



Corporate NO: C407

Report COUNCIL DATE: Dec. 14, 1998

COUNCIL-IN-COMMITTEE

TO: Mayor & Council **DATE: December 14, 1998**

FROM: City Solicitor **FILE: 0023-13610**

SUBJECT: Vehicle For Hire By-law

RECOMMENDATION

That Council:

1. Approve Vehicle For Hire By-law 13610;
2. Approve the City of Surrey Vehicle For Hire By-law, Schedules A, B, C, D, and E to reflect the new rates and fee schedule;
3. Approve the amendments/changes to By-law 4747, Section 82 and Section 20 (h) as they apply to taxis;

Amendments:

Section 20 (h) (i) (ii) delete

Replace:

Any person applying for and receiving a license to carry on a taxi business shall comply with all regulations of Vehicle For Hire By-law 13610.

Section 82 Taxi amend:

From every person carrying on the business of operating taxis for hire the sum of ninety-four dollars and fifty cents (\$94.50) plus fifty dollars (\$50.00) for each taxi, for every twelve (12) months

4. Instruct the City Clerk to introduce these amendments.

INTENT

The intent of this report is to provide a new Vehicle For Hire By-law that addresses both the present and future requirements within the City of Surrey. The By-law addresses all the safety issues dealing with Vehicles For Hire within the City of Surrey.

BACKGROUND

The City of Surrey approved and enacted Vehicle For Hire By-law 4996 on November 15, 1976, for the purpose of licensing and regulating owners and drivers of vehicles for hire operating in the City of Surrey.

In the City of Surrey taxis have never been inspected or issued a vehicle for hire plate. The annual license plate (and decal) fee for each vehicle is presently \$15.00 and has not changed since 1976, and Taxis operating within the City of Surrey have never been issued a plate.

The current costs of the plate inclusive of decal is in excess of \$7.00 plus taxes. The clerical staff processing the application and the Surrey By-law Enforcement Officer's time to do the physical inspection has never been factored into the fee for these plates.

DISCUSSION

The new fee schedule (Schedule "A") to By-law 13610 has now factored all the costs involved in the issuance of these plates. These costs are comparable to other cities or municipalities when the actual cost of the Business License is also factored into the total fees. The City of Surrey, Business License is lower than most City or municipalities dealing with taxis. The proposed new fee schedule ranges from \$50.00 for tow trucks to \$110.00 for a Class "A" taxi.

The Vehicle For Hire By-law 13610 now includes the definition of a "Shared Ride Van" and in the general provisions of the By-law, a Shared Ride Van is now prohibited to operate within the City of Surrey.

The Vehicle for Hire By-law 13610, Schedule "B" Towing Rate Schedule and Schedule C, Private Impound Fees, now conforms to the current rate published and issued by the Insurance Corporation of British Columbia. This will now ensure all towing vehicles are consistent in their fee schedule and no one operator can set their own fees higher than the current rate.

Schedule "E" of Vehicle For Hire By-law deals with voluntary penalties reducing them from maximum fine imposed for violations. The present Vehicle For Hire By-law 4996 is covered under the Municipal Ticket Information System, the new Vehicle For Hire By law 13610 includes these infractions/fines on the Municipal By-law Infraction System. This will impose less problems as any change to the Municipal Ticket Information System has to be approved through the Chief Judge of British Columbia and these amendments could take from six months to a year via that process. The new By-law 13610 includes an offence section which matches the definitions and implementation sections.

Vehicle For Hire By-law 13610 addresses the age requirement of vehicles and the Taxihost Level 1 & 2 training program. Currently all Airport licensed drivers and those operating in the City of Vancouver, must have Taxihost Level 1. The Airport has raised their requirement for Level 2 by 1999, as will the City of Vancouver. A number of other municipalities and cities within the Lower Mainland are now considering the need for these requirements. The City of Surrey requirement will be for all taxi drivers to complete Level 1 Taxihost Program by December 31, 1999 and completed Level 2 by December 31, 2000.

Council is aware that the requirement for this Taxihost program was challenged by the taxi industry and upheld by Supreme Court for a City or Municipality to impose such regulations and requests. This program addresses not only safety issues but also the safety and well being of those drivers employed in the taxi industry. The program was developed in conjunction with the taxi industry, Tourism Vancouver, Motor Carrier Commission and the Pacific Rim Institute of Tourism.

Vehicle Hire By-law 13610 requires that all Chauffeur's Permits be renewed once a year. This permit addresses the operator's driving record and criminal record. As many taxi operators provide transportation for Surrey School district and other private schools throughout Surrey, both the driving record and criminal search of the operation is critical when issuing any such licenses by the City of Surrey. With the yearly renewal of the Chauffeur's License, we will be advising a current background check on any operator and thereby satisfying any concerns of the public.

Vehicle For Hire By-law 13610 addresses the issuing of taxi licenses within the City of Surrey. Presently there are 262 taxis within the City of Surrey. As per the formula calculated by Motor Carrier Commission to limit the issuance of plates, the City of Surrey presently has a shortfall of Motor Carrier and City of Surrey licensed taxis.

In 1991, the number of taxis was prorated inclusive of White Rock, Delta and Surrey with total population of 350,300/ 262 taxis or 1.3 per thousand population. Surrey's only calculations are 245,000/ 262 taxis or .93 per thousand population.

Based on the 1996 Consensus and the 1998 projected population (Planning) 328,000/ 305 taxis or .93 per thousand population.

Based on 1998 (low) projected population of 320,000/ 297 taxis or .93 per thousand population. (Calculations indicated the City of Surrey could allow between 35 (low) to 43 (high) additional taxis.

Any future increase to our taxi base will be authorized and regulated by Council through an open bid process. This process will be open to bids from the Taxi industry and only those parties that have current Motor Carrier authority for taxis. This process will be fair and equitable, as the taxi industry knows the worth of any new taxi license within the City of Surrey. These bids will be conducive to the present value of as seen by the taxi industry and will be open to all licensed carriers, not any one applicant. The City of Vancouver presently has this process in place and has proven to be fair and equitable.

This By-law is projected to generate in excess of \$80,000 in revenue for the City of Surrey.

A copy of this By-law has been circulated to all the City's licensed carriers. As of the date of this report one phone call was received by the By-law Section on enquiry only. Changes in the new By-law were discussed with no concerns expressed other than they were pleased with the changes regarding shuttle buses.

A fax was received on December 8, 1998 from Surdell Kennedy Taxi Ltd. addressing a number of minor issues. The inspections completed by the City are included in the fee for the Vehicle For Hire plate, therefore, this is not an unnecessary cost as perceived by the company and very necessary for the City of Surrey. With respect to air conditioning requirement in each vehicle, the age of the vehicle will not necessarily dictate that every vehicle has air conditioning, therefore this section in the By-law is required to ensure these systems are in place and in good working order.

CONCLUSION

The Vehicle For Hire By-law was developed with the following principles in mind:

- the general public has the right to expect and demand clean, safe taxicabs;
- the general public has the right to expect and demand courteous, knowledgeable and experienced drivers;
- drivers have the right to expect and demand a fair return for their labour;
- plate holders have the right to expect and demand a fair return for their investment; and
- the City of Surrey has the right to expect and demand compliance with its By-law .

Based on the foregoing information, we recommend that Council approve the Vehicle For Hire By-law 13610 and the amendments to the Business License By-law 4747. It is critical to approve this By-law as a complete package rather than piecemeal, as the expected positive impact on the industry will not be realized by any isolated changes. These regulations directly address the quality and safety of the vehicles and also the training requirements, while other address issues less obvious to the public such as regulations and structure of the industry.

Craig MacFarlane
City Solicitor

JES/msc

Enclosures

c.c. - Manager, Administration and By-law Enforcement
- Kelly Rayter, Assistant City Solicitor

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