

Licensing of Pedicabs in the City of Toronto

Date:	March 30, 2009
To:	Licensing and Standards Committee
From:	Jim Hart, Executive Director, Municipal Licensing and Standards
Wards:	All
Reference Number:	p:\2009\cluster b\mls\l&s committee\april\licensing of pedicabs.doc

SUMMARY

To report on a proposal to amend the definition of pedicabs in the City of Toronto Municipal Code, Chapter 545, Licensing, to include pedal powered and power assisted pedicabs. This amendment and the regulations for these types of pedicabs and their drivers are necessary for the purposes of consumer protection and public safety.

RECOMMENDATIONS

The Executive Director, Municipal Licensing and Standards, recommends that:

1. The City of Toronto Municipal Code, Chapter 545, Licensing, be amended to define pedicabs to include pedal powered pedicabs;
2. The City Solicitor be directed to prepare the necessary bill to give effect to the recommendations in this report, effective immediately; and
3. All other appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

Financial Impact

The adoption of the recommendations in this report will not result in any financial impact beyond what has been approved in the current year's budget.

DECISION HISTORY

This report is being brought forward to the Licensing and Standards Committee due to a need to licence and regulate pedal powered pedicabs that were in operation in the City of Toronto in the summer of 2008.

ISSUE BACKGROUND

In 2008 Go Mobile Media introduced EcoCabs in the City of Toronto. These environmentally friendly, pedal-powered vehicles provided free rides to the public in the downtown core and received revenue from companies wishing to advertise their products on the exterior of the EcoCab vehicles. EcoCabs operated the vehicles, in 2008, without any City inspection, regulation or licensing of the vehicles or their drivers.

The City of Toronto licences pedicab owners and drivers for the purpose of consumer protection and public safety. Given that the City, through provisions in the City of Toronto, Municipal Code, Chapter 545, Licensing, has regulated all pedicabs operating in Toronto since 1994, it is recommended that the same regulations that apply to City licensed pedicabs be expanded to the operation of EcoCabs.

COMMENTS

City Licensed Pedicabs

The City currently licences pedicabs, which operate in the downtown core providing short trips to paying clientele. These vehicles are restricted from operating on the roadway between the hours of 3:30 p.m. to 6:30 p.m., Monday to Friday, excluding holidays and are restricted from operating on the roadway or sidewalks of certain streets in the downtown core. Due to the licensing requirements for pedicab owners and drivers, these individuals are required to submit to police criminal background checks and to provide proof of insurance for the vehicles.

The owners and drivers are required to produce, for inspection, their valid City licences, valid Ontario driver's licence and proof of insurance upon request by Municipal Licensing and Standards staff or the police. These Toronto licensed pedicabs must adhere to requirements regarding the behaviour of the drivers, including the issue of soliciting for business, and the cleanliness and mechanical fitness of the pedicab, in order to protect the consumers utilizing the services of Toronto licensed pedicabs.

EcoCabs

The EcoCab program was initiated in Toronto in 2008, and utilized 8 to 12 of their power assisted pedal powered vehicles to provide free rides to the general public in the downtown core. EcoCabs receives revenue from companies wishing to advertise their products on the exterior of the EcoCab vehicles. The advertiser providing financial support for last summer's promotion was Lipton Green Tea.

EcoCabs operated the vehicles without any City inspection or licensing of the vehicles or their drivers in 2008. Therefore, the EcoCab drivers were not subjected to criminal background checks and mechanical inspections of the vehicles by the City. The fact that the EcoCabs were not licensed and regulated by the City of Toronto Municipal Code, Chapter 545, Licensing, allowed them to operate during the evening rush hour and on streets where the licensed pedicabs are currently prohibited from operating.

Licensing EcoCabs

Due to the fact that the EcoCabs operated last summer without any regulation whatsoever the Executive Director, Municipal Licensing and Standards recommends that the City amend the definition of pedicabs to include the EcoCabs and regulate them similarly to the licensed pedicabs. The purposes for the licensing and regulating of the EcoCabs pedicab vehicles are public safety and consumer protection.

This report was prepared in consultation with Toronto Legal Services.

Public notice has been given in a manner prescribed in the Toronto Municipal Code Chapter 162, Notice, Public.

CONTACT

Mark Dimuantes
Senior Policy & Research Officer
Municipal Licensing and Standards
City Hall, 12th Floor, East Tower
100 Queen St. West
Toronto, Ontario M5H 2N2

Tel: (416) 392-8794

Fax: (416) 392-0797

E-mail: mdimuant@toronto.ca

SIGNATURE

Jim Hart
Executive Director
Municipal Licensing and Standards

ATTACHMENTS

Appendix 'A' - Draft Amendments to the City of Toronto Municipal Code,
Chapter 545, Licensing, Regarding Pedicabs

Appendix ‘A’

Draft Amendments to the City of Toronto Municipal Code, Chapter 545, Licensing, Regarding Pedicabs

The Executive Director, Municipal Licensing and Standards, recommends that the City of Toronto Municipal Code, Chapter 545, Licensing, be amended by:

1. Adding to the definition of pedicabs in § **545-1** by inserting after the words “....muscular power” and before the words “and includes a rickshaw....” the following words “which may be propelled by human power or helper motor, or by both,” and by deleting the words “but does not include a bicycle as defined in the *Highway Traffic Act*”, so that the definition reads as follows;

PEDICAB — A vehicle drawn, propelled or driven by human muscular power which may be propelled by human power or helper motor, or by both, and includes a pedal powered rickshaw.