

Terms of Reference for the Taxicab Advisory Committee

(City Council on December 14, 15 and 16, 1999, amended this Clause by adding thereto the following:

“It is further recommended that the Acting Commissioner of Urban Planning and Development Services be requested to submit a report to the Taxi Watch Committee in March 2000, as to the advisability of including the Taxi Watch program within the mandate of the Taxicab Advisory Committee.”)

The Planning and Transportation Committee recommends the adoption of the following report (November 12, 1999) from the Acting Commissioner, Urban Planning and Development Services.

Purpose:

This report makes recommendations for the terms of reference, provision of resources, and for the establishment of an elected Taxicab Advisory Committee (TAC).

Financial Implications and Impact Statement:

The establishment, administrative and funding support of an elected TAC can be accomplished within existing resources.

Recommendations:

It is recommended that:

- (1) the attached terms of reference for the TAC be adopted, with the view they act as a guide for the group's development within the context of the taxi industry's capacity for self-management;
- (2) the section in this report on the holding of an industry election to elect TAC members be received for information;
- (3) Council direct that once industry elections have taken place, the newly elected TAC consult with representatives of the Municipal Licensing and Standards Division, the Board of Trade, the Hotel and Restaurant Association, the Province of Ontario, the Greater Toronto Services Board and the Greater Toronto Marketing Association regarding their participation and composition as ex-officio members of the TAC; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

This report arises from the approved recommendations of the Task Force to Review the Taxi Industry and responds to Council's endorsement of the concept of industry self-management and

the creation of conditions conducive for that purpose, as well as for the continuation of the Taxicab Advisory Committee (TAC).

At the Council meeting on November 25, 26 and 27, 1998, recommendations of the Task Force to Review the Taxicab Industry contained in Clause No. 1 of Report No. 13 of the Emergency and Protective Services Committee were adopted, as amended. Among these were the following:

- (18) Council endorse the concept of self-management and work to create the conditions which will permit it to be implemented over time;
- (19) Council endorse the continuation of the Taxicab Advisory Committee (TAC);
- (20) The TAC be structured in such a way to develop the industry capacity for self-management;
- (21) The structure be amended to include: elected representation from taxi drivers, elected representation from taxicab license owners, elected representation from industry managers including designated agents and brokerages; and that there be ex-officio representatives of Toronto Licensing, the Board of Trade, the Hotel and Restaurant Association, the Province of Ontario, the proposed Greater Toronto Services Board, and the Greater Toronto Marketing Association;
- (22) The mandate of the TAC include:
 - Drivers code of ethics;
 - Driver Safety and property loss and the possible assistance that can be offered by Toronto Police Services in this regard;
 - Reasonable accessibility to taxicab transportation for the disabled;
 - Performance reviews and incentives;
 - Passenger complaints handling;
- (23) The Chief Administrative Officer (CAO) address industry self-management and the issues identified in recommendations 20-21 above, in the development of the terms of reference for the Taxicab Advisory Committee.

On April 12, 1999, the Municipal Licensing and Standards Division, Taxi Unit, conducted an industry workshop to obtain input regarding implementation of various components of the Task Force recommendations. At that time, a nine (9) member Workgroup representing a cross-section of Toronto's taxi industry was formed. The workgroup consisted of Jim Bell – Manager of Diamond Taxi, Taxicab Brokerage; Nabil Charbel – Ontario Taxi Union Local 1688; John Dufort – Taxicab Driver of Wheelchair Accessible Vehicle and past Chair of the TAC; Lawrence Eisenberg – Taxicab Owner and current vice-chair of the TAC; Andre Plante – Independent Taxicab Owner; Gail Souter – Manager of Beck Taxi, Taxicab Brokerage; Stan Steiner – Taxicab Owner; Andrew Whitely – Taxicab Driver and Agent; and Gary Walsh –

Taxicab Driver. Alternate members Reza Hosseinioun – Taxicab Driver and member of Ontario Taxi Union Local 1688, and Andrew Reti – Taxicab Owner also participated.

The Workgroup to Establish Terms of Reference for A New TAC held its inaugural meeting on May 14, 1999. It was chaired by Richard Mucha, Manager, Taxi Licensing, Municipal Licensing and Standards, and facilitated by Steve Keller, Senior Human Resources Consultant, Corporate and Human Resources Services. At this meeting seven (7) terms of reference were identified and approved through majority group vote. The consultative process included seven (7) intensive workgroup meetings between May 14, 1999, and October 7, 1999, with presentation of the group's recommendations to larger taxi industry workshops held on May 26, 1999, August 13, 1999, and November 8, 1999, with the goal of obtaining final consensus.

Comments:

The report addresses recommendation no. 23 wherein the Chief Administrative Officer (CAO) address industry self-management and the issues identified in recommendations 20 – 21, in the development of terms of reference for the Taxicab Advisory Committee (TAC).

The attached terms of reference for the TAC, accompanied by rationale statements were developed and approved in consultation with the Toronto taxicab industry. The Work Group agreed that a priority list should accompany the terms of reference in order to assist a newly elected TAC in establishing itself during the first year, including the development of mechanisms to consult with industry/stakeholders such as the disabled community. It has also been attached for reference.

On November 8, 1999, final approval of the Terms of Reference was reached at a larger Taxi Industry Workshop meeting. At that time, it was decided that the Taxi Unit of the Municipal Licensing and Standards Division would conduct an industry-wide election with the participation of the taxi industry. An election sub-committee was formed with the mandate of developing a fast-track process to allow for elections to be held early in 2000.

Conclusions:

This report puts forward and seeks approval of terms of reference for the creation of a new TAC as outlined in the Task Force to Review the Taxi Industry recommendations. It addresses the requirement that the TAC be an elected body and seeks approval for the establishment of a process of implementation.

The report was prepared consistent with the direction of the Chief Administrative Officer.

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Appendix 1

Taxicab Advisory Committee Terms of Reference

Purpose Statement – The Taxicab Advisory Committee is a body with an industry-wide perspective for the Toronto taxicab industry. Through a consultative process, it will study, report, make recommendations and submissions on matters related to the industry, its regulators and the public, which it serves. It will act to improve service and enhance the professionalism of the Toronto taxicab industry for the riding public.

The Workgroup recognizes the TAC as a vehicle for industry involvement in the development of policy, procedures and guidelines that would lead the industry towards eventual self-management. To this end, the TAC would need to be very inclusive in gathering and disseminating information in order to achieve the goal of improving service for the riding public. It was suggested that the means to best accomplish this would be as a sub-committee to the Planning and Transportation Committee of City Council.

Process – The TAC shall identify issues using a variety of methods to gather information, ensuring that input is received from all industry sectors as well as interested stakeholders.

The TAC shall identify issues according to their complexity and a determination will be made as to whether the matter should be addressed by members alone, or whether a more comprehensive approach is required.

Issues identified by the TAC, as being able to be resolved through internal discussion shall be directly put forth in a final report format. Issues identified as being more complex may be brought forth to all appropriate industry sectors and interested stakeholders in order to obtain input/information for a draft report. The report's findings will be tested with the industry/stakeholders to ensure general acceptance. Reactions will be forwarded back to the TAC, which will then finalize the report for submission.

In its deliberations the Workgroup stressed that the process be an open one to prevent decisions from being made in isolation. It was stated that the TAC should look for opportunities to consult with industry and other stakeholders both in the research phase and in the development of its recommendations. Such an inclusive process would increase the level of co-operation between the regulator, Council and the industry giving rise to a high level of credibility for the TAC.

Reporting Relationship - The City of Toronto will provide resources to make all necessary arrangements for the holding of meetings, preparation of agendas, co-ordinate and convene same, and to supply secretarial and other services as required. The City of Toronto's appointee will also receive submissions in order to draft an agenda and inform all interested parties of the agenda.

Appendix 2

The T.A.C. will:

- (a) Study, report and make recommendations upon any matter referred by the City of Toronto Council, any City Committee, the Toronto Licensing Tribunal and/or the Municipal Licensing and Standards Division, which relate to the taxi industry and to make recommendations through the Licensing Sub-Committee, thereon to the Planning and Transportation Committee.
- (b) Study matters relating to the taxi industry referred to it by members of the industry, elected members and members of the TAC or members of the public and to make recommendations through the Licensing Sub-Committee, thereon to the Planning and Transportation Committee.
- (c) Study matters of public relations, business opportunities and the improvement of working conditions within the taxi industry, and to report and make recommendations.
- (d) The Chair of the TAC have an automatic right to bring items on the agenda and to depute to the Planning and Transportation Committee on all taxi issues.

The challenge faced by the Workgroup was to clarify how matters would reach the TAC and where its reports would be targeted. In this regard in order to assist from the transition stage to eventual industry self-management, the TAC is looking for resource support from the City of Toronto.

Meetings - The TAC will meet on a quarterly basis and will publish its meeting schedule. The TAC will convene additional meetings as required.

The Workgroup recognized that a minimum number of meetings needed to be established so that the public and the industry know, by way of a schedule, when the TAC would be accessible. TAC will publish meetings as they are added to its schedule.

Term of Office – Members will serve for a three (3) year term.

The Workgroup's rationale for length of term allows members enough time to gain experience as well as provide for a sense of continuity.

Membership Acquisition - Industry representatives will acquire a seat on the Taxi Advisory Committee via elections. Ex-Officio representatives will be appointed.

Recommendation no. 21 of the Taskforce to Review the Taxi Industry as approved by Council specifies that taxi industry members be elected. The TAC will develop a process to consult with external stakeholders to determine what composition ex-officio representatives named in the recommendation will have.

Appendix 3

Committee Composition - The composition of the taxi industry membership will be four (4) taxicab drivers, two (2) taxicab owners, one (1) independent taxicab owner, and one (1) taxicab brokerage, for a total of (8) industry members.

The Workgroup agreed that keeping the composition of the entire TAC smaller from previous years would likely make it more manageable in getting work done. Should the need arise, subcommittees could be formed to address more onerous tasks. After much deliberation and in consultation with brokerages as well as participants of Taxi Industry Workshops, the Workgroup devised the above-noted composition to best reflect the taxi industry membership as outlined in recommendation no. 21 of the report of the Task Force to Review the Taxi Industry.

Priority List

- Establish committee operation procedures
 - Appointment of Chair/Vice Chair
 - Determine decision making process
 - Determine number and length of meetings
 - Publish year's meeting dates, times, locations
 - Establish what is a quorum
- Establish procedures for replacing members in case of health problems, lack of interest, etc.
- Negotiate operating budget
- Determine remuneration
- Develop mechanisms for consultation with industry/stakeholders
- Develop mechanisms for gathering and disseminating information
- Develop strategies for gaining credibility
- Determine priorities for the Committee's first term

The following persons appeared before the Planning and Transportation Committee in connection with the foregoing matter:

- Ian Allaby; and
- Lajos Racz.