

From: Toronto Limousine Driver Association
To: General Government and Licensing
Subject: SUB: communication for Item GL6.31, Review of the City of Toronto Municipal Code Chapter 546, Licensing of Vehicles-for-Hire
Date: June 19, 2019 1:06:54 PM

Hello,

As the limousine services review approach on 24 June 2019. The Toronto limousine driver owner association being the largest Association would like to propose the following By-Law Amendments to existing municipal by-laws.

1. Cap on rideshare to 6500 Drivers/vehicles reducing from over 80,000+ PTC Drivers in Toronto.
2. Ride the share should follow ESA 2000.
3. Repeal service letter requirement for limousines
4. Removal of Staging bylaw for Limousine
5. Rideshare driver welfare Should be monitored and regulated by Toronto Licensing Tribunal, if any issues by driver none of the companies should be able to deactivate a driver account.
6. Ride share company policies must match with City of Toronto Policies.
7. King street access and reserved lane

Cap on PTC driver/ Vehicle Signup

While the city is going on the path of going green and reducing congestion. Review committee in spite of several representations and emails seems to be having a blind eye towards traffic congestion caused by unlimited number of rideshare vehicles in the city of Toronto. Consequences of uncontrolled driver signup has already flared an increasing loss of business for , TTC, taxi/limousine company, traffic congestion, Pollution and accidents in the city of Toronto. Only residents living in the city of Toronto, limits should be allowed to operate a PTC vehicle in City of Toronto, thus limiting drivers from other cities to work in city limits. Licensed taxi and limousine combined would be around 6500 in the city of Toronto. License equivalent number of ptc vehicles and drivers in the city of not more than 6500 cars from the existing 80,000+ PTC drivers.

PTC Companies Operating in Canada must Follow Provincial Labour Legislation /Employment Standards Act 2000 :

All PTC companies must be regulated by Provincial Labor Legislation. Regulating rideshare companies by Employment standards Act 2000 would drastically change the living conditions of a driver with overtime and holiday pay standards .In Ontario, a Driver must provide copies of: (i) a driver's licence, (ii) a vehicle registration, (iii) proof of eligibility to work in Canada, (iv) their motor vehicle insurance policy, and (v) an Ontario Safety Standards Certificate.If the above requirements are used to hire a driver which is a standard benchmark procedure for PTC employment. Thus Uber and other ptc companies should be Regulated by Provincial employment standards Act 2000.

Amendment of Service Agreement By-Law (545-490):

We are proposing that all independent limousine owner-operated licensees be exempted from the condition of obtaining a service agreement letter from a registered limousine services company. This is due to the fact that these companies charge a monthly / annual fee for issuing such a letter without providing any business to the independent operators, who have no choice but to register with such companies in order to operate around 500 + independent Driver owned vehicles.

Case Study of Service companies:

However, when we went to renew our licenses, the City asked us to bring in a ministry form (Declaration of Service Provision Agreement between Limousine Owner and Limousine Service Company) that is needed to be signed and undertaken by the limousine service company. This letter costs up to \$4200 a year. Hundreds of driver, owners depend on this self-employment program of service letter to renew or get a limousine owners license /plate to operate in the city of Toronto .

Operation of service company:-

According to the city of Toronto, Service companies must:

1. Service Company is supposed to own stretch limousines.
2. The service company is or can issue up to 5 service letters per stretch limousine.
3. City of Toronto mandates a service letter from such companies to owners for renewing or issuing limousine plates,
4. If a service company issues a service letter, service company undertakes the responsibility to dispatch livery service request to the limousine owners/drivers for which drivers pay an up to \$350 per month which annually comes up to \$4200/Year.
5. The limousine service the company on issuing the service agreement to driver-owner agrees and undertakes that they would generate business and dispatch the livery request of customers either by wireless radio, mobile text message ,email or mobile app.

Reality of Service Companies :

1. Service company does not own a single vehicle , issues service letters , collects upto \$350 per letter per month .
2. Does not dispatch a single livery request to limousine drivers(**Do an audit of Service companies for the past years**)
3. These company uses VIN number of stretches owned by outside the city limo companies in Markham and Guelph or Barrie to create a fleet of stretch limo and issue proportionate service letter .
4. Makes \$3000 to \$4200 per vehicle/ service letter per year. For e.g. if a company has access to 10 stretch limo VIN number and a cordial relationship with a limo company operating outside of Toronto ,Toronto based service company has access to 50 sedans or service letters .This is equivalent to approximately \$200,000 per year.

We humbly request you to look into this situation and immediately cease the requirement of the “DECLARATION OF SERVICE PROVISION AGREEMENT BETWEEN LIMOUSINE OWNER AND LIMOUSINE SERVICE COMPANY”.Thus amending and ending chapter 546 Article 8 in entirety to help limousine owner and having a realistic approach to limousine licensing in 2019 .

Removal of “staging prohibited “By-Law(545-487):

We request cancellation of **By-law 545-4879**(Toronto Municipal By-Law), since it is an unfair barrier to the livelihood of limousine operators.

Summary: Amendment to End By-Law (545-487)

1. Implementation of ride hailing rights for licensed limousine in Toronto with city approved premium fares
2. Implementation of Separate/Same queue for luxury Black cars and SUV beside the existing taxi stands in accordance with City of Toronto Fare regulations.(This will not

adversely affect taxi ,because Luxury black limousines fares are almost double of the taxi fares)

3. Implementation of right to park near Hotels, Convention centers, Theatres, corporate offices and accept fare request.
4. Fares are calculated by advanced app created and maintained by Limousine association in accordance with city mandated fares Regulations.
5. “VEHICLE FOR HIRE” Driver Category 3 working as PTC driver can park anywhere ,anytime to pick up clients .Such companies use GPS technology in Apps to get a request from Hotels or convention centres to the nearest driver thus by passing “STAGING” by-law . This “GPS PROXIMITY” is a loop hole for PTC companies to stage their cars ,so proximity can take effect, thereby request is send to nearest PTC (Uber, lyft ,taxify ,facedrive)drivers . Therefore city of Toronto legally allows staging for PTC companies and taxis.

Reason to Implement policy change:-

1. If PTC companies have a “STAGING” feature hidden in their technology ,we limousine driver owners also should get the same feature .
2. More choice for International and business customers in consumer age of 2019.
3. Taxi’s cannot always accommodate more than 4 passengers where as SUV’s can accommodate up to 7 passengers plus driver.
5. Independence from ride hailing companies like uber ,lyft ,Taxify, Instaride etc .
6. City of Toronto has largest influx of tourist and business executives in Canada must be able to hail luxury cars “**on demand**” or choose from type of cars from Limousine stand.
7. Internationally travelling corporate executives has options of Luxury black cars and SUV for their official travel in the city and to Pearson airports .

Regulate City of Toronto traffic conditions : Traffic in city of Toronto has tripled after Uber was launched in Toronto . PTC drivers have no regard for city traffic rules . 80% of these driver live out of city of Toronto limits but come to city of Toronto during evenings and weekend and makes driving conditions more difficult for city residents and licensed taxi and limousine driver and TTC drivers.

Rush hour Reserved lane & King Street Access :Allow limousines to share reserved lane along with taxi during Rush hour periods .Limousine should have access to king street road to pick up customers same like taxi.

Banning automatic de-activation of driver accounts without investigation and appeal.

- a. Uber Black/Limousine must meet City of Toronto Municipal Licensing &Standards
- b. Uber drivers need to make a living and the deactivation of drivers’ accounts must not be allowed to happen without the driver having the opportunity to appeal a decision through the Toronto Licensing Tribunal.

For Toronto Limousine Drivers Association (TLDA)

Mr.Ejaz Butt ,President - TLDA

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