

From: [Jake Brockman](#)
To: [councilmeeting](#)
Subject: My comments for 2021.MM36.14 on October 1, 2021 City Council
Date: Friday, October 1, 2021 11:40:20 AM
Attachments: [9 28 Uber Memo - Toronto City Council - FINAL \(1\).pdf](#)

To the City Clerk:

I hope you are having a great day.

Please add the attached letter from Uber Canada to the agenda for the October 1, 2021 City Council meeting on item 2021.MM36.14, Back-to-School - Vehicle-for-Hire Driver Training - by Councillor Kristyn Wong-Tam, seconded by Councillor Paul Ainslie.

Please let me know if you have any questions or require further information. Thank you very much.

Jake Brockman

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MEMORANDUM

TO: Toronto City Council

SUBJECT: MM36.14: Back-to-School - Vehicle-for-Hire Driver Training

DATE: September 28, 2021

Since City Council approved substantial amendments to Municipal Code Chapter 546 in July 2019, Uber has worked to implement a range of new regulatory requirements including additional data requirements and an increase in the years of driving experience for all drivers from one to three years.

Uber has also implemented a range of new safety features since 2019 including the rollout of sexual assault and misconduct educational modules to all active Toronto drivers in partnership with RAINN (Rape, Abuse & Incest National Network) and other organizations. This mandatory initiative provides comprehensive sexual assault and misconduct information for drivers.

As part of our commitment to continuously improving the safety of the platform, **Uber has fully supported the timely rollout and implementation of the City of Toronto Driver Training Accreditation Program.** In fact, Uber has encouraged the City to move forward with the training rollout:

- In a letter dated **March 27, 2020**¹, given the uncertainty around the onset of the COVID-19 pandemic, we suggested a reasonable timeline for the rollout of the training that would have seen all drivers accredited by March 31, 2021
- In a letter dated **May 26, 2021**², our General Manager called on the Executive Director, Municipal Licensing and Standards to move forward with the approval of training providers and proposed a timeline that would have already seen training rolled out.

Unfortunately, given the workload at ML&S during the pandemic, the training programs put forward by third party training providers have not been reviewed, and this has left the entire industry in limbo. We believe that substantial progress can and should be made between now and the November 30, 2021 meeting of the General Government and Licensing Committee.

While MM36.14 is well-intentioned in its objective to move forward with the Driver Training Accreditation Program, we believe that this matter should be referred to the November 30, 2021 when Municipal Licensing and Standards will bring a fulsome update report on the Vehicle-for-Hire bylaw.

¹ See full March 27, 2020 letter here: <https://uber.app.box.com/s/h4odhex3o9yj1w1yyp8bnzm762dr02ep>

² See full May 26, 2021 letter here: <https://uber.app.box.com/s/h4odhex3o9yj1w1yyp8bnzm762dr02ep>

If Council does decide to waive referral, there are two amendments that would strengthen the motion and help avoid negative consequences for the people of the City of Toronto. **Uber urges City Council to amend MM36.14: Back-to-School - Vehicle-for-Hire Driver Training to:**

- **Strike Clause 1**
- **Add “with specific dates” to Clause 2.c.**

The rationale for these amendments is as follows:

1. The City of Toronto has a strong safety regime in place for vehicle-for-hire drivers

Drivers who have been licensed since 2019 have had to meet some of the most rigorous safety standards in the world. Appendix A outlines the City of Toronto screening criteria that all drivers have to meet to become licensed. On top of this, Uber applies an approach to criminal and driving history checks which is greater than the statutory requirement. Further, there are strong safety standards for vehicles including a Safety Standards Certificate (SSC).

2. Pausing licensing will have negative consequences

At a time when Toronto’s economy is reopening and the City is encouraging Torontonians to #ShowLoveTO, pausing licensing would have several negative consequences. These include shutting off a critical earning opportunity from potentially thousands of Torontonians looking for additional income and creating higher wait times for people looking for a safe ride home from a night out. Programs like DineTOgether are encouraging Torontonians to get back out to their favourite local restaurant and this policy will hinder one of the modes of transportation that people rely on for these types of outings. This policy would hinder Toronto’s economic recovery and punish individuals for something that was no fault of their own.

3. Dates for the training rollout are critical

The most important outcome for all participants in the vehicle-for-hire industry is predictability around the dates for the training rollout. By adding language to the motion requesting ML&S to bring specific dates to the November 30, 2021 meeting of the General Government and Licensing Committee, this will help ensure that a concrete and operationally feasible timeline is established that informs all stakeholders about next steps over the coming months as the training program gets rolled out. Uber has encouraged a rollout that starts with new drivers and then moves to incorporate existing drivers as their license comes up for renewal.

Conclusion

Uber looks forward to continuing to work with City Council and staff to ensure a safe, competitive, and reliable vehicle-for-hire industry. We have put processes in place to prepare for the rollout of the training program and we urge the City to move forward in a timely manner.

Appendix A: Screening Standards

The City shall deny an application for, or a renewal of a vehicle-for-hire driver and PTC driver licence, and no PTC shall allow a person to act as a PTC driver where the licensee or applicant has:

- a) Been convicted at any time of a sexual offence against a minor or a person with a disability under any of sections 151 to 153.1 of the Criminal Code
- b) Been convicted of any sexual offence under the Criminal Code in the preceding ten years
- c) Been convicted of an offence under the following Criminal Code sections in the preceding five years:
 - i. 84 to 117.15 (Firearms and Other Weapons)
 - ii. 264.1 to 286.1 (Offences Against the Person)
 - iii. 321 to 378 (Offences Against Rights of Property)
 - iv. 379 to 462 (Fraudulent Transactions, Wilful and Forbidden Acts of Certain Property, Offences Relating to Currency)
 - v. 462.3 to 462.5 (Proceeds of Crime)
- d) Been convicted at any time of an offence under the following Criminal Code sections:
 - i. 83.01 to 83.33 (Terrorism)
 - ii. 219 to 248 (Major Offences Against the Person)
 - iii. 267, 268, 270.01, 272, 273 (Major Assaults or Major Sexual Assaults)
- e) Been convicted of an offence under the following Controlled Drugs and Substances Act sections in the preceding ten years:
 - i. 5 (Trafficking)
 - ii. 6 (Importing and exporting)
 - iii. 7 (Production)
 - iv. 7.1 (Possession for use in production or trafficking)
- f) Been convicted of any offence under section 4 (Possession or obtaining) of the Controlled Drugs and Substances Act in the preceding five years
- g) Been convicted of five or more offences under Chapter 545 or 546 of the Toronto Municipal Code in the preceding three years
- h) Any overdue by-law fines, unless the applicant provides proof that such fines have been subsequently paid.

- i) Been convicted of any offence under sections 249, 252, or 253 of the Criminal Code (Motor Vehicles, Vessels, and Aircraft) in the preceding five years
- j) Accumulated nine or more demerit points on his or her driving record abstract at the time the application for a licence or renewal is made
- k) Been convicted of any of the following offences under the Highway Traffic Act in the preceding five years:
 - i. Careless driving
 - ii. Racing or stunt driving
 - iii. Exceeding the speed limit by 50 km/hour or more
 - iv. Failing to stop for a school bus or when signaled or asked by a police officer
 - v. Failing to remain at the scene of a collision
 - vi. Driving while licence suspended

Despite these screening criteria, if a licence has been previously issued or renewed and the applicant's or licensee's record discloses no new breach of the screening criteria, the licence may be issued or renewed without the matter being referred to the Toronto Licensing Tribunal.

These screening criteria do not apply to any offence for which a licensee or applicant has been granted a criminal record suspension (i.e. a pardon) by the Parole Board of Canada.