
TO: MAYOR J. LEHMAN AND MEMBERS OF CITY COUNCIL

FROM: T. BANTING, MANAGER OF ENFORCEMENT SERVICES AND D. MCALPINE, CITY CLERK/DIRECTOR OF LEGISLATIVE AND COURT SERVICES

NOTED: P. ELLIOTT-SPENCER, MBA, CPA, CMA, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES

C. LADD, CHIEF ADMINISTRATIVE OFFICER

RE: MOTION 17-G-057 - REVIEW OF THE TRANSPORTATION INDUSTRY (TAXI) BY-LAW AND REGULATING RIDE SHARING AND DRIVER FOR HIRE OPERATIONS

DATE: MARCH 27, 2017

The purpose of this memorandum is to provide additional information to members of Council in response to questions raised at the General Committee meeting held on March 20, 2017 concerning motion 17-G-057 related to the Review of the Transportation Industry By-law (Taxi) By-law and Regulating Ride Sharing and Driver for Hire Operations (Staff Report LCS006-17).

Ride Sharing/Private Transportation Company - Driver/Trip Volumes

The Uber Public Policy Manager for Canada, Chris Schafer, clarified information related to his company's driver and trip volumes. He advised that 433 active drivers undertook at least one trip in the 3 month period between August 28th, 2016 and November 28th, 2016. Mr. Schafer noted that although there are a large number of active Uber drivers who have taken at least one trip (potentially a request that took them from the Greater Toronto Area to Barrie where the driver might have then received a subsequent ride request for a ride from someone in Barrie), the number of Uber drivers that complete the bulk of trips locally and regularly in Barrie would be very small.

It is important to note that under the proposed regulations, a Ride Sharing/Private Transportation Company would be required to submit documentation regarding all active drivers that have the potential to operate in Barrie, even though the vast majority of the drivers may not be driving in Barrie on a daily basis. Under the proposed regulations, City staff would review the documentation provided for every eligible driver (and their vehicle), which is the rationale that was utilized in the estimate for the total number of "active" operators and vehicles in Barrie included in Appendix "B" to Staff Report LCS006-17.

Ride Sharing/Private Transportation Company - Trip Records

There were concerns related to the availability of Ride Sharing/Private Transportation Company trip records and the ability for drivers to provide such documentation if requested. An Uber driver would be able to provide a Police Officer or an Enforcement Officer upon random inspection, trip related details within the driver App (the past trips taken and information related to those trips). However, the driver would not be able to print out a traditional paper trip log or report on the spot to provide a hard copy to the Officer. Any hard copies would be provided by the licensed company. The ability to view records that the driver may have in an electronic format would meet the requirements of the proposed by-law. Traditionally, when hard copies of trip records have been requested of the Taxi industry, the request has been made to the licensed company for the records.

Ride Sharing/Private Transportation Company - Review of Licensing Applications

The proposed regulations, if approved, would require a Ride Sharing/Private Transportation Company to be responsible for collecting, vetting and submitting all documentation to the City of Barrie related to all of the vehicles and drivers operating under the company's licence. The Ride Sharing/Private Transportation Company would bear responsibility for the completeness and accuracy of the information related to all drivers and vehicles under its licence and any defaults related to drivers or vehicles may reflect on the company licence. As the Ride Sharing/Private Transportation Company or Driver for Hire Company would be providing all of the information that would be required by a Taxi Cab Driver or for a Taxi Cab, separate licence applications would not be required for drivers and vehicles.

In general, in the Ride Sharing/Private Transportation Company industry, drivers and vehicles are matched on a one-to-one relationship. This is not the case for the Taxi or Driver for Hire operations. The one-to-one relationship and the submission of licence applications as a single package for the company and all of its drivers and vehicles, is expected to substantially reduce the amount of staff time required to review licensing applications by Ride Sharing/Private Transportation Companies when compared to a review of applications related to the Taxi Industry. The fees included in Appendix "B" to Staff Report LCS006-17 were estimated based on the amount of staff time required to review documents submitted about all of the eligible drivers and vehicles by the company at one time, versus addressing each individual company, driver and vehicle separately.

Taxi Industry - Three Separate Licensing Categories

The proposal in Staff Report LCS006-17 identified maintaining the three current separate licensing categories for the Taxi industry – Taxi Cab Company, Taxi Cab Driver and Taxi Cab (vehicle) during the pilot and reviewing the reduction in the number of categories as a potential next step.

The industry has operated very differently than a Ride Sharing/Private Transportation Company as a Taxi Cab Company may own a pool of vehicles that are driven by a number of different drivers, vehicles may be owned by a person or company other than the company under which they are operated, and drivers may be affiliated with more than one Taxi Cab Company. In November 2016, there were 10 Taxi Cab Companies, 173 Taxi Cab vehicles and 293 Taxi Cab Drivers licensed in Barrie. 62 of the 293 Taxi Cab Drivers were affiliated with at least two different Taxi Cab Companies and a number of the Drivers were affiliated with as many as five different Taxi Cab Companies.

The following chart is a breakdown of the Taxi Cab Companies with the associated number of vehicles and drivers licensed as of November 2016:

Company	# of drivers operating for the company	# of vehicles operating for the company
Barrie Taxi Ltd.	169	69
Deluxe Taxi	140	41
Simcoe Taxi	7	3
Viau Taxi	44	20
A1 Georgian Taxi	18	10
Barrie Taxi Cab Services	21	6
Alliance Taxi	38	11
Barrie City Taxi	23	10
Global Taxi	3	2
My Taxi Barrie	1	1

Note: Since November 2016, an additional company, Need a Taxi Barrie, became licensed to operate in Barrie with 1 vehicle and 1 driver.

Currently, the Taxi Cab Companies are not responsible for collecting, vetting and submitting all documentation related to the vehicles and drivers operating under the company. Taxi Cab Driver licence applications and vehicle applications are received directly from the individual vehicle owners and individual drivers. The vehicle owner (not necessarily a company owner) has been responsible for arranging for inspections and approvals and submitting required documentation related to the Taxi Cab. The Taxi Cab Driver has been responsible for submitting their own driver abstract and criminal records check.

Traditionally, the Taxi Cab Companies have only provided a list of the vehicles and drivers that are affiliated with their specific company and have not provided vehicle safety inspections, insurance requirements for the vehicle(s), driver abstracts or criminal record checks for drivers when an application for the company itself has been submitted. As a result, if Taxi Cab Driver or Vehicle information is missing, incomplete or doesn't meet the requirements of the City's by-law, it hasn't impacted the Taxi Cab Company's licence.

Staff are currently required to review each of the independent applications and to match vehicle and/or driver information to the list provided by the Company, when a vehicle or driver licence is reviewed.

The rationale associated with maintaining the three categories in the recommendation included concerns regarding the Taxi Cab Companies' ability to assume responsibility for collecting and administering driver and vehicle information that they have not been required to provide in the past. As well, the continuation of a Taxi Cab Company licence would not be impacted by any defaults or missing information related to individual vehicles and drivers.

Taxi Industry – Taxi Cab Companies Submitting Driver and Vehicle Inspections and Approvals

Based on the discussions on March 20, 2017, it is understood that there may be an interest in further changes to the draft by-law to either allow for or require a Taxi Cab Company to submit all required inspection and approval documentation related to its Taxi Cab Drivers and Taxi Cabs. As either option would require significant changes to the draft by-law that was presented in Appendix "A" to Staff Report LCS006-17, Council may wish to direct staff to prepare the necessary amendments to facilitate the preferred option, rather than attempting to amend all of the references throughout the by-law through specific motions.

Similar to the Ride Sharing/Private Transportation Company category, it is expected that reviewing documents submitted about all of the eligible drivers and vehicles by the company at one time, versus addressing each individual driver and vehicle application separately would result in a significant savings in staff time. However, as the one-to-one relationship between driver and vehicle that generally exists in the Ride Sharing/Private Transportation Company Industry is not present across the Taxi Industry, it is anticipated that reviewing Taxi Cab Company licence applications will be more time consuming than the Ride Sharing/Private Transportation Company applications, even if the information is submitted by the Company. The total number of drivers plus vehicles combined would determine the licensing fee range, should this option be implemented.

If a Taxi Cab Company was required to submit all Driver and Vehicle Inspection and Approval documents, it would eliminate the requirement for Drivers and Vehicles to pay a separate licensing fee. The lost fee revenue associated with the two categories would represent approximately \$121,000 based on the current number of drivers and vehicles. This would be offset to a certain extent by increases in licensing fees for the Taxi Cab Company to reflect the increased staff time associated with the review the company licence application.

As an example, if this approach was utilized by Barrie Taxi, Barrie Taxi would be required to submit all of the required supporting inspections/approval documentation related to the company itself as well as the 169 drivers and 69 vehicles operating under the company. This would result in the company being assigned to a category within the 150-300 vehicles and driver range with a licensing fee of \$5,192.78.

Due to the relatively smaller number of drivers and vehicles for many of the Taxi Cab Companies, new ranges of categories (such as 0-10, 10-25, 25-50, and 50-150 drivers and vehicles) would be provided in addition to the size ranges for the Private Transportation Company category, to better reflect the cost recovery associated with the lesser amount of staff time required to review documents submitted.

Driver for Hire Operations – Licensing Requirements

It has been brought to staff's attention that some Driver for Hire Operators appear to have misunderstood the proposed by-law provisions related to the licensing requirements proposed for Driver for Hire Operations. As the Driver for Hire company vehicle would not be utilized to carry passengers, the only insurance requirements identified within the draft by-law were for the company itself and not any vehicles. All of the businesses licensed by the City of Barrie are required to carry commercial liability insurance as it protects both the business itself and the City.

The only requirements related to a company vehicle that staff had proposed were the company vehicle make, model, licence plate and VIN number to be provided as part of a licence application. Staff would not be opposed to removing this requirement as it is not directly related to public safety. The following amendment would address the removal of the requirement:

That motion 17-G-057 of the General Committee Report dated March 20, 2017 concerning the Review of the Transportation Industry By-law (Taxi) By-law and Regulating Ride Sharing and Driver for Hire Operations be amended by adding the following words to paragraph 1:

“with the following amendment:

- a) To delete from Table 1 and the operating criteria contained in the draft by-law related to the Driver for Hire category the requirement to provide the make, model, licence plate and VIN number associated with each company vehicle.”

Please contact Tammy Banting, Manager of Enforcement Services or Dawn McAlpine, City Clerk/Director of Legislative and Court Services, should you have any questions or require further information.