

HALIFAX REGIONAL MUNICIPALITY

TAXI AND LIMOUSINE COMMITTEE MINUTES November 15, 2004

PRESENT: Donald Hatcher
Cal Demont
Don Shannon
Dave Withrow
Derek Mathers

ABSENT: Councillor Adams (Regrets)
Bob Richards (Regrets)
Donald Swinimer
Jeff Rozee

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

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1. CALL TO ORDER

The Legislative Assistant called the meeting to order at 4:35 p.m.

As the Chair was not present, it was **MOVED by Mr. Mathers, seconded by Mr. Demont that Don Hatcher serve as Chair for today's meeting. MOTION PUT AND PASSED UNANIMOUSLY.**

Mr. Hatcher assumed the Chair.

Later in the meeting a moment of silence was observed in memory of Mr. Dave Shipley and Mr. Leon Thompson, Halifax taxi drivers who recently passed away. A letter of condolence is to be forwarded to the families.

2. APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS

Addition:

4.7 Attendance at Taxi Committee Meetings - Dave Withrow

8.1 Future of Committee - Don Shannon

8.2 Financial Support from Drivers for Additional Enforcement - Don Shannon

8.3 Minutes - Taping of Meetings

Mr. Withrow noted that meetings of the Committee were not taped. In response the Legislative Assistant indicated that taping of meetings is not required, however, Assistants may tape meetings as a aid in preparing minutes.

3. APPROVAL OF MINUTES - SEPTEMBER 20, 2004 AND OCTOBER 18, 2004

MOVED by Mr. Shannon, seconded by Mr. Demont that the minutes of the September 20, 2004 meeting of the Committee, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

Referring to the October 18, 2004 minutes, Mr. Withrow noted that he recalled that a vote had been taken on the motion relative to the prohibition on new drivers licenses and the minutes did not reflect this.

As members of the Committee were unsure of the outcome of the item, it was **MOVED by Mr. Mathers, seconded by Mr. Withrow that the approval of the October 18, 2004 minutes be deferred until Councillor Adams is present. MOTION PUT AND PASSED.**

Presentation: Nancy Cochrane, Cochrane Associates - Non-Violent Crisis Intervention

A presentation by Nancy Cochrane had been scheduled, however, Ms. Cochrane was not present.

4. BUSINESS ARISING FROM MINUTES

4.1 Motion - Don Shannon - Prohibition on New Drivers Licenses

- This matter was last discussed at the October 18, 2004 meeting of the Regional Taxi and Limousine Committee at which time the following motion was placed, but not voted on due to a lost a quorum:

MOVED by Mr. Shannon, seconded by Mr. Richards that, for the Halifax Zone only, the issuance of new drivers licenses be prohibited for a period of two years.

Mr. Shannon, referring to comments made last month, noted that Councillor Cooper had indicated the action set out by the motion was a form of protectionism. He went on to note that assuming prohibiting the issuance of new drivers licenses is protectionism, he suggested there is nothing wrong with protecting the income of taxi drivers. Mr. Shannon went on to comment that it seems that HRM would want to protect the income of drivers, the safety of drivers and the integrity of the testing.

In response to a question from the Chair regarding the appropriateness of him voting on this matter while Acting Chair, the Solicitor indicated that all members of the Committee including the Chair have the right and responsibility to vote on motions before the committee.

Noting the action proposed by the motion was quite significant, Mr. Mathers asked why Mr. Shannon had brought this motion.

Mr. Shannon responded that there have been concerns regarding the integrity of testing and the need for passengers to give coordinates to drivers. Additionally, he commented that he did not believe more drivers were needed. Drivers spend more time waiting for calls rather than performing the call. Mr. Shannon indicated that he was not sure that adding more drivers was the direction in which to be heading.

Mr. Mathers, referring to the concerns about the testing, asked if the Taxi Office has been receiving more complaints about new drivers in recent months.

Mr. Steele indicated that complaints have decreased since the recent changes in the geography testing.

Mr. Mathers noted that some taxi owners have difficulties getting drivers for their cars and would be seriously impacted by this proposal. He went on to note that restricting the number of drivers is another degree of limitation. Mr. Mathers went on to express concern that the motion is trying to limit competition without regard to the public.

Mr. Mathers pointed out that the system works fairly well and that complaints regarding waiting for cabs have decreased. He went on to indicate that more cars are working double shifts now which is good for the customer and for the car owner. Mr. Mathers indicated if there is a problem with the testing, than the Committee should deal with the testing.

Mr. Shannon noted that he did not understand why taxi owners could not get drivers given that there is a waiting list. He suggested that those on the waiting list are not properly equipped to do the job or the competition is so fierce that they cannot make a living. Mr. Shannon when on to indicate that he was seeing signs that the industry is becoming getting saturated with drivers. He noted that continuing to add drivers to the system perpetuates leasing and this is not in keeping with the preferred owner/operator system.

Mr. Mathers indicated that the public is better served with more drivers on the same number of cars.

In response to a question from Mr. Withrow, Mr. Steele indicated that it appeared the number of new drivers is decreasing. Referring to Mr. Withrow's understanding that if an individual does not pass the English language testing after two attempts, they are not permitted to try again for one year, Mr. Steele indicated that he was not aware of the re-test standard.

Mr. Hindle indicated that he understood that there was a three month minimum between tests to provide an opportunity for practice. Following a further short discussion, it was suggested that Mr. Hindle should meet with the service provider for English language testing to discuss concerns about the frequency of testing. Following this meeting, Mr. Hindle should bring a policy to this Committee regarding English language testing.

Note was made that the word "taxi" should appear in the motion in order to better define the word license in the motion.

The motion is as follows:

MOVED by Mr. Shannon, seconded by Mr. Richards that, for the Halifax Zone only, the issuance of new taxi drivers licenses be prohibited for a period of two years.

A recorded vote was requested.

The **MOTION WAS PUT AND DEFEATED.**

Member(s) of the Committee voting in favour of the motion was Mr. Shannon.

Members of the Committee voting against the motion were Mr. Hatcher, Mr. Demont, Mr. Mathers and Mr. Withrow.

Councillor Adams, Mr. Richards, Mr. Swinimer, and Mr. Rozee were not present.

4.2 Update - Taxi Driver Incidents

Mr. Mathers advised that he had submitted his resignation as Chair of the Safety Committee due to time constraints. The Chair has requested some time to consider the resignation.

Following a brief discussion and expressions of frustration regarding the lack of promotion of the incident forms, **it was agreed that consideration of this matter be deferred pending Councillor Adams being present.**

4.3 Numbering of Buildings/Homes

- Correspondence from Donna Davis, Division Manager, Data Business Information Management, was before the Committee for consideration.

Mr. Shannon noted that as the streets were laid out on a grid in the more urban areas, the only real concern was lighting of street numbers.

Mr. Anstey indicated that the proposal is to deal with the issues in the suburban areas during the next fiscal year.

Mr. Withrow requested that the information be forwarded to the taxi offices with a request that they post the material.

4.4 Mandatory National Certification for all HRM Taxi and Limousine Drivers (Referral from Regional Council)

- A copy of a letter dated November 1, 2004 from Bill Harrison, Chair, Hotel Standards Committee and Darlene Grant-Fiander, Vice-Chair, Hotel Standards Committee, was before the Committee for consideration.

Noting that the Hotel Standards has suggested that further discussion on the mandatory

National Certification be deferred pending a focus on communications around the program, Mr. Shannon commented that no further action by this Committee was required at this time.

The Legislative Assistant will, on behalf of the Taxi and Limousine Committee, work with the Legislative Assistant for the Hotel Standards Committee to ensure this information is provided to Regional Council.

4.5 Breakdown of 'Other' Category (2004) - Taxi Complaint Statistical Report

- A breakdown of the `Other` category of the 2004 complaint statistical report was before the Committee for consideration.

Mr. Withrow noted that not all of the complains were received from customers.

Mr. Shannon suggested that the public does not know where to make complaints.

4.6 Motion - Dave Withrow - Leasing Agreements

Mr. Withrow **withdrew his motion**, as follows, notice of which was given at the August 16, 2004 meeting of the Regional Taxi and Limousine Committee:

"That Halifax Regional Taxi owners licenses in all zones having a leasing or mortgage agreement pursuant to the By-law T-108 the following; having completed the agreement between the vendor or leasee concerning the conditional sale or right of purchase or mortgage of the taxi owners license issued to the vendor shall be transferred to either party."

4.7 Attendance at Taxi Committee Meetings

Mr. Withrow expressed concern regarding the non attendance of members. He urged all those appointed to the Committee to take seriously their commitment.

5. Good News Stories

There were no good news stories offered.

6. NEW BUSINESS

6.1 Update, County Owners Waiting List Draw

Kevin Hindle advised that the draw was held on November 8, 2004 and the list developed.

Mr. Withrow requested that the Committee be provided the following:

- Waiting lists for all three zones
- Licensed drivers in all three zones
- Licensed cars in all three zones
- Licensed limos in all three zones
- Licensed limo drivers in all three zones

Mr. Hindle advised that there may be some constraints on the information provided as a result of privacy legislation. These requests will be reviewed by the Information Officer to determine the appropriate information to be released.

7. **MOTIONS** - None

8. **ADDED ITEMS**

8.1 **Future of Committee - Don Shannon**

In response to a question from Mr. Shannon regarding the future of the Committee, Mr. Anstey advised that Council has requested he report relative to the composition and mandate of the Taxi Committee. Staff are now in the process of researching models from across Canada. The proposal is that a report will come to Council in December recommending a future model for the taxi committee. Mr. Anstey went on to note that a number of options may be considered including no change or even no committee. Council will make the final determination in any regard. Mr. Anstey went on to note that in terms of a timeframe, realistically a new committee could not be put into place before January at the earliest.

Mr. Withrow clarified that an amendment to By-law 100 would be required in order to make changes to the composition and mandate of the Committee.

During discussion Mr. Mathers commented that he hoped that, whatever the model, the industry (brokers and drivers) would have an opportunity for proper input.

Don Shannon suggested that this Committee should have a mission statement to set out the purpose of the Committee and to give focus to what is important - the driver and the passenger.

The Chair indicated that Section 2 of By-law T-100 sets out the purpose or mission of this Committee.

Mr. Ed Flewelling, a member of the industry, commented that he did not believe the public hearing forum, where individuals have only five minutes to present their views, is an

appropriate forum to determine the future of the Taxi Committee.

8.2 Financial Support from Drivers for Additional Enforcement - Don Shannon

In response to a question from Mr. Shannon regarding the impact of drivers providing some financial support for additional enforcement, Mr. Steele indicated of course it would make a difference to the ability to provide enforcement. Mr. Steele went on to note that the Taxi Office is working closely with the Halifax Police Department to streamline and improve enforcement. This is at no additional cost to the drivers.

Mr. Anstey advised that HRM has attempted, without success, to have the legislation changed to provide for focused enforcement. Mr. Anstey indicated the issue may be that the legislation applies across the Province and there is concern as to the impact of such a change elsewhere in the Province. Mr. Anstey indicated that he saw no reason that HRM could not make a second attempt with a proviso that the amendment only applies to HRM.

A short discussion ensued **with no further action being taken.**

9. NOTICES OF MOTION - None

10. DATE OF NEXT MEETING

The next meeting of the Committee is schedule for Monday, December 20, 2004.

The Acting Chair thanked everyone for their contributions over the year noting that the Committee had enjoyed active discussion. He went on to thank the Committee for the opportunity to act as Chair for this meeting.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 6:50 p.m.

Sherryl Murphy
Legislative Assistant