

BYLAW NO. 3644/2020

A BYLAW TO ESTABLISH A SYSTEM OF LICENSING AND REGULATING OF VEHICLES FOR HIRE AND DESIGNATED DRIVER SERVICES

WHEREAS, pursuant to section 7 and 8 of the *Municipal Government Act*, R.S.A 2000, c.M-26, a council may pass bylaws for municipal purposes respecting:

- (i) the safety, health and welfare of people and the protection of people and property;
- (ii) transport and transportation systems;
- (iii) licences, permits and approvals;
- (iv) businesses, business activities and persons engaged in business; and
- (v) the enforcement of bylaws;

AND WHEREAS, Council considers it necessary and desirable to regulate drivers, vehicles for hire, brokers and designated driver services for the purposes of health and safety and consumer protection to ensure a quality service is available to the travelling public in the City of Red Deer;

AND WHEREAS, Council does not wish to specify many of the fees, rates, fares, tariffs or charges that may be charged for the hire of vehicles under this bylaw in order to foster a level playing field and competitive environment that will benefit consumers;

NOW THEREFORE, COUNCIL FOR THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, ENACTS AS FOLLOWS:

PART I – DEFINITIONS AND APPLICATION

Short Title

1 This bylaw shall be called the “Vehicle for Hire Bylaw”.

Definitions

2 Unless defined in Section 3, words used in this bylaw have the same meaning as defined in the *Traffic Safety Act* and its regulations.

3 In this bylaw:

- (a) “**Accessible Taxi**” means a Taxi that is equipped to provide transportation services to persons using a mobility aid and has been approved by the City Manager as an accessible taxi;
- (b) “**App**” or “**Mobile App**” means a software program residing on a mobile phone or other digital electronic device which performs one or more of the following functions:

- (i) allows a person to identify the locations of available Vehicles for Hire and allows a Driver of a Vehicle for Hire to identify the location of a person who is seeking the services of a Vehicle for Hire;
 - (ii) allows a person to request a Vehicle for Hire via the mobile phone or other digital electronic device;
 - (iii) allows a Driver of a Vehicle for Hire to receive a request from a potential passenger; and
 - (iv) allows for the payment of Vehicle for Hire service through electronic means.
- (c) **“Brokerage”** means a business that is licensed to conduct operations that include:
- (i) ¹administering Taxi, Shuttle Service, and/or Limousine fleets; and
 - (ii) receives telephone or radio calls from prospective passengers and directs a person Operating a Vehicle for Hire to attend at the passenger’s location; or
 - (iii) offers or operates any part of a mobile App or other electronic service, including a transportation network, that receives requests for transportation services from prospective passengers and connects such requests to a person Operating a Vehicle for Hire; or
 - (iv) ²dispatches Designated Drivers to provide Designated Driver Service to another individual in any manner, including any person offering or licensing a mobile App, website, or other technology that connects passengers with Designated Drivers or is held out as being for the purpose of connecting Passengers with Designated Drivers;
 - (v) ³accepts calls for contracts for services of Limousines; or
 - (vi) ⁴ Accepts calls for contracts for Shuttle Services.
- but does not include an Independent Driver Operator.
- (d) **“Brokerage Licence”** means a Licence issued pursuant to this bylaw authorizing the Licensee to operate a Brokerage;
- (d) **“Bylaw Enforcement Officer”** means a bylaw enforcement officer appointed by the City, or a peace officer;

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- (e) “**Designated Driver**” means a person who operates a vehicle owned by another person for the purposes of providing Designated Driver Services;
- (f) “**Designated Driver Service**” means the transportation of a registered vehicle owner or an individual in lawful possession of the registered owner’s vehicle and his or her passengers for compensation, where the registered vehicle owner or the individual in lawful possession of the vehicle is unable to operate it;
- (g) “**Dispatch**” means the service provided by a Brokerage to connect passengers to Drivers, and includes;
 - (i) a general dispatch;
 - (ii) ⁵a Taxi and Accessible Taxi dispatch;
 - (iii) ⁶a Shuttle Service dispatch; and
 - (iv) a Transportation Network Company dispatch.
- (h) “**Driver**” means a person who holds a valid Driver for Hire Licence;
- (i) “**Driver for Hire Licence**” means a Licence issued pursuant to this bylaw authorizing the Licensee to operate a Vehicle for Hire (of the type identified in the Licence) or authorizing the Licensee as a Designated Driver, within the City;
- (j) “**Drop-Rate**” means a flat rate that is the minimum charge for using a taxi or accessible taxi service. This is the cost the customer pays if traveling less than 92 meters.
- (k) “**Electronic Payment System**” means a system by which a passenger may pay a fare by an immediate electronic withdrawal from the passenger’s bank account or charge to the passenger’s credit card account;
- (l) ⁷“**Independent Driver Owner**” means a person, who owns not more than two Vehicles for Hire and who operates one of those Vehicles for Hire as the primary driver and is not affiliated with or dispatched by a Brokerage;
- (m) “**Licence**” means any Licence issued under this bylaw;
- (n) “**Licensed Mechanic**” means a person holding a valid Alberta Journeyman Certificate as an automotive service technician or heavy duty mechanic issued pursuant to the *Apprenticeship and Industry Training Act* or an Interprovincial Red Seal certification recognized by Alberta Industry and Training;

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- (o) “**Licensee**” means a person named on a valid Licence issued pursuant to this bylaw;
- (p) “**Limousine**” is not restricted to stretched vehicles, but means a luxury Vehicle for Hire that provides Pre-arranged Services only;
- (q) “**Mechanical Inspection Certificate**” means a mechanical inspection certificate issued in writing by a Licensed Mechanic pursuant to this bylaw certifying that the vehicle is mechanically fit to be operated as a Vehicle for Hire;
- (r) “**Municipal Tag**” means a tag issued by the City pursuant to the *Municipal Government Act* that alleges a bylaw offence and provides a person with the opportunity to pay an amount to the City in lieu of prosecution for the offence;
- (s) “**Officer**” means a Bylaw Enforcement Officer, a Peace Officer or a member of the R.C.M.P.
- (t) “**Peace Officer**” means an Officer appointed under the *Peace Officer Act*;
- (u) “**Pre-arranged Service**” means transportation services provided by a Vehicle for Hire that are arranged, booked, scheduled, or requested by the passenger in advance of the Vehicle for Hire arriving at the passenger’s location and includes Designated Driver Service;
- (v) “**Shuttle Service**” means transportation services provided by a Vehicle for Hire at a predetermined rate and times between predetermined location(s) and routes, such locations and routes to be established by the Shuttle Brokerage or Independent Driver Owner;
- (w) “**Street Hailing**” means offering, soliciting, or accepting offers to provide transportation service, or providing transportation service, to passengers that is not pre-arranged but occurs through a verbal action, such a calling out, yelling or whistling and/or a physical action such as raising one’s hand or arm;
- (x) “**Taxi**” means a Vehicle for Hire that provides transportation service to passengers as requested by the passenger for a fee that is based on time and distance travelled and includes but is not limited to a vehicle for which a valid Taxi Licence Plate has been issued, but does not include a Transportation Network Automobile;
- (y) “**Taxi Licence Plate**” means the City identification plate issued under this bylaw for attachment to a Taxi or Accessible Taxi;

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- (z) **“Taxi Meter”** means a device or App residing on a mobile phone or other digital electronic device which is used to compute and display the fee or fare payable for services provided by a Taxi or Accessible Taxi;
- (aa) **“Transportation Network Company”, “Transportation Network Vehicle”** and **“Transportation Network Driver”** have the meaning given in the *Transportation Network Companies Regulation (Alberta)*;
- (bb) **“Vehicle for Hire”** means a vehicle used or offered for the transportation of at least one passenger in return for compensation from any place within the City to a destination either within or outside of the City, and includes but is not limited to:
 - (i) an Accessible Taxi;
 - (ii) a Limousine;
 - (iii) a Taxi; and
 - (iv) a Transportation Network Automobile;
 - (v) ⁹ a Shuttle Servicebut does not include any vehicle or class of vehicle exempted by this bylaw or by the City Manager.
- (cc) **“Vehicle for Hire Inspection Station”** means a Brokerage approved by the City Manager or a business that holds a Vehicle Inspection Program Licence issued by Alberta Transportation and is approved by the City Manager to conduct inspections for the purpose of this bylaw; and
- (dd) **“Violation Ticket”** has the meaning given to it in the *Provincial Offences Procedure Act (Alberta)*.

Application and Exemptions

4 This bylaw applies to the operation of Vehicles for Hire and Designated Driver Services.

5 This bylaw does not apply to:

- (a) a vehicle that is part of a transit system operated by a municipality or an intermunicipal bus service;
- (b) a school bus used to convey students to and from school;
- (c) an emergency vehicle;

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- (d) a funeral hearse;
- (e) a courtesy vehicle in association with a vehicle repair shop where a customer is driven to a predetermined destination;
- (f) any service where the passenger is driven without a fee, or compensation of any sort, in his or her own vehicle;
- (g) a vehicle used for carpooling where the only compensation is a reimbursement for out of pocket expenses directly related to the transportation;
- (h) a vehicle carrying passengers who pay a fare or fee for the service where the passenger is picked up outside the city; or
- (i) a vehicle used in providing care to clients who require personal assistance with activities of daily living where:
 - (i) the arrangement and provision of that transportation is not the primary business of the person providing the service; and
 - (ii) no compensation is directly charged or collected for the provision of the transportation portion of the service being provided.

PART 2 – LICENSING PROVISIONS

Required Licences

6 The following vehicles require a Taxi Licence Plate issued under this bylaw:

- (a) A Taxi; and
- (b) An Accessible Taxi.

7 The following persons require a Driver for Hire Licence under this bylaw:

- (a) Taxi Drivers;
- (b) Accessible Taxi Drivers;
- (c) Limousine Drivers;
- (d) ¹⁰Designated Drivers;

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- (e) ¹¹Shuttle Service Drivers; and
- ¹²(f) Transportation Network Drivers.

8 The following Brokerages require a Brokerage Licence under this bylaw:

- (a) Taxi Brokerages;
- (b) Brokerages for Limousines;
- (c) ¹³Brokerages for Designated Driver operations;
- (d) ¹⁴Brokerages for Shuttle Services; and
- (e) Transportation Network Brokerages.

Display of Information

9 No person may drive, cause or permit the driving of vehicle regulated under this Bylaw unless the following information is displayed in a prominent location:

- (a) for a Taxi or Accessible Taxi:
 - (i) the Taxi License Plate displayed on the vehicle in a manner visible to passengers from the exterior of the vehicle;
 - (ii) the Driver for Hire Licence for the person driving the vehicle, displayed on the interior of the vehicle in a manner visible to passengers; and
 - (iii) the Brokerage name and contact information displayed on the exterior of the vehicle;
- (b) for a Transportation Network Vehicle:
 - (i) there must be no equipment or markings in or on the vehicle that identify the vehicle as a Taxi or Accessible Taxi, including the words “Taxi”, or “Cab” or a top light or meter;
 - (ii) ¹⁵the Driver for Hire Licence for the person driving the vehicle, displayed on the interior of the vehicle in a manner visible to passengers or be made available to passengers electronically through a mobile APP used by the Brokerage for that Transportation Network Vehicle; and

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- (iii) the Transportation Network Company name they are affiliated with, prominently displayed on or in a manner visible to passengers from the exterior of the vehicle.
- (c) for a Limousine:
 - (i) the Driver for Hire Licence for the person driving the vehicle, displayed on the interior of the vehicle in a manner visible to passengers; and
 - (ii) the Brokerage name and contact information displayed on the exterior of the vehicle.
- (d) for a Designated Driver's vehicle:
 - (i) the Driver for Hire Licence for the person driving the passenger's vehicle; and
 - (ii) the Brokerage name and contact information on or visible from the exterior.
- ¹⁶(e) for Shuttle Service Vehicle:
 - (i) the Driver for Hire Licence for the person driving the vehicle, displayed on the interior of the vehicle in a manner visible to passengers; and
 - (iii) the Brokerage name and contact information displayed on the exterior of the vehicle.

Application Requirements

10 A person who wishes to apply as an Independent Driver Owner for a Driver for Hire Licence must provide all of the following to the City Manager:

- (a) a completed application in the form prescribed by the City Manager;
- (b) the fees prescribed by Schedule "A" of this bylaw;
- (c) proof of a valid and subsisting Class 1, 2, or 4 Alberta operator's licence as referred to in the *Operator Licensing and Vehicle Control Regulation (AR 320/2002)*, that is not an interim operator's permit, issued to the applicant;
- (d) a five (5) year abstract of the applicant's driving record issued by the Province of Alberta Registrar of Motor Vehicle Services dated within 60 days of the application;
- (e) a police information check, and where there are positive results on the police information check, a vulnerable sector search, both dated within 180 days of the application, issued for the applicant;

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- (f) ¹⁷if the applicant may drive an Accessible Taxi at any time, proof of training in the use of specialized equipment used to transport persons with disabilities and their Mobility Aids as specified by the City Manager;
- (g) a photograph of the applicant's face for incorporation into the Driver for Hire Licence, in a form acceptable to the City Manager;
- (h) an address to which documents may be served or delivered to the applicant; and
- (i) anything else that the City Manager may reasonably require to process the application.

II A person who wishes to apply for a Driver for Hire Licence must provide all of the following to the City Manager:

- (a) a completed application in the form prescribed by the City Manager;
- (b) the fees prescribed by Schedule "A" of this bylaw;
- (c) proof of a valid and subsisting Class 1, 2, or 4 Alberta operator's licence as referred to in the *Operator Licensing and Vehicle Control Regulation (AR 320/2002)*, that is not an interim operator's permit, issued to the applicant;
- (d) a five (5) year abstract of the applicant's driving record issued by the Province of Alberta Registrar of Motor Vehicle Services dated within 60 days of the application, unless otherwise directed;
- (e) a police information check and where there are positive results on the police information check, a vulnerable sector search, both dated within 180 days of the application, issued for the applicant;
- (f) the name of the Brokerage that the applicant is affiliated with, unless the applicant is applying as an Independent Driver Owner;
- (g) ¹⁸if the applicant may drive an Accessible Taxi at any time, proof of training in the use of specialized equipment used to transport persons with disabilities and their Mobility Aids as specified by the City Manager;
- (h) ¹⁹if the applicant is applying to be a Driver for Hire for a Brokerage, authorization from the Brokerage to be a Vehicle for Hire Driver for that Brokerage;

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- (i) if the applicant is applying to be a Transportation Network Driver, authorization from the Transportation Network Company to be a Transportation Network Driver for that Transportation Network Company;
- (j) a photograph of the applicant's face for incorporation into the Driver for Hire Licence, in a form acceptable to the City Manager;
- (k) an address to which documents may be served or delivered to the applicant; and
- (l) anything else that the City Manager may reasonably require to process the application.

12 A person who wishes to apply for a Brokerage Licence must provide all of the following to the City Manager:

- (a) a completed application in the form prescribed by the City Manager;
- (b) the fees prescribed by Schedule "A" of this bylaw;
- (c) all Brokerages administering Taxi fleets must have at least one (1) Accessible Taxi available for Dispatch per 20 Taxis in the fleet;
- (d) if the applicant is applying for a Brokerage Licence for Taxis, proof, in a form satisfactory to the City Manager, that the applicant will provide Brokerage operations for at least three (3) Taxis;
- (e) if the applicant is applying for a Brokerage Licence for a Transportation Network Company, proof, in a form satisfactory to the City Manager, that the person has a valid approval granted by the Registrar pursuant to the *Transportation Network Companies Regulation (Alberta)* to operate as a Transportation Network Company; and
- (f) any other information the City Manager may reasonably require to process the application.

Expiry Dates

13 Unless otherwise cancelled, suspended or terminated, every Licence issued under this bylaw shall expire on August 30 of every year.

Property of the City

14 Every Licence or Taxi Licence Plate issued under this bylaw remains at all times the sole property of the City and the person in possession of a Licence that is expired, suspended or terminated shall immediately return it to the City Manager.

Transfer

15 A Brokerage or Driver for Hire Licence issued under this bylaw is not transferrable.

- (a) In the event of a Brokerage Business sale, a Person who wants to sell their Brokerage shall apply in writing for the transfer to the City Manager and the application shall be in the form and contain the information specified by the City Manager.
- (b) Upon receipt of an application for transfer, the City Manager shall either approve or refuse the transfer.
 - (i) If approved, the transferor shall immediately present the Taxi Licence Plates and all Vehicle for Hire documentation related to the transfer to the City Manager for processing into the name of the transferee.
 - (ii) The Purchaser of the existing Brokerage Business must:
 - (A) Apply for a new Brokerage Licence;
 - (B) Provide the required Brokerage application details as listed under section 12.

16 A Taxi Licence Plate is not transferable, but may be used by the Brokerage to which it has been issued for any vehicle within that Brokerage's fleet.

Replacement

- 17** The City Manager may replace a Licence upon payment of the fee prescribed by Schedule "A" if:
- (a) the Licence is damaged and it has been returned to the City Manager; or
 - (b) the Licence is lost or stolen and the City Manager is satisfied that the theft or loss has been reported to the police.

Duty to Inform

- 18** In respect of a Vehicle for Hire, the owner must immediately notify the City Manager if, at any time:
- (a) the provincial registration certificate, insurance policy, or the agreement with a Brokerage related to the vehicle expires or is suspended or cancelled; or
 - (b) the vehicle is stolen.
- 19** In respect of Driver for Hire Licences, the Licensee must immediately notify the City Manager if any information contained in the police information check or vulnerable sector search that was provided under Section 11 changes and must provide an updated police information check and/or vulnerable sector search, as applicable, immediately.

- 20 In respect of Driver for Hire Licences, the Licensee must immediately notify the Brokerage and the City Manager if he or she is convicted of a traffic violation, which will result in demerit points or convictions in excess of those listed in Section 34(c).
- 21 Upon receipt of the updated information, the City Manager may suspend, cancel or impose conditions on the Driver for Hire Licence to address the information in the updated check or search.
- 22 If, at any time during the term of a Driver for Hire Licence, the Licensee's provincial operator's licence expires or is suspended or cancelled, the Licensee must immediately notify the City Manager.
- 23 A Taxi Brokerage shall notify the City Manager immediately, in writing, if it ceases operations or is otherwise unable to provide Dispatch services or accept calls for contracts for the service of the minimum number of Vehicles for Hire indicated on the Brokerage Licence.
- 24 A Brokerage shall notify the City Manager immediately if the Brokerage has grounds to believe that any Driver for Hire is unfit to drive a Vehicle for Hire, or has been charged or convicted of an offence related to personal safety or the unlawful operation of a motor vehicle.

Automatic Suspension and Cancellation

- 25 If a Driver for Hire's provincial vehicle registration certificate, insurance policy, or agreement with a Brokerage is suspended, cancelled, or expires at any time during the term of the licence, or if the vehicle is stolen, the Driver for Hire Licence is deemed to be immediately suspended without prior notice to the Driver for Hire.
- 26 If a Licensee's provincial operator's licence expires or is suspended or cancelled at any time during the term of a Driver for Hire Licence, the Driver for Hire Licence is deemed to be immediately suspended without prior notice to the Licensee.
- 27 If a Licensee is convicted of an offence listed in Section 28 at any time during the term of a Driver for Hire Licence, the Driver for Hire Licence is deemed to be immediately cancelled without prior notice to the Licensee.

Police Information Check Requirements

- 28 No Driver for Hire Licence shall be issued if, within 10 years preceding the date of the application, the person was convicted of any of the following offences under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Cannabis Act* (Canada):
 - (a) any offence of a violent nature, including firearms and weapons offences;
 - (b) any offence involving sexual assault, sexual exploitation, sexual interference, procuring or invitation to sexual touching;

- (c) trafficking;
- (d) any offence involving fraud or fraudulent transactions, conspiracy to defraud, the use of false pretenses, bribery, extortion or theft; or
- (e) any criminal offence relating to the unlawful operation of a vehicle.

29 If, when applying for a Driver for Hire Licence, an applicant's police information check or vulnerable sector check reveals a pending charge for any offence described in Section 28, the City Manager may issue the Driver for Hire Licence with conditions including, but not limited to, conditions that specifically address a pending charge.

Insurance

30 Every Driver of a Vehicle for Hire and every Vehicle for Hire must be covered at all times by either:

- (a) a vehicle liability policy that complies with the *Insurance Act*, RSA 2000, c I-3 and provides coverage of not less than the limits prescribed in the *Commercial Vehicle Certificate and Insurance Regulation* (AR 314/2002); or
- (b) a vehicle liability policy or a Transportation Network Automobile insurance policy that complies with the *Insurance Act*, RSA 2000, c I-3 and the *Transportation Network Companies Regulation* (AR 100/2016), and provides coverage of not less than the limits prescribed in the *Transportation Network Companies Regulation*.

31 The insurance required by Section 30 may be satisfied by a valid insurance policy/certificate held by:

- (a) a Brokerage that holds a valid Brokerage Licence, provided that the Brokerage Licensee is a named insured on the policy or the affiliate of a named insured on the policy;
- (b) the Driver of a Vehicle for Hire;
- (c) the owner of the Vehicle for Hire; or
- (d) any combination of the persons listed in subsections 31 (a)-(c).

32 Upon the request of the City Manager or a Bylaw Enforcement Officer, a person listed in Section 31 (a)-(c) must provide a complete copy of the insurance certificate and policy.

33 In a prosecution for a contravention of this bylaw pertaining to insurance required by this Section, the onus of proving that a valid insurance policy exists is on the person alleging the sufficiency of the insurance policy on the balance of probabilities.

PART 3 - LICENCE REVIEWS AND APPEALS

Licence Review

34 The City Manager may refuse, suspend or cancel a Licence, and may impose any terms or conditions on a Licence for any of the following reasons:

- (a) the applicant, Licensee or vehicle that is the subject of the Licence does not or no longer meets the requirements of this bylaw;
- (b) the applicant or Licensee has been convicted of a criminal or provincial offence not listed in Section 28 and the City Manager reasonably believes that it is in the public interest to do so;
- (c) the five year driver record for the applicant or Licensee has more than eight (8) demerit points or a single major conviction on the abstract (major being four (4) demerits points or more); more than three (3) minor convictions (minor being three (3) demerit points or less);
- (d) the applicant or Licensee:
 - (i) furnishes false information or misrepresents any fact or circumstance to the City Manager or a Bylaw Enforcement Officer;
 - (ii) refuses to provide any information required under this bylaw to the City Manager or a Bylaw Enforcement Officer;
 - (iii) fails to pay a fine imposed by a court for a contravention of this bylaw; or
 - (iv) fails to pay any fee required by this bylaw.

Notice of Decision

35 If a decision is made to refuse, suspend or cancel a Licence, or to impose conditions on a Licence other than conditions automatically imposed by this bylaw, the City Manager shall:

- (a) notify the applicant or Licensee of the decision in writing;
- (b) if the decision is to refuse, suspend or cancel a Licence, give reasons for the refusal, suspension or cancellation and notify the applicant or Licensee of their right to appeal; and
- (c) if conditions are imposed on a Licence, notify the applicant or Licensee of their right to appeal.

36 The City Manager must provide written notice of a decision to suspend or cancel a Driver for Hire Licence to the Brokerage that provides Dispatch services for that driver.

Appeal

37 A person:

- (a) who has been refused the issuance of a Licence;
- (b) whose Licence has been suspended or cancelled; or
- (c) whose Licence is made subject to conditions, other than conditions automatically imposed by this bylaw;

may appeal to the Red Deer Appeal and Review Board in accordance with the relevant procedures as outlined in The Appeal Boards Bylaw.

38 A person may not appeal:

- (a) a refusal to issue a Licence if the reason for the refusal is the failure to pay any fee, fine or to provide any required information under this bylaw; or
- (b) any condition, suspension or cancellation that is imposed automatically by the provisions of this bylaw.

39 A person who has been refused, suspended or cancelled by the City Manager or the Red Deer Appeal and Review Board is prohibited from re-applying for a Licence for a period of 6 months.

PART 4 – VEHICLE PROVISIONS

Vehicle Requirements for Taxis

40 A vehicle shall not be operated as a Taxi unless that vehicle:

- (a) has at least four (4) doors;
- (b) is not more than ten (10) model years old, except as otherwise approved by the City Manager;
- (c) has a seating capacity for at least four (4) adults, including the Driver, with all seats constructed by the manufacturer and unaltered;
- (d) has a top light approved by the City Manager which is connected in such a manner so as to be illuminated when the Taxi is available for hire and turned off when the Taxi is not available for hire;
- (e) is equipped with a Taxi Meter which is illuminated and allows the fare to be easily read by passengers in any seat of the vehicle;
- (f) is equipped with an Electronic Payment System;
- (g) displays the rates, fare and any surcharge(s) that may be charged for the hire of the Taxi, in a manner and in a form with content specified by the City Manager;

- (h) displays the name, trade name or trademark, and phone number of the Brokerage or Independent Driver Owner with which the Taxi is affiliated, in a manner approved by the City Manager;
- (i) has a valid provincial Class I-55 registration certificate; and
- (j) has been issued a valid Mechanical Inspection Certificate.

Vehicle Requirements for Accessible Taxis

41 A vehicle shall not be operated as an Accessible Taxi unless the vehicle:

- (a) meets all of the requirements for a Taxi prescribed in Section 40;
- (b) has been designed and manufactured or converted for the purpose of transporting persons who use mobility aids;
- (c) meets federal regulations and the Canada Standards Association standards D409-02, “Motor Vehicles for the Transportation of persons with Physical Disabilities” and Z605-03, “Mobility Aid Securement and Occupant Restraint (MASOR) Systems for Motor Vehicle Standards”; and
- (d) is equipped to provide service to persons using mobility aides.

Vehicle Requirements for Limousines

42 A vehicle shall not be operated as a Limousine unless the vehicle:

- (a) is a stretch or luxury sedan or sport utility vehicle containing a Limousine package interior; or
- (b) is a bus or motor coach containing a Limousine package interior; or
- (c) is any other specialty vehicle that is approved by the City Manager;
- (d) is not more than fifteen (15) model years old, except as otherwise approved by the City Manager;
- (e) has a valid provincial Class I-55 registration certificate; and
- (f) has been issued a valid Mechanical Inspection Certificate.

²⁰Vehicle Requirements for Shuttle Service Vehicles

42.1 A vehicle shall not be operated as a Shuttle Service unless the vehicle:

- (a) is not more than fifteen (15) model years old, unless approved by the City Manager;

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- (b) is a multi-person passenger vehicle with seating capacity for at least four (4) adults including the Driver that meets applicable provisions of the Motor Vehicle Transport Act, R.S.C. 1985, c. 29, the National Safety Code standards, the Alberta Traffic Safety Act and all applicable federal and provincial regulations;
- (c) displays the name, tradename or trademark of the Shuttle Service that the vehicle is affiliated with while in service and accepting passengers, in a manner approved by the City Manager;
- (d) has a valid provincial Class I-55 registration certificate; and
- (e) has been issued a valid Mechanical Inspection Certificate.

Vehicle Requirements for Transportation Network Vehicles

43 A vehicle shall not be operated as a Transportation Network Vehicle unless the vehicle:

- (a) has at least four (4) doors;
- (b) is not more than ten (10) model years old, unless approved by the City Manager;
- (c) has a seating capacity for at least four (4) adults, including the Driver with all seats constructed by the manufacturer and unaltered;
- (d) displays the name, tradename or trademark of the Transportation Network Vehicle is affiliated with while in service and accepting passengers, in a manner approved by the City Manager;
- (e) proof, in a form satisfactory to the City Manager, that the applicant is the registered owner the vehicle to be driven while providing Vehicle for Hire Services, or has written permission of the registered owner;
- (f) has a valid provincial Class I-55 registration certificate; and
- (g) has been issued a valid Mechanical Inspection Certificate.

PART 5 – OPERATING PROVISIONS

Street Hailing

44 Only a person operating a Taxi or an Accessible Taxi may engage in Street Hailing.

45 For greater certainty, neither a Designated Driver, nor person driving a Limousine or Transportation Network Automobile may stop for or pick up someone who is Street Hailing at any time and may only provide Pre-arranged Service that has been dispatched by a Brokerage.

Driver Obligations

46 A Driver shall:

- (a) have in the Vehicle for Hire at all times:
 - (i) a valid and subsisting Driver for Hire Licence issued to the Driver;
 - (ii) a valid and subsisting Mechanical Inspection Certificate for the vehicle; and
 - (iii) if the vehicle is a Limousine, a written record of the current contract at all times while under hire;
- (b) take the most economical route to the passenger's destination unless otherwise requested or directed by the passenger;
- (c) maintain a record of each trip in the manner prescribed by the City Manager;
- (d) immediately after delivery of a passenger, inspect the vehicle to determine whether the passenger has left any property in the Vehicle for Hire;
- (e) charge a fare that complies with the rates set by the Brokerage or the Independent Driver Owner and posted in the Vehicle for Hire in accordance with the requirements of this bylaw and the directions of the City Manager;
- (f) when requested to do so, supply a passenger with a receipt or printout containing the following information:
 - (i) Amount of fare;
 - (ii) Rate used;
 - (iii) Driver for Hire Licence number; and
 - (iv) Time and date of trip.

46.1 ²¹In addition to the requirements for Drivers imposed by section 46 of this bylaw, a Shuttle Service Driver must:

- (a) hold valid provincial driver's licence of the class required to operate the Shuttle;
- (b) not provide service upon the request of a passenger at a time or location specified by the passenger;
- (c) not permit a passenger to choose the route, duration, or destination of the trip;
- (d) provide service only pursuant to a pre-determined, fixed, and published schedule and route;
- (e) only load and unload passengers at pre-determined locations specified in the schedule;

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- (f) charge a fare that is a flat rate based solely on the destination and regardless of the number of passengers; and
- (g) provide a copy of the schedule and routed to the City Manager or a bylaw enforcement officer upon request.

Driver Conduct

47 A Driver shall not do any of the following while providing services under this bylaw:

- (h) smoke, vape or use any tobacco or other product at any time;
- (i) request payment of any fares, rates or benefits not established by the Brokerage or the Independent Driver Owner, or pre-arranged via the mobile app, and posted in the Vehicle for Hire, or electronically available, in accordance with the requirements of this bylaw and the directions of the City Manager;
- (j) hold, or manipulate a cellular telephone or other hand-held electronic device or wireless electronic device, whether in hands-free mode or not, while transporting a passenger;
- (k) collect any fare or give any change while the vehicle is in motion; or
- (l) permit anything to be placed or remain in the vehicle in such a position as to obstruct the Driver's vision.

Refusal of Service

48 A Driver shall not refuse a request for service from a person except if:

- (a) the Vehicle for Hire is not in service;
- (b) the person is indebted to the Independent Driver Operator or Brokerage with which the Vehicle for Hire is affiliated;
- (c) the person requests that the Driver carry an animal in the Vehicle for Hire other than a service animal assisting a person with a disability;
- (d) the person requests the Driver to carry any passengers or baggage which the Vehicle for Hire is incapable of carrying;
- (e) the person insists on smoking in the Vehicle for Hire;
- (f) the person insists on undertaking or participating in any illegal activity in the Vehicle for Hire; or
- (g) the Driver:

- (i) believes there is danger to their personal safety or of serious harm to property; and
- (ii) such belief is reasonable in the circumstances.

49 The mere fact that a person is disabled or accompanied by a service animal does not form the basis for a reasonable belief as referred to in Section 48(g).

PART 6 - OPERATING AS A DESIGNATED DRIVER

Designated Driver Requirements

50 Any person who operates a motor vehicle owned by another registered motor vehicle owner for the purposes of providing Designated Driving Services will ensure that:

- (a) the Designated Driver maintains an agreement with a Licensed Designated Driving Service;
- (b) immediately prior to each occasion on which the Designated Driver proposes to operate a customer's motor vehicle, the Designated Driver shall have:
 - (i) reviewed the necessary documents to satisfy themselves that the motor vehicle has a valid registration and is insured under a contract for automobile insurance;
 - (ii) secured the registered motor vehicle owner's consent to operate the motor vehicle;
 - (iii) ensured that the number of individuals to be transported in the registered motor vehicle owner's motor vehicle does not exceed the number of available seatbelts and will otherwise be in compliance with applicable safety and highway traffic laws; and
 - (iv) struck an agreement with the registered motor vehicle owner respecting the Designated Driver's fee or other consideration for operating the motor vehicle;
- (c) the Designated Driver maintain, for a minimum of three (3) months, a paper or electronic trip log respecting all Designated Driving Services provided pursuant to this bylaw.

51 The Designated Driver support vehicle is prohibited from conveying passengers with the exceptions of Designated Drivers.

52 The Designated Driver will have proof of appropriate liability insurance.

PART 7 – OPERATING AS A BROKERAGE OR INDEPENDENT DRIVER OWNER

Brokerage Obligations

- 53** A Brokerage shall ensure that each Vehicle for Hire affiliated with the Brokerage is in compliance with this bylaw and is operated in compliance with this bylaw.
- 54** A Brokerage must not:
- (a) for Taxis and Accessible Taxis, Dispatch a Vehicle for Hire unless a valid Taxi Licence Plate has been issued for that vehicle; or
 - (b) ²²Dispatch or connect a rider to a Vehicle for Hire unless the person driving the Vehicle for Hire holds a valid Driver for Hire Licence and a valid provincial drivers licence of the class required to operate the Vehicle for Hire.
- 55** A Brokerage shall:
- (a) inform the City Manager, in writing, of all trade names used in connection with the Brokerage operations;
 - (b) immediately notify the City Manager when a Vehicle for Hire becomes affiliated or ceases to be affiliated with the Brokerage;
 - (c) maintain an up to date list of all Drivers who operate a Vehicle for Hire affiliated with the Brokerage and on demand, provide the City Manager with a copy of such list;
 - (d) ²³except for Brokerages for Limousine, Shuttle Services and Designated Driver Services, provide Dispatch services on a continuous basis, twenty-four (24) hours per day every day of the year;
 - (i) For Transportation Network Companies, continuous service would be provided through the Mobile App, even if there were no Drivers available at a certain time the Mobile App is active on a continuous basis.
 - (e) post all bulletins issued by the City Manager in a place where Drivers can easily view them;
 - (f) provide all Drivers affiliated with the Brokerage with training with respect to this bylaw, the use of the Taxi Meter, radio dispatch system, and other equipment used in Vehicle for Hire services including, in the case of Accessible Taxis, training in the use of specialized equipment used to transport persons with disabilities and their mobility aids as may be specified by the City Manager; and
 - (g) not Dispatch any other Vehicle for Hire but those affiliated with the Brokerage.

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Taxi Brokerage Rates

56 A Taxi Brokerage shall:

- (a) maintain a minimum Drop-Rate of \$3.20 /92 metres for 2021, and shall not increase the Drop-Rate by more than the CPI increase each year;
- (b) establish the rates to be charged to passengers, including any applicable surcharges;
- (c) ensure that the rates set, including any surcharge, are posted in the Vehicle for Hire in accordance with the requirements of this bylaw and the directions of the City Manager; and
- (d) not apply a surcharge for an Accessible Taxi;

Transportation Network Company Brokerage Rates

57 A Transportation Network Company Brokerage shall:

- (a) advise the City Manager of the rates to be charged to passengers including any changes to such rates in the Vehicles and available through the Brokerage premises in a manner and location that is clearly visible to all Drivers and members of the public attending at the premises; and
- (b) disclose the fare to be charged to the passenger for the ride, prior to the passenger accepting the ride.

²⁴**Shuttle Service Brokerage Rates**

57.1 A Shuttle Service Brokerage shall:

- (a) advise the City Manager of the rates to be charged to passengers including any changes to such rates in the Vehicles and available through the Brokerage premises in a manner and location that is clearly visible to all Drivers and members of the public attending at the premises;
- (b) disclose the fare to be charged to the passenger for the ride, prior to the passenger accepting the ride, as predetermined and agreed upon under contract.

58 A Brokerage shall maintain records of the following for at least two (2) years:

- (a) The names and Driver for Hire Licence numbers for every Driver for Hire affiliated with the Brokerage;
- (b) the date and time the Driver booked on and off duty;
- (c) the Vehicle for Hire used by the Driver;

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- (d) the date and time and location details of each trip request;
- (e) ²⁵for Shuttle Services, the number of passengers using the service for each trip and where the passengers were picked up and dropped off;
- (f) booking records and contracts related to Limousine and Designated Driver Services.; and
- (g) records related to complaints and Brokerage operations.

59 The Brokerage shall give the records noted in Section 58 to the City Manager or a Bylaw Enforcement Officer on demand.

Independent Driver Owner Obligations

60 An Independent Driver Owner shall:

- (a) hold a valid Driver for Hire Licence;
- (b) be the owner of not more than two (2) Vehicle(s) for Hire;
- (c) ²⁶be the primary driver of one of the Vehicles for Hire that the Independent Driver Owner owns;
- (d) ensure that they are knowledgeable in the use of the Taxi Meter, communications system, and other equipment used by the Independent Driver Owner in the Vehicle for Hire services they provide including, in the case of an Accessible Taxi operated by an Independent Driver Owner, training in the use of specialized equipment used to transport persons with disabilities and their Mobility Aids as specified by the City Manager; and
- (e) not Dispatch any other Vehicle for Hire but the Vehicle(s) for Hire owned by Independent Driver Owner.

61 An Independent Driver Owner may cause or permit one other person to operate a Vehicle for Hire that is registered to the Independent Driver Owner, provided the other person meets all other requirements of this bylaw, including holding a valid Driver for Hire Licence.

Independent Driver Owner Rates

62 An Independent Driver Owner shall:

- (a) maintain a minimum Drop-Rate of \$3.20 /92 metres for 2021 and shall not increase the Drop-Rate by more than the CPI increase each year;

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- (b) establish the rates to be charged to passengers for the services provided by the Independent Driver Owner, including any applicable surcharges;
- (c) ensure that the rates set, including any surcharge, are posted in the Vehicle for Hire in accordance with the requirements of this bylaw and the directions of the City Manager;
- (d) in the event that the Vehicle for Hire operated by the Independent Driver Owner is an Accessible Taxi, not have a surcharge for the use of the Vehicle for Hire as an Accessible Taxi;
- (e) advise the City Manager of the rates to be charged to passengers including any changes to such rates; and
- (f) post the rates in the Independent Driver Owner's vehicle.

Independent Driver Owner Records

63 An Independent Driver Owner shall keep the dispatch records and retain them for 90 days, which shall include:

- (a) the Independent Driver Owner's Driver for Hire Licence number;
- (b) ²⁷the date and time of each trip request;
- (c) ²⁸agreements evidencing each Limousine trip, as applicable; and
- (d) ²⁹ specifics as to the number of passengers per trip and where the passengers were picked up and dropped off, for each Shuttle trip, as applicable.

64 The Independent Driver Owner shall give the information noted in Section 63 to the City Manager or a Bylaw Enforcement Officer on demand.

Complaints

65 A Brokerage and Independent Driver Owner shall keep a list of all complaints received, which shall include:

- (a) the name, address and phone number of the complainant;
- (b) the nature of the complaint; and
- (c) the response provided to the complaint.

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- 66** The Brokerage or Independent Driver Owner shall give the information referred to in Section 65 to the City Manager or a Bylaw Enforcement Officer on demand.

PART 8 – INSPECTIONS

Requirement for Mechanical Inspection

- 67** A person shall not operate, cause or permit the operation of a Vehicle for Hire unless a valid Mechanical Inspection Certificate has been issued for that Vehicle for Hire.
- 68** Every Taxi and Accessible Taxi shall be inspected at least every 6 months by a Licensed Mechanic at a Vehicle for Hire Inspection Station and additionally on demand of the City Manager or, if the vehicle is involved in an accident, within 14 days following every accident.
- 69** Every Transportation Network Automobile and Limousine shall be inspected at least every 12 months by a Licensed Mechanic at a Vehicle for Hire Inspection Station and additionally on demand of the City Manager or, if the vehicle is involved in an accident, within 14 days following every accident.
- 70** The owner of the Vehicle for Hire shall deliver the Mechanical Inspection Certificate to the City Manager upon request.

Vehicle For Hire Inspection Stations

- 71** The City Manager may approve:
- (a) a business that holds a Vehicle Inspection Program Licence issued by the province;
or
 - (b) a Brokerage that employs a Journeyman Mechanic,

to conduct mechanical inspections under this bylaw.
- 72** If the City Manager has reasonable grounds to believe that a Licensed Mechanic has improperly issued a Mechanical Inspection Certificate, the City Manager may refuse to accept the Mechanical Inspection Certificate, and may suspend or revoke the approval given to the Vehicle for Hire Inspection Station, or the Brokerage Licence, where the Licensed Mechanic is employed.

Prohibitions

- 73** No person shall inspect a Vehicle for Hire or complete, in whole or in part, a Mechanical Inspection Certificate unless such person is a Licensed Mechanic employed by a Vehicle for Hire Inspection Station.

- 74** No person shall cause or permit a Vehicle for Hire to be inspected or a Mechanical Inspection Certificate to be completed, in whole or in part, unless the person inspecting the vehicle is a Licensed Mechanic employed by a Vehicle for Hire Inspection Station.
- 75** No person shall operate, cause or permit the operation of a Vehicle for Hire that has failed to pass the inspection set out in Sections 67, 68 and 69.
- 76** No person shall obstruct or interfere with any inspection that may be required or carried out pursuant to this bylaw.

Requirement for Audit

- 77** Every Vehicle for Hire may be inspected by the City Manager or a Bylaw Enforcement Officer to ensure it complies with this bylaw and the requirements established by the City Manager from time to time.
- 78** At the direction of the City Manager, the owner of a Vehicle for Hire shall provide the vehicle for inspection and any requested documentation at the time and location specified by the City Manager. The documents or copies of the documents required for this audit process must be produced by the Brokerage or Independent Driver Owner within 24 hours of a demand by a Bylaw Officer or the City Manager.

PART 9 – NUMBER AND ALLOCATION OF TAXI LICENCE PLATES

- 79** The maximum number of Taxi Licence Plates that may be issued each year under this bylaw shall not exceed:
- (a) the number of Taxi Licence Plates issued as of December 31 in the immediately preceding year; or
 - (b) one Taxi Licence 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;
 - (c) one Accessible Taxi Licence Plate per 15,000 persons of the city population based on the population of the city determined in the most recent census.
- 80** In addition to the above, five (5) more Taxi Licence Plates and two (2) more Accessible Taxi Licence Plates will be made available to Independent Owner Operators or a Taxi Brokerage in its first year of operation. The allocation of these plates will be a one-time increase in 2021 only.
- 81** Allocation of the additional Taxi Licence Plates shall be determined by a random draw conducted by the City Manager. Applicants for a Taxi Licence Plate must be eligible and meet all criteria under this bylaw to hold a Taxi Licence Plate or Accessible Taxi Licence Plate prior to entering their name in the draw. If there are any increases to the plate numbers based on the census, this will be determined and communicated by August of each year.

PART 10 – ADMINISTRATION AND ENFORCEMENT

Authority of City Manager

82 Without restricting any other power, duty or function granted by this bylaw, the City Manager may:

- (a) issue Licences under this bylaw and impose terms and conditions on Licences;
- (b) carry out any inspections required to determine compliance with this bylaw;
- (c) prescribe the minimum Drop-Rates to be charged;
- (d) adjust the number of Taxi Licence Plates available every year by issuance of a bulletin;
- (e) prescribe forms and procedures for the administration of this bylaw;
- (f) prescribe the manner in which rates and Licences are to be displayed in and on Vehicles for Hire;
- (g) prescribe equipment and maintenance standards for Vehicles for Hire that are not inconsistent with this bylaw;
- (h) require the production of such documents as may be required to determine compliance with this bylaw;
- (i) specify the requirements or acceptability of any program, course or test that an applicant must successfully complete to be proficient in:
 - (i) defensive driving techniques;
 - (ii) driver safety;
 - (iii) transportation of the disabled; and
 - (iv) understanding this bylaw and any other laws governing the delivery of Vehicle for Hire services; and
- (j) specify or prohibit safety equipment or devices which may be placed in or on Vehicles for Hire.

Bulletins

83 Where the City Manager exercises any of the powers conferred in Section 82, the City Manager may cause a bulletin to be published in accordance with this section.

84 The City Manager shall publish bulletins by:

- (a) making a copy of the bulletin available for public viewing during normal business hours at the office of the Inspections and Licensing department and on the City's website; and
- (b) delivering a copy of the bulletin to all Brokerages and Independent Driver Owners by one of the following methods:
 - (i) ordinary mail or hand delivery to the business address provided to the City Manager by the Licensee;
 - (ii) electronic mail transmission to the e-mail address provided to the City Manager by the Licensee; or
 - (iii) facsimile transmission to the fax number provided to the City Manager by the Licensee.

85 The City Manager may publish bulletins in respect of matters other than those set out in Section 84 where the City Manager believes it is in the interest of the Vehicle for Hire industry to be advised on those matters.

Notice to Drivers

86 Upon receipt of a bulletin, a Brokerage shall:

- (a) post the bulletin in a prominent location within the Brokerage premises, if the Brokerage maintains a physical office within the City; and
- (b) provide a copy to all Drivers affiliated with the Brokerage by hand delivery or electronically making it available to the driver; and
- (c) communicate over the Brokerage's dispatch system or transportation network, as applicable, that the bulletin has been published.

Industry Obligation to Be Informed of Bulletins

87 It is the obligation of each member of the Vehicle for Hire industry, including each Driver, to be informed of the contents of bulletins and industry members are deemed to be aware of all bulletins that are published in accordance with Sections 84 and 85.

Licence Seizures and Suspensions

88 If an Officer has reasonable grounds to believe that a Vehicle for Hire does not meet the requirements of this bylaw the Bylaw Enforcement Officer may suspend and take possession of the Taxi, Accessible Taxi or Limousine Plate displayed on that vehicle.

89 If an Officer has reasonable grounds to believe that the holder of a Driver for Hire Licence has failed to comply with this bylaw the Bylaw Enforcement Officer may suspend and take possession of the Licensee's Driver for Hire Licence.

90 Any suspension of a Driver for Hire Licence by an Officer shall not exceed seventy-two hours.

91 Nothing in Sections 88 or 89 limits an Officer's powers to charge a person with an offence.

Obstruction

92 A person shall not obstruct or hinder any person in the exercise or performance of the person's powers pursuant to this bylaw.

Offence

93 A person who contravenes any provision of this bylaw is guilty of an offence.

Continuing Offence

94 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable, upon summary conviction, to a fine in an amount not less than that established by this bylaw for each such day.

Vicarious Liability

95 For the purposes of this bylaw, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person, if the act or omission occurred in the course of the employee's employment or in the course of the agent exercising the powers or performing the duties on behalf of the person under their agency relationship.

Corporations and Partnerships

96 When a corporation commits an offence under this bylaw, any and every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.

97 If a partner in a partnership is guilty of an offence under this bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence, or assented to or acquiesced or participated in the act or omission that constitutes the offence, is guilty of the offence.

Fines and Penalties

98 The fine amounts set out in Schedule "B" are established for use on Municipal Tags and Violation Tickets if a voluntary payment option is offered.

99 The fine amount for any offence not listed in Schedule "B" is \$250.00.

100 If a person is guilty of a subsequent offence, the fine amounts established in Sections 98 and 99 are doubled.

Municipal Tag

101 A Municipal Tag may be issued by an Officer for any offence under this bylaw, in a form approved by the City Manager.

102 A Municipal Tag may be issued to a person:

- (a) either personally; or
- (b) by mailing a copy to such person at their last known mailing address.

Payment in Lieu of Prosecution

103 A person who commits an offence may, if a Municipal Tag is issued for the offence, pay the fine amount established by this bylaw for the offence and if the full amount is paid on or before the required date, the person will not be prosecuted for the offence.

Violation Tickets

104 An Officer may issue a Violation Ticket in accordance with the Provincial Offences Procedure Act, to any person the Officer has reasonable and probable grounds to believe has contravened this bylaw.

105 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

- (a) specify the fine amount established by this bylaw for the offence; or
- (b) require a person to appear in court without the option of making a voluntary payment.

Voluntary Payment

106 A person who commits an offence may, if a Violation Ticket is issued specifying the fine amount, make a voluntary payment equal to the specified fine on or prior to the specified court date.

Licensee Liable

107 Where a vehicle displaying a Taxi, Accessible Taxi or Limousine Licence Plate is involved in a contravention of this bylaw, the Licensee named on the Plate is liable for the contravention unless the Licensee proves, on a balance of probabilities, that the vehicle was being operated without their consent, either express or implied.

Proof of Licence

108 The onus of proving that a person has a valid Licence or certificate is on the person alleging the existence of the Licence or certificate on a balance of probabilities.

Operating Without a Licence

109 In a prosecution for a contravention of this bylaw against a person operating without a Licence, proof of one transaction, offer of a transaction or advertisement is sufficient to establish that a person is operating as alleged.

PART II – TRANSITIONAL

Existing Licences

110 An existing licence, permit or approval issued under Bylaw 3282/2001, The Taxi Business Bylaw or Bylaw 3394/2007, The Limousine and Sedan Bylaw remains valid until the term of such licence, permit or approval expires or until it is replaced by a Licence, permit or approval issued pursuant to this bylaw.

Transitional Provisions

111 This bylaw shall come into effect on September 1, 2021.

Repeal

112 On the day this bylaw comes into effect, Bylaw No. 3282/2001, The Taxi Bylaw and Bylaw No. 3394/2007, The Limousine and Sedan Bylaw are repealed.

READ A FIRST TIME IN OPEN COUNCIL this 9 day of November, 2020.
READ A SECOND TIME IN OPEN COUNCIL this 23 day of November, 2020.
READ A THIRD TIME IN OPEN COUNCIL this 23 day of November, 2020.
AND SIGNED BY THE MAYOR AND CITY CLERK this 23 day of November, 2020.

“Mayor Tara Veer”

MAYOR

“Frieda McDougall”

CITY CLERK

SCHEDULE “A”
FEES AND CHARGES

I. The fees for Licences are:

Description	Reference	Fee
Application Fee for Independent Driver Owner Licence	Section 10	\$380.00
Application Fee for a Driver for Hire Licence	Section 11	\$100.00
Application Fee for a short term Driver for Hire Licence		\$60.00
Application Fee for a Brokerage Licence with:	Section 12	
1-15 Vehicles		\$380.00
16-50 Vehicles		\$1,000.00
51+ Vehicles		\$2,500.00
Replacement of any Licence	Section 17	\$35.00

2. Licence fees to be reviewed and adjusted each year, prior to the renewal process, based on the Consumer Price Index (CPI) of Alberta. Fees will be rounded to the nearest \$0.05.
3. Fees under this bylaw may be pro-rated on a monthly basis for each month from the date the licence is first issued until August 30 of that year, for any application that was not operating or Carried On prior to the licence being issued. In no case will the pro-rated fee be less than \$35.00.
4. Fees are non-refundable once paid.
5. Account changes / Updates will have a fee of \$35.00. This will apply for address changes or account status changes. Updates for email or phone number will have no fee applied.
6. Short term Driver for Hire Licences shall be issued effective September 1st and March 1st for 6 month periods only. Applications made after these dates shall not be prorated.

SCHEDULE “B”
FINES AND PENALTIES

Section	Offence	Fine
9	Operating a Vehicle for Hire without displaying the appropriate information clearly and prominently in a location that is visible to all passengers	\$500.00
18 (a)	Failure to notify City Manager if provincial registration, insurance or agreement with Brokerage is suspended or cancelled.	\$500.00
18 (b)	Failure to notify City Manager if the vehicle is stolen	\$500.00
19	Failure to notify City Manager of changes to Police Information Check and Vulnerable Sector Search	\$500.00
20	Failure to notify City Manager of Traffic Violations resulting in demerit points or convictions in excess of those listed in Section 34(c).	\$500.00
22	Failure to notify City Manager Provincial Operator’s license expired, suspended or cancelled	\$1,000.00
23	Failure to notify City Manager if the Taxi Brokerage ceases operations or is unable to provide dispatch services or accept calls as identified on the Brokerage Licence	\$500.00
30	Operate a Vehicle for Hire without valid insurance as provided in the bylaw	\$1,000.00
32	Failure to provide a complete copy of insurance certificate and policy.	\$500.00
40-43	Operate a Vehicle for Hire contrary to Vehicle Requirements for corresponding type.	\$500.00
44	Unauthorized Street Hailing	\$500.00
46	Operating a Vehicle for Hire contrary to Driver Obligations	\$1,000.00
³⁰ 46.1	Operating a Shuttle Service Vehicle for Hire contrary to Shuttle Service Driver Obligations	\$1,000.00

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Section	Offence	Fine
47	Driver operates Vehicle for Hire contrary to Driver Conduct	\$1,000.00
48	Refusal of request for service, except in accordance with bylaw	\$500.00
50-52	Failure to meet Designated Driver obligations	\$1,000.00
53-55	Failure to meet Brokerage obligations	\$1,000.00
56	Failure for a Taxi Brokerage to ensure all rates including surcharges are posted in the Vehicles for hire in accordance with requirements of the bylaw	\$500.00
57 (b)	Failure for a Transportation Network Company Brokerage to disclose the fare to be charged to the passenger for the ride, prior to the passenger accepting the ride	\$500.00
³¹ 57.1(c)	Failure for a Shuttle Service Brokerage to disclose the fare or surcharge to be charged to the passenger for the ride prior to the passenger accepting the ride.	\$500.00
58	Brokerage fail to keep records as per bylaw requirements	\$500.00
60	Failure to meet Independent Driver Owner obligations	\$1,000.00
61	Independent Driver Owner permits an unlicensed Person to Operate a Vehicle for Hire	\$1,000.00
62	Failure for an Independent Driver Owner to ensure all rates including surcharges are posted in the Vehicles for hire in accordance with requirements of the bylaw	\$500.00
63	Independent Driver Owner fail to keep records as per bylaw requirements	\$500.00
67	Cause/permit the operation of a Vehicle for Hire without a valid Mechanical Inspection Certificate	\$1,000.00
68	Failure to obtain an inspection twice a year by a Licensed Mechanic at a Vehicle for Hire Inspection Station for a Taxi or Accessible Taxi	\$1,000.00

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Section	Offence	Fine
69	Failure to obtain an inspection once a year by a Licensed Mechanic at a Vehicle for Hire Inspection Station for a Transportation Network Automobiles and Limousines	\$1,000.00
70	Failure to deliver the Mechanical Inspection Certificate to the City Manager upon request	\$500.00
73	Inspect a Vehicle for Hire or complete a Mechanical Inspection Certificate without a valid Licensed Mechanic employed by a Vehicle for Hire Inspection Station.	\$500.00
74	Cause/permit an inspection for a Vehicle for Hire or completion of a Mechanical Inspection Certificate without a valid Licensed mechanic employed by a Vehicle for Hire Inspection Station	\$500.00
75	Operate a Vehicle for Hire that has failed to pass the inspections	\$1,000.00
76	Obstruct/interfere with any inspection required/carried out pursuant to bylaw	\$500.00
77	Failure to provide the vehicle for inspection and the required documentation for Vehicle for Hire Audit at the time and location specified	\$1,000.00
78	Failure to provide the documents or copies of the documents for the audit within 24 hours of demand	\$2,500.00
92	Obstruct or hinder any person in pursuant to this bylaw.	\$2,500.00