

Authority: Emergency and Protective Services Committee Report No. 13, Clause No. 1, as adopted by City Council on November 25, 26 and 27, 1998; and
Emergency and Protective Services Committee Report No. 5, Clause No. 1, as adopted by City Council on May 11 and 12, 1999

Enacted by Council: May 12, 1999

CITY OF TORONTO

BY-LAW No. 245-1999

To amend further Metropolitan Toronto By-law No. 20-85, a by-law “Respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area”, a by-law of the former Municipality of Metropolitan Toronto.

The Council of The City of Toronto HEREBY ENACTS as follows:

1. Section 1 of By-law No. 20-85, as amended, a by-law “Respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area”, a by-law of the former Municipality of Metropolitan Toronto, is further amended by adding the following subsections:

(15.1) “Commissioner” means the Commissioner of Urban Planning and Development Services of the City of Toronto.

(32.1) “Municipal Licensing and Standards Division” means the Municipal Licensing and Standards Division of the Urban Planning and Development Services Department, and includes employees thereof.

2. Schedule 8 to By-law No. 20-85, as amended, is further amended by adding the following section:

21.1 (1) Except when an owner submits his or her taxicab for examination before a licence is issued therefor, every owner shall attend in person, and not by an agent, at each scheduled or rescheduled mechanical examination of his or her taxicab conducted pursuant to subsection 21(1) of this Schedule.

(2) Where an owner fails to attend in person at a mechanical examination in accordance with subsection (1) of this section, the taxicab shall not be inspected and the owner shall reschedule the mechanical examination within three days of the original examination date.

(3) Where an owner fails to reschedule a mechanical examination and attend in person at such rescheduled mechanical examination in accordance with subsections (1) and (2) of this section, the Municipal Licensing and Standards Division shall remove such owner’s plate from the taxicab and the plate shall not be returned until such time as the owner submits his or her taxicab for examination and attends in person at such examination.

3. Schedule 8 to By-law No. 20-85, as amended, is further amended by adding the following section:

99. (1) No driver shall operate a taxicab for more than twelve hours during any period of twenty-four consecutive hours.
- (2) No owner shall permit any driver to operate such owner's taxicab for any period in excess of the hours prescribed by this section.

4. Subsection 28(1) of Schedule 8 to By-law No. 20-85, as amended, is further amended by deleting the period at the end of paragraph (e) and replacing it with a semi-colon and the word "and", and by adding the following paragraph:

- (f) the time of the beginning and termination of each shift or working period.

5. Section 28 of Schedule 8 to By-law No. 20-85, as amended, is further amended by adding thereto the following subsection:

- (3) Every driver shall, at the beginning of each shift or working period, record the time of the beginning of such shift or working period on his or her trip record.

6. Appendix "A" to Schedule 8 of By-law No. 20-85, as amended, is further amended by adding at the top thereof the words "Driver Start Time" and "Driver Finish Time" such that Appendix "A" is in the form attached to this by-law as Appendix "A", which Appendix shall form part of this by-law.

7. Schedule 8 to By-law No. 20-85, as amended, is further amended by adding thereto the following section:

18.1 (1) Every owner shall securely affix to the back of the front passenger seat of his or her taxicab a Taxicab Passenger Bill of Rights in a form provided by the Commissioner or his or her designate, which form shall state that taxicab passengers have a right to:

- (a) direct the driver on the route to be taken;
- (b) an effective complaints process;
- (c) a free ride if the meter is not in a recording position;
- (d) a quality taxicab which:
 - (i) is in good mechanical and physical condition;
 - (ii) has a clean passenger area and trunk;
 - (iii) is heated or air-conditioned on demand;
 - (iv) has easy access to seatbelts;
 - (v) is a smoke-free environment; and

- (vi) equipped with a meter that issues receipts noting the date and time of the trip, the distance travelled, the taxicab licence number and the fare charged; and
- (e) a professional driver who:
 - (i) is licensed and knowledgeable;
 - (ii) knows the major routes and destinations in the City of Toronto;
 - (iii) speaks and understands English;
 - (iv) is courteous and provides assistance;
 - (v) provides a safe ride;
 - (vi) knows and obeys the by-laws and all traffic laws; and
 - (vii) offers a silent ride if desired.

(2) The Taxicab Passenger Bill of Rights shall also state that drivers may not recommend hotel accommodations or restaurants unless requested by the passenger.

(3) No owner or driver shall operate, or permit to be operated, his or her taxicab unless a Taxicab Passenger Bill of Rights, as prescribed by this section, is displayed therein in accordance with subsection (1) of this section.

8. Section 9 of Schedule 8 to By-law No. 20-85, as amended, is further amended by adding thereto the following subsections:

(10) equipped with an automatic receipt dispenser which provides a receipt stating the date, the time of the commencement and conclusion of the trip, the distance travelled, the plate number of the taxicab, the total fare charged and the Municipal Licensing and Standards Division taxicab customer service telephone number.

(11) programmed to record the income of each driver of the taxicab.

9. Section 83 of Schedule 8 to By-law No. 20-85, as amended, is repealed and the following is substituted in lieu thereof:

83. Every owner and driver shall give a passenger a receipt containing the information prescribed by subsection 9(10) of this Schedule.

10. Schedule 8 to By-law No. 20-85, as amended, is further amended by adding the following section:

20.2 (1) No owner or driver shall operate or permit to be operated his or her taxicab unless such taxicab is equipped with fully functional air-conditioning and heating systems.

(2) Every owner and driver shall, upon the request of a passenger, activate the air-conditioning or heating systems in such owner or driver's taxicab.

11. Subsection 9(8) of Schedule 8 to By-law No. 20-85, as amended, is further amended by deleting the words "By-law of the Commission" and inserting in lieu thereof the words "the Executive Director or his or her designate", such that the said subsection reads as follows:

(8) numbered, and, subject to the provisions of this By-law, shall be of a make and model approved by the Executive Director or his or her designate.

12. (1) Section 45 of Schedule 8 to By-law No. 20-85, as amended, is further amended by deleting the word "Notwithstanding" at the beginning thereof and inserting in lieu thereof the words "Subject to", and by deleting the words "two-way radio" therein, such that the said section reads as follows:

45. Subject to section 56 of this Schedule, every driver and every owner driving his own taxicab shall turn off any radio, tape player or any other sound-producing mechanical device in his taxicab upon being requested so to do by any passenger, and having done so pursuant to such a request shall leave such device or devices in the off position until that passenger's trip has been completed.

(2) Section 56 of Schedule 8 to By-law No. 20-85, as amended, is further amended by deleting the words "Subject to Section 45 of this Schedule" at the beginning thereof.

13. Paragraph 18(1)(f) of Schedule 8, as amended, is repealed.

14. (1) Sections 1 to 6 and 11 of this By-law shall come into force on the date of enactment of this by-law.

(2) Sections 7 to 10, 12 and 13 of this By-law shall come into force on September 1, 1999.

ENACTED AND PASSED this 12th day of May, A.D. 1999.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)

**APPENDIX "A" TO SCHEDULE 8
TRIP RECORD**

Cab No. _____

Driver Start Time _____

Prov. Plate No. _____

Driver Finish Time _____

ODOMETER		METER TRIPS		METER UNITS (FARES)		OWNER'S NAME	
In	_____	In	_____	In	_____		
Out	_____	Out	_____	Out	_____		
Total	_____	Total	_____	Total	_____		
						Date	_____

Driver _____

Driver's Address _____

Taxicab Driver's Licence No. _____

Pick Up Time	To	From	Drop Off Time	Cash		Charges	
Sub-Total							
Total							

EQUIPMENT FAULTS

Brakes _____ Steering _____ Exhaust System _____ Meter _____

Cleanliness & Damage: Interior _____ Exterior _____

Other Remarks: _____

Driver's Signature _____