



Re: Item No. 10.1.3

**Proposed By-Law T-142 Administrative
Amendments to By-law
T-108, Respecting the Regulations of Taxis and
Limousines**

September 21, 2010

Origin

- On February 2, 2010, Regional Council was presented with By-law T-141 which included the elimination of taxi zones and a number of administrative amendments. Regional Council chose not to proceed with By-Law T-141.

Recommendations

1. It is recommended that Regional Council approve in principle By-law T-142 (attached as Appendix A), Administrative Order #39 (attached as Appendix B), Respecting Taxi Fares & Taxi Roof Light Sign Requirements, Administrative Order #15 (attached as Appendix C), Respecting Licence, Permit and Processing Fees, Administrative Order #21 (attached as Appendix D), Respecting the Appointment of the Taxi and Limousine Inspector.
2. It is further recommended that Regional Council direct staff to arrange for the formal introduction of the said amendments for First Reading.

Background

- By-law T-142, contains the administrative amendments to By-law T-108 that were originally brought before Council on February 2, 2010.

Discussion

Amendments – Appendix E chart

1. Definitions

“HalifaxZone” amended to include Harrietsfield, Sambro, Ketch Harbour and Portuguese Cove.

“Inspector” amended to be referred to as “Licensing Authority”.

“Owner” amended to address the leasing issue.

“Passenger” added definition to clarify what constitutes a passenger.

“Accessible taxi” amended to reflect vehicle standard moving to Administrative Order #39.

“Limousine” amended to reflect vehicle standard moving to Administrative Order #39.

“Taxi” amended to reflect vehicle standard moving to Administrative Order #39

Discussion (cont'd)

Amendments, cont'd

2. **Administration-** amended to reflect the “Licensing Authority” and clarify the duties and authority.

3. **Owner-** multiple sections amended to reflect changes to subsection numbers, the requirements for Criminal Record/Vulnerable Sector Checks, vehicle specifications, Motor Vehicle Inspections, maintenance of passenger and trunk area, types of vehicles and permitting suspensions during insurance investigations and to consolidate wording.

Discussion (cont'd)

Amendments, cont'd

4. **Applicant/Driver Requirements**-portions of sections 35 and 36 to be amended to reflect the definition of “driver”, simplify wording, clarify requirements for an applicant, permit Statutory Declaration if Criminal Record/Vulnerable Sector Check is delayed, provide proof of registration for National Standards Certification and provide drivers with a two year grace period.

Discussion (cont'd)

Amendments, cont'd

5. **Applicant Re-Testing-** Section 37 and 39 to be amended to clarifying applications are valid for twelve months and reduce the applicants wait time before re-applying after unsuccessfully completing the testing from 12 months to 6 months.

6. **License Holder Eligibility -** Portions of Section 40, 42, 43 and 47 to be amended to address individuals who may be subject to Court Proceedings or Orders arising from charges or convictions, refusal of a fare when a destination conflicts with zone regulations, licence not being operational following the expiry date and to reduce wording.

Discussion (cont'd)

Amendments, cont'd

- 7. Taxi Signs** - addition to Schedule 4 Administrative Order 39, that high sided taxi vehicles such as Van's, Crossover's and SUV's, may display markings on both sides of the vehicle which indicate the company name and the taxi licence number under which the taxi is being operated, to enhance public visibility.

Discussion (cont'd)

Amendments, cont'd

8. **Offences & Penalties** - section 72 to be amended, clarifying appeal and notification process and to remove wording which was consolidated into new amended items. Section 74 and 76 to be repealed, no longer applicable.
9. **Waiting List** - portions of sections 77, 78 & 78A, to be amended to apply the same consistent application process for the waiting lists, consistent for all zones and remove redundant wording.

Discussion (cont'd)

Amendments, cont'd

10. **Seniors Shared-Ride** - section 80 to be removed, a shared ride can be accommodated currently within the by-law without a specialty licence.

11. **Hotel Standards** - section 81 to be amended to permit new vehicle standards applicable to Hybrid and Smaller fuel efficient vehicles.

Discussion (cont'd)

- **Administrative Order #39** - wording is amended to introduce vehicle standards, side markings for high sided vehicles, amend wording of Special Rate clause, remove reference to a shared ride licence & rate schedule and remove reference to the seven dollar additional charge for a mini van or station wagon.
- **Administrative Order #15** - wording is amended to remove reference to section and sub-section articles within the By-law and identify a fee for a partial licencing period.
- **Administrative Order #21** - is being repealed to reflect the definition change from Inspector to Licencing Authority.

Alternatives

- (1) Maintain the status quo and not adopt any of the recommended amendments to By-law T-108 or related legislation. This alternative is not recommended.

- (2) Approve any number of the amendments from the options identified.