



LEGISLATIVE AND COURT SERVICES MEMORANDUM

TO: GENERAL COMMITTEE

FROM: W. COOKE, CITY CLERK / DIRECTOR OF LEGISLATIVE AND COURT SERVICES

PREPARED BY: R. OSBORNE, SUPERVISOR OF ENFORCEMENT SERVICES
T. BANTING, MANAGER OF ENFORCEMENT SERVICES

NOTED: D. MCALPINE, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES
M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RE: 2ND QUARTER UPDATE: TRANSPORTATION INDUSTRY BY-LAW – PILOT PROJECT

DATE: APRIL 9, 2018

The purpose of this Memorandum is to provide members of Council with the second quarterly update concerning the changes to the Transportation Industry By-law (Taxi Cab Companies, Ride Sharing/Private Transportation Companies and Driver for Hire/Designated Driver Companies).

Background

The second quarter of the Transportation Industry Pilot program ended on January 31, 2018. This memorandum summarizes the results of the most recent community survey which focused on customer satisfaction of the industry. It also includes details associated with public complaints received since November 1, 2017. Further to the previous memo to General Committee dated October 26, 2017, this memo will discuss any positive impacts or challenges faced regarding the administrative process. The cost of enforcement and the effectiveness of enforcement activity is also being addressed. Finally, as in the previous memo, matters that will be considered as part of the final report regarding the pilot program will be identified, in an attempt to enhance the municipality's ability to ensure a safe and vibrant transportation industry.

Customer Survey

Between November 1, 2017 and January 31, 2018, no new submissions were received from members of the public or the industry. Staff are considering the lack of response to be a positive sign that the transportation industry within Barrie is stabilizing and each sector has been able to build a business model that has generally addressed the previous concerns of the citizens.

Complaints Received

From November 1, 2017 to January 31, 2018 a total of 5 (five) complaints were received by Enforcement Services, four (4) related to "Driver for Hire" services and one (1) related to the "Taxi Industry".

The "Driver for Hire" complaints centered on the fact that particular companies have failed to license and were operating within the municipality. Notices of violation were issued and one charge has been laid and is presently before the courts. The complaint related to the taxicab industry stated that a driver was noted throwing garbage out of his taxicab.

Since November 1, 2017, there has been no complaints received regarding the "Private Transportation Companies".



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Staff in Enforcement Services were requested to provide information to the Accessibility Advisory Committee related to the Transportation Industry Pilot. The Committee members had identified concerns related to the lack of accessible taxi cabs. Staff advised the Committee of the change in the approach to licensing which removed the moratorium on the number of taxi cabs that had potentially prevented new accessible cabs from being placed into service. Staff also noted that the business model/business plan for each company isn't regulated by the municipality. Staff encouraged the members of the Committee to reach out to the Transportation Industry to discuss their concerns.

Administrative Concerns

As indicated in the first Quarter memorandum dated October 26, 2017, since the introduction of the transportation industry pilot program, there have been a number of changes to licensing. The administrative concerns vary depending on the actual business licensed.

The Driver for Hire businesses have presented minor administrative (paperwork) issues that have been remedied by the Enforcement Clerk or the Enforcement Officer. These issues centered on incomplete applications or drivers who were slow to attend the office to obtain their photographic identification card.

As previously noted, the Private Transportation Company businesses have proven to be very challenging. The licensing process is very time consuming as the company has been submitting more than one hundred new applications each week. The Enforcement Staff may spend one to two days to process a single batch of applications in order to thoroughly check the documents that are submitted electronically. Uber is currently the only Private Transportation Company licensed to operate within Barrie. This company appears to be eager to comply with the municipal regulations and initiates a number of meetings with staff to ensure their business model complies with the by-law. Ongoing communications and meetings with Uber (whether by conference calls or in person) takes up a great deal of staff time. It is anticipated that this involvement will lessen in time. Minor errors in paperwork have been noted and there has been ongoing difficulties in downloading submissions.

The Taxi Industry have presented minor challenges associated with administrative errors related to paperwork. The present system has proven to be much better than the previous licensing administration. Clerical staff and the Enforcement Staff now deal with the business owner or operator as opposed to dealing with each driver. The drivers only attend the office for their photographic identification card.

Companies Licensed To Date:

Classification	Number of Companies Licensed	Number of Registered Drivers	Number of Registered Vehicles (if applicable to category)
Taxi Cab	12	279	175
Driver for Hire	4	47	n/a
Private Transportation	1	1395	1454

As we move towards a final report and recommendations, staff will have to closely consider the time taken to review and examine all applications, the costs associated with each process and what will be necessary moving forward.



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Enforcement

Since November 1, 2017, the Driver for Hire companies have proven the most challenging from an enforcement perspective. Complaints received indicate there appears to have been open defiance of the By-law by several companies. As a result of the complaints, two special "sting operations" were conducted resulting in one company charged for operating within the municipality without benefit of the required licence. The main challenge experienced by this office is that the Driver for Hire vehicles are not identified with any insignia or emblem. The vehicles have no set locations where they can be seen to operate and no roof lights to identify them as drivers for hire.

There have been no enforcement concerns identified with Private Transportation Vehicles. The drivers have been pleasant to deal with and the vehicles have appeared to be well maintained.

The Taxi Industry has required less enforcement as the municipal regulations have been reduced. With the easing of regulations, Officers have noted that some taxicabs have deteriorated in appearance. There have been no charges laid for non-compliance since November 1, 2017.

Next Steps

As this is a pilot program, staff will provide recommendations within the final staff report concerning the pilot. However, it is clear that if the current trends continue, staff will be putting forth recommendations to help alleviate current administrative and enforcement challenges while keeping within the current principles.

Staff are looking into requiring the Driver for Hire vehicles to be readily identifiable for both public safety and enhanced enforcement.

The Private Transportation Companies require a great deal of administrative work to ensure compliance. Either this administrative requirement will need to lessen or licence fees will have to be reviewed to ensure appropriate cost recovery is being met based on the time required to review and approve the registry.

During this pilot program, Taxi companies continue to be monitored by Enforcement Services to ensure that vehicle appearance does not deteriorate below minimum acceptable standards. If the taxi industry allows the appearance of their taxicabs to cause safety concerns, the vehicles will be dealt with through safety check requirements.