CITY OF TORONTO

Bill 1487

BY-LAW -2019

To amend City of Toronto Municipal Code Chapter 546, Licensing of Vehicles-for-Hire, and Chapter 441, Fees and Charges.

Whereas authority is given to Council by the City of Toronto Act, 2006 to pass by-laws regarding business licensing, consumer protection, and the health, safety, and well-being of persons;

Whereas in 2016 Council created Toronto Municipal Code Chapter 546, Licensing of Vehicles-for-Hire, to consolidate and amend the licensing requirements governing taxicabs and limousines and to adopt a licensing regime to permit private transportation companies to operate in Toronto;

Whereas Council wishes to create an accessibility fund program that is intended to incentivize the delivery of wheelchair-accessible transportation service by vehicle-for-hire drivers;

Whereas Council wishes to require the drivers of taxicabs, limousines, and private transportation company vehicles to undergo training and to allow the Executive Director of Municipal Licensing and Standards to set criteria for the accreditation of driver training programs;

Whereas Council wishes to require taxicab brokers, limousine brokers, and private transportation companies to keep more extensive records in respect of their transportation services and to remit those records to the City in order to facilitate audits and investigations, as well as accessibility, transportation planning, congestion management, and environmental studies; and

Whereas Council wishes to make various other amendments to Chapter 546, Licensing of Vehicles-for-Hire for consumer protection and to protect the health, safety, and well-being of the public and members of the vehicle-for-hire industry.

The Council of the City of Toronto enacts:

1. City of Toronto Municipal Code, Chapter 546 is amended by:

   A. Adding a new definition of "ACCESSIBILITY FUND PROGRAM" to § 546-1 as follows:

   ACCESSIBILITY FUND PROGRAM – A program, established by the Executive Director under their authority and as published by ML&S, that is funded through regulatory charges on members of the vehicle-for-hire and private transportation company industries and that is disbursed based on eligibility criteria to licensed drivers and owners of accessible vehicles that are not under contract with the Toronto Transit Commission's Wheel-Trans service.
B. Adding a new § 546-13.1 that reads as follows:


A. At any time, at their sole discretion, the Executive Director may establish or amend an accessibility fund program, which may, among other things:

(1) designate the individuals, or classes thereof, who are eligible to apply for funding;

(2) set the amount of funding available with respect to any individual or service, or class thereof, and set corresponding funding formulae for the allocation of funding to recipients; and

(3) set criteria for granting funding, which criteria may include accessible service standards.

B. At any time, at their sole discretion, the Executive Director may suspend the application process for or the disbursement of funds under the accessibility fund program, or recalibrate the existing funding formula, based on the Executive Director's assessment of funding availability.

C. Adding a new § 546-13.2 that reads as follows:

§ 546-13.2. Accessibility fund program eligibility criteria.

A. Notwithstanding § 546-13.1A, in order to be eligible to apply to the accessibility fund program, a vehicle-for-hire driver must, at a minimum:

(1) hold a valid vehicle-for-hire driver's licence under this chapter; and

(2) meet all requirements under this chapter with respect to accessible vehicle training.

B. Notwithstanding § 546-13.1A, in order to be eligible to apply to the accessibility fund program, a vehicle owner must, at a minimum:

(1) hold a valid taxicab owner licence under this chapter; and

(2) have registered a vehicle with ML&S that qualifies as an accessible vehicle.

D. Adding a new § 546-13.3 that reads as follows:

§ 546-13.3. Accessibility fund program application and revocation process.

A. To apply to the accessibility fund program, a vehicle-for-hire driver or vehicle owner shall provide the following to ML&S:
(1) the applicant's business licence number as issued by ML&S under this chapter;

(2) the applicant's full name and mailing address;

(3) the applicant's contact information, including a phone number or e-mail address; and

(4) information satisfactory to the Executive Director that the applicant meets the criteria, including any accessible service standards, set out in the accessibility fund program.

B. A recipient's entitlement to funding under the accessibility fund program shall terminate after the period specified by the Executive Director at the time the application is granted, the maximum grant period set out in the accessibility fund program, or a period of one year, whichever comes first.

C. Despite Subsection B, at any time, the Executive Director may deny an application to the accessibility fund program, or revoke funding granted under the program, if the Executive Director has reasonable grounds to believe that:

(1) the applicant or recipient does not meet or no longer meets the criteria set out in the accessibility fund program;

(2) funding was granted due to a technological or clerical error; or

(3) the applicant or recipient has provided incomplete or inaccurate information to ML&S.

D. Where the Executive Director is considering denying an application to the accessibility fund program or revoking funding granted under the program based on Subsection C, or any other provision of this chapter, the Executive Director shall send written notice to the applicant or recipient.

E. The written notice sent in accordance with Subsection D shall state:

   (1) ML&S' reasons for refusing the application;

   (2) That the applicant or recipient may deliver, within 10 days of the date of the notice, a written response to ML&S; and

   (3) That if no response is delivered, ML&S may finally deny the application or revoke funding.

F. Where ML&S does not receive a response within the time set out in Subsection E, ML&S may deny the application.
G. Where ML&S receives a response in accordance with Subsection E, ML&S shall review the response and send the applicant or recipient written notice of its decision to grant or deny the application.

H. If ML&S has denied an application to the accessibility fund program or revoked funding granted under the program on the basis that the applicant or recipient did not meet the criteria set out in the accessibility fund program, or on the basis that the applicant or recipient provided incomplete or inaccurate information to ML&S, the applicant or recipient may not apply to the accessibility fund program for a period of two years from the date the application is denied or the funding is revoked.

E. Adding a new § 546-13.4 that reads as follows:


A. Where the Executive Director has, on the grounds set out in § 546-13.3C(2) or (3), revoked funding granted under the accessibility fund program, the Executive Director may take steps to recover any funds disbursed for which the recipient was ineligible.

B. Where the Executive Director has, on the grounds set out in § 546-13.3C(3), revoked funding granted under the accessibility fund program, the Executive Director may require that the recipient repay the amount as a condition of applying for or renewing any licence under this or any other chapter of the Toronto Municipal Code and take any other steps considered appropriate in the circumstances to recover such funding.

2. City of Toronto Municipal Code, Chapter 546 is amended by:

A. Adding new definitions of "DRIVER TRAINING ACCREDITATION PROGRAM" and "DRIVER TRAINING COURSE" to § 546-1 as follows:

DRIVER TRAINING ACCREDITATION PROGRAM – A program, established by the Executive Director under their authority and as published by ML&S, that sets out the mandatory components of driver training courses, criteria for accrediting driver training courses, and a list of approved training courses.

DRIVER TRAINING COURSE – A driver training course approved by the Executive Director.

B. Adding a new § 546-13.5 that reads as follows:

§ 546-13.5. Creation of driver training accreditation program.

At any time, at their sole discretion, the Executive Director may establish or amend a driver training accreditation program to, among other things:
A. establish the mandatory components of a driver training course for vehicle-for-hire and PTC drivers, which shall include a final evaluation test;

B. set criteria for the accreditation of driver training courses; and

C. publish a list of approved driver training courses.

C. Adding a new § 546-13.6 that reads as follows:

§ 546-13.6. Driver training accreditation program application and revocation process.

A. To apply to have a driver training course approved under the driver training accreditation program, an applicant shall provide the following to ML&S:

(1) the applicant's full name and mailing address;

(2) the applicant's contact information, including a phone number and e-mail address;

(3) the curriculum of the proposed driver training course; and

(4) any other information required under the driver training accreditation program or by the Executive Director.

B. At any time, the Executive Director may deny an application for accreditation of a driver training course under the driver training accreditation program, or revoke approval granted to a driver training course under the program, if the Executive Director has reasonable grounds to believe that:

(1) the applicant or a driver training course does not meet or no longer meets the criteria set out in the driver training accreditation program;

(2) the driver training course is not being or will not be delivered in accordance with the requirements of the driver training accreditation program;

(3) the applicant has provided incomplete or inaccurate information to ML&S or has refused to comply with a request for information; or

(3) the conduct of the applicant or its officers, directors, agents, or employees has resulted, or will result, in a breach of this chapter or any other law.
C. At any time, the Executive Director may audit all records related to an approved driver training course for the purpose of investigating compliance with the requirements of this chapter and the driver training accreditation program, and the operator of an approved driver training course shall comply with directions given by the Executive Director related to such an audit.

D. Where the Executive Director has revoked approval granted to a driver training course in accordance with Subsection B, the Executive Director may, at their sole discretion, require a vehicle-for-hire driver or PTC driver who obtained their licence on the basis of having completed that driver training course to provide, by the date of their next licence renewal, information to the satisfaction of the Executive Director that the driver has successfully completed another approved driver training course, which information shall be deemed a requirement of the renewal application.

D. Adding a new § 546-86B(2) that reads as follows and renumbering the existing § 546-86B(2) and (3) as § 546-86B(3) and (4):

From June 1, 2020 onward, provide information satisfactory to the Executive Director, that he or she has completed a driver training course;

E. Adding a new § 546-112E(8) that reads as follows and renumbering the existing § 546-112E(8) and (9) as § 546-112E(9) and (10):

From June 1, 2020 onward, information, satisfactory to the Executive Director, that the applicant has completed a driver training course;

3. City of Toronto Municipal Code, Chapter 546 is amended by:

A. Deleting § 546-27E.

B. Amending § 546-117 to read as follows:

§ 546-117. Driver and passenger accounts for ML&S investigations.

A. A PTC shall be required, if requested by ML&S, to create passenger accounts and driver accounts on its platform for use by ML&S to investigate compliance with this chapter.

B. A PTC shall not interfere with, limit the functionality of, or obstruct, in any manner, access to any account established for use by ML&S under Subsection A.

C. Adding a new § 546-10.1 that reads as follows
§ 546-10.1. ML&S audit and investigative authority; record submission requirements.

A. ML&S may audit or request the submission of any records a taxicab broker, limousine service company, or PTC are required to maintain under this chapter for the purpose of investigating compliance with this chapter or for researching and undertaking accessibility, transportation planning, or environmental studies related to the vehicle-for-hire industry.

B. A taxicab broker, limousine service company, or PTC shall provide any records requested by ML&S, or any reports based on the information requested, in a format approved by the Executive Director, including in a format that anonymizes trip and passenger information, within 30 days of receipt of the request from ML&S, unless the Executive Director requires the records or reports to be produced within 24 hours.

C. A taxicab broker, limousine service company, or PTC shall provide any information or records requested by a law enforcement agency for its use in any investigation of potential breaches of the law within 24 hours of receiving such a request.

D. No person licensed or required to be licensed under this chapter shall provide inaccurate or incomplete information or business records to a law enforcement agency or ML&S.

4. City of Toronto Municipal Code, Chapter 546 is amended by:

A. Deleting § 546-82A(1)(c), replacing it with the following, and renumbering the existing § 546-82A(1)(d) as § 546-82A(1)(i):

(c) the pickup location and trip destination, by reference to the nearest intersection;

(d) the date and time each trip started and ended, by reference to the nearest minute;

(e) the length of time elapsing between the passenger's service request and the start of the trip, by reference to the nearest minute;

(f) the trip status, including whether the request was completed, cancelled by the driver, or cancelled by the passenger;

(g) if the trip was cancelled by the driver, the date, the time the trip was requested, the time the trip was cancelled, and reason for the cancellation; and

(h) the driver's licence number and the unique identification number, if any, used by the limousine service company with respect to the driver.
B. Deleting § 546-82A(2) and replacing it with the following:

The records required by Subsection A(1) shall be kept by the limousine service company for a minimum of three years from the date of the applicable trip.

C. Deleting § 546-26A and replacing it with the following:

A. A taxicab broker shall maintain business records that include, at a minimum the following information in relation to all trips dispatched by the broker that commence or terminate in Toronto:

1. The pickup location and destination, by reference to the nearest intersection;
2. The date and time each trip started and ended, by reference to the nearest minute;
3. The length of time elapsing between the passenger's service request and the start of the trip, by reference to the nearest minute;
4. The type of service provided, including whether the request was for an accessible vehicle;
5. The trip status, including whether the request was completed, cancelled by the driver, or cancelled by the passenger;
6. If the trip was cancelled by the driver, the date, the time the trip was requested, the time the trip was cancelled, and reason for the cancellation; and
7. The licence number of the taxicab that provided the trip.

D. Deleting § 546-26B and replacing it with the following:

The records required by Subsection A shall be kept by the taxicab broker for a minimum of three years from the date of the applicable trip.

E. Deleting § 546-27B and replacing it with the following:

Every taxicab broker shall ascertain the full name, licence number, and, if any, the unique identification number used by the taxicab broker of every vehicle-for-hire driver operating a taxicab in respect of which the broker has any arrangement for accepting requests for service, and shall, within 72 hours of the time when a driver first drives a taxicab for which they accept requests for service from the taxicab broker, notify ML&S in writing of the driver's name and the time when he or she started to drive the said taxicab.
F. Deleting § 546-27C and replacing it with the following:

When a vehicle-for-hire driver described in Subsection B ceases to drive a taxicab due to termination of any arrangement as described in Subsection B, the taxicab broker shall, within 72 hours of the said termination, notify ML&S in writing of the termination date, the driver’s full name, the driver’s licence number, and provide ML&S with a termination letter.

G. Amending §§ 546-116C(1)(b), 546-116C(1)(c), 546-116C(2)(c), 546-116C(2)(d), and 546-116D(3) by adding the phrase “, by reference to the nearest minute” to the end of each section.

H. Amending §§ 546-116C(1)(a), 546-116C(2)(b), and 546-116D(2) by deleting the phrase “(by reference to the nearest intersection)” in each section and replacing it with the phrase “within 10 metres” in each section.

I. Amending § 546-116E(5) to read as follows:

The starting and ending times, by reference to the nearest minute, and the total time (measured in hours and minutes for each calendar day) that the PTC driver was available to provide transportation services through the Platform categorized according to and for each of the following:

(a) Period 1: Period a PTC driver had activated or was logged into a PTC Platform and available to receive or accept requests to provide passenger transportation service;

(b) Period 2: Period elapsing between the time a passenger request for transportation is accepted by a PTC driver and the arrival of the PTC driver at the passenger’s pick up location; and

(c) Period 3: Period elapsing between the time a PTC driver picks up a passenger(s) until the passenger(s) has arrived at their destination(s).

J. Adding a new § 546-116D(4) that reads as follows:

The reason the trip was cancelled or rejected.

K. Adding a new § 546-116E(6) that reads as follows:

The number of PTC vehicles available to provide transportation services through the PTC’s platform by reference to hourly periods and specific geographic areas.
L. Adding a new § 546-26.1 that reads as follows:

§ 546-26.1. Collision records to be kept.

Every taxicab broker shall keep a record of all collisions in Toronto involving taxicabs with which the broker has any arrangement for accepting requests for service, which record shall include the date and time of the collision, whether the vehicle was an accessible vehicle or not, and the location of the incident with reference to the nearest intersection.

M. Adding a new § 546-82.1 that reads as follows:

§ 546-82.1. Collision records to be kept.

Every limousine service company shall keep a record of all collisions in Toronto involving limousines with which it has a service agreement, which record shall include the date and time of the collision, whether the vehicle was an accessible vehicle or not, and the location of the incident by reference to the nearest intersection.

N. Adding a new § 546-116F that reads as follows and renumbering the existing § 546-116F and G as § 546-116G and H:

Every PTC shall keep a record of all collisions involving PTC vehicles operating or affiliated with it that occur in Toronto, which record shall include the date and, which record shall include the date and time of the collision, whether the vehicle was accessible or not, and the location of the incident by reference to the nearest intersection.

5. City of Toronto Municipal Code, Chapter 546 is amended by:

A. Deleting the definition of CAMERA SYSTEM found in § 546-1.

B. Adding a new § 546-13.7 that reads as follows:


A. At any time, at their sole discretion, the Executive Director may establish or amend criteria for camera systems that may be used in taxicabs, limousines, and PTC vehicles.

B. If the Executive Director has established criteria for camera systems in accordance with Subsection A, no person licensed or required to be licensed under this chapter shall install, use, or permit the installation or use of any camera system that does not meet those criteria in a vehicle-for-hire or PTC vehicle.
C. Adding a new § 546-74C that reads as follows:

If a limousine owner installs or requires the use of a camera in their limousine that is capable of recording audio or video of a passenger, the limousine owner shall affix a notice in their limousine stating that passengers are being or may be recorded, which notice shall be in a format, location, and manner approved by the Executive Director.

D. Adding a new § 546-113B that reads as follows:

If a camera that is capable of recording audio or video of a passenger is installed in a PTC vehicle, no PTC or PTC driver shall operate or permit the operation of the PTC vehicle unless notice stating that passengers are or may be recorded is provided through:

1. the PTC’s platform, prior to the passenger completing a request for transportation service; or

2. a notice affixed to the PTC vehicle in a format, location, and manner approved by the Executive Director.

6. City of Toronto Municipal Code, Chapter 546 is amended by:

A. Adding a new § 546-112L that reads as follows:

Every PTC driver shall be civil and well behaved.

B. Adding a new § 546-113C that reads as follows:

No PTC or PTC driver shall operate or permit the operation of a PTC vehicle unless notice to look for cyclists is provided to passengers before they exit the PTC vehicle through:

1. the PTC’s platform by way of push notification, at a frequency that is satisfactory to the Executive Director; and

2. a “watch for bikes” notice affixed to the PTC vehicle in a format, location, and manner approved by the Executive Director.

C. Amending § 546-112E(7) to read as follows:

The licence plate number, vehicle identification number, make, model, fuel type, and model year of the PTC vehicle that the applicant will be driving when providing transportation to passengers making a request through the PTC platform;
D. Adding a new § 546-113D that reads as follows:

No PTC shall operate or permit the operation of a PTC vehicle that has a colour scheme that is already in use by a taxicab brokerage licensed under this chapter.

E. Amending § 546-112C(4) to read “have at least three years of driving history, unless the PTC driver has been previously licensed under this chapter;”

F. Deleting § 546-112C(2).

G. Amend Appendix “E” Taxicab Bill of Rights to add requirements that a taxicab driver must: “provide service to an individual with a mobility or non-mobility disability, where service can be accommodated” and must “not refuse service to an individual accompanied by a service animal by reason only of the presence of the service animal”.

H. Adding a definition of WINTER TIRE to § 546-1 as follows:

WINTER TIRE – A tire that is marked with the pictograph of a peaked mountain with a snowflake.

I. Deleting all references to “snow tires” and replace them with the phrase “winter tires”.

J. Deleting § 546-60 and deleting the reference to it in § 546-59A.

K. Deleting § 546-61A(2) and renumbering the existing § 546-61A(3) as § 546-61A(2).

L. Amending § 546-46A(7) to read as follows:

"Watch for Bikes" stickers in a number, format, location, and manner approved by the Executive Director;

M. Amending § 546-98E to read as follows:

Every vehicle-for-hire driver shall, if the passenger requests a trip to Lester B. Pearson International Airport, provide a copy to the passenger of the airport flat fee map available from ML&S and offer the passenger the corresponding fare.

N. Adding a new § 546-9C(1) that reads as follows and renumbering the existing § 546-9C(1)-(3) as § 546-9C(2)-(4):
Refuse to issue a licence;

**O.** Adding a new § 546-13E that reads as follows and renumbering the existing § 546-13E and F as § 546-13F and G:

Every vehicle-for-hire and PTC driver shall install and use a properly secured mounting device for their phone or other electronic device while the vehicle-for-hire or PTC driver is available to provide transportation service.

**P.** Adding a new § 546-13H that reads as follows:

Every vehicle-for-hire and PTC driver shall carry and, upon request, produce to ML&S satisfactory government-issued identification.

**Q.** Deleting § 546-99F and renumbering § 546-99G and H as § 546-99F and G.

**R.** Amending § 546-100A to delete the phrase “the first person” and replace it with the phrase “a person”.

**S.** Amending § 546-86A(4) to read “have at least three years of driving history, unless the vehicle-for-hire driver has been previously licensed under this chapter;”

**T.** Deleting § 546-86A(1) and renumbering the remaining provisions in § 546-86A.

**U.** Adding a new § 546-103B(4) that reads as follows and renumbering the existing § 546-103B(4) to (6) as § 546-103B(5) to (7):

The dates and times on which the driver took and ended their breaks;

**V.** Adding a new § 546-103B(3) that reads as follows and renumbering the existing § 546-103B(3) as § 546-103B(4):

Whether or not the driver’s taxicab was an accessible vehicle;
W. Deleting § 546-52A.

X. Deleting § 546-52C.

Y. Amending § 546-14B(2) to read as follows:

Conducted at an inspection facility approved by the Executive Director to conduct vehicle inspections, in which case the vehicle shall pass inspections prior to providing transportation service and once every 12 months thereafter.

Z. Deleting the reference to Subsection B(2)(b) in § 546-14D and replacing it with Subsection B(2).

AA. Adding a new § 546-13.8 that reads as follows:

§ 546-13.8. Wheelchair accessible service to be provided using accessible vehicle.

Any person licensed or required to be licensed under this chapter who fulfils a request for accessible transportation service shall ensure that such service is provided using an accessible vehicle.

BB. Adding a new § 546-74B(7) that reads as follows:

Equipped with “watch for bikes” notices affixed to the limousine vehicle in a format, location, and manner approved by the Executive Director.

CC. Adding a new § 546-22B that reads as follows:

Despite Subsection A, no taxicab broker or vehicle-for-hire driver shall offer, demand, or receive a rate higher than the tariff with respect to any request for accessible transportation service.

DD. Amending § 546-10A to read as follows:

ML&S and any person authorized by the Executive Director may at all reasonable times inspect any vehicle or premises used for the carrying on of any business in respect of which a person is licensed or required to be licensed under this chapter, and may inspect any items relating to such business.

EE. Deleting § 546-70.

FF. Amending Subsection A of the definition of "LIMOUSINE SERVICE COMPANY" found in § 546-1 to read as follows:

A. Any person who accepts, advertises, or brokers requests for limousine service in any manner, including any person who operates a platform that
connects passengers with limousine service, in relation to a limousine that is not owned by that person, their immediate family, or their employer.

GG. Adding a new § 546-112.1 that reads as follows:

§ 546-112.1. PTC drivers of accessible vehicles.

A. Each PTC driver shall complete an accessible vehicle training program that meets the criteria established by the Executive Director before operating an accessible vehicle.

B. If a PTC driver operates an accessible vehicle, they shall, at least once every four consecutive years, complete an accessibility refresher training program that meets the criteria established by the Executive Director.

7. City of Toronto Municipal Code, Chapter 441, Fees and Charges, Appendix C – Schedule 12, Municipal Licensing and Standards is amended by:

A. Amending all references to "Taxi and Livery Licensing" in the "Service" column to read "Vehicle-for-Hire (VFH) Licensing".

B. Deleting the charge at Reference No. 20 and Reference No. 25.

C. Amending the charges at Reference Nos. 438, 439, 440, 441, 442, 443, and 444 to be subject to an annual adjustment.

D. Adding the following charges as shown in the chart below:

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<th>Category</th>
<th>Fee Basis</th>
<th>Fee</th>
<th>Annual Adjustment</th>
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<td>Per Application or Renewal</td>
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7. This by-law shall come into force on January 1, 2020.

Enacted and passed on October , 2019.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)