

Authority: Planning and Transportation Committee Report No. 6, Clause No. 3,
as adopted by City of Toronto Council on September 28, 29, 30 and
October 1, 2004
Enacted by Council: September 30, 2004

CITY OF TORONTO

BY-LAW No. 793-2004

**To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting age of
vehicle requirements for taxicabs.**

WHEREAS Section 150 of the *Municipal Act, 2001*, grants local municipalities the authority to license, regulate and govern any business wholly or partly carried on within the municipality for purposes of health and safety, consumer protection and / or nuisance control and s. 155 grants further licensing powers with respect to the owners and drivers of taxicabs; and

WHEREAS the task force review of the taxi industry in the City of Toronto conducted in 1998 determined that, on average, older vehicles used as taxicabs are more likely to be found unsafe and dangerous; and

WHEREAS to address the health and safety issues arising from that determination, the reforms to taxicab regulation resulting from the task force review included changes to the provisions restricting the age of vehicles that could be used as taxicabs; and

WHEREAS the phase-in period for these changes is now complete; and

WHEREAS the Council of the City of Toronto considers further refinements to the age of vehicles provisions necessary to protect health and safety while balancing the needs of and the realities facing the taxicab industry; and

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

1. Subsection 545-140 is repealed and replaced with the following:

§ 545-140. Age of Vehicles.

- A. Definition.

In this section the following term shall have the meaning indicated:

NEW VEHICLE – a motor vehicle that has not been previously bought, sold or leased by a licensed vehicle dealer.

- B. Standard taxicabs age restrictions.

- (1) A motor vehicle that by year date is more than five model years old shall not be used as a standard taxicab.
- (2) A motor vehicle used as a standard taxicab shall not be replaced by a motor vehicle that by year date is more than two model years old.

- (3) Despite any other provision in this Article, a standard taxicab shall not be replaced with a motor vehicle that has been used as a police vehicle in any jurisdiction or as a taxicab in any jurisdiction except the City of Toronto.

C. Exception, owner-operated standard taxicabs.

- (1) Despite Subsection B, a standard taxicab that is operated exclusively by the owner of the taxicab shall not be more than six model years old by year date.
- (2) Despite Subsection C(1), a standard taxicab that is operated exclusively by the owner of the taxicab may be seven model years old by year date provided that it was a new vehicle when it became registered as a taxicab.

D. Ambassador taxicabs age restrictions.

- (1) The holder of an ambassador taxicab licence shall provide a motor vehicle that by year date is no more than two model years old for use as that owner's ambassador taxicab.
- (2) A motor vehicle that by year date is more than six model years old shall not be used as an Ambassador taxicab.
- (3) Despite Subsection D(2), an Ambassador taxicab may be seven model years old by year date provided that it was a new vehicle when it became registered as a taxicab.
- (4) A motor vehicle used as an ambassador taxicab shall not be replaced with a motor vehicle that by year date is more than one model year old.

E. Accessible taxicabs.

Every owner of an accessible taxicab shall ensure that the vehicle used as his or her accessible taxicab:

- (1) Is equipped as a physically disabled passenger vehicle in accordance with R.R.O. 1990, Reg. 629, as amended, made under the *Highway Traffic Act*, as amended;
- (2) Complies with the Canadian Standards Association CAN3-D409-M84 vehicle standards, as amended; and
- (3) Is equipped with a fully functioning two-way communications device.

F. Accessible taxicabs age restrictions.

- (1) The holder of an accessible taxicab licence shall provide a motor vehicle that by year date is no more than two model years old for use as that owner's accessible taxicab.
- (2) A motor vehicle that by year date is more than seven model years old shall not be used as an accessible taxicab.
- (3) A motor vehicle used as an accessible taxicab shall not be replaced with a vehicle that by year date is more than two model years old.

G. Replacement vehicles not currently taxicabs.

Vehicles that are not currently registered as taxicabs or have not been registered as taxicabs in the 45 day period immediately preceding the date of application to use the vehicle as a replacement vehicle shall be a new vehicle, shall be purchased or leased from a licensed vehicle dealer, and shall not be more than two model years old by year date.

H. Vehicles that were purchased or leased as new or replacement vehicles since January, 1999 may continue to operate as taxicabs in accordance with this Chapter.

I. Exception, standard and Ambassador age restrictions.

A motor vehicle that, by year date, is one or two model years older than the year date prescribed by Subsections B, C and D may be used as a taxicab if such motor vehicle:

- (1) Is equipped as a physically disabled passenger vehicle in accordance with R.R.O. 1990, Reg. 629, as amended, made under the *Highway Traffic Act*, as amended; or
- (2) Is fuelled by natural gas, provided that, where the vehicle has been acquired after 2004, the vehicle is a factory-installed natural gas vehicle.

J. Where a taxicab is required to be replaced with a new vehicle in the last inspection period of 2004, the vehicle may be replaced in the first inspection period of 2005.

ENACTED AND PASSED this 30th day of September, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)