
HALDIMAND COUNTY

Report CEC-01-2022 Proposed Amendments to Hired Vehicle Licensing By-Law



For Consideration by Council in Committee on March 29, 2022

OBJECTIVE:

To obtain Council approval to implement minor amendments to Hired Vehicle Licensing By-Law 2139/20 and to increase Hired Vehicle Fares (Schedule A) in alignment with the Consumer Price Index (CPI).

RECOMMENDATIONS:

1. THAT Report CEC-01-2022 Proposed Amendments to Hired Vehicle Licensing By-law be received;
2. AND THAT the proposed increase to Hired Vehicle Fares (Schedule A) be approved for reasons outlined in CEC-01-2022;
3. AND THAT a by-law be presented to amend Hired Vehicle Licensing By-Law No. 2139/20 as outlined in Report CEC-01-2022.

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Reviewed by: Trish Cardwell, Manager, Customer Experience and Communications

Respectfully submitted: Cathy Case, General Manager of Corporate & Social Services

Approved: Craig Manley, MCIP, RPP, Chief Administrative Officer

EXECUTIVE SUMMARY:

Staff propose to increase Hired Vehicle Fares in alignment with the Statistics Canada Consumer Price Index (CPI) and associated rise in transportation costs across Ontario. Staff are also proposing to implement amendments to Hired Vehicle Licensing By-Law No. 2139/20 to provide clarity with respect to police clearance and insurance requirements.

BACKGROUND:

The Municipal Act allows municipalities to license taxi cabs and set appropriate fares. Most municipalities do so to ensure public safety since there are no other regulatory systems in place to do so. The County licensing structure for hired vehicles provides a balance between ensuring residents have a safe and viable transportation option and operators being fairly compensated. This is significant in Haldimand County where there isn't a public transit option.

In March 2020, Council directed staff to conduct an annual adjustment of Hired Vehicle Fares based on the Statistics Canada Consumer Price Index (CPI) and to bring forward any significant changes in transportation costs that would necessitate a fare adjustment of \$0.25 or higher. The annual CPI review has been completed and the CPI adjustment is higher than \$0.25 therefore staff are proposing to

increase Hired Vehicle Fares. This increase aligns with the rise in transportation costs across the province.

Staff additionally reviewed language within By-Law No. 2139/20 related to police clearance and insurance requirements.

Upon review with legal services and the county's solicitor, it was determined that amending language regarding criminal record check requirements would provide clarity and reduce red tape for applicants while still meeting all legal obligations.

Further, it was determined that greater clarity is required with respect to insurance requirements for hired vehicles to ensure alignment with industry standards and mitigate risks for both hired vehicle owners/operators and Haldimand County.

ANALYSIS:

Staff reviewed the Statistics Canada Consumer Price Index (CPI) annual average for transportation costs in Ontario from December 2020 to December 2021 and found that there was a 7.4% increase. As shown in Chart 1, staff have applied this 7.4% increase to the County's current fare structure and are proposing two fare adjustments that result in an adjustment over \$0.25. Staff have rounded up the fares to the nearest dollar to ensure adjustments do not cause inefficiencies for clients and taxi operators who may be dealing with cash payments. If the increased amount was under \$0.25, the rate would remain unchanged from the current fare.

Chart 1: Proposed 2022 Hired Vehicle Fares

Hired Vehicle Fare Description	Current Fare	CPI Increase	Proposed 2022 Fare
Urban Area flat rate	\$10.00	\$0.74	\$11.00
Rural Area (min)	\$5.50	\$0.41	\$6.00
+ (\$/km) - discretionary option of charging for pick up at halfway point between where the cab is coming from and the pick up destination	\$2.50/km	\$0.19	\$2.50/km
Standing / Waiting Time	\$0.50	\$0.04	\$0.50
Handling Luggage or Groceries	No charge	N/A	No charge
Seniors & Students Discount - discretionary	10%	N/A	10%
Surcharge - discretionary (on fares of four (4) or more people at any time)	\$2.00	\$0.15	\$2.00

Additionally, staff reviewed the current language of By-law 2139/20 related to police record checks and insurance requirements with Legal Services.

As a result of COVID-19, the process of applying for a criminal record check can now be completed online eliminating the need to physically visit the local municipal police force to obtain one. Therefore, it is no longer recommended to accept police clearance and criminal record checks **only** from the municipality where the Hired Vehicle Operator resides. The proposed, amended language provides Hired Vehicle Operators with more flexibility in obtaining their police clearance.

Furthermore, it was determined that insurance provisions of By-law 2139/20 require updating to be in line with industry standards for insurance coverage and indemnity for owners and operators of vehicles used for hire.

As a standard requirement for taxi licensing in Ontario and further afield, licensees are required to provide evidence of appropriate auto insurance and liability insurance coverage. Unfortunately, the existing language in the by-law does not specify the endorsement to an auto policy that is specific to the carriage of passengers, as well as general liability coverage which might be necessary where an owner and operator of the taxi might not be the same person.

In order to ensure alignment with industry standards and to mitigate risks for both hired vehicle owners/operators and Haldimand County, it is recommended that the by-law language pertaining to insurance requirements be amended to include OPCF 6A - Permission to Carry Passengers for Compensation.

Similarly, the by-law does not currently outline the requirement for the County to be indemnified against any action or inaction caused by the Licensee where the County might be held responsible. Amending the by-law to include this indemnity clause is recommended to ensure that any potential action is covered by the appropriate party, if applicable. This is a standard clause in any relationship the County has with outside parties, and is not limited to licensing alone. Hired vehicle owners and operators should not be negatively impacted through the inclusion of this contractual obligation.

FINANCIAL/LEGAL IMPLICATIONS:

Not applicable.

STAKEHOLDER IMPACTS:

Should the recommended Hired Vehicle Fare increases be approved by Council, all existing and future Hired Vehicle owners and drivers licenced within Haldimand County will be required to adopt and abide by the approved fare structure.

Should proposed amendments to language be approved, Hired Vehicle operators will have greater flexibility with respect to fulfilling police clearance. The proposed amendments to insurance requirements, will also mitigate risk for both Hired Vehicle operators and Haldimand County.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

None.