



Corporate Report

Clerk's Files

Originator's
Files

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 Shuttle 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 shuttle service vehicles, owners, and drivers; and,
 2. That staff consult with representatives of the shuttle 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 taxicab/limousine industry. The concerns included financial impact, public safety and consumer protection. In particular, questions were raised regarding driver abstracts; criminal record searches; driver training; owner responsibilities; and, vehicle safety standards. Furthermore, AAC/PVAC subcommittee members felt that the shuttle service operations functioned in similar fashion to

the taxicab/limousine industry and should be held to the same standard as the rest of the public vehicle industry, including a proper complaint process for passengers when they have concerns with the vehicle or driver.

COMMENTS:

Staff have reviewed the by-laws of the surrounding municipalities and found that no municipality in the GTA currently licenses shuttle services. Staff have received numerous complaints from the taxicab industry regarding shuttle services and have investigated these concerns.

Staff looked at the shuttle services operating from hotels and found that hotel staff are directing hotel patrons to transportation services such as private shuttle services to get to various locations. Staff found that there are signs posted at some hotels displaying the telephone numbers to call to arrange a ride and the fee. Staff also found that in other hotels, shuttle services are under contract with the hotel and the hotel offers its patrons shuttle services. When questioned, shuttle service drivers claim to be under contract with the hotel, therefore, exempt from the by-law because they are an extension of the hotel.

Due to the fact that the services are not regulated, there are concerns about vehicle safety standards being met and the overall condition of the vehicles. Furthermore, the drivers and owners are unregulated which does not ensure that the drivers and owners have acceptable criminal record searches and driver abstracts that support they operate vehicles in a safe manner. The shuttle services perform transportation services via contractual flat rate fees, both as a single-source provider or multi-user provider.

The shuttle service industry is not licensed under the by-law but does provide services similar to the taxicab/limousine industry. Furthermore, 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, the vehicle or the driver, they have no recourse except for complaints to the police and/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 shuttle 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 shuttle service vehicles, owners and drivers; and, that staff consult with representatives of the shuttle service industry on the proposed amendments.

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

CONCLUSION: Shuttle 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 are not trained to ensure public safety and to protect the consumer. Shuttle services operate for financial gain and are being paid by the hotels, conference centres and patrons to transport passengers from one destination to another. Shuttle services operate in the same manner as taxicabs/limousines except they operate on a flat rate fee without regulation of the fees charged. In order to instill public confidence, the shuttle services must be licensed to ensure 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

Prepared By: Daryl Bell, Manager, Mobile Licensing Enforcement