

Authority: Licensing and Standards Committee Item LS10.3, adopted as amended, by City of Toronto Council on May 3, 4 and 5, 2016

CITY OF TORONTO

BY-LAW No. 575-2016

To repeal provisions in City of Toronto Municipal Code Chapter 545, Licensing, respecting Owners and Drivers of Limousines, Limousine Service Companies, Owners and Drivers of Taxicabs, and Taxicab Brokers, and to enact Chapter 546, Licensing of Vehicles-For-Hire, governing all taxicab limousine and private transportation company business in Toronto.

Whereas the *City of Toronto Act, 2007* grants the City of Toronto the authority to enact by-laws for the licensing, regulating and governing of businesses wholly or partly carried on in Toronto; and

Whereas the City of Toronto Municipal Code Chapter 545, Licensing, has governed the licensing of taxicabs, including limousines, carrying on business in Toronto for many years; and

Whereas the Council of the City of Toronto wishes to regulate the businesses that provide or facilitate the delivery of transportation to passengers for a fare, whether by allowing passengers to hail a vehicle or request transportation through a software application or other means that allow a passengers' request for a ride to be conveyed to a driver; and

Whereas the Council of the City of Toronto considers the regulation of these transportation services to be important in promoting public safety, consumer protection, and the economic, social, and environmental wellbeing of the City; and

Whereas the Council of the City of Toronto approved the removal of various requirements in the City of Toronto Municipal Code Chapter 545, Licensing, previously imposed on taxicab owners, taxicab brokers, limousine owners, and limousine drivers, for the purpose of streamlining requirements so that licensees have greater flexibility in how they operate while maintaining an appropriate level of oversight to promote Council's overarching objectives; and

Whereas, consistent with these objectives, the Council of the City of Toronto also wishes to ensure appropriate standards for the availability of accessible transportation upon request for all Toronto residents and visitors; and

Whereas the Council of the City of Toronto wishes to enact a new City of Toronto Municipal Code Chapter 546, Licensing of Vehicles-for-Hire, that incorporates the licensing requirements for taxicabs, limousines, and the owners, drivers, and others involved in the business of providing or facilitating the delivery of transportation to passengers for a fare in Toronto through a taxicab or limousine; and

Whereas, in the new City of Toronto Municipal Code Chapter 546, Licensing of Vehicles-for-Hire, the Council of the City of Toronto wishes to incorporate requirements related to the licensing of other transportation service providers, to be known as private transportation companies, which carry on business in Toronto providing booked transportation to passengers who pay a fare; and

Whereas, in the new City of Toronto Municipal Code Chapter 546, Licensing of Vehicles-for-Hire, the Council of the City of Toronto wishes to deem all taxicab owners holding Ambassador taxicab licences to be standard taxicab licencees; and

Whereas the Council of the City of Toronto directed the City Solicitor to import relevant general provisions from the City of Toronto Municipal Code, Chapter 545, Licensing, into the new City of Toronto Municipal Code Chapter 546, Licensing of Vehicles-for-Hire; and

Whereas given the scope of changes the Council of the City of Toronto directed be made to the licensing regime, it was appropriate to also make related or consequential amendments to facilitate the administration of the licensing requirements and to ensure the coherence and internal consistency of the licensing requirements as they apply to various licence holders; and

Whereas the Council of the City of Toronto also wished to use plain language to improve the readability of the licensing requirements, remove redundant language, and ensure consistency between the provisions of the new City of Toronto Municipal Code Chapter 546, Licensing of Vehicles-for-Hire, and existing municipal, provincial, or federal law;

The Council of the City of Toronto enacts as follows:

1. The repeal, effective July 14, 2016, of the following articles and appendices in City of Toronto Municipal Code Chapter 545, Licensing:
 - (a) Article 1, General Licensing Provisions, section 545-1, definitions of limousine, taxicab, limousine service company, and taxicab broker, contained in subsections 545-2A(9), (44), (63), and (66), and 545-2B;
 - (b) Article VII, Taxicab Brokers;
 - (c) Article VIII, Owners and Drivers of Taxicabs;
 - (d) Article XXXIX, Owners and Drivers of Limousines and Limousine Service Companies;
 - (e) Appendix C, Tariff A, Taxicab Rates and Fares;
 - (f) Appendix D, Taxicab Operator Log;
 - (g) All offences identified in Appendix K, Business Licensing Thresholds, as the following types: Taxicab Owner, Limousine Company, Limousine Driver, Limousine Owner, Livery Driver, Livery Owner, Taxicab Broker, Taxicab Driver, and Taxicab Owner;
 - (h) Appendix M, Taxi Tariffs from City Of Toronto to Lester B. Pearson International Airport;
 - (i) Appendix N, Limousine Tariffs from City Of Toronto to Lester B. Pearson International Airport; and
 - (j) Appendix P, Taxicab Bill Of Rights.
2. The City of Toronto Municipal Code is amended by adding as a new Chapter 546, Licensing of Vehicles-for-Hire, the provisions set out in Appendix A to this by-law, which shall come into force July 15, 2016.

3. Municipal Code Chapter 441, Fees and Charges, is amended by:

A. Replacing the following line numbers of Appendix C - Schedule 12, Municipal Licensing and Standards, with the following:

Chapter 441 Ref #	Service	Fee Description	Category	Fee Basis	Fee	Annual Adj.
288	VFH Licensing	Renewal fee: Accessible Taxicab Owner licence	Full Cost Recovery	Application	348.00	Yes
380	VFH Licensing	Renewal fee: Standard Taxicab Owner licence	Full Cost Recovery	Application	1,062.00	Yes
380.1	VFH Licensing	Application Fee: Toronto Taxicab Owner licence (TTL)	Full Cost Recovery	Application	4,073.00	Yes
380.2	VFH Licensing	Renewal Fee: Toronto Taxicab Owner licence (TTL)	Full Cost Recovery	Application	1,062.00	Yes
25	VFH Licensing	Accessible Taxicab Driver Training Course (5 days)	Full Cost Recovery	Case	207.00	Yes
161	VFH Licensing	Application Fee: Taxicab Broker	Full Cost Recovery	Application	403.00	Yes
162	VFH Licensing	Renewal Fee: Taxicab Broker	Full Cost Recovery	Application	271.00	Yes

B. Deleting the following fees to Appendix C - Schedule 12, Municipal Licensing and Standards, in the appropriate locations:

Chapter 441 Ref #	Service	Fee Description	Category	Fee Basis	Fee	Annual Adj.
12	Taxi & Livery Licensing	Filing of documents: standard taxicab lease agreement	Full Cost Recovery	Document	67.53	Yes
26	Taxi & Livery Licensing	Registration for the Ambassador Taxicab Training Course	Full Cost Recovery	Case	759.10	Yes

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Chapter 441 Ref #	Service	Fee Description	Category	Fee Basis	Fee	Annual Adj.
27	Taxi & Livery Licensing	Rewriting any course module of the Ambassador Taxicab Train	Full Cost Recovery	Case	54.46	Yes
28	Taxi & Livery Licensing	Taxicab Driver - Lapsed licence exam	Full Cost Recovery	Case	196.03	Yes
29	Taxi & Livery Licensing	Modules of Taxicab Driver's Training Course (Customer Service Package - Tribunal directed)	Full Cost Recovery	Module	198.22	Yes
30	Taxi & Livery Licensing	Modules of Taxicab Driver's Training Course (By-law Package - Tribunal directed)	Full Cost Recovery	Module	65.35	Yes
31	Taxi & Livery Licensing	Modules of Taxicab Driver's Training Course (any other single module of the taxicab drivers training course - Tribunal directed)	Full Cost Recovery	Module	22.86	Yes
32.1	Taxi & Livery Licensing	Taxicab Owner Refresher (for non-TTL owners)	Full Cost Recovery	Request	130.70	Yes
32.3	Taxi & Livery Licensing	Limousine Driving Training	Full Cost Recovery	Request	326.73	Yes
32.5	Taxi & Livery Licensing	Limousine Driver/Owner Refresher Training Course	Full Cost Recovery	Request	130.70	Yes
40	Taxi & Livery Licensing	Application for approval of form of advertising on taxicabs	Full Cost Recovery	Case	544.55	Yes
41	Taxi & Livery Licensing	Request for hearing regarding approval of form of advertising	Full Cost Recovery	Request	217.82	Yes

Chapter 441 Ref #	Service	Fee Description	Category	Fee Basis	Fee	Annual Adj.
237	Taxi & Livery Licensing	Application fee: Taxicab Driver licence	Full Cost Recovery	Application	572.46	Yes
238	Taxi & Livery Licensing	Renewal fee: Taxicab Driver licence	Full Cost Recovery	Application	329.43	Yes
239	Taxi & Livery Licensing	Application fee: Limousine Driver licence	Full Cost Recovery	Application	381.29	Yes
240	Taxi & Livery Licensing	Renewal fee: Limousine Driver licence	Full Cost Recovery	Application	282.17	Yes
286	Taxi & Livery Licensing	Renewal fee: Ambassador Owner licence	Full Cost Recovery	Application	789.63	Yes
379	Taxi & Livery Licensing	Application fee: Standard Taxicab Owner licence	Full Cost Recovery	Application	4,785.12	Yes

- C. Adding the following fees to Appendix C - Schedule 12, Municipal Licensing and Standards, in the appropriate locations:

Chapter 441 Ref #	Service	Fee Description	Category	Fee Basis	Fee	Annual Adj.
438	VFH Licensing	Application Fee: Taxicab Operator	Full Cost Recovery	Application	500.00	No
439	VFH Licensing	Renewal Fee: Taxicab Operator	Full Cost Recovery	Application	300.00	No
440	VFH Licensing	Application Fee: Private Transportation Company (PTC)	Full Cost Recovery	Application	20,000.00	No
441	VFH Licensing	Annual PTC fee per driver	Full Cost Recovery	Application	15.00	No
442	VFH Licensing	PTC fee per trip	Full Cost Recovery	Trip	0.30	No
443	VFH Licensing	Application Fee: Vehicle-for-Hire Driver	Full Cost Recovery	Application	130.00	No
444	VFH Licensing	Renewal Fee: Vehicle-for-Hire Driver	Full Cost Recovery	Application	130.00	No

- D. Replacing all remaining references to "Taxi & Livery Licensing" in the service column of Appendix C - Schedule 12, Municipal Licensing and Standards, with the words "VFH Licensing".
4. Where a person holds a licence pursuant to City of Toronto Municipal Code Chapter 545, Licensing, before the date City of Toronto Municipal Code Chapter 546, Licensing of Vehicles-for-Hire, comes into force, the person shall be deemed to continue to hold his or her licence, subject to the requirements of City of Toronto Municipal Code Chapter 546, Licensing of Vehicles-for-Hire, including the transition provisions therein, until the date of his or her licence renewal.
5. Where a person is alleged to have contravened any provision of City of Toronto Municipal Code Chapter 545, Licensing, before the date City of Toronto Municipal Code Chapter 546, Licensing of Vehicles-for-Hire, comes into force, the provisions of City of Toronto Municipal Code Chapter 545, Licensing, continue to apply for the purposes of any enforcement proceedings brought against the person until the proceedings have been concluded.

Enacted and passed on June 9, 2016.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Appendix A

Chapter 546

LICENSING OF VEHICLES-FOR-HIRE

**ARTICLE 1
General Provisions**

§ 546-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ACCESSIBLE VEHICLE - A motor vehicle equipped as a physically disabled passenger vehicle in accordance with R.R.O. 1990, Reg. 629, made under the *Highway Traffic Act*, and the Canadian Standards Association CAN3-D409-M84 vehicle standards, all as amended, that is or is required to be licensed under this chapter.

ACCESSIBLE VEHICLE TRAINING COURSE - An accessible vehicle training course approved by the Executive Director.

ACCESSIBLE VEHICLE REFRESHER TRAINING COURSE - An accessible vehicle refresher training course approved by the Executive Director.

BOOKED OR PRE-ARRANGED - An electronic, written, or oral reservation or booking made in advance to request passenger transportation service.

CAMERA SYSTEM - A camera system, approved by the Executive Director, capable of recording images of persons in a taxicab, such that access to the images is limited to law enforcement personnel authorized by the Executive Director for law enforcement purposes only.

CHILD SAFETY LOCK - A locking mechanism or device which, when activated, locks the passenger doors of a taxicab such that the doors cannot be opened from within the taxicab but can be opened by persons outside of the taxicab by use of the external door handles.

DESIGNATED MECHANIC - A licensed mechanic authorized to conduct examinations of taxicabs, limousines, and PTC vehicles at a vehicle inspection facility approved by the Executive Director.

EMERGENCY LIGHTS SYSTEM - A system of lights, approved by the Executive Director, which may be activated by a vehicle-for-hire driver in emergency situations.

EXCLUSIVE CONCESSION AGREEMENT - includes any agreement, whether or not for consideration, granting to any person a right to provide taxicab or limousine service to any transportation terminal, hotel, or any other place, to the exclusion of one or more other taxicabs or limousines.

EXECUTIVE DIRECTOR - The Executive Director of the Municipal Licensing and Standards Division or his or her designate.

FARE - The sum charged to a passenger or passengers for transportation provided in a taxicab, limousine, or PTC Vehicle for a single trip.

HOOKAH - Includes:

- A. A device, whether called a hookah or any other name, designed to heat or burn a substance and produce smoke intended to be inhaled by a user or users of the device.
- B. "Use", with respect to a hookah, includes any of the following:
 - (1) Inhaling smoke from a hookah;
 - (2) Exhaling smoke from a hookah; or
 - (3) Holding an activated hookah.

INDIVIDUAL PERSON - A natural person.

LIMOUSINE - Any stretch or sedan limousine in respect of which a limousine owner's licence has been issued or in respect of which a licence is required under this chapter.

LIMOUSINE SERVICE COMPANY - Includes:

- A. Any person who accepts, advertises, or brokers requests for limousine service in any manner, including any person who operates a platform that connects passengers with limousine service and who is or is required to be licensed under this chapter.
- B. In this definition "person" includes multiple persons who, acting together, carry on the business of a limousine service company, despite the fact that no one of those persons carries on the activity in its entirety, and such persons shall be subject to § 546-2A, and may be held jointly and severally responsible for each other's actions.

MECHANICAL SAFETY INSPECTION CERTIFICATE - A certificate or document signed by a designated mechanic upon completion of a mechanical safety inspection, in a form approved by the Executive Director, describing or attesting to the mechanical condition of a vehicle that is being used as a taxicab, limousine, or PTC vehicle or is proposed for use as a taxicab, limousine or PTC vehicle.

ML&S - The Municipal Licensing and Standards Division of the City of Toronto, including employees of the Municipal Licensing and Standards Division.

OPERATOR LOG - A record to be maintained by a vehicle-for-hire driver operating a taxicab in hard copy or an electronic format approved by the Executive Director and retained in accordance with this chapter.

OWNER - Includes:

- A. The owner of a vehicle operated as a taxicab or limousine that is licensed or is required to be licensed as such under this chapter; and
- B. The holder of the plate portion of a permit issued by the Ministry of Transportation, and, where the records of the Ministry of Transportation indicate that the motor vehicle is leased, the lessee, who is registered as such with the Ministry of Transportation.

PERSON - Includes a partnership or corporation to whom the context can apply.

PERSON INCAPABLE OF PERSONAL CARE - A person who is incapable of personal care within the meaning of section 45 of the *Substitute Decisions Act, 1992*, as amended.

PLATFORM - Any software, technology, or service, including a telephone line, website, or smartphone application, intended to connect passengers with transportation service.

PRIVATE TRANSPORTATION COMPANY (or "PTC")

- A. Any person who, in any manner, accepts, facilitates, or brokers requests for or advertises or offers transportation in a private vehicle-for-hire to passengers for trips and who is or is required to be licensed under this chapter.
- B. A PTC does not include a person who facilitates "carpooling" as that term is defined by the *Public Vehicles Act*.
- C. In this definition "person" includes multiple persons who, acting together, carry on the business of a PTC, despite the fact that no single one of those persons carries on the activity in its entirety, and such persons shall be subject to § 546-2A, and may be held jointly and severally responsible for each other's actions.

PRIVATE TRANSPORTATION COMPANY VEHICLE (or "PTC vehicle") - A for-hire motor vehicle with a seating capacity of less than nine passengers excluding the driver used to provide transportation services to passengers that is or is required to be licensed under this chapter, but does not include taxicabs or limousines licensed under this chapter.

PRIVATE TRANSPORTATION COMPANY DRIVER (or "PTC Driver") - The driver of a private transportation company vehicle or a driver who provides transportation to passengers through a PTC and is licensed or is required to be licensed under this chapter, but does not include persons providing transportation that meets the definition of carpooling under the *Public Vehicles Act*.

PTC IDENTIFIER - A sign, decal, emblem, symbol, or number displaying the logo or name of the PTC through which a driver is providing transportation service to passengers and such other information as required by the Executive Director, in a form approved by the Executive Director.

RATE - The basis, or formula, used to calculate the fare for transportation provided in a taxicab, limousine, or PTC Vehicle.

SCREENING CRITERIA - Licensing thresholds established by the Executive Director pursuant to his or her authority to establish policies and guidelines with respect to public safety and to establish thresholds for criminal and background screening, driving record checks, and other standards applicable to the issuance and renewal of all drivers' licences, as published by ML&S.

SEDAN LIMOUSINE - A luxury, non-metered vehicle of a wheelbase size smaller than a stretch limousine as defined by this section, with rear hip room of 143.5 centimetres and rear leg room of 101.6 centimetres, manufactured to carry up to seven passengers, excluding the driver, and approved by the Executive Director and that is or is required to be licensed under this chapter.

SERVICE AGREEMENT - An agreement between a limousine owner and a limousine service company that sets out the terms and conditions of the arrangement whereby the services of the limousine owner are contracted to the limousine service company.

SERVICE LOG - A record to be maintained by a vehicle-for-hire driver operating a limousine in hard copy or an electronic format approved by the Executive Director and retained in accordance with this chapter.

SOLICIT - An appeal for customers or passengers by sound, words, signs, or gestures directed at any person.

STAGE - Stopping, parking or otherwise placing a limousine in a loading or curbside area, not including a parking lot, when the limousine is not engaged in a pre-arranged trip.

STRETCH LIMOUSINE - A sedan limousine and other luxury vehicles, cut and stretched a minimum of 114 centimetres beyond its standard base to carry a minimum of seven passengers, excluding the driver, and approved by ML&S.

TARIFF - The taxicab rate set out in Appendix A, "Taxicab Tariff and Charges", to this chapter.

TAXICAB - Includes any vehicle providing transportation to passengers at a public or private taxicab stand, in response to street hails from passengers, or in response to requests for service received through a taxicab broker, as well as any vehicle providing transportation to passengers that displays any sign or marking identifying, or likely to be perceived by a member of the public as identifying, the vehicle to be a taxicab.

TAXICAB BROKER:

- A. Any person carrying on business in Toronto accepting, advertising, or brokering requests for taxicab service in any manner, including any person offering or licensing a software application, website, or other technology that connects passengers with taxicab service or is held out as being for the purpose of connecting passengers with taxicab service, in relation to a taxicab that is not owned by that person, his or her immediate family, or his or her employer.
- B. In this definition "person" includes multiple persons who, acting together, carry on the business of a taxicab broker, despite the fact that no single one of those persons carries on

the activity in its entirety, and such persons shall be subject to § 546-2A, and may be held jointly and severally responsible for each other's actions.

TAXICAB OPERATOR - Any person, other than a vehicle-for-hire driver operating a taxicab, who manages, rents out, controls, or otherwise has custody, whether partially or completely, of a taxicab licensed by the City of Toronto on behalf of its owner and who is or is required to be licensed under this chapter.

TO OPERATE - Includes:

- A. When used in reference to a taxicab, limousine, or PTC vehicle, includes driving a vehicle and making it available to the public for transportation service.
- B. When used in reference to a limousine, includes staging the limousine.
- C. When used in reference to a taxicab, includes positioning the vehicle at a taxicab stand.
- D. When used in reference to a PTC vehicle, includes when the PTC driver is logged into or otherwise accessing a PTC platform
- E. This definition does not include the services performed by a taxicab broker, taxicab operator, limousine service company, or private transportation company.

TRIP - Each journey in a taxicab, limousine, or PTC vehicle commencing when a passenger enters the vehicle, continuing for the period that the vehicle is continuously occupied, and ending when all passengers exit the vehicle.

TRIP METER - A device used to calculate the fare to be paid for a trip.

VEHICLE-FOR-HIRE DRIVER - The driver of a taxicab or limousine, who is or is required to be licensed under this chapter.

YEAR DATE - The figures appearing under the heading "year" in the description of the motor vehicle portion of the current Ontario Ministry of Transportation passenger motor vehicle permit for any vehicle.

§ 546-2. Licence requirement.

- A. No person shall carry on any of the following businesses or occupations in Toronto until he or she has obtained a corresponding licence from ML&S:
 - (1) Taxicab owner;
 - (2) Vehicle-for-hire driver;
 - (3) Taxicab operator;
 - (4) Taxicab broker;

- (5) Limousine owner;
- (6) Limousine service company;
- (7) Private transportation company; or
- (8) PTC driver.

B. Applicability to owners and drivers of taxicabs.

- (1) Subsections A(1) and A(2) shall apply to every owner and every driver of a taxicab moving goods or passengers from any point within Toronto to any point within or outside Toronto, except owners or drivers moving:
 - (a) Children to and from nursery school, school, or another full-time educational institution; or
 - (b) Persons with a persistent physical, mental, psychiatric, or sensory impairment from any point within Toronto to any point outside Toronto, provided that the conveyance is made pursuant to a written contract for the use of the taxicab, a copy of which contract has been filed with ML&S at least 30 days before the day upon which the conveyance is made; and the conveyance is made by a taxicab with respect to which there is a valid municipal licence issued under a by-law passed by a municipality.

§ 546-3. Licences, applications and renewals.

- A. On an application for a licence, or the renewal thereof, respecting any of the businesses or occupations mentioned in § 546-2A, a person authorized to bind the applicant shall complete the prescribed forms and shall furnish to ML&S such information as the Executive Director may direct, together with all applicable fees.
- B. Where a business or occupation referred to in § 546-2A is carried on by multiple persons, the licence may be issued to the applicant only, but, those persons shall be required to provide their names and addresses, and shall be required to acknowledge that they may be held jointly and severally responsible for each other's actions regarding the business.
- C. ML&S shall, upon receipt of an application for a licence or its renewal, investigate as necessary with respect to the application and shall:
 - (1) If there are reasonable grounds to believe that the applicant may not be entitled to the issuance or renewal of a licence based on § 546-4, or by reason of any other provision of this chapter, send notice of this fact to the applicant by mail or email at the address as shown on the application form; or
 - (2) Subject to the provisions of this chapter, issue or renew the licence.

- D. A notice sent pursuant to Subsection C(1) shall include:
- (1) A statement that the applicant may request a hearing of the application before the Toronto Licensing Tribunal by delivering a written request for a hearing to ML&S within 30 days of the date of the notice; and
 - (2) A statement that if no hearing request is delivered, the application will be denied.
 - (3) Where ML&S receives a hearing request for a hearing from an applicant in accordance with Subsection D(1), the application shall be referred forthwith to the Toronto Licensing Tribunal for a hearing.
- E. If an applicant has applied for renewal of the licence and has remitted all applicable fees, the licence shall be deemed to continue:
- (1) Until the renewal is granted; or
 - (2) If the licensee is sent a notice under Subsection C(1), until the time for requesting a hearing has expired or, where a hearing has been requested, until the Toronto Licensing Tribunal has disposed of the application.

§ 546-4. Grounds and administrative thresholds for denial of licence.

- A. An applicant for a licence or for the renewal of a licence, is, subject to the provisions of this chapter, entitled to the licence or renewal, except where:
- (1) The conduct of the applicant affords reasonable grounds to believe that the applicant has not carried on, or will not carry on, the business in accordance with law and with integrity and honesty; or
 - (2) There are reasonable grounds to belief that the carrying on of the business by the applicant has resulted, or will result, in a breach of this chapter or any law; or
 - (3) The applicant is a corporation and its conduct or the conduct of its officers, directors, employees, or agents affords reasonable grounds to believe that its business has not been, or will not be, carried on in accordance with law and with integrity and honesty; or
 - (4) There are reasonable grounds to believe that the premises, equipment, or facilities in respect of which the licence is required have not complied, or will not comply, with the provisions of this chapter or any other law; or
 - (5) The conduct of the applicant or other circumstances afford reasonable grounds to believe that the carrying on of the business by the applicant has infringed, or would infringe, the rights of other members of the public, or has endangered, or would endanger, their health or safety.

- B. In addition to the grounds set out in Subsection A, ML&S shall refuse to issue or renew a licence where an applicant has not met the screening criteria.
- C. Where an applicant is a corporation or a partnership, Subsection B shall apply to any of the officers or directors of the corporation or partners in the partnership.

§ 546-5. General licence issuance provisions.

- A. Notwithstanding any decision of or statement by the Toronto Licensing Tribunal, the Executive Director, or any employee of ML&S, no person shall be licensed to carry on or engage in a business for which a licence is required until he or she has paid all applicable fees in respect of such licence and has received the physical licence, plate, or other evidence of the licence provided for in this chapter.
- B. The Executive Director shall approve the form of and sign or mechanically reproduce his or her signature on all licences issued under this chapter.
- C. Validation stickers.
 - (1) Where this chapter provides for a plate bearing an identifying number to be issued for use on a vehicle in respect of any class of licence, the Executive Director may authorize the issuance and use of an approved form of validation sticker on such plate in respect of any period for which the licence is issued.
 - (2) A plate with a validation sticker affixed to it in accordance with this section is valid for the licence period for which the sticker was issued.
 - (3) Where the Executive Director has authorized the issuance and use of a validation sticker under Subsection C(1):
 - (a) Every person to whom such a class of licence is issued shall:
 - [1] Obtain such sticker from ML&S at the time such licence is issued;
 - [2] Affix the sticker to the top right-hand corner of the plate issued by ML&S for the vehicle in respect of which the licence is issued; and
 - [3] Maintain the sticker on the plate throughout the period for which the licence is valid.
 - (b) The use of a plate that does not bear a validation sticker as required by this section shall be deemed to be a breach of any provision of this chapter that requires a plate to be affixed to or maintained on a vehicle.
- D. Licence to be posted on premises or carried by licensee.

- (1) Every person obtaining a licence under this chapter that applies to premises shall post his or her licence in a conspicuous place on the premises in respect of which the licence is issued, and shall produce it for inspection when asked by ML&S.
 - (2) Every person obtaining a licence under this chapter that applies to his or her occupation shall carry such licence with him or her when engaged in the occupation for which the licence is issued, and shall produce it for inspection when asked by ML&S.
- E. Licences non-transferable; advertisement of alternate business name prohibited.
 - (1) No person shall enjoy a right in the continuance of a licence and at all times the value of a licence shall be the property of the City.
 - (2) No licence shall be transferred except in accordance with this chapter.
 - (3) No person licensed under this chapter shall advertise, promote, or carry on business under any name other than that endorsed upon his or her licence.
- F. Any licence holder who changes his or her address shall, within six days after such change, notify ML&S of his or her new address and, if requested by the Executive Director, attend at ML&S' offices and produce his or her licence for the change to be entered on it.
- G. Where any person holding a licence under this chapter applies for an amendment to the licence at any time other than renewal of the licence, he or she shall pay a fee.
- H. Upon suspension or revocation of a licence issued under this chapter, the licensee shall return to ML&S the licence, and any plate or other evidence of such licence issued under this chapter, and ML&S shall have access to any premises, vehicle, or other property for the purpose of receiving or taking the licence, plate, or other such evidence, and no person shall in any way prevent or hinder the receiving or taking of same.
- I. Notice of the revocation of any licence may be given by ML&S by written communication to the licensee at the address provided by the licensee, and upon such notice, the licence revoked shall terminate and be of no further effect.

§ 546-6. Term and renewal of licences.

- A. All licences issued under this chapter shall be valid for one year and renewed on the anniversary of the date upon which the licence was first issued or, where a person holds more than one licence, the Executive Director may allow for the harmonization of renewal dates.
- B. A person may apply to renew a licence issued under this chapter by submitting an application to ML&S in a form and manner approved by the Executive Director together with all applicable fees.

- C. At any time, ML&S may require the holder of a licence to file with ML&S documentary evidence that the applicant satisfies the requirements of this chapter.
- D. Where persons holding a licence issued under this chapter fails to apply for renewal of their licence by the date set out in Subsection A, they shall pay a late renewal administration fee in addition to the annual licence fee.
- E. Where a person holding a licence issued under this chapter fails to renew it within 90 days of the specified renewal date, the licence shall be cancelled and the person shall be required to apply for a new licence under this chapter and pay all applicable fees.
- F. Where a person licensed under this chapter fails to renew his or her licence in accordance with this section, any plate issued or supplied in respect of such licence shall be returned to and remain with ML&S until the licence is renewed.

§ 546-7. ML&S authority to refer matters to the Toronto Licensing Tribunal.

At any time, ML&S may refer to the Toronto Licensing Tribunal for a hearing any matter in respect of which a licence may be refused, suspended, revoked, or have conditions imposed on it under this chapter, including the failure by a licensee, or where the licensee is a corporation or partnership, any officer, director, employee, or agent of the corporation or partner in the partnership, to comply with the screening criteria.

§ 546-8. Toronto Licensing Tribunal mandate.

- A. Mandate of the Toronto Licensing Tribunal.
 - (1) The Toronto Licensing Tribunal is created as a quasi-judicial adjudicative body empowered to hear evidence and submissions and make independent decisions and shall perform the duties that are assigned to it under this chapter.
 - (2) City Council has delegated its decision-making powers to the Toronto Licensing Tribunal to determine whether a licence under this chapter should be issued, refused, suspended, revoked, or have conditions placed upon it.
 - (3) This chapter sets out City Council's objectives with respect to the licensing of vehicles-for-hire, and the Toronto Licensing Tribunal shall:
 - (a) Uphold the spirit and intent of the Municipal Code;
 - (b) Determine whether or to what extent an applicant or licensee meets the requirements of the Municipal Code in view of their individual circumstances and qualifications;
 - (c) Have regard for the need to balance the protection of the public interest with the need for licensees to make a livelihood; and

- (d) Ensure the hearing process is accessible and transparent and that hearings are conducted in a timely manner with due process.
- B. The Toronto Licensing Tribunal shall operate according to the requirements and procedures set out in Chapter 545, Licensing.

§ 546-9. Toronto Licensing Tribunal hearings.

- A. The Toronto Licensing Tribunal shall consider matters referred to it at a public hearing.
- B. The Toronto Licensing Tribunal shall not be bound by the screening criteria, provided that it shall be required to report, within a reasonable period of time, to the Licensing and Standards Committee, setting out the basis for:
 - (1) A decision to issue or renew a licence refused by ML&S for failure to comply with the screening criteria; or
 - (2) A decision not to attach conditions, revoke, or suspend a licence as recommended by ML&S for failure to comply with the screening criteria.
- C. The Toronto Licensing Tribunal may, for any of the reasons set out in § 546-4:
 - (1) Suspend or revoke any licence issued under this chapter;
 - (2) Impose such conditions upon a licence as it considers appropriate and as are authorized by law; and
 - (3) Suspend a licence or continue the suspension of a licence where a hearing that has been commenced is adjourned for any reason, pending its final disposition.
- D. Conditions on licences.
 - (1) Despite Subsection C, the Toronto Licensing Tribunal may, having regard to the conduct of the business by the licensee, suspend the passing of penalty and direct that the licence continue on such conditions as the Toronto Licensing Tribunal considers just and as are authorized by law.
 - (2) Where a licensee who is bound by conditions issued in accordance with Subsection D(1) is found to have contravened those conditions or any provision of this chapter, in addition to any penalty that the Toronto Licensing Tribunal may impose in respect of that contravention, the Tribunal may:
 - (a) Impose any suspension or revocation of the licence that could have been imposed had the passing of penalty not been suspended; and
 - (b) Impose such further conditions as the Toronto Licensing Tribunal considers just and are authorized by law.

- E. Prior notice of hearing; recording of proceedings.
- (1) ML&S shall give the licensee or applicant at least seven days' notice of a hearing before the Toronto Licensing Tribunal which shall be delivered to the last address on file with ML&S.
 - (2) The proceedings of the Toronto Licensing Tribunal shall be taken down and recorded by a court reporter.

§ 546-10. ML&S authority to inspect premises and items.

- A. ML&S and any person authorized by the Executive Director may at all reasonable times inspect any premises used for the carrying on of any business in respect of which a person is licensed or required to be licensed under this chapter, and may inspect any items relating to such business.
- B. No person who has or is required to have a licence under this chapter shall obstruct or permit to be obstructed the making of the inspection.

§ 546-11. ML&S authority to suspend licences without a hearing.

- A. If the Executive Director is satisfied that the continuation of a business or occupation licenced under this chapter poses an immediate danger to the health or safety of any person or any property, the Executive Director may suspend the licence without a hearing on conditions it considers appropriate, subject to the following:
- (1) Before suspending the licence, the Executive Director shall provide the licensee with reasons for the suspension, either orally or in writing, and an opportunity to respond to them.
 - (2) The suspension shall not exceed 14 days.

§ 546-12. General provisions applicable to all licensees.

- A. No person licensed, or required to be licensed, under this chapter shall discriminate against any member of the public in the carrying on of the business on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, or disability.
- B. No person licensed, or required to be licensed, under this chapter shall, in respect of any person with a disability being accompanied by a service animal, by reason only of the presence of the service animal:
- (1) Refuse to serve the person;
 - (2) Refuse to permit the person and service animal to enter any place, premises, vehicle or thing to which the licence relates; or

- (3) Refuse to permit the person and service animal to remain in or upon such place, premises, vehicle or thing.
- C. No person licensed, or required to be licensed, under this chapter shall permit any person, including him or herself, to use a hookah or smoke, which shall include the carrying of a lit cigar, cigarette, pipe, or any other lit smoking equipment, in or upon any premises, vehicle, or thing to which the licence relates.
- D. No person licensed under this chapter shall solicit, employ, or allow any runner or other person to assist or act in concert with him or her in soliciting any person to take or use his or her taxicab, limousine, or PTC vehicle on any public highway, lane, street, common, park, or square.
- E. Threats or reprisals.
 - (1) For the purposes of this section, "any action by way of threat or reprisal" means:
 - (a) Terminating or purporting to terminate any employment or other business relationship governed by the provisions of this chapter; and
 - (b) Causing or purporting to cause pecuniary harm in respect of any business governed by the provisions of this chapter.
 - (2) No person licensed, or required to be licensed, under this chapter shall take any action by way of threat or reprisal against any other person licensed under this chapter by reason only of such person's participation in proceedings instituted under this chapter or such person's participation in the exercise of City Council's authority to enact by-laws to license, regulate, and govern businesses in Toronto.
 - (3) No person licensed, or required to be licensed, under this chapter shall, in respect of the licensed business carried on by such person, take any action by way of threat or reprisal against any other person licensed under this chapter.
- F. Where any licensee, or where the licensee is a corporation or partnership, any officer or director of the corporation or partner in the partnership, in the course of the tenure of the licence ceases to comply with the screening criteria, the licensee shall immediately contact and advise ML&S of the nature and extent of the violation.
- G. Failure to provide the notice referred to in Subsection F may independently result in the suspension of the licence-holder's licence.

§ 546-13. General provisions applicable to vehicle-for-hire and PTC drivers.

- A. Exclusive concession agreements.
 - (1) No taxicab or limousine owner or vehicle-for-hire driver shall enter into or be party to an exclusive concession agreement.

- (2) No taxicab or limousine owner or vehicle-for-hire driver shall pay, agree to pay, accept, or agree to accept a fee or consideration, or do any other act or thing, pursuant to an exclusive concession agreement.
- B. No taxicab or limousine owner shall pay any female vehicle-for-hire driver in his or her employ a lesser rate than he or she pays to male drivers in his or her employ, or if such owner employs only female drivers, less than the normal rate paid by other owners to their male vehicle-for-hire drivers.
- C. No one licensed, or required to be licensed, under this chapter shall knowingly permit any person to be driven about the streets in his or her vehicle for the purpose of soliciting for acts of prostitution, or for any unlawful purpose.
- D. No vehicle-for-hire driver shall communicate on a mobile device while passengers are in the vehicle, except in an emergency.
- E. No vehicle-for-hire driver shall possess or consume any liquor while he or she is in charge of his or her taxicab or limousine, nor shall the use of liquor by him or her be apparent while he or she is in charge of any taxicab or limousine.
- F. No one licensed, or required to be licensed, under this chapter shall induce any person to employ a vehicle by knowingly misleading any person as to the location or distance of any place or by making any false representation to such person.

ARTICLE 2
Mechanical Inspections of Taxicabs, Limousines and PTC Vehicles

§ 546-14. Mechanical inspections required at time of licensing or renewal.

- A. Every vehicle operated as a taxicab, limousine, or PTC vehicle shall pass a mechanical inspection and obtain a mechanical safety inspection certificate as required by this chapter.
- B. Every mechanical inspection referred to in Subsection A shall be:
 - (1) Conducted by a designated mechanic at a City-operated inspection facility prior to providing transportation service and once every six months thereafter; or
 - (2) Conducted at an inspection facility approved by the Executive Director to conduct vehicle inspections, in which case the vehicle shall pass inspections:
 - (a) Prior to providing transportation service; and
 - (b) Once every six months if, on the annual licence renewal date, the vehicle has travelled 40,000 or more kilometres in the prior year; or
 - (c) Once every 12 months if, on the annual licence renewal date, the vehicle has travelled less than 40,000 kilometres in the prior year.

- C. The Executive Director may prescribe the form of report or certification to be used by a designated mechanic.
- D. Any mechanical inspection certificate obtained pursuant to Subsection B(2)(b) shall be provided to ML&S by the taxicab operator within seven business days.
- E. Every owner of a taxicab or limousine and every taxicab operator shall immediately check any mechanical defect in his or her vehicle that is reported by a vehicle-for-hire driver.
- F. A taxicab or limousine owner and a taxicab operator shall only operate, or permit to be operated, a taxicab or limousine vehicle that is in good mechanical condition.

§ 546-15. ML&S may require examination of vehicle by designated mechanic.

- A. Where there are reasonable and probable grounds to believe that a taxicab or limousine, or its equipment, or a PTC vehicle is mechanically defective, the owner or driver shall be given written notice by ML&S requiring the vehicle to be submitted for inspection by a designated mechanic within 24 hours.
- B. Anyone who is responsible for ensuring a vehicle is free from mechanical defects and is licensed under this chapter who fails to submit the vehicle for inspection by a designated mechanic as required by this section is guilty of an offence.
- C. Where an appointment has been made for the inspection of a vehicle pursuant to this article and the vehicle is not produced at the appointed time and place, or when the mechanical inspection certificate is not provided to ML&S within seven days of when an inspection has been required by this chapter, the Executive Director may, notwithstanding any other provision of this chapter, suspend the licence in respect of the vehicle until it has been tested, inspected, and approved.

§ 546-16. Mechanical defects shall be corrected.

- A. If a designated mechanic reports in writing that a taxicab, limousine, or PTC vehicle has failed a mechanical safety inspection due to mechanical defects identified, the vehicle shall not be operated as a taxicab, limousine, or PTC vehicle until a designated mechanic certifies in writing that the defects are corrected.
- B. If, as a result of mechanical inspections conducted by a designated mechanic at the time of licensing or renewal, a taxicab or limousine is identified as having mechanical defects twice within one 12-month period, ML&S shall immediately remove the City-issued taxicab or limousine plate and the plate shall not be returned, and the vehicle shall not be operated as a taxicab or limousine, until a designated mechanic certifies in writing that the defects are corrected. For a PTC vehicle, the PTC identifier shall be surrendered to ML&S immediately, and the PTC identifier shall not be returned and the vehicle shall not be operated as a PTC vehicle, until a designated mechanic certifies in writing that the defects are corrected.

- C. For the purpose of this chapter, "major mechanical defect" means mechanical defects that are not identified by a designated mechanic as dangerous or unsafe at the time of the inspection but are directly or indirectly related to any part or parts of the vehicle involving or affecting:
- (1) Its brakes or braking system;
 - (2) Its steering system;
 - (3) Its suspension system; or
 - (4) Its underbody.

§ 546-17. Unsafe vehicles shall not operate as taxicabs or limousines.

- A. Where there are reasonable and probable grounds to believe that a taxicab or limousine is dangerous or unsafe, the taxicab number plate or limousine licence plate supplied by ML&S shall be removed, the taxicab or limousine shall not provide trips, and ML&S may require the vehicle to be submitted for inspection by a designated mechanic forthwith.
- B. When ML&S removes a taxicab or limousine plate on the basis that the vehicle is dangerous or unsafe, the plate shall not be replaced until a designated mechanic certifies in writing that the vehicle is safe.

§ 546-18. Unsafe PTC vehicles shall not operate.

- A. At any time, when ML&S has reasonable and probable grounds to believe that a PTC vehicle may be unsafe, ML&S may direct a PTC vehicle owner or driver to submit his or her vehicle for a mechanical safety inspection by a designated mechanic, and the PTC vehicle owner or driver shall submit his or her vehicle for inspection within 24 hours of being directed to so do by ML&S.
- B. No PTC vehicle owner or driver shall operate his or her vehicle until a designated mechanic has certified, in a form satisfactory to the Executive Director, that the PTC vehicle has passed a mechanical safety inspection.
- C. If ML&S has directed a PTC vehicle owner or driver to submit his or her vehicle for mechanical inspection, no PTC shall permit a PTC driver to operate on the PTC's platform until the PTC vehicle operated by that driver has passed a mechanical safety inspection.

ARTICLE 3
Taxicab Rates and Fares

§ 546-19. Tariff rate and charges; general fare provisions.

- A. No person licensed or required to be licensed under this chapter shall offer, demand, or receive any rate or fee other than the tariff in respect of a taxicab fare, except:
 - (1) As permitted by §§ 546-20, 546-21, and 546-22;
 - (2) When the taxicab is being used to transport children to or from school; or
 - (3) When taxicab service is being provided to one or more persons with disabilities under an agreement with the Toronto Transit Commission.
- B. Despite subsection A, a person may offer and charge a lesser amount than the tariff to passengers in need who are over 65 years of age or are persons with disabilities.
- C. A taxicab broker is not required to pay a vehicle-for-hire driver operating a taxicab any difference between the fare charged for a trip and the fare as calculated at the tariff.
- D. No vehicle-for hire driver operating a taxicab shall make any charge under this chapter for time lost through defects or inefficiency of the taxicab, or incompetency of the driver, or for time consumed by the arrival of the taxicab in advance of the time such taxicab was requested to arrive when the trip was booked.
- E. Every vehicle-for-hire driver operating a taxicab shall, when asked or whenever there is a dispute over the fare, give the passenger a receipt which shall state 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 ML&S' taxicab customer service contact information.
- F. When a dispute arises with a passenger as to the taxicab fare, the vehicle-for-hire driver may, if the passenger agrees, refer the dispute to the officer in charge of the nearest police station, and if the driver was correct, he or she may add to the fare an amount calculated at the tariff for the distance travelled to the police station, and any reasonable waiting time while the dispute was being investigated.
- G. At all times while operating a taxicab, the vehicle-for-hire driver shall ensure that he or she has at least \$20 in coins and bills of denominations less than \$20 to provide change to passengers.

§ 546-20. Flat fares and airport fares.

- A. If a trip destination is located more than five kilometres beyond Toronto, the vehicle-for-hire driver operating a taxicab and a passenger may agree before the start of the trip to a flat fare to be charged, but the driver shall operate the trip meter as required by § 546-23.
- B. A taxicab broker may enter into a flat fare agreement with charge account customers and the vehicle-for-hire driver shall charge the passenger such flat fare, but the driver shall operate the vehicle's trip meter as required by § 546-23.

- C. When a taxicab trip originates within Toronto, excluding the area bounded by Kipling Avenue on the east, Finch Avenue on the north, Eglinton Avenue on the south, and the western boundary of Toronto, and terminates at Lester B. Pearson International Airport, and the passenger has hailed the taxicab or commenced their trip at a taxicab stand, the passenger may elect to pay either the applicable flat fare found in Appendix C, Taxi Tariffs to Lester B. Pearson International Airport or the fare calculated by the trip meter at the tariff, whichever is lower.

§ 546-21. Rates lower than the tariff.

- A. A taxicab broker may offer, and the vehicle-for-hire driver that agrees to provide the trip shall accept, a rate lower than the tariff for a taxicab trip if:
- (1) The trip is booked directly with the taxicab broker;
 - (2) The broker has set and posted the discounted rate; and
 - (3) The trip meter in the taxicab can calculate and display the discounted rate to be charged to the passenger.

§ 546-22. Rates higher than the tariff.

- A. A taxicab broker may offer, and the vehicle-for-hire driver that agrees to provide the trip, may receive a rate higher than the tariff for a taxicab trip if:
- (1) The trip is booked using a software application;
 - (2) The broker clearly and transparently communicates the rate to be charged before the passenger commences the trip;
 - (3) The broker maintains an electronic record that a rate higher than the tariff was accepted before the trip commenced, which receipt shall be kept for 12 months following the trip; and
 - (4) The broker ensures that a print or electronic receipt is provided to the passenger at the conclusion of the trip that sets out the:
 - (a) Rate charged and any other fee levied or charge made for the trip;
 - (b) Total duration and distance of the trip;
 - (c) Total amount paid for the trip;
 - (d) Date and time the trip ended;
 - (e) Location at which the trip started;
 - (f) Location at which the trip ended; and

- (g) Driver's name and taxicab plate number;

§ 546-23. Vehicle-for-hire driver operating a taxicab responsibilities for trip meter, rates and charges.

- A. This section shall not apply to trips at a rate higher than the tariff in accordance with § 546-22, when the taxicab is being used to transport children to or from school, or when taxicab service is being provided to one or more persons with disabilities under an agreement with the Toronto Transit Commission.
- B. Every vehicle-for-hire driver shall immediately activate the trip meter at the time a passenger first enters a taxicab inside or within 5 km of Toronto and keep it active throughout the trip, at either:
- (1) The tariff rate; or
 - (2) The rate lower than the tariff offered by a taxicab brokerage under § 546-20.
- C. At the time the passenger exits the taxicab, the vehicle-for-hire driver shall place the trip meter in a non-operating position and call the passenger's attention to the fare indicated on the trip meter.
- D. No vehicle-for-hire driver shall demand or recover payment for any taxicab trip:
- (1) That is calculated other than in accordance with the provisions of this chapter;
 - (2) When his or her trip meter is not in operation throughout the trip, as required; or
 - (3) When he or she has refused to show his or her tariff card to the passenger, or the tariff card is not displayed as required by this chapter.

§ 546-24. Debit and credit card equipment.

- A. If a taxicab is equipped to accept debit or credit card payments, the vehicle-for-hire driver shall:
- (1) Not operate the taxicab unless it bears signs affixed to each rear passenger door in a manner and location satisfactory to the Executive Director indicating the amount of any fee for making payment with a debit or credit card; and
 - (2) If asked, inform the passenger(s) of any additional fees that will be incurred as a result of paying with either type of card.
- B. If the means to accept debit or credit card payments is not available for any reason, the vehicle-for-hire driver shall immediately remove the signs referred to in Subsection A(1).

§ 546-25. Advance payment.

- A. A vehicle-for-hire driver operating a taxicab may, at the commencement of a trip, request advance payment of the rate or fare in an amount equal to the estimated fare to a maximum of \$25.00.
- B. A vehicle-for-hire driver operating a taxicab who requests advance payment of the rate or fare shall:
 - (1) Provide a receipt for the advance payment if requested by the passenger;
 - (2) If the taxicab is affiliated with a taxicab broker, contact the broker to confirm the amount of the fare estimate if requested to do so by the passenger; and
 - (3) If, at the conclusion of the trip, the advance payment exceeds the amount indicated on the trip meter, return to the passenger the excess amount.

ARTICLE 4
Taxicab Brokers

§ 546-26. Records of trips to be kept.

- A. Every taxicab broker shall keep a record of every car dispatched on a trip, the date and time of dispatch, the place of pick-up and destination of such trip and shall retain such records for at least 12 months following each trip.
- B. The taxicab broker shall produce trip records forthwith when requested by ML&S, and the records may be produced in hard copy or in an electronic format approved by the Executive Director.

§ 546-27. Information to be obtained by taxicab brokers.

- A. Every taxicab broker shall give to ML&S a list of all taxicabs in respect of which he or she has any arrangement for accepting requests for service, including the name of the taxicab owner and the number of the plate issued by ML&S, and shall advise ML&S in writing of any change to the list within 48 hours.
- B. Every taxicab broker shall ascertain the name of every vehicle-for-hire driver operating a taxicab in respect of which the broker has any arrangement for accepting requests for service, and shall provide to ML&S, within 72 hours of the time when a driver first drives pursuant to such arrangement, provide to ML&S in writing the driver's name and the time when he or she started to drive the said taxicab.
- C. When a vehicle-for-hire driver described in Subsection B ceases to drive a taxicab due to termination of any contract, agreement or arrangement as described in Subsection B, the taxicab broker shall, within 72 hours of the said termination, notify ML&S in writing of the said termination.

- D. Every taxicab broker shall keep a record showing, in respect of his or her brokerage, the following information:
- (1) The number of requests for taxicab service received;
 - (2) The number of such requests which are not serviced and the reason therefor;
 - (3) A continuous account of the number of taxicabs in active operation having the right to accept requests for service from the said taxicab broker, including the times at which each such taxicab went on the road each day, any time or times thereafter during that day when it was off duty, and the time at which it was last available for service to the public on that day; and
 - (4) The number of dispatched requests serviced by each taxicab referred to in Subsection D(3).
- E. Every taxicab broker shall, within seven days of the end of each month, deliver to ML&S a copy of the records required to be kept by him or her in accordance with Subsection D in respect of the operation of the said taxicab broker's brokerage during that month.

§ 546-28. Licences held by corporations; notification of transfer of shares.

- A. Where a corporation is the holder of a taxicab broker's licence or licences, the corporation shall forthwith advise ML&S of all transfers of shares of the capital stock thereof.
- B. Where, as a result of the transfer of shares of a corporation, ML&S has reasonable grounds to believe that the corporation may not be entitled to the continuation of its licence in accordance with this chapter, the Toronto Licensing Tribunal may determine whether the licence or licences shall be revoked or have conditions placed on it.

§ 546-29. Annual return to be filed.

Every limited liability taxicab broker company shall file, with ML&S, an annual return on a form supplied by ML&S, at the time their licence is renewed.

§ 546-30. Previous engagements to be kept.

- A. Every taxicab broker shall serve the first person requiring the service of his or her brokerage at any place within Toronto at any specified time, and, if he or she pleads some previous engagement, he or she shall, upon demand, give the name and address of the person to whom he or she is so engaged and with the time and place of such engagement.
- B. Every taxicab broker shall punctually keep all his or her appointments or engagements and shall not accept any engagement that a previous appointment would prevent him or her from fulfilling; provided, however, that he or she shall not be compelled to accept any order from a person who owes him or her money for a previous fare or service.

§ 546-31. Prohibition on dispatch of unlicensed taxicabs.

No person shall dispatch or otherwise communicate requests for taxicab service to a vehicle-for-hire driver in any manner or enter into an arrangement or agreement with a vehicle-for-hire driver to connect the driver with passengers seeking taxicab service unless the driver and the owner of the taxicab are licensed as such under this chapter.

§ 546-32. Brokers operating as taxicab operators.

- A. A taxicab broker may enter into an agreement with a taxicab owner to manage or control a taxicab on behalf of an owner and shall, within seven days of entering into such an agreement, file a notice with ML&S in a form acceptable to the Executive Director.
- B. A taxicab broker has all of the rights and responsibilities of a taxicab operator under this chapter in relation to any taxicab that it manages or controls on behalf of a taxicab owner.
- C. A taxicab broker who has entered into an agreement with a taxicab owner to manage or control a taxicab on behalf of an owner is exempt from the requirement to apply and pay for a taxicab operator licence.

§ 546-33. Brokers may submit vehicle-for-hire driver applications and records.

- A. A taxicab broker may apply to ML&S on an individual person's behalf for a vehicle-for-hire driver's licence, or the renewal thereof, if:
 - (1) The taxicab broker has obtained the prior written consent of the individual to the disclosure of information required by the application or renewal process to the taxicab broker and to ML&S;
 - (2) The taxicab broker verifies that the applicant meets the screening criteria and all other requirements to obtain a vehicle-for-hire driver's licence set out in § 546-83A; and
 - (3) The taxicab broker submits to ML&S:
 - (a) An application in a form approved by the Executive Director, signed by a person with authority to bind the taxicab broker and the applicant, along with such information as the Executive Director may require;
 - (b) A photograph of the applicant, if requested by ML&S; and
 - (c) All applicable fees required to obtain or renew a vehicle-for-hire driver's licence.
- B. Notwithstanding this section and any agreement he or she may have with a taxicab broker, an applicant for a vehicle-for-hire driver's licence or the renewal thereof or the holder of a vehicle-for-hire driver's licence shall remain responsible to satisfy all the

requirements assigned to him or her under this chapter, including licence application requirements.

ARTICLE 5
Taxicab Owners

§ 546-34. Notice of election.

- A. When a person on the drivers' list is eligible for the issuance of a Toronto Taxicab licence by reason of that person's position on the drivers' list, ML&S shall send a notice by regular pre-paid mail to that person's last known address on file with ML&S, and the notice shall state the date of the next available accessible vehicle training course.
- B. A person to whom a notice under Subsection A is sent shall, within 30 days of the date of the notice, elect to attend the next available accessible vehicle training course, elect to defer attendance at the course for a period of one year, or elect not to attend the course by completing the notice and filing it with ML&S.
- C. A person who fails to make an election as per Subsection B shall be deemed to have deferred attendance at the accessible vehicle training course for a period of one year.
- D. A person who has deferred attendance at the accessible vehicle training course shall retain his or her position on the drivers' list unless such person has deferred attendance more than twice, in which case such person shall be repositioned to the bottom of the list.
- E. A person who has elected not to attend the accessible vehicle training course shall be struck from the drivers' list.
- F. A person who elects to attend the next available accessible vehicle training course shall, before registering for the course, attend in person at the offices of ML&S and complete the forms prescribed by the Executive Director.
- G. A person who elects to attend the next available accessible vehicle training course but does not register for the course or does not meet its minimum attendance requirement shall be deemed to have deferred attendance at the course for a period of one year.

§ 546-35. Failure to pass the accessible vehicle training course.

- A. A person on the drivers' list who fails the accessible vehicle training course shall retain his or her position on the drivers' list and may re-attend at the next available course or, if eligible to do so, may re-take the course examinations at the next available course.
- B. Despite Subsection A, a person on the drivers' list who fails the accessible vehicle training course more than once, or who does not re-attend at the course or re-take the examinations in accordance with Subsection A, shall be struck from the drivers' list.

§ 546-36. Time limit to start operating a taxicab after completing training course.

- A. An applicant on the drivers' list shall begin operating his or her Toronto Taxicab within 90 days of completing the accessible vehicle training course.
- B. Subject to Subsection C, an applicant who does not begin operating his or her taxicab within the 90-day period in Subsection A shall be moved to the bottom of the drivers' list.
- C. An applicant may, before the expiry of the 90-day period in Subsection A, apply to the Toronto Licensing Tribunal for an extension of the 90-day period, which shall not be granted unless the applicant satisfies the Tribunal that his or her failure to comply with Subsection A is the result of illness, injury, or pregnancy.

§ 546-37. Conversion of taxicab owner's licences to Toronto Taxicab licences.

- A. Subject to subsection D, any owner may convert his or her licence to a Toronto Taxicab owner's licence by application to ML&S in a form satisfactory to the Executive Director.
- B. Upon the issuance of a Toronto Taxicab licence to an owner who has made an application under Subsection A, the previously issued owner's licence shall be terminated.
- C. An owner who applies for a Toronto Taxicab licence under Subsection A shall be issued a Toronto Taxicab licence if he or she:
 - (1) Complies with all provisions of this chapter applicable to the operation of a Toronto Taxicab; and
 - (2) Has successfully completed the accessible taxicab training course.
- D. Taxicab owner's licences issued to persons licensed as Qualified Taxicab Brokerages prior to the enactment of By-law 503-2014 for the operation of accessible vehicles shall not be converted to Toronto Taxicab owner's licences.

§ 546-38. Waiver of fees to licence accessible vehicles and complete accessible training.

The licence application and licence renewal fees for accessible taxicab licences, wheelchair accessible taxicab owners, and any taxicab owner whose taxicab vehicle is a D409 compliance wheelchair accessible vehicle are waived, and the waiver is retroactive to January 1, 2016.

§ 546-39. Drivers' List.

- A. The list of persons desiring to obtain a Toronto Taxicab owner's licence, maintained by ML&S, shall be closed to new additions as of May 4, 2016.
- B. When the number of Toronto Taxicab licences is to be increased, priority shall be given to persons on the drivers' list by order of seniority of application.

§ 546-40. Removal from and repositioning on drivers' list.

- A. An applicant on the drivers' list shall cease to continue to be eligible for a Toronto Taxicab licence and shall be struck off the drivers' list if:
- (1) The applicant acquires, by purchase or otherwise, an owner's licence or an interest of any kind, whether direct or indirect, in an owner's licence or becomes or remains a shareholder in, or a partner in, or acquires or retains some other interest in, a company or firm which holds or acquires an owner's licence; or
 - (2) Subject to Subsection H, the applicant's licence as a vehicle-for-hire driver lapses or is revoked; or
 - (3) Subject to Subsections E, F, and G, the applicant ceases to earn a living on a full-time basis as a vehicle-for-hire driver in Toronto, provided that while a vehicle-for-hire driver's licence is suspended he or she shall be deemed to earn a living on a full-time basis.
- B. For the purposes of this section, the pecuniary interests of a spouse of an applicant shall be deemed to also be the pecuniary interests of the applicant.
- C. An applicant who has been struck off the drivers' list shall be notified forthwith by ML&S by letter addressed to the applicant at the last address of record furnished by the applicant to ML&S.
- D. Notwithstanding § 545-39, where the licence of a vehicle-for-hire driver operating a taxicab on the drivers' list is suspended under this chapter, the seniority of his or her application for a Toronto Taxicab licence shall be reduced by a period of time equivalent to the period of the suspension, or one year if the driver's provincial driver's licence is suspended.
- E. Where an applicant satisfies the Toronto Licensing Tribunal that his or her failure to earn a living in Toronto on a full-time basis as a vehicle-for-hire driver operating a taxicab is the result of illness or injury and that the interruption in service is not in all the circumstances excessive, the Toronto Licensing Tribunal may deem the employment service of the applicant to be uninterrupted.
- F. Subject to Subsection G, where an applicant satisfies the Toronto Licensing Tribunal that her failure to earn a living in Toronto on a full-time basis as a vehicle-for-hire driver operating a taxicab is the result of the applicant's pregnancy and the interruption in service is not more than six consecutive months, the Toronto Licensing Tribunal may deem the employment service of the applicant to be uninterrupted.
- G. For the purposes of Subsection F, an applicant shall, within 30 days of returning to earning a living on a full-time basis as a vehicle-for-hire driver, file with the ML&S a statement signed by a duly qualified medical practitioner, confirming the period of time during which the applicant was pregnant.

- H. The Toronto Licensing Tribunal may, if it deems the employment service of an applicant to be uninterrupted for a period of time under Subsections E, F and G, deem, that his or her licence as a vehicle-for-hire driver has not lapsed during that period to permit him or her to remain on the drivers' list.

§ 546-41. Sale of a taxicab; issuance of new licence to purchaser.

- A. No owner's licence shall be transferred, but, subject to any other provisions of this chapter, an owner of a standard or Toronto Taxicab may sell his or her taxicab and its equipment to any person, and upon the sale the owner's licence issued in respect of the taxicab shall be terminated.
- B. Notwithstanding Subsection A, an owner of a Toronto Taxicab may not sell his or her taxicab unless that owner:
- (1) Obtained his or her Toronto Taxicab at least two full years before the sale; or
 - (2) Obtained his or her Toronto Taxicab by converting his or her accessible or standard taxicab into a Toronto Taxicab.
- C. Subject to Subsection D, ML&S may, in its discretion, issue a Toronto Taxicab or standard licence, corresponding to the type of licence held by the vendor, to the purchaser of a taxicab and its equipment subject to the following conditions:
- (1) That the applicant qualifies under all other provisions of this chapter;
 - (2) That the applicant and the vendor file with ML&S an executed copy of a written agreement between the parties containing all the details of the dealings between the parties in respect of the taxicab and its equipment;
 - (3) The agreement shall contain a declaration by both parties in a form supplied by ML&S and a further declaration by the solicitor for the purchaser in a form supplied by ML&S;
 - (4) The agreement shall provide for the vendor to receive the total consideration for the transaction in cash or by certified cheque at the time that the transaction is completed;
 - (5) There shall be attached to the agreement a declaration, in a form provided by ML&S, to be taken by any person or persons financing the transaction or holding any chattel mortgage, conditional sale contract, lien or charge of any type or description, whether equitable or legal and whether written or verbal, upon or relating to the taxicab or its equipment;
 - (6) The making of a false or intentionally misleading representation in any such agreement or declaration shall be deemed a violation of the provisions of this chapter; and

- (7) An agreement may pertain to more than one taxicab vehicle and its equipment, but the vendor in such agreement shall not be permitted, notwithstanding anything else in this chapter, to purchase or otherwise acquire any additional taxicab owner's licences by any means for a period of five years following the date of the transaction.
- D. Notwithstanding Subsections A, B and C, the Toronto Licensing Tribunal may, in its discretion, refuse to issue a new licence to a purchaser in a transaction under this section when it determines that it is not in the public interest to do so, and the Toronto Licensing Tribunal shall, upon demand from any party to the transaction, deliver written reasons for such decision.

§ 546-42. Death of owner.

- A. In this section, "owner" includes any person who directly or indirectly owns the controlling interest in a corporation holding one or more taxicab owner's licences, and "taxicab" includes the shares in such corporation owned or controlled by such owner.
- B. Subject to Subsection C, upon the death of an owner, the owner's licence issued to that owner shall be terminated.
- C. Upon receiving notice of the death of the owner of a standard taxicab or a Toronto Taxicab, ML&S may re-issue the licence for its unexpired term or may issue a new licence in the name of the estate of the deceased owner pending disposition of the taxicab by the personal representative or representatives of such deceased owner.
- D. Where a licence has been issued to the estate of a deceased taxicab owner, his or her personal representative shall be deemed to be the owner of the taxicab for the purposes of this chapter.
- E. Where a licence has been issued to the estate of the deceased taxicab owner, the licence shall terminate one year from the date of death of the deceased taxicab owner.
- F. The Toronto Licensing Tribunal may, in its discretion, extend the one-year period referred to in Subsection E either before or after its expiry.
- G. Upon the sale, transfer or disposition of a taxicab by the personal representative of a deceased owner, the licence issued in respect of such taxicab shall be terminated, and ML&S may, in its discretion, issue a new owner's licence of the same type to the person obtaining the taxicab, and the provisions of § 546-41A, C, and D and the provisions of this chapter requiring a fee to be paid upon the issue of a licence to a purchaser of a taxicab on a sale shall apply.

§ 546-43. Owners and vehicles to be licensed.

- A. No owner shall allow any person other than a licensed vehicle-for-hire driver to operate his or her taxicab.

- B. Every owner of more than one taxicab required to be licensed under this chapter shall take out a separate licence for each taxicab.
- C. No owner shall permit any taxicab which he or she does not own to be driven under the authority of his or her owner's licence.
- D. ML&S may, upon receiving information which indicates that a taxicab has not been actively operated in providing taxicab service to the public for two full shifts daily for at least five days during any seven-day period, require that the owner of that taxicab attend before the Toronto Licensing Tribunal for a hearing to determine whether the licence should be suspended, revoked or have conditions placed on it.

§ 546-44. Trip meter.

- A. Every owner shall equip his or her taxicab with a trip meter which records the distance travelled and computes the fare to be paid for each trip.
- B. Every owner shall ensure the trip meter:
 - (1) Meets the security criteria and standards established by the Executive Director;
 - (2) Is in plain view of passengers;
 - (3) Is illuminated between sunset and sunrise; and
 - (4) Can be adjusted to compute fares at the tariff and at any rate that may be charged by a taxicab brokerage with which his or her taxicab is associated.
- C. No owner shall permit his or her taxicab to be operated:
 - (1) Unless the taxicab is equipped with a trip meter that meets the security criteria and other standards established by the Executive Director; and
 - (2) If the trip meter is defective in any manner.

§ 546-45. Advertising.

- A. No owner shall place or permit any advertising material on his or her taxicab that:
 - (1) Is not safe for the vehicle-for-hire driver, passengers, or general public;
 - (2) Is not securely attached to the vehicle;
 - (3) Extends beyond the dimensions of the vehicle, with the exception of rooftop signs; or
 - (4) Reduces the visibility of any taxicab markings and identifications required by this chapter.

§ 546-46. Required equipment and markings; prohibitions.

- A. When a vehicle is being operated as a taxicab, the owner shall provide, maintain, or display the following equipment and markings:
- (1) A plate supplied by ML&S and bearing an identifying number, securely affixed to the back of the taxicab in a position approved by ML&S;
 - (2) The number on the plate referred to in Subsection A(1) painted on the exterior sides of the taxicab in numbers at least 15 centimetres high in a contrasting colour, to the approval of the Executive Director;
 - (3) A tariff card supplied by ML&S and bearing the name of the owner of the taxicab and the number referred to in Subsection A(1), affixed in a place in the taxicab such that it is plainly readable by passengers in the back seat;
 - (4) A holder for the tariff card and photograph and name of the vehicle-for-hire driver in a place approved by the Executive Director;
 - (5) An electric sign, permanently and securely affixed to the top of the taxicab, approved by the Executive Director, indicating that the vehicle is a taxicab, which sign:
 - (a) Shall be co-ordinated with the operation of the trip meter such that, when a trip is in progress, the electric sign shall be extinguished and, when no trip is in progress, the sign shall be illuminated; and
 - (b) Shall be maintained in good repair and clear to persons outside the taxicab;
 - (6) A sign or signs, approved by and affixed in a manner and in a location satisfactory to the Executive Director to indicate to any passenger entering or in the vehicle that smoking is prohibited;
 - (7) Three "Watch for Bikes" stickers, approved by the Executive Director, one affixed to the driver's side mirror, one affixed to the right rear side window and one affixed to the left rear side window, in manner that does not obstruct the vehicle-for-hire driver's view;
 - (8) A Taxicab Bill of Rights which contains the information set out in Appendix E in a form approved by the Executive Director, affixed to the back of the front passenger seat;
 - (9) Where a taxicab is equipped with a child safety lock, stickers stating that the taxicab is so equipped shall be affixed to the windows of the taxicab in a prominent position immediately above its door handles such that they are plainly visible to persons entering the taxicab; and

- (10) Signs or markings approved by the Executive Director, identifying the taxicab as a standard, accessible, or Toronto Taxicab, as the case may be.
- B. No owner shall exhibit on or about his or her taxicab any number, sign or card other than those approved or issued under this chapter, or as otherwise required by law.
- C. No owner shall permit his or her taxicab to bear a colour scheme or emblem which has been or is being used by another owner or taxicab broker, without the Executive Director's approval.
- D. No owner shall permit his or her taxicab to be operated if it is equipped with any mechanism or device, other than a child safety lock, that prevents a passenger from opening its doors.

§ 546-47. Emergency lights system; camera system.

- A. Every owner shall, for each taxicab for which he or she holds a licence, provide and maintain:
 - (1) A fully functioning emergency lights system;
 - (2) A fully functioning camera system installed and serviced by the manufacturer or the manufacturer's authorized agent; and
 - (3) A decal approved by the Executive Director and affixed to the taxicab in a location and manner approved by the Executive Director, stating that passengers are being video recorded.
- B. No owner shall permit her or her taxicab to be operated unless it is equipped in accordance with this section.

§ 546-48. Duplicate tariff cards and plates.

- A. If a tariff card or number plate is defaced, lost, or destroyed, it may be replaced by ML&S upon the original tariff card or plate being accounted for and, in the case of a plate, upon payment of the cost of a duplicate plate.
- B. The duplicate plate shall bear the number of the original plate, together with the letter "D" identifying it as a duplicate plate.
- C. During the period required to obtain the duplicate plate, ML&S may issue an interim plate, which shall be returned to ML&S upon demand or receipt of a duplicate plate.
- D. No person shall use a number plate if a duplicate for that plate has been issued.
- E. No duplicate plate shall be replaced except upon the approval of the Executive Director.

- F. ML&S may, in its discretion, issue one or more spare plates to an owner permitting him or her to operate a vehicle as a taxicab while his or her taxicab is being repaired, if:
- (1) The spare plate and the plate, or its duplicate, supplied by ML&S for the taxicab being repaired, are securely affixed to the vehicle;
 - (2) The vehicle is equipped, inspected, approved and registered as required by this chapter; and
 - (3) The owner provides proof of insurance for the vehicle as required by this chapter.

§ 546-49. Condition of vehicles.

- A. No owner shall permit his or her taxicab to be operated unless it is:
- (1) Equipped with an extra tire and wheel ready for use;
 - (2) Clean and in good repair as to its exterior and interior;
 - (3) Free from mechanical defects;
 - (4) Equipped with seat belts plainly visible and accessible to passengers;
 - (5) Equipped with fully functioning air-conditioning and heating systems; and
 - (6) Equipped with four snow tires or all weather tires from December 1 to April 30.

§ 546-50. Vehicle type for accessible and Toronto Taxicabs.

Every vehicle used as an accessible taxicab or Toronto Taxicab shall be an accessible vehicle.

§ 546-51. Age and maximum seating capacity of taxicab vehicles.

- A. A vehicle used as taxicab shall be no more than seven model years old.
- B. A vehicle used as a taxicab shall have a maximum seating capacity for seven passengers, plus the driver.

§ 546-52. Replacement vehicles.

- A. As used in this section the following terms shall have the meanings indicated:

ALTERNATIVE FUEL VEHICLE - A vehicle that runs on a fuel derived from a resource other than petroleum, including ethanol, biodiesel, natural gas, propane or hydrogen.

COMBINED FUEL CONSUMPTION RATING - The weighted average of 55 percent of the vehicle's city fuel consumption rating for the model year, and 45 percent of the

vehicle's highway fuel consumption rating for the model year, as published in Natural Resources Canada's Fuel Consumption Guide or as shown on the EnerGuide Label for Vehicles, as amended.

EXHAUST EMISSIONS - As prescribed in Section 1(1) of the On-Road Vehicle and Engine Emission Regulations (SOR/2003-2), as amended.

FULL USEFUL LIFE EMISSION BIN - As prescribed in Section 1(1) of the On-Road Vehicle and Engine Emission Regulations (SOR/2003-2), as amended.

HYBRID VEHICLE - A vehicle that runs on two or more fuel sources including, but not limited to, electricity and petroleum gasoline, electricity and diesel, or electricity and alternative fuels.

LOW-EMISSION VEHICLE - A vehicle with lower emissions of greenhouse gas pollutants and smog pollutants than the average for that model-year, as indicated by:

- (1) Exhaust Emissions at or below Full Useful Life Emission Bin 5; and
 - (2) For vehicles manufactured in and before Model Year 2014, a Combined Fuel Consumption Rating of 7 or fewer litres per 100 kilometres, and for vehicles manufactured in and after Model Year 2015, a Combined Fuel Consumption Rating currently estimated at 8.4 or fewer litres per 100 kilometres, to be adjusted to an actual rating after Natural Resources Canada publishes such rating in its Fuel Consumption Guide.
- B. Despite any other provision in this article, a taxicab shall not be replaced with a vehicle that has been used as a taxicab in any jurisdiction except the City of Toronto or as a police vehicle.
- C. No vehicle may be used as a replacement vehicle unless:
- (1) It is an accessible vehicle;
 - (2) It is an alternative fuel vehicle, hybrid vehicle, or low-emission vehicle; or
 - (3) It is registered as a taxicab or has been registered as a taxicab prior to the date of application for its use as a replacement vehicle.
- D. No taxicab owner shall use a vehicle as a replacement vehicle unless he or she has attended at the offices of ML&S and has produced the Provincial motor vehicle permit issued with respect to the vehicle.

§ 546-53. Operation of accessible taxicabs and Toronto Taxicabs.

- A. Every owner of an accessible taxicab and every owner of a Toronto Taxicab shall have an arrangement with a taxicab broker licensed under this chapter in order to provide taxicab service to persons who request it by contacting a taxicab broker.

- B. Every owner of an accessible taxicab who was issued his or her licence as a Qualified Taxicab Brokerage prior to the enactment of By-law No. 503-2014 shall operate the taxicab by providing service pursuant to a contract with the Toronto Transit Commission.

§ 546-54. Maximum hours in a shift.

No owner shall permit any vehicle-for-hire driver to operate his or her taxicab for more than 12 hours in any 24-hour period.

§ 546-55. Insurance.

- A. Policy of insurance; certificate.
- (1) Every taxicab owner shall ensure that each of his or her taxicabs are insured under a policy of automobile insurance for \$2,000,000 (exclusive of interest and costs), or more, to provide coverage for:
 - (a) Loss or damage resulting from bodily injury to or the death of one or more persons;
 - (b) Loss or damage to property resulting from an accident; and
 - (c) Third-party liability.
 - (2) Every owner shall deposit a certificate of such automobile insurance policy with ML&S.
 - (3) Any applicable automobile insurance policy shall be endorsed to give ML&S at least 30 days' written notice of any cancellation, expiration or variation in the amount of the policy.
- B. The Executive Director may, notwithstanding anything else contained in this chapter, suspend a taxicab owner's licence in respect of any taxicab not insured in accordance with Subsection A until a satisfactory policy is put in place.

§ 546-56. Corporations; share transfers.

- A. Every limited liability taxicab company shall file with ML&S an annual return on a form supplied by ML&S, at the time their licence is renewed.
- B. Where a corporation is the holder of a taxicab owner's licence or licences, the corporation shall forthwith notify ML&S in writing of all transfers of existing shares and of the issue of all new shares of the capital stock of the corporation.
- C. Where, as a result of the transfer of existing shares or by the issue of new shares of a corporation, ML&S has reasonable grounds to believe that the corporation may not be entitled to the continuation of its licence in accordance with this chapter, the Toronto

Licensing Tribunal may determine whether the licence shall be suspended, revoked, or have conditions placed on it.

- D. Termination of licence upon transfer of controlling interest; review of licence.
- (1) Where, by the transfer or sale of issued shares in, or by the issuance of new shares of, a corporation holding one or more taxicab owner's licences, the controlling interest in such corporation is sold, transferred, or acquired, such licence or licences shall be terminated, and ML&S may issue a new licence or new licences upon payment of all applicable fees.
 - (2) The Toronto Licensing Tribunal may, in its discretion, refuse to issue a new licence or licences to a purchaser in a transaction under this section if it determines that it is not in the public interest so to do or for any other reason which it is authorized by law to consider.
- E. Where the shares in a corporate owner are held wholly or in part by another corporation, such other corporation shall file with ML&S, at the same time as the owner, an annual return as provided in Subsection A, and if the return discloses that the shares in such other corporation are in turn held wholly or in part by a third corporation, such third corporation shall file an annual return under Subsection A, and so on until the names of individual persons are shown as the shareholders of all corporations having an interest, direct or indirect, in any owner's licence.

§ 546-57. Custody of accessible taxicabs and Toronto Taxicabs.

The owner of an accessible taxicab or Toronto Taxicab may permit up to three licensed vehicle-for-hire drivers to operate his or her vehicle.

§ 546-58. Designation of taxicab operators.

- A. A taxicab owner shall, within seven days of entering into an agreement with a taxicab operator to manage or control his or her vehicle, file a notice with ML&S, in a form acceptable to the Executive Director.
- B. If the authority of the taxicab operator designated under this section ends, the taxicab owner shall forthwith file a notice with ML&S and, for the purposes of this chapter, the requirements applicable to the taxicab operator shall cease upon filing of the notice.
- C. No taxicab owner shall enter into an agreement with or permit more than one person to manage or control his or her vehicle at any time.

§ 545-59. Designated custodians for standard taxicab owners.

- A. Subject to §§ 546-60 and 546-61, this section applies to every person licensed as the owner of a standard taxicab.

- B. Every owner who is an individual person shall maintain custody and control over his or her taxicab and shall not delegate this responsibility except in accordance with this chapter.
- C. Every owner which is a partnership shall designate one of the partners who is an individual person to be responsible for maintaining custody and control over its taxicab on behalf of the partnership, and such partner shall not delegate this responsibility except in accordance with this chapter.
- D. Every owner which is a corporation shall designate one of its officers or employees to be responsible for maintaining custody and control over the taxicab on behalf of the corporation, and such officer or employee shall not delegate this responsibility except in accordance with this chapter.
- E. Every owner required by this section to designate any person within the partnership or corporation to be responsible for maintaining custody and control over a taxicab shall make such designation by means of a notice, signed by or on behalf of the licensed owner and by the person so designated, showing the business address of each of them, which shall be on a form approved by the Executive Director.
- F. When any person designated by an owner, as shown on the notice filed with ML&S under this section, ceases to have custody or control over the taxicab, the owner shall file with ML&S a new notice within three days of when the custody or control ended.

§ 545-60. Designated agents for standard taxicab owners.

- A. An owner of a standard taxicab may designate an individual person who is licensed as a vehicle-for-hire driver, owner, or taxicab broker under this chapter, as his or her agent in respect of his or her taxicab, by filing a written notice with ML&S, together with a written consent by that person to act in that capacity.
- B. No owner of a standard taxicab shall have more than one designated agent with respect to his or her taxicab at any one time.
- C. A notice of designated agent shall include:
 - (1) The full name of the owner;
 - (2) The number of the licence and plate for the taxicab to which the designation relates;
 - (3) The term for which the person designated is granted authority by the owner in respect of the taxicab; and
 - (4) The terms of the agency agreement, including any consideration paid.
- D. If the authority of an agent designated under this section terminates before the end of the term set out in the notice, the owner shall forthwith file a written notice of the termination

with ML&S and, for the purposes of this chapter, the obligations and requirements applicable to the designated agent shall cease upon the filing of the notice.

- E. No person shall act as an agent for an owner in respect of a taxicab except as permitted by this section and in compliance with all applicable provisions of this chapter.

§ 546-61. General provisions relating to custody of taxicabs.

- A. Every owner shall:
- (1) Ensure that every person involved in the management or operation of his or her taxicab complies in full with the requirements imposed by this chapter in respect of the taxicab;
 - (2) Ensure that every notice of designated custodian or designated agent filed with ML&S accurately and fully sets out all of the facts required by this chapter; and
 - (3) Provide, or direct the production of, any facts or records required by this chapter to ML&S forthwith upon its request.

ARTICLE 6
Taxicab Operators

§ 546-62. Owner who manages deemed to be taxicab operator.

- A. A taxicab owner who manages his or her own vehicle shall be deemed to be the taxicab operator for that vehicle and shall obey the provisions of this chapter related to taxicab operators.
- B. A taxicab owner who manages his or her own vehicle is exempt from the requirement to obtain a taxicab operator licence, and is exempt from the requirement to have a place of business under § 546-68A.

§ 546-63. Taxicab to be controlled by one taxicab operator.

- A. Any individual or corporation who enters into an agreement assuming responsibility for the management or control of a vehicle operating as a taxicab shall hold a taxicab operator's licence, subject only to § 546-32 and § 546-62.
- B. No taxicab operator shall manage or control any taxicab with respect to which an owner has entered into an agreement with another person for management or control or for which the owner has filed a notice with ML&S.
- C. A taxicab operator may manage or control more than one taxicab at a time.

§ 546-64. Taxicab owner and taxicab operator jointly responsible for taxicab.

- A. A taxicab owner and taxicab operator shall, at all times and notwithstanding any agreement to the contrary, be jointly responsible for ensuring the taxicab owned by the taxicab owner and managed or controlled by the taxicab operator is maintained and managed in a manner that complies with the requirements of this chapter.
- B. A taxicab operator may be listed as a co-owner of the vehicle used as a taxicab on the vehicle registration.

§ 546-65. Taxicab operators shall rent to licensed drivers; receipt to be provided.

- A. A taxicab operator shall only rent a taxicab under his or her management or control to a licensed vehicle-for-hire driver.
- B. No taxicab operator shall permit a vehicle-for-hire driver to operate a taxicab for more than 12 hours during any period of 24 consecutive hours.
- C. When a vehicle-for-hire driver pays for his or her rental of the taxicab, the taxicab operator shall provide a printed or electronic receipt to the driver, which shall include:
 - (1) Name of the taxicab operator;
 - (2) Dates and times for which the taxicab was rented;
 - (3) Taxicab plate number;
 - (4) Details with respect to all fees charged; and
 - (5) Name of the vehicle-for-hire driver to whom the taxicab was rented.
- D. A taxicab operator shall maintain a list of licensed vehicle-for-hire drivers to whom the taxicab operator is renting taxicabs, including the dates and time periods for which each taxicab was rented to each driver.
- E. A taxicab operator shall maintain a copy of all receipts given to vehicle-for-hire drivers and other records maintained relating to whom the taxicab operator is renting taxicabs for a minimum of 12 months from the date the record was or ought to have been created.

§ 546-66. Taxicab operator shall maintain vehicle in good condition.

- A. A taxicab operator shall ensure that each taxicab is:
 - (1) Free from mechanical defects;
 - (2) Fully and properly equipped with all of the equipment, signage, and markings that a taxicab is required by the provisions of this chapter to have; and

- (3) Clean and in good repair as to its exterior and interior.

§ 546-67. Taxicab operator to ensure operator logs are completed and available.

- A. A taxicab operator shall ensure that any vehicle-for-hire driver operating his or her taxicab completes an operator log as required by § 546-103B and a taxicab operator shall collect such operator logs within seven days of the conclusion of a driver's shift.
- B. A taxicab operator shall keep operator logs for at least 12 months after they are collected and shall provide them to ML&S for inspection, for a reasonable period of time, upon demand by ML&S.

§ 546-68. Taxicab operator shall maintain business address and deliver records to ML&S.

- A. A taxicab operator shall maintain a place of business, which shall be in compliance with all applicable bylaws.
- B. A taxicab operator shall provide any records that it is required to maintain to ML&S within five business days of receiving a request, and the records shall be provided in hard copy or in an electronic format approved by the Executive Director.

**ARTICLE 7
Limousine Owners**

§ 546-69. Limousine Licences.

- A. No owner shall permit any person other than a licensed vehicle-for-hire driver to operate his or her limousine.
- B. Every owner shall take out a separate licence for each limousine he or she owns.
- C. No licence may be issued to the owner of a limousine except in respect of a sedan or stretch limousine of a type approved by the Executive Director.
- D. Where there are reasonable grounds to believe that, by reason of illness, injury or any other physical or mental impairment, the conduct of an owner may not be in accordance with this chapter, or may endanger the health or safety of other persons, ML&S and the Toronto Licensing Tribunal may require such owner to be medically examined by a duly qualified medical practitioner, and such medical practitioner may make a report of such examination to ML&S or the Toronto Licensing Tribunal, as the case may be.

§ 546-70. Service agreements.

Every owner shall enter into a service agreement with a limousine service company with respect to each limousine he or she owns.

§ 546-71. Sales and transfers, death of owner.

A. Sale of a limousine; issuance of new licence to purchaser.

- (1) No owner's licence shall be transferred, but, subject to the provisions of this chapter, an owner may sell his or her limousine and its equipment to any person, and upon sale the owner's licence in respect of the limousine shall be terminated.
- (2) Subject to Subsection A(3), ML&S may, in its discretion, issue a new licence to the purchaser of a limousine and its equipment if the new applicant qualifies under all other provisions of this chapter.
- (3) Notwithstanding Subsections A(1) and A(2), the Toronto Licensing Tribunal may refuse to issue a new licence or licences to a purchaser in a transaction under this section when the Toronto Licensing Tribunal is of the opinion that it is not in the public interest, and the Toronto Licensing Tribunal shall, upon demand from any party to the transaction, deliver written reasons for its decision.

B. Death of owner.

- (1) In this subsection, "owner" includes any person who directly or indirectly owns the controlling interest in a corporation holding one or more limousine owner's licences, and "limousine" includes the shares in such corporation owned or controlled by such owner.
- (2) Upon the death of the owner of a limousine, the owner's licence issued in respect of such limousine shall be terminated.
- (3) Upon receiving notice of the death of the owner of a limousine, ML&S may re-issue the licence for its unexpired term or may issue a new licence in the name of the estate of the deceased owner pending disposition of the limousine by the personal representative or representatives of the deceased owner.
- (4) Where a licence has been issued to the estate of a deceased limousine owner in accordance with Subsection B(3), his or her personal representative or representatives shall be deemed to be the owner of the limousine for the purposes of this chapter.
- (5) Where a licence has been issued to the estate of the deceased limousine owner in accordance with Subsection B(3), the licence shall terminate one year from the date of death of the deceased limousine owner.
- (6) The Toronto Licensing Tribunal may, in its discretion, extend the one-year period referred to in Subsection B(5) either before or after its expiry.
- (7) Upon the sale, transfer or other disposition of a limousine by the personal representative or representatives of a deceased limousine owner, the licence issued in respect of such limousine shall be terminated, and ML&S may, in its

discretion, issue a new licence to the person purchasing or obtaining the limousine, and the provisions of this chapter requiring a fee to be paid upon the issuance of a licence to a purchaser of a limousine on a sale approved by the Toronto Licensing Tribunal shall apply.

§ 546-72. Corporations; share transfers.

- A. Every limited liability company that holds an owner's licence shall file with ML&S an annual return on a form supplied by ML&S, at the time their licence is renewed.
- B. Transfer of existing shares and issuance of new shares; review of licence.
 - (1) Where a corporation holds an owner's licence, the corporation shall notify ML&S as soon as possible, in writing, of all transfers of existing shares and of the issue of all new shares of the capital stock of the corporation.
 - (2) Where, as a result of the transfer of existing shares or by the issue of new shares of a corporation, ML&S has reasonable grounds to believe that the corporation may not be entitled to the continuation of its licence in accordance with this chapter, the Toronto Licensing Tribunal may determine whether the licence shall be revoked or have conditions placed on it.
- C. Termination of licence upon transfer of controlling interest in corporation.
 - (1) Where the controlling interest of a corporation holding one or more owner's licences is sold, transferred or acquired by the transfer or sale of issued shares in, or by the issuance of new shares of, the corporation, the licence or licences shall be terminated forthwith, and ML&S may issue a new licence or new licences upon payment of the licensing fee and compliance with all other provisions of this chapter.
 - (2) The Toronto Licensing Tribunal may, in its discretion, refuse to issue a new licence or licences to a purchaser in a transaction under this section if it determines that it is not in the public interest so to do or for any other reason which it is authorized by law to consider upon such application.
- D. Corporate shares held by other corporations.
 - (1) Where the shares in a corporation holding one or more owner's licences are held in whole or in part by another corporation, the other corporation shall file with ML&S an annual return as provided in Subsection A jointly with the owner.
 - (2) The other corporation shall disclose in its annual return whether its shares are held in whole or in part by a third corporation, which shall also file an annual return under Subsection A with ML&S at the same time as the owner, and so on until the names of natural persons are shown and identified as the shareholders of any and all corporations having an interest, direct or indirect, in any owner's licence.

§ 546-73. Age of vehicles.

- A. No owner shall use or permit any motor vehicle to be used as a sedan limousine if it is more than seven years old by year date.
- B. No owner shall use or permit any motor vehicle to be used as a stretch limousine if it is more than eight years old by year date.
- C. No owner shall use or permit any motor vehicle to be used as a limousine if it is branded by the Ontario Ministry of Transportation as a rebuilt vehicle.

§ 446-74. Condition of vehicles.

- A. No owner shall use or permit a limousine to be used until:
 - (1) The owner has submitted the motor vehicle for approval in accordance with this article; and
 - (2) The owner has attended the offices of ML&S and produced the Provincial motor vehicle permit issued with respect to such motor vehicle.
- B. No owner shall permit any limousine to be operated unless it is:
 - (1) Equipped with an extra tire and wheel ready for use;
 - (2) Clean and in good repair as to its exterior and interior;
 - (3) Free from mechanical defects;
 - (4) Equipped with a limousine plate supplied by ML&S, securely affixed as required by § 546-76A(1);
 - (5) Equipped with a decal as required by § 546-76A(2); and
 - (6) Equipped with snow tires or all-weather tires from December 1 to April 30.

§ 546-75. Insurance.

- A. Policy of insurance; certificate.
 - (1) Every limousine owner shall ensure that each of his or her limousines are insured under a policy of automobile insurance for \$2,000,000 (exclusive of interest and costs), or more, to provide coverage for:
 - (a) Loss or damage resulting from bodily injury to or the death of one or more persons;
 - (b) Loss or damage to property resulting from an accident; and

- (c) Third-party liability.
 - (2) Every owner shall deposit a certificate of such automobile insurance policy with ML&S.
 - (3) Any applicable automobile insurance policy shall be endorsed to give ML&S at least 30 days' written notice of any cancellation, expiration or variation in the amount of the policy.
- B. The Executive Director may, notwithstanding anything else contained in this chapter, suspend a taxicab owner's licence in respect of any taxicab not insured in accordance with Subsection A until a satisfactory policy is put in place.

§ 546-76. Limousine plates and other required equipment and markings; prohibitions.

- A. Every owner shall, for each limousine for which he or she holds a licence, provide and maintain the following equipment and markings in and on the limousine while it is operated as a limousine:
- (1) A limousine plate supplied by ML&S and bearing an identifying number shall be securely affixed in a position approved by the Executive Director; and
 - (2) A decal affixed to the front windshield of the limousine, unobstructed by any material or thing and of a size and in a position approved by Executive Director, indicating that the vehicle has been inspected and approved for use as a limousine.
- B. Replacement of number plates; temporary plates.
- (1) Limousine plates that are defaced, lost or destroyed may be replaced by ML&S upon the original plate being accounted for and upon payment of a fee.
 - (2) The duplicate plate shall bear the number of the original plate, together with the letter "D" identifying it as a duplicate plate.
 - (3) ML&S may issue a special temporary plate.
 - (4) The temporary plate shall be issued during the period required to obtain the duplicate plate, and such temporary plate shall be returned to ML&S immediately upon demand or upon receipt of a duplicate plate.
 - (5) No person shall use a limousine plate when a duplicate has been issued.
 - (6) No duplicate plate shall be replaced except as approved by the Executive Director.
- C. Subject to Subsections A and B, no owner shall exhibit or permit to be exhibited on or about his or her limousine any number, light, sign, notice, writing, other advertisement or

things which indicate or is intended to indicate to the public that the limousine is other than a private automobile.

- D. No owner shall affix a fare meter to his or her limousine or permit a fare meter to remain in his or her limousine while it is in use as a limousine.

§ 546-77. Advertising.

- A. No owner shall display or permit the display of any advertisement on his or her limousine.
- B. No owner of a limousine shall in any advertisement made or permitted to be made by him or her use or permit the use of the words "taxi," "taxicab," "cab" or any other word or words which indicate or could be reasonably interpreted to indicate that the limousine is a taxicab or is available for service as a taxicab as defined by this chapter.

§ 546-78. Rates and fares.

- A. Minimum rates.
- (1) Notwithstanding anything else in this chapter except Subsection A(2), the minimum rates to be quoted and charged by an owner, limousine service company or any person in its employ for transportation in a limousine shall be \$70 (+ G.S.T.) per hour for the first two hours or part thereof.
 - (2) The minimum rates or fares to be quoted and charged by an owner, limousine service company or any person in its employ for trips in a limousine originating within the City of Toronto and terminating at Lester B. Pearson International Airport shall be in accordance with Appendix D to Chapter 546, Limousine Tariffs to Lester B. Pearson International Airport.
- B. No owner shall publish or use a tariff or demand or receive rates and charges other than those authorized by this chapter, whether such rates and charges are determined by distance, time or in any other manner.
- C. Every owner and limousine service company shall file with ML&S a schedule of rates to be charged for the conveyance of passengers in Toronto in respect of every limousine owned by him or her and for every other conveyance for which a licence is required under this chapter.
- D. A copy of the applicable schedule of rates filed with ML&S as required by this Subsection C showing the charges to be collected for services rendered or to be rendered in connection with a limousine shall at all times be kept by the person licensed as the owner of the limousine in such vehicle to be shown to the hirer on demand, and no person licensed under this chapter shall use or publish any other schedule of rates or tariff.

- E. A schedule of rates filed with ML&S by an owner may not be altered or amended without the consent of ML&S unless 30 days' notice of the owner's intention to change such schedule is given to ML&S.
- F. No owner, vehicle-for-hire driver, or limousine service company shall publish or use a tariff or demand or receive rates or charges other than those set out in the applicable schedule of rates filed with ML&S as required by this section.

§ 546-79. Pre-arranged fares.

- A. A contract for the conveyance of persons by a limousine shall be pre-arranged through a limousine service company at least 20 minutes before the pick-up time, and it shall be an offence to arrange a contract in any other manner.
- B. No owner of a limousine shall solicit any person to take or use the limousine, or hold out the limousine as being available on a non-pre-arranged basis.

§ 546-80. Prohibition on dispatch of unlicensed limousines.

No person shall dispatch or otherwise communicate requests for limousine service to a vehicle-for-hire driver in any manner, or enter into an arrangement or agreement with a vehicle-for-hire driver, to connect the driver with passengers seeking limousine service unless the vehicle-for-hire driver and the owner of the limousine are licensed as such under this chapter.

§ 546-81. Staging prohibited.

No owner or limousine service company shall permit or authorize his or her limousine to be staged within 200 metres of a hotel, theatre, or entertainment facility unless the limousine has a pre-arranged pick-up at that location within 20 minutes.

ARTICLE 8
Limousine Service Companies

§ 546-82. Service logs and dispatch records.

- A. Dispatch records.
 - (1) Every limousine service company shall be responsible for keeping a record containing the following information with respect to every trip upon which a limousine in its employ is dispatched:
 - (a) ML&S limousine owner's plate issued for the vehicle along with the Provincial motor vehicle permit number of the vehicle;
 - (b) The name and licence number of the vehicle-for-hire driver;
 - (c) The date, time and location of the beginning and termination of each trip along with the name of the person booking the trip; and

- (d) The amount of fare to be charged for each trip.
- (2) The records required by Subsection A(1) shall be kept by the limousine service company for at least 12 months and shall be open to inspection, removal, and retention for a reasonable time by ML&S or any person authorized by the Executive Director forthwith upon request.
- B. Every limousine service company shall check the daily service logs kept by every vehicle-for-hire driver operating a limousine with which it has a service agreement, and shall require an entry for every trip dispatched to each limousine.
- C. Every limousine service company shall maintain a central place of business where a listed telephone number is operative and where all business records required under this article are kept, and which shall be accessible during regular business hours.

§ 546-83. Fleet ratios to be maintained.

- A. Every limousine service company shall have and maintain service agreements for at least one stretch limousine and at least two sedan limousines.
- B. Subject to Subsection A, a limousine service company that has and maintains a service agreement for one stretch limousine may have service agreements for up to four sedan limousines.
- C. A limousine service company that has and maintains service agreements for five vehicles in accordance with Subsections A and B may enter into service agreements for additional sedan limousines provided that it shall have and maintain service agreements for at least one stretch limousine for each six additional sedan limousines.
- D. This section does not apply to the vehicles owned or operated by a limousine service company if the company was licensed as a livery cab owner as of May 19, 2005, and if the vehicles were owned or operated by that company as of May 19, 2005.

§ 546-84. Service agreements.

- A. Every applicant for a limousine service company licence shall, at the time of making his or her application, file with ML&S a separate service agreement for each limousine to be used in respect of the business for which the licence is sought, showing the name, licence number and plate number of the limousine owner.
- B. Every limousine service company licensed or required to be licensed under this chapter shall file with ML&S a separate service agreement in respect of every additional limousine used by the limousine service company, within 48 hours of its first use.
- C. Every limousine service company licensed by ML&S shall file a service cancellation notice within 48 hours of ceasing to use any limousine in the operation of their business.

§ 546-85. Rates and fares.

- A. The rate, fare, fee or charge for the conveyance of persons by a limousine shall be as disclosed at the time the service is pre-arranged by the limousine service company.
- B. No limousine service company shall publish or use a tariff or demand or receive rates and charges other than those authorized by this chapter, whether such rates and charges are determined by distance, time or in any other manner.
- C. Every limousine service company shall file with ML&S a schedule of rates to be charged for the conveyance of passengers in Toronto in respect of every limousine for which the limousine service company has an agreement to operate.
- D. A copy of the applicable schedule of rates filed with ML&S as required by Subsection C showing the charges to be collected for services rendered or to be rendered in connection with a limousine shall at all times be kept by the person licensed as the owner of the limousine in such vehicle to be shown to the hirer on demand, and no person licensed under this chapter shall use or publish any other schedule of rates or tariff.
- E. A schedule of rates filed with ML&S by an owner may not be altered or amended without the consent of ML&S unless 30 days' notice of the owner's intention to change such schedule is given to ML&S.
- F. No owner, vehicle-for-hire driver or limousine service company shall publish or use a tariff or demand or receive rates or charges other than those set out in the applicable schedule of rates filed with ML&S as required by this section.

ARTICLE 9
Vehicle-for-hire Drivers

§ 546-86. Licence requirements; application and renewal process.

- A. When an individual applies for a vehicle-for-hire driver's licence, he or she shall:
 - (1) Be 18 years of age or older;
 - (2) Be able to communicate in English;
 - (3) Present to ML&S a valid, unrestricted Class G, or higher, driver's licence issued by the Province of Ontario; and
 - (4) Have at least one year of driving experience.
- B. An individual applying to receive or renew a vehicle-for-hire driver's licence shall:
 - (1) Complete an application in a form approved by the Executive Director with such information as ML&S may require;

- (2) If requested by ML&S, permit ML&S to take his or her photograph; and
 - (3) Submit the fee required to obtain or renew a vehicle-for-hire driver's licence to ML&S.
- C. ML&S shall not issue or renew a vehicle-for-hire driver's licence where the applicant does not satisfy the screening criteria.
- D. Before his or her vehicle-for-hire driver's licence is issued or renewed, a vehicle-for-hire driver may be required to produce to ML&S a certificate signed by a duly qualified medical practitioner certifying that the driver is fit to drive a vehicle-for-hire. The certificate shall be in a form approved by the Executive Director, and no such certificate shall be required by ML&S more than once every three years unless there are reasonable grounds to believe that, by reason of illness, injury or any other physical or mental impairment, the conduct of a vehicle-for-hire driver may not be in accordance with this chapter or may endanger the health or safety of other persons while operating a taxicab or limousine.
- E. Where there are reasonable grounds to believe that, by reason of illness, injury or any other physical or mental impairment, the conduct of a vehicle-for-hire driver may not be in accordance with this chapter, or may endanger the health or safety of other persons, ML&S or the Toronto Licensing Tribunal may require that driver to be medically examined by a duly qualified medical practitioner, and the medical practitioner may make a report of the examination to ML&S or the Toronto Licensing Tribunal, as the case may be.

§ 546-87. Licence suspended if provincial driver's licence suspended.

- A. Every vehicle-for-hire driver shall have and maintain in good standing at all times an unrestricted Class G, or higher, Ontario driver's licence.
- B. If an individual's provincial driver's licence is suspended or revoked, the individual's vehicle-for-hire driver's licence shall be deemed suspended for the entirety of the period that the individual's provincial driver's licence is suspended or revoked.

§ 546-88. Drivers of accessible vehicles.

- A. Each vehicle-for-hire driver operating an accessible vehicle shall complete an accessible vehicle training program that meets the criteria established by the Executive Director.
- B. If a vehicle-for-hire driver operates an accessible vehicle, he or she shall, at least once every four consecutive years, complete an accessibility refresher training program that meets the criteria established by the Executive Director.
- C. The fees for any accessible vehicle training course and accessible vehicle refresher training course offered by ML&S are waived, retroactive to January 1, 2016.

§ 546-89. Accessible training requirements for previously licensed drivers.

- A. A person previously licensed as a vehicle-for-hire driver who operated an accessible vehicle and who fails to renew his or her licence for more than three consecutive years shall successfully complete the accessible vehicle training course before his or her licence is issued if he or she will be operating an accessible vehicle.
- B. A person previously licensed as a vehicle-for-hire driver who operated an accessible vehicle who fails to renew his or her licence for any period up to and including three years shall be required to complete the accessible vehicle refresher training course before his or her licence is issued if he or she will be operating an accessible vehicle.
- C. Despite Subsections A and B, the Executive Director may, for compassionate reasons:
 - (1) Exempt any person from subsections A and B; or
 - (2) Direct that the licence be renewed on the condition that the applicant comply with subsection A or B as soon as possible.

§ 546-90. Vehicles to be licenced.

- A. No vehicle-for-hire driver shall drive a taxicab or limousine or operate any vehicle as a taxicab or limousine unless the taxicab or limousine is owned by a person who is licensed as such under this chapter.
- B. No vehicle-for-hire driver shall, while having care or control of a taxicab or limousine, allow any person other than the owner or an employee of the owner of the taxicab or limousine to drive it.

§ 546-91. Licence to be produced by driver on request.

Every vehicle-for-hire driver shall carry his or her vehicle-for-hire driver's licence with him or her at all times while operating a taxicab or limousine and shall produce this licence for inspection when requested to do so by ML&S or a police officer.

§ 546-92. Vehicle-for-hire driver responsibilities for taxicabs and limousines.

- A. No vehicle-for-hire driver shall operate a taxicab or limousine unless it is:
 - (1) Equipped with an extra tire and wheel ready for use;
 - (2) Clean and in good repair as to its exterior and interior;
 - (3) Free from mechanical defects;
 - (4) Equipped with a plate supplied by the ML&S securely affixed to the bumper of the vehicle;

- (5) Fully and properly equipped with signage displaying all of the information required by the provisions of this chapter to be visible to passengers obtaining service in the taxicab or limousine operated by the vehicle-for-hire driver; and
 - (6) Equipped with camera and emergency lights systems that are fully functioning.
- B. At the start and conclusion of each shift, a vehicle-for-hire driver shall inspect the vehicle they are driving for mechanical defects and report any defects of which he or she becomes aware to the taxicab owner, taxicab operator, or limousine owner.
- C. No vehicle-for-hire driver shall operate a taxicab or limousine with luggage or other material placed in any manner that obstructs his or her view.

§ 546-93. Shortest route to be taken.

Every vehicle-for-hire driver carrying parcels, letter, or document, or providing service to a passenger shall take the shorter possible route to the destination unless the passenger designates an alternative route.

§ 546-94. Civility and oversight of taxicabs and limousines.

- A. Every vehicle-for-hire driver shall be properly dressed, neat and clean in person, and be civil and well-behaved.
- B. At any time that a vehicle-for-hire driver is waiting for a pre-arranged fare, he or she shall sit or stand sufficiently close to his or her taxicab or limousine to have it under constant, close observation.
- C. Every vehicle-for-hire driver shall ensure his or her taxicab or limousine does not obstruct the use of the sidewalk in any way or make any loud noise or disturbance.

§ 546-95. Property entrusted to or left in taxicabs and limousines.

- A. A vehicle-for-hire driver operating a taxicab may carry parcels, letters, or documents without carrying a passenger at the same time, provided that:
- (1) The vehicle-for-hire driver maintains the trip meter in operation throughout the trip;
 - (2) The vehicle-for-hire driver charges the amount of the fare registered on the trip meter or negotiated between the person requesting the service and the taxicab brokerage; and
 - (3) No passenger is accepted by the vehicle-for-hire driver while he or she has been engaged to deliver such parcel, letter, or document.
- B. Every vehicle-for-hire driver shall take due care of all property delivered or entrusted to him or her for conveyance or safekeeping.

- C. After the completion of any trip or engagement, the vehicle-for-hire driver shall carefully search his or her taxicab or limousine for any money or property lost or left in it and forthwith deliver the money or property to the person owning it, or if the owner cannot at once be found, then to the nearest police station, with all information in his or her possession regarding the money or property.

§ 546-96. Driver not to take on additional passengers without approval.

No person licensed under this chapter who is operating a taxicab, other than a taxicab which is actually being used for the transportation of children to and from school or for the transportation of one or more persons with disabilities pursuant to an agreement between any owner or taxicab broker and the Toronto Transit Commission, shall take on any additional passenger after the taxicab has departed except at the request of a passenger already in the taxicab or with the approval of the ML&S due to special emergency conditions.

§ 546-97. Solicitation prohibited.

No vehicle-for-hire driver shall pay or agree to pay any consideration to any person in return for or as a result of any act by a person done for the purpose of soliciting business for a taxicab or limousine or directing or encouraging any person to use a taxicab or limousine.

§ 546-98. Information to be visible in taxicabs.

- A. If a vehicle-for-hire driver is driving a taxicab, the driver shall ensure that the following information is in a place in the taxicab approved by the Executive Director and visible to and readable by passengers in the back seat:
- (1) His or her photograph and name; and
 - (2) The name of the owner of the taxicab and the taxicab licence number.
- B. If a vehicle-for-hire driver is driving a taxicab, the vehicle-for-hire driver shall ensure that the taxicab bill of rights is affixed in a location approved by the Executive Director and visible and readable by passengers in the back seat at all times.
- C. No vehicle-for-hire driver shall operate any taxicab without having the tariff card supplied by ML&S with respect to that taxicab displayed in the holder provided for in § 546-46A(4).
- D. No vehicle-for-hire driver shall operate any taxicab without a sign, approved by the Executive Director, to indicate clearly that the fare as shown on the trip meter includes harmonized sales tax.
- E. No vehicle-for-hire driver shall operate any taxicab without having multiple copies of an airport flat fee map, to be supplied by ML&S, and every driver shall, upon request, provide copies of the map to passengers.

- F. When a taxicab is engaged in transporting children to or from school, a vehicle-for-hire driver operating a taxicab shall display signs, of a size no less than 27 centimetres by 35 centimetres with the words "School Vehicle" in black letters on a white or yellow background, at the front and rear of the vehicle so that the signs are clearly visible to other drivers and pedestrians.
- G. The signs referred to in Subsection F shall be carried only when the taxicab is actually engaged in transporting children to or from school and shall be removed when the taxicab is engaged in any other business.
- H. No vehicle-for-hire driver shall exhibit on or about the taxicab any number, sign or card other than those approved or issued under this chapter, or as otherwise required by law.

§ 546-99. Requirements for taxicabs at public taxicab stands.

- A. No vehicle-for-hire driver shall take on any passenger within 30 metres of a public taxicab stand when there are one or more taxicabs upon the stand, except where an arrangement has been previously made with the passenger to pick him or her up at that location.
- B. A vehicle-for-hire driver entering a public taxicab stand with his or her taxicab shall take the position at the end of any line formed by taxicabs already on the stand.
- C. While on any public taxicab stand, the vehicle-for-hire driver shall sit or stand sufficiently close to his or her taxicab so as to have it constantly under close observation.
- D. When a vehicle-for-hire driver is either first or second in line at a public taxicab stand, he or she shall remain in the driver's seat of the taxicab ready to be hired.
- E. No vehicle-for-hire driver shall overcrowd a public taxicab stand, nor interfere with any taxicab already on the stand.
- F. While waiting for a fare, no vehicle-for-hire driver shall park on any highway except at a location designated and marked as a taxicab stand by an authorized sign.
- G. No vehicle-for-hire driver shall wash, clean or make repairs to his or her taxicab while upon any public taxicab stand unless such repairs are immediately required to render the taxicab operable.
- H. No vehicle-for-hire driver shall operate such taxicab from any of the following public taxicab stands authorized and assigned by by-law, unless he or she is the owner of the taxicab in his or her own personal right and has no contract, agreement or arrangement with a taxicab broker for the obtaining of fares:
 - (1) Colborne Street, north side, between Victoria Street and Leader Lane.
 - (2) King Street East, south side, between Victoria Street and King Edward Hotel entrance.

- (3) Victoria Street, east side, between Colborne Street and King Edward Hotel entrance.
- (4) Victoria Street, east side, immediately south of King Street East.
- (5) James Street, west side, north of Queen Street West.
- (6) Front Street West, south side, west door Union Station to 15.24 metres east of York Street.
- (7) Front Street West, north side, east of entrance to Royal York Hotel.

§ 546-100. Restrictions on taxicabs refusing service.

- A. A vehicle-for-hire driver may refuse to serve the first person requesting the service of his or her taxicab, provided that the driver immediately records his or her reasons for such refusal in his operator log, if such person requiring the service:
 - (1) Owes such owner or driver for a previous fare or service;
 - (2) Upon being requested by such owner or driver, refuses to disclose his or her final destination before or immediately after entering the taxicab;
 - (3) Asks to be driven to a remote place in circumstances which such owner or driver reasonably believes to be unsafe;
 - (4) Is unduly obnoxious or abusive;
 - (5) Smokes in the taxicab; or
 - (6) Fails or refuses to make an advance payment when requested by the driver in accordance with § 546-25.
- B. A vehicle-for-hire driver may seek police assistance to have removed from his or her taxicab a person to whom he or she has a right to refuse service.
- C. A vehicle-for-hire driver is guilty of an offence if he or she:
 - (1) Refuses to serve a person requesting the services of his or her taxicab;
 - (2) Pleads some previous engagement; and
 - (3) Does not give the name and address of the person to whom he or she is so engaged, together with the time and place of such engagement, to ML&S when requested by them to do so.

§ 546-101. Passenger requests during taxicab rides.

- A. No vehicle-for-hire driver shall operate his or her taxicab unless the taxicab is equipped with fully functional air-conditioning and heating systems.
- B. Every vehicle-for-hire driver shall activate the air conditioning or heating system as requested by a passenger.
- C. A vehicle-for-hire driver shall turn off any radio or other sound producing device in his or her taxicab if required by a passenger, and shall leave the device off until the passenger's trip is complete.

§ 546-102. Restrictions on use of child safety locks.

- A. No vehicle-for-hire driver shall activate a child safety lock while a passenger is in the vehicle except where:
 - (1) The passenger is a minor or person incapable of personal care; and
 - (2) The driver has received written authorization from the parent or guardian, or from such other persons with authority in law to provide such written authorization, to activate the child safety lock.

§ 546-103. Maximum shift hours and taxicab records.

- A. No vehicle-for-hire driver shall operate a taxicab for more than 12 hours during any 24-hour period.
- B. For each shift or working period that a taxicab is operated, a vehicle-for-hire driver shall keep an operator log of his or her taxicab containing the following information:
 - (1) The taxicab owner's licence number;
 - (2) The provincial licence plate number of the vehicle;
 - (3) The date and time on which the driver started and finished work;
 - (4) The driver's name and licence number;
 - (5) The signature of the driver; and
 - (6) The details of any passenger requests for service that were refused or incidents occurring while the driver was operating the taxicab.
- C. The record maintained by the vehicle-for-hire driver shall contain the information required by Appendix B, Taxicab Operator Log, which may be maintained in hard copy or in an electronic format approved by the Executive Director.

§ 546-104. Serving passengers who request an accessible vehicle.

- A. A vehicle-for-hire driver shall complete an accessible vehicle training course prior to driving an accessible vehicle.
- B. Every vehicle-for-hire driver of an accessible vehicle shall:
 - (1) Notify the passenger that he or she has arrived at the pick-up point;
 - (2) Provide appropriate assistance to the passenger when requested; and
 - (3) Properly and safely handle customer mobility aides.

§ 546-105. Additional vehicle-for-hire driver responsibilities when operating a limousine.

- A. If a vehicle-for-hire driver is driving a limousine, the driver shall ensure that his or her photograph and name is affixed in a place in the vehicle approved by the Executive Director so that it is visible to and readable by passengers in the back seat.
- B. At the end of his or her work period, a vehicle-for-hire driver operating a limousine shall return it to his or her employer, and shall not at any time abandon the limousine or permit any other person to drive it.
- C. No driver shall stage his or her limousine within 200 metres of a hotel, theatre, or entertainment facility unless the limousine has a pre-arranged pick-up at that location within 20 minutes.
- D. No person licensed under this chapter shall operate or permit to be operated a limousine from a public taxicab stand authorized and assigned by this chapter.

§ 546-106. Restrictions on refusing service in limousines.

- A. A vehicle-for-hire driver may refuse to serve a person who has pre-arranged the service of his or her limousine, provided that the driver immediately records his or her reasons for such refusal in his operator log, if such person requiring the service:
 - (1) Owes such owner or driver for a previous fare or service;
 - (2) Asks to be driven to a remote place in circumstances which such owner or driver reasonably believes to be unsafe; or
 - (3) Is unduly obnoxious or abusive.
- B. A vehicle-for-hire driver is guilty of an offence who:
 - (1) Refuses to serve a person requesting the services of his or her limousine;
 - (2) Pleads some previous engagement; and

- (3) Does not give the name and address of the person to whom he or she is so engaged, together with the time and place of such engagement, to ML&S when requested by them to do so.

§ 546-107. Restrictions on limousine advertising.

A vehicle-for-hire driver shall not permit his or her services or the services of his or her limousine to be advertised in any way, except by himself or herself, or by some licensed owner with whom he or she is associated.

§ 546-108. Limousine schedule of rates.

- A. A vehicle-for-hire driver may not operate a limousine equipped with a trip meter.
- B. At the request of the passenger, a vehicle-for-hire driver shall show the applicable schedule of rates or charges filed with ML&S by the limousine owner.
- C. A vehicle-for-hire driver operating a limousine shall not use or publish any schedule of rates or charges other than in accordance with the applicable schedule.

§ 546-109. Limousine fares to be calculated in accordance with this chapter.

- A. No vehicle-for-hire driver operating a limousine shall demand, receive, or recover payment for any trip that is calculated other than in accordance with the applicable provisions of this chapter.

ARTICLE 10
Private Transportation Companies

§ 546-110. General requirements.

- A. A PTC shall only permit passengers requesting transportation to submit a request for transportation through a software application.
- B. A PTC shall not permit, encourage, or condone the acceptance of hails or the solicitation of passengers by PTC drivers, whether on the street or at a cabstand or in any other manner or at any other location.
- C. No PTC shall impose a mandatory arbitration clause on individuals accepting or making requests for service or require that the law of any jurisdiction other than Ontario be applied in relation to use of the PTC platform in Toronto. To the extent that clauses contrary to this requirement are included in any PTC agreement with individuals using its services in Toronto, such clauses are unenforceable.

§ 546-111. Application requirements and licence renewal process.

- A. To apply for a PTC licence, a PTC shall submit to ML&S a licence application, in a form prescribed by the Executive Director, together with all applicable fees and in compliance with § 546-3.
- B. The application submitted by an applicant for a PTC licence shall be in the form prescribed by the Executive Director and require the PTC to provide:
- (1) The PTC's registered business address in the Province of Ontario;
 - (2) The name, telephone, and email contact information for the person authorized to receive and respond on behalf of the PTC to any and all communications from the City relating to the PTC's licence or the PTC's conduct of the business;
 - (3) An indemnity in favour of the City of Toronto from and against claims, demands, losses, costs, damages, actions, suits, or proceedings that arise out of, or are attributable to, the PTC's business and services, which shall be in a form satisfactory to the City;
 - (4) A copy of the PTC identifier that the PTC is submitting for approval by the Executive Director;
 - (5) A copy of the PTC's certificates of insurance, as required by § 546-114; and
 - (6) Information sufficient to describe or demonstrate:
 - (a) Where applicable, the legal relationship between any persons that, acting together, carry on the business of a PTC;
 - (b) That the PTC will have the ability to maintain and deliver data in the form and manner, and with the frequency, required by this chapter;
 - (c) That the PTC has data security measures in place to protect the personal data collected by the PTC relating to passengers and drivers;
 - (d) That the PTC has appropriate agreements, contracts and/or processes in place to screen the criminal and driving histories of drivers providing transportation to passengers through the PTC's platform;
 - (e) That the PTC maintains records as required by this chapter for each driver that has contracted with it to provide services through the PTC's platform and can provide regular daily or weekly updates to ML&S of this information, as required by the Executive Director; and
 - (f) That the PTC maintains and can produce, in the form and with the frequency required, to ML&S or police, all data or records maintained in accordance with the requirements of this chapter.

- C. When a PTC licence is issued by ML&S, the PTC shall be on probation for six months from the date of the new licence issuance. During this 6 month probationary period, ML&S may:
- (1) Conduct random audits or investigations to evaluate compliance with this chapter; and
 - (2) Suspend or place conditions upon the licence, without a hearing, for up to 14 days, if the Executive Director has reasonable grounds to believe that the continued operation of the business poses an immediate danger to health or safety of any person or to property.
- D. To renew a PTC licence, an applicant shall complete a licence renewal application, in a form approved by the Executive Director and in compliance with § 546-3.
- (1) When submitting a licence renewal application, an applicant shall provide documentation sufficient to satisfy the Executive Director that the applicant has met, and will continue to meet, the PTC licence requirements applicable as at the date of the licence renewal application.
 - (2) At the time that a PTC submits a licence renewal application, the PTC shall be up to date in the payment of all applicable annual PTC driver and trip fees charged or collectible for periods prior to the renewal date pursuant to Chapter 441, Appendix C - Schedule 12, Municipal Licensing and Standards.
- E. A PTC shall ensure that the mailing address, e-mail address, and phone number provided to ML&S in the licence application or renewal process is up to date at all times. Any written communication to the PTC by ML&S shall be deemed received by the PTC when delivered to the mailing address or email address on file.

§ 546-112. PTC driver requirements.

- A. Every driver affiliated with or providing transportation services in Toronto through a PTC shall hold a valid PTC driver's licence issued by ML&S before providing transportation to passengers.
- (1) To meet the qualifications for a PTC driver's licence, the PTC driver shall be affiliated or registered with a PTC.
 - (2) If a PTC driver does not meet, or ceases at any point to meet, the qualifications for a PTC driver's licence, a PTC shall immediately suspend or terminate the PTC driver's account and his or her ability to provide transportation commencing in Toronto to passengers, and advise ML&S of the suspension or termination. The individual's PTC driver's licence shall be deemed suspended for the entirety of the period that the PTC driver's account is suspended. The PTC driver's licence shall be terminated if the PTC's driver's account is terminated.

- (3) If a PTC driver's provincial driver's licence is suspended or revoked, the individual's PTC driver's licence shall be deemed suspended for the entirety of the period that the individual's provincial driver's licence is suspended or revoked and the PTC shall immediately suspend or terminate the PTC driver's account for the entirety of the period that the individual's provincial driver's licence is suspended or revoked.
- B. A PTC shall not permit any individual to provide transportation services through the PTC to any passenger travelling from any location in Toronto unless the individual
 - (1) Holds a current PTC driver's licence issued by ML&S;
 - (2) Meets the screening criteria, which shall be evaluated by the PTC at least annually in respect of each PTC driver;
 - (3) Has confirmed that they are the owner of the PTC vehicle to be used to offer transportation through the PTC, or provided confirmation that the PTC vehicle owner understands that they are also legally responsible for any contraventions of this chapter or any other applicable law when the PTC vehicle is being operated to provide transportation through the PTC platform;
 - (4) Has provided confirmation that the insurance company insuring the vehicle they will be operating has been advised that they offer or intend to offer transportation through a PTC;
 - (5) Has been advised that information about them may be requested by ML&S or police for the purpose of auditing compliance with this chapter, investigating complaints, investigating potential breaches of the law, or general law enforcement purposes;
 - (6) Has consented to the disclosure by ML&S of information about them to the PTC, which may include information relating to the current or pending offences or their driving record, among other things; and
 - (7) Has consented to the disclosure to ML&S and/or law enforcement of information provided by them to the PTC and of information about them and the transportation services they have provided.
- C. A PTC driver shall:
 - (1) Be affiliated or registered with a PTC;
 - (2) Be at least 18 years of age;
 - (3) Hold an unrestricted Class G, or higher, Ontario driver's licence;
 - (4) Have at least one year of driving history; and

- (5) Be able to communicate in English.
- D. An application for a PTC driver's licence shall be made through the PTC with which the individual seeking to be a PTC driver is to be affiliated.
- E. On behalf of an individual applicant for a PTC driver's licence, the PTC with which the individual applicant is to be affiliated shall provide the following information, which shall be submitted in an electronic format satisfactory to the Executive Director:
 - (1) The name of the PTC submitting the application and with which the applicant is registered or affiliated;
 - (2) The applicant's full name;
 - (3) Complete information relating to the applicant's unrestricted Class G, or higher, Ontario driver's licence;
 - (4) A criminal reference check;
 - (5) A driving record abstract;
 - (6) A certificate of insurance for the PTC vehicle the applicant will be operating confirming that insurance sufficient to satisfy the requirements of this chapter is in place;
 - (7) The licence plate number, vehicle identification number, make, model, and model year of the PTC vehicle that the applicant will be driving when providing transportation to passengers making a request through the PTC platform;
 - (8) the annual PTC driver fee required to be paid pursuant to Chapter 441, Appendix C - Schedule 12, Municipal Licensing and Standards; and
 - (9) Such other information as required by the Executive Director.
- F. To renew a PTC driver's licence, a PTC shall provide the same information as is required at that date for the initial issuance of a PTC driver's licence, which information shall be submitted in a form satisfactory to the Executive Director, together with all applicable fees.
- G. PTC drivers shall only provide transportation services in response to requests for service received through a licensed PTC and via the PTC's software application.
- H. PTC drivers shall not pick up passengers at a cabstand or in response to a street hail.
- I. PTC drivers shall not solicit rides in any manner.
- J. No PTC vehicle owner shall permit his or her vehicle to be operated in contravention of Subsections F, G, or H.

K. PTC drivers shall carry and, upon request, produce to ML&S:

- (1) Their Ontario driver's licence;
- (2) Their PTC driver's licence issued by ML&S;
- (3) Proof of applicable insurance;
- (4) A copy of the most recent mechanical safety inspection certificate issued for the PTC vehicle; and
- (5) Evidence of a trip in progress or the last completed trip.

§ 546-113. PTC vehicle requirements.

A. A PTC vehicle shall:

- (1) Have four doors;
- (2) Have a maximum seating capacity of seven passengers, plus the driver;
- (3) Be no more than seven model years old;
- (4) Display a PTC Identifier in a location approved by the Executive Director at all times when the vehicle is available to provide or is providing transportation to passengers;
- (5) Be equipped with snow tires or all-weather tires from December 1 to April 30; and
- (6) Have no roof light or markings that have the effect of making the vehicle look like a taxicab or identify it to any person as being available for hire.

§ 546-114. Insurance requirements.

A. Policy of insurance; certificate

- (1) A PTC shall ensure that each PTC vehicle affiliated or registered with it is insured under a policy of automobile insurance for \$2,000,000 (exclusive of interest and costs) or more to provide coverage for:
 - (a) Loss or damage resulting from bodily injury to or the death of one or more persons;
 - (b) Loss or damage to property resulting from an accident; and
 - (c) Third-party liability.

- (2) The PTC shall deposit a certificate of any applicable automobile insurance policy with ML&S.
 - (3) Any applicable automobile insurance policy shall be endorsed to give ML&S at least 30 days' prior notice in writing of any cancellation, expiration or variation in the amount of the policy.
- B. For each trip, the applicable automobile insurance policy for a PTC vehicle shall provide coverage from and including the point in time that a request for transportation is accepted by a PTC driver and until the PTC driver has completed the trip.
- C. The applicable automobile insurance policy for the PTC vehicle shall identify the PTC driver using that PTC vehicle as a named insured or, in the alternative, the PTC shall have an automobile liability insurance policy in place that provides at least equivalent insurance coverage that meets or exceeds all of the insurance requirements for PTC Vehicles required for this by-law.
- D. When the PTC has an automobile insurance policy in place to satisfy the insurance requirements of this chapter, the PTC shall provide a certificate of the policy to ML&S.
- E. Where the PTC requires PTC drivers to have individual automobile insurance policies in place to satisfy the insurance requirements of this chapter, the PTC shall retain on file a certificate of each PTC driver's policy and produce it to ML&S or a police officer upon request.
- F. A PTC shall have commercial general liability business insurance coverage of at least \$5,000,000.
- G. The insurance policy referred to in Subsection F shall contain a term or endorsement requiring that ML&S shall receive at least 30 days prior notice in writing from the insurer of any cancellation, expiration or variation in the amount of the policy.
- H. ML&S may immediately suspend the licence of a PTC and PTC driver, without a hearing, if a PTC or PTC driver fails to comply with any or all of the insurance requirements of this chapter at any time, until the automobile liability insurance or commercial general liability insurance policy, as applicable, is reinstated or renewed or an equivalent replacement insurance policy is in place.

§ 546-115. PTC Fares.

- A. For each trip, a PTC shall charge a minimum fare of \$3.25.
- B. For each trip, a PTC shall remit to ML&S the PTC trip fee charged pursuant to Chapter 441, Appendix C - Schedule 12, Municipal Licensing and Standards.
- C. A PTC shall, prior to the start of a trip, clearly communicate to each passenger:

- (1) The rate to be charged;
 - (2) The provincial licence plate, make, and model of the PTC vehicle providing transportation to the passenger;
 - (3) The first name of the PTC driver providing transportation to the passenger; and
 - (4) Upon request, a photo of the PTC driver providing transportation to the passenger.
- D. A PTC shall ensure a record is maintained confirming that the passenger accepted the rate prior to the start of the trip.
- E. The PTC driver and PTC vehicle identified by the PTC to the passenger immediately prior to the commencement of the trip shall be the PTC driver and PTC vehicle that provide the transportation.
- F. At the conclusion of every trip, a PTC shall provide a receipt to the passenger. A receipt may be in an electronic or paper format and shall include information on:
- (1) All rates, fees and/or surcharges charged for the trip;
 - (2) Total fare amount paid;
 - (3) Date and time of trip;
 - (4) Location at which the passenger was picked up and location to which the passenger was driven;
 - (5) Driver first name and provincial licence plate number;
 - (6) The driver's City-issued PTC driver licence number; and
 - (7) Total time and distance of trip.

§ 546-116. PTC record keeping requirements.

- A. Unless otherwise specified or approved, all information provided by a PTC to ML&S shall be provided electronically and in a format prescribed or approved by the Executive Director.
- B. With respect to every driver operating or affiliated with it and providing transportation that commences in Toronto, a PTC shall maintain:
- (1) A copy of any criminal reference checks and driving record abstracts for that driver; and
 - (2) A record of the issuance of the PTC driver's licence for that individual.

- C. A PTC shall maintain business records that include, at a minimum, the following information in relation to transportation commencing or terminating in Toronto:
- (1) For trips involving one passenger or one fare:
 - (a) Pick up location and the destination (by reference to the intersection);
 - (b) Date and time the trip started and terminated; and
 - (c) Length of time elapsing between the passenger's service request and start of the trip.
 - (2) For trips involving more than one passenger or for which multiple fares were charged:
 - (a) Total number of passengers paying separate fares;
 - (b) Pick up location(s) and destination(s) (by reference to the intersection) for each trip;
 - (c) Dates and times the trips started and terminated;
 - (d) Length of time that elapsed between the time the passenger(s) requested service and the trip started for each passenger;
 - (e) The fare(s) paid for the trip; and
 - (f) Number of trips involving multiple passengers paying separate fares.
- D. A PTC shall maintain business records that include, at a minimum, the following information in relation to transportation requested in Toronto that was not provided due to the cancellation or rejection of the request:
- (1) the PTC driver name and City-issued PTC driver identification number:
 - (2) Pick-up location and, if provided, destination (by reference to the intersection); and
 - (3) Date and time the trip was requested.
- E. A PTC shall maintain records that include, at a minimum, the following information in relation to PTC drivers and PTC Vehicles providing transportation commencing in Toronto:
- (1) Information provided by the PTC to passengers in their receipt;
 - (2) PTC driver name, PTC vehicle licence plate number, and municipal PTC driver licence identification number;

- (3) Type of service provided, if the PTC offers different categories or tiers of service;
 - (4) Total time (measured in hours and minutes for each calendar day) that the PTC driver was available to provide transportation services through the Platform; and
 - (5) Total time (measured in hours and minutes for each calendar day) that the PTC driver was available to provide transportation services through the Platform categorized according to the following:
 - (a) Period 1: total time a PTC driver had activated or was logged into a PTC Platform and available to receive or accept requests to provide passenger transportation service;
 - (b) Period 2: total time elapsing between the time a passenger request for transportation is accepted by a PTC driver and the arrival of the PTC driver at the passenger's pick up location; and
 - (c) Period 3: total time elapsing between the time a PTC driver picks up a passenger(s) until the passenger(s) has arrived at their destination(s).
- F. The PTC will report on accessible service delivery, including information on average wait times of accessible PTC vehicles, in a frequency prescribed, and in a form approved, by the Executive Director.
- G. The records a PTC is required to maintain pursuant to the provisions of this chapter shall be maintained for a minimum of three years.

§ 546-117. ML&S audit and investigative authority.

- A. ML&S may audit all records a PTC is required to maintain pursuant to this chapter for the purpose of investigating compliance with the requirements of this chapter and a PTC shall comply with directions given by ML&S related to such an audit.
- B. A PTC shall be required, if requested by ML&S, to create passenger accounts and driver accounts for use by ML&S to investigate compliance with this chapter. A PTC shall not obstruct, in any manner, access to any accounts established for use by ML&S to investigate compliance with this chapter.
- C. With respect to any PTC information or records required by the police for use in any investigation of potential breaches of the law, a PTC shall provide the requested records directly to the requesting authority within 24 hours of its receipt of the request.
- D. With respect to any PTC information or records requested by ML&S for investigative or audit purposes, a PTC shall provide the requested records, or any reports based on the information requested in a format approved by the Executive Director, within 30 days of the receipt of the request, unless the Executive Director requires the records or reports within 24 hours.

§ 546-118. Public disclosure required by PTC.

- A. A PTC shall disclose to the public on its Platform or through its website:
- (1) Rates to be charged;
 - (2) The criteria applied to PTC drivers and PTC Vehicles providing service through the Platform;
 - (3) Information on the categories of services available to passengers through the Platform and the distinctions between these categories or types of service, if any;
 - (4) A plain-language explanation of their insurance coverage, including detailed information on how to initiate a claim; and
 - (5) Notification that personal information collected by the PTC may be disclosed to the City for the purposes of licensing enforcement when the passenger obtains transportation services in Toronto.

§ 546-119. Accessible vehicle service to be offered by PTCs.

- A. Any PTC with more than 500 PTC drivers licensed by ML&S shall provide wheelchair accessible service to the public.
- B. Providing wheelchair accessible service to the public requires a PTC to:
- (1) Ensure wheelchair accessible vehicles are available when requested by a passenger through the PTC's platform within the average wait time for non-accessible taxicab services; and
 - (2) Charge fares for accessible vehicles that are the same or less than, the fare charged by that PTC for its lowest cost non-accessible service.
- C. The average wait time for non-accessible service shall be determined yearly by the Executive Director and calculated based on the average time that elapses between a passenger's request for non-accessible taxicab service provided to passengers in Toronto and the arrival of a taxicab at the passenger's location.

ARTICLE 11
Offences and Guidelines

§ 546-120. Offences.

- A. Every person who contravenes any of the provisions of this chapter is guilty of an offence and on conviction is liable to a fine not exceeding \$50,000.
- B. Where a corporation is convicted of an offence under any of the provisions of this chapter, the maximum penalty that may be imposed on the corporation is \$100,000.

- C. Where a corporation contravenes any of the provisions of this chapter, every director or officer who concurs in such contravention is guilty of an offence and, upon conviction, is liable to a fine not exceeding \$50,000.
- D. Every person who contravenes any of the provisions of this chapter and is found guilty of an offence may be subject to a special fine, imposed in addition to any other fine imposed as a result of a contravention of the chapter, in an amount the court deems appropriate to eliminate or reduce the possible economic advantage that a person may otherwise receive by contravening the chapter.
- E. Where a person is found to have failed to comply with provisions of this chapter requiring records to be retained and disclosed to ML&S for investigation or audit purposes, the maximum penalty may be imposed.

§ 546-121. Interpretation bulletins.

- A. The Executive Director may, at his or her discretion, issue interpretation bulletins or guidelines on matters relating to this chapter, including its enforcement or application.
- B. The Executive Director may establish policies and guidelines with respect to the standards applicable to criminal reference checks, driving record checks, or other criteria relevant to the issuance of all licences issued pursuant to this chapter.
- C. The Executive Director shall publish all bulletins or guidelines.

§ 546-122. Transitional provisions.

- A. As of July 15, 2016, all Ambassador taxicab licencees shall be deemed to be standard taxicab licencees. A standard taxicab licence shall be issued to Ambassador taxicab licence holders at the time of their next taxicab owner licence renewal, subject to all applicable requirements of this chapter.
- B. Individuals licensed as taxicab or limousine drivers as at July 15, 2016 shall be deemed to be licensed as vehicle-for-hire drivers until the date of their next licence renewal, subject to all applicable requirements of this chapter.
- C. Any person operating within the definition of a taxicab operator, as defined in this chapter, pursuant to any agreement existing or in place as at July 14, 2016 for the management or control of a taxicab shall apply for and be issued a taxicab operator licence by no later than July 14, 2017.
- D. A taxicab owner or taxicab operator shall file the notice required by § 546-58A at the time of the application referred to in Subsection C.
- E. A taxicab broker acting as a taxicab operator shall file the notice required by § 546-32A no later than July 14, 2017.

- F. Taxicab or limousine owners that drive a taxicab or limousine shall also be deemed to be vehicle-for-hire drivers from July 15, 2016 until the date of their next owner licence renewal, subject to compliance with all applicable requirements of this chapter for taxicab or limousine owners and vehicle-for-hire drivers.

APPENDIX A
TAXICAB TARIFF AND CHARGES

Service	Rate or Fare
	An additional fee may be charged for the use of a debit or credit card
One to Four Passengers:	
For the first 0.143 Km or part thereof	\$3.25
For each additional 0.143 Km or part thereof	\$0.25
For waiting time while under engagement, for each 29 seconds	\$0.25
For each Additional Passenger in Excess of Four	\$2.00
Baggage:	
Wheelchairs, including loading and unloading by driver	No charge
Charges for trunks and other items not covered by this tariff shall be agreed upon before commencement of the trip	
Children, in the Charge of an Adult:	
Eight years of age and under	Free
Over 8 years and under 12 years of age	Half fare
Over 12 years of age	Full fare
Cleaning required due to soiling by passenger	Up to \$25.00
Document or Parcel Delivery:	\$10.00
For delivery of any parcel, document or thing where no passenger is carried - minimum charge per trip	

APPENDIX B
TAXICAB OPERATOR LOG

TAXICAB OPERATOR LOG

Taxicab No. _____

Prov. Plate No. _____

Date			Time	Licence No.	Name	Signature
dd	mmm	yy				
			In:			
			Out:			
			In:			
			Out:			
			In:			
			Out:			
			In:			
			Out:			
			In:			
			Out:			
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TAXICAB OPERATOR LOG

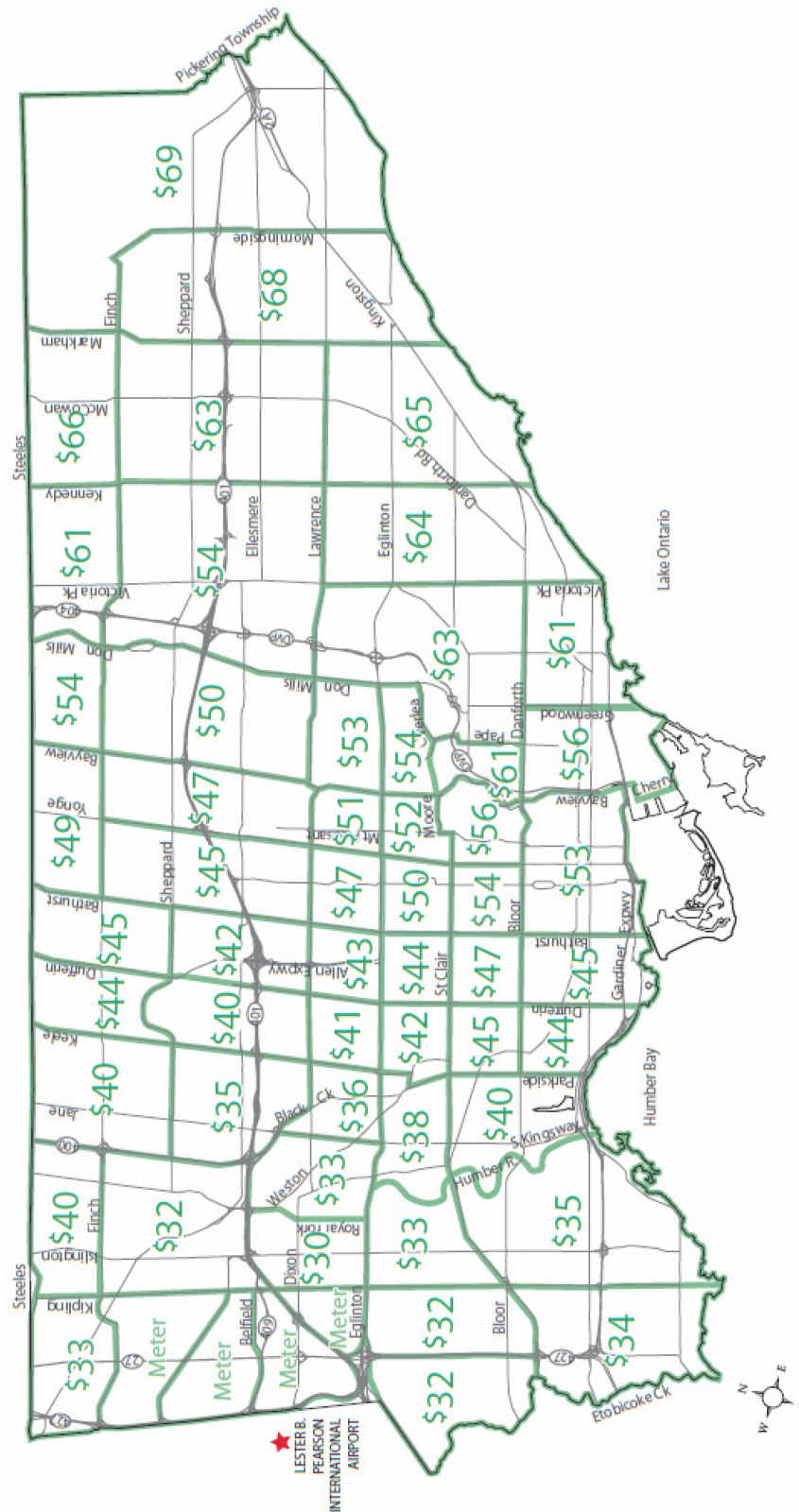
(Incident Log)

Date			Time	Driver Lic. No.: D01	Location
dd	mm	yy			
Particulars (<i>attach a separate sheet, if necessary</i>):					

Date			Time	Driver Lic. No.: D01	Location
dd	mm	yy			
Particulars (<i>attach a separate sheet, if necessary</i>):					

Date			Time	Driver Lic. No.: D01	Location
dd	mm	yy			
Particulars (<i>attach a separate sheet, if necessary</i>):					

APPENDIX C
TAXICAB TARIFFS TO LESTER B. PEARSON INTERNATIONAL AIRPORT



APPENDIX D



APPENDIX E
TAXICAB BILL OF RIGHTS

Current City of Toronto contact information for compliments or complaints

Toronto Taxicabs must:

- be a smoke-free environment
- be in good mechanical and physical condition
- be equipped with easily accessible seatbelts
- be clean in the passenger area and trunk
- be heated or air-conditioned on demand
- have no open alcohol inside the taxicab
- be equipped with an in-car camera

Passengers:

- must wear a seatbelt
- can direct the driver on the route to be taken
- have the right to a free ride if the meter is not turned on
- may be required to pay a fare deposit up to \$25
- cannot be charged extra because of a disability or for a mobility device

Taxicab Drivers must:

- be courteous and offer a silent ride if requested
- communicate in English
- know the major routes and destinations in Toronto
- obey all traffic laws
- only use a cell phone in emergencies
- provide a receipt with the date and time of the trip, the distance travelled, the taxicab licence number and the fare charged, if requested
- not recommend hotels or restaurants, unless requested

Drivers may refuse to provide service if passengers:

- do not disclose their final destination
- ask to be driven to a remote place which the driver reasonably believes to be unsafe
- are unduly obnoxious or abusive
- have not paid a previous fare

Failing to pay your fare is illegal, and may lead to prosecution.
Photos of criminals may be posted online at Crime Stoppers.