

HALIFAX REGIONAL MUNICIPALITY

TAXI AND LIMOUSINE COMMITTEE MINUTES March 21, 2005

PRESENT: Councillor Gloria McCluskey, Acting Chair
Cal Demont
Dave Withrow
Bob Richards
Don Shannon

ABSENT WITH
REGRETS: Councillor Linda Mosher
Derek Mathers
Jeff Rozee

STAFF: Mr. Wayne Anstey, Municipal Solicitor
Mr. Dave Steele, Taxi Inspector
Mr. Kevin Hindle, Operations Coordinator
Ms. Sherryl Murphy, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER	4
	Moment of Silence	4
2.	APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS	4
3.	APPROVAL OF MINUTES	4
8.1	Duties and Responsibilities of Taxi and Limousine Committee	4
4.	BUSINESS ARISING FROM MINUTES	6
4.1	Status - By-Law T-1-33 - Amendment to By-Law T-108 re Limousine Licensing	6
5.	GOOD NEWS STORIES	6
6.	NEW BUSINESS	7
7.	MOTIONS	7
7.1	Don Shannon re Monitoring and Modifying Number of Accessible Taxis	7
8.	ADDED ITEMS	7
8.1	Duties and Responsibilities of Taxi and Limousine Committee	7
8.2	Zone Infractions	8
9.	NOTICES OF MOTION	9
9.1	Notice of Motion to Reconsider - Dave Withrow	9
10.	DATE OF NEXT MEETING	9
11.	ADJOURNMENT	9

1. CALL TO ORDER

The meeting was called to order 4:40 p.m.

Moment of Silence

The Committee observed a moment of silence in memory of two recently deceased taxi drivers Mr. Rasham Pure and Mr. Robert Zwicker

2. APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS

Additions:

- 8.1 Duties and Responsibilities of Taxi and Limousine Committee
- 8.2 Zone Infractions

MOVED by Bob Richards, seconded by Don Shannon that the agenda, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

The Committee agreed that item 8.1 be dealt with immediately following the approval of the minutes.

3. APPROVAL OF MINUTES

MOVED by Mr. Demont, seconded by Mr. Richards that the minutes of the January 31, 2005 and the February 21, 2005 meetings of the Taxi and Limousine Committee, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

8.1 Duties and Responsibilities of Taxi and Limousine Committee

At the request of the Committee, Mr. Anstey briefly reviewed the responsibilities of the Committee as set out in By-Law T-100 and noted that the Committee was advisory to Regional Council.

At the request of Mr. Withrow, Mr. Flewwelling was permitted to speak regarding this matter.

In response to a question from Mr. Flewwelling, Mr. Anstey indicated his role was to provide legal advice to the Committee and not to individual members. He went on to indicate that he routinely provided advice with regard to procedure.

Referring to the waiting lists received by Committee members, Mr. Flewwelling suggested

that these lists were insufficient for the purposes of the Committee. He went on to indicate that when Mr. Withrow had contacted provincial Freedom of Information and Protection of Privacy (FOIPOP) staff he was told that there did not appear to be any reasons this information could not be released. Additionally, Ms. Dempsey, FOIPOP Coordinator for HRM, has indicated that if the requirement for this information is within the mandate of the Committee, there should be no problem with the Committee receiving the information.

In response Mr. Hindle indicated that the lists were reviewed by his Department's FOIPOP administrator and Manager. The information provided is considered to be sufficient for the Committee to perform its task while protecting the personal information and identities of those on the list(s).

Mr. Flewwelling noted that the information provided does not appear to be sufficient as it has been discovered that there is a name or names missing from the list.

Mr. Steele responded that during a clean up of the list one name was removed in error.

Mr. Shannon indicated that the lists received by the Committee in the past were acceptable. He noted that drivers may want to ask their representatives where they appear on the list. Mr. Shannon asked what the impetus was for a change in the format of the list.

Mr. Hindle indicated again that the lists were submitted to the FOIPOP administrator for the Business Unit for review.

Following a further discussion, Mr. Anstey noted that the Committee's recourse in this matter is to appeal the decision to the Provincial FOIPOP Coordinator.

A questioning of staff ensued and it was **MOVED by Mr. Withrow, seconded by Mr. Shannon that:**

- **A letter be forwarded to Nancy Dempsey, FOIPOP Coordinator, HRM , indicating that the Taxi and Limousine Committee, under the Municipal Government Act and the duties and responsibilities as contained in By-Law T-100, requires a more complete list(s), for example the list(s) provided to the Committee in June, in order to fulfill its mandate.**
- **If a more complete list is not provided, the Committee is prepared to appeal the decision to the Provincial FOIPOP Officer.**

MOTION PUT AND PASSED.

Mr. Withrow asked how many names appeared on the Halifax waiting list. Mr. Steele indicated that he would provide the number for the next meeting of the Committee.

4. BUSINESS ARISING FROM MINUTES

4.1 Status - By-Law T-1-33 - Amendment to By-Law T-108 re Limousine Licensing

- An information request from staff was before the Committee for consideration.

Bob Richards, mover of the motion, and Dave Withrow responded to the following requests for information from staff:

- The information the Taxi Committee used in reaching its decision to request limitations on limousine licenses

Limousines in Halifax are not being regulated. Older cars are being used as limousines. Drivers believe that others view this as an opportunity to get into the taxi business without having a rooflight.

- The information the Taxi Committee used in reaching its decision on recommending a limousine license cap of 50 licenses.

The drivers believe that 50 would be an appropriate number.

- The information the Taxi Committee used in reaching its decision to recommend a Stretch & Executive classification for limousines.

Many of the "limousines" are no different than regular taxis, a four door sedan. Limousines are offering drives to patrons of bars at 1/4 the limousine rate so as not to violate the By-law. In essence, they are acting as a taxi. Recommending stretch and executive class limousines will still allow for limousines, but curtail the situation described above.

- What are the current problems within the limousine industry that the committee is trying to address with these recommendations?

Industry concerns are described in the previous responses.

5. GOOD NEWS STORIES

David Withrow advised that one accessible taxi is operating in HRM.

Bob Richards is back on his feet and attending today. Mr. Richards took this opportunity thank the Committee for their good wishes.

6. NEW BUSINESS - None

7. MOTIONS

7.1 Don Shannon re Monitoring and Modifying Number of Accessible Taxis

- At the February 21, 2005 meeting Don Shannon gave Notice of Motion of his intention to, at the next meeting of the Regional Taxi and Limousine Committee, introduce a motion requesting HRM Council to lobby the Province to allow HRM to monitor and modify the number of accessible taxis.

Mr. Shannon outlined the rationale for his proposed notice suggesting that since there are no restrictions on accessible taxis, drivers will seize this opportunity to get a rooflight. As accessible taxi drivers do not exclusively have to drive the disabled community, regular taxi owners are subsidizing this group. Mr. Shannon indicated that he was merely seeking the ability to monitor the number of accessible taxis in the business, and to be able to act if the number of accessible taxis increases dramatically.

MOVED by Mr. Shannon, seconded by Mr. Richards that HRM Council lobby the Province to allow HRM to monitor and modify the number of accessible taxis.

Following a brief discussion the **MOTION WAS PUT AND PASSED.**

Mr. Steele is to provide an update each month of the number of accessible taxi licenses, both issued and those for which an application has been made.

Dave Withrow gave Notice of Motion of Reconsideration relative to the above motion. Councillor McCluskey indicated that she would second the motion of reconsideration.

8. ADDED ITEMS

8.1 Duties and Responsibilities of Taxi and Limousine Committee

This matter was dealt with previously in the meeting.

8.2 Zone Infractions

- This matter was added to the agenda during the setting of the agenda.

Mr. Shannon introduced the matter noting that zone infractions are a direct violation of the By-Law and that drivers are concerned. Mr. Shannon then asked that Dennis Scoville, a Halifax owner and driver, be permitted to speak on this issue, to which the Committee agreed.

Mr. Dennis Scoville, owner and driver, expressed concern regarding the lack of enforcement. Referring to the three distinct zones, Mr. Scoville commented that there are County licensed vehicles operating from Halifax taxi offices. He went on to note that if the drivers of these vehicles are dispatched and complete a call within Halifax, they are in violation of the By-Law. Mr. Scoville noted that in this manner, brokers are involved with and partially responsible for these infractions. However, they are not governed by the By-Law and no action can be taken against them in this regard.

Mr. Steele noted that the Licensing Division is attempting to curtail the zoning infractions and indicated that the police are involved with these efforts. He noted that habitual offenders are being more closely monitored.

Mr. Scoville noted that he is aware of two altercations relating to zone infractions of this type.

In response to Councillor McCluskey, Mr. Steele noted that the penalties for zone infractions include ticketing and suspension. He further indicated that if the individual is a repeat offender, his/her license can be revoked.

Mr. Scoville suggested that the Taxi Licensing Office should issue a news release indicating that zone infractions will be enforced and that this information be distributed to the taxi offices. Mr. Scoville noted that the same brokers that sit on this Committee dispatch calls which result in zoning infractions. He went on to note that although HRM is not able to ensure the broker abides by the By-Law, HRM can and should suspend the driver.

A discussion ensued regarding the options available to the Committee to deal with zone infractions.

Mr. Anstey noted that the Motor Vehicle Act does not provide for the regulation of the broker, however, a request could be made to amend the Motor Vehicle Act to regulate the brokers.

Mr. Hindle pointed out that the By-Law is convoluted and difficult to work with and that a complete review is necessary.

MOVED by Mr. Withrow, seconded by Mr. Richards that Taxi Licensing staff bring forward a report outlining the issues with regard to enforcement of the By-Law. MOTION PUT AND PASSED.

9. NOTICES OF MOTION

9.1 Notice of Motion to Reconsider - Dave Withrow

Mr. Withrow gave Notice of Motion of Reconsideration regarding agenda item 7.1, Don Shannon re Monitoring and Modifying Number of Accessible Taxis, earlier in the meeting.

10. DATE OF NEXT MEETING

The next meeting of the Committee is scheduled for Monday, April 18, 2005 at 4:30 p.m.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 7:00 p.m.

Sherrill Murphy
Legislative Assistant

The following information items were circulated to staff:

1. Halifax, Dartmouth and County Owners Waiting Lists as of February 14, 2005
2. Halifax, Dartmouth and County Owners and Drivers Lists