



TO: GENERAL COMMITTEE

SUBJECT: TAXI INDUSTRY - TRANSPORTATION BY-LAW 2006-265

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SUBMITTED BY: I. PETERS, DIRECTOR OF LEGAL SERVICES 

GENERAL MANAGER APPROVAL: E. ARCHER, CMA, GENERAL MANAGER OF CORPORATE SERVICES 

CHIEF ADMINISTRATIVE OFFICER APPROVAL: CARLA LADD, CHIEF ADMINISTRATIVE OFFICER 

RECOMMENDED MOTION

1. That, in response to issues raised by taxi industry representatives during the Open House held in November 2011, By-law 2006-265 be amended as follows:

(a) Taxicabs:

- i. That a moratorium be placed on the issuance of new taxicab licences effective March 19, 2012.
- ii. That a cap be established on taxicab licences based on a per capita ratio of 1:1500. Any person holding a valid taxicab licence as of the date of the moratorium will be entitled to renew such licence annually or transfer the licence to a new taxicab but shall not be entitled to transfer the cab or licence to a new owner.
- iii. That all taxicabs be required to have installed and operational at all times a 911 emergency light on the rear of the taxicab, as a minimum safety feature. No person shall be precluded from installing any additional safety features as may be deemed necessary for the safety of the driver and/or patrons.
- iv. That in order to maintain a clear and unimpeded view of passengers and activities inside a taxicab to better ensure the safety and welfare of the driver or passenger, after market tinting of any window of the taxicab or the installation of any decals or other treatment which would impede or interfere with the transparency of any window of the vehicle be prohibited.
- v. That all reference to Taxicab-Class A within Table 1 be deleted and replaced with "Taxicab".
- vi. That all reference in Section 7.2.0.0.0 relating to "Taxicab - Class A" be deleted and replaced with "Taxicab".
- vii. That all reference within Table 1 relating to Taxicab-Class B be deleted.
- viii. That Section 7.3.0.0.0, "Taxicab - Class B" be deleted.

- ix. That where a taxicab is owned by a person other than a Taxicab Company, such person be required to submit, at the time of application and maintain with the Issuer of Licences:
- a) proof of liability insurance for such vehicle being operated as a taxicab in the minimum amount of \$2,000,000;
 - b) proof of H.S.T. registration;
 - c) a current list of individuals authorized to provide services as a taxicab driver for such owner of a taxicab
 - d) the name of the Taxicab Company(ies) for which the taxicab will provide service or otherwise be engaged.
- x. That the owner of a taxicab, not being an owner of a company shall also be required to:
- a) submit the vehicle being operated as a taxicab for inspection annually or at any time as required;
 - b) maintain the taxicab in the same manner as set out under the provisions for Taxicab Company;
 - c) operate only for a licensed Taxicab Company, and
 - d) Engage the services only of a licensed Taxicab Driver.

(b) Taxi Drivers:

- i. That where a taxi driver ceases to provide services for the taxi company identified on his/her business licence, such driver be entitled, within 30 calendar days of ceasing such services, to amend his/her licence to identify a new company to which the driver will provide service, at an amendment fee as set out in the fees by-law, and the driver shall not be required to apply for a new licence, subject to confirmation of such dates by the taxi companies.
- ii. That with respect to the road test to which every applicant for a taxi driver's licence must submit, the applicant shall be limited to three attempts to pass the road test in any twelve month period.

(c) Taxicab Company:

- i. That every Taxicab Company be required to provide to the Issuer of Licences at the time of application and upon change to such information,
 - a) a list of all taxicabs owned by the company identifying the Licence Plate Number, make of vehicle and Vehicle Identification Number;
 - b) a list of all vehicles not owned by the Taxicab Company but which are intended to be used as a taxicab for the Taxicab Company and operated on behalf of the Taxicab Company identifying the Licence Plate Number, make of vehicle and Vehicle Identification Number;
 - c) a list of all persons providing a taxicab for use by the Taxicab Company and to be operated on behalf of the Taxicab Company;
 - d) the name(s) of any person operating as a Taxicab Driver for the Taxicab Company regardless of whether such driver operates a taxicab owned by the Taxicab Company or another person.
- ii. That Table 1 be amended to delete the requirement for inspection and/or approval from the Building Department and Finance Department.

2. Set Fine:

That staff be authorized to make application to the Ministry of the Attorney General for a set fines consistant with existing set fines for similar offences, ranging from \$100 to \$400 dependant on the nature of the offence, for contravention of any provision of the transportation by-law where set fines do not currently exist.

3. Compliance Resources:

That Municipal Law Enforcement Officer I's be engaged from time to time on an overtime basis to carry out enforcement after regular business hours.

4. Sunset Clause:

That the By-law 2006-265 regarding the licensing and regulation of the transportation industry be reviewed, at a minimum, once every five years commencing in 2014 and that public consultation with industry representatives be carried out as part of the review process.

5. Fees By-law:

That the Fees By-law 2012-035, Schedule H, be amended to reflect the changes to the taxicab classifications recommended in this report and establish full cost recovery associated with the licensing of taxicabs. That:

"Taxi Cab – Class A (each) - \$398.09" be deleted and replaced with "Taxi Cab (each) - \$340.42"

"Taxi Cab – Class B (each) - \$209.52" be deleted.

"Taxi Cab – Class A – Replacement Vehicle" be deleted and replaced with "Taxi Cab – Replacement Vehicle"

"Taxi Cab – Class B – Replacement Vehicle" be deleted.

PURPOSE & BACKGROUND

6. In response to communications from the taxi industry, Mayor Lehman convened a public open house in November 2011 to provide a forum for taxi industry representatives to communicate concerns, ideas and expectations related to the licensing and regulation of the taxi industry in the City of Barrie to members of Council and staff.

7. During the November 2011 Open House, a written submission was received from Barrie Taxi Limited citing the following concerns:
 - Excessive number of taxicabs operating in the City of Barrie
 - Ability of companies to provide 24 hour service – hours of operation
 - Business Licence fee for drivers
 - Aftermarket tinting of windows presenting safety hazard for drivers/passengers
 - Failure to submit HST by taxi drivers/owners

8. Additional comments were received during the November 2011 Mayor's Open House citing the following concerns:
 - Lack of enforcement - particularly beyond regular business hours (i.e. Monday-Friday; 8:30 a.m. – 4:30 p.m.)
 - Taxicab and driver licenses fee is too high
 - Number of cabs should be limited
 - Companies/cab owners utilizing unlicensed drivers
 - Out of town cabs operating in City
 - Direct receipt of calls – not logged through dispatching
 - Fines for by-law violations are too low
 - Failure of companies to provide 24 hours service/hours of operation
 - Lack of authority for the municipality to remove illegal cabs from operating in the City
 - Licensing and regulation should be through Police Service
 - Independent cab operators (not affiliated with a company)
 - Unsafe vehicles
 - Unlicensed companies, taxicabs, drivers – eliminate illegal cabs
 - Under age drivers
 - Drivers working and also collecting government assistance
 - Want MTO at inspections
 - Meter rates too high
 - Driver/customer safety
 - Colour coding cabs
 - Free parking for taxicabs at city meters – more taxistands
 - Limit hours of work for drivers
 - Police response to incidents too slow
 - Limit number of industry reps at meetings
 - Impose stricter testing requirements for drivers
 - Comments of satisfaction with status quo

9. Of the various comments received, the most frequent comments related to the number of taxicabs, the licence fees for the taxicabs and drivers and the desire for additional pro-active enforcement.

10. The Municipal Act 2001, S.O. 2001, c. 25 currently provides the following authority for the passage of by-laws:

Licensing taxicabs

156. (1) Without limiting sections 9, 10 and 11, a local municipality, in a by-law under section 151 with respect to the owners and drivers of taxicabs, may,

- (a) establish the rates or fares to be charged for the conveyance of property or passengers either wholly within the municipality or from any point in the municipality to any point outside the municipality;
 - (b) provide for the collection of the rates or fares charged for the conveyance; and
 - (c) limit the number of taxicabs or any class of them. 2006, c. 32, Sched. A, s. 82.”
11. By-law 2006-265, a By-law to license, regulate and govern transportation related businesses conducted within the City of Barrie was enacted October 30, 2006.
12. By-law 2006-265, in part licenses, regulates and governs the taxi industry, specifically taxi companies, taxi cabs and taxi drivers.

Business License Fees:

13. The Fees By-law, as amended, sets out current business licensing fees associated with the taxi industry as follows:

License Classification	Current License Fee
Taxicab – Class A (without safety features)	\$ 398.09
Taxicab – Class B (with safety features)	\$ 209.52
Taxi Driver	\$ 335.24
Taxi Company	\$ 419.05

14. License fees were established in 2006 on a cost recovery model but do not contemplate recovery of corporate overhead costs. License fees have been updated annually based on CPI.
15. The Corporation’s Financial Policy Framework, last approved by Council in September 2011, includes a policy for setting user fees and service charges that describes principles for setting fees. It also states that Council will determine an appropriate level of cost recovery and that the fees will be updated annually reported as part of the Business Plan.
16. Schedule “A” to this Staff Report sets out licence fees and fares from comparator municipalities.

Application Process:

17. All documentation as required by by-law is reviewed by enforcement staff to ensure it meets the intent and requirements of the by-law.
18. New taxicabs are inspected by a Licensing Officer to ensure that, in addition to the mechanical safety, the vehicle meets the general and aesthetic requirements as set out in the by-law.

19. Taxicab drivers are required to submit to a road test to ensure that they are generally familiar with the geographic layout of the City and there are no obvious driving violations noted during the test (eg. failure to adhere to a traffic signal).
20. Vehicle inspections and road testing are carried out on a first-come, first-served basis and are scheduled once weekly based on availability of staff and appointment times.
21. An inspection of the business premise for any new company operating within the City is carried out by an officer prior to the final approval of an application.
22. Applications are periodically received by the Municipal Law Enforcement Office which, upon inspection by officers, reflect missing or expired information (eg. Insurance). This requires additional time by the officer to secure current information before the application can be signed approved.
23. Once all aspects of the application have been perfected the application is approved by Officer after which the application is forwarded to administrative staff for preparation and final issuance of the licence by the Issuer of Licences.
24. This administrative process is carried out for all businesses under the provisions of the City's three licensing by-laws 2006-265 (Transportation), 2006-266 (General) and 2005-076 (Adult Entertainment). The administrative process related to business licenses is currently carried out by one staff member, whose duties include but are not limited to business licensing activity.
25. As a precaution applicants are advised to allow up to fourteen days for processing as unforeseen circumstances can arise (eg. Computer failure, illness, etc). Subject to seasonal volumes, licenses are typically issued within 72 hours (3 business days) of completion of all reviews, inspections and testing related to the file, with many licences being turned around even sooner than three days.

Taxi Tariffs:

26. In 2006, the taxi industry requested an increase in tariffs and rates to more accurately reflect operating costs and in particular increasing fuel and maintenance and insurance costs at the time. Staff noted that the tariffs had not been increased in numerous years and generally concurred with the requested increase. A report filed by the industry at that time identified comparative rates in other municipalities and identified that the tariffs and rates authorized in Barrie at that time were among the lowest.
27. By-law 2006-265 currently establishes the follows related to rates and fares:

"No person shall charge any rate or fare for the conveyance of passengers by a taxicab within the City or to a point not more than 5 kilometres beyond its limits except in accordance with the following:
 - a. for the first 1/10 kilometer or part thereof -\$3.25
 - b. for each additional 1/10 kilometer or part thereof - \$0.30
 - c. waiting time \$31.00 per hour. Such time shall be calculated from the time of pickup of the first passenger to the time of discharge of the taxicab of the last passenger."

All rates and fares are inclusive of H.S.T."

28. The by-law also provides that a company and patron may enter into a written contract at an agreed upon tariff for services between fixed points for a period of one year or more. In such instances, a copy of such contract must be filed with the Issuer of Licences. No contracts of this nature are currently on file with the Issuer of Licences.

29. Taxi tariffs have not increased since 2006 when requested by the industry, however were adjusted in 2008 to include the applicable percentage related to the imposing of the HST.
30. A comparative table is attached as Appendix "A" setting out tariff and license fee information from a number of municipalities.
31. A history of by-law 2006-265 is attached as Appendix "B".

ANALYSIS

Taxicab Driver:

32. The current by-law provides that taxicab drivers must be employed by a licensed company as a condition of their licence. As such, an individual is not entitled to hold a taxicab driver's licence unless (s)he is employed by a licensed company. Similarly, the by-law requires every taxi company to ensure that only licensed taxicab drivers are permitted to drive taxicabs for the company and that every vehicle utilized as a taxicab is also licensed.
33. The licensing system provides a critical mechanism to establish the relationship between taxicab, driver and company and enables enforcement staff the ability to more efficiently enforce the provisions of the licensing by-law and address complaints, protecting the integrity of the industry as well as the safety and security of the general public.
34. Currently a business licence issued to a taxicab driver becomes null and void immediately upon the driver ceasing to drive for the company identified on his licence. Where a driver desires to change companies he may amend his/her licence to add another company only if the licence is valid. An administrative fee of \$25.00 is applicable.
35. However, in some instances individuals allow their licence to lapse for a period of time between employers. The licence becomes invalid immediately upon the driver ceasing to drive for a company and the by-law currently does not provide a window for amendment.
36. Staff recognize that a transfer of employment between companies can occur with some degree of frequency in this industry. As such, staff are recommending that the by-law be amended to enable an amendment to a licence to identify a new taxicab company where such application for amendment and payment of the amendment fee (\$25.00) is made within thirty (30) calendar days of ceasing employment with the company identified on the licence. The by-law would continue to prohibit any company from employing an individual not licensed to provide services as a taxicab driver to such company.
37. This will provide a wider window of opportunity for taxicab drivers while maintaining the integrity of information required by enforcement staff.

Taxicabs:

38. During the November 2011 Mayor's Open House many taxicab owners expressed concern for the safety of their drivers and requested that the City impose a requirement for every taxicab to be equipped with safety features such as the 911 light, screens between the driver and passenger, cameras, etc.

39. In 2007 a new classification was established specifically to identify a taxicab with an installed and functioning "safety feature" which was defined within the by-law to mean a "a) 911 emergency light on the rear of the cab; b) protective safety glass barriers between the driver and passenger areas; c) security video cameras to protect the drivers; d) a Global Positioning System (GPS)". Global Positioning Systems are also periodically utilized by Taxicab Companies as an additional safety feature.
40. The 911 emergency light on the rear of the cab has become the most utilized safety feature. There is no limitation on any taxicab owner from installing any or all of the safety features identified within the by-law or any additional safety feature the owner of the taxicab deems in the best interest of his driver and/or passenger.
41. It is recommended that all taxicabs be required to have installed and operational at all times a 911 emergency light on the rear of the taxicab, as a minimum safety feature. No person shall be precluded from installing any additional safety feature as may be deemed necessary for the safety of the driver and/or patrons.
42. It is further recommended that By-law 2006-265 Table 1 and Section 7.0.0.0.0 Taxicabs be amended to remove all reference to Taxicab-Class A and Taxicab-Class B in order to facilitate the establishment of a single classification and operating criteria relating to Taxicabs.
43. A discounted license fee was established in 2007 which was anticipated to encourage taxicab owners to install safety features. At the present time all but one taxicab operating within the City of Barrie have 911 emergency lights installed on the rear of the cab and have been licensed at the reduced fee. The discounted license fee for taxicabs with a designated safety feature is currently \$209.52 discounted from \$398.09 annually. These license fees however do not reflect the current financial policy framework as approved by Council and reflect a fee less than cost recovery.
44. A financial analysis has been carried out by Finance Department staff to determine the full cost recovery value as it relates to a Taxicab licence. Based on this analysis it is recommended that a license fee for each Taxicab be established at \$340.42 and that the Fees By-law be amended accordingly. H.S.T. is not applicable to the business licence fee.
45. Concern was also expressed that despite installed safety features some taxicab owners have chosen to tint the glass of the vehicle with after market tinting.
46. In order to maintain a clear and unimpeded view of persons and activities within the taxicab and to better ensure the safety and welfare of the driver or passenger, it is recommended that the by-law be amended to prohibit after market tinting of any window of the vehicle or the installation of any decals or other treatment which would impede or interfere with the transparency of any window of a taxicab. If approved, any taxicab with any of these features would be required to comply with the provisions of the by-law upon passage.
47. Amendments are also being recommended as they relate to taxicabs which are not owned by Taxicab Companies, but rather individuals. These amendments will serve to ensure that such independent taxicab owners are properly registered with respect to collection and submitting of H.S.T., are accountable for the maintenance and operation of the taxicab and operating standards in a similar manner to Taxicab Companies and that they hold a similar responsibility to ensure they utilize only the services of licensed taxicab drivers and provide services only to licensed Taxicab Companies. The inclusion of these provisions will address concerns expressed related to independent cab owners without the addition of another layer of licensing and added expense to the business sector.

Compliance:

48. With respect to taxicab drivers, each applicant must submit to a road test administered by a Municipal Law Enforcement Officer at the time of application for a new taxicab driver's licence. The primary purpose of the road test is to determine the driver's general knowledge of the City and his/her ability to deliver a fare to a destination utilizing the most direct route.
49. There are instances however where the taxicab driver is not familiar with the City and cannot deliver the testing officer to the required destination or the driver takes a circuitous route thereby potentially resulting in a higher fare being charged to the customer than required if a more direct route was followed.
50. In instances where the driver cannot pass this road test, the application is temporarily not approved. Currently, the driver may schedule further testings (unlimited) until (s)he is successful.
51. However, there are times when the driver rebooks numerous times without any apparent preparation, each time resulting in failure. This takes valuable time from the testing schedule which could be allocated to better prepared applicants and thereby expediting applications.
52. It is therefore recommended that applicants for a taxicab driver's licence who are required to submit to a road test be limited to three attempts to pass such test in a twelve month period. Where an applicant cannot successfully pass the test after three attempts, his application will be denied and the process as set out in the by-law pertaining to denied applications will be available to the applicant.

Annual Inspections for Compliance:

53. In addition to routine field inspections carried out by Municipal Law Enforcement Officers of cabs, drivers and companies (367 such inspections were carried out in 2011), annual inspections are also organized to which all taxicabs must submit as required by the by-law. Typically the Ministry of Transportation and Barrie Police Service participate in scheduled annual taxicab inspections, as their resources permit.
54. During the 2011 Annual Inspection, the Ontario Provincial Police, Highway Safety Division participated in place of the Ministry of Transportation, together with Barrie City Police.
55. Police and/or Ministry officials inspect to determine the vehicle's mechanical fitness, enforce Provincial Statutes including the Highway Traffic Act, Smoke Free Ontario Act, etc. and check all drivers and taxicabs on CIPC for outstanding issues.
56. Municipal Law Enforcement staff inspect the exterior body of vehicles for body repair/paint, various aesthetic features including molding/hub caps, ensure that the vehicle houses a spare tire and jack and that the City licensing decal is properly affixed. The interior of the vehicle is also inspected checking condition of seats, seat belts, locks, functionality of windows and doors, condition of headliners, and that the tariff cards are posted and meter is properly sealed with a City seal. All lights are inspected for proper operation as well as the parking brake, windshield wipers and wash, horn and roof light. Particular attention was paid in 2011 by officers to maintenance of the exterior body of the taxicab.

57. 2011 Annual Inspection Results:

	2011	
Total Number of Cabs reporting for inspection	159	
Total Number of Vehicles passing inspection	88	55.3%
Notices of Violation	16	10.1%
<i>Cleared same day</i>	8	
<i>Cleared within 48 hours</i>	8	
Temporary Suspension	26	16.3%
<i>Cleared same day</i>	4	
<i>Cleared within 48 hours</i>	22	
Police tickets issued (HTA)	4	2.5%
Police – plates removed (HTA)	5	3.1%
MLEO tickets issued	15	9.4%

58. Municipal Law Enforcement staff follow up with any taxicab that is required to attend the inspection but fails to do so to determine why the vehicle did not report and to ensure that such vehicle is no longer operating as a taxicab or the provisions of the by-law are otherwise met.

59. Most violations noted during the 2011 inspections were rectified within 48 hours.

60. Inspections of any or all taxicabs may be called at any time under the provisions of the by-law and are only limited by availability of resources and facilities.

After hours enforcement:

61. At the present time, enforcement and related administration is carried out by Municipal Law Enforcement staff primarily during regular business hours of 8:30 a.m. to 4:30 p.m. There are currently two full time officers responsible for all enforcement related administration, field testing and inspections, complaint management, resulting legal proceedings, etc.

62. Enforcement required after regular business hours have, in the past, been referred to Barrie Police Service. The ability of Barrie Police Service to respond to complaints regarding the taxi industry is mitigated by higher priority calls for service.

63. Staff recognize that as the taxi is a 24-hour industry the inability to provide pro-active enforcement beyond the regular business day potentially leaves the door open for unscrupulous business operations.

64. It is recommended that Municipal Law Enforcement Officer I's be engaged from time to time on an overtime basis to carry out enforcement after regular business hours including weekends, on a random schedule.

65. In addition to this strategy for after-hours enforcement, it is also recommended that staff present a Program Change Form as part of the 2013 budget process to introduce a new enforcement strategy which would engage the services of individuals from time to time basis to act as "test shoppers" assisting Municipal Law Enforcement Officers particularly in the enforcement of provisions of the Licensing By-law prohibiting taxi companies and drivers from charging rates and fares to passengers contrary to the authorized tariffs. This, in harmony with the after-hours enforcement strategy outlined above is anticipated to improve compliance and allow the collection of data related to non-compliant taxi operations after-hours. This data will assist staff in determining an appropriate service level beyond regular business hours which will facilitate program and budget development in the future.

Set Fines:

66. Section 429 of the Municipal Act establishes the authority regarding penalties related to violations of a municipal by-law passed under the authority of the Municipal Act.
67. Set fines relating to various licensing offences have been previously approved by the Ministry of the Attorney General ranging from \$100.00 to \$400.00 depending the nature of the offence.
68. In order to expedite enforcement, as may be necessary, staff are requesting authority to seek approval from the Ministry of the Attorney General for set fines relating to offences under the By-law 2006-265 where set fines do not currently exist, particularly relating to proposed amendments as recommended in this report.

ENVIRONMENTAL MATTERS

69. There are no environmental implications arising from the recommendations of this report.

ALTERNATIVES

70. There are two alternatives available for consideration by General Committee:

<p><u>Alternative #1</u></p>	<p>That all recommendations set out in this report be implemented in terms of by-law amendments.</p> <p>That two (2) additional permanent full time Municipal Law Enforcement Officer I positions be authorized and that staff be authorized to commence recruitment for these positions effective immediately.</p> <p>Effective enforcement as suggested by the industry will need to rely upon regular pro-active enforcement.</p> <p>However, the service level demand cannot be accurately predicted at this time and in consideration of the Corporation's current position to address the 2012 salary gapping target directed by Council earlier this year, this alternative is not recommended.</p>
<p><u>Alternative #2</u></p>	<p>That no action be taken at this time as a result of the November 2011 Mayor's Open House with representatives of the Taxi Industry.</p> <p>This Alternative is not recommended as it does not address the concerns expressed at the Open House. The recommendations contained within this report serve to respond to many of the concerns heard during the Open House and provide for a balanced pro-active approach to enforcement beyond regular business hours until sufficient data can be gathered to support an enforcement model similar to that employed during regular business hours.</p>

FINANCIAL

- 71. It is recommended that \$25,000 be allocated annually to overtime to facilitate the delivery of this extended pro-active enforcement model utilizing existing MLEO I resources, on a regular but random basis. This allocation has been based on an estimated 15 hours of overtime being allocated monthly to after hours enforcement.
- 72. Based on commencement of this enforcement strategy commencing in the third quarter of 2012, the impact on the 2012 budget would be \$12,000.
- 73. It is anticipated that overtime costs associated with this strategy would be offset by the establishment of a license fee for taxicabs based on a full cost recovery model.
- 74. It is recommended that discounting associated with Taxicab-Class B be eliminated and a business licence fee of \$340.42 for each Taxicab based on full cost recovery be established.
- 75. Based on 2011 annual licensing data, a full cost recovery licence fee would generate approximately \$27,500 in additional licensing revenue, offsetting the recommended overtime allocation of \$25,000 in 2013. Based on the increased fee taking effect immediately upon the passage of the amending by-law, additional revenues would be generated in 2012 to assist in offsetting recommended 2012 overtime costs.
- 76. Additional revenues may be realized through licensing and laying of charges resulting in fines. However, there is insufficient data at this time to predict what, if any, additional revenues may be realized as a result of enforcement.

LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN

77. The recommendations included in this Staff Report support the following goals identified in the 2010-2014 City Council Strategic Plan:
- Strengthen Barrie's Financial Condition
78. The proposed recommendations will provide a level of enforcement desired by the industry and recover associated costs based on full cost recovery, thereby not placing further burden on the general taxpayer.

APPENDIX 'A'

Licensing data - Comparitor Cities

City	Tariff	Fee	Cap
Barrie	First 1/10 km - \$3.25 Each addn'l 1/10 km \$0.31 Per Hour waiting \$31.00	Taxicab – Class A - \$389.09 Taxicab – Class B (w/safety features) - \$209.52 Driver - \$335.24 Company - \$419.05	Pending (recommended 1:1500)
Oakville	Initial Drop - \$4.33 Each addn'l 140 m or 30 sec of wait time - \$0.26	Taxi plate - \$4158/\$1021 Taxi Broker - \$520 Taxi Driver - \$260	1:2000 To be staged down over next four years to 1:1500
Waterloo	Flag Drop - \$ 3.50 Per km (or part) \$2.10 Per Hour waiting \$31.20	Taxicab \$780 Driver \$140/\$115 Taxicab Owner - \$260	1:650
Mississauga	First 141 metres (or part) \$4.25 each addn'l 141 meters (or part) \$0.25	Taxicab \$927/\$377 Taxicab Broker - \$455/425 Taxicab Driver - \$167/\$152	635 licensed
Toronto	Initial Drop incl. first 143 metres \$4.25 each addn'l 143 metres \$0.25	Taxicab Brokers \$361.83/\$243.27 Standard Owner \$4470.85/\$1179.26 Drivers \$588.38/\$303.52	Yes (formula not followed currently as a result of new Ambassador Cab System)
Orillia	Reduced effective February 1, 2012 Pickup \$3.00 each addn'l 10 th km - \$0.25	Taxicab Broker - \$812 Taxicab \$324 Taxi Driver \$108	53 licensed (31 currently operating) 1:1000

APPENDIX 'B'

Transportation By-law 2006-265 - History

Transportation Licensing By-law 2006-265 provides for the licensing and regulation of various classes of business in the transportation industry, including but not limited to taxicabs, taxi companies and taxicab drivers.

By-law 2006-265 which was passed October 2006 came into effect January 1, 2007 and replaced, in part, By-law 2002-288. Since the passage of the by-law numerous amendments have taken place including amendments to fees, regulations and wording.

License Fees:

In 2006 Staff Report CLK074-06 was presented to General Committee updating all licensing by-laws and it was as a result of this review that By-law 2006-265 regarding the licensing, regulation and governing of the transportation industry was passed.

Staff Report CLK074-06 recommended that license fees be based on a cost recovery formula utilized for all business classifications and recommended license fees to be established at :

- Taxi Company - \$350.00
- Taxicab - \$300.00
- Taxi Driver - \$350.00

The fees were established with a provision to increase all license fees annually based on the Annual Toronto Area Consumer Price Index rate as at September 30 of each year with the increase to take effect January 1 of the following year.

The cost recovery formula was based on departmental operating costs only and did not contemplate corporate overhead as is currently the practice when contemplating fees based on full cost recovery.

Taxicab/Company Cabs:

In May 2007 Staff Report CLK049-07 responded to a request to consider capping the number of taxicab companies. The report contemplated, as an alternative, the ability to cap the number of taxicabs. No action was taken at that time to cap the number of taxicabs and as the Municipal Act did not provide the authority to cap the number of companies, no action was taken to limit the number of companies (Motion 07-G-293).

Taxicab – Safety Features:

In July, 2007 Staff Report CLK048-07 was presented to General Committee responding to a request to implement standardized safety features within taxi cabs operating in the City of Barrie. During the preparation of that report staff conducted a survey of the Taxi Industry. The survey was circulated to all Taxi Cab Owners requesting their input regarding the use of, or need for standardized safety features.

A total of 131 surveys were delivered to various taxicab owners with 32 (24%) responding.

Of the 24% responding, 81.5% were of the opinion that they did not believe the taxicab drivers were at risk.

Of those responding 95% stated that they did not believe it was necessary to regulate the installation of safety features in taxicabs as a condition of licensing.

Owners were asked to comment on what they would consider to be the most appropriate safety feature (911 emergency light; GPS; safety glass divider), if a regulation were to be imposed. Of those responding, 65.5% stated they would prefer utilizing the "911 emergency lights".

The majority of those responding also noted that the imposing of such a condition would cause a financial hardship on their operation as a result of the additional operating expense and the down time of the cab to facilitate installation.

The industry was also invited to share their general comments and opinions regarding the implementation of standardized safety features. Some of these comments include:

- "Protective barriers reduce seating"
- "Anywhere you work can be a risk"
- "Camera's in stores now do not prevent robberies"
- "We are at no further risk compared to someone working in a variety store"
- "GPS units will track stolen cars but won't prevent the theft"

As a result of Staff Report CLK048-07, Motion 07-G-347 was passed in June 2007, as follows:

07-G-347 IMPLEMENTATION OF STANDARDIZED SAFETY FEATURES WITHIN TAXI CABS OPERATING IN THE CITY OF BARRIE

1. That effective July 1, 2007, the licence fee for each taxi cab that has one of the following safety features installed:
 - a) 911 emergency lights on the rear of the cab;
 - b) protective safety glass barriers between the driver and the passenger areas;
 - c) security video cameras to protect the drivers; or
 - d) Global Positioning System (GPS)be \$200.00, with proof of installation provided.
2. That the licence fee for each taxi cab with safety features installed of \$200.00, remain in effect for 2008.
3. That By-law 2006-265 be amended accordingly.
4. That the amount of the licence fee be reviewed prior to 2009. (CLK048-07) (File: P00)

Taxi Industry – Consultations

In October 2009 staff conducted two public consultations with licensees in the transportation sector to discuss anticipated housekeeping amendments. The purpose of these consultations was to gather comments and information from all transportation sectors in consideration of a pending review of the transportation by-law, particularly as it related to the towing industry. The review of the transportation by-law review was deferred in 2010/11 in anticipation of changes arising at the provincial level, specifically related to the towing industry (Bill 147).

In November 2011 Mayor Lehman convened a Public Open House to receive input and comments from the taxi industry.