

# Line-by-line Review, Outstanding Items

Public Vehicle Advisory Committee

February 15<sup>th</sup> 2022

# Background

- Since 2019 staff, in consultation with the PVAC and industry members, have undertaken a line-by-line review of the Public Vehicle Licensing By-law 0420-2004
- The decisions made were done in an effort to level the playing field
- 66 items have been resolved and only 3 items remain

# Unresolved Item 28

- *Item 28: Schedule 8 Owners and Drivers of Taxicabs*
  - *40. Every licensed Taxicab owner shall:*
  - *(3) provide the Licensing Section and, where applicable, any licensed Taxicab Broker with whom he may be associated with the name of the licensed Driver operating his vehicle within seventy-two (72) hours of the time when the licensed Driver” has commenced to operate the said vehicle (Page 91)*
- **Suggested Action: Repeal**
  - This section recognizes that both the driver and the owner are properly licensed, the clause would appear to be overly regulatory and of concern primarily to the brokerage. It is recommended that, as an internal matter between the broker and the taxicab owner, this should be addressed through their internal policies as opposed to a by-law. Repeal would have minimal impact on public safety or consumer protection.

# Unresolved Item 46

- *Items 46: Schedule 6 Owners and Drivers of Limousines*
  - *2 (1)(f) Every Applicant for an Owner's Licence shall:*
  - *file with the Licensing Section a schedule of all hourly Fare rates to be charged and such rates shall be:*
    - (i) a minimum two (2) hour duration at a charge of not less than fifty dollars (\$50.00) for the first hour and thirty dollars (\$30.00) for each additional hour for a Limousine Class A; and*
    - (ii) a minimum charge of fifty dollars (\$50.00) for the first hour or any part thereof and thirty dollars (\$30.00) for each additional hour for a Limousine Class B. (Page 55-56)*
- **Suggested Action: Repeal**
  - The regulation was created to protect the taxi industry from predatory practices by limousine companies. Given the other restriction contained in the limousine schedule requiring prearranged trips and the different sectors that these vehicles service, it would appear that the By-law clause is overly regulatory and an attempt to fix prices at an arbitrary rate. Limousine services should be free to establish a rate that they identify as sufficient to meet their business requirements and not to protect an industry with which there is little overlap, so long as those fees are communicated to the passenger in advance.

# Unresolved Item 51

- *Item 51: Schedule 6 Owners and Drivers of Limousines*
  - *8. Every Limousine Owner and Driver licensed as such under this Schedule shall cause his, her or its Livery Cab used in the City to conform, at all times, to the following standards:*
  - *(13) keep in the Vehicle and maintain a Maintenance Log for the Vehicle registered under the Owner's Licence. (Page 59)*
- **Suggested Action: Repeal**
  - The clause requires a maintenance log that serves no enforcement purpose. There is no way for officers to establish the authenticity of the entries on the log. Staff recognize that ongoing maintenance is critical for the maintenance of the vehicle but that this should be the priority of the business owner. There is no requirement for TNCs to maintain a maintenance log. Repeal of this clause would have no impact on public safety or consumer protection.

## Next Steps

- Resolve the remaining three items
- Staff to draft and bring forward a report regarding PVAC's decisions on all 69 items of the line-by-line review
- Receive the approval from Council on the results of the line-by-line review

# Thank you