consultation with London Police Services, Administration have included grounds upon which the Licence Manager may refuse to issue, refuse to renew, or revoke or suspend or impose



terms or conditions on a licence. The grounds include convictions involving sexual offences, offences against persons, or offences against property, drug related convictions and any other convictions the Licence Manager believes would not be in the interest of public safety to issue a licence. The criteria also reference demerit points as a result of driving convictions. These grounds will provide the Licence Manager criteria to consider when making a decision of licence issuance. It will improve transparency and consistency in the application of the By-law for the issuance of licences.

Recommendation – The by-law contains criteria on Criminal Code of Canada, the Narcotic Control Act, the Food and Drug Act and the Controlled Drug and Substances Act and Highway Traffic Act convictions in an effort to provide guidance to the Licence Manager in issuing licences.

7. Medical Records

Guiding Principle – Safety and Consumer Protection

Commentary – The vehicle for hire industry noted a concern of requiring annual medical records to be submitted to the City at the time of license renewal. All passengers in taxicabs and limousines should have the assurance that all drivers are medically fit to operate a vehicle. The current by-law allows medical records to be submitted upon request. Administration recommends that all new driver applicants be required to submit a health certificate stating that the applicant is physically capable of performing the duties of a driver. This certificate could also be requested as determined by the Licence Manager. A health record which identifies a medical condition which may endanger the public safety should be regarded as a basis for revoking a licence.

Recommendation – Administration is recommending that medical record checks be submitted at the time of initial application and at the request of the Licence Manager thereafter.

8. Security Cameras

Guiding Principle – Safety and Consumer Protection

Commentary – In January 2010, all taxicabs were required to have installed an operational camera capable of recording images of persons in the cabs including the driver. Access to the information recorded is limited to the London Police Service for law enforcement purposes only. Since January 2010, London Police Services have registered 950 occurrences involving taxis. Where possible camera downloads were undertaken to assist with evidence collection for a variety of matters such as fare fraud, assault, break and enter, traffic accidents and homicides. The downloaded photos have been used in Police press releases in an effort to identify a person or persons allegedly involved in criminal activity.

A concern was raised by a limousine broker with respect to the proposed requirement for cameras in limousines. The issue is related to the anticipated concerns raised by clients as to the need to video all clients (particularly business and professional clients) purchasing this service. Staff have discussed this issue with limousine drivers and there have been occurrences within executive limousines that would warrant additional security measures to be implemented.

The proposed by-law provides for all vehicles to have installed a fully operational security camera capable of recording images of persons inside the vehicle and also forward facing images of the roadway and surroundings as observed from the front window. The front facing cameras will be particularly useful when investigating vehicle collisions. In order to provide a period to allow for camera installation, this regulation is not proposed to be in force and effect until May 1, 2012.

Recommendation – Administration is recommending that for the purposes of safety of the public, passengers and drivers alike, all vehicles for hire must contain a camera capable of recording images of persons in the vehicle and also forward facing images of the roadway.



9. Trip Sheets

Guiding Principle – Safety and Consumer Protection

Commentary – Maintaining accurate trip sheets by the drivers of vehicles for hire assist enforcement staff in investigating public complaints and provide an accurate record for analysing supply and demand matters related to the public transportation industry. The current by-law provides for the maintenance of all trip records. The proposed by-law provides consistency in offering a template of information required as part of the trip sheet. This includes information such as shift start/end time, odometer readings, pickup/drop off time and departure/destination location. The proposed by-law includes a regulation that all trip sheets be retained in the vehicle for at least 12 months.

Comments have been received from both the taxicab and limousine industry on how this regulation is going to be enforced due to the volume of calls dispatched. The concern is not with the requirement to fill out trip sheets, but rather the time period they are required to be retained in the vehicle. Concerns raised include the large volume of information retained in a vehicle and also client privacy matters. Administration has considered these concerns and has proposed that trip sheets be retained for a one year period and that current and previous months' trip sheets, be available from the driver upon request from an enforcement officer. This change will still allow for immediate inspection of trip sheets and follow up inspection of full year records.

Recommendation – Administration has considered industry concerns and recommends trip sheets be retained for 12 consecutive months and the current and previous months' records to be retained in the vehicle for hire.

10. Definition of Executive Limousine

Guiding Principle – Quality Service

Commentary – A concern was noted that the proposed definition of Executive Limousine is silent on restricting a roof light. Although currently, no executive limousines maintain a roof light, there is a probability that an executive limousine owner might entertain this option. Administration does not support roof lights for limousines as it would add confusion to the travelling public. The proposed by-law contains prohibition restricting limousine owners from allowing roof lights or top lights.

Recommendation – Administration has included in the proposed by-law a prohibition of not allowing roof lights or signs to be placed on the roof of an executive limousine. There is no need to amend the proposed definition of limousines.

11. Time Period On-Duty

Guiding Principle – Safety and Consumer Protection

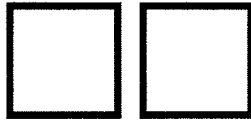
Commentary – In the proposed by-law presented to CNC on July 19, 2011, as part of the drivers prohibitions, a regulation was included restricting a driver to be on duty for no more than 12 hours within a 24 hour period without first taking 8 consecutive hours off duty. The purpose of this regulation is to address the issue of drivers operating motor vehicles for long periods of time without adequate rest between shifts. A limousine broker has requested that the on duty time period be extended to 13 hours. Administration feels that 8 consecutive hours between shifts is a reasonable period of rest.

Recommendation – Administration recommends an 8 hour consecutive hour break from operating a vehicle and conveying passengers for the purposes of health and safety of the passenger, the public and the driver.

12. Issuance of Cab Owner Licences

Guiding Principle - Availability of Service

Commentary - Common with most North American municipalities, the City regulates the number of vehicle owner licences issued. The By-law currently includes a cab owners' licence ratio of



1:1,100 to resident population. The vehicle owner licences are issued to the vehicle owner. The plates are the property of the City. Based on the most recent Statistics Canada census records (2006 Census) the City's population is 368,400. The 2011 census information will be released in the spring of 2012. Based on the current population, a total of 334 vehicle owner licenses should be available. Based on past Council decisions, the City has capped the number of cab owner licences and accessible cab owner licences at 348.

However, based on a longstanding industry practice of owner licence transfers, the licences are considered a form of a commodity and are transferred between willing buyers and willing sellers. It is estimated that a taxi license in London has a market value of \$100,000 to \$120,000. Many owners lease their vehicles to drivers for monthly fees. The City has received complaints from drivers that the high costs of leases are directly impacting their opportunity to earn a reasonable income when all other costs such as gas, maintenance and vehicle costs are considered. Vehicle leasing and transferring of owner licences have taken place for many years and significant financial investments have been made.

Administration is of the opinion that the business costs of operating a taxicab should be measured by its inherent value based on tangible assets such as vehicles and operating costs such as: fuel, insurance, maintenance, driver training, dispatching fees and City license fees. The current system of transferring licences between a willing buyer and seller and the associated artificial costs are unhealthy for the industry. This system adds additional artificial costs to a taxi driver which are then passed onto the public.

There is no valid public policy reason the City should allow any new owner plates issued to be transferred as opposed to requiring them to be returned to the City for issuance to the next person on the City approved priority waiting list. The fact that licenses are transferred between willing buyers and sellers results in persons on the waiting list being effectively by-passed by private businesses deals. Therefore a policy directive is recommended that all new owner licences issued by the City not be leased or transferred. Owners could engage drivers to operate the taxicab on a shift basis. Taking the lease/transfer fee out of the equation of the operating cost of the taxicab will directly impact the income of the driver and will provide the licence owner greater control on the operating costs of the vehicle. Administration is not aware of any other municipally licensed industry where the licence issued by the City is traded between willing sellers and buyers for a fee.

Should Council wish to address the issue of plate leasing and plate transfers with an end goal of implementing a "sunset" clause of transferring all "Class A" Cab licences to "Class B" Cab licences, a consultant with expertise in the vehicle for hire industry should be retained to review best practices, undertake industry consultation sessions and recommend a by-law amendment which would transfer the licence classification. The budget for such a review would be in the area of \$75,000. There are no consultant funds budgeted in the 2012 budget for such a review. Further, a consultant would offer an independent analysis of the transfer and leasing issue which currently is occurring.

Recommendation – Administration is cognizant of the artificial costs inherent in the current practice of licence transfers and leases and recommends that any new licenses issued be in the form of "Class B" licenses which are not transferable or leasable.

13. Window Tinting

Guiding Principle - Safety and Consumer Protection

Commentary - For the purposes of safety, the proposed by-law contained a vehicle requirement for taxicabs and limousines restricting any type of tinting or coating of windows to the direct right and left of the driver's seat. A concern was raised by a limousine broker and vehicle for hire drivers alerting administration to a possible conflict with provincial window tinting regulations. Section 73 (3) of the Highway Traffic Act indicates that "No person shall drive on a highway a motor vehicle on which the surface of the windshield or of any window to the direct left or right of the driver's seat has been coated with any coloured spray or other coloured or reflective material that substantially obscures the interior of the motor vehicle when viewed from outside the motor vehicle". Given this provincial regulation and the fact that the City by-law may be enforced by the City Police, the prohibition of not having any tinting is not necessary.

Recommendation – given existing Provincial regulations enforced by the Police with respect to window tinting, there is no need to include a prohibition on any window tinting in the by-law.



14. Issue MLEO Staffing

Guiding Principle – Quality service

Commentary - At the request of Council, administration presented a report to CNC on October 18, 2011 on MLEO staffing and the need for one additional part time MLEO to assist with enforcement of the by-law. The London Taxi Association supports one additional officer however questions the license fee increases proposed. In determining the fee schedule, administration considered the nexus of aligning the fee schedule with the proposed revenues and expected costs. The cost of administration and enforcement of the by-law includes staffing costs, supplies and materials, vehicle costs and indirect costs of legal assistance and prosecution. It is projected that these costs will be \$498,000 in 2012. These costs do not include an additional part time MLEO. Based on the new fee schedule proposed, including a late renewal fee, the anticipated license revenue for 2012 is projected at \$ 508,000. Since the licensing function was transferred to the Building Division from the Clerk's office, the administration of this by-law was included in the daily duties of the administration of a variety of by-laws. Efficiencies were realized once a reorganization plan was implemented.

Recommendation – In an effort to move towards recognition of cost recovery of services provided, a revised fee schedule was included in the proposed by-law recognizing a nexus between the administration and enforcement of the by-law and the fees collected.

15. Issue Hailing of Limousines as a Public Choice

Guiding principle – Availability of Service

Commentary - At the request of Council, administration presented a report to CNC on October 18, 2011 on this issue. For the benefit of the public participation meeting, the following information was included in the report:

The public's interest is best served by allowing a choice of urban transportation services. Generally, taxi services offer "on demand" transportation services by being dispatched from a taxi broker, at a taxi stand or by street hail. Limousines are considered to be "contract carriers" whereby the service is contracted for a specific trip. In some cases, limousine services are considered "on demand" whereby the public can order a limousine, for example at a hotel, and receive immediate service.

The limousine service in London is well established. Historically, there have been no caps on the number of limousine owner plates issued and the marketplace, based on principles of supply and demand, determines the number of vehicles required to provide a conveyance service while providing a reasonable income for the drivers. Since there is no cap on the number of executive limousine owner plates, there are no artificial costs in terms of plate values which are passed onto the travelling public.

The proposed by-law includes a regulation requiring that limousine services be provided by pre-arranged bookings in advance by at least 15 minutes prior to the trip or commenced at a limousine stand. The proposed regulation of pre-arranged bookings is strongly opposed by some limousine drivers and some brokers', the focus of the concern is that no members of the public have brought forward a concern of customer service or availability of service. The impetus for the change is taxi drivers wanting to increase demand for their service. Should Council wish to permit the public to hail limousines as a public transportation choice, Schedule B, clause 3.1 (w) of the proposed by-law should be deleted in its entirety.

The London Taxi Association and taxi brokers do not support the public being permitted to hail a limousine. Since October 18, 2011, Administration has received calls from the public voicing their concern on restricting the public from hailing limousines.

On October 24, 2011 City Council resolved to remove the clause which restricted hailing from the proposed by-law. On November 15, 2011 in response to letters from the London Taxi Association, U-Need-A Cab, Aboutown and Yellow London Taxi, CNC reported that the current practice of hailing limousines be referred to the scheduled public meeting. At the time of writing this report, Administration could not report on Council's actions with respect to this matter.



Recommendation – Given Councils decision on hailing limousines, at the time of preparing this report, the revised by-law to be presented at the public participation meeting does not include a prohibition for limousines hails as public choice.

16. Vehicle Age

Guiding Principle – Safety and Consumer Protection

Commentary - The current by-law includes a taxi age restriction of seven years. Due to the nature of the business, taxis are very rarely purchased as new vehicles, but rather as used vehicles. Historically, many taxis were formally employed as police interceptors (Ford Crown Victoria). In order to maintain a safe fleet of taxi vehicles, it is recommended that vehicles being brought into a taxi fleet be no older than two model years.

On Friday May 27th, members of the London Police Service Traffic Management Unit teamed up with the Municipal Law Enforcement Services Unit and conducted a safety initiative of area taxis and limousines. During the day, 44 vehicles were inspected and as a result of those inspections, 9 vehicles were removed from the street and had their license plates removed. This was due to multiple safety infractions where the officer deemed the vehicle to be unsafe; 25 of the vehicles had their “taxi/limo plate” seized for various infractions as well. Some of the other infractions laid were for failing to have a working camera system, interior lights, broken windshield, holes in body/floor, mechanical defects, braking systems, parking brakes, suspension, dented body panels, emergency lights, etc.

Overall there were 109 tickets issued by the police and by-law enforcement officers. Some (25) charged the owner of the cab for failing to keep it in good condition. Some charged the driver for failing to properly inspect the vehicle or maintain a proper log or trip records. Compliance to this by-law ensures that only “safe” taxis and limousines are used and that members of the public have confidence in the quality of the vehicle and service provided by members of the taxi and limousine business.

The current by-law includes a limousine age restriction of six years. There has been a request to increase the age to seven years. Customers using executive limousines for transportation services expect a high degree of comfort and service. Other than cost savings for the limousine owner, there is no rationale to increase the age restriction to seven years. This request was not approved by CNC on August 18, 2011.

Recognizing availability of hybrid vehicles and in response to industry requests, the use of hybrid vehicles as livery vehicles was explored. It would be reasonable to extend the age a hybrid vehicle could be used as a livery vehicle by one year in order to recognize the environmental benefits of hybrid vehicles.

The London Taxi Association requested to increase the age on new taxicabs to 4 years and retain the age of new limousines at 2 years. Administration believes that introducing an age regulation on new vehicles for hire will greatly improve the quality of service provided.

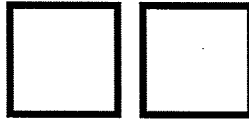
Recommendation – Administration recommends that new vehicles for hire be no older than two model years.

17. In-Vehicle Advertising

Guiding Principle - Quality service

Commentary – the proposed by-law restricted any form of advertising in the vehicle for hire. A concern was brought forward from a broker indicating that within their fleet, they have installed several headset digital LCD monitors which provide information on the services provided by the fleet supplemented by other advertising. As long as this form of advertising does not affect the driver in the safe operation of the vehicle, Administration has no concerns with this format of in-vehicle advertising.

Recommendation: Administration has no concerns with in-vehicle advertising as long as it does not impact on the driver’s ability to safely operate the vehicle.



Submission from London Taxi Association

On September 27, 2011, the London Taxi Association (LTA) submitted a proposed by-law to CNC for consideration. CNC resolved to forward the by-law to Administration for review. Administration requested that the LTA provide a red-line version of the by-law showing highlighted changes for the purposes of comparing documents. This version was received on November 2, 2011. The following summarizes the proposed changes and comments are offered as background information.

In the main section of the by-law, the LTA proposes to eliminate a number of definitions including cab drivers, cab owner, cab meter, cab priority list, cab stand, limousine stand, tariff card. Their proposed by-law also removes prohibitions of operating a cab without a plate or under suspension, time limits for licences, revocations for demerit points, and reference to reporting accidents. The LTA also added a new section on transferring Class A Licences and deleted reference to the no transferability clauses of Class B Licences.

With respect to Schedule "A" Driver Licence, the LTA has deleted the requirement for a sensitivity course for accessible cab drivers licences. Administration does not concur with this deletion.

For Schedule "B" Driver Duties, the LTA deleted reference to the sample trip sheet form, fare amounts and odometer readings on trip sheets, turning off the radio upon request, keeping meter engaged throughout the trip, providing receipts and process of entering cab stands. All references to Accessible Cabs has been removed. Administration does not agree with the deletions as they do not support the three main guiding principles of enhancing customer service. Administration is particularly concerned about the deletion of references to meters and this could cause potential for abuse of customer fares.

For Schedule "C" Drivers Prohibitions, the LTA has removed reference to operating an accessible cab whose owner is not licenced, operating a cab without a proper cab meter, overcrowding a cab stand, using a limousine stand causing or permitting illegal or immoral acts in cabs and limiting shifts to 12 hours. Administration does not agree with these changes as they do not support the goals of enhancing customer service.

Schedule "D" includes revised regulations for taxicab and accessible taxicab drivers. A new Schedule "E" is added which addresses Limousine Drivers. This schedule is very short and only lists prohibitions of accepting street fares, using taxi stands and hailing. New schedules are included which include duties and prohibitions for all forms of vehicles for hire and their drivers.

The changes proposed by LTA are substantive and would greatly impact on the administration and enforcement of the by-law. The deletion of definitions of cab meter would negate the administration and enforcement of uniform cab fares. Removal of the cab priority list definition would cause issues in the administration of issuance of new licences. The removal of the cab stand definition causes confusion on where a vehicle for hire could park. The same issue pertains to the deletion of the limousine stand definition. The removal of the prohibition of operating a taxi without an owner plate or operating a taxi while a licence is under suspension could create a roadblock in addressing bandit cabs.

In summary, the content the by-law submitted by the LTA does not lend itself towards efficient implementation and enforcement of the vehicle for hire industry with respect to the guiding principles of safety and consumer protection, quality of service and availability of service. These three objections form the foundation of providing enhanced safety and customer service for the travelling public.

Accessibility for Ontarians with Disabilities Act

The Province has recently introduced regulations under the Accessibility for Ontarians with Disabilities Act and the Highway Traffic Act. Both of these regulations have been reviewed as part of the comprehensive by-law review.

The Accessibility for Ontarians with Disabilities Act shall consult with its municipal accessibility advisory committee to determine the proportion of on-demand accessible cabs required in the community. Staff attended London's Accessibility Advisory Committee meeting on September



22, 2011 and due to a lack of quorum, the meeting was rescheduled to November 24, 2011. At the time of writing of this report, no information was available on the outcome of this meeting. The proposed by-law limits the number of Accessible Cab Owner licences issued at a ratio of one licence per 18 Cab Owner licences. Based on the population of the City of London, there are 18 Accessible Cab Owner licences issued. When dispatching Accessible Cabs, each broker shall give priority conveyance for persons with disabilities over persons without disabilities. Each broker shall record the number of trips each Accessible Cab made for persons with disabilities. If there appear to be changes in demand for providing transportation services for persons with disabilities, then consideration will be given to amending the licence issuance ratio. This will involve a by-law amendment and public meeting.

The regulations also prohibit owners and operators of taxicabs from charging a higher fee when providing a service for persons with disabilities. This is prohibited in the proposed by-law and enforcement staff will investigate any concerns should they arise.

The Highway Traffic Act (HTA) also includes several regulations with respect to Accessible vehicles. These regulations pertain to standards as set out in the Canadian Standards Association (CSA) D409-M84 prescribed for vehicles designed to provide transportation to persons with disabilities. CSA standard D409-M84 is specifically noted in the proposed by-law regulations. The proposed by-law also references compliance with all federal and provincial legislation for Accessible vehicles. As a result, the Accessible Cab Owners will require adequate lighting, interior mirrors, adequate dry chemical type fire extinguishers and secure anchoring of wheel chairs. Compliance with the HTA regulations is a pre-requisite of the City's by-law as a vehicle requirement.

CONCLUSION




The vehicle for hire industry is a vital part of London's transportation sector and consistent with other Ontario municipalities is highly regulated. To be relevant and effective, the regulation of the industry must be aligned with the objectives of:

- **Safety and consumer protection** – to provide adequate regulations to ensure safe and secure transportation services to the traveling public and to promote accountability in transportation fares;
- **Quality service** – to provide sufficient regulations to ensure quality services provided by knowledgeable experienced drivers and to provide for efficient administration and enforcement procedures; and
- **Availability of service** – to ensure the availability of adequate transportation services to meet customer demands including the needs of students, the elderly and accessible customers alike.

The municipality as the regulator is primarily concerned with providing safe and enhanced customer service to the travelling public.

This report summarizes the key issues discussed at numerous public consultation sessions and presents a draft by-law with changes highlighted in order to reflect the progression of the draft by-law from the date it was initially publically presented to CNC on July 19, 2011. Administration will report back in January 2012 with any proposed changes to the draft by-law in response to comments received at the November 29, 2011 public meeting.

--	--

PREPARED BY:	
	
O. KATOLYK, MLEO (C) MANAGER OF LICENSING AND MUNICIPAL LAW ENFORCMENT SERVICES	
PREPARED AND RECOMMENDED BY:	REVIEWED & CONCURRED BY:
	
G. KOTSIFAS, P.ENG. DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL	PAT MCNALLY, P.ENG. EXECUTIVE DIRECTOR - PLANNING, ENVIRONMENTAL & ENGINEERING SERVICES

y:\shared\building\rep&recs\2011\vehicle for hire ppm nove 29.doc

Cc: J. Smout , City Solicitors Office
C. Holland, LPS – COR Unit,



London
CANADA

VEHICLES FOR HIRE TAXI LICENSING BY-LAW

INDEX

- Part 1 - DEFINITIONS
- Part 2 - PROHIBITIONS
- Part 3 - APPLICATION OF BY-LAW – EXEMPTIONS
- Part 4 - ADMINISTRATION OF BY-LAW
- Part 5 - APPLICATIONS FOR LICENSES AND RENEWALS
- Part 6 - ISSUANCE OF LICENSES
- Part 7 - NOTIFICATION OF CHANGE OF INFORMATION
- Part 7 - LEASING OF CABS AND ACCESSIBLE CABS
- Part 8 - TRANSFER OF CAB AND ACCESSIBLE CAB OWNER LICENCES
- Part 9 - TRANSFER OF CAB AND ACCESSIBLE CAB OWNER LICENCES BY AND ESTATE
- Part 10 - POWERS OF LICENCE MANAGER
- Part 11 - HEARINGS BEFORE THE HEARINGS OFFICER
- Part 12 - ENFORCEMENT
- Part 13 - INSPECTIONS
- Part 14 - UNSAFE/DANGEROUS VEHICLES
- Part 15 - TARIFFS
- Part 16 - LICENCE AND OTHER FEES
- Part 17 - PENALTY
- Part 18 - GENERAL
- Part 19 - MISCELLANEOUS
- SCHEDULE "A-G" – REGULATIONS
- SCHEDULE "H" – FEES
- SCHEDULE "I" – FARES
- SCHEDULE "J" – TRIP SHEET

Bill No.
2011

By-law No.

A by-law to license, regulate and govern
Vehicles for Hire-Taxis in the City of London;

Recitals:

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 6, Health, safety and well-being of persons; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1); in paragraph 8, Protection of persons and property; in paragraph 11 Business Licensing;

AND WHEREAS subsection 151(1) of the *Municipal Act, 2001* provides that, without limiting sections 9 and 10 of the Act, a municipality may: provide for a system of licences with respect to a business and may;

- (a) prohibit the carrying on or engaging in the business without a licence;
- (b) refuse to grant a licence or to revoke or suspend a licence;
- (c) impose conditions as a requirement of obtaining, continuing to hold or renewing a licence;
- (d) impose special conditions on a business in a class that have not been imposed on all of the businesses in that class in order to obtain, continue to hold or renew a licence;
- (e) impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence;
- (f) license, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it; and,
- (g) require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any part of a system of licences established by the municipality;

AND WHEREAS subsection 151(5) of the *Municipal Act, 2001* provides that subsection 151(1) applies with necessary modifications to a system of licences with respect to any activity, matter or thing for which a by-law may be passed under sections 9, 10 and 11 as if it were a system of licences with respect to a business;

AND WHEREAS subsection 156(1) of the *Municipal Act, 2001* provides that without limiting sections 9, 10 and 11, a local municipality, in a by-law under section 151 with respect to the owners and drivers of taxicabs, may:

- (a) establish the rates or fares to be charged for the conveyance of property or passengers either wholly within the municipality or from any point in the municipality to any point outside the municipality;
- (b) provide for the collection of the rates or fares charged for the conveyance; and
- (c) limit the number of taxicabs or any class of them;

AND WHEREAS the Council for the City of London considers it necessary and desirable for the public to regulate Vehicles for Hire-Taxis for the purposes of health and safety, consumer protection and service quality to ensure an efficient Vehicle for Hire-Taxi service is available to all persons including the travelling public in the City of London and that such Vehicle for Hire-taxi

service is provided in a manner that provides a safe environment for both passengers and drivers;

AND WHEREAS section 23.2 of the *Municipal Act, 2001* permits a municipality to delegate certain legislative and quasi-judicial powers;

AND WHEREAS Council for the City of London is of the opinion that the delegation of legislative powers under this by-law to the Licensing Manager and the Hearings Officer including without limitation to the power to issue and impose conditions on a licence are powers of a minor nature having regard to the number of people, the size of geographic area and the time period affected by the exercise of the power in accordance with subsection 23.2(4) of the *Municipal Act, 2001*;

AND WHEREAS subsection 391(1) of the *Municipal Act, 2001* provides that a municipality may impose fees and charges on persons,

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and,
- (c) for the use of its property including property under its control;

AND WHEREAS section 444 of the *Municipal Act, 2001* provides that the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention to discontinue the contravening activity, and any person who contravenes such an order is guilty of an offence;

AND WHEREAS it is deemed expedient to pass this by-law;

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

Part 1 DEFINITIONS

1.1 For the purpose of interpreting the provisions set forth in this By-law, the following definitions shall apply:

In this By-law:

- (a) **"Accessible Cab"** means a Cab that is wheelchair-accessible permitting the loading, transportation and off-loading of a person with a disability confined to a wheelchair, or other similar device, without transfer, and is available for or providing a Conveyance Service, but does not include a Limousine or Group Transportation Vehicle;
- (b) **"Accessible Cab Driver"** means a Licensed Cab Driver whose Licence has been endorsed by the Licence Manager to permit him or her to drive an Accessible Cab;
- (c) **"Accessible Cab Owner"** means a person who holds an Accessible Cab Owner Licence and corresponding Owner Plate;
- (d) **"Accessible Cab Priority List"** means the list of Applicant's for Accessible Cab Owner Licences maintained by the Licence Manager in accordance with this By-law;
- (e) **"Applicant"** means a person applying for a licence under this By-law;
- (f) **"Broker"** means any person who accepts Orders for or Dispatches Vehicles for Hire Taxis that are owned by someone other than the person;
- (g) **"Brokerage"** means the business of a Broker and shall be deemed to include the premises where the business is carried on;
- (h) **"Cab"** means a motor vehicle that is available for or providing Conveyance Service, but does not include a Limousine or Group Transportation Vehicle;
- (i) **"Cab Driver"** means a person who holds a Cab Driver Licence;
- (j) **"Cab Owner"** means a person who holds a Cab Driver-Owner Licence and corresponding Owner Plate;

- (k) **"Cab Meter"** means an independent self-contained measuring device approved by the Licence Manager and used in a Cab or Accessible Cab to calculate, amongst other things, the rate payable for a Trip;
- (l) **"Cab Priority List"** means the list of Applicants for Cab Owner Licences maintained by the Licence Manager in accordance with this By-law;
- (m) **"Cab Stand"** means the area set aside and designated by the City to be used by a Cab or an Accessible Cab while it is waiting for or picking up goods or Passengers;
- (n) **"CIR"** means a Criminal Information Report containing the result of a search of the Canadian Police Information Centre;
- (o) **"City"** means The Corporation of the City of London;
- (p) **"City Plated Vehicle"** means a Cab, Accessible Cab, Limousine or Group Transportation Vehicle that has an Owner Plate;
- (q) **"Class A Accessible Cab Owner Licence"** means an Accessible Cab Owner Licence issued in the first instance on or before October 31, 2004 with a corresponding Owner Plate numbered 100-999 inclusive;
- (r) **"Class B Accessible Cab Owner Licence"** means an Accessible Cab Owner Licence issued in the first instance after October 31, 2008 or an Accessible Cab Owner Licence issued to a person from the Accessible Cab Priority List with the corresponding Owner Plate numbered 1000 or greater;
- (s) **"Class A Cab Owner Licence"** means a Cab Owner Licence issued in the first instance prior to October 31, 2004 with a corresponding Owner Plate numbered 100-999 inclusive;
- (t) **"Class B Cab Owner Licence"** means a Cab Owner Licence issued in the first instance after October 31, 2004 or a Cab Owner Licence issued from the Cab Owner Priority List with the corresponding Owner Plate numbered 1000 or greater;
- (u) **"Conveyance Service"** means conveying one or more persons in exchange for a fee or other consideration;
- (v) **"Council"** means the Municipal Council of The Corporation of the City of London;
- (w) **"Director of Building Controls"** means the Chief Building Official as appointed by Council pursuant to the *Building Code Act*;
- (x) **"Dispatch"** means the communication of an Order or other information in any manner between a Broker and a Driver;
- (y) **"Dispatcher"** means a person who is in the employ of or contracted by a Broker and whose duties include accepting Orders for a Conveyance Service or Dispatching Drivers;
- (z) **"Driver"** means the individual who has care and control of a Cab, Accessible Cab, Limousine or Group Transportation Vehicle;
- (aa) **"Enforcement Officer"** means a Municipal Law Enforcement Officer appointed by the Council or a police officer with the London Police Services;
- (bb) **"Fare"** means:
 - (i) in the case of Cabs or Accessible Cabs, the amount of money displayed on the Cab Meter at the termination of a Trip, calculated as set out in Schedule "I" of this By-law;
 - (ii) in the case of Limousines (Executive), the amount of money calculated for a Trip using the zone or hourly rate as set out in Schedule "I" of this By-law;
 - (iii) in the case of Limousines (Stretch) and Limousines (Classic), the amount of money calculated for a Trip using the hourly rate as set out in Schedule "I" of this By-law; or

- (iv) in the case of Group Transportation Vehicles, the amount of money calculated for a Trip using the hourly rate as set out in Schedule "I" of this By-law;
- (cc) **"Fleet"** means one or more City Plated Vehicles being Dispatched by a Broker;
- (dd) **"Grossly Unclean Individual"** means an individual covered in dirt or other material to such an extent that he or she is likely to leave the interior of a City Plated Vehicle in an unclean state;
- (ee) **"Group Transportation Vehicle"** means a van, minivan, minibus or sports utility motor vehicle with a seating capacity for not less than 6 and not more than 10 individuals that is available for or providing a Conveyance Service, but does not include a Cab, Accessible Cab or Limousine;
- (ff) **"Group Transportation Vehicle Driver"** means a person who holds a Group Transportation Vehicle Driver Licence;
- (gg) **"Group Transportation Vehicle Owner"** means a person who holds a Group Transportation Vehicle Owner Licence and corresponding Owner Plate;
- (hh) **"Hearings Officer"** means a Hearings Officer appointed under the City's Hearings Officer By-law A-6653-121 as amended;
- (ii) **"Lease"** means any contract, agreement, understanding or other arrangement whereby an Owner permits another person to manage, operate, control, have custody of, or otherwise employ his or her Cab or Accessible Cab, but does not include permitting a Driver to drive a Cab or Accessible Cab for one regular shift when the Cab or Accessible Cab is returned to the Owner at the end of the shift;
- (jj) **"Licence"** means a licence issued under this By-law;
- (kk) **"Licensed"** means licensed under this By-law;
- (ll) **"Licence Manager"** means the Director of Building Controls and includes her or his delegates;
- (mm) **"Licensee"** means any person licensed under this By-law;
- (nn) **"Limousine"** means Limousine (Executive), Limousine (Stretch), or Limousine (Classic);
- (oo) **"Limousine Driver"** means a person who holds a Limousine Driver Licence;
- (pp) **"Limousine (Executive)"** A luxury, non-metered vehicle of a wheelbase size smaller than a stretch limousine manufactured to carry up to 5 passengers, excluding the driver, and approved by the Licence Manager based on a list of approved makes and models of luxury vehicles as defined by vehicle manufacturers industry standards.
- (qq) **"Limousine (Stretch)"** means a luxury-class motor vehicle manufactured or modified with an extended wheel-base with a seating capacity for not more than 10 individuals that is available for or providing a Conveyance Service, but does not include a Cab, Accessible Cab, Limousine (Executive), Limousine (Classic) or Group Transportation Vehicle;
- (rr) **"Limousine (Classic)"** means a motor vehicle for which a historic permit has been issued under the Highway Traffic Act that is available for or providing a Conveyance Service, but does not include a Cab, Accessible Cab, Limousine (Executive), Limousine (Stretch) or Group Transportation Vehicle;
- (ss) **"Limousine Owner"** means a person who holds a Limousine (Executive), Limousine (Stretch) or Limousine (Classic) Owner Licence and corresponding Owner Plate;
- (tt) **"Limousine Stand"** means the area set aside and designated by the City to be used by a Limousine while it is waiting for or picking up goods or Passengers;

- (uu) **"Low Emission Vehicle"** means a motor vehicle that is a hybrid vehicle or a vehicle powered by electricity;
- (vv) **"Maintenance Log"** means a written record of the repair of a vehicle, including the vehicle identification number, Ontario licence plate number, Owner Plate number, make, model and year, the nature and date of each repair, name of the person carrying out the repair and confirmation that the Owner was notified of it;
- (ww) **"Municipality"** means the land within the geographic limit of the City of London;
- (xx) **"Operate"** means to drive a Cab, Accessible Cab, Group Transportation Vehicle or Limousine while it is available for or providing a Conveyance Service and operating shall have the corresponding meaning;
- (yy) **"Order"** means a request for a vehicle to provide a Conveyance Service;
- (zz) **"Owner"** means the person who holds a Cab Owner Licence, Accessible Cab Owner Licence, a Limousine Owner Licence or a Group Transportation Vehicle Owner Licence;
- (aaa) **"Owner Plate"** means a metal number plate issued to the Owner under this By-law corresponding to his or her Owner Licence;
- (bbb) **"Passenger"** means any individual, not including the Driver, seated in a Cab, Accessible Cab, Group Transportation Vehicle or Limousine and includes a person engaging or attempting to engage a Cab, Accessible Cab, Group Transportation Vehicle or Limousine to provide a Conveyance Service;
- (ccc) **"Persons with Disabilities"** means individuals with any degree of physical disability, infirmity, malformation or disfigurement caused by bodily injury, birth defect or illness and includes, but is not limited to:
- diabetes mellitus;
 - epilepsy;
 - a brain injury;
 - any degree of paralysis;
 - amputation;
 - lack of physical co-ordination;
 - blindness or visual impediment;
 - deafness or hearing impediment;
 - muteness or speech impediment; or
 - physical reliance on a guide dog or other animal, or on a wheelchair or other remedial appliance or device;
 - a condition of mental impairment or a developmental disability;
 - aA learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
 - aA mental disorder; or
 - aAn injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*, or any successor legislation;
- (ddd) **"Plated"** means to have the Owner Plate affixed to the Cab, Accessible Cab, Limousine or Group Transportation Vehicle for which it was issued;
- (eee) **"Safety Standards Certificate"** means a safety standards certificate issued under the *Highway Traffic Act*;
- ~~(fff) "Taxi" means a motor vehicle that is conveying or available for conveying one or more persons in exchange for a fee or other consideration;~~
- ~~(ggg)~~(fff) **"Tariff Card"** means a card, showing the current tariff, issued by the Licence Manager for display in a vehicle;
- (hhh)(ggg) **"Trip"**
- (i) for a Cab or Accessible Cab means the distance and time traveled, measured from the place and time at which a Passenger first enters a Cab or Accessible Cab or when a Cab Meter is first engaged, whichever comes first, to the place

and time at which the Passenger finally leaves the Cab or Accessible Cab or the Cab Meter is disengaged, whichever comes last;

- (ii) for a Limousine (Executive) means the distance or time traveled, measured from the place or time at which a Passenger first enters a Limousine (Executive) to the place or time at which the Passenger finally leaves the Limousine (Executive); and
- (iii) for a Limousine (Stretch), Limousine (Classic) or Group Transportation Vehicle means the time traveled, measured from the time at which a Passenger first enters a Limousine (Stretch), Limousine (Classic) or Group Transportation Vehicle to the time at which the Passenger finally leaves the Limousine (Stretch), Limousine (Classic) or Group Transportation Vehicle; and

(hhh) "Trip Sheet" means a written record of each Trip; and

(iii) "Vehicle for Hire" means a motor vehicle that is conveying or available for conveying one or more persons in exchange for a fee or other consideration.

Part 2 PROHIBITIONS

2.1 No person shall:

- (a) own or Operate a Vehicle for Hire-Taxi without being unless-licensed under this By-law;
- (b) act as a Broker without being unless-licensed under this By-law;
- (c) own or Operate a Vehicle for Hire-Taxi without a valid Owner Plate affixed to the Vehicle for Hire-Taxi;
- (d) Operate a Vehicle for Hire-Taxi while their license issued under this By-law is under suspension;
- (e) Operate as a Broker while their license issued under this By-law is under suspension;
- (f) advertise the use of a Vehicle for Hire-Taxi without an Owner or a Broker license issued under this By-law; and
- (g) publish or cause to be published any representation that they are licensed under this By-law or hold themselves out as being licensed under this By-law if they are not.

Part 3 APPLICATION OF BY-LAW - EXEMPTIONS

3.1 This By-law shall not apply to:

- (a) a motor vehicle with a seating capacity of 11 or more individuals, including the driver;
- (b) an ambulance or funeral hearse;
- (c) a school bus as defined under the *Highway Traffic Act* that is licensed under the *Public Vehicles Act* while it conveys students to and from school as defined under the *Highway Traffic Act*;
- (d) a bus operated under the *Public Vehicles Act* by the London Transit Commission;
- (e) the London Community Transportation Brokerage;
- (f) any person the London Transit Commission or the London Community Transportation Brokerage enters into an agreement with for the conveyance of senior citizens or Persons with Disabilities; or
- (g) a motor vehicle used by not for profit organizations registered in the province of Ontario for the purposes of transporting senior citizens or Persons with Disabilities.

Part 4 ADMINISTRATION OF BY-LAW

4.1 The administration of this By-law is assigned to the Licence Manager who shall generally perform all of the administrative functions conferred upon him or her by this By-law and without limitation may:

- (a) receive and process all applications for all licenses and renewals of licences under this By-law;
- (b) issue licenses in accordance with the provisions of this By-law;
- (c) impose terms and conditions on licences in accordance with this By-law; and,

- (d) refuse to issue or renew a licence or revoke or suspend a licence in accordance with this By-law.

**Part 5
APPLICATIONS FOR LICENSES AND RENEWALS**

5.1 Every application for a licence and renewal licence shall be made to the Licence Manager on the forms provided by the Licence Manager. Without limitation, every application for a licence or a renewal shall include the following information:

- (a) the name, date of birth, municipal address and telephone number of each Applicant;
- (b) if the Applicant is a partnership, the name, address and telephone number of each partner;
- (c) if the Applicant is a corporation, the address of its head office, the name, address and telephone number of each director and officer;
- (d) a sworn statement by the Applicant certifying the accuracy, truthfulness and completeness of the application;
- (e) if the Applicant is a partnership, a sworn statement by each partner certifying the accuracy, truthfulness and completeness of the application; and,
- (f) if the Applicant is a corporation, a sworn statement by an officer of the corporation duly authorized for that purpose certifying the accuracy, truthfulness and completeness of the application.

5.2 Every person applying for a licence or a renewal of a licence shall provide in full at the time the application is submitted all of the information requested on the application form as well as:

- (a) payment of the prescribed fee as set out in Schedule "H" of this By-law;
- (b) if the Applicant or Licensee is a corporation, a copy of the incorporating documentation, a copy of the last initial notice or notice of change which has been filed with the provincial or federal government and a Certificate of Status issued by the Ministry of Government and Consumer Services dated no later than fifteen (15) days prior to the date of the application;
- (c) if the Applicant or Licensee is a partnership, details of each partner's interest in the partnership; and,
- (d) any other documentation or information as may be required in any other part of this By-law, including any Schedule to this By-law, ~~and~~ by the Licence Manager.

5.3 The Licence Manager may require affidavits in support of an application for or a renewal of a licence.

5.4 Every application may be subject to investigations by and comments or recommendations from the municipal or provincial departments or agencies as the Licence Manager deems necessary including but not limited to:

- (a) the London Police Services;
- (b) the Manager of By-law Enforcement;
- (c) the Ministry of Transportation.

**Part 6
ISSUANCE OF LICENSES**

6.1 Every licence issued under this By-law shall be in the form and manner as provided by the Licence Manager and shall, without limitation, include on its face:

- (a) the licence number;
- (b) the name of each Licensee; and
- (c) the date the licence was issued and the date it expires

6.2 Every licence that is issued for the first time, and every renewal thereof, is subject to the following conditions of obtaining, continuing to hold and renewing a licence all of which shall be performed and observed by the Applicant or the Licensee:

- (a) the Applicant or Licensee shall pay the prescribed fee as set out in Schedule "H" to this By-law;
- (b) the Applicant or Licensee shall pay all fees and fines owed by the Applicant or Licensee to the City;
- (c) the Applicant or Licensee shall meet all of the requirements of this By-law.

6.3 A licence issued under this By-law shall be valid only for the period of time for which it was issued. A licence issued under this By-law may be renewed provided the Applicant meets

all of the requirements of this By-law. An application for a renewal shall be delivered to the Licence Manager on or before the expiry date of the licence being renewed.

6.4 The issuance of a licence or renewal thereof under this By-law is not intended and shall not be construed as permission or consent by the City for the Licensee to contravene or fail to observe or comply with any law of Canada, Ontario or any By-law of the City.

6.5 Every licence, at all times, is owned by and is the property of the City and is valid only in respect of the person named therein.

6.6 No licence issued under this By-law may be sold, purchased, leased, mortgaged, charged, assigned, pledged, transferred, seized, distrained or otherwise dealt with except in accordance with sections 8, 9 and 10 of this By-law.

6.7 Fees and inspection fees paid under this By-law are non-refundable.

6.8 A limitation is imposed on the issuance of Cab Owner Licences and Accessible Cab Owner Licences as set out in Schedule "D" of this By-law.

6.9 The following classes of Licences may be issued under this By-law in accordance with the provisions of this By-law and the corresponding Schedules and every Applicant and Licensee shall comply with all of the provisions of this By-law and the corresponding Schedules:

- (a) Cab Driver and Accessible Cab Driver Licence – Schedule "A";
- (b) Limousine Driver – Schedule "B";
- (c) Group Transportation Vehicle Driver – Schedule "C";
- (d) Class A Cab Owner Licence; - Schedule "D";
- (e) Class A Accessible Cab Owner Licence – Schedule "D";
- (f) Class B Cab Owner Licence – Schedule "D";
- (g) Class B Accessible Cab Owner Licence – Schedule "D";
- (h) Limousine Driver Licence – Schedule "B";
- (i) Group Transportation Vehicle Driver Licence – Schedule "C";
- (j) Limousine Owner Licence – Schedule "E";
- (k) Group Transportation Vehicle Owner Licence – Schedule "F"; and,
- (l) Broker Licence – Schedule "G".

Part 7 NOTIFICATION OF CHANGE OF INFORMATION

7.1 When a Licensee changes his or her name, address, affiliated Broker, employer or any other information relating to their Licence, the Licensee shall notify the Licence Manager within 5 days after the change of address or any other information relating to the Licence and shall return immediately their Licence to the Licence Manager for amendment.

7.2 When the Licensee is a corporation and there is any change in the following information given on the application namely: the names and addresses of officers or directors, the location of the corporate head office, change of ownership of shares, the Licensee shall report the change to the Licence Manager within 5 days of the change and if necessary as determined by the Licence Manager, the Licence shall be returned immediately to the Licence Manager for amendment.

Part 8 LEASING OF CABS AND ACCESSIBLE CABS

8.1 No Person shall enter into or be party to any Lease or otherwise convey rights over a Cab Licence or Accessible Cab Licence or Owner Plate or give or receive any consideration or remuneration therefor.

8.2 Notwithstanding subsection 8.1 of this By-law, a Cab Owner holding a Class A Cab Owner Licence may lease his or her Cab and an Accessible Cab Owner holding a Class A Accessible Cab Owner Licence may lease his or her Accessible Cab, provided that;

- (a) the lessee is Licensed as a Driver, Owner or Broker;
- (b) under the terms of the Lease, the Cab Owner or Accessible Cab Owner provides a Cab or Accessible Cab that is Plated and otherwise meets all of the requirements of this By-law;
- (c) under the terms of the Lease, the Cab Owner or Accessible Cab Owner is responsible for the maintenance of and insurance on the Cab or Accessible Cab;

- (d) the Lease is for one Cab or one Accessible Cab and expires upon the sale, replacement or other disposition of the Cab or Accessible Cab;
- (e) the Cab Owner or Accessible Cab Owner or a partner, if the Applicant is a partnership, or an officer or director, if the Applicant is a corporation, signs a statutory declaration stating that the Owner Plate will not be transferred during the term of the Lease;
- (f) the Lease is in writing and signed by the parties thereto;
- (g) a copy of the Lease is filed with the Licence Manager; and
- (h) all fees required under this By-law are paid.

8.3 The written Lease may be in any form agreed to by the parties thereto, provided that it includes:

- (a) the date of its signing;
- (b) the names and business addresses of the parties thereto;
- (c) its effective date;
- (d) its termination date;
- (e) a full description of the Cab or Accessible Cab which is the subject of the Lease, including the vehicle identification number, the make, the model year, the licence plate number and the number of the Owner Licence and Owner Plate;
- (f) the parties' rights to early termination of the Lease; and
- (g) the signatures of the parties and witnesses thereto.

8.4 No person shall sub-lease or purport to sub-lease a Cab or Accessible Cab that is the subject of a Lease.

8.5 No Owner shall, by a term in a Lease or otherwise, permit any Lessee or other person to lease or sub-Lease or purport to lease or sub-lease a Cab or Accessible Cab that is the subject of a Lease.

8.6 No person shall be a party to a Lease or purported Lease of a Cab or Accessible Cab to which the Owner is not the lessor.

8.7 Every Cab Owner or Accessible Cab Owner shall notify the Licence Manager in writing of the expiration or other sooner termination of any Lease to which he or she is a party within 10 days of the expiration of the termination of the said Lease.

8.8 No Cab Owner or Accessible Cab Owner shall enter into or be a party to more than one Lease at any one time with respect to any one Cab or one Accessible Cab.

8.9 No Cab or Accessible Cab Driver shall lease:

- (a) more than a total of 2 Cabs and Accessible Cabs; or
- (b) one Cab or one Accessible Cab or a total of 2 Cabs and Accessible Cabs for more than a total of 10 years.

Part 9 TRANSFER OF CAB AND ACCESSIBLE CAB OWNER LICENCES

9.1 Class A Cab Owner Licences and Class A Accessible Cab Owner Licences Class-A are transferable, provided that:

- (a) the transferee meets the eligibility criteria as set out in this By-law for the Cab Priority List or Accessible Cab Priority List or holds a valid Cab Owner Licence or Accessible Cab Owner Licence;
- (b) the transferee, or a partner, if the transferee is a partnership, or an officer or director, if the transferee is a corporation, signs a statutory declaration as set out by the Licence Manager;
- (c) the transferor or a partner, if the transferor is a partnership, or an officer or director, if the transferor is a corporation, has completed a written application for such a transfer;
- (d) the transferee meets all of the requirements of a Cab Owner or Accessible Cab Owner under this By-law, including submitting the Cab or Accessible Cab to which the Owner Plate will be affixed for inspection, and will be issued a Cab Owner Licence or Accessible Cab Owner Licence at the time of the transfer;

- (e) if the Cab is an Accessible Cab, the transferee is an Accessible Cab Owner who will use the transferred Accessible Cab Owner Licence to provide an Accessible Cab Conveyance Service; and
- (f) all fees required under this By-law are paid.

9.2 Class B Cab Owner Licences and Class B Accessible Owner-Cab Owner Licences and the corresponding Owner Plates numbered 1000 or greater shall not be transferred.

**Part 10
TRANSFER OF CAB AND ACCESSIBLE CAB OWNER LICENCES BY AN ESTATE**

10.1 Within 30 days following the death of an individual holding a Cab Owner Licence or Accessible Cab Owner Licence, the executor or administrator of the individual's estate shall file with the Licence Manager:

- (a) proof of death of the individual; and
- (b) proof of the executor's or administrator's capacity.

10.2 Class B Cab Owner Licences and Class B Accessible Cab Owner Licences shall not be transferable and shall be returned to the Licence Manager within 30 days following the death of an individual holding such Licence.

10.3 On the death of an individual holding one or more Class A Cab Owner Licences or Class A Accessible Cab Owner Licences:

- (a) the executor or administrator of the individual's estate may continue to hold any Cab or Accessible Cab Owner Licences for up to one year following the date of death, subject to all of the requirements of this By-law;
- (b) during the year following the date of death, the executor or administrator of the individual's estate may transfer the Cab or Accessible Cab Owner Licences to anyone meeting the eligibility requirements of the Cab Priority List or currently Licensed as a Cab or Accessible Cab Owner;
- (c) after the year following the date of death, the executor or administrator of the individual's estate may continue to hold one Cab Owner Licence or one Accessible Cab Owner Licence, if he or she meets all of the requirements for holding such Owner Licence under this By-law; and
- (d) after one year following the date of death, all Cab and Accessible Cab Owner Licences that have not been transferred in accordance with subsections 10.3(b) or 10.3(c) of this By-law shall be revoked and returned to the Licence Manager by the executor or administrator of the individual's estate immediately.

10.4 Notwithstanding subsection 10.3(d) of this By-law, if the executor or administrator of the individual's estate has not transferred all Cab and Accessible Cab Owner Licences in accordance with subsections 10.3(b) or 10.3(c), he or she may request a hearing before a Hearings Officer to consider an extension of up to 2 years before revocation. A request for a hearing shall be made by filing with the City Clerk a notice of appeal in writing and the appeal fee as set out in this By-law prior to the expiration of the 2 year period in subsection 10.3(d) of this By-law. The notice of appeal must comply with the requirements as set out in Schedule 1 of the City's Hearings Officer By-law A.-6653-121, as amended.

**Part 11
POWERS OF LICENCE MANAGER**

11.1 The power and authority to refuse to issue or renew a licence, to cancel, revoke or suspend a licence, to impose terms and conditions, including special conditions, on a licence, or to exempt any person from all or part of this By-law are delegated to the Licence Manager.

11.2 The Licence Manager shall issue a licence or renew a licence where the requirements or conditions of this By-law have been met.

11.3 The Licence Manager may refuse to issue, refuse to renew or revoke or suspend a licence or impose a term or condition on a licence on the following grounds:

- (a) the conduct of the Applicant or Licensee, or any partner, officer, director, employee or agent of the Applicant or Licensee, affords reasonable cause to believe that the Applicant or Licensee will not carry on his or her business in accordance with the law or with honesty or integrity;
- (b) an Applicant or Licensee is carrying on activities that are in contravention of this By-law;
- (c) there are reasonable grounds to believe that an application or other documents provided to the Licence Manager by or on behalf of the Applicant or a Licensee contains a false statement;
- (d) any information contained in the original application form or any other information provided to the Licence Manager, has ceased to be accurate and the Licensee has not provided up-to-date accurate information to the Licence Manager to allow the Licence Manager to conclude that the Licence should continue;
- (e) an Applicant or Licensee does not meet, at any time, ~~any one or more~~ of the requirements of this By-law or any conditions imposed on a Licence;
- (f) the Applicant or Licensee is not in compliance with any federal, provincial law or City By-law, including this By-law;
- (g) the Applicant or Licensee or any partner, officer or director has been convicted of an offence, for which a pardon has not been granted, pursuant to any one or more of Parts V (Sexual Offences), VII (Offences Against Persons) or IX (Offences Against Property) of the *Criminal Code of Canada*, R.S.C. 1985 c. C-46, as amended or any other criminal convictions in the preceding five (5) years;
- (h) the Applicant or Licensee has been convicted of an indictable offence under any Statute of Canada, including but not limited to the *Criminal Code of Canada*, the *Narcotic Control Act*, the *Food and Drug Act*, and the *Controlled Drug and Substances Act* during the preceding five (5) years;
- (i) the Applicant or Licensee has been convicted of any other criminal offence for which, in the opinion of the Licence Manager, it would not be in the interest of public safety to issue a licence;
- (j) the Applicant or Licensee is currently under a prohibition order issued in any court within Canada that prohibits the operation of a motor vehicle;
- (k) the Applicant or Licensee does not have a valid "G" Ontario Driver's Licence or equivalent or their driver's licence is under suspension; or
- (l) the Applicant or Licensee has accumulated 6 or more demerit points within a three year period.

11.4 Notwithstanding any other provision of this By-law, the Licence Manager may impose terms and conditions on any licence at issuance, renewal or any time during the term of the licence, including special conditions, as are necessary in the opinion of the Licence Manager to give effect to this By-law.

11.5 Where the Licence Manager is of the opinion that:

- (a) an application for a licence or renewal of a licence should be refused;
 - (b) a reinstatement should not be made;
 - (c) a licence should be revoked;
 - (d) a licence should be suspended, or,
 - (e) a term or condition of a licence should be imposed;
- the Licence Manager shall make that decision.

11.6 Where the Licence Manager has made a decision under subsection 11.5 of this By-law the Licence Manager's written notice of that decision shall be given to the Applicant or the Licensee by regular mail to the last known address of that person and shall be deemed to have been given on the 3rd day after it is mailed. Service on a corporation can be effected by registered mail to the address of the corporation's registered head office.

11.7 The written notice to be given under section 11.6 of this By-law shall:

- (a) set out the grounds for the decision;
- (b) give reasonable particulars of the grounds;
- (c) be signed by the Licence Manager; and,
- (d) state that the Applicant or Licensee is entitled to a hearing by the Hearings Officer if the Applicant or Licensee files with the City Clerk a notice of appeal in writing and the appeal fee as set out in this By-law within ten (10) days after the notice ~~is~~ section 11.6 of this By-law is ~~given~~served. The notice of appeal must comply with the requirements as set out in Schedule 1 of the City's Hearings Officer By-law A-6653-121 as amended.

11.8 Where no appeal is registered- filed within the required time period, the decision of the Licence Manager shall be final.

11.9 Despite section 11.7 of this By-law, where a Licence is voluntarily surrendered by the Licensee for revocation, the Licence Manager may revoke the Licence without notice to the Licensee.

Part 12 HEARINGS BEFORE THE HEARINGS OFFICER

12.1 The power and authority to conduct hearings of appeals under this By-law are hereby delegated to the Hearings Officer.

12.2 The provisions of the City's Hearings Officer By-law A-6653-121 as amended apply to all hearings conducted by the Hearings Officer under this By-law.

12.3 The Hearings Officer may uphold or vary the decision of the Licence Manager or make any decision that the Licence Manager was entitled to make in the first instance.

12.4 The decision of the Hearings Officer is final.

Part 13 ENFORCEMENT

13.1 This By-law may be enforced by an Enforcement Officer.

13.2 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this By-law, including carrying out an inspection.

13.3 No person shall fail to produce immediately his or her Licence or any other relevant documents required under this By-law when requested to do so by the Licence Manager or an Enforcement Officer.

Part 14 INSPECTIONS

14.1 Every Owner ~~and~~ Driver shall submit or cause to be submitted their City Plated Vehicle for inspection when required to do so by the Licence Manager or an Enforcement Officer to a place designated by the Licence Manager or an Enforcement Officer:

- (a) forthwith if the ~~v~~Vehicle is in the presence of the Licence Manager, an Enforcement Officer or an Ontario Ministry of Transportation Inspector and the Vehicle is in Operation; or
- (b) within 24 hours of receipt of the request, at a time set by the Licence Manager or an Enforcement Officer, if the vehicle is not in the presence of the Licence Manager, an Enforcement Officer or an Ontario Ministry of Transportation Inspector.

14.2 Every Owner or Driver shall, upon the request of the Licence Manager or an Enforcement Officer during an inspection, produce all relevant licences, permits, invoices, vouchers, appointment books, Trip Sheets or like documents and the Licence Manager or an Enforcement Officer may remove any of these documents for photocopying provided that the Owner or Driver is given a receipt and the documents are returned to him or her within 48 hours.

14.3 Notification of an inspection under section 14 of this By-law or an order made under this section of the By-law shall be served on an Owner:

- (a) personally;
- (b) by registered letter mail to the last known address of the Owner, whether actually received or not;
- (c) personally on the Driver Operating the City Plated Vehicle;
- (d) by leaving a copy with an individual at a Brokerage associated with the Owner; or
- (e) by facsimile to the last known facsimile number of a Broker associated with the Owner.

14.4 An Enforcement Officer may require a Driver or an Owner to submit or cause to be submitted their City Plated Vehicle for a random inspection, including an inspection by a designated mechanic or a designated representative of the manufacturer of the Cab Meter, at a

time and place specified by the Enforcement Officer to ensure that the provisions of this By-law are being complied with.

14.5 When the Licence Manager or an Enforcement Officer believes on reasonable grounds that a City Plated Vehicle is being Operated such that it is a danger to the health or safety of the public, her or she may:

- (a) remove the Owner Plate;
- (b) order the Driver to have the Vehicle towed to a place of repair or other private property at the Driver's or the Owner's expense; and
- (c) order the Owner not to Operate or permit to the Operation of the Vehicle until the danger is remedied, the Vehicle has been inspected by the Licence Manager or an Enforcement Officer and, in the case of a Cab or Accessible Cab, the Cab Meter has been resealed; or
- (d) order the Owner to file a Safety Standards Certificate after the date of the order.

14.6 Every Owner whose Vehicle for Hire is deemed unsafe or dangerous due to mechanical defects, may be required to attend before the Licence Manager to determine whether or not his or her Licence should be suspended, revoked or have conditions imposed on it.

14.76 For the purpose of this subsection, mechanical defect includes, but is not limited to, mechanical defects directly or indirectly related to any part or parts of the Vehicle for HireTaxi involving or affecting:

- (a) its brakes or braking system;
- (b) its steering system;
- (c) its suspension system;
- (d) its under body;
- (e) its exhaust system;
- (f) the condition of its tires;
- (g) its lighting;
- (h) its glass;
- (i) its seat belt operation;
- (j) its wheelchair restraints, if applicable;
- (k) its heating system; or
- (l) the condition of the vehicle's body.

14.87 When the Vehicle has been in an accident, the Owner shall:

- (a) immediately remove the Vehicle for HireTaxi from service; and
- (b) notify the Licence Manager of the collision; and
- (c) notify the Licence Manager of the details of the vehicle's repairs.

14.98 Once the repairs to the vehicle have been effected, the Owner or Driver shall provide the Enforcement Officer with a current safety standards certificate of motor vehicle fitness issued under the *Highway Traffic Act*, and the Enforcement Officer shall inspect the Vehicle for HireTaxi.

~~14.9 Every Owner whose Taxi is deemed unsafe or dangerous due to mechanical defects, may be required to attend before the Licence Manager to determine whether or not his or her Licence should be suspended, revoked or have conditions imposed on it.~~

14.10 When the Licence Manager or an Enforcement Officer believes on reasonable grounds that a City Plated Vehicle does not comply with the requirements of this By-law, he or she may order the Owner to bring it into compliance, and the order shall:

- (a) state the Owner Plate number of the Vehicle;
- (b) give reasonable particulars of any repairs to be made;
- (c) indicate the time for compliance with the order;
- (d) give notice that if the order is not complied with the Owner Licence may be suspended; and
- (e) require that the Owner Plate be returned to Licence Manager immediately.

Part 15 TARRIFFS

15.1 Every Driver and Owner shall charge a Fare for each Trip as set out in Schedule "I" of this By-law.

15.2 Every Cab or Accessible Cab Driver shall draw his or her Passenger's attention to the amount of the Fare on the Cab Meter at the conclusion of the Trip.

15.3 No Driver or Owner shall receive a Fare or charge from any person unless the current Tariff Card is on display in accordance with the provisions of this By-law.

15.4 Notwithstanding section 15.1 of this By-law, a Cab Owner or Accessible Cab Owner and a Passenger or other person may enter into an agreement for parcel handling at an agreed upon charge, provided that the charge shall not apply to luggage accompanying a Passenger on a Trip to or from a transportation terminal.

15.5 All Fares as set out in Schedule "I" of this By-law are inclusive of H.S.T.

15.6 Notwithstanding section 15.1, a Cab Owner or Accessible Cab Owner or a Cab Driver or an Accessible Cab Driver may charge an amount for a Trip other than as set out in Schedule "I" of this By-law provided that:

- (a) the amount charged is for a Trip between fixed points;
- (b) the Cab Owner or Accessible Cab Owner or Cab Driver or Accessible Cab Driver is affiliated with a Broker; and
- (c) the amount charged is a fixed amount based on a written agreement for a term of not less than one year between the Broker with which the Cab Owner or Accessible Cab Owner or the Cab Driver or Accessible Cab Driver is affiliated and a corporation for a Conveyance Service of the employees of the corporation.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Part 16 LICENCE AND OTHER FEES

16.1 The annual Licence fees to be paid to the City under this ~~Agreement~~ By-law shall be as listed in Schedule "H" of this By-law. The fees in Schedule "H" do not include H.S.T.

Part 17 PENALTY

17.1 Any person who contravenes any provision of this By-law, including any Schedules attached hereto, is guilty of an offence.

17.2 A director or officer of a corporation who knowingly concurs in the contravention of any provision of this By-law, including any Schedules attached hereto, is guilty of an offence.

17.3 A person convicted under this By-law is liable to a maximum fine of \$25,000.00 upon a first conviction and a maximum fine of \$50,000.00 for any subsequent conviction.

17.4 Despite subsection 17.3 where the person convicted is a corporation, the corporation is liable to a maximum fine of \$50,000.00 upon a first conviction and a maximum fine of \$100,000.00 for any subsequent conviction.

17.5 If this By-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by this By-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order,

- (a) prohibiting the continuation or repetition of the offence by the person convicted; and,
- (b) requiring the person convicted to correct the contravention in the manner and within the period that the court considers appropriate.

Part 18 GENERAL

18.1 If any provision or part of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the By-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

18.2 If there is a conflict between a provision of this By-law and a provision of any other City By-law, then the more restrictive provision shall apply.

18.3 Unless otherwise stated, the requirements of the Schedules to this By-law shall be in addition to all other requirements of this By-law.

Part 19 MISCELLANEOUS

19.1 By-law L.-126-256 and any amendments thereto are hereby repealed.

19.2 This By-law may be referred to as the "Vehicles for Hire Taxi Licensing By-law".

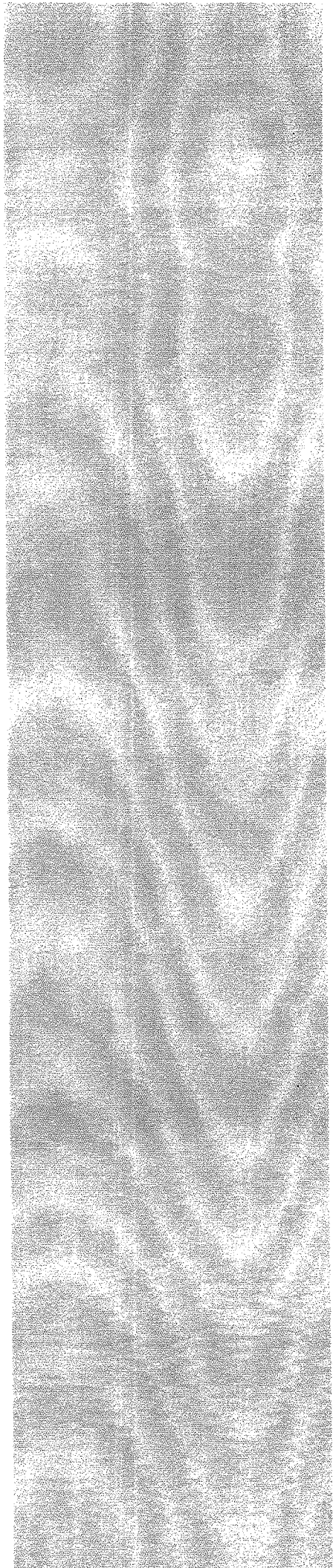
19.3 This By-law shall come into force and effect on March 1, 2012.

PASSED in Open Council , 2011.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First reading -
Second reading -
Third reading -



SCHEDULE "A" – CAB AND ACCESSIBLE DRIVER

LICENCE APPLICATIONS, DUTIES, PROHIBITIONS

1.0 LICENCE APPLICATIONS AND RENEWALS

1.1 Every Applicant for a Cab Driver Licence or an Accessible Cab Driver Licence or a renewal thereof shall:

- (a) attend at the office of the Licence Manager in person and complete a written application form for such Licence and have their photograph taken;
- (b) file with the Licence Manager documentation showing proof of Canadian Citizenship, Landed Immigrant Status, or a Work Permit to work as a driver issued by the Government of Canada;
- (c) submit to the Licence Manager a valid Class G driver's licence issued by the Province of Ontario which is in good standing according to the records of the Ministry of Transportation;
- (d) submit to the Licence Manager proof that they are at least 18 years of age;
- (e) have completed an English assessment exam administered by the Licence Manager with a minimum grade of 75% or a minimum grade of 85% for a subsequent attempt made at least two months after a previous attempt;
- (f) have completed a Vehicle for Hire taxi training exam administered by the Licence Manager with passing grade of 75% or a minimum grade of 85% for a subsequent attempt made at least two months after a previous attempt;
- (g) submit to the Licence Manager a CIR from the London Police Services dated no later than 60 days prior to the aApplication for a Licence;
- (h) submit to the Licence Manager a Ministry of Transportation driver's abstract dated no later than 60 days prior to the aApplication for a Licence;
- (i) for an application for a Licence in the first instance, submit to the Licence Manager provide a certificate prepared by a qualified medical practitioner which states that the Applicant is physically and mentally capable of performing the duties of a Cab Driver or an Accessible Cab Driver; and
- (j) comply with all of the provisions of this By-law.

1.2 An Applicant applying for a renewal of a Cab Driver or an Accessible Cab Driver Licence:

- (a) shall be exempted from the requirement for an English assessment exam in subsection 1.1(e) of this Schedule;
- (b) may be exempted from the requirement for a Vehicle for Hire taxi training exam in subsection 1.1(f) of this Schedule if he or she files with the Licence Manager every four years or sooner as required by the Licence Manager, proof of completion of a training course or a written test approved by the Licence Manager with a minimum grade of 75%; and
- (c) may be exempted from the requirement to provide a medical certificate in subsection 1.1(i) of this Schedule unless the Licence Manager believes that it would be in the public interest to require such certificate.

1.3 In addition to the requirements of section 1.1 and 1.2 of this Schedule, every Applicant for an Accessible Cab Driver Licence or a renewal thereof shall;

- (a) hold a valid Cab Driver Licence;

- (b) satisfactorily complete a sensitivity course approved by the Licence Manager pertaining to the transportation of Persons with Disabilities and, subsequently complete a written examination administered by the Licence Manager with:
 - (i) a minimum grade of 75% for a first attempt; or
 - (ii) a minimum grade of 85% for a subsequent attempt made at least one month after a previous attempt; and
- (c) submit his or her Cab Driver Licence to the Licence Manager for endorsement as an Accessible Cab Driver Licence.

1.4 An Applicant applying for a renewal of an Accessible Cab Driver Licence may be exempted from the requirement of a sensitivity course or the written examination in subsection 1.3(b) of this Schedule if he or she files with the Licence Manager every four years or sooner as required by the Licence Manager, proof of completion of a sensitivity course approved by the Licence Manager pertaining to Persons with Disabilities or completes a written examination approved by the Licence Manager with a minimum grade of 75%.

2.0 DRIVER'S DUTIES

2.1 Every Licensed Cab Driver or Accessible Cab Driver shall:

- (a) carry his or her driver's licence issued under the *Highway Traffic Act*, and his or her Licence while Operating a Cab or Accessible Cab;
- (b) affix his or her Licence in a position in the Cab or Accessible Cab so that the side of the Licence containing the photograph is plainly visible to and readable by Passengers in the front seat and back seat of the vehicle;
- (c) display the tariff card so that it is plainly visible to and readable by Passengers in the front seat and back seat of the vehicle;
- (d) keep a Trip Sheet, on the form attached as Schedule "J" to this By-law of all Trips made by the Cab or Accessible Cab during each shift. The Trip Sheet shall be updated at the conclusion of each Trip;
- (e) retain all Trip Sheets in the Cab or Accessible Cab for at least 12 months and while Operating the Cab or Accessible Cab have the current and previous months Trip Sheets in his or her possession;
- (f) keep in the Cab or Accessible Cab a current Maintenance Log for the Cab or Accessible Cab;
- (g) have in the Cab or Accessible Cab a current street guide or City map and a global positioning system device capable of displaying requested routes;
- (h) each shift before driving:
 - (i) examine the Cab or Accessible Cab for mechanical or other defects and similarly examine it at the end of each shift, and if the Driver is not the Owner, report any mechanical defects forthwith to the Owner and enter such defects into the Maintenance Log; and
 - (ii) enter into the Maintenance Log the date and odometer reading for the Cab or Accessible Cab;
- (i) report forthwith to the Licence Manager if he or she is convicted of any offence under the *Criminal Code of Canada*, the *Narcotic Control Act*, the *Food and Drugs Act*, the *Controlled Drugs and Substances Act* or the *Highway Traffic Act*;
- (j) report immediately to the Licence Manager when he or she has had his or her driver's licence issued under the *Highway Traffic Act* cancelled, suspended or revoked or when his or herthe driver's licence has expired, and surrender his or her Licence to the Licence Manager;

- (k) provide forthwith if requested by the Licence Manager a certificate prepared by a qualified medical practitioner which states that the Applicant is physically and mentally capable of performing the duties of a Cab or Accessible Cab Driver;
- (l) be civil, courteous, refrain from using profanity, and offer to assist a Passenger when it is evident that the Passenger is a Person with a Disability, is elderly, or is in need of assistance;
- (m) when Operating a Cab or Accessible Cab be neat and clean in personal appearance, wearing clothes that are neat and free from soil, grease and dirt with no unrepaired rips or tears;
- (n) when Operating a Cab or Accessible Cab punctually keep all appointments, and not make any appointments if a previous engagement would prevent him or her from fulfilling it;
- (o) when a Passenger enters the Cab or Accessible Cab and gives the Driver the desired destination, take the most expeditious possible route to the destination desired, unless the Passenger designates otherwise;
- (p) when Operating a Cab or Accessible Cab take care of all property delivered or entrusted to him or her and accepted by him or her;
- (q) immediately upon termination of a Trip, search his or her Cab or Accessible Cab for any property left therein and deliver the property to its owner or if its owner cannot be found, to the London Police Services;
- (r) unless his or her Cab or Accessible Cab has been previously engaged, provide a Conveyance Service to any Person who may require his or her Cab or Accessible Cab, refusing only when:
 - (i) the Driver is concerned for his or her personal safety;
 - (ii) the person has not paid a previous Fare or cancellation charge;
 - (iii) the person is, in the opinion of the Driver, unable or unwilling to pay the Fare and has been unable or unwilling, when given the opportunity to do so, to satisfy the Driver that he or she has funds to pay the Fare; or
 - (iv) the person is a Grossly Unclean Individual;
- (s) ensure that the Cab's or Accessible Cab's seat belts are plainly visible to and may be conveniently used by the Passenger;
- (t) turn off any radio, tape player or any other sound producing mechanical device in the vehicle upon picking up a Passenger, unless the Passenger requests that the radio or any other sound producing mechanical device remain on;
- (u) engage the Cab Meter at the commencement of the Trip and, keep it engaged throughout the Trip;
- (v) at the conclusion of the Trip, place the Cab Meter in the time-off position and after payment, inat the vacant status;
- (w) provide to a Passenger if requested, a receipt, showing: the Driver's name; the Owner's Plate number for the vehicle; the date and time of the Trip; the points of origin and destination of the Trip and; the cost of the Trip as determined by the Cab Meter;
- (x) maintain the interior and exterior of the Cab or Accessible Cab while he or she is Operating it, in a clean and tidy condition, including maintain the interior:
 - (i) free from all dust, dirt, grease, oil, adhesive resin and any other item that can be transferred on to the person, clothing or possessions of a Passenger;

- (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the Cab or Accessible Cab;
- (iii) free of noxious substances;
- (iv) free of excess wear including tears and cigarette burns in the upholstery;
- (v) in a dry condition;
- (vi) in good repair;
- (vii) with working seat belts;
- (viii) with side windows that open and close;
- (ix) with every seat securely mounted maintaining its position and adjustment;
- (x) with a working dome light that will activate automatically when the vehicle doors open;

and maintain the exterior:

- (xi) free from all dust, dirt, grease, oil, adhesive resin and any other item that can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
 - (xii) in good repair;
 - (xiii) free from exterior body damage;
 - (xiv) with no missing or removed fender, grill or molding;
 - (xv) with securely closing doors and trunk lid;
 - (xvi) with all handles and catches in good repair;
 - (xvii) with the paint or finish in good repair~~paint or finish~~; and
 - (xviii) with four matching hubcaps or wheels; and
- (y) enter a Cab Stand by positioning his or her Cab at the end of any line formed by other Cabs and remain in the driver's seat, ready to provide a Conveyance Service, when first or second in the line.

2.2 In addition to all of the requirements set out in section 2.1, every Accessible Cab Driver shall:

- (a) ensure that all wheelchairs being transported within the Accessible Cab are securely fastened so as to prevent them from moving when the Accessible Cab is in motion;
- (b) ensure that the Accessible Cab:
 - (i) is equipped with an extra tire, wheel and jack ready for use for that Accessible Cab;
 - (ii) is equipped with~~has~~ wheelchair tie downs;
 - (iii) is in compliance with the Canadian Standards Association's Standard D409-M84 and all other applicable federal and provincial legislation;
 - (iii) is equipped with~~has~~ a first aid kit;
 - (iv) is equipped with ~~has~~ a dry chemical fire extinguisher having an effective total rating of at least 4-Bc and weighing 2.27 kilograms; and
 - (v) is equipped with~~has~~ operable air-conditioning and heating;
- (c) record the number of Trips of Persons with Disabilities and persons without disabilities on his or her Trip Sheets; and
- (d) give priority for Conveyance Services for Persons with Disabilities over persons without disabilities.

3.0 DRIVER'S PROHIBITIONS

3.1 No Licensed Cab Driver or Accessible Cab shall:

- (a) Operate a Cab or Accessible Cab without~~that does not have~~ a valid Owner Plate affixed thereto;
- (b) Operate a Cab whose owner is not a Licensed Cab Owner;
- (c) Operate an Accessible Cab whose owner is not a Licensed Accessible Cab Owner;

- (d) Operate a Cab or Accessible Cab without side numbers and a properly functioning roof light;
- (e) Operate a Cab or Accessible Cab with luggage or other material therein obstructing the Driver's view;
- (f) Operate a Cab or Accessible Cab when the Cab Meter:
 - (i) has not been adjusted in accordance with the tariffs rates in Schedule "1" of this By-law;
 - (ii) ~~when the seal~~ is not intact or has been broken;
 - (iii) does not illuminate;
 - (iv) is not clearly visible to Passengers; or
 - (v) is not in good working condition.
- (g) Operate a Cab or Accessible Cab without ~~unless it being~~ equipped with an operating camera system in accordance with subsection 2.1(f) of Schedule "D" to this By-law;
- (h) Operate a Cab or Accessible Cab without ~~unless the decal installed~~ stating that photographic images of the Passengers are being recorded ~~is installed in the Cab or Accessible Cab~~ in accordance with subsection 2.1(h) of Schedule "D" to this By-law;
- (i) fail to provide exact change to the Passenger;
- (j) ~~make any charge any Passenger~~ for time lost through defects or inefficiency of the Cab or Accessible Cab or the incompetence of the Driver;
- (k) ~~make any charge any Passenger~~ for the time elapsed due to early arrival of the Cab or Accessible Cab in response to a call for the Cab or Accessible Cab to arrive at a fixed time;
- (l) engage in any misleading or deceiving statement or representation to a person about the location or distance of any destination named by that person;
- (m) have taken, consumed or have in his or her possession any alcohol, drugs or intoxicants while Operating a Cab or Accessible Cab;
- (n) solicit or permit the solicitation of any person to become a Passenger;
- (o) carry in any Cab or Accessible Cab a greater number of Passengers than is set out in the manufacturer's rating of seating capacity for such vehicle, and for which a fully operational seat belt is available for each Passenger's use;
- (p) take on additional Passengers after the vehicle has departed with one (1) or more Passengers from any one starting point, except under the following circumstances:
 - (i) when done at the request or permission of a Passenger who is sixteen years of age or older and who is already in the vehicle;
 - (ii) in an emergency situation; or
 - (iii) on a Trip exclusively taking students to or from school;
- (q) overcrowd a Cab Stand or displace any Cab or Accessible Cab already at the Cab Stand;
- (r) interfere in any way with the normal use of a Cab Stand or public place or with surrounding traffic;
- (s) use a Limousine Stand or other place set aside for Limousines;

- (t) Operate a Cab or Accessible Cab ~~without~~ unless it meets the standards for the issuance of a Safety Standard Certificate;
- (u) recommend hotels, restaurants or other like facilities ~~without being~~ unless asked to do so by the Passenger;
- (v) smoke inside a Cab or Accessible Cab;
- (w) cause or permit any immoral, indecent, or illegal act in a Cab or Accessible Cab under the Driver's care;
- (x) use or accept cellular telephone calls when engaged by a Passenger; and
- (y) Operate a Cab or Accessible Cab when the Driver has been on duty for more than 12 hours within a 24 hour period without first taking 8 consecutive hours off duty.

SCHEDULE "B" –LIMOUSINE DRIVER

LICENCE APPLICATIONS, DUTIES, PROHIBITIONS

1.0 LICENCE APPLICATIONS AND RENEWALS

1.1 Every Applicant for a Limousine Driver Licence or a renewal of a Limousine Driver Licence, shall:

- (a) attend at the office of the Licence Manager in person and complete a written application form for such Licence and have their photograph taken;
- (b) file with the Licence Manager documentation showing proof of Canadian Citizenship, Permanent Resident~~Landed Immigrant Status~~, or a Work Permit to work as a driver issued by the Government of Canada;
- (c) submit to the Licence Manager a valid Class G driver's licence issued by the Province of Ontario which is in good standing according to the records of the Ministry of Transportation;
- (d) submit to the Licence Manager proof that they are at least 18 years of age;
- (e) have completed an English assessment exam administered by the Licence Manager with a minimum grade of 75% or a minimum grade of 85% for a subsequent attempt made at least two months after a previous attempt;
- (f) have completed a Vehicle for Hire~~taxi~~ training exam administered by the Licence Manager with passing grade of 75% or a minimum grade of 85% for a subsequent attempt made at least two months after a previous attempt;
- (g) submit to the Licence Manager a CIR from the London Police Services dated no later than 60 days prior to the aApplication for a Licence;
- (h) submit to the Licence Manager a Ministry of Transportation driver's abstract dated no later than 60 days prior to the aApplication for a Licence;
- (i) for an application for Licence in the first instance, submit to the Licence Manager~~provide a~~ certificate prepared by a qualified medical practitioner which states that the Applicant is physically and mentally capable of performing the duties of a Limousine Driver; and
- (j) comply with all of the provisions of this By-law.

1.2 An Applicant applying for a renewal of a Limousine Driver Licence:

- (a) shall be exempted from the requirement for an English assessment exam in as subsection 1.1(e) of this Schedule;
- (b) may be exempted from the requirement for a Vehicle for Hire~~taxi~~ training exam in subsection 1.1(f) of this Schedule if he or she files with the Licence Manager every four years or sooner as required by the Licence Manager, proof of completion of a training course or a written test approved by the Licence Manager with a minimum grade of 75%; and
- (c) may be exempted from the requirement to provide a medical certificate in subsection 1.1(i) of this Schedule unless the Licence Manager believes that it would be in the public interest to require such certificate.

2.0 DRIVER'S DUTIES

2.1 Every Licensed Limousine Driver shall:

- (a) carry his or her driver's licence issued under the *Highway Traffic Act*, and his or her Licence while Operating a Limousine;

- (b) affix his or her Licence in a position in the Limousine so that the side of the Licence containing the photograph is plainly visible to and readable by Passengers in the front seat and back seat of the vehicle;
- (c) display the tariff card so that it is plainly visible to and readable by Passengers in the front seat and back seat of the vehicle;
- (d) keep a Trip Sheet, on the form attached as Schedule "J" to this By-law of all Trips made by the Limousine during each shift. The Trip Sheet shall be updated at the conclusion of each Trip;
- (e) retain all Trip Sheets in the Limousine for at least 12 months and while operating the Limousine have the current and previous months Trip Sheets in his or her possession;
- (f) keep in the Limousine a current Maintenance Log for the Limousine;
- (g) have in the Limousine a current street guide or City map and a global positioning system device capable of displaying requested routes;
- (h) on each shift before driving:
 - (i) examine the Limousine for mechanical or other defects and similarly examine it at the end of each shift, and if the Driver is not the Owner, report any mechanical defects forthwith to the Owner and enter such defects into the Maintenance Log; and
 - (ii) enter into the Maintenance Log the date and odometer reading for the Limousine;
- (i) report forthwith to the Licence Manager if he or she is convicted of any offence under the *Criminal Code of Canada*, the *Narcotic Control Act*, the *Food and Drugs Act*, the *Controlled Drugs and Substances Act* or the *Highway Traffic Act*;
- (j) report immediately to the Licence Manager when he or she has had his or her driver's licence issued under the *Highway Traffic Act* cancelled, suspended or revoked or when the driver's licence has expired, and surrender his or her Licence to the Licence Manager;
- (k) provide forthwith if requested by the Licence Manager a certificate prepared by a qualified medical practitioner which states that the Applicant is physically and mentally capable of performing the duties of a Limousine Driver;
- (l) be civil, courteous, refrain from using profanity, and offer to assist a Passenger when it is evident that the Passenger is a Person with a Disability, is elderly, or is in need of assistance;
- (m) when Operating a Limousine be neat and clean in personal appearance, wearing clothes that are neat and free from soil, grease and dirt with no unrepaired rips or tears and wear a uniform approved by the Limousine Owner and the Licence Manager;
- (n) when Operating a Limousine punctually keep all appointments, and not make any appointments if a previous engagement would prevent him or her from fulfilling it;
- (o) when a Passenger enters the Limousine and gives the Driver the desired destination, take the most expeditious possible route to the destination desired, unless the Passenger designates otherwise;

- (p) when Operating a Limousine take care of all property delivered or entrusted to him or her and accepted by him or her;
- (q) immediately upon termination of a Trip, search his or her Limousine for any property left therein and deliver the property to its owner or if its owner cannot be found, to the London Police Services;
- (r) unless his or her Limousine has been previously engaged, provide a Conveyance Service to any Person who may require his or her Limousine, refusing only when:
 - (i) the Driver is concerned for his or her personal safety;
 - (ii) the person has not paid a previous Fare or cancellation charge;
 - (iii) the person is, in the opinion of the Driver, unable or unwilling to ~~the~~ pay the Fare and has been unable or unwilling, when given the opportunity to do so, to satisfy the Driver that he or she has funds to pay the Fare; or
 - (iv) the person is a Grossly Unclean Individual;
- (s) ensure that the Limousine's seat belts are plainly visible to and may be conveniently used by the Passenger;
- (t) turn off any radio, tape player or any other sound producing mechanical device in the vehicle upon picking up a Passenger, unless the Passenger requests that the radio or any other sound producing mechanical device remain on;
- (u) provide to a Passenger if requested, a receipt, showing: the Driver's name; the Owner's Plate number for the vehicle; the date and time of the Trip; the points of origin and destination of the Trip;
- (v) maintain the interior and exterior of the Limousine while he or she is Operating it, in a clean and tidy condition, including maintain the interior:
 - (i) free from all dust, dirt, grease, oil, adhesive resin and any other item that can be transferred on to the person, clothing or possessions of a Passenger;
 - (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the Limousine;
 - (iii) free of noxious substances;
 - (iv) free of excess wear including tears and cigarette burns in the upholstery;
 - (v) in a dry condition;
 - (vi) in good repair;
 - (vii) with working seat belts;
 - (viii) with side windows that open and close;
 - (ix) with every seat securely mounted maintaining its position and adjustment;
 - (x) with a working dome light that will activate automatically when the vehicle doors open;

and maintain the exterior:

 - (xi) free from all dust, dirt, grease, oil, adhesive resin and any other item that can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
 - (xii) in good repair;
 - (xiii) free from exterior body damage;
 - (xiv) with no missing or removed fender, grill or molding;
 - (xv) with securely closing doors and trunk lid;
 - (xvi) with all handles and catches in good repair;
 - (xvii) with the paint or finish in good repair ~~paint or finish~~; and
 - (xviii) with four matching hubcaps or wheels; and

- (w) enter a Limousine Stand by positioning his or her Limousine at the end of any line formed by other Limousines and remain in the driver's seat, ready to provide a Conveyance Service, when first or second in the line.

3.0 DRIVER'S PROHIBITIONS

3.1 No Licensed Limousine Driver shall:

- (a) Operate a Limousine ~~without~~that does not have a valid Owner Plate affixed thereto;
- (b) Operate a Limousine whose owner is not a licensed Limousine Owner;
- (c) Operate a Limousine with luggage or other material therein obstructing the Driver's view;
- (d) Operate a Limousine ~~without it being~~ unless it is equipped with an operating camera system in accordance with subsection 2.1(b) of Schedule "E" to this By-law;
- (e) Operate a Limousine ~~without~~unless the decal installed stating that photographic images of the Passengers are being recorded is installed in the Limousine in accordance with subsection 2.1(d) of Schedule "E" to this By-law;
- (f) fail to provide exact change to the Passenger;
- (g) ~~make any charge~~ any Passenger for time lost through defects or inefficiency of the Limousine or the incompetence of the Driver;
- (h) ~~make any charge~~ any Passenger for the time elapsed due to early arrival of the Limousine in response to a call for the Limousine to arrive at a fixed time;
- (i) engage in any misleading or deceiving statement or representation to a person about the location or distance of any destination named by that person;
- (j) have taken, consumed or have in his or her possession any alcohol, drugs or intoxicants while Operating a Limousine;
- (k) solicit or permit the solicitation of any person to become a Passenger;
- (l) carry in any Limousine a greater number of Passengers than is set out in the manufacturer's rating of seating capacity for such vehicle, and for which a fully operational seat belt is available for each Passenger's use;
- (m) take on additional Passengers after the vehicle has departed with one (1) or more Passengers from any one starting point, except under the following circumstances:
- (i) when done at the request or permission of a Passenger who is sixteen years of age or older and who is already in the vehicle;
 - (ii) in an emergency situation; or
 - (iii) on a Trip exclusively taking students to or from school;
- (n) overcrowd a Limousine Stand or displace any Limousine already at the Limousine Stand;
- (o) interfere in any way with the normal use of a Limousine Stand or public place or with surrounding traffic;
- (p) use a Cab Stand or other place set aside for Cabs;

- (q) Operate a Limousine unless it meets the standards for the issuance of a Safety Standard Certificate;
- (r) recommend hotels, restaurants or other like facilities unless asked to do so by the Passenger;
- (s) smoke inside a Limousine;
- (t) cause or permit any immoral, indecent, or illegal act in a Limousine under the Driver's care;
- (u) use or accept cellular telephone calls when engaged by a Passenger; and
- (v) Operate a Limousine when the Driver has been on duty for more than 12 hours within a 24 hour period without first taking 8 consecutive hours off duty.
- ~~(w) provide a Conveyance Service unless the Conveyance Service provided is by pre-arrangement reserved in advance by at least 15 minutes or commenced at a Limousine Stand;~~

SCHEDULE "C" – GROUP TRANSPORTATION VEHICLE DRIVER

LICENCE APPLICATIONS, DUTIES, PROHIBITIONS

1.0 LICENCE APPLICATIONS AND RENEWALS

1.1 Every Applicant for a Group Transportation Vehicle Driver Licence or a renewal of a Group Transportation Vehicle Driver Licence, shall:

- (a) attend at the office of the Licence Manager in person and complete a written application form for such Licence and have their photograph taken;
- (b) file with the Licence Manager documentation showing proof of Canadian Citizenship, Permanent Resident~~Landed Immigrant Status~~, or a Work Permit to work as a driver issued by the Government of Canada;
- (c) submit to the Licence Manager a valid Class G driver's licence issued by the Province of Ontario which is in good standing according to the records of the Ministry of Transportation;
- (d) submit to the Licence Manager proof that they are at least 18 years of age;
- (e) have completed an English assessment exam administered by the Licence Manager with a minimum grade of 75% or a minimum grade of 85% for a subsequent attempt made at least two months after a previous attempt;
- (f) have completed a Vehicle for Hire~~taxi~~ training exam administered by the Licence Manager with passing grade of 75% or a minimum grade of 85% for a subsequent attempt made at least two months after a previous attempt;
- (g) submit to the Licence Manager a CIR from the London Police Services dated no later than 60 days prior to the aApplication for a Licence;
- (h) submit to the Licence Manager a Ministry of Transportation driver's abstract dated no later than 60 days prior to the aApplication for a Licence;
- (i) for an application for a Licence in the first instance, submit to the Licence Manager~~provide~~ a certificate prepared by a qualified medical practitioner which states that the Applicant is physically and mentally capable of performing the duties of a Group Transportation Vehicle Driver; and
- (j) comply with all of the provisions of this By-law.

1.2 An Applicant applying for a renewal of a Group Transportation Vehicle Driver Licence:

- (a) shall be exempted from the requirement for an English assessment exam in~~as~~ subsection 1.1(e) of this Schedule;
- (b) may be exempted from the requirement for a Vehicle for Hire~~taxi~~ training exam in subsection 1.1(f) of this Schedule if he or she files with the Licence Manager every four years or sooner as required by the Licence Manager, proof of completion of a training course or a written test approved by the Licence Manager with a minimum grade of 75%; and
- (c) may be exempted from the requirement to provide a medical certificate in subsection 1.1(i) of this Schedule unless the Licence Manager believes that it would be in the public interest to require such certificate.

2.0 DRIVER'S DUTIES

2.1 Every Licensed Group Transportation Vehicle Driver shall:

- (a) carry his or her driver's licence issued under the *Highway Traffic Act*, and his or her Licence while Operating a Group Transportation Vehicle;

- (b) affix his or her Licence in a position in the Group Transportation Vehicle so that the side of the Licence containing the photograph is plainly visible to and readable by Passengers in the front seat and back seat of the vehicle;
- (c) display the tariff card so that it is plainly visible to and readable by Passengers in the front seat and back seat of the vehicle;
- (d) keep a Trip Sheet, on the form attached as Schedule "J" to this By-law of all Trips made by the Group Transportation Vehicle during each shift. The Trip Sheet shall be updated at the conclusion of each Trip;
- (e) retain all Trip Sheets ~~in the Group Transportation Vehicle~~ for at least 12 months and while Operating the Group Transportation Vehicle have the current and previous months Trip Sheets in his or her possession;
- (f) keep in the Group Transportation Vehicle a current Maintenance Log for the Group Transportation Vehicle;
- (g) have in the Group Transportation Vehicle a current street guide or City map and a global positioning system device capable of displaying requested routes;
- (h) each shift before driving:
 - (i) examine the Group Transportation Vehicle for mechanical or other defects and similarly examine it at the end of each shift, and if the Driver is not the Owner, report any mechanical defects forthwith to the Owner and enter such defects into the Maintenance Log; and
 - (ii) enter into the Maintenance Log the date and odometer reading for the Group Transportation Vehicle;
- (i) report forthwith to the Licence Manager if he or she is convicted of any offence under the *Criminal Code of Canada*, the *Narcotic Control Act*, the *Food and Drugs Act*, the *Controlled Drugs and Substances Act* or the *Highway Traffic Act*;
- (j) report immediately to the Licence Manager when he or she has had his or her driver's licence issued under the *Highway Traffic Act* cancelled, suspended or revoked or when the driver's licence has expired, and surrender his or her Licence to the Licence Manager;
- (k) provide forthwith if requested by the Licence Manager a certificate prepared by a qualified medical practitioner which states that the Applicant is physically and mentally capable of performing the duties of a Group Transportation Vehicle Driver;
- (l) be civil, courteous, refrain from using profanity, and offer to assist a Passenger when it is evident that the Passenger is a Person with a Disability, is elderly, or is in need of assistance;
- (m) when Operating a Group Transportation Vehicle be neat and clean in personal appearance, wearing clothes that are neat and free from soil, grease and dirt with no unrepaired rips or tears;
- (n) when Operating a Group Transportation Vehicle punctually keep all appointments, and not make any appointments if a previous engagement would prevent him or her from fulfilling it;
- (o) when a Passenger enters the Group Transportation Vehicle and gives the Driver the desired destination, take the most expeditious possible route to the destination desired, unless the Passenger designates otherwise;

- (p) when Operating a Group Transportation Vehicle take care of all property delivered or entrusted to him or her and accepted by him or her;
- (q) immediately upon termination of a Trip, search his or her Group Transportation Vehicle for any property left therein and deliver the property to its owner or if its owner cannot be found, to the London Police Services;
- (r) unless his or her Group Transportation Vehicle has been previously engaged, provide a Conveyance Service to any Person who may require his or her Group Transportation Vehicle, refusing only when:
 - (i) the Driver is concerned for his or her personal safety;
 - (ii) the person has not paid a previous Fare or cancellation charge;
 - (iii) the person is, in the opinion of the Driver, unable or unwilling to pay the Fare and has been unable or unwilling, when given the opportunity to do so, to satisfy the Driver that he or she has funds to pay the Fare; or
 - (iv) the person is a Grossly Unclean Individual;
- (s) ensure that the Group Transportation Vehicle's seat belts are plainly visible to and may be conveniently used by the Passenger;
- (t) turn off any radio, tape player or any other sound producing mechanical device in the Vehicle upon picking up a Passenger, unless the Passenger requests that the radio or any other sound producing mechanical device remain on;
- (u) provide to a Passenger if requested, a receipt, showing: the Driver's name; the Owner's Plate number for the Vehicle; the date and time of the Trip; the points of origin and destination of the Trip and the cost of the Trip;
- (v) maintain the interior and exterior of the Group Transportation Vehicle while he or she is Operating it, in a clean and tidy condition, including maintain the interior:
 - (i) free from all dust, dirt, grease, oil, adhesive resin and any other item that can be transferred on to the person, clothing or possessions of a Passenger;
 - (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the Group Transportation Vehicle;
 - (iii) free of noxious substances;
 - (iv) free of excess wear including tears and cigarette burns in the upholstery;
 - (v) in a dry condition;
 - (vi) in good repair;
 - (vii) with working seat belts;
 - (viii) with side windows that open and close;
 - (ix) with every seat securely mounted maintaining its position and adjustment;
 - (x) with a working dome light that will activate automatically when the vehicle doors open;

and maintain the exterior:

 - (xi) free from all dust, dirt, grease, oil, adhesive resin and any other item that can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
 - (xii) in good repair;
 - (xiii) free from exterior body damage;
 - (xiv) with no missing or removed fender, grill or molding;
 - (xv) with securely closing doors and trunk lid;
 - (xvi) with all handles and catches in good repair;
 - (xvii) with the paint or finish in good repair paint or finish; and
 - (xviii) with four matching hubcaps or wheels; ~~and~~

3.0 DRIVER'S PROHIBITIONS

3.1 No Licensed Group Transportation Vehicle Driver shall:

- (a) Operate a Group Transportation Vehicle ~~without~~ that does not have a valid Owner Plate affixed thereto;
- (b) Operate a Group Transportation Vehicle whose owner is not a licensed Group Transportation Vehicle Owner;
- (c) Operate a Group Transportation Vehicle with luggage or other material therein obstructing the Driver's view;
- (d) Operate a Group Transportation Vehicle ~~without it being~~ unless it is equipped with an operating camera system in accordance with subsection 2.1(b) of Schedule "F" to this By-law;
- (e) Operate a Group Transportation Vehicle ~~without~~ unless the decal installed stating that photographic images of the Passengers are being recorded is ~~installed in the Group Transportation Vehicle~~ in accordance with subsection 2.1(d) of Schedule "F" to this By-law;
- (f) fail to provide exact change to the Passenger;
- (g) ~~make any charge~~ any Passenger for time lost through defects or inefficiency of the Group Transportation Vehicle or the incompetence of the Driver;
- (h) ~~make any charge~~ any Passenger for the time elapsed due to early arrival of the Group Transportation Vehicle in response to a call for the Group Transportation Vehicle to arrive at a fixed time;
- (i) engage in any misleading or deceiving statement or representation to a person about the location or distance of any destination named by that person;
- (j) have taken, consumed or have in his or her possession any alcohol, drugs or intoxicants while Operating a Group Transportation Vehicle;
- (k) solicit or permit the solicitation of any person to become a Passenger;
- (l) carry in any Group Transportation Vehicle a greater number of Passengers than is set out in the manufacturer's rating of seating capacity for such vehicle, and for which a fully operational seat belt is available for each Passenger's use;
- (m) take on additional Passengers after the vehicle has departed with one (1) or more Passengers from any one starting point, except under the following circumstances:
 - (i) when done at the request or permission of a Passenger who is sixteen years of age or older and who is already in the vehicle;
 - (ii) in an emergency situation; or
 - (iii) on a Trip exclusively taking students to or from school;
- (n) interfere in any way with the normal use of a Cab Stand or Limousine Stand or public place or with surrounding traffic;
- (o) use a Cab Stand or Limousine Stand or other place set aside for Cabs or Limousines;
- (p) Operate a Group Transportation Vehicle unless it meets the standards for the issuance of a Safety Standard Certificate;
- (q) recommend hotels, restaurants or other like facilities unless asked to do so by the Passenger;
- (r) smoke inside a Group Transportation Vehicle;

- (s) cause or permit any immoral, indecent, or illegal act in a Group Transportation Vehicle under the Driver's care;
- (t) use or accept cellular telephone calls when engaged by a Passenger;
- (u) Operate a Group Transportation Vehicle when the Driver has been on duty for more than 12 hours within a 24 hour period without first taking 8 consecutive hours off duty; and
- (v) provide a Conveyance Service unless the Conveyance Service provided is by pre-arrangement, reserved in advance by at least 15 minutes.

SCHEDULE "D" - CAB AND ACCESSIBLE CAB OWNER

LICENCE APPLICATIONS, DUTIES, PROHIBITIONS

1.0 LICENCE APPLICATIONS AND RENEWALS

1.1 A person who is the owner of more than one Cab or Accessible Cab shall take out a separate Licence and Owner Plate for each Cab and Accessible Cab to be Plated and Operated or permitted to be Operated as a Cab or Accessible Cab.

1.2 Every Applicant for a Class A Cab Owner Licence or a Class A Accessible Cab Owner Licence or a renewal thereof shall:

- (a) if the Applicant is an individual, attend at the office of the Licence Manager in person and complete a written aApplication for such Licence;
- (b) if the Applicant is partnership, have a partner attend at the office of the Licence Manager in person and complete a written aApplication for such Licence;
- (c) if the Applicant is a corporation, have an officer or director of the corporation having signing authority attend at the office of the Licence Manager in person and complete a written aApplication for such Licence;
- (d) if the Applicant is an individual, hold for a Cab Owner Licence a valid Cab Driver Licence or for an Accessible Cab Owner Licence a valid Accessible Cab Driver Licence;
- (e) if the Applicant is a partnership, have each partner hold for a Cab Owner Licence a valid Cab Driver Licence or for an Accessible Cab Owner Licence a valid Accessible Cab Driver Licence;
- (f) if the Applicant is a corporation, have an officer of the corporation hold for a Cab Owner Licence a valid Cab Driver Licence or for an Accessible Cab Owner Licence a valid Accessible Cab Driver Licence;
- (g) if the Applicant is a partnership, have each partner submit to the Licence Manager provide a CIR from the London Police Services dated not later than 60 days prior to the aApplication for a Licence;
- (h) If the Applicant is a corporation have each director submit to the Licence Manager provide a CIR from the London Police Services dated not later than 60 days prior to the aApplication for a Licence;
- (i) file with Licence Manager:
 - (i) proof that the vehicle to be Plated has a current motor vehicle permit that is in good standing issued under the *Highway Traffic Act* and is either registered in his or her name or leased by him or her;
 - (ii) proof of insurance in respect of each vehicle to be Plated indemnifying and protecting the Owner and the public, including Passengers, in the amount of \$2,000,000.00, which insurance shall be satisfactory to the Licence Manager who shall be notified in writing at least 60 days prior to the date of its cancellation or expiry;
 - (iii) a Safety Standards Certificate issued within the previous 60 days with respect to the vehicle to be Plated as a Cab or Accessible Cab; and
 - (iv) a certificate of accuracy with respect to the Cab Meter installed in the vehicle to be Plated as a Cab or Accessible Cab, dated not later than 30 days prior to the application for a Licence, completed within the previous 30 days by a qualified and authorized representative of the manufacturer of the Cab Meter on his or her letterhead stating that the Cab Meter is properly sealed and registers accurately;

- (j) submit for inspection and approval by the Licensing Manager the vehicle that is to be Plated that meets all of the requirements of this Schedule; and
- (k) comply with all of the provisions of this By-law.

1.3 In addition to the requirements of section 1.2 of this Schedule every Applicant for a Class A Accessible Cab Licence or any renewal thereof shall be a Licensed Cab Owner.

1.4 Every Applicant for a Class B Cab Licence or Class B Accessible Cab Licence or any renewal thereof shall:

- (a) if the Applicant is an individual, attend at the office of the Licence Manager in person and complete a written aApplication for such Licence;
- (b) if the Applicant is partnership, have a partner attend at the office of the Licence Manager in person and complete a written aApplication for such Licence;
- (c) if the Applicant is an individual, hold for a Cab Owner Licence a valid Cab Driver Licence or for an Accessible Cab Owner Licence a valid Accessible Cab Driver Licence;
- (d) if the Applicant is a partnership, have each partner hold for a Cab Owner Licence a valid Cab Driver Licence or for an Accessible Cab Owner Licence a valid Accessible Cab Driver Licence;
- (e) if the Applicant is a partnership, have each partner submit to the Licence Manager provide a CIR from the London Police Services dated not later than 60 days prior to the aApplication for a Licence;
- (f) file with Licence Manager:
 - (i) proof that the vehicle to be Plated has a current motor vehicle permit that is in good standing issued under the *Highway Traffic Act* and is either registered in his or her name or leased by him or her;
 - (ii) proof of insurance in respect of each vehicle to be Plated indemnifying and protecting the Owner and the public, including Passengers, in the amount of \$2,000,000.00, which insurance shall be satisfactory to the Licence Manager who shall be notified in writing at least 60 days prior to the date of its cancellation or expiry;
 - (iii) a Safety Standards Certificate issued within the previous 60 days with respect to the vehicle to be Plated as a Cab or Accessible Cab; and
 - (iv) a certificate of accuracy with respect to the Cab Meter installed in the vehicle to be Plated as a Cab or Accessible Cab, dated not later than 30 days prior to the application for a Licence, completed within the previous 30 days by a qualified and authorized representative of the manufacturer of the Cab Meter on his or her letterhead stating that the Cab Meter is properly sealed and registers accurately;
- (g) submit for inspection and approval by the Licensing Manager the vehicle that is to be Plated that meets all of the requirements of this Schedule;
- (h) in the case of a Class B Accessible Cab Owner, file with the Licence Manager proof satisfactory to the Licence Manager, that the Applicant is affiliated with a Licensed Broker; and
- (i) comply with all of the provisions of this By-law.

1.5 An Applicant shall not be eligible for a Class B Cab Owner Licence or a Class B Accessible Cab Owner Licence if:

- (a) the Applicant is a corporation;

- (b) the Applicant is an individual that holds a Cab Owner Licence or an Accessible Cab Owner Licence;
- (c) the Applicant is a partnership that holds a Cab Owner Licence or an Accessible Cab Owner Licence;
- (d) the Applicant is an officer, director or a shareholder in a corporation that holds a Cab Owner Licence or an Accessible Cab Owner Licence; or
- (e) the Applicant is a partner in a partnership that holds a Cab Owner Licence or an Accessible Cab Owner Licence.

2.0 VEHICLE REQUIREMENTS

2.1 Every Owner shall ensure that his or her Cab or Accessible Cab has:

- (a) a seating capacity of not less than 5 and not more than 10 individuals;
- (b) 4 doors including 2 rear passenger doors;
- (c) an illuminated electric sign securely affixed to the top of the Cab or Accessible Cab and connected to the Cab Meter so as to be lit from dusk to dawn when the Cab is not providing a Conveyance Service and indicating that that the vehicle is a Cab or Accessible Cab and the name of the Fleet it belongs to;
- (d) 2 exterior emergency lights in a location approved by the Licence Manager that:
 - (i) have an intermittent flasher to continuously flash until reset or disengaged and a silent activation switch within easy reach of the Driver; and
 - (ii) are amber in colour, at least 5 centimetres in diameter, shock resistant, wired on an independent circuit, upon activation visible from the front and rear of the Cab or Accessible Cab at a distance of not less than 15 metres but not visible to any individual in the Cab or Accessible Cab, and installed at and facing toward the front and the back of the Cab;
- (e) have a City issued 911 Bumper Sticker affixed located in proximity to the rear emergency light;
- (f) a Cab Meter for registering distance traveled, waiting time and for computing Fares that is;
 - (i) illuminated between dusk and dawn;
 - (ii) clearly visible to Passengers;
 - (ii) adjusted in accordance with the tariffs rates in Schedule "I" of this By-law;
 - (iv) used only when the seal is intact;
 - (v) used for not longer than one year without retesting, re-inspection and resealing; and
 - (vi) kept in good working condition at all times;
- (g) a fully-operational security camera system;
 - (i) that has been approved by the Licence Manager;
 - (ii) that is capable of recording images of persons in the Cab or Accessible Cab at all hours of the day or night;
 - (iii) with access to the information recorded by the camera system shall be limited to an the Enforcement Officer to access the information for law enforcement purposes only; and
 - (iv) commencing May 1, 2012, that shall be capable of the camera system as required under subsection 2.1(b) of this Schedule shall in addition to the requirements in subsection 2.1(b) of this Schedule be capable of recording forward images of the roadway as seen by the Driver while the vehicle is in operation;
- (h) ~~commencing May 1, 2012 the camera system as required under subsection 2.1(f) of this Schedule shall in addition to the requirements in subsection 2.1(f) of this Schedule be capable of recording forward images of the roadway as seen by the Driver while the vehicle is in operation;~~

- (h) a decal or sign satisfactory to the Licence Manager installed in a location approved by the Licence Manager indicating that photographic images of the passengers are being recorded;
- (i) the number of the Owner Plate issued for the Cab or Accessible Cab displayed on the exterior sides of both front doors and right rear trunk hood in contrasting colours at least 8 centimetres high;
- (j) the Owner Plate issued for the Cab or Accessible Cab securely affixed to its right rear trunk; and
- (k) a colour scheme approved by the Licence Manager; ~~and~~
- (l) ~~a windshield and any windows to the direct left or right of the driver's seat that are free from any type of tinting or coating with coloured spray or other coloured or reflective material.~~

2.2 In addition to the requirements of section 2.1 of this Schedule, every Accessible Cab Owner shall ensure that his or her Accessible Cab:

- (a) is equipped with an extra tire, wheel and jack ready for use for that Accessible Cab;
- (b) is equipped with ~~has~~ wheelchair tie downs;
- (c) is equipped with ~~has~~ a first aid kit;
- (d) is equipped with ~~has~~ a dry chemical fire extinguisher having an effective total rating of at least 4-B c and weighing 2.27 kilograms;
- (e) is equipped with ~~has~~ operable air-conditioning and heating; and
- (f) is in compliance with the Canadian Standards Association's Standard D409-M84 and all other federal and provincial legislation.

2.3 For the purpose of this By-law the age of any motor vehicle shall be determined by counting the model year as the first year.

2.4 No motor vehicle more than seven (7) years old and no Low Emission Vehicle more than eight (8) years old may be Plated as a Cab or and Accessible Cab under this By-law:

2.5 No motor vehicle older than two (2) years may be Plated for the first time as a Cab or an Accessible Cab under this By-law.

3.0 OWNER'S DUTIES

3.1 Every Licensed Cab Owner and Accessible Cab Owner shall:

- (a) keep at all times in the Cab or Accessible Cab for which the Cab Owner Licence or Accessible Cab Owner Licence was issued, the original or a photocopy of the original of each of the following documents:
 - (i) the current Cab Owner Licence or Accessible Cab Owner Licence issued under this By-law;
 - (ii) a current Ministry of Transportation ~~p~~Passenger ~~m~~Motor ~~v~~Vehicle ~~p~~Permit issued for the Cab or Accessible Cab;
 - (iii) the certificate of insurance for the Cab or Accessible Cab obtained in accordance with the requirements of this By-law.
- (b) maintain the Cab or Accessible Cab in good condition at all times and w ~~Without~~ limitation every Owner shall:
 - (i) maintain all drive train components, the engine, transmission, suspension and braking system in accordance with Ontario Regulation 611 of the *Highway Traffic Act*; ~~;~~ as amended from time to time;

- (ii) maintain all factory and after-market parts such as lamps, latches, seats, body parts, windows, heater and defroster systems free of defects or damage and in complete operational order; and
 - (iii) maintain the vehicle generally to allow for its safe operation;
- (c) repair all of the Cab's or Accessible Cab's mechanical defects immediately when reported by a Driver, the Licence Manager or an Enforcement Officer;
 - (d) ~~keep~~ maintain in the Cab or Accessible Cab a Maintenance Log recording all maintenance and repairs performed on the Cab or Accessible Cab within the preceding 12 months;
 - (e) maintain the interior and exterior of his or her Cab or Accessible Cab in a clean and tidy condition, including maintain the interior:
 - (i) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on to the person, clothing or possessions of a Passenger;
 - (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the Cab or Accessible Cab;
 - (iii) free of noxious substances;
 - (iv) free of excess wear including tears and cigarette burns in the upholstery;
 - (v) in a dry condition;
 - (vi) in good repair;
 - (vii) with working seat belts;
 - (viii) with side windows that open and close;
 - (ix) with every seat securely mounted maintaining its position and adjustment;
 - (x) with a working dome light that will activate automatically when the vehicle doors open;

and maintain the exterior:

- (xi) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
 - (xii) in good repair;
 - (xiii) free from exterior body damage;
 - (xiv) with no missing or removed fender, grill or molding;
 - (xv) with securely closing doors and trunk lid;
 - (xvi) with all handles and catches in good repair;
 - (xvii) ~~with the paint or finish in good repair~~ paint or finish; and
 - (xviii) with four matching hubcaps or wheels;
- (f) submit each Cab or Accessible Cab for a safety inspection annually by a motor vehicle inspection mechanic at a motor vehicle inspection station as defined by the *Highway Traffic Act* and at other times as requested to do so by the Licence Manager or an Enforcement Officer;
 - (g) submit each Cab Meter for testing, inspection and sealing by such person as the Licence Manager directs at any time;
 - (h) submit a certificate of accuracy satisfactory to the Licence Manager for any Cab Meter for testing, inspection and sealing completed between October 1st and October 31st each year no later than October 31st each year;
 - (i) maintain insurance on his or her Cab or Accessible Cab as required under subsection 1.2(i) or 1.4(f) of this Schedule;
 - (j) file with the Licence Manager at least 5 days prior to the expiry date of any current insurance policy an insurance renewal policy or certificate of insurance;
 - (k) ensure that every Driver or Lessee and every other person involved in the operation of his or her Cab or Accessible Cab complies with all of the requirements of this By-law; and
 - (l) know at all times the identity of any person having custody of or control over his or her Cab or Accessible Cab.

3.2 In addition to all of the requirements set out in section 3.1 of this Schedule, every Accessible Cab Owner shall:

- (a) ensure that the Driver of his or her Accessible Cab keeps an accurate record of the number of Trips made for Persons with Disabilities and for persons without Disabilities on his or her Trip Sheets;
- (b) ensure that the Driver of his or her Accessible Cab records the total number of Trips made for Persons with Disabilities and for Persons without Disabilities from the Trip Sheets for each month; and
- (c) ensure that the Driver of his or her Accessible Cab gives priority for providing Conveyance Service to Persons with Disabilities over persons without disabilities.

3.3 In addition to all of the requirements set out in section 3.1 of this Schedule, every Class B Cab Owner shall:

- (a) Operate his or her Cab on a full-time basis for a minimum of 35 hours a week for 40 weeks for the period of November 1 to October 31; and
- (b) if the Applicant is a partnership, each partner shall drive his or her Cab on a full-time basis for a minimum of 35 hours a week for 40 weeks for the period of November 1 to October 31.

3.43 In addition to all of the requirements set out in sections 3.1 and 3.2 of this Schedule, every Class B Accessible Cab Owner shall:

- (a) ensure that all Drivers in his or her Accessible Cab are affiliated with the same Broker as the Accessible Cab Owner;
- (b) maintain an affiliation with a Broker as required under subsection 1.4(h) of this Schedule;
- (c) notify the Licence Manager in writing of any change of its affiliation with a Broker within 5 days of any such change;
- (d) Operate his or her Accessible Cab on a full-time basis for a minimum of 35 hours a week for 40 weeks for the period of November 1 to October 31 in each year; and
- (e) if the Applicant is a partnership, each partner shall drive his or her Accessible Cab on a full-time basis for a minimum of 35 hours a week for 40 weeks for the period of November 1 to October 31 ~~in each year.~~

3.54 Notwithstanding subsections 3.43(d) and (e) of this Schedule, the Licence Manager may exempt an Accessible Cab Owner from the minimum hours of operation required if, on account of illness, injury or other medical disability, he or she has been unable to meet the requirements of that subsection, if he or she files with the Licence Manager a statutory declaration so stating, together with supporting documentation including a medical certificate from a physician certified to practice in Ontario and such other evidence as the Licence Manager may require and the statutory declaration shall also state that he or she did meet the requirements of subsections 3.3(d) and (e) of this Schedule before the onset of his or her medical disability.

3.65 No person issued a Class B Cab Owner Licence or a Class B Accessible Cab Owner Licence shall:

- (a) lease or give up possession, transfer, assign or convey any right, title or interest in the Cab Owner or Accessible Cab Owner Licence, except in accordance with this By-law; or
- (b) give up possession, custody or control of his or her Cab or Accessible Cab except to Drivers engaged by him or her to operate his or her Cab or Accessible Cab on a shift basis.

4.0 OWNER'S PROHIBITIONS

4.1 No Licensed Cab Owner or Accessible Cab Owner, shall:

- (a) permit any person to Operate his or her Cab unless that person is Licensed as a Cab Driver under this By-law;
- (b) permit any person to Operate his or her Accessible Cab unless that person is Licensed as an Accessible Driver under this By-law;
- (c) permit his or her Owner's Plate to be used with respect to any other vehicle other than the vehicle for which the Owner's Plate was issued;
- (d) require or permit a Driver of the Owner's Cab or Accessible Cab, to work when that person's ability to perform his or her duties is impaired by fatigue, illness or otherwise;
- (e) require or permit a Driver to Operate the Owner's Cab or Accessible Cab when the Driver has been on duty for more than 12 hours within a 24 hour period without first taking 8 consecutive hours off duty;
- (f) Operate, cause or permit his or her Cab or Accessible Cab to be Operated with mechanical defects;
- (g) Operate or permit his or her Cab or Accessible Cab to be Operated, without an Owner's Plate for that vehicle having been issued under this By-law;
- (h) put any name, address or telephone number or identification other than that of the Broker with whom the Owner is affiliated, on ~~the vehicle~~his or her Cab or Accessible Cab;
- (i) Operate or permit his or her Cab or Accessible Cab to be Operated in affiliation with a Broker who is not licensed under this By-law;
- (j) display or permit the display of any advertisement on ~~or in~~ the Cab or Accessible Cab except one permanently attached exterior advertising sign not exceeding 36 cm x 51 cm (14" X 20") in size on each of the side panels of the front doors of the Cab or Accessible Cab and on the rear trunk lid of the Cab or Accessible Cab, such sign relating solely to the Vehicle for Hire Taxi business of the Owner, or affiliated Broker;
- (k) permit a person to Operate his or her Cab or Accessible Cab when the Cab Meter is out of order or defective in any way;
- (l) use or permit to be used on his or her Cab or Accessible Cab a colour scheme that is not approved by the Licence Manager or simulates a colour scheme used by another Broker;
- (m) use or permit to be used in his or her Cab or Accessible Cab a scanning device or more than one two-way radio communication system and one cellular telephone; and
- (n) fail to maintain his or her Cab or Accessible Cab in operation for a period of at least 120 successive days.

5.0 NUMBER OF CAB AND ACCESSIBLE CAB OWNER LICENCES

5.1 A limitation is imposed on the issuance of Cab Owner Licences at whichever number is greater:

- (a) the number of licences issued under By-law No. L-126-256 immediately before its repeal; or,
- (b) a ratio of one Licence for each 1,100 residents of the City, the total number of residents of the City to be determined annually from the latest revised population figures available from Statistics Canada.

5.2 A limitation is imposed on the number of Accessible Cab Owner Licences at the ratio of one Licence for every 18 Cab Owner Licences.

5.3 Nothing in this By-law shall be construed as preventing an Owner from converting a Cab Owner Licence to an Accessible Cab Owner Licence.

5.4 To regulate the distribution of available Cab Owner Licences and Accessible Cab Owner Licences, the Licence Manager shall issue new Cab Owner Licences and Accessible Cab Owner Licences only at such times as the formula referred to in subsection 5.1(a) and (b) of this Schedule warrants the issuance of new Cab Owner Licences and Accessible Cab Owner Licences. If warranted, the new Licences shall be issued within 3 months of the population figures being available from Statistic Canada, in order from the Cab Priority List or the Accessible Cab Priority List.

5.5 Notwithstanding any provisions of this By-law, no individual corporation or group of corporations having a common shareholder or part Owner with a total of more than 50% of the shares of ownership shall have more than 35% of the total number of Cab Owner Licences.

6.0 CAB PRIORITY LIST AND ACCESSIBLE CAB PRIORITY LIST

6.1 The Licence Manager shall establish and maintain a Cab Priority List and an Accessible Cab Priority List to be used in determining the priority of for issuing new Cab Owner and Accessible Cab Owner Licences, using the following criteria:

- (a) applicants that are on the Cab Priority List or the Accessible Cab Priority List on or before February 29, 2012 shall have their name placed on the Cab Priority List or the Accessible Cab Priority List and maintain their order;
- (b) when a complete Application for a Cab Owner Licence or an Accessible Cab Owner Licence is submitted to the Licence Manager after March 1, 2012 and the Applicant meets all of the requirements in subsections 1.4 (a) to (e) inclusive, 1.5 and 6.9 of this Schedule, but a Cab Owner Licence or an Accessible Cab Owner Licence cannot be issued because of the limitation on the number of Cab Owner Licences or Accessible Cab Owner Licences set out in subsection 5.1(a) and (b) of this Schedule, the Applicant's name shall be placed at the end of the Accessible Cab Priority List by the Licence Manager;
- (c) no person shall hold more than one position on either the Cab Priority List or the Accessible Cab Priority List at any one time;
- (d) no person shall have their name on or hold a position on both the Cab Priority List and the Accessible Priority List at any one time;
- (e) once a person receives a Cab or an Accessible Cab Owner Licence either by means of the Cab or Accessible Cab Priority List or by other means, such as a transfer, the Person is no longer eligible to receive a Cab or Accessible Cab Owner Licence by means of the Cab or Accessible Cab Priority List;
- (f) no Person who has been issued a Licence from the Cab or Accessible Cab Priority List may re-enter his or her name on the Cab or Accessible Cab Priority List; and
- (g) if the Applicant whose name appears on the Cab or Accessible Cab Priority List is:
 - (i) an individual, then he or she; or
 - (ii) a partnership, then each partner shall complete a statutory declaration attesting to his or her continued eligibility to remain on the Cab or Accessible Cab Priority List within 30 days following the date the Licence Manager mails by registered letter a notice requiring the statutory declaration to his or her last known address and any persons who fails to complete the statutory declaration shall have their name removed from the Cab or Accessible Cab Priority List without further notice.

6.2 When a Cab or Accessible Cab Owner Licence becomes available for issuance, the Licence Manager shall send a letter to the Applicant whose name is at the top of the Cab or Accessible Cab Priority List, whichever is applicable, by first class prepaid mail requesting that he or she, or each partner if the Applicant is a partnership, attend at the office of the Licence Manager within 45 days of the date of the letter to;

- (a) in the case of an Accessible Cab Owner Licence file with the Licence Manager proof of completion of an Accessible Cab Training Course approved by the Licence Manager, and, subsequently, complete a written examination administered by the Licence Manager with:
 - (i) a minimum grade of 75% for a first attempt; or
 - (ii) a minimum grade of 85% for all subsequent attempts;

- (b) submit an Application for such Licence in accordance with subsections 1.4 and 1.5 of this Schedule; and
- (c) pay the required fee.

6.3 Every newly Licensed Cab or Accessible Cab Owner shall place his or her Cab or Accessible Cab in operation within 45 days from the date the Cab or Accessible Cab Owner Licence is granted, failing which the Cab or Accessible Cab Owner Licence shall be returned to the Licence Manager who may proceed to issue the Cab or Accessible Cab Owner Licence to another eligible Applicant on the Cab or Accessible Cab Priority List.

6.4 When a Cab or Accessible Cab Owner Licence is issued or denied to an Applicant on the Cab or Accessible Cab Priority List, the name of that Applicant shall be removed from the applicable Cab or Accessible Cab Priority List by the Licence Manager and all other names below shall be moved forward one position.

6.5 No Person, by virtue of the submission of an Application for a Cab or Accessible Cab Owner Licence or by virtue of the placing of his or her name on the Cab or Accessible Cab Priority List shall obtain a vested right to a Cab or Accessible Cab Owner Licence, or to remain on the Cab or Accessible Cab Priority List.

6.6 The City may at any time amend or repeal this By-law and any successor By-laws and place further or additional requirements or restrictions on such persons at any time or to purge or eliminate the Cab or Accessible Cab Priority List.

6.7 The Cab or Accessible Cab Priority List shall not oblige the City to issue a Licence to any person on it, regardless of he or she being at the top or the earliest entry. The Cab or Accessible Cab Priority List shall not give such person a vested interest in a Cab or Accessible Cab Owner Licence and its use shall be solely for establishing the order of priority of persons seeking a Cab or Accessible Cab Owner Licence.

6.8 An Applicant's name shall be placed on the Cab or Accessible Cab Priority List by the Licence Manager if where the Applicant is an individual, the individual, or where the Applicant is a partnership, a partner or a partner if the Applicant is a partnership:

- (a) has been Licensed as a Cab Driver for at least 2 years and Operating a Cab at least 35 hours a week for 40 weeks in each of the two years prior to the date that his or her Application for a Cab Owner Licence is filed with the Licence Manager together with a statutory declaration confirming this;
- (b) holds his or her Cab Driver Licence in good standing with no outstanding charges or convictions under this By-law; and
- (c) has not held, either directly or indirectly, a Cab Owner Licence or an Accessible Cab Owner Licence during the 5 years prior to the date that his or her Application for a Cab or Accessible Cab Owner Licence is filed with the Licence Manager.

6.9 Notwithstanding subsection 6.8 of this Schedule, when an Applicant's name has been added to the Cab or Accessible Cab Priority List, the Applicant's name ~~his or her name~~ shall remain on the Cab or Accessible Cab Priority List if where he or she is an individual, the individual, or where the Applicant is a partnership, a partner or a partner if the Applicant is a partnership:

- (a) continues to drive a Cab for an average of at least 35 hours a week for 40 weeks each year or he or she works as a Dispatcher, a Broker general manager, telephone operator or mechanic and has worked in that capacity, or any combination thereof, for an average of at least 35 hours a week for 40 weeks each year and has filed a statutory declaration with the Licence Manager confirming this;
- (b) renews his or her Application annually, signing a statutory declaration and paying a fee as required by the Licence Manager; and
- (c) continues not to have held, either directly or indirectly, a Cab an or an Accessible Cab Owner Licence.

6.10 Notwithstanding subsection 6.9 of this Schedule, when an Applicant, (is either an individual, or a partner if the Applicant is a partnership), has, on account of illness, injury or other medical disability, been unable to meet the requirements of that subsection, the Applicant's name may remain on the Cab or Accessible Cab Priority List if he or she files with

the Licence Manager a statutory declaration so stating, together with supporting documentation including a medical certificate from a physician certified to practice in Ontario and such other evidence as the Licence Manager may require and the statutory declaration shall also state that the Applicant did meet the requirements of subsection 6.9 before the onset of his or her medical disability.

6.11 Notwithstanding subsection 6.9 of this Schedule, when an Applicant's name has been on the Cab or Accessible Cab Priority List for 4 years or more, his or her name may remain on the Cab or Accessible Cab Priority List while he or she if the Applicant is an individual, or a partner if the Applicant is a partnership, attends, on a full-time basis, an Ontario Government accredited educational institution, provided such attendance is for no more than 2 years and the Applicant gives written notification to the Licence Manager of his or her intention to enroll within 60 days of enrolment and proof of enrolment.

6.12 When a person fails to meet the requirements of section 6.0 of this Schedule, the Licence Manager shall remove his or her name from the Cab or Accessible Cab Priority List.

6.13 When a person acquires, by transfer or otherwise, a Cab Owner Licence or Accessible Cab Owner Licence, or an interest of any kind, directly or indirectly, in a Cab Owner Licence or Accessible Cab Owner Licence, or becomes a shareholder or partner or acquires some other interest in a partnership or corporation having an interest in Cab Owner Licence or Accessible Cab Owner Licence, the Licence Manager shall remove his or her name from the Cab or Accessible Cab Priority List.

6.14 The Licence Manager shall remove the name of an individual from the Cab or Accessible Cab Priority List immediately upon learning of his or her death.

6.15 The Licence Manager shall review the Cab and Accessible Cab Priority List at regular intervals, but in any case not less than once annually, to determine that those persons listed on it remain in compliance with the requirements of this By-law.

6.16 Any person whose name is on the Cab or Accessible Cab Priority List and who is determined by the Licence Manager not to comply with the requirements of section 6 of this Schedule shall be notified by registered letter mail to his or her last known address on file with the Licence Manager that his or her name is to be removed from the Cab or Accessible Cab Priority List and the person may appeal this removal by requesting a hearing before the Hearings Officer by filing with the City Clerk a notice of appeal in writing within 14 days following the date of mailing the registered letter, whether the registered letter is received or not. The notice of appeal must comply with the requirements as set out in Schedule 1 of the City's Hearings Officer By-law A-6653-121 as amended.

6.17 When a request for a hearing before a Hearings Officer has been made in accordance with subsection 6.16 of this Schedule, the Licence Manager shall:

- (a) not remove the name of the person appealing from the Cab or Accessible Cab Priority List until the Hearings Officer has issued a final decision;
- (b) note beside the name on the Cab or Accessible Cab Priority List that an appeal has been requested; and
- (c) not issue any Cab or Accessible Cab Owner Licences until such time as the Hearings Officer has disposed of all outstanding appeals, unless the Cab or Accessible Cab Owner Licence is not issued due to the Cab or Accessible Cab Priority List.

6.18 The Cab and Accessible Cab Priority List shall be available for inspection by the public during normal business hours at the office of the Licence Manager.

SCHEDULE "E" – LIMOUSINE OWNER

LICENCE APPLICATIONS, DUTIES, PROHIBITIONS

1.0 LICENCE APPLICATIONS AND RENEWALS

1.1 A person who is the owner of more than one Limousine shall take out a separate Licence and Owner Plate for each Limousine to be Plated and Operated or permitted to be Operated as a Limousine.

1.2 Every Applicant for a Limousine Owner Licence or a renewal thereof shall:

- (a) if the Applicant is an individual, attend at the office of the Licence Manager in person and complete a written aApplication for such Licence;
- (b) if the Applicant is a partnership, have a partner attend at the office of the Licence Manager in person and complete a written aApplication for such Licence;
- (c) if the Applicant is a corporation, have an officer or director of the corporation having signing authority attend at the office of the Licence Manager in person and complete a written Application for such Licence;
- (d) if the Applicant is an individual, hold a valid Limousine Driver Licence;
- (e) if the Applicant is a partnership, have each partner hold a valid Limousine Driver Licence;
- (f) if the Applicant is a corporation, have an officer of the corporation hold a valid Limousine Driver Licence;
- (g) if the Applicant is a partnership, have each partner submit to the Licence Manager provide a CIR from the London Police Services dated not later than 60 days prior to the aApplication for a Licence;
- (h) If the Applicant is a corporation, have each director submit to the Licence Manager provide a CIR from the London Police Services dated not later than 60 days prior to the aApplication for a Licence;
- (i) file with Licence Manager:
 - (i) proof that the vehicle to be Plated has a current motor vehicle permit that is in good standing issued under the *Highway Traffic Act* and is either registered in his or her name or leased by him or her;
 - (ii) proof of insurance in respect of each vehicle to be Plated indemnifying and protecting the Limousine Owner and the public, including Passengers, in the amount of \$2,000,000.00, which insurance shall be satisfactory to the Licence Manager who shall be notified in writing at least 60 days prior to the date of its cancellation or expiry; and
 - (iii) a Safety Standards Certificate issued within the previous 60 days with respect to the vehicle to be Plated as a Limousine;
- (j) submit for inspection and approval by the Licensing Manager the vehicle that is to be Plated that meets all of the requirements of section 2.0 of this Schedule; and
- (k) comply with all of the provisions of this By-law.

2.0 VEHICLE REQUIREMENTS

2.1 Every Owner shall ensure that his or her Limousine has:

- (a) 2 exterior emergency lights in a location approved by the Licence Manager that:
 - (i) have an intermittent flasher to continuously flash until reset or disengaged and a silent activation switch within easy reach of the Driver; and

- (ii) are amber in colour, at least 5 centimetres in diameter, shock resistant, wired on an independent circuit, upon activation visible from the front and rear of the Limousine at a distance of not less than 15 metres but not visible to any individual in the Limousine, and installed at and facing toward the front and the back of the Limousine;
- (b) have a City issued 911 Bumper Sticker affixed~~located~~ in proximity to the rear emergency light;
- (~~c~~b) a fully-operational security camera system;
 - (i) that has been approved by the Licence Manager;
 - (ii) that is capable of recording images of persons in the Limousine at all hours of the day or night;
 - (iii) with access to the information recorded by the camera system which access shall be limited to the Enforcement Officer to access the information for law enforcement purposes only;
 - (~~iii~~)(iv) commencing May 1, 2012, that shall be capable of the camera system as required under subsection 2.1(b) of this Schedule shall in addition to the requirements in subsection 2.1(b) of this Schedule be capable of recording forward images of the roadway as seen by the Driver while the vehicle is in operation;
- (d) a decal or sign satisfactory to the Licence Manager installed in a location approved by the Licence Manager indicating that photographic images of the passengers are being recorded; and
- (e) the Owner Plate issued for the Limousine securely affixed to its right rear trunk; and
- (~~f~~) ~~a windshield and any windows to the direct left or right of the driver's seat that are free from any type of tinting or coating with coloured spray or other coloured or reflective material.~~

2.2 For the purpose of this By-law the age of any motor vehicle shall be determined by counting the model year as the first year.

2.3 No motor vehicle more than six (6) years old and no Low Emission Vehicle more than seven (7) years old may be Plated as a Limousine under this By-law.

2.4 No motor vehicle older than two (2) years may be Plated for the first time as a Limousine under this By-law.

2.5 Sections 2.2, 2.3 and 2.4 do not apply to a Limousine (Classic).

3.0 OWNER'S DUTIES

3.1 Every Licensed Limousine Owner shall:

- (a) keep at all times in the Limousine for which the Limousine Owner Licence was issued, the original or a photocopy of the original of each of the following documents:
 - (i) the current Cab Owner Licence issued under this By-law;
 - (ii) a current Ministry of Transportation Passenger Motor Vehicle Permit issued for the Limousine;
 - (iii) the certificate of insurance for the Limousine obtained in accordance with the requirements of this By-law;
- (b) maintain the Limousine in good condition at all times and w~~Without limitation every Owner shall:~~
 - (i) maintain all drive train components, the engine, transmission, suspension and braking system in accordance with Ontario Regulation 611 of the *Highway Traffic Act*, as amended from time to time;
 - (ii) maintain all factory and after-market parts such as lamps, latches, seats, body parts, windows, heater and defroster systems free of defects or damage and in complete operational order; and
 - (iii) maintain the vehicle generally to allow for its safe operation;

- (c) repair all of the Limousine's mechanical defects immediately when reported by a Driver, the Licence Manager or an Enforcement Officer;
- (d) maintain in the Limousine a Maintenance Log recording all maintenance and repairs performed on the Limousine within the preceding 12 months;
- (e) maintain the interior and exterior of his or her Limousine in a clean and tidy condition, including maintain the interior:
 - (i) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on to the person, clothing or possessions of a Passenger;
 - (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the Limousine;
 - (iii) free of noxious substances;
 - (iv) free of excess wear including tears and cigarette burns in the upholstery;
 - (v) in a dry condition;
 - (vi) in good repair;
 - (vii) with working seat belts;
 - (viii) with side windows that open and close;
 - (ix) with every seat securely mounted maintaining its position and adjustment;
 - (x) with a working dome light that will activate automatically when the vehicle doors open;

and maintain the exterior:

 - (xi) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
 - (xii) in good repair;
 - (xiii) free from exterior body damage;
 - (xiv) with no missing or removed fender, grill or molding;
 - (xv) with securely closing doors and trunk lid;
 - (xvi) with all handles and catches in good repair;
 - (xvii) with the paint or finish in good repair paint or finish; and
 - (xviii) with four matching hubcaps or wheels;
- (f) submit each Limousine for a safety inspection annually by a motor vehicle inspection mechanic at a motor vehicle inspection station as defined by the *Highway Traffic Act* and at other times as requested to do so by the Licence Manager or an Enforcement Officer;
- (g) maintain insurance on his or her Limousine as required under subsection 1.2(i) of this Schedule;
- (h) file with the Licence Manager at least 5 days prior to the expiry date of any current insurance policy an insurance renewal policy or certificate of insurance; and
- (i) maintain for no less than 12 months an accurate record of all Orders for his or her Limousine together with:
 - (i) the number of the Limousine Owner Licence;
 - (ii) the date and time that the Limousine was dispatched;
 - (iii) the Driver's name and Limousine Driver Licence number; and
 - (iv) the address to which the Limousine was dispatched.

43.0 OWNER'S PROHIBITIONS

43.1 No Licensed Limousine Owner, shall:

- (a) permit any person to Operate his or her Limousine unless that person is Licensed as a Limousine Driver under this By-law;
- (b) permit his or her Owner's Plate to be used with respect to any other motor vehicle other than the vehicle for which the Owner's Plate was issued;
- (c) require or permit a Driver of the Owner's Limousine, to work when that person's ability to perform his or her duties is impaired by fatigue, illness or otherwise;
- (d) require or permit a Driver to Operate the Owner's Limousine when the Driver has been on duty for more than 12 hours within a 24 hour period without first taking 8 consecutive hours off duty;

- (e) Operate, cause or permit his or her Limousine, to be Operated with mechanical defects;
- (f) Operate or permit his or her Limousine to be Operated, without an Owner's Plate for that vehicle having been issued under this By-law;
- (g) put any name, address or telephone number or identification other than that of the Broker with whom the Owner is affiliated, on the vehicle;
- (h) Operate or permit his or her Limousine to be Operated in affiliation with a Broker who is not licensed under this By-law;
- (i) display or permit the display of any advertisement on or in the Limousine except one permanently attached exterior advertising sign not exceeding 36 cm x 51 cm (14" X 20") in size on each of the side panels of the front doors of the Limousine and on the rear trunk lid of the Limousine, such sign relating solely to the Vehicle for Hire Taxi business of the Owner, or affiliated Broker;
- (j) use or permit to be used in his or her Limousine a scanning device or more than one two-way radio communication system and one cellular telephone; and
- (k) use or permit to be used in his or her Limousine any roof sign or top light.

SCHEDULE "F" – GROUP TRANSPORTATION VEHICLE OWNER

LICENCE APPLICATIONS, DUTIES, PROHIBITIONS

1.0 LICENCE APPLICATIONS AND RENEWALS

1.1 A person who is the owner of more than one Group Transportation Vehicle shall take out a separate Licence and Owner Plate for each Group Transportation Vehicle to be Plated and Operated or permitted to be Operated as a Group Transportation Vehicle.

1.2 Every Applicant for a Group Transportation Vehicle Owner Licence or a renewal thereof shall:

- (a) if the Applicant is an individual, attend at the office of the Licence Manager in person and complete a written aApplication for such Licence;
- (b) if the Applicant is a partnership, have a partner attend at the office of the Licence Manager in person and complete a written aApplication for such Licence;
- (c) if the Applicant is a corporation, have an officer or director of the corporation having signing authority attend at the office of the Licence Manager in person and complete a written aApplication for such Licence;
- (d) if the Applicant is an individual, hold a valid Group Transportation Vehicle Driver Licence;
- (e) if the Applicant is a partnership, have each partner hold a valid Group Transportation Vehicle Driver Licence;
- (f) if the Applicant is a corporation, have an officer of the corporation hold a valid Group Transportation Vehicle Driver Licence;
- (g) if the Applicant is a partnership, have each partner submit to the Licence Manager provide a CIR from the London Police Services dated not later than 60 days prior to the aApplication for a Licence;
- (h) If the Applicant is a corporation, have each director submit to the Licence Manager provide a CIR from the London Police Services dated not later than 60 days prior to the aApplication for a Licence;
- (i) file with Licence Manager:
 - (i) proof that the vehicle to be Plated has a current motor vehicle permit that is in good standing issued under the *Highway Traffic Act* and is either registered in his or her name or leased by him or her;
 - (ii) proof of insurance in respect of each vehicle to be Plated indemnifying and protecting the Group Transportation Vehicle Owner and the public, including Passengers, in the amount of \$2,000,000.00, which insurance shall be satisfactory to the Licence Manager who shall be notified in writing at least 60 days prior to the date of its cancellation or expiry; and
 - (iii) a Safety Standards Certificate issued within the previous 60 days with respect to the vehicle to be Plated as a Group Transportation Vehicle;
- (j) submit for inspection and approval by the Licensing Manager the vehicle that is to be Plated that meets all of the requirements of section 2.0 of this Schedule; and
- (k) comply with all of the provisions of this By-law.

2.0 VEHICLE REQUIREMENTS

2.1 Every Owner shall ensure that his or her Group Transportation Vehicle has:

- (a) exterior emergency lights in a location approved by the Licence Manager that:
 - (i) have an intermittent flasher to continuously flash until reset or disengaged and a silent activation switch within easy reach of the Driver; and
 - (ii) are amber in colour, at least 5 centimetres in diameter, shock resistant, wired on an independent circuit, upon activation visible from the front and rear of the Group Transportation Vehicle at a distance of not less than 15 metres but not visible to any individual in the Group Transportation Vehicle, and installed at and facing toward the front and the back of the Group Transportation Vehicle; and
- (b) have a City issued 911 Bumper Sticker affixed~~located~~ in proximity to the rear emergency light;
- (~~c~~b) a fully-operational security camera system;
 - (i) that has been approved by the Licence Manager;
 - (ii) that is capable of recording images of persons in the Group Transportation Vehicle at all hours of the day or night;
 - (iii) with access to the information recorded by the camera system shall be limited to the Enforcement Officer to access the information for law enforcement purposes only;
 - (~~iii~~)(iv) commencing May 1, 2012 the camera system as required under subsection 2.1(b) of this Schedule shall in addition to the requirements in subsection 2.1(b) of this Schedule be capable of recording forward images of the roadway as seen by the Driver while the vehicle is in operation;
- (~~d~~e) a decal or sign satisfactory to the Licence Manager installed in a location approved by the Licence Manager indicating that photographic images of the passengers are being recorded;
- (e) the Owner Plate issued for the Group Transportation Vehicle securely affixed to its right rear trunk; and
- (~~f~~e) a windshield and any windows to the direct left or right of the driver's seat that are free from any type of tinting or coating with coloured spray or other coloured or reflective material.

2.2 For the purpose of this By-law the age of any motor vehicle shall be determined by counting the model year as the first year.

2.3 No motor vehicle more than six (6) years old and no Low Emission Vehicle more than seven (7) years old may be Plated as a Group Transportation Vehicle under this By-law.

2.4 No motor vehicle older than two (2) years may be Plated for the first time as a Group Transportation Vehicle under this By-law.

3.0 OWNER'S DUTIES

3.1 Every Licensed Group Transportation Vehicle Owner shall:

- (a) keep at all times in the Group Transportation Vehicle for which the Group Transportation Vehicle Owner Licence was issued, the original or a photocopy of the original of each of the following documents:
 - (i) the current Cab Owner Licence issued under this By-law;
 - (ii) a current Ministry of Transportation Passenger Motor Vehicle Permit issued for the Group Transportation Vehicle;
 - (iii) the certificate of insurance for the Group Transportation Vehicle obtained in accordance with the requirements of this By-law;
- (b) maintain the Group Transportation Vehicle in good condition at all times. Without limitation every Owner shall:
 - (i) maintain all drive train components, the engine, transmission, suspension and braking system in accordance with Ontario Regulation 611 of the *Highway Traffic Act*; as amended from time to time;
 - (ii) maintain all factory and after-market parts such as lamps, latches, seats, body parts, windows, heater and defroster systems free of defects or damage and in complete operational order; and

- (iii) maintain the vehicle generally to allow for its safe operation;
- (c) repair all of the Group Transportation Vehicle's mechanical defects immediately when reported by a Driver, the Licence Manager or an Enforcement Officer;
- (d) maintain in the Group Transportation Vehicle a Maintenance Log recording all maintenance and repairs performed on the Group Transportation Vehicle within the preceding 12 months;
- (e) maintain the interior and exterior of his or her Group Transportation Vehicle in a clean and tidy condition, including maintain the interior:
 - (i) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on to the person, clothing or possessions of a Passenger;
 - (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the Group Transportation Vehicle;
 - (iii) free of noxious substances;
 - (iv) free of excess wear including tears and cigarette burns in the upholstery;
 - (v) in a dry condition;
 - (vi) in good repair;
 - (vii) with working seat belts;
 - (viii) with side windows that open and close;
 - (ix) with every seat securely mounted maintaining its position and adjustment;
 - (x) with a working dome light that will activate automatically when the vehicle doors open;

and maintain the exterior:

 - (xi) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
 - (xii) in good repair;
 - (xiii) free from exterior body damage;
 - (xiv) with no missing or removed fender, grill or molding;
 - (xv) with securely closing doors and trunk lid;
 - (xvi) with all handles and catches in good repair;
 - (xvii) with the paint or finish in good repair~~paint or finish~~; and
 - (xviii) with four matching hubcaps or wheels.
- (f) submit each Group Transportation Vehicle for a safety inspection annually by a motor vehicle inspection mechanic at a motor vehicle inspection station as defined by the *Highway Traffic Act* and at other times as requested to do so by the Licence Manager or an Enforcement Officer;
- (g) maintain insurance on his or her Group Transportation Vehicle as required under subsection 1.2(i) of this Schedule;
- (h) file with the Licence Manager at least 5 days prior to the expiry date of any current insurance policy an insurance renewal policy or certificate of insurance; and
- (i) maintain for no less than 12 months an accurate record of all Orders for his or her Group Transportation Vehicle together with:
 - (i) the number of the Group Transportation Vehicle Owner Licence;
 - (ii) the date and time that the Group Transportation Vehicle was dispatched;
 - (iii) the Driver's name and Group Transportation Vehicle Driver Licence number; and
- (d) the address to which the Group Transportation Vehicle was dispatched.

43.0 OWNER'S PROHIBITIONS

43.1 No Licensed Group Transportation Vehicle Owner, shall:

- (a) permit any person to Operate his or her Group Transportation Vehicle unless that person is Licensed as a Group Transportation Vehicle Driver under this By-law;
- (b) permit his or her Owner's Plate to be used with respect to any other motor vehicle other than the vehicle for which the Owner's Plate was issued;

- (c) require or permit a Driver of the Owner's Group Transportation Vehicle, to work when that person's ability to perform his or her duties is impaired by fatigue, illness or otherwise;
- (d) require or permit a Driver to Operate the Owner's Group Transportation Vehicle when the Driver has been on duty for more than 12 hours within a 24 hour period without first taking 8 consecutive hours off duty;
- (e) Operate, cause or permit his or her Group Transportation Vehicle, to be Operated with mechanical defects;
- (f) Operate or permit his or her Group Transportation Vehicle to be Operated, without an Owner's Plate for that vehicle having been issued under this By-law;
- (g) put any name, address or telephone number or identification other than that of the Broker with whom the Owner is affiliated, on the vehicle;
- (h) Operate or permit his or her Group Transportation Vehicle to be Operated in affiliation with a Broker who is not licensed under this By-law;
- (i) display or permit the display of any advertisement on or in the Group Transportation Vehicle except one permanently attached exterior advertising sign not exceeding 36 cm x 51 cm (14" X 20") in size on each of the side panels of the front doors of the Group Transportation Vehicle and on the rear trunk lid of the Cab, such sign relating solely to the Vehicle for Hire Taxi business of the Owner, or affiliated Broker;
- (j) use or permit to be used in his or her Group Transportation Vehicle a scanning device or more than one two-way radio communication system and one cellular telephone: and
- (k) use or permit to be used on his or her Group Transportation Vehicle any roof sign or top light

SCHEDULE "G" - BROKERS

LICENCE APPLICATIONS, DUTIES, PROHIBITIONS

1.0 LICENCE APPLICATIONS AND RENEWALS

1.1 Every Applicant for a Broker Licence shall:

- (a) if the Applicant is an individual, attend at the office of the Licence Manager in person and complete a written aApplication for such Licence;
- (b) if the Applicant is a partnership, have a partner attend at the office of the Licence Manager in person and complete a written aApplication for such Licence;
- (c) if the Applicant is a corporation, have an officer or director of the corporation having signing authority attend at the office of the Licence Manager in person and complete a written aApplication for such Licence;
- (d) if the Applicant is an individual, hold a valid Cab Driver Licence;
- (e) if the Applicant is a partnership, have each partner hold a valid Cab Driver Licence;
- (f) if the Applicant is a corporation, have an officer of the corporation hold a valid Cab Driver Licence;
- (g) if the Applicant is a partnership, have each partner submit to the Licence Manager provide a CIR from the London Police Services dated not later than 60 days prior to the aApplication for a Licence;
- (h) If the Applicant is a corporation have each director submit to the Licence Manager provide a CIR from the London Police Services dated not later than 60 days prior to the aApplication for a Licence;
- (i) file with Licence Manager:
 - (i) proof that the premises from which he or she intends to carry on business as a Broker are within the geographical boundaries of the Municipality, are appropriately zoned and will continue to be so located and zoned throughout the term of the Licence; and
 - (ii) proof that the Applicant has a system for receiving Orders and Dispatching City Plated Vehicles in his or her Fleet and that the system will not interfere with any other Broker, Owner or Fleet; and
- (j) comply with all of the provisions of this By-law.

2.0 BROKER'S DUTIES

2.1 Every Broker shall:

- (a) keep a record of all Owners associated with the Broker including: the make, model and VIN for each vehicle, the Owner's name and contact information, and a copy of the Owner's Licence;
- (b) ensure that every Driver or Owner in association with the Broker complies with this By-law, including being Licensed;
- (c) maintain an accurate record for at least 12 months, of all Orders for each Cab, Accessible Cab, Limousine and Group Transportation Vehicle Dispatched, including the following information:
 - (i) the Owner Licence number;
 - (ii) the Driver's name and Driver Licence number;
 - (iii) the date and time of Dispatch;
 - (iv) the address to which the vehicle is Dispatched and destination;
 - (v) the time of arrival at pick up for all Trips; and

SCHEDULE "H"

LICENCE, EXAMINATION AND OTHER FEES

Each fee listed herein shall be charged by the City in each particular instance.

Category	Fee plus applicable taxes
911 Bumper Sticker	\$3.00
Accessible Cab Priority List	\$25.00
Cab/Taxicab Priority List	\$25.00
Tariff Card	\$5.00
Taxi Driver English Exam	\$30.00
Taxi Driver Final Exam	\$40.00
Re-Inspection of Vehicle for Hire	\$50.00
Replacement of Owner Plate	\$35.00
Taxicab Driver Licence Replacement	\$20.00
Request for Appeal of Decision of Licence Manager	\$100.00
Taxi Driver Licence (Cab, Accessible Cab, Limousine, Group Transportation Vehicle)	\$110.00
Cab (Accessible)	\$750.00
Cab Owner Licence (Cab, Accessible Cab, Limousine, Group Transportation Vehicle)	\$750.00
Limousine	\$750.00
Group Transportation	\$750.00
Broker (all types) Licence	\$400.00
Owner/Driver/Taxicab Vehicle/ Broker Transfer	\$210.00
Taxicab Ownership Licence Transfer	\$750.00
Taxicab Vehicle Substitution	\$210.00
Driver Licence Late application fee	\$75.00

Renewal of the 2012 Vehicle for Hire Driver Licence shall be \$110.00 plus \$9.00 per month beginning and including November 2012 at which time all subsequent renewals will be undertaken on a two year cycle at a fee of \$220.00.

**Limousine Zone
Fare Structure Map**



SCHEDULE "I"

CAB AND ACCESSIBLE CAB TARIFFS FARES

1. \$3.50 for up to the first 57 metres or for up to the first 11 seconds while travelling 17 kilometres per hour or less, or a combination thereof;
2. \$0.25 for each additional 130 metres or part thereof;
3. \$0.25 each additional 26 seconds of time while the Cab or Accessible Cab is on a Trip, travelling at a speed of 17 kilometres per hour or less; and
4. A 10% discount on the tariff will be given, on a 24-hour per day basis, to Senior Citizens. The discount is calculated on the highest full dollar registered on the CabTaxicab Meter (e.g.i.e. the discount on a \$2.50 Fare would be calculated on \$2.00 only and would equal \$0.20);

The Fares shall be calculated from the time of pickup of the first Passenger to the time of the discharge of the last Passenger. The Driver of a Cab may make a charge, to be negotiated with the Passenger or Passengers prior to the Trip, for parcel handling; such charge shall not apply to luggage or baggage accompanying a Passenger transported between any transportation terminal and the pick-up or destination point of the Passenger or Passengers.

LIMOUSINE (EXECUTIVE) TARIFFS

There are two fare structures that are permitted in the City of London for Limousine (Executive).

Option 1 – Zone Fare Structure

The permitted fares for Limousine (Executive) operating within the City of London shall be calculated as travelled zones by the most expeditious route.

Zones	General Rate	Senior Rate
1	\$8.75	\$8.00
2	\$8.75	\$8.00
3	\$11.50	\$10.25
4	\$15.25	\$14.00
5	\$18.50	\$17.00
6	\$22.25	\$20.25
7	\$25.00	\$22.50
8	\$28.75	\$26.00
9	\$32.00	\$29.00
10	\$35.25	\$32.00
11	\$38.50	\$34.75
12	\$41.75	\$37.75
13	\$45.50	\$41.25
14	\$48.00	\$43.50

Option 2 – Hourly

The permitted fares for Limousine (Executive) operation within the City of London shall be as follows:

- a minimum fare of \$43.00 for the first hour or part thereof, and thereafter,
 - a minimum fare of \$43.00 per hour.
- a. ~~by deleting the minimum fare of "\$65.00" in Schedule "C" and substituting in its place "\$70.00";~~
- b. ~~by deleting the minimum fare of "\$40.00" in Schedule "D" and substituting in its place "\$43.00".~~

LIMOUSINE (STRETCH) AND LIMOUSINE (CLASSIC) TARIFF

The permitted fares for Limousine (Stretch) and Limousine (Classic) in the City of London shall be calculated as travelled zones by the most expeditious route. They are as follows:

- a minimum fare of ~~\$70.00~~65.00 for the first hour of part thereof, and thereafter,
- a minimum fare of ~~\$70.00~~65.00 per hour.

GROUP TRANSPORTATION VEHICLE TARIFF

The permitted fares for Group Transportation Vehicles operation within the City of London shall be as follows:

- a minimum fare of ~~\$430.00~~430.00 for the first hour of part thereof, and thereafter,
- a minimum fare of ~~\$430.00~~430.00 per hour.

SCHEDULE B

TAXICAB DELEGATION MEETING MINUTES

Minutes from December 21, 2011

Speaker 1 ~ Geoff Parkins (U-Need-A)

- Issue: age of vehicle – vehicles are financed for several years and pay for maintenance of vehicle. It is unrealistic to limit the age to 2 yrs. Expenses will increase and the maintenance will decline. One inspection per year if not more and it is very infrequent, he believes, that cars are taken off the road. He used Toronto as an example and the issues they had once they lowered the vehicle age to two years. He asked where is the vehicle age restriction for limos?

Speaker 2 ~ Kayoumars Alipoor (submitted handout)

- Limos don't appear to be regulated
- Yellow paid \$80 000 for cameras in their taxis; limos should have to do the same
There should be an open market for camera companies as there are others that are cheaper and provide a better product
- He suggested a minimum limo fee as currently there is nothing to distinguish between limo and taxi; and limit limo vehicles
- More studies need to be done on accessible cabs – are they "accessible"?

Speaker 3 ~ Jamie Donnelly (Aboutown)

- Summarized a history of communication and relationship between Aboutown and the City
Alternative transportation (ie. Von or concierge services) are not licensed and therefore similar to bandit cabs.
There would be no benefit to the public if flat rates are not allowed as having such a service creates a comfort level for repeat customers
- Issue: Licence Manager – do not give cancel/revoke rights to the Licence Manager as the Police already manage major issues
- Issue: renewal date – suggested date of driver's licence renewal through MTO
- Issue: vehicle age – vehicle standards are fine as they are but the problem is with compliance
- Issue: limo fares – return limos to limo industries. Aboutown is the only brokerage to offer all services, all can co-related. Aboutown offered to work with the City to study distances and rates
5% of taxis are accessible; less than 1% are use for accessible requests
- Issue: retrofit vehicles to make them accessible – would be used on a very limited basis by the customer and there would be no return on investment for the owner; he believes customers would not use the swing out seat as they are more familiar with getting in to a Sedan
He states the by-law serves citizens well but there is room for improvement

Speaker 4 ~ Hasan Savehilaghi (Yellow London)

- Report shows progressive action but still some concerns and issues
- Historically the by-law has been a double standard
- The 2004 review was not helpful to drivers or users of the by-law. For ex: the motions made to the ETC.
- Issue: taxi VS limo service – drivers and owners involved with Checker complain of unfair wages yet they're operating as a taxi and not a limo
- Any history of meetings regarding the taxi industry always brings up the issue of limos serving as taxis but no action is ever taken
- Suggestion: cap limo plates
- Issue: flat rates – nothing in City documentation that shows approval for flat rates, which makes it illegal
- Issue: plate transfer – he was a member of the panel that previously reviewed the by-law; plates have been transferred for 30 years, it would be embarrassing to the City to try change this
- Issue: age of vehicle – no mention in the report regarding the age of limo vehicles. Limiting the age will not help the public, it is costly for taxi operators, and will mean an extra cost for leasing shifts. Every cab driver should have a mechanical log sheet in the vehicle. High mileage cannot be of a concern at all times, consider safety through inspections
- Issue: criminal check – will it be based on accusation or conviction?
- Issue: medical check – more detail is required in the report. Means an additional \$40 charge for the driver and who can truly determine whether a driver is safe and able to drive?
- Issue: random checks – limos weren't included in the random study, why not? Where they pulled off the road?

Speaker 5 ~ Abdalla

- Stats used in the report needs to be reviewed
- How many people lease plates? How many operate their own plates?
- Report is subjective, not objective
- Drivers want to work hard and get loans, make a living – they do not want handouts from Ontario Works
- How does the number of leased plates affect service? It doesn't
- Increasing plates will decrease the market price
- Issue: vehicle age – not good to have a two year limit. Four years maybe? One can get good service from a vehicle of 4 years
- This process is repeating the 2004 review process. Will we end up with same result?

Speaker 6 ~ Leo Babakri

- By-law should cater to serve and assist
- Customer should be #1; drivers and owners be #2; brokers #3. Their livelihood is dependent on what they do – they pay their taxes, the money is returned to the City, therefore their input should be greatly considered. The drivers are more involved than the four brokers
- Issue: medical checks – opening a can of worms. This is personal information that the City should not invade. MTO is currently doing something similar. This should be done through the province as it is not a municipal concern. Not feasible for the City to go through this
- Issue: plate transfer – 1300:1 ratio but this is not accurate. Count the limos! London is the highest compared to other cities the same size
- Comprehensive info should be provided to Council. The report is lacking. Suggestion: Include limo regulations as there is no difference between taxi and limo except fare structure and criteria is different. The client should call taxi or limo based on service received not fare. This is their business – people invest themselves wholly with much money and time, similar to all other types of business out there. Other businesses can be transferred – why is the taxi limo industry different? Money changing hands should not be seen as a negative. City could take advantage of taxing plates!
- Issue: taxi VS limo - include limo in report. This concern will not go away if not addressed. A decision needs to be made and kept so this does not come up each review. Freeze limo plates. This is one industry with two branches. Taxi is handcuffed and limo is free. This is not fair or justifiable
- Issue: renewal – date of birth
- Issue: limo fares – customers should be everyone's concern. Ask the customers – they will tell you they take limos because they're cheaper. Yes, geographical concerns are valid but are not the entire reason. Limos are sometimes higher but not often
Solution: travel zones. Pull the old by-law to see the previous, simple solution.
Unofficial and geographic issue s- travel zone would cap this
Report says 20% higher – he doesn't think even 5% different. Why discrepancy?
Number of limos have increased from 50 to 145 but not based on population growth or any other reason other than the unfair fare structure.

Speaker 7 ~ Matthewos Sebesatos and Azadine

- Issue: plate transfer – in his experience, when plates are transferred, there is no questioning from City Hall. He needs to support his family and does not agree with report proposal
- Issue: bandit cabs – he agrees with this. With the increase of gas and the cost of living, it takes business away as from the cab drivers
- Issue: driver qualification – trouble attracting new drivers
- Issue: medical forms – another expense that is not necessary
- Issue: issuance – gives Licence Manager more power to take away a basic right for an individual to work. The opportunity for a hearing is necessary
- Issue: age of vehicle – should remain at 7 yrs

- Issue: taxi VS limo – there should be a taxi stand at JLC

Speaker 8 ~ Ishmael Omer

- 2004 review – went from 9 years to 7 years
- Equilibrium needed between limo and taxi – there is no balance. In order to maintain vehicles and also keep the cost manageable for car owners, he suggests a 4 year life span
Crown Victoria's are great vehicles as they are strong and heavy duty. They are different when compared to other public cars as they were provided police services. They are built to do the job that is required
- Issue: limo VS fare structure – offered to take a ride with the City to check the rates and distances of cabs and taxis. Customers get upset when they end up paying more for a taxi ride. Ex: fare from airport to UWO – Limo charges \$28 with City Zone Structure while a taxi charges \$30 with the meter. How are taxi drivers supposed to stay in business? He recommends a 15% difference between taxi and limo.
- At the last public meeting held at Centennial Hall, limos were demanding how can they provide a premium service without charging a premium price? Limo drivers agree with taxi drivers – it's the City at fault!
- A balance between supply and demand within this industry is necessary. London allows limos to operate as taxi cabs. Service is not economically viable
Distinguishing between taxi and limo services will support businesses in London
New limo plates being issued only increases the number of being hurt and affected
- Issue: Licence Manager – large influence on industry for those who are being accused based on complaints and not founded evidence
Hard working people get a licence to support their families and their lives can get disrupted based solely on a complaint
Leave it as it is – take the issue to the Licensing Committee, based on conviction.
- Issue: Plate transfer – matter was put to rest with 2004 by-law – Check Oshawa by-law
Plates should remain transferable as they are deeply imbedded in the by-law

Speaker 9 ~ Jason Kukurudsiak

- By-law is broken, contradictory and deregulated
- Issue: plate transfer – City proposed option is impossible to achieve. Many owners take out lines of credit and second mortgages to purchase a plate
- Issue: bandit cabs – totally agrees with the City perspective
Alternate modes of transportation – need to shut them down (Ex Keys Please). Similar to executive limo
- Issue: qualifications – no medical history should be requested
- Issue: Licence Manager – he should not be the “hanging judge”; the committee should be used
- Issue: renewal – use birthdate
- Issue: vehicle standards – updated yearly and is randomly checked; should remain the same

- Issue: taxis VS limo - Limos are doing taxi business and limo will soon outnumber taxis.
Executive service = premium service but should have a premium price. People should be able to pay for the service
- Issue: accessible – not all handicapped individuals need an accessible vehicle
No new accessible vehicles are needed
City should offer incentive for those that retrofit their vehicles
Conclusion: many examples to take (ie Seattle) who deregulated and then realized they ended to clean up the mess and regulate
- London is semi-deregulated and headed for disaster

Minutes from January 18, 2011

Speaker # 1

- Problems with inadequate street signs, house numbers, roads not smooth
- Major concern with report – plate transfer issue will prevent them from selling plates to each other, the plate is like a pension for driver/owners
- Issue: proposed requirement for 2-year old vehicle – where would they find these cars. Suggest City have a contract with a company like Toyota
- Issue: concern about City Hall people on list for plates
- Issue: concern about restrictions on airport and Executive won the airport fares
- Issue: concern about flat rates available to Executive & Checker, not fair
- Issue: concern about limousine safety given tinted windows

Speaker # 2 ~ Ishmael Omer (Plate # 334)

Is owner/operator of a taxi for 18 years. Frustrated that language issues make it difficult to convey their concerns about the issues.

- Referred to consultant report in 2004 where the issue of plat transfer was put to rest by deciding that because of what happened in the past that plates would remain transferrable
- Report placed plates in two categories: the 4 digit plate numbers (9 on road now) were issued with some conditions and transfer would be to those on waiting list
- Fair decision to continue to allow other plates to be transferred because the majority of these plates are owner/operators
- Recognized the significant financial investment made by the owner/operators
- Mentioned that there would be possible litigation if City proceeds with restricting plate transfers. Section 16 f by-law – when owner passes away it goes into the person's estate. This is only fair
- Report should focus on what makes the drivers angry which is limousines operating like taxis – offering cheaper rates, advertising to promote 'Why Take a Cab? – Take a Limo'.
- Limo arrangements with hotels to airport with flat rates – not fair.

- Why aren't limos required to have security cameras installed when they are doing the same thing as taxis?
- There are limits to ratio of taxi cabs to population. Why aren't there similar limits for limos to limit them to current ones and implement same 4 digit plate numbers that are not transferable?
- Brokers are only ones benefiting from business. Need to help owner/operators by stopping limo plates.
- There is supposed to be a significant rate difference for a premium service that should be reflected in limo prices, but they are now undercutting taxi rates. They should be at least 25% higher e.g. (\$10.00 taxi - \$12.50 limo).
- Brokers shut down drivers and no one can fight them. City should take on protection of drivers.
- London Taxi Association is ready to take legal action against the City if the proposed by-law amendments are made.

Speaker # 3 ~ Fuard Noury (Plate # 767)

- He has followed all directions given by City Hall to purchase a plate. He borrowed money and the proposed new regulations will make his life very difficult.
- Issue: plate transfers is his biggest concern
- Will not address the limo issues as they have already been addressed by the previous speaker.
- Issue: licence manager - has a problem with the Licence Manager being able to revoke licence before the London court determines whether the person is guilty. City Hall should focus more on helping the taxi industry.
- (Orest interjected to clarify that page 5 of the report specifically notes that the severity of the "conviction" would be considered, not the severity of the charge.

Speaker # 4 ~ Hasan Savehilaghi (Yellow Taxi)

In business for 14 years with two brokers then purchased his own plate until formation of the London Yellow Taxi Company.

- He commends the proactive nature of the report and supports some of the positive aspects of the report, but has serious issues with contradictions in the report
- Perceives a bias towards limo industry. Focus of report on improvements and changes for the taxi industry, but not on the executive limos
- City regulations should have balance and fairness, but these are not there.
- There is a general misunderstanding among City Officials and Councillors that plate owners live outside the country when in reality most are single plate driver/owners.
- Taxi industry is stressful and difficult – recommendations to restrict transfer of plate to satisfy a priority list have created chaos in the industry.
- This has created false hopes to many drivers that they will get a free plate and others fear that they cannot resell plates they have purchased for high prices. If this isn't changes, 200 drivers will be pursuing litigation against the City.

- Concern that there is nothing in the recommendations to address the conflict between taxi and limousine industries. The report is public information on the web and says limo rates are 20% higher which is not accurate.
- Questioned why limos are exempt from cameras?

Speaker # 5 ~ Ben Howell (Vice-President London Taxi Association)

- Questioned whether ETC Committee endorses the mandate of the report as two previous Chairs differ in their understanding of this. Mentioned that Harold Usher has a very different perspective on the report.
- Orest responded to explain the background leading to ETC agreement for a full review of the taxi by-law. This is a policy report to the public for consultation and to obtain feedback that will be referred to the ETC Committee. Will come back with a report recommending amendments to the by-law.
- Concern raised regarding medical certificates not being necessary as licensed would be revoked by Ministry of Transportation.
- asked for time to conduct a poll with plate owners on plate transfers. Need to protect their investment. The policy has to be adjusted – doesn't completely agree with priority list.
- concerned that limo pricing is too close to taxi
- requested release of information gathered by secret shoppers including specific details on the list of calls that were made and the pricing for the 50 trips.
- Orest replied that he is under advisement not to respond to this request today, will get back to him later.
- raised concerns about the quality statements made about cabs and wants a list of which motor vehicles inspected, when. He noted that quality concerns about limos were mentioned.
- Commented that Vehicle standards, inspections and repairs are tracked by the Motor Vehicles Branch – additional safety measures are not called for.
- Issue: Vehicle replacement for cabs fine at 5 years but limos should be reduced from 4 to 3 years.
- Control over who is suspended based on convictions (Orest clarified that recommendations are based on convictions again).
- Issue: renewal period - regarding changing licence renewal periods, suggests these be timed to the insurance timeframes which for U-Need-A is December 31 and About Town is October 31.
- Need to establish difference between fare charges for limos \$15 per zone not unfair.
- Limo drivers soliciting for business is in contravention of by-law – how come no action was taken against those who solicited business of the 50 mentioned in the report. (Orest confirmed that limo drivers have been charged for solicitation. This is not publicly reported to ETC. Currently investigating public complaints and enforcing with a set fine.)
- Issue: accessible cabs - There are enough accessible taxis on the road now. 80% rides during the day-time and 20% in the night-time so more accessible cars are competing in the evenings. Recommends consideration be given to having these come under the LTC umbrella and be removed from the taxi industry.

- Wants to do away with flat rates altogether. It was noted that the Cab Card was an arrangement with Fanshawe College and UWO for flat rate charges to specific places.
- Conclusion – the three main issues are: Plate transfers; Priority List; Limousine Pricing – he again requested copies of reports within the next 6 weeks in time for a final report.

Speaker # 6 ~ Rahman Amini

- Owner/operator for 15years and president of the London Taxi Association
- Historically City Hall has had a double standard for brokers and drivers and drivers have always been exploited. - In May 2010, told Orest about concerns about the limo operations and Orest lead him to believe something would be done about it. – He is disappointed with bias towards limo industry
- Need to be impartial – raised concern about Orest being a guest speaker with Checker cabs meeting
- Ben forgot to mention that the 3 limo services Executive and Checker both do the same things. London is the only City that allows limos to operate like taxis. Questioned why taxi plates limited when limos are added every year. The do not go by pre-arranged calls and as a result there are 134 extra taxis on the road
- Flat rates have to be stopped. These are against the by-law
- He recommends that alternative security cameras that are cheaper be accepted in the range of \$600 to \$700 rather than \$1,600. Questions why do limos not have to have a security camera? He is against tinted windows because of security concerns.
- Questions why no mention was made of suspending/revoking limo drivers based on criminal offences
- Questions why such companies as 'Keys Please' and 'Keys Thanks' are allowed to operate without being on the list. They steal taxi-cab business and have none of the regulatory requirements that taxis have – including no insurance to protect customers
- Will come back with the results of the poll in April regarding plate transfers.

Speaker # 7 ~ Abbas Ishmael

- Mentioned the petition last year against the limo rates and hoped Orest would help with this. Was shocked by the report and feels it is discriminating against the taxi industry.
- it took him 7 years as a driver to own a plate, now City Hall proposes against taxis with nothing against limos.
- wants to work to prevent problems for driver.
- Limos are flagging people downtown.
- threatened legal action if proposals are not changed.

Speaker # 8 ~ Inderjit Kavr (in place of Verrash)

- Questioned why they were not told about this when they purchased their plates. -Proposals are an attack on taxi industry
- Concerned about income and support for her family if law changes.

Speaker # 9 ~ Tassauwer Khan (Plate # 259)

- New to London from Winnipeg. Came here to purchase a plate. Has been an owner/operator for 7 years.
- In debt to pay for plate.
- Concerned about limos doing the same thing as taxis
- Ok with medical requirement

Speaker # 10 ~ Salim Al Fuady (Plate # 713)

- Raised issue of Orest attending annual Checker meeting is a conflict of interest.
- Toronto was sued and the plates were pulled back.
- Playing with their livelihood. Will take legal action.

Speaker # 11 ~ Ziad Al Farawi (Plate # 707)

- Is in business of fixing cars, renting cars and is also a plate owner.
- considers report biased
- Calls cars unclean what about the limos?
- Age of car has nothing to do with cleanliness – 2011 cars can be dirty. More about safety.
- limo fares an issue – wants better statistics to analyze. Is entitled to see the study and would like a copy before next week.
- Existing by-law is good – just enforce it.
- Look at Canadian cities for comparisons, not American cities.
- Don't amend existing bylaw but stop limos from doing the same business as taxis.

Minutes from January 25, 2011

Orest began the meeting by clarifying the proposed plate transfer process. Reference page 94 of the report that identifies the eligibility requirements for receiving a plate and that the Priority List is not what determines the next driver to receive a plate. He also clarified the criminal check required and stated that once charged, then there is a possibility of suspension and he outlined how other municipalities use a chart system based on the offence.

Speaker 1 ~ Nematullah Abassi

- Issue: Limo plates
- Report is biased and unfair
- Human exploitation
- Everyone pays taxes, everyone should be treated fairly
- A year ago a petition was sent in to free limo plates and so far nothing has been done and no where is it mentioned in the report
- Taxi drivers are seen as an easy target
- There is no taxi company that focuses on the driver and his family
- Limos look like taxis and take away taxi business

- Even London Tourism refers to limos and taxis in the same context (<http://www.londontourism.ca/Visitors/Transportation/Taxis>)
- Limos are doing the same job – if it's not the same job, then what is the difference? Pricing is wrong – limos are undercutting taxis as limos are allowed to offer flat rates
- Break executive plates in to two categories
- Freeze number of limo plates
- Suggestion: \$45/hr minimum
- Too many executive plates, not enough executive business
- Embarrassing for City if we don't address the petition to limit plates
- No other North American city does what London does – treat limos as taxis
- Issue: Medical - Can't tell who will have a medical concern
- Summary: drivers have suffered mentally and physically to push for a by-law review and City is "dead wrong" if we think they will remain silent.

Speaker 2 ~ Campbell McPhee

- Issue: medical - MTO requires 3 yr check; City should consider using their guideline

Speaker 3 ~ Jamie Donnelly (submitted handout)

- City needs to elevate limo while strengthening taxi
- Zone structure is detrimental as it forces taxis down and limits limos in providing upper scale service
- Limo service is not sufficiently serviced to provide such elite service
- Suggestion: implement zones travelled and through rather than "as the crow flies"
- Issue: transferability – existing owner should be allowed to purchase additional plates as there is strength to multiple owners, they can negotiate with insurance companies and this is the only way new drivers are allowed in

Speaker 4 ~ Hasan Savehilaghi

- Compared taxi and limo drivers to wolves and sheep being stuck in one room
- Supported Speaker 1 (Namatulla Abassi) as Namatulla is a limo driver who shares the views of taxi cab drivers
- Was shocked to hear that Taxi Courses are advising the drivers that there is a future in limo
- Taxi business needs to be protected

Speaker 5 ~ Wassam Al Khadri

- His father worked hard for many years and left the plate in his will for means of financial stability for his family
- Owners believe the plate should be transferred as per the by-law review.

- There should be a standard to broadcast between police and taxi industry. Ex: privacy concerns when Police call a dispatcher – what standard is used to determine it really is a police officer calling?
- Cameras: data is valuable and by-law does not touch upon viewing of the tapes
- There should be a screen between driver and passenger
- City website advertises and endorses certain companies for training courses offered
- Councillors benefit from sign placement during election

- Issue: age of vehicle – should not be lessened as this creates more costs for the drivers
- Suggestion: another vehicle inspection per year
- Issue: number of taxi plates VS limo plates – currently an extra 35 limos plus 9 accessible cabs and add in the bandit cabs – this number hurts the taxi business
- If limo and taxi drivers apply with the same requirements, then they should follow the same rules
- Limos should have cameras and meters installed
- Issue: Background security check – eliminate it, as was seen this year, there is a huge time delay

Speaker 6 ~ Abbas Ishmael

- Commented that the radio station program with Orest was unclear regarding the safety issue
- Some limos have darkened windows and this lets them get away with transporting more passengers than allowed
- Stated that Aboutown offers flat rates and this is against the by-law
- No more executive limo plates should be issued
- Limos taking deliveries – should this be allowed?
- The limo rate is not fair
- Issue: age of vehicle – keep it at the current 7 yrs and suggested two safety inspections per year

Interruption: Jamie Donnelly asked for a rebuttal as the previous speaker made reference to Aboutown in contravention of the by-law. Orest reminded everyone that respect is required amongst all speakers.

Speaker 7 ~ Tsegai Wendem

- Plate is his only investment and livelihood
- This has been allowed for years and City should be going after the original owners from the 1960s and 1970s who first sold the plates
- What is the service provided by limos? They take away taxi business. Limos need to be regulated.

Speaker 8 ~ Jamshid Pournabi

- Issue: plate transfer - referenced Section 15.1 and 15.2 in regards to transferability – the years are outlined as to which are transferable and which ones aren't
- Why were Aboutown and UNA allowed to sell at market price, many years ago?
- Owners and operators are self-employed – they do not have benefits like "City workers"
- They work hard and often borrow money to be able to purchase a plate
- Issue: fares – unfair fares as limos are cheaper than taxi
- Suggestion: 50% higher limo fare than taxi; enforce no parking out front of bars and picking up on corners; cap issuance of limo plates
- Issue: Age of vehicle – 7 yrs is reasonable and this can be enforced safely through random inspections. Two years puts pressure on drivers.

- Issue: Licence Manager – Should not be given rights to cancel or revoke licences. Who is held accountable if the driver is not guilty after a period of suspension?

Interruption: Orest clarifies again the issues he raised at the beginning of the meeting

Speaker 9 ~ Brad Rice & Perry Ferguson (Checker/Voyageur)

- They have been in the business for 20 years and are tired of having to defend their position
- Suggestion: divorce limo and taxi
- When Checker lost the airport contract in 2009, they did not replace the 9 cars they lost
- Mentioned a recent radio show discussing taxis and callers were commenting on how Checker provides professional service

Speaker 10 ~ Ali Hammoud (submitted letter)

Speaker 11 ~ Leo Babakri

- Two by-laws should be created, so taxi and limo are handled differently as they are two different types of service
- Issue: annual renewal – should be based on date of birth
- Issue: medical – will create more problems.
- Issue: Licence Manager – similar to opening a can of worms. Used New York City as an example.
- Issue: plate transfer – market value has made it an issue. Limo and taxi hold the same licence.
- The City has no obligation to uphold the market value of plates as it is purely a business transaction between buyer and seller.
- Issue: age of vehicle – should remain at 7 yrs but increase the number of required and random inspections
- Issue: number of taxi plates VS limo plates – higher than any other city. Several requests have been made (petition to ETC for example) requesting something be done and all such requests have been ignored. The market is oversaturated with limo plates. City will be neglecting public outcry if we continue to ignore.
- Summary: the livelihood of all drivers needs to be protected. The City should have an interest in all drivers and the public, not just a few individual owners.

Speaker 12 ~ Judith Al-Fuady

- Issue: vehicle age – there should be no concern regarding the current 7 yr limit. Drivers are already aware of the age and life of the vehicle. Vehicles are usually post-police cars and have a long life. City should focus rather on bandit cabs.
- Issue: limos VS cabs – limos don't have the additional costs that taxis have (ex. Top signs, cameras) but limo drivers are now also getting taxi business. Not fair. Cameras should be required in limos; needed for safety, observing criminal activity and review of complaints taxi and limo industry is very ethnically diverse and these are people dedicated to their families and creating a solid foundation for them. They pay taxes and form a strong

community alliance. They struggle against discrimination yet strive to provide courteous service. City creates such restrictions yet expects obedience

- Where is the accountability for those who “hurt” drivers?

Speaker 13 ~ Rahmin (Amini)

- Contravention of by-law – City has not made things clear. It doesn’t matter how many by-laws we have in place, it’s a matter of whether or not they are enforced
- Suggestion: plate should be under the name of an individual, not a corporation as this may limit plates being released to the heirs upon death.
- Issue: taxi plates VS limo plates – The problem isn’t only with limo fares but also with how they are operated.
- Suggestion: cap limo plates; enforce by-law and clarify how limos should be operated. If limos are regulated, there would be a decline in the number of limos
- Stated that what we hear today is fact and not allegation

Speaker 14 ~ Ben Howell

- Separate taxi and limo by-laws
- There is not enough enforcement for both taxi and limo. Revenue raised from licences – how much goes towards enforcement?
- Where is the proof regarding these “phantom riders”?
- Issue: taxi VS limo plates – identity is blurred for limo and taxi as the public sees them as one and the same
- Suggestion: there should be a starting rate for limos
- The renewal fee should be increased so the City can add another by-law officer to catch the limos taking taxi business
- Requested that the stats document be released so they can review the figures

Speaker 15 ~ Oliver Hobson

- City should be able to legally defend Section 7 criteria
- Rumour is that the market value for a plate has been as high as \$140 000
- There isn’t a lack of policy – just a lack of enforcement
- Discussed costs of leasing plate/owning plate; heard of someone purchasing their 14th plate
- The word “plate owner” should be removed and replaced with “plate steward” as the City is the true owner
- Debit machines are a great investment for all cabs as it provides greater customer service and also flushes out “unsavoury characters” in the business as there is a paper trail
- Suggestion: courses to be required such as First Aid and winter driving
- Encourage hybrid vehicles