

Authority: Economic and Community Development
Committee Item EC6.6, adopted as amended, by City of
Toronto Council on October 11 and 12, 2023
City Council voted in favour of this by-law on
December 15, 2023
Written approval of this by-law was given by Mayoral
Decision 30-2023 dated December 15, 2023

CITY OF TORONTO

BY-LAW 1297-2023

To amend City of Toronto Municipal Code Chapter 546, Licensing of Vehicles-for-Hire, with respect to transitioning the vehicle-for-hire industry to net zero emissions.

Whereas authority is given to Council by the City of Toronto Act, 2006 to pass by-laws respecting, among other things, business licensing and the economic, social, and environmental well-being of the City, including respecting climate change; and

Whereas Council has adopted by-laws to license the owners and drivers of taxicabs, limousines, and private transportation company vehicles, and to regulate the equipment, age, fuel types, and other physical aspects of the vehicles used by those licensees in carrying on their businesses; and

Whereas Council wishes to amend Toronto Municipal Code, Chapter 546 to enact a requirement that all taxicabs, limousines, and private transportation company vehicles be zero-emission vehicles by January 1, 2031, subject to limited exceptions for stretch limousines, accessible vehicles, and plug-in hybrid electric vehicles, in order to promote the overall environmental well-being of the City and reduce vehicle emissions, including greenhouse gases; and

Whereas Council wishes to amend Toronto Municipal Code, Chapter 546 to authorize the establishment of a zero-emissions grant program starting January 1, 2024 and ending December 31, 2029, to disburse grants to taxicab and limousine owners who register zero-emission vehicles, and to private transportation companies for remittance to drivers who complete trips using a zero-emissions vehicle, in order to incentivize the transition to zero-emission vehicles;

The Council of the City of Toronto enacts:

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

A. Adding the following definitions to § 546-1:

ZERO-EMISSION VEHICLE – A battery electric vehicle or hydrogen fuel cell vehicle included in the Ontario Ministry of Transportation Green Licence Plate Program list of eligible vehicles, or a similar list of zero-emission vehicles approved by the Executive Director, Municipal Licensing and Standards, with the input of the Executive Director, Environment and Climate, or their successors, at their sole discretion.

PLUG-IN HYBRID ELECTRIC VEHICLE – A plug-in hybrid electric vehicle included in the Ontario Ministry of Transportation Green Licence Plate Program

list of eligible vehicles, or a similar list of plug-in hybrid electric vehicles approved by the Executive Director, Municipal Licensing and Standards, with the input of the Executive Director, Environment and Climate, or their successors, at their sole discretion.

B. Adding a new § 546-13.9, as follows:

§ 546-13.9. Registration and use of zero-emission vehicles.

- A. After December 31, 2029, on the date a taxicab owner, limousine owner, or PTC driver is granted a licence or its renewal under this chapter, they shall register a zero-emission vehicle with the Municipal Licensing and Standards Division in respect of the licence and shall use only such registered vehicle when offering transportation service under the licence.
- B. As of January 1, 2031, all taxicabs, limousines, and PTC vehicles must be zero-emission vehicles and no person shall offer or provide transportation service other than in a zero-emission vehicle.
- C. Subsections A and B shall not apply to a person who operates a stretch limousine or an accessible vehicle.
- D. Until December 31, 2032, Subsections A and B shall not apply to a person who operates a plug-in hybrid electric vehicle.

C. Adding a new § 546-13.10, as follows:

§ 546-13.10. Creation of zero-emissions grant program.

- A. At any time from January 1, 2024 to December 31, 2029, at their sole discretion, the Executive Director may establish or amend a zero-emissions grant program, which may, among other things:
 - (1) provide funding to eligible taxicab owners, limousine owners, and PTCs to incentivize the use of zero-emission vehicles;
 - (2) set the term and 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 the provision of transportation service using zero-emission vehicles.
- B. Any funding granted to a taxicab or limousine owner under the zero-emissions grant program shall be applied against licensing fees that may be owed to ML&S by that person at the time the grant is made, and shall not be considered any type of debt or credit owed to that person.

- C. Any funding granted to a PTC under the zero-emissions grant program shall be remitted by the PTC to the PTC drivers on its platform who have completed trips using a zero-emission vehicle, and shall not be considered any type of debt or credit owed to the PTC or individual PTC drivers.
- D. At any time, at their sole discretion, the Executive Director may suspend or terminate the application process for or the disbursement of funds under the zero-emissions grant program, or recalibrate the existing funding formula, based on the Executive Director's assessment of factors including but not limited to funding availability, ML&S' budgetary requirements, and how to best ensure that funding is available throughout the term of the grant program.
- D. Adding a new § 546-13.11, as follows:
- § 546-13.11. Zero-emissions grant program eligibility criteria.
- A. Notwithstanding § 546-13.10A, to be eligible to apply for or receive funding under the zero-emissions grant program, a taxicab or limousine owner must, at a minimum:
- (1) have registered a zero-emission vehicle with ML&S for use as a taxicab or limousine at the time of making an application for a corresponding licence or its renewal; and
 - (2) be granted the corresponding taxicab or limousine owner licence, or its renewal by ML&S or the Toronto Licensing Tribunal.
- B. Notwithstanding § 546-13.10A, to be eligible to apply for or receive funding under the zero-emissions grant program, a PTC must, at a minimum:
- (1) hold a valid licence as a PTC under this chapter;
 - (2) provide complete and accurate trip records and data to ML&S as required by this chapter;
 - (3) directly share the grant remittance plan most recently approved by City Council or submitted to ML&S under § 546-13.12 with the PTC drivers on its platform on an annual basis; and
 - (4) remit any funding disbursed to the PTC to the PTC drivers on its platform who have completed trips using a zero-emission vehicle.

E. Adding a new § 546-13.12, as follows:

§ 546-13.12. Zero-emissions grant program application and revocation process.

- A. To apply to the zero-emissions grant program, a taxicab or limousine owner shall submit a declaration or other proof satisfactory to ML&S that they have met the eligibility criteria set under §§ 546-13.10A and 546-13.11A.
- B. To apply to the zero-emissions grant program, a PTC shall submit the following to ML&S:
- (1) A declaration or other proof satisfactory to ML&S that it has met the eligibility criteria set under §§ 546-13.10A and 546-13.11B;
 - (2) Upon its first application to the program, a plan describing how it will remit any funding disbursed to the PTC to the PTC drivers on its platform who have completed trips using a zero-emission vehicle, for review and approval by City Council; and
 - (3) Upon each subsequent application to the program, an updated version of the plan approved under § 546-13.12B(2).
- C. A recipient's entitlement to funding under the zero-emissions grant program shall terminate immediately after the period specified by ML&S at the time the application is granted.
- D. Despite Subsection C, at any time, ML&S may deny an application to the zero-emissions grant program, or revoke funding granted under the program, if ML&S has reasonable grounds to believe that:
- (1) the applicant or recipient does not meet or no longer meets the eligibility criteria set out for the zero-emissions grant program;
 - (2) funding was granted due to a technological or clerical error; or
 - (3) the applicant or recipient has provided incomplete or inaccurate information or data to ML&S.
- E. Where ML&S is considering denying an application to the zero-emissions grant program or revoking funding granted under the program based on Subsection D, or any other provision of this chapter, ML&S shall send written notice to the applicant or recipient.

- F. The written notice sent in accordance with Subsection E shall state:
- (1) ML&S' reasons for denying the application or revoking funding;
 - (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.
- G. Where ML&S does not receive a response within the time set out in Subsection F, ML&S may deny the application.
- H. Where ML&S receives a written response in accordance with Subsection F, ML&S shall review the response and send the applicant or recipient written notice of its final decision.

- F. Adding a new § 546-13.13, as follows:

§ 546-13.13 Recovery of zero-emissions grant program disbursements.

Where ML&S has, on the grounds set out in § 546-13.12D(2) or (3), revoked funding granted under the zero-emissions grant program, ML&S may take steps to recover any funds disbursed for which the recipient was ineligible and 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.

- G. Adding a new § 546-51C that reads as follows:

Despite Subsection A, no model-year maximum shall apply to a zero-emission vehicle used as a taxicab.

- H. Adding a new § 546-73D that reads as follows:

Despite Subsection A, no model-year maximum shall apply to a zero-emission vehicle used as a limousine.

- I. Adding a new sentence to the end of § 546-113A(3) as follows: “Despite the foregoing, no model-year maximum shall apply to a zero-emission vehicle used as a PTC vehicle.”

- J. Adding a new § 546-122G that reads as follows:

Despite §§ 546-51, 546-73, and 546-113A(3), a vehicle that is registered as a taxicab, limousine, or PTC vehicle and first exceeds its model-year maximum on January 1, 2024 may continue to be used for one additional model year.

K. Adding a new § 546-116C(1)(d) that reads as follows:

Whether the PTC vehicle used to complete the trip was a zero-emission vehicle, plug-in hybrid electric vehicle, or internal combustion engine vehicle.

L. Adding a new § 546-116C(1)(e) that reads as follows:

If the trip was completed using a zero-emission vehicle or plug-in hybrid electric vehicle, the make and model of the vehicle.

M. Adding a new § 546-116C(2)(g) that reads as follows:

Whether the PTC vehicle used to complete the trips was a zero-emission vehicle, plug-in hybrid electric vehicle, or internal combustion engine vehicle.

N. Adding a new § 546-116C(2)(h) that reads as follows:

If the trips were completed using a zero-emission vehicle or plug-in hybrid electric vehicle, the make and model of the vehicle.

O. Adding a new § 546-116I that reads as follows:

Every PTC shall keep a record of the total amount of funding it has received and remitted to PTC drivers on its platform each month under the zero-emissions grant program.

2. This by-law shall come into force on the day it passed.

Enacted and passed on December 15, 2023.

Frances Nunziata,
Speaker

John D. Elvidge
City Clerk

(Seal of the City)