
TO: MAYOR J. LEHMAN AND MEMBERS OF CITY COUNCIL

FROM: T. BANTING, MANAGER OF ENFORCEMENT SERVICES AND D. MCALPINE, CITY CLERK/DIRECTOR OF LEGISLATIVE AND COURT SERVICES

NOTED: P. ELLIOTT-SPENCER, MBA, CPA, CMA, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES

C. LADD, CHIEF ADMINISTRATIVE OFFICER

RE: BILL #024 BUSINESS LICENSING (TRANSPORTATION INDUSTRY) BY-LAW AMENDMENTS AND BILL #025 FEES BY-LAW AMENDMENTS

DATE: APRIL 10, 2017

The purpose of this memorandum is to provide information to members of Council as directed on March 27, 2017 concerning Bills #024 and #025 regarding the changes that have been made to the draft amendments to the Business Licensing By-law for the Transportation Industry that was attached as Appendix "A" and the amendments to the Fees By-law that was attached as Appendix "B" to Staff Report LCS006-17.

On March 27, 2017, City Council approved motion 17-G-057 as amended, as follows:

"17-G-057 REVIEW OF TRANSPORTATION INDUSTRY (TAXI) BY-LAW 2006-265 AND REGULATING RIDE SHARING/DRIVER FOR HIRE OPERATIONS

1. That By-law 2006-265 regarding the licensing and regulation of Transportation type business operations within the City of Barrie be amended effective July 1, 2017, to allow for a pilot to be undertaken that would reflect the changes as set out generally in the form of the draft by-law attached as Appendix "A" to Staff Report LCS006-17; with amendments to:
 - a) Add the words "if applicable" to any references to requirements related to proof of HST registration;
 - b) Make the necessary changes to reflect an additional licensing category, operating criteria and fees associated with Taxi Cab Companies providing all required inspection and approval documentation related to Taxi Cab Drivers and Taxi Cab vehicles operating under the Company;
 - c) To delete the separate Taxi Cab Driver and Taxi Cab licensing categories;
 - d) To delete from Table 1 and the operating criteria contained in the draft by-law related to the Driver for Hire category, the requirement to provide the make, model, licence plate and VIN number associated with each company vehicle; andwith a memorandum to be provided outlining the changes when the by-law is presented for Council's consideration.
2. That a review of the pilot be undertaken beginning no later than one year after the passage of any amendments to By-law 2006-265.
3. That the Fees By-law be amended to reflect the proposed licensing fees as set out in Appendix "B" to Staff Report LCS006-17, subject to paragraphs 1 b) and c).
4. That staff make application to the Ministry of the Attorney General for set fines ranging from \$100.00 to \$1,000.00 based on the nature of the offense.

5. That staff provide memorandums every 3 months concerning the pilot program.”

To achieve the direction identified in the motion above, the following amendments were made to the draft by-law that was presented as Appendix “A” to Staff Report LCS006-17:

- Changed the effective date from July 1, 2017 to August 1, 2017 to allow for communications with current licensees of the proposed by-law requirements;
- Added “if applicable” to Table 1 and the Operating Criteria references to HST registration for Taxi Cab Company, Private Transportation Company and Driver for Hire Company;
- Added the following to Taxi Cab Company Inspection/Approval Documents in Table 1:
 - Automobile Liability Insurance - \$2,000,000 each vehicle;
 - Vehicle Identification Number;
 - Ontario Licence Plate Number;
 - Vehicle Safety Standards Certificate for each vehicle (valid within 36 days of application)
- Driver Document Submissions Required (per driver)
 - Criminal Records Check (valid within 30 days of application);
 - Ministry of Transportation Driver’s Abstract (valid within 30 days of application);
 - 2 pieces of government issued photographic identification (1 being a valid Ontario Driver’s Licence); and
 - Letter of employment or affiliation with Taxi Cab Company;
- Deleted categories - Taxi Cab – owned by company, Taxi Cab not owned by company, and Taxi Cab Driver from Table 1;
- Deleted from Table 1 and the Operating Criteria contained in the draft by-law related to the Driver for Hire category, the requirement to provide the make, model, licence plate and VIN number associated with each company vehicle;
- Corrected the references to the amount of Commercial Liability Insurance required (\$2,000,000 for each company);
- Deleted references to requirements of a owner of a Taxi Cab vehicle in applicable sections and added them to the Taxi Cab Company;
- Maintained the general operating criteria related to obligations of a Taxi Cab Driver or owner of a Taxi Cab vehicle (for example, the requirement to obtain a Criminal Records Check, Driver’s Abstract, and Vehicle Safety Standards Certificate, or maintain daily trip record) but required them to provide such documentation to the Taxi Cab Company for submission and eliminated the requirement for Taxi Cab Drivers and vehicles to be independently licensed;
- Clarified under each type of company, that the company may be held liable for any violations related to a driver or vehicle; and
- Moved operating criteria related to Taxi Cab vehicles and Drivers to the Taxi Cab Company Section.

To achieve the direction identified in motion 17-G-057 as amended, the following amendments were made to the fees that were presented as Appendix “B” to Staff Report LCS006-17:

- Deleted fees for Taxi Cab Driver and Taxi Cab Vehicle;
- Deleted the previous Taxi Cab Company licence fee and replaced it with Taxi Cab Company categories with ranges of 1-10, 11-25, 26-50, 51-150, 151-300, 301-450 and 450+ drivers and vehicles
- Added smaller ranges of categories for the Private Transportation Company category of 1-10, 11-25, 26-50, and 51-150 drivers and vehicles (in addition to the 151-300, 301-450 and 450+ categories)
- Clarified that the fee for an Amendment to a Licence included changes to drivers and vehicles; and
- Clarified that the fee for Duplicate Licence also included providing duplicates to an applicant of any documents submitted for a licence.

Communications Plan

A notice has been issued to all of the existing Taxi Cab Companies and the Taxi Working Group as a reminder that the by-law has not yet come into force and effect.

Should Bills #024 and #025 be passed, meetings will be held with each of the groups (Taxi Cab Companies, Ride Sharing/Private Transportation Companies and Driver for Hire Companies) to review the changes or new requirements for each of the specific operations. New licence application forms that include the list of required documents to be submitted and applicable fees, for each type of company will be distributed.

To inform the public of the changes, an advertisement will be included in This Week in Barrie and communicated through social media announcing the changes and providing contact information for any questions or concerns.

Please contact Tammy Banting, Manager of Enforcement Services or Dawn McAlpine, City Clerk/Director of Legislative and Court Services, should you have any questions or require further information.