

**TAXI AND LIMOUSINE ADVISORY COMMITTEE
MINUTES
June 8, 2006**

PRESENT: Councillor Stephen D. Adams, Chair
Mr. Hari Boggs, Interim Vice-Chair
Mr. Wayne Black
Mr. Kevin Bulley
Mr. Derek Mathers
Mr. Denis St. Laurent
Mr. Robert Richards
Mr. Paul Matthews
Mr. Bill Harrison

ABSENT WITH REGRETS Mr. Tim Hosford
Ms. Darlene Grant-Fiander

STAFF: Mr. Kevin Hindle, Regional Coordinator, Taxi and Limousine
Services
Mr. Randy Kinghorne, Solicitor
Ms. Stephanie Parsons, Legislative Assistant

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1. CALL TO ORDER

The Chair, called the meeting to order at 2:32 p.m. in Meeting Room "C," Keshen Goodman Library.

2. APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS

Addition:

7.2.1 Roof Top Advertising

Deletion:

4.8 Cash on the Dash

MOVED BY Mr. Richards, seconded by Mr. Bulley that the agenda be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY.

3. APPROVAL OF THE MINUTES - May 11, 2006

Mr. Hindle addressed the Chair and noted that the number of surveys issued and responded too should be included in the discussion under item 4.1.

MOVED BY Mr. Boggs, seconded by Mr. Richardson that the minutes of the May 11, 2006, Taxi and Limousine Advisory Committee be approved as amended. MOTION PUT AND PASSED.

4. BUSINESS ARISING FROM THE MINUTES

4.1 Safety of Taxi Drivers

- A minute extract of the May 11, 2006 meeting was before the Committee.

The Chair advised the Committee that the surveys indicated that taxi drivers did not want security cameras or shields mandated.

Mr. Harrison commented that although the industry response was negative toward safety devices in their vehicles, the Committee needs to be driven by its own consciousness and take the issue of safety seriously. The Committee should not dismiss the issue based on the survey.

Mr. Hindle introduced Mr. Vince Garnier, NS Department of Occupational Health and Safety, Environment and Labour and advised the Committee that he is present to discuss alternative safety measures. The Halifax Regional Police Liaison Officer was unable to attend today's meeting due to a prior commitment, but will be available for the next meeting.

Mr. Boggs advised that to his understanding the Federal Government has allocated funding in the budget to provide drivers with a one time grant of \$500 to assist with the cost of installing safety equipment in their vehicles.

Mr. Garnier, addressed the Committee and advised of the following:

- The Departments focus is on protecting and promoting the health and safety of people and their property. The objective this year is a strategy on workplace violence.
- The Department is willing to work with HRM and industry stakeholders to promote Occupational Health and Safety in the industry.
- Funding is geared toward educational literature and supporting any process HRM has regarding Occupational Health and Safety.
- The Department recognizes that violence and social economical issues are evolving in Nova Scotia and that they need to change with it.
- There is a legal requirement for employers to ensure the health and safety of their employees.

In response to the Chair, Mr. Garnier clarified the following:

- Even though HRM owns the licence, the employer in the Taxi Industry is considered to be the actual license holder.
- If the driver is also the licence holder, they bear the responsibility even if the licence is leased.
- The licence holder is responsible for ensuring the appropriate level of safety to the person who is actually driving the vehicle.

Responding to questions of the Committee Mr. Garnier clarified that:

- The province is only prepared to provide educational assistance in terms of facilitating training sessions and promoting Occupational Health and Safety.
- The Department cannot allocate a full-time resource.
- There is no funding available for equipment at this time.

- The Department would like to see Occupational Health and Safety as part of the licencing process.
- It is extremely important that all stakeholders be involved and that safety is implemented by the industry.

A discussion ensued and the Committee had differing views as to whether safety equipment should be mandated.

MOVED BY Mr. Harrison, that security cameras be mandatory in taxi vehicles and that a surcharge of 25 cents per trip be applied to cover the cost of installation.

Without a seconder the motion was lost.

A debate ensued regarding the 25-cent surcharge and whether alternate fundings should be explored. After further discussion the following motion was placed.

MOVED BY Mr. Bulley, seconded by Mr. Boggs that this matter be deferred pending information on alterative funding options for the installation of security equipment from the Provincial and Federal government. MOTION PUT AND PASSED.

4.2 Accessible Taxi Service in HRM

- A draft letter to the Minister of Transportation and Public Works regarding Accessible Taxi Service in HRM was before the Committee.

A brief discussion ensued and the following motions were placed:

MOVED BY Mr. Mathers, seconded by Mr. Bulley that the letter be amended to include “no subsidies are available on a per trip basis.” MOTION PUT AND PASSED.

MOVED BY Mr. Black, seconded by Mr. Boggs that the letter be approved as amended and forwarded to the Minister of Transportation and Public Works. MOTION PUT AND PASSED.

4.3 Certification of Limousine Drivers

- A report entitled National Standards Certification for New Limousine Drivers dated April 25, 2006 was before the Committee.

Mr. Hindle advised that the report has gone forward to Council.

4.4 Impact of Leasing Roof Lights on the Taxi Industry

- A minute extract of the May 11, 2006 meeting was before the Committee.

MOVED BY Mr. Richards, seconded by Mr. Boggs that this item be addressed in the staff report regarding amendments to By-law - T-108. MOTION PUT AND PASSED.

4.5 Issuing of Roof Lights

- An information report entitled No Leasing of New Taxi Owners Licences dated May 29, 2006 was distributed to the Committee.

The Committee agreed to defer this item until they have had an opportunity to review the report and further that this item be addressed in the staff report regarding amendments to By-law T-108.

MOVED BY Mr. Mathers, seconded by Mr. Boggs that this matter be deferred and addressed in the staff report regarding amendments to By-law T-108. MOTION PUT AND PASSED.

4.6 Membership (Vacancies)

- A copy of the membership list was circulated to the Committee.

The Chair advised that the Metro Chamber of Commerce has declined the invitation to serve on the Committee. After a brief discussion the Committee agreed that to prevent amending the terms of reference each time an invitation to serve as a member of the Committee is declined, that the administrative order be amended to include a Business Association from HRM.

MOVED BY Mr. Richards, seconded by Mr. Black that the Taxi and Limousine Advisory Committee recommend that Halifax Regional Council amend Administrative Order 38 Section 4 (h) to appoint one member of a Business Association within HRM. MOTION PUT AND PASSED UNANIMOUSLY.

Mr. Hindle advised that Mr. Kinghorne, Solicitor, is present to discuss the By-law review process and has prepared a memo. Since the Committee has deferred item 4.4 the Solicitor is prepared to review the report at the next meeting.

At this time a memo dated June 5, 2006 entitled Taxi Bylaw T-108 was circulated to the Committee.

The Committee agreed that Mr. Kinghorne report back to the Committee at the next meeting.

4.7 Limousine Seat Belts

- A minute extract of the May 11, 2006 meeting was before the Committee.

Responding to Mr. Richards question as to whether or not Bylaw T-108 would apply to those vehicles that only have five seat belts, Mr. Hindle advised of the following:

- The reduction of seatbelts for limousines from five to four is being considered in the by-law review.
- Taxis do not have a minimum seating capacity requirement.
- The new limousines with bucket seats would not be considered limousines under the current bylaw.
- This issue is also discussed in the staff report.

4.8 Cash on the Dash

- A minute extract of the May 11, 2006 meeting was before the Committee.

This item was dealt with at the last meeting and therefore deleted from the agenda.

4.9 Driver and Passengers' Bill of Rights

- A minute extract of the May 11, 2006 meeting was before the Committee.
- Copies of the following Taxicab Bill of Rights were before the Committee: Windsor Ontario; Toronto, Ontario; London Ontario; New York City; City of Los Angeles;
- Miami - Dade County

Mr. Harrison commented that a Code of Ethics is only as good as the people who are serving the industry. He suggested that once the final document is approved that it be part of the licencing process. Every driver then would be required to sign off on it when applying or renewing their licence.

Mr. Harrison commented that it is an industry regulated issue and that perhaps there should be a peer review committee to deal with claims of unethical acts.

Mr. Mathers entered the meeting at 2:58 p.m.

**MOVED BY Mr. Harrison, seconded by Mr. Boggs that staff bring forward a draft code of ethics, based on the examples provided for the Committees approval.
MOTION PUT AND PASSED.**

5. CONSIDERATION OF DEFERRED BUSINESS

5.1 Recommendations from the Training / Facilitated Session of March 6, 2006 Regarding the Taxi and Limousine Advisory Committee's Workplan

- A report on the recommendations from the Training/Facilitated Session of March 6, 2006 was before the Committee.

Mr. Harrison suggested that the Committee allocate an hour of each meeting to work through the plan.

**MOVED BY Mr. Harrison, seconded by Mr. Mathers that the Work plan be added to the agenda as the first order of business until the Committee has completed the plan.
MOTION PUT AND PASSED.**

5.2 Correspondence: Letter dated April 1, 2006 from Mr. Vince Garnier, Provincial Manager, Nova Scotia Environment and Labour, Occupational Health and Safety to Mr. Kevin Hindle, Regional Coordinator, Taxi and Limousine Services.

- A copy of a letter dated April 1, 2006 entitled Application of the Occupational Act in the Taxi Industry was before the Committee.

Discussed under item 4.1. Refer to page 4.

5.3 Moratorium on Licensing of New Taxi Drivers in The Halifax Zone

- A minute extract of the May 11, 2006 meeting was before the Committee.

It was agreed by the Committee to refer this item to the staff report regarding amendments to By-law T-108 as it contingent on item 4.4 Leasing of Roof Lights.

5.4 Election of Vice-Chair Update

This item was deferred.

6. **CORRESPONDENCE, PETITIONS, DELEGATIONS**

6.1 **Correspondence - None**

6.2 **Petitions - None**

6.3 **Delegations - None**

7. **NEW BUSINESS/ADDED ITEMS**

7.1 **New Business**

7.1.1 **HST Adjustment**

Mr. Mathers advised that as of July 1, 2006 the HST will be reduced to 14 percent. The current taxi meters/rates include the HST. He recommend that the meters remain at its current rate.

A discussion ensued and it was noted that the base rate would increase by one percent and the HST remittance would be 14 percent.

Mr. Hindle advised that the Province and HRM may be directed by the Federal Government as to how the change will be implemented. At this time the legal ramifications of the proposed motion is not known.

He further advised that Calgary, Winnipeg and Mississauga intend to allow the meter to run as is. Calgary will factor in the one percent increase the next time there is a meter review. At this time everyone is waiting to see what the direction is from the Federal Government.

MOVED BY Mr. Mathers, seconded by Mr. Hosford that Halifax Regional Council maintain the current meter rate and that at the next meter review factor in the one percent increase, pending directives from the federal and provincial government. MOTION PUT AND PASSED.

7.2 **Added Items**

7.2.1 **Roof Top Advertising**

- A document entitled Roof Top Advertising Chart. Appendix "B" was circulated to the Committee.

Mr. Hindle provided an overview of the Chart.

A brief discussion ensued and Mr. Hindle suggested that this item be consolidated into the staff report rather than forwarding separate amendments to Council.

Responding to questions of the Committee Mr. Hindle stated:

- The standard design, colors and size have yet to be determined.
- The amendments allow for roof top advertising.
- The Committee should decide on the standard prior to the report going to Council
- The design and mounting will be included in the amendment.
- Other municipalities have roof light advertising with different systems and designs.
-

It was agreed to have this matter addressed in the staff report regarding amendments to By-law T-108.

8. NOTICE OF MOTIONS - NONE

9. MOTIONS

Mr. St. Laurent entered the meeting at 3:50 p.m.

9.1 Valid Nova Scotia Class 4 Drivers Licences - Licence Owners

Mr. St. Laurent stated that currently the by-law does not require licence owners to be in possession of a valid Nova Scotia Class 4 Drivers Licence at the time of renewal. He has concern that people outside the province can derive a financial gain without making a contribution to the industry. It is his opinion that the requirement to have a NS Drivers Licence would circumvent this problem and that an owner operator policy should be in place.

Mr. Hindle advised that the issue is discussed in the Solicitors report. The Solicitor will be at next month's meeting to discuss this issue.

The Committee agrees that this item be addressed in the staff report regarding amendments to By-law T-108.

9.2 Transferability of HRM owned Roof Lights

MOVED BY Mr. Richards, seconded by Mr. Boggs that the Taxi and Limousine Advisory Committee recommend that Regional Council amend ordinance 108 to allow for the for the transferability of HRM owned rooflights.

Mr. Richardson stated that the licences issued by the HRM are not transferable discussion ensued regarding the selling of roof lights for financial gain.

Mr. Hindle advised that this issue has been discussed since 1997. The Minister of Transportation and Public Works has advised that the licences are the property of the Municipality and that it is a privilege to use one. There have been numerous rulings on this issue.

The Chair requested that a copy of the ruling be distributed to the Committee.

Mr. Hindle advised that the leasing of roof lights, the waiting list and an owner operator system is addressed in the staff report.

Mr. Richardson commented that Regional Council had passed a motion to allow for transferability and that it did to require provincial approval.

The Chair clarified that only the Province has the ability to approve transferability of roof lights. The Province advised that they will not entertain any amendments to the Nova Scotia Vehicle Act to allow for the transferability of roof lights.

The questions is who owns the light and can someone who does not own that light transfer ownership for a fee. The owner of the licence is HRM you are give a right to use it if for 50 dollars a year.

MOTION DEFEATED.

MOVED BY Mr. Mathers, seconded by Mr. Richardson, that his issue be deferred until staff provides a copy of the provincial ruling on this matter. MOTION PUT AND PASSED.

9. DATE OF NEXT MEETING - July 13, 2006

10. ADJOURNMENT - The meeting adjourned at 4:35 p.m.

Stephanie Parsons
Legislative Assistant