

HALIFAX REGIONAL MUNICIPALITY

TAXI AND LIMOUSINE COMMITTEE MINUTES MARCH 22, 2004

PRESENT: Councillor Stephen Adams, Chair
Donald Hatcher
Cal Demont
Bob Richards
Don Shannon
Jeffrey Rozee
Dave Withrow
Len Wilson

ABSENT: Derek Mathers (Regrets)
Donald Swinimer (Regrets)
Councillor Ron Cooper

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

ALSO PRESENT: 10 members of the industry

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1. CALL TO ORDER

The meeting was called to order at 4:35 p.m.

2. APPROVAL OF THE AGENDA, ADDITIONS AND DELETIONS

At the request of Mr. Hatcher, item 4.8 Taxi and Limousine Appreciation Day was moved up on the agenda to be considered immediately following the Approval of the Agenda, Additions and Deletions.

Additions:

- 8.1 By-law T-100 - Taxi and Limousine Committee
- 8.2 Rooflight Positioning
- 8.3 Appropriate Means of Communication Between Taxi and Limousine Committee and Hotel Standards Committee (Councillor Adams)
- 8.4 Proposed Amendment - Geography Testing - Limit to Examination Opportunities

MOVED by Don Hatcher, seconded by Len Wilson that the agenda, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

3. APPROVAL OF MINUTES - FEBRUARY 16, 2004

Referring to the February 16, 2004 minutes, Mr. Withrow clarified that the Notice of Motion brought forward by Don Shannon referred to the Halifax zone only.

MOVED by Mr. Withrow, seconded by Mr. Wilson that the minutes of the February 16, 2004 meeting of the Regional Taxi and Limousine Committee, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING FROM MINUTES

4.8 Taxi and Limousine Appreciation Day

- A memorandum from Donald Hatcher dated March 19, 2004 regarding the proposed Future Recognition Event - 'Taxi and Limousine Appreciation Day' , was before the Committee for consideration.

Mr. Hatcher reviewed with the Committee the memorandum and noted that the date proposed for the event was Wednesday, June 2, 2004.

A brief discussion ensued with note being made that the earlier part of the month is usually a busy time for taxi drives and it was suggested that the meeting be move to later in the month.

MOVED by Don Hatcher, seconded by Jeff Rozee that June 9, 2004 be proposed as the date for a Taxi and Limousine Driver Recognition event. MOTION PUT AND PASSED UNANIMOUSLY.

Mr. Hatcher indicated that he would work with staff to determine whether this date was workable.

4.1 Smoking in Taxis

- A report dated February 23, 2004 from Wayne Anstey, Municipal Solicitor, was before the Committee for consideration.

Mr. Shannon, referring to the report from Mr. Anstey, indicated that he had believed that there was no smoking permitted in a vehicle used as a taxi.

Mr. Anstey reiterated the statement made in his report that, in his opinion, the courts would most likely opt for an interpretation of the legislation which provides that smoking is not permitted in a vehicle while it is being operated as a taxi and passengers are present.

4.2 Transferability

- Consideration of this matter was deferred to this meeting from the February 16, 2004 meeting of the Committee.

MOVED by Mr. Withrow, seconded by Mr. Richards that consideration of this matter be deferred to the next meeting of the Committee. MOTION PUT AND PASSED UNANIMOUSLY.

4.3 Update - Taxi Driver Incident Form (Derek Mathers)

- Consideration of this matter was deferred from the February meeting of the Committee pending the attendance of Mr. Mathers

Given that Mr. Mathers was not present, it was **MOVED by Mr. Withrow, seconded by Mr. Richards that the matter be deferred for one month.**

A brief discussion ensued with Committee members asking if the driver incident forms had been distributed and, if so, had any data been collected to date.

Mr. Richards requested that staff provide the background relative to the approval of the form and its distribution.

MOTION PUT AND PASSED UNANIMOUSLY.

4.4 Increased Enforcement of Zone Infractions

- A information report dated March 22, 2004 submitted by Andrea MacDonald, Manger, Community Projects/EMS, was before the Committee for consideration.

Mr. Shannon addressed the matter noting that zone infractions are not zone specific. He went on to ask if the Police were aware that zone infractions are a violation of the By-law and if so, have they been made aware that this is a problem. Mr. Shannon went on to suggest that even one person being stopped and charged with a violation of the By-law would go a long way to reducing such infractions.

Ms. MacDonald advised that the Police Department is aware that zone infractions are a violation of the By-law, but suggested that these types of violations of the law would have very little priority in terms of response.

Responding to a question from Mr. Shannon, Mr. Steele indicated that in the past there has been a special enforcement effort (i.e. certain area at a certain time)

MOVED by Don Shannon, seconded by Jeffrey Rozee that staff contact the Police Department to ensure that zone infractions are occurring in all zones. MOTION PUT AND PASSED UNANIMOUSLY.

Mr. Steele is to report back regarding the possibility of arranging a special enforcement period as has happened in the past.

4.5 Mechanism for Rate Increase

- A report dated March 22, 2004 submitted by Andrea MacDonald, Manager, Community Projects/EMS.

MOVED by Bob Richards, seconded by Don Shannon that consideration of this matter be deferred to the next meeting of the Regional Taxi and Limousine Committee to allow an opportunity for members to review the report. MOTION PUT AND PASSED UNANIMOUSLY.

4.7 Review of Proposed Amendment to Bylaw T-108 re Limousine Licensing

- The Committee agreed that this matter be dealt with prior to item 4.6 as the amendment pertaining to 4.6 includes a reference to this matter.

Mr. Anstey reviewed with the Committee the proposed amendment.

Mr. Steele advised that he has been in touch with the Tourism Industry Association of Nova Scotia (TIANS) regarding a limousine course. A meeting is to be held in this regard.

Mr. Withrow noted that once HRM staff have met with a representative of TIANS and come up with a proposal, the matter should come back to the Committee for review. He went on to note that it may be necessary to put in place a temporary license as is the case with a taxi license. Mr. Withrow requested that the report to the Committee include information on the content of the course.

Mr. Richards commented that he would suggested that the National Certification course be adopted for limousine drivers.

Mr. Withrow noted that the National Certification course was geared to taxi drivers.

Mr. Richards clarified that the National Certification course is not a taxi driver course, but a course for the Tourism Industry. He went on to indicate that the course could be applied to limousine drivers.

MOVED by Dave Withrow, seconded by Don Hatcher that consideration of this matter be deferred until such time as staff has an opportunity to bring a report back regarding an appropriate course and the contents of same. MOTION PUT AND PASSED UNANIMOUSLY.

4.6 Review of Proposed Amendment to Bylaw T-108 re Hotel Standards Certification - Payment of Fees

- A proposed amendment relating to the payment of fees was before the Committee for consideration.

Don Shannon addressed the matter noting that he understood the concept of receiving fees in advance. He went on to express concern that individuals on the waiting list for a owners license might still have a conditional drivers license, but had not yet successfully completed the National Certification program.

In response, Mr. Anstey noted that in order to be eligible for an owners license the individual must possess a valid taxi drivers license. If there are person on the owners license waiting

list who do not have a valid drivers license, they would not be eligible to receive the owners license.

A discussion ensued with Mr. Rozee noting that he agreed with paying for the written tests up front, however, he wondered the purpose of paying the TIANS fees in advance.

Councillor Adams noted that if the National Certification fees were paid in advance, the individuals would automatically be in the queue for TIANS evaluation.

MOVED by Bob Richards, seconded by Jeff Rozee that the proposed amendment regarding payment of fees, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

4.7 Review of Proposed Amendment to Bylaw T-108 re Limousine Licensing

- This matter was dealt with earlier in the meeting.

4.8 Taxi and Limousine Appreciation Day

- This matter was dealt with earlier in the meeting.

4.9 Review of Proposed Amendment to By-law T-108 re Limitation in the County Zone

- A proposed amendment relating to the limitation of taxi owners licenses in the County was before the Committee for consideration.

In response to a question from Dave Withrow regarding whether or not an individual would be eligible to get an owners license in the County if he/she had an owners license in another zone, Mr. Anstey indicated that you would not be eligible for a taxi owners license in the County if you held a taxi owner's license anywhere in the Halifax Regional Municipality.

MOVED by Jeff Rozee, seconded by Bob Richards that the proposed amendment regarding limitation of taxi owner licenses in the County Zone , as distributed, be approved.

A brief discussion ensued and it was **MOVED by Bob Richards, seconded by Jeff Rozee that the motion be amended to provide that if a driver allows his taxi drivers license to lapse his name be removed from the Halifax and County taxi owners license waiting list. MOTION TO AMEND PUT AND PASSED UNANIMOUSLY.**

MOVED by Dave Withrow, seconded by Len Wilson that the motion be further amended to provide that taxi drivers who want to be added to the taxi owners waiting list make application to do so using the prescribed form of application included in By-law T-108.

Following a brief discussion the **MOTION TO AMEND WAS PUT AND PASSED.**

The **MOTION AS AMENDED WAS PUT AND PASSED UNANIMOUSLY.**

5. Good News Stories

There were no good news stories offered.

6. NEW BUSINESS

6.1 Lack of Reliable Service for Wheel Chair Users to and from the Airport

- An e-mail dated February 7, 2004 from Mary MacDonald and directed to Councillor Stephen Adams, was before the Committee for consideration.

Councillor Adams reviewed the e-mail noting the concerns raised by Ms. MacDonald. He went on to note that this is particularly significant as Halifax will be hosting the Canadian Paraplegic Association meeting this year.

Mr. Withrow suggested that a dialogue should be opened with the Association to determine what, if any, facilities they would be providing in this regard. He went on to suggest it might be possible to come to some compromise with the group in terms of providing transportation.

Mr. Shannon commented that transport of wheel chair users was a very difficult matter. He went on to suggest that this is more a matter for consideration by Metro Transit or the existing private service.

MOVED by Bob Richards, seconded by Dave Withrow that this matter be deferred until such time as Mr. Mathers, the operator of the existing private service, is present. MOTION PUT AND PASSED UNANIMOUSLY.

Note was made that the matter should be discussed with representatives of Metro Transit when they present to the Committee in April.

It was further **agreed** that Ms. MacDonald be contacted advising that the matter has come to the Committee and the action taken to date.

7. MOTIONS

7.1 Don Shannon - Testing for New Drivers Ceases for a Two Year Period

At the March 22, 2004 meeting of the Committee, Don Shannon gave the following Notice of Motion:

Take Notice that at the next regular meeting of the Taxi and Limousine Committee to be held on Monday, March 22, 2004, I intend to move a motion to amend By-law T-108, Respecting the Licensing of Taxis and Limousines, to provide that testing for new drivers cease for a two year period.

Mr. Shannon addressed his motion providing the following rationalization for the cessation of new driver testing:

- There is no need for more drivers in the system
- A number of vehicles are driven by multiple drivers
- This situation ensures that limitation is worthless
- The number of cars with drivers in them all the time must be reduced
- When the limitation of 610 cars was put into place, it was intended that there would be 610 full time drivers
- There is no reason to continue to hand out single licenses and perpetuate leases.
- Many of these vehicles never leave the road

The Chair called for a seconder to the motion. Hearing none, he declared **the Motion to be lost.**

8. ADDED ITEMS

8.1 By-law T-100 - Taxi and Limousine Committee

Mr. Withrow withdrew this matter from the agenda.

8.2 Roof Light Positioning on the Vehicle

Noting some inconsistencies with regard to the positioning of rooflights, Mr. Withrow and Mr. Richards requested that staff provide a report regarding the requirements under the By-law relating to rooflight positioning on the vehicle, color of bulb, and wording on the light.

8.3 Appropriate Means of Communication Between Taxi and Limousine Committee and Hotel Standards Committee (Councillor Adams)

- An e-mail dated March 4, 2004 regarding communication between the Hotel Standards Committee and the Regional Taxi and Limousine Committee was before the Committee for consideration.

Don Shannon addressed the matter expressing concern relative to the letter which was forwarded to the Port regarding the sole use of Hotel Standards vehicles. Mr. Shannon noted that he felt this matter should have come to the Taxi and Limousine Committee for consideration.

A further discussion ensued and it was agreed that the following item be added to the agenda for the next meeting of the Committee:

- Addition of members to the Committee from TIANS and Halifax Tourism.

8.4 Proposed Amendment - Geography Testing - Limit to Examination Opportunities

- A proposed amendment regarding geography testing prepared by Wayne Anstey was distributed to the Committee.

Mr. Anstey briefly reviewed with the Committee the proposed amendment noting that an applicant that fails to successfully complete the geography testing twice will be prohibited from taking the test again for one year. Should the applicant fail the third attempt, he/she will be unable to take the test again for a further two years.

MOVED by Dave Withrow, seconded by Bob Richards that the proposed amendment regarding geography testing, as distributed, be approved.

Don Shannon, referring to the conduct of the test, suggested that staff should ensure that the unsuccessful applicants receive a completely different test on their second and third attempts. Additionally, all applicants should be required to leave their cell phones outside the testing room given the picture taking capabilities of the new phones.

A brief discussion ensued with Mr. Steele indicating that he would provide information relative to when the tests were last changed.

MOTION PUT AND PASSED UNANIMOUSLY.

9. NOTICES OF MOTION - None

10. DATE OF NEXT MEETING

The next meeting of the Regional Taxi and Limousine Committee is scheduled for Monday, April 19, 2004 beginning at 4:30 p.m.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 7:40 p.m.

Sherryl Murphy
Legislative Assistant