

**TAXI AND LIMOUSINE ADVISORY COMMITTEE
MINUTES
February 9, 2006**

PRESENT: Mr. Bill Harrison, Interim Chair
Mr. Hari Boggs, Vice-Chair
Mr. Wayne Black
Ms. Darlene Grant-Fiander
Mr. Tim Hosford
Mr. Derek Mathers
Mr. Paul Matthews
Mr. Denis St. Laurent
Mr. Robert Richards

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

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1. CALL TO ORDER

The Interim Chair called the meeting to order at 10:05 am in Conference Room "C" at the Keshen Goodman Library, 330 Lacewood Drive, Halifax.

2. APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS

MOVE: Agenda Items 4.2 Facilitator to Assist with the Development of a Committee Workplan and 4.3 By-Law Rationalization Committee - Role and Mandate to be dealt with immediately following the approval of the minutes.

The Committee approved the agenda as amended.

3. APPROVAL OF MINUTES - January 18, 2006

CORRECTIONS: Ms. Darlene Grant Fiander noted that there is no hyphen in her name (title page).
Mr. Robert Richards noted that his name was incorrect on Page 3 and should be noted as *Mr. Richards* not *Mr. Roberts*.

MOVED BY Ms. Darlene Grant Fiander, seconded by Mr. Robert Richards that the minutes be approved as amended. MOTION PUT AND PASSED.

4. BUSINESS ARISING FROM MINUTES

The Committee agreed to deal with Item 4.2 at this time.

4.2 Facilitator to Assist with the Development of a Committee Workplan

The Legislative Assistant advised, through the Chair, that there is no budget for an HRM Committee to hire an External Facilitator. HRM does have an Internal Facilitator available to assist the Committee with their work plan and is in attendance today to provide additional information if required. Ms. Fiander advised that she could arrange to have the costs covered for an External Facilitator. It was clarified that the Facilitator's role will be to assist the Committee in determining priorities. The Facilitator will not have an active role in the mandate of the Committee.

Following a brief discussion on the matter, the Committee agreed to review the possibility of a Facilitator and to provide comments to the Legislative Assistant regarding a meeting date and time for the training session.

The Committee further commented that its first priority is to address the issue of taxi driver safety. Considering the Committee only meets on a monthly basis, it was suggested that perhaps a Sub-Committee should be formed to conduct the appropriate research, including gathering information on the various safety device options and possible funding sources available, as this will be a time consuming task.

The Committee agreed to deal with item 4.3 at this time.

4.3 By-Law Rationalization Committee - Role and Mandate

The Chair introduced Mr. Allan Waye, General Manager, Community Projects, Environmental Management Services and Chair of the By-Law Rationalization Committee.

Mr. Alan Waye provided a detailed description of the By-Law Rationalization Committee indicating that:

- The By-Law Rationalization Committee (BRC) has been in existence for 4.5 years and was a directive of the CAO (Chief Administrative Officer).
- A review of by-laws was done post-amalgamation and those by-laws that were ineffective or redundant were taken off the books.
- By-Laws are to be written consistently (language and ease of understanding) and in good legal form when sent to Regional Council.
- There are ten Business Units involved with the BRC (any business unit with enforcement issues such as Police, Public Works, Solid Waste etc.).
- With each proposed by-law, a review is done regarding what other business practices will have to be put in place. Regional Council may not have an indication of the impacts on staff, enforcement or funding when considering a proposed by-law whereas the BRC would go through a number of business practices as part of their review. If a by-law would be difficult to enforce, why have it.
- The BRC simply ensures that Administrative Order 32 is followed. The BRC cannot make a decision on what can or cannot be in the by-law.
- Once a proposed by-law is referred to the BRC, the Committee would ask the same questions as Regional Council.
- The BRC group make the process easier for Regional Council by bringing the information to a level that can be dealt with at a policy prospective.

Mr. Waye responded to a request for clarification from the Committee regarding what the

process for the Taxi and Limousine Advisory Committee would be to forward a proposed by-law to Regional Council. He explained that:

- The proposed by-law would first be reviewed by the Staff Liaison person for the Taxi and Limousine Advisory Committee (who is also the Regional Coordinator for HRM's Taxi and Limousine Services).
- If the staff person suggests any amendments, the proposed by-law would return to the Taxi and Limousine Advisory Committee for final approval.
- The proposed by-law would then be reviewed by the BRC who will ask questions of the staff liaison person. If more information is required, the proposed by-law will be returned to the Taxi and Limousine Advisory Committee with comments/questions from the BRC as it is the responsibility of the BRC to advise the Taxi and Limousine Advisory Committee of any deficiencies with the proposed by-law.
- If the Taxi and Limousine Advisory Committee decides to forward the proposed by-law to Regional Council contrary to the advice of the BRC a Minority Report would be submitted to Regional Council from the BRC.
- The BRC meets on a monthly basis if there is business to be done.
- Administrative Order 32 was put in place so that everyone follows the same process for setting by-laws.
- The role of the BRC is not to say whether or not a proposed by-law is a good/bad idea, it is only to ensure that the by-law fits within the venue of other by-laws.
- It was the BRC that brought forward the idea of having an Administrative Order deal with anything regarding fees and separating fees from a by-law in order to increase the speed and efficiency of the process.

Mr. Wayne encouraged the Taxi and Limousine Advisory Committee to forward to him any further questions or comments.

The Committee thanked Mr. Wayne for his explanation of the BRC's role.

The Committee agreed to deal with Item 4.1 at this time.

4.1 Safety of Taxi Drivers

Mr. Kevin Hindle advised that he has been researching this issue. Recently, the provincial office of the Director of Occupational Health and Safety has been in contact with him. Mr. Hindle provided the following update:

- On January 24, 2006 he met with a representative of Mr. Jim Leblanc's office (Director of Occupational Health and Safety for the Province of Nova Scotia). Concern for taxi driver safety is a priority item for the Province as well.

- The province wants to understand the relationship of the various stakeholders in the taxi industry and how the driver is related to the other stakeholders.
- A report was forwarded to the Provincial Director's office and is under a review regarding Workplace Safety. Mr. Hindle commented that he expects to have additional communication from the Provincial office by the middle of next week.

The Committee raised the following comments/concerns during the ensuing discussion:

- Mr. Mathers, Taxi Broker, commented that a representative from the Provincial Office visited his office advising him that all drivers who work for him were independent contractors under his control and that it was his responsibility as the Broker to have the drivers follow the Occupational Health and Safety Act and ensure the drivers have training. He expressed concern with the possible results of the Provincial review.
- The Committee requested clarification on where those drivers who do not own a roof light but are working for the owner of a roof light or those drivers who are renting roof lights fit into the stakeholder relationship. Mr. Hindle commented that the province will clarify that issue once their review is complete.
- Mr. Hindle further advised that he has an abundance of information in regard to what safety devices are available as well as information from other Municipalities but it will take some time to compile that information. He indicated he expects to have information to present by next month.
- There are varying classifications under the Occupational Health and Safety Act wherein if a driver is classified as being employed by someone then the employer is responsible for protecting the driver.
- Driver safety education is very important. It was suggested that driver safety training be required on an annual basis or every two years.
- Mr. Hindle indicated that safety devices are not currently mandated in the by-law. There is also nothing in the by-law to prohibit a driver from using/installing whatever legal safety device is necessary to ensure their safety.
- Concern was expressed with liability if a safety device malfunctions or causes injury to a passenger or the driver (such as a shield falling out).
- The safety device would have to be installed as per that manufacturer's specifications (standards) and if the product fails, the manufacturer would be responsible.
- There are current standards in the by-law for modifications to a vehicle.
- The driver also has a responsibility to maintain the safety of his/her vehicle.
- When most people go to work they do not have to worry about their safety. The taxi driver is trying to make a living yet there are severe consequences at times. It has to be made safer for the driver.
- The Committee clarified that the taxi driver is included as a stakeholder in the

mandate of the Taxi and Limousine Advisory Committee.

The Committee agreed to a meeting with Mr. Jerry Kozabul, of Manitoba, in regard to taxi driver safety and the initiatives taken by the City of Winnipeg. Mr. Hindle and the Legislative Assistant are to arrange the meeting date and time.

4.4 Request for Amendment to Administrative Order 38 re: Appointment of a Councillor to the Committee. (Report to Regional Council on Tuesday, February 7, 2006)

The Legislative Assistant advised that Regional Council received the report on Tuesday, February 7, 2006 requesting the amendment. She explained the next steps as follows:

- A Notice of Motion will go forward to the next Regional Council session on February 14, 2006.
- Regional Council will discuss the matter. If approved, Regional Council may appoint a Councillor that same evening or they may forward the appointment to the Membership Selection Committee which would involve an Expression of Interest being circulated to all 23 Councillors.
- Responses received from that Expression of Interest will be forwarded to the Membership Selection Committee.
- The decision of the Membership Selection Committee will be forwarded to Regional Council for final approval.
- The process may take up to four weeks.

The Legislative Assistant will update the Committee once a Councillor is appointed.

4.5 Clarification re: In Camera Sessions - (Taxi Licenses - HRM Property)

The Legislative Assistant advised that no update has been received from Legal Services. A response will be requested for the next meeting.

5. NEW BUSINESS

5.1.1 Differential Between Taxi and Limousine Rates from the Halifax International Airport to Various Destinations (Halifax/Dartmouth).

During the ensuing discussion on this matter it was determined by the Committee that this is not a matter for the Committee to discuss as the information does not pertain to either By-Law T-108 nor Administrative Order 39 in regard to rates. Mr. Hindle responded that HRM does not have a limousine rate to and from the airport. There is an hourly rate.

The information, as presented, does not apply to Administrative Order 39.

Mr. Wayne Black, Halifax International Airport Authority (HIAA), commented that the airport does have a set of rates that applies to Limousine Operators at the airport. It is in their By-Law and the rates are set by an elected representative at the airport. He advised that any concerns regarding the existing limousine rates at the airport should be submitted to him.

Mr. Hindle responded to a request for clarification on why taxi rate increases at the airport must go through Regional Council and not the airport itself indicating that it is due to the flat rate. The flat rate was to resemble the metered rate as closely as possible. This was accepted in 2003 as part of the By-Law and is now in Administrative Order 39 but there is no such thing for the limousines. If a taxi driver wanted to make an amendment to Administrative Order 39 the process would be for the matter to come to this Committee who would then forward a report to Regional Council.

5.1.2 Strategic Enforcement Initiatives

Mr. Hindle advised that a fax was sent to the taxi industry (Brokers were requested to distribute the notices to their drivers) on January 3, 2006 introducing the new Strategic Enforcement Initiatives. He advised that since Monday, February 6, 2006, five By-Law Enforcement Officers have been following up on By-Law enforcement issues. There have been some Orders to Remedy (OR's) issued. He added this initiative has been very successful with issues being addressed at times on the same day. The Strategic Enforcement Initiative will continue for ten (10) weeks and then a review will be done of available resources. Currently there are no By-Law Enforcement officers working this initiative on weekends or evenings but the Halifax Regional Police are assisting in the off-hours as their resources permit.

Mr. Mathers commented that some drivers have told him that they were reviewed and the drivers are quite pleased with the initiative so far.

The Committee expressed concern with the lack of an effective communication system that would reach all interested parties. Improving communication between stakeholders is a mandate of the Committee. Mr. Hindle responded that it is difficult to maintain a current/accurate mailing list for drivers as they move frequently or do not want their addresses used. He encouraged any suggestions the Committee may have in regard to improving Communication.

5.2 ADDED ITEMS

5.2.1 Wheelchair Accessible

- A copy of concerns expressed by an Accessible Taxi Driver were before the Committee.

The Chair read the concerns expressed by Mr. Burnell in regard to the future of the Accessible Taxis in HRM. Mr. Hindle responded to those concerns indicating that:

- It was well known that Accessible Taxis were not zone restricted and would be required to accept calls throughout HRM.
- The Provincial Grant Program for vehicle modifications to offer the Accessible Tax service is still available. Interested persons are to contact the Service Nova Scotia and Municipal Relations office.
- There is no limit to the number of Accessible Taxis permitted in HRM.
- There have been no complaints that a taxi driver has not responded to a call.
- There is a \$7 fee for a van if a van is specifically requested but you cannot charge more to transport a person with disabilities.
- There are currently four licensed Accessible Taxis in HRM.
- The Metro Access-a-Bus does not service the airport as the guidelines indicate it can only run within 600m of an established transit route.

Mr. Hindle has responded to Mr. Burnell's concerns. No further action required.

5.2.2 Possible Amendment to Administrative Order 38

Mr. St. Laurent expressed concern that the taxi driver is not specifically stated in Administrative Order 38 in regard to promotion of safety. The Honourable Minister Kerry Morash, in his correspondence to the Mayor, refers specifically to taxi driver safety. He explained that Administrative Order 38 only refers to public safety. He commented that this is shortchanging the taxi driver as taxi driver safety should be promoted as well.

It was suggested that this matter be discussed further during the Facilitated session.

6. NOTICES OF MOTION - None

7. MOTIONS - None

8. DATE OF NEXT MEETING - Thursday, March 9, 2006 at 2:00 pm.

9. ADJOURNMENT

The meeting adjourned at 3:58 pm.

Chris Newson
Legislative Assistant