

APPENDIX D - BY-LAW REVIEW

1. Sections/terms that are obsolete due to changes in technology

| Section | Amendment | Reason |
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| <p>§ 545-1. Definitions</p> <p>TAXICAB BROKER – Any person who accepts calls in any manner for taxicabs used for hire and which are owned by persons other than himself or herself, his or her immediate family or his or her employer.</p> | <p>§ 545-1. Definitions</p> <p>TAXICAB BROKER – Any person who accepts calls requests for service in any manner for taxicabs used for hire and which are owned by persons other than himself or herself, his or her immediate family or his or her employer.</p> | <p>References to 'calls' for service do not capture the various ways which individuals can now obtain taxicab service, including by phone, email and smartphone applications.</p> |
| <p>§ 545-124. Information to be obtained by taxicab brokers</p> <p>A. Every taxicab broker shall give to the Municipal Licensing and Standards Division a list of all cabs in respect of which he or she has any arrangement or agreement for the accepting of calls for service...</p> | <p>§ 545-124. Information to be obtained by taxicab brokers</p> <p>A. Every taxicab broker shall give to the Municipal Licensing and Standards Division a list of all cabs in respect of which he or she has any arrangement or agreement for the accepting of calls requests for service...</p> | <p>Same as above.</p> |
| <p>B. Every taxicab broker shall ascertain the name of every driver driving a taxicab in respect of which the said taxicab broker has any arrangement or agreement for the accepting of calls for service...</p> | <p>B. Every taxicab broker shall ascertain the name of every driver driving a taxicab in respect of which the said taxicab broker has any arrangement or agreement for the accepting of calls requests for service...</p> | <p>Same as above.</p> |
| <p>D. Subject to Subsection F hereof, every taxicab broker shall keep a record showing, in respect of his</p> | <p>D. Subject to Subsection F hereof, every taxicab broker shall keep a record showing, in respect of his</p> | |

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| <p>or her brokerage, the following information:</p> <p>(1) The number of calls for taxicab service received;</p> <p>(2) The number of such calls which are not serviced and the reason therefor;</p> <p>(3) A continuous account of the number of taxicabs in active operation having the right to accept calls for service from the said taxicab broker, including the times at which each such taxicab went on the road each day, any time or times thereafter during that day when it was off duty, and the time at which it was last available for service to the public on that day;</p> <p>(4) The number of dispatched calls serviced by each taxicab referred to in Subsection D(3); and</p> <p>(5) A list of all complaints and compliments received concerning taxicab service provided by that broker or his or her brokerage or by taxicabs having the right to accept calls for service</p> | <p>or her brokerage, the following information:</p> <p>(1) The number of calls requests for taxicab service received;</p> <p>(2) The number of such calls requests which are not serviced and the reason therefor;</p> <p>(3) A continuous account of the number of taxicabs in active operation having the right to accept calls requests for service from the said taxicab broker, including the times at which each such taxicab went on the road each day, any time or times thereafter during that day when it was off duty, and the time at which it was last available for service to the public on that day;</p> <p>(4) The number of dispatched calls requests serviced by each taxicab referred to in Subsection D(3); and</p> <p>(5) A list of all complaints and compliments received concerning taxicab service provided by that broker or his or her brokerage or by taxicabs having the right to accept calls requests for service</p> | <p>Same as above.</p> <p>Same as above.</p> <p>Same as above.</p> <p>Same as above.</p> <p>Same as above.</p> |
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| <p>§ 545-128. Interference with incoming calls</p> <p>No taxicab broker shall, having as his or her sole intent the prevention of the reception of incoming calls from the public for taxicab service, remove or permit the removal of the receiver from the hook of any telephone normally used by him or her for the accepting of such calls, and no taxicab broker shall with such intent agree to arrange with any other person to prevent or interfere in any way with the reception of such calls.</p> | <p>§ 545-128. Interference with incoming calls</p> <p>No taxicab broker shall, having have as his or her sole intent the prevention of the reception of incoming calls requests from the public for taxicab service, remove or permit the removal of the receiver from the hook of any telephone normally used by him or her for the accepting of such calls and no taxicab broker shall with such intent agree to arrange with any other person to prevent or interfere in any way with the reception of such calls requests.</p> | <p>Same as above.</p> <p>Same as above.</p> |
| <p>§ 545-148. General provisions respecting the operation of taxicabs</p> <p>V. Name of owner of cab to appear on driver's licence; information to be provided by driver to broker.</p> <p>(3) Every owner and every lessee of a taxicab, in respect of whose taxicab there is a contract, agreement or arrangement with a taxicab broker for the accepting of calls for service, shall, forthwith after the commencement by every driver of a contract, agreement or arrangement pursuant to which the said driver is to drive the said taxicab, provide to the said</p> | <p>§ 545-148. General provisions respecting the operation of taxicabs</p> <p>V. Name of owner of cab to appear on driver's licence; information to be provided by driver to broker.</p> <p>(3) Every owner and every lessee of a taxicab, in respect of whose taxicab there is a contract, agreement or arrangement with a taxicab broker for the accepting of calls requests for service, shall, forthwith after the commencement by every driver of a contract, agreement or arrangement pursuant to which the said driver is to drive the said taxicab, provide to the said taxicab</p> | <p>Same as above.</p> |

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| taxicab broker the name and Toronto taxicab driver's licence number of the said driver and the time when he or she first commenced to drive the said taxicab pursuant to the said contract, agreement or arrangement. | broker the name and Toronto taxicab driver's licence number of the said driver and the time when he or she first commenced to drive the said taxicab pursuant to the said contract, agreement or arrangement. | |
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| <p>§ 545-135. Taximeters</p> <p>A. Every owner shall have affixed to each taxicab in respect of...</p> <p>(9) Equipped with a luminous yellow or illuminated metal plate or flag attached to the top thereof or a light on the top thereof clearly visible from any direction outside the cab, which plate, flag or light shall be approved by the Executive Director or by his or her designate.</p> <p>B. The taximeter referred to in Subsection A of this section shall be set up in such a manner that:</p> <p>(1) When the said taximeter is in operation:</p> <p>(a) If it is equipped with a plate or flag, such plate or flag shall be in a lowered position; or</p> <p>(2) When the said taximeter is not in operation:</p> <p>(a) If it is equipped with a plate or flag, such a plate or flag shall be in a raised position clearly visible from any direction outside the cab; or</p> <p>C. Taximeter to be operational and tested.</p> <p>(1) No driver or owner of a cab equipped with a taximeter shall operate or permit to be</p> | <p>§ 545-135. Taximeters</p> <p>A. Every owner shall have affixed to each taxicab in respect of...</p> <p>(9) Equipped with a luminous yellow or illuminated metal plate or flag attached to the top thereof or a light on the top thereof clearly visible from any direction outside the cab, which plate, flag or light shall be approved by the Executive Director or by his or her designate.</p> <p>Delete B (1) (a).</p> <p>Delete B (2) (a).</p> <p>(1) No driver or owner of a cab equipped with a taximeter shall operate or permit to be</p> | <p>Taxicabs no longer have plates or flags.</p> <p>Same as above.</p> <p>Same as above.</p> <p>Same as above.</p> |
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| <p>operated any such cab: (c) when any object within the cab obstructs the view from any direction outside the cab of the light referred to in Subsection A(9) of this section or of the metal plate or flag referred to in the same subsection while such plate or flag is in a raised position</p> | <p>operated any such cab: (c) when any object within the cab obstructs the view from any direction outside the cab of the light referred to in Subsection A(9) of this section. or of the metal plate or flag referred to in the same subsection while such plate or flag is in a raised position</p> | <p>Same as above.</p> |
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2. Sections/terms that are obsolete due to changes in City policy or organizational structure

| Section | Change | Reason |
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| <p>§ 545-131. Issuance and renewal of cab driver's licences</p> <p>A. Additional information to be filed with application for driver's licence; temporary cab driver's licence.</p> | <p>§ 545-131. Issuance and renewal of cab driver's licences</p> <p>A. Additional information to be filed with application for driver's licence; temporary cab driver's licence.</p> | <p>The City no longer issues temporary cab driver's licences.</p> |

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| <p>(4) Notwithstanding Subsection A(3)(b) of this section, an owner who has not completed the five-year term of probation referred to therein, who ordinarily drives his or her cab on a regular shift basis, and whose cab is temporarily out of operation due to damage caused by an accident or due to mechanical breakdown, may, upon application to the Municipal Licensing and Standards Division, be issued a temporary cab driver's licence authorizing him or her to drive a cab not owned by him or her until his or her own cab can be returned to service, provided that the applicant:</p> | Delete (4) | Same as above. |
| <p>(a) Attends at the office of the Municipal Licensing and Standards Division, completes the prescribed form of application for such licence and pays the prescribed fee therefor;</p> | Delete (4) (a) | Same as above. |
| <p>(b) Provides proof, in a form satisfactory to the Municipal Licensing and Standards Division, that his or her cab cannot be operated, together with the reasons therefor; and</p> | Delete (4) (b) | Same as above. |
| <p>(c) Subject to § 545-137B of this article, turns in the cab owner's licence, picture card and taxicab plate issued to him or her by the Municipal Licensing and Standards Division.</p> | Delete (4) (c) | Same as above. |
| <p>(5) Every owner to whom a temporary driver's licence is issued</p> | Delete (5) | Same as above. |

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| <p>under this section shall, forthwith upon his or her cab being repaired and operable as a taxicab, reattend with the cab at the Municipal Licensing and Standards Division office, and provide to the Municipal Licensing and Standards Division a certificate of mechanical fitness, at which time his or her temporary cab driver's licence issued to him or her under this subsection shall expire and his or her licence, picture card and plate may be returned to him or her.</p> | | |
| <p>(6) A cab owner who has been issued a temporary cab driver's licence under Subsection A(4) may, during the subsistence of such licence, drive any taxicab in respect of which the owner is licensed by the Municipal Licensing and Standards Division, and any motor vehicle for which spare plates have been issued to him or her under § 545-137B of this article.</p> | Delete (6) | Same as above. |
| <p>(7) The Toronto Licensing Tribunal may revoke a temporary driver's licence for failure by the licensee to comply with the provisions of this section or for any other cause authorized by law.</p> | Delete (7) | Same as above. |

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| <p>§ 545-134. General provisions respecting licences and licence applications</p> <p>C. Owners and drivers to be licensed.</p> <p>(2) Subject to § 545-131B of this article, no owner of a livery cab or a standard taxicab shall permit or allow any person other than a licensed driver to operate his or her cab.</p> <p>(3) No driver, while having the care and control of a livery cab or a standard taxicab, shall permit any person other than the owner or an employee of the owner of such cab to drive it.</p> <p>§ 545-142. Sales and transfers</p> <p>A. Sale of a taxicab; issuance of new licence to purchaser.</p> <p>(1) No owner's licence shall be transferred, but, subject to any other provisions of this chapter, an owner may sell his or her livery cab and its equipment to any person and an owner may sell his or her standard taxicab and its equipment to any individual person licensed as a taxicab driver under this chapter, and upon such sale the owner's licence issued in respect of such cab shall be</p> | <p>§ 545-134. General provisions respecting licences and licence applications</p> <p>C. Owners and drivers to be licensed.</p> <p>(2) Subject to § 545-131B of this article, no owner of a livery cab or a standard taxicab shall permit or allow any person other than a licensed driver to operate his or her cab.</p> <p>(3) No driver, while having the care and control of a livery cab or a standard taxicab, shall permit any person other than the owner or an employee of the owner of such cab to drive it.</p> <p>§ 545-142. Sales and transfers</p> <p>A. Sale of a taxicab; issuance of new licence to purchaser.</p> <p>1) No owner's licence shall be transferred, but, subject to any other provisions of this chapter, an owner may sell his or her livery cab and its equipment to any person and an owner may sell his or her standard taxicab and its equipment to any individual person licensed as a taxicab driver under this chapter, and upon such sale the owner's licence issued in respect of such cab shall be</p> | <p>The regulations governing livery cabs (limousines) are contained in Chapter 545-XXXIX</p> <p>Same as above.</p> <p>Same as above.</p> |
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| <p>terminated.</p> <p>(4) Subject to Subsection A(5) hereof, the Municipal Licensing and Standards Division may, in its discretion, issue a new licence to the purchaser of such taxicab or livery vehicle and equipment subject to the following conditions:</p> <p>B. Death of owner.</p> <p>(2) Upon receiving notice of the death of the owner of a standard taxicab or a livery cab, the Municipal Licensing and Standards Division may re-issue the licence for its unexpired term or may issue a new licence in the name of the estate of the said deceased owner pending disposition of the said cab by the personal representative or representatives of such deceased owner.</p> <p>(6) Upon the sale, transfer or other disposition of a standard taxicab or a livery cab by the personal representative or representatives of a deceased cab owner, the licence issued in respect of such cab shall be terminated, and the Licensing and Municipal Standards Division may, in its discretion, issue a new licence to the person purchasing or otherwise obtaining</p> | <p>terminated.</p> <p>(4) Subject to Subsection A(5) hereof, the Municipal Licensing and Standards Division may, in its discretion, issue a new licence to the purchaser of such taxicab or livery vehicle and equipment subject to the following conditions:</p> <p>B. Death of owner.</p> <p>(2) Upon receiving notice of the death of the owner of a standard taxicab or a livery cab, the Municipal Licensing and Standards Division may re-issue the licence for its unexpired term or may issue a new licence in the name of the estate of the said deceased owner pending disposition of the said cab by the personal representative or representatives of such deceased owner.</p> <p>(6) Upon the sale, transfer or other disposition of a standard taxicab or a livery cab by the personal representative or representatives of a deceased cab owner, the licence issued in respect of such cab shall be terminated, and the Licensing and Municipal Standards Division may, in its discretion, issue a new licence to the person purchasing</p> | <p>Same as above.</p> <p>Same as above.</p> <p>Same as above.</p> |
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| <p>such cab, and the provisions of Subsection A of this section and the provisions of this chapter requiring a fee to be paid upon the issue of a licence to a purchaser of a taxicab on a sale approved by the Toronto Licensing Tribunal shall apply mutatis mutandis to such person and to such transaction.</p> <p>§ 545-147. Cab stands</p> <p>F. Use of cab stands by cab owners; operation of livery cabs from cab stands.</p> <p>(2) No person licensed under this chapter shall operate or permit to be operated a livery cab from a public cab stand authorized and</p> <p>§ 545-130. Definitions</p> <p>FLEET - Any number of standard taxicabs or livery cabs in excess of one owned by the same owner.</p> <p>SALE - The sale of one or more standard taxicabs or livery cabs in respect of which licences are issued under this chapter, accompanied by an application to the Municipal Licensing and Standards Division for the issue of new licences.</p> | <p>or otherwise obtaining such cab, and the provisions of Subsection A of this section and the provisions of this chapter requiring a fee to be paid upon the issue of a licence to a purchaser of a taxicab on a sale approved by the Toronto Licensing Tribunal shall apply mutatis mutandis to such person and to such transaction.</p> <p>§ 545-147. Cab stands</p> <p>F. Use of cab stands by cab owners; operation of livery cabs from cab stands.</p> <p>(2) No person licensed under this chapter shall operate or permit to be operated a livery cab from a public cab stand authorized and</p> <p>§ 545-130. Definitions</p> <p>FLEET - Any number of standard taxicabs or livery cabs in excess of one owned by the same owner.</p> <p>SALE - The sale of one or more standard taxicabs or livery cabs in respect of which licences are issued under this chapter, accompanied by an application to the Municipal Licensing and Standards Division for the issue of new licences</p> | <p>Same as above.</p> <p>Same as above.</p> <p>Same as above.</p> <p>Same as above.</p> |
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| <p>§ 545-136. Signs, advertising, equipment and markings</p> <p>D. Application for approval of form of advertising.</p> <p>(4) The notice sent pursuant to § 545-136D(3) shall include:</p> <p>(a) A statement that the applicant may request that the matter be referred to the Planning and Transportation Committee for review and disposition by delivering a written request to the Municipal Licensing and Standards Division within 30 days of the notice sent pursuant to § 545-136D(3); and</p> <p>(5) Where the Municipal Licensing and Standards Division receives a request for a hearing in accordance with § 545-136D(4)(a), the application for approval of a form of advertising on a taxicab shall be referred to the Planning and Transportation Committee forthwith.</p> | <p>§ 545-136. Signs, advertising, equipment and markings</p> <p>D. Application for approval of form of advertising.</p> <p>(4) The notice sent pursuant to § 545-136D(3) shall include:</p> <p>(a) A statement that the applicant may request that the matter be referred to the Planning and Transportation Committee Licensing and Standards Committee for review and disposition by delivering a written request to the Municipal Licensing and Standards Division within 30 days of the notice sent pursuant to § 545-136D(3); and</p> <p>(5) Where the Municipal Licensing and Standards Division receives a request for a hearing in accordance with § 545-136D(4)(a), the application for approval of a form of advertising on a taxicab shall be referred to the Planning and Transportation Committee Licensing and Standards Committee forthwith.</p> | <p>These matters are handled by Licensing and Standards Committee.</p> <p>These matters are handled by Licensing and Standards Committee.</p> |
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| <p>§ 545-136. Signs, advertising, equipment and markings</p> <p>E. Required equipment and markings; prohibitions.</p> <p>(h) Three "Watch for Bikes" stickers, in a form approved by the Commissioner or his or her delegate, one affixed to the driver's side mirror, one affixed to the right rear side window and one affixed to the left rear side window, affixed in manner that will not obstruct the driver's view.</p> <p>H. Taxicab passenger bill of rights.</p> <p>(1) Every owner shall securely affix to the back of the front passenger seat of his or her taxicab a taxicab passenger bill of rights in a form provided by the Commissioner or his or her designate, which form shall state that taxicab passengers have a right to:</p> <p>I. Emergency lights system; camera system; global positioning system.</p> <p>(5) No owner or driver shall operate, or permit to be operated, a taxicab equipped with a camera system unless such taxicab has affixed thereon, in a location and</p> | <p>§ 545-136. Signs, advertising, equipment and markings</p> <p>E. Required equipment and markings; prohibitions.</p> <p>(h) Three "Watch for Bikes" stickers, in a form approved by the Commissioner Executive Director or his or her delegate, one affixed to the driver's side mirror, one affixed to the right rear side window and one affixed to the left rear side window, affixed in manner that will not obstruct the driver's view.</p> <p>H. Taxicab passenger bill of rights.</p> <p>(1) Every owner shall securely affix to the back of the front passenger seat of his or her taxicab a taxicab passenger bill of rights in a form provided by the Commissioner Executive Director or his or her designate, which form shall state that taxicab passengers have a right to:</p> <p>I. Emergency lights system; camera system; global positioning system.</p> <p>(5) No owner or driver shall operate, or permit to be operated, a taxicab equipped with a camera system unless such taxicab has affixed thereon, in a location and</p> | <p>Commissioners no longer exist.</p> <p>Commissioners no longer exist.</p> |
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| <p>manner approved by the Commissioner, a decal approved by the Commissioner stating that photographic images of passengers in the taxicab are being recorded.</p> | <p>manner approved by the Commissioner Executive Director, a decal approved by the Commissioner Executive Director stating that photographic images of passengers in the taxicab are being recorded.</p> | <p>Commissioners no longer exist.</p> |
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3. Sections/terms that are obsolete due to changes in provincial policy

| Section | Recommended Change | Reason |
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| <p>§ 545-136. Signs, advertising, equipment and markings.</p> <p>E. Required equipment and markings; prohibitions.</p> <p>(g) A sign or signs, as approved by the Municipal Licensing and Standards Division, affixed in a manner and in a location satisfactory to the Municipal Licensing and Standards Division to indicate clearly to any passenger upon entering or intending to enter or while seated in the said vehicle that smoking is not permitted unless the driver of the said taxicab consents thereto.</p> | <p>§ 545-136. Signs, advertising, equipment and markings.</p> <p>E. Required equipment and markings; prohibitions.</p> <p>(g) A sign or signs, as approved by the Municipal Licensing and Standards Division, affixed in a manner and in a location satisfactory to the Municipal Licensing and Standards Division to indicate clearly to any passenger upon entering or intending to enter or while seated in the said vehicle that smoking is not permitted. unless the driver of the said taxicab consents thereto.</p> | <p>Smoke Free Ontario Act prohibits smoking in taxicabs under any circumstances.</p> |

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| <p>§ 545-150. Rates and fares</p> <p>K. No owner shall allow to be operated and no driver shall operate any cab without a sign, as approved by the Executive Director or his or her designate, to indicate clearly that the fare as shown on the taximeter includes the goods and services tax.</p> | <p>§ 545-150. Rates and fares</p> <p>K. No owner shall allow to be operated and no driver shall operate any cab without a sign, as approved by the Executive Director or his or her designate, to indicate clearly that the fare as shown on the taximeter includes the goods and services tax harmonized sales tax.</p> | <p>GST now HST.</p> |
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4. Sections/terms that are obsolete due to the expiration of transition provisions.

Several sections of the by-law include transition provisions, which have long expired. There is no reason to have these in the by-law moving forward and it is recommended that they be deleted.

| Section | Recommended Change |
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| <p>§ 545-132. Issuance of taxicab owner's licences.</p> <p>D. Limitation on number of ambassador taxicab licences issued to qualified persons.</p> <p>(3) Despite Subsection D(2), in 2003 the Municipal Licensing and Standards Division shall issue no more than 420 ambassador taxicab licences to qualified persons on the drivers' list.</p> <p>(4) Despite Subsection D(2), in 2004 the Municipal Licensing and Standards Division shall issue no more than 208 ambassador taxicab licences to qualified persons on the drivers' list.</p> <p>(5) Despite Subsection D(2), in 2005 the Municipal Licensing and Standards Division shall issue no more than 213 ambassador taxicab licences to qualified persons on the drivers' list.</p> <p>M. Restriction on number if accessible taxicab licences issued.</p> <p>(2) The Municipal Licensing and Standards Division shall issue no more than 50 accessible taxicab licences in the year 2000 and no more than 25 accessible taxicab licences in the year 2001 to qualified persons on the drivers' list.</p> | <p>Delete.</p> <p>Delete.</p> <p>Delete.</p> <p>Delete.</p> |

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| <p>(3) In the event that the maximum number of accessible taxicab licences which may be issued pursuant to Subsection M(2) of this section is not issued to qualified persons on the drivers' list, the Municipal Licensing and Standards Division shall issue the remaining licences to qualified taxicab brokerages.</p> <p>(4) The Municipal Licensing and Standards Division shall not issue any licence pursuant to Subsection M(3) of this section unless the application for same was made prior to May 30, 2001, and unless the applicant qualified for the issuance of the licence and paid the applicable licence fee prior to May 30, 2001.</p> <p>(5) The Municipal Licensing and Standards Division shall issue no more than 10 accessible taxicab licences in each of the years 2005, 2006 and 2007. [Added 2005-05-19 by By-law No. 373-2005]</p> | <p>Delete.</p> <p>Delete.</p> <p>Delete.</p> |
| <p>§ 545-140. Age of vehicles</p> <p>I. Vehicles that were purchased or leased as new or replacement vehicles since January 1999 may continue to operate as taxicabs in accordance with this chapter.</p> <p>J. Where a taxicab is required to be replaced in the last inspection period of 2004, the vehicle may be replaced in the first inspection period of 2005.</p> | <p>Delete.</p> <p>Delete.</p> |

5. Miscellaneous Changes

| Section | Recommended Change | Reason |
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| <p>B. Death of owner.</p> <p>(6) Upon the sale, transfer or other disposition of a standard taxicab or a livery cab by the personal representative or representatives of a deceased cab owner, the licence issued in respect of such cab shall be terminated, and the Licensing and Municipal Standards Division may, in its discretion, issue a new licence to the person purchasing or otherwise obtaining such cab, and the provisions of Subsection A of this section and the</p> | <p>B. Death of owner.</p> <p>6) Upon the sale, transfer or other disposition of a standard taxicab or a livery cab by the personal representative or representatives of a deceased cab owner, the licence issued in respect of such cab shall be terminated, and the Municipal Licensing and Standards Division may, in its discretion, issue a new licence to the person purchasing or otherwise obtaining such cab, and the provisions of Subsection A of this section and the provisions of this chapter</p> | <p>Grammatical error.</p> |

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| <p>provisions of this chapter requiring a fee to be paid upon the issue of a licence to a purchaser of a taxicab on a sale approved by the Toronto Licensing Tribunal shall apply mutatis mutandis to such person and to such transaction.</p> | <p>requiring a fee to be paid upon the issue of a licence to a purchaser of a taxicab on a sale approved by the Toronto Licensing Tribunal shall apply mutatis mutandis to such person and to such transaction.</p> | |
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