



STAFF REPORT

Title: Bylaw No. 750-PL-22 - Bylaw to Regulate the Operation of Taxis

Meeting Date: June 14, 2022

Executive Summary:

The City's Municipal Enforcement/Planning and Development departments have prepared an updated Taxi Bylaw No. 750-PL-22 aimed at improving the clarity of the bylaw as well as addressing concerns from Council and the public relating to taxi fares.

Background:

The City of Cold Lake has been regulating the operation of Taxi Cabs under the provisions of a bylaw passed in 2017, Bylaw No. 611-PL-22 being the "Taxi Bylaw". Administration has provided the Corporate Priorities Committee with some revisions of the bylaw, which received first reading at the May 10th, 2022 regular Council Meeting. Since receiving first reading, Administration has received concerns from taxi companies regarding the proposed changes, with an emphasis on the proposed addition, being to require that taxis provide a Commercial Vehicle Inspection Program (CVIP) Decal and Report. The primary concern was that taxi vehicles would not be applicable due to their size and weight, as the CVIP program is primarily geared towards larger freight trucks and transportation vehicles.

After Administration received these concerns, Administration consulted with Alberta Transportation to confirm whether or not Taxi Cabs would fall under the CVIP requirements. In short, Alberta Transportation reported that yes, taxis may be required to participate in the CVIP program at the municipalities discretion; however, many municipalities opt for the Out of Province Vehicle Inspection Certificate instead, as this more appropriately applies to smaller vehicles, such as cars and commuter vehicles.

Furthermore, Administration consulted with similar sized municipalities such as the Town of Wood Buffalo, the City of Grande Prairie, and the Town of Peace River, as these places have recently made changes to their taxi bylaws and the inspection report requirements. The result of these conversations was that all places used the Out of Province Vehicle Inspections instead of the CVIP Inspection.



Since the above research and consultation, Administration is recommending the previous proposal to require taxis to provide a CVIP Inspection report be removed, and instead amend the bylaw to require drivers to provide an Out of Province Vehicle Inspection Certificate. Administration believes this recommendation would put the City of Cold Lake in line with other municipalities and towns. As well, the Out of Province Vehicle Inspection Certificate still ensures that all taxis are being inspected at the same level and requirement, rather than at the discretion of a mechanic or shop.

As a result of the above recommendation, the following amendments to the Taxi Bylaw are as follows:

- The requirement for an Out of Province Vehicle Inspection Certificate;
- That fares must be displayed prominently on the exterior and interior of the cab;
- Increasing cab cleanliness provisions, including a “No-Smoking” decal to be placed on the cab;
- Increasing the amounts of multiple fines; and,
- Requiring that drivers carry Naloxone kits, in addition to the required First Aid kits and fire extinguishers.

In addition to the above revisions, Administration has also made the following changes to the Taxi Bylaw:

- Add a definition of Limousine. Although the current bylaw specifies that limousines are included in the definition of a “taxi”, there is no definition to specify what a limousine is. It is recommended that the following definition be added for clarity:

2.7 *“Limousine” means a large, luxurious, chauffeur-driven automobile that usually has a glass partition separating the driver’s seat from the passenger compartment and is used in the business of conveying passengers for compensation, typically in connection with special functions. This definition includes “Limo Busses”;*

- City Council had requested information from Administration regarding the regulation of cab fares in Cold Lake. Administration presented at the February 15th, 2022 Corporate Priorities Committee meeting that cab fares are not required under the Act to be regulated, but that Council had the powers to do so. As a result, Administration researched similar, small-sized municipalities to determine current, best practices regarding the regulation of fares, and determined that most municipalities did not regulate the fares, but leave it to the individual taxi companies to set their own fares. As a result, Administration recommended that the Bylaw require that taxi operators display their fare rates prominently in all taxis for passengers to see, so that the rates are known to the passenger before they accept a ride.



- Section 4 of the Taxi Bylaw required clarification regarding mechanical inspections and reporting. This was a primary concern of the Community Peace Officers, as various Taxi companies have in the past, falsified reports of their mechanical inspections, further reducing the safety of the vehicle on City Roads. The implementation of the Out of Province Vehicle Inspection Report ensures each vehicle is inspected and insured to a commercial vehicle standard.
- Furthermore, section 4 required additional adjustments to provide more clarity around the requirements for identification, equipping and maintenance of taxi vehicles. Currently, identification of vehicles as taxis is inconsistent and a number of taxis are currently operating with few markings to identify the vehicle as a taxi or the company it is operated by. This section could be further enhanced by requiring each taxi company to paint and letter all the vehicles in their fleet in a consistent colour scheme as is required in some other jurisdictions. A clause has also been added to specify that it is an offence for passengers to evade payment of a fare. The proposed changes to Section 4 are summarized below:

- 4.2. *No person shall operate, cause to operate or permit a Taxi driver to operate a vehicle as a Taxi:*
 - 4.2.1. *Without first having obtained an approval for such vehicle and placing the Registration Sticker on the right bottom corner of the vehicles windshield;*
 - 4.2.2. *Without first having obtained an approval of an inspected vehicle, including proof of an Out of Province Vehicle Inspection (OPVI) Certificate. Failure to produce the appropriate Inspection Report may result in the vehicle being immediately taken out of service until a satisfactory OPVI Certificate can be provided;*
 - 4.2.3. *If that vehicle has not completed a satisfactory Out of Province Vehicle Inspection within 12 months of the previous inspection. The OPVI Certificate may not be dated more than 30 days old from the date of the inspection.*
 - 4.2.4. *A vehicle which is unkempt, unclean, and containing excessive odors;*
 - 4.2.5. *Without first having obtained a non-smoking decal that must be prominently displayed on the Taxi prior to it being utilized as a Taxi.*
- 4.4. *A Peace Officer may immediately remove any vehicle from service as a taxi if the vehicle is, in the sole opinion of the Officer, found to be unsafe or in contravention of this Bylaw. Said vehicle shall not be used as a Taxi until it has been brought into compliance with this Bylaw.*
- 4.5. *Fares charged are to be determined by the Taxi cab companies and displayed prominently on the exterior of the cab and inside of the cab, visible for all passengers.*



- 4.6. *No person shall hail a Taxi unless that person has the means to pay for the fare for service. Any person who evades payment of a fare is guilty of an offence under this Bylaw.*
- 4.7. *The name of the Taxi Business and unit number of the Taxi shall be prominently displayed on each Taxi, including:*
 - 4.7.1. *The name of the Taxi Business and unit number, shall be no less than 150mm in height;*
 - 4.7.2. *The lettering shall be in a contrasting colour to the body colour of the vehicle to ensure that the name of the Taxi Business and unit number are clearly legible'*
 - 4.7.3. *The name of the Taxi business and unit number must be displayed on 3 sides of the vehicle.*
- 4.8. *Every Person who operates a Taxi shall ensure the Taxi is equipped with a:*
 - 4.8.1. *First Aid kit;*
 - 4.8.2. *Naloxone Kit;*
 - 4.8.3. *Class B fire extinguisher;*
 - 4.8.4. *Out of Province Vehicle Inspection Certificate;*
 - 4.8.5. *City of Cold Lake Taxi Registration Sticker;*
 - 4.8.6. *Two-way radio or phone system capable of communicating with their Taxi business dispatch office. Where a phone or other electronic device is used as a communication system, the Taxi shall be outfitted with a mounting system to allow hands-free operation of the phone or electronic device.*
- *Section 5 of the Taxi bylaw outlines the requirements for Taxi Driver Permits, in which the following details were added to bring the bylaw in alignment with current processes regarding criminal record checks, as well as the requirements with the Out of Province Inspections:*
 - 5.3. *Eligibility requirements for a Taxi Driver Permit shall include a:*
 - 5.3.1. *Valid Class of driver's license that allows the driver to operate a Taxi;*
 - 5.3.2. *Letter stating 'acceptance for employment' from a Taxi business for which the driver will be employed;*
 - 5.3.3. *Drivers Abstract which must not include a finding of guilt or conviction of an offence under the Traffic Safety Act that in the opinion of the Licensing Officer, posed a threat to public safety, within the last 2 years preceding the application;*
 - 5.3.4. *Criminal Record Check from the City of Cold Lake or RCMP which must not include a conviction for an offence under part V or Part VIII of the Criminal Code (Canada) or a conviction for an offence that in the opinion of the Licensing Officer, posed a threat to public Safety under any other criminal statute of Canada or any other country within five (5) years preceding the application. If a Criminal Record Check reveals a "Possible Match", the applicant must then provide an enhanced Criminal Record*



Check to the Licensing Officer for each time a Criminal Record Check is provided;

5.3.5. Approved Out of Province Vehicle Inspection Certificate inclusive for all Taxis, Limousines, and buses;

- Section 7 addresses the Obligations and Restrictions of Taxi Drivers. This emphasizes the regulation of operations of Taxi cabs to ensure they are safe for the roads by providing the applicable documentation when requested by a Peace Officer, as well as defines more clearly what the duties of taxi drivers are, including the overall responsibility for professionalism.

7.2. Every Person operating a Taxi shall produce any documents relating to the operation of a Taxi to a Peace Officer upon request. Failure to produce the requested documentation may result in the Taxi permit and business license being revoked, and shall cease operations immediately.

7.5. Duties of a Taxi Driver include:

7.5.1. Unless otherwise directed by the passenger, the Taxi Driver shall drive the shortest/most economical route to the destination;

7.5.2. The Taxi Driver must be neat in appearance and dressed in neat attire;

7.5.3. Taxi Drivers shall provide assistance to passengers in loading or unloading parcels, groceries or other like items;

7.5.4. Taxi Drivers shall provide assistance in loading passengers who may require or request assistance;

7.5.5. Taxi Drivers shall not allow animals to ride in their lap or interfere with the operation of the Taxi.

7.6. Taxi Businesses shall be responsible for the behavior and actions of their Taxi Drivers, contractors and employees and shall at all times ensure that they behave in an appropriate manner

Administration also consulted with the local taxi cab companies to obtain their feedback with some of the proposed amendments to the Taxi bylaw, and received concerns from one company regarding the new requirements. These concerns were brought forward to the Corporate Priorities Committee meeting on April 19, 2022 where the concerns brought forward were addressed. One of the primary concerns discussed at this meeting, was the legal obligation and requirement from the City, to require taxi drivers to hold specific certifications for first aid kits, and being required to administer first aid and Naloxone. The conclusion was, that the City would not require taxi drivers to hold additional certifications, nor would they be obligated to use the first aid and Naloxone kits, should the situation arise.



Given the number of proposed amendments throughout the existing Taxi Bylaw, Administration determined that the most expedient option was to adopt a new bylaw and repeal the existing bylaw (No. 611-PL-17). The new Bylaw (750-PL-22) provides a transitional period of 90 days from the date of adoption for the taxi operators to comply with the updated mechanical inspection and equipment regulations for taxi vehicles specified in sections 4.2-4.8. Following approval of Bylaw 750-PL-22, Administration will contact each taxi company to advise them of the updated requirements as well as the deadline for compliance with the new Bylaw.

Bylaw No. 750-PL-22 Received first reading at the May 10th, 2022 Regular Council meeting. No additional comments were received prior to the council report, with the exception of the CVIP concerns brought forward, as indicated above. Subject to the outcome of the Non-Statutory Public Hearing, Administration is recommending that Council proceed to amend Bylaw No. 750-PL-22 as presented, and proceed to give Bylaw No. 750-PL-22 being a Bylaw to Regulate the Operation of Taxi Cabs, second reading as amended, as well as third and final reading.

Alternatives:

1. Proceed to amend Bylaw No. 750-PL-22, being a Bylaw to Regulate the Operation of Taxis, in the City of Cold Lake, as presented.
2. Proceed to give Bylaw No. 750-PL-22 second reading, as amended, subject to the outcome of the Non-Statutory Public Hearing.
3. Proceed to give Bylaw No. 750-PL-22 third and final reading.

Recommended Action:

Administration recommends that Council proceed to amend Bylaw No. 750-PL-22, being a Bylaw to Regulate the Operation of Taxis, in the City of Cold Lake, as presented.

Administration recommends that Council proceed to give Bylaw No. 750-PL-22 second reading, as amended, subject to the outcome of the Non-Statutory Public Hearing.

Administration recommends that Council proceed to give Bylaw No. 750-PL-22 third and final reading.

Budget Implications (Yes or No):

No

Submitted by:

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