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**Information Item No. 4**  
**Transportation Standing Committee**  
**March 26, 2015**

**TO:** Chair and Members of the Transportation Standing Committee  
Original Signed

**SUBMITTED BY:** \_\_\_\_\_  
Bob Bjerke, Chief Planner and Director Planning & Development

**DATE:** March 2, 2015

**SUBJECT:** By-law T1001 Consultation Process

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**INFORMATION REPORT**

**ORIGIN**

At the October 1, 2014, Transportation Standing Committee (TSC) meeting, the following motion was passed:

**MOVED by Councillor Walker, seconded by Councillor Hendsbee that staff consult with the Taxi and Limousine Liaison Group in regards to sections 7, 8, 9 of Bylaw T1001 (pg. 34, 35) and return to the Transportation Standing Committee with a recommendation.**

**LEGISLATIVE AUTHORITY**

Nova Scotia Motor Vehicle Act, Section 305(1);

By-law T-1000, Respecting the Regulation of Taxis, Accessible Taxis and Limousines;

Administrative Order #39, Respecting Taxi and Limousine Regulation; and

Establishment of the Taxi and Limousine Liaison Group (TLLG) as approved by Regional Council, July 5, 2011,

## **BACKGROUND**

At the September 10, 2014 TSC meeting, the report titled "By-law T-1001: Amendments to By-law T1000 and Administrative Order 39, Respecting the Regulation of Taxis & Limousines" was before the Committee for review and the following motions were passed:

- **MOVED by Councillor Watts, seconded by Councillor Mason, that the Transportation Standing Committee recommend that Halifax Regional Council:**
  - 1. Adopt By-law T-1001, which includes amendments to By-law T-1000, Respecting the Regulation of Taxis, Accessible Taxis and Limousines, as set out in Appendix B of the June 16, 2014 report;**
  - 2. Adopt amendments to Administrative Order #39, Respecting Taxi and Limousine Regulation, as set out in Appendix D of the June 16, 2014 report; and**
  - 3. Authorize HRM Traffic Services to request the Province of Nova Scotia to amend the Nova Scotia Motor Vehicle Act in support of a pilot project enabling taxis to stand at authorized Fire Hydrants.**
- **MOVED by Councillor Walker, seconded by Councillor Watts, that the Passenger/Operator Code of Ethics include for clarification that the by-law stipulates there are two options for charging fares; a fare may be negotiated between operator and passenger prior to departure, or the passenger may request the meter be used to calculate the fare. MOTION PUT AND PASSED.**

At the October 1, 2014 TSC meeting a Supplementary Report, "Schedule 6 of Administrative Order 39, Respecting the Regulation of Taxis & Limousines", was before the Committee:

A general discussion was held relative to the TSC having approved By-law T1001 on September 10, 2014 and the next step of it being forwarded to Regional Council. Councillor Walker identified concerns regarding sections 7, 8, and 9 on page 34 and 35, as set out in Appendix A, of the Supplementary Report. These specific items address repeal of license limitations, conventional licenses and the waiting list.

Given provincial law and the fact that accessible taxi owner licenses are not able to be limited by number, items 7, 8 and 9 of the supplementary report together form an attempt by staff to address current restrictions and controls on conventional licenses. The immediate removal of controls was thought to create industry competitive disadvantage and as such staff has moved to review and recommend techniques for the gradual decrease in those license controls as criteria to smooth the effect on industry.

Following the discussions these motions were passed:

- **MOVED by Councillor Walker, seconded by Councillor Watts that the rules of Administrative Order One be waived. MOTION PUT AND PASSED.**
- **MOVED by Councillor Walker, seconded by Deputy Mayor Fisher that the Motion of September 10<sup>th</sup>, 2014, as follows, be rescinded.**
- **MOVED by Councillor Walker, seconded by Councillor Hendsbee that staff consult with the Taxi and Limousine Liaison Group in regards to sections 7, 8, 9 of Administrative Order 39 (pg. 34, 35) and return to the Transportation Standing Committee with a recommendation.**

As recommendations are not prepared, this report is provided to update the TSC regarding the status of the Committee's motion of October 1, 2014.

## **DISCUSSION**

On October 15, 2014, the Taxi and Limousine Liaison Group (TLLG) met and reviewed the motion of the TSC from October 1, 2014, and the specific items 7, 8 and 9. A general discussion was held as to what process should be considered in seeking input from the industry and public on the three specific items relative to the TSC motion. Members agreed that a process should include a town hall meeting and an electronic online survey option.

In November 2014, staff researched consultant options to assist in the development and management of a transparent arms-length consultation process. In December 2014, Halifax Global Inc. was selected to develop and manage the consultation process. Several meetings were held with Halifax Global Inc. to educate them on the issues and the request of the TSC.

On January 21, 2015, a meeting of the TLLG was held which included the new and previous members of the committee and Halifax Global Inc. The purpose of the meeting was to introduce the members to the consultant group and to start discussions on how to proceed with the engagement process. It was agreed another meeting would be required.

On February 20, 2015, a follow up meeting of the TLLG was held with the Halifax Global Inc.

A tentative date of April 21, 2015, has been set for the town hall meeting at the Halifax Forum Multi-Purpose Center.

Upon completion of the consultation process, Halifax Global Inc. will report the results to staff. Findings will be outlined in a Recommendation Report to the TSC at a later date specifically addressing 7, 8, & 9, issuance of conventional licenses.

## **FINANCIAL IMPLICATIONS**

There are no financial implications of this report.

## **COMMUNITY ENGAGEMENT**

On October 15, 2014, the Taxi and Limousine Liaison Group (TLLG) met and reviewed the motion of the TSC from October 1, 2014. A general discussion was held as to the process that should be considered in seeking input from the industry and public on the three specific items relative to the TSC motion. Following the selection of a consultant group additional meetings were held with the TLLG on January 21, 2015, and February 20, 2015 to define the process.

## **ATTACHMENTS**

Appendix A: Excerpt of Supplementary Report - Item 7, 8 & 9 of Administrative Order 39,

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A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Kevin Hindle, Supervisor, Regional Licensing 902.490.2550

Original Signed

Report Approved by: Jim Donovan, Manager of Municipal Compliance 902.490.6224

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## Appendix A

### **Motion of the Transportation Standing Committee:**

*A motion passed that staff consult with the Taxi and Limousine Liaison Group in regards to sections 7, 8, and 9 of Bylaw T-1001 (pg. 34-35) and return to the Transportation Standing Committee with a recommendation.*

### **7.0 Repeal LIMITS ON NUMBER OF TAXI OWNER LICENSES**

7.1 The number of taxi owner licenses, inclusive of conditional owner licenses, for each zone in force at any time in the Municipality is;

- (a) in the Halifax Zone, 610 licenses;
- (b) in the Dartmouth Zone, 200 licenses; and
- (c) in the County Zone, 190 licenses.

### **8.0 Repeal APPLICANT FOR A NEW TAXI OWNER LICENSE**

8.1 The applicant for a taxi owner's license must be the holder, in good standing, of a taxi driver's license issued by the Municipality.

8.2 An applicant who receives an offer of a taxi owner's license must complete all of the requirements for licensing a vehicle as a taxi under By-Law T-1000 within 30 days of the date of the offer.

8.3 If an applicant for a taxi owner's license who holds a taxi owner's license in any zone in the Municipality in his or her name or in the name of a corporation in which the applicant is a shareholder receives an offer of a new owner license, the applicant must surrender the current license within 30 days of the date of the offer.

8.4 A permanent owner's license may be issued only to an applicant who has successfully completed the National Standards Certification for Taxicab/Limousine Drivers.

8.5 If an applicant, at the time of being offered a taxi owner's license, has not successfully completed the National Standards Certification for Taxicab/Limousine Drivers, the applicant may only be issued a conditional taxi owners license.

8.6 A conditional taxi owner's license expires on the first anniversary of its date of issue unless, before its expiry, the holder of the conditional license successfully completes the National Standards Certification for Taxicab/Limousine Drivers and converts to a permanent owner's license.

8.7 A conditional owner's license is not renewable.

8.8 Sections 8.1 – 8.6 apply only to the issuance of a taxi owner's license to an applicant from the waiting list and not to taxi owner's license renewals.

## **9.0 Repeal WAITING LIST**

9.1 The waiting lists for taxi owners licenses, if any, of applicants prepared for each zone under sections 77, 78 and 78A of By-law Number T-108 of the Municipality, as those sections read immediately before the repeal of By-law Number T-108, are continued in force.

9.2 If there are no names on a waiting list for a zone, the list must be closed but the Licensing Authority must re-open it or establish a new list whenever the number of applications for taxi owner licenses for the zone exceeds the number of licenses available in the zone.

9.3 If the Licensing Authority receives an application for a taxi owner's license for a zone that cannot be issued because the prescribed number of licenses for that zone have already been issued, the Licensing Authority shall add the applicant's name to the end of the current waiting list, in order of the date and time of receipt of the application and must process the names in order of seniority as they appear on the list as the number of licenses in the zone to which the application relates drops below the prescribed number of licenses for that zone.

9.4 Whenever a new taxi owner license can be issued because the number of licenses in force in a zone has fallen below the number prescribed for the zone, the applicants on the waiting list shall be offered the first opportunity to obtain a license in order of their seniority on the list, and the Licensing Authority shall notify the applicant forthwith by registered mail addressed to the mailing address of the driver maintained by the Licensing Authority that the applicant is being offered a license.

9.5 An applicant's name must be removed from the waiting list.

- (a) Upon the issuance of an owner's license to the applicant; or
- (b) if the applicant fails to license a vehicle as a taxi within 30 days of the delivery of the notice of an offer of an owner's license.

9.6 The procedure set out in sections 9.4 and 9.5, must be repeated until the numbers of owners licenses, including conditional owner's licenses, in force in a zone, is equal to the number of licenses prescribed for the zone or until no names remain on the waiting list, whichever occurs first.

9.7 The name of an applicant must be removed from a waiting list on the conclusion of any applicable appeal process if the applicant's driver's license is cancelled, revoked or otherwise lapses.

9.8 Nothing in section 9.5, 9.6 or 9.7 prevents a person who holds a driver's license from re-applying for a taxi owner's license and having his or her name added at the end of the waiting list, if any, for the zone to which the application relates.