

Taxicab & Limousine Licensing By-law

L.-129-51 – Effective July 1, 2012

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TAXI AND LIMOUSINE LICENSING BY-LAW

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Bill No. 67
2012

By-law No. L.-129-51

A by-law for the licensing, regulating and governing of vehicles for hire, including cab, accessible cab, limousine and group transportation vehicle drivers, owners and brokers.

Recitals:

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 6, Health, safety and well-being of persons; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1); in paragraph 8, Protection of persons and property; in paragraph 11 Business Licensing;

AND WHEREAS subsection 151(1) of the *Municipal Act, 2001* provides that, without limiting sections 9 and 10 of the Act, a municipality may: provide for a system of licences with respect to a business and may;

- (a) prohibit the carrying on or engaging in the business without a licence;
- (b) refuse to grant a licence or to revoke or suspend a licence;
- (c) impose conditions as a requirement of obtaining, continuing to hold or renewing a licence;
- (d) impose special conditions on a business in a class that have not been imposed on all of the businesses in that class in order to obtain, continue to hold or renew a licence;
- (e) impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence;
- (f) licence, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it; and,
- (g) require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any part of a system of licences established by the municipality;

AND WHEREAS subsection 151(5) of the *Municipal Act, 2001* provides that subsection 151(1) applies with necessary modifications to a system of licences with respect to any activity, matter or thing for which a by-law may be passed under sections 9, 10 and 11 as if it were a system of licences with respect to a business;

AND WHEREAS subsection 156(1) of the *Municipal Act, 2001* provides that without limiting sections 9, 10 and 11, a local municipality, in a by-law under section 151 with respect to the owners and drivers of taxicabs, may:

- (a) establish the rates or fares to be charged for the conveyance of property or passengers either wholly within the municipality or from any point in the municipality to any point outside the municipality;
- (b) provide for the collection of the rates or fares charged for the conveyance; and
- (c) limit the number of taxicabs or any class of them;

AND WHEREAS the Council for the City of London considers it necessary and desirable for the public to regulate Vehicles for Hire for the purposes of health and safety, consumer protection and service quality to ensure an efficient Vehicle for Hire service is available to all persons including the travelling public in the City of London and that such Vehicle for Hire service is provided in a manner that provides a safe environment for both passengers and drivers;

AND WHEREAS section 23.2 of the *Municipal Act, 2001* permits a municipality to delegate certain legislative and quasi-judicial powers;

AND WHEREAS Council for the City of London is of the opinion that the delegation of legislative powers under this by-law to the Licensing Manager and the Hearings Officer, including without limitation the power to issue and impose conditions on a licence, are powers of a minor nature having regard to the number of people, the size of geographic area and the time period affected by the exercise of the power in accordance with subsection 23.2(4) of the *Municipal Act, 2001*;

AND WHEREAS subsection 391(1) of the *Municipal Act, 2001* provides that a municipality may impose fees and charges on persons,

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and,
- (c) for the use of its property including property under its control;

AND WHEREAS section 444 of the *Municipal Act, 2001* provides that the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention to discontinue the contravening activity, and any person who contravenes such an order is guilty of an offence;

AND WHEREAS it is deemed expedient to pass this by-law;

NOW THEREFORE the Council of The Corporation of the City of London hereby enacts as follows:

Part 1 DEFINITIONS

1.1 For the purpose of interpreting the provisions set forth in this By-law, the following definitions shall apply:

In this By-law:

- (a) **“Accessible Cab”** means a Cab that is wheelchair-accessible permitting the loading, transportation and off-loading of a person with a disability confined to a wheelchair, or other similar device, without transfer, and is available for or providing a Conveyance Service, but does not include a Limousine or Group Transportation Vehicle;
- (b) **“Accessible Cab Driver”** means a Licensed Cab Driver whose Licence has been endorsed by the Licence Manager to permit him or her to drive an Accessible Cab;
- (c) **“Accessible Cab Owner”** means a person who holds a Class A Accessible Cab Owner Licence and corresponding Owner Plate or a Class B Accessible Cab Owner Licence and corresponding Owner Plate;
- (d) **“Accessible Cab Priority List”** means the list of Applicant’s for Accessible Cab Owner Licences maintained by the Licence Manager in accordance with this By-law;
- (e) **“Applicant”** means a person applying for a licence under this By-law;
- (f) **“Broker”** means any person who accepts Orders for or Dispatches Vehicles for Hire that are owned by someone other than the person;
- (g) **“Brokerage”** means the business of a Broker and shall be deemed to include the premises where the business is carried on;
- (h) **“Cab”** means a motor vehicle that is available for or providing a Conveyance Service, but does not include a Limousine or Group Transportation Vehicle;
- (i) **“Cab Driver”** means a person who holds a Cab Driver Licence;

- (j) **“Cab Owner”** means a person who holds a Class A Cab Owner Licence and corresponding Owner Plate or a Class B Cab Owner Licence and corresponding Owner Plate;
- (k) **“Cab Meter”** means an independent self-contained measuring device approved by the Licence Manager and used in a Cab or Accessible Cab to calculate, amongst other things, the rate payable for a Trip;
- (l) **“Cab Priority List”** means the list of Applicants for Cab Owner Licences maintained by the Licence Manager in accordance with this By-law;
- (m) **“Cab Stand”** means the area set aside and designated by the City to be used by a Cab or an Accessible Cab while it is waiting for or picking up goods or Passengers;
- (n) **“CIR”** means a Criminal Information Report containing the result of a search of the Canadian Police Information Centre;
- (o) **“City”** means The Corporation of the City of London;
- (p) **“City Plated Vehicle”** means a Cab, Accessible Cab, Limousine or Group Transportation Vehicle that has an Owner Plate;
- (q) **“Class A Accessible Cab Owner Licence”** means an Accessible Cab Owner Licence issued in the first instance on or before October 31, 2004 with a corresponding Owner Plate numbered 100-999 inclusive;
- (r) **“Class B Accessible Cab Owner”** means a person who holds a Class B Accessible Cab Owner Licence and corresponding Owner Plate;
- (s) **“Class B Accessible Cab Owner Licence”** means an Accessible Cab Owner Licence issued in the first instance after October 31, 2008 or an Accessible Cab Owner Licence issued to a person from the Accessible Cab Priority List with the corresponding Owner Plate numbered 1000 or greater;
- (t) **“Class A Cab Owner Licence”** means a Cab Owner Licence issued in the first instance on or before October 31, 2004 with a corresponding Owner Plate numbered 100-999 inclusive;
- (u) **“Class B Cab Owner”** means a person who holds a Class B Cab Owner Licence and corresponding Owner Plate;
- (v) **“Class B Cab Owner Licence”** means a Cab Owner Licence issued in the first instance after October 31, 2004 or a Cab Owner Licence issued from the Cab Owner Priority List with the corresponding Owner Plate numbered 1000 or greater;
- (w) **“Conveyance Service”** means conveying one or more persons in exchange for a fee or other consideration;
- (x) **“Council”** means the Municipal Council of The Corporation of the City of London;
- (y) **“Director of Building Controls”** means the Chief Building Official as appointed by Council pursuant to the *Building Code Act*;
- (z) **“Dispatch”** means the communication of an Order or other information in any manner between a Broker and a Driver;
- (aa) **“Dispatcher”** means a person who is in the employ of or contracted by a Broker and whose duties include accepting Orders for a Conveyance Service or Dispatching Drivers;
- (bb) **“Driver”** means the individual who has care and control of a Cab, Accessible Cab, Limousine or Group Transportation Vehicle;
- (cc) **“Enforcement Officer”** means a Municipal Law Enforcement Officer appointed by the Council or a police officer with the London Police Services;
- (dd) **“Fare”** means:
 - (i) in the case of Cabs or Accessible Cabs, the amount of money displayed on the Cab Meter at the termination of a Trip, calculated as set out in Schedule “I” of this By-law;

- (ii) in the case of Limousines (Executive), the amount of money calculated for a Trip using the zone or hourly rate as set out in Schedule "I" of this By-law;
 - (iii) in the case of Limousines (Stretch) and Limousines (Classic), the amount of money calculated for a Trip using the hourly rate as set out in Schedule "I" of this By-law; or
 - (iv) in the case of Group Transportation Vehicles, the amount of money calculated for a Trip using the hourly rate as set out in Schedule "I" of this By-law;
- (ee) "**Fleet**" means one or more City Plated Vehicles being Dispatched by a Broker;
 - (ff) "**Grossly Unclean Individual**" means an individual covered in dirt or other material to such an extent that he or she is likely to leave the interior of a City Plated Vehicle in an unclean state;
 - (gg) "**Group Transportation Vehicle**" means a van, minivan, minibus or sports utility motor vehicle with a seating capacity for not less than 6 and not more than 10 individuals that is available for or providing a Conveyance Service, but does not include a Cab, Accessible Cab or Limousine;
 - (hh) "**Group Transportation Vehicle Driver**" means a person who holds a Group Transportation Vehicle Driver Licence;
 - (ii) "**Group Transportation Vehicle Owner**" means a person who holds a Group Transportation Vehicle Owner Licence and corresponding Owner Plate;
 - (jj) "**Hearings Officer**" means a Hearings Officer appointed under the City's Hearings Officer By-law A-6653-121 as amended;
 - (kk) "**Lease**" means any contract, agreement, understanding or other arrangement whereby an Owner permits another person to manage, operate, control, have custody of, or otherwise employ his or her Cab or Accessible Cab, but does not include permitting a Driver to drive a Cab or Accessible Cab for one regular shift when the Cab or Accessible Cab is returned to the Owner at the end of the shift;
 - (ll) "**Licence**" means a licence issued under this By-law;
 - (mm) "**Licensed**" means licensed under this By-law;
 - (nn) "**Licence Manager**" means the Director of Building Controls and includes her or his delegates;
 - (oo) "**Licensee**" means any person licensed under this By-law;
 - (pp) "**Limousine**" means Limousine (Executive), Limousine (Stretch), or Limousine (Classic);
 - (qq) "**Limousine Driver**" means a person who holds a Limousine Driver Licence;
 - (rr) "**Limousine (Executive)**" A luxury motor vehicle of a wheelbase size smaller than a stretch limousine manufactured to carry up to 5 passengers, excluding the driver, and approved by the Licence Manager based on a list of approved makes and models of luxury vehicles as defined by vehicle manufacturers industry standards that is available for or providing a Conveyance Service, but does not include a Cab, Accessible Cab, Limousine (Stretch), Limousine (Classic) or a Group Transportation Vehicle;
 - (ss) "**Limousine (Stretch)**" means a luxury-class motor vehicle manufactured or modified with an extended wheel-base with a seating capacity for not more than 10 individuals that is available for or providing a Conveyance Service, but does not include a Cab, Accessible Cab, Limousine (Executive), Limousine (Classic) or Group Transportation Vehicle;
 - (tt) "**Limousine (Classic)**" means a motor vehicle for which an historic permit has been issued under the *Highway Traffic Act* that is available for or providing a Conveyance Service, but does not include a Cab, Accessible Cab, Limousine (Executive), Limousine (Stretch) or Group Transportation Vehicle;

- (uu) **“Limousine Owner”** means a person who holds a Limousine (Executive), Limousine (Stretch) or Limousine (Classic) Owner Licence and corresponding Owner Plate;
- (vv) **“Limousine Stand”** means the area set aside and designated by the City to be used by a Limousine while it is waiting for or picking up goods or Passengers;
- (ww) **“Low Emission Vehicle”** means a motor vehicle that is a hybrid vehicle or a vehicle powered by electricity;
- (xx) **“Maintenance Log”** means a written record of the repair of a motor vehicle, including the vehicle identification number, Ontario licence plate number, Owner Plate number, make, model and year, the nature and date of each repair, name of the person carrying out the repair and confirmation that the Owner was notified of it;
- (yy) **“Municipality”** means the land within the geographic limit of the City of London;
- (zz) **“Operate”** means to drive a Cab, Accessible Cab, Group Transportation Vehicle or Limousine while it is available for or providing a Conveyance Service and operating shall have the corresponding meaning;
- (aaa) **“Order”** means a request for a motor vehicle to provide a Conveyance Service;
- (bbb) **“Owner”** means the person who holds a Cab Owner Licence, Accessible Cab Owner Licence, a Limousine Owner Licence or a Group Transportation Vehicle Owner Licence;
- (ccc) **“Owner Plate”** means a metal number plate issued to the Owner under this By-law corresponding to his or her Owner Licence;
- (ddd) **“Passenger”** means any individual, not including the Driver, seated in a Cab, Accessible Cab, Group Transportation Vehicle or Limousine and includes a person engaging or attempting to engage a Cab, Accessible Cab, Group Transportation Vehicle or Limousine to provide a Conveyance Service;
- (eee) **“Persons with Disabilities”** means individuals with any degree of physical disability, infirmity, malformation or disfigurement caused by bodily injury, birth defect or illness and includes, but is not limited to:
- diabetes mellitus;
 - epilepsy;
 - a brain injury;
 - any degree of paralysis;
 - amputation;
 - lack of physical co-ordination;
 - blindness or visual impediment;
 - deafness or hearing impediment;
 - muteness or speech impediment;
 - physical reliance on a guide dog or other animal, or on a wheelchair or other remedial appliance or device;
 - a condition of mental impairment or a developmental disability;
 - a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
 - a mental disorder; or
 - an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*, or any successor legislation;
- (fff) **“Plated”** means to have the Owner Plate affixed to the Cab, Accessible Cab, Limousine or Group Transportation Vehicle for which it was issued;
- (ggg) **“Safety Standards Certificate”** means a safety standards certificate issued under the *Highway Traffic Act*;
- (hhh) **“Tariff Card”** means a card, showing the current tariff, issued by the Licence Manager for display in a motor vehicle;

- (iii) **“Trip”**
 - (i) for a Cab or Accessible Cab means the distance and time traveled, measured from the place and time at which a Passenger first enters a Cab or Accessible Cab or when a Cab Meter is first engaged, whichever comes first, to the place and time at which the Passenger finally leaves the Cab or Accessible Cab or the Cab Meter is disengaged, whichever comes last;
 - (ii) for a Limousine (Executive) means the distance or time traveled, measured from the place or time at which a Passenger first enters a Limousine (Executive) to the place or time at which the Passenger finally leaves the Limousine (Executive); and
 - (iii) for a Limousine (Stretch), Limousine (Classic) or Group Transportation Vehicle means the time traveled, measured from the time at which a Passenger first enters a Limousine (Stretch), Limousine (Classic) or Group Transportation Vehicle to the time at which the Passenger finally leaves the Limousine (Stretch), Limousine (Classic) or Group Transportation Vehicle;
- (jjj) **“Trip Sheet”** means a written record of each Trip; and
- (kkk) **“Vehicle for Hire”** means a motor vehicle that is conveying or available for conveying one or more persons in exchange for a fee or other consideration.

Part 2 PROHIBITIONS

- 2.1 No person shall:
 - (a) own or Operate a Vehicle for Hire without being licensed under this By-law;
 - (b) act as a Broker without being licensed under this By-law;
 - (c) own or Operate a Vehicle for Hire without a valid Owner Plate affixed to the Vehicle for Hire;
 - (d) Operate a Vehicle for Hire while their licence issued under this By-law is under suspension;
 - (e) act as a Broker while their licence issued under this By-law is under suspension;
 - (f) advertise the use of a Vehicle for Hire without an Owner or a Broker licence issued under this By-law; or
 - (g) publish or cause to be published any representation that they are licensed under this By-law or hold themselves out as being licensed under this By-law if they are not.

Part 3 APPLICATION OF BY-LAW - EXEMPTIONS

- 3.1 This By-law shall not apply to:
 - (a) a motor vehicle with a seating capacity of 11 or more individuals, including the driver;
 - (b) an ambulance or funeral hearse;
 - (c) a school bus as defined under the *Highway Traffic Act* that is licensed under the *Public Vehicles Act* while it conveys students to and from school as defined under the *Highway Traffic Act*;
 - (d) a bus operated under the *Public Vehicles Act* by the London Transit Commission;
 - (e) the London Community Transportation Brokerage;
 - (f) any person the London Transit Commission or the London Community Transportation Brokerage enters into an agreement with for the conveyance of senior citizens or Persons with Disabilities; or
 - (g) a motor vehicle used by not for profit organizations registered in the province of Ontario for the purposes of transporting senior citizens or Persons with Disabilities.

Part 4
ADMINISTRATION OF BY-LAW

4.1 The administration of this By-law is assigned to the Licence Manager who shall generally perform all of the administrative functions conferred upon him or her by this By-law and without limitation may:

- (a) receive and process all applications for all licences and renewals of licences under this By-law;
- (b) issue licences in accordance with the provisions of this By-law;
- (c) impose terms and conditions on licences in accordance with this By-law; and
- (d) refuse to issue or renew a licence or revoke or suspend a licence in accordance with this By-law.

Part 5
APPLICATIONS FOR LICENSES AND RENEWALS

5.1 Every application for a licence and renewal licence shall be made to the Licence Manager on the forms provided by the Licence Manager. Without limitation, every application for a licence or a renewal shall include the following information:

- (a) the name, date of birth, municipal address and telephone number of each Applicant;
- (b) if the Applicant is a partnership, the name, address and telephone number of each partner;
- (c) if the Applicant is a corporation, the address of its head office, the name, address and telephone number of each director and officer;
- (d) a sworn statement by the Applicant certifying the accuracy, truthfulness and completeness of the application;
- (e) if the Applicant is a partnership, a sworn statement by each partner certifying the accuracy, truthfulness and completeness of the application; and,
- (f) if the Applicant is a corporation, a sworn statement by an officer of the corporation duly authorized for that purpose certifying the accuracy, truthfulness and completeness of the application.

5.2 Every person applying for a licence or a renewal of a licence shall provide in full at the time the application is submitted all of the information requested on the application form as well as:

- (a) payment of the prescribed fee as set out in Schedule "H" of this By-law;
- (b) if the Applicant or Licensee is a corporation, a copy of the incorporating documentation, a copy of the last initial notice or notice of change which has been filed with the provincial or federal government and a Certificate of Status issued by the Ministry of Government and Consumer Services dated no later than fifteen (15) days prior to the date of the application;
- (c) if the Applicant or Licensee is a partnership, details of each partner's interest in the partnership; and,
- (d) any other documentation or information as may be required in any other part of this By-law, including any Schedule to this By-law, or by the Licence Manager.

5.3 The Licence Manager may require affidavits in support of an application for or a renewal of a licence.

5.4 Every application may be subject to investigations by and comments or recommendations from the municipal or provincial departments or agencies as the Licence Manager deems necessary including but not limited to:

- (a) the London Police Services;
- (b) the Manager of By-law Enforcement;
- (c) the Ministry of Transportation.

Part 6
ISSUANCE OF LICENSES

6.1 Every licence shall be in the form and manner as provided by the Licence Manager and shall, without limitation, include on its face:

- (a) the licence number;
- (b) the name of each Licensee; and
- (c) the date the licence was issued and the date it expires

6.2 Every licence that is issued for the first time, and every renewal thereof, is subject to the following conditions of obtaining, continuing to hold and renewing a licence all of which shall be performed and observed by the Applicant or the Licensee:

- (a) the Applicant or Licensee shall pay the prescribed fee as set out in Schedule "H" to this By-law;
- (b) the Applicant or Licensee shall pay all fees and fines owed by the Applicant or Licensee to the City;
- (c) the Applicant or Licensee shall meet all of the requirements of this By-law.

6.3 A licence issued under this By-law shall be valid only for the period of time for which it was issued. A licence issued under this By-law may be renewed provided the Applicant meets all of the requirements of this By-law. An application for a renewal shall be delivered to the Licence Manager on or before the expiry date of the licence being renewed.

6.4 (a) This section applies to:

- (i) Driver Licences that expire on October 31, 2012; and
- (ii) Driver Licences to be issued in the first instance after July 1, 2012.

- (b) A Driver Licence may be issued for a term of not less than 13 months and not more than 24 months with the term of the Driver Licence commencing on the day it is issued and expiring on the last day of the month preceding the month in which the Applicant was born. For the purpose of determining the expiry date in this section, a part of a month shall count as a full month.

6.5 Where section 6.4 does not apply, a Driver Licence may be renewed for a term of 24 months with the term of the Driver Licence commencing on the 1st day of the month in which the Applicant was born and expiring on the last day of the month preceding the month in which the Applicant was born.

6.6 All Owner and Broker Licences shall expire on October 31st each year.

6.7 The issuance of a licence or renewal thereof under this By-law is not intended and shall not be construed as permission or consent by the City for the Licensee to contravene or fail to observe or comply with any law of Canada, Ontario or any By-law of the City.

6.8 Every licence, at all times, is owned by and is the property of the City and is valid only in respect of the person named therein.

6.9 No person shall sell, purchase, lease, mortgage, charge, assign, pledge, transfer, seize, distraint or otherwise deal with a Licence, including any right title or interest therein, issued under this By-law except in accordance with sections 8, 9 and 10 of this By-law.

6.10 Fees and inspection fees paid under this By-law are non-refundable.

6.11 A limitation is imposed on the issuance of Cab Owner Licences and Accessible Cab Owner Licences as set out in Schedule "D" of this By-law.

6.12 The following classes of Licences may be issued under this By-law in accordance with the provisions of this By-law and the corresponding Schedules and every Applicant and Licensee shall comply with all of the provisions of this By-law and the corresponding Schedules:

- (a) Cab Driver and Accessible Cab Driver Licence – Schedule "A";
- (b) Limousine Driver – Schedule "B";
- (c) Group Transportation Vehicle Driver – Schedule "C";
- (d) Class A Cab Owner Licence; - Schedule "D";
- (e) Class A Accessible Cab Owner Licence – Schedule "D";
- (f) Class B Cab Owner Licence – Schedule "D";
- (g) Class B Accessible Cab Owner Licence – Schedule "D";
- (h) Limousine Owner Licence – Schedule "E";
- (i) Group Transportation Vehicle Owner Licence – Schedule "F"; and
- (j) Broker Licence – Schedule "G".

Part 7 NOTIFICATION OF CHANGE OF INFORMATION

7.1 When a Licensee changes his or her name, address, affiliated Broker, employer or any other information relating to their Licence, the Licensee shall notify the Licence Manager within 5 days after such change and if necessary, as determined by the Licence Manager, the Licence shall be returned immediately to the Licence Manager for amendment.

7.2 When the Licensee is a corporation and there is any change in the following information given on the application namely: the names and addresses of officers or directors, the location of the corporate head office, change of ownership of shares, the Licensee shall report the change to the Licence Manager within 5 days of the change and if necessary as determined by the Licence Manager, the Licence shall be returned immediately to the Licence Manager for amendment.

Part 8 LEASING OF CABS AND ACCESSIBLE CABS

8.1 No Person shall enter into or be party to any Lease or otherwise convey rights over a Cab Licence or Accessible Cab Licence or Owner Plate or give or receive any consideration or remuneration therefore.

8.2 Notwithstanding subsection 8.1 of this By-law, a Cab Owner holding a Class A Cab Owner Licence may lease his or her Cab and an Accessible Cab Owner holding a Class A Accessible Cab Owner Licence may lease his or her Accessible Cab, provided that;

- (a) the lessee is Licensed as a Driver, Owner or Broker;
- (b) under the terms of the Lease, the Cab Owner or Accessible Cab Owner provides a Cab or Accessible Cab that is Plated and otherwise meets all of the requirements of this By-law;
- (c) under the terms of the Lease, the Cab Owner or Accessible Cab Owner is responsible for the maintenance of and insurance on the Cab or Accessible Cab;
- (d) the Lease is for one Cab or one Accessible Cab and expires upon the sale, replacement or other disposition of the Cab or Accessible Cab;
- (e) the Cab Owner or Accessible Cab Owner or a partner, if the Applicant is a partnership, or an officer or director, if the Applicant is a corporation, signs a statutory declaration stating that the Owner Plate will not be transferred during the term of the Lease;
- (f) the Lease is in writing and signed by the parties thereto;
- (g) a copy of the Lease is filed with the Licence Manager; and
- (h) all fees required under this By-law are paid.

8.3 The written Lease may be in any form agreed to by the parties thereto, provided that it includes:

- (a) the date of its signing;
- (b) the names and business addresses of the parties thereto;
- (c) its effective date;
- (d) its termination date;
- (e) a full description of the Cab or Accessible Cab which is the subject of the Lease, including the vehicle identification number, the make, the model year, the licence plate number and the number of the Owner Licence and Owner Plate;
- (f) the parties' rights to early termination of the Lease; and
- (g) the signatures of the parties and witnesses thereto.

8.4 No person shall sub-lease or purport to sub-lease a Cab or Accessible Cab that is the subject of a Lease.

8.5 No Owner shall, by a term in a Lease or otherwise, permit any Lessee or other person to lease or sub-Lease or purport to lease or sub-lease a Cab or Accessible Cab that is the subject of a Lease.

8.6 No person shall be a party to a Lease or purported Lease of a Cab or Accessible Cab to which the Owner is not the lessor.

8.7 Every Cab Owner or Accessible Cab Owner shall notify the Licence Manager in writing of the expiration or other sooner termination of any Lease to which he or she is a party within 10 days of the expiration of the termination of the said Lease.

8.8 No Cab Owner or Accessible Cab Owner shall enter into or be a party to more than one Lease at any one time with respect to any one Cab or one Accessible Cab.

8.9 No Cab or Accessible Cab Driver shall lease:

- (a) more than a total of 2 Cabs and Accessible Cabs; or
- (b) one Cab or one Accessible Cab or a total of 2 Cabs and Accessible Cabs for more than a total of 10 years.

Part 9
TRANSFER OF CAB AND ACCESSIBLE CAB OWNER LICENCES

9.1 Class A Cab Owner Licences and Class A Accessible Cab Owner Licences are transferable, provided that:

- (a) the transferee meets the eligibility criteria as set out in this By-law for the Cab Priority List or Accessible Cab Priority List or holds a valid Cab Owner Licence or Accessible Cab Owner Licence;
- (b) the transferee, or a partner, if the transferee is a partnership, or an officer or director, if the transferee is a corporation, signs a statutory declaration as set out by the Licence Manager;
- (c) the transferor or a partner, if the transferor is a partnership, or an officer or director, if the transferor is a corporation, has completed a written application for such a transfer;
- (d) the transferee meets all of the requirements of a Cab Owner or Accessible Cab Owner under this By-law, including submitting the Cab or Accessible Cab to which the Owner Plate will be affixed for inspection, and will be issued a Cab Owner Licence or Accessible Cab Owner Licence at the time of the transfer;
- (e) if the Cab is an Accessible Cab, the transferee is an Accessible Cab Owner who will use the transferred Accessible Cab Owner Licence to provide an Accessible Cab Conveyance Service; and
- (f) all fees required under this By-law are paid.

9.2 Class B Cab Owner Licences and Class B Accessible Cab Owner Licences and the corresponding Owner Plates numbered 1000 or greater shall not be transferred.

Part 10
TRANSFER OF CAB AND ACCESSIBLE CAB OWNER LICENCES BY AN ESTATE

10.1 Within 30 days following the death of an individual holding a Cab Owner Licence or Accessible Cab Owner Licence, the executor or administrator of the individual's estate shall file with the Licence Manager:

- (a) proof of death of the individual; and
- (b) proof of the executor's or administrator's capacity.

10.2 Class B Cab Owner Licences and Class B Accessible Cab Owner Licences shall not be transferable and shall be returned to the Licence Manager within 30 days following the death of an individual holding such Licence.

10.3 On the death of an individual holding one or more Class A Cab Owner Licences or Class A Accessible Cab Owner Licences:

- (a) the executor or administrator of the individual's estate may continue to hold any Cab or Accessible Cab Owner Licences for up to one year following the date of death, subject to all of the requirements of this By-law;
- (b) during the year following the date of death, the executor or administrator of the individual's estate may transfer the Cab or Accessible Cab Owner Licences to anyone meeting the eligibility requirements of the Cab Priority List or currently Licensed as a Cab or Accessible Cab Owner;
- (c) after the year following the date of death, the executor or administrator of the individual's estate may continue to hold one Cab Owner Licence or one Accessible Cab Owner Licence, if he or she meets all of the requirements for holding such Owner Licence under this By-law; and
- (d) after one year following the date of death, all Cab and Accessible Cab Owner Licences that have not been transferred in accordance with subsections 10.3(b) or 10.3(c) of this By-law shall be revoked and returned to the Licence Manager by the executor or administrator of the individual's estate immediately.

10.4 Notwithstanding subsection 10.3(d) of this By-law, if the executor or administrator of the individual's estate has not transferred all Cab and Accessible Cab Owner Licences in accordance with subsections 10.3(b) or 10.3(c), he or she may request a hearing before a Hearings Officer to consider an extension of up to 2 years before revocation. A request for a hearing shall be made by filing with the City Clerk a notice of appeal in writing and the appeal fee as set out in this By-law prior to the expiration of the 2 year period in subsection 10.3(d) of this By-law. The notice of appeal must comply with the requirements as set out in Schedule 1 of the City's Hearings Officer By-law A.-6653-121, as amended.

Part 11 POWERS OF LICENCE MANAGER

11.1 The power and authority to refuse to issue or renew a licence, to cancel, revoke or suspend a licence, to impose terms and conditions, including special conditions, on a licence, or to exempt any person from all or part of this By-law are delegated to the Licence Manager.

11.2 The Licence Manager shall issue a licence or renew a licence where the requirements or conditions of this By-law have been met.

11.3 The Licence Manager may refuse to issue, refuse to renew or revoke or suspend a licence or impose a term or condition on a licence on the following grounds:

- (a) the conduct of the Applicant or Licensee, or any partner, officer, director, employee or agent of the Applicant or Licensee, affords reasonable cause to believe that the Applicant or Licensee will not carry on his or her business in accordance with the law or with honesty or integrity;
- (b) an Applicant or Licensee is carrying on activities that are in contravention of this By-law;
- (c) there are reasonable grounds to believe that an application or other documents provided to the Licence Manager by or on behalf of the Applicant or a Licensee contains a false statement;
- (d) any information contained in the original application form or any other information provided to the Licence Manager, has ceased to be accurate and the Licensee has not provided up-to-date accurate information to the Licence Manager to allow the Licence Manager to conclude that the Licence should continue;
- (e) an Applicant or Licensee does not meet, at any time, one or more of the requirements of this By-law or any conditions imposed on a Licence;
- (f) the Applicant or Licensee is not in compliance with any federal, provincial law or City By-law, including this By-law;
- (g) the Applicant or Licensee or any partner, officer or director has been convicted of an offence, for which a pardon has not been granted, pursuant to any one or more of Parts V (Sexual Offences), VII (Offences Against Persons) or IX (Offences Against Property) of the *Criminal Code of Canada*, R.S.C. 1985 c. C-46, as amended or any other criminal convictions in the preceding five (5) years;
- (h) the Applicant or Licensee has been convicted of an indictable offence under any Statute of Canada, including but not limited to the *Criminal Code of Canada*, the *Narcotic Control Act*, the *Food and Drug Act*, and the *Controlled Drug and Substances Act* during the preceding five (5) years;
- (i) the Applicant or Licensee has been convicted of any other criminal offence for which, in the opinion of the Licence Manager, it would not be in the interest of public safety to issue a licence;
- (j) the Applicant or Licensee is currently under a prohibition order issued in any court within Canada that prohibits the operation of a motor vehicle;
- (k) the Applicant or Licensee does not have a valid "G" Ontario Driver's Licence or equivalent or their driver's licence is under suspension; or
- (l) the Applicant or Licensee has accumulated 6 or more demerit points within a three year period.

11.4 Notwithstanding any other provision of this By-law, the Licence Manager may impose terms and conditions on any licence at issuance, renewal or any time during the term of the licence, including special conditions, as are necessary in the opinion of the Licence Manager to give effect to this By-law.

11.5 Where the Licence Manager is of the opinion that:

- (a) an application for a licence or renewal of a licence should be refused;
 - (b) a reinstatement should not be made;
 - (c) a licence should be revoked;
 - (d) a licence should be suspended, or,
 - (e) a term or condition of a licence should be imposed;
- the Licence Manager shall make that decision.

11.6 Where the Licence Manager has made a decision under subsection 11.5 of this By-law the Licence Manager's written notice of that decision shall be given to the Applicant or the Licensee by regular mail to the last known address of that person and shall be deemed to have been given on the 3rd day after it is mailed. Service on a corporation can be effected by registered mail to the address of the corporation's registered head office.

11.7 The written notice to be given under section 11.6 of this By-law shall:

- (a) set out the grounds for the decision;
- (b) give reasonable particulars of the grounds;
- (c) be signed by the Licence Manager; and,
- (d) state that the Applicant or Licensee is entitled to a hearing by the Hearings Officer if the Applicant or Licensee files with the City Clerk a notice of appeal in writing and the appeal fee as set out in this By-law within ten (10) days after the notice in section 11.6 of this By-law is given. The notice of appeal must comply with the requirements as set out in Schedule 1 of the City's Hearings Officer By-law A-6653-121 as amended.

11.8 Where no appeal is filed within the required time period, the decision of the Licence Manager shall be final.

11.9 Despite section 11.7 of this By-law, where a Licence is voluntarily surrendered by the Licensee for revocation, the Licence Manager may revoke the Licence without notice to the Licensee.

Part 12 HEARINGS BEFORE THE HEARINGS OFFICER

12.1 The power and authority to conduct hearings of appeals under this By-law are hereby delegated to the Hearings Officer.

12.2 The provisions of the City's Hearings Officer By-law A-6653-121 as amended apply to all hearings conducted by the Hearings Officer under this By-law.

12.3 The Hearings Officer may uphold or vary the decision of the Licence Manager or make any decision that the Licence Manager was entitled to make in the first instance.

12.4 The decision of the Hearings Officer is final.

Part 13 ENFORCEMENT

13.1 This By-law may be enforced by an Enforcement Officer.

13.2 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this By-law, including carrying out an inspection.

13.3 No person shall fail to produce immediately his or her Licence or any other relevant documents required under this By-law when requested to do so by the Licence Manager or an Enforcement Officer.

Part 14 INSPECTIONS

14.1 Every Owner or Driver shall submit or cause to be submitted their City Plated Vehicle for inspection when required to do so by the Licence Manager or an Enforcement Officer to a place designated by the Licence Manager or an Enforcement Officer:

- (a) forthwith if the vehicle is in the presence of the Licence Manager, an Enforcement Officer or an Ontario Ministry of Transportation Inspector and the Vehicle is in Operation; or
- (b) within 24 hours of receipt of the request, at a time set by the Licence Manager or an Enforcement Officer, if the vehicle is not in the presence of the Licence Manager, an Enforcement Officer or an Ontario Ministry of Transportation Inspector.

14.2 Every Owner or Driver shall, upon the request of the Licence Manager or an Enforcement Officer during an inspection, produce all relevant licences, permits, invoices, vouchers, appointment books, Trip Sheets, Maintenance Logs or like documents and the Licence Manager or an Enforcement Officer may remove any of these documents for photocopying provided that the Owner or Driver is given a receipt and the documents are returned to him or her within 48 hours.

14.3 Notification of an inspection or an order made under section 14 of this By-law shall be served on an Owner:

- (a) personally;
- (b) by registered letter mail to the last known address of the Owner, whether actually received or not;
- (c) personally on the Driver Operating the City Plated Vehicle;
- (d) by leaving a copy with an individual at a Brokerage associated with the Owner; or
- (e) by facsimile to the last known facsimile number of a Broker associated with the Owner.

14.4 An Enforcement Officer may require a Driver or an Owner to submit or cause to be submitted their City Plated Vehicle for a random inspection, including an inspection by a designated mechanic or a designated representative of the manufacturer of the Cab Meter, at a time and place specified by the Enforcement Officer to ensure that the provisions of this By-law are being complied with.

14.5 When the Licence Manager or an Enforcement Officer believes on reasonable grounds that a City Plated Vehicle is being Operated such that it is a danger to the health or safety of the public, her or she may:

- (a) remove the Owner Plate;
- (b) order the Driver to have the vehicle towed to a place of repair or other private property at the Driver's or the Owner's expense; and
- (c) order the Owner not to Operate or permit the Operation of the vehicle until the danger is remedied, the vehicle has been inspected by the Licence Manager or an Enforcement Officer and, in the case of a Cab or Accessible Cab, the Cab Meter has been resealed; or
- (d) order the Owner to file a Safety Standards Certificate after the date of the order.

14.6 Every Owner whose Vehicle for Hire is deemed unsafe or dangerous due to mechanical defects, may be required to attend before the Licence Manager to determine whether or not his or her Licence should be suspended, revoked or have conditions imposed on it.

14.7 For the purpose of this subsection, mechanical defect includes, but is not limited to, mechanical defects directly or indirectly related to any part or parts of the vehicle involving or affecting:

- (a) its brakes or braking system;
- (b) its steering system;
- (c) its suspension system;
- (d) its under body;
- (e) its exhaust system;
- (f) the condition of its tires;
- (g) its lighting;
- (h) its glass;
- (i) its seat belt operation;
- (j) its wheelchair restraints, if applicable;
- (k) its heating system; or
- (l) the condition of the vehicle's body.

14.8 When the vehicle has been in an accident, the Owner shall:

- (a) immediately remove the vehicle from service; and
- (b) notify the Licence Manager of the collision; and
- (c) notify the Licence Manager of the details of the vehicle's repairs.

14.9 Once the repairs to the vehicle have been effected, the Owner or Driver shall provide the Enforcement Officer with a current safety standards certificate of motor vehicle fitness issued under the *Highway Traffic Act*, and the Enforcement Officer shall inspect the Vehicle for Hire.

14.10 When the Licence Manager or an Enforcement Officer believes on reasonable grounds that a City Plated Vehicle does not comply with the requirements of this By-law, he or she may order the Owner to bring it into compliance, and the order shall:

- (a) state the Owner Plate number of the vehicle;
- (b) give reasonable particulars of any repairs to be made;
- (c) indicate the time for compliance with the order;
- (d) give notice that if the order is not complied with the Owner Licence may be suspended; and
- (e) require that the Owner Plate be returned to Licence Manager immediately.

Part 15 TARIFFS/FARES

15.1 Every Driver, Owner or Broker shall charge a Fare for each Trip as set out in Schedule "I" of this By-law.

15.2 Every Cab or Accessible Cab Driver shall draw his or her Passenger's attention to the amount of the Fare on the Cab Meter at the conclusion of the Trip.

15.3 No Driver or Owner shall receive a Fare or charge from any person unless the current Tariff Card is on display in accordance with the provisions of this By-law.

15.4 Notwithstanding section 15.1 of this By-law, a Cab Owner or Accessible Cab Owner and a Passenger or other person may enter into an agreement for parcel handling at an agreed upon charge, provided that the charge shall not apply to luggage accompanying a Passenger on a Trip to or from a transportation terminal or for the storage or handling of mobility aids or mobility assistive devices accompanying a Passenger on a Trip.

15.5 All Fares as set out in Schedule "I" of this By-law are inclusive of H.S.T.

15.6 Notwithstanding section 15.1, a Cab Owner or Accessible Cab Owner or a Cab Driver or an Accessible Cab Driver may charge an amount for a Trip other than as set out in Schedule "I" of this By-law provided that:

- (a) the amount charged is for a Trip between fixed points;
- (b) the Cab Owner or Accessible Cab Owner or Cab Driver or Accessible Cab Driver is affiliated with a Broker; and
- (c) the amount charged is a fixed amount based on a written agreement for a term of not less than one year between the Broker with which the Cab Owner or Accessible Cab Owner or the Cab Driver or Accessible Cab Driver is affiliated and a corporation for a Conveyance Service of the employees of the corporation.

Part 16 LICENCE AND OTHER FEES

16.1 The annual Licence fees and all other fees to be paid to the City under this By-law shall be as listed in Schedule "H" of this By-law. The fees in Schedule "H" do not include H.S.T.

Part 17 PENALTY

17.1 Any person who contravenes any provision of this By-law, including any Schedule attached hereto, is guilty of an offence.

17.2 A director or officer of a corporation who knowingly concurs in the contravention of any provision of this By-law, including any Schedule attached hereto, is guilty of an offence.

17.3 A person convicted under this By-law is liable to a maximum fine of \$25,000.00 upon a first conviction and a maximum fine of \$50,000.00 for any subsequent conviction.

17.4 Despite subsection 17.3 where the person convicted is a corporation, the corporation is liable to a maximum fine of \$50,000.00 upon a first conviction and a maximum fine of \$100,000.00 for any subsequent conviction.

17.5 If this By-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by this By-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order,

- (a) prohibiting the continuation or repetition of the offence by the person convicted; and,
- (b) requiring the person convicted to correct the contravention in the manner and within the period that the court considers appropriate.

Part 18 GENERAL

18.1 If any provision or part of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the By-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

18.2 If there is a conflict between a provision of this By-law and a provision of any other City By-law, then the more restrictive provision shall apply.

18.3 Unless otherwise stated, the requirements of the Schedules to this By-law shall be in addition to all other requirements of this By-law.

Part 19 MISCELLANEOUS

19.1 Any Licence that was issued under the provisions of By-law L.-126-256 and any amendments thereto and that is valid on June 30, 2012 shall be deemed to have been issued under this By-law and will be valid until such Licence is revoked or until it expires on October 31, 2012, whichever comes first.

19.2 By-law L.-126-256 and any amendments thereto are hereby repealed.

19.3 This By-law may be referred to as the "Taxi and Limousine Licensing By-law".

19.4 This By-law shall come into force and effect on July 1, 2012.

PASSED in Open Council on January 31, 2012.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First reading - January 31, 2012
Second reading - January 31, 2012
Third reading - January 31, 2012

SCHEDULE "A" – CAB AND ACCESSIBLE DRIVER

LICENCE APPLICATIONS, DUTIES, PROHIBITIONS

1.0 LICENCE APPLICATIONS AND RENEWALS

1.1 Every Applicant for a Cab Driver Licence or an Accessible Cab Driver Licence or a renewal thereof shall:

- (a) attend at the office of the Licence Manager in person and complete a written application form for such Licence and have their photograph taken;
- (b) file with the Licence Manager documentation showing proof of Canadian Citizenship, Landed Immigrant Status, or a Work Permit to work as a driver issued by the Government of Canada;
- (c) submit to the Licence Manager a valid Class G driver's licence issued by the Province of Ontario which is in good standing according to the records of the Ministry of Transportation;
- (d) submit to the Licence Manager proof that they are at least 18 years of age;
- (e) have completed an English assessment exam administered by the Licence Manager with a minimum grade of 75% or a minimum grade of 85% for a subsequent attempt made at least two months after a previous attempt;
- (f) have completed a vehicle for hire training exam administered by the Licence Manager with passing grade of 75% or a minimum grade of 85% for a subsequent attempt made at least two months after a previous attempt;
- (g) submit to the Licence Manager a CIR from the London Police Services dated no later than 60 days prior to the application for a Licence;
- (h) submit to the Licence Manager a Ministry of Transportation driver's abstract dated no later than 60 days prior to the application for a Licence;
- (i) for an application for a Licence in the first instance, submit to the Licence Manager a certificate prepared by a qualified medical practitioner which states that the Applicant is physically and mentally capable of performing the duties of a Cab Driver or an Accessible Cab Driver; and
- (j) comply with all of the provisions of this By-law.

1.2 An Applicant applying for a renewal of a Cab Driver or an Accessible Cab Driver Licence:

- (a) shall be exempted from the requirement for an English assessment exam in subsection 1.1(e) of this Schedule;
- (b) may be exempted from the requirement for a vehicle for hire training exam in subsection 1.1(f) of this Schedule if he or she files with the Licence Manager every four years or sooner as required by the Licence Manager, proof of completion of a training course or a written test approved by the Licence Manager with a minimum grade of 75%; and
- (c) may be exempted from the requirement to provide a medical certificate in subsection 1.1(i) of this Schedule unless the Licence Manager believes that it would be in the public interest to require such certificate.

1.3 In addition to the requirements of section 1.1 and 1.2 of this Schedule, every Applicant for an Accessible Cab Driver Licence or a renewal thereof shall;

- (a) hold a valid Cab Driver Licence;
- (b) satisfactorily complete a sensitivity course approved by the Licence Manager pertaining to the transportation of Persons with Disabilities and, subsequently complete a written examination administered by the Licence Manager with:
 - (i) a minimum grade of 75% for a first attempt; or
 - (ii) a minimum grade of 85% for a subsequent attempt made at least one month after a previous attempt; and
- (c) submit his or her Cab Driver Licence to the Licence Manager for endorsement as an Accessible Cab Driver Licence.

1.4 An Applicant applying for a renewal of an Accessible Cab Driver Licence may be exempted from the requirement of a sensitivity course or the written examination in subsection 1.3(b) of this Schedule if he or she files with the Licence Manager every four years or sooner as required by the Licence Manager, proof of completion of a sensitivity course approved by the Licence Manager pertaining to Persons with Disabilities or completes a written examination approved by the Licence Manager with a minimum grade of 75%.

2.0 DRIVER'S DUTIES

2.1 Every Licensed Cab Driver or Accessible Cab Driver shall:

- (a) carry his or her driver's licence issued under the *Highway Traffic Act*, and his or her Licence while Operating a Cab or Accessible Cab;
- (b) affix his or her Licence in a position in the Cab or Accessible Cab so that the side of the Licence containing the photograph is plainly visible to and readable by Passengers in the front seat and back seat of the vehicle;
- (c) display the tariff card so that it is plainly visible to and readable by Passengers in the front seat and back seat of the vehicle;
- (d) keep a Trip Sheet, on the form attached as Schedule "J" to this By-law of all Trips made by the Cab or Accessible Cab during each shift. The Trip Sheet shall be updated at the conclusion of each Trip;
- (e) retain all Trip Sheets for at least 12 months and while Operating the Cab or Accessible Cab have the current and previous month's Trip Sheets in his or her possession;
- (f) keep in the Cab or Accessible Cab a current Maintenance Log for the Cab or Accessible Cab;
- (g) have in the Cab or Accessible Cab a current street guide or City map and a global positioning system device capable of displaying requested routes;
- (h) each shift before driving:
 - (i) examine the Cab or Accessible Cab for mechanical or other defects and similarly examine it at the end of each shift, and if the Driver is not the Owner, report any mechanical defects forthwith to the Owner and enter such defects into the Maintenance Log; and
 - (ii) enter into the Trip Sheet the date and odometer reading for the Cab or Accessible Cab;
- (i) report forthwith to the Licence Manager if he or she is convicted of any offence under the *Criminal Code of Canada*, the *Narcotic Control Act*, the *Food and Drugs Act*, the *Controlled Drugs and Substances Act* or the *Highway Traffic Act*;

- (j) report immediately to the Licence Manager when he or she has had his or her driver's licence issued under the *Highway Traffic Act* cancelled, suspended or revoked or when his or her driver's licence has expired, and surrender his or her Licence to the Licence Manager;
- (k) provide forthwith if requested by the Licence Manager a certificate prepared by a qualified medical practitioner which states that the Applicant is physically and mentally capable of performing the duties of a Cab or Accessible Cab Driver;
- (l) be civil, courteous, refrain from using profanity, and offer to assist a Passenger when it is evident that the Passenger is a Person with a Disability, is elderly, or is in need of assistance;
- (m) when Operating a Cab or Accessible Cab be neat and clean in personal appearance, wearing clothes that are neat and free from soil, grease and dirt with no unrepaired rips or tears;
- (n) when Operating a Cab or Accessible Cab punctually keep all appointments, and not make any appointments if a previous engagement would prevent him or her from fulfilling it;
- (o) when a Passenger enters the Cab or Accessible Cab and gives the Driver the desired destination, take the most expeditious possible route to the destination desired, unless the Passenger designates otherwise;
- (p) when Operating a Cab or Accessible Cab take care of all property delivered or entrusted to him or her and accepted by him or her;
- (q) immediately upon termination of a Trip, search his or her Cab or Accessible Cab for any property left therein and deliver the property to its owner or if its owner cannot be found, to the London Police Services;
- (r) unless his or her Cab or Accessible Cab has been previously engaged, provide a Conveyance Service to any Person who may require his or her Cab or Accessible Cab, refusing only when:
 - (i) the Driver is concerned for his or her personal safety;
 - (ii) the person has not paid a previous Fare or cancellation charge;
 - (iii) the person is, in the opinion of the Driver, unable or unwilling to pay the Fare and has been unable or unwilling, when given the opportunity to do so, to satisfy the Driver that he or she has funds to pay the Fare; or
 - (iv) the person is a Grossly Unclean Individual;
- (s) ensure that the Cab's or Accessible Cab's seat belts are plainly visible to and may be conveniently used by the Passenger;
- (t) turn off any radio, tape player or any other sound producing mechanical device in the vehicle upon picking up a Passenger, unless the Passenger requests that the radio or any other sound producing mechanical device remain on;
- (u) engage the Cab Meter at the commencement of the Trip and keep it engaged throughout the Trip;
- (v) at the conclusion of the Trip, place the Cab Meter in the time-off position and after payment, in the vacant status;
- (w) provide to a Passenger if requested, a receipt, showing: the Driver's name; the Owner's Plate number for the vehicle; the date and time of the Trip; the points of origin and destination of the Trip;
- (x) make available the number of the Owner Plate and the name of the Fleet that the Cab or Accessible Cab belongs to in an accessible format to Passengers who are Persons with Disabilities;

- (y) maintain the interior and exterior of the Cab or Accessible Cab while he or she is Operating it, in a clean and tidy condition, including maintain the interior:
 - (i) free from all dust, dirt, grease, oil, adhesive resin and any other item that can be transferred on to the person, clothing or possessions of a Passenger;
 - (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the Cab or Accessible Cab;
 - (iii) free of noxious substances;
 - (iv) free of excess wear including tears and cigarette burns in the upholstery;
 - (v) in a dry condition;
 - (vi) in good repair;
 - (vii) with working seat belts;
 - (viii) with side windows that open and close;
 - (ix) with every seat securely mounted maintaining its position and adjustment;
 - (x) with a working dome light that will activate automatically when the vehicle doors open;

and maintain the exterior:

- (xi) free from all dust, dirt, grease, oil, adhesive resin and any other item that can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
 - (xii) in good repair;
 - (xiii) free from exterior body damage;
 - (xiv) with no missing or removed fender, grill or molding;
 - (xv) with securely closing doors and trunk lid;
 - (xvi) with all handles and catches in good repair;
 - (xvii) with the paint or finish in good repair; and
 - (xviii) with four matching hubcaps or wheels; and
- (z) enter a Cab Stand by positioning his or her Cab at the end of any line formed by other Cabs and remain in the driver's seat, ready to provide a Conveyance Service, when first or second in the line.

2.2 In addition to all of the requirements set out in section 2.1, every Accessible Cab Driver shall:

- (a) ensure that all wheelchairs being transported within the Accessible Cab are securely fastened so as to prevent them from moving when the Accessible Cab is in motion;
- (b) ensure that the Accessible Cab:
 - (i) is equipped with an extra tire, wheel and jack ready for use for that Accessible Cab;
 - (ii) is equipped with wheelchair tie downs;
 - (iii) is in compliance with the Canadian Standards Association's Standard D409-M84 and all other applicable federal and provincial legislation including without limitation to O. Reg 1990 629 under the *Highway Traffic Act*;
 - (iv) is equipped with a first aid kit;
 - (v) is equipped with a dry chemical fire extinguisher having an effective total rating of at least 4-Bc and weighing 2.27 kilograms; and
 - (vi) is equipped with operable air-conditioning and heating;
- (c) record the number of Trips of Persons with Disabilities and persons without disabilities on his or her Trip Sheets; and
- (d) give priority for Conveyance Services for Persons with Disabilities over persons without disabilities.

3.0 DRIVER'S PROHIBITIONS

3.1 No Licensed Cab Driver or Accessible Cab shall:

- (a) Operate a Cab or Accessible Cab without a valid Owner Plate affixed thereto;
- (b) Operate a Cab whose owner is not a Licensed Cab Owner;

- (c) Operate an Accessible Cab whose owner is not a Licensed Accessible Cab Owner;
- (d) Operate a Cab or Accessible Cab without side numbers and a properly functioning roof light;
- (e) Operate a Cab or Accessible Cab without the number of the Owner Plate and the name of the Fleet it belongs to displayed on the rear bumper of the Cab or Accessible Cab in accordance with subsection 2.1(j) of Schedule "D" to this By-law;
- (f) Operate a Cab or Accessible Cab with luggage or other material therein obstructing the Driver's view;
- (g) Operate a Cab or Accessible Cab when the Cab Meter:
 - (i) has not been adjusted in accordance with the tariffs in Schedule "I" of this By-law;
 - (ii) seal is not intact or has been broken;
 - (iii) does not illuminate;
 - (iv) is not clearly visible to Passengers; or
 - (v) is not in good working condition.
- (h) Operate a Cab or Accessible Cab without it being equipped with an operating camera system in accordance with subsection 2.1(f) of Schedule "D" to this By-law;
- (i) Operate a Cab or Accessible Cab without the decal installed stating that photographic images of the Passengers are being recorded in accordance with subsection 2.1(h) of Schedule "D" to this By-law;
- (j) fail to provide exact change to the Passenger;
- (k) charge any Passenger for time lost through defects or inefficiency of the Cab or Accessible Cab or the incompetence of the Driver;
- (l) charge any Passenger for the time elapsed due to early arrival of the Cab or Accessible Cab in response to a call for the Cab or Accessible Cab to arrive at a fixed time;
- (m) engage in any misleading or deceiving statement or representation to a person about the location or distance of any destination named by that person;
- (n) have taken, consumed or have in his or her possession any alcohol, drugs or intoxicants while Operating a Cab or Accessible Cab;
- (o) solicit or permit the solicitation of any person to become a Passenger;
- (p) carry in any Cab or Accessible Cab a greater number of Passengers than is set out in the manufacturer's rating of seating capacity for such vehicle, and for which a fully operational seat belt is available for each Passenger's use;
- (q) take on additional Passengers after the vehicle has departed with one (1) or more Passengers from any one starting point, except under the following circumstances:
 - (i) when done at the request or permission of a Passenger who is sixteen years of age or older and who is already in the vehicle;
 - (ii) in an emergency situation; or
 - (iii) on a Trip exclusively taking students to or from school;
- (r) overcrowd a Cab Stand or displace any Cab or Accessible Cab already at the Cab Stand;

- (s) interfere in any way with the normal use of a Cab Stand or public place or with surrounding traffic;
- (t) use a Limousine Stand or other place set aside for Limousines;
- (u) Operate a Cab or Accessible Cab without it meeting the standards for the issuance of a Safety Standard Certificate;
- (v) recommend hotels, restaurants or other like facilities without being asked to do so by the Passenger;
- (w) smoke inside a Cab or Accessible Cab;
- (x) cause or permit any immoral, indecent, or illegal act in a Cab or Accessible Cab under the Driver's care;
- (y) use or accept cellular telephone calls when engaged by a Passenger; and
- (z) Operate a Cab or Accessible Cab when the Driver has been on duty for more than 12 hours within a 24 hour period without first taking 8 consecutive hours off duty.

SCHEDULE "B" – LIMOUSINE DRIVER

LICENCE APPLICATIONS, DUTIES, PROHIBITIONS

1.0 LICENCE APPLICATIONS AND RENEWALS

1.1 Every Applicant for a Limousine Driver Licence or a renewal of a Limousine Driver Licence, shall:

- (a) attend at the office of the Licence Manager in person and complete a written application form for such Licence and have their photograph taken;
- (b) file with the Licence Manager documentation showing proof of Canadian Citizenship, Permanent Resident Status, or a Work Permit to work as a driver issued by the Government of Canada;
- (c) submit to the Licence Manager a valid Class G driver's licence issued by the Province of Ontario which is in good standing according to the records of the Ministry of Transportation;
- (d) submit to the Licence Manager proof that they are at least 18 years of age;
- (e) have completed an English assessment exam administered by the Licence Manager with a minimum grade of 75% or a minimum grade of 85% for a subsequent attempt made at least two months after a previous attempt;
- (f) have completed a vehicle for hire training exam administered by the Licence Manager with passing grade of 75% or a minimum grade of 85% for a subsequent attempt made at least two months after a previous attempt;
- (g) submit to the Licence Manager a CIR from the London Police Services dated no later than 60 days prior to the application for a Licence;
- (h) submit to the Licence Manager a Ministry of Transportation driver's abstract dated no later than 60 days prior to the application for a Licence;
- (i) for an application for Licence in the first instance, submit to the Licence Manager a certificate prepared by a qualified medical practitioner which states that the Applicant is physically and mentally capable of performing the duties of a Limousine Driver; and
- (j) comply with all of the provisions of this By-law.

1.2 An Applicant applying for a renewal of a Limousine Driver Licence:

- (a) shall be exempted from the requirement for an English assessment exam in subsection 1.1(e) of this Schedule;
- (b) may be exempted from the requirement for a vehicle for hire training exam in subsection 1.1(f) of this Schedule if he or she files with the Licence Manager every four years or sooner as required by the Licence Manager, proof of completion of a training course or a written test approved by the Licence Manager with a minimum grade of 75%; and
- (c) may be exempted from the requirement to provide a medical certificate in subsection 1.1(i) of this Schedule unless the Licence Manager believes that it would be in the public interest to require such certificate.

2.0 DRIVER'S DUTIES

2.1 Every Licensed Limousine Driver shall:

- (a) carry his or her driver's licence issued under the *Highway Traffic Act*, and his or her Licence while Operating a Limousine;
- (b) affix his or her Licence in a position in the Limousine so that the side of the Licence containing the photograph is plainly visible to and readable by Passengers in the front seat and back seat of the vehicle;

- (c) display the tariff card so that it is plainly visible to and readable by Passengers in the front seat and back seat of the vehicle;
- (d) keep a Trip Sheet, on the form attached as Schedule "J" to this By-law of all Trips made by the Limousine during each shift. The Trip Sheet shall be updated at the conclusion of each Trip;
- (e) retain all Trip Sheets for at least 12 months and while operating the Limousine have the current and previous month's Trip Sheets in his or her possession;
- (f) keep in the Limousine a current Maintenance Log for the Limousine;
- (g) have in the Limousine a current street guide or City map and a global positioning system device capable of displaying requested routes;
- (h) on each shift before driving:
 - (i) examine the Limousine for mechanical or other defects and similarly examine it at the end of each shift, and if the Driver is not the Owner, report any mechanical defects forthwith to the Owner and enter such defects into the Maintenance Log; and
 - (ii) enter into the Trip Sheet the date and odometer reading for the Limousine;
- (i) report forthwith to the Licence Manager if he or she is convicted of any offence under the *Criminal Code of Canada*, the *Narcotic Control Act*, the *Food and Drugs Act*, the *Controlled Drugs and Substances Act* or the *Highway Traffic Act*;
- (j) report immediately to the Licence Manager when he or she has had his or her driver's licence issued under the *Highway Traffic Act* cancelled, suspended or revoked or when the driver's licence has expired, and surrender his or her Licence to the Licence Manager;
- (k) provide forthwith if requested by the Licence Manager a certificate prepared by a qualified medical practitioner which states that the Applicant is physically and mentally capable of performing the duties of a Limousine Driver;
- (l) be civil, courteous, refrain from using profanity, and offer to assist a Passenger when it is evident that the Passenger is a Person with a Disability, is elderly, or is in need of assistance;
- (m) when Operating a Limousine be neat and clean in personal appearance, wearing clothes that are neat and free from soil, grease and dirt with no unrepaired rips or tears and wear a uniform approved by the Limousine Owner and the Licence Manager;
- (n) when Operating a Limousine punctually keep all appointments, and not make any appointments if a previous engagement would prevent him or her from fulfilling it;
- (o) when a Passenger enters the Limousine and gives the Driver the desired destination, take the most expeditious possible route to the destination desired, unless the Passenger designates otherwise;
- (p) when Operating a Limousine take care of all property delivered or entrusted to him or her and accepted by him or her;
- (q) immediately upon termination of a Trip, search his or her Limousine for any property left therein and deliver the property to its owner or if its owner cannot be found, to the London Police Services;

- (r) unless his or her Limousine has been previously engaged, provide a Conveyance Service to any Person who may require his or her Limousine, refusing only when:
 - (i) the Driver is concerned for his or her personal safety;
 - (ii) the person has not paid a previous Fare or cancellation charge;
 - (iii) the person is, in the opinion of the Driver, unable or unwilling to pay the Fare and has been unable or unwilling, when given the opportunity to do so, to satisfy the Driver that he or she has funds to pay the Fare; or
 - (iv) the person is a Grossly Unclean Individual;
- (s) ensure that the Limousine's seat belts are plainly visible to and may be conveniently used by the Passenger;
- (t) turn off any radio, tape player or any other sound producing mechanical device in the vehicle upon picking up a Passenger, unless the Passenger requests that the radio or any other sound producing mechanical device remain on;
- (u) provide to a Passenger if requested, a receipt, showing: the Driver's name; the Owner's Plate number for the vehicle; the date and time of the Trip; the points of origin and destination of the Trip;
- (v) make available the number of the Owner Plate and the name of the Fleet that the Limousine belongs to in an accessible format to Passengers who are Persons with Disabilities;
- (w) maintain the interior and exterior of the Limousine while he or she is Operating it, in a clean and tidy condition, including maintain the interior:
 - (i) free from all dust, dirt, grease, oil, adhesive resin and any other item that can be transferred on to the person, clothing or possessions of a Passenger;
 - (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the Limousine;
 - (iii) free of noxious substances;
 - (iv) free of excess wear including tears and cigarette burns in the upholstery;
 - (v) in a dry condition;
 - (vi) in good repair;
 - (vii) with working seat belts;
 - (viii) with side windows that open and close;
 - (ix) with every seat securely mounted maintaining its position and adjustment;
 - (x) with a working dome light that will activate automatically when the vehicle doors open;

and maintain the exterior:

 - (xi) free from all dust, dirt, grease, oil, adhesive resin and any other item that can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
 - (xii) in good repair;
 - (xiii) free from exterior body damage;
 - (xiv) with no missing or removed fender, grill or molding;
 - (xv) with securely closing doors and trunk lid;
 - (xvi) with all handles and catches in good repair;
 - (xvii) with the paint or finish in good repair; and
 - (xviii) with four matching hubcaps or wheels; and
- (x) enter a Limousine Stand by positioning his or her Limousine at the end of any line formed by other Limousines and remain in the driver's seat, ready to provide a Conveyance Service, when first or second in the line.

3.0 DRIVER'S PROHIBITIONS

3.1 No Licensed Limousine Driver shall:

- (a) Operate a Limousine without a valid Owner Plate affixed thereto;
- (b) Operate a Limousine whose owner is not a licensed Limousine Owner;

- (c) Operate a Limousine without the number of the Owner Plate and the name of the Fleet it belongs to displayed on the rear bumper of the Limousine in accordance with subsection 2.1(g) of Schedule "E" to this By-law;
- (d) Operate a Limousine with luggage or other material therein obstructing the Driver's view;
- (e) Operate a Limousine without it being equipped with an operating camera system in accordance with subsection 2.1(b) of Schedule "E" to this By-law;
- (f) Operate a Limousine without the decal installed stating that photographic images of the Passengers are being recorded in accordance with subsection 2.1(d) of Schedule "E" to this By-law;
- (g) fail to provide exact change to the Passenger;
- (h) charge any Passenger for time lost through defects or inefficiency of the Limousine or the incompetence of the Driver;
- (i) charge any Passenger for the time elapsed due to early arrival of the Limousine in response to a call for the Limousine to arrive at a fixed time;
- (j) engage in any misleading or deceiving statement or representation to a person about the location or distance of any destination named by that person;
- (k) have taken, consumed or have in his or her possession any alcohol, drugs or intoxicants while Operating a Limousine;
- (l) solicit or permit the solicitation of any person to become a Passenger;
- (m) carry in any Limousine a greater number of Passengers than is set out in the manufacturer's rating of seating capacity for such vehicle, and for which a fully operational seat belt is available for each Passenger's use;
- (n) take on additional Passengers after the vehicle has departed with one (1) or more Passengers from any one starting point, except under the following circumstances:
 - (i) when done at the request or permission of a Passenger who is sixteen years of age or older and who is already in the vehicle;
 - (ii) in an emergency situation; or
 - (iii) on a Trip exclusively taking students to or from school;
- (o) overcrowd a Limousine Stand or displace any Limousine already at the Limousine Stand;
- (p) interfere in any way with the normal use of a Limousine Stand or public place or with surrounding traffic;
- (q) use a Cab Stand or other place set aside for Cabs;
- (r) Operate a Limousine unless it meets the standards for the issuance of a Safety Standard Certificate;
- (s) recommend hotels, restaurants or other like facilities unless asked to do so by the Passenger;
- (t) smoke inside a Limousine;
- (u) cause or permit any immoral, indecent, or illegal act in a Limousine under the Driver's care;

- (v) use or accept cellular telephone calls when engaged by a Passenger; and,
- (w) Operate a Limousine when the Driver has been on duty for more than 12 hours within a 24 hour period without first taking 8 consecutive hours off duty.

SCHEDULE "C" – GROUP TRANSPORTATION VEHICLE DRIVER

LICENCE APPLICATIONS, DUTIES, PROHIBITIONS

1.0 LICENCE APPLICATIONS AND RENEWALS

1.1 Every Applicant for a Group Transportation Vehicle Driver Licence or a renewal of a Group Transportation Vehicle Driver Licence, shall:

- (a) attend at the office of the Licence Manager in person and complete a written application form for such Licence and have their photograph taken;
- (b) file with the Licence Manager documentation showing proof of Canadian Citizenship, Permanent Resident Status, or a Work Permit to work as a driver issued by the Government of Canada;
- (c) submit to the Licence Manager a valid Class G driver's licence issued by the Province of Ontario which is in good standing according to the records of the Ministry of Transportation;
- (d) submit to the Licence Manager proof that they are at least 18 years of age;
- (e) have completed an English assessment exam administered by the Licence Manager with a minimum grade of 75% or a minimum grade of 85% for a subsequent attempt made at least two months after a previous attempt;
- (f) have completed a vehicle for hire training exam administered by the Licence Manager with passing grade of 75% or a minimum grade of 85% for a subsequent attempt made at least two months after a previous attempt;
- (g) submit to the Licence Manager a CIR from the London Police Services dated no later than 60 days prior to the application for a Licence;
- (h) submit to the Licence Manager a Ministry of Transportation driver's abstract dated no later than 60 days prior to the application for a Licence;
- (i) for an application for a Licence in the first instance, submit to the Licence Manager a certificate prepared by a qualified medical practitioner which states that the Applicant is physically and mentally capable of performing the duties of a Group Transportation Vehicle Driver; and
- (j) comply with all of the provisions of this By-law.

1.2 An Applicant applying for a renewal of a Group Transportation Vehicle Driver Licence:

- (a) shall be exempted from the requirement for an English assessment exam in subsection 1.1(e) of this Schedule;
- (b) may be exempted from the requirement for a vehicle for hire training exam in subsection 1.1(f) of this Schedule if he or she files with the Licence Manager every four years or sooner as required by the Licence Manager, proof of completion of a training course or a written test approved by the Licence Manager with a minimum grade of 75%; and
- (c) may be exempted from the requirement to provide a medical certificate in subsection 1.1(i) of this Schedule unless the Licence Manager believes that it would be in the public interest to require such certificate.

2.0 DRIVER'S DUTIES

2.1 Every Licensed Group Transportation Vehicle Driver shall:

- (a) carry his or her driver's licence issued under the *Highway Traffic Act*, and his or her Licence while Operating a Group Transportation Vehicle;

- (b) affix his or her Licence in a position in the Group Transportation Vehicle so that the side of the Licence containing the photograph is plainly visible to and readable by Passengers in the front seat and back seat of the vehicle;
- (c) display the tariff card so that it is plainly visible to and readable by Passengers in the front seat and back seat of the vehicle;
- (d) keep a Trip Sheet, on the form attached as Schedule "J" to this By-law of all Trips made by the Group Transportation Vehicle during each shift. The Trip Sheet shall be updated at the conclusion of each Trip;
- (e) retain all Trip Sheets for at least 12 months and while Operating the Group Transportation Vehicle have the current and previous month's Trip Sheets in his or her possession;
- (f) keep in the Group Transportation Vehicle a current Maintenance Log for the Group Transportation Vehicle;
- (g) have in the Group Transportation Vehicle a current street guide or City map and a global positioning system device capable of displaying requested routes;
- (h) each shift before driving:
 - (i) examine the Group Transportation Vehicle for mechanical or other defects and similarly examine it at the end of each shift, and if the Driver is not the Owner, report any mechanical defects forthwith to the Owner and enter such defects into the Maintenance Log; and
 - (ii) enter into the Trip Sheet the date and odometer reading for the Group Transportation Vehicle;
- (i) report forthwith to the Licence Manager if he or she is convicted of any offence under the *Criminal Code of Canada*, the *Narcotic Control Act*, the *Food and Drugs Act*, the *Controlled Drugs and Substances Act* or the *Highway Traffic Act*;
- (j) report immediately to the Licence Manager when he or she has had his or her driver's licence issued under the *Highway Traffic Act* cancelled, suspended or revoked or when the driver's licence has expired, and surrender his or her Licence to the Licence Manager;
- (k) provide forthwith if requested by the Licence Manager a certificate prepared by a qualified medical practitioner which states that the Applicant is physically and mentally capable of performing the duties of a Group Transportation Vehicle Driver;
- (l) be civil, courteous, refrain from using profanity, and offer to assist a Passenger when it is evident that the Passenger is a Person with a Disability, is elderly, or is in need of assistance;
- (m) when Operating a Group Transportation Vehicle be neat and clean in personal appearance, wearing clothes that are neat and free from soil, grease and dirt with no unrepaired rips or tears;
- (n) when Operating a Group Transportation Vehicle punctually keep all appointments, and not make any appointments if a previous engagement would prevent him or her from fulfilling it;
- (o) when a Passenger enters the Group Transportation Vehicle and gives the Driver the desired destination, take the most expeditious possible route to the destination desired, unless the Passenger designates otherwise;
- (p) when Operating a Group Transportation Vehicle take care of all property delivered or entrusted to him or her and accepted by him or her;

- (q) immediately upon termination of a Trip, search his or her Group Transportation Vehicle for any property left therein and deliver the property to its owner or if its owner cannot be found, to the London Police Services;
- (r) unless his or her Group Transportation Vehicle has been previously engaged, provide a Conveyance Service to any Person who may require his or her Group Transportation Vehicle, refusing only when:
 - (i) the Driver is concerned for his or her personal safety;
 - (ii) the person has not paid a previous Fare or cancellation charge;
 - (iii) the person is, in the opinion of the Driver, unable or unwilling to pay the Fare and has been unable or unwilling, when given the opportunity to do so, to satisfy the Driver that he or she has funds to pay the Fare; or
 - (iv) the person is a Grossly Unclean Individual;
- (s) ensure that the Group Transportation Vehicle's seat belts are plainly visible to and may be conveniently used by the Passenger;
- (t) turn off any radio, tape player or any other sound producing mechanical device in the Vehicle upon picking up a Passenger, unless the Passenger requests that the radio or any other sound producing mechanical device remain on;
- (u) provide to a Passenger if requested, a receipt, showing: the Driver's name; the Owner's Plate number for the Vehicle; the date and time of the Trip; the points of origin and destination of the Trip;
- (v) make available the number of the Owner Plate and the name of the Fleet that the Group Transportation Vehicle belongs to in an accessible format to Passengers who are Persons with Disabilities; and
- (w) maintain the interior and exterior of the Group Transportation Vehicle while he or she is Operating it, in a clean and tidy condition, including maintain the interior:
 - (i) free from all dust, dirt, grease, oil, adhesive resin and any other item that can be transferred on to the person, clothing or possessions of a Passenger;
 - (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the Group Transportation Vehicle;
 - (iii) free of noxious substances;
 - (iv) free of excess wear including tears and cigarette burns in the upholstery;
 - (v) in a dry condition;
 - (vi) in good repair;
 - (vii) with working seat belts;
 - (viii) with side windows that open and close;
 - (ix) with every seat securely mounted maintaining its position and adjustment;
 - (x) with a working dome light that will activate automatically when the vehicle doors open;

and maintain the exterior:

 - (xi) free from all dust, dirt, grease, oil, adhesive resin and any other item that can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
 - (xii) in good repair;
 - (xiii) free from exterior body damage;
 - (xiv) with no missing or removed fender, grill or molding;
 - (xv) with securely closing doors and trunk lid;
 - (xvi) with all handles and catches in good repair;
 - (xvii) with the paint or finish in good repair; and
 - (xviii) with four matching hubcaps or wheels.

3.0 DRIVER'S PROHIBITIONS

3.1 No Licensed Group Transportation Vehicle Driver shall:

- (a) Operate a Group Transportation Vehicle without a valid Owner Plate affixed thereto;

- (b) Operate a Group Transportation Vehicle whose owner is not a licensed Group Transportation Vehicle Owner;
- (c) Operate a Group Transportation Vehicle without the number of the Owner Plate and the name of the Fleet it belongs to displayed on the rear bumper of the Group Transportation Vehicle in accordance with subsection 2.1(g) of Schedule "F" to this By-law;
- (d) Operate a Group Transportation Vehicle with luggage or other material therein obstructing the Driver's view;
- (e) Operate a Group Transportation Vehicle without it being equipped with an operating camera system in accordance with subsection 2.1(b) of Schedule "F" to this By-law;
- (f) Operate a Group Transportation Vehicle without the decal installed stating that photographic images of the Passengers are being recorded in accordance with subsection 2.1(d) of Schedule "F" to this By-law;
- (g) fail to provide exact change to the Passenger;
- (h) charge any Passenger for time lost through defects or inefficiency of the Group Transportation Vehicle or the incompetence of the Driver;
- (i) charge any Passenger for the time elapsed due to early arrival of the Group Transportation Vehicle in response to a call for the Group Transportation Vehicle to arrive at a fixed time;
- (j) engage in any misleading or deceiving statement or representation to a person about the location or distance of any destination named by that person;
- (k) have taken, consumed or have in his or her possession any alcohol, drugs or intoxicants while Operating a Group Transportation Vehicle;
- (l) solicit or permit the solicitation of any person to become a Passenger;
- (m) carry in any Group Transportation Vehicle a greater number of Passengers than is set out in the manufacturer's rating of seating capacity for such vehicle, and for which a fully operational seat belt is available for each Passenger's use;
- (n) take on additional Passengers after the vehicle has departed with one (1) or more Passengers from any one starting point, except under the following circumstances:
 - (i) when done at the request or permission of a Passenger who is sixteen years of age or older and who is already in the vehicle;
 - (ii) in an emergency situation; or
 - (iii) on a Trip exclusively taking students to or from school;
- (o) interfere in any way with the normal use of a Cab Stand or Limousine Stand or public place or with surrounding traffic;
- (p) use a Cab Stand or Limousine Stand or other place set aside for Cabs or Limousines;
- (q) Operate a Group Transportation Vehicle unless it meets the standards for the issuance of a Safety Standard Certificate;
- (r) recommend hotels, restaurants or other like facilities unless asked to do so by the Passenger;
- (s) smoke inside a Group Transportation Vehicle;

- (t) cause or permit any immoral, indecent, or illegal act in a Group Transportation Vehicle under the Driver's care;
- (u) use or accept cellular telephone calls when engaged by a Passenger;
- (v) Operate a Group Transportation Vehicle when the Driver has been on duty for more than 12 hours within a 24 hour period without first taking 8 consecutive hours off duty; and
- (w) provide a Conveyance Service unless the Conveyance Service provided is by pre-arrangement, reserved in advance by at least 15 minutes.

SCHEDULE "D" - CAB AND ACCESSIBLE CAB OWNER

LICENCE APPLICATIONS, DUTIES, PROHIBITIONS

1.0 LICENCE APPLICATIONS AND RENEWALS

1.1 A person who is the owner of more than one Cab or Accessible Cab shall take out a separate Licence and Owner Plate for each Cab and Accessible Cab to be Plated and Operated or permitted to be Operated as a Cab or Accessible Cab.

1.2 Every Applicant for a Class A Cab Owner Licence or a Class A Accessible Cab Owner Licence or a renewal thereof shall:

- (a) if the Applicant is an individual, attend at the office of the Licence Manager in person and complete a written application for such Licence;
- (b) if the Applicant is partnership, have a partner attend at the office of the Licence Manager in person and complete a written application for such Licence;
- (c) if the Applicant is a corporation, have an officer or director of the corporation having signing authority attend at the office of the Licence Manager in person and complete a written application for such Licence;
- (d) if the Applicant is an individual, hold for a Cab Owner Licence a valid Cab Driver Licence or for an Accessible Cab Owner Licence a valid Accessible Cab Driver Licence;
- (e) if the Applicant is a partnership, have each partner hold for a Cab Owner Licence a valid Cab Driver Licence or for an Accessible Cab Owner Licence a valid Accessible Cab Driver Licence;
- (f) if the Applicant is a corporation, have an officer of the corporation hold for a Cab Owner Licence a valid Cab Driver Licence or for an Accessible Cab Owner Licence a valid Accessible Cab Driver Licence;
- (g) if the Applicant is a partnership, have each partner submit to the Licence Manager a CIR from the London Police Services dated not later than 60 days prior to the application for a Licence;
- (h) If the Applicant is a corporation have each director submit to the Licence Manager a CIR from the London Police Services dated not later than 60 days prior to the application for a Licence;
- (i) file with Licence Manager:
 - (i) proof that the vehicle to be Plated has a current motor vehicle permit that is in good standing issued under the *Highway Traffic Act* and is either registered in his or her name or leased by him or her;
 - (ii) proof of insurance in respect of the vehicle to be Plated indemnifying and protecting the Owner and the public, including Passengers, in the amount of \$2,000,000.00, which insurance shall be satisfactory to the Licence Manager who shall be notified in writing at least 60 days prior to the date of its cancellation or expiry;
 - (iii) a Safety Standards Certificate issued within the previous 60 days with respect to the vehicle to be Plated; and
 - (iv) a certificate of accuracy with respect to the Cab Meter installed in the vehicle to be Plated, dated not later than 30 days prior to the application for a Licence, by a qualified and authorized representative of the manufacturer of the Cab Meter on his or her letterhead stating that the Cab Meter is properly sealed and registers accurately;
- (j) submit for inspection and approval by the Licence Manager the vehicle that is to be Plated that meets all of the requirements of this Schedule; and
- (k) comply with all of the provisions of this By-law.

1.3 In addition to the requirements of section 1.2 of this Schedule every Applicant for a Class A Accessible Cab Owner Licence or any renewal thereof shall be a Licensed Cab Owner.

1.4 Every Applicant for a Class B Cab Owner Licence or Class B Accessible Cab Owner Licence or any renewal thereof shall:

- (a) if the Applicant is an individual, attend at the office of the Licence Manager in person and complete a written application for such Licence;
- (b) if the Applicant is partnership, have a partner attend at the office of the Licence Manager in person and complete a written application for such Licence;
- (c) if the Applicant is an individual, hold for a Cab Owner Licence a valid Cab Driver Licence or for an Accessible Cab Owner Licence a valid Accessible Cab Driver Licence;
- (d) if the Applicant is a partnership, have each partner hold for a Cab Owner Licence a valid Cab Driver Licence or for an Accessible Cab Owner Licence a valid Accessible Cab Driver Licence;
- (e) if the Applicant is a partnership, have each partner submit to the Licence Manager a CIR from the London Police Services dated not later than 60 days prior to the application for a Licence;
- (f) file with Licence Manager:
 - (i) proof that the vehicle to be Plated has a current motor vehicle permit that is in good standing issued under the *Highway Traffic Act* and is either registered in his or her name or leased by him or her;
 - (ii) proof of insurance in respect of the vehicle to be Plated indemnifying and protecting the Owner and the public, including Passengers, in the amount of \$2,000,000.00, which insurance shall be satisfactory to the Licence Manager who shall be notified in writing at least 60 days prior to the date of its cancellation or expiry;
 - (iii) a Safety Standards Certificate issued within the previous 60 days with respect to the vehicle to be Plated; and
 - (iv) a certificate of accuracy with respect to the Cab Meter installed in the vehicle to be Plated dated not later than 30 days prior to the application for a Licence, by a qualified and authorized representative of the manufacturer of the Cab Meter on his or her letterhead stating that the Cab Meter is properly sealed and registers accurately;
- (g) submit for inspection and approval by the Licence Manager the vehicle that is to be Plated that meets all of the requirements of this Schedule;
- (h) in the case of a Class B Accessible Cab Owner Licence, file with the Licence Manager proof satisfactory to the Licence Manager, that the Applicant is affiliated with a Licensed Broker; and
- (i) comply with all of the provisions of this By-law.

1.5 An Applicant shall not be eligible for a Class B Cab Owner Licence or a Class B Accessible Cab Owner Licence if:

- (a) the Applicant is a corporation;
- (b) the Applicant is an individual that holds a Cab Owner Licence or an Accessible Cab Owner Licence;
- (c) the Applicant is a partnership that holds a Cab Owner Licence or an Accessible Cab Owner Licence;
- (d) the Applicant is an officer, director or a shareholder in a corporation that holds a Cab Owner Licence or an Accessible Cab Owner Licence; or

- (e) the Applicant is a partner in a partnership that holds a Cab Owner Licence or an Accessible Cab Owner Licence.

2.0 VEHICLE REQUIREMENTS

2.1 Every Owner shall ensure that his or her Cab or Accessible Cab has:

- (a) a seating capacity of not less than 5 and not more than 10 individuals;
- (b) 4 doors including 2 rear passenger doors;
- (c) an illuminated electric sign securely affixed to the top of the Cab or Accessible Cab and connected to the Cab Meter so as to be lit from dusk to dawn when the Cab is not providing a Conveyance Service and indicating that that the vehicle is a Cab or Accessible Cab and the name of the Fleet it belongs to;
- (d) 2 exterior emergency lights in a location approved by the Licence Manager that:
 - (i) have an intermittent flasher to continuously flash until reset or disengaged and a silent activation switch within easy reach of the Driver; and
 - (ii) are amber in colour, at least 5 centimetres in diameter, shock resistant, wired on an independent circuit, upon activation visible from the front and rear of the Cab or Accessible Cab at a distance of not less than 15 metres but not visible to any individual in the Cab or Accessible Cab, and installed at and facing toward the front and the back of the Cab;
- (e) have a City issued 911 Bumper Sticker affixed in proximity to the rear emergency light;
- (f) a Cab Meter for registering distance traveled, waiting time and for computing Fares that is:
 - (i) illuminated between dusk and dawn;
 - (ii) clearly visible to Passengers;
 - (iii) adjusted in accordance with the tariffs in Schedule "1" of this By-law;
 - (iv) used only when the seal is intact;
 - (v) used for not longer than one year without retesting, re-inspection and resealing; and
 - (vi) kept in good working condition at all times;
- (g) a fully-operational security camera system;
 - (i) that has been approved by the Licence Manager;
 - (ii) that is capable of recording images of persons in the Cab or Accessible Cab at all hours of the day or night;
 - (iii) with access to the information recorded by the camera system limited to an Enforcement Officer to access the information for law enforcement purposes only; and
 - (iv) commencing October 1, 2012, that shall be capable of recording forward images of the roadway as seen by the Driver while the vehicle is in operation;
- (h) a decal or sign satisfactory to the Licence Manager installed in a location approved by the Licence Manager indicating that photographic images of the passengers are being recorded;
- (i) the number of the Owner Plate issued for the Cab or Accessible Cab displayed on the exterior sides of both front doors and right rear trunk hood in contrasting colours at least 8 centimetres high;
- (j) displayed on the rear bumper of the Cab or Accessible Cab the number of the Owner Plate issued for the Cab or Accessible Cab and the name of the Fleet it belongs to in text that is high colour-contrasted with its background in order to assist with visual recognition, has the appearance of solid characters and is consistently shaped, coloured and positioned with other vehicles in the Fleet;
- (k) the Owner Plate issued for the Cab or Accessible Cab securely affixed to its right rear trunk; and,
- (l) a colour scheme approved by the Licence Manager.

2.2 In addition to the requirements of section 2.1 of this Schedule, every Accessible Cab Owner shall ensure that his or her Accessible Cab:

- (a) is equipped with an extra tire, wheel and jack ready for use for that Accessible Cab;
- (b) is equipped with wheelchair tie downs;
- (c) is equipped with a first aid kit;
- (d) is equipped with a dry chemical fire extinguisher having an effective total rating of at least 4-B c and weighing 2.27 kilograms;
- (e) is equipped with operable air-conditioning and heating; and
- (f) is in compliance with the Canadian Standards Association's Standard D409-M84 and all other federal and provincial legislation including without limitation to O. Reg 1990 629 under the *Highway Traffic Act*.

2.3 For the purpose of this By-law the age of any motor vehicle shall be determined by counting the model year as the first year.

2.4 No motor vehicle more than seven (7) years old and no Low Emission Vehicle more than eight (8) years old may be plated as a Cab under this By-law. No motor vehicle more than eight(8) years old may be plated as an Accessible Cab under this By-law.

2.5 No motor vehicle more than three (3) years old may be Plated for the first time as a Cab or an Accessible Cab under this By-law.

3.0 OWNER'S DUTIES

3.1 Every Licensed Cab Owner or Accessible Cab Owner shall:

- (a) keep at all times in the Cab or Accessible Cab for which the Cab Owner Licence or Accessible Cab Owner Licence was issued, the original or a photocopy of the original of each of the following documents:
 - (i) the current Cab Owner Licence or Accessible Cab Owner Licence;
 - (ii) a current Ministry of Transportation passenger motor vehicle permit issued for the Cab or Accessible Cab;
 - (iii) the certificate of insurance for the Cab or Accessible Cab obtained in accordance with the requirements of this By-law.
- (b) maintain the Cab or Accessible Cab in good condition at all times and without limitation every Cab Owner or Accessible Cab Owner shall:
 - (i) maintain all drive train components, the engine, transmission, suspension and braking system in accordance with Ontario Regulation 611 of the *Highway Traffic Act*, as amended from time to time;
 - (ii) maintain all factory and after-market parts such as lamps, latches, seats, body parts, windows, heater and defroster systems free of defects or damage and in complete operational order; and
 - (iii) maintain the vehicle generally to allow for its safe operation;
- (c) repair all of the Cab's or Accessible Cab's mechanical defects immediately when reported by a Driver, the Licence Manager or an Enforcement Officer;
- (d) keep in the Cab or Accessible Cab a Maintenance Log recording all maintenance and repairs performed on the Cab or Accessible Cab within the preceding 12 months;
- (e) maintain the interior and exterior of his or her Cab or Accessible Cab in a clean and tidy condition, including maintain the interior:
 - (i) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on to the person, clothing or possessions of a Passenger;
 - (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the Cab or Accessible Cab;
 - (iii) free of noxious substances;
 - (iv) free of excess wear including tears and cigarette burns in the upholstery;

- (v) in a dry condition;
- (vi) in good repair;
- (vii) with working seat belts;
- (viii) with side windows that open and close;
- (ix) with every seat securely mounted maintaining its position and adjustment;
- (x) with a working dome light that will activate automatically when the vehicle doors open;

and maintain the exterior:

- (xi) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
 - (xii) in good repair;
 - (xiii) free from exterior body damage;
 - (xiv) with no missing or removed fender, grill or molding;
 - (xv) with securely closing doors and trunk lid;
 - (xvi) with all handles and catches in good repair;
 - (xvii) with the paint or finish in good repair; and
 - (xviii) with four matching hubcaps or wheels;
- (f) submit each Cab or Accessible Cab for a safety inspection annually by a motor vehicle inspection mechanic at a motor vehicle inspection station as defined by the *Highway Traffic Act* and at other times as requested to do so by the Licence Manager or an Enforcement Officer;
 - (g) submit the Cab Meter for testing, inspection and sealing by such person as the Licence Manager directs at any time;
 - (h) submit on or before October 31st of each year a certificate of accuracy satisfactory to the Licence Manager for any Cab Meter for testing, inspection and sealing completed between October 1st and October 31st of that year;
 - (i) maintain insurance on his or her Cab or Accessible Cab as required under subsection 1.2(i) or 1.4(f) of this Schedule;
 - (j) file with the Licence Manager at least 5 days prior to the expiry date of any current insurance policy an insurance renewal policy or certificate of insurance;
 - (k) ensure that every Driver or lessee and every other person involved in the operation of his or her Cab or Accessible Cab complies with all of the requirements of this By-law;
 - (l) know at all times the identity of any person having custody of or control over his or her Cab or Accessible Cab; and
 - (m) make available the number of the Owner Plate and the name of the Fleet that the Cab or Accessible Cab belongs to in an accessible format to Passengers who are Persons with Disabilities.

3.2 In addition to all of the requirements set out in section 3.1 of this Schedule, every Accessible Cab Owner shall:

- (a) ensure that the Driver of his or her Accessible Cab keeps an accurate record of the number of Trips made for Persons with Disabilities and for persons without Disabilities on his or her Trip Sheets;
- (b) ensure that the Driver of his or her Accessible Cab records the total number of Trips made for Persons with Disabilities and for Persons without Disabilities from the Trip Sheets for each month; and
- (c) ensure that the Driver of his or her Accessible Cab gives priority for providing Conveyance Service to Persons with Disabilities over persons without disabilities.

3.3 In addition to all of the requirements set out in section 3.1 of this Schedule, every Class B Cab Owner shall:

- (a) Operate his or her Cab on a full-time basis for a minimum of 35 hours a week for 40 weeks for the period of November 1 to October 31; and

- (b) if the Applicant is a partnership, each partner shall drive his or her Cab on a full-time basis for a minimum of 35 hours a week for 40 weeks for the period of November 1 to October 31.

3.4 In addition to all of the requirements set out in sections 3.1 and 3.2 of this Schedule, every Class B Accessible Cab Owner shall:

- (a) ensure that all Drivers in his or her Accessible Cab are affiliated with the same Broker as the Class B Accessible Cab Owner;
- (b) maintain an affiliation with a Broker as required under subsection 1.4(h) of this Schedule;
- (c) notify the Licence Manager in writing of any change of his or her affiliation with a Broker within 5 days of any such change;
- (d) Operate his or her Accessible Cab on a full-time basis for a minimum of 35 hours a week for 40 weeks for the period of November 1 to October 31; and
- (e) if the Applicant is a partnership, each partner shall operate his or her Accessible Cab on a full-time basis for a minimum of 35 hours a week for 40 weeks for the period of November 1 to October 31.

3.5 Notwithstanding subsections 3.4(d) and (e) of this Schedule, the Licence Manager may exempt a Class B Accessible Cab Owner from the minimum hours of operation required if, on account of illness, injury or other medical disability, he or she has been unable to meet the requirements of that subsection, if he or she files with the Licence Manager a statutory declaration so stating, together with supporting documentation including a medical certificate from a physician certified to practice in Ontario and such other evidence as the Licence Manager may require and the statutory declaration shall also state that he or she did meet the requirements of subsections 3.4(d) and (e) of this Schedule before the onset of his or her medical disability.

4.0 OWNER'S PROHIBITIONS

4.1 No Cab Owner or Accessible Cab Owner, shall:

- (a) permit any person to Operate his or her Cab without that person being Licensed as a Cab Driver under this By-law;
- (b) permit any person to Operate his or her Accessible Cab unless that person is Licensed as an Accessible Driver under this By-law;
- (c) permit his or her Owner Plate to be used with respect to any other vehicle other than the vehicle for which the Owner Plate was issued;
- (d) require or permit a Driver of the Owner's Cab or Accessible Cab, to work when that person's ability to perform his or her duties is impaired by fatigue, illness or otherwise;
- (e) require or permit a Driver to Operate the Owner's Cab or Accessible Cab when the Driver has been on duty for more than 12 hours within a 24 hour period without first taking 8 consecutive hours off duty;
- (f) Operate, cause or permit his or her Cab or Accessible Cab to be Operated with mechanical defects;
- (g) Operate or permit his or her Cab or Accessible Cab to be Operated, without an Owner Plate;
- (h) put any name, address or telephone number or identification other than that of the Broker with whom the Owner is affiliated, on his or her Cab or Accessible Cab;
- (i) Operate or permit his or her Cab or Accessible Cab to be Operated in affiliation with a Broker who is not licensed under this By-law;
- (j) display or permit the display of any advertisement on the Cab or Accessible Cab except one permanently attached exterior advertising sign not exceeding 36 cm x 51 cm (14" X 20") in size on each of the side panels of the front doors of the Cab or Accessible Cab and on the rear trunk lid of the Cab or Accessible Cab, such

sign relating solely to the vehicle for hire business of the Owner, or affiliated Broker;

- (k) permit a person to Operate his or her Cab or Accessible Cab when the Cab Meter is out of order or defective in any way;
- (l) use or permit to be used on his or her Cab or Accessible Cab a colour scheme that is not approved by the Licence Manager or simulates a colour scheme used by another Broker;
- (m) use or permit to be used in his or her Cab or Accessible Cab a scanning device or more than one two-way radio communication system and one cellular telephone; and
- (n) fail to maintain his or her Cab or Accessible Cab in operation for a period of at least 120 successive days.

5.0 NUMBER OF CAB AND ACCESSIBLE CAB OWNER LICENCES

5.1 A limitation is imposed on the issuance of Cab Owner Licences at whichever number is greater:

- (a) the number of licences issued under By-law No. L-126-256 immediately before its repeal; or,
- (b) a ratio of one Licence for each 1,100 residents of the City, the total number of residents of the City to be determined annually from the latest revised population figures available from Statistics Canada.

5.2 A limitation is imposed on the number of Accessible Cab Owner Licences at the ratio of one Licence for every 18 Cab Owner Licences.

5.3 Nothing in this By-law shall be construed as preventing an Owner from converting a Cab Owner Licence to an Accessible Cab Owner Licence.

5.4 To regulate the distribution of available Cab Owner Licences and Accessible Cab Owner Licences, the Licence Manager shall issue new Cab Owner Licences and Accessible Cab Owner Licences only at such times as the formula referred to in subsection 5.1(a) and (b) of this Schedule warrants the issuance of new Cab Owner Licences and Accessible Cab Owner Licences. If warranted, the new Licences shall be issued within 3 months of the population figures being available from Statistic Canada, in order from the Cab Priority List or the Accessible Cab Priority List.

5.5 Notwithstanding any provisions of this By-law, no individual corporation or group of corporations having a common shareholder or part Owner with a total of more than 50% of the shares of ownership shall have more than 35% of the total number of Cab Owner Licences.

6.0 CAB PRIORITY LIST AND ACCESSIBLE CAB PRIORITY LIST

6.1 The Licence Manager shall establish and maintain a Cab Priority List and an Accessible Cab Priority List to be used in determining the priority for issuing new Cab Owner and Accessible Cab Owner Licences, using the following criteria:

- (a) applicants that are on the Cab Priority List or the Accessible Cab Priority List on or before June 30, 2012 shall have their name placed on the Cab Priority List or the Accessible Cab Priority List and maintain their order;
- (b) when an Application for a Cab Owner Licence or an Accessible Cab Owner Licence is submitted to the Licence Manager after July 1, 2012 and the Applicant meets all of the requirements in subsections 1.4 (a) to (e) inclusive, 1.5 and 6.8 of this Schedule, but a Cab Owner Licence or an Accessible Cab Owner Licence cannot be issued because of the limitation on the number of Cab Owner Licences or Accessible Cab Owner Licences set out in subsection 5.1(a) and (b) of this Schedule, the Applicant's name shall be placed at the end of the Accessible Cab Priority List by the Licence Manager;
- (c) no person shall hold more than one position on either the Cab Priority List or the Accessible Cab Priority List at any one time;
- (d) no person shall have their name on or hold a position on both the Cab Priority List and the Accessible Priority List at any one time;
- (e) once a person receives a Cab or an Accessible Cab Owner Licence either by means of the Cab or Accessible Cab Priority List or by other means, such as a

transfer, the Person is no longer eligible to receive a Cab or Accessible Cab Owner Licence by means of the Cab or Accessible Cab Priority List;

- (f) no Person who has been issued a Licence from the Cab or Accessible Cab Priority List may re-enter his or her name on the Cab or Accessible Cab Priority List; and
- (g) if the Applicant whose name appears on the Cab or Accessible Cab Priority List is:
 - (i) an individual, then he or she; or
 - (ii) a partnership, then each partnershall complete a statutory declaration attesting to his or her continued eligibility to remain on the Cab or Accessible Cab Priority List within 30 days following the date the Licence Manager mails, by registered mail to the Applicant's last known address, a notice requiring the statutory declaration and any persons who fails to complete the statutory declaration shall have their name removed from the Cab or Accessible Cab Priority List without further notice.

6.2 When a Cab or Accessible Cab Owner Licence becomes available for issuance, the Licence Manager shall send a letter to the Applicant whose name is at the top of the Cab or Accessible Cab Priority List, whichever is applicable, by first class prepaid mail requesting that he or she, or each partner if the Applicant is a partnership, attend at the office of the Licence Manager within 45 days of the date of the letter to;

- (a) in the case of an Accessible Cab Owner Licence file with the Licence Manager proof of completion of an Accessible Cab Training Course approved by the Licence Manager, and, subsequently, complete a written examination administered by the Licence Manager with:
 - (i) a minimum grade of 75% for a first attempt; or
 - (ii) a minimum grade of 85% for all subsequent attempts;
- (b) submit an Application for such Licence in accordance with subsections 1.4 and 1.5 of this Schedule; and
- (c) pay the required fee.

6.3 Every newly Licensed Cab or Accessible Cab Owner shall place his or her Cab or Accessible Cab in operation within 45 days from the date the Cab or Accessible Cab Owner Licence is granted, failing which the Cab or Accessible Cab Owner Licence shall be returned to the Licence Manager who may proceed to issue the Cab or Accessible Cab Owner Licence to another eligible Applicant on the Cab or Accessible Cab Priority List.

6.4 When a Cab or Accessible Cab Owner Licence is issued or denied to an Applicant on the Cab or Accessible Cab Priority List, the name of that Applicant shall be removed from the applicable Cab or Accessible Cab Priority List by the Licence Manager and all other names below shall be moved forward one position.

6.5 No Person, by virtue of the submission of an Application for a Cab or Accessible Cab Owner Licence or by virtue of the placing of his or her name on the Cab or Accessible Cab Priority List shall obtain a vested right to a Cab or Accessible Cab Owner Licence, or to remain on the Cab or Accessible Cab Priority List.

6.6 The City may at any time amend or repeal this By-law and any successor By-laws and place further or additional requirements or restrictions on such persons at any time or to purge or eliminate the Cab or Accessible Cab Priority List.

6.7 The Cab or Accessible Cab Priority List shall not oblige the City to issue a Licence to any person on it, regardless of he or she being at the top or the earliest entry. The Cab or Accessible Cab Priority List shall not give such person a vested interest in a Cab or Accessible Cab Owner Licence and its use shall be solely for establishing the order of priority of persons seeking a Cab or Accessible Cab Owner Licence.

6.8 An Applicant's name shall be placed on the Cab or Accessible Cab Priority List by the Licence Manager if where the Applicant is an individual, the individual, or where the Applicant is a partnership, a partner:

- (a) has been Licensed as a Cab Driver for at least 2 years and Operating a Cab at least 35 hours a week for 40 weeks in each of the two years prior to the date that his or her Application for a Cab Owner Licence is filed with the Licence Manager together with a statutory declaration confirming this;
- (b) holds his or her Cab Driver Licence in good standing with no outstanding charges or convictions under this By-law; and

- (c) has not held, either directly or indirectly, a Cab Owner Licence or an Accessible Cab Owner Licence during the 5 years prior to the date that his or her Application for a Cab or Accessible Cab Owner Licence is filed with the Licence Manager.

6.9 Notwithstanding subsection 6.8 of this Schedule, when an Applicant's name has been added to the Cab or Accessible Cab Priority List, the Applicant's name shall remain on the Cab or Accessible Cab Priority List if where he or she is an individual, the individual, or where the Applicant is a partnership, a partner:

- (a) continues to drive a Cab for an average of at least 35 hours a week for 40 weeks each year or he or she works at a Licensed Brokerage, as a Dispatcher, a Broker general manager, telephone operator or mechanic and has worked in that capacity, or any combination thereof, for an average of at least 35 hours a week for 40 weeks each year and has filed a statutory declaration with the Licence Manager confirming this;
- (b) renews his or her Application annually, signing a statutory declaration and paying a fee as required by the Licence Manager; and
- (c) continues not to have held, either directly or indirectly, a Cab an or an Accessible Cab Owner Licence.

6.10 Notwithstanding subsection 6.9 of this Schedule, when an Applicant, (either an individual, or a partner if the Applicant is a partnership), has, on account of illness, injury or other medical disability, been unable to meet the requirements of that subsection, the Applicant's name may remain on the Cab or Accessible Cab Priority List if he or she files with the Licence Manager a statutory declaration so stating, together with supporting documentation including a medical certificate from a physician certified to practice in Ontario and such other evidence as the Licence Manager may require and the statutory declaration shall also state that the Applicant did meet the requirements of subsection 6.9 before the onset of his or her medical disability.

6.11 Notwithstanding subsection 6.9 of this Schedule, when an Applicant's name has been on the Cab or Accessible Cab Priority List for 4 years or more, his or her name may remain on the Cab or Accessible Cab Priority List while he or she if the Applicant is an individual, or a partner if the Applicant is a partnership, attends, on a full-time basis, an Ontario Government accredited educational institution, provided such attendance is for no more than 2 years and the Applicant gives written notification to the Licence Manager of his or her intention to enroll within 60 days of enrolment and proof of enrolment.

6.12 When a person fails to meet the requirements of section 6.0 of this Schedule, the Licence Manager shall remove his or her name from the Cab or Accessible Cab Priority List.

6.13 When a person acquires, by transfer or otherwise, a Cab Owner Licence or Accessible Cab Owner Licence, or an interest of any kind, directly or indirectly, in a Cab Owner Licence or Accessible Cab Owner Licence, or becomes a shareholder or partner or acquires some other interest in a partnership or corporation having an interest in Cab Owner Licence or Accessible Cab Owner Licence, the Licence Manager shall remove his or her name from the Cab or Accessible Cab Priority List.

6.14 The Licence Manager shall remove the name of an individual from the Cab or Accessible Cab Priority List immediately upon learning of his or her death.

6.15 The Licence Manager shall review the Cab and Accessible Cab Priority List at regular intervals, but in any case not less than once annually, to determine that those persons listed on it remain in compliance with the requirements of this By-law.

6.16 Any person whose name is on the Cab or Accessible Cab Priority List and who is determined by the Licence Manager not to comply with the requirements of section 6 of this Schedule shall be notified by registered letter mail to his or her last known address on file with the Licence Manager that his or her name is to be removed from the Cab or Accessible Cab Priority List and the person may appeal this removal by requesting a hearing before the Hearings Officer by filing with the City Clerk a notice of appeal in writing within 14 days following the date of mailing the registered letter, whether the registered letter is received or not. The notice of appeal must comply with the requirements as set out in Schedule 1 of the City's Hearings Officer By-law A-6653-121 as amended.

6.17 When a request for a hearing before a Hearings Officer has been made in accordance with subsection 6.16 of this Schedule, the Licence Manager shall:

- (a) not remove the name of the person appealing from the Cab or Accessible Cab Priority List until the Hearings Officer has issued a final decision;

- (b) note beside the name on the Cab or Accessible Cab Priority List that an appeal has been requested; and
- (c) not issue any Cab or Accessible Cab Owner Licences until such time as the Hearings Officer has disposed of all outstanding appeals, unless the Cab or Accessible Cab Owner Licence is not issued due to the Cab or Accessible Cab Priority List.

6.18 The Cab and Accessible Cab Priority List shall be available for inspection by the public during normal business hours at the office of the Licence Manager.

SCHEDULE "E" – LIMOUSINE OWNER

LICENCE APPLICATIONS, DUTIES, PROHIBITIONS

1.0 LICENCE APPLICATIONS AND RENEWALS

1.1 A person who is the owner of more than one Limousine shall take out a separate Licence and Owner Plate for each Limousine to be Plated and Operated or permitted to be Operated as a Limousine.

1.2 Every Applicant for a Limousine Owner Licence or a renewal thereof shall:

- (a) if the Applicant is an individual, attend at the office of the Licence Manager in person and complete a written application for such Licence;
- (b) if the Applicant is a partnership, have a partner attend at the office of the Licence Manager in person and complete a written application for such Licence;
- (c) if the Applicant is a corporation, have an officer or director of the corporation having signing authority attend at the office of the Licence Manager in person and complete a written Application for such Licence;
- (d) if the Applicant is an individual, hold a valid Limousine Driver Licence;
- (e) if the Applicant is a partnership, have each partner hold a valid Limousine Driver Licence;
- (f) if the Applicant is a corporation, have an officer of the corporation hold a valid Limousine Driver Licence;
- (g) if the Applicant is a partnership, have each partner submit to the Licence Manager a CIR from the London Police Services dated not later than 60 days prior to the application for a Licence;
- (h) If the Applicant is a corporation, have each director submit to the Licence Manager a CIR from the London Police Services dated not later than 60 days prior to the application for a Licence;
- (i) file with Licence Manager:
 - (i) proof that the vehicle to be Plated has a current motor vehicle permit that is in good standing issued under the *Highway Traffic Act* and is either registered in his or her name or leased by him or her;
 - (ii) proof of insurance in respect of the vehicle to be Plated indemnifying and protecting the Limousine Owner and the public, including Passengers, in the amount of \$2,000,000.00, which insurance shall be satisfactory to the Licence Manager who shall be notified in writing at least 60 days prior to the date of its cancellation or expiry; and
 - (iii) a Safety Standards Certificate issued within the previous 60 days with respect to the vehicle to be Plated;
- (j) submit for inspection and approval by the Licence Manager the vehicle that is to be Plated that meets all of the requirements of this Schedule; and
- (k) comply with all of the provisions of this By-law.

2.0 VEHICLE REQUIREMENTS

2.1 Every Owner shall ensure that his or her Limousine has:

- (a) 2 exterior emergency lights in a location approved by the Licence Manager that:
 - (i) have an intermittent flasher to continuously flash until reset or disengaged and a silent activation switch within easy reach of the Driver; and
 - (ii) are amber in colour, at least 5 centimetres in diameter, shock resistant, wired on an independent circuit, upon activation visible from the front and rear of the Limousine at a distance of not less than 15 metres but not visible to any individual in the Limousine, and installed at and facing toward the front and the back of the Limousine;

- (b) have a City issued 911 Bumper Sticker affixed in proximity to the rear emergency light;
- (c) a fully-operational security camera system;
 - (i) that has been approved by the Licence Manager;
 - (ii) that is capable of recording images of persons in the Limousine at all hours of the day or night;
 - (iii) with access to the information recorded by the camera system limited to an Enforcement Officer for law enforcement purposes only; and
 - (iv) commencing October 1, 2012, that shall be capable of recording forward images of the roadway as seen by the Driver while the vehicle is in operation;
- (d) a decal or sign satisfactory to the Licence Manager installed in a location approved by the Licence Manager indicating that photographic images of the passengers are being recorded;
- (e) the Owner Plate issued for the Limousine securely affixed to its right rear trunk; and,
- (f) displayed on the rear bumper of the Limousine the number of the Owner Plate issued for the Limousine and the name of the Fleet it belongs to in text that is high colour-contrasted with its background in order to assist with visual recognition, has the appearance of solid characters and is consistently shaped, coloured and positioned with other vehicles in the Fleet.

2.2 For the purpose of this By-law the age of any motor vehicle shall be determined by counting the model year as the first year.

2.3 No motor vehicle more than six (6) years old and no Low Emission Vehicle more than seven (7) years old may be Plated as a Limousine under this By-law.

2.4 No motor vehicle more than three (3) years old may be Plated for the first time as a Limousine under this By-law.

2.5 Sections 2.2, 2.3 and 2.4 do not apply to a Limousine (Classic).

3.0 OWNER'S DUTIES

3.1 Every Licensed Limousine Owner shall:

- (a) keep at all times in the Limousine for which the Limousine Owner Licence was issued, the original or a photocopy of the original of each of the following documents:
 - (i) the current Cab Owner Licence issued under this By-law;
 - (ii) a current Ministry of Transportation Passenger Motor Vehicle Permit issued for the Limousine;
 - (iii) the certificate of insurance for the Limousine obtained in accordance with the requirements of this By-law;
- (b) maintain the Limousine in good condition at all times and without limitation every Limousine Owner shall:
 - (i) maintain all drive train components, the engine, transmission, suspension and braking system in accordance with Ontario Regulation 611 of the *Highway Traffic Act*, as amended from time to time;
 - (ii) maintain all factory and after-market parts such as lamps, latches, seats, body parts, windows, heater and defroster systems free of defects or damage and in complete operational order; and
 - (iii) maintain the vehicle generally to allow for its safe operation;
- (c) repair all of the Limousine's mechanical defects immediately when reported by a Driver, the Licence Manager or an Enforcement Officer;
- (d) keep in the Limousine a Maintenance Log recording all maintenance and repairs performed on the Limousine within the preceding 12 months;
- (e) maintain the interior and exterior of his or her Limousine in a clean and tidy condition, including maintain the interior:

- (i) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on to the person, clothing or possessions of a Passenger;
- (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the Limousine;
- (iii) free of noxious substances;
- (iv) free of excess wear including tears and cigarette burns in the upholstery;
- (v) in a dry condition;
- (vi) in good repair;
- (vii) with working seat belts;
- (viii) with side windows that open and close;
- (ix) with every seat securely mounted maintaining its position and adjustment;
- (x) with a working dome light that will activate automatically when the vehicle doors open;

and maintain the exterior:

- (xi) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
 - (xii) in good repair;
 - (xiii) free from exterior body damage;
 - (xiv) with no missing or removed fender, grill or molding;
 - (xv) with securely closing doors and trunk lid;
 - (xvi) with all handles and catches in good repair;
 - (xvii) with the paint or finish in good repair; and
 - (xviii) with four matching hubcaps or wheels.
- (f) submit each Limousine for a safety inspection annually by a motor vehicle inspection mechanic at a motor vehicle inspection station as defined by the *Highway Traffic Act* and at other times as requested to do so by the Licence Manager or an Enforcement Officer;
 - (g) maintain insurance on his or her Limousine as required under subsection 1.2(i) of this Schedule;
 - (h) file with the Licence Manager at least 5 days prior to the expiry date of any current insurance policy an insurance renewal policy or certificate of insurance;
 - (i) ensure that the Driver and every other person involved in the operation of his or her Limousine complies with all of the requirements of this By-law;
 - (j) know at all times the identity of any person having custody or control over his or her Limousine;
 - (k) maintain for no less than 12 months an accurate record of all Orders for his or her Limousine together with:
 - (i) the number of the Limousine Owner Licence;
 - (ii) the date and time that the Limousine was dispatched;
 - (iii) the Driver's name and the Driver's Licence number; and
 - (iv) the address to which the Limousine was dispatched; and,
 - (l) make available the number of the Owner Plate and the name of the Fleet that the Limousine belongs to in an accessible format to Passengers who are Persons with Disabilities.

4.0 OWNER'S PROHIBITIONS

4.1 No Licensed Limousine Owner, shall:

- (a) permit any person to Operate his or her Limousine without that person being Licensed as a Limousine Driver under this By-law;
- (b) permit his or her Owner Plate to be used with respect to any other vehicle other than the vehicle for which the Owner Plate was issued;
- (c) require or permit a Driver of the Owner's Limousine, to work when that person's ability to perform his or her duties is impaired by fatigue, illness or otherwise;
- (d) require or permit a Driver to Operate the Owner's Limousine when the Driver has been on duty for more than 12 hours within a 24 hour period without first taking 8 consecutive hours off duty;

- (e) Operate, cause or permit his or her Limousine, to be Operated with mechanical defects;
- (f) Operate or permit his or her Limousine to be Operated, without an Owner Plate;
- (g) put any name, address or telephone number or identification other than that of the Broker with whom the Owner is affiliated, on his or her Limousine;
- (h) Operate or permit his or her Limousine to be Operated in affiliation with a Broker who is not licensed under this By-law;
- (i) display or permit the display of any advertisement on or in the Limousine except one permanently attached exterior advertising sign not exceeding 36 cm x 51 cm (14" X 20") in size on each of the side panels of the front doors of the Limousine and on the rear trunk lid of the Limousine, such sign relating solely to the vehicle for hire business of the Owner, or affiliated Broker;
- (j) use or permit to be used in his or her Limousine a scanning device or more than one two-way radio communication system and one cellular telephone; and
- (k) use or permit to be used in his or her Limousine any roof sign or top light.

SCHEDULE "F" – GROUP TRANSPORTATION VEHICLE OWNER

LICENCE APPLICATIONS, DUTIES, PROHIBITIONS

1.0 LICENCE APPLICATIONS AND RENEWALS

1.1 A person who is the owner of more than one Group Transportation Vehicle shall take out a separate Licence and Owner Plate for each Group Transportation Vehicle to be Plated and Operated or permitted to be Operated as a Group Transportation Vehicle.

1.2 Every Applicant for a Group Transportation Vehicle Owner Licence or a renewal thereof shall:

- (a) if the Applicant is an individual, attend at the office of the Licence Manager in person and complete a written application for such Licence;
- (b) if the Applicant is a partnership, have a partner attend at the office of the Licence Manager in person and complete a written application for such Licence;
- (c) if the Applicant is a corporation, have an officer or director of the corporation having signing authority attend at the office of the Licence Manager in person and complete a written application for such Licence;
- (d) if the Applicant is an individual, hold a valid Group Transportation Vehicle Driver Licence;
- (e) if the Applicant is a partnership, have each partner hold a valid Group Transportation Vehicle Driver Licence;
- (f) if the Applicant is a corporation, have an officer of the corporation hold a valid Group Transportation Vehicle Driver Licence;
- (g) if the Applicant is a partnership, have each partner submit to the Licence Manager a CIR from the London Police Services dated not later than 60 days prior to the application for a Licence;
- (h) If the Applicant is a corporation, have each director submit to the Licence Manager a CIR from the London Police Services dated not later than 60 days prior to the application for a Licence;
- (i) file with Licence Manager:
 - (i) proof that the vehicle to be Plated has a current motor vehicle permit that is in good standing issued under the *Highway Traffic Act* and is either registered in his or her name or leased by him or her;
 - (ii) proof of insurance in respect of the vehicle to be Plated indemnifying and protecting the Group Transportation Vehicle Owner and the public, including Passengers, in the amount of \$2,000,000.00, which insurance shall be satisfactory to the Licence Manager who shall be notified in writing at least 60 days prior to the date of its cancellation or expiry; and
 - (iii) a Safety Standards Certificate issued within the previous 60 days with respect to the vehicle to be Plated;
- (j) submit for inspection and approval by the Licence Manager the vehicle that is to be Plated that meets all of the requirements of this Schedule; and
- (k) comply with all of the provisions of this By-law.

2.0 VEHICLE REQUIREMENTS

2.1 Every Owner shall ensure that his or her Group Transportation Vehicle has:

- (a) exterior emergency lights in a location approved by the Licence Manager that:
 - (i) have an intermittent flasher to continuously flash until reset or disengaged and a silent activation switch within easy reach of the Driver; and
 - (ii) are amber in colour, at least 5 centimetres in diameter, shock resistant, wired on an independent circuit, upon activation visible from the front and

rear of the Group Transportation Vehicle at a distance of not less than 15 metres but not visible to any individual in the Group Transportation Vehicle, and installed at and facing toward the front and the back of the Group Transportation Vehicle;

- (b) have a City issued 911 Bumper Sticker affixed in proximity to the rear emergency light;
- (c) a fully-operational security camera system;
 - (i) that has been approved by the Licence Manager;
 - (ii) that is capable of recording images of persons in the Group Transportation Vehicle at all hours of the day or night;
 - (iii) with access to the information recorded by the camera system limited to an Enforcement Officer to access the information for law enforcement purposes only; and
 - (iv) commencing October 1, 2012 that shall be capable of recording forward images of the roadway as seen by the Driver while the vehicle is in operation;
- (d) a decal or sign satisfactory to the Licence Manager installed in a location approved by the Licence Manager indicating that photographic images of the passengers are being recorded;
- (e) the Owner Plate issued for the Group Transportation Vehicle securely affixed to its right rear trunk; and
- (f) displayed on the rear bumper of the Group Transportation Vehicle the number of the Owner Plate issued for the Group Transportation Vehicle and the name of the Fleet it belongs to in text that is high colour-contrasted with its background in order to assist with visual recognition, has the appearance of solid characters and is consistently shaped, coloured and positioned with other vehicles in the Fleet.

2.2 For the purpose of this By-law the age of any motor vehicle shall be determined by counting the model year as the first year.

2.3 No motor vehicle more than six (6) years old and no Low Emission Vehicle more than seven (7) years old may be Plated as a Group Transportation Vehicle under this By-law.

2.4 No motor vehicle more than three (3) years old may be Plated for the first time as a Group Transportation Vehicle under this By-law.

3.0 OWNER'S DUTIES

3.1 Every Licensed Group Transportation Vehicle Owner shall:

- (a) keep at all times in the Group Transportation Vehicle for which the Group Transportation Vehicle Owner Licence was issued, the original or a photocopy of the original of each of the following documents:
 - (i) the current Cab Owner Licence issued under this By-law;
 - (ii) a current Ministry of Transportation Passenger Motor Vehicle Permit issued for the Group Transportation Vehicle;
 - (iii) the certificate of insurance for the Group Transportation Vehicle obtained in accordance with the requirements of this By-law;
- (b) maintain the Group Transportation Vehicle in good condition at all times. Without limitation every Group Transportation Vehicle Owner shall:
 - (i) maintain all drive train components, the engine, transmission, suspension and braking system in accordance with Ontario Regulation 611 of the *Highway Traffic Act*, as amended from time to time;
 - (ii) maintain all factory and after-market parts such as lamps, latches, seats, body parts, windows, heater and defroster systems free of defects or damage and in complete operational order; and
 - (iii) maintain the vehicle generally to allow for its safe operation;
- (c) repair all of the Group Transportation Vehicle's mechanical defects immediately when reported by a Driver, the Licence Manager or an Enforcement Officer;

- (d) keep in the Group Transportation Vehicle a Maintenance Log recording all maintenance and repairs performed on the Group Transportation Vehicle within the preceding 12 months;
- (e) maintain the interior and exterior of his or her Group Transportation Vehicle in a clean and tidy condition, including maintain the interior:
 - (i) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on to the person, clothing or possessions of a Passenger;
 - (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the Group Transportation Vehicle;
 - (iii) free of noxious substances;
 - (iv) free of excess wear including tears and cigarette burns in the upholstery;
 - (v) in a dry condition;
 - (vi) in good repair;
 - (vii) with working seat belts;
 - (viii) with side windows that open and close;
 - (ix) with every seat securely mounted maintaining its position and adjustment;
 - (x) with a working dome light that will activate automatically when the vehicle doors open;

and maintain the exterior:

 - (xi) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
 - (xii) in good repair;
 - (xiii) free from exterior body damage;
 - (xiv) with no missing or removed fender, grill or molding;
 - (xv) with securely closing doors and trunk lid;
 - (xvi) with all handles and catches in good repair;
 - (xvii) with the paint or finish in good repair; and
 - (xviii) with four matching hubcaps or wheels.
- (f) submit each Group Transportation Vehicle for a safety inspection annually by a motor vehicle inspection mechanic at a motor vehicle inspection station as defined by the *Highway Traffic Act* and at other times as requested to do so by the Licence Manager or an Enforcement Officer;
- (g) maintain insurance on his or her Group Transportation Vehicle as required under subsection 1.2(i) of this Schedule;
- (h) file with the Licence Manager at least 5 days prior to the expiry date of any current insurance policy an insurance renewal policy or certificate of insurance; and
- (i) ensure that the Driver and every other person involved in the operation of his or her Group Transportation Vehicle complies with all of the requirements of this By-law;
- (j) know at all times the identity of any person having custody or control over his or her Group Transportation Vehicle;
- (k) maintain for no less than 12 months an accurate record of all Orders for his or her Group Transportation Vehicle together with:
 - (i) the number of the Group Transportation Vehicle Owner Licence;
 - (ii) the date and time that the Group Transportation Vehicle was dispatched;
 - (iii) the Driver's name and the Driver's Licence number; and
 - (iv) the address to which the Group Transportation Vehicle was dispatched;

and,
- (l) make available the number of the Owner Plate and the name of the Fleet that the Group Transportation Vehicle belongs to in an accessible format to Passengers who are Persons with Disabilities.

4.0 OWNER'S PROHIBITIONS

4.1 No Licensed Group Transportation Vehicle Owner, shall:

- (a) permit any person to Operate his or her Group Transportation Vehicle without that person being Licensed as a Group Transportation Vehicle Driver under this By-law;

- (b) permit his or her Owner Plate to be used with respect to any other motor vehicle other than the vehicle for which the Owner Plate was issued;
- (c) require or permit a Driver of the Owner's Group Transportation Vehicle, to work when that person's ability to perform his or her duties is impaired by fatigue, illness or otherwise;
- (d) require or permit a Driver to Operate the Owner's Group Transportation Vehicle when the Driver has been on duty for more than 12 hours within a 24 hour period without first taking 8 consecutive hours off duty;
- (e) Operate, cause or permit his or her Group Transportation Vehicle, to be Operated with mechanical defects;
- (f) Operate or permit his or her Group Transportation Vehicle to be Operated, without an Owner Plate;
- (g) put any name, address or telephone number or identification other than that of the Broker with whom the Owner is affiliated, on his or her Group Transportation Vehicle;
- (h) Operate or permit his or her Group Transportation Vehicle to be Operated in affiliation with a Broker who is not licensed under this By-law;
- (i) display or permit the display of any advertisement on or in the Group Transportation Vehicle except one permanently attached exterior advertising sign not exceeding 36 cm x 51 cm (14" X 20") in size on each of the side panels of the front doors of the Group Transportation Vehicle and on the rear trunk lid of the Cab, such sign relating solely to the vehicle for hire business of the Owner, or affiliated Broker;
- (j) use or permit to be used in his or her Group Transportation Vehicle a scanning device or more than one two-way radio communication system and one cellular telephone; and
- (k) use or permit to be used on his or her Group Transportation Vehicle any roof sign or top light.

SCHEDULE "G" - BROKERS

LICENCE APPLICATIONS, DUTIES, PROHIBITIONS

1.0 LICENCE APPLICATIONS AND RENEWALS

1.1 Every Applicant for a Broker Licence shall:

- (a) if the Applicant is an individual, attend at the office of the Licence Manager in person and complete a written application for such Licence;
- (b) if the Applicant is a partnership, have a partner attend at the office of the Licence Manager in person and complete a written application for such Licence;
- (c) if the Applicant is a corporation, have an officer or director of the corporation having signing authority attend at the office of the Licence Manager in person and complete a written application for such Licence;
- (d) if the Applicant is an individual, hold a valid Cab Driver Licence;
- (e) if the Applicant is a partnership, have each partner hold a valid Cab Driver Licence;
- (f) if the Applicant is a corporation, have an officer of the corporation hold a valid Cab Driver Licence;
- (g) if the Applicant is a partnership, have each partner submit to the Licence Manager a CIR from the London Police Services dated not later than 60 days prior to the application for a Licence;
- (h) If the Applicant is a corporation have each director submit to the Licence Manager a CIR from the London Police Services dated not later than 60 days prior to the application for a Licence;
- (i) file with Licence Manager:
 - (i) proof that the premises from which he or she intends to carry on business as a Broker are within the geographical boundaries of the Municipality, are appropriately zoned and will continue to be so located and zoned throughout the term of the Licence; and
 - (ii) proof that the Applicant has a system for receiving Orders and Dispatching City Plated Vehicles in his or her Fleet and that the system will not interfere with any other Broker, Owner or Fleet; and
- (j) comply with all of the provisions of this By-law.

2.0 BROKER'S DUTIES

2.1 Every Broker shall:

- (a) keep a record of all Owners associated with the Broker including: the make, model and VIN for each vehicle, the Owner's name and contact information, and a copy of the Owner's Licence;
- (b) ensure that every Driver or Owner in association with the Broker complies with this By-law, including being Licensed;
- (c) maintain an accurate record for at least 12 months, of all Orders for each Cab, Accessible Cab, Limousine and Group Transportation Vehicle Dispatched, including the following information:
 - (i) the Owner Licence number;
 - (ii) the Driver's name and Driver Licence number;
 - (iii) the date and time of Dispatch;
 - (iv) the address to which the vehicle is Dispatched;
 - (v) the time of arrival at pick up for all Trips; and
 - (vi) the time of arrival at the destination for all Trips; and
 - (vii) the fare charged for all Trips; and
 - (viii) geographic routing of all Trips taken;

- (d) inspect each Cab, Accessible Cab, Limousine and Group Transportation Vehicle Operated in association with the Broker prior to each period of continuous Operation or shift, ensuring that the vehicles are clean, mechanically operational, properly equipped and identified in accordance with this By-law;
- (e) carry on the Brokerage 24 hours a day, 7 days of the week during the term of the Broker Licence;
- (f) upon request, inform a passenger of the anticipated length of time for a vehicle to arrive at the pick-up location;
- (g) before accepting an Order, inform anyone Ordering of the anticipated length of time of any delay, due the volume of Orders, for a vehicle to arrive at the pick-up location;
- (h) notify the Licence Manager within 72 hours of any addition to or deletion of an Owner from the Fleet;
- (i) when Dispatching Accessible Cabs:
 - (i) give priority for Conveyance Service for Persons with Disabilities over Persons without Disabilities; and
 - (ii) record the number of Trips each Accessible Cab has made for Persons with Disabilities and Persons without Disabilities;
- (j) ensure that each Cab, Accessible Cab, Limousine and Group Transportation Vehicle in his or her Fleet is equipped to accept credit card and debit card payments; and
- (k) ensure that each Cab, Accessible Cab, Limousine and Group Transportation Vehicle in his or her Fleet is equipped with a fully functioning global positioning system that:
 - (i) is approved by the Licence Manager;
 - (ii) is capable of tracking and locating the position of the vehicle;
 - (iii) includes a vehicle location system;
 - (iv) is equipped with an emergency call button; and
 - (v) is fully operational at all times when the vehicle is available for or providing a Conveyance Service.

3.0 BROKER'S PROHIBITIONS

3.1 No Licensed Broker shall:

- (a) Dispatch any Driver who is not Licensed;
- (b) Dispatch any Driver who is Operating a Cab, Accessible Cab, Limousine or Group Transportation Vehicle whose Owner is not Licensed;
- (c) require any Driver to accept any Order which is not in accordance with the appropriate Fare set out in Schedule "I" to this By-law;
- (d) enter into an agreement for the provision of Brokerage services with a Driver or Owner who is already affiliated with another Broker; and
- (e) accept any Order or Dispatch any Driver where:
 - (i) the Order is for an illegal service under this By-law, any other by-law or provincial or federal legislation; or
 - (ii) the Fare is less than that prescribed by this By-law.

SCHEDULE "H"

LICENCE, EXAMINATION AND OTHER FEES

Each fee listed herein shall be charged by the City in each particular instance.

Category	Fee plus applicable taxes
Driver Licence (Cab, Accessible Cab, Limousine, Group Transportation Vehicle)	\$10.00 Monthly fee *
Owner Licence (Cab, Accessible Cab, Limousine, Group Transportation Vehicle)	\$750.00 Annual Fee
Broker Licence	\$400.00 Annual Fee
Driver English Exam	\$30.00
Driver Final Exam	\$40.00
911 Bumper Sticker	\$3.00
Tariff Card	\$5.00
Re-Inspection of Vehicle for Hire	\$50.00
Replacement of Owner Plate	\$35.00
Driver Licence Replacement	\$20.00
Vehicle Transfer Between Brokerage	\$210.00
Owner Licence Transfer (Includes Estate Transfer)	\$750.00
Vehicle Substitution	\$210.00
Accessible Cab Priority List	\$25.00
Cab Priority List	\$25.00
Request for Appeal of Decision of Licence Manager	\$100.00

*Monthly Fee per month for each month or part thereof for the term of the Licence

SCHEDULE "I"

CAB AND ACCESSIBLE CAB TARIFF/FARES

1. \$3.50 for up to the first 57 metres or for up to the first 11 seconds while travelling 17 kilometres per hour or less, or a combination thereof;
2. \$0.25 for each additional 130 metres or part thereof;
3. \$0.25 each additional 26 seconds of time while the Cab or Accessible Cab is on a Trip, travelling at a speed of 17 kilometres per hour or less; and
4. A 10% discount on the tariff will be given, on a 24-hour per day basis, to Senior Citizens. The discount is calculated on the highest full dollar registered on the Cab Meter (e.g. the discount on a \$2.50 Fare would be calculated on \$2.00 only and would equal \$0.20);

The Fares shall be calculated from the time of pickup of the first Passenger to the time of the discharge of the last Passenger.

LIMOUSINE (EXECUTIVE) TARIFFS/FARES

There are two fare structures that are permitted in the Municipality for Limousine (Executive).

Option 1 – Zone Fare Structure

Effective July 1, 2012, the permitted fares for Limousine (Executive) operating within the Municipality shall be calculated as travelled zones by the most expeditious route.

Zones	General Rate	Senior Rate
1	\$9.50	\$8.75
2	\$9.50	\$8.75
3	\$12.25	\$11.00
4	\$15.25	\$14.00
5	\$18.50	\$17.00
6	\$22.25	\$20.25
7	\$25.00	\$22.50
8	\$28.75	\$26.00
9	\$32.00	\$29.00
10	\$35.25	\$32.00
11	\$38.50	\$34.75
12	\$41.75	\$37.75
13	\$45.50	\$41.25
14	\$48.00	\$43.50

Effective July 1, 2013, the permitted fares for Limousine (Executive) operating within the Municipality shall be calculated as travelled zones by the most expeditious route.

Zones	General Rate	Senior Rate
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1	\$10.25	\$9.50
2	\$10.25	\$9.50
3	\$13.00	\$11.75
4	\$16.00	\$14.75
5	\$19.25	\$17.75
6	\$23.00	\$21.00
7	\$25.75	\$23.25
8	\$29.50	\$26.75
9	\$32.75	\$29.75
10	\$36.00	\$32.75
11	\$39.25	\$35.50
12	\$42.50	\$38.50
13	\$46.25	\$42.00
14	\$48.75	\$44.25

Option 2 – Hourly

The permitted fares for Limousine (Executive) operating within the Municipality shall be as follows:

- a minimum fare of \$43.00 for the first hour or part thereof, and thereafter,
- a minimum fare of \$43.00 per hour.

LIMOUSINE (STRETCH) AND LIMOUSINE (CLASSIC) TARIFF/FARES

The permitted fares for Limousine (Stretch) and Limousine (Classic) operating within the Municipality shall be as follows:

- a minimum fare of \$70.00 for the first hour of part thereof, and thereafter,
- a minimum fare of \$70.00 per hour.

GROUP TRANSPORTATION VEHICLE TARIFF/FARES

The permitted fares for Group Transportation Vehicles operating within the Municipality shall be as follows:

- a minimum fare of \$43.00 for the first hour of part thereof, and thereafter,
- a minimum fare of \$43.00 per hour.

