


10.1.5



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Halifax Regional Council
July 13, 2004

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
Councillor Stephen Adams, Chair, Taxi and Limousine Committee

DATE: July 6, 2004

SUBJECT: By-law T-132 - Amendment to By-Law T-108 - Limousine Licensing, Rooflight Positioning, and Application of Flat Rate to and from Airport

ORIGIN

Taxi and Limousine Committee meeting of June 21, 2004.

RECOMMENDATION

It is recommended that Regional Council approve in principle By-law T-123, the amendments to By-Law T-108, found in Appendix "A" of this report, and direct staff to arrange for their formal adoption by Council.

BACKGROUND

The above amendments were discussed at Taxi and Limousine Committee beginning in February 2004. Extracts of minutes of those meetings are attached for information.

DISCUSSION

The Taxi and Limousine Committee approved the proposed amendments at its meeting of June 21, 2004. The amendments were subsequently referred to By-law Rationalization for review.

BUDGET IMPLICATIONS

There are no budgetary implications inherent in this document.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

1. Approve in principle By-law T-132, the amendments to By-Law T-108 attached as Appendix "A" to this report, and direct staff to arrange for their formal adoption by Council.
2. Refuse to amend the By-law as set out in this report.

ATTACHMENTS

1. Appendix "A", By-law T-132 (including Schedule 1 - Taxi Rooflight Specifications)
2. Extracts of Minutes of the Regional Taxi and Limousine Committee meetings of February 16, 2004, March 22, 2004, April 19, 2004, May 7, 2004 and June 21, 2004

**Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.
Report prepared by: Sherryll Murphy, Legislative Assistant, 490-6517.**

HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER T-132

RESPECTING THE REGULATION OF TAXIS

BE IT ENACTED by the Council of the Halifax Regional Municipality, under the authority of Section 305 of the Motor Vehicle Act, Chapter 293, R.S.N.S. 1989 that Bylaw T-108, the Halifax Regional Municipality Taxi and Limousine Bylaw, as amended is hereby further amended as follows:

1. Subsection (2) of Section 20 of said Bylaw T-108 is amended by deleting the comma and the words “or a valid permanent taxi driver’s license” from the third line thereof.

2. Sections 31 and 32 of said By-law T-108 is deleted and the following substituted therefor:
 31. No person shall operate a limousine unless he or she holds a limousine driver’s license, which shall be set out in Form VII.

3. Said By-law T-108 is further amended by adding immediately following Section 36 thereof, the following Section:
 - 36A (1) No person shall be issued a permanent limousine driver’s license unless that person meets all the other requirements of this By-Law applicable to limousine drivers and:
 - (a) demonstrates sufficient English language fluency to permit the applicant to carry out his or her responsibilities as a driver competently, by passing an English language proficiency test established by the Halifax Regional Municipality;
 - (b) after successfully completing the English language proficiency test referred to in clause (a), the applicant successfully completes an examination on the location of streets and prominent buildings and locations and the Taxi By-Law; and
 - (c) successfully completes the process prescribed by the National Standards for Taxicab Driver (ISBN-1-896000-27-4, 1st Edition, Printed December, 1996) and a local tour/promotional program prescribed by the Halifax Regional Municipality.
 - (2) Notwithstanding subsection (1), a person may be issued a conditional

limousine driver's license which shall be valid for one year from the date of issuance, unless sooner suspended or revoked pursuant to this By-Law, if that person fulfills all of the requirements of subsection (1) with the exception of the requirements of clause (c), and if the person successfully completes the requirement of clause (c) within one year of the date of issuance of the conditional license, the person shall be entitled to a permanent limousine driver's license as long as the person continues to comply with all the other requirements of this By-Law, otherwise the conditional licence shall expire.

- (3) Notwithstanding subsection (1) and (2), a person who holds a permanent taxi driver's license and within 90 days of the effective date of this sub-section submits proof satisfactory to the Inspector that he or she has had not less than 6 month's of continuous experience as a limousine driver immediately prior to the effective date of this sub-section, may be granted a limousine driver's license, without completing any of the tests, examinations or processes set out in clauses (a), (b) and (c) of sub-section (1).

4. (1) Clause (c) of Section 53 of said By-Law T-108 is repealed and the following substituted therefor:


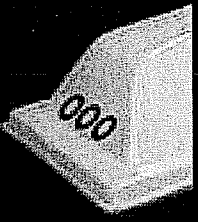
- (c) shall be equipped with one or more number 1156 clear bulbs or a fluorescent bulb emitting an equivalent light mounted in the interior of the sign, which shall be either
- (i) connected to the electrical system of the taxi in such a manner that it is illuminated at the same time as the headlights of the vehicle are turned on; or
- (ii) capable of being switched on and off by the operator of the vehicle, in which case the sign shall be illuminated when the vehicle is being operated as a taxi and the headlights of the vehicle are required by law to be on.
- (d) shall be located as near as is possible to the centre of the roof of the vehicle and shall be positioned such that the front of the sign as illustrated in Schedule 1 is facing the front of the vehicle.


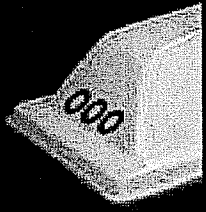
5. Clause (b) of Section 56A of said By-Law T-108 is amended by adding the words "to or" immediately following the word "passengers" in the first line thereof.

6. Subsection (8) of Section 78A is amended by deleting the word "Halifax" and by substituting therefor the word "County".

7. Schedule I of said By-Law T-108 is repealed and the Schedule I attached hereto is substituted therefor.

Schedule 1 - Taxi Roof Light Specifications

DARTMOUTH ZONE		
<p><u>Front/Rear View</u></p>  <p><u>Side View</u></p> 	Roof Light	Size - 568mm long Colour - Yellow Placement - Secured to centre of roof of cab with suction cups or magnets
	Cab Number	Text - Cab Number Font - Arial Letter Size - front/rear - 51mm - sides - 42mm Letter Color - Blue Placement - Front, Rear, Both Sides of Roof Light
	Taxi Company Name Plate	Plate Size - 456mm x 64mm Plate Color - Yellow Text - Company Name Font - Arial Letter Size - 47 mm high Letter Color - Red Placement - Front, Rear of Roof Light
	Illumination	Number 1156 clear bulb or fluorescent bulb emitting an equivalent light

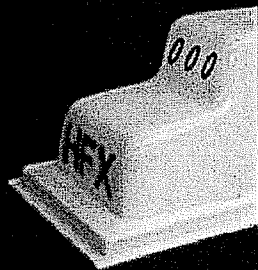
COUNTY ZONE		
<p><u>Front/Rear View</u></p>  <p><u>Side View</u></p> 	Roof Light	Size - 568mm long Colour - White Placement - Secured to centre of roof of cab with suction cups or magnets
	Cab Number	Text - Cab Number Font - Arial Letter Size - front/rear - 51mm - sides - 42mm Letter Color - Blue Placement - Front, Rear, Both Sides of Roof Light
	Taxi Company Name Plate	Plate Size - 456mm x 64mm Plate Color - White Text - Company Name Font - Arial Letter Size - 47 mm high Letter Color - Green Placement - Front, Rear of Roof Light
	Illumination	Number 1156 clear bulb or fluorescent bulb emitting an equivalent light

HALIFAX ZONE

Front/Rear View



Side View



Roof Light	Size - 425mm long Colour - White Placement - Secured to centre of roof of cab with suction cups or magnets
Cab Number	Text - Cab Number Font - Arial Letter Size - front/rear - 51mm - sides - 42mm Letter Color - Blue Placement - Front, Rear, Both Sides of Roof Light - top
Taxi Company Name Plate	Plate Size - 456mm x 64mm Plate Color - White Text - Company Name Font - Arial Letter Size - 47 mm high Letter Color - Red Placement - Front, Rear of Roof Light
Zone	Text - HFX Font - Arial Letter Size - 50mm Letter Color - Blue Placement - Both Sides of Roof Light - Bottom
Illumination	Number 1156 clear bulb or flourescent bulb emitting an equivalent light

EXTRACT - DRAFT MINUTES OF REGIONAL TAXI AND LIMOUSINE COMMITTEE -
JUNE 21, 2004

4.4 Review of Proposed By-law 132 - Amendment to Bylaw T-108 re Limousine Licensing, Rooflight Positioning and Application for Flat Rate To and From the Airport

- A draft By-law including amendments relating to limousine licensing, rooflight positioning and the application of the flat rate to and from the airport, was before the Committee for review.

A review of the proposed amendment resulted in the following change:

Section 3 (3):

- (3) *Notwithstanding subsection (1) and (2), a person who holds a permanent taxi driver's license and within 90 days of the effective date of this sub-section submits proof satisfactory to the Inspector that he or she has had not less than 6 month's of continuous experience as a limousine driver immediately prior to the effective date of this sub-section, may be granted a limousine driver's license, without competing any of the tests, examinations or processes set out in clauses (a), (b) and (c) of sub-section (1).*

MOVED by Mr. Withrow, seconded by Mr. Richards that the Halifax Regional Taxi and Limousine Committee recommend that Halifax Regional Council approve By-law 132, including the above change to Section 3(3).

Upon approval by Council of By-law 132, copies of Schedule I are to be distributed to each of the brokers for posting.

MOTION PUT AND PASSED UNANIMOUSLY.

**EXTRACT - MINUTES OF REGIONAL TAXI AND LIMOUSINE COMMITTEE -
FEBRUARY 16, 2004**

4.8 Motion - Dave Withrow - Limousine Licensing

MOVED by Dave Withrow, seconded by Bob Richards, that By-Law T-108, Respecting Taxi and Limousines, be amended as follows:

Section 31 be amended to read:

- 31. No person shall operate a limousine within the Halifax Regional Municipality unless he or she holds a limousine driver's license, which shall be set out in Form VII**

Section 32 to be amended to read:

- 32. A limousine driver's license shall be issued only upon successful completion of an English language proficiency test and a limousine driver's course approved by Halifax Regional Municipality and upon compliance with all other requirement of this By-Law which apply to limousine drivers.**

Further, Section 20 (2) be amended to remove the words "...or a valid permanent taxi driver's license."

Mr. Richards suggested future limousine drivers be required to take a course and be registered with TIANS.

Mr. Withrow suggested that the amendment to the By-law be written as to ensure that a limousine driver has passed a test. It was suggested that a driver can obtain a limousine license if they can prove they have been driving a limousine for the past six months while holding a permanent driver's license.

Mover and seconder agreed to withdraw the motion and, it was agreed that Mr. Anstey would provide the amendment in written form to the next committee meeting.

Mr. Steele will provide a report on what would be an appropriate course for limousine driver certification.

**EXTRACT - MINUTES OF REGIONAL TAXI AND LIMOUSINE COMMITTEE -
MARCH 22, 2004**

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 in 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.

**EXTRACT - MINUTES OF REGIONAL TAXI AND LIMOUSINE COMMITTEE -
APRIL 19, 2004**

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

- This matter was deferred to this meeting pending staff meeting with Tourism Industry Association of Nova Scotia (TIANS) regarding an appropriate Limousine Course.

Mr. Steele advised that a meeting is to be held with TIANS staff after April 29, 2004. He stated that TIANS staff is undergoing training on that date which may prove useful with regard to this matter.

Mr. Withrow requested that staff ensure TIANS is aware that a 'certification' is desired.

**EXTRACT - MINUTES OF REGIONAL TAXI AND LIMOUSINE COMMITTEE -
MAY 7, 2004**

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

- A proposed amendment was reviewed with the Committee at the March 22, 2004 meeting of the Committee. This matter was deferred pending staff meeting with TIANS.

Mr. Steele advised that discussion with TIANS regarding an appropriate course for limousine drivers are not yet complete.

A discussion regarding the type of course limousine drivers should be taking ensued and it was **MOVED by Mr. Withrow, seconded by Mr. Richards that limousine drivers be required to complete the National Certification Program and a local tour/promotional program.**

MOVED by Mr. Richards that the motion be amended to provide that all taxi drivers who operate limousines be required to obtain, within 90 days, a limousine license and to complete the National Certification Program within one year.

There being no seconder, **the motion to amend was lost.**

The **MOTION WAS PUT AND PASSED.**

The Municipal Solicitor is to prepare a proposed amendment for the next meeting of the Committee.

**EXTRACT - MINUTES OF REGIONAL TAXI AND LIMOUSINE COMMITTEE -
MARCH 22,2004**

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.

**EXTRACT - MINUTES OF REGIONAL TAXI AND LIMOUSINE COMMITTEE -
APRIL 19, 2004**

4.8 Rooflight Positioning

- A copy of Part 3 - Taxi Signs and Taxi Meters of By-law T-108 along with diagrams and a chart listing appropriate sign colours was distributed to members of the Committee.

Referring to the concern expressed by members of the Committee regarding positioning of the rooflight (rooflight on sideways), Mr. Anstey advised that the By-law does not provide for the specific positioning of a rooflight. He went on to indicate that more specific wording is required if the intent is that the rooflight will have a front view.

Following a further brief discussion, it was agreed that staff come back with a recommendation as to the position of the rooflight, the colour of the lights and the font to be used on rooflights.

**EXTRACT - MINUTES OF REGIONAL TAXI AND LIMOUSINE COMMITTEE -
MAY17, 2004**

4.6 Rooflight Positioning

- This matter was discussed at the last meeting of the Committee at which time Mr. Steele was requested to provide information in this regard.

Mr. Steele distributed the applicable sections of the By-law following which a discussion ensued.

The Committee agreed that the rooflight should be positioned on the vehicle so that the company name is visible from both the front and rear of the vehicle. Rooflight colours and

the colour of lettering is to remain as is presently stated in the By-law. The font to be used is Arial. The By-law is to be changed to recognize new means of affixing letters and new types of light bulbs which can be used.

Mr. Anstey is to prepare a proposed amendment for review at the next meeting of the Committee.

**EXTRACT - MINUTES OF REGIONAL TAXI AND LIMOUSINE COMMITTEE -
MAY 17, 2004**

6.1 Clarification of Intent - Application of Fixed Rates to Airport (Possible housekeeping amendment to By-law)

Mr. Anstey advised that the text of the By-law and Schedule 4 of the By-law did not agree. He pointed out that the text referred to taking passengers **from** airport while the Schedule addressed fares both **to** and **from** the airport. Mr. Anstey asked the intent of the Committee in approving the fixed rates to the airport. The Committee clarified that the intent was that the fixed rates be applied both to and from the airport.

The Municipal Solicitor will include this minor amendment when future amendments to the By-law go before Council.