

BYLAW NO. 3282/2001

WHEREAS pursuant to sections 7 and 8 of the *Municipal Government Act*, R.S.A., 1980, and amendments thereto, Council may pass bylaws for municipal purposes, including the following matters:

- a) the safety and protection of people;
- b) transportation and transportation systems;
- c) business and business activities;
- d) licensing;
- e) fees, rates, and fares that may be charged for the hire of taxis;

and may generally pass bylaws to regulate or prohibit businesses, deal with any business activity, and provide for any system of licenses;

AND WHEREAS Council deems it advisable to generally regulate the taxi business in the City of Red Deer, including the number of taxis, licensing, as well as rates and fares;

COUNCIL OF THE CITY ENACTS AS FOLLOWS:

1 This Bylaw may be called the "Taxi Business Bylaw".

TITLE AND DEFINITIONS

2 In this bylaw:

¹ Deleted

“Applicant” means a person who applies for a license or renewal of a license by this bylaw;

“Broker” means a person to whom a taxi broker license has been issued;

“Bylaw Enforcement Officer” means any person authorized to enforce City Bylaws and includes the License Inspector;

²“Independent Owner/Operator” means a person who owns and operates a taxi without the service of a taxi broker;

“Licensee” means a person holding a valid and subsisting license issued pursuant to this bylaw;

“License Inspector” means the Inspections and Licensing Manager for the City or any member of the License Inspection Department;

³“Deleted

“Mechanical Fitness Report” means a report in a form approved by the License Inspector and signed by a licensed mechanic, which report shall contain such information as the License Inspector may require, but in any event, shall certify that the vehicle is safe, fit, and suitable for use as a taxi and include information as to the safety and condition of the steering mechanism, brake system, body work, including condition of doors and locks, windows, electrical light and signal systems, exhaust system and tire

¹ 3282/B-2008

² 3282/A-2010

³ 3282/A-2001

wear and condition, and that the vehicle is suitable for the conveyance of passengers;

"Motor Vehicle" means a vehicle propelled by any power other than muscular power;

¹ Deleted

"Person" means a natural person or a body corporate and includes a partnership, a group of persons acting in concert, or an association, unless the context explicitly or by necessary implication otherwise requires;

²"Qualified Applicant" means a person who has worked in the taxi industry in the City in the capacity of a taxi driver or broker for a period of 1200 hours in a calendar year for two consecutive years immediately prior to such person's application for a taxi license plate. The period of two consecutive years shall be deemed not to be interrupted by reason only of periods of vacation or absences due to illness not exceeding three months in total, unless approved by the License Inspector"

"Registered Owner" means a person who is the owner of a motor vehicle, or who is purchasing a motor vehicle under a lease-option to purchase or similar purchase agreement;

"Resident" means a person, firm or corporation that:

- (i) is located or resides within the boundaries of the City; or
- (ii) provides the space and services including office area and

¹ 3282/B-2008

² 3282/B-2008, 3282/A-2010

telephone from premises that are listed on the business tax roll; or

- (iii) has an occupancy permit issued under the Land Use Bylaw; and
- (iv) satisfies the License Inspector that he intends to carry on business within the City for not less than six months;

"Taxi Business" means the business of operating taxis and includes accepting calls for the dispatch of taxis and the dispatching taxis, as well as the operation of any motor vehicle such as a bus, mini-bus or van for hire by the public at large, but does not include handicap busing, private courtesy transportation such as provided by a car dealership or garage for its customers, or busing operations connected with adult or senior residences;

"Taxi Broker's License" means a license issued by the License Inspector under this bylaw, authorizing a person to operate a taxi business;

"Taxi" and "Taxicab" means a motor vehicle equipped with a meter and operated by a driver licensed and in compliance with the requirements of this Bylaw;

¹ "Taxi Driver" means any person who is licensed to drive a taxi and is the holder of a valid and subsisting Taxi Driver's License issued under this bylaw."

²"Taxi License Plate" means the City identification plate issued under this

¹ 3282/B-2008

² 3282/B-2008

bylaw for attachment to a motor vehicle licensing such vehicle for use as a taxi,”

"Taxi Licensee" means a person who holds a subsisting taxi license plate issued under this bylaw;

"Taxi Meter" means a mechanical apparatus or device for automatically measuring and registering the distance travelled by a taxi and the fee corresponding to the distance at the rate specified in this bylaw.

¹"Wheelchair Accessible Vehicle Taxi License Plate" means the City identification plate issued under this bylaw for attachment to a wheelchair accessible motor vehicle, licensing such vehicle for use as a wheelchair accessible taxi;”

²2.1 (1) An Independent Owner/Operator must be:

- a) a taxi licensee;
- b) a taxi driver; and
- c) a maximum of two persons who are
 - (i) registered owners of the taxi, or
 - (ii) the only shareholders of a corporation that owns the taxi.

(2) An Independent Owner/Operator must maintain:

- a) a business address approved by the License Inspector;
- b) a telephone communication system from the business address and from the taxi;
- c) a vehicle colour registered with the License Inspector; and

¹ 3282/B-2008

² 3282/A-2010

- d) a taxi marked and painted in accordance with this Bylaw.
- (3) An Independent Owner/Operator may only operate one taxi.
 - (4) An Independent Owner/Operator must pay an annual fee as specified in Schedule "A"
 - (5) An Independent Owner/Operator shall operate the taxi in accordance with all the requirements of this Bylaw.

LICENSING OF TAXI BUSINESS - BROKERS

- 3 (1) A Broker's license may only be issued if an applicant has:
 - a) at least 3 licensed taxis registered for use in the taxi business;
 - b) registered a colour or combination of colours for taxis, distinctive from other brokers or licensees ("identification colours");
 - c) supplied a list of the motor vehicles which will be used in the taxi business.
- (2) A broker shall within 72 hours of any additions to or deletions from the list of vehicles under section 3(1) (c), inform the License Inspector of such changes.
- (3) Anyone may obtain a copy of the list of all vehicles used by a broker on application to the License Inspector and on payment of the fee specified in Schedule "A".

- (4) The License Inspector has the authority to approve the overall design of taxi cabs in order to ensure that taxi cabs associated with different brokers can be readily distinguished. This authority shall include approval of the colour of all or any part of the vehicle, the design, size, colour of lettering, logos, and insignia, and the type of signs or accessories that may be marked upon or affixed to the exterior of the vehicle.

NON-CORPORATION

- 4 (1) Any person, other than a corporation, desiring to obtain a taxi broker's license or to renew such license, shall make application to the License Inspector.
- (2) The application shall be in writing in a form to be required by the License Inspector, shall be signed by the applicant, and shall include the following information:
- a) the full and correct name, address and telephone number of the applicant;
 - b)¹ Deleted.
 - c) a list of all convictions of the applicant for any offences under the laws of Canada or of any of its provinces or territories, or of the person's country of origin before residing in Canada;
 - d) such other information as the License Inspector may reasonably require.

¹ 3282/A-2003

CORPORATIONS

- 5 (1) If the applicant for a taxi broker's license is a corporation, then such corporation shall make an application to the License Inspector.
- (2) The application shall be in writing and in a form to be required by the License Inspector, shall be signed by all the corporate officers of the applicant, and shall include the following information:
- a) the correct corporate name, business address and telephone number of the corporation;
 - b) a copy of the corporate minutes and articles of incorporation, including the Certificate of Incorporation and a Certificate of Good Standing relative to the corporation;
 - c) the full and correct name, address and telephone number of all the shareholders and directors;
 - d) a list of all convictions of the corporation, its shareholders and directors, for any offences under the laws of Canada or of any of its provinces or territories, and under the laws of the country of original of the applicant and of its shareholders and directors before their residing in Canada.

RENEWAL OF BROKER'S LICENSE

- 6 A renewal application shall be made not later than January 31 of the year for which the broker's license is to be renewed. An application for a new

license may be made at any time during the year. In all cases, the application shall include:

- a) payment of the fee required in Schedule "A";
- b) proof that the applicant qualifies for a taxi broker's license under section 3(1)(a);
- c) the list of the motor vehicles required under section 3(1)(c).

- 7 (1) A taxi broker's license is valid only until January 31 of the year following the issuance.
- (2) A taxi broker's license is and always remains the property of the City and cannot be sold, assigned or transferred to any person except in accordance with this bylaw.

REVOCAION OF BROKER'S LICENSE

- 8 Should a broker at any time cease to meet any of the requirements of this bylaw, including section 3(a), the broker's license is automatically revoked.
- 9 Each broker operating in the City shall locate its office and communication centre in an area designated in the City Land Use Bylaw for such use.

DISPUTES RESPECTING COLOURS

- 10 Should a dispute arise between brokers respecting the registration and use of the same or similar identification colours, without limiting the authority of the License Inspector's approval, priority of choice may be given to a broker who has utilized the colours in dispute in the City for the longest period of time. With the approval of the License Inspector two or more brokers may agree to use the same colours.

HOURS OF OPERATION

- 11 Each broker shall provide 7 days per week and 24 hours per day taxi service available to residents of the City.

TRANSFER OF SALE OF BROKER'S BUSINESS

- 12 A broker who intends to sell or dispose of its taxi business either in whole or in part or, if a corporation through the sale in whole or in part of shares, shall immediately notify the License Inspector of the name or names of the proposed purchaser, the proposed date of such sale and the particulars of the proposed sale or disposition.

PURCHASE OF BROKER'S BUSINESS

- 13 The Purchaser of a broker's business must apply for a taxi broker's license as required under this bylaw.

14 ¹ If a Purchaser qualifies under this bylaw for a taxi broker's license, upon the payment of fees required, and upon the selling broker surrendering to the License Inspector its taxi broker's license and the delivery of all taxi license plates, the License Inspector shall issue to the purchaser a taxi broker's license and the taxi license plates."

NUMBER AND ALLOCATION OF TAXI LICENSE PLATES

15 (1) ² The maximum number of taxi license plates that may be issued each year under this bylaw (the "licenses available") shall be as follows:

- (i) equal to the number of licenses issued as of December 31 in the immediately preceding year and under which taxis were, in fact, operated for a minimum of 30 weeks in that calendar year; or
- (ii) one taxi license plate per 750 persons of the city population based on the population of the city determined in the most recent census, whichever is greater; and
- (iii) one wheelchair accessible vehicle taxi license plate per 15,000 persons of the city population based on the population of the city determined in the most recent census."

(2) For the purpose of determining compliance with the requirement that taxis shall have been operated under a particular taxi license plate for the necessary 30 weeks, the License Inspector may require the applicant to produce copies of stand rental agreements establishing the necessary 30 week period or such other proof as the License Inspector may reasonably deem necessary.

¹ 3282/B-2008

² 3282/B-2008

- (3) Notwithstanding the foregoing, where, because of a combination of factors such as illness, vacation or other special circumstances, the taxi is not operated for a period of 30 consecutive weeks, the License Inspector may decide that the taxi shall nevertheless be included in the calculations for the purpose of determining the maximum number of taxi license plates to be issued.
- (4)¹ A qualified applicant who held a taxi license plate or plates in the immediately preceding year shall be entitled, on application to be made on or before January 31 of the current year, to receive the same number of taxi license plates for the current year in priority to new applicants. Thereafter, if additional taxi license plates are still available, and there are more qualified applicants, the allocation of those license plates shall be determined by a random draw conducted by the License Inspector in the last week of August of each year.”
- (5) License plates which are surrendered or revoked shall not thereafter be reissued.
- (6)² A qualified applicant who held a wheelchair accessible vehicle taxi license plate or plates in the immediately preceding year shall be entitled, on application to be made on or before January 31 of the current year, to receive the same number of wheelchair accessible vehicle taxi license plates for the current year in priority to new applicants. Thereafter, if additional wheelchair accessible vehicle taxi license plates are still available, the allocation of those wheelchair accessible vehicle taxi license

¹ 3282/B-2008

² 3282/B-2008

plates shall be determined by an evaluation of proposals received by the License Inspector on or before August 1. The proposals shall be evaluated based on preset criteria established by the License Inspector from time to time.

- (7) ¹ Should any company not apply for its wheelchair accessible license plate, the allocation of that plate or plates shall be determined by an evaluation of proposals received by the License Inspector on or before August 1. The proposals shall be evaluated based on preset criteria established by the License Inspector from time to time.”
- 16¹ (1) Excepting a broker, no more than 2 taxi license plates shall be issued to a taxi licensee.
- (2) Notwithstanding subsection 16 (1), if a person who is not already a broker wins a third taxi license plate by way of draw, that person may hold the third taxi license plate for a period of two (2) months starting the day on which the third taxi license plate was won.
- (3) During the two (2) month period referred to in subsection 16(2), the person shall submit an application to the License Inspector for a broker’s license and:
- a) if the broker’s license is granted the person will be permitted to keep the third taxi license plate.
 - b) if the broker’s license is not granted the person will not be permitted to keep the third taxi license plate and that person shall immediately return it to the License Inspector.

¹ 3282/B-2008

APPLICATION FOR TAXI LICENSE PLATE

- 17 Any person who wishes to obtain a taxi license plate shall deliver to the License Inspector an application in writing in a form required by the License Inspector, signed by the applicant, and include the following information and documentation:
- a) the full and correct name, address and telephone number of the applicant;
 - b) evidence that the applicant is a qualified applicant as defined by this bylaw;
 - c) evidence identifying:
 - i) the registered owner of the motor vehicle proposed for use as a taxi;
 - ii) the holder of valid insurance for the operation of the vehicle as a taxi.
 - d) a Mechanical Fitness Report for such motor vehicle and the presentation of the motor vehicle for inspection by the License Inspector at such time and place as may be required by the License Inspector;
 - e) payment of the fee required;
 - f) evidence the vehicle is painted in the registered identification colours of the broker with which the vehicle will be affiliated, or in the

¹ 3282/A-2010

case of a vehicle which is operated independently, evidence that the vehicle is painted in the identification colours approved by the License Inspector from time to time;

- g) if there is no vehicle to which a taxi license plate is to be attached, then to provide to the License Inspector within 22 weeks of January 15th of the year of the application, the information required herein, failing which, any plate issued is automatically cancelled;
- h) in the case of a corporate applicant, the last annual corporate return of the corporation, a copy of the Certificate of Incorporation, Articles of Incorporation and a Certificate of Good Standing relative to the corporation and the full names, addresses and telephone numbers of all shareholders and directors of the corporation. Where the shareholder or director of a corporate applicant is also a corporation, the full names, addresses and telephone numbers of the shareholders and directors of such corporation, as well as the last annual corporate return, Articles of Incorporation, and a Certificate of Good Standing relative to the corporation.

APPLICATION FOR WHEELCHAIR ACCESSIBLE PLATE

- 18 A applicant who wishes to obtain a wheelchair accessible vehicle taxi license plate shall make application to the License Inspector in accordance with the provisions of this bylaw and in addition shall provide proof to the satisfaction of the License Inspector that the vehicle in respect of which the plate is to be issued meets the requirements set forth in the document known as C.S.A. D409-92 "Motor Vehicles for the Transportation of Persons with Physical Disabilities" or any replacement for that document, or replacement regulations or requirements that may apply from time to time to the transport of persons with physical disabilities.

LICENSE INSPECTOR AUTHORITY

- 19 Taxi license plates must be renewed annually and such renewal applications must follow the requirements and procedures set out in sections 15, 16, and 17.
- 20 A taxi licensee operating a taxi under affiliation with a broker shall provide to the License Inspector the identity of the broker and shall provide such additional reasonable information in regard to the affiliation as the License Inspector may reasonably require, including copies of any written agreements between the licensee and the broker.
- 21 If a broker ceases to be the holder of a valid taxi broker's license, then the broker shall cease to operate any taxis and shall immediately return the taxi license plates issued to it to the License Inspector.
- 22 A taxi license plate shall be valid only until January 31 in the year following the year in which it was issued.
- 23 Taxi license plates and any other plates or insignia required by provincial law or regulations shall be placed on the taxi at locations directed by the City or the Government of Alberta.

TAXI LICENSE PLATES REMAIN THE PROPERTY OF THE CITY

- 24 (1) All taxi license plates are and always remain the property of the City and shall not be sold, leased, assigned or transferred to any person except in accordance with this bylaw. No consideration may be charged by any person for the use of such plates.
- (2) The penalty for a breach of this section shall be revocation of the plate.

Additionally, anyone who breaches this provision shall be prohibited from being involved in the taxi industry in the City for a period of 5 years and shall have all licenses, permits, and plates held by them revoked.

TRANSFER OF TAXI LICENSE PLATES TO ANOTHER VEHICLE

- 25 (1) Should a taxi licensee desire to substitute another motor vehicle for any taxi for which taxi license plates have been issued, such licensee shall deliver to the License Inspector the taxi license plates issued for such taxi, together with such information concerning the motor vehicle to be substituted as the License Inspector may require, including:
- a) a Mechanical Fitness Report;
 - b) evidence that the vehicle is painted in appropriate colours;
 - c) evidence of insurance;
 - d) such other information as the License Inspector may reasonably require to ensure conformity with this bylaw.
- (2) When the License Inspector is satisfied that the motor vehicle proposed to be substituted complies with this bylaw and is safe, fit and suitable for use as a taxi and that the above conditions have been met, he shall, upon payment by the taxi licensee of the fee required in Schedule "A", reissue to the taxi licensee the taxi license plate for the motor vehicle so substituted. No taxi license plate shall be reissued if by so doing, the taxi licensee would hold more taxi license plates than the number permitted by section 15(1).

STANDBY TAXI

- 26 (1) On payment of the transfer fee, a taxi licensee may apply to register one standby taxi to be used in substitution for a taxi that is removed from service for repair.
- (2) A standby taxi may be used for a period not exceeding 60 consecutive days and then only as a replacement for a taxi which is being repaired.
- (3) A licensee who wishes to use a registered stand-by taxi in substitution for a taxi, must first notify the License Inspector and all brokers in the City of Red Deer and provide the following information, and must do so immediately by FAX:
- a) name of licensee;
 - b) description of taxi being repaired – colours and number;
 - c) description of stand-by taxi – colours and number;
 - d) taxi license plate number;
 - e) date of commencement of use of stand-by taxi.
- (4) After this notification and information has been provided, the taxi license plate may be removed from the taxi being repaired and be attached to the stand-by taxi, which may then be put into service as a taxi.
- (5) When the taxi is repaired and ready to return to service, the licensee shall first notify the License Inspector and all brokers of the following information and may do so by FAX:

- a) name of licensee;
 - b) description of taxi which was repaired – colours and number;
 - c) description of stand-by taxi – colours and number;
 - d) taxi license plate number and;
 - e) date of return to use of the repaired taxi.
- (6) After Section 26(5) has been complied with and on payment of the transfer fee, the taxi license plate may be removed from the stand-by taxi and be re-attached to the taxi and the taxi may be returned to service.
- (7) A stand-by taxi may not be used as a taxi, including use as a taxi on delivery service, unless sections 26(3) and (4) have been complied with.
- (8) When a stand-by taxi is not required for use as a taxi, it may be used as a private vehicle.
- (9) It is an offence for any licensee to:
- a) use a stand-by taxi as a taxi unless a taxi license plate is attached to it;
 - b) use a stand-by taxi or return a taxi to service without first having given the required notices.
- (10) For each breach of section 26(9) the License Inspector shall revoke one taxi license held by the offending licensee.

TRANSFER OF TAXI LICENSE PLATES

- 27 (1) Should a taxi licensee desire to transfer any taxi license plate to another person, such licensee shall deliver the taxi license plate to the License Inspector.
- (2) The proposed transferee of a taxi license plate shall make application to the License Inspector for the transfer of the taxi license plate in such form as may be required by the License Inspector and will provide such information as may reasonably be required by the License Inspector.
- (3) No transfer of a taxi license plate shall be approved unless:
- a) ¹ the taxi licensee proposing the transfer has been the holder of the taxi license plate for not less than the two consecutive years immediately prior to the date of the proposed transfer, unless the taxi licensee is proposing the transfer due to ill health, proof of which shall be supplied to the satisfaction of the License Inspector;”
 - b) the proposed transferee shall comply with the requirements of section 17; and
 - c) the proposed transferee has paid the fee required in Schedule "A".

¹ 3282/B-2008

DEATH OF TAXI LICENSEE

- 28 (1) The Executor of the estate, or if there is no Executor named under a will then the next of kin or personal representative of the deceased taxi licensee as designated by a Judge of the Surrogate Court of Alberta, may for a period of not more than 120 days after the date of death of the taxi licensee:
- (a) continue to operate the licensed taxi; and
 - (b) exercise the powers of a taxi licensee to arrange for the transfer of the taxi and the taxi license plate set out in section 27.
- (2) If the taxi license plate is not transferred within the time period set out herein, the taxi license plate ceases to be valid and must be surrendered to the License Inspector.

LICENSING OF TAXI DRIVERS

- 29 (1) Any person who wishes to obtain a taxi driver's license or to renew such license, shall apply to the License Inspector, in writing in a form required by the License Inspector and signed by the applicant, including the following information:
- a) the full and correct name, address, and telephone number of the applicant;
 - b) the physical description of the applicant;
 - c) ¹ Deleted;

¹ 3282/A-2003

- d) a list of all convictions of the applicant for any offences under the laws of Canada or of any of its provinces, or territories, or country of origin before residing in Canada;
- e) a declaration of any physical or medical disability of the applicant;
- f) a list of all the provinces or territories in Canada in which the applicant has at any time been issued a license to drive a motor vehicle;
- g) evidence that the applicant is properly licensed to drive a motor vehicle under the laws of the Province of Alberta;
- h)¹ the applicant's original driving abstract issued from the Motor Vehicles Branch of the Solicitor General's Office for the Province of Alberta or, if applicable, from any province or territory in which the applicant has formerly resided, dated within 45 days of the date of application;
- i)² on initial application, or on subsequent applications when a taxi driver's license has lapsed for three months or has been revoked by the License Inspector, provide proof that the applicant has successfully completed a driver improvement course recognized by the City within 365 days prior to the date of application, or proof that the applicant will take the course within 30 days of the date of application."
- j) the fee in the amount set out in Schedule "A".

¹ 3282/B-2008

² 3282/B-2008

- (2) Each taxi driver licensee shall inform the City in a timely manner of any change in the address and telephone number at which the licensee may be contacted during normal business hours.
- 30 A taxi driver's license shall be valid until January 31 in the year following the year in which it was issued.
- 31 (1) Each taxi driver when operating a taxi shall:
- a) prominently display his taxi driver's license in such a position inside the taxi so that it is clearly visible to all passengers in the taxi;
 - b) be neatly dressed, clean, well behaved and courteous to passengers;
 - c) not permit to be carried in his taxi, at any time, a greater number of passengers than the vehicle manufacturer's recommended seating capacity or the number of manufacturer's installed seatbelts, whichever is lesser;
 - d) not demand payment of any fees or benefits not specifically authorized by this bylaw;
 - e) after completion of every trip, inspect the taxi and, if he finds any article lost or left therein, deliver the same to the broker for return to the owner, if known. If the owner is not known, the broker shall deliver the article to the City Detachment of the R.C.M.P, who shall deal with the matter according to law. If unclaimed after 30 days, such article shall be returned to the broker for return to the taxi driver;

- f) unless otherwise directed by a passenger, drive passengers by the most direct practicable route to their destination; and
- g) whenever requested by a passenger, issue a receipt for the amount of the taxi fare paid by such passenger.

31 (2)¹ Each taxi driver shall inform the License Inspector in writing immediately of any change in the status of their Provincial Driver's License or of any health issues that may compromise their ability to drive a taxi."

TAXI METERS

32 The taxi meter in a taxi shall:

- a) automatically register the distance and the correct fee or charge in accordance with the tariff of fees specified in Schedule "B";
- b) be so installed and adjusted as to automatically operate while the taxi is under hire, whether the taxi is in motion or standing;
- c) be in such location as to be plainly visible to passengers in the taxi;
- d) be sealed as required by this bylaw;
- e) be installed in the taxi in such manner as the License Inspector may direct; and

¹ 3282/B-2008

- f) be so illuminated that the fare can be read at all times by a passenger in the front or rear seats of such taxi.

33 The taxi licensee shall produce all taxi meters to be inspected, tested for accuracy and registration, and sealed by the License Inspector before being used. The taxi licensee shall not less than once every 6 months thereafter or, upon the request of the License Inspector, produce all such taxi meters to the License Inspector for inspection and accuracy testing.

34¹ Where a taxi meter ceases to operate or register properly at a time when the office of the License Inspector is not open, the taxi licensee or taxi driver, upon driving the taxi to the office of the City Detachment of the R.C.M.P., may remove the seal from the meter, repair the meter and have the meter resealed by a peace officer. The taxi licensee shall present the taxi to the License Inspector for meter testing and resealing on the next day that the office of the License Inspector is open for business. Should the meter be found to be accurate, no charges shall be laid under this bylaw.

35 If a taxi meter is incorrectly recording the distance and corresponding charge or fee, the taxi licensee shall forthwith notify the License Inspector who shall cause such taxi meter to be reinspected and retested. If found to be defective, such taxi meter shall not be used until it is repaired, retested and resealed by the License Inspector.

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¹ 3282/A-2002

² 3282/A-2007

REGULATIONS RESPECTING TAXI CONDITIONS AND MECHANICAL FITNESS

- 36 A taxi licensee shall, once every 6 months following the issuance of the taxi license plate, have a complete mechanical fitness inspection made of the taxi by a licensed mechanic and provide a Mechanical Fitness Report to the License Inspector.
- 37 (1) ¹ If a Mechanical Fitness Report does not certify that a taxi is safe, fit and Suitable for such use, no person shall permit the taxi to be driven as a taxi unless and until all deficiencies have been corrected and repaired and a further Mechanical Fitness Report for such taxi confirming the repairs and certifying that it is safe, fit and suitable for use as a taxi has been delivered to the License Inspector.
- 37 (2) ² Notwithstanding anything contained in section 37(1), no person shall permit any vehicle to be driven as a taxi if the vehicle is older than 13 model years, effective January 1, 2013. Exceptions may be authorized for wheelchair accessible vehicles only following a written request to and vehicle inspection by the License Inspector.”
- 38 The License Inspector may at any time require a taxi to be inspected by a Licensed Mechanic designated by the City, at such time and place as the License Inspector may designate and the taxi licensee shall deliver such taxi at the time and place so designed.

¹ 3282/B-2008, 3282/A-2010

² 3282/B-2008, 3282/A-2010

- 39 All costs of inspection of a taxi shall be paid for by the taxi licensee
- 40 No person shall obstruct or interfere with any inspection that may be required under this bylaw.
- 41 Upon completion of any inspection, a Mechanical Fitness Report, including confirmation of repairs made, shall be delivered forthwith to the License Inspector.

TAXI LICENSEE TO ENSURE TAXI CONDITION

- 42 (1) The taxi licensee shall at all times ensure that the taxi is clean, in good condition, and mechanically maintained so as to be safe and suitable for use as a taxi. Without limitation, this shall include general appearance of the vehicle both exterior and interior, windshield, body condition, and tires.
- (2) No taxi licensee shall operate or permit the operation of a vehicle if a licensed mechanic is unable to certify the vehicle as safe and suitable for use as a taxi.

BROKER TO ENSURE TAXI CONDITION

- 43 (1) The Broker shall at all times ensure that all taxis owned by or affiliated with him under his taxi broker's license are clean, in good condition, and mechanically maintained so as to be safe and suitable for use as a taxi.
- (2) No broker shall operate or permit the operation of a taxi if a licensed mechanic is unable to certify the taxi as safe and suitable for use as a taxi.

RECORDING OF TRIPS

- 44 Each driver shall keep or cause to be kept a record on a form approved by the License Inspector showing:
- a) the time and date when each customer is picked up;
 - b) the location at which each customer is picked up; and
 - c) the destination at which each customer is discharged.

INSPECTION OF DOCUMENTS

- 45 Each broker, taxi licensee and taxi driver shall, upon the demand of a peace officer, license inspector or bylaw enforcement officer produce any permit, identification card, registration card, license or other document which they may, from time to time, be required to have under this bylaw.

SCANNER

- 46 No broker or taxi licensee shall allow a radio scanner or any other device capable of monitoring the radio signals of any other broker or taxi licensee to be installed or carried in any taxi.

TAXI AND PLATE IDENTIFICATION NUMBER

- 47 The name and vehicle identification number of a taxi owned, operated or affiliated with a broker shall be prominently displayed on each taxi or its roof light in lettering not less than 2 inches in height to the satisfaction of the License Inspector. The vehicle identification number and the number of the taxi license plate affixed to the taxi must be the same.

CAR TOP AND WINDOW ADVERTISING

- 48 Subject to the approval of the License Inspector and the following, roof top advertising may be placed on taxis:
- a) signs must be a commercially manufactured unit and approved by the License Inspector and may display advertising visible only from the sides of the vehicle;
 - b) illumination of advertising shall not exceed 40 watts and shall be non-flashing;
 - c) advertising messages shall not exceed 15 inches in height;
 - d) advertising should be of good taste, subject to approval of the License Inspector;
 - e) advertising signs shall display the word "taxi" visible to the front and rear of the taxi at least as prominent as the advertising;
 - f) perforated vinyl window film advertising may be displayed on the rear side windows and rear window, subject to the approval of the License Inspector.

POWERS OF THE LICENSE INSPECTOR

49 The License Inspector is hereby authorized to:

- a) refuse to issue, renew or transfer any taxi broker's license where the applicant or broker does not, in the reasonable opinion of the License Inspector, comply with the requirements of this bylaw;
- b) revoke or suspend a taxi broker's license if, in the reasonable opinion of the License Inspector, the broker has not complied with the requirements of this bylaw or is breaching any provision of this bylaw;
- c) refuse to issue, renew or transfer any taxi license plate for any taxi which, in the opinion of the License Inspector, does not comply with the requirements of this bylaw;
- d) revoke or suspend a taxi license plate for any taxi which, in the opinion of the License Inspector, does not comply with the requirements of this bylaw;
- e) refuse to issue a taxi driver's license to any person or to renew a taxi driver's license issued to any person under this bylaw;
 - i) where that person has a driving record which, in the opinion of the License Inspector, makes him unfit to drive a taxi; or
 - ii) where the character, conduct or state of health of that person is such that he is, in the opinion of the License Inspector, unfit to drive a taxi;

- f) revoke or suspend a taxi driver's license:
 - i) where the taxi driver acquires a driving record which, in the opinion of the License Inspector, makes him unfit to drive a public conveyance; or
 - ii) where the character, conduct or state of health of the taxi driver becomes such that he is, in the opinion of the License Inspector, unfit to drive a public conveyance; or
 - iii) where the taxi driver does not, in the opinion of the License Inspector, comply with the requirements of this bylaw or is in breach of any provision of this bylaw; or
 - iv) where a taxi driver's license was issued to a person who is enrolled in an approved driver improvement course and such person does not complete and pass such course within 30 days of the date of application for a license;
- g) revoke or suspend any license when, in the opinion of the License Inspector, the holder of that license has breached any provision of this bylaw;
- h) prescribe and authorize the forms, license and certificates to be used or issued under this bylaw.

50

A suspension of any license by the License Inspector may be:

- a) for a period of time not exceeding the unexpired term of the license;
or

- b) where the suspension is for non-compliance with this bylaw, until the requirements of the bylaw, in the opinion of the License Inspector have been met.

51 Any license issued under this bylaw may be revoked or suspended by the License Inspector for non-compliance with the requirements of this bylaw notwithstanding that the holder of the License has not been formally charged, prosecuted or convicted for a contravention of this bylaw.

POWERS OF PEACE OFFICERS

52 In addition to any other general powers he may have, a peace officer is authorized to:

- a) suspend a taxi license plate with respect to any taxi which does not, in the opinion of the peace officer comply with this bylaw, or is in breach of any provision of this bylaw;
- b) suspend a taxi driver's license issued under this bylaw:
 - i) where the taxi driver has or obtains a driving record or conviction which, in the opinion of the peace officer, makes him unfit to drive a public conveyance; or
 - ii) where the character, conduct or state of health of the taxi driver is such or has become such that he is, in the opinion of the peace officer, unfit to drive a public conveyance; or
 - iii) where the taxi driver does not, in the opinion of the peace officer, comply with the requirements of this bylaw.

53 Where a taxi license plate or a taxi driver's license is suspended by a peace officer, the peace officer shall, as soon as practical, forward notification of the suspension and the reasons therefor to the License Inspector.

54 The suspension of a taxi license plate or a taxi driver's license by a peace officer shall not exceed 72 hours, unless otherwise permitted by law.

APPEAL

55¹ Any decision of the License Inspector under section 50 of this bylaw may be appealed to the Red Deer Appeal & Review Board by the broker, licensee, or driver in accordance with the relevant procedures as outlined in The City of Red Deer Committees Bylaw.

RATES

56 (1) The fees to be charged passengers carried in taxis in the City are those set out on Schedule "B" annexed hereto and made part of this bylaw.

(2) No taxi licensee or taxi driver or any other person shall charge or collect a greater or lesser amount than is specified in Schedule "B".

OFFENCES AND PENALTIES

57² No Person shall carry on a taxi business without being an Independent Owner/Operator or the holder of a valid and subsisting taxi broker's license.

58 No person shall operate or permit a motor vehicle to be operated as a taxi unless a taxi license plate has been issued for that motor vehicle.

¹ 3282/A-2007, 3282/A-2009

² 3282/A-2010

- 59 No person shall operate or permit the operation of a taxi bearing registered identification colours of a broker unless that vehicle is owned or operated by that broker or unless the owner of the vehicle is affiliated with that broker.
- 60¹ (1) No broker or taxi licensee shall, either directly or indirectly, permit any person to drive a taxi unless that person is the holder of a subsisting taxi driver's license.
- (2)² Notwithstanding Section 60 (1), a mechanic or any person in his/her employment may drive a taxi while engaged in repairs or routine maintenance of the taxi without holding a subsisting taxi drivers license.
- 61 No taxi licensee shall permit any taxi license plate to be attached to, or be used in connection with any motor vehicle other than the taxi for which the taxi license plate was issued.
- 62 No taxi licensee shall allow or permit the operation of a taxi when that taxi does not comply with this bylaw.
- 63 No taxi licensee shall allow or permit a taxi to be operated when the taxi meter fails to comply with any of the requirements of this bylaw.
- 64 Subject to section 34, no taxi licensee shall allow or permit a taxi to be operated unless the seal placed on the taxi meter is unbroken.
- 65 No person shall drive a taxi within the City without being the holder of a subsisting taxi driver's license.

¹ 3282/A-2004

² 3282/A-2007

- 66¹ No person shall drive a wheelchair accessible vehicle taxi within the City of Red Deer without being the holder of a valid and subsisting taxi driver's license."
- 67 It is an offence to fail to provide priority for the use of wheelchair accessible vehicle taxis to persons with physical disabilities who are in wheelchairs.
- 68 No person shall supply false or misleading information in an application for any license, permit, Mechanical Fitness Report, certificate or other document submitted or filed with the License Inspector.
- 69² No broker, taxi licensee or person operating any taxi shall display or allow the display of any advertising material upon the taxi other than as required or permitted by sections 48 and 49.2
- 70³ Any person who contravenes Sections 11, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, and 69, of this bylaw is guilty of an offence and liable upon summary conviction to a fine as specified in Schedule "C" of this bylaw and, in default of payment thereof, to imprisonment for a period not exceeding six months."
- 71 Any person who contravenes any other provision or requirement of this bylaw shall be guilty of an offence and shall pay a specified penalty of \$110.00.

¹ 3282/B-2008

² 3282/A-2007

³ 3282/B-2008

72 Any peace officer, license inspector or bylaw enforcement officer who has reasonable grounds to believe that any person has contravened any provision of this bylaw shall:

- a) ¹ in the case of a contravention set out in section 71, serve upon such person a summons requiring the individual to appear in court;
- b) in all other instances, serve upon such person an offence ticket allowing for the payment of the specified penalty to the City in lieu of prosecution for the offence.

73 Bylaw No. 3076/92 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL this 18th day of June 2001.

READ A SECOND TIME IN OPEN COUNCIL this 18th day of June 2001.

READ A THIRD TIME IN OPEN COUNCIL this 18th day of June 2001.

AND SIGNED BY THE MAYOR AND CITY CLERK this 18th day of June 2001.

“G.D. Surkan”

“Kelly Kloss”

MAYOR

CITY CLERK

¹ 3282/A-2007

SCHEDULE "A"

¹ANNUAL LICENSE FEES

Page 1 of 1

The Taxi Business Bylaw Annual License Fees shall be as provided for in City Council Policy 4415-C Taxi Business Fees and Metered Fare Rates.”

¹ 3282/B-2008

¹SCHEDULE "B"

The Taxi Business Bylaw Metered Fare Rates shall be as provided for in City Council Policy 4415-C Taxi Business Metered Fare Rates."

¹ 3282/B-2008

¹ “SCHEDULE “C”**PENALTIES**

Section	Description	First Offence	Second Offence	Third Offence
11	Broker failing to provide seven days a week, 24 hours a day taxi service	\$250	\$500	\$750
58	Operating a taxi without a taxi license plate	\$750	\$1,000	\$1,250
59	Operating a taxi bearing the colors of a broker without affiliation with that broker	\$250	\$500	\$750
60(1)	Permitting, as a broker or licensee, a person without a taxi driver's license to drive a taxi	\$500	\$750	\$1,000
61	Permitting a taxi license plate to be attached to a vehicle other than that for which the taxi license plate was issued	\$500	\$750	\$1,000
62	Permitting the operation of a taxi that does not comply with the bylaw	\$500	\$750	\$1,000
63	Permitting a taxi to be operated when the taxi meter does not comply with the bylaw	\$250	\$500	\$750
64	Permitting a taxi to be operated with a broken seal on the taxi meter	\$500	\$750	\$1,000
65	Driving a taxi without a taxi driver's license	\$1,000	\$1,500	\$2,000
66	Driving a wheelchair accessible vehicle taxi without a taxi driver's license	\$1,000	\$1,500	\$2,000
67	Failing to provide priority to persons in	\$750	\$1,000	\$1,250

¹ 3282/B-2008

	wheelchairs to use wheelchair accessible vehicle taxis			
68	Supplying false or misleading information to the License Inspector	\$750	\$1,000	\$1,250
69	Displaying advertising that does not comply with the bylaw	\$250	\$500	\$750

In all other respects, Bylaw No. 3282/2001 is hereby ratified and confirmed.