

The Corporation of The Town of Ajax By-Law 75-2025

Being a By-law to Licence and regulate the operation of private Transportation Services in the Town of Ajax.

Whereas, Section 8(1) of the Municipal Act 2001, S.O. 2001, c. 25, as amended (the "Act") provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

Whereas, under Subsection 8(3) of the Act the by-laws of a municipality may regulate or prohibit regarding a certain matter, and may require a Person to do certain things or provide for a system of Licences respecting that matter;

Whereas, Section 11 of the Act provides that a lower-tier municipality may pass by-laws respecting the health, safety and well-being of Persons and respecting the protection of Persons and property, including consumer protection;

Whereas, Section 151 of the Act provides that without limiting Sections 9, 10, and 11 of the Act, a municipality may provide for a system of Licences with respect to a business;

Whereas, Section 156 of the Act provides further authority for the licensing, regulating and governing of the Owners and drivers of Taxicabs;

Whereas, Section 391 of the Act enables a municipality, without limiting Sections 9, 10 and 11 of the Act, to pass a by-law imposing fees or charges for services or activities provided or done by or on behalf of it;

Whereas, the Council of The Corporation of the Town of Ajax has determined that it is appropriate and desirable to license Taxicabs and transportation network companies for the purpose of ensuring the health and safety of both Passengers and drivers, for the protection of Persons and property, and to ensure consumer protection;

Therefore, it is enacted as a By-law of the Corporation of the Town of Ajax as follows:

1. Short Title

1.1. This By-law may be cited as the "Private Transportation Company By-law"

2. Definitions

2.1. In this by-law,

- a) "Accessible Taxicab" means a Taxicab for hire or reward which is equipped for the transportation of Passengers unable to board regular vehicles without assistance due to a physical disability;
- b) "Affiliated" means a Person registered with a TNC or under contract to a brokerage and "affiliation" has a corresponding meaning;
- c) "Applicant" means a Person applying for a Licence or a renewal of a Licence and "application" has a corresponding meaning;
- d) "Auxiliary Service" means a pre-arranged service calculated at an hourly rate that, in addition to transportation, provides additional support and assistance to the customer such as door-to-door accompaniment, attending appointments, assisting with purchases or other special needs services;
- e) "CRC" means a Criminal Reference Check containing the results of a search of the Canadian Police Information Centre that includes a list of all criminal convictions for which a pardon has not been received;

- f) "Clerk" means the Clerk of the Town of Ajax, or their designate;
- g) "Committee" means the Committee of Council to which Council has delegated the responsibility of handling licensing matters;
- h) "Council" means the Council of the Town;
- i) "Dispatch" means to communicate orders or other information in any manner to a driver;
- j) "Dispatcher" means a Person whose employment duties include accepting orders and/or Dispatching those orders to Taxicab Drivers;
- k) "Driver's Abstract" means a Driver Record Search issued by the Ministry of Transportation;
- l) "Fare" means the amount charged to a Person for a trip;
- m) "Good Condition" means all equipment is functional and damage free; such as headlights, brake lights and directional indications are in working condition and the vehicle is operating without Mechanical Defect;
- n) "Identification" when used in relation to a TNC driver, means information in written or accessible electronic form including;
 - i. the first name and photograph of the TNC Driver;
 - ii. the make, model and Licence plate number of the TNC Vehicle(s) used by the TNC Driver
 - iii. the name and contact information of the TNC; and
 - iv. the Insurance policy coverage for the TNC Vehicle;
- o) "Licence" means a Licence issued by the Town under the provisions of this By-law;
- p) "Licensed" means Licensed under this by-law;
- q) "Licensee" means any Person Licensed under this By-law;
- r) "Licensing Officer" means a Person appointed by the Town to issue Licences, and includes a Person appointed by Council for the express purpose of issuing Licences under this By-law and/or enforcing the By-law of the Town;
- s) "Limousine" which, without limiting the following, includes stretched Limousine, executive Limousine, and van Limousine, means a Motor Vehicle which does not bear any Identification other than the Provincial Motor Vehicle Licence, which does not have a Taximeter, roof light, or two-way radio (or similar device) and which is kept or used for hire for the conveyance of Passengers pursuant to a written contract or invoice solely on an hourly or fixed fee basis with a minimum fee or charge of not less than fifty dollars for a single conveyance;
- t) "Maintenance Log" means a record of written information relating to the repair of a Taxicab including the Ontario Licence plate number, Taxicab Plate Number, make, model and year of the Taxicab, the nature of the repair, the date of the repair, the name of the Person performing the repair, and confirmation that the Owner of the Taxicab was notified of the repair;
- u) "Mechanical Defect" means damage to, failure of, or excessive wear of any component or feature of a Motor Vehicle or part thereof;
- v) "Motor Vehicle" includes any automobile or any other device for the transportation of Persons or goods propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways or other Motor Vehicles running only upon rails, a motorized snow vehicle, a traction

engine, a farm tractor, a self-propelled implement of husbandry or road building machine within the meaning of the Highway Traffic Act;

- w) "Operate", includes driving a Taxicab or TNC Vehicle and making it available to the public in service as a Taxicab or for Transportation Service in relation to a TNC Vehicle and includes when the TNC Driver is logged into or otherwise accessing the TNC Platform, and "operation" has a corresponding meaning;
- x) "Owner" means the Person who holds a Taxicab Broker Licence or a TNC Licence, and in the absence of a Licence, means the Person who has care, control or Ownership of the entity operating the Taxicab or TNC.
- y) "Passenger" means any Person other than the driver seated in a Taxicab or TNC Vehicle or any Person engaging or attempting to engage the services of a TNC Vehicle or Taxicab;
- z) "Person" includes an individual, a sole proprietorship, a partnership, an unincorporated association, a trust, and a body corporate;
- aa) "Person with a disability" has the same meaning as in the Accessibility for Ontarians with Disabilities Act 2005. S.O. 2005, c.11,
- bb) "Platform" means any software, technology, or service, including a smartphone application which permits Passengers to obtain and pay for transportation;
- cc) "Rate" means a charge per unit of freight or Passenger service;
- dd) "Registered Owner" means the Owner of a vehicle according to the records maintained by the Registrar of Motor Vehicles for the Province of Ontario;
- ee) "Service Animal" means an animal trained by a recognized school for service as a guide dog for the blind or visually impaired, a guide dog for the deaf or hearing impaired, or a special skills dog for other Persons with a disability and includes an animal used in therapy, registered with a recognized organization for that purpose;
- ff) "Solicit" means to appeal for a Passenger by sound, words, signs or gestures directed at any Person, but does not include communication over a TNC Platform;
- gg) "Street Hail" means to appeal for a ride by a Person using sounds, words, signs or gestures directed at a Taxicab or TNC Driver, but does not include communication over a TNC Platform;
- hh) "Tariff Card" means the original card issued by the Town displaying the maximum rates and/or Fares to be charged under this By-law for the conveyance of goods and Passengers;
- ii) "Taxicab" means any vehicle used for hire in the conveyance of Persons from a place within the Town to any point inside or outside of the Town, but does not include a bus Operated by Durham Region Transit, a TNC vehicle, an Auxiliary Service vehicle, a vehicle used by a Designated Driver Service, an ambulance, a funeral hearse, a Limousine or a vehicle described in subsection 156(2) of the Municipal Act, 2001;
- jj) "Taxicab Broker" means any Person who carries on the business of accepting orders for, or Dispatching in any manner to, two or more Licensed Taxicabs and "brokerage" has a corresponding meaning;
- kk) "Taxicab Driver" means a Person authorized to Operate a Taxicab by the Taxicab Owner;

- ll) "Taxicab Owner" means the Person who owns the Taxicab and includes the Registered Owner,
- mm) "Taxicab Plate" means a metal plate issued by the Town bearing a number to identify a Taxicab in respect of which a Licence has been issued;
- nn) "Taxicab Plate Number" means the number on a Taxicab Plate;
- oo) "Taxicab Plate Owner" means a Person who is the Owner of a Taxicab Plate according to Town records;
- pp) "Taximeter" means an instrument or device attached to a Taxicab which measures mechanically or electronically the distance driven and the waiting time upon which a Fare may be charged and which computes the amount of the Fare that may be charged for any trip for which such a Fare is chargeable;
- qq) "Transportation Network Company" and "TNC" means a Person that, in any manner, facilitates Transportation Services using a Platform to connect a Passenger with a TNC Driver or a TNC Vehicle;
- rr) "Transportation Network Company Driver" means a Person registered or Affiliated with a TNC that transports a Passenger using a TNC Platform and may also be referred to as a "TNC Driver";
- ss) "Transportation Network Company Identifier" means a sign, including a decal, displaying the logo or name of the TNC, in a form approved by the Town and may also be referred to as a "TNC Identifier";
- tt) "Transportation Network Company Licence" means a Licence issued under this By-law to a TNC and may also be referred to as a "TNC Licence";
- uu) "Transportation Network Company Vehicle" means a Motor Vehicle used by a TNC Driver to provide Transportation Services to a Passenger using the TNC Platform and may also be referred to as a "TNC Vehicle";
- vv) "Transportation Service" means a trip arranged through a Platform commencing when a Passenger enters the TNC Vehicle, continuing for the period that the TNC Vehicle is continuously occupied, and ending when all Passengers exit the TNC vehicle;
- ww) "Town" means the Corporation of the Town of Ajax;
- xx) "Trip" means the distance and time traveled or the distance and time to be traveled, measured from the time and point at which the Passenger first enters the Taxicab or when the Taxicab meter is first engaged, to the time and point at which the Passenger finally leaves the Taxicab or the Taximeter is disengaged;
- yy) "Trip Record" means an electronic or handwritten daily record of the following information;
 - i. the provincial Motor Vehicle Licence plate of the Taxicab;
 - ii. the Town Taxicab Plate Number of the Taxicab;
 - iii. the name of the Taxicab Driver;
 - iv. the Taximeter readings at the start and finish of a Taxicab Driver's working period;
 - v. the date, time and location of the beginning and the final destination of each trip, including any stops requested by a Passenger en route;
 - vi. the amount of the rates and Fares collected for each trip; and
 - vii. any Mechanical Defects and interior or exterior damage.

2.2. Whenever a word importing the singular number only is used in this By-Law, such word shall include the plural. Words importing either gender, firms or corporations shall include the other gender and individuals, firms or corporations, if applicable.

3. LICENCE APPLICATION, SUSPENSION AND REVOCATION

Application - All Licences

- 3.1. Every Applicant for a Licence shall complete such Licence application forms as may be provided from time to time by the Licensing Officer in accordance with the requirements of this By-law and shall provide all information requested thereon.
- 3.2. In the case of an Applicant that is a partnership the application shall be signed by all of the partners and in the case of an Applicant that is a corporation, application shall be made by an officer of the corporation and not by an agent thereof.
- 3.3. At the time of submission of an application, every Applicant for a Taxicab Broker or TNC Licence shall pay to the Town the fee set forth in the Town's Charges and Fees By-law. Such fee shall not be reduced in the event that the period for which the Licence is granted is less than one year.
- 3.4. Receipt of the application and/or the Licence fee by the Town shall not represent approval of the application for the issuance of a Licence nor shall it obligate the Town to issue such Licence.
- 3.5. Without limiting the generality of any other provision in this By-law, Persons associated in a partnership applying for a Licence under this By-law shall file with their application a statutory declaration, in writing, signed by all members of the partnership, which declaration shall state:
 - (a) the full name of every partner and the address of their ordinary residence;
 - (b) the name or names under which they carry on or intend to carry on business;
 - (c) that the Persons therein named are the only members of the partnership; and
 - (d) the mailing address for the partnership.
- 3.6. Without limiting the generality of any other provision in this By-law, every corporation applying for a Licence shall file with the Licensing Officer, at the time of making its application, a copy of its articles of incorporation or other incorporating documents and shall file a statutory declaration, in writing signed by an officer of the corporation, which declaration shall state:
 - (a) the full name of every shareholder and director and the address of their ordinary residence;
 - (b) the name or names under which it carries on or intends to carry on business;
 - (c) that the Persons therein named are the only shareholders of the corporation;
 - (d) the mailing address for the corporation.
- 3.7. The Licensing Officer shall issue the Licence only where;
 - (a) all the information which the Applicant is required to provide under this By-law has been provided, and verified;
 - (b) all the documents which the Applicant is required to provide under this By-law have been provided;
 - (c) the Licence fee is paid;

- (d) the investigations do not disclose that the issuing of such Licence may be adverse to the public interest; and
 - (e) the Licensing Officer has no grounds to believe the Applicant will not conduct themselves in accordance with the law or with honesty and integrity.
- 3.8. The Town will consider all CRCs and Driver's Abstracts that are free of convictions as clear. CRC's and/or Driver's Abstracts that contain convictions must be reported to the Town and will be processed on a case by case basis, with consideration given to how long ago the conviction was registered and the nature of the conviction in relation to public safety.
- 3.9. Every Taxicab Broker or TNC shall notify the Town forthwith in the event of any change to the status of their Driver's Abstract or CRC during the term of a Licence.

Application - Taxicab Broker Licence

- 3.10. An application for a new Taxicab Broker Licence or a renewal of a Taxicab Broker Licence shall be completed on a prescribed form provided by the Town of Ajax and be accompanied by:
- a) the address and contact information of the Taxicab Broker's registered business address in the Province of Ontario, which is not a post office box, to which the Town may send during business hours any notice or documentation or communication that may be required under this By-law and at which the Applicant or the Applicant's agent will accept receipt of such notice,
 - b) documentation with the name, telephone, and email contact information for the Person authorized to receive and respond on behalf of the Taxicab Broker to any and all communications from the Town relating to the Taxicab Broker's Licence or the Taxicab Broker's conduct of its business;
 - c) the number of vehicles that are being used as Taxicabs and Accessible Taxicabs with their corresponding Ontario Licence plate number and vehicle registration number;
 - d) a list of Taxicab Plates and Taxicab Plate Numbers in the possession of the Taxicab Broker;
 - e) payment of the appropriate Licence Fee as set out in the Town's Fees and Charges By-law,
 - f) any other information required by the Town.

Application – TNC

- 3.11. An application for a new TNC Licence or a renewal of a TNC Licence shall be accompanied by:
- a) the address and contact information of the TNCs registered business address in the Province of Ontario, which is not a post office box, to which the Town may send during business hours any notice or documentation or communication that may be required under this By-law and at which the Applicant or the Applicant's agent will accept receipt of such notice,
 - b) documentation or communication together with the name, telephone, and email contact information for the Person authorized to receive and respond on behalf of the TNC to any and all communications from the Town relating to the TNC's Licence or the TNC's conduct of its business;
 - c) a TNC Identifier for approval by the Town;

- d) evidence satisfactory to the Town that there are data security measures in place to protect the Personal data collected by the TNC relating to Passengers and TNC Drivers;
- e) documentation demonstrating that the Platform used provides to the Passenger requesting the Transportation Service at the time the Transportation Service:
 - i.the TNC name and contact information;
 - ii.the first name and a photograph of the TNC Driver;
 - iii.the make, model and Licence plate of the TNC vehicle;
 - iv.the total cost; and
 - v.the current location of the TNC Vehicle.
- f) a list of every Affiliated TNC Driver and TNC Vehicle that has Operated in the Town in the previous 3 months, in a readily accessible format that includes:
 - i.the full name and address of every TNC Driver; and
 - ii.the make, model and Licence plate of every TNC Vehicle.
- g) proof of the insurance required by this By-law;
- h) payment of the appropriate Licence Fee as set out in the Town's Fees and Charges By-law,
- i) any other information required by the Town.

Insurance

3.12. The following insurance requirements shall apply:

- a) Every Taxicab Broker or TNC shall maintain proof of commercial general liability insurance against all claims for Personal injury including bodily injury resulting in death, and property damage with an inclusive limit of not less than five million (\$5,000,000.00) per occurrence insuring against liability imposed by law for any loss or damage resulting from the carrying on of the business to which the Licence relates.
- b) The commercial general Liability policy shall be in the name of the Taxicab Broker or TNC and the Town of Ajax shall be included as an additional insured.
- c) Every Taxicab Broker or TNC shall ensure that each owned, non-owned, or leased Taxicab or TNC Vehicle operating under the authority of their licence is equipped with valid Automobile Liability Insurance. This insurance must meet the minimum coverage limits of Two Million Dollars (\$2,000,000.00) per occurrence, exclusive of costs and interest, for bodily injury, death, and property damage occurring during the post-acceptance period. The coverage shall include the IPCF 6TN Permission to Carry Paying Passengers for a Transportation Network endorsement or an equivalent endorsement acceptable to the Town. The Taxicab Broker or TNC shall verify and maintain records demonstrating compliance with these insurance requirements for all vehicles operating under their dispatch.
- d) The insurance coverage required shall include a provision that requires the insurer to provide the Town with no less than 10 days prior written notice of any cancellation or variation to the policy.
- e) Every Taxicab Broker or TNC shall keep such records of the driver's insurance coverage for a period of 3 years after the driver ceases to be Affiliated with the Taxicab Broker or TNC.
- f) Every Taxicab Broker or TNC shall produce proof of any driver's insurance coverage to the Town upon request of a Licensing Officer.

Licence Issuance, Suspension and Revocation

- 3.13. Where the Licensing Officer determines that a Licence should not be issued as a result of any matter in Sections 3.1 to 3.12 of this By-law they shall notify the Applicant.
- 3.14. Where an Applicant advises the Licensing Officer in writing that they dispute the determination made by the Licensing Officer under Section 3.13 of this By-law or submits that the Licence applied for should be issued despite that determination, the matter shall be referred forthwith by the Licensing Officer to the Committee which shall hear representations from the Licensing Officer and the Applicant.
- 3.15. The Committee may authorize the Licensing Officer to issue the Licence where it determines that the determination in Section 3.13 of this By-law, is not sufficient to justify refusing to issue the Licence.
- 3.16. Where the Committee determines that a Licence should not be issued the Licensing Officer shall advise the Applicant of such determination.
- 3.17. The Licensing Officer may revoke a Licence referred to in this By-Law if the Licensee has been convicted of an offence which is a contravention of this By-Law.
- 3.18. The Licensing Officer shall notify a Licensee by registered mail, at their last known address or business address on record, when:
 - (a) they have cause to believe, on reasonable grounds, that any of the information which the Licensee, as an Applicant or a Licensee, is required to provide, including any verification thereof, is inaccurate;
 - (b) the Licensee has been convicted of an offence which is a contravention of this By-law;
 - (c) their insurer has advised that the insurance required under this By-law has been cancelled or will not be renewed; or
 - (d) a Taxicab or a TNC vehicle in respect of which they are Licensed is no longer roadworthy or has been impounded.

and that unless the inaccuracy, conviction, revocation, cancellation, or contravention is corrected, overturned, or reinstated within thirty days, the Licence shall be revoked.

- 3.19. Where a Licensee advises the Licensing Officer, in writing and within thirty days that they dispute the revocation of the Licence, the matter shall be referred forthwith, to the Committee, which shall hear representations from the Licensee and either confirm the revocation of the Licence or reinstate the Licence as it sees fit.
- 3.20. The Licensing Officer may immediately suspend, without a hearing, a Licence referred to in this By-Law if the Licensing Officer is satisfied that the continuation of the business poses an immediate danger to the health or safety of any Person or to any property subject to the following:
 - (a) before suspending the Licence, the Licensing Officer shall provide the Licensee with the reasons for the suspension, either orally or in writing, and an opportunity to respond to them;
 - (b) The suspension shall not exceed 14 days.
- 3.21. Where a Licensee advises the Licensing Officer in writing that they dispute the determination made by the Licensing Officer under Section 3.20 of this By-law or the Licensing Officer determines that the suspension should exceed 14 days, the matter shall be referred forthwith by the Licensing Officer to the Committee which shall hear representations from the Licensing Officer and the Licensee.

- 3.22. The Committee may authorize the Licensing Officer to reinstate the Licence, with any conditions as the Committee deems appropriate, or may continue the suspension for a longer period of time or may determine to revoke the Licence.
- 3.23. The Licensing Officer shall notify the Licensee, in writing, of the decision of the Committee.

Nature of Licence

- 3.24. Where a Licence has been issued under this By-law every Person or Owner shall comply with any conditions imposed on the Licence.
- 3.25. The Licences required by this By-law shall, unless they are expressed to be for a shorter or longer time, be for a period up to and including the 31st day of December in the year of issuance, unless they are sooner forfeited or revoked.
- 3.26. Any Licence that has not been renewed as of December 31st in the year of its issuance or renewal shall expire on January 1st in the year following its issuance or renewal.
- 3.27. Upon the expiry, revocation or suspension of a Licence the Licensee shall return to the Town the Licence and all Taxicab Plates.
- 3.28. No Person shall refuse to deliver an expired, revoked or suspended Licence or a Taxicab Plate to a Licensing Officer.

4. General

- 4.1. No Person shall Operate a Taxicab in the Town as a driver unless that Person has obtained authorization by a Taxicab Broker operating under the benefit of a Licence issued by the Town and said Licence has not been suspended, revoked or expired.
- 4.2. No Owner or Person shall Operate or permit to be Operated a Taxicab in the Town unless that Owner has obtained a Taxicab Broker Licence and said Licence has not been suspended, revoked or expired.
- 4.3. No Person or TNC shall Operate or permit to be Operated a TNC vehicle unless that TNC has obtained a TNC Licence and said Licence has not been suspended, revoked or expired.

5. Duties of Taxicab Drivers

- 5.1. Every Taxicab Driver shall:
 - (a) at all times when driving a Taxicab have the Town Tariff Card affixed to the rear of the front seat or in a position and in such a manner to be plainly visible to and readable by Passengers in the back seat;
 - (b) have and maintain in good standing, at all times, a driver's Licence issued by the Province of Ontario that does not prohibit them from operating a Motor Vehicle for hire or reward;
 - (c) offer to assist a Passenger when they request assistance;
 - (d) before operating the Taxicab on any day, examine it for Mechanical Defects and interior or exterior damage and report forthwith, and prior to the operation of the Taxicab, any defects or damage found to the Owner;
 - (e) keep a daily Trip Record of all trips made by the driver;
 - (f) upon completion of discharging their last Passenger of their shift,
 - i. return the Taxicab to the Owner and report all accidents and any apparent Mechanical Defects, and

ii. deliver or submit Trip Records to the Owner

5.2. No Taxicab Driver shall:

- (a) Operate a Taxicab without first ensuring that the Taxicab Plate is affixed to the rear of the Taxicab;
- (b) carry in any Taxicab a greater number of Passengers than the manufacturer's rating of seating capacity of such Taxicab;
- (c) drive any Taxicab unless the Owner has been issued a Licence;
- (d) drive any Taxicab unless it is in Good Condition.

5.3. When a Taxicab Driver uses a Taxicab for transportation of Passengers for no gain or reward or the Taxicab is being tested or inspected, the driver shall:

- (a) remove the roof light from the Taxicab; and
- (b) place the Taximeter in a non-recording position.

5.4. When a Passenger first enters a Taxicab, the Taxicab Driver shall immediately place the Taximeter in a recording position and keep it in a recording position throughout the trip.

5.5. Every Taxicab Driver shall take the shortest possible route to the destination desired by the Passenger unless the Passenger designates another route.

5.6. No Taxicab Driver shall charge a Passenger more than the lesser of the Fare displayed on the Taximeter at the conclusion of the trip or the flat rate agreed upon by the driver and Passenger before the start of the trip. If the Taxicab Driver and the Passenger agree before the start of the trip to a flat rate, the Taximeter must be in a recording position at all times during all aspects of the trip that occur within the Town and the cost of the trip shall be the lesser of the two amounts.

5.7. When requested by a Passenger to do so, a Taxicab Driver shall provide the Passenger with a receipt, showing the amount of the rate or Fare, the taxi company's name, the driver's name, date and time and Taxicab Plate Number. This receipt shall be legible.

5.8. Except as otherwise provided in this By-law, no Taxicab Driver shall charge more for a trip than the Fare shown on the Taximeter, together with any applicable additional rates authorized by Town's Charges and Fees By-law.

6. Duties of Taxicab Brokers

6.1. Where a Taxicab Broker disposes of their Taxicab and acquires a replacement Taxicab, they shall, before operating the replacement Taxicab or permitting it to be Operated as a Taxicab:

- (a) submit a Taxicab vehicle replacement application to the Town on the prescribed form; and
- (b) obtain a Motor Vehicle safety standards certificate respecting the replacement Taxicab.

6.2. Every Taxicab Broker shall ensure that the Taxicab Plate is affixed to the rear of the Taxicab prior to its operation.

6.3. Every Taxicab Broker shall ensure that the Taxicab Plate is only affixed to the Taxicab for which the Licence was issued and shall ensure the Taxicab Plate is not affixed to a different Taxicab or vehicle unless a Taxicab Replacement Form is submitted to, and approved by, the Town.

6.4. Every Taxicab Broker shall:

- (a) submit any Taxicab for inspection at any time as required by a Licensing Officer and;
 - i. Shall forthwith turn over the Taxicab Plate to a Licensing Officer in the event the Taxicab fails to meet any requirements set out in this By-law or any other Provincial Statute.
 - ii. The Taxicab Plate shall be returned only when a valid Safety Standards Certificate is produced and shown to a Licensing Officer.
- (b) ensure that the following documents, or mechanically reproduced copies thereof, are kept at all times in their Taxicab;
 - i. the current provincial Motor Vehicle registration
 - ii. the current insurance for the Taxicab;
 - iii. the current Town Tariff Card;
- (c) ensure that drivers in their employ comply with the provisions of this By-Law;
- (d) ensure all Taxicabs in service are in good repair;
- (e) keep a Maintenance Log;
- (f) retain copies of Trip Records, and Maintenance Logs written or electronic, for a period of time not less than twelve months. These records shall be open to inspection by the Licensing Officer and may be removed and retained by them for a reasonable time;
- (g) retain copies of Taxicab daily inspection reports for a period of time not less than twelve months. These records shall be open to inspection by the Licensing Officer and may be removed and retained by them for a reasonable time; and
- (h) Dispatch calls for only Taxicabs which have a Taxicab Plate issued by the Town.

6.5. Every Taxicab Broker shall affix to their Taxicabs a Taximeter which shall register distances travelled, record trips and units, and compute Fares to be paid, and such Taximeter shall be:

- (a) illuminated between dusk and dawn;
- (b) supported in a raised position clear of the dashboard in plain view of all Passengers;
- (c) adjusted so that the Fares are not in excess of the Fares prescribed by this By-law;
- (d) tested for distance travelled measurement accuracy and time waiting accuracy and not used as a Taxicab until the Taxicab has been inspected by the Owner;
- (e) kept in good working condition at all times and not used when defective in any way; and
- (f) equipped with a metal plate or flag, or a light when an electronic meter is used, attached to the top thereof and the plate or flag shall be in a lowered position or the light shall be extinguished when the Taximeter is in operation, and in a raised position or lighted when the Taximeter is not in operation.

- 6.6. Every Taxicab Broker shall maintain in or on the Taxicab while it is Operated as a Taxicab, the following equipment and markings;
- (a) the Taxicab Plate, affixed to the rear of the vehicle;
 - (b) the Tariff Card supplied by the Town and affixed to the rear of the driver's seat in such a manner that the card is plainly visible to Passengers in the back seat;
 - (c) on the top of the Taxicab, a roof light sign indicating that the vehicle is a Taxicab.
- 6.7. No Taxicab Broker shall;
- (a) cause or permit any Taxicab or Taxicab Plate to be rented, leased, or hired, whether for value or not, except pursuant to the terms and conditions of this By-law;
 - (b) Operate or permit to be Operated any Taxicab that is not in good repair;
 - (c) accept or in any way Dispatch or direct orders to a Taxicab when the activity would be illegal under another municipal Taxicab by-law or similar licensing by-law or provincial statute.
- 6.8. Every Taxicab Broker shall ensure that any Person acting as a Taxicab Driver for a Taxicab with a Taxicab Plate registered to their brokerage:
- (a) is at least 18 years of age;
 - (b) has a valid G Ontario Driver's Licence or higher; and
 - (a) provides a CRC and Driver's Abstract that are free of convictions, or
 - (b) the Licensing Officer has been advised of the convictions and has provided approval for the driver to drive for the Taxicab Broker.
- 6.9. Every Taxicab Broker shall ensure each of the Taxicab Plates in their possession are affixed to one of their Taxicabs, or the Taxicab Plate removed from the Taxicab and stored in a secure location, accessible to the Taxicab Owner. Taxicab Plates issued to an Accessible Taxicab are ineligible to be removed and stored and must be attached to an Accessible Taxicab.
- 6.10. Every Taxicab Broker shall ensure that their Accessible Taxicabs provide service 24 hours per day, 7 days per week.

7. Accessible Taxicab Licence Plates

- 7.1. Any Taxicab Broker shall be provided with an unlimited number of Taxicab Plates, provided;
- (a) All application requirements are met and all fees are paid; and
 - (b) That the company utilizes their plate allotment in accordance with this ratio;
 - i. Up to 4 total Taxicab Plates – a minimum of 1 Taxicab Plate is used for an Accessible Taxicab;
 - ii. 5 or more total Taxicab Plates – a minimum of 2 Taxicab Plates are used for Accessible Taxicabs.
- 7.2. Any Taxicab Plates in the possession of a Taxicab Broker, as of the date of the passing of this By-law, that does not comply with the requirements of the above section will be considered null and void and shall be returned to the Town.

- 7.3. The yearly fee for a Taxicab Broker Licence and corresponding Taxicab Plate shall be the fee stated within the Town's Charges and Fees By-law, and no fee will be charged for Taxicab Plates issued and attached to an Accessible Taxicab.

8. Accessible Taxicabs

- 8.1. A Taxicab Broker may utilize any existing Taxicab Plate for use on an Accessible Taxicab.
- 8.2. An Accessible Taxicab must be equipped with a wheel chair lift.
- 8.3. At the time of application for a Taxicab Broker Licence the Owner shall obtain a current Safety Standards Certificate issued by an authorized vehicle inspection station showing that the Accessible Taxicab meets the requirements of an accessible cab as set out in Ontario Regulation 629. The Taxicab Broker shall have the Accessible Taxicab inspected every 6 months thereafter and notify the Licensing Officer if the Accessible Taxicab does not pass the inspection.
- 8.4. A sign or decal must be placed on an Accessible Taxicab, indicating it is an Accessible Taxicab, ensuring such sign or decal is a minimum of 15 cm by 15 cm.
- 8.5. Every Taxicab Driver operating an Accessible Taxicab shall serve a Person unable to board regular vehicles due to a physical disability requesting the service of this vehicle at any place within the Town, at any time of day or night prior to serving a Person who is able to board a regular vehicle.
- 8.6. Every Taxicab Driver operating an Accessible Taxicab shall:
 - (a) offer such assistance as required to facilitate the entry or exit of a physically disabled Person into or out of an Accessible Taxicab;
 - (b) ensure that the wheelchair is properly secured in the area so provided where a wheelchair is being used by a Passenger; and
 - (c) ensure that the wheel chair fastening system, securing the wheelchair, is properly secured.

9. Taxicab Taximeters and Rates

- 9.1. If a Taximeter is repaired or altered, the Taxicab to which the Taximeter is affixed may be Operated without the Taximeter having been tested or sealed, for a period of seventy-two hours on weekends or forty-eight hours during the week, but only if the Owner or driver of the Taxicab has in their possession a certificate from the Person who made the repairs or alterations, stating the time, date and nature thereof and the place where the work was done. A copy of that certificate must be left in the Taxicab that has been repaired.
- 9.2. Taxicab Plates or Tariff Cards defaced, lost or destroyed may be replaced by the Town upon the original plate or card being satisfactorily accounted for and upon the payment of the replacement fee pursuant to the Town's Charges and Fees By-law.
- 9.3. The rates and Fares herein authorized shall be computed from the time and place when and where the Passenger first enters the Taxicab to the time and place when the Taxicab arrives at the Passenger's destination.
- 9.4. The maximum rates and Fares to be charged, by way of a time/distance measurement, by Taxicab Owners and drivers in the Town are stated in the Town's Charges and Fees By-law. No Taxicab Owner or driver shall charge any higher amount.

- 9.5. Discounts, customer reward programs, coupons or any other Fare discount program may be offered.
- 9.6. If agreed upon by the Passenger, before the start of the trip, a flat rate may be charged for any trip that commences within the Town and concludes inside or outside of the Town's limits.

10. TNC Responsibilities

10.1. Each TNC shall:

- a) ensure that their company is capable of providing and does provide Transportation Services 24 hours per day, 7 days per week.
- b) provide a process allowing the Passenger to accept or refuse the Transportation Service prior to it commencing and keeps a record of such acceptance or refusal;
- c) provide a secure payment mechanism;
- d) provide a printed or electronic receipt to the Passenger at the end of the Transportation Service that includes the following information:
 - i. the fee and any surcharges;
 - ii. total amount paid;
 - iii. date and time of pickup;
 - iv. locations of pick up and drop off;
 - v. the first and last name of the TNC Driver; and
 - vi. incorporates a global positioning system (GPS), in which all Transportation Services are recorded.

10.2. In addition to any other provisions of this By-law, No Person:

- (a) shall facilitate Transportation Services unless authorized to do so by a Licence issued pursuant to this By-law;
- (b) shall permit, accept, or condone Street Hails for a ride with a TNC Driver or in a TNC Vehicle;
- (c) shall Solicit or condone the Solicitation of a Passenger by a TNC Driver or TNC Vehicle, whether on the street or in any other manner at any other location;
- (d) shall facilitate a Transportation Service that does not comply with this By-law;
- (e) shall obstruct the Town's use of a Platform to ensure compliance with this By-law, including, but not limited to the creation and use of accounts as either a Passenger or TNC Driver;
- (f) shall permit a TNC Driver or a TNC Vehicle to provide Transportation Services if the TNC Driver does not have the insurance required under this bylaw;
- (g) shall permit payment by cash for a Transportation Service in a TNC vehicle.

10.3. Every TNC shall make available to the public on its Platform, and by any other means of its choice, the following information:

- (a) the insurance coverage required to be maintained by the TNC on behalf of its TNC Drivers;
- (b) the Transportation Services offered by TNC Drivers;

- (c) the applicable screening process for TNC Drivers and TNC vehicles;
 - (d) that TNC Drivers can only provide Transportation Services that are prearranged using the Platform of the TNC and not accept Street Hails; and
 - (e) that TNC Drivers cannot accept cash payment for Transportation Services.
- 10.4. Every TNC shall keep an up-to-date list of every registered or Affiliated TNC Driver and TNC vehicle authorized to provide service in the Town in a readily accessible format that includes, but is not limited to:
- (a) the full name and address of every TNC Driver; and
 - (b) the make, model and Licence plate of every TNC Vehicle.
- 10.5. Every TNC shall ensure that prior to commencing as a TNC Driver and at all times when providing Transportation Services, a registered TNC Driver:
- (a) is at least 18 years of age;
 - (b) has a valid G Ontario Driver's Licence or higher; and
 - (c) has been advised and consents in writing to their Personal information being provided to the Town for the purposes of administering and enforcing this by-law.
- 10.6. Every TNC shall require a CRC and Driver's Abstract to be submitted by the TNC Driver prior to providing Transportation Services and annually thereafter, for as long as the TNC Driver is registered or Affiliated with the TNC. Such CRC shall be no older than 30 days.
- 10.7. No TNC shall allow a driver to drive unless;
- (c) the drivers CRC and Driver's Abstract are free of convictions, or
 - (d) the Licensing Officer has been advised of the convictions and has provided approval for the driver to drive for the TNC.
- 10.8. No TNC shall permit a TNC Driver's access to the Platform immediately upon being notified by the Town that a TNC Driver has acted in a manner that is adverse to the public interest, public safety or upon discovering that a TNC Driver is not insured in accordance with this By-law.
- 10.9. Every TNC shall provide the Town with such information as required to demonstrate that section 10.6 and 10.7 are being complied with.
- 10.10. Every TNC shall ensure that all Affiliated TNC Drivers have an ongoing duty to disclose:
- (a) any convictions that have resulted since the filing of their CRC with the TNC;
 - (b) any suspension of their Ontario Driver's Licence,
 - (c) any change in insurance, and
 - (d) any accidents while operating as TNC vehicle.
- 10.11. Every TNC shall ensure that a TNC vehicle meets the following requirements at all times when providing a Transportation Service:

- (a) the TNC Vehicle has a valid Ontario Ministry of Transportation Motor Vehicle permit, prior to commencement of use as a TNC Vehicle, and confirm annually thereafter it has not elapsed or expired;
- (b) the TNC vehicle, has a valid and current Ontario Ministry of Transportation Safety Standards Certificate, prior to commencement of use as a TNC Vehicle, and then annually thereafter;
- (c) the TNC Vehicle complies with all vehicle requirements set out in this By-law;

10.12. Every TNC shall ensure each Affiliated TNC Driver possesses Identification in written or accessible electronic form providing the following information:

- (a) the first name and photograph of the TNC Driver;
- (b) the make, model and Licence plate number of the TNC Vehicle(s) used by the TNC Driver;
- (c) the name and contact information of the TNC; and
- (d) the Insurance policy coverage for the TNC Vehicle.

10.13. Every TNC shall keep copies of the documents and information required under this By-law for 3 years.

10.14. Every TNC shall make available to the Town the records or information required in this Part within 7 days or a mutually agreeable time, following a written request by the Town.

10.15. Every TNC shall submit to the Town each quarter: supporting documentation, including the date, time, driver name, vehicle plate, start point of each Transportation Service, in a format acceptable to the Town, and applicable fees as listed in the Town's Fees and charges By-law, in relation to the per Transportation Service fees dictated by the Town's Charges and Fee's By-law.

11. TNC Driver responsibilities

11.1. No Person shall hold themselves out as a TNC Driver unless they have been authorized by a TNC to act as a TNC Driver.

11.2. No TNC Driver shall;

- (a) refuse a request for Transportation Service by an individual accompanied by a Service Animal;
- (b) permit any TNC vehicle to carry more Passengers than there are seatbelts available.

11.3. Every TNC and TNC Driver shall ensure that valid Identification required under this by-law is:

- (a) in the TNC Vehicle at all times when Transportation Services Affiliated with the TNC are offered or provided; and
- (b) upon request by any Passenger.

11.4. Every TNC Driver shall produce upon request of a Licensing Officer, the following:

- (a) the TNC Driver's Identification;
- (b) the TNC Driver's Licence;
- (c) proof of valid insurance that meets the requirements of this By-law; and

- (d) any other information pertaining to the TNC Driver or the operation of the TNC vehicle as requested by the Licensing Officer.
- 11.5. Upon request by a Licensing Officer, every TNC Driver shall submit the TNC Vehicle for inspection at a time and at a place as specified, with no fees or charges applied to the Town.
- 11.6. Every TNC Driver shall ensure that a TNC Vehicle meets the following requirements at all times when providing a Transportation Service:
- (a) the TNC Vehicle has a valid Ontario Ministry of Transportation Motor Vehicle permit, prior to commencement of use as a TNC vehicle, and it renewed as required to ensure it does not elapse or expire;
 - (b) the TNC Vehicle has a valid and current Ontario Ministry of Transportation Safety Standards Certificate, prior to commencement of use as a TNC vehicle, and then annually thereafter; and
 - (c) the TNC Vehicle complies with all of the vehicle requirements set out in this By-law and is in Good Condition.

12. Offence, Penalty, Enforcement and Administration

- 12.1. This By-law shall apply to brokers, Owners and drivers of Taxicabs, Owners and drivers of Transportation Network Companies and Owners of Limousines, engaged in the conveyance of goods or Passengers either wholly within the municipality, or from any point within the municipality to any point outside it.
- 12.2. Every Person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.
- 12.3. Any Person who contravenes the provisions of this By-law, including every Person who fails to perform a duty imposed herein or who performs an act prohibited herein and every director or officer of the corporation is liable to an administrative monetary penalty and fees, pursuant to the Town's Administrative Monetary Penalty System By-law, for offences that are designated, or is guilty of an offence, for any contravention, and upon conviction is liable to a fine or penalty for each offence, exclusive of costs as prescribed by the Provincial Offences Act, R.S.O. 1990, c. P.33. No Person that receives an administrative penalty shall be charged with an offence under the Provincial Offences Act, R.S.O. 1990 for the same contravention and date of contravention.
- 12.4. Every Person shall comply with the provisions of this By-law, whether or not they are Licensed under this By-law.
- 12.5. No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Person exercising a power or performing a duty under this By-Law.
- 12.6. Unless otherwise specified, references in this by-law to parts, sections, subsections, clauses and schedules are references to parts, sections, subsections, clauses and schedules in this by-law.
- 12.7. If a court of competent jurisdiction declares any section, or any part of any section, of this By-law to be invalid, or to be of no force or effect, it is the intention of the Town that every other provision of this By-law be applied and enforced in accordance with its terms to the extent possible according to law.
- 12.8. References in this By-law to any statute or statutory provision include references to that statute or statutory provision as it may from time to time be amended, extended or re-enacted.

13. Exemptions

- 13.1. This By-law shall not apply to Taxicab companies or Transportation Network Companies located beyond the Town boundaries providing services to the Greater Toronto Transit Authority only for the purpose of picking up stranded Passengers at a GO Transit station or GO Transit bus stop during a GO rail disruption of service provided that notification of the disruption is given to Durham Regional Transit.
- 13.2. No provision in this By-law shall restrict, limit, or prevent the Owners and drivers of a lower-tier Licensed Accessible Taxicab from engaging in conveyances within any of the eight (8) Durham Region municipalities when the purpose of the conveyance is to transport Persons with a disability as defined in the Accessibility for Ontarians with Disabilities Act, 2005 S.O. 2005, chapter 11.

14. Validity

- 14.1. If a Court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this By-law and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.

15. Repeal of By-laws

- 15.1. That By-law #30-2025 is hereby repealed.

16. Effective Date:

- 16.1. This By-law shall come into effect on January 1, 2026.

By-law passed this October 20, 2025

Mayor and CEO

Clerk