



ADMINISTRATIVE REPORT

Report Date: August 21, 2015
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VanRIMS No.: 08-2000-20
Meeting Date: September 16, 2015

TO: Standing Committee on City Finance and Services
FROM: Chief Licence Inspector
SUBJECT: Updates to Limousine Regulations

RECOMMENDATION

- A. THAT Council approve amendments to the Vehicles for Hire By-law as described in this report.
- B. THAT Council instruct the Director of Legal Services, should the Director deem it be advisable, to bring forward a By-law to amend the Vehicles for Hire By-Law, generally in accordance with Appendix A of the Administrative Report dated August 21, 2015, entitled "Updates to Limousine Regulations".

REPORT SUMMARY

The report proposes amendments to the Vehicles for Hire By-Law to modernise the definitions and requirements for limousines. These changes are required to satisfy new technological advances in the limousine service industry.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

The Motor Vehicle Act (Section 36, ss. 11) and the Vancouver Charter give Council the authority to regulate limousines through the Vehicles for Hire By-Law (No. 6066) (the "By-law"). The purpose of the By-law is to ensure a high level of passenger and public safety, security and customer service.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The Acting General Manager of Community Services RECOMMENDS approval of the above recommendations.

REPORT

Background/Context

Recently, the Passenger Transportation Board (“the PTB”) issued preliminary approval for a limousine service (operating under the trade name: “Ripe Rides”). Ripe Rides proposed to offer limousine service using an app-based system to handle reservations, determine fares and process payment.

This company has a desire to operate in Vancouver. Inquiries from the proponent have highlighted several Bylaw provisions that are needed before Ripe Rides can be issued a licence. In August 2015 Ripe Rides received PTB approval, intends to apply to make full application the City this month.

Strategic Analysis

Upon review of the By-law, staff found that some regulations for limousines are out of date and create unwarranted barriers to new modes of limousine service, including the business model proposed by Ripe Rides. Accordingly, it is recommended that the following requirements in the By-law be updated:

Limousine Regulation Amendment	Rationale
Remove ban on taximeters in limousines	Remove an unnecessary regulatory barrier to innovative limousine service models
Set standards for use of a taximeter (e.g. accuracy, testing)	Ensure fairness for passengers with respect to limousine charges
Require posting of tariff rates	Ensure passengers are easily able to understand the rates they would pay for service
Remove requirement that fees be approved by PTB	Not necessary. Rates are already approved by the PTB
Remove requirement to charge PTB rates	Not necessary. The PTB already requires that their rates be applied

The Vancouver Taxi Association provided feedback on the proposed bylaw amendments; these comments, and staff’s response, are included in Appendix B.

Housekeeping Amendments

In the process of preparing the draft bylaws for this report, staff noticed several minor errors in the Vehicles for Hire Bylaw. The attached bylaw resolves the following issues:

- An incorrect minimum size standard for display of a vehicle number
- Several incorrect internal references in S. 25

Implications/Related Issues/Risk

Financial

There are no financial implications.

CONCLUSION

This report recommends amendments to the By-Law to update regulatory requirements for the limousines. For the limousine industry this will mean greater clarity of the regulations, and enhanced flexibility to provide alternative service models.

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BY-LAW NO. _____

**A By-law to amend Vehicles for Hire By-law No. 6066
regarding limousines**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions and schedules of the Vehicles for Hire By-law No. 6066.
2. In section 2, under "Vehicle for Hire", Council:
 - (a) strikes out the words "not equipped with a meter," in the definitions of "Antique Limousine, Luxury Limousine, Sedan Limousine, Sport Utility Limousine, Stretch Limousine" ;
 - (b) strikes out the words "is not equipped with a meter," in the definition of "Bus Limousine"; and
 - (c) in the definition of "Taximeter", after the word "taxicab", adds "or limousine".
3. In Section 14, Council:
 - (a) strikes out section (6) and substitutes:

" (6) A person who owns or operates a limousine must display, post or otherwise make available to passengers the tariff rates approved by the Passenger Transportation Board."
 - (b) strikes out subsection (9)(d) and substitutes:

"(d) keep, inside or outside the limousine, a top light, sign or similar device that is capable of indicating that the limousine is available to be flagged."
 - (c) strikes out section (11) and substitutes:

"(11) Every owner, operator or driver of a limousine who uses a taximeter:

 - (a) must:
 - (i) keep the taximeter in good working condition that ensures accuracy and continuous registration during hire,

- (ii) display the current fare continuously during hire,
- (iii) provide an estimate of the anticipated fare upon the request of a passenger who provides a destination, and
- (iv) every six months, or immediately upon request, submit the taximeter to the Inspector who is to inspect and test the meter over a measured distance;

and

- (b) must not use a taximeter that registers a fare that is more than 2 per cent incorrect."

4. In Section 23, in subsection 5(b), Council strikes out "8" and substitutes "5".

5. In section 25, Council:

- (a) in subsection (2) strikes out "(17)" and substitutes "(18)";
- (b) in subsection (13)(c), strikes out "(17)" and substitutes "(18)";
- (c) strikes out subsection (19), and substitutes:

" (19) A person who owns or drives a taxicab must post and keep posted a sign inside the taxicab in proximity to the tariff card referred to in subsection (8), clearly indicating that the fare shown includes the tax referred to in subsection (18)."

6. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part of the By-law and is not to affect the balance of this By-law.

7. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2015

Mayor

City Clerk

EXPLANATION

**Vehicles for Hire By-law amending By-law
Re: Part time taxicabs**

The attached By-law will implement Council's resolution of _____, 2015, to amend the Vehicles for Hire By-law to implement

Director of Legal Services
, 2015

APPENDIX B: COMMENTS FROM VANCOUVER TAXI ASSOCIATION (VTA)

Staff consulted with the VTA regarding the proposed updates to the Bylaw. They advised that the regulatory playing field for limousines should be level with that for taxis. Staff considered VTA's suggestions and, where possible, incorporated them into the proposed by-law updates (summarised below):

VTA Recommendation	Staff's Recommended Response
Test meters and payment system for accuracy	Included in staff recommendations
Require posting of tariff rates	Included in staff recommendations
Require record keeping and review by City	None needed. Already in Bylaw
Require City and PTB approval	None needed. Already in Bylaw
Place cap on the number of limousine licences	None needed. A limit already is maintained and updated by the PTB
Set rates to differentiate from taxis	None needed. Rates are already set by the PTB
Define limousines as "Luxury Taxis"	Not recommended. Term could create confusion that limousines are akin to taxis
Require that the Taxi Bill of Rights be posted	Not recommended. The Bill of Rights applies to taxis only and is not suitable for limousines
Require company identification	Not recommended. Limousines are already required to display limousine licence plates.
Eco-friendly vehicles	See discussion below

Eco-Friendly Vehicles

The VTA proposed that, like taxis, limousines should be required to provide eco-friendly vehicles (i.e. a gasoline-electric hybrid motor or a bio-diesel motor). Currently, the PTB requires all Vancouver taxis to meet this standard, but does not require the same of limousines. Staff are supportive of creating a City-led, eco-friendly requirement, and will commence consultation with the entire limousine industry. Staff will report to Council with recommendations on: the minimum fuel performance standard for limousines, an appropriate phase-in schedule for implementation, and opportunities to reduce unnecessary environmental impact (e.g. idling protocols, bio-fuels, etc.).