

REVISIONS TO CHAPTER 545, LICENSING

Submitted by: Bennington Limousine, Cullitons Limousine Service,
Global Alliance, Rosedale Livery & Royal Limousine

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As industry leaders, we have always maintained that the purpose of changes to the bylaw must remain focused on public safety and deepening confidence in the industry. The City of Toronto's limousine industry is one of the largest in North America and is governed by a detailed underlying bylaw.

Recently the City of Toronto had embarked on a review of the limousine provisions of Chapter 545. While that review was only at a preliminary stage, we welcomed the opportunity to provide our experience and our customer feedback with a goal of further enhancing certain provisions of the bylaw. We continue to welcome the opportunity to work with ML&S and Council.

Chapter 545 is designed to govern all private for hire passenger transportation providers either as a taxicab or as a limousine. The current bylaw states that:

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."

This is the appropriate streaming for private for hire passenger services to be either taxicab or limousine services. There is no need to create a separate classification of licences. To create a series of sub-types of private for hire passenger transportation creates the opportunity for more organizations to conduct their business outside of the bylaw.

That said, there are other provisions of the bylaw that could use updating and strengthening. Our proposals are designed with the intent of increasing public safety, confidence in our services, and increasing accountability measures.

BYLAW CONSIDERATONS

ENFORCEMENT

The most significant issue facing the ground transportation industry is a longstanding lack of enforcement of the existing bylaws. Given this situation, the limousine industry would like to see an enhanced enforcement regime including:

- Standardized and enhanced enforcement of the regulatory framework of the Licensing Bylaw and the Highway Traffic Act.
- Better coordination between ML&S, Toronto Police, and the Limousine Service Companies to ensure compliance of existing regulations and to ensure that the regulatory frameworks remain relevant.

LIMOUSINE SERVICE COMPANY

- In order to provide additional public and regulatory accountability, all limousines must be registered to a ML&S licensed limousine service company. This will assist in overall enforcement and customer accountability.

- **Current Definition: LIMOUSINE SERVICE COMPANY** - Any person or entity which accepts calls in any manner for booking, arranging or providing limousine transportation.
- **Proposed Definition: LIMOUSINE SERVICE COMPANY** – Any person or entity who accepts requests in any manner for booking, arranging or providing limousines used for hire, or any person or entity who arranges, facilitates, brokers or puts into contact passengers and drivers for transportation by limousine in exchange for a payment of a charge, fee, commission or other remuneration specifically related thereto and payable by any person or entity.

PLATES / LICENCES

- The Stretch to Sedan ratio should be maintained. Mini Coaches should be considered as a “stretch” for the purposes of the ratio.
- Transferring a plate to another Limousine Service Company should not be considered new plates. Transfers are distinct from net new.
- Overall the net new plates available in any one year should not exceed 10% of the previous year’s plate total registered at ML&S. Limousine Service Companies can acquire up to 15% of the available net new plates based on the total # of licensed vehicles within their Limousine Services Company as of the previous year.

FARES

- No surge pricing
- Minimum fares remain regulated by ML&S. The minimum fare should be reduced to \$60 (+HST) for any time used in the first hour. The proposed language sets a minimum fare (flat rate) payable for the use any or all of the first hour.

NOTE: Our proposal reduces the minimum first hour rate from \$70 to \$60 (+ H.S.T.), and in addition eliminates the second hour minimum rate or the confusion that there is a two hour minimum fare to be paid.

- **Proposed language:** (1) Notwithstanding anything else in this chapter except Subsection A(2), the minimum rates or fares to be quoted and charged by an owner, driver, limousine service company or any person in its employ shall not be less than \$60 (+ H.S.T.) for the first hour or any part thereof.

PRE BOOKING, PRE-ARRANGEMENT & STAGING

- Revised definition of PRE-ARRANGEMENT, PRE-ARRANGED or PRE-ARRANGE to allow for electronic reservation. **Proposed Language** - A written, oral, or electronic reservation made with a limousine service company in advance of the service by a person requesting limousine service for a specified time.
- Pre-Booking time to be removed. The provision for no hailed or flagged requests should remain. All requests must be pre-arranged through the dispatch regime of the Limousine Service Company as noted in the above definition. This will also assist in the maintenance of accurate service logs.
- Staging should be allowed in front of a theatre or entertainment facility. However, continue to be prohibited directly in front of a hotel.

SERVICE LOGS AND DISPATCH RECORDS (SECTION 545-483)

- Information required within this section should be allowed to be provided in an electronic form or in a paper form.

DRIVERS

- A limousine service can only to be provided by a driver who is licensed by ML&S and is using an ML&S approved and registered vehicle.
- All drivers must provide an annual vulnerable person's check, police check, and driver abstract prior to issuance or renewal of licence.
- All drivers must provide proof of commercial vehicle liability insurance through a Financial Services Commission of Ontario (FSCO) registered insurance company prior to issuance or renewal of licence.

TRAINING

- Every limousine driver must pass a general limousine test created by ML&S based on the bylaw.
- Testing be provided and administered by a ML&S approved provider. Such provider may be a City of Toronto licensed Limousine Services Company and / or an approved third party provider
- Proof of completion including a test must be provided to ML&S prior to the issuance of the license

VEHICLE SPECIFICATIONS

- All vehicles providing passenger for hire services must provide proof of commercial vehicle liability insurance through a Financial Services Commission of Ontario (FSCO) registered insurance company
- All vehicles must have an annual safety check and the certificate must be provided to ML&S prior to the issuance of the licence
- Age of vehicles should remain as is currently listed in the bylaw. Although some allowance could be considered for new vehicle purchased at the end of a model year.

VEHICLE TYPES

- When revisiting any future vehicle types that would be considered applicable under the bylaw definitions as either the sedan or stretch definition, we would like to maintain that these vehicles should continue to be of a "luxury" quality as currently noted in the definitions.

Submitted by Mitch Grossman, Royal Limousine