

Temporary Wheelchair Accessible Taxi Licenses

ISSUE

This report addresses two matters related to wheelchair accessible taxi service.

Bylaw No. 9070, The Taxi Bylaw, 2014 (Taxi Bylaw) permits 26 wheelchair accessible taxi licences to be issued by the City. Of these 26 licenses, five are issued as permanent licenses and owned by individuals or corporations, and 21 are temporary, owned by the City and issued to taxi brokerages based on the size of their fleet. Of these 21 temporary licences, five were issued from September 3, 2015 until September 2, 2020; 16 were issued from January 1, 2014 until September 2, 2019. The purpose of this report is to recommend amendments to the Taxi Bylaw to establish new terms for the temporary wheelchair accessible taxi licenses.

This report also addresses a proposal that the Administration has received from a taxi brokerage, related to converting permanent wheelchair accessible taxi licenses to standard taxi licenses and adding additional temporary wheelchair accessible taxi licenses.

RECOMMENDATION

That the Standing Policy Committee on Transportation recommend to City Council, that the City Solicitor be requested to amend Bylaw No. 9070, the Taxi Bylaw, 2014, to award temporary wheelchair accessible taxis licenses to individual drivers through a sole source contract, as outlined in this report.

BACKGROUND

At its meeting on December 17, 2018, City Council amended Bylaw No. 9070, the Taxi Bylaw, 2014, which extended the term of 16 temporary wheelchair accessible taxi licenses due to expire on December 31, 2018, until September 2, 2019.

DISCUSSION/ANALYSIS

Proposed Terms for Temporary Wheelchair Accessible Taxis

Of the 21 temporary wheelchair accessible taxi licenses currently operating, 16 licenses are due to expire on September 2, 2019. Temporary wheelchair accessible taxi licenses were issued to taxi brokerages, proportionate to the size of their taxi fleet, for term lengths of four to five years. Brokerages have typically then distributed the licenses to taxi drivers that have demonstrated an aptitude and commitment to providing wheelchair accessible taxi service, and have the means to purchase and maintain a wheelchair accessible taxi. As a result, many of the primary drivers who currently provide wheelchair accessible taxi service under these licenses own the wheelchair accessible taxi they drive.

The Administration conducted consultation with stakeholders in the taxi industry on a variety of issues pertaining to the wheelchair accessible taxi service, including gathering

input on considerations for awarding the 16 temporary wheelchair accessible taxi licenses for a new term.

On April 25, 2019, the Administration held a come-and-go open house for taxi drivers and license owners. Nine people attended the open house and completed a survey. Four respondents indicated licenses should be issued to drivers, while one indicated the licences should continue to be issued to brokers. Two people were unsure and two people did not respond to that question.

In addition, representatives from Riide, United Cabs and Comfort Cabs and representatives from the United Steel Workers (USW) attended separate meetings. The taxi brokerages advised they preferred a system where licenses were awarded directly to the existing owners of wheelchair accessible taxis, rather than through the lottery system used to award other temporary taxi licenses.

The taxi brokerages had significant concerns with wheelchair licenses being awarded to drivers through a lottery, and advised it would result in insurmountable issues for the taxi industry, as there is no certainty the awardee will have the financial means to purchase a converted vehicle, or the commitment to provide wheelchair accessible service. Further, if an existing wheelchair accessible taxi owner was not selected in the lottery, they would no longer be able to operate and would likely need to sell their converted vehicle.

Representatives from the USW advised their preference is that the licenses be issued directly to the drivers, rather than the brokerages. The USW is intending to consult with their membership on whether their preference is to award the licenses through a lottery, or to the existing vehicle owners and to make a written submission to the Standing Policy Committee on Transportation.

The Administration is recommending, upon the expiration of the terms of the temporary wheelchair accessible taxi licenses, the licenses be awarded to each of the owners of wheelchair accessible taxis through a sole source contract. A wheelchair accessible taxi is a significant investment that requires ownership of a specialized converted vehicle, in compliance with D409 Certificate requirements for accessibility standards. Wheelchair accessible taxi drivers also have unique experience assisting and securing passengers, and providing additional customer service.

The Taxi Bylaw, 2014 allows for the issuance of temporary wheelchair accessible licenses with or without a public tender process, but will require amendments to allow the licenses to be issued to individual drivers, rather than taxi brokers.

In order to align the terms of the license, the Administration is recommending that new terms for 16 of licenses be set for a five-year period from September 3, 2019, until September 2, 2024; and that new terms for the remaining five temporary licenses be set for a four-year period, from September 3, 2020, until September 2, 2024.

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Proposal to Convert Five Permanent Wheelchair Accessible Taxi Licenses to Non-Accessible Taxi Licenses

The Administration has received a proposal from the Riide and United Cabs taxi brokerages regarding the five permanent wheelchair accessible taxis which they dispatch.

Currently, there are 165 permanent taxi licences, of which 160 are standard taxi licenses, and five are wheelchair accessible taxi licenses. United Cabs and Riide propose that the five permanent wheelchair accessible taxi licenses be converted to standard taxi licenses, and that an additional five temporary wheelchair accessible taxi licenses be added. This would result in a net gain of five standard taxi licenses, with no change in the number of wheelchair accessible taxis, as shown in the below table. The purpose of the conversion is to address operational challenges they have in retaining drivers for the permanent wheelchair accessible taxis, as these vehicles have a higher lease cost than temporary wheelchair accessible taxis due to the value of the permanent license.

License Type		Current	Proposed (by Brokers)
Permanent Taxi Licenses	Standard	160	165
	Wheelchair Accessible	5	0
Temporary Taxi Licenses	Enterprise (replacing seasonal)	35	35
	Wheelchair Accessible	21	26
TOTAL		221	226

The Administration has reviewed this proposal and consulted with other stakeholders in the taxi industry, at the April 9, 2019 open house. Opposition to this proposal was expressed by the USW, taxi drivers and license owners. Of the nine drivers and owners that attended the consultation, seven were opposed to the proposal and two were unsure. Concerns raised included the potential impact on the value of the other permanent standard taxi licenses resulting from additional standard licenses put into the market, and issues of fairness with the five licenses transitioning from one license category to another category.

The Administration recommends this proposal not be adopted at this time. The five permanent wheelchair accessible taxi licenses were issued by the City to ensure the provision of wheelchair accessible taxi service. If the proposal is adopted, all permanent taxi licenses will be non-accessible, and wheelchair accessible taxi service will be provided entirely through temporary licenses. A further five additional permanent taxi licenses will enter the market, which could result in additional competition for other permanent license holders. Having a modest number of permanent wheelchair accessible taxis license in operation, in addition to a number of temporary licenses, provides certainty to the public that wheelchair accessible service is a central and permanent part of the taxi program. The Administration notes the opposition expressed by stakeholders in the taxi industry, including the other owners of permanent taxi licenses.

NEXT STEPS

The terms for 16 temporary wheelchair accessible taxi licenses are due to expire on September 2, 2019. In order to ensure there is no disruption in wheelchair accessible taxi service and the Administration has adequate time to allocate the temporary wheelchair accessible taxi licenses through sole source contracts, the amended Taxi Bylaw should be considered by City Council at their meeting on July 29, 2019.

Report Approval

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SP/2019/Transportation Committee/Temporary Wheelchair Accessible Taxi Licenses/jdw