

To: Corporate Services Committee

From: Tracy Adams, Commissioner,
Corporate Services Department

Report Number: CORP-19-61

Date of Report: June 12, 2019

Date of Meeting: June 17, 2019

Subject: Anticipated Timeline for Modernizing Vehicle-for-Hire
Standards and Harmonizing Penalty/Fine Amount

File: D-2200

1.0 Purpose

As requested by the Corporate Services Committee at its May 27, 2019 meeting, this report provides an anticipated timeline for the modernization of regulations related to the Vehicle-for-Hire Industry (includes Taxis, Transportation Network Companies, Designated Driving Services and Limousines) in relation to report CORP-19-57. Furthermore, this report proposes harmonizing the Administrative Penalty (A.M.P.) amount for the offence “Carry on business of regulated trade – no valid licence” in Licensing By-law 120-2005 for Designated Driving Services with the same offence in Taxicab Licensing By-law 50-2003.

2.0 Recommendation

That the Corporate Services Committee recommend to City Council:

1. That Report CORP-19-61, dated June 12, 2019 be received for information;
2. That in an effort to harmonize penalty amounts associated with Designated Driving Brokers and Designated Drivers operating without a licence with the “no valid licence” offence established pursuant to the Taxicab Licensing By-law 50-2003 for Taxicab Brokers, Owners and Drivers, Council approve a by-law to further amend Licensing By-law 120-2005, as amended to establish a \$300 Administrative Penalty for “Carry on business of regulated trade pursuant to Schedule “N”– no valid licence”; and,
3. That notice provisions pursuant to Notice By-law 147-2007 be waived for this change.

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

Legal Services was consulted in the preparation of this report.

5.0 Analysis

5.1 Anticipated Timeline: Modernizing and Harmonizing Vehicle-for-Hire Industry Standards in the City of Oshawa

As requested by the Corporate Services Committee (“Committee”) at its May 27, 2019 meeting, an anticipated timeline related to the modernization and harmonization of regulations for the Vehicle-for-Hire Industry in the City of Oshawa can be found in **Table 1**. It is important to note that the anticipated timing is dependent on the availability of stakeholders and Committee and Council’s deliberations and directions and therefore timelines may be subject to change.

Table 1 Anticipated Timeline

Consultation Item	Anticipated Timing
Hold Industry-specific Stakeholder Consultation Sessions with staff to discuss regulatory policy options used in other municipalities and obtain preliminary input on potential options identified by the Industry which includes: <ul style="list-style-type: none"> • Taxicab Industry • Designated Driving Services Industry • Transportation Network Companies (Uber and Lyft) • Limousines 	September or October
Present proposed regulatory policy options including an overview of feedback and benchmarking prepared by staff to the Corporate Services Committee and obtain authority to hold Industry-specific Stakeholder Consultation Sessions and a public open house to obtain comments on the options.	Q4 2019
Hold Industry-specific Stakeholder Consultation Sessions and a public open house with staff to obtain comments on the options: <ul style="list-style-type: none"> • Taxicab Industry • Designated Driving Services Industry • Transportation Network Companies (Uber and Lyft) • Limousines 	Q4 2019
Report back on a recommended regulatory policy option at a special meeting of the Corporate Services Committee.	Q1 2020

5.2 Harmonizing Penalties for Operating Without a Licence Offence

As part of the regulatory review of the Vehicle-for-Hire Industry, the initial analysis found that there is a disparity between the penalty/fine amounts associated with operating without a licence established for licensing classes within Taxicab By-law 50-2003 and Schedule "N" of Licensing By-law 120-2005 which regulates Designated Driving Services. It is proposed that the penalty/fine amounts be harmonized as detailed in **Table 2**.

Table 2. Current vs. Proposed Penalty/Fine Amounts for Operating Without a Licence

By-law	Current Penalty/Fine Amount	Proposed Penalty/Fine Amount
Taxicab Licensing By-law 50-2003	\$300	\$300
Licensing By-law 120-2005	\$500	\$300 ¹

6.0 Financial Implications

There are no financial implications directly related to the recommendations in this report.

7.0 Relationship to the Oshawa Strategic Plan

The recommendations in this report respond to the Oshawa Strategic Plan Goals:

- 4.2 Accountable Leadership: Deliberate Community Engagement



Jerry Conlin, Director,
Municipal Law Enforcement and Licensing Services



Tracy Adams, Commissioner,
Corporate Services Department

¹ The proposed penalty amount would **only** apply to Schedule "N" of Licensing By-law 120-2005 which applies to Designated Driving Services (i.e. Designated Drivers and Designated Driving Brokers).