



CANADA 150



VAUGHAN

memorandum

c 2 Communication COUNCIL: <u>Sept 26/17</u> By-law 123-2017

DATE: September 25, 2017

TO: Mayor and Members of Council

FROM: Gus Michaels, Director, By-law and Compliance, Licensing and Permit Services
Rudi Czekalla-Martinez, Manager, Policy and Business Planning, By-law and Compliance, Licensing and Permit Services

RE: Revision to Private Ground Passenger Transportation By-law: Allowing criminal background checks from Ontario Police Services

Recommendation

The Director of By-law and Compliance, Licensing and Permit Services recommends:
That the attached by-law replace the by-law distributed with the Council Agenda.

Background

On June 27, 2017, City Council approved staff recommendations to regulate ride-sharing and provide regulatory relief to the taxi and limousine industries. The final regulations are before City Council, as By-law 123-2017. However, in this version, staff inadvertently left unchanged a provision that requires that police criminal records checks be obtained through York Region Police. As part of facilitating the licensing process, staff intended to amend this requirement so that a police criminal records check may be obtained from any Ontario Police Service.

Change in the updated version

The current by-law requires that all police criminal records checks be obtained through York Region Police (YRP). Staff recommend that the By-law be amended to make such checks permissible from any Ontario Police Service. An Ontario Police Service is defined as a police service established in Ontario under the *Police Services Act*, 1990.

Reason for change

With the advent of ride sharing services and the transformation of the private ground passenger transportation industry, greater latitude is required by applicants and licensees to meet the City's regulatory requirements. Like YRP, all Ontario Police Services have access to the Canadian Police Information Centre (CPIC) and use it to generate police criminal records checks for individuals. For this reason, staff believe that the change presents no risk and promotes a better customer experience.

per Gus Michaels, Director

By-law and Compliance Licensing and Permit Services

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 000-2017

A By-law of the Corporation of the City of Vaughan to amend By-laws 315-2005 and 171-2013, as amended, to introduce ride-sharing licensing and related regulations, to amend provisions relating to the licensing and regulation of taxicab and limousines services, and to introduce related licensing and administrative fees.

WHEREAS section 8(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that the powers of a municipality shall be interpreted broadly as to confer broad authority on a municipality to (a) enable it to govern its affairs as it considers appropriate, and (b) enhance its ability to respond to municipal issues;

AND WHEREAS section 11(3) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides for a lower-tier municipality and an upper-tier municipality to pass by-laws respecting matters that include business licensing;

AND WHEREAS section 151(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides for municipalities to provide for a system of licences with respect to businesses;

AND WHEREAS section 391 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, permits a municipality to pass by-laws imposing fees and charges;

AND WHEREAS the Council of The Corporation of the City of Vaughan wishes to promote the development and modernization of the city's transportation network through the regulation of private ground passenger transportation, including taxicab, limousine and ride-sharing services;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. Add the following definitions, in alphabetical order, to Licensing By-law 315-2005, section 2.1:

“Authorized Agent” means a *Person* authorized in writing by an *Applicant* or *Licensee* to act on behalf of such *Applicant* or *Licensee* for the identified purpose of making an application, renewing a licence, or otherwise complying with the provisions of this By-law.

"Limousine Company" means any *Person* who facilitates *Limousine* services by connecting passengers with *Limousine Drivers* or *Limousine Owners*.

"Municipal Law Enforcement Officer" or "MLEO" means a *Person* appointed or employed by the *City* as a municipal law enforcement officer under the *Police Services Act*, R.S.O. 1990, c.P.15, as amended.

"Ontario Police Service" means a police service established in Ontario under the *Police Services Act*, R.S.O. 1990, c. P.15, as amended.

"Platform" means any software, technology, or service, including a radio, telephone line, website, or smartphone application, intended to connect passengers with a *Private Ground Passenger Transportation Service*, and may also include the facilitation of payment.

"Private Ground Passenger Transportation Service" means the use of a private *Motor Vehicle* for the terrestrial conveyance of passengers for a fee.

"Private Transportation Company" or "PTC" means any *Person* who facilitates or operates a *Ride-Sharing Service* through a *Platform*.

"Prohibited Ground" means the prohibited grounds of discrimination as provided for under the *Ontario Human Rights Code*.

"PTC Driver" means any *Person* who drives a *Motor Vehicle* to provide *Ride-Sharing Services*.

"Ride-Sharing Service" means the use of a *Platform* of a *PTC* and a *Motor Vehicle* with a capacity of fewer than ten passengers, other than a licensed *Taxicab*, *Accessible Taxicab*, or *Limousine*, for the conveyance of passengers for a fee.

"Taxicab Stand" means a *City*-approved queue area on public property where *City*-licensed *Taxicabs* may park or stop to wait for passengers.

"Trip Meter" means a device that, independently from the *Taxicab Driver*, calculates and displays a trip fare to the passenger.

2. Amend the following definitions in Licensing By-law 315-2005, section 2.1, as follows:

- (a) Replace the term "Accessible Taxi Operator" with "Accessible Taxicab Driver"
- (b) Replace the term "Driving School Operator" with "Driving School Driver"
- (c) Replace the term "Limousine Operator" with "Limousine Driver"

- (d) Replace the term "Refreshment Vehicle Operator" with "Refreshment Vehicle Driver" and amend the definition by replacing the word "operates" and "operators" with "drives" and "drivers".
 - (e) Replace the terms "Taxi" and "Taxi Cab" with "Taxicab"
 - (f) Replace the terms "Taxi Broker" and "Taxi Brokerage" with "Taxicab Brokerage"
 - (g) Replace the term "Taxi Operator" with "Taxicab Driver"
 - (h) Replace the term "Tow Truck Operator" with "Tow Truck Driver" and amend the definition by replacing the words "operates", "operate" and "operation" with "drives", "drive" and "driving"
 - (i) Amend the definition for "Applicant" by replacing it with the following:

"Applicant" means a *Person* seeking to become licensed under this By-law (i.e., a *Licensee*) and, either in person or through an *Authorized Agent*, makes such an application.
 - (j) Amend the definition for "Limousine" by replacing it with the following:

"Limousine" means a *Motor Vehicle* with at least four-doors that has been approved to operate as a *Limousine* by the *Licensing Officer* and that is operated in accordance with all of the applicable provisions pertaining to *Limousines* under this By-law.
- 3. Amend By-law 315-2005, section 2.2, by deleting subsection 3.
 - 4. Amend By-law 315-2005, section 3.0, by replacing every reference to "Operator" with "Driver".
 - 5. Amend By-law 315-2005, section 3.0, by replacing subsections 3 and 6(b) with the following, respectively:
 - (3) Unless otherwise provided for in this By-law, there shall be taken out by every person who operates more than one business or other activity requiring a licence, a separate licence in respect of each such business or other activity.
 - (6) (b) Where the licence relates to a *Motor Vehicle*, maintain in the vehicle when in operation the original identification card related to the licence, issued under this By-law.
 - 6. Amend By-law 315-2005, section 3.0, by deleting subsections 6(c) and 7.
 - 7. Add the following subsections to Licensing By-law 315-2005, section 3.0, as follows:
 - (12) No *Person* licensed or required to be licensed under this By-law shall charge any *Person*, or provide services to any *Person*, or deny service to any *Person*, in a manner

that in the opinion of the *Chief Licensing Officer* discriminates on the basis of a *Prohibited Ground* or is deemed to have the same or similar effect.

- (13) No *Person* licensed or required to be licensed under this By-law shall charge, by sole reason, or as a result, of an emergency declared by any municipal government or the governments of Ontario or Canada, fares or fees that exceed those that would otherwise be charged under circumstances in the absence of such an emergency.

8. Amend By-law 315-2005, section 4.2, by replacing subsections (5) and (6) with the following, respectively:

- (5) Every *Person* that drives a *Motor Vehicle* that is licensed or required to be licensed under this By-law, upon the demand of any *Person* authorized to administer or enforce the provisions of this By-law, shall surrender for inspection both his or her Driver's Licence and vehicle Permit, as issued pursuant to the *Highway Traffic Act*, R.S.O. 1990 or under the law of any other jurisdiction.
- (6) No *Person* shall hinder or obstruct an inspection or investigation by any *Person* authorized to administer or enforce the provisions of this By-law by:
 - (i) preventing access to any establishment, vehicle, premises or part thereof;
 - (ii) refusing to surrender any documents, samples or items requested;
 - (iii) not following the directions of such authorized *Persons*.

9. Amend By-law 315-2005, section 4.3, by adding the following subsection:

- (1.4) Despite 4.3(1.1), 4.3(1.2) and 4.3(1.3), an application for a licence or a renewal thereof may be made in person by an *Authorized Agent*, provided that he or she has written authorization to do so from the *Applicant* and provides one piece of Canadian government identification to the satisfaction of the *Licensing Officer*.

10. Amend By-law 315-2005, section 4.3, by replacing subsection 5 with the following:

- (5) Despite 4.3(3), if a *Licensee* has remitted the prescribed renewal fee, his or her licence shall be deemed to continue until the renewal is granted or refused, subject to the *Licensee's* avenue for appeal under sections 7.0 and 7.2.

11. Amend By-law 315-2005, subsection 4.3(14) by inserting the following paragraphs and renumbering the existing paragraphs and their references correspondingly:

- (b) Despite subsection 4.3(14)(a), every *Licensee* under this By-law who holds more than one licence shall:
 - (i) renew all the licences he or she holds on the anniversary date of the first licence obtained, or on his or her birthday, as the circumstances require in accordance with subsection 4.3(14)(a), and pay for such renewal on a pro-rated basis;
 - (ii) pay for any new licence on a pro-rated basis with reference to the licensee's renewal date, as determined under subsection 4.3(14)(a).
- (c) A *Licensee* shall not renew a licence more than two (2) months before the date of expiry of such licence.
- (k) Despite subsection 4.3(14)(e), a *Person* whose licence has lapsed more than 90 days, but fewer than 24 months, shall be required to pay any outstanding late fees, as well as any other outstanding fees and penalties that have been applied to the lapsed licence, prior to being eligible to apply for a new licence.

12. Amend By-law 315-2005, section 4.4, by inserting the following as subsection (2) and renumbering the rest of the section and references accordingly:

- (2) A *Person* who holds a *Limousine Owner*, *Taxicab Owner* or *Accessible Taxicab Owner* licence under sections 20.0, 27.0 or 27.1, respectively, may obtain an *Endorsement* to drive his or her *Limousine*, *Taxicab* or *Accessible Taxicab*, as the case may be, by meeting the corresponding requirements set out for *Limousine Driver*, *Taxicab Driver* or *Accessible Taxicab Driver*.

13. Amend By-law 315-2005, section 7.0, by deleting subsection 3.

14. Amend By-law 315-2005, section 14.1 by replacing every reference to "Operator" with "Driver".

15. Delete By-law 315-2005, section 20.0 and replace with the following:

20.0 LIMOUSINE OWNERS AND DRIVERS

LICENSING REQUIREMENTS AND RESTRICTIONS

- (1) Every *Limousine Owner* and *Limousine Driver* must be licensed by the *City*.
- (2) No *Person* may operate a *Limousine* unless such *Person* holds either:
 - (a) a valid City of Vaughan *Limousine Driver* licence;

- (b) or *Limousine Owner* licence with an *Endorsement* to drive such *Limousine*.
- (3) No *Limousine Owner* may permit, allow or cause any other *Person* to operate his or her *Limousine* unless such *Person* holds a valid City of Vaughan *Limousine Driver* licence.
- (4) No *Limousine Driver* or *Limousine Owner* may operate a *Limousine* that has not been licensed by the City.
- (5) No *Limousine Owner* or *Limousine Driver* may apply for a licence or renew his or her licence for a period that exceeds one year, unless provided for under this By-law.
- (6) For purposes of this section, an *Applicant* for a *Limousine Driver* or *Limousine Owner* licence who, in the opinion of the *Chief Licensing Officer*, is satisfactorily licensed by another municipality shall be considered licensed by the City of Vaughan and may operate within the *City's* boundaries, subject to the following:
 - (a) the *Applicant* is not in breach of the *City's* threshold policy for licences, as per Schedule "I" of this B-law;
 - (b) the *Applicant* owes no amounts to the *City* as a result of outstanding fees or fines;
 - (c) the *Applicant* has paid the required initial licensing fee, which equals the renewal fee for the licence; and
 - (d) once licensed, the *Licensee* continues to either:
 - (i) be licensed with the other municipality and meet the requirements of this subsection; or
 - (ii) meet the renewal requirements for the licence, as per subsection 20.0(7) for *Limousine Drivers* or subsections 20.0(9) and 20.0(10) for *Limousine Owners*.

LIMOUSINE DRIVER APPLICATIONS AND RENEWALS

- (7) In addition to the requirements set out in section 4.3, every application for a *Limousine Driver's* licence or renewal of such licence shall be accompanied by the following:
 - (a) a valid Class "G" driver's license issued by the Province of Ontario;

- (b) a 3-Year Statement of Driver Record furnished by the Ministry of Transportation for the Province of Ontario and dated within the 90 days preceding the date of application or renewal;
 - (c) proof satisfactory to the *Licensing Officer* that the *Applicant* is eligible to seek employment in Canada, which may be evidenced upon request by the production of one piece of Canadian federally or provincially issued document that confirms such eligibility;
 - (d) a complete Police Criminal Records Check issued by an *Ontario Police Service*, dated not more than 90 days prior to the date application for license is being made; and
 - (e) proof, satisfactory to the *Licensing Officer*, that the *Applicant* is at least eighteen (18) years of age;
 - f) any other documentation or information requested by the *Licensing Officer*.
- (8) For purposes of complying with application and renewal provisions of section 4.3 and the requirements under subsection 20.0(7), a *Limousine Company* or a *Limousine Owner* holding a valid City of Vaughan licence may, on behalf of a *Limousine Driver*, submit and maintain the required documents and, under such circumstances, the *Limousine Driver* shall be required to consent to access to those documents by the *City* for purposes of the administration and enforcement of this By-law.

LIMOUSINE OWNER APPLICATIONS AND RENEWALS

- (9) In addition to the requirements set out in section 4.3, every application for a *Limousine Owner's* licence or for the renewal of such licence shall be accompanied by the following:
- (a) a Safety Standards Certificate dated not more than 90 days prior to the date of application or renewal for every Motor Vehicle to be licensed or Limousine to be renewed;
 - (b) the provincial *motor vehicle* permit issued with respect to every *Limousine* licensed or *Motor Vehicle* to be licensed;

- (c) a certificate of policy of insurance that provides coverage in the amount of two million (\$2,000,000.00) dollars, comprehensive against loss or damage resulting from any one accident, for each *Limousine* licensed or *Motor Vehicle* to be licensed and such policy shall provide for passenger hazard and be endorsed to the effect that the *City* will be given at least ten (10) days notice in writing of any cancellations, expiry or variation in the amount of the policy;
 - (d) approval from the *Licensing Officer*, after a vehicle inspection, for all new applications;
 - (e) in the case of a natural individual, a complete Police Criminal Records Check issued by an *Ontario Police Service*, dated no less than 90 days prior to the date of application or renewal for a licence is being made;
 - (f) in the event the *Limousine Owner* wishes to be licensed to drive his or her *Limousine*, a valid Class "G" Driver's Licence issued by the Province of Ontario;
 - (g) in the event the *Limousine Owner* wishes to be licensed to drive his or her *Limousine*, a 3-Year Statement of Driving Record furnished by the Ministry of Transportation for the Province of Ontario, dated not more than 90 days prior to the date of application for a licence or renewal of such licence;
 - (h) in the case of a natural individual, proof, satisfactory to the *Licensing Officer*, that the *Applicant* is at least eighteen (18) years of age, which shall be evidenced by the production of one piece of a Canadian federally or provincially issued document that confirms such eligibility;
 - (i) in the case of a natural individual, proof satisfactory to the *Licensing Officer* that the *Applicant* is eligible to seek employment in Canada, which may be evidenced upon request by the production of one piece of Canadian federally or provincially issued document that confirms such eligibility to the satisfaction of the Licensing Officer;
 - (j) if such *Limousine* is powered by propane, a certificate from an authorized propane inspection station, accounting for such vehicle's mechanical fitness;
- and

- (k) any other documentation or information requested by the *Licensing Officer*.
- (10) If, pursuant to subsection 27.0(9), the *Motor Vehicle* to be licensed or renewed as a *Limousine*, in the opinion of the *Licensing Officer*, does not meet the criteria of this By-law, then the issuance or renewal of such licence shall not be granted until such time as the *Licensing Officer* is satisfied that the *Motor Vehicle* is in conformity.
- (11) For purposes of complying with application and renewal provisions of section 4.3 and the requirements under subsection 27.0(9) and 27.0(10), a *Limousine Company* holding a valid City of Vaughan licence may, on behalf of a *Limousine Owner*, submit and maintain the required documents and, under such circumstances, the *Limousine Owner* shall be required to consent to access to those documents by the *City* for purposes of the administration and enforcement of this By-law.

SUSPENSIONS AND REVOCATIONS

- (12) Upon suspension or revocation of a *Limousine Driver* or *Limousine Owner* licence issued under this By-law, or upon such a licence issued under this By-law being expired more than 90 days, the *Licensee* shall return to any *Person* authorized to enforce the provisions of this By-law, all plates issued by the *City* with reference to such licences, and any *Person* authorized by this By-law to do so shall have access to any premises or vehicles for the purpose of receiving or taking such plate or plates, and no *Person* shall refuse to deliver the plates to a *Person* authorized by this By-law or hinder or prevent said *Person* from receiving or taking said plates.

LIMOUSINE VEHICLE REQUIREMENTS

- (13) A vehicle may only be licensed as a *Limousine* if it is:
 - (a) at least a four-door vehicle; and
 - (b) no older than ten model years old.
- (14) Despite subsection 20.0(13)(b), a *Limousine Owner* may apply to continue to operate his or her *Limousine* for an additional year by making an application to the *City*. Such an application may not be made if the model year of the *Limousine* is more than eleven (11) years old or for an initial licensing application.

- (15) An application under subsection 20.0(14) must be made at the time of renewal and shall require an inspection by the *Licensing Officer*.
- (16) Every *Limousine* shall have a City of Vaughan *Limousine* plate attached to either its front or rear bumper and such plate shall not be obstructed in any manner.
- (17) Every *Limousine Owner*, in respect of each *Limousine* for which the *Limousine Owner* holds a licence, shall produce a policy of insurance endorsed to the effect that the City of Vaughan will be given at least ten (10) days prior notice in writing of any cancellation, expiry or variation in the amount of the policy and shall include a provision for passenger(s) hazard in an amount not less than the foregoing. A copy or certificate of such insurance shall be filed with the *Licensing Officer* prior to the issuance or renewal of a *Limousine Owner's* licence.

LOST OR STOLEN PLATES

- (18) Every *Limousine Owner* shall:
 - (a) report the loss of a *City* issued plate to the *City* no later than the following business day;
 - (b) in the event such plate is considered to have been stolen, report such theft at the nearest police station and provide such report to the *City* no later than the following day;
 - (c) return to the *Licensing Officer*, no later than the following business day, a *City* issued plate that has been defaced or damaged; and
 - (d) pay the prescribed fee for the issuance of a replacement plate.

ROUTES, FARES AND CHARGES

- (19) Every *Limousine Owner* not operating through a *Limousine Company* shall:
 - (a) file with the *Licensing Officer* a schedule of tariff rates and any other charges to be charged;
 - (b) file with the *Licensing Officer*, at least seventy-two (72) hours prior to the effective date, all changes in tariff rates.
- (20) *Persons* contracting for conveyance by *Limousine* shall be informed of the rate to be charged, in accordance with 20.0(19)(a) or 20.1(4), at the time of contracting such

conveyance and no greater amount shall be demanded. Upon request, the passenger must be provided with a receipt indicating the amount paid, the name of the driver, and the vehicle plate number.

- (21) A *Limousine Driver* or a *Limousine Owner* driving his or her *Limousine* shall take the shortest possible route to the destination desired, unless the passenger designates another route.

REQUIREMENTS WHEN OPERATING A LIMOUSINE

- (22) Every *Limousine Owner* and every *Limousine Driver* shall, upon request by any *Person* authorized to administer or enforce the provisions of this By-law, surrender for inspection his or her *Limousine Owner* or *Limousine Driver* licence, as the circumstances require.
- (23) No *Limousine Owner* or *Limousine Driver* shall operate, or permit or allow to be operated, a *Limousine* unless it is in good mechanical condition and in good repair as to both its exterior and interior.
- (24) No *Person* shall provide *Limousine* services or allow or permit *Limousine* services to be provided using a *Limousine* that has been damaged in a collision, without such damage being fully repaired.
- (25) Every *Limousine Owner*, driving his or her *Limousine*, and every *Limousine Driver* shall:
- (a) only provide *Limousine* service on a pre-arranged basis;
 - (b) keep a daily record in a manner satisfactory to the *Chief Licensing Officer* setting out all trips made by the *Limousine* and such record shall contain the following information:
 - (i) the *Limousine Owner* licence number for the *Limousine*;
 - (ii) the name of the *Limousine Driver*;
 - (iii) the *Limousine Driver* licence number;
 - (iv) the date, time, and place of the beginning and termination of each trip, and the number of passengers carried; and
 - (v) the amount of the fare collected for each trip.

- (c) retain all records referred to in this section for a minimum of six (6) months and, upon request by any *Person* authorized to enforce the provisions of this By-law, provide such records for inspection, which may include removal of such records and their retention for a reasonable time;
- (d) be civil and well-behaved;
- (e) not carry a greater number of *Persons*, inclusive of the driver, than that indicated by the manufacturer's rating of seating capacity for the vehicle;
- (f) not operate the *Limousine* with luggage or other material piled or placed in a manner that obstructs the driver's view;
- (g) not dismiss or discharge any passenger at a point other than the destination without adequate cause;
- (h) not stop upon a highway unless it is safe to do so and solely for the immediate purpose of:
 - (i) taking on a passenger;
 - (ii) discharging a passenger;
 - (iii) waiting, by request of a passenger, provided such request is in the continuance of the trip;
- (i) not park or stop on a *Taxicab Stand*.

16. Add section 20.1 to By-law 315-2005, as follows:

20.1 LIMOUSINE COMPANIES

LICENSING REQUIREMENTS AND RESTRICTIONS

- (1) No *Limousine Company* may operate without holding a valid City of Vaughan licence.
- (2) No *Limousine Company* shall provide or offer to provide the use of its *Platform* to a *Limousine Owner* who is not licensed by the *City* or whose licence has been suspended.

APPLICATIONS AND RENEWALS

- (3) In addition to the requirements set out in section 4.3, every application for a *Limousine Company* licence or renewal of such licence shall be accompanied by the following:

- (a) a complete listing of all *Limousines* being operated through the *Limousine Company*;
- (b) a description of the *Platform* used in the provision of services, including:
 - (i) means by which customers interact with the *Platform*;
 - (ii) all types of data collected from customers;
 - (iii) all types of data provided to customers;
 - (iv) means by which the customer is provided with the fare amount;
 - (v) how payment is made through the *Platform*, if applicable;
 - (vi) any other information the *Licensing Officer* may request;
- (c) proof, satisfactory to the *Chief Licensing Officer*, that the *Limousine Company* has appropriate general liability insurance in the amount of \$5,000,000 or more;
- (d) a complete listing of all fares and other fees that may be charged customers for the service provided.

ROUTES, FARES AND CHARGES

- (4) A *Limousine Company* may only offer or charge customers fares and fees that have been filed with the City.
- (5) Prior to undertaking any engagement, a *Limousine Company* shall provide the customer the full fare to be charged for the service.
- (6) Every *Limousine Company* shall notify the *City* in writing, at least 72 hours before the effective date, of any changes to its tariff rates or other fees.
- (7) Despite subsection 20.1(5), if a customer requests a change to his or her final destination or route, the *Limousine Company* may authorize additional fees, provided that:
 - (i) such additional fees are provided in writing to the customer at the conclusion of the engagement; and
 - (ii) the customer agrees to the additional fees.

GENERAL REQUIREMENTS

(8) No *Limousine Company* shall:

- (a) accept orders for, or in any way dispatch or direct orders to, a *Limousine* licensed under this By-law when doing so would be illegal under another municipal by-law or provincial statute;
- (b) dispatch or direct orders to a *Limousine* not licensed under this section to a pick-up location within the boundaries of the *City*;
- (c) charge a customer a tariff rate or other fee not filed with the *City*.

(9) Every *Limousine Company* shall:

- (a) provide the *Licensing Officer*, upon request, with a listing of *Limousines* operating through its *Platform*, showing in numerical order, by plate number, the name of each *Limousine Owner* with which an agreement has been entered into;
- (b) keep for a minimum of six (6) months a record of every *Limousine* dispatched on a trip, the date and time of dispatch, the place of pick-up and destination of such trip;
- (c) submit, upon request, any such document deemed relevant by the *Chief Licensing Officer* to any *Person* authorized to administer or enforce the provisions of this By-law;
- (d) carry on business only in the name in which the *Limousine Company* licence has been issued.

17. Add section 23.2 to By-law 315-2005, as follows:

23.2 PTC DRIVERS

LICENSING REQUIREMENTS AND RESTRICTIONS

- (1) No *PTC Driver* may provide *Ride Sharing Services* in Vaughan without being licensed by the City of Vaughan.
- (2) For purposes of this section, any *PTC Driver* who in the opinion of the *Chief Licensing Officer* is satisfactorily licensed by another municipality shall be considered licensed by the City of Vaughan and may operate within the *City's* boundaries.

APPLICATIONS AND RENEWALS

- (3) Section 4.3 of this By-law does not apply to *PTC Drivers*.
- (4) To be licensed by the City, every *PTC Driver* must:
 - (a) hold a valid Class "G" driver's license issued by the Province of Ontario;
 - (b) submit a 3-Year Statement of Driving Record furnished by the Ministry of Transportation of the Province of Ontario, dated not more than 90 days from the date of application, for all new *Applicants*, or upon demand from the *Licensing Officer* at any time thereafter;
 - (c) provide proof, satisfactory to the *Licensing Officer*, that the *Applicant* is at least eighteen (18) years of age, which shall be evidenced by the production of one piece of Canadian federally or provincially issued photo identification.
 - (d) provide proof satisfactory to the *Licensing Officer* that the *Applicant* is eligible to seek employment in Canada, which may be evidenced upon request by the production of one piece of Canadian federally or provincially issued document that confirms such eligibility.
 - (e) submit a complete Police Criminal Records Check issued by an *Ontario Police Service*, not more than 90 days old, from the date of application.
- (5) For purposes of complying with subsection 23.2(4), a *Private Transportation Company* holding a valid City of Vaughan licence may, on behalf of a *PTC Driver* using its *Platform*, submit and maintain the required documents and, under such circumstances, the *PTC Driver* shall be required to consent to access to those documents by the *City* for purposes of the administration and enforcement of this By-law.
- (6) For purposes of subsection 23.2(4), "the date of application" shall be the date that the *PTC Driver* was provided with access to the *Private Transportation Company's Platform*.
- (7) No *PTC Driver* shall be deemed licensed until he or she has met all of the requirements under 23.2(4) and has provided *Ride Sharing Services* within the City of Vaughan.

- (8) A *PTC Driver's* licence shall be deemed to continue as long as the associated *Private Transportation Company* pays its licensing fees in full and the *PTC Driver* complies with the provisions of this By-law.

SUSPENSIONS AND REVOCATIONS

- (9) Every *PTC Driver*, whose licence has been refused, suspended or revoked by the *City* shall not offer or provide *Ride-Sharing Services*.

RIDE-SHARING VEHICLE REQUIREMENTS

- (10) No *Motor Vehicle* shall be used to provide *Ride-Sharing Services* if the model year for such *Motor Vehicle* is more than ten (10) years old.
- (11) Despite subsection 23.2(10), a *PTC Driver* may apply to continue to operate his or her *Motor Vehicle* for an additional year by making an application to the *City*. Such an application may not be made if the model year of the *Motor Vehicle* is more than eleven (11) years old or for an initial licensing application.
- (12) An application under subsection 23.2(11) must be made at the time of renewal and shall require an inspection by the *Licensing Officer*.

REQUIREMENTS WHEN PROVIDING RIDE-SHARING SERVICES

- (13) No *PTC Driver* shall operate, or permit or allow to be operated, a *Motor Vehicle* being used to provide *Ride-Sharing Services* unless it is in good mechanical condition and in good repair as to both its exterior and interior.
- (14) No *PTC Driver* shall provide *Ride-Sharing Services* using a *Motor Vehicle* that has been damaged in a collision, without such damage being fully repaired.
- (15) All *PTC Drivers* shall:
- (a) only provide *Ride-Sharing Services* on a pre-arranged basis;
 - (b) only charge for services in accordance with the tariff rates filed under subsection 23.3(3)(d);
 - (c) while providing *Ride-Sharing Services*, display in a conspicuous place that is readily and easily viewable by any potential passenger, the *City*-approved decal that identifies the *Private Transportation Company*;

- (d) when requested to do so by any *Person* authorized to administer and enforce this By-law, surrender for inspection any documents or devices pertaining to the identification or operation of the *Motor Vehicle*, the *PTC Driver*, or the associated *Private Transportation Company*;
- (e) be civil and well-behaved;
- (f) take the shortest possible route to the destination desired, unless the passenger designates another route.
- (g) not carry a greater number of *Persons*, inclusive of the driver, than that indicated by the manufacturer's rating of seating capacity for the vehicle.
- (h) while providing *Ride-Sharing Services*, not operate a *Motor Vehicle* with luggage or other material piled or placed in a manner that obstructs the driver's view;
- (i) not dismiss or discharge any passenger at a point other than the destination without adequate cause;
- (j) not stop upon a highway unless it is safe to do so and solely for the immediate purpose of:
 - (i) taking on a passenger;
 - (ii) discharging a passenger;
 - (iii) waiting, by request of a passenger, provided such request is in the continuance of the trip;
- (k) not park or stop on a *Taxicab Stand*.

18. Add section 23.3 to By-law 315-2005, as follows:

23.3 PRIVATE TRANSPORTATION COMPANIES

LICENSING REQUIREMENTS AND RESTRICTIONS

- (1) No *Private Transportation Company* may operate without holding a valid City of Vaughan licence.
- (2) No *Private Transportation Company* shall provide or offer to provide the use of its *Platform* to any *Person* who is not licensed as a *PTC Driver* by the *City* or whose *PTC Driver* licence has been suspended.

APPLICATIONS AND RENEWALS

- (3) In addition to the requirements set out in section 4.3, every application for a *Private Transportation Company* licence or renewal of such licence shall be accompanied by the following:
- (a) a complete listing of all *PTC Drivers* and *Motor Vehicles* that have used its *Platform* to pick up passengers in the City of Vaughan in the month previous to application.
 - (b) a description of the *Platform* used in the provision of services, including:
 - (i) means by which customers interact with the *Platform*;
 - (ii) all types of data collected from customers;
 - (iii) all types of data provided to customers;
 - (iv) means by which the customer is provided with the fare amount;
 - (v) how payment is made through the *Platform*, if applicable;
 - (vi) any other information the *Licensing Officer* may request;
 - (c) proof, satisfactory to the *Chief Licensing Officer*, that the *Private Transportation Company* has appropriate general liability insurance in the amount of \$5,000,000 or more;
 - (d) either confirmation that the passenger, prior to commencing a trip, receives the full rate to be charged for the trip or a complete listing of all fares and/or basis upon which such fares are calculated, as well as any other fees that may be charged customers for the services provided.

ROUTES, FARES AND CHARGES

- (4) Despite subsection 23.3(3)(d), if a customer requests a change to his or her final destination or route, the *Private Transportation Company* may authorize additional fees, provided that:
- (a) such additional fees are provided in writing to the customer at the conclusion of the engagement; and
 - (b) the customer agrees to the additional fees.

GENERAL REQUIREMENTS

- (5) Every *Private Transportation Company* is presumed to be responsible for ensuring that:
 - (a) every *Motor Vehicle* used to provide *Ride-Sharing Services* is in good mechanical condition and in good repair as to both its exterior and interior.
 - (b) No *Motor Vehicle* is being used to provide *Ride-Sharing Services* that has been damaged in a collision, without such damage being fully repaired.
 - (c) every *Motor Vehicle* that is operating through its *Platform* is properly displaying a *City*-approved decal that identifies the *PTC*;
 - (d) every *Motor Vehicle* used to provide a *Ride Sharing Service* is only operated by the *PTC Driver* licensed to do so.
- (6) No *Private Transportation Company* shall:
 - (a) accept orders for, or in any way dispatch or direct orders to, a *Person* licensed under this section when doing so would be illegal under another municipal by-law or provincial statute;
 - (b) dispatch or direct orders to a *Person* other than a licensed *PTC Driver*;
 - (c) charge to a customer a tariff rate or other fee not filed with the *City*.
- (7) Every *Private Transportation Company* shall:
 - (a) provide the *City* on the first day of every third month with a count of the number of rides dispatched through its *Platform* originating in the *City* and shall concurrently, and in accordance with Schedule "B" of this By-law, submit the corresponding quarterly fee.
 - (b) provide the *Licensing Officer* on the first day of every third calendar month with a list of *PTC Drivers* and *Motor Vehicles* (including plate numbers) that are using its *Platform* in the *City*;
 - (c) keep for a minimum of six (6) months a record of every *Motor Vehicle* dispatched on a trip, the date and time of dispatch, the place of pick-up and destination of such trip;

- (d) submit, upon request, any such document deemed relevant by the *Chief Licensing Officer* to any *Person* authorized to administer or enforce the provisions of this By-law;
 - (e) carry on business only in the name in which the licence has been issued;
 - (f) prior to accepting a customer's request for service, provide in writing to the customer the full fare to be charged for the service;
 - (g) notify the *City*, at least 72 hours before the effective date, of any changes to its tariff rates or other fees.
- (8) No owner, director, officer or employee of a *Private Transportation Company* shall refuse to provide information requested by the *City* for the purposes of an investigation pertaining to the administration or enforcement of this By-law.
- (9) No owner, director, officer or employee of a *Private Transportation Company* shall refuse to cancel the access to its *Platform* to any *PTC Driver* whose licence has been refused, suspended or revoked by the *City*.

19. Amend By-law 315, 2005, sections 25.0, 25.1 and 25.2 by replacing every reference to "Operator" with "Driver".

20. Delete By-law 315-2005, section 27.0 and replace with the following:

27.0 TAXICABS

APPLICABILITY AND SCOPE

- (1) The provisions of this section shall apply to *Taxicab Owners* and *Taxicab Drivers*, as indicated, who are engaged in the conveyance of passengers within the *City* or to any other conveyance that originates within the *City*.
- (2) Notwithstanding any other provisions in this section, a *Taxicab Driver* licensed by another municipality, and driving a *Motor Vehicle* also licensed by that same municipality, may transport children to and from school or may transport *Persons* with disabilities without first obtaining a licence under this section.

LICENSING REQUIREMENTS AND RESTRICTIONS

- (1) Every *Taxicab Owner* and *Taxicab Driver* must be licensed by the *City*.
- (2) No *Person* may operate a *Taxicab* unless such *Person* holds either:

- (a) a valid City of Vaughan *Taxicab Driver* licence;
 - (b) or a *Taxicab Owner* licence with an *Endorsement* to drive such *Taxicab*.
- (3) No *Taxicab Owner* may permit, allow or cause any other *Person* to operate a *Taxicab* unless such *Person* holds a valid City of Vaughan *Taxicab Driver* licence.
- (4) No *Taxicab Driver* or *Taxicab Owner* may operate a *Taxicab* that has not been licensed by the City.
- (5) No *Taxicab Owner* or *Taxicab Driver* may apply for a licence or renew his or her licence for a period that exceeds one year, unless provided for under this By-law.
- (6) For purposes of this section, an *Applicant* for a *Taxicab Driver* or *Taxicab Owner* licence who in the opinion of the *Chief Licensing Officer* is satisfactorily licensed by another municipality shall be considered licensed by the City of Vaughan and may operate within the *City's* boundaries, subject to the following:
 - (a) the *Applicant* is not in breach of the *City's* threshold policy for licences, as per Schedule "I" of this B-law;
 - (b) the *Applicant* owes no amounts to the *City* as a result of outstanding fees or fines;
 - (c) the *Applicant* has paid the required initial licensing fee, which equals the renewal fee for the licence; and
 - (d) once licensed, the *Licensee* continues to either:
 - (i) be licensed with the other municipality and meet the requirements of this subsection; or
 - (ii) meet the renewal requirements for the licence, as per subsections 27.0(8) and 27.0(9) for *Taxicab Drivers* or subsections 27.0(10), 27.0(11) and 27.0(12) for *Taxicab Owners*.
- (7) No *Taxicab Owner* or *Taxicab Driver* may apply for a licence or renew his or her licence for a period that exceeds one year, unless provided for under this By-law.

TAXICAB DRIVER APPLICATIONS AND RENEWALS

- (8) In addition to the requirements set out in section 4.3, every application for a *Taxicab Driver's* licence or renewal thereof shall be accompanied by the following:

- (a) a valid Class "G" driver's license issued by the Province of Ontario;
 - (b) a 3-Year Statement of Driving Record furnished by the Ministry of Transportation of the Province of Ontario, dated not more than 90 days from the date of application, for all new applicants, or upon demand from the *Licensing Officer* at any time thereafter;
 - (c) proof, satisfactory to the *Licensing Officer*, that the *Applicant* is at least eighteen (18) years of age, which shall be evidenced by the production of one piece of Canadian federally or provincially issued photo identification.
 - (d) proof satisfactory to the *Licensing Officer* that the *Applicant* is eligible to seek employment in Canada, which may be evidenced by the production of one piece of Canadian federally or provincially issued document that confirms such eligibility.
 - (e) a complete Police Criminal Record Check issued by an *Ontario Police Service*, not more than 90 days old, from the date of application;
 - (f) any other documentation or information requested by the *Licensing Officer*.
- (9) For purposes of complying with application and renewal provisions of section 4.3 and the requirements under subsection 27.0(8), a *Taxicab Brokerage* or a *Taxicab Owner* holding a valid City of Vaughan licence may, on behalf of a *Taxicab Driver*, submit and maintain the required documents and, under such circumstances, the *Taxicab Driver* shall be required to consent to access to those documents by the *City* for purposes of the administration and enforcement of this By-law.

TAXICAB OWNER APPLICATIONS AND RENEWALS

- (10) In addition to the requirements set out in section 4.3, every application for a *Taxicab Owner's* licence or for the renewal of such licence shall be accompanied by the following:
- (a) the provincial *Motor Vehicle* permit issued with respect to every *Taxicab* licensed or *Motor Vehicle* to be licensed;
 - (b) a Safety Standards Certificate dated not more than 90 days prior to the date of application or renewal for every *Taxicab* licensed or *Motor Vehicle* to be licensed;

- (c) a certificate of policy of insurance that provides coverage in the amount of two million (\$2,000,000.00) dollars, comprehensive against loss or damage resulting from any one accident, for each *Taxicab* licensed or *Motor Vehicle* to be licensed and such policy shall provide for passenger hazard and be endorsed to the effect that the City will be given at least ten (10) days notice in writing of any cancellations, expiry or variation in the amount of the policy;
- (d) approval from the *Licensing Officer*, after a *Motor Vehicle* inspection, for all new applications;
- (e) in the case of a natural individual, a complete Police Criminal Records Check issued by an *Ontario Police Service*, dated no less than 90 days prior to the date of application or renewal for a licence is being made;
- (f) in the event the *Taxicab Owner* wishes to be licensed to drive his or her *Taxicab*, a valid Class "G" Ontario Driver's Licence issued by the Province of Ontario;
- (g) in the event the *Taxicab Owner* wishes to be licensed to drive his or her *Taxicab*, a 3-Year Statement of Driving Record furnished by the Ministry of Transportation of the Province of Ontario, dated not more than 90 days from the date of application, for all new applicants, or upon demand from the *Licensing Officer* at any time thereafter;
- (h) in the case of a natural individual, proof, satisfactory to the *Licensing Officer*, that the *Applicant* is at least eighteen (18) years of age, which shall be evidenced by the production of one piece of Canadian federally or provincially issued photo identification;
- (i) in the case of a natural individual, proof satisfactory to the *Licensing Officer* that the *Applicant* is eligible to seek employment in Canada, which may be evidenced by the production of one piece of a Canadian federally or provincially issued document that confirms such eligibility;
- (j) if such *Taxicab* is powered by propane, a certificate from an authorized propane inspection station, accounting for such vehicle's mechanical fitness;
- (k) any other documentation or information requested by the *Licensing Officer*.

- (11) If, pursuant to subsection 27.0(10), the *Motor Vehicle* to be licensed or renewed as a *Taxicab*, in the opinion of the *Licensing Officer*, does not meet the criteria of this By-law, then the issuance or renewal of such licence shall not be granted until such time as the *Licensing Officer* is satisfied that the *Motor Vehicle* is in conformity.
- (12) For purposes of complying with application and renewal provisions of section 4.3 and the requirements under subsection 27.0(10), a *Taxicab Brokerage* holding a valid City of Vaughan licence may, on behalf of a *Taxicab Owner*, submit and maintain the required documents and, under such circumstances, the *Taxicab Owner* shall be required to consent to access to those documents by the *City* for purposes of the administration and enforcement of this By-law.
- (13) Any *Person* may purchase an existing *Taxicab* and its equipment, but such *Taxicab* shall not be operated until the purchaser has obtained a *Taxicab Owner's* licence and the *Motor Vehicle* has met all of the requirements under this By-law.
- (14) In the event of the death of the holder of a *Taxicab Owner's* licence or a *Taxicab Brokerage's* licence, the heirs, executors, administrators, successors or assigns or other legal representatives shall have a period of six (6) months from the date of the occurrence within which to arrange for the continuance or sale of the business without the licence being revoked, provided that the death of the licensee is reported to the *Licensing Officer* within fourteen (14) days of its occurrence.
- (15) Notwithstanding subsection 27.0(14), if the licence expires within the aforementioned period of six (6) months, the heirs, executors, administrators, successors, or assigns or other legal representatives may renew the licence on the condition that it will expire on the termination of the aforementioned period of six (6) months or upon conclusion or arrangement of a transfer or sale of the business, if earlier.
- (16) A *Taxicab Owner* who also meets the requirements of a *Taxicab Driver*, and is so endorsed by the *Licensing Officer*, may operate any *Taxicab* that he or she owns, but may not operate any other *Taxicab* unless he or she also obtains a *Taxicab Driver's* licence and complies with all the provisions of this By-law that apply *Taxicab Drivers*.

SUSPENSIONS AND REVOCATIONS

- (17) Upon suspension or revocation of a *Taxicab Owner* or *Taxicab Driver* licence issued under this By-law, or upon such a licence issued under this By-law being expired more than 90 days, the *Licensee* shall return to any *Person* authorized to enforce the provisions of this By-law, all plates issued by the *City* with reference to such licences, and any *Person* authorized by this By-law to do so, shall have access to any premises or vehicles for the purpose of receiving or taking such plate or plates, and no *Person* shall refuse to deliver the plates to a *Person* authorized by this By-law or hinder or prevent said *Person* from receiving or taking of said plates.

TAXICAB VEHICLE REQUIREMENTS

- (18) Every *Taxicab*, even if owned by the same *Person*, shall require a separate licence under this By-law.
- (19) Every *Taxicab Owner* shall ensure that every *Taxicab* licensed under this By-law, has a *Trip Meter*, as approved by the *Chief Licensing Officer*, that is in proper working order and either provides total fares, prior to the engagement, or computes them in accordance with the rates filed for that *Taxicab*.
- (20) Every *Taxicab Owner* and every *Taxicab Driver*, when operating a *Taxicab*, shall, ensure the *Taxicab* is equipped with the following:
- (a) a plate supplied by the *City* and bearing an identifying number;
 - (b) the number referred to in subsection 27.0(20)(a) in easily legible lettering that is not fewer than fifteen (15) centimetres in height, of a colour contrasting to the immediate background, and that is otherwise approved by the *Licensing Officer*;
 - (c) a tariff card approved by the *Licensing Officer* that explains how fares are calculated and that is placed in such a manner that the card can be easily read by passengers in the back seat;
 - (d) an electric sign securely affixed to the roof of the *Taxicab* that indicates that the vehicle is a *Taxicab*, and that has been approved by the *Licensing Officer*.

- (21) No *Taxicab Owner* shall apply, permit or allow the application of any external markings on his or her *Taxicab* that obscure, confuse or camouflage any equipment or markings required under this By-law.
- (22) No *Motor Vehicle* shall be used as a *Taxicab* if the model year for such *Motor Vehicle* is more than ten (10) years old.
- (23) Despite subsection 27.0(22), a *Taxicab Owner* may apply to continue to operate his or her *Taxicab* for an additional year by making an application to the *City*. Such an application may not be made if the model year of the *Taxicab* is more than eleven (11) years old or for an initial licensing application.
- (24) An application under subsection 27.0(23) must be made at the time of renewal and shall require an inspection by the *Licensing Officer*.

LOST OR STOLEN PLATES

- (25) Every *Taxicab Owner* shall:
 - (a) report the loss of a *City* issued plate to the *City* no later than the following business day;
 - (b) in the event such plate is considered to have been stolen, report such theft at the nearest police station and provide such report to the *City* no later than the following day;
 - (c) return to the *Licensing Officer*, no later than the following business day, a *City* issued plate that has been defaced or damaged;
 - (d) pay the prescribed fee for the issuance of a replacement plate.

ROUTES, FARES AND CHARGES

- (26) Every *Taxicab Owner* whose *Taxicab* does not operate under a *Taxicab Brokerage* shall file with the *City* all fares and other charges for services provided from his or her *Taxicabs*.
- (27) Every *Taxicab Driver* or *Taxicab Owner* who operates a *Taxicab* shall, when engaged by a passenger, operate the *Trip Meter* in the manner intended, and in accordance with the fares and charges filed with the *City*.

- (28) No *Taxicab Owner* or *Taxicab Driver* shall charge a passenger an amount that is different than that provided to such passenger in writing prior to the commencement of the trip. Where a discrepancy exists and there is no written confirmation of the fare or its rate, the total charge for the trip shall be based on the rate filed with the *City* for such *Taxicab* that produces the minimum charge.
- (29) All tariff rates shall be computed from the time or place when or at which the passenger or passengers first enter the *Taxicab* to the time or place when or at which the destination is reached.
- (30) A *Taxicab Driver* or a *Taxicab Owner* driving his or her *Taxicab* shall take the shortest possible route to the destination desired, unless the passenger designates another route.
- (31) Every *Taxicab Owner* and every *Taxicab Driver* shall ensure that no passenger is charged for time lost through defects, or inefficiency of the *Taxicab*, or the incompetency of the driver thereof, or for the time consumed by the arrival of the *Taxicab* in response to a call in advance of the time such *Taxicab* has been requested by the *Person* calling same.
- (32) Additional charges for the loading and unloading of luggage or for any other services provided are only permitted if previously filed with the *City* and if such charges have been provided to the passenger in writing prior to the commencement of the trip.
- (33) Every passenger shall be issued a receipt indicating the *Taxicab Driver* or *Taxicab Owner's* name and licence number, the name of the *Taxicab Brokerage*, if applicable, the time and date of the trip, the starting and ending point of the trip, the amount indicated and the amount charged.

REQUIREMENTS WHEN OPERATING A TAXICAB

- (34) Every *Taxicab Owner* and every *Taxicab Driver* shall, upon request by any *Person* authorized to administer or enforce the provisions of this By-law, surrender for inspection his or her *Taxicab Owner* or *Taxicab Driver* licence, as the circumstances require.

- (35) No *Taxicab Driver* shall, while having the care and control of a *Taxicab*, permit any *Person* other than the *Taxicab Owner*, or a *Taxicab Driver* engaged by such *Taxicab Owner*, to operate the *Taxicab*.
- (36) A *Taxicab Owner* shall not, by any arrangement or agreement, permit any *Taxicab* not owned by him or her, to be driven under the authority of his or her *Taxicab Owner's* licence.
- (37) No *Taxicab Owner* or *Taxicab Driver* shall operate, or permit or allow to be operated, a *Taxicab* unless it is in good mechanical condition and in good repair as to both its exterior and interior.
- (38) No *Person* shall provide *Taxicab* services or allow or permit *Taxicab* services to be provided using a *Taxicab* that has been damaged in a collision, without such damage being fully repaired.
- (39) Despite 27.0(38), no *Taxicab Owner* or *Taxicab Driver* shall wash, clean or make repairs to his or her *Taxicab* while upon any *Taxicab Stand* unless such tasks are immediately required to render the *Taxicab* operable.
- (40) When operating a *Taxicab*, a *Taxicab Owner* or a *Taxicab Driver* shall not:
- (a) carry a greater number of *Persons*, inclusive of the driver, than that indicated by the manufacturer's rating of seating capacity for the vehicle.
 - (b) operate a *Taxicab* with luggage or other material piled or placed in a manner that obstructs the driver's view;
 - (c) dismiss or discharge any passenger at a point other than the destination without adequate cause;
 - (d) stop upon a highway unless it is safe to do so and solely for the immediate purpose of:
 - (i) taking on a passenger;
 - (ii) discharging a passenger;
 - (iii) waiting, by request of a passenger, provided such request is in the continuance of the trip.

- (41) Every *Taxicab Owner* or *Taxicab Driver* shall at all times when operating a *Taxicab*:
- (a) be civil and well behaved;
 - (b) not smoke any cigar, cigarette, tobacco, or other substance while the *Taxicab* is in operation;
 - (c) while on any *Taxicab Stand*, shall
 - (i) be sufficiently close to his or her *Taxicab* so as to have it under constant observation;
 - (ii) not make any loud noises or create any disturbances;
 - (iii) not obstruct the use of the sidewalk in any manner.
- (42) No *Person* licensed under this section shall, on any public highway, lane, street, common, park or square, solicit or employ or allow any runner or other *Person* to assist or act in concert with him in soliciting any *Person* to take or use his or her services.
- (43) A *Taxicab Driver* or *Taxicab Owner* that is operating a *Taxicab* shall not refuse to serve the first *Person* requesting his or her service unless:
- (a) such *Taxicab Driver* or *Taxicab Owner* is already engaged;
 - (b) the *Person* requesting the service owes such *Taxicab Driver* or *Taxicab Owner* for a previous fare or service;
 - (c) the *Person* requesting the service refuses to disclose his or her final destination;
 - (d) the *Person* requesting the service is unduly obnoxious and abusive;
 - (e) such *Taxicab Driver* or *Taxicab Owner* has grounds to believe that by agreeing to the engagement his or her safety is in peril.
- (44) No *Taxicab Owner* or *Taxicab Driver*, while operating a *Taxicab* other than a *Taxicab* being used for the transportation of children to or from school, shall take on any additional passenger after the *Taxicab* has departed from its starting point, except at the request of the passengers already in the *Taxicab*, or with the approval of the *Licensing Officer* due to special emergency conditions.
- (45) A *Taxicab Owner* or *Taxicab Driver* who is operating a *Taxicab*, shall not take on any passengers within 30 meters of a public *Taxicab* stand when there is a *Taxicab* upon

the stand, except where an arrangement has been previously made with such passenger.

- (46) An *Taxicab Owner* or *Taxicab Driver* who wishes to enter a public taxi stand with his or her *Taxicab*, shall do so by taking the position at the end of any line formed by *Taxicabs* already on the stand, and when such *Taxicab Owner* or *Taxicab Driver* is either first or second in line, he or she shall remain in the driver's seat of the vehicle ready to be hired.
- (47) No *Person* shall overcrowd or allow or permit a public taxi stand to be overcrowded, nor push or allow or permit any *Taxicab* already on the stand to be pushed.
- (48) A *Taxicab Driver* or a *Taxicab Owner* operating his or her own *Taxicab* shall keep and maintain trip information for a period of no fewer than six (6) months.

21. Delete By-law 315-2005, section 27.1 and replace with the following:

27.1 ACCESSIBLE TAXICABS

LICENSING REQUIREMENTS AND RESTRICTIONS

- (1) Every *Accessible Taxicab Owner* and *Accessible Taxicab Driver* must be licensed by the *City*.
- (2) No *Person* may operate an *Accessible Taxicab* unless such *Person* holds either:
 - (a) a valid *City of Vaughan Accessible Taxicab Driver* licence;
 - (b) or an *Accessible Taxicab Owner* licence with an *Endorsement* to drive such *Accessible Taxicab*.
- (3) No *Accessible Taxicab Owner* may permit, allow or cause any other *Person* to operate an *Accessible Taxicab* unless such *Person* holds a valid *City of Vaughan Accessible Taxicab Driver* licence.
- (4) No *Accessible Taxicab Driver* or *Accessible Taxicab Owner* may operate an *Accessible Taxicab* that has not been licensed by the *City*.
- (5) No *Accessible Taxicab Owner* or *Accessible Taxicab Driver* may apply for a licence or renew his or her licence for a period that exceeds one year, unless provided for under this By-law.

- (6) Every *Taxicab Driver* or *Accessible Taxicab Driver* who has been licensed as such by the *City* for at least the five immediately preceding years may apply for a licence as an *Accessible Taxicab Owner*.
- (7) Every *Accessible Taxicab Owner* shall maintain an *Accessible Taxicab* and shall operate such *Taxicab* in accordance with this section for at least four (4) years, at which time such *Accessible Taxicab Owner* may renew his or her licence as a *Taxicab Owner* under section 27.0 and be subject to the provisions in that section.
- (8) Despite subsection 27.1(7), an *Accessible Taxicab Owner* may, at any time, sell or transfer his business to any *Person* licensed under sections 27.0, 27.1 or 27.2.

ACCESSIBLE TAXICAB DRIVER APPLICATIONS AND RENEWALS

- (9) In addition to the requirements set out in section 4.3, every application for an *Accessible Taxicab Driver's* licence or renewal thereof shall be accompanied by the following:
 - (a) a valid Class "G" driver's license issued by the Province of Ontario;
 - (b) a 3-Year Statement of Driving Record furnished by the Ministry of Transportation of the Province of Ontario, dated not more than 90 days from the date of application, for all new applicants, or upon demand from the *Licensing Officer* at any time thereafter;
 - (c) proof, satisfactory to the *Licensing Officer*, that the applicant is at least eighteen (18) years of age, which shall be evidenced by the production of one piece of Canadian federally or provincially issued photo identification;
 - (d) proof satisfactory to the *Licensing Officer* that the applicant is eligible to seek employment in Canada, which may be evidenced by the production of one piece of Canadian federally or provincially issued document that confirms such eligibility;
 - (e) a complete Police Criminal Records Check issued by an *Ontario Police Service*, not more than 90 days old, from the date of application;
 - (f) a certificate of completion of an Accredited Securement Training course, as approved by the *Chief Licensing Officer*;

- (g) any other documentation or information requested by the *Licensing Officer*.
- (10) For purposes of complying with application and renewal provisions of section 4.3 and the requirements under subsection 27.1(9), a *Taxicab Brokerage* or an *Accessible Taxicab Owner* holding a valid City of Vaughan licence may, on behalf of an *Accessible Taxicab Driver*, submit and maintain the required documents and, under such circumstances, the *Accessible Taxicab Driver* shall be required to consent to access to those documents by the *City* for purposes of the administration and enforcement of this By-law.

ACCESSIBLE TAXICAB OWNER APPLICATIONS AND RENEWALS

- (11) A *Person* who buys or receives an *Accessible Taxicab* business under subsection 27.1(8), before operating such business, shall:
 - (a) apply and receive an *Accessible Taxicab Owner* licence, as per this section;
 - (b) agree, as part of the application in subsection 27.1(11)(a), to operate the *Accessible Taxicab* for the remainder of the four-year period provided for under subsection 27.1(7) as undertaken by the previous *Accessible Taxicab Owner*.
- (12) In addition to the requirements set out in section 4.3, every application for an *Accessible Taxicab Owner's* licence or for the renewal of such licence shall be accompanied by the following:
 - (a) the provincial *Motor Vehicle* permit issued with respect to every *Accessible Taxicab* licensed or *Motor Vehicle* to be licensed;
 - (b) a Safety Standards Certificate dated not more than 90 days prior to the date of application or renewal for every *Accessible Taxicab* licensed or *Motor Vehicle* to be licensed;
 - (c) a certificate of policy of insurance that provides coverage in the amount of two million (2,000,000.00) dollars, comprehensive against loss or damage resulting from any one accident, for each *Accessible Taxicab* licensed or *Motor Vehicle* to be licensed and such policy shall provide for passenger hazard and be endorsed to the effect that the *City* will be given at least ten (10) days notice in writing of any cancellations, expiry or variation in the amount of the policy;

- (d) approval from the *Licensing Officer*, after a vehicle inspection, for all new applications;
 - (e) in the event the *Accessible Taxicab Owner* wishes to be licensed to drive his or her *Accessible Taxicab*, a valid Class "G" Ontario Driver's Licence issued by the Province of Ontario;
 - (f) in the event the *Accessible Taxicab Owner* wishes to be licensed to drive his or her *Accessible Taxicab*, a 3-Year Statement of Driving Record furnished by the Ministry of Transportation of the Province of Ontario, dated not more than 90 days from the date of application, for all new applicants, or upon demand from the *Licensing Officer* at any time thereafter;
 - (g) in the case of a natural individual, proof, satisfactory to the *Licensing Officer*, that the *Applicant* is at least eighteen (18) years of age, which shall be evidenced by the production of one piece of Canadian federally or provincially issued photo identification;
 - (h) in the case of a natural individual, proof satisfactory to the *Licensing Officer* that the *Applicant* is eligible to seek employment in Canada, which may be evidenced by the production of one piece of a Canadian federally or provincially issued document that confirms such eligibility;
 - (i) a complete Police Criminal Records Check issued by an *Ontario Police Service*, not more than 90 days old, from the date of application;
 - (j) if such *Accessible Taxicab Owner* is operating his or her own *Accessible Taxicab*, a certificate of completion of an Accredited Securement Training course, as approved by the *Chief Licensing Officer*;
 - (k) if such *Taxicab* is powered by propane, a certificate from an authorized propane inspection station, accounting for such vehicle's mechanical fitness;
 - (l) any other documentation or information requested by the *Licensing Officer*.
- (13) If, pursuant to subsection 27.1(12), the *Motor Vehicle* to be licensed or renewed as a *Taxicab*, in the opinion of the *Licensing Officer*, does not meet the criteria of this By-

law, then the issuance or renewal of such licence shall not be granted until such time as the *Licensing Officer* is satisfied that the *Motor Vehicle* is in conformity.

- (14) For purposes of complying with application and renewal provisions of section 4.3 and the requirements under subsection 27.0(12), a *Taxicab Brokerage* holding a valid City of Vaughan licence may, on behalf of an *Accessible Taxicab Owner*, submit and maintain the required documents and, under such circumstances, the *Accessible Taxicab Owner* shall be required to consent to access to those documents by the *City* for purposes of the administration and enforcement of this By-law.

SUSPENSIONS AND REVOCATIONS

- (15) Upon suspension or revocation of an *Accessible Taxicab Owner* or *Accessible Taxicab Driver* licence issued under this By-law, or upon such a licence issued under this By-law being expired more than 90 days, the *Licensee* shall return to any *Person* authorized to enforce the provisions of this By-law, all plates issued by the *City* with reference to such licences, and any *Person* authorized by this By-law to do so, shall have access to any premises or vehicles for the purpose of receiving or taking such plate or plates, and no *Person* shall refuse to deliver the plates to a *Person* authorized by this By-law or hinder or prevent said *Person* from receiving or taking said plates.

ACCESSIBLE TAXICAB VEHICLE REQUIREMENTS

- (16) A holder of an *Accessible Taxicab Owner's* licence shall be permitted to operate a *Motor Vehicle* that, in addition to satisfying the vehicle requirements set out in section 27.0, has received approval from the Ministry of Transportation as an accessible vehicle.

LOST OR STOLEN PLATES

- (17) Every *Accessible Taxicab Owner* shall:
- (a) report the loss of a *City* issued plate to the *City* no later than the following business day;
 - (b) in the event such plate is considered to have been stolen, report such theft at the nearest police station and provide such report to the *City* no later than the following day;

- (c) return to the *Licensing Officer*, no later than the following business day, a *City* issued plate that has been defaced or damaged;
- (d) pay the prescribed fee for the issuance of a replacement plate.

ROUTES, FARES AND CHARGES

- (18) Every *Accessible Taxicab Owner* whose *Accessible Taxicab* does not operate under a *Taxicab Brokerage* shall file with the *City* all fares and other charges for services provided from his or her *Accessible Taxicabs*.
- (19) Every *Accessible Taxicab Owner* or *Accessible Taxicab Driver* who operates an *Accessible Taxicab* shall, when engaged by a passenger, operate the *Trip Meter* in the manner intended, and in accordance with the fares and charges filed with the *City*.
- (20) No *Accessible Taxicab Owner* or *Accessible Taxicab Driver* shall charge a passenger an amount that is different than that provided to such passenger in writing prior to the commencement of the trip. Where a discrepancy exists and there is no written confirmation of the fare or its rate, the total charge for the trip shall be based on the rate filed with the *City* for such *Accessible Taxicab* that produces the minimum charge.
- (21) All tariff rates shall be computed from the time or place when or at which the passenger or passengers first enter the *Accessible Taxicab* to the time or place when or at which the destination is reached.
- (22) An *Accessible Taxicab Driver* or an *Accessible Taxicab Owner* driving his or her *Accessible Taxicab* shall take the shortest possible route to the destination desired, unless the passenger designates another route.
- (23) Every *Accessible Taxicab Owner* and every *Accessible Taxicab Driver* shall ensure that no passenger is charged for time lost through defects, or inefficiency of the *Accessible Taxicab*, or the incompetency of the driver thereof, or for the time consumed by the arrival of the *Accessible Taxicab* in response to a call in advance of the time such *Accessible Taxicab* has been requested by the *Person* calling same.

- (24) Additional charges for the loading and unloading of luggage or for any other services provided are only permitted if previously filed with the *City* and if such charges have been provided to the passenger in writing prior to the commencement of the trip.
- (25) Every passenger shall be issued a receipt indicating the *Accessible Taxicab Driver* or *Accessible Taxicab Owner's* name and licence number, the name of the *Taxicab Brokerage*, if applicable, the time and date of the trip, the starting and ending point of the trip, the amount indicated and the amount charged.

REQUIREMENTS WHEN OPERATING AN ACCESSIBLE TAXICAB

- (26) Every *Accessible Taxicab Owner* and every *Accessible Taxicab Driver* shall, upon request by any *Person* authorized to administer or enforce the provisions of this By-law, surrender for inspection his or her *Accessible Taxicab Owner* or *Accessible Taxicab Driver* licence, as the circumstances require.
- (27) Every *Accessible Taxicab Owner* that drives his or her *Accessible Taxicab* and every *Accessible Taxicab Driver* shall, within the intended context, comply with the provisions of 27.0(35) to 27.0(48).
- (28) Every *Accessible Taxicab Owner* that drives his or her *Taxicab* or every *Accessible Taxicab Driver* shall serve the first *Person* unable to board a regular *Taxicab* due to a disability, as defined in the *Accessibility for Ontarians with Disabilities Act*, who has requested the service of the *Accessible Taxicab* at any place within the city and at any time of day or night, except where the provisions of subsection 27.0(43) apply.
- (29) Every *Person* operating an *Accessible Taxicab* shall:
 - a) offer such assistance as required to facilitate the entry or exit of a physically disabled *Person* into or out of an *Accessible Taxicab*;
 - b) where a wheelchair is being used by a passenger, ensure that the wheelchair and occupant restraint system is properly secured in the area so provided;
 - c) ensure that the passenger's seatbelt is properly secured.

22. Delete By-law 315-2005, section 27.2 and replace with the following:

27.2 TAXICAB BROKERAGES

LICENSING REQUIREMENTS AND RESTRICTIONS

- (1) No *Person* shall operate a *Taxicab Brokerage* without first obtaining a licence from the *City* to do so.
- (2) No *Taxicab Brokerage* shall engage or otherwise enter into any agreement to provide services with a *Person* who does not hold a valid licence but is required to do so for the provisions of such services.
- (3) As a condition of holding a *Taxicab Brokerage* licence, every *Taxicab Brokerage* shall operate at least one *Accessible Taxicab* plus the equivalent of 5% of its fleet (rounded down to the nearest whole number), as follows:

Fleet Size	<i>Accessible Taxicabs</i> Required
1-19	1
20-39	2
40-59	3
60-79	4
80-99	5
100-119	6
120-139	7
140-159	8
160-179	9
180-199	10

- (4) No *Taxicab Brokerage* may obtain or renew a licence without providing proof, satisfactory to the *Chief Licensing Officer*, that the requirements under subsection 27.2(3) have been met.

TAXICAB BROKERAGE APPLICATIONS AND RENEWALS

- (5) In addition to the requirements set out in section 4.3, every application for a *Taxicab Brokerage* licence or renewal of such licence shall be accompanied by the following:
 - (a) a complete listing of all *Taxicabs* and *Accessible Taxicabs* being operated from the *Taxicab Brokerage*;

- (b) a description of any *Platform* and/or *Trip Meter* used in the provision of services, including as applicable:
 - (i) means by which customers interact with the *Platform*;
 - (ii) all types of data collected from customers;
 - (iii) all types of data provided to customers;
 - (iv) means by which the customer is provided with the fare amount;
 - (v) how payment is made through the *Platform* and/or what forms of payment are accepted;
 - (vi) the basis upon which the *Trip Meter* calculates fares;
 - (vii) any other information the *Licensing Officer* may request.
- (c) proof, satisfactory to the Chief Licensing Officer, that the Taxicab Brokerage has appropriate general liability insurance in the amount of \$5,000,000 or more;
- (d) a complete listing of all fares and fees that may be charged to customers for the services provided.

ROUTES, FARES AND CHARGES

- (6) A *Taxicab Brokerage* may only offer or charge customers fares and fees that have been filed with the City.
- (7) Prior to undertaking any engagement, a *Taxicab Brokerage* shall provide the customer the full fare to be charged for the service.
- (8) Every *Taxicab Brokerage* shall notify the *City* in writing, at least 72 hours before the effective date, of any changes to its tariff rates or other fees.

GENERAL REQUIREMENTS

- (9) No *Taxicab Brokerage* shall:
 - a) accept orders for or in any way dispatch or direct orders to a *Taxicab* licensed under this section when the activity would be illegal under another municipal taxi by-law or similar licensing by-law or provincial statute;
 - b) dispatch or direct orders to a *Taxicab* not licensed under this section to a pick-up location within the boundaries of the city.

(10) Every *Taxi Brokerage* shall:

- (a) provide the *Licensing Officer*, upon request, with a listing of *Taxicabs* operating from its *Taxicab Brokerage*, showing in numerical order, by plate number, the name of each *Taxicab Owner* and each *Accessible Taxicab Owner* with whom an agreement has been entered into;
- (b) keep a record of every *Motor Vehicle* dispatched on a trip, the date and time of dispatch, the place of pick-up and destination of such trip;
- (c) the records referred to in subsection 27.2(10)(b) shall be retained for a minimum of six (6) months, and shall be immediately available upon request of any *Person* authorized to enforce the provisions of this By-law, and such *Person* shall be permitted to remove such records and retain same for a reasonable period of time;
- (d) upon request, inform any customer of the anticipated length of time required for a *Taxicab* to arrive at the requested pick-up location;
- (e) dispatch a *Taxicab* to any *Person* or business requesting service, unless the *Person* or business requesting service has not paid for a previous trip;
- (f) carry on business only in the name in which the license has been issued;
- (g) not dispatch any calls to any *Taxicab* where privileges have been suspended under this By-law, upon being notified by the *Licensing Officer* of such suspension.

(11) Despite subsection 27.2(7), if a customer requests a change to his or her final destination or route, the *Taxicab Brokerage* may authorize additional fees, provided that:

- (a) such additional fees are provided in writing to the customer at the conclusion of the engagement; and
- (b) the customer agrees to the additional fees.

23. Amend By-law 315-2005, section 29.0, by replacing every reference to "Operator" with "Driver".

24. Amend By-law 315-2005 by deleting Schedule "G".

25. Amend By-law 315-2005, Schedule "B" as follows:

(a) Replace the existing fees with the following:

CLASSES OF BUSINESS LICENCES	2017		2018	
	INITIAL FEE	RENEWAL FEE	INITIAL FEE	RENEWAL FEE
Taxicab Brokerage	\$ 390	\$ 252	\$ 402	\$ 260
Taxicab Driver	\$ 172	\$ 167	\$ 177	\$ 172
Taxicab Owner	\$ 498	\$ 322	\$ 513	\$ 332
Accessible Taxicab Owner	\$ 249	\$ 161	\$ 257	\$ 166
Limousine Owner	\$ 498	\$ 322	\$ 513	\$ 332
Limousine Driver	\$ 172	\$ 167	\$ 177	\$ 172

(b) Add the following fees:

CLASSES OF BUSINESS LICENCES	2017		2018	
	INITIAL FEE	RENEWAL FEE	INITIAL FEE	RENEWAL FEE
Accessible Taxicab Driver	\$ 86	\$ 84	\$ 89	\$ 86
Limousine Company	\$ 390	\$ 252	\$ 402	\$ 260
PTC – up to 24 vehicles	\$ 390	\$ 252	\$ 402	\$ 260
PTC – 25 to 99 vehicles	\$ 1,500	\$ 1,500	\$ 1,545	\$ 1,545
PTC – 100 to 499 vehicles	\$ 2,500	\$ 2,500	\$ 2,575	\$ 2,575
PTC – 500 or more vehicles	\$ 10,000	\$ 10,000	\$ 10,300	\$ 10,300
All PTCs (per ride originating Vaughan – due quarterly)	11¢		11¢	

(c) Delete the sub-schedule entitled "Taxi Tariff Rates, Baggage and Wheelchairs"

26. Add the following fees to By-law 171-2013, as amended, Schedule "I":

<u>ITEM</u>	<u>FEE or CHARGE</u>	
	2017	2018
Change of <i>Motor Vehicle</i> (applies to all vehicular licensing categories)	\$50	\$52
Replacement Plate (applies to all vehicular licensing categories for which a plate is required)	Manufacturing cost	

27. This By-law comes into effect and force on the date enacted by City Council.

Enacted by City of Vaughan Council this 26th day of September, 2017.

Hon. Maurizio Bevilacqua, Mayor

Barb McEwan, City Clerk

Authorized by Item No. 3 of Report No. 24
of the Committee of the Whole (Working Session)
Adopted by Vaughan City Council on
June 27, 2017