

HALIFAX

P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 15.1.1
Halifax Regional Council
January 11, 2022

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 
Jacques Dubé, Chief Administrative Officer

DATE: December 1, 2021

SUBJECT: **Amendment to By-law T-1000, Respecting the Regulation of Taxis,
Accessible Taxis, Limousines and Transportation Network Companies**

ORIGIN

Staff initiated report.

LEGISLATIVE AUTHORITY

Motor Vehicle Act, R.S.N.S., 1989, c. 293, section 305(1)

Halifax Regional Municipality Charter, 2008, c. 39, clause 188(2)(f)

By-law T-1000, *Respecting the Regulation of Taxis, Accessible Taxis and Limousines*

RECOMMENDATION

It is recommended that Halifax Regional Council adopt By-law T- 1006, amending By-law T-1000, as set out in Attachment B to this report.

BACKGROUND / DISCUSSION

The Permit, Planning, Licensing & Compliance (PPL&C) System is a new, web-based solution that allows for permit and license customers to submit, pay for and renew applications online. The first release of the PPL&C project included Permitting and was implemented in December 2020. The second and current release is the Licensing & Compliance module.

The standard version of the technology changes the manner by which expiry dates of Vehicle for Hire licenses are currently determined. At present, a Vehicle for Hire driver license expires two years from the license holder's date of birth and a Vehicle for Hire owner license expires one year from the license holder's date of birth. If an applicant applies or renews their license before their birthday, the license fee is prorated on a monthly basis.

The new PPL&C system sets expiry dates based on a period of time following the approval and issuance of a license, similar to a permit. Therefore, to align to the new system, staff recommend that the By-law be amended as set out in Attachment B of this report to change the expiry date of driver, owner and conditional driver licenses from the applicant's date of birth to the date of one year or two years from the date the license is issued (i.e., the "effective date"). The new system will be configured to ensure that a new application or renewal receives a full year or two-year term Vehicle for Hire license, dependent on the license type. In addition, it is recommended to remove the proration of the license fee.

FINANCIAL IMPLICATIONS

No longer prorating license fees ensures that total fees are collected, and expiry timelines follow full cycles. This allows for automated calculation and eliminates the risk of incorrect calculations and over and under charging applications. All applicants will be charged the same amount at time of application and renewal moving forward.

If Regional Council does not adopt the proposed amendments, financial resources would be required to source a new mechanism to conduct vehicle for hire licensing. The legacy system cannot continue to be used therefore a new solution would need to be procured to conduct Vehicle for Hire licensing fee collection.

There is no financial impact to the taxi industry as fees are not changing and will continue to cover the term of a license as they do today.

RISK CONSIDERATION

As outlined in the Background / Discussion and Financial Implications sections of this report, there are significant operational risks to the Licensing work of Planning & Development and the PPL&C Project – Licensing & Compliance module if Regional Council does not adopt the amendments as set out in Attachment B of this report. As noted above, the legacy system is no longer meeting the needs of the business and movement to an updated solution is necessary. Amending the By-law allows for the PPL&C to fully support fee collection for Vehicle for Hire licensing. Without the amendment, the PPL&C system is unable to support fee collection for Vehicles for Hire and a new solution would need to be developed separately and at a cost to both business resources and project resources.

COMMUNITY ENGAGEMENT

No community engagement was required.

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

ALTERNATIVES

Regional Council could choose to refuse to adopt By-law T-1006, amending By-law T-1000, as set out in Attachment B to this report. This will require an alternate system to conduct vehicle for hire licensing.

ATTACHMENTS

Attachment A – Showing Proposed Changes to Part 5 of By-law T-1000, *Respecting the Regulation of Taxis, Accessible Taxis, Limousines and Transportation Network Companies*

Attachment B - Amending By-law T-1006

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Hilary Hayes Supervisor, Licensing. 902.490.2550

PART 5
TERM OF LICENSES

17.0 EXPIRY OF OWNERS' LICENSES

- 17.1 An owner's license held by an individual expires ~~on the next anniversary date of~~ **one year from** the date the Licensing Administrator determines the license is effective ~~holder's date of birth~~.
- 17.2 If an owner's license is held by a corporation, it may select a renewal date for the owner's license for that corporation and thereafter every owner's license held by that corporation expire on the next anniversary of that date.

18.0 EXPIRY OF DRIVERS' LICENSES

- 18.1 ~~A P~~ermanent driver's licenses ~~are valid for a period of up to two years and expires on the second anniversary date of the license holder's date of birth;~~ **two years from the date the Licensing Administrator determines the license is effective.**
- 18.2 A conditional driver's license is only valid for 12 months and will terminate ~~on the first anniversary of its date of issue~~ **one year from the date the Licensing Administrator determines the license is effective.**
- 18.3 If a person's conditional driver's license has expired or been cancelled, that person is not eligible to apply for a permanent license or another conditional driver's license within six months of the expiration or cancellation date of the previous conditional license.
- 18.4 A driver's license automatically terminates upon the death of the holder.

19.0 FEES: PRORATION AND NONREFUNDABILITY

- 19.1 ~~The Licensing Authority may in its discretion impose an increase or decrease in licensing fees prorated on a monthly basis to take into account circumstances in which a license is issued for a period of time other than the standard licensed period for that type of license.~~
Repeal
- 19.2 The license fee for a license is not refundable if the license is cancelled, or suspended.

20. EXPIRY DATE TO APPEAR ON LICENSES

- 20.1 The expiry date must be clearly printed on every owner's license and every driver's license.

21.0 GRACE PERIOD: OWNERS' LICENSES

- 21.1 Despite the expiry of an owner's license, the license may be renewed at any time within 30 days following its expiry. Licenses in their grace period are not legal to operate.
- 21.2 Despite the expiry of an owner's license the Licensing Authority may upon application by an owner extend the period in which to renew an owner's license if:
- (a) the licensed vehicle to which the license relates has been damaged and prevents the vehicle from being operated as a vehicle for hire; and
 - (b) the damage has been certified by an adjuster or the licensed owner's insurer or otherwise established to the satisfaction of the Licensing Authority.
- 21.3 An expired owner's license cannot be renewed if the grace period permitted by section 21.1 or as extended by section 21.2 has expired.

22.0 INCAPACITATED OWNERS AND DRIVERS

- 22.1 (1) A driver's licence that has not been renewed because of illness or injury suffered by the license holder may be renewed at any time upon presentation to the Licensing Authority of a

medical report satisfactory to the Authority that the licence holder was prevented for medical reasons, during the entire period in question, from being able to operate a vehicle for hire.

22.2 (1) An owner's licence that has not been renewed because of illness or injury suffered by the license holder may be renewed at any time upon presentation to the Licensing Authority of a medical report satisfactory to the Authority that the licence holder was prevented for medical reasons, during the entire period in question, from being able to renew the licence.

22.3 Upon the request of the holder of an owner's license, supported by a medical report satisfactory to the Licensing Authority that establishes to the satisfaction of the Licensing Authority that the license holder is incapable of operating a vehicle as a vehicle for hire for medical reasons, the Licensing Authority must suspend the owner's license until such time as the owner supplies confirmation by way of a medical report satisfactory to the Licensing Authority that they are again capable of operating the vehicle for hire.

22.4 Despite any limitation on the number of owners' licenses that may be issued, if the Licensing Authority has confirmation of a medical suspension under section 22.3, the Licensing Authority, in its discretion, may issue an owner's license to the next person on the waiting list.

23.0 LICENSES BECOME INVALID AND NON OPERATIONAL ON EXPIRY

23.1 An owner's license or driver's license that has expired or that has been suspended, cancelled, revoked or terminated is not valid or operational.

24.0 REPLACEMENT LICENSES

24.1 An owner's licence or driver's licence that has been destroyed, lost or stolen will be replaced by the Licensing Authority upon receipt of sufficient proof of the destruction, loss or theft and upon payment of the fee required by Administrative Order 15.

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER T-1006
RESPECTING THE REGULATION OF TAXIS, ACCESSIBLE TAXIS, LIMOUSINES
AND TRANSPORTATION NETWORK COMPANIES**

BE IT ENACTED by the Council of the Halifax Regional Municipality that Part 5 of By-law T-1000, the *Halifax Regional Municipality Taxi, Limousine and Transportation Network Companies By-law*, is amended as follows:

1. section 17.1 is amended by:
 - (i) striking out the words “on the next anniversary date of” after the word “expires” and before the word “the”;
 - (ii) adding the words “one year from” after the word “expires” and before the word “the”;
 - (iii) adding the words “date the Licensing Administrator determines the” after the word “the” and before the word “license”;
 - (iv) striking out the words “holder’s date of birth” after the word “license” and before the period at the end of the section; and
 - (v) adding the words “is effective” after the word “license” and before the period at the end of the section.

2. section 18.1 is amended by:
 - (i) adding the word “A” at the beginning of the section and beginning the word “permanent” with a lowercase “p”;
 - (ii) striking out the “s” at the end of the word “licenses”;
 - (iii) striking out the words “are valid for a period of up to two years and” after the word “license” and before the word “expire”;
 - (iv) adding the letter “s” at the end of the word “expire”;
 - (v) striking out the words and punctuation “on the second anniversary date of the license holder’s date of birth;” after the word “expires”; and
 - (vi) adding the words and punctuation “two years from the date the Licensing Administrator determines the license is effective.” after the word “expires”.

3. section 18.2 is amended by:
 - (i) striking out the words “on the first anniversary of its date of issue” after the word “terminate” and before the period at the end of the section; and
 - (ii) adding the words “one year from the date the Licensing Administrator determines the license is effective” after the word “terminate” and before the period at the end of the section.

4. repealing section 19.1.

Done and passed in Council this day of , 2022.

Mayor Mike Savage

Iain MacLean, Municipal Clerk

I, Iain MacLean, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted By-law was passed at a meeting of Halifax Regional Council on , 2022.

Iain MacLean, Municipal Clerk