

Authority: Planning and Transportation Committee Report No. 4, Clause No. 1,
as adopted by City of Toronto Council on May 17, 18 and 19, 2005
Enacted by Council: July 21, 2005

CITY OF TORONTO

BY-LAW No. 706-2005

To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting limousines and limousine service companies.

WHEREAS Section 150 of the *Municipal Act, 2001* grants the City of Toronto the authority to license, regulate and govern any business wholly or partly carried on within it for purposes of health and safety, consumer protection and / or nuisance control; and

WHEREAS Section 155 of the *Municipal Act, 2001* grants municipalities additional authority to enact by-laws licensing, regulating and governing taxicabs; and

WHEREAS there has been a cap on the number of limousine licences issued by the City of Toronto since 1986; and

WHEREAS the City of Toronto has decided that it is in the public interest to remove the cap on licences while taking measures to ensure the health and safety of the public using limousines and to protect consumers; and

WHEREAS consumers can be protected from excessive rates by setting a standardized fare; and

WHEREAS the City of Toronto can better ensure that limousines are mechanically sound, and thus ensure that health and safety and consumers are protected, by requiring that limousines be inspected for mechanical fitness, placing a decal on the windshields of limousines that have passed the inspection, and regulating the age of the vehicles used as limousines; and

WHEREAS limousine service companies will ensure a level of accountability to the public for the arrangement and provision of limousine service, ensuring all limousines used in their companies comply with the Municipal Code provisions; and

WHEREAS the limousine industry works through pre-arranged fares, a requirement that allows consumers to distinguish limousines from taxicabs and helps ensure that consumers will not inadvertently use a vehicle that is operating as a taxicab without abiding by the City of Toronto's regulations concerning taxicabs; and

WHEREAS the City of Toronto can better ensure that fares are pre-arranged by requiring logs of requests for service, records of calls for service, and prohibiting limousines from parking at curbsides within 200 metres of a hotel, theatre, or entertainment facility unless the limousine has a pre-arranged pick-up at that location within 20 minutes;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Section 545-1 of Toronto Municipal Code Chapter 545, Licensing, is amended by deleting the definition of “LIVERY CAB” and adding the following definitions to § 545-1, in alphabetical sequence:

LIMOUSINE SERVICE COMPANY – Any person or entity which accepts calls in any manner for booking, arranging or providing limousine transportation.

LIMOUSINE – Any automobile, other than a taxicab as defined by this Chapter, used for hire for the conveyance of passengers in the City of Toronto, and formerly referred to in this Chapter as a “livery cab”.

2. Section 545-1 of Chapter 545 is further amended by deleting from the definition of “CAB” the phrase “Includes a taxicab and a livery cab” and replacing it with the phrase “A taxicab”.
3. Section 545-2 of Chapter 545 is amended by adding the following subsection:

(63) Every limousine service company.
4. Article VIII of Chapter 545 is amended by deleting § 545-152.
5. Appendix A to Chapter 545 is amended by adding the phrase “carrying on business as a limousine service company;” under the heading “Fee Class 15 (Vehicular Business - Other)” and between the phrases “taxicab broker;” and “carry on the business of teaching persons to operate motor vehicles”.
6. Chapter 545 is further amended by adding the article attached to this By-law as Schedule “A”.
7. This By-law is to come into effect on September 1, 2005.

ENACTED AND PASSED this 21st day of July, A.D. 2005.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

Schedule “A”

ARTICLE XXXIX

Owners and Drivers of Limousines and Limousine Service Companies

§ 545-472. Definitions.

As used in this article, 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 limousine so that the doors cannot be opened from within the limousine but can be opened by persons outside of the limousine by use of the external door handles.

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

HIS OR HER LIMOUSINE –

- A. When used in reference to an owner, refers to a sedan or stretch limousine in respect of which the owner is licensed under this chapter.
- B. When used in reference to a limousine service company, refers to a sedan or stretch limousine in respect of which the limousine service company has a service agreement.
- C. When used in reference to a driver, refers to a sedan or stretch limousine driven or otherwise operated by such driver.

OWNER –

- A. The owner of a limousine or of limousines licensed as such or required to be licensed as such under this chapter; and
- B. 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.

PASSENGER – Any person in a limousine other than the driver.

PRE-ARRANGEMENT, PRE-ARRANGED OR PRE-ARRANGE – A written or oral reservation made with a limousine service company in advance of the service by a person requesting limousine service for a specified time.

SEDAN LIMOUSINE – A luxury, non-metered vehicle of a wheelbase size smaller than a stretch limousine as defined by this section, with rear hip room of 143.5 centimetres

and rear leg room of 101.6 centimetres, manufactured to carry up to five passengers, excluding the driver, and approved by the Municipal Licensing and Standards Division.

SERVICE AGREEMENT – An agreement between a limousine owner and a limousine service company that sets out the terms and conditions of the arrangement whereby the services of the limousine owner are contracted to the limousine service company.

SOLICIT – Means an appeal for customers by bell, horn, whistle, words or gestures by a limousine operator or his or her agent directed at individuals or groups of persons.

STAGE – Stopping, parking or otherwise placing a limousine in a loading or curbside area, not including a parking lot, when the limousine is not engaged in a pre-arranged trip.

STRETCH LIMOUSINE – A sedan limousine and other luxury vehicles, cut and stretched a minimum of 114 centimetres beyond its standard base, manufactured to carry a minimum of seven passengers, excluding the driver, and approved by the Municipal Licensing and Standards Division.

TAXIMETER – A mechanical or electronic device used to calculate the fare or rate to be paid for a trip.

TO OPERATE – Includes driving a limousine, staging a limousine, or making a vehicle available to the public for use as a limousine, and operator shall have a corresponding meaning.

TWO-WAY RADIO – Includes any radio or other device capable of receiving calls for cab service, whether from a dispatcher or limousine service company, members of the public, or others, but does not include a one way paging device that cannot be used to transmit messages or other signals.

YEAR DATE – The figures appearing under the heading “year” in the description of motor vehicle portion of the current Ontario Ministry of Transportation passenger motor vehicle permit for any vehicle.

§ 545-473. Licences and licence applications.

- A. No driver, owner or owner of a limousine service company shall be granted a limousine driver’s licence except as provided in this chapter.
- B. Additional information to be filed with application for driver’s licence.

In addition to any information required to be furnished under this chapter, every applicant for a driver shall:

- (1) Produce a valid provincial driver’s licence with his or her application;

- (2) Submit with his or her application three photographs of himself or herself, one to be attached to the licence and the other two to be filed with the Municipal Licensing and Standards Division, and, upon application for the renewal of his or her licence, shall furnish new photographs if required to do so by the Municipal Licensing and Standards Division;
- C. An owner who has complied with the provisions of Subsection B and whose licence has been so endorsed by the Municipal Licensing and Standards Division may act as a driver of:
 - (1) Any licensed limousine of which he or she is the owner; and
 - (2) Any other licensed limousine.
- D. Every driver and every owner driving his or her own limousine 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 limousine 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.
- E. Every owner who drives his or her limousine and every driver shall be of the full age of 18 years or over.
- F. Owners and drivers to be licensed.
 - (1) No driver shall drive or act as a driver of any limousine unless the owner of the limousine is licensed under this chapter as a limousine owner with respect to the limousine.
 - (2) No owner shall permit or allow any person other than a licensed driver to operate his or her limousine.
 - (3) No driver while having the care and control of a limousine shall permit any person other than the owner or an employee of the owner of the limousine to drive it.
- G. Every owner of more than one limousine required to be licensed under this chapter shall take out a separate licence for each limousine.
- H. No licence may be issued to the owner of a limousine except in respect of a sedan or stretch limousine of a type approved by the Municipal Licensing and Standards Division for use as a limousine.
- I. Every driver and owner who drives shall carry his or her licence with him or her at all times while operating a limousine and shall produce his or her licence for inspection when requested to do so by the Municipal Licensing and Standards Division or a police officer.

J. Medical examination of owner or driver.

- (1) 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 such medical practitioner may make a report of such examination to the Municipal Licensing and Standards Division or the Toronto Licensing Tribunal, as the case may be.
- (2) Every driver and every owner who drives his or her own limousine shall produce to the Municipal Licensing and Standards Division, prior to his or her licence being 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 such licensee is fit to drive a limousine, provided that, subject to Subsection J1) hereof, no such certificate shall be required by the Municipal Licensing and Standards Division pursuant to this section more than once every three years.

§ 545-474. 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 limousine owner’s licences or limousine service company licences, and “limousine” includes the shares in such corporation owned or controlled by such owner.
- B. Upon the death of the owner of a limousine or a limousine service company, the licence issued in respect of the limousine or limousine service company shall be terminated.

§ 545-475. Corporations; share transfers.

- A. Every limited liability limousine 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 28 of each year.
- B. Transfer of existing shares and issuance of new shares; review of licence.
 - (1) Where a corporation holds one or more owner’s licences or limousine service company licences, the corporation shall notify the Municipal Licensing and Standards Division as soon as possible, in writing, of all transfers of existing shares and of the issue of all new shares of the capital stock of the corporation.
 - (2) 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.

C. Termination of licence upon transfer of controlling interest in corporation; review of licence.

- (1) Where the controlling interest of a corporation holding one or more owner's licences or limousine service company licences is sold, transferred or acquired by the transfer or sale of issued shares in, or by the issuance of new shares of, the corporation, the 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 licensing fee and compliance with all other by-law requirements.
- (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.

D. Corporate shares held by other corporations.

- (1) Where the shares in a corporation holding one or more owner's licences or limousine service company's licences are held in whole or in part by another corporation, the other corporation shall file an annual return as provided in Subsection A with the Municipal Licensing and Standards Division at the same time as the owner.
- (2) The other corporation shall disclose in its annual return whether its shares are held in whole or in part by a third corporation, which shall also file an annual return under Subsection A with the Municipal Licensing and Standards Division at the same time as the owner, and so on until the names of natural persons are shown and identified as the shareholders of any and all corporations having an interest, direct or indirect, in any owner's licence.

§ 545-476. Age of vehicles.

- A. No owner shall use or permit any motor vehicle to be used as a sedan limousine if it is more than five years old by year date.
- B. No owner shall use or permit any motor vehicle to be used as a stretch limousine if it is more than eight years old by year date.
- C. No owner shall use or permit any limousine to be replaced by a motor vehicle that is more than two years old by year date.

§ 545-477. Condition of vehicles.

- A. No owner shall use or permit a limousine to be used until:
- (1) The owner has submitted the motor vehicle for approval in accordance with this Article; and
 - (2) The owner has attended the offices of the Municipal Licensing and Standards Division and produced the Provincial Motor Vehicle Permit issued with respect to such motor vehicle.
- B. Every driver who uses and every owner who uses or permits the use of any motor vehicle as a limousine without first complying with Subsection A and who is found by the Municipal Licensing and Standards Division to be operating more motor vehicles as limousines than he or she has limousine licences 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 owner shall operate or permit any limousine to be operated and no driver shall operate any limousine 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 limousine plate supplied by the Municipal Licensing and Standards Division securely affixed as required by Subsections 480A(1) or 480D.
 - (8) Equipped with a decal as required by Subsections 480A(2) and 480E(2).
- D. Seat belts.
- (1) Every owner who permits the operation of his or her limousine and every driver who operates a limousine that is not equipped with seat belts is guilty of an offence.
 - (2) Every owner who permits the operation of his or her limousine and every driver who operates a limousine that is equipped with seat belts and who does not ensure that such seat belts are plainly visible to and may be conveniently used by a passenger is guilty of an offence.

E. Child safety locks.

- (1) Subject to Subsection E(2), no owner shall use or permit the use of any limousine equipped with any mechanism or device by which a passenger in the limousine is not able to unlock and open the doors of the limousine.
- (2) No driver of a limousine shall use or activate a child safety lock while a passenger is in the limousine except where the passenger is a minor or a person under a disability and the driver has received written authorization to activate the child safety lock from the parent, guardian or other person with authority in law to provide the written authorization.

F. Air-conditioning and heating systems.

- (1) No owner shall permit any limousine to be operated and no driver shall operate any limousine unless it is equipped with fully functional air-conditioning and heating systems.
- (2) Every owner and driver shall, upon the request of a passenger, activate the air-conditioning or heating systems in such owner's limousine.

§ 545-478. Vehicle examinations.

A. Examination by designated mechanic; written report.

- (1) Every owner shall submit his or her limousine for examination by a designated mechanic before a licence is issued, and as prescribed regularly thereafter as required by the Municipal Licensing and Standards Division.
- (2) No limousine service company shall knowingly prevent by any means any limousine from attending an examination by a designated mechanic as required by Subsection A(1).
- (3) A limousine service company which acts in any manner to prevent a limousine from attending an examination as required by Subsection A(1) is guilty of an offence and may be required to attend before the Toronto Licensing Tribunal for a hearing to determine whether or not its licence should be suspended, revoked or have conditions placed on it.
- (4) Where there are reasonable grounds to believe that a limousine or its equipment is mechanically defective, the owner shall be given written notice by the Municipal Licensing and Standards Division requiring him or her to submit his or her limousine for examination by a designated mechanic named in the notice within 24 hours.
- (5) Where there are reasonable grounds to believe that a limousine is dangerous or unsafe, the limousine licence plate supplied by the Municipal Licensing and

Standards Division may be removed, and the owner shall submit his or her limousine for examination by a designated mechanic forthwith.

- (6) An owner or driver who fails to submit his or her limousine for an examination by a designated mechanic as required by this section is guilty of an offence.
- (7) Mechanically defective limousines; major mechanical defects.
 - (a) Subject to Subsection A(7)(b) of this section, when a limousine is examined by a designated mechanic pursuant to this section who reports in writing that the limousine is mechanically defective, the owner shall not operate the limousine or permit the limousine to be operated until the designated mechanic certifies in writing that the reported mechanical defects are corrected.
 - (b) The Municipal Licensing and Standards Division shall immediately remove the limousine licence plate supplied by it if a designated mechanic reports in writing that the limousine referred to in Subsection A(7)(a) failed examinations on two occasions due to major mechanical defects in any one of the periods designated for mechanical examinations referred to in Subsection A(1), or on one occasion due to major mechanical defects in each of two consecutive periods designated for mechanical examinations referred to in Subsection A(1); 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 this subsection, “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.
- (8) When a limousine is examined by a designated mechanic who reports in writing that the vehicle is dangerous or unsafe and his or her reasons for that determination, the Municipal Licensing and Standards Division shall immediately remove the limousine licence plate supplied by the Municipal Licensing and Standards Division, and the plate shall remain removed until the mechanic certifies in writing that the limousine is no longer dangerous or unsafe.
- (9) Except when an owner submits his or her limousine for examination by a designated mechanic before a licence is issued for it, every owner whose limousine is reported by such mechanic as dangerous or unsafe pursuant to

Subsection A(8), or whose limousine is reported by the designated mechanic to have major mechanical defects on the occasions referred to in Subsection A(7)(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.

- (10) For the purpose of this section, “designated mechanic” means a mechanic designated by the Executive Director to conduct examinations of limousines under this chapter.
 - (11) The Executive Director or his or her designate may prescribe the form of report and certification used by a designated mechanic.
- B. Where an appointment has been made for an inspection of a limousine under Subsection A, and if the limousine is not produced at the time and place appointed for the inspection, the Executive Director or his or her designate may, notwithstanding anything else in this chapter, suspend the limousine owner’s licence issued in respect of the limousine until the limousine has been tested, inspected and approved.
- C. Examination of limousine before and after shifts; limousines not in good mechanical condition not to be operated.
- (1) Every owner and driver shall, on each work shift before commencing driving, examine any limousine which he or she is to drive during the shift for mechanical defects, and shall similarly examine the vehicle at the end of each shift, and if he or she is not the owner of the limousine shall report forthwith to such owner any mechanical defects of which he or she is or becomes aware.
 - (2) Every owner shall immediately check any mechanical defect in his or her limousine reported to him or her by a driver and shall not in any case operate or permit to be operated as a limousine any vehicle not in good mechanical condition.

§ 545-479. Insurance.

- A. Policy of insurance; certified copy or certificate.
- (1) Every owner shall, in respect of each limousine 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.
 - (2) The policy of insurance shall make provision for passenger hazard in an amount not less than the amount in Subsection A(1).

- (3) A certified copy or certificate of the policy of insurance shall be deposited with the Municipal Licensing and Standards Division.
 - (4) The policy of insurance and the certified copy or certificates referred to in Subsection A(3) shall include the name of every person having an interest in the limousine.
- B. The Executive Director or his or her designate may, notwithstanding anything else contained in this chapter, suspend a limousine owner's licence in respect of any limousine 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 such suspension shall continue until there has been satisfactory compliance with Subsection A.
- C. Every limousine service company shall ensure that each vehicle that it operates or has a service provision agreement with respect to complies with the provisions of Subsection A at all times.
- D. Where a limousine service company has an interest in one or more limousines not owned by it, it may take out a policy or policies of insurance in respect of the vehicle or vehicles and deposit with the Municipal Licensing and Standards Division a certified copy of the certificate or certificates in respect the policy or policies, in accordance with the provisions of Subsection A, the owner of the vehicle or vehicles and shown as an insured on the policy shall be deemed to have complied with the requirements of Subsection A during the period in which the policy or policies remain in full force and effect.

545-480. Limousine plates and other required equipment and markings; prohibitions.

- A. Every owner shall for each limousine for which he or she holds a licence, provide and maintain the following equipment and markings in and on the limousine while it is operated as a limousine:
 - (1) A limousine plate supplied by the Municipal Licensing and Standards Division and bearing an identifying number shall be securely affixed in a position approved by the Municipal Licensing and Standards Division;
 - (2) A decal affixed to the front windshield of the limousine, unobstructed by any material or thing and of a size and in a position approved by the Municipal Licensing and Standards Division, indicating that the vehicle has been inspected and approved for use as a limousine; and
 - (3) A sign or signs, approved by and affixed in a manner and in a location satisfactory to the Executive Director or his or her designate, that clearly indicate(s) to any passenger entering or intending to enter or while seated in the said vehicle that smoking is not permitted unless the driver of the said limousine consents.
- B. Every limousine service company shall ensure that the owner or owners of every limousine for which it has a service agreement complies with Subsection A(1).

- C. Any owner or limousine service company who permits a limousine plate 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, her or its licence should be suspended, revoked or have conditions placed on it.
- D. Replacement of number plates; temporary plates.
- (1) Limousine plates that are defaced, lost or destroyed may be replaced by the Municipal Licensing and Standards Division upon the original plate being satisfactorily accounted for and upon payment of the cost of a duplicate plate.
 - (2) The duplicate plate shall bear the number of the original plate, together with the letter "D" identifying it as a duplicate plate.
 - (3) The Municipal Licensing and Standards Division may issue a special temporary plate.
 - (4) The temporary plate shall be issued during the period required to obtain the duplicate plate, and such temporary plate shall be returned to the Municipal Licensing and Standards Division forthwith upon demand or immediately upon receipt of a duplicate plate.
 - (5) No person shall use a limousine plate in place of which a duplicate has been issued.
 - (6) No duplicate plate shall be replaced except upon the approval of the Executive Director or his or her designate.
 - (7) 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.
- E. Every limousine service company shall, for each limousine for which it has a service agreement, provide and maintain on each limousine while it is operated as such, a decal affixed to the front windshield of the limousine, unobstructed by any material or thing and of a size and in a position approved by the Municipal Licensing and Standards Division, indicating that the vehicle has been inspected and approved for use as a limousine; and
- F. Subject to Subsections A, D, and E, no limousine service company shall permit and no owner shall exhibit on or about his or her limousine any number, light, sign, notice, writing, other advertisement or things which indicate or is intended to indicate to the public that the limousine is other than a private automobile.

- G. Every driver and every owner shall carry his or her licence issued by the Municipal Licensing and Standards Division at all times when engaged in the occupation of driving a limousine and shall produce it for inspection when requested by the Municipal Licensing and Standards Division.
- H. Taximeters prohibited.
- (1) No owner shall affix a taximeter to his or her limousine or permit a taximeter to remain in his or her limousine while it is available for service or otherwise in use as a limousine.
 - (2) No person shall drive or otherwise operate a limousine which is equipped with a taximeter.
 - (3) No limousine service company shall permit a taximeter to be affixed to or remain in any limousine for which it has a service agreement and shall not allow any person to drive or otherwise operate a limousine that is equipped with a taximeter.
- I. Two-way radios prohibited.
- (1) No limousine shall be equipped with, carry or contain a two-way radio.
 - (2) No owner of a limousine shall place or carry or permit the placing or carrying of a two-way radio in any limousine owned by him or her, whether or not the two-way radio is attached or affixed to the limousine.
 - (3) No driver shall drive or use any limousine that is equipped with, carries or contains a two-way radio.
 - (4) No limousine service company shall permit a two-way radio to be affixed to or remain in any limousine for which it has a service agreement and shall not allow any person to drive or otherwise operate a limousine that is equipped with a two-way radio.
 - (5) This subsection does not prohibit a *bona fide* customer of any limousine from carrying a two-way radio owned by him or her while in a limousine, provided that no owner or driver of a limousine shall make use of the two-way radio.

§ 545-481. Signs, advertising.

- A. No owner or driver shall permit his or her services or the services of his or her limousine to be advertised or promoted under any name other than the name under which the limousine is licensed or operating.
- B. No owner of a limousine service company shall permit his or her services to be advertised or promoted under any name other than the name under which the limousine service company is licensed or operating.

- C. No owner of a limousine shall in any advertisement made or permitted to be made by him or her use or permit the use of the words “taxi,” “taxicab,” “cab” or any other word or words which indicate or could be reasonably interpreted to indicate that the limousine is a taxicab or is available for service as a taxicab as defined by this chapter.
- D. No limousine service company shall in any advertisement made or permitted to be made by it use or permit to be used the words “taxi,” “taxicab,” “cab” or any other word or words which indicate or could reasonably interpreted to indicate that the limousine service company is available to provide service as taxicab as defined by this chapter.
- E. Every limousine service company shall ensure that all stationery, forms, bills, invoices, statements and any printed or written advertising material, including any published advertisement in a newspaper, periodical, directory or other publication, used by the limousine service company in the course of his or her business, bear in clearly legible figures and letters the name, address and telephone number of the company and the number of the limousine service company licence issued to it by the Municipal Licensing and Standards Division.

§ 545-482. Rates and fares.

- A. Minimum Rates.
 - (1) The minimum rates or fares to be quoted and charged by an owner, driver, limousine service company or any person in its employ shall be \$70.00 (+ G.S.T.) per hour for the first two hours or part thereof, free from any gratuity or other consideration.
 - (2) Charges for fractions of hours can be levied on fares which run for more than one hour after the first two full hours of service.
- B. The rate, fare, fee or charge for the conveyance of persons by a limousine shall be as disclosed at the time the limousine service is pre-arranged by the limousine service company.
- C. No owner, driver or limousine service company 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, time or in any other manner.
- D. Every owner and limousine service company shall file with the Municipal Licensing and Standards Division a schedule of rates to be charged for the conveyance of passengers in the City of Toronto in respect of every limousine owned by him or her and for every other conveyance for which a licence is required under this chapter.
- E. A copy of the applicable schedule of rates filed with the Municipal Licensing and Standards Division as required by this Subsection D showing the charges to be collected for services rendered or to be rendered in connection with a limousine shall at all times be kept by the person licensed as the owner of the limousine in such vehicle to be shown to

the hirer on demand, and no person licensed under this chapter shall use or publish any other schedule of rates or tariff.

- F. A schedule of rates filed with the Municipal Licensing and Standards Division by an owner or limousine service company may not be altered or amended without the consent of the Municipal Licensing and Standards Division unless 30 days' notice of the owner's intention to change such schedule is given to the Municipal Licensing and Standards Division.
- G. No owner, driver or limousine service company shall publish or use a tariff or demand or receive rates or charges other than those set out in the applicable schedule of rates filed with the Municipal Licensing and Standards Division as required by this section.
- H. No licensed person shall make any charge under this chapter for time lost through defects or inefficiency of the limousine, incompetency of the driver, or for time consumed by the arrival of the limousine in response to a pre-arrangement in advance of the time the limousine has been requested by the person who pre-arranged the service.
- I. A driver or owner shall give a passenger a receipt showing the date and time of trip, the driver's, owner's, and limousine service company's name and identification number, the plate number of the limousine and the amount of fare, when requested or whenever there is a dispute over the fare.

§ 545-483. Service logs and dispatch records.

- A. Information to be recorded by driver; service log to be updated after each booking of a fare.
 - (1) Every driver and owner who drives a limousine shall keep a daily service log in a form approved by the Executive Director or his or her designate, recording all trips booked and serviced by the limousine, which shall contain the following information:
 - (a) The name, address, and limousine licence number of the driver;
 - (b) The limousine owner's plate number of the limousine;
 - (c) The date, time and location of the beginning and termination of each trip;
 - (d) The name of the passenger; and
 - (e) The amount of fare charged for each trip.
 - (2) No driver or owner who drives a limousine shall obstruct traffic while writing up his or her service log, but every driver or owner who drives a limousine shall record the name of the passenger to be picked up and the date, time and location of the beginning of each trip and as soon as the service has been pre-arranged and

shall complete the service log as soon as practicable after the trip has been completed.

- (3) The service log required by Subsection A shall be open to inspection by the Municipal Licensing and Standards Division or any person authorized by the Executive Director forthwith upon request, and such person shall be permitted to remove such records and retain them for a reasonable time.

B. Dispatch Records.

- (1) Every limousine service company shall be responsible for keeping a record containing the following information with respect to every trip upon which a limousine in its employ is dispatched:
 - (a) The Municipal Licensing and Standards Division limousine owner's plate issued for the vehicle along with the Provincial motor vehicle permit number of the vehicle;
 - (b) The name and licence number of the driver;
 - (c) The date, time and location of the beginning and termination of each trip along with the name of the corporation or individual booking the trip; and
 - (d) The amount of fare to be charged for each trip.
- (2) The records required by Subsection B to shall be kept by the limousine service company for at least 12 months and shall be open to inspection by the Municipal Licensing and Standards Division or any person authorized by the Executive Director forthwith upon request, and such person shall be permitted to remove such records and retain them for a reasonable time.

- C.** Every limousine service company shall check the daily service logs kept by every driver or owner of every limousine with which it has a service agreement, and shall require an entry for every trip dispatched to each limousine.

§ 545-484. Custody and control of limousines.

Every owner shall:

- A. Ensure that every driver and every other person involved in the operation of his or her limousine complies in full with the requirements imposed by this chapter in respect of such limousine;
- B. Maintain knowledge at all times of the identity of any person having custody of or control over his or her limousine; and

- C. 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 therefor by the Municipal Licensing and Standards Division.

§ 545-485. Cab stands.

No person licensed under this chapter shall operate or permit to be operated a limousine from a public cab stand authorized and assigned by this chapter.

§ 545-486. Pre-arranged fares.

- A. A contract for the conveyance of persons by a limousine shall be pre-arranged through the place of business of a limousine service company, and it shall be an offence to arrange a contract in any other manner.
- B. No owner or driver of a limousine shall solicit any person to take or use the limousine, or hold out the limousine as being available for the conveyance of persons, on a non pre-arranged basis.
- C. No person licensed under this chapter shall solicit, 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 limousine on any public highway, lane, street, common, park or square.

§ 545-487. Staging prohibited.

- A. No driver shall stage his or her limousine within 200 metres of a hotel, theatre, or entertainment facility unless the limousine has a pre-arranged pick-up at that location within 20 minutes.
- B. No owner or limousine service company shall permit or authorize his or her limousine to be staged within 200 metres of a hotel, theatre, or entertainment facility unless the limousine has a pre-arranged pick-up at that location within 20 minutes.

§ 545-488. General provisions respecting the operation of limousines.

- A. Every owner not being a corporation, every owner of a limousine service company not being a corporation and every driver shall be able to speak, read and write the English language.
- B. No owner shall by any arrangement or agreement permit any limousine not owned by him or her to be driven under the authority of an owner's licence issued to him or her.
- C. No person licensed under this chapter shall carry a greater number of occupants or persons in any limousine used for hire than the manufacturer's rating of seating capacity of such limousine, inclusive of the driver.

- D. No owner or driver shall drive a limousine with luggage or other material piled or placed in a manner that obstructs his or her view.
- E. Smoking.
- (1) No owner driving his or her own limousine and no driver of a limousine carrying a passenger or passengers shall smoke any cigar, cigarette, pipe or any other lighted smoking equipment in the limousine unless the passenger or passengers consent.
 - (2) Notwithstanding Subsection L of this section, an owner who drives his or her limousine or a driver may refuse to serve any persons requesting the service of his or her limousine who smoke, or to continue to serve any passengers in his or her limousine where one or more of such passengers smoke any cigar, cigarette, pipe or any other lighted smoking equipment in the said vehicle unless the driver or the owner driving his or her own limousine consents.
 - (3) In this section, “smoke” or “smoking” includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment.
- F. Every driver and every owner driving his or her own limousine shall turn off any radio, tape player or any other sound-producing mechanical device in his or her limousine upon being requested so to do by any passenger, and having done so pursuant to such a request, shall leave such device or devices in the off position until that passenger’s trip has been completed.
- G. Exclusive concession agreements.
- (1) 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 limousine service to any public transportation terminal, subway station, hotel, motel, cab stand, or any other place, to the exclusion of one or more other limousines.
 - (2) No owner, driver or limousine service company shall enter into or become a party to an exclusive concession agreement.
 - (3) No owner, driver or limousine service company 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.
 - (4) No owner or driver of a limousine 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 limousine or directing or encouraging any person to use such limousine at any of the places referred to in Subsection E(1).

- H. No owner or limousine service company 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.
- I. 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 limousine, nor shall the use of liquor by him or her be apparent while he or she is in charge of any limousine.
- J. Every driver licensed under this chapter, and every owner while driving or operating a limousine, shall be properly dressed, neat and clean in person, and be civil and well-behaved and at any time he or she is waiting for a pre-arranged fare, shall sit or stand sufficiently close to his or her limousine to have it under constant, close observation, and such drivers or owners shall not in any way obstruct the use of the sidewalk, or make any loud noise or disturbance.
- K. Any owner, driver or limousine service company who changes his or her address shall, within two days after such change, attend at the offices of the Municipal Licensing and Standards Division and notify the Municipal Licensing and Standards Division of his or her change of address and produce his or her licence for the change to be entered on it.
- L. Right to refuse service to certain passengers.
 - (1) An owner who drives his or her limousine, or a driver, may refuse to serve a person who has pre-arranged the service of his or her limousine, provided that such owner or driver immediately records his or her reasons for the refusal on his or her service log, if such person requiring the service:
 - (a) Owes such owner or driver for a previous fare or service;
 - (b) Asks to be driven to a remote place in circumstances which such owner or driver reasonably believes to be unsafe; or
 - (c) Is unduly obnoxious or abusive.
 - (2) An owner who drives his or her limousine, or a driver, may seek police assistance to have a person to whom he or she has a right to refuse service removed from his or her limousine.
 - (3) An owner who drives his or her limousine, or a driver, is guilty of an offence who:
 - (a) Refuses to serve a person who has pre-arranged the services of his or her limousine;
 - (b) Pleads some previous engagement; and

- (c) 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.

M. Maximum hours in a shift.

- (1) No driver shall operate a limousine for more than 12 hours during any period of 24 consecutive hours.
- (2) No owner or limousine service company shall permit any driver to operate such owner's limousine for any period in excess of the hours prescribed by this section.

N. Delivery of property; property and money left behind.

- (1) Every owner and driver shall take due care of all property delivered or entrusted to him or her for conveyance or safekeeping.
- (2) Every driver, immediately upon the termination of any hiring or engagement, shall carefully search his or her limousine for any property lost or left in it, and all property or money left in his or her limousine shall be forthwith delivered over to the person owning it, 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 money or property.

O. No driver, owner or limousine service company shall knowingly drive any person or permit any person to be driven about the streets in his or her limousine for the purpose of soliciting for acts of prostitution from the limousine, or for any other unlawful purpose.

P. No driver, owner or limousine service company shall induce any person to employ his or her limousine by knowingly misleading or deceiving any person as to the location or distance of any place or by making any false representation to such person.

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 limousine; and
- (2) At the end of his or her work period, return the limousine to his or her employer, and shall not at any time abandon the limousine or permit any other person to drive it.

R. Every limousine service company shall maintain a central place of business where a listed telephone number is operative and where all business records required under this Article are kept, and which shall be accessible during regular business hours.

- S. Every limousine service company shall:
- (1) Ensure that every owner and every driver and every other person involved in the operation of his or her business complies in full with the requirements imposed by this chapter in respect of such business;
 - (2) Maintain knowledge at all times of the identity of any person having custody of or control over a limousine in respect of which it has a service agreement; 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 for it by the Municipal Licensing and Standards Division.
 - (4) Permit or authorize a limousine to be operated from a public cab stand authorized and assigned by by-law.

§ 545-489. Fleet Ratios to be maintained.

The first limousine with respect to which a limousine service company has a service agreement shall be a stretch vehicle and thereafter, every limousine service company shall conform to and maintain the following ratios of stretch limousines to sedan limousines with respect to limousines with which it has service agreements:

- A. At least one stretch limousine for every two to four sedan limousines;
- B. At least two stretch limousines for up to six additional sedan limousines; and
- C. Thereafter, a ratio of one stretch limousine to every six sedan limousines.

§ 545-490. Service Agreements.

- A. Every owner shall enter into a service agreement with a limousine service company with respect to each limousine he or she owns.
- B. Every applicant for a limousine service company licence shall, at the time of making his or her application, file with the Municipal Licensing and Standards Division a separate service provision agreement for each limousine to be used in respect of the business for which the licence is sought, showing the name, licence number and plate number of the limousine owner.
- C. Every limousine service company licensed or required to be licensed under this chapter shall file with the Municipal Licensing and Standards Division a separate service agreement in respect of every additional limousine used by the limousine service company, within 48 hours of its first use.

- D. Every limousine service company licensed by the Municipal Licensing and Standards Division shall file a service provision cancellation notice within 48 hours of ceasing to use any limousine in the operation of their business.

§ 545-491. Accepting and dispatching calls for service.

- A. No limousine service company shall accept and dispatch calls for service on behalf of any limousine unless the owner of such limousine is licensed under this article as a limousine owner with respect to such limousine.
- B. No limousine service company shall permit or allow any person other than a driver licensed by the Municipal Licensing and Standards Division to operate any limousine in its employ.