

Authority: Licensing and Standards Committee Item 26.1, adopted as amended, by City of Toronto Council on February 19 and 20, 2014

CITY OF TORONTO

Bill No. 543

BY-LAW No. -2014

To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting owners and drivers of taxicabs and taxicab brokers.

Whereas the *City of Toronto Act, 2006* grants the City of Toronto the authority to enact by-laws respecting business licensing, the economic, social, and environmental well-being of the City, the health, safety, and well-being of persons, and the protection of persons and property, including consumer protection; and

Whereas the City of Toronto has undertaken a comprehensive review of the taxicab industry in Toronto, including a review of Municipal Code Chapter 545, Licensing, governing persons carrying on business within this industry; and

Whereas Municipal Code Chapter 545, Licensing currently contains three classes of taxicab owners' licences, each of which are governed by different regulations; and

Whereas City Council wishes to establish a single class of taxicab owners' licence, named Toronto Taxicab licences, governed by regulations which incorporate the best attributes of ambassador, accessible and standard taxicabs; and

Whereas City Council wishes to implement fully the principle of owner-operated taxicabs which was first adopted by City Council in 1998 and which City Council considers to be in the best interests of the City and its inhabitants; and

Whereas City Council wishes to ensure the availability of taxicab service for all persons in the City of Toronto, including persons with disabilities, by ensuring the availability of metered, on-demand, wheelchair accessible taxicabs whose services can be arranged by members of the public by requesting that service through a taxicab broker; and

Whereas City Council wishes to balance the interests of the public and the interests of persons in the industry by immediately implementing the Toronto Taxicab class of owners' licences for the issuance of new licences, and by providing a ten-year transition period for existing taxicab owners to convert their taxicabs to Toronto Taxicabs; and

Whereas City Council wishes to adopt interim measures to regulate owners of accessible, ambassador and standard taxicabs pending conversion of those taxicabs to Toronto Taxicabs; and

Whereas in the interest of the environmental wellbeing of the City, City Council wishes to ensure the use of low-emission, hybrid and alternative fuel vehicles as taxicabs;

The Council of the City of Toronto enacts:

City of Toronto Municipal Code Chapter 545, Licensing is amended as follows:

1. A. By deleting the definitions of "Taxicab" and "Cab" and replacing them with the following:
- TAXICAB - An ambassador taxicab, a standard taxicab, a Toronto Taxicab and an accessible taxicab. When used in reference to a taxicab, "owner" includes
- (1) The owner of a cab licensed as such or required to be licensed as such under this chapter; and
- (2) 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.
- B. By deleting the word "calls" as contained in the definition of "Taxicab Broker" and replacing it with the word "requests".
- C. By deleting the word "cab" where used in § 545-2(9) and by replacing it with the word "taxicab".
- D. Article VIII, Owners and Drivers of Cabs, is deleted and replaced by Appendix "A" to this by-law.
- E. Article VII, Taxicab Brokers, is deleted and replaced by Appendix "B" to this by-law.
- F. Appendix "C" to the chapter is amended by adding the following to Tariff "A":
- | Service | Rate or Fare |
|---|---------------------|
| Cleaning required due to soiling by passenger | Up to \$25.00 |
- G. By adding as Appendix "P" the Taxicab Bill of Rights attached as Appendix "C" to this by-law.
2. Where a person is alleged to have contravened any provision of Chapter 545 before the date this by-law comes into force, those provisions continue to apply for the purposes of any enforcement proceedings brought against the person until the proceedings have been concluded.
3. (1) Subsection 1F of this By-law shall come into force on the date of enactment.
- (2) Sections 545-172 and 545-173 as contained in Appendix "A" to this by-law shall take effect on the date of enactment.
- (3) The remainder of this by-law shall come into force and take effect on July 1, 2014.

Enacted and passed on June , 2014.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

APPENDIX "A"

ARTICLE VIII Owners and Drivers of Taxicabs

§ 545-131. Definitions.

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

ACCESSIBLE TAXICAB - A taxicab used for the provision of taxicab services to persons with disabilities, in respect of which an owner's licence was issued before the enactment of By-law No. [insert by-law number].

ACCESSIBLE VEHICLE - A motor vehicle equipped as a physically disabled passenger vehicle in accordance with R.R.O. 1990, Reg. 629, as amended, made under the *Highway Traffic Act*, as amended, and the Canadian Standards Association CAN3-D409-M84 vehicle standards, as amended.

ACCESSIBLE TAXICAB TRAINING COURSE - The accessible taxicab training course approved by the Executive Director.

AMBASSADOR TAXICAB - A taxicab in respect of which an owner's licence was issued after July 29, 1999, but does not include a standard or accessible taxicab.

DESIGNATED MECHANIC - A mechanic designated by the Executive Director to conduct examinations of taxicabs under this chapter.

DRIVER - A driver of a taxicab who is licensed as such or required to be licensed as such under this chapter, and includes an owner who drives a taxicab.

DRIVERS' LIST - The list maintained by the Municipal Licensing and Standards Division in accordance with § 545-144.

HIS OR HER TAXICAB:

- A. When used in reference to an owner, refers to a taxicab in respect of which the owner is licensed under this chapter.
- B. When used in reference to a driver, refers to a taxicab driven or otherwise operated by the driver.
- C. When used in reference to a person operating or exercising rights over a taxicab pursuant to a notice of designated custodian, a notice of designated agent, or a lease, refers to the relationship between that person and the taxicab.

INDIVIDUAL PERSON - A natural person.

LEASE:

- A. Any contract, agreement, understanding or other arrangement whereby an owner or a designated agent permits another person to manage, operate, control, have custody of, or otherwise employ his or her taxicab, other than permitting a driver to drive the taxicab for one normal driver's shift where the taxicab is returned to the owner or such person so designated at the end of such shift, and "to lease a taxicab" includes the act of any owner

in entering into or becoming a party to such a contract, agreement, understanding or other arrangement.

- B. Without limiting the generality of Subsection A, "lease" includes a power of attorney, management contract, "cash-in" agreement, and any other arrangement or agreement whereby any person other than an owner or designated custodian is allowed to exercise or does exercise any of the rights set out in Subsection A.

LESSEE - When used in reference to a taxicab or to a lease of a taxicab, means any person who is permitted to exercise or does exercise any of the rights set out in Subsection A of the definition of "lease" pursuant to a lease.

LESSOR - When used in reference to a taxicab or to the lease of a taxicab, means an owner who enters into or is a party to a lease of his or her taxicab.

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

NOTICE OF DESIGNATED AGENT - A notice filed with the Municipal Licensing and Standards Division in accordance with § 545-191, and "designated agent" means a person designated under such notice.

NOTICE OF DESIGNATED CUSTODIAN - A notice filed with the Municipal Licensing and Standards Division in accordance with § 545-190, and "designated custodian" means a person designated under such notice.

NOTICE OF ELECTION - A notice of election form approved by the Executive Director, describing the elections available to persons on the drivers' list under §545-137.

OWNER - Owner of a taxicab licensed as such or required to be licensed as such under this chapter.

PASSENGER - Any person in a taxicab other than the driver.

SALE - The sale of a taxicab in respect of which a licence is issued under this chapter, accompanied by an application to the Municipal Licensing and Standards Division for the issuance of a new licence.

SALE OF A STANDARD TAXICAB - Includes the sale or transfer, by one or more transactions, of the controlling interest in a corporation referred to in § 545-186 and any transaction or transactions by which such controlling interest is acquired.

STANDARD TAXICAB - A taxicab in respect of which a taxicab owner's licence was issued before July 29, 1999, and includes all taxicabs in respect of which licences were issued as a result of a sale or transfer of a standard taxicab before July 1, 2014.

TORONTO TAXICAB - A taxicab in respect of which an owner's licence is first issued after July 1, 2014.

TO OPERATE - When used in reference to a taxicab, includes to drive a taxicab, and to make a vehicle available to the public for use as a taxicab but does not include the services performed by a taxicab broker 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.

§ 545-132. Additional information to be filed with application for driver's licence.

- A. In addition to any information required to be furnished under this chapter, every applicant for a licence as a driver shall produce an unrestricted and fully privileged passenger vehicle driver's licence issued by the Province of Ontario and shall submit three photographs of himself or herself, one of which shall be attached to the licence, and, upon application for renewal of any licence, shall furnish new photographs if required so to do by the Municipal Licensing and Standards Division.
- B. No owner shall be issued a taxicab driver's licence.

§ 545-133. Training course before issuance of driver's licence.

- A. Every applicant for a licence as a driver shall attend and successfully complete the taxicab driver's training course provided by the Municipal Licensing and Standards Division, which course shall address skills relating to taxicab driving as set out in a curriculum approved by the Executive Director or his or her designate.
- B. The courses prescribed by §§ 545-133A and 545-134A(1) shall include accessibility training as part of the curriculum approved by the Executive Director or his or her designate.
- C. Effective January 1, 2015, the courses prescribed by §§ 545-133A and 545-134A(1) shall include simulated defensive driving training as part of the curriculum approved by the Executive Director or his or her designate.

§ 545-134. Training courses before renewal of driver's licences.

- A. Every applicant for the renewal of a licence as a driver shall:
 - (1) Attend and successfully complete the taxicab driver's refresher training course provided by the Municipal Licensing and Standards Division once every four consecutive years, which course shall address skills relating to taxicab driving as set out in a curriculum approved by the Executive Director or his or her designate; and
 - (2) Subject to Subsection B, successfully complete a one-day first aid and cardiopulmonary resuscitation course provided by the City of Toronto's Emergency Medical Services, or by such other agency as may be approved by the Executive Director, once every four consecutive years.
- B. Subsection A(2) does not apply to a driver who is unable to attend the course due to health reasons and who files with the Municipal Licensing and Standards Division a medical certificate or report from a qualified medical practitioner stating that he or she is unable to attend the course due to health reasons.
- C. Every driver of an accessible vehicle used as a taxicab shall, in addition to completing the taxicab driver's refresher training course, attend and complete the accessibility

refresher training course once every four consecutive years, as set out in a curriculum approved by the Executive Director or his or her designate.

§ 545-135. Examination requirements before driver's licence renewal.

- A. A person previously licensed as a driver who fails to renew his or her licence for more than three consecutive years shall successfully complete the taxicab driver's training course in accordance with § 545-133.
- B. A person previously licensed as a driver who fails to renew his or her licence for any period up to and including three years shall be examined in accordance with § 545-133 but shall not be required to attend any classes or courses in relation to the examination.
- C. Despite Subsections A and B, the Executive Director or his or her designate may, for compassionate reasons only:
 - (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.

§ 545-136. Issuance of Toronto Taxicab owner's licence to Persons on the Drivers' List.

- A. In this section "qualified persons" means persons who:
 - (1) Pay the prescribed fee for attendance at the Toronto Taxicab Owners training course, plus any applicable taxes, and successfully complete that course;
 - (2) Comply with all provisions of this chapter applicable to the operation of a Toronto Taxicab; and
 - (3) Are entitled to the issuance of a licence in accordance with this chapter.
- B. The Municipal Licensing and Standards Division may issue up to 290 Toronto Taxicab licences to qualified persons on the drivers' list.

§ 545-137. 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, the Municipal Licensing and Standards Division shall send a Notice of Election by regular pre-paid mail to that person's last known address on file with the Municipal Licensing and Standards Division, and the notice of election shall state the date of the next available Toronto Taxicab owners training course.
- B. A person to whom a Notice of Election is sent shall, within 30 days of the date of the notice, elect to attend the next available Toronto Taxicab owners 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 of Election and filing it with the Municipal Licensing and Standards Division.
- C. A person who fails to make the election referred to in Subsection B shall be deemed to have elected to defer attendance at the Toronto Taxicab owners training course for a period of one year.

- D. A person who has elected to defer attendance at the Toronto Taxicab owners 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 drivers' list.
- E. A person who has elected not to attend the Toronto Taxicab owners training course shall be struck from the drivers' list.
- F. A person who elects to attend the next available Toronto Taxicab owners training course shall, before registering for the course, attend in person at the offices of the Municipal Licensing and Standards Division and shall complete the prescribed forms.
- G. A person who elects to attend the next available Toronto Taxicab owners training course but does not register for the course or does not meet the minimum attendance requirement of the course shall be deemed to have elected to defer attendance at the taxicab training course for a period of one year.

§ 545-138. Failure to pass the Toronto Taxicab owners training course.

- A. A person on the drivers' list who fails the Toronto Taxicab owners 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 Toronto Taxicab owners 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.

§ 545-139. Time limit to start operating a taxicab after completing training course.

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

§ 545-140. Transition to Toronto Taxicab licences.

- A. Effective July 1, 2014, no standard, ambassador and accessible taxicab owner's licences shall be issued.
- B. A standard or ambassador taxicab owner's licence which is valid and subsisting as of July 1, 2014 may be renewed as such upon the expiry of the term of the licence and the taxicab may continue to operate as a standard or ambassador taxicab in accordance with this article until the earlier of:
 - (1) the conversion of the licence to a Toronto Taxicab licence;

- (2) the sale of the standard or ambassador taxicab; and
 - (3) July 1, 2024.
- C. Notwithstanding any other provision of this chapter, no taxicab may be operated as a standard or ambassador taxicab after July 1, 2024 and no standard or ambassador taxicab licence may be renewed for any period past July 1, 2024.

§ 545-141. Conversion of standard, ambassador and accessible taxicab licences to Toronto Taxicab licences.

- A. Any person licensed as an owner as of July 1, 2014 may convert his or her owner's licence to a Toronto Taxicab licence by application to the Municipal Licensing and Standards Division.
- B. Upon the issuance of a Toronto Taxicab licence to an owner who has made an application under Subsection A, the owner's licence previously issued to that person 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 other provisions of this chapter applicable to the operation of a Toronto Taxicab;
 - (2) pays the prescribed fee for the issuance of a Toronto Taxicab licence; and
 - (3) has successfully completed the Toronto Taxicab owners training course.

§ 545-142. Standard Taxicabs endorsed as accessible taxicabs.

- A. An owner of a standard taxicab who operates, or wishes to operate, his or her standard taxicab as an accessible taxicab may do so if the vehicle used is an accessible vehicle, and his or her licence has been so endorsed by the Municipal Licensing and Standards Division.
- B. Notwithstanding Subsection A, an owner of a standard taxicab whose licence has been endorsed as an accessible taxicab shall be deemed to be the owner of a standard taxicab for the purposes of this chapter.

§ 545-143. Training courses required before renewal of owner's licences.

- A. Every applicant for the renewal of an owner's licence shall attend and successfully complete the taxicab owner's refresher training course once every four consecutive years, which course shall address knowledge relating to taxicab management and accessibility as set out in a curriculum approved by the Executive Director or his or her designate.
- B. Subsection A does not apply to any owner who is unable to attend the course due to health reasons and who files with the Municipal Licensing and Standards Division a medical certificate or report from a qualified medical practitioner stating that the owner is unable to attend the course due to health reasons.

§ 545-144. Drivers' List.

- A. The Municipal Licensing and Standards Division shall keep a list of the taxicab drivers desiring to obtain a Toronto Taxicab licence, and the drivers' list shall be open and accessible to the public, and, subject to all other conditions and qualifications set out elsewhere in this chapter, when the number of Toronto Taxicab licences is to be increased amongst the persons on the drivers' list, priority shall be given by order of seniority of application.
- B. The drivers' list as it existed immediately prior to the enactment of By-law No. **[INSERT BY-LAW NO.]** shall be taken up and continued under and in conformity with Subsection A.

§ 545-145. Qualifications for placement on Drivers' List.

- A. No person shall be placed on the drivers' list unless and until the following qualifications are met:
- (1) The applicant is not at the time of the application licensed as an owner and has not been so licensed for a period of five years immediately preceding the application;
 - (2) The applicant is not, and has not been during the period of five years immediately preceding the application, a shareholder or partner in any company or firm having an interest, whether direct or indirect, in an owner's licence;
 - (3) Neither the applicant, nor any corporation in which he or she holds or has ever held a controlling interest, nor any partnership in which he or she is or ever has been a partner, has been granted a taxicab owner's licence from any list established pursuant to this chapter or any predecessor thereof; and
 - (4) Subject to § 545-147E, F and G, the applicant is and has been licensed as a taxicab driver continuously by the Municipal Licensing and Standards Division without revocation, lapse, or suspension for at least three years immediately preceding the application, and has been continuously, and is presently, earning a living in the City of Toronto (on a full-time basis and not on a part-time basis) as a taxicab driver during the whole of such three-year period.
- B. Every person applying to be placed on the drivers' list shall, at the time of application, file with the Municipal Licensing and Standards Division a statutory declaration on a form supplied by the Municipal Licensing and Standards Division setting out:
- (1) The name of every employer of the applicant during the three years immediately preceding the application; and
 - (2) The amount of income earned from employment as a driver during the three years immediately preceding the application, and the amount of income from all other sources during such period.

§ 545-146. Filing Requirements for persons on Drivers' List.

- A. Every person on the drivers' list shall:
- (1) On or before the 30th day of April in every year, file with the Municipal Licensing and Standards Division a written statement signed by every person by whom he or she was employed, or provided service to, as a taxicab driver, indicating the period of such employment or during which such services were provided;
 - (2) On or before the 30th day of April in every year file with the Municipal Licensing and Standards Division a statutory declaration on a form supplied by the Municipal Licensing and Standards Division setting out the information referred to in § 545-145B, with respect to the preceding year; and
 - (3) Upon written request from the Municipal Licensing and Standards Division, file with the Municipal Licensing and Standards Division a copy of part of his or her income tax return for the preceding year in the form in which it was submitted to the federal government. The required part shall be restricted to name, address, date of birth, employer, those lines related to sources of income and, if submitted to the federal government, the statement of income and expenditure for the year.
- B. No owner, broker, dispatcher or other person shall fail or refuse to comply with a request by a taxicab driver for a written statement referred to in Subsection A(1).
- C. Requests made under Subsection A(3) shall be limited to conduct an audit of no more than 10 percent of all statutory declarations filed with the Municipal Licensing and Standards Division pursuant to § 545-145B and Subsection A(2) of this section in any given year.

§ 545-147. 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 driver lapses or is revoked; or
 - (3) Subject to Subsections E, F and G, the applicant ceases to earn a living in the City of Toronto on a full-time basis as a driver, provided that a driver whose licence has been suspended under this chapter shall be deemed not to cease to earn a living on a full-time basis as a driver during the period of suspension; or
 - (4) The applicant fails to file with the Municipal Licensing and Standards Division any of the documents required by § 545-146A.
- 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 of such action forthwith by the Municipal Licensing and Standards Division by letter addressed to the applicant at the last address of record furnished by the applicant to the Municipal Licensing and Standards Division.
- D. Notwithstanding § 545-144, where the licence of a taxicab driver 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 imposed by the Toronto Licensing Tribunal under this chapter, or one year if the suspension is under § 545-151.
- E. Where an applicant satisfies the Toronto Licensing Tribunal that his or her failure to comply fully with the provisions of § 545-146A is the result of illness or injury and is entirely beyond the control of the applicant 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 failure to comply fully with the provisions of § 545-146A is the result of the applicant's pregnancy and that 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 driver, file with the Municipal Licensing and Standards Division a written 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 or during a particular period of time under Subsections E, F and G, deem, for the purpose of permitting such applicant to remain on the drivers' list, that his or her licence as a driver has not lapsed during that period.

§ 545-148. 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, ambassador or Toronto Taxicab may sell his or her taxicab and its equipment to any individual person licensed as a taxicab driver under this chapter, 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, ambassador or standard taxicab into a Toronto Taxicab.
- C. Subject to Subsection D, the Municipal Licensing and Standards Division may, in its discretion, issue a Toronto Taxicab licence 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 the Municipal Licensing and Standards Division 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 must contain a statutory declaration in a form supplied by the Municipal Licensing and Standards Division by both the parties and a further statutory declaration by the solicitor for the purchaser in a form supplied by the Municipal Licensing and Standards Division;
 - (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 statutory declaration, in a form provided by the Municipal Licensing and Standards Division, 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 recital of fact, statement or representation in any such agreement or statutory declaration required to be attached thereto shall be deemed a violation of the provisions of this chapter;
 - (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; and
 - (8) The purchaser of a taxicab is an individual person licensed as a taxicab driver under this chapter.
- 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 the Toronto Licensing Tribunal is of the opinion that it is not in the public interest, as determined by the Toronto Licensing Tribunal, that such new licence should be issued, and the Toronto Licensing Tribunal shall, upon demand from any party to the transaction, deliver written reasons for such decision.

§ 545-149. 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, ambassador taxicab or a Toronto Taxicab, the Municipal Licensing and Standards Division 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 in accordance with Subsection C, his or her personal representative or representatives 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 in accordance with Subsection C, 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 other disposition of a taxicab by the personal representative or representatives of a deceased taxicab owner, the licence issued in respect of such taxicab shall be terminated, and the Municipal Licensing and Standards Division may, in its discretion, issue a new Toronto Taxicab licence to the person purchasing or otherwise obtaining the taxicab, and the provisions of § 545-148A, 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 approved by the Toronto Licensing Tribunal shall apply.

§ 545-150. Command of English language; minimum age of drivers.

- A. Every owner and driver shall be able to speak, read and write the English language.
- B. Every driver shall be at least 18 years old.

§ 545-151. Passenger vehicle driver's licence to be maintained.

Every driver shall have and maintain in good standing at all times an unrestricted and fully privileged passenger vehicle driver's licence issued by the Province of Ontario, and the taxicab driver's licence, and the driving privileges of an owner conferred under this chapter shall, for all purposes of this chapter, be conclusively deemed suspended during any period in which such driver's licence is under suspension.

§ 545-152. Owners and drivers to be licensed.

- A. No driver shall drive any taxicab unless the owner of the taxicab is licensed as such under this chapter.
- B. No owner shall allow any person other than a licensed driver to operate his or her taxicab.
- C. No driver, while having the care and control of a taxicab, shall permit any person other than the owner or an employee of the owner of the taxicab to drive it.
- D. Every owner of more than one taxicab required to be licensed under this chapter shall take out a separate licence for each taxicab.

- E. Every driver and owner shall carry his or her licence with him or her at all times while operating a taxicab and shall produce the licence for inspection when requested to do so by the Municipal Licensing and Standards Division or a police officer.
- F. 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.

§ 545-153. Medical examination of owner or driver.

- A. 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 or driver may not be in accordance with this chapter, or may endanger the health or safety of other persons, the Municipal Licensing and Standards Division and the Toronto Licensing Tribunal may require such owner or driver to be medically examined by a duly qualified medical practitioner, and the medical practitioner may make a report of the examination to the Municipal Licensing and Standards Division or the Toronto Licensing Tribunal, as the case may be.
- B. Every driver shall produce to the Municipal Licensing and Standards Division, before his or her licence is issued or renewed, a certificate on a form supplied by the Municipal Licensing and Standards Division, signed by a duly qualified medical practitioner, certifying that the driver is fit to drive a taxicab, provided that, subject to Subsection A, no such certificate shall be required by the Municipal Licensing and Standards Division more than once every three years.

§ 545-154. Taximeters.

- A. Every owner shall ensure that his or her taxicab is equipped with a taximeter which registers distances travelled, records trips and units, and computes fares to be paid, and each taximeter shall be:
 - (1) Submitted for testing, inspection and sealing by a person designated by the Executive Director at the times required by the Executive Director or his or her designate;
 - (2) Illuminated between sunset and sunrise;
 - (3) In plain view of the passengers and approved by the Executive Director or his or her designate;
 - (4) Adjusted in accordance with the rates prescribed by Chapter 545, Appendix C, "Tariff A";
 - (5) Tested by running the taxicab to which it is attached over a measured track or distance before being sealed, or by such mechanical means as the Executive Director or his or her designate may approve;
 - (6) Used only when its seal is intact;
 - (7) Kept in good working condition at all times and not used when defective in any way;
 - (8) Numbered and, subject to the provisions of this chapter, of a make and model approved by the Executive Director or his or her designate;

- (9) Equipped with a light, approved by the Executive Director or by his or her designate, which is clearly visible from any direction outside the taxicab; and
 - (10) Programmed to record the income of each driver of the taxicab.
- B. The taximeter referred to in Subsection A shall be set up in such a manner that:
- (1) When the taximeter is in operation the light prescribed by Subsection A (9) shall be illuminated and the electric sign prescribed by § 545-156B(5) shall be extinguished; and
 - (2) When the taximeter is not in operation the light prescribed by Subsection A(9) shall be extinguished and the electric sign referred to in § 545-156B(5) shall be illuminated.
- C. No driver or owner of a taxicab equipped with a taximeter shall operate or permit to be operated any such taxicab:
- (1) Unless and until the taximeter has been tested and sealed by a person designated by the Executive Director, hereinafter called the "meter tester";
 - (2) When the taximeter or the taximeter seal has been changed, repaired, altered, adjusted or broken, unless and until the taximeter has been subsequently tested and sealed by the meter tester;
 - (3) When any object within the taxicab obstructs the view from any direction outside the taxicab of the light referred to in Subsection A(9);
 - (4) Unless the electric sign referred to in § 545-156B(5) is operating in the manner prescribed in Subsection B; or
 - (5) Unless the taximeter is illuminated between sunset and sunrise.
- D. If a taximeter is repaired or altered when the meter tester is off duty, the taxicab may be operated without the taximeter having been tested or sealed until the meter tester is again on duty, but only if the owner or driver of the taxicab has in his or her possession a certificate from the person who made the repairs or alteration stating the time, date and nature thereof and the place where the work was done and the certificate has been countersigned by the officer in charge of the police station nearest to the place where the work was done.

§ 545-155. Advertising.

- A. Every owner shall submit to the Municipal Licensing and Standards Division every plate, poster, handbill, card, novelty or other matter used to advertise his or her taxicab business, and no such advertising matter shall be used or published until approved by the Municipal Licensing and Standards Division.
- B. No owner or driver shall permit his or her services or the services of his or her taxicab to be advertised in any way, except by himself or herself, or by some licensed owner with whom he or she is associated.
- C. No owner of a taxicab shall display or permit the display of advertisements on or in his or her taxicab until the application for approval has been granted.

- D. The Executive Director or his or her designate shall grant applications for approval of a form of advertising on a taxicab unless, in the opinion of the Executive Director or his or her designate, the advertisement:
- (1) Is not safe for the driver, passengers and general public;
 - (2) Is not or cannot be safely attached to the vehicle;
 - (3) Extends beyond the dimensions of the vehicle, with the exception of rooftop signs in accordance § 545-156B(5); or
 - (4) Obscures or reduces the visibility of any taxicab markings and identifications required by this chapter.
- E. If, in the opinion of the Executive Director or his or her designate, an application for approval of a form of advertising on a taxicab should not be granted on the basis of the criteria in Subsection D, the Municipal Licensing and Standards Division shall send notice of this fact to the applicant by pre-paid mail at the address as shown on the application form, which notice shall include:
- (1) A statement that the applicant may request that the matter be referred to the Licensing and Standards Committee for review and disposition by delivering a written request to the Municipal Licensing and Standards Division within 30 days of the notice; and
 - (2) A statement that if no request for a hearing is delivered by the applicant, the application will not be granted.
- F. Where the Municipal Licensing and Standards Division receives a request for a hearing in accordance with Subsection E, the application shall be referred to the Licensing and Standards Committee forthwith.

§ 545-156. Required equipment and markings; prohibitions.

- A. Every driver shall, at all times when driving a taxicab, have his or her photograph and name affixed in a place in the taxicab approved by the Executive Director or his or her designate so that it is plainly visible to, and readable by, passengers in the back seat.
- B. When a vehicle is being operated as a taxicab, the owner shall provide and maintain in and on the vehicle the following equipment and markings:
- (1) A plate supplied by the Municipal Licensing and Standards Division and bearing an identifying number, securely affixed to the back of the taxicab in a position approved by the Municipal Licensing and Standards Division;
 - (2) The number on the plate referred to in Subsection B(1) painted on the exterior sides of the taxicab in numbers at least 15 centimetres high and of contrasting colour, all to the approval of the Municipal Licensing and Standards Division;
 - (3) A tariff card supplied by the Municipal Licensing and Standards Division and bearing the name of the owner of the taxicab and the number referred to in Subsection B(1), affixed in a place in the taxicab approved by the Municipal Licensing and Standards Division 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 driver or owner in a place in the taxicab approved by the Municipal Licensing and Standards Division as required by §§ 545-156A and 545-185J;
 - (5) On the top of the taxicab an electric sign, permanently and securely affixed, approved by the Municipal Licensing and Standards Division, indicating that the vehicle is a taxicab, which sign:
 - (a) shall be co-ordinated with the operation of the taximeter in the manner provided in § 545-154B;
 - (b) shall not show a name or telephone number of any person, firm or corporation other than the name and telephone number of the person, firm or corporation presently holding the licence as owner of the taxicab, or of a taxicab broker with whom the taxicab is associated; and
 - (c) shall be maintained by the owner in good repair and be clearly readable by persons outside the taxicab;
 - (6) A centre, rear high-mounted stop lamp installed in accordance with the regulations made under the Motor Vehicle Safety Act, S.C. 1993, c.16, as amended;
 - (7) A sign or signs, as approved by the Municipal Licensing and Standards Division, affixed in a manner and in a location satisfactory to the Municipal Licensing and Standards Division to indicate clearly to any passenger upon entering or intending to enter or while seated in the vehicle that smoking is not permitted;
 - (8) Three "Watch for Bikes" stickers, in a form approved by the Executive Director or his or her delegate, 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, affixed in manner that will not obstruct the driver's view; and
 - (9) A Taxicab Bill of Rights which contains the information set out in Chapter 545, Appendix "P" in a form approved by the Executive Director or his or her designate, affixed to the back of the front passenger seat.
- C. No owner or driver 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.
- D. No owner shall use or permit to be used any taxicab owned by him or her which simulates a colour scheme or emblem which has been or is being used by any other owner or taxicab broker, unless the approval of the Municipal Licensing and Standards Division is first obtained.
- E. Every owner shall provide and maintain on his or her taxicab signs or markings as may be approved by the Executive Director, identifying the taxicab as a standard, ambassador, accessible or Toronto Taxicab, as the case may be.
- F. No owner or driver shall operate, or permit to be operated, his or her taxicab unless a Taxicab Bill of Rights, as prescribed by this section, is displayed in the taxicab in accordance with Subsection B(9).

§ 545-157. Emergency lights system; camera system; global positioning system.

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

CAMERA SYSTEM - A camera system, approved by the Municipal Licensing and Standards Division, 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.

EMERGENCY LIGHTS SYSTEM - A system of lights, approved by the Municipal Licensing and Standards Division, which may be activated by a driver in emergency situations.

GLOBAL POSITIONING SYSTEM - A system, approved by the Municipal Licensing and Standards Division, capable of tracking and locating the position of a taxicab and includes a vehicle location system.

- B. Every owner shall, for each taxicab for which he or she holds a licence, provide and maintain in and on the taxicab:
- (1) A fully functioning emergency lights system; and
 - (2) A fully functioning camera system installed and serviced by the manufacturer or the manufacturer's authorized agent.
- C. Every owner may provide a fully functioning global positioning system in each taxicab for which he or she holds a licence, and where a global positioning system is provided, the owner shall maintain it in good working condition.
- D. No owner shall operate, or permit to be operated, his or her taxicab unless it is equipped in accordance with this section.
- E. No driver shall operate a taxicab unless the systems and equipment installed therein in accordance with Subsections B and C are fully functioning.
- F. No owner or driver shall operate, or permit to be operated, a taxicab equipped with a camera system unless a decal approved by the Executive Director is affixed to the taxicab, in a location and manner approved by the Executive Director, stating that photographic images of passengers in the taxicab are being recorded.

§ 545-158. Duplicate tariff cards and plates.

- A. When a tariff card or number plate has been defaced, lost or destroyed, it may be replaced by the Municipal Licensing and Standards Division upon the original tariff card or plate being satisfactorily 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. The Municipal Licensing and Standards Division may issue a special interim plate for use during the period required to obtain the duplicate plate, and the interim plate shall be returned to the Municipal Licensing and Standards Division forthwith upon demand or upon receipt of a duplicate plate.

- D. No person shall use a number plate in place of which a duplicate has been issued.
- E. No duplicate plate shall be replaced except upon the approval of the Executive Director.
- F. The Municipal Licensing and Standards Division may, in its discretion, issue one or more spare plates to an owner permitting him or her to operate a motor vehicle as a taxicab while his or her taxicab is being repaired, provided that:
 - (1) The spare plate and the plate, or its duplicate, supplied by the Municipal Licensing and Standards Division for the taxicab being repaired, are securely affixed to the motor vehicle;
 - (2) The motor vehicle is equipped, inspected, approved and registered as required by this article; and
 - (3) The owner provides proof of insurance in respect of the motor vehicle as required by this article.

§ 545-159. Unlawful affixing of plates.

Every owner who permits a plate supplied to him or her to be affixed to a motor vehicle other than in accordance with this article shall be required to attend before the Toronto Licensing Tribunal for a hearing to determine whether or not his or her licence should be suspended, revoked or have conditions placed on it.

§ 545-160. Condition of vehicles.

- A. No owner shall use or permit to be used any vehicle as a taxicab until:
 - (1) He or she has submitted the motor vehicle for approval in accordance with this chapter; and
 - (2) He or she has attended at the offices of the Municipal Licensing and Standards Division and has produced the Provincial motor vehicle permit issued with respect to the motor vehicle.
- B. Every owner who uses, or permits to be used, any motor vehicle as a taxicab without submitting it for approval in accordance with this chapter and producing to the Municipal Licensing and Standards Division the Provincial motor vehicle permit with respect to such vehicle and who is found, by the Municipal Licensing and Standards Division, to be operating more motor vehicles as taxicabs than he or she has taxicab licences, except as provided in this chapter, shall be required to attend before the Toronto Licensing Tribunal for a hearing to determine whether or not his or her licence should be suspended, revoked or have conditions placed on it.
- C. No driver or owner shall operate or permit to be operated any taxicab unless it is:
 - (1) Equipped with an extra tire and wheel ready for use;
 - (2) Clean as to its exterior;
 - (3) In good repair as to its exterior;
 - (4) Clean as to its interior;

- (5) In good repair as to its interior;
- (6) Free from mechanical defects; and
- (7) Equipped with a plate supplied by the Municipal Licensing and Standards Division securely affixed as required by § 545-156B(1).

§ 545-161. Seat belts.

- A. Every owner who permits the operation of his or her taxicab, and every driver who operates a taxicab, which is not equipped with seat belts is guilty of an offence.
- B. Every owner who permits the operation of his or her taxicab and every driver who operates a taxicab that is equipped with seat belts and who does not ensure that such seat belts are plainly visible to or may be conveniently used by a passenger is guilty of an offence.

§ 545-162. Child safety locks.

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

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.

PERSON UNDER A DISABILITY:
 - (a) A minor; or
 - (b) A person who is mentally incapable within the meaning of section 45 of the *Substitute Decisions Act, 1992*, as amended.
- B. Subject to Subsection C, no taxicab may be equipped with any mechanism or device by which a passenger in the taxicab is not able to unlock and open the doors of the taxicab.
- C. Where a taxicab is equipped with a child safety lock, signs stating that the taxicab is so equipped shall be affixed to the windows of the taxicab in a prominent position immediately above the door handles of the taxicab such that the signs are plainly visible to persons entering the taxicab or seated in the taxicab.
- D. No driver shall use or activate a child safety lock while a passenger is in the taxicab except where the passenger is a person under a disability and the driver has received written authorization from the parent or guardian of that person to activate the child safety lock, or from such other persons with authority in law to provide such written authorization.

§ 545-163. Air-conditioning and heating systems.

- A. No owner or driver shall operate or permit to be operated his or her taxicab unless the taxicab is equipped with fully functional air-conditioning and heating systems.
- B. Every owner and driver shall, upon the request of a passenger, activate the air-conditioning or heating systems in the taxicab.

§545-164. Snow tires.

Every vehicle used as a taxicab shall be equipped with four snow tires every year from December 1st to March 15th.

§545-165. Vehicle type for accessible and Toronto Taxicabs.

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

§ 545-166. Examination by designated mechanic.

- A. Every owner shall submit his or her taxicab for examination by a designated mechanic before a licence is issued, and twice a year thereafter as scheduled by the Executive Director, at the same time as he or she submits his or her taximeter for examination pursuant to this article.
- B. Where there are reasonable and probable grounds to believe that a taxicab or its equipment is mechanically defective, the owner or driver shall be given written notice by the Municipal Licensing and Standards Division requiring the owner or driver to submit the taxicab for examination by a designated mechanic within 24 hours.
- C. Where there are reasonable and probable grounds to believe that a taxicab is dangerous or unsafe, the taxicab number plate supplied by the Municipal Licensing and Standards Division may be removed, and the owner or driver shall submit the taxicab for examination by a designated mechanic forthwith.
- D. An owner or driver who fails to submit his or her taxicab for examination by a designated mechanic as required by this section is guilty of an offence.
- E. Where an appointment has been made for the inspection of a taxicab pursuant to this section and if the taxicab is not produced at the time and place appointed for the inspection, the Executive Director or his or her designate may, notwithstanding anything else contained in this chapter, suspend the licence issued in respect of the taxicab until the taxicab has been tested, inspected and approved.

§ 545-167. Mechanically defective cabs; major mechanical defects.

- A. Subject to Subsection B, when a taxicab is examined by a designated mechanic pursuant to § 545-166 who reports in writing that the taxicab is mechanically defective, the owner shall not operate or permit to be operated such taxicab until such mechanic certifies in writing that the mechanical defects so reported are corrected.
- B. The Municipal Licensing and Standards Division shall immediately remove the taxicab licence plate supplied by the Municipal Licensing and Standards Division if a designated mechanic reports in writing that the taxicab referred to in Subsection A failed such examination on two occasions due to major mechanical defects in any one of the periods designated for mechanical examinations referred to in § 545-166A, or on one occasion due to major mechanical defects in each of two consecutive periods designated for mechanical examinations referred to in § 545-166A; and the plate shall remain removed until a designated mechanic certifies in writing that the major mechanical defects so reported are corrected.

- C. For the purpose of Subsection B, "major mechanical defect" means mechanical defects directly or indirectly related to any part or parts of the motor vehicle involving or affecting:
- (1) Its brakes or braking system;
 - (2) Its steering system;
 - (3) Its suspension system; or
 - (4) Its underbody.
- D. When a taxicab is examined by a designated mechanic who reports in writing that the taxicab is dangerous or unsafe and his or her reasons for that finding, the Municipal Licensing and Standards Division shall immediately remove the taxicab licence plate supplied by the Municipal Licensing and Standards Division, and the plate shall remain removed until a designated mechanic certifies in writing that the taxicab is no longer dangerous or unsafe.
- E. Except when an owner submits his or her taxicab for examination by a designated mechanic before a licence is issued, every owner whose taxicab is reported by such mechanic as dangerous or unsafe, or whose taxicab is reported by such mechanic to have major mechanical defects on the occasions referred to in Subsection B, may be required to attend before the Toronto Licensing Tribunal to determine whether or not his or her licence should be suspended, revoked or have conditions imposed on it.
- F. The Executive Director or his or her designate may prescribe the form of report and certification used by a designated mechanic.

§ 545-168. Examination of taxicab before and after shifts; cabs not in good mechanical condition not to be operated.

- A. Every owner and driver shall, on each work shift before commencing driving, examine his or her taxicab for mechanical defects, and shall similarly examine the taxicab at the end of each shift, and if he or she is not the owner of the taxicab shall report forthwith to the owner any mechanical defects of which he or she is or becomes aware.
- B. Every owner shall check immediately any mechanical defect in his or her taxicab reported to him or her by a driver and shall not in any case operate or permit to be operated as a taxicab any vehicle not in good mechanical condition.

§ 545-169. Age of vehicles for Standard Taxicabs.

- A. A motor vehicle that by year date is more than five model years old shall not be used as a standard taxicab.
- B. Despite Subsection A, a standard taxicab that is operated exclusively by the owner of the taxicab shall not be more than six model years old by year date except that it may be seven model years old by year date if it was a new vehicle when it became registered as a taxicab.

§ 545-170. Age of vehicles for Ambassador Taxicabs.

A motor vehicle that by year date is more than six model years old shall not be used as an ambassador taxicab except that it may be seven model years old by year date provided that it was a new vehicle when it became registered as a taxicab.

§ 545-171. Age of accessible vehicles.

- A. The holder of a Toronto Taxicab licence shall provide a motor vehicle that by year date is no more than two model years old for use as that owner's taxicab.
- B. A motor vehicle that by year date is more than seven model years old shall not be used as an accessible or Toronto Taxicab.

§ 545-172. Age of fuel efficient vehicles.

- A. A motor vehicle that, by year date, is one or two model years older than the year date prescribed by §§ 545-169 and 545-170, up to a maximum of seven years, may be used as a taxicab if the motor vehicle is an alternative fuel vehicle, hybrid vehicle or low emission vehicle.

§ 545-173. Replacement vehicles.

- A. As used in this section and in § 545-172, 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, but not limited to, ethanol, biodiesel, natural gas, propane or hydrogen.

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

- (a) Exhaust Emissions at or below Full Useful Life Emission Bin 5; or

- (b) for vehicles manufactured in and before Model Year 2014, a Combined Fuel Consumption Rating of 7 or fewer liters per 100 kilometers, and for vehicles manufactured in and after Model Year 2015, a Combined Fuel Consumption Rating currently estimated at 8.4 or fewer liters per 100 kilometers, to be adjusted to an actual rating after Natural Resources Canada publishes such rating in its Fuel Consumption Guide.
- B. A vehicle shall not be used as a replacement vehicle for a taxicab, unless it is registered as a taxicab or has been registered as a taxicab in the forty-five-day period immediately preceding the date of application to use the vehicle as a replacement vehicle, where the vehicle is:
 - (1) More than three model years old by year date; or
 - (2) Branded by the Ontario Ministry of Transportation as a rebuilt vehicle.
- C. The forty-five-day time limit contained in Subsection B shall not apply to vehicles in the event of the cancellation of a lease of the taxicab.
- D. Despite any other provision in this article, a taxicab shall not be replaced with a motor vehicle that has been used as a police vehicle in any jurisdiction or as a taxicab in any jurisdiction except the City of Toronto.
- E. No vehicle may be used as a replacement vehicle unless it is either:
 - (1) an accessible vehicle; or
 - (2) an alternative fuel vehicle, hybrid vehicle or a low emission vehicle.

§ 545-174. Taxicab operator log.

- A. A driver or owner who drives a taxicab shall keep a record in the form set out in Chapter 545, Appendix D, "Operator Log" of the operation of the taxicab, and the Operator Log shall contain the following information for each shift or working period that the taxicab is operated:
 - (1) The number of the taxicab;
 - (2) The provincial plate number of the vehicle;
 - (3) The date and time on which the driver or owner started and finished work;
 - (4) The taxicab driver or owner's licence number;
 - (5) The signature of the taxicab driver or owner; and
 - (6) The details of any refusals of service, in accordance with § 545-179C.
- B. A driver or owner who is driving a taxicab shall record the starting information required in the Operator Log before the commencement of any shift or continuous working period and shall record the ending information required on the Operator Log at the conclusion of any shift or continuous working period they work.

- C. An owner shall ensure that the driver operating his or her taxicab completes the Operator Log as required by Subsection A and provides the Operator Log to the owner, or his or her designated custodian, within seven days of the conclusion of a shift.
- D. Operator Logs shall be kept for at least 12 months by the owner, designated agent or lessee of the taxicab and shall be open to inspection by the Municipal Licensing and Standards Division which may remove the records and retain them for a reasonable period of time.

§ 545-175. Taxicab stands.

- A. No 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 take him or her on at that location.
- B. A driver who wishes to enter a public taxicab stand with his or her taxicab shall do so by taking the position at the end of any line formed by taxicabs already on the stand, and when a 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.
- C. No driver shall overcrowd a public taxicab stand, nor push any taxicab already on the stand.
- D. No driver shall, while waiting for hire or engagement, park on any highway except at a stand authorized and assigned for taxicabs and marked as a taxicab stand by an authorized sign.
- E. No owner or 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.
- F. Use of taxicab stands by taxicab owners.
 - (1) No person driving a taxicab 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:
 - (a) Colborne Street, north side, between Victoria Street and Leader Lane.
 - (b) King Street East, south side, between Victoria Street and King Edward Hotel entrance.
 - (c) Victoria Street, east side, between Colborne Street and King Edward Hotel entrance.
 - (d) Victoria Street, east side, immediately south of King Street East.
 - (e) James Street, west side, north of Queen Street West.
 - (f) Front Street West, south side, west door Union Station to 15.24 metres east of York Street.
 - (g) Front Street West, north side, east of entrance to Royal York Hotel.

§ 545-176. General provisions respecting the operation of taxicabs.

- A. No owner or driver shall carry in any taxicab a greater number of persons than the manufacturer's rating of seating capacity of the taxicab inclusive of the driver.
- B. No owner or driver shall drive a taxicab with luggage or other material piled or placed in a manner that obstructs his or her view.
- C. Smoking.
 - (1) No owner or driver shall smoke in his or her taxicab.
 - (2) In this section, "smoke" includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment.
- D. Subject to Subsection E, every driver shall turn off any radio or other sound-producing mechanical device in his or her taxicab upon the request of a passenger, and shall leave the device in the off position until that passenger's trip has been completed.
- E. Every driver whose taxicab is equipped with a two-way radio pursuant to a contract, agreement or arrangement with a taxicab broker for the obtaining of fares shall activate the radio when he or she first enters the taxicab and maintain it in full operation so as to permit him or her to receive calls from the broker throughout the period in which he or she is operating the taxicab in the City of Toronto.
- F. No owner or driver shall take, consume or have in his or her possession any liquor while he or she is in charge of his or her taxicab, nor shall the use of liquor by him or her be apparent while he or she is in charge of any such taxicab.
- G. Every driver or owner shall be properly dressed, neat and clean in person, and be civil and well-behaved, and while on any public taxicab stand shall sit or stand sufficiently close to his or her taxicab so as to have it constantly under close observation, and shall not in any way obstruct the use of the sidewalk, or make any loud noise or disturbance.
- H. Any owner or driver who changes his or her address shall, within two days after the change, attend at the offices of the Municipal Licensing and Standards Division and notify the Municipal Licensing and Standards Division of the change of address and produce his or her licence for the change to be entered thereon.
- I. No person licensed under this chapter shall solicit or 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 on any public highway, lane, street, common, park or square.
- J. No owner shall pay any female driver in his or her employ wages at a lesser rate than he or she pays to male drivers in his or her employ, or if such owner only employs female drivers, at a lesser rate than the prevailing rate paid by other owners to their male drivers.
- K. The Municipal Licensing and Standards Division 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.

- L. Every owner and driver shall take due care of all property delivered or entrusted to him or her for conveyance or safekeeping.
- M. Every driver shall, immediately upon the termination of any hiring or engagement, carefully search his or her taxicab for any property lost or left therein, and all property or money left in his or her taxicab shall be forthwith delivered over to the owner of the property or money, 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 same.
- N. No driver or owner shall knowingly drive or permit to be driven about the streets in his or her taxicab any person for the purpose of soliciting from the taxicab for acts of prostitution.
- O. No owner or driver shall induce any person to employ his or her taxicab by knowingly misleading or deceiving such person as to the location or distance of any place or by making any false representation to such person.
- P. 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 with one or more passengers from any starting point except at the request of a passenger already in the taxicab or with the approval of the Municipal Licensing and Standards Division due to special emergency conditions.
- Q. Every driver shall:
- (1) Report forthwith to his or her employer any accident in which he or she was involved while operating his or her employer's taxicab; and
 - (2) At the expiration of his or her work period return the taxicab to his or her employer and shall not at any time abandon the taxicab or permit any other person to drive same.
- R. A driver may carry parcels, letters or documents without carrying a passenger at the same time, provided that:
- (1) The driver maintains the taximeter in operation throughout the trip;
 - (2) The driver takes the shortest possible route to the destination;
 - (3) Subject to the minimum charge prescribed by Chapter 545, Appendix C, "Tariff A", the driver charges the amount of the fare registered on the meter; and
 - (4) No passenger is accepted by the driver after he or she has been engaged to deliver such parcel, letter or document.
- S. Every owner and every lessee of a taxicab in respect of whose taxicab there is a contract, agreement or arrangement with a taxicab broker for the accepting of requests for service shall, forthwith after the commencement by every driver of a contract, agreement or arrangement pursuant to which the driver is to drive the taxicab, provide to the taxicab broker the name and taxicab driver's licence number of the driver and the time when he or she first commenced to drive the taxicab pursuant to the contract, agreement or

arrangement, and upon the termination of a contract, agreement or arrangement with a driver the owner or lessee shall forthwith notify the taxicab broker of the termination.

T. Use of cellular telephones.

- (1) Definition. As used in this subsection, the following term shall have the meaning indicated:

EMERGENCY - In the case of an outgoing call, situations including the medical distress of a passenger, traffic accidents, fires and the commission of crimes which are observed by a driver or owner driving his or her taxicab; and in the case of incoming calls, includes family crises such as a medical emergency.

- (2) No driver or owner driving his or her taxicab shall use a cellular telephone while the taxicab is for hire, passengers are in the vehicle and the taxicab is engaged in transporting passengers, except in an emergency.

§ 545-177. Operation of accessible taxicabs and Toronto Taxicabs.

- A. Every owner and every driver of an accessible taxicab and a Toronto Taxicab 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.
- B. Every owner of an accessible taxicab and every owner of a Toronto Taxicab shall have an arrangement or agreement with a taxicab broker licensed as such under this chapter for the purpose of providing taxicab services to persons who request such services by contacting a taxicab broker.
- C. 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. [insert by-law No.] shall operate the taxicab by providing Wheel-Trans service pursuant to a contract with the Toronto Transit Commission.

§ 545-178. Exclusive concession agreements.

- A. Definition. As used in this section, the following term shall have the meaning indicated:
- EXCLUSIVE CONCESSION AGREEMENT - includes any agreement, whether or not for valuable consideration, which has for its purpose or effect the granting to any person of a right or licence to provide taxicab service to any public transportation terminal, subway station, hotel, motel, taxicab stand, or any other place, to the exclusion of one or more other cabs.
- B. No owner or driver shall enter into or become a party to an exclusive concession agreement.
- C. No owner or 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.

- D. No owner or driver shall pay or agree to pay any consideration to any person in return for or as a result of any act by such person done for the purpose of soliciting business for such taxicab or directing or encouraging any person to use such taxicab at any of the places referred to in Subsection A.

§ 545-179. Right to refuse service to certain passengers; indication of being on duty or off duty.

- A. Except as provided in Subsection C, a driver who refuses to serve the first person requesting the service of his or her taxicab at any place within the City of Toronto at any time of day or night is guilty of an offence.
- B. Notwithstanding any provision in this section, nothing herein permits any owner or driver to contravene the provisions of § 545-175A.
- C. A driver may refuse to serve the first person requesting the service of his or her taxicab, provided that such owner or driver immediately records his or her reasons for such refusal on his or her taxicab 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 § 545-185S.
- D. A 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.
- E. An owner who drives his or her taxicab, or a driver, is guilty of an offence who:
- (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 the Municipal Licensing and Standards Division when requested by them to do so.

§ 545-180. Transportation of children to or from school.

- A. Every owner or driver shall, while his or her taxicab is being used for the transportation of children to or from school, observe and comply with the following regulations:
- (1) Not more than six children shall be at any one time carried in a standard five-passenger taxicab, and not more than eight children shall be carried at any one time in a standard seven-passenger taxicab.

- (2) No child shall be permitted to stand while the taxicab is in motion.
 - (3) The taxicab shall carry on the front and at the rear thereof signs not less than 27 centimetres by 35 centimetres in size clearly and visibly displaying the words "School Vehicle" in black letters on a white or yellow background.
 - (4) The signs referred to in Subsection A(3) 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.
- B. The rates contained in Chapter 545, Appendix C, "Tariff A" shall not apply to taxicabs being used for the transportation of children to or from school.

§ 545-181. Maximum hours in a shift.

- A. No driver shall operate a taxicab for more than 12 hours during any period of 24 consecutive hours.
- B. No owner shall permit any driver to operate such owner's taxicab for any period in excess of the hours prescribed by this section.

§ 545-182. Ambassador owners minimum driving requirements.

- A. Subject to § 545-181, every owner of an ambassador taxicab shall drive his or her taxicab for a minimum of 156 hours each calendar month.
- B. Subsection A does not apply to a personal representative of an estate who is deemed to be an owner in accordance with § 545-149D.
- C. Despite Subsection A, the Executive Director, or his or her designate, may exempt an owner of an ambassador taxicab from the minimum hours of operation where he or she is satisfied that:
- (1) The owner is unable to operate his or her taxicab for the minimum required hours by reason of illness or vacation; and
 - (2) The illness or vacation has been reported to the Municipal Licensing and Standards Division within two weeks of the vacation or illness.

§ 545-183. Toronto Taxicab Owners minimum driving requirements.

- A. Definition. As used in this section, the following term shall have the meaning indicated:
- IMMEDIATE FAMILY MEMBER -**
- (1) The owner's spouse;
 - (2) A parent, step-parent or foster parent of the owner or the owner's spouse;
 - (3) A child, step-child or foster child of the owner or the owner's spouse;
 - (4) A grandparent, step-grandparent, grandchild or step-grandchild of the owner or of the owner's spouse;

- (5) The spouse of a child of the owner;
 - (6) The owner's brother or sister; or
 - (7) A relative of the owner who is dependent on the owner for care or assistance.
- B. Subject to § 545-181, every owner of a Toronto Taxicab shall drive his or her taxicab for a minimum of 167 hours each calendar month.
- C. Subsection B does not apply to a personal representative of an estate who is deemed to be an owner in accordance with § 545-149D.
- D. The Executive Director, or his or her designate, may upon application of an owner of a Toronto Taxicab, reduce the minimum hours prescribed by Subsection B in whole or in part where he or she is satisfied that the owner is unable to drive his or her taxicab for the minimum hours because of illness, infirmity, disability, vacation or because he or she requires time off to care for an immediate family member, if the owner:
- (1) files with the Municipal Licensing and Standards Division a written request for a reduction in the minimum hours within two weeks of the event or occurrence relied upon by the owner in support of the request; and
 - (2) includes in his or her written request the details of the reason for the request, the reduction in the monthly hours being sought, and the estimated duration of the reduction in the monthly hours.
- E. If a request made under Subsection D is granted, the owner shall submit a written notice to the Municipal Licensing and Standards Division when he or she is able to resume driving on a full time basis, which notice shall state the date on which the owner will resume driving on a full time basis.
- F. Notwithstanding any other provision in this article, no owner of a Toronto Taxicab shall be granted a reduction in the minimum monthly driving hours for more than 24 cumulative months.
- G. An owner of a Toronto Taxicab who is unable to meet the minimum driving hours after having been granted a reduction in those hours for 24 cumulative months shall not permit any other person to operate his or her taxicab, and may either sell the taxicab or return the licence and plate to the Municipal Licensing and Standards Division for safekeeping.
- H. Nothing in this section relieves an owner of a Toronto Taxicab from his or obligation to apply for the renewal of his or her licence upon the expiry of its term and if an owner fails to renew his or her licence, the Municipal Licensing and Standards Division shall cancel the licence.

§ 545-184. Insurance.

- A. Policy of insurance; certified copy or certificate.
- (1) Every owner shall, in respect of each taxicab for which he or she holds a licence, procure a policy of insurance endorsed to the effect that the Municipal Licensing and Standards Division will be given at least 10 days' notice in writing of any cancellation, expiration or variation in the amount of the policy, and insuring, in

at least the amount of \$2,000,000 (exclusive of interest and costs) comprehensive against loss or damage resulting from bodily injury to or the death of one or more persons, or from loss or damage to property resulting from any one accident; and the policy shall make provision for passenger hazard in an amount not less than the foregoing. A certified copy or certificate of such policy shall be deposited with the Municipal Licensing and Standards Division.

- (2) The policy of insurance and the certified copy or certificates referred to in Subsection A(1) shall include the name of every person having an interest in the taxicab, including any lessee of the taxicab.
- B. The Executive Director or his or her designate may, notwithstanding anything else contained in this chapter, suspend a taxicab owner's licence in respect of any taxicab as to which there has been a failure to comply with Subsection A or where there has been a cancellation of a policy of insurance filed under Subsection A, and the suspension shall continue until there has been satisfactory compliance with Subsection A.

§ 545-185. Rates and fares.

- A. Subject to Subsections E(3), (4) and (5), the rates or fares to be charged by the owners or drivers of taxicabs shall be exactly as shown in Chapter 545, Appendix C, "Tariff A", and no greater or lesser amount shall be demanded or received, provided that owners or drivers may charge a lesser amount to passengers in need who are over 65 years of age or are persons with disabilities.
- B. When operating on a meter basis, the rate of fare charged shall be exactly as shown by the taximeter, together with any additional charges authorized by Chapter 545, Appendix C, "Tariff A".
- C. No owner or driver 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 or by time.
- D. No owner or driver shall be entitled to recover or receive any fare or charge from any person from whom he or she shall have demanded any fare or charge greater or less than those authorized by this chapter, or to whom he or she has refused to show his or her tariff card as provided in this chapter.
- E. Taximeters to be placed in operation; flat rates.
 - (1) When a passenger first enters a taxicab, the driver shall immediately place the taximeter in an operating position and maintain it in operation throughout the trip.
 - (2) Every driver providing taxicab service to a passenger shall take the shortest possible route to the destination desired unless the passenger designates another route.
 - (3) If a trip extends more than five kilometres beyond the limits of the City of Toronto, the driver and passenger may agree before the start of the trip to a flat rate, but the driver shall maintain the taximeter in operation at all times within the limits of the City of Toronto or within five kilometres from those limits.

- (4) When a trip originates within the City of 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 the City of Toronto, and terminates at Lester B. Pearson International Airport, the passenger may be charged a flat rate equal to the rate applicable in Appendix M, Taxi Tariffs from the City of Toronto to Lester B. Pearson International Airport, for that trip or the passenger may elect to pay the taximeter rate, whichever is lower.
 - (5) Where a taxicab brokerage has entered into a flat rate arrangement in accordance with § 545-130, the driver who services the call shall place and maintain in operation the taximeter in the taxicab that he or she is driving, and the rate or fare to be charged to the customer for the trip shall be the flat rate.
 - (6) Every driver shall place the taximeter in the taxicab in operation when a passenger is in the taxicab within the City of Toronto or within five kilometres from the City of Toronto.
 - (7) Every driver who fails to place his or her taximeter in operation as required by this section or who fails to maintain it in operation as required by this section and who charges a passenger for a fare for a trip during which such failure occurs is guilty of an offence.
- F. At the conclusion of the trip, the driver shall call the passenger's attention to the amount of fare registered on the taximeter and shall place the taximeter in a non-operating position.
- G. No licensed person shall make any charge under this chapter for time lost through defects or inefficiency of the taxicab or incompetency of the driver thereof or for time consumed by the arrival of the taxicab in response to a call in advance of the time such taxicab has been requested by the person calling same.
- H. The tariff or rates herein authorized shall be computed from the time when, or place at which, the passenger or passengers first enter the taxicab to the time when, or place at which, the passenger or passengers finally discharge the taxicab.
- I. Every driver and owner, while operating a taxicab, shall keep and maintain at all times in the taxicab at least \$20 in bills and coins of denominations less than \$20, such that change may be provided to passengers of the taxicab.
- J. No owner shall allow to be operated and no driver shall operate any taxicab without having the tariff card supplied by the Municipal Licensing and Standards Division with respect to that taxicab displayed in the holder provided for in § 545-156B(4).
- K. No owner shall allow to be operated and no driver shall operate any taxicab without a sign, as approved by the Executive Director or his or her designate, to indicate clearly that the fare as shown on the taximeter includes the harmonized sales tax.
- L. A driver or owner shall give a passenger a receipt when requested or whenever there is a dispute over the fare, which receipt 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 the Municipal Licensing and Standards Division taxicab customer service telephone number.

- M. When a dispute arises with a passenger as to the fare, the driver or owner may, if the passenger agrees, refer the dispute to the officer in charge of the nearest police station, and if the driver or owner was correct in the demand for fare made, he or she may add to the fare an amount equal to the proper charge under Chapter 545, Appendix C, "Tariff A" for the distance travelled from the place where the dispute arose to the police station, and any reasonable waiting time while the dispute was being investigated.
- N. Subsections A and F do not apply to taxicab service provided to one or more persons with disabilities pursuant to an agreement between any owner or taxicab broker and the Toronto Transit Commission.
- O. No owner shall allow to be operated and no driver shall operate any taxicab without having multiple copies of an airport flat fee map to be supplied by the Municipal Licensing and Standards Division and every driver shall, upon request, provide copies of the map to passengers.
- P. If a taxicab is equipped with a means of accepting debit or credit card payments, the owner or driver of the taxicab shall not operate the taxicab unless it bears signs affixed to each rear passenger door in a manner and in a location satisfactory to the Municipal Licensing and Standards Division to indicate clearly to any passenger upon entering or intending to enter the taxicab the amount of any fee charged for making payment with a debit or credit card.
- Q. A driver or owner driving his or her taxicab, upon being asked by a passenger whether he or she accepts debit or credit cards as a form of payment for the fare shall inform the passenger of any additional fees that would be incurred as a result of paying with either type of card.
- R. If the means to accept debit or credit card payments is not available for any reason, the sign referred to in § 545-185P shall be removed from display forthwith until such means is once more available.
- S. Advance Payment
- (1) A driver 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.
 - (2) A driver who requests advance payment of the rate or fare shall:
 - (a) Provide a receipt for the advance payment if requested by the passenger;
 - (b) 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
 - (c) If, at the conclusion of the trip, the advance payment exceeds the amount indicated on the taximeter, return to the passenger the excess amount.

§ 545-186. Corporations; share transfers.

- A. Every limited liability taxicab company shall file with the Municipal Licensing and Standards Division an annual return on a form supplied by the Municipal Licensing and Standards Division, on or before February 28th of each year.
- B. Where a corporation is the holder of a taxicab owner's licence or licences, the corporation shall forthwith notify the Municipal Licensing and Standards Division 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, the Municipal Licensing and Standards Division 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.
- D. Termination of licence upon transfer of controlling interest in corporation; 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 forthwith, and the Municipal Licensing and Standards Division may issue a new licence or new licences upon payment of the prescribed fee.
 - (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.
- E. Where the shares in a corporate owner are held in whole or in part by another corporation, such other corporation shall file with the Municipal Licensing and Standards Division, at the same time as the owner, an annual return as provided in Subsection A, and in such return disclose that the shares in such other corporation are in turn held in whole or in part by a third corporation, then such third corporation shall likewise file an annual return under Subsection A, and so on until the names of living persons not being corporations are shown and identified as the shareholders of any and all corporations having an interest, direct or indirect, in any owner's licence.

§ 545-187. Custody of accessible taxicabs.

- A. Subject to Subsection B, the owner of an accessible taxicab shall not lease his or her accessible taxicab, or give up possession, custody or control of the taxicab, or allow any other person to manage or operate the taxicab.
- B. Despite Subsection A, the owner of an accessible taxicab may permit up to three licensed taxicab drivers who have successfully completed the accessible taxicab training course to drive his or her taxicab on a shift basis, subject to the following conditions:

- (1) Every owner who was granted an accessible taxicab licence as a result of that person's position on the drivers' list shall drive his or her taxicab on a full-time basis;
- (2) Every owner shall ensure that every driver engaged to drive his or her accessible taxicab returns the taxicab to the owner at the conclusion of each shift;
- (3) Every owner shall keep and maintain a list of all persons driving his or her accessible taxicab and shall produce that list to the Municipal Licensing and Standards Division upon request; and
- (4) Every owner shall ensure that every driver of his or her accessible taxicab is properly licensed under this chapter.

§ 545-188. Custody of Toronto Taxicabs.

- A. The owner of a Toronto Taxicab shall not lease his or her taxicab, or give up possession, custody or control of the taxicab, or allow any other person to manage or operate the taxicab.
- B. Despite Subsection A, the owner of a Toronto Taxicab may permit up to three licensed taxicab drivers who have successfully completed the accessible taxicab training course to drive his or her taxicab on a shift basis subject to the following conditions:
 - (1) Every owner shall keep and maintain a list of all persons driving his or her Toronto Taxicab and shall produce that list to the Municipal Licensing and Standards Division upon request;
 - (2) Every owner shall ensure that every driver engaged to drive his or her Toronto Taxicab returns the taxicab to the owner at the conclusion of each shift; and
 - (3) Every owner shall ensure that every driver of his or her Toronto Taxicab is properly licensed under this chapter.

§ 545-189. Custody of ambassador taxicabs.

- A. The owner of an ambassador taxicab shall not lease his or her taxicab, or give up possession, custody or control of the taxicab, or allow any other person to manage or operate the taxicab.
- B. Despite Subsection A and subject to § 545-182, the owner of an ambassador taxicab may permit one or more licensed drivers to drive the taxicab on a shift basis, subject to the following conditions:
 - (1) Every owner shall keep and maintain a list of all persons driving his or her ambassador taxicab and shall produce that list to the Municipal Licensing and Standards Division upon request;
 - (2) Every owner shall ensure that every driver engaged to drive his or her ambassador taxicab returns the taxicab to the owner at the conclusion of each shift; and
 - (3) Every owner shall ensure that every driver of his or her ambassador taxicab is properly licensed under this chapter.

§ 545-190. Designated custodians for standard taxicab owners.

- A. Subject to §§ 545-191, 545-192 and 545-193, 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.
- 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.
- 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.
- E. Every owner required by this section to designate any person to be responsible for maintaining custody and control over a taxicab shall make such designation by means of a notice of designated custodian, signed by or on behalf of the licensed owner and by the person so designated, showing the business address of each of them, on a form provided by the Municipal Licensing and Standards Division.
- F. When any person designated by an owner, as shown on a notice of designated custodian filed with the Municipal Licensing and Standards Division under this section, ceases to have custody or control over the taxicab, the owner shall file with the Municipal Licensing and Standards Division a new notice of designated custodian within three days of the date upon which the cessation of custody or control occurred.

§ 545-191. Designated agents for standard taxicab owners.

- A. An owner of a standard taxicab may, by filing with the Municipal Licensing and Standards Division a written notice, designate an individual person who is licensed as a driver, owner or taxicab broker under this chapter, as his or her agent in respect of his or her taxicab, 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 the Municipal Licensing and Standards Division 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.
- F. The designation of an agent by an owner pursuant to this section shall not be deemed to be a lease for the purposes of this chapter unless the agent operates the taxicab, in which case the provisions of § 545-192 shall apply.

§ 545-192. Leasing of standard taxicabs.

- A. Except as provided in this section, no owner shall lease his or her taxicab.
- B. An owner of a standard taxicab, or his or her designated agent, may lease his or her standard taxicab, provided that:
 - (1) The lessee is an individual person licensed as a taxicab driver under this chapter, or is an individual person licensed as a taxicab owner and is authorized to drive a taxicab in accordance with of this article;
 - (2) Under the terms of the lease, the owner provides a motor vehicle equipped, inspected, approved and registered in accordance with this article;
 - (3) The owner leases a taxicab equipped with a two-way radio;
 - (4) The lease provides that the owner is responsible for maintenance of and insurance on the taxicab;
 - (5) The amount charged under the lease is a fair fee and no additional charges are to be made against the lessee except charges for fuel and parking and traffic violations committed by the lessee in the operation of the taxicab and charged against the owner;
 - (6) The plate issued to the owner by the Municipal Licensing and Standards Division is affixed to the taxicab throughout the term of the lease;
 - (7) The lease pertains to one vehicle and expires upon the sale or other disposition of the vehicle;
 - (8) The lease is for the period that the vehicle is permitted to continue to be used as a taxicab;
 - (9) The lease is in writing and is signed by the parties to the lease;
 - (10) A written lease is filed with the Municipal Licensing and Standards Division within 10 days of the date at which the lease, or the exercise of any rights or obligations pursuant the lease, becomes effective, whichever occurs first;
 - (11) No person may lease more than one taxicab;
 - (12) No owner shall enter into or be a party to more than one lease at any one time with respect to his or her taxicab;
 - (13) Every lessee shall drive the taxicab for which he or she is lessee on a full-time basis;

- (14) Subject to Subsection C(13), a lessee may permit up to three persons licensed as taxicab drivers to drive his or her taxicab; and
 - (15) The lease provides that it may be terminated earlier upon the written agreement of both parties or upon either party giving the other party 60 days' notice that there is just cause for termination of the lease.
- C. The written lease may be in a form approved by the Municipal Licensing and Standards Division or may be in any form agreed to by the parties to the lease, provided that it discloses and gives full particulars of:
- (1) The date of its execution;
 - (2) The names and business addresses of all parties to the lease;
 - (3) Its effective date;
 - (4) Its termination date;
 - (5) Full particulars of the consideration given by each party to the lease, including the amount of the leasing fee or rental and a breakdown of all other amounts to be paid by the lessee to the lessor arising out of the lease, together with a list of all services, rights or other consideration given to the lessee by the lessor in return therefor;
 - (6) Full particulars as to the responsibility of the parties for the maintenance, repairs, gas and oil for the taxicab, and any requirements as to where and how any such repairs or purchases are to be made and as to payment therefor; and
 - (7) A full description of the taxicab and all equipment which is the subject of the lease, including serial numbers where applicable, and the Provincial plate number, and the number of the licence and plate granted by the Municipal Licensing and Standards Division in respect of the taxicab.
- D. Subleasing.
- (1) No lessee of a taxicab shall sublease or purport to sublease or lease to any person a taxicab which is the subject matter of a lease to such lessee.
 - (2) No owner shall, by a term in a lease or otherwise, permit any lessee or other person to lease or sublease or purport to lease or sublease the taxicab which is the subject matter of a lease.
 - (3) No person shall be a party to a lease or purported lease of a taxicab to which neither the owner nor an agent designated by him or her under this article, is a party.
- E. Any person licensed under this chapter who enters into or purports to enter into any lease or purported lease of a taxicab, other than in accordance with this section, may, in addition to any other penalty to which such person may be liable under this chapter, be required to attend before the Toronto Licensing Tribunal for a hearing to determine whether or not his or her licence should be suspended, revoked or have conditions imposed on it.

- F. Every owner shall notify the Municipal Licensing and Standards Division in writing of the expiration or other sooner termination of any lease to which he or she is a party or of any change in custody and control over his or her taxicab, within 10 days thereof. Such notice shall include any notice of designation or new lease entered into by the owner with respect to his or her taxicab, and a statement as to the identity of the party having custody and control over the taxicab at that time, and of any person managing or operating the taxicab.

§ 545-193. General provisions relating to custody and leasing of taxicabs.

- A. Every owner shall:
- (1) Ensure that every driver, lessee, designated custodian, designated agent and every other person involved in the operation of his or her taxicab complies in full with the requirements imposed by this chapter in respect of the taxicab;
 - (2) Maintain knowledge at all times of the identity of any person having custody of or control over his or her taxicab; and
 - (3) Provide full information to the Municipal Licensing and Standards Division as to any of the facts or records required to be maintained or provided by him or her pursuant to this article, forthwith upon a request by the Municipal Licensing and Standards Division.
- B. Every owner of a standard taxicab shall ensure that every lease, notice of designated custodian and notice of designated agent filed with the Municipal Licensing and Standards Division sets out fully and accurately all of the facts and terms required by this chapter.
- C. In addition to any penalty provided by this chapter or any other law, where it appears that any person licensed under this chapter has contravened any of the provisions of §§ 545-188, 545-189, 545-190, 545-191, and 545-192, that person may be required to attend before the Toronto Licensing Tribunal for a hearing to determine whether or not his or her licence should be suspended, revoked or have conditions imposed on it.
- D. No person shall enter into or be a party to any agreement or transaction purporting to transfer, assign, lease or otherwise convey rights over a taxicab licence or plate, or give or receive any consideration or remuneration therefor, except as part of a transaction permitted by this chapter.

APPENDIX "B"

ARTICLE VII Taxicab Brokers

§ 545-123. Records of trips to be kept.

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 record for a period of at least 12 months and shall, at the request of the Municipal Licensing and Standards Division, produce such records for inspection.

§ 545-124. Information to be obtained by taxicab brokers.

- A. Every taxicab broker shall give to the Municipal Licensing and Standards Division a list of all taxicabs in respect of which he or she has any arrangement or agreement for the accepting of requests for service, identifying such taxicab by the name of the owner and the number of the plate issued by the Municipal Licensing and Standards Division, and shall, within 48 hours of any addition to or deletion from such list, advise the Municipal Licensing and Standards Division in writing thereof.
- B. Every taxicab broker shall ascertain the name of every driver driving a taxicab in respect of which the said taxicab broker has any arrangement or agreement for the accepting of requests for service, and shall, within 72 hours of the time when such driver first drives such taxicab pursuant to a contract, agreement or arrangement, provide to the Municipal Licensing and Standards Division in writing the driver's said name and the time when he or she commenced to drive the said taxicab.
- C. When a 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 the Municipal Licensing and Standards Division in writing of the said termination.
- D. Subject to Subsection F hereof, 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;
 - (4) The number of dispatched requests serviced by each taxicab referred to in Subsection D(3); and
 - (5) A list of all complaints and compliments received concerning taxicab service provided by that broker or his or her brokerage or by taxicabs having the right to accept requests for service from such broker, including, with respect to each complaint or compliment, the following information:

- (a) The name and taxicab driver's licence number of the driver involved;
 - (b) The name of the person from whom it was received; and
 - (c) A brief description of the allegations contained therein.
- E. Subject to Subsection F hereof, every taxicab broker shall, within seven days of the end of each month, deliver to the Municipal Licensing and Standards Division a copy of the records required to be kept by him or her in accordance with Subsection D of this section in respect of the operation of the said taxicab broker's brokerage during that month.
- F. For the purpose of Subsections D and E of this section, "taxicab" does not include a taxicab belonging to an owner who does not own any other taxicab licensed or required to be licensed under this chapter.
- G. Every taxicab broker shall register with the Municipal Licensing and Standards Division a record showing the amounts of all brokerage fees charged by the taxicab broker.

§ 545-125. 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 the Municipal Licensing and Standards Division of all transfers of shares of the capital stock thereof.
- B. Where, as a result of the transfer of shares of a corporation, the Municipal Licensing and Standards Division 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.

§ 545-126. Annual return to be filed.

Every limited liability taxicab broker company shall file, with the Municipal Licensing and Standards Division, an annual return on a form supplied by the Municipal Licensing and Standards Division, on or before February 28th of each year.

§ 545-127. Previous engagements to be kept.

Every taxicab broker licensed under this chapter shall serve the first person requiring the service of his or her brokerage at any place within the City of Toronto at any specified time by day or night, and, if he or she plead 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 together with the time and place of such engagement. He or she 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 for a previous fare or service, unless and until the same be paid.

§ 545-128. Interference with incoming requests.

No taxicab broker shall have as his or her sole intent the prevention of the reception of incoming requests for service from the public and no taxicab broker shall with such intent agree to arrange with any other person to prevent or interfere in any way with the reception of such requests.

§ 545-129. Exclusive concession agreements.

- A. For the purpose of this section, "exclusive concession agreement" includes any agreement, whether or not for valuable consideration, which has for its purpose or effect the granting to any person of a right or licence to provide taxicab service to any public transportation terminal, subway station, hotel, motel, taxicab stand, or to any other place to the exclusion of one or more other taxicabs.
- B. No broker shall enter into or become a party to an exclusive concession agreement.
- C. No broker 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.

§ 545-130. Flat rates.

- A. A taxicab broker may enter into flat rate arrangements with charge account customers, provided that the taxicab broker shall not pay any taxicab driver who services a flat rate any less or significantly more than the meter rate for that call.
- B. Any flat rate arrangements entered into by a taxicab broker with charge account customers must, for trips originating within the City of 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 the City of Toronto, and terminating at Lester B. Pearson International Airport, be in accordance with Appendix M, Taxi Tariffs from the City of Toronto to Lester B. Pearson International Airport.

APPENDIX "C"

APPENDIX "P" 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
- speak and understand 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.