



STAFF REPORT ACTION REQUIRED

Mandatory Child Restraint Seats In Taxicabs

Date:	April 15, 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\may\mandatory child restraint in taxis.doc

SUMMARY

R.R.O., Regulation 613, Seat Belt Assemblies, as amended, (Regulation 613) to the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended, (*Highway Traffic Act*) specifically exempts taxicab drivers from the requirements to provide a car seat for children, except when the taxicab is operated by or under contract for the transportation of children with a school board or other authority in charge of a school.

It is currently beyond the authority of the City to mandate child restraint seats in taxicabs. An amendment to the *Highway Traffic Act* and/or Regulation 613 would be required before the matter could be further considered.

RECOMMENDATIONS

1. This Report be received for information.

Financial Impact

There is **no** financial impact beyond what has already been approved in the current year's budget.

COMMENTS

Licensing and Standards Committee, at its meeting of April 15, 2009, referred to staff a communication dated February 19, 2009 entitled “Making child restraint seats mandatory in taxis” for a report.

Staff reviewed the requirements contained in the *Highway Traffic Act* and in particular, Regulation 613.

Regulation 613 provides as follows:

8. (1) Passengers under eight years old are classified as follows for the purposes of this section:

1. Children weighing less than nine kilograms are classified as infants.
2. Children weighing nine kilograms or more but less than 18 kilograms are classified as toddlers.
3. Children weighing 18 kilograms or more but less than 36 kilograms and who are less than 145 centimetres tall are classified as pre-school to primary grade children. O. Reg. 195/05, s. 1.

(2) The driver of a motor vehicle on a highway is required to ensure that an infant passenger is secured as set out in subsection (5). O. Reg. 195/05, s. 1.

8.1 (1) **The following are exempt** from complying with subsections 8 (2), (3) and (4):

1. **The driver of a taxicab**, bus or public vehicle, while transporting a passenger for hire.

(2) Despite paragraph 1 of subsection (1), **the following are not exempt** from complying with subsections 8 (2), (3) and (4) while transporting children to or from school:

1. **The driver of a taxicab that is operated by or under contract with a school board or other authority in charge of a school for the transportation of children.**

(emphasis added)

Based upon this Regulation, taxicab drivers are specifically exempted from the requirements to provide a car seat for children, except when the taxicab is operated by or under contract for the transportation of children with a school board or other authority in charge of a school.

It is currently beyond the authority of the City to mandate child restraint seats in taxicabs. An amendment to the *Highway Traffic Act* and/or Regulation 613 would be required before the matter could be further considered.

This report was prepared in consultation with Toronto Legal Services.

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SIGNATURE

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