

Vehicle For Hire Bylaw
No. 22/006

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BYLAW NO. 22/006

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO PROVIDE FOR THE REGULATION AND CONTROL OF VEHICLE FOR HIRE SERVICES IN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO.

WHEREAS, pursuant to Section 7 and Section 8 of the *Municipal Government Act*, RSA 2000, Chapter M-26, Council may pass bylaws for municipal purposes respecting:

- the safety, health and welfare of people and the protection of people and property;
- transport and transportation systems;
- businesses, business activities, and persons engaged in business;
- the regulation of businesses, activities, and industries;
- licenses, permits, and approvals; and
- enforcement of bylaws.

NOW THEREFORE the Council of the Regional Municipality of Wood Buffalo, duly assembled, hereby enacts as follows:

PART 1. DEFINITIONS, INTERPRETATIONS AND APPLICATION

Short Title

1. This Bylaw may be cited as the “Vehicle for Hire Bylaw”.

Definitions

2. In this Bylaw, unless the context otherwise requires:
 - (a) “Accessible Taxi” means a Taxi that is equipped to provide transportation services to persons using a mobility aid that has been issued an accessible taxi endorsement by the Municipality;
 - (b) “App” means a software program residing on a mobile phone or other digital electronic device which allows or performs one or more of the following functions:
 - (i) allows a person to identify the location of available Vehicles for Hire and allows a Driver to identify the location of a person who is seeking services of a Vehicle for Hire;

- (ii) allows a person to request a Vehicle for Hire with a mobile phone or other electronic device;
 - (iii) allows a Driver to receive a request for service from a person;
 - (iv) allows a person to pay for Vehicle for Hire services through Electronic Payment System;
 - (v) issues a receipt upon payment.
- (c) “Apprenticeship and Industry Training Act” means the *Apprenticeship and Industry Training Act*, RSA 2000, c A-42, as amended or replaced;
- (d) “Brokerage” means a person or company named on a valid Brokerage License.
- (e) “Brokerage License” means a Brokerage License issued pursuant to this Bylaw authorizing the Licensee to conduct Brokerage Operations;
- (f) “Brokerage Operations” include:
- (i) administering Taxi, Limousine, Shuttle, Independent Owner Operator or Transportation Network Company fleets;
 - (ii) employing or contracting with one or more Drivers;
 - (iii) the Dispatch of Vehicles for Hire;
 - (iv) accepting calls for contracts for services of Limousines; and
 - (v) arranging for the provision of a Designated Driving Service.
- (g) “Bylaw Enforcement Officer” means a Peace Officer as defined in the Provincial Offences Procedure Act and includes but is not limited to an RCMP officer and any person appointed by the Municipality pursuant to Section 55 of the Municipal Government Act;
- (h) “Cannabis Act” means the *Cannabis Act*, SC 2018, c. 16, as amended or replaced;
- (i) “Chauffeur’s Permit” means a License issued to a person to operate a Vehicle for Hire;
- (j) “Chief Bylaw Officer” means the person appointed into this position under the authority of the Chief Administrative Officer and includes anyone acting or delegated all or partial responsibilities of this position;
- (k) “Chief Taxi Inspector” means the person appointed into the position of Chief Taxi Inspector under the authority of the Chief Administrative Officer and

includes anyone acting or delegated all or partial responsibilities of this position;

- (l) “Commercial Vehicle” means a Vehicle that is
 - (i) a commercial vehicle as defined in the Traffic Safety Act; and
 - (ii) has a manufactured seating capacity of 11 or more persons including the driver.
- (m) “Commercial Vehicle Certificate and Insurance Regulation” means the *Commercial Vehicle Certificate and Insurance Regulation*, AR 314/2002, as amended or replaced;
- (n) “Controlled Drug and Substances Act” means the *Controlled Drugs and Substances Act*, SC 1996, c. 19, as amended or replaced;
- (o) “Criminal Code” means the *Criminal Code of Canada*, R.S.C. 1985, c. C-46, as amended or replaced;
- (p) “Designated Driving Service” means the transportation of an Owner in the Owner’s Vehicle by a Designated Driver from any place in the Municipality to any other place in return for compensation;
- (q) “Designated Driver” means a person who operates a Vehicle owned by another person for compensation;
- (r) “Dispatch” or “Dispatched” means the sending of a Vehicle for Hire to a location for the purpose of offering or providing transportation to a passenger, and includes but is not limited to:
 - (i) receiving calls from prospective passengers and directing a person operating a Vehicle for Hire to attend at the passenger’s requested location;
 - (ii) offering or operating any part of a mobile Application, Transportation Company Network, or other electronic service that receives requests for transportation services from prospective passengers and connects such requests to a person operating a Vehicle for Hire; or
 - (iii) any other action that results in a passenger and Vehicle for Hire being in the same place at the same time for the purpose of providing the passenger with Vehicle for Hire services, regardless of whether the Vehicle for Hire services are actually provided to the passenger;

- (s) “Driver” means a person who holds a valid Chauffeur’s Permit to operate a Vehicle for Hire;
- (t) “Electronic Payment System” means a system by which a passenger may pay a fare by an immediate electronic withdrawal from a bank account or charge to a credit card;
- (u) “Fees, Rates and Charges Bylaw” means the Municipality’s *Fees, Rates and Charges 2021 Bylaw No. 21/019*, as amended or replaced;
- (v) “Independent Owner Operator” means a person named on both a Chauffeur’s Permit and a Vehicle for Hire License who owns and operates a Vehicle for Hire that is not affiliated with or Dispatched by a Brokerage;
- (w) “Insurance Act” means the *Insurance Act*, RSA 2000, c I-3, as amended or replaced;
- (x) “License” means a Chauffeur Permit, a Vehicle for Hire License, or a Brokerage License;
- (y) “Licensed Mechanic” means a person holding
 - (i) 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 the Province of Alberta; and
 - (ii) a valid technician license issued pursuant to the Vehicle Inspection Regulation;
- (z) “Licensee” means a person or company named on a License issued pursuant to this Bylaw;
- (aa) “Limousine” means a luxury Vehicle for Hire that provides Pre-Arranged Service and for which a limousine endorsement has been issued by the Municipality;
- (bb) “Livery Registration Certificate” means a Class 1-55 Vehicle registration issued by the Province of Alberta;
- (cc) “Mechanical Inspection Certificate” means an out of province inspection certificate and a record of inspection issued pursuant to the Vehicle Inspection Regulation and certifying that a Vehicle meets the safety and Vehicle equipment standards of the Province of Alberta;
- (dd) “Meter Accuracy Certificate” means a Meter Accuracy Certificate issued in writing pursuant to this Bylaw certifying the accuracy of a Taxi Meter installed in a Taxi or Accessible Taxi;

- (ee) "Municipal Government Act" means *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or replaced;
- (ff) "Municipality" means the Regional Municipality of Wood Buffalo;
- (gg) "Municipal Tag" means a document prepared by the Municipality alleging an offence issued pursuant to this Bylaw;
- (hh) "Owner" means the registered owner of a Vehicle;
- (ii) "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;
- (jj) "Provincial Offences Procedures Act" means the *Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34, as amended or replaced;
- (kk) "RCMP" means the Royal Canadian Mounted Police;
- (ll) "Safety Fitness Certificate" means a safety fitness certificate issued by the Province of Alberta pursuant to the *Commercial Vehicle Certificate and Insurance Regulation*, Alta Reg 314/2002;
- (mm) "Shuttle" means a Vehicle for Hire that provides pre-arranged service to passengers based on a pre-determined schedule and for which a shuttle endorsement has been issued by the Municipality;
- (nn) "Street Hailing" means offering, soliciting, or accepting offers to provide transportation service, or providing transportation service, to passengers that is not Pre-Arranged Service;
- (oo) "Support Vehicle" means a Vehicle used to transport a Designated Driver to a person soliciting a Designated Driving Service;
- (pp) "Taxi" means a Vehicle for Hire that provides transportation service to a passenger based on time and distance travelled for which a Taxi endorsement has been issued by the Municipality;
- (qq) "Taxi Meter" means a device which is used to compute and display the fare payable for services provided by a Taxi or Accessible Taxi;
- (rr) "Traffic Safety Act" means the *Traffic Safety Act*, RSA 2000, c. T-6, as amended or replaced;
- (ss) "Transportation Network Companies Regulation" means the *Transportation Network Companies Regulation*, AR 100/2016, as amended or replaced;

- (tt) “Transportation Network Company” means a Brokerage that has approval to operate as a Transportation Network Company pursuant to the Transportation Network Companies Regulation and for which a Transportation Network Company endorsement has been issued by the Municipality;
- (uu) “Transportation Network Vehicle” means a Vehicle for Hire which is used to provide Pre-Arranged Service for compensation and for which service is exclusively arranged through an App administered or promoted by a Transportation Network Company and for which a Transportation Network Vehicle endorsement has been issued by the Municipality;
- (vv) “Trip” means the distance and time travelled or the distance and time to be travelled, measured from the time, and point at which the passenger first enters a Vehicle for Hire to the point and time at which the passenger leaves the Vehicle for Hire;
- (ww) “Trip Sheet” means the written record of the details of each Trip, in a form prescribed by the Chief Taxi Inspector;
- (xx) “Vehicle” means motor vehicle as defined in the Traffic Safety Act;
- (yy) “Vehicle for Hire” means:
 - (i) a Vehicle used or offered for the transportation of at least one passenger in return for compensation and includes but is not limited to:
 - (A) an Accessible Taxi;
 - (B) a Limousine;
 - (C) a Shuttle;
 - (D) a Taxi;
 - (E) a Transportation Network Vehicle; or
 - (F) a Vehicle operated by a Designated Driver;
 - (ii) without limiting the generality of Section 2(yy)(i), if the transportation of a passenger is provided as part of a package of additional goods or services for which there is compensation, then the transportation of the passenger is considered to be in return for compensation unless the transportation is shown, on a balance of probabilities, to be merely ancillary to the goods or services;

- (zz) “Vehicle for Hire License” means a Vehicle for Hire License issued pursuant to this Bylaw authorizing a Vehicle to be operated as a Vehicle for Hire;
- (aaa) “Vehicle Inspection Regulation” means the *Vehicle Inspection Regulation*, AR 211/2006, as amended or replaced;
- (bbb) “Violation Ticket” means a Violation Ticket as defined in the Provincial Offences Procedures Act.

Application

- 3. This Bylaw applies to the operation of Vehicles offered for the transportation of at least one passenger in return for compensation from any place within the Municipality to any destination.
- 4. The fares, rates, charges, and surcharges that may be charged for services provided by means of a Vehicle for Hire are set out in Schedule “A” to this Bylaw.

Exemptions

- 5. This Bylaw does not apply to:
 - (a) a Vehicle used as part of a transit system operated by the Municipality;
 - (b) a Vehicle licensed and used as part of an inter-municipal or inter-provincial bus service;
 - (c) 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 or company providing the service;
 - (ii) no compensation is charged or collected for the provision of the transportation portion of the service being provided;
 - (d) courtesy Vehicles;
 - (e) an emergency Vehicle; or
 - (f) a Vehicle or class of Vehicle designated as exempt by the Chief Taxi Inspector

PART 2. VEHICLE FOR HIRE OPERATIONS

Required Permits and Licenses

6. No person shall operate, cause or permit the operation of a Vehicle for Hire unless the person holds:
 - (a) a valid provincial class 1, 2, or 4 operator's license; and
 - (b) a valid Chauffeur Permit.
7. No person shall operate, cause or permit the operation of a Vehicle for Hire unless a valid Vehicle for Hire License has been issued for the Vehicle, except a Designated Driver providing a Designated Driving Service.
8. No person shall Dispatch or participate in the Dispatch of a Vehicle for Hire unless the person holds a valid Brokerage License.
9. No person shall operate, cause or permit the operation of a Vehicle for Hire unless a Livery Registration Certificate has been issued for the Vehicle, except a Designated Driver providing a Designated Driving Service.
10. No person shall operate, cause or permit the operation of a Vehicle for Hire unless the person can provide proof of valid insurance that meets the requirements of Section 60.

Display of Information

11. No person shall operate, cause or permit the operation of a Vehicle for Hire unless the following information is displayed so that it is visible to all passengers:
 - (a) the Brokerage name and contact information;
 - (b) contact information for the Municipality, as prescribed by the Chief Taxi Inspector; and
 - (c) a valid Chauffeur Permit issued to the Driver of the Vehicle for Hire.
12. The information in Section 11 (a) must be displayed clearly and prominently on both the interior and the exterior of the Vehicle for Hire in a location that is visible to all passengers.

Documents for Inspection

13. Upon request of a Bylaw Enforcement Officer, any person operating a Vehicle for Hire or Street Hailing must produce the following:
 - (a) a valid provincial Class 1, 2 or 4 operator's license;
 - (b) a valid Chauffeur's Permit;

- (c) a valid Vehicle for Hire License for the Vehicle, except for a Designated Driver providing Designated Driving Service;
- (d) a valid Mechanical Inspection Certificate for the Vehicle issued within the preceding 6-month period or a valid Safety Fitness Certificate for the Vehicle;
- (e) proof of valid insurance that meets the requirements of Section 60;
- (f) a valid Livery Registration Certificate for the Vehicle;
- (g) any other information pertaining to the operation of the Vehicle for Hire and requested by the Bylaw Enforcement Officer.

Meter Accuracy

- 14. Every Taxi Meter installed in a Vehicle for Hire shall be tested and inspected for accuracy in recording the correct fare and must have the accuracy of the meter certified by a Bylaw Enforcement Officer under the direction of the Chief Taxi Inspector:
 - (a) prior to issuance of a Vehicle for Hire License for the Vehicle in which the Taxi Meter is installed, and once per year thereafter; and
 - (b) any time the Taxi Meter's rate pricing is changed.
- 15. The Chief Taxi Inspector may require or cause a Taxi Meter to be inspected at any time notwithstanding that an inspection has been performed within the previous year.

Mechanical Inspections

- 16. A Vehicle for Hire must be inspected a minimum of once every 6 months by a Licensed Mechanic, except for
 - (a) a Vehicle for Hire that operates exclusively in Fort Chipewyan which must be inspected a minimum of once every 12 months by a Licensed Mechanic; and
 - (b) a Commercial Vehicle with a valid Safety Fitness Certificate.
- 17. No person shall operate, cause or permit the operation of a Vehicle for Hire unless a Mechanical Inspection Certificate has been issued for the Vehicle for Hire within the preceding 6-month period, except
 - (a) in the hamlet of Fort Chipewyan where no person shall operate, cause, or permit the operation of a Vehicle for Hire unless a Mechanical Inspection Certificate has been issued within the preceding 12-month period; or

- (b) where the Vehicle for Hire is a Commercial Vehicle with a valid Safety Fitness Certificate.
- 18. The Chief Taxi Inspector may suspend or cancel a Vehicle for Hire License for a Vehicle for Hire that does not possess a valid Mechanical Inspection Certificate or a valid Safety Fitness Certificate.
- 19. All costs associated with a mechanical inspection and obtaining a Mechanical Inspection Certificate or Safety Fitness Certificate shall be borne by the Owner of the Vehicle.
- 20. A Licensed Mechanic shall not issue a Mechanical Inspection Certificate or a Safety Fitness Certificate unless satisfied that a Vehicle meets the safety and Vehicle equipment standards of the Province of Alberta.
- 21. The Owner of a Vehicle for Hire must produce the Vehicle for inspection upon the request of the Chief Taxi Inspector at a time and location specified by the Chief Taxi Inspector.
- 22. The Owner of a Vehicle for Hire must undertake any repairs or maintenance directed by the Chief Taxi Inspector.

Driver Conduct

- 23. A person operating a Vehicle for Hire must:
 - (a) take the most economical route to the passenger's destination unless otherwise directed by the passenger;
 - (b) be professional and courteous at all times and provide reasonable assistance to any passenger as requested or required in the circumstances;
 - (c) not use a cellular telephone or other hand-held electronic device or wireless electronic device while transporting a passenger, except for visual use in hands-free mode or in an emergency;
 - (d) charge a fare that complies with the requirements of Schedule "A"; and,
 - (e) at the conclusion of each trip, check the Vehicle for any personal property left behind by a passenger and make any such property available for retrieval by the passenger, unless otherwise directed by the Chief Taxi Inspector.

Passenger Conduct

- 24. No person shall fail to pay any fare lawfully charged for the hire of a Vehicle for Hire.

25. A Driver may charge a \$250 cleaning surcharge to any person who causes, by action or lack thereof, a Vehicle for Hire to require cleanup of vomit, urine, feces, or blood in or on a Vehicle for Hire.

Street Hailing

26. No person shall engage in Street Hailing except a person operating a Taxi or Accessible Taxi.
27. A person operating a Limousine, Shuttle or Transportation Network Vehicle shall not engage in Street Hailing and shall only provide Pre-Arranged Service that has been Dispatched.

Seizure of License

28. If a Bylaw Enforcement Officer has reasonable grounds to believe that a Vehicle for Hire is being operated in a manner contrary to this Bylaw, the Bylaw Enforcement Officer may seize and take possession of a Vehicle for Hire License and Chauffeur Permit for the Driver of the Vehicle for Hire.
29. A Bylaw Enforcement Officer that has seized a License pursuant to Section 28 shall return the seized License to the Chief Taxi Inspector and within 5 days of its seizure, the Chief Taxi Inspector must either return the License to the Licensee or provide notice of their intent to suspend, cancel or impose terms and conditions on the License in accordance with Section 79.

PART 3. OPERATION OF CERTAIN VEHICLES FOR HIRE

Vehicle for Hire Requirements

30. A person that operates, causes or permits the operation of a Vehicle for Hire must ensure the following:
- (a) the exterior and interior of the Vehicle must be kept
 - (i) clean;
 - (ii) free of damage;
 - (iii) free of hazards that may stain or tear the clothing or possessions of a passenger;
 - (iv) free of garbage;
 - (v) free of noxious odours;
 - (vi) free of materials that may impair the Driver's vision; and
 - (vii) free of materials that give the impression of an unkept appearance.

- (b) where the Vehicle for Hire is a Taxi or Accessible Taxi, that it is equipped with an operating Taxi Meter and top light, except in Fort Chipewyan;
- (c) where the Vehicle for Hire is a Transportation Network Vehicle, Taxi or Accessible Taxi, that it is equipped with a fully functional digital recording system that
 - (i) is of a make and model approved by the Chief Taxi Inspector;
 - (ii) is in operation at all times;
 - (iii) is capable of recording video of the entire interior of the Vehicle for Hire;
 - (iv) is capable of recording audio, including all conversations occurring in the Vehicle for Hire; and

under no circumstances shall the view or the sound reception of the digital recording system be partially or wholly obstructed or obscured;
- (d) where the Vehicle for Hire is a Transportation Network Vehicle, Taxi or Accessible Taxi, that the video and audio footage required at Section 30(c) is not altered, is retained for a minimum period of 7 days and is provided to the Chief Taxi Inspector immediately upon request;
- (e) that the Vehicle for Hire is equipped with a global positioning system approved by the Chief Taxi Inspector;
- (f) that the Vehicle for Hire is not more than 10 years old, except for a Limousine that is a stretch sedan or stretch sports utility Vehicle which shall not be more than 15 years old;
- (g) that the colors and markings of a Taxi, Accessible Taxi, Limousine or Shuttle comply with the requirements prescribed by the Chief Taxi Inspector;
- (h) where the Vehicle for Hire is a Taxi or Accessible Taxi with a Taxi Meter, that the meter rate pricing is displayed in the Vehicle in a form and location prescribed by the Chief Taxi Inspector;
- (i) where the Vehicle for Hire is a Taxi, Accessible Taxi or Shuttle, that a unit number is displayed on the exterior of the Vehicle;
- (j) that a Trip Sheet is maintained for every Trip and provide the Trip Sheet to the Brokerage within 24 hours; and

- (k) that the Vehicle for Hire is equipped with tires manufactured for winter use from November 1 to April 30 except for a Vehicle for Hire providing a Designated Driving Service; and
- (l) where a fare is not paid through an App or in advance to the Brokerage, a Driver must accept payment through an Electronic Payment System or cash payment at the Passenger's election and provide a receipt of payment.

Designated Driver Requirements

31. A Designated Driver providing a Designated Driving Service must ensure the following:
 - (a) the Designated Driving has a valid Chauffeur's Permit;
 - (b) the Designated Driving has an agreement with a Brokerage to provide Designated Driving Service for the Brokerage; and
 - (c) the Designated Driving must, immediately prior to providing the Designated Driving Service:
 - (i) review a certificate of insurance and registration for the Vehicle and ensure compliance with Section 60;
 - (ii) secure the Owner's consent to operate the Vehicle;
 - (iii) ensure that the number of individuals to be transported in the Vehicle does not exceed the number of available seatbelts
 - (iv) ensure operation of the Vehicle to provide a Designated Driving Service will comply with any applicable safety and traffic laws; and
 - (v) enter into an Agreement with the Owner respecting the fee to be charged for the Designated Driving Service in accordance with Schedule "A" or confirm that the Brokerage has entered into such an Agreement with the Owner.
32. A Designated Driver must ensure that the Owner and any passengers enter the Vehicle at the same time and location.
33. A Designated Driver must ensure that the Owner and any passengers exit the Vehicle at the same time and location.
34. A Designated Driver must ensure that the Vehicle does not make any stops throughout the Trip.

35. Upon request of a Bylaw Enforcement Officer, a Designated Driver providing a Designated Driving Service shall provide proof of insurance required by Section 60.

Transportation Network Vehicle Markings

36. A person that operates, causes or permits the operation of a Transportation Network Vehicle must ensure that:
- (a) the name of its affiliated Transportation Network Company is displayed on the side and rear of the Vehicle, in a form and size approved by the Chief Taxi Inspector;
 - (b) there are no markings or fixtures on the Vehicle identifying it as a Taxi or Accessible Taxi, including but not limited to:
 - (i) the words "Taxi", "cab" or "Accessible Taxi";
 - (ii) a top light or Taxi Meter; or
 - (iii) a Brokerage name other than that required by Section 36(a).
37. Nothing in Section 36 restricts a Transportation Network Vehicle from displaying the international symbol of access, provided it does not exceed 20 cm x 20 cm and does not contain any words.

Service Refusal

38. A Driver that operates, causes or permits the operation of a Vehicle for Hire shall not refuse to transport a person unless:
- (a) the Taxi or Accessible Taxi is not in service and the top light is not illuminated;
 - (b) the person is indebted to the Driver, or the Brokerage affiliated with the Vehicle for Hire;
 - (c) the person requires the transport of an animal that is not in a kennel, except for a service dog;
 - (d) the person requires the transport of items which would be detrimental to the repair, cleanliness, or sanitary condition of the Vehicle for Hire;
 - (e) the person requires the transport of passengers or baggage which the Vehicle for Hire is incapable of carrying;
 - (f) the person insists on smoking in the Vehicle for Hire;

- (g) the person insists on undertaking or participating in any illegal activity in the Vehicle for Hire; or
 - (h) if based on the circumstances, the Driver reasonably believes that:
 - (i) there is a danger to their personal safety;
 - (ii) there is a danger of serious damage to property; or
 - (iii) the service would contravene this Bylaw.
39. If a request for service is refused pursuant to Section 38, the Driver refusing to provide service must:
- (a) immediately provide verbal notice of refusal to the Brokerage that either arranged the refused request or is otherwise providing Dispatch for the Vehicle for Hire at the time of the refusal; and
 - (b) within 24 hours of the refusal, provide a signed written report of the circumstances of the refusal to the Brokerage and the Chief Taxi Inspector.
40. The written report required pursuant to Section 39 must include:
- (a) date, time, and location of the refusal;
 - (b) the Driver's Chauffeur Permit number;
 - (c) the Vehicle for Hire License number;
 - (d) a complete description of the circumstances and the reason for refusing the request for service; and
 - (e) any other information requested by the Chief Taxi Inspector.

Shuttle Restriction

41. A person that operates, causes or permits the operation of a Shuttle must:
- (a) provide a copy of the Shuttle's schedule for the day, upon request of a Bylaw Enforcement Officer;
 - (b) only load and unload passengers at pre-determined times and locations specified in the schedule; and
 - (c) charge a fare that is a flat rate based solely on the destination regardless of the number of passengers.

PART 4. BROKERAGE OPERATIONS

Requirements

42. A Brokerage must not Dispatch a Vehicle for Hire unless:
- (a) a valid Vehicle for Hire License has been issued for the Vehicle, except where a Driver is providing a Designated Driving Service;
 - (b) the Driver holds a valid Chauffeur Permit;
 - (c) a valid Livery Registration Certificate has been issued for the Vehicle;
 - (d) the insurance requirements at section 60 are met; and
 - (e) the person operating the Vehicle holds a valid provincial Class 1, 2, or 4 operator's license.
43. In addition to the requirements at Section 42, a Transportation Network Company must not Dispatch a Vehicle for Hire unless:
- (a) the Vehicle is a Transportation Network Vehicle; and
 - (b) in compliance with the requirements of the Transportation Network Companies Regulation.

Brokerage Records

44. A Brokerage must keep records related to all Vehicles for Hire for which it provides Brokerage services, including:
- (a) an account of all Trips, in the form prescribed by the Chief Taxi Inspector;
 - (b) a complete list of all Drivers and Vehicles for Hire associated with the Brokerage;
 - (c) the Vehicle for Hire assigned to, owned by, or operated by a Driver;
 - (d) any contracts or agreements related to the supply of Vehicle for Hire services;
 - (e) all reports of refusal to provide service required pursuant to Section 39; and
 - (f) any other information required by the Chief Taxi Inspector.
45. All records required by Section 44 must be kept for a minimum of 1 year of the date of record.

46. Upon request of the Chief Tax Inspector, a Brokerage must provide copies of all records required by Section 44 within 2 days and where such records are stored in an electronic database, must provide the Chief Tax Inspector access to the electronic database within 2 days.

Independent Brokerage

47. If, when applying for a Vehicle for Hire License, a person makes a declaration pursuant to Section 55 that a Vehicle for Hire will be driven exclusively by the person applying for the License:
- (a) no person other than the person making the declaration may provide Brokerage services for the Vehicle for Hire;
 - (b) the person making the declaration is deemed a Brokerage for the purpose of this Bylaw; and
 - (c) a person may revoke a declaration pursuant to Section 55 at any time by providing the Chief Tax Inspector with proof of a valid agreement with a Brokerage to provide Brokerage services for the Vehicle for Hire.

Transportation Network Company

48. In addition to the Records required by Section 44, a Transportation Network Company must provide the following records at the request of the Chief Tax Inspector:
- (a) an approval to operate as a transportation network company issued by the province of Alberta pursuant to the Transportation Network Companies Regulation;
 - (b) a list of all Drivers that are authorized to use the Transportation Network Company App;
 - (c) evidence that all Drivers authorized to use the Transportation Network Company App have been issued a valid Chauffeur's Permit; and
 - (d) anything else that may be requested by the Chief Tax Inspector.

PART 5. VEHICLE FOR HIRE LICENSING

Types of Licenses

49. Subject to the requirements of this Bylaw, the Chief Tax Inspector may issue the following Licenses:
- (a) Chauffeur Permit;
 - (b) Vehicle for Hire License, which shall include a Taxi endorsement, Accessible Taxi endorsement, Shuttle endorsement, Limousine endorsement or Transportation Network Vehicle endorsement; and
 - (c) Brokerage License.

Property of the Municipality

50. Every License issued pursuant to this Bylaw remains at all times the sole property of the Municipality.
51. A Licensee or other person in possession of a License must surrender the License to the Chief Tax Inspector immediately upon the suspension, cancellation, or expiry of the License.

Replacement

52. The Chief Tax Inspector may issue a replacement License upon payment of the fee for replacement prescribed by the Fees, Rates and Charges Bylaw where;
- (a) the License is damaged, and it has been returned to the Chief Tax Inspector; or
 - (b) the License has been lost or stolen, and a report has been filed with the RCMP.

Transferability

53. All Licenses are non-transferable, and all License fees are non-refundable.
54. A person that operates, causes or permits the operation of a Vehicle for Hire must not display a Vehicle for Hire License or a provincial license plate that has not been issued for the Vehicle.

Vehicle License Requirements

55. A person applying for a Vehicle for Hire License for a Vehicle must provide the following to the Chief Taxi Inspector:
- (a) a complete application, in the form prescribed by the Chief Taxi Inspector;
 - (b) the fees prescribed in the Fees, Rates and Charges Bylaw;
 - (c) proof in a form satisfactory to the Chief Taxi Inspector that the applicant has sufficient ownership interest in the Vehicle;
 - (d) proof in a form satisfactory to the Chief Taxi Inspector that the Vehicle has a valid Livery Registration Certificate;
 - (e) proof in a form satisfactory to the Chief Taxi Inspector that the Vehicle and all persons who may drive the Vehicle are covered by valid insurance that meets the requirements of Section 60;
 - (f) proof in a form satisfactory to the Chief Taxi Inspector that the applicant has a valid agreement with a Brokerage or a declaration that the Vehicle is owned and will be driven exclusively by the person applying for the License; and
 - (g) any other information that may be required by the Chief Taxi Inspector.
56. A person applying for a Vehicle for Hire License with a Limousine endorsement must provide proof in a form satisfactory to the Chief Taxi Inspector, that the Vehicle for which the endorsement will be issued is:
- (a) a stretch sedan or stretch sport utility Vehicle containing a limousine package interior;
 - (b) a specialized Vehicle containing a limousine package interior;
 - (c) a bus or motor coach containing limousine package interior;
 - (d) any other Vehicle approved by the Chief Taxi Inspector.

License Expiry

57. Unless suspended or cancelled pursuant to this Bylaw or as otherwise specified by the conditions contained on the License, every License is valid for a period of 1 year from the date it was issued.

Duty to Inform

58. If at any time during the term of a Vehicle for Hire License the Vehicle's registration or insurance policy, or the agreement with a Brokerage required in Section 55, is

suspended, cancelled, or expired, the Licensee must immediately notify the Chief Taxi Inspector.

Automatic Suspension

59. If at any time during the term of a Vehicle for Hire License, the Vehicle's registration or insurance policy, or the agreement with a Brokerage required in Section 55, is suspended, cancelled, or expired, the Vehicle for Hire License is deemed to be immediately suspended without prior notice to the Licensee.

Insurance Requirements

60. Every Driver and every Vehicle must be covered at all times by either:
- (a) a Vehicle liability policy that complies with the Insurance Act and provides coverage of not less than the limits prescribed in the Commercial Vehicle Certificate and Insurance Regulation; or
 - (b) a Vehicle liability policy or a transportation network automobile insurance policy that complies with the Insurance Act and the Transportation Network Companies Regulation and provides coverage of not less than the limits prescribed in the Transportation Network Companies Regulation.
61. The insurance required by Section 60 may be satisfied by a valid insurance policy held by:
- (a) a Brokerage that holds a valid Brokerage License, provided that the Brokerage is named insured on the policy;
 - (b) the Driver of a Vehicle for Hire;
 - (c) the owner of a Vehicle for Hire; or
 - (d) any combination of the persons listed in Section 61(a) through Section 61(c).
62. If the insurance required by this Bylaw expires, is suspended, or is cancelled, the policy holder must immediately notify the Chief Taxi Inspector.
63. Upon request of the Chief Taxi Inspector, a person listed in Section 63 must provide a complete copy of the insurance policy.
64. In a prosecution for a contravention of this Bylaw pertaining to insurance required by Section 60 and Section 61, the onus on proving that a valid insurance policy exists is on the person alleging the sufficiency of the insurance policy on a balance of probabilities.

Chauffeur Permit Application

65. A person applying for a Chauffeur permit must provide the following to the Chief Taxi Inspector:
- (a) a complete application, in the form prescribed by the Chief Taxi Inspector;
 - (b) the fees prescribed in the Fees, Rates and Charges Bylaw;
 - (c) proof in a form satisfactory to the Chief Taxi Inspector that the applicant holds a valid class 1, 2 or 4 provincial operator's license;
 - (d) the applicant's Alberta driver's abstract dated within a period of 30 days preceding the date of application and having less than 9 demerit points;
 - (e) a criminal record check, police information check and a vulnerable sector search dated within a period of 90 days preceding the date of the application and that complies with the requirements of Section 71;
 - (f) confirmation in writing from a Brokerage that the Applicant is affiliated with the Brokerage, unless the applicant is applying as an Independent Owner Operator; and
 - (g) any other information required by the Chief Taxi Inspector.

Duty to Inform

66. If, at any time during the term of the Chauffeur Permit, the Licensee's provincial operator's license expires, is suspended, or cancelled, the Licensee must immediately notify the Chief Taxi Inspector.
67. If, at any time during the term of the Chauffeur Permit, the Licensee is convicted of an offence under the Traffic Safety Act, the Licensee must immediately notify the Chief Taxi Inspector and provide an Alberta Driver's abstract dated after the conviction within a period of 30 days.
68. If at any time during the term of the Chauffeur Permit, the Licensee has a change of address, the Licensee must immediately notify the Chief Taxi Inspector.
69. If at any time during the term of the Chauffeur Permit, the Licensee is charged or convicted of an offence under the Criminal Code, Controlled Drug and Substances Act or the Cannabis Act, the Licensee must immediately notify the Chief Taxi Inspector.

Automatic Suspension

70. If, at any time during the term of the Chauffeur Permit, a Licensee's provincial operator's license expires, is suspended, or cancelled, the Chauffeur's Permit is

deemed to be immediately suspended without prior notice to the Licensee and must be returned to the Chief Taxi Inspector.

Convictions

71. No person may drive a Vehicle for Hire if, within the past 10 years, that person was convicted of any of the following offences under the Criminal Code, the Controlled Drug and Substances Act, or the Cannabis Act:
- (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 offence relating to the operation of a Vehicle.
72. If, when applying or renewing a Chauffeur's Permit, an applicant's police information check reveals a pending charge for any of the offences listed in Section 71 the Chief Taxi Inspector must refuse to issue a Chauffeur Permit until the charge is withdrawn or the matter is otherwise dealt with in a manner which does not result in a conviction.
73. If a Licensee is charged with any of the offences listed in Section 71, the Licensee's Chauffeur Permit is deemed to be immediately suspended without prior notice to the Licensee and must be returned to the Chief Taxi Inspector.

Brokerage License Application

74. A person applying for a Brokerage License must provide the following to the Chief Taxi Inspector:
- (a) a complete application, in the form prescribed by the Chief Taxi Inspector;
 - (b) proof in a form satisfactory to the Chief Taxi Inspector that the applicant has an agreement or agreements with Drivers to provide Dispatch services;
 - (c) the fees prescribed in the Fees, Rates and Charges Bylaw;

- (d) where the applicant is applying to Dispatch Transportation Network Vehicles,
 - (i) proof in a form satisfactory to the Chief Taxi Inspector that the applicant is approved as a transportation network company pursuant to the Transportation Network Companies Regulation; and
 - (ii) proof in a form satisfactory to the Chief Taxi Inspector of the total number of Transportation Network Vehicles that may be Dispatched by the applicant during the term of the License;
- (e) proof in a form satisfactory to the Chief Taxi Inspector that the applicant has a physical place of doing business in the Regional Municipality of Wood Buffalo; and
- (f) any other information required by the Chief Taxi Inspector.

Transitional

- 75. This Bylaw will apply to a Chauffeur Permit, Vehicle for Hire License or Brokerage License issued pursuant to the *Vehicle for Hire Bylaw* No. 13/001 and it shall be deemed valid under this Bylaw until its expiry, suspension, or cancellation pursuant to this Bylaw.
- 76. If a License deemed valid by the operation of Section 75 was subject to terms and conditions prior to the coming into force of this Bylaw, those same terms and conditions are deemed to be applicable to the License pursuant to this Bylaw.

PART 6. ROLE OF THE CHIEF TAXI INSPECTOR

License Review

- 77. The Chief Taxi Inspector may suspend, cancel, or refuse to issue a License and may impose any terms and conditions on a License for the following reasons:
 - (a) the applicant or Licensee does not or no longer meets the requirements of this Bylaw;
 - (b) the applicant or Licensee has been convicted of a federal or provincial offence not listed in Section 71, including but not limited to the Criminal Code, Controlled Drug and Substances Act and Cannabis Act;
 - (c) the applicant, Licensee or any of its officers, employees, agents, or affiliates where the Licensee is a company:
 - (i) furnishes false information or misrepresents any fact or circumstance to a Bylaw Enforcement Officer or the Chief Taxi Inspector;

- (ii) has, in the opinion of the Chief Taxi Inspector based on reasonable grounds, contravened this Bylaw whether or not the contravention has been prosecuted;
 - (iii) fails to pay a fine or obey any order issued by a court for a contravention of this Bylaw;
 - (iv) fails to pay any fee required by this Bylaw;
- (d) in the opinion of the Chief Taxi Inspector, based on reasonable grounds it is in the public interest to do so.

Notice to Licensee

78. Upon suspension, cancellation, or refusal to issue a License, the Chief Taxi Inspector must provide the applicant or Licensee with:
- (a) notice in writing of the proposed refusal, suspension, or cancellation; and
 - (b) reasons for the proposed refusal, suspension, or cancellation.
79. Upon issuing a License subject to conditions or otherwise imposing conditions on a License, the Chief Taxi Inspector must provide the applicant or Licensee with:
- (a) notice in writing of the conditions; and
 - (b) reasons for the conditions.

Review

80. Within 14 days of the Chief Taxi Inspector's written notice under Section 78 or Section 79, the applicant or Licensee may request that the Chief Bylaw Officer review the Chief Taxi Inspector's decision to suspend, cancel or refuse to issue a License or to impose conditions, in the manner prescribed by the Chief Taxi Inspector.
81. Where the Chief Bylaw Officer receives a request to review pursuant to Section 80:
- (a) the Chief Bylaw Officer must review the Chief Taxi Inspector's decision;
 - (b) the Chief Bylaw Officer may uphold the decision of the Chief Taxi Inspector or vary it by issuing a License, refusing to issue a License, suspending a License, cancelling a License, or imposing the same or other conditions; and
 - (c) the Chief Bylaw Officer must provide the applicant or Licensee with written notice of their decision within 30 days of the request for review.

82. Notwithstanding Section 80 or Section 81, the Chief Bylaw Officer shall not be required to review a decision of the Chief Taxi Inspector to suspend, cancel or refuse to issue a License or impose conditions where the reason is:
- (a) a failure by the applicant or Licensee to pay a required fee;
 - (b) a failure to provide any information required by this Bylaw for the issuance of a License; or
 - (c) the automatic suspension or cancellation of a License under this Bylaw.

Chief Taxi Inspector

83. In addition to any other power, duty, or function prescribed by this Bylaw, the Chief Taxi Inspector may:
- (a) designate Vehicles or classes of Vehicles as exempt from all or some of the requirements of this Bylaw;
 - (b) prescribe contact information for the Municipality that must be displayed in Vehicles for Hire;
 - (c) prescribe the form of Chauffeur Permit, Vehicle for Hire License, or Brokerage License;
 - (d) prescribe application forms for Licenses issued pursuant to this Bylaw;
 - (e) prescribe colors and markings for Vehicles for Hire;
 - (f) prescribe Driver training requirements;
 - (g) approve classes of Vehicles as Limousines;
 - (h) prescribe requirements for agreements with Brokerages as required by this Bylaw;
 - (i) modify or waive any requirement for issuance of a License pursuant to this Bylaw, including reduction or waiving of a fee required by the Fees, Rates and Charges Bylaw;
 - (j) carry out any inspection necessary to determine compliance with this Bylaw; and
 - (k) delegate any power, duty, or function under this Bylaw.

PART 7. ENFORCEMENT

Offence

84. A person who contravenes this Bylaw is guilty of an offence.

Continuing Offence

85. 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 is guilty of such an offence is liable to a fine for each such day.

Fines and Penalties

86. A person who is guilty of an offence is liable, upon summary conviction, to a penalty in an amount:

- (a) not less than that specified in Schedule "B" of this Bylaw;
- (b) where there is no penalty specified in Schedule "B" of this Bylaw, to a penalty of \$200; and
- (c) not exceeding \$10,000, and to imprisonment for not more than 6 months for non-payment of a fine.

87. Despite Section 86, where a person has been convicted of contravening the same provision of this Bylaw

- (a) 2 times within a 36-month period, the specified penalty payable in respect of the second conviction is double the amount specified in Schedule "B" or where there is no penalty specified in Schedule "B", to a penalty of \$400;
- (b) 3 or more times within a 36-month period, the specified penalty payable in respect of the third or subsequent provision is triple the amount specified in Schedule "B" or where there is no penalty specified in Schedule "B", to a penalty of \$600.

88. Despite Section 86 and Section 87, where a Violation Ticket is issued under Part 2 of the Provincial Offences Procedures Act and the Bylaw Enforcement Officer has elected not to specify a penalty on the Violation Ticket, a person who is convicted of an offence under this Bylaw is liable on summary conviction to:

- (a) a penalty not to exceed \$10,000; and
- (b) the Court is not bound by the specified penalty amount in Schedule "B", provided that the fine amount shall not be less than the penalty specified in Schedule "B".

Municipal Tag

89. A Municipal Tag may be issued for an offence under this Bylaw.
90. If a Municipal Tag is used in respect of an offence, the Municipal Tag must specify:
- (a) the name of the person;
 - (b) the offence;
 - (c) the fine amount as established by this Bylaw; and
 - (d) the fine amount shall be paid within 14 days of the issuance of the Municipal Tag.

Payment in Lieu of Prosecution

91. If a Municipal Tag is issued in respect of an offence under this Bylaw, the person to whom the Municipal Tag is issued may make a voluntary payment equal to the penalty specified on the Municipal Tag in lieu of prosecution.
92. Where the voluntary payment referred to in Section 91 is received within 14 days of the day of issuance of the Municipal Tag, the specified penalty shall be reduced by 40% and such reduced payment shall be accepted in lieu of prosecution.

Violation Ticket

93. If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, a Bylaw Enforcement Officer may issue a Violation Ticket in accordance with the Provincial Offences Procedure Act, to any person whom the Bylaw Enforcement Officer has reasonable and probable ground to believe has contravened this Bylaw.

Proof of License

94. The onus of proving that a person has a valid License for the purpose of this Bylaw is on the person alleging the License on a balance of probabilities.

Proof of Exemption

95. The onus of proving that a person is exempt from a requirement of this Bylaw is on the person alleging the exemption on a balance of probabilities.

Vicarious Liability

96. For the purpose of this Bylaw, an act or omission by an employee or agent of a person or company is deemed to be an act or omission of the person or company if the act or omission committed occurred in the course of the employee's employment or agency relationship with the person or company.

Corporations

97. If a corporation commits an offence under this Bylaw, every principal, director, manager, officer, employee, or agent of the corporation who authorized, assented to, acquiesced, or participated in the act or omission that constitutes the offence is guilty of the offence.

Partnerships

98. If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership, director, manager, officer, employee, or agent of the corporation who authorized, assented to, acquiesced, or participated in the act or omission that constitutes the offence is guilty of the offence.

Repeal

99. The *Vehicle for Hire Bylaw* No. 13/001 and all amendments are repealed.

Coming into force

100. This Bylaw comes into force when it is passed.

Read a first time this 10th day of May, 2022.

Read a second time this 14th day of June, 2022.

Read a third time and final time this 14th day of June, 2022.

Signed and Passed this 15th date of June, 2022


Mayor


Chief Legislative Officer

Schedule “A” – Rates

1. A Vehicle for Hire may charge the customer on the basis of either Taxi Meter rate pricing in accordance with Section 2 of this Schedule or a flat rate in accordance with Section 3 of this Schedule.
2. The fare to be charged when using Taxi Meter rate pricing shall be no greater than the following:
 - (a) \$5.00 for the first 52 meters travelled or any portion thereof;
 - (b) \$0.15 for each additional 52 meters travelled or any portion thereof; and
 - (c) \$0.60 per minute for waiting time.
3. The fare to be charged when using flat rate pricing must be communicated to the customer prior to the trip commencing.
4. A Driver may accept gratuities.

Schedule “B” – Penalties

Section	Offence	Specified Penalty
6(a)	Drive, or cause or permit the driving of a Vehicle for Hire without a valid operator's license	\$1,000
6(b)	Drive, or cause or permit the driving of a Vehicle for Hire without a valid chauffeur permit	\$1,000
7	Drive, or cause or permit the driving of a Vehicle for Hire without a valid Vehicle for Hire License	\$1,000
8	Dispatch without holding a Brokerage License	\$1,000
9	Operate a Vehicle for Hire without Livery Registration Certificate	\$500
10	Operate with no insurance	\$1,000
11(a)	Fail to display Brokerage information	\$500
11(b)	Fail to display information of Municipality	\$200
11(c)	Fail to display Chauffeur Permit	\$200
13	Fail to produce	\$500
14	Fail to have meter accuracy certified	\$500
15	Fail to produce Vehicle for inspection or proof of mechanical inspection as required	\$500
23(a)	Fail to take most economical route	\$500

23(b)	Driver fails to be professional and courteous	\$200
23(c)	Use cellular telephone or other device while transporting a passenger	\$200
23(e)	Driver fail to check Vehicle for/deal with passenger property	\$200
24	Passenger fail to pay fare	\$500
30	Section 30 requirements not met	\$500
44	Brokerage fail to retain records	\$500
51	Fail to return Chauffeur Permit or Vehicle for Hire License to Chief Taxi Inspector	\$500