



## STAFF REPORT ACTION REQUIRED

### The Taxicab Industry Review – Taxicab Advisory Committee, Taxicab Bill of Rights and Streamlined Complaints and Compliments Process

<b>Date:</b>	January 21, 2013
<b>To:</b>	Licensing and Standards Committee
<b>From:</b>	Executive Director, Municipal Licensing and Standards
<b>Wards:</b>	All
<b>Reference Number:</b>	P:\2013\Cluster B\MLS\LS13004

#### **SUMMARY**

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The City of Toronto is currently undertaking a review of Toronto's taxicab industry. The review included extensive consultation and research that resulted in a report with preliminary findings: *Toronto's Taxicab Industry: a discussion paper*. The report was a framework for further discussion and decision-making leading towards the creation of a final report in 2013 with recommendations for the taxicab industry.

Ahead of the Taxicab Industry Review final report, as directed by Council at its October 2, 2012 meeting, Municipal Licensing & Standards (ML&S) has created a Taxicab Advisory Committee, is recommending a Taxicab Bill of Rights and is streamlining the complaints and compliments process for taxicabs.

Staff engaged industry members and stakeholders on November 8, 2012 to discuss the Taxicab Advisory Committee, the Bill of Rights and the streamlined complaints and compliments process. The City of Toronto also engaged stakeholders through an online comments form during the fall of 2012.

## **RECOMMENDATIONS**

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The Executive Director, Municipal Licensing and Standards, recommends that:

1. City Council direct the Executive Director, Municipal Licensing and Standards, to provide an annual update on the activities of the Taxicab Advisory Committee, a program advisory committee, to the Licensing and Standards Committee.
2. City Council amend the City of Toronto Municipal Code, Chapter 545, Licensing, to replace the Passenger Bill of Rights with the Taxicab Bill of Rights as per Attachment 3 and mandate that every owner shall securely affix the Taxicab Bill of Rights to the back of the front passenger seat of his or her taxicab and that the City Solicitor be directed to prepare the necessary bill to give effect to this recommendation.

### **Financial Impact**

There is no financial impact expected from this report beyond what has already been approved in the current year's budget.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

### **DECISION HISTORY**

At its May 31, 2011 meeting, the Licensing and Standards Committee requested that the Executive Director, Municipal Licensing and Standards, report back to the Committee on a plan for reviewing the taxicab industry.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.LS4.7>

September 9, 2011, the report "Industry Review Plan" was brought forward to the Licensing and Standards Committee by the Executive Director, Municipal Licensing and Standards. This report initiated what is now "Toronto's Taxicab Industry Review".

<http://www.toronto.ca/legdocs/mmis/2011/ls/bgrd/backgroundfile-40347.pdf>

October 2, 2012, City Council adopted the preliminary report from Toronto's Taxicab Industry Review and gave direction to report back ahead of the final report on the Taxicab Advisory Committee, Driver Bill of Rights and the complaints and compliments process.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.LS15.1>

## **ISSUE BACKGROUND**

The City of Toronto regulates the taxicab industry to ensure consumer protection of residents and visitors. Regulating taxicabs also ensures a healthy industry that can adequately service the needs of all people safely and efficiently.

There are 4,849 licensed taxicabs operating in the City of Toronto and it is estimated that more than 60,000 trips are taken in taxicabs every day. Residents and tourists alike depend on taxi service to get them where they need to go.

Toronto's Taxicab Industry Review began in 2011 and includes three phases: consultation, research and production of the final report. The review has focussed on extensive consultation with direct and indirect stakeholders, related industries, the public and appropriate City divisions that informed the preliminary report, adopted by City Council in October 2012.

At that time, staff were directed to bring forward a report that would expedite the Taxicab Advisory Committee, Driver Bill of Rights and a streamlined complaints and compliments process, ahead of the final report.

The City of Toronto has had a Taxicab Advisory Committee in various formats in the past. The last taxicab related committee dissolved in 2003. Throughout the course of the current review, it became evident that a committee was needed to advise on industry issues.

As part of the previous 1998 Taxicab Industry Review, the City enacted a Passenger Bill of Rights. This bill is in every Toronto taxicab and outlines key protections for the passenger. It also serves to educate the riding public on their rights as per the bylaw. Throughout consultations during the current review, the Industry strongly advocated for the development of a Driver Bill of Rights.

The process for receiving complaints and compliments of the taxicab industry is an important aspect of consumer protection and industry regulation. A streamlined complaints and compliments process will improve customer service.

## **COMMENTS**

The Taxicab Advisory Committee (TAC) is a program advisory committee providing advice to the Executive Director, ML&S. The first meeting is scheduled for the end of January. The Executive Director, ML&S will provide an annual update to the Licensing and Standards Committee on activities of the TAC.

As directed by Council, the TAC was created in consultation with the taxicab industry. City staff also consulted with the City Manager's Office, including the Equity Human Rights & Diversity Office and also with the City Clerk's Office. The recruitment phase

was 3 weeks and was advertised broadly through media outlets, posted in City facilities, distributed through the Taxicab Review mailing list and posted on the Taxicab Review dedicated website.

During the Taxicab Industry Review consultation phase, the industry advocated for the creation of a Driver Bill of Rights. The intent of the Driver Bill of Rights was to educate passengers and drivers about the rights and protections provided by existing legislation. It was also meant to complement the existing Passenger Bill of Rights. In preparation of the Driver Bill of Rights, it became evident that the rights and responsibilities of drivers and passengers are not mutually exclusive, and should be presented in a single document, a Taxicab Bill of Rights.

The Taxicab Bill of Rights replaces the current Passenger Bill of Rights and highlights both passenger and driver rights. By presenting passenger and driver rights together in the Taxicab Bill of Rights, it reinforces the mutual responsibility of both parties for ensuring a safe ride.

The streamlined complaints and compliments process will ensure efficient and effective customer service and consumer protection.

### **Stakeholder Engagement on the Taxicab Advisory Committee, Taxicab Bill of Rights and the Complaints and Compliments Process**

Toronto's Taxicab Industry Review is committed to an open, transparent and participatory process leading to the creation of the final report.

In preparation of this report, staff engaged stakeholders to gain input on the Taxicab Advisory Committee, Bill of Rights and the complaints and compliments process. Staff held a public consultation, solicited feedback through online comment forms and continued communication with more than 700 stakeholders from the Review's established mailing list.

On November 8, 2012, the Executive Director, ML&S presented a draft Terms of Reference for the Taxicab Advisory Committee at a public consultation, attended by 54 participants. The Terms of Reference was also available for comment on the Review's website for 5 weeks.

A full summary of the consultation can be found in Attachment 1.

### **Taxicab Advisory Committee**

Currently, staff have been meeting on an ad hoc basis with the taxicab industry. During the consultation phase of Toronto's Taxicab Review, City staff heard that stakeholders were interested in becoming more involved with the City on a regular basis and in a

formal capacity. Stakeholders wanted to be better aware of, and have more input into, decisions and changes considered relevant to the industry.

The Taxicab Advisory Committee (TAC) is a program advisory committee that facilitates input and communication between the taxicab industry, the riding public, and the City of Toronto. In consultation with the City Manager's Office, and with the taxicab industry, staff determined that a program advisory TAC would be the most effective format for the committee. A program advisory committee is a working group of stakeholders that provides advice to a Division Head on issues within the division's area of responsibility. Staff may create program advisory committees as necessary.

The TAC will provide advice to the Executive Director, ML&S on taxicab industry issues affecting: consumer protection, the health and safety of passengers and drivers, the well-being of the City, and the economic viability and sustainability of the industry.

The Committee:

- acts as a coordinated body to inform and advise the City of Toronto regarding issues which pertain to the taxicab industry;
- contributes to policy objectives in order to support a healthy and viable taxicab industry; and
- advises the City of Toronto on the creation of a transportation network which effectively utilizes taxicabs.

The TAC is not meant to replace other mechanisms for industry stakeholders to engage with the City. Industry stakeholders are still encouraged to depute at the Licensing and Standards Committee and to engage directly with Councillors.

At the direction of Council, and as recommended in the preliminary report of the Taxicab Review, City staff have created the Taxicab Advisory Committee (TAC) ahead of the final report. The 12 member TAC will hold its first meeting at the end of January 2013 and is comprised of industry stakeholders with significant experience and expertise.

### **TAC Recruitment and Selection**

City staff recruited applications for TAC membership through a multi-pronged recruitment campaign over three weeks (Nov 30, 2012 – Dec 21, 2012) that included advertising in newspapers, advertising online, communicating through blast emails and on Twitter, and posting on the Review's dedicated website.

The City of Toronto seeks to involve people that reflect the diversity of the community whenever it engages with the public. Applications from women, Aboriginal peoples, persons with disabilities and visible minority group members were encouraged.

Advertisements for the TAC were placed in the following papers: 24 Hours, Metro, NOW and Taxinews. The online advertisement showed 85,000 times over the three weeks. A sample advertisement can be found in Attachment 2.

Each applicant was asked to describe why they would like to be part of the committee, what they believed to be the major issues facing the industry and how they would communicate with and represent other relevant stakeholders.

60 applications were received and reviewed by a panel of senior City staff. Recommendations for membership were submitted to the Executive Director, ML&S and the Deputy City Manager.

### **TAC Composition**

The TAC is comprised of 12 members who will serve for a two year term.

Members include:

- 3 Taxicab Drivers (1 driver is a lessee)
- 3 Taxicab Owners and/or Operators (1 Ambassador Taxicab Owner, 1 Standard Taxicab Owner and 1 Accessible Taxicab Owner)
- 2 Brokerage Operators (1 Brokerage Operator serves people requiring accessible taxicabs)
- 2 Riding Public (1 member uses accessible taxicab services)
- 2 Other Industry Stakeholders (e.g., garage owners, brokerage employees, etc.)

The Executive Director, ML&S, or an appointed designate, will attend all scheduled meetings. As determined necessary, other participants may include representatives of other City of Toronto agencies, boards, commissions and divisions, or representatives from the hospitality and tourism sector.

### **TAC Administration**

ML&S has created a TAC dedicated website that will be maintained by City staff. The website has the Terms of Reference posted. As well, an agenda will be posted for each TAC meeting at least 7 days before the meeting, and minutes from each meeting will be posted online afterwards.

ML&S staff will provide administrative support to the TAC through booking meetings, recording minutes and maintaining the TAC website, [www.toronto.ca/tac](http://www.toronto.ca/tac) .

## **Taxicab Bill of Rights**

At the direction of City Council, ML&S has created a Taxicab Bill of Rights (TBR), an in-car advisory that replaces the Passenger Bill of Rights that is currently posted in Toronto taxicabs and incorporates the intent of the Driver Bill of Rights (DBR).

Throughout the Taxicab Industry Review, many taxicab drivers requested a DBR to improve their treatment and working conditions. The majority of suggestions for the DBR were to improve passenger awareness of acceptable behaviour in taxicabs. As the intent of the Passenger Bill of Rights and Driver Bill of Rights could be strengthened and achieved through a harmonized bill, staff prepared a Taxicab Bill of Rights.

The Taxicab Bill of Rights highlights protections and rights contained within existing workplace related legislation, the City of Toronto Act and the Highway Traffic Act.

### **Major Issues Addressed through the Taxicab Bill of Rights**

The Taxicab Bill of Rights emphasizes that both the driver and passenger are responsible for ensuring a safe ride. Through consultation, we heard that the Passenger Bill of Rights was not adequately informing the rider on conduct appropriate in a taxicab. Staff heard that riders did not necessarily understand that taxicab drivers can refuse to transport a passenger if a safe destination is not provided or if the rider is abusive or obnoxious.

Drivers mentioned that some passengers do not realize that certain laws apply to taxicabs. It was discussed that not wearing seatbelts, open alcohol and smoking in the vehicle were issues that arise from this unawareness.

As well, drivers unanimously agreed that fare jumping was a significant issue that should be addressed through the Bill of Rights.

The Taxicab Bill of Rights addresses these issues by expanding upon the current Passenger Bill of Rights. Please see Attachment 3 for the Taxicab Bill of Rights.

## **Complaints and Compliments Process**

As the industry regulator, the City receives, records and investigates complaints and compliments of taxicabs. Currently the City investigates approximately 100 complaints of taxicabs a month and receives about 6 compliments of taxicabs a month.

### **Current Process for Complaints and Compliments**

Currently, residents can telephone, email or fax a complaint or compliment to the Licensing Enforcement Unit of ML&S. The telephone, email, and fax lines are not exclusive to taxicabs licence issues.

The telephone and fax numbers and email address are monitored in real-time from 8:00-4:00 Monday through Friday. During non-business hours, residents may leave a message.

The complaints and compliments telephone number is currently highlighted on the in-car Passenger Bill of Rights card on the back of the front passenger seat, but after calling that number, customers must navigate a lengthy phone tree.

The current process can be complicated and could be improved. A streamlined process would ensure the public could easily communicate with the industry regulator.

### **Streamlined Complaints and Compliments Process**

The Taxicab Industry Review is recommending internal changes that will simplify the process for the public to communicate with staff about taxicab issues. As well, in consultation with the Disability Issues Committee, ML&S is seeking to improve accessibility of the complaints and compliments process for people with disabilities.

Four changes are currently underway as part of the review.

1. Streamlining the current telephone and email process
2. Creating an online form for complaints and compliments
3. Creating a QR Scan code to be available on the Taxicab Bill of Rights that will connect passengers with the online form
4. Utilizing 311 Toronto as the portal for complaints and compliments

#### **1. Streamlining the current telephone and email process**

Currently when a resident calls the phone number 1-877-TO-TAXIS (1-877-868-2947) the person must navigate a complicated phone tree that encompasses all licensed businesses. Internal changes to the phone tree will allow a prominent option to say, “If you have a complaint or compliment regarding a licenced Toronto taxicab, please press...”

This change will ensure an efficient process that will encourage riders to lodge complaints or compliments. As well, the current email address for taxicab complaints and compliments is [licenf@toronto.ca](mailto:licenf@toronto.ca). This email is for all licenced businesses. A dedicated email address for taxicabs would make the address easier to understand and remember. ML&S is changing the email for taxicab complaints and compliments to [TOtaxis@toronto.ca](mailto:TOtaxis@toronto.ca).

#### **2. Creating an online form for complaints and compliments**

Staff are creating an online form that will be available directly through the ML&S website. This form would be available online and will forward to the Licensing Enforcement staff. Online forms are used in other municipalities such as: Vancouver, Edmonton and Boston.



The online form, linked to the ML&S website, allows residents to efficiently lodge complaints and compliments that are complete with necessary details. The online form would list pertinent questions that would assist in the investigation into complaints. Example fields include: taxicab number, driver name, location, time of day etc.

**3. Creating a QR Code to be available on the Taxicab Bill of Rights that will connect passengers with the online form**

A QR Code is a square shaped bar code that Smartphone users can scan to access websites directly and quickly. The Taxicab Bill of Rights that will be affixed to the seat in each taxicab will be updated to have a QR Code that riders will be able to scan and gain direct access to the online complaints and compliments form.

**4. Utilizing 311 Toronto as the main portal for complaints and compliments**

Internal changes to the phone and email process, creating the online form and the QR code are changes that can be implemented relatively quickly. Moving forward, ML&S would like to utilize 311 Toronto to coordinate taxicab complaints and compliments.

Toronto's 311 system is the City's coordinated access to city services. 311 Toronto uses state-of-the-art technology for requests that can be tracked and reported on. 311 Toronto offers excellent customer service and better accessibility than the current process. 311 Toronto is available 24 hours a day, 7 days a week, offers information in more than 180 languages and is available to TTY users.

Utilizing 311 Toronto aligns the City with other municipalities such as Ottawa, Calgary, New York and Chicago that have taxicab complaints and compliments channelled through a 311 portal. Figure 1. details taxicab complaint and compliment protocols in other municipalities.

**Figure 1.**

City	311 Service	Online form	Phone and/or email
Toronto			X
Washington, DC			X
Los Angeles			X
Montreal		X	X
Vancouver		X	X
Seattle		X	X
Boston		X	X
Edmonton		X	X
London (UK)		X	X
Mississauga	X		X
San Francisco	X		
Calgary	X		
Ottawa	X		
Chicago	X		
New York City	X		

## **Next Steps**

As Toronto's Taxicab Industry Review continues preparing the final report, the Taxicab Advisory Committee, along with other consultation methods, will be utilized in the final phase of the review.

ML&S staff will commence implementation of the Taxicab Bill of Rights ahead of the final report, as taxicabs enter the inspection station.

ML&S will make internal changes to the phone and email process and create the online form and the QR code. ML&S has added taxicab complaints and compliments to the current 311 Toronto work plan and will coordinate this integration within existing time and budget constraints.

These initiatives will be reported on in the final report of the Taxicab Industry Review.

## **CONTACT**

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## **SIGNATURE**

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## **ATTACHMENTS**

Attachment 1: Summary of Consultation

Attachment 2: Advertisements for Taxicab Advisory Committee

Attachment 3: Taxicab Bill of Rights