



Corporate Report

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DATE: September 27, 2013

TO: Chair and Members of the Public Vehicle Advisory Committee
Meeting Date: October 15, 2013

FROM: Martin Powell, P. Eng.
Commissioner of Transportation and Works

SUBJECT: **Amendments to the Public Vehicle Licensing By-law 420-04, as amended, for licensing of Medical Transfer Service Vehicles, Owners and Drivers**

- RECOMMENDATION:**
1. That staff report back to the Public Vehicle Advisory Committee with amendments to the Public Vehicle Licensing By-law 420-04, as amended, to include the licensing of medical transfer service vehicles, owners, and drivers; and,
 2. That staff consult with representatives of the medical transfer service industry on the proposed amendments.

BACKGROUND: Concerns regarding unregulated services were raised at the joint AAC/PVAC meetings on April 29 and May 14, 2013 and further discussed at the PVAC meeting on June 17, 2013. Staff were directed to investigate and prepare a report for the fall of 2013.

Concerns were raised with the effect that the unregulated services had on the accessible taxicab industry. The concerns included financial impact, public safety and consumer protection. In particular, questions were raised regarding driver abstracts; criminal record searches; driver training, including proper accessible taxicab training; owner responsibilities; and, whether anyone would be

responsible to assist members of the public if they had concerns with the vehicles or drivers.

COMMENTS:

Staff have reviewed the by-laws of the surrounding municipalities and found that no municipality in the GTA currently licenses medical transfer service vehicles. Staff have received numerous complaints from the taxicab industry regarding medical transfer services and have provided information to those concerned.

The medical transfer services operate under contract to long-term care facilities, nursing homes, hospitals and community associations and are dedicated to serving seniors and individuals with disabilities. Schools, institutions and clients that require transport to assessment offices, treatment clinics and rehabilitation firms are referred through insurance companies. The medical transfer services perform an accessible transport services via contractual flat rate fees.

The medical transfer service industry is not licensed under the by-law but does provide services similar to accessible taxicabs. Due to the fact that the service is unregulated problems may arise such as drivers who have not been properly trained, vehicles that may not meet safety standards and insurance requirements. Furthermore, the drivers may be operating in a fashion which does not provide consumer protection and ensure public safety. If the public does feel they have a complaint about the service, vehicle or driver, they have no recourse except to contact the police or possible civil litigation.

As a result, staff recommend that a by-law be enacted to amend the Public Vehicle Licensing By-law 420-04, as amended, to require the licensing of medical transfer service vehicles, owners and drivers. It is further recommended that staff report back to the PVAC with amendments to the Public Vehicle Licensing By-law 420-04, as amended, to include the licensing of medical transfer vehicles, owners, and drivers; and, that staff consult with representatives of the medical transfer service industry on the proposed amendments.

FINANCIAL IMPACT: There is no financial impact to the City.

CONCLUSION:

Medical transfer services have been operating throughout the City of Mississauga without the benefit of regulation. The vehicles are not inspected to ensure that ministry safety standards are met and drivers have not been trained to ensure public safety and consumer protection. The transfer services operate for financial gain and are being paid by the patients, insurance companies and/or other institutions to transport passengers from one destination to another. The medical transfers operate in the same manner as an accessible taxicab except they operate on a flat rate fee. In order to instill public confidence, the medical transfer services must be licensed to ensure that the vehicles are safe; and, that the service owners and drivers have acceptable criminal record searches, safe driving records and adequate training to provide quality customer service.

Martin Powell, P. Eng.
Commissioner of Transportation and Works

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