



October 28, 2024

Vehicle for Hire Bylaw Amendments

Prepared by: Erin Stuart, Inspections & Licensing Manager
Department: Inspections and Licensing

Report Summary and Recommendations

This report is for Council's consideration all three readings of the *Vehicle for Hire Bylaw* amendments.

The *Vehicle for Hire Bylaw* was before Council on May 27, 2024, for consideration of changes to bylaw, including the cap on taxi plates and model age of vehicles. During that process, there were amendments adopted, which after implementing, require some further amendments to provide clarity and meet the original intent of Council.

Administration recommends City Council proceed with all 3 readings of *Vehicle for Hire Bylaw* No 3706/A-2024.

Proposed Resolution

That Bylaw 3706/A-2024 be read a first time.

That Bylaw 3706/A-2024 be read a second time.

Resolved that with the unanimous consent of Council members present, that Bylaw 3706/A-2024 be presented for third reading.

That Bylaw 3706/A-2024 be read a third time.

Rationale for Recommendation

1. **The amendments proposed are administrative oversights in how the bylaw was adopted in May 2024, creating unintentional negative impacts or lack of clarity.**
2. **Clarification is required to bylaw references and language for industry members and Administration's ease of interpretation and operations.**
3. **The proposed bylaw considers the re-addition of regulations missed with the last bylaw amendments.**

Background

Prior Council/Committee Direction

On May 27, 2024, Council adopted the *Vehicle for Hire Bylaw 3706/2024*. That bylaw followed an extensive review and consultation period and included keeping the taxi plate cap with the release of 15 additional taxi plates over three consecutive years, after which the plate cap would be removed. There were also other changes, including removal of regulations on the model age of vehicles and relying on regular mechanical inspections to ensure safety of the vehicles.

There were changes to the bylaw that occurred during the Council meeting, and some of the regulations that are interconnected were missed, having unintended consequences, such as removing the previous flexibility that allowed for the industry to swap vehicles when repairs or maintenance was required.

Administration heard from industry members on these issues and agrees these were not intentional.

Stakeholder Consultation

Following the adoption of the amendments in May, Administration received questions from industry on the new bylaw regulations and the ability to transfer plates if a vehicle was getting repairs. As the bylaw was recommended, and had the taxi plate cap been removed, the new vehicle or replacement vehicle would just get a new plate if another was in the shop. When the taxi plate cap was added back in by Council, this provision was missed with the amendments in that moment, which means if a Taxi requires repairs or maintenance, the plate cannot be transferred to another vehicle while getting repairs. That was not the intention and negatively impacts the industry by not allowing for the flexibility of a vehicle to be in operation and generating revenue.

In advance of the amendments being considered by City Council, Administration shared the proposed bylaw changes with industry to ensure continued communication and transparency for changes associated with this bylaw. No feedback or inquiries were received.

Analysis

Following the adoption of the new bylaw, there are regulations to be considered to provide clarity for industry and Administration, as well as resolve incorrect references to bylaw sections and other cleanup. The following summarizes the list of amendments:

1. **Section 11 (d)** – cleanup of the drivers' abstract details to make it clear, what the criteria will be for acceptable abstracts and the number of demerits approved under the Driver for Hire Licence. Changing it back to allow for an abstract dated within 60 days instead of 30 days.
2. **Section 19** – adding back in the option to transfer a plate if the vehicle is out for repairs. This was missed when the Taxi Plate cap was added back in.

3. **Section 53** – adding in the option to have Driver for Hire details displayed through the Brokerage Mobile App.
4. **Section 61 (h)** – added in that a Brokerage must not dispatch a Driver for Hire not affiliated with their Brokerage.
5. **Section 63** – deleted and replaced by section 72.
6. **Section 67** – amended to include reference to section 60 as well as 61. Both sections reference Brokerage Obligations.
7. **Section 68** – cleanup to allow an Independent Driver Owner to be able to hire more than one additional driver to operate 24/7. The Independent Driver Owner must still be the primary driver and can hire part-time or full-time drivers to operate those vehicles outside of that timeframe.
8. **Section 69** – amended to include reference to section 60 as well as 61. Both sections reference Brokerage Obligations.
9. **Section 70** – amended to include reference to section 60 as well as 61. Both sections reference Brokerage Obligations.
10. **Section 70 (b)** – amended the insurance provisions associated with Designated Drivers. There is additional insurance that may be required to cover the Driver who is driving a private vehicle.
11. **Section 72** – a general records section was added to allow for the request of documents or information as required by the City Manager.
12. **Section 85** – amended the language of when the plate cap is removed to align with the intent of Council.
13. **Schedule B** – a fine for section 63 was added as it was missing as a specified penalty. The fine for section 98 was incorrect and amended to section 96.

Taxi Plate Cap

The key change in May was the taxi plate cap being added back into the bylaw with the release of 15 additional taxi plates over three consecutive years, after which the plate cap would be removed. The bylaw currently says:

The City Manager must issue 15 additional Taxi or Accessible Plates annually for three consecutive years from the day this bylaw comes into effect, after which the restriction on the number of Plates is removed, allowing the City Manager to issue Taxi or Accessible Plates to eligible applicants upon request despite section 86(a).

Interpretation of this provision would be that after the third plate draw, the cap is removed. Meaning immediately after that third plate draw, there is no longer a cap on plates, and they can be issued as needed. With that lens, it would be pointless to take the time and energy to do the third plate draw, charge the plate draw fee, when the next day, there is no cap, and this can happen without a plate draw. Administration believes the intent of Council was the fourth year would be the year the cap is removed to better assess the impact of adding the 15 plates for three consecutive years.

Financial

There are no financial impacts with these amendments.

Appendices

- Appendix A: *Vehicle for Hire Bylaw No 3706/A-2024*
- Appendix B: *Vehicle for Hire Bylaw No 3706 – Strikethrough Version*
- Appendix C: *Vehicle for Hire Bylaw No 3706 – Clean Version*
- Appendix D: May 27, 2024, Council Report