



Regional Municipality of Waterloo
Licensing and Hearings Committee
Minutes

Wednesday, June 8, 2016

3:45 p.m.

Regional Council Chamber

150 Frederick Street, Kitchener, Ontario

Present were: Chair J. Mitchell, L. Armstrong, E. Clarke, D. Craig, S. Foxton, T. Galloway, D. Jaworsky, H. Jowett, G. Lorentz, J. Nowak, K. Redman, K. Seiling, S. Shantz, S. Strickland, and B. Vrbanovic

Members absent: K. Kiefer

Motion to Go Into Closed Session

Moved by D. Jaworsky

Seconded by L. Armstrong

That a closed meeting of the Licensing and Hearings Committee be held on Wednesday, June 8, 2016 at 3:00 p.m. in the Waterloo County Room in accordance with Section 239 of the "Municipal Act, 2001", for the purposes of considering the following subject matters:

- a) receiving of advice subject to solicitor-client privilege related to a legal matter

Carried

Motion to Reconvene Into Open Session

Moved by E. Clarke

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Seconded by S. Foxton

That the Licensing and Hearings Committee reconvene into Open Session.

Carried

Declarations of Pecuniary Interest under the “Municipal Conflict of Interest Act”

None declared.

J. Mitchell provided an overview of the process for the meeting. She noted that the Committee will hear from the registered delegations and from any additional delegations, prior to making a decision on the staff recommendation.

Delegations

4.1 Robert Stephens

R. Stephens noted that he believes that the proceedings related to the by-law review have been unfair. He stated that everyone who drives a vehicle for hire should have to adhere to the same rules, pay the same fees, and provide the same level of accessibility.

4.2 Terry Kirby, City Cabs

T. Kirby expressed his concerns with Uber not following the existing by-law and questioned whether they will adhere to a new one. He noted that his company has lost two drivers due to lower revenues. He believes that the taxi industry has cooperated with the Region throughout the process, but feels that it has been a foregone conclusion. T. Kirby stated that owners of accessible vehicles are unable to sell their businesses and can no longer afford to operate. He encouraged the Region to freeze the existing number of owner licenses for five years to allow for stability in the industry.

In response to a question from the Committee, T. Kirby stated that his company provides accessible vehicles with more hours on the road, all of the accessible calls, and sells the share at a lower price to help subsidize the cost of the accessible vans.

4.3 Chris Schafer, Uber Canada

C. Schafer appeared before the Committee on behalf of Uber Canada. He stated that Uber believes requiring cameras in their driver's cars is unnecessary due to the features of the application. He also noted that the application currently does not provide passengers with the colour of the vehicle and that he does not feel that it is necessary.

C. Schafer expressed concerns with requiring signs and decals for Uber cars noting that it will potentially create problems with deactivated drivers. He stated that Uber believes

that their background check reviews the same databases as Waterloo Regional Police and that they feel that this process is better for their drivers that often have other full time jobs. He requested that a decision on police checks for drivers be deferred until Uber can provide additional information on their process.

In response to a question from the Committee, C. Schafer explained that street hailing is not permitted under their platform and that they will be able to provide enforcement staff with a free account to allow for spot checking. The Committee questioned C. Schafer on Uber's position regarding the fee in lieu of providing accessible service. He provided examples of options related to accessibility used in other jurisdictions and stated that Uber is not opposed to the fee proposed by staff.

C. Schafer explained that Uber's interpretation of the existing by-law is that it does not address ridesharing applications and therefore Uber is not covered by the provisions of the by-law. He stated that Uber is adhering to by-laws that address ridesharing in other jurisdictions where they have been passed.

C. Schafer informed the Committee that Uber does not believe that cameras should be required in their vehicles because of the rating system, the cashless platform, and because passengers and drivers are provided with each other's information prior to a ride. He also noted that a rider can notify friends and family of the trip and they can be provided with live details of the trip. The Committee expressed concerns that even if this data is provided to enforcement staff, it does not provide the same level of proof as a video.

4.4 Prem Guruajan, RideCo

P. Guruajan provided a presentation on behalf of RideCo. A copy of the presentation is appended to the original minutes. He explained that the company is offering shared rides for people going in similar directions. Their application is designed for lower density cities and interregional transportation and allows drivers to work in multiple platforms. He noted that requiring their drivers to attend the police station in person to obtain a record check could negatively impact their expansion plans.

In response to a question from the Committee, P. Guruajan stated that they currently have contingent liability insurance of \$5 million and are in discussions with insurance companies.

4.5 Michael Druker, TriTAG

M. Druker stated that TriTAG appreciates the focus on the public's interest during the by-law review. A copy of his written statement is appended to the original minutes. He noted that they support ridesharing as a complement to the existing transportation

network. He believes that the camera requirements and the fee schedule are overly complex and he encouraged staff to make the system as simple as possible.

4.6 Tiho Popovic, City Cabs

T. Popovic requested that the Region consider requiring auxiliary taxis to have a 1900 cm² decal on both sides of the vehicle rather than a smaller decal on only one side. He also noted that the Waterloo Region Taxi Alliance had requested that staff require all taxis to be less than ten years old, and expressed disappointment that it was not included in the recommendations. He stated that the proposed \$50 fee in lieu of providing accessible vehicles is insufficient to cover the costs of operating, and encouraged the Committee to set the fee at least five times higher. A copy of his written comments is appended to the original minutes.

In response to a question from the Committee, T. Popovic explained that if the by-law does not set an age limit on vehicles it makes it difficult for the brokerages to enforce the rule on their owners. He also stated that it costs approximately \$15,000 to convert a van into an accessible cab.

4.7 Zoran Bobic

Z. Bobic encouraged the Region to consider the environmental impacts of additional idling cars. He advocated for freezing the number of taxi licenses to ensure that there is not an increase in idling hours or cars on the road.

4.8 Peter Neufeld, Waterloo Taxi

P. Neufeld thanked the Region for providing stakeholders with another opportunity to submit feedback on the proposed by-law. He raised concerns with the part time insurance packages that are being offered including the ability to track the number of hours and a driver's ability to work for multiple companies. He encouraged the Region to require that all auxiliary taxis have full time commercial insurance. P. Neufeld also stated that the \$50 fee in lieu of accessible service is too low and should be at least \$200. He advocated for requiring all auxiliary taxis to have decals identifying their company and that they have been licensed by the Region. A copy of his written comments is appended to the original minutes.

4.9 Tony Rodrigues, Waterloo Taxi

T. Rodrigues did not appear when called.

4.10 Bill Chester, Golden Triangle Taxi

B. Chester stated that the taxi industry is not opposed to Uber operating in the Region but that the system needs to be fair for the industry. He advocated for maintaining the
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current license ratio for five years to allow for stability in the industry. He stated that increasing the number of metered taxis will be detrimental to the industry with the increase in auxiliary taxis. B. Chester encouraged requiring cameras in all cars to protect against criminal activities and to ensure consumer protection and safety. A copy of his written comments is appended to the original minutes.

In response to a question from the Committee, B. Chester stated that a five year freeze will calm the industry and protect the current owners. He noted that a freeze will protect the share value of the companies and will not affect the Region.

4.11 Matthew Gagnon, CMAG Canada

M. Gagnon encouraged the Region to require secure video monitoring systems instead of simply cameras in all vehicles. He stated that this language will tighten up the requirements and limit the number of people that have access to videos. He also stated that these systems should be required to have audio in addition to forward facing, rear facing, and infrared video.

In response to a question from the Committee, M. Gagnon stated that his company's system costs between \$1,000 and \$1,500 per car. The video is owned by the purchaser of the system whether it is the parent company or the individual driver. The system can be installed in approximately one hour.

The Committee recessed at 6:05 p.m. and reconvened at 6:55 p.m.

Chair J. Mitchell called for delegations from the floor.

4.12 Ken Sowa

K. Sowa stated that he is a former taxi owner and operator. He noted that drivers have no control over cameras and no access to the hard drives. He informed the Committee that he has driven a girl home at 2:00 a.m. when she did not have enough money to afford the ride and lacked a credit card. He noted that Uber drivers cannot provide this compassionate service because they require a credit card.

4.13 Doug Bowden

D. Bowden stated that he is an owner at City Cabs and their drivers are already required to display their licence with their name and picture. He noted that an owner/operator is currently paying an average of approximately \$6000. He encouraged the Committee to require that Waterloo Regional Police conduct all criminal record checks.

4.14 Roy Kalume

R. Kalume stated that driving for Uber has given him the chance to earn a living. He encouraged the Region to focus on what the public wants and why they are choosing

Uber. If Uber is not operating properly it will not last as a business.

4.15 Michael Richmond

M. Richmond stated that he has been an Uber driver for ten months. He encouraged the Committee to support the free market and find ways for all services to exist together.

In response to a question from the Committee, M. Richmond stated that as a driver he was warned about possible by-law infractions. However, Uber stated that they would defend any drivers in the event of charges under the Region's by-law.

4.16 Randy Dhaliwal

R. Dhaliwal stated that he is an operator with City Cabs. He advocated for maintaining a high standard for vehicle safeties, and requiring commercial insurance for all taxis. He noted that a former driver had his insurance pulled due to tickets and is now driving for Uber.

4.17 Chaozhe Jiang

C. Jiang stated that he is a masters student at the University of Waterloo, working on urban transportation optimization. He encouraged the Region to allow for ridesharing and traditional taxis, and to allow passenger demand to determine successful companies.

4.18 Augustin Rulinda

A. Rulinda stated that he has been driving for Uber for five months and it has given him the opportunity to earn money and raise a family. He noted that people like Uber because of the price and service.

Reports – Planning, Development, and Legislative Services

PDL-CAS-16-09, Taxi By-law Review – Detailed Regulations

Chair J. Mitchell explained the process for reviewing the staff recommendation. She noted that the Committee would only be providing direction to staff and that a final by-law will be presented at a later date. She thanked staff for their work on the by-law and the extensive public consultation effort.

Moved by H. Jowett

Seconded by D. Craig

Designation of Brokers to provide licenses on the Region's behalf

- 1) That the new by-law allow brokers to be designated in order to undertake the issuing of licences of drivers/vehicles in accordance with the criteria set out in Schedule 'A' of this report.

Carried

The Committee discussed the benefits of maintaining the status quo for the taxi license ratio and reviewing the ratio in three years. It was noted that a three year review could extend the ratio freeze or establish a new ratio to allow for some stability in the industry.

The Committee provided direction to staff that this should not increase or decrease the number of accessible taxi licenses.

Moved by S. Strickland

Seconded by B. Vrbanovic

Taxi Ratios

- 2) That a new traditional taxi license ratio of 1:1650 be used to calculate the total number of licences available for the new by-law; and that following the calculation, the number calculated be placed in the by-law resulting in a freeze to the number of licences, and
- 3) That no action be taken on staff recommendation number 3
- 4) That no action be taken on staff recommendation number 4
- 5) That the licence limits be reviewed again in 2019.

Carried

Moved by K. Redman

Seconded by S. Shantz

Fares – Traditional Taxi

- 6) That traditional taxis charge the existing Council approved Taxi-Tariff/Rate when a customer either street hails or uses a taxi cab stand; and
- 7) That traditional taxi brokers be allowed to offer rates at a discount from the regulated rates if the passenger books the trip through the taxicab broker including street hails, taxi cab stand, telephone calls and web service where:
 - a) The taxi meter can display the applicable rate to be charged for the trip;

- b) The broker has set and posted its rates and/or discounts for taxis; and
 - c) The rate charged does not exceed the maximum fare as calculated by the meter at the regulated rates.
- 8) That traditional taxi brokers be allowed to set their own fares for application based services, telephone service and web service, when the broker can demonstrate to the satisfaction of the Regional Clerk the following:
- a) Clear and transparent communication on the amount to be charged; and
 - b) Ensure a record is maintained that the passenger accepted the rate prior to the trip commencing; and
 - c) Provide a print or electronic receipt to the passenger at the conclusion of every trip. The receipt must include: all rates, fees and/or surcharges for the trip; total amount paid; date and time of the trip; location at which the passenger was picked up and location to which the passenger was driven; driver name and taxicab number; and total time and distance of the trip; and
 - d) There be no difference in the fare charged to a person with a disability in accordance with the Accessibility for Ontarian's with Disability Act (AODA)
- 9) That traditional taxi brokers be allowed to set their own fares when a contract for service is established and the fares are established as part of the contract.

Carried

Moved by S. Strickland

Seconded by E. Clarke

Fares – Auxiliary Taxis

- 10) That the auxiliary taxis be allowed to set their own fares for pre arranged or application based services:
- a) when a contract for services is established and the fares are established as part of the contract and this is communicated to the passenger;
 - b) when rides are procured through a prearranged app that meets the following criteria:
 - i) Clear and transparent communication on the amount to be charged; and

- ii) Ensure a record is maintained that the passenger accepted the rate prior to the trip commencing; and
- iii) Provide a print or electronic receipt to the passenger at the conclusion of every trip. The receipt must include: all rates, fees and/or surcharges for the trip; total amount paid; date and time of the trip; location at which the passenger was picked up and location to which the passenger was driven; driver name and provincial licence plate number; and total time and distance of the trip; and
- iv) There be no difference in the fare charged to a person with a disability in accordance with the Accessibility for Ontarians with Disability Act (AODA).

Carried

Moved by G. Lorentz

Seconded by S. Foxton

Auxiliary taxis are prohibited from hailing flagging or using taxi stands

- 11) That the auxiliary taxis are prohibited from hailing, flagging, soliciting rides or using taxi stands.

Carried

Chair J. Mitchell requested that the accessible service recommendations be taken separately.

The Committee noted that the year for the accessibility review should be the same as the licence ratio review.

Moved by T. Galloway

Seconded by S. Foxton

Accessible Service

- 12) That the current accessibility ratio, requiring 7% of the existing taxi fleet be accessible by 2017 be maintained and that the ratio be reviewed again in 2019

Carried

The Committee discussed the proposed per vehicle fee for companies that are not providing accessible service. The Committee agreed that it is difficult to set the fee

amount without a budget that the fees will be directed to, but that it is important to set a fee to develop a budget framework. It was noted that this is intended to be an annual fee.

Moved by T. Galloway

Seconded by S. Foxton

- 13) That a flat fee of \$100.00 per vehicle per annum be charged when accessible vehicles are not provided and that this fee be reviewed in early 2018 after one full year of operation.

Carried

(J. Mitchell opposed)

S. Shantz requested that Kiwanis Transit be added as a stakeholder for the review.

Moved by T. Galloway

Seconded by S. Foxton

- 14) That the Director, Council and Administrative Services work with the Region's Accessibility staff from Citizen Service, the Grand River Accessibility Advisory Committee, GRT Mobility Plus, Kiwanis Transit, and other internal and external stakeholders to develop an approach/process with respect to how new fees generated through accessibility fees could be used to offset costs for a number of programs supporting accessible transportation including but not limited to enhancing the Region's taxi script program, and report back to Committee and Council with the recommended approach.

Carried

The Committee discussed requiring cameras in auxiliary taxis as well as metered taxis. It was also suggested that an exemption for limousines be provided. The Committee also discussed strengthening the language around the requirements for a camera in a vehicle.

Moved by K. Seiling

Seconded by S. Strickland

That items 15 through 17 of the staff recommendation be referred to staff for further legal opinion, analysis of requirements in other jurisdictions, a review of the data provided by applications, and technical requirements for vehicle cameras.

Carried

Moved by B. Vrbanovic

Seconded by D. Craig

Driver Requirements

- 18) That all drivers provide the following documentation before a license can be issued:
 - a) Driver full name, address, telephone number and date of birth,
 - b) Police Criminal Background Check,
 - c) Class G Ontario Driver's Licence with two years driving experience,
 - d) Current Driver's Abstract, and
 - e) Before the licensed is issued the applicant must meet the criteria set out in Schedule 'A' of this report.
 - f) All drivers be required to submit the above information annually.

Carried

In response to a question from the Committee, Kris Fletcher, Director, Council and Administrative Services, stated that staff are not recommending a ten year limit on taxi cabs to allow taxi brokers to apply their own standards on their companies. She also noted that some limousines offer antique vehicles, which would not be permitted if a ten year cap was in place.

Moved by S. Foxton

Seconded by G. Lorentz

Vehicle Requirements

- 19) That all owners/drivers of vehicles provide the following documentation;
 - a) Vehicle registration including licence plate number, make and model of the vehicle and vehicle age,
 - b) Certificate of insurance,
 - c) A Motor Vehicle Inspection Certificate (MVIC), as issued by a licensed in good standing motor vehicle repair facility, if the vehicle is 3 years of age or has more than 75,000 km.

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- 20) That vehicles are required to have an MVIC certificate issued annually after the vehicle reaches 3 years of age or has 75,000 km until the vehicle reaches 10 years of age and then the vehicle is required to have an MVIC certificate issued two times per year.

Carried

The Committee requested that staff provide further clarity to the size and location of vehicle identification in the by-law. It was suggested that the location and style of the identification be standardized and prescriptive. K. Fletcher noted that staff are proposing that there be no regulation of any additional advertising on a taxi.

Moved by D. Jaworsky

Seconded by H. Jowett

Vehicle Identification

- 21) That traditional taxis that accept hailing, flagging, or using taxi stands or telephone service be required to have a top sign.
- 22) That all vehicles be required to display license information and broker identification to passengers, and Broker information will be no smaller than 900cm².

Carried

S. Strickland requested that the recommendation be clarified to ensure that any insurance product be approved by the Financial Services Commission of Ontario.

Moved by K. Redman

Seconded by H. Jowett

Insurance Requirements

- 23) That all drivers and vehicles have automobile liability insurance with limits of not less than \$2,000,000 inclusive per occurrence for driving and/or carrying of passengers for a compensation.
- 24) That all brokers be required to have insurance levels of \$5,000,000 commercial general liability business insurance.
- a) That at a minimum, an insurance product must be approved by the Financial Services Commission of Ontario.

Carried

K. Fletcher stated that the Region will only be requiring drivers that operate accessible vehicles, to have Regionally approved accessibility training. She noted that drivers will no longer be required to prove English language training.

Moved by H. Jowett

Seconded by T. Galloway

Training

- 25) That brokers be responsible for establishing training for their drivers and that accessibility training be mandated for any driver that provides service in an accessible vehicle

Carried

Moved by T. Galloway

Seconded by D. Craig

Licence Fees

- 26) That the approach of establishing tiered fees based on number of vehicles and flat rates used in establishing fees set out in Schedule 'B' be approved in principle and that Schedule 'B' be used as a guideline for discussions with stakeholders.
 - a) And that the Fee in Lieu of Accessible Service set out in Schedule 'B' be amended to \$100

Carried

Moved by B. Vrbanovic

Seconded by G. Lorentz

Enforcement/Administration

- 27) That all taxi and taxi type services be required to comply with the Region's administration requirements, including data/information sharing and enforcement requirements with respect to the by-law and as outlined in this report.

Carried

Moved by K. Redman

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Seconded by S. Shantz

Review Study

- 28) That Committee agree in principle to undertake a 2 phase study to review market conditions and impact to citizens and visitors.

Carried

Moved by L. Armstrong

Seconded by E. Clarke

That the Regional Municipality of Waterloo direct staff to prepare a final by-law for taxis and taxi type services to include the amended detailed regulations as described in Report PDL-CAS-16-09, dated June 8, 2016.

Carried

The Committee noted that the detailed regulations are direction to staff and do not need to be provided to Regional Council.

The Committee thanked Chair J. Mitchell and the delegations for maintaining order and respect during the meeting.

Adjourn

Moved by K. Redman

Seconded by S. Shantz

That the meeting adjourn at 8:22 p.m.

Carried

Committee Chair, J. Mitchell

Committee Clerk, T. Brubacher



Re: Taxi By-law Review – Detailed Regulations

June 8, 2016

The Tri-Cities Transport Action Group (TriTAG) advocates for practical policies and infrastructure to enable more people to choose to walk, bike, and take transit to get around Waterloo Region.

I spoke in April in support of the Region's direction on taxi by-law, and I am pleased to see the progress and the staff responsiveness to feedback. It is especially good to see that staff are not just concerning themselves with the impact to the taxi industry and Uber, but to the public's interests as a whole.

Our own interest in taxis, Uber, and other on-demand mobility is because they are an important complement to a transportation system that focuses less on personal car use. If we support options that make it easy, safe, and affordable for people to use on-demand mobility when they need it, they can more readily reduce their own car ownership and choose to get around mostly on foot, by bicycle, and by transit. Good regulation for on-demand mobility has a low cost to the government but a high impact on the transportation system as a whole.

I'm pleased to see the changes to ensure taxis have full flexibility to operate under either model, and the temporary maintenance of a taxi license limit. This gives taxis a reasonable shot at making a transition to a new world with new competition, while providing curbside pick-up and phone ordered services that are valuable to the community. At the same time, the plans to revisit the policy in 2018 are sensible given the rapid change in this industry.

The accessibility provisions feel like a good start, but are something that merit more thought - perhaps in 2018 - regarding the real costs of providing the service, what it takes to provide the service efficiently, and defining accessible service itself. If a broker is providing accessible service to avoid the in-lieu fees, how much service is enough? Does it make sense to focus on accessible taxi licenses given the low utilization of the current ones? Maybe all conventional providers, regardless of size, should pay an in-lieu fee to be used by the Region to subsidize accessible services. The goal shouldn't be a percentage of accessible vehicles, but ultimately about access to and quality of the service itself - which, to be sure, is not an easy thing to regulate for.

The camera provisions feel unnecessarily complex, with detailed requirements for app features but exempting pre-booked rides, etc. Ultimately the camera section would be simpler and clearer - and probably just as valuable - if it were simply that vehicles used for street hails or metered rides, i.e. taxis, must have cameras. Similarly the fee schedule itself also seems unnecessarily complex, with many categories, rules for different size brokers, etc.

It makes sense to allow brokers to allocate licenses, however there should be substantial provision regarding audits and penalties for not following the rules. I also encourage the Region to work with Police Services to streamline the background check process so that it is easier for the brokers and the Region to get sent the information from an applicant. There's no reason for it to be onerous.

Getting data on usage is key - not just for auditing, but also to inform transportation planning. I would encourage the Region to have data sharing as a requirement, and to consider making aggregate, well-anonymized data available as open data.

Finally, in the absence of provincial regulation, I would encourage the Region to consider coordination with adjacent municipalities, to avoid discontinuities in service coverage that one doesn't have with a private car.

The Region's direction on taxi regulation is a forward-thinking one that should make a meaningful improvement in the public's access to on-demand mobility, encourage innovation by local companies, and help the Region achieve its own transportation mode share goals. I encourage the Region to stay the course and update its taxi by-laws without undue delay.

Regards,

Michael Druker
Tri-Cities Transport Action Group

**Esteemed Members of Licensing and Hearings Committee,
Ladies and Gentlemen,**

Thank you for the opportunity to speak on this important day for the future of Taxi Industry in our Region. Since time is very limited I will cover my concerns and suggestion immediately, starting with vehicle identification requirements.

During last month's Stakeholder Consultation meeting with Waterloo Regional Taxi Alliance, Regional Staff came up with the proposal for Auxiliary Taxis to have 30x30cm decal on the passenger side of the vehicle identifying Broker, to be visible by the public. Taxi Alliance has suggested larger sign, as 30x30cm (900 cm²) is rather small, and requirement that decal be applied on both sides of the vehicle.

To illustrate... Show & tell, mock up signs/decals

I've guess it is easy to conclude that minimum proposed decal sign is not large enough to be properly visible and identifiable by the public.

Second item I want to cover is Vehicle Requirements.

Waterloo Regional taxi Alliance has expressed an opinion during round table discussion and it was ready to adopt maximum age of vehicles to be up to ten years. We were quite surprised to say at least when our logical proposal fell again on deaf ears when it comes to Regional Bureaucracy. What is their rationale here? Practice of imposing maximum age requirements is more or less a standard in most municipalities across Canada and world... Both Toronto and London

have max. Vehicle age of 7 years. Age of vehicles is closely tied to public safety as well as comfort level of passengers. It is well known fact that newer vehicle models have more safety features than older ones. Similarly, vehicle older than 10 years tends to experience critical breakdowns more often, and to conclude should not be allowed to operate as taxi-cabs in the new by-law.

Next topic is Accessible Service.

\$50 Flat fee for per vehicle is set way too low, and it offers nothing compared to the expenses current Wheelchair Taxi-cab operators have to put up with. Alliance has stated many times that the average cost of adequate Wheelchair Accessible Van is anywhere from 40K upwards. Simple internet search will lead our staff to company called Goldline Mobility, based in London, ON.

To illustrate... Show & tell, pricing example

Collectively, alliance has over 20 of such vehicles on the road. These vehicles reach end of service life usually around 4 years after initially deployed for taxicab service, so every year on average there are 4-5 new vehicles purchases, totaling roughly \$200k. Now, let's see the alternative our regional Staff is proposing: \$50 per vehicle multiplied by the fleet size. In my parent company City Cabs, that means we need to pay \$4050 yearly free to get rid of wheelchair service. I must note that in my personal opinion it seems that our Regional Staff is scared of setting the conditions for new entrants to the market too high, or rather as per their liking.

Finally, this entire lengthy by-law changing process did indeed made a difference, however this time in minds and hearts of all the people involved into local taxi industry. Personally I have never paid too much attention to local politics and elections, which have previously seemed rather unimportant, however let me assure you that changed for good long as my generation of taxi drivers in involved into this industry. Thanks you.

THANK YOU COUNCIL MEMBERS FOR TAKING MORE TIME TO GIVE STAKEHOLDERS SUCH AS OURSELVES A VOICE IN THIS PROCESS. IT HAS BEEN ONGOING FOR QUITE SOME TIME AND HAS HAD TO OVERCOME A LOT OF EMOTIONAL RESPONSES. BUT I BELIEVE THAT IN THE END IT WILL BE WORTH THE EFFORT WHEN WE HAVE FAIR RULES IN PLACE FOR ALL PARTICIPANTS TO ABIDE BY.

I WON'T TAKE UP MUCH MORE OF YOUR TIME, BUT AFTER REVIEWING THE MOST RECENT PROPOSAL THERE ARE THREE POINTS I WISH TO CONTINUE TO TAKE ISSUE WITH. THE FIRST POINT BEING INSURANCE COVERAGE FOR PRIVATE INDIVIDUALS PARTICIPATING IN APP BASED SERVICES. THOUGH THE REGION IS CALLING FOR ALL CARS TO CARRY LIABILITY INSURANCE, YOU HAVE NOT BEEN OVERLY CLEAR ON WHETHER IT IS TO BE COMPLETE, 24-HOUR PER DAY, COVERAGE OR THE INSURANCE INDUSTRY PROPOSALS THAT ALLOW THESE PRIVATE CARS TO CARRY ONLY 20 HOURS PER WEEK. WE IN THE INDUSTRY DO NOT CONDONE THE ACCEPTANCE OF THESE PART TIME PACKAGES.

TO BEGIN WITH, THE INSURANCE INDUSTRY HAS NOT BEEN ABLE TO EXPLAIN TO THE PUBLIC AND OTHER STAKEHOLDERS THEIR STRATEGY FOR KEEPING TRACK OF AN INDIVIDUAL'S WEEKLY HOURS. WILL INSURANCE COMPANIES BE ABLE TO KEEP TRACK OF THE PEOPLE WHO ARE BEHIND THE WHEEL OF THESE VEHICLES? THE PREVIOUS DRAFT BY LAW SUGGESTED THAT PRIVATE INDIVIDUALS COULD HIRE DRIVERS TO OPERATE THEIR VEHICLES, THEREFORE CREATING A BUSINESS THAT COULD SEE THEIR CARS ON THE ROAD AS OFTEN AS TAXIS, MAYBE EVEN MORE SO. TAXIS, BY THE WAY, DESPITE WHAT THE RECENT REPORT ASSERTS, ARE NOT ALL ON THE ROAD 24 HOURS A DAY. ALL COMPANIES HAVE WEEKLY BASED ROTATING SHIFTS THAT AVERAGE 80 TO 90 HOURS PER WEEK.

ANOTHER CHALLENGE TO POLICING HOURS IS THE FACT THAT INDIVIDUALS HAVE BEEN SIGNING UP TO DRIVE FOR MORE THAN JUST A SINGLE APP BASED COMPANY. HOW WILL THE REGION OR INSURANCE PROVIDERS THEN MONITOR THE ACTIVITIES OF THESE PEOPLE? AS THE MARKET EXPANDS, WE COULD SEE HALF A DOZEN PLAYERS ENTER THE REGION AND PRIVATE DRIVERS SIGN UP FOR ALL OF THEM. 20 HOURS PER WEEK COVERAGE WILL NOT BE ADEQUATE.

AND FINALLY, THE MOST RECENT REPORT SUGGESTED THAT INTACT INSURANCE WAS DEVELOPING A SYSTEM THAT WOULD PROVIDE COVERAGE FOR THE SPECIFIC TIMES THAT A CAR ACCEPTS A FARE UNTIL THAT FARE HAS BEEN DROPPED OFF. SUCH A SYSTEM DOESN'T TAKE INTO ACCOUNT THE FACT THAT THE VEHICLES ARE STILL DRIVING ON CITY STREETS LOOKING FOR FARES BETWEEN CALLS WHEN THEY WOULD OTHERWISE BE PARKED AT HOME. STILL POSING A HIGHER RISK TO THE PUBLIC.

IF CONSUMER SAFETY IS AS IMPORTANT AS IMPLIED THROUGH THIS PROCESS THEN IT SHOULD BE A GIVEN THAT ADEQUATE INSURANCE WOULD BE MANDATORY. ALL CARS MUST HAVE 24 HOURS A DAY COVERAGE UNTIL THE INSURANCE AND APP BASED INDUSTRIES CAN PROVE THAT THEY CAN PROPERLY AND ACCURATELY ACCOUNT FOR THE HOURS A VEHICLE SPENDS TAKING FARES WHILE OPERATING ON OUR CITY STREETS. DEMANDING THIS LEVEL OF INSURANCE WILL NOT PREVENT NEW COMPETITORS FROM ENTERING THE MARKET PLACE AS TAPPCAR IN THE CITY OF EDMONTON DEMONSTRATED. IT WILL ENSURE A MUCH HIGHER QUALITY COMPETITION.

THE SECOND ISSUE I'D LIKE TO ADDRESS IS THE PROPOSED \$50 PER VEHICLE FEE THAT FLEETS WHICH CANNOT PROVIDE ACCESSIBILITY SERVICES MUST PAY TO THE REGION AS COMPENSATION. OUR INDUSTRY FEELS THAT THIS IS FAR TOO LOW A FEE WHEN CONSIDERING THE ENORMOUS COSTS INVOLVED TO PURCHASE AND CONVERT A SUITABLE VAN, WHETHER IT IS THE REGION PURCHASING A NEW VEHICLE FOR ITS FLEET OR AN INDIVIDUAL VAN TAXI OWNER. WE PROPOSE A FEE OF BETWEEN \$100 TO \$200 PER VEHICLE YEARLY. AS FOR USES FOR THIS POOL OF MONEY, IT IS OUR OPINION THAT

PORTIONS OF IT CAN BE PROVIDED TO CURRENT VAN TAXI OWNERS TO OFFSET THE CONVERSION COSTS. THESE COSTS CAN RANGE BETWEEN 10 AND \$15,000 PER VAN. IT WOULD CERTAINLY HELP TO ENCOURAGE THE BUILDING OF LARGER ACCESSIBLE VAN FLEETS TO MEET POTENTIAL FUTURE NEEDS.

FINALLY, I WOULD LIKE TO TALK ABOUT SIGNAGE FOR AUXILIARY TAXI VEHICLES. OUR INDUSTRY FEELS THAT IT IS IN THE PUBLIC'S INTEREST TO BETTER HAVE THESE PRIVATE VEHICLES IDENTIFIED. THIS WILL SERVE A NUMBER OF USEFUL PURPOSES.

FIRST, IT WILL IDENTIFY TO CONSUMERS THAT THIS IS A SAFE VEHICLE TO GET INTO WHEN THEY RECOGNIZE THE CAR THEY ORDERED.

SECONDLY, THE VEHICLE AND DRIVER CAN BE MORE ACCOUNTABLE TO THE PUBLIC FOR THEIR BEHAVIOUR. IF OBSERVED DRIVING RECKLESSLY OR ACTING INAPPROPRIATELY, MEMBERS OF THE PUBLIC WILL NOW HAVE THE ABILITY TO REPORT SUCH BEHAVIOUR TO THE APP COMPANY OR TO THE REGION TO BE ACTED UPON. AS WELL, THE VERBAL SOLICITING OF CUSTOMERS, WHICH FREQUENTLY HAPPENS ON BAR NIGHTS, CAN BE EASILY OBSERVED AND BYLAW OFFICERS CAN MOVE IN AND GIVE THE APPROPRIATE WARNINGS.

THIRD, IT WILL PREVENT APP DRIVERS FROM OUTSIDE THE REGION ENTERING THE MARKET PLACE TO WORK. WE KNOW THIS HAPPENS REGULARLY AND THE REGION BY LAW ENFORCEMENT IS AWARE. FOR EXAMPLE, UBER ACTIVELY SOLICITED DRIVERS FROM OUTSIDE OUR REGION TO WORK FEST HALLS DURING OKTOBERFEST LAST YEAR. IN FACT, DURING PUBLIC HEARINGS IN APRIL, AN UBER DRIVER, NAME FELICIA, ADMITTED TO REGULARLY TRAVELLING TO TORONTO TO WORK WHEN BUSINESS WAS SLOW IN KITCHENER-WATERLOO. THIS NEW BY LAW WOULD BE COMPLETELY SUBVERTED IF COMPANIES LIKE UBER FEEL THEY CAN SIGN PEOPLE UP IN A NEIGHBOURING CITY AND HAVE THEM WORK IN OUR REGION TO AVOID REGULATION COSTS.

TO THAT END, OUR INDUSTRY RECOMMENDS THAT THE REGION REQUIRE ALL APP BASED COMPANIES TO GEO-FENCE THE REGION'S BORDERS SUCH THAT ONLY THE DRIVERS WHO ARE LICENSED BY THE REGION WILL BE ABLE TO WORK WITHIN ITS BORDERS. COMPANIES LIKE UBER ARE ALREADY USING GEO-FENCING WHEN DETERMINING SERVICE ZONES WITHIN CITIES. NO DRIVER FROM OUTSIDE THE REGION AND USING THESE APPS SHOULD BE ABLE RECEIVE FARES THROUGH THEM WHILE IN OUR REGION. THIS IS A SIMPLE TASK FOR APP BASED COMPANIES TO ACHIEVE BECAUSE THE NECESSARY PROGRAMMING IS VERY BASIC AND EASY TO WRITE.

TO CONCLUDE, BY MAKING THESE CHANGES THE COUNCIL WILL BE PROTECTING CONSUMERS WHILE MAINTAINING AN INCREASE IN COMPETITION FOR THEM TO DECIDE WHICH SERVICE SUITS THEIR NEEDS BEST. THANK YOU.

Re: WRTA response to Draft By-Laws PDL-CAS-16-09 staff recommendations.

Ratio and limit on licenses:

The taxi industry has been governed and regulated for many years for many good reasons. It is proven to be beneficial for both the consumers as well as the taxi industry. The industry in its current state has been shaped by experience and wisdom from inside the industry as well with the Region over the past many years. By controlling the limits on the licenses as well as regulating the taxi industry this has proven to ensure consumer protection and customer safety. The proposed are unprecedented as the Taxi industry is not opposed to opening the system to allow app based service providers such as Uber. Across Canada and the United States no jurisdiction are trying to dismantle the taxi industry we believe it to be short sighted to move at this breakneck speed at this time without seeing the "Uber" effect on the taxi industry in the Region of Waterloo.

The Taxi Alliance is requesting that the Region of Waterloo maintain the current system in place. A moratorium for five years with option to review it in three years after experiencing the effects of the Uber etc. There is no urgent need to drop the ratio from 1650 to 1500 as there are sufficient amount of taxis already in operation as well with the addition of the APP based taxis. We believe that the proposed 2018 is less than 2 years away and is just not enough time for the industry to adjust. This five year freeze will offer some form of stability and will allow the industry to settle down and adjust to the changes. The Alliance recommends that by adding the Wheelchair accessible licenses to the desired ratio required will in effect increase our percentages. If more Wheelchair accessible vehicles are needed they can be added as the market dictates.

It is Waterloo Region Taxi Alliance's belief that to dismantle the taxi industry would have detrimental effects both for consumers and industry alike, there may be no industry left to salvage if the entire system is dismantled as previously proposed.

We believe the proposed lottery system simply will not work as it attracts people from outside the industry with nothing at stake or invested who can sell the license and quickly exit the business. The current rotation system for dispersing licenses has served both the industry and the community well over the many years. It is fair and equal within the industry as well for the consumer as it protects against the single car brokerage which has been proven to offer poor services with a lack of accountability. This proposed lottery along with single car brokers is a recipe for financial disaster thus maintaining the minimum 10 vehicle brokerage works well and ensures excellent survival chances for new owner/drivers.

Currently there are 5 fairly larger companies, which compete ferociously for customers. They compete in a regulated taxi industry which you the region control the rules, pricing etc. Adding 11 new licenses over the next few years as suggested and adding the APP based taxis, which could be uncapped, this will put severe pressure on our already fragile industry.

We believe it is prudent to move cautiously as the taxi industry in the Region of Waterloo is one of the best models in Canada and is worth preserving.

Camera systems:

We believe that cameras should be a paramount subject for our region. The Region of Waterloo is boasting about our region as a high tech region. Cameras as we all know are a high tech security device. Having these cameras in all of our taxi type vehicles work as a safety feature for all consumers in our community. There should be no exceptions or bias for APP companies such as Uber. In our view there is no substitute for encrypted and secure in vehicle security system for any taxi type service and app based taxis. Driver pictures are no substitute for real footage of the actual event with proper car identification and time stamp. It has been proven that these APP based pictures are not always visible or authentic. The camera systems are designed for both customer and driver safety. The stats clearly show that most of the sexual assaults are by people that know each other. There is no better witness or investigation tool for the by-laws officers and police. There is no substitute for actual footage from encrypted cameras.

Insurance:

Full commercial insurance for the purpose of carrying passengers is the only way to ensure that the consumer is protected when using any taxi type services. As mentioned in the staff report the ride sharing insurance just does not measure up as it will be next to impossible to monitor the number of hours worked for all the drivers. How or who will ensure that all APP based drivers will comply within the bylaws? The taxi owners comply to all bylaws as they do not want to play Russian roulette with their insurance coverage. The taxi owners respect and understand that it is a privilege to have good rates under commercial insurance, this cannot be equally said by the Uber drivers at large as all of these driver have and continue to ignore the insurance regulations as well as the regional bylaws. We have a foolproof system in place where the owner of the license must present proof of insurance with passenger carrying endorsement. Why is there a need to lower the bar and create risks to the consumer with the potential of law suits against the licensing body. We appreciate the staff suggestion to find different product to service our needs however the reality is that the taxi industry will always have to maintain full commercial insurance for all .We would rather pay the extra for peace of mind and customer safety than not and staff recommendations should expect the same from all other forms of taxis. No other exceptions should be entertained as this would be borderline irresponsible and dangerous as the consumer expectations are much higher from the regions licensing entity. The taxi industry accepts it is the cost of doing business while other are trying to circumvent it.

Thank you for your time and consideration.

Waterloo Region Taxi Alliance

Bill Chester President

Good afternoon Bill,

We can put forward suggestions to the counsellors that perhaps they should look at a prorated system. The fee for not providing a wheelchair service at all should be around \$500 per car and much slower for people that maybe 2 to 5% off the mark and they could be charge around \$25 or a car. These could change according to the number of licenses issued to one particular company or another and the fee could be downgraded and License renewal or as needed. The companies already providing service shouldn't have to pay the full amount.