

Re: Item No. 11.1.5

HALIFAX

**Taxi Broker, TNC and
Appeals-related
Amendments to By-law
T-1000 and
Administrative Order 15**

Regional Council

September 22, 2020

Presentation Overview

- Recommendations
- Background
- Proposed amendments to By-law T-1000 and Administrative Order 15

Recommendations

- Adopt By-law T-1004, the purpose of which is to amend By-law T-1000, the Halifax Regional Municipality Taxi and Limousine By-law as set out in Attachment 2 to the report;
- Adopt the amending Administrative Order, the purpose of which is to amend Administrative Order Number 15, Respecting License, Permit and Processing Fees, as set out in Attachment 4 of the report; and
- Direct the Chief Administrative Officer to establish a staff board, pursuant to Section 6.2 of the Public Appointment Policy Staff Review, consisting of the Manager of Buildings and Compliance (or designate), the Municipal Solicitor (or designate), the Deputy Municipal Clerk, and the CAO (or designate) to review applications to the Taxi License Appeal Committee and bring forward recommendations to Regional Council.

Background

- Licensing of TNCs and Brokers
- Taxi License Appeal Committee

Amendments to By-law T-1000 and Administrative Order 15

Licensing of Brokers and Independent Brokers

- Independent owners/operators that are not currently affiliated with a broker will be required to become a licensed broker to remain independent
- Annual fee of \$300.00 for both a broker and an independent broker
- Reporting is required to be submitted quarterly by brokers and independent brokers

Amendments to By-law T-1000 and Administrative Order 15

Transportation Network Companies

- Annual fee for a TNC is based on the number of vehicles in the fleet

Number of Vehicles	Annual Fee
1 – 10 Vehicles	\$2,000
11 – 25 Vehicles	\$5,000
26 – 100 Vehicles	\$15,000
100+ Vehicles	\$25,000

Amendments to By-law T-1000 and Administrative Order 15

TNC Driver Requirements

- Hold a valid and current unrestricted driver's license issued by the Province of Nova Scotia
- Minimum of three years driving experience
- Within 30 days of approval to be a TNC driver the following original documents must be provided to the TNC:
 - Criminal Record Check;
 - Vulnerable Sector Check;
 - Child Abuse Registry Check

Amendments to By-law T-1000 and Administrative Order 15

TNC Driver Requirements Cont'd

- Provide the TNC with a Nova Scotia Registry of Motor Vehicles (Client Use) abstract of the Driver's driving record for the class of license prescribed by the *Classification of Drivers' Licenses Regulations, N.S.*, dated within 30 days of approval to be a TNC Driver and then annually thereafter

Amendments to By-law T-1000 and Administrative Order 15

Refusal of a TNC Driver

- A TNC shall refuse to approve a person to be a TNC Driver if that person:
 - Has accumulated ten or more demerit points on the drivers abstract
 - Has, within the preceding five years,
 - Been convicted, or has active charges, of one of the offences under the Motor Vehicle Act set out in Schedule B;
 - had their license suspended pursuant to s.279C of the Motor Vehicle Act;
 - Has a driver's license or owner's license revoked or refused under this By-law;

Amendments to By-law T-1000 and Administrative Order 15

Refusal of a TNC Driver Cont'd

- A TNC shall refuse to approve a person to be a TNC Driver if that person:
 - had a driver's license or owner's license suspended under this By-law for engaging in behaviour deemed by the Licensing Authority to be unsafe;
 - was removed from that Transportation Network Company's platform for engaging in behaviour determined by the Transportation Network Company to be unsafe; or
 - was removed from another Transportation Network Company's platform for engaging in behaviour determined to be unsafe, and the Transportation Network Company considering the person for a TNC Driver received notification of the person's removal.

Amendments to By-law T-1000 and Administrative Order 15

- TNCs are required to obtain and maintain an SPF No. 9 – Transportation Network for Nova Scotia automobile Policy
- Reporting is required to be submitted quarterly by the TNCs
- All TNC drivers must display a TNC Identification Card at all times when offering transportation services as a TNC driver
- All TNC vehicles must display a decal provided to the TNC driver by the TNC

Amendments to By-law T-1000 and Administrative Order 15

Penalties for Individuals and Companies

Individuals (taxi driver, taxi owner, TNC driver, or TNC vehicle owner)	Companies (brokers, independent brokers and TNCs)
First Offence: Minimum \$100	First Offence: Minimum \$500.00
Second Offence: \$200	Second Offence: \$800
Third Offence: \$400	Third Offence \$1,200

Appeals Committee

- License Appeal Committee will hear all appeals under By-law T-1000 which includes brokers, independent brokers and Transportation Network Companies, as well as taxis, accessible taxis and limousines.
- An appeal will be heard by an Appeal Officer
- Recruitment for Appeal Officers will occur in the fall of 2020 and applications be presented to Regional Council in early November

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