



City of
Peterborough

The Corporation of the City of Peterborough

By-Law Number 24-[Insert number]

Being a By-law to amend Licensing By-law 21-075 and User Fees By-law 23-159 to establish a licensing system for Driving Services

The Corporation of the City of Peterborough by its Council hereby enacts as follows:

1. Licensing By-law 21-075 is amended by adding Schedule B: Driving Services in the form comprising Schedule A to this By-law.
2. Schedule A to User Fees By-law 23-159 is amended by adding under the Legislative Services Department, Clerks Administration section under the general ledger header, 10290-420000 Business Licences, the following fees per annum per licence:
 - a) Vehicle for Hire – Broker \$250
 - b) Vehicle for Hire – Driver \$50
3. The following By-laws are repealed:
 - a) By-law 14-141, being a By-law to Delegate Authority to the Peterborough Police Services Board to license, regulate and govern the owners and drivers of Taxicabs in the City of Peterborough;
 - b) By-law 14-142, being a By-law to delegate authority to the Peterborough Police Services Board to license, regulate and govern the owners and drivers of limousines in the City of Peterborough; and
 - c) By-law 19-057, being a By-law to Delegate Authority to the Peterborough Police Services Board to license, regulate and govern the owners and drivers of Transportation Network Companies in the City of Peterborough.
4. This By-law is in effect on August 31, 2024.

By-law passed this 24th day of June, 2024.

Jeff Leal, Mayor

John Kennedy, City Clerk

Schedule A to By-law 24-XXX

Schedule B: Driving Services

Interpretation

1. In this By-law:
 - a) “Accessible Vehicle for Hire” means a Vehicle for Hire that that is designed or modified so as to be capable of being used for the purpose of transporting individuals with disabilities whether or not it is also used to transport individuals without disabilities;
 - b) “App” means any software or application or telecommunications platform capable of connecting a Driver and a Passenger for the purposes of the services of a Vehicle for Hire;
 - c) “Broker” means a Person to whom or to which a Broker’s Licence has been issued pursuant to this By-law.
 - d) “Broker’s Licence” means a Licence issued to a Broker pursuant to this By-law.
 - e) “Dispatch” means the act or service of sending or directing a Vehicle for Hire to an individual who has requested the services of a Vehicle for Hire but does not include a Hail.
 - f) “Driver” means an individual to whom or to which a Driving Services Licence has been issued pursuant to this By-law.
 - g) “Driving Services Licence” means a Licence issued to a Driver pursuant to this By-law.
 - h) “Fare” means the total consideration to be given or paid for a Trip.
 - i) “Hail” means the act of an individual who solicits directly from a Driver the services of a Vehicle for Hire.
 - j) “MTO” means the Ontario Ministry of Transportation.
 - k) “Officer” is as defined in the City’s Inspection By-law 23-112.
 - l) “Passenger” means each individual in a Vehicle for Hire other than the Driver.
 - m) “Taximeter” means a device that, for each Trip, measures:
 - i) the distance traveled by a Vehicle for Hire; and
 - ii) that part or those parts of the Fare to be charged for waiting time.
 - n) “Trip” means the route, distance and time travelled from the time and location at which a Passenger enters the Vehicle for Hire until the time that the Passenger exits the Vehicle for Hire at the final destination.
 - o) “Vehicle for Hire” means a motor vehicle as defined in the Highway Traffic Act having a seating capacity of not more than nine (9) individuals, exclusive of the driver, that is used to offer, facilitate or provide transportation of one or more individuals for compensation.

Driving Services Licence Applications

2. The City Clerk may refuse to issue a Driving Services Licence unless the City Clerk is satisfied that the Applicant is an individual who:

- a) holds a current, valid Class G driver's licence issued by the Province of Ontario pursuant to the Highway Traffic Act;
 - b) is the subject of a satisfactory Police Record Check for individuals seeking to serve vulnerable sectors of the population dated no earlier than ninety (90) days prior to the date that the Application is submitted; and
 - c) is the subject of a satisfactory Statement of Driving Record issued by MTO no earlier than thirty (30) days prior to the date that the Application is submitted.
3. A Broker may, if permitted by the City Clerk, and must, if directed by the City Clerk, exercise the authority delegated to the City Clerk pursuant to sections 10, 11, 12 and 13 of this By-law and pursuant to section 2 of this Schedule B respecting Drivers and Driving Services Licences, subject to compliance with those sections, to any conditions or directions related to the permission imposed or given by the City Clerk and to the following:
- a) the Broker must refuse to accept an Application that does not comply with section 10 of this By-law;
 - b) the Broker must refuse to issue a Driving Services Licence that does not comply with section 2 of this Schedule B;
 - c) the Broker must not collect personal information except:
 - i) personal information that relates only to the Applicant;
 - ii) directly from the Applicant;
 - iii) after giving notice to the Applicant in a form acceptable to the City Clerk and pursuant to subsection 28(2) of the Municipal Freedom of Information and Protection of Privacy Act;
 - iv) with the Applicant's consent given only after the individual has received the notice referred in the immediately preceding clause iii); and
 - v) only such personal information that, in the City Clerk's determination, is necessary to the proper administration of the Driving Services Licence.

Driving Services Licences

4. No Person may operate or provide the services of a Vehicle for Hire except a Driver pursuant to a Driving Services Licence and except pursuant to the following conditions, each of which is a condition of obtaining and continuing to hold a Driving Services Licence:
- a) the Driver:
 - i) complies with this By-law;
 - ii) holds a current, valid Class G driver's licence issued by the Province of Ontario pursuant to the Highway Traffic Act;
 - iii) carries on the Driver's person a copy of the Driver's Driving Services Licence;
 - iv) forthwith produces for inspection the Driver's Driving Services Licence when requested to do so by an Officer, the City Clerk or by a Passenger;
 - v) takes the most direct route for the Trip except as otherwise directed by a Passenger;

- vi) forthwith provides to a Passenger when requested to do so by the Passenger a receipt showing the:
 - (1) Driver's full name and Driving Services Licence number;
 - (2) Date and time of the Trip;
 - (3) Trip's points of origin and destination; and the
 - (4) Fare for the Trip including applicable taxes;
- b) the Driver does not operate or provide the services of a Vehicle for Hire in response to a:
 - i) Dispatch except a Dispatch by a Broker who or that complies with this By-law; or to a
 - ii) Hail except in compliance with the conditions applicable to Hails as set out in section 5 of this Schedule B;
- c) the Driver complies with the conditions applicable to:
 - i) Fares as set out in section 6 of this Schedule B; and to
 - ii) Vehicles for Hire as set out in section 7 of this Schedule B.

Hails

- 5. No Driver may operate or provide the services of a Vehicle for Hire in response to a Hail except pursuant to the following conditions applicable to Hails:
 - a) the Vehicle for Hire is equipped with a Taximeter;
 - b) The Taximeter is:
 - i) attached to the Vehicle for Hire in such a position that the Fare computed thereon is visible from any seated position within the Taximeter;
 - ii) illuminated and is clearly visible to each Passenger;
 - iii) maintained in good working order;
 - iv) functioning at all times during a Trip;
 - v) accurately computing Fares;
 - vi) sealed and re-sealed from time to time to the City Clerk's satisfaction;
 - vii) used only when its seal is intact; and is
 - viii) submitted for inspection and testing from time to time as and when directed by the City Clerk or by a Broker.

Fares

- 6. A Driver must not demand or accept consideration, payment or compensation for a Trip except a Fare pursuant to the following conditions applicable to Fares:
 - a) the Fare for each Trip is accurately computed by an App or by a Taximeter;
 - b) the Fare must not include a charge for transporting a Passenger's accessibility devices, if any;

- c) if requested by the Passenger, the Driver must accept payment of the Fare by credit card or debit card;
- d) where the Fare is computed by a Taximeter, the maximum Fare must not exceed by 100% the least expensive Fare that would have been paid for the same Trip within the four-day period immediately preceding the Trip;
- e) where the Fare is computed by an App, the maximum Fare must not:
 - i) exceed the aggregate of all amounts comprising the Fare for which the App has notified the Passenger prior to the commencement of the Trip; and must not
 - ii) exceed by 100% the least expensive Fare that would have been paid for the same Trip within the four-day period immediately preceding the Trip.

Vehicles for Hire

- 7. No Person may operate a Vehicle for Hire except a Driver pursuant to the following conditions applicable to Vehicles for Hire:
 - a) it is solely owned by the Driver or, alternatively, is operated by the Driver as a Vehicle for Hire pursuant to an agreement in writing with all owners of the Vehicle for Hire;
 - b) it is, in the City Clerk's determination, adequately insured for its use as a Vehicle for Hire;
 - c) it is mechanically sound and safe for use as a Vehicle for Hire;
 - d) without limiting the immediately preceding paragraph c), it has been inspected at an inspection station licensed by MTO and has met the minimum safety standards evidenced by a safety standards certificate issued by or on behalf of MTO on a day that is no earlier than twelve (12) months prior to any day on which the Vehicle for Hire is operated;
 - e) the Driver's Driving Services Licence is prominently displayed within the Vehicle for Hire so as to be readable at all times by each Passenger;
 - f) the Driver's Driving Services Licence number is prominently affixed to and displayed on the Vehicle for Hire's exterior in reflective characters not less than fifteen (15) centimetres in height in a colour that contrasts with the Vehicle for Hire's colour so as to be readable at all times; and
 - g) it is equipped to accept payments by debit card and credit card.

Brokers' Licences

- 8. No Person may Dispatch except a Broker pursuant to a Broker's Licence and except pursuant to the following conditions, each of which is a condition to obtaining and continuing to hold a Broker's Licence:
 - a) the Broker complies with this By-law;
 - b) the Dispatch is to a Driver;
 - c) the Vehicle for Hire is operated by a Driver;
 - d) the Driver complies with this By-law;
 - e) if the Vehicle for Hire is not equipped with a Taximeter, the Dispatch is undertaken via an App;

- f) if the Dispatch is undertaken other than via an App, the Driver complies with the conditions applicable to Hails set out in section 5 to this Schedule B.
- g) the Broker maintains a record of each request of the Broker for Dispatch including:
 - i) the date and time of each such request;
 - ii) the proposed commencement point and destination point of the Trip the subject of the request;
 - iii) if the request for Dispatch was cancelled or if the Trip was not completed, the reasons for such cancellation or failure to complete the Trip;
 - iv) for each Trip, the time of the Vehicle for Hire's arrival at
 - (1) the commencement point; and at
 - (2) the destination point;
 - v) the Fare; and
 - vi) the Driver's name and Driving Services Licence number.
- h) where the number of Drivers to whom the Broker may Dispatch exceeds twenty-five, irrespective of the number of such Drivers who are, at any time, engaged in operating or providing the services of a Vehicle for Hire, the Broker should encourage the provision of no fewer than the greater of the following numbers of Drivers operating or providing the services of Accessible Vehicles for Hire:
 - i) one; and
 - ii) one for every ten Vehicles for Hire then being operated by such Drivers.