

**TAXI AND LIMOUSINE ADVISORY COMMITTEE  
MINUTES  
July 13, 2006**

PRESENT: Councillor Stephen D. Adams, Chair  
Mr. Kevin Bulley  
Ms. Darlene Grant-Fiander  
Mr. Bill Harrison  
Mr. Derek Mathers  
Mr. Denis St. Laurent  
Ms. Cathy Towers

ABSENT WITH  
REGRETS: Mr. Hari Boggs, Interim Vice-Chair  
Mr. Tim Hosford  
Mr. Robert Richards

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

**TABLE OF CONTENTS**

1.	CALL TO ORDER .....	3
2.	APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS .....	3
3.	APPROVAL OF MINUTES .....	3
4.	BUSINESS ARISING FROM MINUTES .....	9
4.1	Taxi and Limousine Advisory Committee's Workplan Safety of Taxi Drivers .....	9
5.	CONSIDERATION OF DEFERRED BUSINESS .....	3 & 9
5.1	Safety of Taxi Drivers .....	6 & 9
5.2	Election of Vice-Chair .....	9
5.3	Transferability of Roof Lights .....	3 & 9
5.4	Bylaw T-108 .....	4-6 & 9
	(I) Impact of Leasing Roof Lights on the Taxi Industry .....	4-6 & 9
	(ii) Issuing of Roof Lights .....	4-6 & 9
	(iii) Limousine Seat Belts .....	4-6 & 9
	(iv) Moratorium on Licensing of New Taxi Drivers in The Halifax Zone .....	4-6 & 9
	(v) Advertising on Roof Lights .....	4-6 & 9
5.5	Code of Ethics .....	7
6.	CORRESPONDENCE, PETITIONS, DELEGATIONS .....	8 -10
6.1	Correspondence .....	8
6.1.1	Letter dated June 22, 2006 from Bernie Swan, Policy Advisory, Transportation and Public Works re: Letter dated June 15, 2006 Accessible Taxi Service in HRM .....	9
6.2	Petitions .....	10
6.3	Delegations .....	10
7.	REPORTS .....	10
8.	NOTICES OF MOTION .....	10
9.	MOTIONS .....	10
10.	DATE OF NEXT MEETING .....	10

11. ADJOURNMENT ..... 10

**1. CALL TO ORDER**

The Chair, Councillor Stephen D. Adams, called the meeting to order at 10:35 am in Meeting Room "C, Keshen Goodman Library.

The Committee welcomed Ms. Cathy Towers who is replacing Mr. Wayne Black as the Halifax International Airport Authority (HIAA) representative.

**2. APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS**

**MOVE:** Items 5.3 Transferability of Roof Lights and Item 5.4 By-law T-108 to be dealt with immediately following the approval of the minutes.

**MOVED BY Mr. Bill Harrison, seconded by Mr. Derek Mathers that the agenda be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

**3. APPROVAL OF THE MINUTES - June 8, 2006**

**Correction:** Mr. Bulley advised that the motion of deferral he made at the June meeting in regard to Item 4.1 Safety of Taxi Drivers, page 6, does not appear in the minutes.

**MOVED BY Mr. Kevin Bulley, seconded by Mr. Bill Harrison that the minutes of the June 8, 2006 Taxi and Limousine Advisory Committee be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

The Committee agreed to deal with item 5.3 Transferability of Roof lights at this time.

**5. CONSIDERATION OF DEFERRED BUSINESS**

**5.3 Transferability of Roof Lights**

- A correspondence dated October 24, 2000 from former Minister Ronald S. Russell, Department of Transportation and Public Works to former Mayor Walter Fitzgerald, was submitted at this time.

Councillor Adams read the correspondence, submitted by Mr. Hindle, Regional Coordinator, Taxi Services, into the record. The correspondence reported that the Government Legislative Committee had rejected the request to amend the Motor Vehicle Act to allow existing taxi licenses to be sold on the open market.

Mr. Kinghorne responded to comments that transferability of a taxi license had occurred by explaining that the situation in question involved the court determining that one person had held the license in trust for the benefit of another person and as a result of that, a transfer was effected. He added that upon review of those cases, in future, he would recommend that it be appealed to a higher court. Mr. Kinghorne explained that he questions the legal preference to that decision as a court could order an individual to apply for a transfer but not order a government body to do a transfer.

Upon continued interruptions of Committee business by members of the public in attendance, Mr. Derek Mathers and Mr. Bill Harrison addressed the Chair expressing their concern with the number of interruptions/comments from the gallery in the form of notes being passed to Committee members and talking out of order and requested that it be stopped.

Mr. Hindle and Mr. Kinghorne responded to a member of the public that the transcript of the court decision on this matter is available upon request from the Supreme Court of Nova Scotia.

The Committee previously agreed to deal with Item 5.4 By-Law T-108 at this time.

#### **5.4 Bylaw T-108**

- (i) Impact of Leasing Roof Lights on the Taxi Industry**
- (ii) Issuing of Roof Lights**
- (iii) Limousine Seat Belts**
- (iv) Moratorium on Licensing of New Taxi Drivers in The Halifax Zone**
- (v) Advertising on Roof Lights**

- A Memorandum dated June 5, 2006 from Mr. Kinghorne was previously circulated to the Committee.

Mr. Randolph Kinghorne, Solicitor, and Councillor Adams advised that the By-Law T-108 review will include, among other issues, the five topics listed above and will result in the proposed amendments being presented first to the Taxi and Limousine Advisory Committee for comment/approval, then to the By-Law Rationalization Committee and Regional Council for final approval. There will be a public hearing at the Regional

Council level regarding any proposed amendments. At the earliest, it will be a two to three month process before any amendments are adopted.

Mr. Kinghorne explained that his Memorandum was in response to the Committee's comments in relation to an owner/operator system. He explained that an owner / operator system would provide opportunities for those drivers who are currently in lease agreements to operate their own vehicles if they so choose. He added that this would not increase the number of drivers as those who are currently driving another person's car would be driving their own vehicle. The operator of the vehicle would be required to have all documentation in his/her own name: driver's license, operator's license, insurance and vehicle registration.

**MOVED BY Mr. Derek Mathers, seconded by Mr. Denis St. Laurent that the Taxi and Limousine Advisory Committee agree to hear comments from members of the public in regard to the matter under discussion. MOTION PUT AND PASSED.**

Members of the Public (industry stakeholders) in attendance commented that:

- The issue of transferability/limitation/leasing has been discussed for ten years. It is time to make a decision or leave it alone.
- When the roof light draw was done, the understanding was that the rooflight was intended to be used by only that individual so, where did leasing come from?
- Concern was expressed that an owner/operator system will negatively impact those who have worked long and hard to build up a business. There is fear that the market would be saturated with more drivers/vehicles.
- Dartmouth limitation came about due to the fact that of the 319 taxis on the street at that time, 40 were Broker owned. The fear that a trend toward broker owned, with the driver being assigned to work a "shift" and the phasing out of independent taxi driver, instigated the push toward limitation. At the time of Halifax limitation (at amalgamation) there were almost 1000 cabs on the street. The fear is that within a year of the owner/operator system, there will be 1000 cabs on the street (in the Halifax zone).
- Mr. Wayne Anstey, former City Solicitor, had previously indicated that the Municipality does have the ability to grant transferability.
- Suggest that the City refer to other jurisdictions/provinces regarding the issue of transferability to see how they are able to do it.
- One speaker encouraged a limited system and questioned why business units in HRM are able to "limit" the number of employees who work there but the taxi industry cannot do that when you suggest giving everyone an operator's license.

- There are currently too many cars on the road and no room for them to sit on the taxi stands while waiting for a call. Drivers are working longer hours to make the same amount or less money.
- Before any changes are made, staff and the Committee are encouraged to study service and availability as there are now cabs waiting for people instead of people waiting for cabs. With the gas prices and other expenses, it is extremely difficult to make a living as a cab driver.
- If leasing is the problem, why was that not stopped after the first incident rather than allowing that mistake to occur 181 times. Due to the expense of leasing, the leasee is taking on another driver to assist with the expense.
- Concern was expressed that the taxi industry could not support another 130 cars.
- Concern was expressed that there are only three drivers on the Taxi and Limousine Advisory Committee representing the drivers.
- HRM is contradicting themselves with their goal to preserve the environment and cut down on the number of commuters on the road by saying you are considering putting more cabs on the road.

Mr. Kinghorne responded to members of the public/stakeholders present that, if asked, he would be willing to meet with them to discuss the issues and hear their comments.

Mr. Kinghorne added that if transferability were granted, a few large corporations could buy up the licenses and control the taxi industry. He also added that if HRM were less lenient, there could have been six to ten (operator's) licenses available in 2005 alone. He explained that some license holders lose their owner's license because they have "loaned" it out to another driver who, for a variety of reasons, has stopped paying insurance. The "owner" subsequently loses his license, often with no prior knowledge that the insurance has not been paid. The Appeals Committee has been lenient and has granted grace periods for the owner to obtain insurance.

Ms. Darlene Grant Fiander entered the meeting at 11:18 am.

Mr. Kinghorne will prepare a report for the Committee's consideration in regard to the following two proposals:

1. To limit the waiting list to an individual who holds an operator's (taxi) license. There would no longer be any corporate names or unlicensed drivers names on the waiting list.
2. To implement one multi-zone operator's license (HRM wide). This would permit the driver to work in any zone and eliminate the need for three separate licenses (Halifax, Dartmouth and County). Vehicles would continue to be licensed for one specific zone and would not be permitted to be licensed in more than one zone.

The Committee thanked Mr. Kinghorne for his comments.

Mr. Hindle added that items (i) Impact of Leasing Roof Lights on the Taxi Industry, (ii) Issuing of Roof Lights, (iii) Limousine Seat Belts, (iv) Moratorium on Licensing of New Taxi Drivers in The Halifax Zone, as well as the collection of fees, will be addressed in the staff report regarding amendments to By-Law T-108.

The Committee agreed to deal with Item 5.1 Safety of Taxi Drivers at this time.

### **5.1 Safety of Taxi Drivers**

Following a discussion on the issue, Mr. Harrison urged the Committee to put forward a recommendation to Regional Council in regard to the matter of taxi driver safety and the implementation of safety devices such as cameras/shields as well as a safety education program (training). He added that this Committee has a responsibility to look after the best interest and safety of the driver regardless of the driver's feelings on the matter. He commented that it is not his intention that the cost of the safety devices be born solely by the drivers (vehicle owners).

Mr. Bulley advised that he made a motion of deferral at the June meeting to defer this matter pending Mr. Bogg's information from the Provincial and Federal governments in regard to the possibility of financial assistance for the vehicle owner/driver. He added that he would rather have that information before making a decision. He suggested that the survey results may have been different if it had been clear to the driver that they would not have to bear the full cost to implement the safety devices.

Mr. Derek Mathers added that regardless of funding, the drivers do not want safety devices mandated.

The Committee requested that staff prepare a draft report outlining the following:

- recommending safety devices such as, but not limited to, cameras, shields and safety education training, be implemented for HRM taxi cabs/drivers.
- that staff provide examples of funding models from other jurisdictions in regard to offsetting the cost to the vehicle owner/driver to implement safety devices in the taxi cab.
- include information from the Provincial/Federal government in regard to any possible grants or bursaries available to assist with the cost (purchase/installation) of the safety devices.

In response to numerous comments from the public in attendance, Ms. Darlene Grant Fiander and Mr. Bill Harrison addressed the Chair expressing concern with the process of recent Committee meetings. They commented that the number of unsolicited interruptions from members of the public is making it difficult for the Committee to have a thoughtful discussion and move forward on the issues.

The Committee agreed to deal with Item 5.5 Code of Ethics at this time.

### **5.5 Code of Ethics**

- A draft Code of Ethics was before the Committee.

Mr. Kevin Hindle presented the draft Code of Ethics for discussion.

The Committee suggested the following amendments:

- instead of “transported by the most **direct route**” change to “transported by the most **cost effective** route unless you request **differently**” - remove the word “route”.
- add “and respectful” to the line “the operator has a right to expect the passenger to behave in a civil **and respectful** manner.”
- correct spelling of taxi cab “metre” to “meter”
- include telephone numbers for comment/complaints
- the code of ethics should be mandated and specific instructions included in the By-law as to where the code is to be posted inside the cab.
- That at the time of license renewal, the driver be required to sign off the Code of Ethics.

The Committee was encouraged to forward any additional comments to the Legislative Assistant.

The Committee agreed to deal with Item 6.1.1 Letter dated June 22, 2006 from Bernie Swan, Policy Advisory, Transportation and Public Works at this time.

## **6. CORRESPONDENCE, PETITIONS, DELEGATIONS**

### **6.1 Correspondence**

#### **6.1.1 Letter dated June 22, 2006 from Bernie Swan, Policy Advisory, Transportation and Public Works in response to re: Letter dated June 15, 2006 Accessible Taxi Service in HRM**

Following discussion on the correspondence, Mr. Hindle advised the Committee that he has contacted Mr. Swan's office requesting clarification in regard to accessible taxi service and the municipality's ability to restrict accessible taxi drivers/vehicles to specific zones in an effort to reduce the occurrence of deadhead miles.

Mr. Bulley inquired if there was an avenue available to implement a surcharge of \$3 to \$5 per accessible call to assist the accessible taxi drivers in covering the expense of deadhead miles. He added that it is his belief clients would be willing to pay a little extra to ensure accessible taxi service.

In response to Mr. Bulley, Councillor Adams advised that the Committee had previously been informed that clients who use accessible services do not want to pay more.

Mr. Mathers advised that accessible taxi service is a major concern of the Canadian Taxi Cab Association (CTCA) of which he is a member. He added that he will provide the Committee with a copy of the CTCA's position paper on this matter. He commented that he has not seen accessible service in other areas without some funding on a per trip basis from a government level. Human rights will not permit the taxi industry to charge extra to transport someone with a disability. He inquired why Metro Transit does not contract out to the wheelchair accessible vans and augment that service with runs for able bodied fares.

Councillor Adams clarified that the municipality, as outlined in the MGA, is not permitted to provide funding for private industry such as the taxi industry.

Mr. Hindle advised that he will report back to the Committee in regard to clarification from Mr. Swan on the following topics:

- zone restrictions for accessible taxi cabs to alleviate deadhead mileage costs.
- possibility of an agreeable surcharge levy that the driver/passenger could enter into to offset the deadhead mileage costs.

Mr. Bulley requested that Mr. Hindle relate the request for a surcharge levy to the fact that the driver requires a van to carry the equipment in order to service the accessible calls.

#### **4. Business Arising from the Minutes**

##### **4.1 Taxi and Limousine Advisory Committee's Workplan**

**Deferred** due to time constraints.

**5. CONSIDERATION OF DEFERRED BUSINESS**

**5.1 Safety of Taxi Drivers**

Dealt with earlier in the meeting. See page 6.

**5.2 Election of Vice-Chair**

**Deferred** due to time constraints.

**5.3 Transferability of Roof Lights**

Dealt with earlier in the meeting. See page 3.

**5.4 Bylaw T-108**

**(I) Impact of Leasing Roof Lights on the Taxi Industry**

**(ii) Issuing of Roof Lights**

**(iii) Limousine Seat Belts**

**(iv) Moratorium on Licensing of New Taxi Drivers in The Halifax Zone**

**(v) Advertising on Roof Lights**

Dealt with earlier in the meeting. See pages 4-6.

**5.5 Code of Ethics**

Dealt with earlier in the meeting. See page 7.

**6. CORRESPONDENCE, PETITIONS, DELEGATIONS**

**6.1 Correspondence**

**6.1.1 Letter dated June 22, 2006 from Bernie Swan, Policy Advisory,  
Transportation and Public Works in response to re: Letter dated June 15,  
2006 Accessible Taxi Service in HRM.**

Dealt with earlier in the meeting. See page 8.

**6.2 Petitions - None**

**6.3 Delegations** - None

**7. REPORTS** - None

**8. NOTICES OF MOTION** - None

**9. MOTIONS** - None

**10. DATE OF NEXT MEETING**

The next regular meeting is scheduled for Thursday, August 10, 2006.

**11. ADJOURNMENT**

The meeting adjourned at 1:00 pm.

Chris Newson  
Legislative Assistant