

Extending the Vehicle Age Limit for Accessible Taxicabs

Date: June 20, 2022

To: General Government and Licensing Committee

From: Executive Director, Municipal Licensing and Standards

Wards: All

SUMMARY

As required by the *Accessibility for Ontarians with Disabilities Act (AODA)*, the City has a multi-year accessibility plan which includes ensuring the availability of on-demand accessible vehicle-for-hire service for all individuals. Consistent with this, Chapter 546, Licensing of Vehicles-for-Hire, of the Toronto Municipal Code established Toronto Taxicab Licences (TTLs), which are issued to taxicab owners operating a wheelchair-accessible taxicab.

In accordance with Chapter 546, all Private Transportation Company (PTC) vehicles and taxicabs, including TTLs, are not permitted to operate if they are more than seven model years old. In 2020, to support taxicab owners impacted by COVID-19, City Council temporarily extended this vehicle age limit to nine years for all taxicabs, expiring at the end of 2022. Of the 600 licensed wheelchair-accessible taxicabs currently operating in Toronto, 370 wheelchair-accessible taxicabs, representing 62% of the wheelchair-accessible taxicab fleet in Toronto will reach their vehicle age limit at the end of 2022 and must be replaced.

Staff have heard concerns from the taxicab industry and engaged with TTC Wheel-Trans and accessible vehicle converters in the GTA about the current market availability of wheelchair-accessible vehicles to replace the expiring licensed wheelchair-accessible taxicabs. Due to on-going supply chain issues, which have affected the motor vehicle industry, it is anticipated that there will be an insufficient number of vans that can be converted to be wheelchair-accessible in Toronto and surrounding areas within the timeframe necessary to comply with the existing requirements of Chapter 546. This may prevent wheelchair-accessible taxicab owners from being able to replace their vehicles resulting in reduced availability of accessible vehicles for the TTC Wheel-Trans' contracted services and effect on-demand wheelchair-accessible transportation services in the city.

Staff recommend amending Chapter 546 such that, until December 31, 2025, a wheelchair-accessible taxicab may be up to 10 model years old. On January 1, 2026,

this provision would be repealed such that wheelchair-accessible taxicabs will again be required to be no more than 7 model years old. This will provide the flexibility for taxicab operators to continue to provide accessible transportation services while providing time for supply chain issues to resolve and taxicab owners to source and purchase appropriate replacement vehicles. Taxicab owners will continue to be required to submit annual mechanical safety inspection certificates and comply with all safety and maintenance requirements in Chapter 546 to ensure that the wheelchair-accessible vehicles continue to be safe to operate as taxicabs.

This report was written in consultation with TTC Wheel-Trans and the Accessibility Unit.

RECOMMENDATIONS

The Executive Director, Municipal Licensing and Standards recommends that:

1. City Council amend Toronto Municipal Code Chapter 546, Licensing of Vehicles-for-Hire, to permit a vehicle used as an accessible taxicab to be up to ten model years old and stipulating that this provision is in effect until December 31, 2025 and shall be repealed on January 1, 2026.

FINANCIAL IMPACT

There is no financial impact arising from the recommendations in this report.

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

EQUITY IMPACT STATEMENT

The recommendation in this report is intended to mitigate the negative effect of 370 licensed wheelchair-accessible taxis, representing 62% of currently operating accessible taxicabs in Toronto, losing their ability to operate as a taxicab. It would also mitigate the negative effect on TTC Wheel-Trans' on-demand taxicab service, by allowing 131 licensed accessible taxicabs contracted by TTC Wheel-Trans, representing 43% of TTC Wheel-Trans contracted taxicabs, to continue to operate past the current vehicle age limit. Should these wheelchair-accessible taxicabs all reach their permitted end of vehicle life at the end of 2022 and be required to cease operation until a new vehicle can be procured, it would introduce a barrier for many of the nearly 10% of Torontonians with a mobility disability that may require the use of on-demand door-to-door transportation services. Losing the service of 370 licensed accessible taxicabs could impact the health and well-being of people with disabilities and seniors who use mobility devices who rely on this service to provide transportation to daily living activities such as social events or grocery shopping, or other important in-person services such as medical appointments.

DECISION HISTORY

On December 16, 2020, City Council adopted, with amendments, GL19.4 Vehicles-for-Hire and COVID-19 Related Financial Hardship, resulting in temporary changes to Chapter 546 to extend the maximum age of vehicles provision by two additional years for existing taxicab and sedan limousines.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.GL19.4>

On July 16, 2019, City Council adopted, with amendments, GL6.31 Review of the City of Toronto Municipal Code Chapter 546, Licensing of Vehicles-for-Hire, which resulted in a number of changes to the vehicle-for-hire regulations, including the adoption of the Accessibility Fund Program

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.GL6.31>

On May 3, 2016, City Council adopted, with amendments, LS10.3 A New Vehicle-for-Hire By-law to Regulate Toronto's Ground Transportation Industry, resulting in a series of changes to the vehicle-for-hire industry, including the establishment of new vehicle age provisions for taxicabs, limousines and PTCs.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.LS10.3>

On September 30, 2015, City Council adopted, with amendments, LS6.1 2015 Ground Transportation Review: Taxis, Limos and Uber, in which Council authorized the issuance of 100 new Toronto Taxicab Licences.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.LS6.1>

On February 19 and 20, 2014, City Council adopted, with amendments, LS26.1 The Taxicab Industry Review - Final Report, which established the Toronto Taxicab Licence category and authorized the issuance of 290 new Toronto Taxicab Licences.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.LS26.1>

COMMENTS

In 2014, City Council established the Toronto Taxicab Licence (TTL) category, which significantly expanded accessible on-demand taxicab service in Toronto, to address the City's AODA obligations, as well as enhance wheelchair-accessible taxicab service ahead of the 2015 Pan-Am and ParaPan-Am Games. As part of the establishment of the TTL licence category, City Council authorized the issuance of 290 new TTL licences in 2014. In 2015, Council authorized the issuance of a further 100 new TTL licences to further advance the availability of on-demand wheelchair-accessible taxicab service.

In Chapter 546, Licensing of Vehicles-for-Hire, a taxicab is not permitted to operate if the vehicle is more than seven model years old. In 2020, to provide support to the vehicle-for-hire industry due to the impact of COVID-19, City Council temporarily extended the maximum vehicle age of all taxicabs to up to nine model years, for 2013 and 2014 model year vehicles. This temporary extension expires on December 31, 2022.

Currently there are 600 licensed accessible taxicabs operating in Toronto. 272 of the accessible taxicabs currently operating are vehicles manufactured in 2015. A further 98 were manufactured in 2013 and 2014. This means that 62% of the accessible taxicab fleet in Toronto will reach its permitted vehicle age limit at the end of 2022. Table 1 below shows the vehicle model year of all 600 currently operating accessible taxicabs, and the year that the vehicles will be required to be replaced, under the proposed amendment.

Table 1: Vehicle Replacement Year for Licensed Accessible Taxicabs under the Proposed Amendment

| Vehicle Model Year | Vehicle Replacement Year | | | | | |
|--------------------|--------------------------|-----------|------------|-----------|-----------|----------|
| | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 |
| 2013 | 7 | | | | | |
| 2014 | | 91 | | | | |
| 2015 | | | 272 | | | |
| 2016 | | | 143 | | | |
| 2017 | | | 23 | | | |
| 2018 | | | 15 | | | |
| 2019 | | | | 18 | | |
| 2020 | | | | | 30 | |
| 2021 | | | | | | 1 |
| Total | 7 | 91 | 453 | 18 | 30 | 1 |

The TTC, through its Wheel-Trans service is an important provider of wheelchair-accessible transportation in Toronto. TTC Wheel-Trans uses contracted services from taxicab brokerages to provide accessible door-to-door transport service. The TTC Wheel-Trans taxicab contracts includes both sedan vehicles and wheelchair-accessible vehicles and there are currently 302 wheelchair-accessible taxicabs that can provide service under the TTC Wheel-Trans contracts. 131 wheelchair-accessible taxicabs, or approximately 43% of the wheelchair-accessible vehicles under contract with TTC Wheel-Trans, are among the taxicabs with a vehicle age set to reach its permitted limit at the end of 2022.

Staff have heard concerns from the taxicab industry and TTC Wheel-Trans staff about the market availability of vehicles that can be converted into accessible taxicabs and the effect this may have on the provision of wheelchair-accessible transportation service. Under the Highway Traffic Act, wheelchair-accessible vehicles must comply with the Canadian Standards Association Standard D409-M84, which specifies design and manufacture of vehicle, ramps and lifts and outlines required safety equipment for accessible vehicles. There are currently only a few select models of vans that have the capability to be converted into wheelchair-accessible vehicles in accordance with these standards.

Staff have been engaging with accessible vehicle converters in the GTA to understand the current market capacity and have heard that due to on-going global supply shortages for vehicles resulting from the COVID-19 pandemic, there is a severe shortage of the models of vans that can be converted into wheelchair accessible taxicabs in Toronto, and it is anticipated that a majority of taxicab owners with accessible vehicles that expire at the end of 2022 will not be able to source a

replacement vehicle immediately. Although it is not known exactly how many on-demand wheelchair-accessible taxicab trips are taken throughout Toronto, it is projected that TTC Wheel-Trans contracted taxicabs will provide over 1,100,000 trips in 2022. Should no action be taken, many of these accessible taxicabs may not be able to operate, which would create a significant reduction of availability of wheelchair accessible on-demand transportation service in Toronto as well as impact TTC Wheel-Trans service. This could create increased transportation and/or transit barriers for many of the nearly 10% of residents of Toronto with a mobility disability and may result in service complaints, including Human Rights complaints.

To mitigate the potential loss of service of 370 wheelchair-accessible taxicabs, staff propose to extend the permitted vehicle life to ten model years for accessible taxicabs to ensure that accessible taxicab service is maintained through TTC Wheel-Trans contracts and on-demand services through taxicab brokerages. This vehicle age extension will provide taxicab owners more time to source an appropriate vehicle that can be converted into an accessible taxicab. Taxicab owners will continue to be required to submit mechanical safety inspection certificates annually and must comply with all other safety and maintenance requirements in Chapter 546, which will ensure that the vehicles continue to be safe to operate. Taxicab owners with vehicles that are from the 2013 or 2014 model year are permitted to operate until the end of 2023 and 2024, respectively, and will be required to replace their vehicle at that time. This approach will ensure that the oldest vehicles permitted to operate are replaced first.

The extension of permitted vehicle age to ten model years is proposed to expire on December 31, 2025. Staff will continue to review this issue and engage with accessible vehicle converters, taxicab industry stakeholders and TTC Wheel-Trans staff to monitor the supply of adequate vehicles that may be converted into accessible vehicles and will act accordingly to address future developments of this issue.

Next Steps

As part of the upcoming review of Chapter 546 anticipated to be considered by City Council in 2023 and 2024, staff will consult with community members and industry stakeholders about accessibility-related regulations within vehicle-for-hire licensing, including vehicle requirements and the Accessibility Fund Program to ensure the City is continuing to meet the needs of people with mobility disabilities.

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SIGNATURE

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ATTACHMENTS
