

COMMITTEE OF THE WHOLE JUNE 20, 2005

CITY OF VAUGHAN TAXI CAB ADVISORY COMMITTEE

Recommendation

Councillor Carella, chairperson of the Taxi Cab Advisory Committee, in consultation with members of the Committee recommends:

1. That Licensing By-law 2-2001 as it relates to the licensing of taxi cab owners and drivers be amended in accordance with Appendix 1 attached hereto, and that notice of intention to amend the by-law be given;
2. That By-law 2-2001 be amended to reflect the requirement that sensitivity training be implemented only for new drivers driving taxi cabs in the City of Vaughan.
3. Should Council agree with recommendation #2, that staff be authorized to issue refunds to those taxi cab owners and drivers who pre-paid for sensitivity training.
4. That changes to the licensing by-law as contained in this report be brought forward and amalgamated as part of a future report to Council dealing with changes to the Licensing By-Law as required by the Municipal Act.

Economic Impact

Not applicable

Purpose

To make changes to the City's Comprehensive Licensing By-Law, taxi cab section, based on recommendations of the Taxi Cab Advisory Committee.

Background - Analysis and Options

Over the past few years taxi cab owners and drivers have expressed concerns with specific administrative requirements related to the issuance and renewal of licenses. At a meeting held late 2004 these concerns were again raised and discussed. Attached as Appendix 1 to this report is a listing of the recommended changes and the rationale in support thereof.

With respect to item#1, the Committee recommends that vulnerable sector screening letters be required on initial applications only and that they be dated no later than 90 days from the date of the application for all taxi cab drivers and thereafter at the discretion of the licensing officer should there be concerns of a criminal nature. The Committee was advised by the owners and drivers that this is the practice of the City's Toronto and Mississauga. Staff contacted these municipalities and have been advised as follows:

Toronto-requires police screening letters every four years.

Mississauga-upon initial application and upon demand thereafter at the licensing officers discretion.

Staff has considered the approaches of each of the above municipalities and is comfortable in recommending that vulnerable sector screening letters for drivers be provided on all initial applications only and upon demand of the licensing officer should concerns arise around a licensee's police record.

With respect item#2, the Committee recommends that medical certificates be required on initial applications only, provided they are dated within 90 day of the application and upon demand of the licensing officer should there be any concerns that the condition of a driver affects the safe operation of a vehicle. This change is consistent with similar requirements already in place for all other vehicle licenses. Staff is prepared to work with the drivers in this regard.

With respect to item #3, Council on September 13,2004 referred the matter of sensitivity training to the Taxi Cab Advisory Committee requesting the matter return to a future Committee of the Whole meeting. Nathan Asare a deputant spoke at the Committee of the Whole on the issue of sensitivity training indicating that a majority of drivers with existing licenses have been driving cabs for a number of years and are well trained in regards to City venues and how to deal with the needs of disabled persons. The Taxi Cab Advisory Committee discussed the need for training and recommended that training be provided to new drivers only citing that drivers in the system have through their experience compiled a thorough knowledge of the City and how to deal with disabled persons. Staff is prepared to work with the industry in this regard by requiring all new taxi drivers take orientation and sensitivity training prior to being issued a license. In the long run both the industry and Vaughan citizens will benefit from this training. Training in this regard will be arranged through the City of Mississauga.

Based on Councils recommendation in December 2002 to implement orientation and sensitivity training to all taxi drivers, staff by way of Council approval entered into an agreement with the City of Mississauga to provide such training. Training dates were scheduled. In this regard staff booked appointments requiring payment for the course in advance at a cost of \$209.00 per person. Should Council wish to adopt the taxi advisory committees recommendation that training be provided to new drivers only staff will need to refund monies paid by drivers who fall outside of this criteria. The amount to be refunded is approximately \$15,000 and is presently sitting in a deferred account pending resolution of the matter.

With respect to item #4, the present section of the by-law provides that an applicant for a taxi driver's license must successfully complete an examination in order to obtain a license. The applicant is given three attempts to pass the examination, the applicant having to achieve a 75% mark on the first attempt, 80% and 85% respectively before being granted a license. This section was put in place prior to the recommendation that orientation and sensitivity training be provided. During our recent training period it was staffs experience that applicants writing the exam after having taken the sensitivity training achieved an average mark of 65%. The Taxi Advisory Committee felt that a mark of 67% was an appropriate passing mark to obtain a license.

With respect to item# 5, the taxi cab advisory committee expressed concern that taxi drivers were hesitant to administer first aid to passengers, citing the potential for civil liability. In the event medical attention is required drivers would rather call 911 requesting emergency medical assistance or in the alternative, drive the passenger to the nearest hospital or medical clinic. Accordingly, the committee felt it appropriate to remove the requirement that taxi cabs be required to carry first aid kits. In addition, drivers raised concerns with the requirement that taxi cabs carry fire extinguishers. The Committee was of the opinion that taxi drivers should not be required to act as firefighters citing the potential for civil liability. The Highway Traffic Act (Regulation 629) requires that all accessible taxi cabs carry fire extinguishers and first aid kits. Accordingly, and for these vehicles only, the licensing by-law will reflect this requirement.

Item # 6, speaks to the mechanical condition of taxi cabs presently on the road. At the present time, the by-law states that vehicles more than 6 years old, previous to the year in which the vehicle is licensed, shall not be used as a taxi cab with the provisions that a vehicle may be allowed to operate as a taxi cab upon a mechanical certificate being produced to the licensing officer every 3 months. This provision is administratively problematic for both the owner of the vehicle and licensing staff. During the present year stepped up enforcement has resulted in taxi cabs being in better condition. Accordingly, the committee recommends that taxi cabs be

permitted to operate for a maximum of seven years. Annual vehicle safety certificates will still be required. Note that the licensing officer and enforcement services may at any time pull the car from service if it is deemed to be unsafe.

With respect to item#7, the by-law presently provides that taxi drivers provide a Statement of Driver Record as part of the application and that same be dated within 30 days of the application. To be consistent with similar requirements presently in place for “drivers” for other licenses the committee is proposing to amend the 30 days to 90 days and further that driver records only be required on initial applications. The licensing officer will retain the right to demand a further statement should there be any concerns with a drivers driving record.

Item#8, provides that all taxi cabs be identified by the letter “V” preceding the taxi cab license number presently applied on both rear fenders of the vehicle. The City of Vaughan has established a taxi cab plate sequence commencing at 500 which provides a distinct recognition for Vaughan cabs. The Committee feels it is unnecessary to require that the letter designation “V” be in place. Staff has considered the request and has no objection to its removal. In addition the Committee recommends that decaling on the side of the vehicle displaying the name of the brokerage be removed. In lieu of decaling, cabs from each of the three brokerages presently operating in the City now have distinct roof lights identifying their brokerage with phone numbers.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Conclusion

Staff has reviewed the recommended changes and is prepared to work with the taxi industry to implement the change. The changes will over time strengthen the taxi industry and provide a higher level of service to Vaughan citizens.

Attachments

Appendix A

Report prepared by:

Joseph A.V. Chiarelli
Manager Special Projects Licensing & Permits
Insurance-Risk Management

Respectfully submitted,

Councillor- Tony Carella
Chair – Taxi Advisory Committee

2-2001 Revisions	Jan. 2005		
Old Section	Old wording	New/Revised Wording	Justification
1) 32.0	(5) In addition to any information required to be furnished on the application form, every applicant for a taxi driver's license, shall produce with his application: (h) a complete Police Clearance letter issued by a Chief of Police, dated not more than 30 days prior to the date application for license is being made.	(5) In addition to any information required to be furnished on the application form, every applicant for a Taxi driver's / owners license, shall produce with his initial application: a complete Vulnerable Sector Screening letter issued by a Chief of Police, dated not more than 90 days prior to the date of his initial application.	The submission requirements necessary to support annual renewal applications qualify the criminal history for each applicant. The Vulnerable Sector Screening letter, upon initial review substantiates the applicant's history and is available for consideration by the licensing Officer upon demand. The term Vulnerable Sector Screening letter replaces the Police Clearance letter as part of York Regional Police administrative terminology.
2) 32.0	(5) In addition to any information required to be furnished on the application form, every applicant for a taxi drivers license, shall produce with his application: 9(c) a certificate of health from a Medical Doctor, not more than 30 days old, that he is in a fit state of health to operate a cab.	(5) In addition to any information required to be furnished on the application form, every applicant for a taxi driver's / owners license, shall produce with his application: a certificate of health form a Medical Doctor, not more than 90 days old prior to the date of his initial application or upon demand from the Licensing Officer at any time thereafter.	The annual requirement for medical certificates will continue to be received in the initial process. The consideration to limit the annual submission reduces the Municipal review commitments as well as the costs incurred by the applicant. With the requirement for Medical certificates upon demand, the City maintains the opportunity to review any medical issues that may warrant review.
3) 32.0	(5) In addition to any information required to be furnished on the application form, every applicant for a taxi driver's license, shall produce with his application: (i) proof satisfactory to the Licensing Officer that the applicant has attended and successfully completed the City of Vaughan Driver sensitivity training and examination.	(5) In addition to any information required to be furnished on the application form, every initial applicant for a taxi driver's license, shall produce with his application: (i) proof satisfactory to the Licensing Officer that the initial applicant has attended and successfully completed the City of Vaughan sensitivity training and examination, prior to the issuance of the license.	The Taxi School was originally considered for all Taxi Owners and Drivers operating in the City of Vaughan. The concerns for excellent service levels are in the forefront of both Industry representatives and Municipal authorities. The brokerages are prepared to provide on – going practical performance reviews within each company and in recognition for initial applicants receiving a standard training forum, this should further assist the ongoing development of the new driver.
4) 32.0	(6) Every applicant for a taxi driver's license and taxi's owners license shall attend and successfully complete the City of Vaughan taxi Driver sensitivity training and examination. (a) Such examination referred to in subsection (6) shall be two	(6) Every applicant for a taxi driver's license and taxi owners license shall attend and successfully complete the City of Vaughan Taxi Driver Sensitivity Training and examination upon initial application only. (a) In order to successfully complete the Taxi Driver's	The service standards set out for the new applicant will be incorporated in the initial driver training forum. The further recognition for a Municipal exam will consider the applicants grasp of the Municipal By-laws. The requirement for a 67 % pass grade will ensure the individual is

	<p>parts and include an English competency test as set out by the York Region School Board for grade 5 and a test of the applicants knowledge of the Bylaw, popular tourist locations, public buildings, locations of streets and other similar type of information.</p> <p>(b) Any person who holds a valid Taxi Driver's License or Taxi Owner's license as of January 1, 2003 shall be required to attend and successfully complete the City of Vaughan sensitivity training and examination as prescribed in Schedule G of this Bylaw.</p> <p>(c) The licensing officer may suspend or revoke the license of any person who is subject to (the above new section) and does not successfully complete the City of Vaughan Sensitivity Training and Examination within the prescribed time Vaughan Sensitivity Training and Examination within the prescribed time.</p> <p>(d) In order to successfully complete the Taxi Driver's examination the applicant shall obtain a grade of at least 75% on his first attempt , 80 % on his second attempt and 85 % on his third attempt.</p> <p>(e) Should an applicant fail to obtain the successful grade after the third attempt he shall be deemed ineligible for a license for a period of not less than 90 days</p>	<p>examination the applicant shall obtain a grade of at least 67%.</p>	<p>competent with the By-law legislation that governs the Industry.</p>
<p>5) 32.0</p>	<p>17 (g) Every owner shall, for each vehicle for which he holds a license, provide and maintain therein and thereon while such vehicle is operated as a taxi the following equipment and markings (g) A general purpose first aid kit, at least 4 flares, or reflective markers, a fire extinguisher of the following description: 1.25 Kilogram dry chemical of a</p>	<p>17 (g) Every owner shall, for each vehicle for which he holds a license, provide and maintain therein and thereon while such vehicle is operated as a taxi the following equipment and markings (g) At least 4 flares, or reflective markers.</p>	<p>Industry members in addition to the service that they provide maintain a first aid kit and a fire extinguisher implies a level of available knowledge in the area of First Aid and fire fighting. They are not prepared to incur any liable issues attached to the provision of assistance in these areas, and reasonably consider that if medical assistance is required they can transport the individual to the</p>

		type capable of functioning at -40 degrees Celsius;		nearest Hospital or call 911.
6)	32.0	28.0 (a) No motor vehicle shall be used as a taxi if the year date for such motor vehicle is more than six years prior to the year in which the taxi owner's license is issued or renewed for such taxi. (b) The Licensing Officer may extend the life of a taxi upon application. If such application is granted mechanical fitness certificates must be furnished each 3-month period on the 1 st of each third month. Each vehicle must also conform to required physical appearance standards.	(a) No motor vehicle shall be used as a taxi if the year date for such motor vehicle is more than 8 years old. respectfully the cab owner will provide a mechanical certificate 3 times a year in the 7 th year of service and 2 times in the 8 th year of service.	The present By-law permits taxicabs regardless of year to be considered for the renewal. The renewal standards consider physical appearances; interior cleanliness and a safety standards certificate form a qualified mechanic. This meets with the ongoing challenge of Municipal inspections for eligibility, and is subject to the Inspecting Officers opinion. The approval process that maintains a 7 th year eligibility factor will reduce all subjective consideration while maintaining a high standard of vehicle excellence.
7)	32.0	(5) In addition to any information required to be furnished on the application form, every applicant for a Taxi driver's license, shall produce with his application: d) "Statement of Driver Record" furnished by the Ministry of Transportation and Communications of the Province of Ontario and dated within the 30 days preceding the date of application.	(5) In addition to any information required to be furnished on the application form, every applicant for a Taxi Driver's license, shall produce with his application: d) "Statement of Driver record" furnished by the Ministry of Transportation and Communications of the Province of Ontario and dated within 90 days preceding the date of the initial application only, or upon the demand of the Licensing Officer.	The City of Vaughan Clerks Department has historically considered the requirement of annual submissions to establish a relationship with a Provincial license that is regulated by the Province of Ontario. The requirement for proof of a Provincial license in good standing will remain part of the submission requirements. With the opportunity to demand the Statement of Driver Record as a further consideration of review the Licensing Officer will be able to qualify any licensed drivers at any time.