

Discussion Document: Proposed Changes to the Livery Transport Bylaw

C2016-0918
ATTACHMENT 2

Showing proposed Livery Transport Bylaw 6M2007 amendments as they would appear in the Bylaw.

Additions are shown in underline text.

Deletions are shown in ~~strikeout text~~.

Discussion Document: Proposed Changes to the Livery Transport Bylaw

OFFICE CONSOLIDATION

BYLAW NUMBER 6M2007

BEING A BYLAW OF THE CITY OF CALGARY DEALING WITH CALGARY'S TAXI AND LIMOUSINE BUSINESS

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(Amended by 36M2007, 42M2007, 56M2007, 30M2008, 38M2008, 53M2008, 67M2008, 68M2009, 14M2011, 65M2011, 32M2012, 35M2012, 43M2012, 33M2013, 40M2013, 45M2014, 50M2014, 51M2014, 74M2014, 65M2014, 31M2015, 38M2015, 12M2016)

WHEREAS the *Municipal Government Act* provides that Council may pass Bylaws respecting business, business activities and persons engaged in business and the safety, health and welfare of people;

AND WHEREAS the purposes of this Bylaw are:

- A. to ensure public safety, service quality and consumer protection for customers and service providers in the livery industry;
- B. to establish a system of licensing Livery Vehicles, Drivers, Brokerages and Transportation Network Companies;
(B/L 12M2016, 2016 April 04)
- C. to establish a system for the inspection of Livery Vehicles;
- D. to create and maintain a sustainable livery industry that considers the interests of service providers and meets the needs of the travelling public in the city; and
- E. to provide the administrative and regulatory mechanisms to administer a controlled-entry licensing system and ensure sufficient industry supply to meet consumer demand.

**NOW THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

PART 1 – INTERPRETATION AND PURPOSES OF THIS BYLAW

- 1. This Bylaw may be cited as the “Livery Transport Bylaw”.
- 2. Wherever this Bylaw refers to a person or thing with reference to gender or the gender neutral, the intention is to read the Bylaw with the gender applicable to the circumstances.
- 3. References to items in the plural include the singular, as applicable.
- 4. The words “include”, “including”, and “includes” are not to be read as limiting the phrases or descriptions that precede them.
- 5. Headings are inserted for ease of reference only and are not to be used as interpretation aids.

6. (1) Nothing in this Bylaw relieves a **Person** from complying with any Federal or Provincial law or regulation, other bylaw or any requirement of any lawful permit, order or licence.
- (2) Specific references to laws in this Bylaw are meant to refer to the current laws applicable within the Province of Alberta as at the time this Bylaw was enacted and as they are amended from time to time, including successor legislation.
(B/L 31M2015, 2015 July 27)
7. Any reference in this Bylaw to a Part, Section or Clause, unless otherwise specified, is a reference to a Part, Section or Clause in this Bylaw.
8. Wherever a word is used in this Bylaw with its first letter capitalized and the word is in bold font, the term is being used as it is defined in this Part. Where any word appears in ordinary case and not in bold font, its regularly applied meaning in the English language is intended.
9. If any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction that provision shall be severed, and all other provisions of this Bylaw shall remain valid and enforceable.
10. All schedules attached to this Bylaw form part of this Bylaw.
(B/L 12M2016, 2016 April 04)
11. This Bylaw does not apply to:
- (a) a **Motor Vehicle** that has the capacity to carry 15 or more passengers including the **Operator**;
 - (b) any **Motor Vehicle** owned by The **City**;
 - (b.1) a **Motor Vehicle**, other than a **Taxi**, **Accessible Taxi** or **Limousine**, that is carrying passengers pursuant to a contract with the **City**;
(B/L 68M2009, 2009 November 30)
 - (c) any non-motorized **Motor Vehicle**;
 - (d) any service where the passenger is driven in his own **Motor Vehicle**;
 - (e) a **Motor Vehicle** carrying passengers who pay a fare or fee for the service where the passenger is picked up outside the city;
 - (f) DELETED BY 12M2016, 2016 APRIL 04;
 - (g) shuttle services to and from the Calgary International Airport which have been previously arranged and where more than one passenger is transported, each passenger pays for the service, and passengers are picked up from different locations; and
(B/L 12M2016, 2016 April 04)

- (h) a **Motor Vehicle** used in the course of providing care to clients who require personal assistance with activities of daily living and
 - (i) the arrangement or provision of that transportation is not the primary business of the **Person** providing the service; and
 - (ii) no compensation is directly charged or collected for the provision of the transportation portion of the service being provided.

12. In this Bylaw where capitalized and bolded:

- (a) “**Accessible Taxi**” means a **Motor Vehicle** which has an **A.T.P.L.** joined to it;
(B/L 31M2015, 2015 July 27)
- (b) “**Act**” means the *Municipal Government Act*;
- (c) “**Active T.P.L. or A.T.P.L. Holder**” means a **Licensee** holding an **T.P.L.** or **A.T.P.L.** who either operates an approved **Livery Vehicle** or who leases a fully equipped **Livery Vehicle** owned by that **Licensee**, to which **Livery Vehicle** is attached a **T.P.L.** or **A.T.P.L.** owned by that **Licensee**, insures that approved **Livery Vehicle**, is responsible for and pays for all the costs of maintenance, inspections, equipment, insurance, and **brokerage** fees related to that approved **Livery Vehicle**, ensures that approved **Livery Vehicle** meets **E.L.V.I.S.** requirements, personally issues receipts to a **Driver**, attends all **E.L.V.I.S.** inspections, attends renewals of the **T.P.L.** or **A.T.P.L.** and attends **LTS** meetings as required;
- (d) DELETED BY 42M2007, 2007 SEPTEMBER 10;
- (e) “**Applicant**” means a person who applies for a **Licence** or **Certificate** or a renewal or transfer of a **Licence** or **Certificate**;
- (e.1) “**Application**” or “**App**” means a software program residing on a mobile phone or other digital electronic device which performs one or more of the following functions:
 - (i) allows a person to identify the locations of available vehicles for hire and allows a driver of a vehicle for hire to identify the location of a person who is seeking the services of a vehicle for hire;
 - (ii) allows a person to request a vehicle for hire via the mobile phone or other digital electronic device;
 - (iii) allows a driver of a vehicle for hire to receive a request from a potential passenger;
 - (iv) allows for the payment for vehicle for hire service through electronic means;

(B/L 12M2016, 2016 April 04)

- (f) **“A.T.P.L.” or “Accessible Taxi Plate Licence”** means a **Licence Issued** pursuant to section 90 and includes a A.T.P.L.-1 and a A.T.P.L.-2;
(B/L 68M2009, 2009 November 30)
(B/L 35M2012, 2012 June 25)
(B/L 31M2015, 2015 July 27)
- (g) DELETED BY 67M2008, 2008 DECEMBER 09;
- (h) **“Brokerage”** means a **Person** who holds a **Licence Issued** by the **Chief Livery Inspector** to conduct **Brokerage Operations**;
(B/L 31M2015, 2015 July 27)
- (i) **“Brokerage Operations”** include:
- (i) administering **Taxi** and **Limousine** fleets;
 - (ii) employing or contracting with one or more persons who are **Licensed** to operate a **Limousine**, a **Taxi** or an **Accessible Taxi** and hold a valid **T.D.L.** or **L.D.L.**;
 - (iii) accepting calls for the dispatch of **Taxis** through a manned communication system that operates 24 hours a day 365 days a year; and
 - (iv) accepting calls for contracts for services of **Limousines**;
(B/L 12M2016, 2016 April 04)
- (j) **“Certificate”** means a certificate **Issued** under this Bylaw;
- (k) **“Certified Mechanic”** means a person who holds a valid and subsisting Certificate of Proficiency as a journeyman motor mechanic or heavy duty mechanic issued by the Province of Alberta and where required by the **Chief Livery Inspector** holds a Certificate of Proficiency under the Gas Protection Act and is approved by the **Chief Livery Inspector** to issue **Inspection Certificates**;
(B/L 31M2015, 2015 July 27)
- (l) DELETED BY 67M2008, 2008 DECEMBER 09;
- (l.1) **“Chief Livery Inspector”** means the chief administrative officer of the City of Calgary or his or her designate;
(B/L 31M2015, 2015 July 27)
- (m) **“Chief of Police”** means the Chief of Police of the Calgary Police Service and includes any person designated by the **Chief of Police** to perform his duties under this Bylaw;
- (n) **“City”** means the municipal corporation of The City of Calgary and includes the geographical area within the boundaries of the city of Calgary where the context so requires;
- (o) **“Council”** means the municipal Council of The **City**;

- (o.1) **"Dispatch Hail"** means a request for transportation from a **Livery Vehicle** made through a verbal telephone call to a manned dispatch centre;
(B/L 12M2016, 2016 April 04)
- (p) **"Driver"** means a person who is **Licensed** to operate a **Livery Vehicle** and holds a valid **T.D.L., L.D.L. or T.N.D.L.**;
(B/L 12M2016, 2016 April 04)
- (p.1) **"Electronic Payment System"** means a system by which a customer may pay a fare by an immediate electronic withdrawal from his bank account or charge to his credit card account;
(B/L 68M2009, 2009 November 30)
- (q) **"Eligible Transferee"** means an individual who:
- (i) holds a **T.D.L.**;
 - (ii) DELETED BY 31M2015, 2015 JULY 27;
 - (iii) does not hold a **T.P.L. or A.T.P.L.** and
 - (iv) has a satisfactory record of **Taxi** services.
(B/L 68M2009, 2009 November 30)
- (r) **"E.L.V.I.S."** means the Enhanced Livery Vehicle Inspection Standards set out in Schedule "C";
- (r.1) **"Highway"** means a highway as that term is defined in the *Traffic Safety Act*, R.S.A. 2000, c.T-6;
(B/L 68M2009, 2009 November 30)
- (s) **"Independent Livery Vehicle"** means a **Taxi, Accessible Taxi, or Limousine** which is not affiliated with or dispatched by a **Brokerage**;
(B/L 68M2009, 2009 November 30)
- (t) **"Inspection Certificate"** means a certificate completed in accordance with section 137;
- (u) **"Issue", "Issued" and "Issuing"** includes new, renew, renewed and renewing or transfer, transferred or transferring as the case may be;
- (v) **"L.D.L."** means a **Limousine Driver's Licence Issued** by the **Chief Livery Inspector** under this Bylaw;
(B/L 31M2015, 2015 July 27)
- (w) **"Licence"** means a licence issued under this Bylaw;
(B/L 31M2015, 2015 July 27)
- (x) **"Licence and Community Standards Appeal Board"** means the board authorized by **Council** to hear **Licence** appeals pursuant to Bylaw 50M2011;
(B/L 67M2008, 2008 December 09)
(B/L 31M2015, 2015 July 27)

- (y) **“Licensed”** with respect to any **Person** or **Motor Vehicle** means that the **Person** or **Motor Vehicle** holds or has been **Issued** one or more **Licenses** of the type or types that the context implies;
- (z) **“Licensee”** means the **Person** to whom a **Licence** is **Issued**;
- (aa) **“Limousine”** means a **Motor Vehicle** including a Stretch-Limousine, Sedan-Limousine or Specialized Limousine as those vehicles are defined in PART 4 Division 4, which has a valid **L.P.L.** joined to it;
- (bb) **“L.P.L.”** means a **Licence Issued** by the **Chief Livery Inspector** which permits a **Motor Vehicle** to be **Operated** as a limousine;
(B/L 31M2015, 2015 July 27)
- (cc) **“Livery Inspection Station”** means premises and equipment and other resources required to complete an **E.L.V.I.S.** inspection that have been certified by the **Chief Livery Inspector** for the purpose of conducting mechanical inspections of **Livery Vehicles**;
(B/L 31M2015, 2015 July 27)
- (dd) **“Livery Vehicle”** means a **Limousine**, a **Taxi** or an **Accessible Taxi** or a **Private For Hire Vehicle**;
(B/L 12M2016, 2016 April 04)
- (ee) **“Livery Vehicle Registration Certificate”** means a **Certificate** which indicates that the **Motor Vehicle** in respect of which it is **Issued** is qualified to have a **Plate** joined to it;
(B/L 31M2015, 2015 July 27)
- (ff) **“LTS Inspector”** means a Bylaw Enforcement Officer or Peace Officer who is employed by the **City** and under the direction of the **Chief Livery Inspector**, or a Police Officer;
(B/L 67M2008, 2008 December 09)
(B/L 31M2015, 2015 July 27)
- (gg) DELETED BY 31M2015, 2015 JULY 27;
- (hh) **“Manufacturer”** means the original vehicle maker or, in the case of a modifier of a vehicle, a Canadian Motor Vehicle Standards Association CMVSA approved modifier; *Motor Vehicle Safety Act* (1993);
- (ii) **“Motor Vehicle”** means a motor vehicle as defined in the *Traffic Safety Act*, R.S.A. 2000, c. T-6;
(B/L 31M2015, 2015 July 27)
- (jj) **“Operate”, “Operated” or “Operating”** includes having care or control of a **Motor Vehicle**;
- (kk) **“Owner”** means in regards to a **Livery Vehicle**:
- (i) a **Person** named as the registered owner of the **Livery Vehicle** by the Province of Alberta; or

- (ii) a **Person** who has rights in the **Livery Vehicle** as its beneficial owner including having lawful control of the **Livery Vehicle**;
- (ll) "**Peace Officer**" means a Peace Officer as defined in the Peace Officer Act, S.A. 2006, c. P-3.5.
(B/L 67M2008, 2008 December 09)
- (mm) "**Person**" includes an individual, a corporation and other legal entities;
(B/L 68M2009, 2009 November 30)
- (nn) "**Plate**" means a **T.P.L.**, **A.T.P.L.** or **L.P.L.**;
(B/L 31M2015, 2015 July 27)
- (nn.1) "**Private For Hire Vehicle**" or "**P.F.H.V.**" means a **Motor Vehicle** which is used to provide for the transportation of persons for compensation and for which rides are exclusively arranged through an **App** administered or promoted by a **Transportation Network Company**;
(B/L 12M2016, 2016 April 04)
- (oo) "**Provincial Operator's Licence**" means an operator's licence issued under the Traffic Safety Act;
- (pp) "**Service Animal**" means an animal that has been trained and certified to assist a person with disabilities;
(B/L 67M2008, 2008 December 09)
- (pp.1) "**Street Hail**" means a request:
 - (i) through a verbal action such as calling out, yelling or whistling;
 - (ii) through a visible physical action such as raising one's hand or arm; or
 - (iii) both (i) and (ii);
 to request transportation from a **Livery Vehicle**, and includes requesting transportation at a taxi stand;
(B/L 12M2016, 2016 April 04)
- (qq) "**Taxi**" means a **Motor Vehicle** which has a valid **T.P.L.** joined to it;
- (rr) "**Taximeter**" means a device which is used to compute and display a fare for services provided by a **Taxi** or **Accessible Taxi**;
(B/L 35M2012, 2012 June 25)
- (ss) "**T.D.L.**" means a **Taxi Driver's Licence Issued** by the **Chief Livery Inspector** under this Bylaw;
(B/L 31M2015, 2015 July 27)
- (ss.1) "**T.N.D.L.**" means a **Transportation Network Driver's Licence Issued** by the **Chief Livery Inspector** under this Bylaw;
(B/L 12M2016, 2016 April 04)

- (tt) **“T.P.L.” or “Taxi Plate Licence”** means a **Licence Issued** pursuant to section 89.01 and includes a T.P.L.-1 and a T.P.L.-2;

(B/L 68M2009, 2009 November 30)

(B/L 40M2013, 2013 September 16)

(B/L 31M2015, 2015 July 27)

- (tt.1) **“Transportation Network Company”** means a **Person** other than a **Brokerage**, who sells, leases, administers, promotes or otherwise makes available an **App**;

(B/L 12M2016, 2016 April 04)

- (tt.2) **“Transportation Network Driver”** means a person who operates a **Private For Hire Vehicle**;

(B/L 12M2016, 2016 April 04)

- (uu) DELETED BY 67M2008, 2008 DECEMBER 09.

PART 2 – LIVERY TRANSPORT BOARD

- 13. DELETED BY 42M2007, 2007 SEPTEMBER 10.
- 14. DELETED BY 42M2007, 2007 SEPTEMBER 10.
- 15. DELETED BY 42M2007, 2007 SEPTEMBER 10.
- 16. DELETED BY 42M2007, 2007 SEPTEMBER 10.
- 17. DELETED BY 42M2007, 2007 SEPTEMBER 10.
- 18. DELETED BY 42M2007, 2007 SEPTEMBER 10.
- 19. DELETED BY 42M2007, 2007 SEPTEMBER 10.
- 20. DELETED BY 42M2007, 2007 SEPTEMBER 10.
- 21. DELETED BY 42M2007, 2007 SEPTEMBER 10.

PART 3 – CHIEF LIVERY INSPECTOR

22. The **Chief Livery Inspector** may, as the Chief Livery Inspector deems necessary to enforce and administer this Bylaw, to ensure public safety, service quality and consumer protection for the livery industry and the traveling public and where considered appropriate after consultation with other interested persons or groups:

(B/L 31M2015, 2015 July 27)

- (a) issue **Licences** and **Certificates** under this Bylaw and establish and vary forms and procedures for the issuance of all types of **Licenses** and **Certificates**;

(B/L 12M2016, 2016 April 04)

- (b) specify the type, course content, amount of training or courses and pass/fail criteria for tests that an **Applicant** must take to be proficient in:
- (i) driver safety;
 - (ii) the English language;
 - (iii) customer service, diversity and human rights;
 - (iv) City geography, map reading and tourism;
 - (v) transportation of passengers with disabilities;
 - (vi) business management;
 - (vii) vehicle maintenance and safety; and
 - (viii) obligations and responsibilities of Licensees under this Bylaw and any other laws governing the delivery of livery services.
- (B/L 31M2015, 2015 July 27)
- (c) specify the form, content, colour and location of **Plates** and all other decals and identification markings required to be placed on **Livery Vehicles**;
- (d) approve or deny the colour or change in colour of **Livery Vehicles**;
- (e) specify or prohibit safety equipment or devices which may be placed in **Livery Vehicles**;
- (f) specify the number of passengers that may be carried in a **Livery Vehicle** and the amount and type of goods that may be placed in or on a **Livery Vehicle**;
- (g) specify the forms that must be used for the orderly conduct of livery services; and
- (h) specify the type, content, format and location of advertising or promotional material, brochures, cards, stickers, signs, decals, **Plates** or other similar material which may be carried in or on a **Livery Vehicle**.
- (B/L 42M2007, 2007 September 10)

22.1 Where the **Chief Livery Inspector** has specified the form, content, colour and location of **Plates** and other decals and identification markings required to be placed on **Livery Vehicles** pursuant to section 22(c), the **Driver** of a **Livery Vehicle** must ensure that all **Plates**, decals and identification markings are placed on the **Livery Vehicle** as specified by the **Chief Livery Inspector**.

(B/L 45M2014, 2014 July 21)
(B/L 31M2015, 2015 July 27)

23. The **Chief Livery Inspector** may, in writing, delegate any or all of the powers conferred on the **Chief Livery Inspector** by this Bylaw to any **City** employee the **Chief Livery Inspector** considers advisable.

(B/L 31M2015, 2015 July 27)

24. (1) The exercise of those powers set out in section 22 shall be made in writing and are effective upon the date they are signed by the **Chief Livery Inspector** unless the **Chief Livery Inspector** specifies an effective date.
(B/L 31M2015, 2015 July 27)
- (2) Where the **Chief Livery Inspector** exercises any of the powers conferred upon the **Chief Livery Inspector** by section 22, the **Chief Livery Inspector** must cause a bulletin to be published in accordance with this section.
(B/L 31M2015, 2015 July 27)
- (3) The **Chief Livery Inspector** must publish bulletins by:
- (a) making a copy of the bulletin available for public viewing during normal business hours at a Livery Transport Services office;
 - (b) delivering a copy of the bulletin to all **Licensed Brokerages** by one of the following methods:
 - (i) ordinary mail or hand delivery to the business address provided to the Livery Transport Services by the **Brokerage**;
 - (ii) electronic mail transmission to the e-mail address provided to the Livery Transport Services by the **Brokerage**; or
 - (iii) facsimile transmission to the fax number provided to the Livery Transport Services by the **Brokerage**.
(B/L 31M2015, 2015 July 27)
 - (c) delivering a copy of the bulletin to all **Licensed Transportation Network Companies** by electronic mail transmission to the e-mail address provided to Livery Transport Services by the **Transportation Network Company**.
(B/L 12M2016, 2016 April 04)
- (4) Upon receipt of a bulletin a **Brokerage** shall:
- (a) post the bulletin in a prominent location within the **Brokerage** premises;
 - (b) upon request provide a copy to all persons who pay the **Brokerage** stand rent; and
 - (c) communicate over the **Brokerage's** dispatch system that the bulletin has been published.
(B/L 45M2014, 2014 July 21)
- (4.1) Upon receipt of a bulletin a **Transportation Network Company** must communicate the content of the bulletin to all **Transportation Network Drivers** that use any **App** administered by the **Transportation Network Company** are authorized to use any **App** administered or promoted by the **Transportation Network Company**.
(B/L 12M2016, 2016 April 04)

- (5) The **Chief Livery Inspector** may publish bulletins in respect of matters other than those set out in section 22 where the **Chief Livery Inspector** believes it is in the interest of the livery transport industry to be advised of those matters.
(B/L 31M2015, 2015 July 27)
- (6) Notwithstanding the **Chief Livery Inspector's, Brokerages' and Transportation Network Companies'** obligations to make persons in the livery transport industry aware of bulletins, it is the obligation of all members of the livery transport industry to be informed of the contents of bulletins and industry members will be deemed to be aware of all bulletins that are published in accordance with section 24(3).
(B/L 31M2015, 2015 July 27)
(B/L 12M2016, 2016 April 04)
- (7) DELETED BY 68M2009, 2009 NOVEMBER 30.

PART 4 – LIVERY VEHICLES

Division 1 – General

25. No **Person** shall advertise or offer a **Motor Vehicle** for hire unless that **Motor Vehicle** has:
- (a) a valid **T.P.L.** or **A.T.P.L.** ; or
 - (b) a valid **L.P.L.**;
- joined to the **Motor Vehicle**.
(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)
26. No **Person** shall charge a fare or fee to carry passengers or offer to carry passengers for a fare or fee unless the **Motor Vehicle** used or to be used has a valid **T.P.L.**, **A.T.P.L.** or **L.P.L.** joined to it.
27. No **Person** shall **Operate** a **Motor Vehicle** in a manner which suggests the **Motor Vehicle** is for hire unless the **Motor Vehicle** has a valid **T.P.L.**, **A.T.P.L.** or **L.P.L.** joined to it.
- 27.1 Sections 25, 26 and 27 do not apply to a **Licensed Transportation Network Driver** who is **Operating a Private For Hire Vehicle** and using an **App** approved by the **Chief Livery Inspector** pursuant to section 54.8, unless the approval of the **App** has been suspended pursuant to section 135.9.
(B/L/ 12M2016, 2016 April 04)
28. The **Chief Livery Inspector** shall issue a **Livery Vehicle Registration Certificate** for each **Motor Vehicle** he approves as qualified to have a **T.P.L.**, **A.T.P.L.** or **L.P.L.** joined to it.
(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)

29. (1) No person shall **Operate** a **Livery Vehicle** unless a valid **Livery Vehicle Registration Certificate** is in that **Person's** possession.
- (2) Subsection (1) does not apply to a **Transportation Network Driver** who is **Operating a Private For Hire Vehicle**.
(B/L 12M2016, 2016 April 04)
30. The holder of a **T.P.L.**, **A.T.P.L.** or **L.P.L.** shall ensure that no person attaches that **T.P.L.**, **A.T.P.L.** or **L.P.L.** to a **Motor Vehicle** unless that **Motor Vehicle** has been issued a **Livery Vehicle Registration Certificate**.
- 30.1 The holder of a **T.P.L.**, **A.T.P.L.** or **L.P.L.** shall notify the **Chief Livery Inspector** in writing if the **Livery Vehicle** to which the **T.P.L.**, **A.T.P.L.** or **L.P.L.** is joined is involved in an accident which results in damage to the **Livery Vehicle**.
(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)
31. No person shall attach a **T.P.L.**, **A.T.P.L.** or **L.P.L.** to a **Motor Vehicle** unless it has been approved by the **Chief Livery Inspector**.
(B/L 31M2015, 2015 July 27)
32. No **Person** shall advertise or offer for hire a **Motor Vehicle** as an **Accessible Taxi** unless that **Motor Vehicle** has been approved by the **Chief Livery Inspector** as an **Accessible Taxi**.
(B/L 31M2015, 2015 July 27)
33. No person shall **Operate** a **Taxi** or **Accessible Taxi** with a **Taximeter** that is not sealed by the **Chief Livery Inspector** unless they have a permit issued by the **Chief Livery Inspector**.
(B/L 31M2015, 2015 July 27)
(B/L 12M2016, 2016 April 04)
34. No person shall **Operate** a **Taxi** or **Accessible Taxi** with a **Taximeter** that has a broken or missing seal.
(B/L 12M2016, 2016 April 04)
35. No **Person** shall charge a fare for the operation of a **Taxi** or **Accessible Taxi** greater than the fare shown on the **Taximeter** at the conclusion of the trip except in accordance with Schedule "A".
(B/L 45M2014, 2014 July 21)
(B/L 12M2016, 2016 April 04)
36. No **Person** shall carry a paying passenger in a **Taxi** or **Accessible Taxi** unless the **Taximeter** is turned on.
(B/L 68M2009, 2009 November 30)
(B/L 12M2016, 2016 April 04)
- 36.01 Sections 35 and 36 do not apply to a **Person Operating a Taxi** or **Accessible Taxi** that is carrying a passenger where:
- (a) the ride has been arranged through an **App** approved by the **Chief Livery Inspector** pursuant to section 54.6; or

(b) a flat rate fare in accordance with Schedule "A" is being charged.

(B/L/ 12M2016, 2016 April 04)

36.1 No **Person** shall **Operate** a **Taxi** or **Accessible Taxi** with the **Taximeter** turned on unless the **Taxi** or **Accessible Taxi** is engaged by a customer.

(B/L 31M2015, 2015 July 27)

36.2 No **Person** shall fail to pay any fare or fee lawfully required for the **Person's** hire of a **Taxi, Accessible Taxi, or Limousine.**

(B/L 31M2015, 2015 July 27)

Division 2 – Taxis

37. The **Chief Livery Inspector** shall not approve a **Motor Vehicle** as a **Taxi** or **Issue** a **Livery Vehicle Registration Certificate** for it unless it:

(B/L 31M2015, 2015 July 27)

- (a) has at least three passenger doors;
- (b) has a seating capacity for a minimum of five adults including the **Driver** with all seats constructed by the **Manufacturer** and unaltered;
- (c) is not more than eight model years old;
- (d) is of a make and model approved for use as a **Taxi** by the **Chief Livery Inspector**;

(B/L 31M2015, 2015 July 27)

(e) is equipped with a **Taximeter** which is:

- (a) of a type, make or model approved by the **Chief Livery Inspector**;

(B/L 31M2015, 2015 July 27)

- (ii) mounted in such a position that the fare can easily be read by passengers in any seat in the vehicle;

- (iii) illuminated so that the fare can be read at all times by passengers in any seat of the vehicle;

- (iv) sealed by the **Chief Livery Inspector** or a third-party provider that is certified by the **Chief Livery Inspector**; and

(B/L 31M2015, 2015 July 27)

- (v) capable of producing a paper printout containing the following information:

1. amount of fare;
2. rate used;
3. **T.D.L.** number;

4. **T.P.L.** or **A.T.P.L.** number; and

5. time and date of trip.

(B/L 68M2009, 2009 November 30)

(f) has decals showing rates and fares attached which:

(i) face outward on each rear door window;

(ii) are in a form approved by the **Chief Livery Inspector**; and

(B/L 31M2015, 2015 July 27)

(iii) sets out the maximum fare to be charged for the hire of the **Taxi** when the ride is arranged through a **Street Hail** or **Dispatch Hail** and the fare is calculated by the **Taximeter**;

(B/L/ 12M2016, 2016 April 04)

(g) displays, in a manner approved by the **Chief Livery Inspector**, the name, trade name or trademark of the **Brokerage** with which the **Taxi** is affiliated;

(B/L 31M2015, 2015 July 27)

(h) is painted in colours approved by the **Chief Livery Inspector**;

(B/L 31M2015, 2015 July 27)

(i) displays **Plate**, numbers and decals in the manner, position and colour approved by the **Chief Livery Inspector**;

(B/L 31M2015, 2015 July 27)

(j) displays, in a manner approved by the **Chief Livery Inspector**, and in the form and content specified by the **Chief Livery Inspector**, the rights and obligations of passengers and **Drivers**;

(B/L 31M2015, 2015 July 27)

(k) has an operating 2-way communications system;

(l) has a top light approved by the **Chief Livery Inspector** which is connected in such a manner so as to be illuminated when the **Taxi** is available for hire and turned off when the **Taxi** is not available for hire; and

(B/L 31M2015, 2015 July 27)

(m) is equipped with an **Electronic Payment System**.

(B/L 68M2009, 2009 November 30)

Division 3 – Accessible Taxis

38. The **Chief Livery Inspector** shall not approve a **Motor Vehicle** as an **Accessible Taxi** or **Issue a Livery Vehicle Registration Certificate** for it unless it:

(B/L 31M2015, 2015 July 27)

(a) meets all of the criteria set out in section 37(c) to (l);

- (b) has a seating capacity for a minimum of three adults including the **Driver** with all seats being constructed by the **Manufacturer** and unaltered; and
 - (c) meets all Canadian Motor Vehicle Safety Standards and Canadian Association Standard D409-02 Motor Vehicle for the Transportation of Persons with Physical Disabilities as varied or amended from time to time.
39. The **Chief Livery Inspector** shall, if a **Motor Vehicle** is approved by him as an **Accessible Taxi** endorse the **Livery Vehicle Registration Certificate** for that **Livery Vehicle** to show that the **Livery Vehicle** is an **Accessible Taxi** and such endorsement shall be proof of the **Chief Livery Inspector's** approval thereof.

(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)

Division 3.1 – Security Cameras

- 39.1 (1) A **Person** that holds a **T.P.L.** or **A.T.P.L.** must ensure that the **Taxi** or **Accessible Taxi** to which the **T.P.L.** or **A.T.P.L.** is joined is equipped with:
- (a) a fully-operational security camera:
 - (i) that has been approved by the **Chief Livery Inspector**; and
 - (ii) that is mounted on the inside of the windshield, or in another suitable position, facing rearward and that is continually recording audio and video of all occupants in the **Taxi** or **Accessible Taxi** at all hours of the day or night, and;
 - (b) a decal or sign satisfactory to the **Chief Livery Inspector** that is installed in a conspicuous location that indicates that a security camera is installed and images of the passengers are being recorded.
- (2) A **Person** that holds a **T.P.L.** or **A.T.P.L.** must retain recordings from the security camera for no less than 3 days.
- (3) A **Person** that holds a **T.P.L.** or **A.T.P.L.** must disclose recordings from the security camera to the **Chief Livery Inspector** or the Calgary Police Service upon request within 3 days of the request.”
- (4) A **Person** must not:
- (a) tamper or interfere with a security camera; or
 - (b) block, obstruct or disable a security camera so that it cannot capture audio and video of all occupants in the **Taxi** or **Accessible Taxi**.

(B/L 33M2013, 2013 July 29)
(B/L 31M2015, 2015 July 27)

(B/L 31M2015, 2015 July 27)

Division 4 – Limousines

40. A Stretch-Limousine is a **Motor Vehicle** on which the frame has been cut or altered and extended at least 8 inches, which is no more than ten model years old and meets all Federal or Provincial Regulations and manufacturer's specifications such as Q.V.M. and C.M.C.
41. (1) The **Chief Livery Inspector** shall not approve a **Motor Vehicle** as a Stretch-Limousine or **Issue a Livery Vehicle Registration Certificate** for it unless it meets the criteria set out in section 40.
- (2) Despite subsection (1), the **Chief Livery Inspector** may **Issue a Livery Vehicle Registration Certificate** for a Stretch-Limousine that is older than ten model years if, in the opinion of the **Chief Livery Inspector**, the **Motor Vehicle** to be used as a Stretch-Limousine is in good mechanical condition and appearance.
(B/L 12M2016, 2016 April 04)
42. The **Chief Livery Inspector** is authorized to designate makes and models of **Motor Vehicles** that may be **operated** as a Sedan-Limousine.
(B/L 67M2008, 2008 December 09)
(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)
(B/L 12M2016, 2016 April 04)
43. (1) The **Chief Livery Inspector** may only **Issue a Livery Vehicle Registration Certificate** for a Sedan-Limousine if it is:
- (a) a make and model which may be **operated** as a Sedan-Limousine pursuant to section 42; and
- (b) 8 model years or newer.
- (2) Despite subsection (1)(b), the **Chief Livery Inspector** may **Issue a Livery Vehicle Registration Certificate** for a Sedan-Limousine that is older than 8 model years if, in the opinion of the **Chief Livery Inspector**, the **Motor Vehicle** to be used as a Sedan-Limousine is in good mechanical condition and appearance.
(B/L 31M2015, 2015 July 27)
(B/L 12M2016, 2016 April 04)
44. A Specialized Limousine is a **Motor Vehicle** which is approved by the **Chief Livery Inspector** as a Specialized Limousine.
(B/L 42M2007, 2007 September 10)
(B/L 31M2015, 2015 July 27)
45. The **Chief Livery Inspector** may approve a **Motor Vehicle** as a Specialized **Limousine** and **Issue a Livery Vehicle Registration Certificate** for it only if:
- (a) the **Motor Vehicle** does not otherwise qualify as a **Taxi** or **Accessible Taxi**, Stretch-Limousine or Sedan-Limousine; and

(b) the **Chief Livery Inspector** is satisfied that the **Motor Vehicle**

- (i) can be operated safely;
- (ii) can provide comfort to passengers; and
- (iii) offers a unique experience or luxury to passengers.

(B/L 31M2015, 2015 July 27)

46. The **Owner** of a **Limousine** shall ensure that the **Limousine**:

- (a) has an **L.P.L.** joined to it; and
- (b) displays **Plate** and numbers in a manner, position and colour prescribed by the **Chief Livery Inspector**.

(B/L 31M2015, 2015 July 27)

47. DELETED BY 12M2016, 2016 APRIL 04.

48. DELETED BY 12M2016, 2016 APRIL 04.

49. DELETED BY 12M2016, 2016 APRIL 04.

50. (1) No **Person** shall, while operating a **Limousine**, pick up passengers unless the **Limousine** service was previously arranged.

(2) In Subsection (1), "previously arranged" means:

- (a) in the case of a **Limousine** affiliated with a **Brokerage**, the customer has entered into an agreement with the **Brokerage** prior to the time of pick up; or

(B/L 12M2016, 2016 April 04)

- (b) in the case of a **Limousine** that is an **Independent Livery Vehicle**, the customer has entered into an agreement with the **Driver** of the **Limousine** prior to the time of pick up.

(B/L 12M2016, 2016 April 04)

(2.1) In subsection (1), "previously arranged" does not include a **Street Hail**.

(B/L 12M2016, 2016 April 04)

(3) An agreement referred to in Subsection (2) must include the following information:

- (a.1) the time and date when the agreement was entered into;
- (a) the time and date when every passenger is picked up;
- (b) the location at which every passenger is picked up;
- (c) the destination at which every passenger is discharged;

- (d) the **Limousine Driver's L.D.L.** number;
- (e) the **L.P.L.** number;
- (f) either: (i) the amount to be paid for the service; or
(ii) the hourly rate to be charged to the customer.

(B/L 12M2016, 2016 April 04)

(g) DELETED BY 12M2016, 2016 APRIL 04.

- (4) An agreement referred to in Subsection (2) must be recorded at the time of the agreement in English in either a written or electronic form satisfactory to the **Chief Livery Inspector**.

(B/L 31M2015, 2015 July 27)

(B/L 12M2016, 2016 April 04)

- (5) A copy of such agreement must be carried in the **Limousine** at all times while the **Limousine** is engaged pursuant to the agreement.

(B/L 45M2014, 2014 July 21)

50.1 (1) Section 50 does not apply to a **Limousine** that picks up a passenger pursuant to a **Street Hail** at the main passenger terminal building at the Calgary International Airport.

- (2) A **Brokerage** that provides **Street Hail Limousine** service at the main passenger terminal building at the Calgary International Airport must set flat rate fares for trips originating at the Calgary International Airport to specified communities in the City.

- (3) The flat rate fares set pursuant to subsection (2) must be posted at the Calgary International Airport as directed by the Calgary Airport Authority.

- (4) The **Driver** of a **Limousine** that picks up passengers pursuant to a **Street Hail** at the main passenger terminal building at the Calgary International Airport must not charge an amount greater than the posted flat rate fare for the trip.

(B/L 12M2016, 2016 April 04)

50.2 Section 50 does not apply to a **Person Operating a Limousine** that picks up a passenger where the ride has been arranged through an **App** approved by the **Chief Livery Inspector** pursuant to section 54.7.

(B/L 12M2016, 2016 April 04)

51. (1) A **Limousine** may only park upon a **Highway** if it is:

- (a) engaged pursuant to an agreement as set out in Section 50 or an **App** approved by the **Chief Livery Inspector** pursuant to section 54.7; and
- (b) displaying a "Not for Hire" sign.

(B/L 12M2016, 2016 April 04)

- (2) Subsection (1) shall not apply to a **Limousine** parked:

(a) at the main passenger terminal building at the Calgary International Airport; or

(b) within an area designated by the **Chief Livery Inspector**.

(B/L 68M2009, 2009 November 30)

(B/L 31M2015, 2015 July 27)

52. DELETED BY 68M2009, 2009 NOVEMBER 30.

53. The holder of an **L.P.L.** and the **Driver** of a **Limousine** shall ensure that each paid trip taken in the **Limousine** his **L.P.L.** is attached to is evidenced by a written agreement.

53.1 Section 53 does not apply to trips that have been arranged through an **App** approved by the **Chief Livery Inspector** pursuant to section 54.7.

(B/L 12M2016, 2016 April 04)

54. DELETED BY 12M2016, 2016 APRIL 04.

PART 4.1 – LIVERY SERVICE

Division 1 – Street Hail Service

54.1 (1) A **Person** that operates a **Livery Vehicle**, other than a **Taxi** or **Accessible Taxi**, must not accept a **Street Hail**.

(2) Despite subsection (1), a **Person** that operates a **Limousine** may accept a **Street Hail** at the main passenger terminal building at the Calgary International Airport.

54.2 A **Person Operating** a **Taxi** or **Accessible Taxi**, when providing service pursuant to:

(a) a **Street Hail**;

(b) a text message received via a mobile phone; or

(c) an **App** that has not been approved by the **Chief Livery Inspector** pursuant to section 54.6;

must charge the rates set out in Schedule “A”.

(B/L 12M2016, 2016 April 04)

Division 2 – Dispatch Service

54.3 A **Person** that **Operates** a **Livery Vehicle**, other than a **Taxi**, **Accessible Taxi** or **Limousine**, must not accept a **Dispatch Hail**.

54.4 A **Person operating** a **Taxi** or **Accessible Taxi**, when providing service pursuant to a **Dispatch Hail**, must charge the rates set out in Schedule “A”.

(B/L 12M2016, 2016 April 04)

Division 3 – App Based Service

- 54.5 (1) The **Chief Livery Inspector** is authorized to approve **Apps** through which **Livery Vehicle** service may be arranged.
- (2) The **Chief Livery Inspector** may only approve an **App** if either the **Person** who administers the **App** or the **Person** who promotes the **App** holds:
- (a) a valid and subsisting **Brokerage Licence**; or
 - (b) a valid and subsisting **Transportation Network Company Licence**.

(B/L 12M2016, 2016 April 04)

Approved Apps for Taxi and Accessible Taxi Service

- 54.6 The **Chief Livery Inspector** may only approve an **App** for **Taxi** and **Accessible Taxi** services if the **App**:
- (a) is capable of:
 - (i) calculating a fare based on the distance travelled by the **Taxi** or **Accessible Taxi**; and
 - (ii) estimating the total fare to be charged to the customer for a trip;
 - (b) is capable of accepting specific requests for **Accessible Taxi** services;
 - (c) transmits to a prospective customer the rate to be charged to the customer including any variable or surge pricing prior to the customer agreeing to the ride;
 - (d) records, at the time the **Taxi** or **Accessible Taxi** service is arranged, the following information:
 - (i) the time, date and location where and when the customer is to be picked up;
 - (ii) the destination where the customer is to be discharged;
 - (iii) the **T.P.L.** or **A.T.P.L.** number of the **Taxi** or **Accessible Taxi**;
 - (e) transmits to the customer the information set out in subsection (1)(d) before the customer enters the **Taxi** or **Accessible Taxi**;
 - (f) at the conclusion of the trip, immediately provides to the customer an electronic receipt containing:
 - (i) the customer's name;
 - (ii) the time and date that the **Taxi** and **Accessible Taxi** service was arranged;

- (iii) the location and time where and when the customer was picked up;
- (iv) the location and time where and when the customer was dropped off;
- (v) the total fare charged to the customer;
- (vi) the **T.P.L.** or **A.T.P.L.** number of the **Taxi** or **Accessible Taxi**; and
- (vii) the **T.D.L.** number of the **Driver**;
- (g) provides real time GPS tracking to the customer capable of showing the **Taxi** or **Accessible Taxi** while on route to pick up customer and while carrying the customer; and
- (h) allows the customer to provide feedback regarding the service to the **Brokerage** that administers or promotes the **App**.

(B/L 12M2016, 2016 April 04)

Approved Apps for Limousine Service

- 54.7 (1) The **Chief Livery Inspector** may only approve an **App** for **Limousine** Services if the **App**:
- (a) is capable of:
 - (i) calculating a fare based on the distance travelled by the **Limousine**; and
 - (ii) estimating the total fare to be charged to the customer for a trip;
 - (b) transmits to a prospective customer the rate to be charged to the customer including any variable or surge pricing prior to the customer agreeing to the ride;
 - (c) records, at the time the **Limousine** service is arranged, the following information:
 - (i) the time, date and location where and when the customer is to be picked up;
 - (ii) the destination where the customer is to be discharged;
 - (iii) the **L.P.L.** number of the **Limousine**;
 - (d) transmits to the customer the information set out in subsection (1)(c) before the customer enters the **Limousine**;
 - (e) at the conclusion of the trip, immediately provides to the customer an electronic receipt containing:
 - (i) the customer's name;

- (ii) the time and date that the **Limousine** service was arranged;
- (iii) the location and time where and when the customer was picked up;
- (iv) the location and time where and when the customer was dropped off;
- (v) the total fare charged to the customer;
- (vi) the **L.P.L** number of the **Limousine**; and
- (vii) the **L.D.L.** number of the **Driver**;
- (f) provides real time GPS tracking to the customer capable of showing the **Limousine** while on route to pick up the customer and while carrying the customer; and
- (g) allows the customer to provide feedback regarding the service to the **Brokerage** that administers or promotes the **App**.
- (2) A **Person** providing **Limousine** service through an approved **App** must not accept payment by cash.
- (3) Despite subsection (2), a **Person** providing **Limousine** service through an approved **App** may accept payment by cash if a camera that meets the requirements set out in section 39.1 has been installed in the **Limousine** and approved by the **Chief Livery Inspector**.

(B/L 12M2016, 2016 April 04)

Approved Apps for Private For Hire Vehicle Service

- 54.8 (1) The **Chief Livery Inspector** may only approve an **App** for **Private For Hire Vehicle** services if the **App**:
- (a) is capable of:
 - (i) calculating a fare based on the distance travelled by the **Private For Hire Vehicle**; and
 - (ii) estimating the total fare to be charged to the customer for a trip;
 - (b) transmits to a prospective customer the rate to be charged to the customer including any variable or surge pricing prior to the customer agreeing to the ride;
 - (c) records, at the time the **Private For Hire Vehicle** service is arranged, the following information:

- (i) the time, date and location where and when the customer is to be picked up;
 - (ii) the destination where the customer is to be discharged;
 - (iii) a photo of the **Driver**;
 - (iv) the Alberta licence plate number of the **Private For Hire Vehicle**; and
 - (v) the make and model of the **Private For Hire Vehicle**;
 - (d) transmits to the customer the information set out in subsection (1)(c) before the customer enters the **Private For Hire Vehicle**;
 - (e) at the conclusion of the trip, immediately provides to the customer an electronic receipt containing:
 - (i) the customer's name;
 - (ii) the time and date that the **Private For Hire Vehicle** service was arranged;
 - (iii) the location and time where and when the customer was picked up;
 - (iv) the location and time where and when the customer was dropped off;
 - (v) the total fare charged to the customer; and
 - (vi) the **T.N.D.L.** number of the **Driver**;
 - (f) provides real time GPS tracking to the customer capable of showing the **Private For Hire Vehicle** while on route to pick up the customer and while carrying the customer;
 - (g) allows the customer to provide feedback regarding the service to the **Transportation Network Company** that administers or promotes the **App**; and
 - (h) provides a method by which the **Chief Livery Inspector** can access the **App** to locate in service **Transportation Network Drivers** for inspection and enforcement services.
- (2) A **Person** providing **Private For Hire Vehicle** service through an approved **App** must not accept payment by cash.
- (3) Despite subsection (2), a **Person** providing **Private For Hire Vehicle** service through an approved **App** may accept payment by cash if a camera that meets

the requirements set out in section 39.1 has been installed in the **Private For Hire Vehicle** and approved by the **Chief Livery Inspector**.

- 54.9 (1) A **Person** must not sell, lease, licence, administer, promote or otherwise make available an **App** for the purposes of arranging rides from **Taxis, Accessible Taxis** or **Limousines**, or enrol any person in such an **App**, unless:
- (a) the **Person** holds a valid and subsisting **Brokerage Licence**; and
 - (b) the **App** has been approved by the **Chief Livery Inspector**.
- (2) Despite subsection (1), a **Person** who operates a **Taxi** or **Accessible Taxi** may use an **App** that has not been approved by the **Chief Livery Inspector**. A **Person** who operates a **Taxi** or **Accessible Taxi** and who accepts a request for a ride using a non-approved **App** must charge the rate set out in Schedule "A".
- (3) Despite subsection (1), a **Person** who operates a **Limousine** may use an **App** that has not been approved by the **Chief Livery Inspector** if the ride is pre-arranged in accordance with section 50.
- (4) A **Person** must not sell, lease, licence, administer, promote or otherwise make available an **App** for the purpose of arranging rides from **Private For Hire Vehicles**, or enrol any person in such an **App**, unless:
- (a) the **Person** holds a valid and subsisting **Transportation Network Company Licence**; and
 - (b) the **App** has been approved by the **Chief Livery Inspector**.

Data Reporting Requirements

- 54.10 (1) The **Chief Livery Inspector** may specify information reporting requirements for **Brokerages** and **Transportation Network Companies** which use an approved **App**.
- (2) A **Brokerage** that utilizes an approved **App** to offer **Livery Vehicle** services must record in an electronic format the information specified by the **Chief Livery Inspector** and transmit the information:
- (a) on a schedule;
 - (b) to a location; and
 - (c) in a format;
- approved by the **Chief Livery Inspector**.
- ~~(3) A **Transportation Network Company** must, for all **Drivers** which utilize the **Transportation Network Company's App**, record in an electronic format the information specified by the **Chief Livery Inspector** and transmit the information~~

- (a) on a schedule;
- (b) to a location; and
- (c) in a format;

approved by the **Chief Licence Inspector**.

(B/L 12M2016, 2016 April 04)

54.11 (1) A **Transportation Network Company** must, for each trip arranged through an **App** that is administered or promoted by the **Transportation Network Company**, record in an electronic format the following information:

- (a) the **Licence** number of the **Transportation Network Driver** who provided the trip;
- (b) the time and date that the trip was arranged;
- (c) the time and date of the start of the trip;
- (d) the latitude and longitude of the location where the trip started;
- (e) the time and date of the end of the trip;
- (f) the latitude and longitude of the location where the trip ended; and
- (g) whether a wheelchair accessible vehicle was requested.

(2) The information specified in subsection (1) must be transmitted to the Chief Livery Inspector:

- (a) on a schedule;
- (b) to a location; and
- (c) in a format;

approved by the **Chief Licence Inspector**.

Sufficiency of App

54.12 Where this Bylaw imposes any requirement on an **App**, that requirement is satisfied if:

- (i) a **Driver** and a customer make use of separate **Apps** administered or promoted by the same **Brokerage** or **Transportation Network Company**; and
- (ii) either **App**, whether separately or in conjunction with the other, satisfies the requirement.

PART 5 – LICENSES

Division 1 – General

55. No **Person** shall **Operate** a **Taxi** or **Accessible Taxi** without a valid and subsisting **T.D.L.**
56. No **Person** shall **Operate** a **Limousine** without a valid and subsisting **L.D.L.**
- 56.1 No **Person** shall **Operate** a **Private For Hire Vehicle** without a valid and subsisting **T.N.D.L.**
(B/L 12M2016, 2016 April 04)
57. No **Person** shall possess more than one copy of the same **Licence**.
58. No **Person** shall **Operate** a **Livery Vehicle** contrary to a restriction or condition to which that **Person's Licence** is subject.
59. No **Person** shall **Operate** a **Livery Vehicle Taxi, Accessible Taxi or Limousine** without having his **T.D.L.** or **L.D.L.** in his or her possession.
(B/L 31M2015, 2015 July 27)
60. No **Person** shall conduct **Brokerage Operations** without a valid and subsisting **Brokerage Licence**.
61. No **Person** shall **Operate** an **Accessible Taxi** without a valid and subsisting **T.D.L.** with the endorsement to **operate** an accessible vehicle.
(B/L 68M2009, 2009 November 30)
62. No **Person** shall **Operate** an **Independent Taxi** without a **Livery Vehicle Registration Certificate** endorsed for **Independent Taxis**.
63. No **Person** shall attach a **Plate** to a **Motor Vehicle** which is not approved by the **Chief Livery Inspector** and does not have a valid **Livery Vehicle Registration Certificate**.
(B/L 31M2015, 2015 July 27)
64. No **Person** shall allow a **Plate** to be attached to a **Motor Vehicle** which is not approved by the **Chief Livery Inspector** and does not have a valid **Livery Vehicle Registration Certificate**.
(B/L 31M2015, 2015 July 27)
65. No **Person** shall offer for hire a **Motor Vehicle** in the **City** which has markings, decals, or equipment identifying it as a taxi, accessible taxi or limousine unless that **Motor Vehicle** has a valid **Livery Vehicle Registration Certificate**.
(B/L 31M2015, 2015 July 27)
66. DELETED BY 68M2009, 2009 NOVEMBER 30.
67. (1) The burden of proving that a **Livery Vehicle** was not in service rests with the person relying on the defence.

- (2) To prove that a **Livery Vehicle** was not in service the person relying on the defence must show that at the time that the offence was alleged to have taken place a sign in a form approved by the **Chief Livery Inspector** and bearing the words "NOT FOR HIRE" was visible and prominently displayed in the front window of the **Livery Vehicle**.
(B/L 31M2015, 2015 July 27)
- (3) Subsection (2) is not applicable to a **Private for Hire Vehicle**.
(B/L 12M2016, 2016 April 04)
68. The operator of a **Livery Vehicle** that has in place the signs specified in section 67(2) shall not stop or park the **Livery Vehicle** in a taxi stand, or any other place set apart for **Livery Vehicles** that are in service.
69. (1) A **Person** may apply to the **Chief Livery Inspector** for a **Licence** in accordance with the provisions of this Bylaw.
(B/L 31M2015, 2015 July 27)
- (2) An application for a **Licence** must be made to the **Chief Livery Inspector** and must be in the form and contain the information prescribed by the **Chief Livery Inspector**.
(B/L 31M2015, 2015 July 27)
- (2.1) A **Person** who applies for a **Licence** must provide to the **Chief Livery Inspector** both a postal address to which documents may be mailed and a physical address to which documents may be served or delivered;
(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)
- (3) With respect to an application referred to in section 69(2), in addition to the information required on an application form, the **Chief Livery Inspector** may require the **Applicant** to provide any other relevant document or information which, in the opinion of the **Chief Livery Inspector**, is necessary to evaluate the application, including:
(B/L 31M2015, 2015 July 27)
- (a) proof that the **Applicant** is legally entitled to work in Canada;
- (b) the written recommendation of the **Chief of Police**; and
- (b.1) a police information check; and
- (c) a driver's abstract if the application is for a **T.D.L.**, **L.D.L.** or **T.N.D.L.**.
(B/L 12M2016, 2016 April 04)
70. (1) Every **Applicant** for a **Licence** shall attend in person and not by agent or attorney at the office of the **Chief Livery Inspector** to complete an application and in the case of an application made by a corporation, such attendance shall be made by a director or officer of the corporation.
(B/L 31M2015, 2015 July 27)
- (2) Despite subsection (1), the **Chief Livery Inspector** may relieve an **Applicant** for a **Licence** from the requirement to attend in person.

(3) Despite subsection (1), the submission of materials in connection with an application for a **Licence** may be facilitated through a **Transportation Network Company** and submitted electronically.

71. (1) If an application for a new **T.D.L.**, **L.D.L.** or **T.N.D.L.** is not materially advanced by the **Applicant** for thirty (30) consecutive days then the application is deemed to have been abandoned and application fee is forfeited to The **City**.
- (2) If a **T.D.L.**, **L.D.L.** or **T.N.D.L.** expires and an application to renew is not made within thirty (30) days of expiry, then the **T.D.L.**, **L.D.L.** or **T.N.D.L.** is deemed to have been abandoned and the right to renew is forfeited.
- (3) Notwithstanding subsection 71(2), the **Chief Livery Inspector** may accept an application to renew a **T.D.L.**, **L.D.L.** or **T.N.D.L.** after thirty (30) days of expiry if circumstances warrant.

(B/L 68M2009, 2009 November 30)

(B/L 31M2015, 2015 July 27)

(B/L 12M2016, 2016 April 04)

72. The **Chief Livery Inspector** may require that each officer of a corporate **Applicant** obtain the recommendation of the **Chief of Police**.

(B/L 31M2015, 2015 July 27)

- 72.1 The **Chief Livery Inspector** must refuse to **Issue** a **T.D.L.**, **L.D.L.** or **T.N.D.L.** applied for if the **Applicant** does not hold a valid and subsisting **Provincial Operator's Licence** that permits the individual to transport passengers for hire.

(B/L 45M2014, 2014 July 21)

(B/L 31M2015, 2015 July 27)

(B/L 12M2016, 2016 April 04)

73. The **Chief Livery Inspector** may refuse to **Issue** the **Licence** applied for if, in the opinion of the **Chief Livery Inspector**:

- (a) the **Applicant** fails to meet the requirements, tests, terms or conditions established under this Bylaw;
- (b) the behaviour, conduct, or health status of an **Applicant** is such that the **Person** is unfit to hold that particular **Licence**;
- (c) it would not be in the public interest or the interests of the livery industry to allow that **Person** to hold that particular **Licence**;
- (d) the **Applicant** has ten or more demerit points given under the authority of the **Traffic Safety Act**; or
- ~~(e) the **Applicant** has not received the positive recommendation of the **Chief of Police**.~~
- (e) the **Chief of Police** has recommended that the **Applicant** should not be **Issued** a **Licence**.

(B/L 31M2015, 2015 July 27)

74. No **Person** whose application for a **Licence** or transfer of a **T.P.L.** or **A.T.P.L.** has been refused may reapply for a **Licence** or transfer of a **T.P.L.** or **A.T.P.L.** until six months after the date of the written notice of the **Chief Livery Inspector's** refusal or such longer time as determined by the **Chief Livery Inspector** in his or her sole discretion.

(B/L 45M2014, 2014 July 21)

(B/L 31M2015, 2015 July 27)

75. DELETED BY 68M2009, 2009 NOVEMBER 30.

- ~~76. The **Chief Livery Inspector** may **Issue** any **Licence** for a period of less than one year.~~

(B/L 31M2015, 2015 July 27)

76. The **Chief Livery Inspector** may set the term for any **Licence Issued** pursuant to this Bylaw.

77. DELETED BY 68M2009, 2009 NOVEMBER 30.

78. All **Licenses** issued pursuant to this Bylaw expire on the date specified on the **Licence** as the expiry date.

79. (1) Subject to the provisions of this Bylaw as to revocation and suspension, a **Licence Issued** pursuant to this Bylaw is valid only until the expiry date appearing on the **Licence**.

(B/L 68M2009, 2009 November 30)

- (2) A holder whose **Licence** is suspended, revoked or expired shall immediately return the **Licence**, **Plates** and any other Livery document relating to such **Licence** to the **Chief Livery Inspector**.

(B/L 31M2015, 2015 July 27)

80. (1) Where a **Licensee** has had its status change with respect to any municipal, provincial, or federal regulatory regime that is relevant to the **Licensee's** ability to hold a **Licence**, the **Licensee** must immediately advise the **Chief Livery Inspector** of its change in status.

(B/L 31M2015, 2015 July 27)

- (2) A **Licensee** and any officer or majority shareholder of a **Licensee** must immediately notify the **Chief Livery Inspector** and disclose any change in the information which was provided as part of the application or renewal of a **Licence**, including changes in:

- (a) name;
- (b) address;
- (c) corporate registries information;
- (d) registered owner information for **Motor Vehicles**;
- (e) insurance coverage and **Certificates**;

- (f) criminal record;
 - (g) a medical diagnosis which would affect the holder's ability to carry out the tasks related to the **Licence** he holds or that could affect the safety of the public.
- (3) Where a corporation is a **Licensee** holding a **Brokerage Licence**, the corporation must notify the **Chief Livery Inspector** of the sale or assignment of the business through the sale of assets or the sale of the business through the sale of shares or any combination thereof.
- (4) Where a corporation incorporated under the Co-operative Association Act (Alberta) or the Cooperatives Act (Alberta) is a **Licensee**, the **Licensee** must notify the **Chief Livery Inspector** of a sale of all or substantially all of the assets of the corporation.
- (B/L 31M2015, 2015 July 27)
81. If the **Chief Livery Inspector** determines that the controlling interest in a company that holds a **Brokerage Licence** has changed, whether by direct or indirect means, he may suspend or revoke the **Brokerage Licence** if he reasonably determines that such suspension or revocation is necessary to meet the purposes of this Bylaw.
- (B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)
82. (1) The **Chief Livery Inspector** may impose restrictions and conditions on a **Licensee** if in the opinion of the **Chief Livery Inspector** they are necessary to meet the purposes of this Bylaw.
- (B/L 31M2015, 2015 July 27)
- (2) Terms and conditions referred to in section 82(1) are effective as of the date notice is given to the holder of the **Licence** to which they apply or upon issuance in the case of a new **Licence** or renewal.
83. (1) All **Licences** are a privilege granted by The **City** and may not be sold, leased, assigned or otherwise transferred.
- (B/L 12M2016, 2016 April 04)
- (2) Notwithstanding Subsection 83(1), a **Licence** may be transferred in accordance with this Bylaw.
- (B/L 68M2009, 2009 November 30)
84. All **Licenses**:
- (a) Shall bear the personal or mechanically reproduced signature of the **Chief Livery Inspector** and his seal; and
- (B/L 68M2009, 2009 November 30)
- (b) be on a form established by the **Chief Livery Inspector** which bears the identification of The **City** and is not a copy.
- (B/L 31M2015, 2015 July 27)

Division 2 – Driver's Licence (T.D.L. or L.D.L.)

85. Every **Driver** other than a **Transportation Network Driver** while operating a **Livery Vehicle** shall:

- (a) be neat and clean in person and dress;
- (b) be professional and courteous;
- (c) promptly attend to passenger pick ups;
- (d) take proper care of all baggage and personal property given to him for conveyance, and deliver such property as directed;
- (e) immediately after delivering a passenger, inspect the **Livery Vehicle** to determine whether or not the passenger has left any property;
- (f) gather all lost property found in or about the **Livery Vehicle** and, if the vehicle is affiliated with a **Brokerage**, deliver same to the premises of the **Brokerage** with which his **Livery Vehicle** is affiliated, without charge;
- (g) where lost property is found and the **Driver** is not affiliated with a **Brokerage**, deliver the found property to a police station, without charge;
- (h) unless requested by the passenger to do otherwise, take the most economical route to a destination;
- (i) inspect the **Livery Vehicle** he will be operating before each shift and repair any defects which contravene **E.L.V.I.S.** before operating the **Livery Vehicle**;
- (j) upon discovering a defect on a **Livery Vehicle** he is operating which contravenes **E.L.V.I.S.** report it to the **Brokerage** to which the **Livery Vehicle** is affiliated; and
- (k) when **Operating** an **Accessible Taxi**, give priority to calls received from persons with disabilities who require the services of his **Accessible Taxi**.

(B/L 12M2016, 2016 April 04)

85.1 (1) The **Driver** of a **Taxi** or **Accessible Taxi** who has provided **Street Hail** Service or **Dispatch** Service pursuant to Divisions 1 and 2 of Part 4.1 must supply a passenger with a legible receipt printed from the **Taximeter** showing:

- (i) the fare charged;
- (ii) the **Driver's T.D.L.** number;
- (iii) the number of the **T.P.L.** or **A.T.P.L.** joined to the **Taxi** or **Accessible Taxi**; and
- (iv) the time and date of the trip.

(B/L 12M2016, 2016 April 04)

- (2) When requested to do so, the **Driver** of a **Limousine** must supply a passenger with a legible receipt showing:
 - (i) the fare or fee charged;
 - (ii) the **Driver's L.D.L.** number;
 - (iii) the name of the **Brokerage** with which the **Limousine** is affiliated, if any;
 - (iv) the number of the **L.P.L.** joined to the **Limousine**; and
 - (v) the time and date of the trip.

86. A **Driver** other than a **Transportation Network Driver**:

- (a) must accept all persons as passengers except when entitled to refuse such persons pursuant to this section;
- (b) is entitled to refuse a passenger if such a person:
 - (i) is impaired by alcohol or drugs;
 - (ii) is indebted to the **Driver** or **Brokerage** with which the **Livery Vehicle** is affiliated;
 - (iii) requests that the **Driver** carry an animal in the **Livery Vehicle** other than a **Service Animal**;
 - (iv) requests that the **Driver** carry baggage in the **Livery Vehicle** which might be detrimental to the repair, cleanliness or sanitary condition of the **Livery Vehicle**;
 - (v) requests the **Driver** to carry any passengers or baggage which the **Livery Vehicle** is incapable of carrying;
 - (vi) insists on smoking or persists in smoking in the **Livery Vehicle**; or
 - (vii) is disorderly or abusive to the **Driver**;
- (c) is not required to accept a passenger if the **Livery Vehicle** is not in service;
- (d) must not allow consumption of alcohol by any passenger in a **Livery Vehicle**, with the exception of a Stretch-Limousine as defined in Section 40 that has a physical divider between the driver compartment and the passenger area;
- (e) DELETED BY 12M2016, 2016 APRIL 04;
- (e.1) DELETED BY 12M2016, 2016 APRIL 04;
- (e.2) DELETED BY 12M2016, 2016 APRIL 04;

- (f) DELETED BY 12M2016, 2016 APRIL 04;
- (g) must display his or her **T.D.L.** or **L.D.L.** in a position inside the **Livery Vehicle** which is clearly visible to any person inside the **Livery Vehicle**;
(B/L 45M2014, 2014 July 21)
- (h) may require that the passenger provide a deposit of not more than thirty dollars (\$30.00) to be applied toward the **taximeter** fare and shall provide a receipt to the passenger for such deposit; and
(B/L 68M2009, 2009 November 30)
- (i) shall have eight consecutive hours off duty in any twenty-four hour period.
(B/L 56M2007, 2007 December 10)
(B/L 12M2016, 2016 April 04)

87. A **Driver** shall not:

- (a) drive a **Livery Vehicle** while under the influence of alcohol or other impairing substances;
- (b) consume alcohol or use impairing substances while operating a **Livery Vehicle**;
- (c) when **Operating** a **Taxi** carry a number of passengers in excess of the number stipulated by the **Motor Vehicle's Manufacturer** in its specifications for that **Motor Vehicle**;
- (d) when **Operating** an **Accessible Taxi** or **Limousine** carry a number of passengers in excess of the number stipulated by the **Chief Livery Inspector** and shown on the **Livery Vehicle Registration Certificate**;
(B/L 31M2015, 2015 July 27)
- (d.1) when **Operating** a **Private For Hire Vehicle** carry a number of passengers in excess of the number stipulated by the **Motor Vehicle's Manufacturer** in its specifications for that **Motor Vehicle**.
(B/L 12M2016, 2016 April 04)
- (e) knowingly misinform any person as to:
 - (i) the time, place, arrival or departure of any public conveyance; or
 - (ii) the location of any place, structure or building;
- (f) knowingly induce any person to hire his services or any other **Livery Vehicle** by false representation;
- (g) use a cell phone while carrying a passenger or passengers in a **Livery Vehicle**;
(B/L 68M2009, 2009 November 30)
- (h) refuse a passenger because they require that their **Service Animal** accompany them.

88. If a passenger requests the assistance of a **Driver**, including the loading or unloading of a mobility aid and provided that the request for assistance is reasonable, the **Driver** shall provide such assistance.
- 88.1 The **Driver** of a **Taxi** or **Accessible Taxi** that is affiliated with a **Brokerage** and that is in service must:
- (a) be booked on to the **Brokerage's** dispatch system, and
 - (b) respond to a dispatched service request, unless the **Taxi** or **Accessible Taxi** is carrying a customer.

(B/L 35M2012, 2012 June 25)

Division 2.1 – Transportation Network Driver's Licences (T.N.D.L.)

- 88.2 The **Chief Livery Inspector** is authorized to issue **Transportation Network Driver's Licences**.
- 88.3 (1) In addition to any other information required by the **Chief Livery Inspector** pursuant to section 69(2), an **Applicant** for a **Transportation Network Driver's Licence** must advise the **Chief Livery Inspector** of the **App** which the **Applicant** will be affiliated with.
- (1.1) **The Transportation Network Company with which the Applicant is affiliated must provide confirmation prior to the Transportation Network Driver's Licence being Issued.**
- (2) A **Transportation Network Driver** must not affiliate with an **App** or otherwise use an **App** to accept requests for rides unless the **Chief Livery Inspector** has been advised of the affiliation.
- 88.4 (1) Every **Transportation Network Driver** while carrying a paying passenger in a **Private For Hire Vehicle** shall:
- (a) be neat and clean in person and dress;
 - (b) be professional and courteous;
 - (c) take proper care of all baggage and personal property given to him for conveyance, and deliver such property as directed;
 - (d) immediately after delivering a passenger, inspect the **Private For Hire Vehicle** to determine whether or not the passenger has left any property;
 - (e) gather all lost property found in or about the **Private For Hire Vehicle** and deliver the found property to the premises of the **Transportation Network Company** with which the **Transportation Network Driver** is affiliated, without charge; and
- (a) unless requested by the passenger to do otherwise, take the most economical route to a destination.

- (2) A **Transportation Network Driver** must inspect the **Private For Hire Vehicle** on a regular basis. If a **Transportation Network Driver** becomes aware of any defect that would affect the safe operation of the **Private For Hire Vehicle**, the **Transportation Network Driver** must remedy the defect before providing transportation to a customer.
- (3) A **Transportation Network Driver** must not pick up or drop off a passenger at the Calgary International Airport unless the **App** used by the **Transportation Network Driver** has been authorized by the Calgary Airport Authority.

Registration of Private For Hire Vehicles

- 88.5 (1) A **Transportation Network Driver** must register with the **Chief Livery Inspector** all **Motor Vehicles** which the **Applicant** will use to provide **App** Based Service.
- (2) In order to register a **Motor Vehicle** pursuant to subsection (1), a **Transportation Network Driver** must provide to the **Chief Livery Inspector**:
- (a) a copy of the certificate of registration for the **Motor Vehicle** issued pursuant to the *Traffic Safety Act*;
 - (b) ~~for any **Motor Vehicle** for which the **Applicant** is not the registered owner, the written consent of the registered owner permitting the **Applicant** to use the **Motor Vehicle** to provide **App** Based Service;~~
 - (b) for any **Motor Vehicle** for which the **Applicant** is:
 - (i) not the registered owner; or
 - (ii) not listed as an insured party on the insurance policy in respect of the **Motor Vehicle**;the written consent of the registered owner permitting the **Applicant** to use the **Motor Vehicle** to provide **App** Based Service;
 - (c) (i) a copy of a record of inspection for the **Motor Vehicle** pursuant to the Vehicle Inspection Regulation AR 211/2006, which indicates that the vehicle was inspected by a garage approved by the Alberta Motor Vehicle Industry Council and has passed the inspection, ~~dated no earlier than 30 days before the application for registration; or~~
 - (ii) a copy of an **Inspection Certificate** for the **Motor Vehicle**;
 - dated no earlier than 30 days before the application for registration; and
 - (d) proof that the **Transportation Network Driver** has insurance coverage for the **Motor Vehicle** that meets the requirements of the Commercial Vehicle Certificate and Insurance Regulation AR 314/2002 in respect of a

vehicle used as a taxi or any other provincial legislation governing insurance requirements for **Private For Hire Vehicles**.

(3) The registration pursuant to subsection (1) may be facilitated electronically through a **Transportation Network Company**.

88.6 A **Person** must not use a **Private For Hire Vehicle** that is more than ten model years old to provide **App Based Service**.

88.7 A **Person** must not place any trade markings, other than those specified by the **Chief Livery Inspector** pursuant to section 22(c), on or in a **Private For Hire Vehicle**.

88.8 A **Person** must not utilize a **Private For Hire Vehicle** that has not been registered with the **Chief Livery Inspector** pursuant to section 88.5 to provide **App Based Service**.

(B/L 12M2016, 2016 April 04)

Division 3 – Taxi Plate Licenses (T.P.L.) and Accessible Taxi Plate Licenses (A.T.P.L.)

89. There shall be two classes of **T.P.L.**: T.P.L.-1 and T.P.L.-2.

89.01 Unless otherwise approved by Council, The **City** shall not issue more than 1699 **T.P.L.s** as follows:

(a) 1311 T.P.L.-1s; and

(b) 388 T.P.L.-2s.

(B/L 51M2014, 2014 September 22)

89.02 (1) Any **T.P.L.** that was issued as of 2013 September 16 is deemed to be a T.P.L.-1.

(2) A T.P.L.-1 is subject to all provisions of this Bylaw applicable to **T.P.L.s**.

89.03 A T.P.L.-2 is subject to all provisions of this Bylaw applicable to **T.P.L.s**, except as modified by the following:

(1) The holder of a T.P.L.-2 must hold a valid **T.D.L.**;

(2) A T.P.L.-2 is not transferable;

(3) A **Taxi** to which the T.P.L.-2 is joined must be in service and personally driven by the holder of the T.P.L.-2 for:

(i) a minimum of 981 hours per calendar year, or

(ii) a prorated number of hours in the year the T.P.L.-2 is acquired, unless otherwise approved by the **Chief Livery Inspector**.

(B/L 31M2015, 2015 July 27)

(4) The **Chief Livery Inspector** may impose conditions on an T.P.L.-2 requiring the **Taxi** to which the T.P.L.-2 is joined to be in service and available for dispatched calls on:

- (i) specified days of the week; and
 - (ii) specified times of the 24 hour period of any day.
- (5) The holder of a T.P.L.-2 must ensure that any condition imposed upon the T.P.L.-2 is satisfied.

(B/L 40M2013, 2013 September 16)
(B/L 31M2015, 2015 July 27)

89.1 There shall be two classes of **A.T.P.L.**: A.T.P.L.-1 and A.T.P.L.-2.
(B/L 35M2012, 2012 June 25)

90. Unless otherwise approved by Council, The **City** shall not issue more than 210 **A.T.P.L.s** as follows:

- (a) 100 A.T.P.L.-1s; and
- (b) 110 A.T.P.L.-2s.

(B/L 35M2012, 2012 June 25)
(B/L 40M2013, 2013 September 16)
(B/L 51M2014, 2014 September 22)

90.1 (1) Any **A.T.P.L.** that was issued as of 2012 May 28 is deemed to be an A.T.P.L.-1.

(2) An A.T.P.L.-1 is subject to all provisions of this Bylaw applicable to **A.T.P.L.s**.

(B/L 35M2012, 2012 June 25)

90.2 An A.T.P.L.-2 is subject to all provisions of this Bylaw applicable to **A.T.P.L.s**, except as modified by the following:

- (1) The holder of an A.T.P.L.-2 must hold a valid **T.D.L.**;
- (2) An A.T.P.L.-2 is not transferable;
- (3) An **Accessible Taxi** to which the A.T.P.L.-2 is joined must be in service and personally driven by the holder of the A.T.P.L.-2 for:

- (i) a minimum of 981 hours per calendar year, or
- (ii) a prorated number of hours in the year the A.T.P.L.-2 is acquired, unless otherwise approved by the **Chief Livery Inspector**.

(B/L 31M2015, 2015 July 27)

(4) The **Chief Livery Inspector** may impose conditions on an A.T.P.L.-2 requiring the **Accessible Taxi** to which the A.T.P.L.-2 is joined to be in service and available for dispatched calls on:

- (i) specified days of the week; and
- (ii) specified times of the 24 hour period of any day.

(B/L 31M2015, 2015 July 27)

- (5) The holder of an A.T.P.L.-2 must ensure that any condition imposed upon the A.T.P.L.-2 is satisfied.
(B/L 35M2012, 2012 June 25)
91. Only a **Person** who is an **Active T.P.L. Holder** may hold a **T.P.L.**
(B/L 68M2009, 2009 November 30)
92. Only a **Driver** who is an **Active A.T.P.L. Holder** may hold an **A.T.P.L.**
(B/L 68M2009, 2009 November 30)
93. A **Person**, other than a **Brokerage**, may hold only one **T.P.L.** or one **A.T.P.L.**
(B/L 68M2009, 2009 November 30)
94. Notwithstanding section 93, a **Person** who, as at the date of third reading of this Bylaw, holds more than one **T.P.L.** may continue to hold more than one **T.P.L.**
95. (1) DELETED BY 31M2015, 2015 JULY 27.
(2) DELETED BY 68M2009, 2009 NOVEMBER 30.
96. A **Person** who holds more than one **T.P.L.** as specified in Section 94 must, to be eligible to renew his **T.P.L.s**, be an **Active T.P.L. Holder**.
(B/L 68M2009, 2009 November 30)
97. A **Person** who holds one **T.P.L.** or **A.T.P.L.** must, to be eligible to renew his **T.P.L.** or **A.T.P.L.**, be an **Active T.P.L. or A.T.P.L. Holder**.
- 97.1 (1) An **Active T.P.L. Holder** and an **Active A.T.P.L. Holder** must ensure that the **T.P.L.** or **A.T.P.L.** he holds is joined to a **Livery Vehicle** which is in service in the **City** for a minimum of two hundred and fifty (250) days in the 12 month period preceding the date of renewing the **T.P.L.** or **A.T.P.L.**
(2) On demand, an **Active T.P.L. Holder** or **Active A.T.P.L. Holder** must supply proof of the service required by Subsection (1) for each **T.P.L.** in the **Holder's** possession in a form acceptable to the **Chief Livery Inspector**.
(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)
98. (1) No **Brokerage** shall allow a **T.P.L.** held by it to be used on any **Taxi** which is affiliated with another **Brokerage**.
(2) Notwithstanding section 98(1) the **Chief Livery Inspector** may, if he reasonably considers it to be consistent with the purposes of this Bylaw, allow a **Brokerage** to lend, without remuneration, a **T.P.L.** or **T.P.L.s** to another **Brokerage**.
(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)
99. (1) A **Person** who is the holder of a **T.P.L.** or **A.T.P.L.** must be the **Owner** of the **Motor Vehicle** to which the **T.P.L.** or **A.T.P.L.** is joined.

- (2) A **Person** holding a **T.P.L.** or an **A.T.P.L.** shall be responsible for the act or acts of any **Person** who operates the **Livery Vehicle** to which the **T.P.L.** or **A.T.P.L.** is joined in the same manner as though the act or acts were done by the **Person** holding the **T.P.L.** or **A.T.P.L.**
- (3) A **Person** holding a **T.P.L.** or an **A.T.P.L.** must ensure that the **Livery Vehicle** to which the **T.P.L.** or **A.T.P.L.** is joined complies with all the requirements of this Bylaw.
- (B/L 68M2009, 2009 November 30)
100. Except as specified in this Bylaw, no **Person** shall charge or pay any fees, levies or charges whatsoever for the use of only a **T.P.L.** or **A.T.P.L.** except for the fee for renewal of the **T.P.L.** or **A.T.P.L.** charged by Livery Transport Services pursuant to this Bylaw.
101. (1) A **Person** holding a **T.P.L.** or **A.T.P.L.** may levy fees for legitimate services that they render in connection with a use of the **Taxi** or **Accessible Taxi** to which the **T.P.L.** or **A.T.P.L.** is joined.
- (2) The levying of any such fees shall be evidenced in a written agreement which shall be produced to the **Chief Livery Inspector** on demand.
- (B/L 31M2015, 2015 July 27)
- (3) All parties to an agreement referred to in Subsection (2) above must receive a copy of the agreement.
- (B/L 68M2009, 2009 November 30)
102. (1) No company may hold a **T.P.L.** or **A.T.P.L.** unless:
- (a) the company is also the holder of a **Brokerage Licence** or is a subsidiary or parent company of the holder of a **Brokerage Licence** or
- (b) it is a company incorporated under the Alberta Business Corporations Act, has its corporate address in the **City**, and has only one shareholder who is the individual in whose name the **T.P.L.** or **A.T.P.L.** was in prior to the transfer to the company and the **T.P.L.** or **A.T.P.L.** has been transferred to the company pursuant to the provisions of this Bylaw.
- (2) No new **T.P.L.s** or **A.T.P.L.s** shall be issued to a company.
- (3) For the purposes of sections 96 and 97, the sole shareholder of a company, other than a **Brokerage**, which holds a **T.P.L.** or **A.T.P.L.** must, to renew his **T.P.L.** or **A.T.P.L.**, be an **Active T.P.L. or A.T.P.L. Holder**.
103. (1) If the holder of a **T.P.L.** or **A.T.P.L.** ceases to own a **Taxi** or an **Accessible Taxi** or conduct **Taxi** operations with the **Taxi** or **Accessible Taxi** to which the **T.P.L.** or **A.T.P.L.** is joined, he shall immediately deliver up that **T.P.L.** or **A.T.P.L.** to the **Chief Livery Inspector** and he shall immediately remove all markings, decals and equipment that were installed in order to use the vehicle as a **Livery Vehicle** and return the **Livery Vehicle Registration Certificate** to the **Chief Livery Inspector**.

(B/L 31M2015, 2015 July 27)

- (2) A **Person** who holds a **T.P.L.** or **A.T.P.L.** may substitute the **Livery Vehicle** to which that **T.P.L.** or **A.T.P.L.** is joined with another **Motor Vehicle** provided that the substituted **Motor Vehicle** complies with all of the requirements of this Bylaw. The holder of the **T.P.L.** or **A.T.P.L.** must attend at the Livery Transport Services office to register the **Motor Vehicle** as a **Livery Vehicle**.

(B/L 68M2009, 2009 November 30)

- (3) A substitution under section 103(2) is of no force or effect until the substitution is reported to the **Chief Livery Inspector** in the form and manner prescribed by the **Chief Livery Inspector** and the **Chief Livery Inspector** has inspected and approved the substitution and **Issued a Livery Vehicle Registration Certificate**.

(B/L 31M2015, 2015 July 27)

104. (1) Upon the written application of the holder of a **T.P.L.** or **A.T.P.L.**, the **Chief Livery Inspector** may, if it is in the public interest to do so and is not in conflict with the provisions of this Bylaw, vary for a maximum period of one year any of the requirements necessary to renew the **T.P.L.** or **A.T.P.L.**

(B/L 68M2009, 2009 November 30)

(B/L 31M2015, 2015 July 27)

- (2) Upon the written application of the holder of a **T.P.L.** or **A.T.P.L.**, the **Chief Livery Inspector** may, for humanitarian reasons or if it is in the public interest to do so and is not in conflict with the purposes of this Bylaw, vary the amount of time that a **T.P.L.** or **A.T.P.L.** must be held before an application for transfer can be made as set out in section 115.

(B/L 31M2015, 2015 July 27)

105. If a **Taxi** or **Accessible Taxi** is not in service as a **Taxi** or **Accessible Taxi** for a period greater than thirty (30) days, then the holder of the **T.P.L.** or **A.T.P.L.** joined to that **Taxi** or **Accessible Taxi** shall:

- (a) notify the **Chief Livery Inspector** in writing of the lack of use; and

(B/L 31M2015, 2015 July 27)

- (b) surrender the **T.P.L.** or **A.T.P.L.** to the **Chief Livery Inspector** for the duration of the period in which the **Taxi** or **Accessible Taxi** is not in use..

(B/L 68M2009, 2009 November 30)

(B/L 31M2015, 2015 July 27)

106. (1) The holder of a **T.P.L.** or an **A.T.P.L.** must immediately notify the **Chief Livery Inspector** when the **Taxi** or **Accessible Taxi** to which the **T.P.L.** or **A.T.P.L.** is joined becomes affiliated with a **Brokerage** and when such affiliation ends.

(B/L 31M2015, 2015 July 27)

- (2) Every holder of a **T.P.L.** or **A.T.P.L.** shall supply the **Taxi Brokerage** with which the **Taxi** or **Accessible Taxi** is affiliated with a list of all **Drivers** who drive that **Taxi** or **Accessible Taxi** and shall inform Livery Transport Services and the **Taxi Brokerage** with which the **Taxi** or **Accessible Taxi** is affiliated of all persons who:

- (a) commence as a **Driver** of the **Taxi** or **Accessible Taxi**, and

- (b) cease to drive the **Taxi** or **Accessible Taxi**.
- (3) Except **Independent Taxis**, every **Taxi** and **Accessible Taxi** must be affiliated with a **Taxi Brokerage**.
- (4) If a **Livery Vehicle** is affiliated with a **Brokerage**, then the holder of the **T.P.L.** or **A.T.P.L.** which is joined to the **Livery Vehicle** shall provide to the **Brokerage** a copy of:
 - (a) any terms and conditions that are **Issued** with respect to the **T.P.L.** or **A.T.P.L.**, and
 - (b) any notices **Issued** by the **Chief Livery Inspector** with respect to that **T.P.L.** or **A.T.P.L.**

(B/L 68M2009, 2009 November 30)

(B/L 31M2015, 2015 July 27)

- (5) The **Brokerage** shall maintain a record of the documents that are received and provided under this section.

Division 4 – Limousine Plate Licence (L.P.L.)

- 107. Only a **Driver** or a **Brokerage** may hold an **L.P.L.**
- 108. No company may hold an **L.P.L.** unless that company is also the holder of a **Brokerage Licence** or is a subsidiary or parent company of the holder of a **Brokerage Licence**.
- 109. (1) If the holder of an **L.P.L.** ceases to own a **Limousine** or conduct livery operations with the **Limousine** to which the **L.P.L.** is joined, he shall immediately deliver up that **L.P.L.** to the **Chief Livery Inspector** and he shall immediately remove all markings, decals and equipment that were installed in order to use the vehicle as a **Limousine** and return the **Livery Vehicle Registration Certificate** to the **Chief Livery Inspector**.

(B/L 31M2015, 2015 July 27)
- (2) A **Person** who holds an **L.P.L.** may substitute the **Limousine** to which that **L.P.L.** is joined with another **Motor Vehicle** provided that the substituted **Motor Vehicle** complies with all of the requirements of this Bylaw. The holder of a **L.P.L.** must attend at the Livery Transport Services office to register the new **Motor Vehicle** as a **Limousine**.

(B/L 68M2009, 2009 November 30)
- (3) A substitution under section 109(2) is of no force or effect until the substitution is reported to the **Chief Livery Inspector** in the form and manner prescribed by the **Chief Livery Inspector** and the **Chief Livery Inspector** has inspected and approved the substitution and **Issued a Livery Vehicle Registration Certificate**.

(B/L 31M2015, 2015 July 27)

109.1 Except for a **Limousine** which is an **Independent Livery Vehicle**,

- (1) every **Limousine** must be affiliated with a **Limousine Brokerage**.

- (2) the holder of an **L.P.L.** shall supply the **Brokerage** with which the **Limousine** is affiliated with a list of all **Drivers** who **Operate** that **Limousine**.
- (3) every **L.P.L.** holder shall inform the **Brokerage** with which the **Limousine** is affiliated of all persons who:
 - (a) commence as the **Driver** of the **Limousine**; and
 - (b) cease to drive the **Limousine**.
- (4) If a **Limousine** is affiliated with a **Brokerage**, then the holder of the **L.P.L.** which is joined to the **Limousine** shall provide to the **Brokerage** a copy of:
 - (a) any terms and conditions that are **Issued** with respect to the **L.P.L.** ; and
 - (b) any notices **Issued** by the **Chief Livery Inspector** with respect to that **L.P.L.**

(B/L 31M2015, 2015 July 27)

109.2 The holder of an **L.P.L.** shall keep and maintain for at least one year after entry a record on a form approved by the **Chief Livery Inspector** showing:

- (a) the time and date when every passenger is picked up;
- (b) the location at which every passenger is picked up;
- (c) the location at which every passenger is discharged;
- (d) the **Limousine Driver's L.D.L.** number, the **Limousine** and its **Plate** number engaged to transport each passenger; and
- (e) the amount paid for the service.

(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)

Division 5 – Transfers

110. (1) The holder of a **T.P.L.** or **A.T.P.L.** shall not transfer a **T.P.L.** or **A.T.P.L.**:

- (a) except to an **Eligible Transferee**; and
- (b) except in compliance with this Bylaw.

(2) The holder of an **L.P.L.** shall not transfer the **L.P.L.**

(B/L 68M2009, 2009 November 30)

111. A **Person** who wants to transfer his **T.P.L.** or **A.T.P.L.** shall apply in writing for the transfer to the **Chief Livery Inspector** and the application shall be in the form and contain the information specified by the **Chief Livery Inspector**.

(B/L 31M2015, 2015 July 27)

112. Upon receipt of an application for the transfer of a **T.P.L.** or **A.T.P.L.**, the **Chief Livery Inspector** shall either approve or refuse the transfer.
(B/L 31M2015, 2015 July 27)
113. A **Person** who applies for a transfer and is granted the right of transfer shall pay the fees specified in Schedule "B".
114. Upon approval of a transfer, the transferor shall immediately present the **Plate** and all documentation related to the transferred **T.P.L.** or **A.T.P.L.** to the **Chief Livery Inspector** for processing into the name of the transferee.
(B/L 31M2015, 2015 July 27)
115. Except in the case where the holder of a **T.P.L.** or **A.T.P.L.** has died, the holder of a **T.P.L.** or **A.T.P.L.** may not transfer his **T.P.L.** or **A.T.P.L.** unless he has held it for at least one year prior to the date of application for transfer.
(B/L 68M2009, 2009 November 30)
116. In the event of the death of the holder of a **T.P.L.** or **A.T.P.L.** or in the event of the death of the sole shareholder of a corporation, other than a **Brokerage**, which holds **T.P.L.s** or **A.T.P.L.s** or just one **T.P.L.** or **A.T.P.L.**, the estate of the deceased shall have twelve (12) months to transfer the **T.P.L.** or **A.T.P.L.** or **T.P.L.s** or **A.T.P.L.s** to an **Eligible Transferee**. If the **T.P.L.** or **A.T.P.L.** or **T.P.L.s** or **A.T.P.L.s** are not transferred within the said twelve (12) months, they are automatically cancelled.
(B/L 68M2009, 2009 November 30)
117. The estate of a deceased holder of a **T.P.L.** or **A.T.P.L.**, may during the twelve (12) month period specified in section 116, allow a person or persons who are **Licensed** to operate a **Livery Vehicle** and hold a valid **T.D.L** to operate the **Taxi** or **Accessible Taxi** to which the **T.P.L.** or **A.T.P.L.** is joined.
(B/L 45M2014, 2014 July 21)
(B/L 12M2016, 2016 April 04)
118. If he considers it appropriate for service quality, for the purposes of this Bylaw, in the public interest, or in the interests of the livery industry to do so, the **Chief Livery Inspector** may extend the time for compliance set out in section 116 and consequently the time period set out in section 117.
(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)
119. Provided that the **Chief Livery Inspector's** approval has been obtained, a corporation which is a **Brokerage** and holds one or more **T.P.L.s** may transfer those **T.P.L.s** to a wholly owned subsidiary or from a wholly owned subsidiary to a parent company or to another **Brokerage**.
(B/L 31M2015, 2015 July 27)
120. No **Person** who holds a **T.P.L.** or **A.T.P.L.** shall transfer the **T.P.L.** or **A.T.P.L.** he holds to a **Brokerage**.
121. No **Person** who holds a **T.P.L.** or **A.T.P.L.** shall transfer the **T.P.L.** or **A.T.P.L.** he holds to a company unless such transfer is in compliance with this Bylaw.
122. DELETED BY 67M2008, 2008 DECEMBER 09.

Division 6 – Independent Livery Vehicles

123. (1) The **Chief Livery Inspector** shall **Issue** a **Livery Vehicle Registration Certificate** for each **Motor Vehicle** he approves as being qualified as an **Independent Livery Vehicle**.
(B/L 31M2015, 2015 July 27)
- (2) The **Chief Livery Inspector** shall only approve a **Motor Vehicle** as an **Independent Livery Vehicle** or **Issue** a **Livery Vehicle Registration Certificate** for that **Motor Vehicle** if it is not affiliated with or dispatched by a **Brokerage**.
(B/L 31M2015, 2015 July 27)
124. Except as modified by this Division, all other provisions of this Bylaw shall apply to an **Independent Livery Vehicle**.
125. A **Person** who holds a **T.P.L.**, **A.T.P.L.** or **L.P.L.** which is joined to an **Independent Livery Vehicle** shall:
- (a) ensure that the **Livery Vehicle**:
 - (i) has a communications system which is capable of being operated from the **Livery Vehicle**; and
 - (ii) is marked or painted one or more colours which shall be approved by the **Chief Livery Inspector** and be common on all **Livery Vehicles** which are **Operated** as **Independent Livery Vehicles**.
(B/L 31M2015, 2015 July 27)
 - (b) provide to the **Chief Livery Inspector** an address, including both a postal address and a physical address to which documents may be served or delivered;
(B/L 31M2015, 2015 July 27)
 - (c) not dispatch any other **Livery Vehicle** but the **Livery Vehicle Operated** by the **Driver** of the **Independent Livery Vehicle**;
(B/L 31M2015, 2015 July 27)
 - (d) inform the **Chief Livery Inspector** in writing of all trade names used in connection with his **Livery Vehicle**;
(B/L 31M2015, 2015 July 27)
 - (e) maintain an up to date list of all **Drivers** who **Operate** his **Independent Livery Vehicle** and provide that list to the **Chief Livery Inspector** on demand;
(B/L 31M2015, 2015 July 27)
 - (f) keep a written record of all lost property left in his **Independent Livery Vehicle** and provide the list to the **Chief Livery Inspector** on demand;
 - (g) where applicable, provide all **Drivers** who **Operate** his **Independent Livery Vehicle** with training in regards to the use of the **Taximeter**, communication and other equipment used in livery operations and in the case of **Accessible Taxis**,

training in the use of the specialized equipment used as specified by the **Chief Livery Inspector**; and

(B/L 31M2015, 2015 July 27)

- (h) in the case where the **Independent Livery Vehicle** is an **Accessible Taxi**, have in place a system for giving priority for the use of the **Accessible Taxi** by customers who require **Accessible Taxis**.

126. A **Person** who holds a **T.P.L.**, **A.T.P.L.** or **L.P.L.** that is joined to an **Independent Livery Vehicle** may allow up to two other **Drivers** in any one day to drive the **Independent Livery Vehicle**.

126.1. (1) A **Person** who holds a **T.P.L.** or **A.T.P.L.** that is joined to an **Independent Livery Vehicle** shall record the following details of all complaints it receives in an electronic format:

- (a) the name, address and phone number of the complainant;
- (b) the date and time of the complaint;
- (c) the nature of the complaint and the **T.D.L.**, **T.P.L.** or **A.T.P.L.** number of the **Driver** or of the **Livery Vehicle**, as applicable; and
- (d) the response to the complaint.

(2) A **Person** who holds a **T.P.L.** or **A.T.P.L.** that is joined to an **Independent Livery Vehicle** must transmit the data set out in subsection (1) no more than 24 hours after receiving the complaint to a location and in a format approved by the **Chief Livery Inspector**.

(3) A **Person** who holds a **T.P.L.** or **A.T.P.L.** that is joined to an **Independent Livery Vehicle** shall advise each complainant that contacts him to contact the **City** by calling 3-1-1, or, if calling from outside the **City**, by calling (403)-268-CITY (2489).

(4) A **Person** who holds a **T.P.L.** or **A.T.P.L.** that is joined to an **Independent Livery Vehicle** shall notify the **Chief Livery Inspector** immediately if the Calgary Police Services are involved in a complaint.

(B/L 31M2015, 2015 July 27)

126.2 (1) A **Person** who holds an **L.P.L.** that is joined to an **Independent Livery Vehicle** shall keep a list of all complaints it receives. The list shall include:

- (a) the name, address and phone number of the complainant;
- (b) the nature of the complaint and the **L.D.L.** number of the **Driver** of the **Independent Livery Vehicle**; and
- (c) the response to the complaint.

- (2) A **Person** who holds a **L.P.L.** that is joined to an **Independent Livery Vehicle** shall give the list noted in this Section to the **Chief Livery Inspector** on demand.
- (3) A **Person** who holds an **L.P.L.** that is joined to an **Independent Livery Vehicle** shall advise each complainant that contacts him to contact the **City** by calling 3-1-1, or, if calling from outside the **City**, by calling (403)-268-CITY (2489).
- (4) A **Person** who holds an **L.P.L.** that is joined to an **Independent Livery Vehicle** shall notify the **Chief Livery Inspector** immediately if the Calgary Police Services are involved in a complaint.

(B/L 68M2009, 2009 November 30)

(B/L 35M2012, 2012 June 25)

(B/L 31M2015, 2015 July 27)

126.3 (1) A **Person** who holds a **T.P.L.** or **A.T.P.L.** that is joined to an **Independent Livery Vehicle** must ensure that the **Independent Livery Vehicle** is equipped with:

- (a) an Automatic Vehicle Location ("AVL") system which utilizes a Global Positioning System ("GPS") that is capable of recording and immediately transmitting in an electronic format the vehicle's:
 - (i) latitudinal and longitudinal coordinates;
 - (ii) speed
 - (iii) distance travelled; and
 - (iv) direction of travel.
- (b) a **Taximeter** that is capable of recording and immediately transmitting in an electronic format the following information:
 - (i) a unique log-on information number which identifies the **Driver** operating the **Taximeter**;
 - (ii) the status of the **Driver's** availability to take a dispatched taxi service request;
 - (iii) the length of time the **Taximeter** is activated and calculating a fare;
 - (iv) the distance travelled while the **Taximeter** is activated and calculating a fare;
 - (v) the length of time the **Taximeter** is activated and not calculating a fare;
 - (vi) the distance travelled while the **Taximeter** is activated and not calculating a fare; and
 - (vii) the total fare calculated by the **Taximeter** for each trip.

- (2) A **Person** who holds a **T.P.L.** or **A.T.P.L.** that is joined to an **Independent Livery Vehicle** must immediately transmit the data set out in subsections (1)(a) and (b) to a location and in a format approved by the **Chief Livery Inspector**

(B/L 35M2012, 2012 June 25)

(B/L 31M2015, 2015 July 27)

Division 7 – Brokerage Licence

127. A **Brokerage** shall ensure that:

- (a) each **Livery Vehicle** affiliated with the **Brokerage** is in compliance with this Bylaw and **Operated** in compliance with this Bylaw;
- (b) each **Taxi** affiliated with the **Brokerage** is **Operated** by a person who holds a valid and subsisting **T.D.L.**;
- (c) each **Limousine** affiliated with the **Brokerage** is **Operated** by a person who holds a valid and subsisting **L.D.L.**;
- (d) each **Accessible Taxi** affiliated with the **Brokerage** is **Operated** by a person who holds a valid and subsisting **T.D.L.** endorsed for operation of an **Accessible Taxi**;
- (e) each **Livery Vehicle** affiliated with the **Brokerage** has a valid and subsisting **Livery Vehicle Registration Certificate**, which must be in the **Livery Vehicle**;
- (f) each **Livery Vehicle** affiliated with the **Brokerage** has a valid and subsisting **Inspection Certificate**, which must be carried in the **Livery Vehicle**;
- (g) each **Taxi** or **Accessible Taxi** affiliated with the **Brokerage** has a **Taximeter** which is sealed by the **Chief Livery Inspector**;
- (h) each **Taxi** or **Accessible Taxi** affiliated with the **Brokerage** which is providing **Street Hail** service or **Dispatch** service charges only the fares specified in Schedule "A"; and
- (i) DELETED BY 12M2016, 2016 APRIL 04.

(B/L 68M2009, 2009 November 30)

(B/L 31M2015, 2015 July 27)

(B/L 12M2016, 2016 April 04)

128. A **Brokerage** must comply with:

- (a) all the terms and conditions of the **T.P.L.s** for the **Taxis**, the **A.T.P.L.** for the **Accessible Taxis** or the **L.P.L.s** for the **Limousines** that are affiliated with the **Brokerage**;
- (b) all provisions under PART 5 Division 3 and Division 4 which restrict or regulate the manner in which the **Brokerage** fleet may be used; and
- (c) all provisions of the Bylaw as they pertain to the **Brokerage**.

128.1 If the **Chief Livery Inspector** determines that a **Brokerage** is not in compliance with any provision of this Bylaw, the **Chief Livery Inspector** may prohibit any **Plate** from continuing to affiliate, or becoming affiliated, with that **Brokerage** until such time as the **Brokerage** has remedied the non-compliance.

(B/L 31M2015, 2015 July 27)

129. A **Brokerage** shall post in a location accessible to **Drivers**:

- (a) its **Brokerage Licence**; and
- (b) any terms and conditions that are imposed with respect to that **Brokerage Licence**.

130. A **Brokerage** shall:

- (a) maintain the **Brokerage** premises in a clean state and in good repair;
- (b) inform the **Chief Livery Inspector**, in writing, of all trade names used in connection with his **Brokerage Operations**;
- (c) immediately notify the **Chief Livery Inspector** when a **Livery Vehicle** becomes affiliated or ceases to be affiliated with the **Brokerage**;
- (d) maintain an up to date list of all **Drivers** who drive a **Livery Vehicle** affiliated with the **Brokerage** and on demand provide the **Chief Livery Inspector** with a copy of such list;
- (e) register with the **Chief Livery Inspector** and subject to the **Chief Livery Inspector's** approval, a colour or combination of colours as his identification colours for **Taxis** and **Accessible Taxis** affiliated with his **Brokerage**;
- (f) ensure that every **Livery Vehicle** affiliated with that **Brokerage** has, at all times, the name, trade name or trademark of the **Brokerage** displayed on such **Livery Vehicle** in a form and manner approved by the **Chief Livery Inspector**;
- (g) maintain and provide its customers and **Drivers** with a staffed office in the **City** that contains a working dispatch and communications system that operates 24 hours a day and 365 days a year;
- (h) keep and safeguard all lost and found items turned in for a period of ninety days unless the item is claimed and maintain a complete record of all such items and their disposition and supply the list to the **Chief Livery Inspector** on demand;
- (i) provide all **Drivers** affiliated with the **Brokerage** training in regards to the use of the **Taximeter**, radio dispatch system and other equipment used in livery services and in the case of **Accessible Taxis** training in the use of the specialized equipment used as specified by the **Chief Livery Inspector**;

(B/L 68M2009, 2009 November 30)

- (j) in all but exceptional circumstances, provide to the passenger the services requested, at the location and within the time specified by the passenger upon receiving the passenger's request for services;
- (k) provide the passenger with the same **Livery Vehicle** that it agreed to provide;
- (l) file with the **Chief Livery Inspector** at the time of renewal of his **Brokerage Licence** or on request, a schedule of all fees charged to **Drivers**; and
- (m) have in place a system for giving priority for the use of **Accessible Taxis** to customers who require **Accessible Taxis**.

(B/L 31M2015, 2015 July 27)

131. A **Brokerage** may charge for services provided to a **Driver, T.P.L., A.T.P.L. or L.P.L.** holder as the case may be and must provide detailed receipts to the **Driver, T.P.L., A.T.P.L. or L.P.L.** holder for all monies received from a **Driver, T.P.L. or L.P.L.** holder.

132. For all **Livery Vehicles** affiliated with a **Brokerage**, a **Brokerage** shall keep the following records and retain them for 90 days and make them available on demand to the **Chief Livery Inspector**:

- (a) dispatch records which include:
 - (i) the **Driver's T.D.L. or L.D.L.** number;
 - (ii) time and date of trip request;
 - (iii) **Taxi** number; and
- (b) contracts related to the supply of livery services;
- (c) the agreement evidencing each **Limousine** trip except where **Limousine** service is provided through an approved **App**; and
- (d) proof that each **Livery Vehicle** he dispatches is insured.

(B/L 31M2015, 2015 July 27)

(B/L 12M2016, 2016 April 04)

133. DELETED BY 68M2009, 2009 NOVEMBER 30.

134. DELETED BY 68M2009, 2009 NOVEMBER 30.

135. (1) A **Brokerage** shall record the following details of all complaints it receives in an electronic format:

- (a) the name, address and phone number of the complainant;
- (b) the date and time of the complaint;
- (c) the nature of the complaint and the **T.D.L., L.D.L., T.P.L., A.T.P.L. or L.P.L.** number of the **Driver** or of the **Livery Vehicle**, as applicable; and

(d) the **Brokerage's** response to the complaint.

- (2) A **Brokerage** must transmit the data set out in subsection (1) no more than 24 hours after receiving the complaint to a location and in a format approved by the **Chief Livery Inspector**.

(B/L 32M2012, 2012 May 07)
(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)

- 135.1 (1) A **Brokerage** must ensure that each **Taxi** or **Accessible Taxi** affiliated with the **Brokerage** is equipped with:

- (a) an Automatic Vehicle Location ("AVL") system which utilizes a Global Positioning System ("GPS") that is capable of recording and immediately transmitting in an electronic format the vehicle's:

- (i) latitudinal and longitudinal coordinates;
- (ii) speed
- (iii) distance travelled; and
- (iv) direction of travel.

- (b) a **Taximeter** that is capable of recording and immediately transmitting in an electronic format the following information:

- (i) a unique log-on information number which identifies the **Driver** operating the **Taximeter**;
- (ii) the status of the **Driver's** availability to take a dispatched taxi service request;
- (iii) the length of time the **Taximeter** is activated and calculating a fare;
- (iv) the distance travelled while the **Taximeter** is activated and calculating a fare;
- (v) the length of time the **Taximeter** is activated and not calculating a fare;
- (vi) the distance travelled while the **Taximeter** is activated and not calculating a fare; and
- (vii) the total fare calculated by the **Taximeter** for each trip.

- (2) A **Brokerage** must immediately transmit the data set out in subsections (1)(a) and (b) to a location and in a format approved by the **Chief Livery Inspector**.

(B/L 31M2015, 2015 July 27)

- 135.2 (1) A **Brokerage** must utilize a taxi dispatch system capable of recording in an electronic format the information contained in Schedule "E".
- (2) A **Brokerage** must transmit the data set out in subsection (1) on the day following the day on which it is collected to a location and in a format approved by the **Chief Livery Inspector**.
(B/L 35M2012, 2012 June 25)
(B/L 31M2015, 2015 July 27)
- (3) The data submitted pursuant to subsection (2) must include information with respect to **Taxis** and **Accessible Taxis** for which rides have been arranged through an **App** which has not been approved by the **Chief Livery Inspector**.
(B/L 12M2016, 2016 April 04)

135.3 DELETED BY 12M2016, 2016 APRIL 04.

Division 8 – Transportation Network Company Licence

- 135.4 The **Chief Livery Inspector** is authorized to issue **Transportation Network Company Licences**.
- 135.5 In addition to any other information required by the **Chief Livery Inspector** pursuant to section 69(2), an **Applicant** for a **Transportation Network Company Licence** must submit to the **Chief Livery Inspector**:
- (a) a detailed description of the **App's** functionality; and
 - (b) a list of all **Transportation Network Drivers** that are authorized to use the **Transportation Network Company's App**.
- 135.6 A **Transportation Network Company** must, on a monthly basis, provide to the **Chief Livery Inspector** a current list of all drivers that are authorized to use the **Transportation Network Company's App**.
- 135.7 A **Transportation Network Company** must ensure that each **Transportation Network Driver** using an **App** administered by the **Transportation Network Company** holds a valid and subsisting **Transportation Network Driver's Licence**.
- 135.8 At the request of the **Chief Livery Inspector**, a **Transportation Network Company** must suspend any **Transportation Network Driver** from using the **Transportation Network Company's App**.
- 135.9 If the **Chief Livery Inspector** determines that a **Transportation Network Company** is not in compliance with any provision of this Bylaw, the **Chief Livery Inspector** may:
- (a) suspend approval of any **App** administered by the **Transportation Network Company**, until such time as the **Transportation Network Company** has remedied the non-compliance;

- (b) prohibit any **Transportation Network Driver** from using any **App** administered by the **Transportation Network Company**; or
- (c) both (a) and (b).

(B/L 12M2016, 2016 April 04)

PART 6 –LIVERY VEHICLE INSPECTIONS

Division 1 – Taxi, Accessible Taxi and Limousine Inspections

135.10 In sections 136 to 150, "**Livery Vehicle**", means a **Taxi, Accessible Taxi or Limousine**.
(B/L 12M2016, 2016 April 04)

- 136. (1) Every **Taxi, Accessible Taxi**, Sedan-Limousine, and Specialized Limousine shall be inspected at least once every six months by a **Certified Mechanic** at a **Livery Inspection Station**.
- (2) Every Stretch-Limousine shall be inspected at least once every twelve months by a **Certified Mechanic** at a **Livery Inspection Station**.
- 137. (1) If a **Certified Mechanic** is satisfied that a **Livery Vehicle** complies with **E.L.V.I.S.** he may **Issue** an **Inspection Certificate**.
- (2) An **Inspection Certificate** shall be on a form supplied by the **Chief Livery Inspector**.
(B/L 31M2015, 2015 July 27)
- 138. An **Inspection Certificate** expires automatically on the date of expiry shown on the **Inspection Certificate**.
- 139. (1) No **Person** shall **Operate** a **Livery Vehicle Taxi, Accessible Taxi or Limousine** without a valid and subsisting **Inspection Certificate**.
- (2) An **Inspection Certificate** is not valid until such time as a copy is filed with the **Chief Livery Inspector**.
(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)
(B/L 12M2016, 2016 April 04)
- 140. No person shall allow a **Livery Vehicle Taxi, Accessible Taxi or Limousine** to be **Operated** without a valid and subsisting **Inspection Certificate**.
- 141. The holder of a **T.P.L., A.T.P.L. or L.P.L.** shall ensure that the **Livery Vehicle Taxi, Accessible Taxi or Limousine** that his **T.P.L., A.T.P.L. or L.P.L.** is joined to has a valid and subsisting **Inspection Certificate**, which shall be carried in the **Livery Vehicle Taxi, Accessible Taxi or Limousine**.
(B/L 68M2009, 2009 November 30)
- 142. (1) The holder of a **T.P.L., A.T.P.L. or L.P.L.** shall, immediately upon having an **Inspection Certificate Issued** for his **Livery Vehicle Taxi, Accessible Taxi or Limousine** ensure the delivery of:

- (a) a copy of the **Inspection Certificate** to the **Chief Livery Inspector**; and
 - (b) a copy of the **Inspection Certificate** to the **Brokerage** to which the **Livery Vehicle Taxi, Accessible Taxi or Limousine** is affiliated.
- (2) Notwithstanding Subsection (1), the **Driver** of the **Livery Vehicle Taxi, Accessible Taxi or Limousine** may deliver a copy of the **Inspection Certificate** to the **Chief Livery Inspector**.

(B/L 68M2009, 2009 November 30)

(B/L 31M2015, 2015 July 27)

(B/L 12M2016, 2016 April 04)

143. No **Person** shall **Operate** a **Livery Vehicle Taxi, Accessible Taxi or Limousine** unless a copy of the **Inspection Certificate** is in the **Livery Vehicle Taxi, Accessible Taxi or Limousine**. The **Chief Livery Inspector** may if a copy of an **Inspection Certificate** has been lost, certify a copy of that **Inspection Certificate** as a true copy.

(B/L 31M2015, 2015 July 27)

(B/L 12M2016, 2016 April 04)

144. A copy of the **Inspection Certificate** shall be retained by the **Certified Mechanic** at the **Livery Inspection Station** of origin.

(B/L 12M2016, 2016 April 04)

145. When a **T.P.L., A.T.P.L. or L.P.L.** holder requests that his **T.P.L., A.T.P.L. or L.P.L.** be joined to another **Motor Vehicle**, the **Chief Livery Inspector** shall not **Issue** a **Livery Vehicle Registration Certificate** for the new **Livery Vehicle Taxi, Accessible Taxi or Limousine** unless that **Livery Vehicle Taxi, Accessible Taxi or Limousine** has a valid and subsisting **Inspection Certificate** which is dated no more than fourteen days previous to the date of the request for the **Livery Vehicle Registration Certificate**.

(B/L 31M2015, 2015 July 27)

146. To be an approved **Livery Inspection Station**, the station must:

- (a) display its **Livery Inspection Station Certificate** in a conspicuous location on the premises at which the **Licensee** conducts the **Livery Vehicle** inspections;
- (b) renew its **Livery Inspection Station Certificate** prior to its expiry date;
- (c) ensure that each person conducting **Livery Inspections** is a **Certified Mechanic**;
- (d) maintain, at all times, an inventory of **Inspection Certificate** forms obtained from the **Chief Livery Inspector**;
- (e) upon demand of the **Chief Livery Inspector**, produce such documentation as requested in relation to the inventory of **Inspection Certificate** forms;
- (f) make available, upon a reasonable request of the **Chief Livery Inspector**, at no charge, his or her facility to conduct a **Livery Vehicle** mechanical inspection;

- (g) during normal business hours, permit the **Chief Livery Inspector** to inspect vehicles, facilities, equipment and other records pertaining to **Livery Vehicle inspections**; and
- (h) provide all information related to the inspection or repair of a **Livery Vehicle** to the **Chief Livery Inspector**.

(B/L 31M2015, 2015 July 27)

147. A **Certified Mechanic** must conduct inspections in a manner as prescribed under Schedule "C" and must:

- (a) fill out all portions of the **Inspection Certificate** form;
- (b) verify that the vehicle identification number on the provincial registration certificate matches the vehicle identification number on the vehicle;
- (c) give three copies of the **Inspection Certificate** to ~~the T.P.L., A.T.P.L. or L.P.L. holder of the Livery Vehicle;~~
 - (i) the T.P.L., A.T.P.L. or L.P.L. holder of the Taxi, Accessible Taxi or Limousine;
 - (ii) the Transportation Network Driver;

as applicable;
- (d) keep one copy of the **Inspection Certificate** at the **Livery Inspection Station**;
- (e) upon a failed inspection, immediately notify the **Chief Livery Inspector** by telephone and forward a copy of the **Livery Vehicle Inspection Certificate** to the **Chief Livery Inspector**;
- (f) upon an inspection not being completed within five days of its commencement, immediately notify the **Chief Livery Inspector** by telephone and forward the incomplete copy of the **Inspection Certificate** to the **Chief Livery Inspector**;
- (g) where the **Livery Vehicle** leaves the **Inspection Station** and the **Livery Vehicle** requires, pursuant to **E.L.V.I.S.**, immediate repairs or repair within twenty-four hours, immediately notify the **Chief Livery Inspector** by telephone of the defects.

(B/L 31M2015, 2015 July 27)

(B/L 12M2016, 2016 April 04)

148. If the **Chief Livery Inspector** has reasonable grounds to believe that a **Certified Mechanic** has improperly **Issued** an **Inspection Certificate** the **Chief Livery Inspector** may refuse to accept **Livery Vehicle Inspection Certificates** signed by that mechanic and may advise the **Livery Vehicle** industry that he will not accept such **Certificates**.

(B/L 68M2009, 2009 November 30)

(B/L 31M2015, 2015 July 27)

149. No person shall inspect a **Livery Vehicle** or complete, in whole or part, an **Inspection Certificate** unless such person is a **Certified Mechanic**.

150. The **Chief Livery Inspector** may order the **Owner** or representative of the **Owner** of a **Livery Vehicle** which fails any **Livery Vehicle** inspection to return to the same **Livery Inspection Station** where the defects were discovered and if the **Certified Mechanic** is of the opinion, after a further inspection, that the **Livery Vehicle** complies with, **E.L.V.I.S.**, the **Certified Mechanic** shall **Issue** a **Livery Vehicle Inspection Certificate**.

(B/L 31M2015, 2015 July 27)

Division 2 – Private For Hire Vehicle Inspections

- 150.1 (1) — For all **Motor Vehicles** that a **Transportation Network Driver** has registered with the **Chief Livery Inspector** pursuant to section 88.5, the **Transportation Network Driver** must annually submit to the **Chief Livery Inspector** a copy of a record of inspection for the **Motor Vehicle** pursuant to the Vehicle Inspection Regulation, AR 211/2006, which indicates that the vehicle was inspected by a garage approved by the Alberta Motor Vehicle Industry Council and has passed the inspection, dated no later than 12 months from the date of the last record of inspection submitted to the **Chief Livery Inspector**.
- (1) For all **Motor Vehicles** that a **Transportation Network Driver** has registered with the **Chief Livery Inspector** pursuant to section 88.5, the **Transportation Network Driver** must annually submit to the **Chief Livery Inspector**:
- (a) a copy of a record of inspection for the **Motor Vehicle** pursuant to the Vehicle Inspection Regulation, AR 211/2006, which indicates that the vehicle was inspected by a garage approved by the Alberta Motor Vehicle Industry Council and has passed the inspection, dated no later than 12 months from the date of the last record of inspection submitted to the **Chief Livery Inspector**; or
- (b) an **Inspection Certificate** for the **Motor Vehicle** dated no later than 12 months from the date of the last **Inspection Certificate** submitted to the **Chief Livery Inspector**.
- (1.1) No **Person** shall **Operate** a **Private For Hire Vehicle** without a valid and subsisting:
- (a) record of inspection pursuant to subsection (1)(a); or
- (b) **Inspection Certificate** pursuant to subsection (1)(b).
- (2) Despite subsection (1), if the vehicle has accumulated more than 50,000 kilometers since the date of the last inspection, the **Transportation Network Driver** must semi-annually submit to the **Chief Livery Inspector** a copy of a record of inspection or **Inspection Certificate** for the vehicle dated no later than 6 months from the date of the last record of inspection or **Inspection Certificate** submitted to the **Chief Livery Inspector**.
- (2.1) The record of inspection or **Inspection Certificate** pursuant to subsection (1) may be submitted electronically.

- (3) A **Transportation Network Driver** must keep a copy of the most recent record of inspection or **Inspection Certificate** in the **Private For Hire Vehicle** at all times when providing **App** based service.

(B/L 12M2016, 2016 April 04)

PART 7 – RATES AND FEES

151. Fees, rates, fares, tariffs and charges for the hire of **Livery Vehicles** shall be in accordance with Schedule "A".

- ~~152. (1) Fees and charges for the processing of applications, renewals, reinstatements and Livery Transport Services administration shall be in accordance with Schedule "B".~~

- (1) Fees for all **Licences** issued pursuant to this Bylaw and charges for the processing of applications, renewals, reinstatements and Livery Transport Services administration shall be in accordance with Schedule "B".

- (2) Notwithstanding Subsection (1), where the **Chief Livery Inspector** has suspended or revoked a **Licence** pursuant to this Bylaw then, unless such suspension or revocation is overturned in the whole by the **Licence and Community Standards Appeal Board**, the **Licencee** shall pay a **Licence** reinstatement fee as set out in Schedule "B" as a condition of any reinstatement or renewal of the **Licence**, including any reinstatement upon the conclusion of a suspension for a fixed term, and prior to receiving a **Licence** if the **Licencee** applies for a new **Licence**.

- (3) Notwithstanding Subsections (1) and (2) where the **Licence** was suspended or revoked by the **Chief Livery Inspector** without a hearing, the **Licencee** shall pay a **Licence** reinstatement fee as set out in Schedule "B".

(B/L 67M2008, 2008 December 09)

(B/L 31M2015, 2015 July 27)

153. Notwithstanding any other provision of the Bylaw, the **Chief Livery Inspector** shall not:

- (a) **Issue**, replace, renew or reinstate a **Licence**, **Certificate** or any other Livery document;
- (b) provide any service for which a fee has been specified under Schedule "B";
- (c) substitute or exempt a **Livery Vehicle**;
- (d) transfer a **T.P.L.** or **A.T.P.L.**; or
- (e) accept an application for a Livery **Licence** or other Livery document

unless the fees set out in Schedule "B" with respect to the service or Livery document have been paid in full.

(B/L 31M2015, 2015 July 27)

154. No **Licence** or other fee or portion thereof shall be refunded or prorated except as set out in Schedule "B".

PART 8 – ENFORCEMENT

Division 1 – Inspections

155. (1) An LTS Inspector may, at any time he finds a Livery Vehicle Operating, inspect the Livery Vehicle.
- (2) A **Driver** who leaves prior to an **LTS Inspector** completing an inspection commits an offence.
- (3) The **Chief Livery Inspector** or **LTS Inspector** may require a **Brokerage, Owner, Driver** or any of them to deliver a vehicle to the Livery Transport Services office, a specific **Livery Inspection Station**, or other specified place to undergo an inspection.
- (4) Where the **Chief Livery Inspector** or **LTS Inspector** gives notice in writing to a **Brokerage, Owner, or Driver** of a vehicle that the vehicle is required at the Livery Transport Services office, a **Livery Inspection Station** or other specified place for an inspection, that person shall ensure that the vehicle is at the specified place and at the specified time.
- (5) Any **Person** who interferes with an **LTS Inspector** or **Certified Mechanic** while he is inspecting a vehicle commits an offence.

(B/L 31M2015, 2015 July 27)

Division 2 – Production of Documents

156. (1) The **Chief Livery Inspector** or an **LTS Inspector** may attend any premises where livery operations are carried out to inspect those premises to ensure that this Bylaw and any other laws relevant to livery operations are being complied with.
- (2) The **Chief Livery Inspector** or **LTS Inspector** may request any **Person**, including police officers, bylaw enforcement officers, safety codes officers, mechanics and accountants, to attend at a premises where livery operations are being carried out and assist in the inspection of those premises. So long as a **Person** assisting in an inspection is acting under the direction of an **LTS Inspector** that person has the same powers of inspection as an **LTS Inspector**.
- (3) It is an offence under this Bylaw to interfere with the **Chief Livery Inspector** or an **LTS Inspector** during an inspection pursuant to this division.

(B/L 31M2015, 2015 July 27)

- 156.1 The **Chief Livery Inspector** or an **L.T.S. Inspector** may require any **Licensee** to produce on demand any documents relating to its **Licence**. Copies of these documents

must be supplied in a timely manner upon such request of the **Chief Livery Inspector** or **L.T.S. Inspector**.

(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)

157. Where this Bylaw requires any document to be in the possession of a **Driver** or in a **Livery Vehicle**, the **Driver** of a **Livery Vehicle** must produce that document to a **LTS Inspector** immediately upon that **LTS Inspector's** demand.

(B/L 67M2008, 2008 December 09)

- 157.1 Where a document required by this Bylaw is recorded electronically, the **Licensee** must upon the demand of the **Chief Livery Inspector** or an **LTS Inspector** transmit the document to a location specified by the **Chief Livery Inspector** or **LTS Inspector**.

(B/L 12M2016, 2016 April 04)

Division 3 – LTS Inspector's Order

158. (1) Where an **LTS Inspector** believes a person has failed to comply with this Bylaw, the **LTS Inspector** may issue an Order to that person directing that person to remedy the non-compliance.
- (2) Where an **LTS Inspector** believes a **Livery Vehicle** does not meet the standards set out in this Bylaw, the **LTS Inspector** may issue an Order to any **Person** to remedy the deficiency.
- (3) Where an **LTS Inspector** issues an Order pursuant to either section 158(1) or (2) he may also:
- (a) suspend and take possession of any **Licence** held by the **Person** to whom the Order is issued until the Order is complied with; and
 - (b) suspend and take possession of the **Plate** to which a **Livery Vehicle** is joined until the Order is complied with.
 - (c) take possession of the **Livery Vehicle Registration Certificate** or any other document **Issued** under this Bylaw.
- (4) Where an **LTS Inspector** believes a corporation is responsible for the non-compliance, the **LTS Inspector** may issue his Order to an officer of the corporation.
- (5) Service of an **LTS Inspector's** Order is effected when it is given to the **Person** to whom it is directed.
- (6) Every **Person** who:
- (a) fails to comply with an **LTS Inspector's** Order;
 - (b) interferes with the issuance of an **LTS Inspector's** Order;
 - (c) refuses to accept an **LTS Inspector's** Order directed to him; or

(B/L 68M2009, 2009 November 30)

- (d) interferes with any **Person's** efforts to comply with an **LTS Inspector's Order**

commits an offence.

- (7) Nothing in this section limits any **Peace Officer's** powers to charge a person with an offence.

(B/L 67M2008, 2008 December 09)

Division 4 – Suspensions, Revocations and Appeals

158.1 In this Division, "**Licence**" includes a **Certificate**.

(B/L 45M2014, 2014 July 21)

- 159. (1) Any person who has been issued an **LTS Inspector's Order** may appeal that Order to the **Chief Livery Inspector**.

(B/L 31M2015, 2015 July 27)

- (2) The appeal in section 159(1) must:

- (a) be made in writing;
- (b) attach a copy of the Order appealed from;
- (c) be delivered to a Livery Transport Services office within seven business days of the date the Order was made;
- (d) state why the person appealing the Order believes the Order should not have been issued to him; and
- (e) include a day time phone number of the person making the appeal.

- (3) When considering an appeal of the **LTS Inspector's Order**, the Chief Livery Inspector may:

- (a) call a hearing to consider evidence from both the **LTS Inspector** and the appellant and the appellants' witnesses or experts and any other person the **Chief Livery Inspector** believes may have relevant information;
- (b) make inquiries into the matter without calling a hearing, or
- (c) determine the matter based solely on the written appeal.

- (4) An appeal of an **LTS Inspector's Order** to the **Chief Livery Inspector** does not in any way act as a stay of the Order. The Order must be complied with unless and until it has been superceded by the **Chief Livery Inspector's** decision.

(B/L 31M2015, 2015 July 27)

- (5) If the **Chief Livery Inspector** believes the **LTS Inspector's Order** was not warranted or the terms of the Order were not reasonable, he may:

- (a) revoke the Order;
- (b) change the terms of the Order;
- (c) extend the time for compliance with the Order; and
- (d) waive or reduce any reinstatement fees that arose as a result of the Order.

(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)

- (6) The **Chief Livery Inspector** may make her decision on an appeal of an **LTS Inspector's** Order orally by telephoning the appellant at the number provided to her in accordance with section 159(2)(e) and shall in any event prepare a written decision which shall be mailed to the appellant.

(B/L 31M2015, 2015 July 27)

- (7) The **Chief Livery Inspector** must make his decision on an appeal of an **LTS Inspector's** Order within two business days of receiving the completed appeal, or if he holds a hearing within two business days of the hearing.

(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)

- (8) When determining an appeal of an **LTS Inspector's** Order, the **Chief Livery Inspector** relies on his expertise in understanding the roles and functions of the **LTS Inspectors**, this Bylaw and the livery industry.

(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)

- (9) Except where an Order deals with a critical defect as specified in Schedule "C", the **Chief Livery Inspector's** decision is final and is not subject to further review by the **Licence and Community Standards Appeal Board** or a Court. Where an Order deals with a critical defect as specified in Schedule "C", that Order may be appealed to the **Licence and Community Standards Appeal Board** whose decision will be final.

(B/L 67M2008, 2008 December 09)
(B/L 31M2015, 2015 July 27)

- 160. (1) The **Chief Livery Inspector** may, with or without a hearing, refuse to **Issue** a **Licence** or suspend and revoke any **Licence** granted pursuant to this Bylaw.

- (2) If the **Chief Livery Inspector** holds a hearing to determine whether a **Licence** should be **Issued**, suspended or revoked, the **Chief Livery Inspector** may:

- (a) determine the process and procedures for any hearing;
- (b) hear evidence in accordance with standard legal procedures set by the **Chief Livery Inspector**;
- (c) make inquiries and gather evidence in accordance with standard legal process as part of the hearing;

- (d) receive evidence of relevant past convictions, **LTS Inspector's** Orders, warnings, complaints or similar evidence of prior behavior of a **Person**;
- (e) determine the weight to be given to any evidence before the **Chief Livery Inspector**;
- (f) request any person to attend at a hearing and to provide that request to any person, and draw adverse inferences from any person's failure to attend;
- (g) cause a record of the hearing to be made;
- (h) seek the advice of counsel, mechanics, other regulatory bodies, or any person with a particular expertise; and
- (i) direct that all officers of a corporate appellant obtain the written recommendation of the **Chief of Police**.

(B/L 68M2009, 2009 November 30)

(B/L 31M2015, 2015 July 27)

161. (1) The **Chief Livery Inspector** may revoke or suspend a **Licence** with or without a hearing if:
- (a) the **Chief Livery Inspector** has reason to believe that the **Licensee** has failed to comply with this or any other bylaw or statute, regardless of whether the **Licensee** has been convicted of an offence;
 - (b) the **Chief Livery Inspector** has reason to believe that any **Certificate**, authority, **Licence**, condition, approval or any other document or qualification under any bylaw or statute on which the issuance of the **Licence** was based has been suspended, cancelled, revoked or not complied with; and
 - (c) the **Chief Livery Inspector** has reason to believe not revoking or suspending the **Licence** would pose a danger to the safety, health or welfare of the public or not be in the interests of the livery industry; or
- (2) The **Chief Livery Inspector** may revoke or suspend a **Licence** without a hearing if the **Chief Livery Inspector** called a hearing but the **Licensee** failed to attend at the time and place where the hearing was set.
- (B/L 67M2008, 2008 December 09)
(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)
162. (1) Any **Person** who has been refused a **Licence** and any **Licensee** whose **Licence** has been suspended or revoked by the **Chief Livery Inspector** without a hearing may request a hearing of the **Chief Livery Inspector** to reconsider his decision.
- (B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)

- (2) A request for the **Chief Livery Inspector** to reconsider the refusal to **Issue** a **Licence** or a suspension or revocation must be made in writing to the **Chief Livery Inspector** within thirty days of the **Chief Livery Inspector's** decision to refuse, suspend or revoke the **Licence**.
(B/L 45M2014, 2014 July 21)
(B/L 31M2015, 2015 July 27)
- (3) If the **Chief Livery Inspector** decides to hold a hearing to reconsider his decision, he may stay the suspension or revocation pending the outcome of that hearing.
(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)
- (4) At a hearing to reconsider the refusal to **Issue** a **Licence** or a suspension or revocation of a **Licence**, the **Chief Livery Inspector** has all the discretion respecting a hearing granted to him in section 160(2).
(B/L 68M2009, 2009 November 30)
(B/L 31M2015, 2015 July 27)
- (5) The **Chief Livery Inspector's** decision to refuse, suspend or revoke a **Licence** without a hearing is only appealable to the **Licence and Community Standards Appeal Board** if:
- (a) the **Licensee** sought the **Chief Livery Inspector's** reconsideration and the **Chief Livery Inspector** refused to hold a hearing to reconsider his decision; or
(B/L 68M2009, 2009 November 30)
 - (b) the **Chief Livery Inspector** did hold a hearing to reconsider his decision but the **Chief Livery Inspector** did not change his decision to refuse, suspend or revoke the **Licence**.
(B/L 67M2008, 2008 December 09)
(B/L 68M2009, 2009 November 30)
(B/L 45M2014, 2014 July 21)
(B/L 31M2015, 2015 July 27)
163. At a hearing, instead of suspending or revoking a **Licence**, the **Chief Livery Inspector** may allow the **Licence** to continue with conditions respecting the operation of the livery business to which the **Licence** applies.
(B/L 31M2015, 2015 July 27)
164. Within ten days of the conclusion of a hearing before her or within two days of her decision if no hearing was held, the **Chief Livery Inspector** shall notify the **Applicant** or **Licensee** of her decision including:
- (a) whether the **Licence** has been granted, refused, suspended or revoked;
 - (b) if suspended, the length of time of the suspension;
 - (c) if refused, suspended or revoked, the period of time during which the **Applicant** or **Licensee** may not reapply;
 - (d) the right of appeal if any;

- (e) terms or conditions imposed; and
 - (f) whether the suspension or revocation is stayed pending appeal.
(B/L 31M2015, 2015 July 27)
165. (1) A **Licensee** may appeal the **Chief Livery Inspector's** refusal to **Issue a Licence**, suspension or revocation of a **Licence** or the imposition of a condition on a **Licence** to the **Licence and Community Standards Appeal Board** in accordance with Bylaw 50M2011, the Licence and Community Standards Appeal Board Bylaw.
- (2) If a **Licensee** has given notice of an intention to appeal the **Chief Livery Inspector's** decision to the **Licence and Community Standards Appeal Board**, the **Chief Livery Inspector** may stay the revocation, suspension or imposition of a condition pending the appeal if in the **Chief Livery Inspector's** judgment the continued livery operations do not create a danger to the safety, health or welfare of the public.
- (3) The **Chief Livery Inspector** may lift a stay of a suspension, revocation or imposition of a condition if, in the **Chief Livery Inspector's** judgment, the appellant is not diligently pursuing the appeal to the **Licence and Community Standards Appeal Board**.
(B/L 67M2008, 2008 December 09)
(B/L 31M2015, 2015 July 27)
166. A **Person's** obligations under this Bylaw to renew a **Licence** or obtain a **Certificate** are not waived or stayed as a result of a suspension or revocation of a **Licence** or **Certificate**.

Division 5 – Offences and Prosecutions

167. Any **Person** who contravenes any provision of this Bylaw by doing any act or thing which the **Person** is prohibited from doing or failing to do any act or thing the **Person** is required to do is guilty of an offence.
168. (1) A **Person** who is convicted of an offence under this Bylaw is liable on summary conviction to a fine not exceeding ten thousand dollars or to imprisonment for a period not exceeding one year, or to both a fine and imprisonment.
- (2) A **Person** who has been convicted of an offence and who fails to pay any fine imposed by a court may be liable to a period of imprisonment pursuant to the provisions of Provincial Offences Procedures Act.
169. A **Person** shall not make a false statement in a document, application, statement, declaration or report made under or required by this Bylaw.
170. A **Person** shall not
- (a) make false, misleading or deceptive statements in any

- (i) advertisement,
- (ii) telephone directory listing,
- (iii) circular,
- (iv) electronic media,
- (v) pamphlet, or
- (vi) similar material via any medium,

with respect to the provision of livery services or the carrying on of livery services;

- (b) advertise livery services which have not been approved by the **Chief Livery Inspector**; or
- (c) advertise in such a manner as to imply that he will provide livery services that he is not **Licensed** to provide.

(B/L 31M2015, 2015 July 27)

171. (1) Where a **LTS Inspector** believes that a person has contravened any provision of this Bylaw, the **LTS Inspector** may issue a violation ticket in accordance with the Provincial Offences Procedures Act or lay an information.

(2) The violation ticket may provide for the payment of a voluntary payment in the amount of the specified penalty for the offence set out in Schedule "D".

(3) The violation ticket may require the defendant to appear before a Justice on the initial appearance date without the alternative of making a voluntary payment.

(4) Where there is a specified penalty listed for an offence in Schedule "D" to this Bylaw, that amount is the specified penalty for the offence.

(5) (a) Where there is a minimum penalty listed for an offence in Schedule "D" to this Bylaw, that amount is the minimum penalty for the offence.

(b) Where the minimum penalty is not listed for an offence in Schedule "D", the minimum penalty for the offence is \$300.00.

(B/L 68M2009, 2009 November 30)

(6) Notwithstanding specified and minimum penalties set out in Schedule "D" to this Bylaw:

(a) if a person is convicted twice of the same provision of this Bylaw within a 24 month period, the minimum penalty for the second conviction shall be the amount of the specified penalty for a first offence; and

(b) if a person is convicted three or more times of the same provision of this Bylaw within a 24 month period, the minimum penalty for the third and

subsequent convictions shall be twice the amount of the specified penalty for a first offence.

(B/L 67M2008, 2008 December 09)

172. (1) The levying and payment of any fine or the imprisonment for any period shall not relieve a person from the necessity of paying any fees, charges or costs for which that person is liable under the provisions of this Bylaw or any other bylaw.
- (2) The levying and payment of any fine or the imprisonment for any period shall not relieve a person from the obligation to comply with an **LTS Inspector's** Order or direction of the **Chief Livery Inspector**.

(B/L 31M2015, 2015 July 27)

173. Where Livery Transport Services keeps computerized records of **Certificates, Licenses**, approvals or similar documents, print outs of those documents are admissible into evidence as business records of the Livery Transport Services and are *prima facie* evidence of the information contained within the records.

174. Any notice issued or required under this Bylaw is sufficiently served on a **Person** if it is

- (a) served personally; or
- (b) mailed by single registered mail to the most recent address that the **Person** provided to the **Chief Livery Inspector** as shown in the records of the **Chief Livery Inspector** and service shall be deemed to be served on the fifth business day after mailing.

(B/L 31M2015, 2015 July 27)

PART 9 – TRANSITIONAL

175. This Bylaw comes into force on the date it is passed.

176. After January 01, 2008, the **Chief Livery Inspector** shall not approve a **Taxi** or **Accessible Taxi** which is greater than nine model years old.

(B/L 31M2015, 2015 July 27)

177. After January 01, 2009, the **Chief Livery Inspector** shall not approve a **Taxi** or **Accessible Taxi** which is greater than eight model years old.

(B/L 31M2015, 2015 July 27)

178. DELETED BY 12M2016, 2016 APRIL 04.

179. DELETED BY 12M2016, 2016 APRIL 04.

180. The **Chief Livery Inspector** shall first apply the requirements specified in sections 96 and 97 on May 01, 2007.

(B/L 31M2015, 2015 July 27)

181. All existing **Limousine Brokerage licence** shall continue to be valid after their normal expiration date of September 30, 2007 until December 31, 2007 and shall thereafter be

revoked unless renewed. Thereafter renewal applications shall be submitted prior to December 15 of each year.

182. A **Person** who is not a **Brokerage** or an **Active T.P.L. or A.T.P.L. Holder** shall, within one year of the date of the third reading of this Bylaw, transfer any **T.P.L.s** they hold to an **Eligible Transferee** or surrender, without payment, all rights and interest they may have in such **T.P.L.s** to the **Chief Livery Inspector**.

(B/L 31M2015, 2015 July 27)

183. The **Chief Livery Inspector** shall review this Bylaw and submit a report to **Council** no later than two years from the date this Bylaw comes into force. The said report shall include any amendments it recommends.

(B/L 42M2007, 2007 September 10)

(B/L 31M2015, 2015 July 27)

184. Upon the coming into force of this Bylaw, City of Calgary Bylaw 91/77, 3M94, 36M2006 and Regulations 1/78, 1/94, 1/99 and 1/2000 and all amendments thereto are repealed.

READ A FIRST TIME THIS 5TH DAY OF FEBRUARY, 2007.

READ A SECOND TIME, AS AMENDED, THIS 5TH DAY OF FEBRUARY, 2007.

READ A THIRD TIME, AS AMENDED, THIS 5TH DAY OF FEBRUARY, 2007.

(Sgd.) D. Bronconnier
MAYOR

(Sgd.) D. Garner
CITY CLERK

SCHEDULE "A" – RATES

(Amended by 36M2007, 30M2008, 38M2008, 67M2008, 68M2009, 14M2011, 43M2012, 45M2014, 50M2014, 74M2014)

PART 1 – TAXI RATES FOR STREET HAIL SERVICE AND DISPATCH SERVICE

NOTE: This part is only applicable to **Street Hail** service and **Dispatch** service provided by **Taxis** and **Accessible Taxis**;

1. A **Taxi** and an **Accessible Taxi** that is providing **Street Hail** service or **Dispatch** service shall measure the fare charged to the passenger on the basis of:
 - (1) distance travelled;
 - (2) the amount of time for which the vehicle is hired; or
 - (3) a combination of distance travelled and the amount of time for which the vehicle is hired.

(B/L 12M2016, 2016 April 04)
2. Subject to section 8 of this schedule, the **Driver** of a **Taxi** or **Accessible Taxi** providing **Street Hail** service or **Dispatch** service shall only collect the fares, charges, and taxes pursuant to:
 - (1) section 3 or section 4; and
 - (2) section 5.

(B/L 12M2016, 2016 April 04)
3.
 - (1) The meter rate fares to be charged for the hire of a **Taxi** or **Accessible Taxi** providing **Street Hail** service or **Dispatch** service shall be no greater than the following:
 - (a) \$3.80 for the first 120 metres or any portion thereof; or
 - (b)
 - (i) \$0.20 for each additional 120 meters or any portion thereof when travelling at a speed greater than 20.24 kilometres per hour; and,
 - (ii) \$33.80 per hour or the applicable portion of that rate when the **Taxi** or **Accessible Taxi** is stopped or travelling at a speed less than or equal to 20.24 kilometres per hour; and

(B/L 74M2014, 2014 November 04)
(B/L 12M2016, 2016 April 04)
 - (2) In addition to the maximum meter rate fares set out in subsection (1), the **Driver** of a **Taxi** or **Accessible Taxi** may charge a surcharge sufficient to cover any departure fee imposed by the Calgary Airport Authority for trips that originate at the Calgary International Airport. The amount of the surcharge must be

displayed on the **taximeter** and must not be more than the amount of the departure fee imposed by the Calgary Airport Authority.

(B/L 30M2008, 2008 June 09)
(B/L 43M2012, 2012 July 30)
(B/L 50M2014, 2014 September 22)
(B/L 12M2016, 2016 April 04)

4. (1) Despite sections 1, 2 and 3, a **Brokerage or Independent Livery Vehicle Operator** may set flat rate fares that may be charged by a **Taxi or Accessible Taxi** for trips:
- (a) to or from the Calgary International Airport and any community in the City;
 - (b) to or from the Calgary International Airport and any hotel in the City;
 - (c) to or from the Calgary International Airport and any hospital in the City;
 - (d) between any hospitals in the City.
- (2) Flat rate fares set pursuant to subsection (1) must be communicated to the customer prior to the trip commencing.
- (3) Flat rate fares set pursuant to subsections (1)(a), (b) and (c) must be posted at the Calgary International Airport as directed by the Calgary Airport Authority.
- (4) If flat rate fares have been specified pursuant to subsection (1), the customer may, prior to the commencement of the trip, specify whether the fare will be calculated based on the meter rate or whether the flat rate fare will be charged and the **Driver** must charge the fare so specified by the customer.
- (5) If a **Brokerage or Independent Livery Vehicle Operator** sets flat rate fares pursuant to subsection (1), the **Brokerage or Independent Livery Vehicle Operator** must file the flat rate fares with the **Chief Livery Officer**.
(B/L 12M2016, 2016 April 04)
5. No other taxes, fees or charges shall be collected other than as provided for in this Schedule.
(B/L 45M2014, 2014 July 21)
6. In the event a **Taxi or Accessible Taxi** is hired on a shared-ride basis by two or more passengers who specify to the **Driver** different destinations, the following provisions shall apply:
(B/L 12M2016, 2016 April 04)
- (a) upon the **Driver** being made aware of multiple destinations by shared-ride passengers the **Driver** shall to inquire how the passengers agree to pay for the fare.
 - (b) in the event that the passengers agree amongst themselves to the terms of the shared ride then the taximeter shall run without interruption until the last passenger is discharged at the final destination, at which time the last passenger

shall be responsible for the full fare, and the hiring passengers shall be responsible for sharing such expense as they see fit.

- (c) in the event that the passengers do not agree amongst themselves as to the terms of the shared ride, then the taximeter shall be dropped (reflagged) at each individual destination and the discharging passenger(s) shall be responsible for the amount shown on the taximeter at his or her respective destination only, and not for the total charge of the aggregate journey.

7. DELETED BY 12M2016, 2016 APRIL 04.

8. (a) A **Driver** may accept gratuities.

(b) No charges shall be levied by any person for any assistance or additional service provided:

- (i) pursuant to Section 88 of the Bylaw, or
- (ii) to a person with disabilities.

(c) Notwithstanding Subsection (b), the **Driver** of:

- (i) a **Taxi** with a rated seating capacity of seven or more occupants; or
- (ii) an **Accessible Taxi**;

which is providing **Street Hail** service or **Dispatch** service may charge a surcharge of \$6.80 in addition to the meter rate when a customer requires or requests such a **Taxi** or **Accessible Taxi** to accommodate additional luggage or cargo and the customer agrees to the surcharge in advance of the trip.

(B/L 45M2014, 2014 July 21)

(B/L 12M2016, 2016 April 04)

(d) Where a surcharge pursuant to Subsection 8(c) of this Schedule is charged, the **Driver** shall advise the customer at the time the service is requested that the rate includes a surcharge and the surcharge shall be displayed on the **Taximeter**.

(B/L 30M2008, 2008 June 09)

(B/L 68M2009, 2009 November 30)

(B/L 43M2012, 2012 July 30)

(e) A **Driver** may charge a passenger a fee of up to \$100 for soiling the interior of the **Taxi** or **Accessible Taxi** with vomit or bodily fluids.

(B/L 45M2014, 2014 July 21)

(B/L 12M2016, 2016 April 04)

9. DELETED BY 12M2016, 2016 APRIL 04.

TABLE 1 – DELETED BY 12M2016, 2016 APRIL 04.

(B/L 38M2008, 2008 July 28)
(B/L 14M2011, 2011 March 07)
(B/L 43M2012, 2012 July 30)
(B/L 45M2014, 2014 July 21)
(B/L 50M2014, 2014 September 22)

TABLE 2 – DELETED BY 12M2016, 2016 APRIL 04.

(B/L 38M2008, 2008 July 28)
(B/L 14M2011, 2011 March 07)
(B/L 43M2012, 2012 July 30)
(B/L 50M2014, 2014 September 22)

PART 2 – LIMOUSINE RATES

10. DELETED BY 12M2016, 2016 APRIL 04.
11. DELETED BY 12M2016, 2016 APRIL 04.
12. DELETED BY 12M2016, 2016 APRIL 04.
13. DELETED BY 12M2016, 2016 APRIL 04.
14. DELETED BY 12M2016, 2016 APRIL 04.
15. DELETED BY 12M2016, 2016 APRIL 04.

TABLE 3 – DELETED BY 12M2016, 2016 APRIL 04.

(B/L 38M2008, 2008 July 28)
(B/L 67M2008, 2008 December 09)
(B/L 14M2011, 2011 March 07)
(B/L 43M2012, 2012 July 30)
(B/L 45M2014, 2014 July 21)
(B/L 50M2014, 2014 September 22)

SCHEDULE "B" – FEES

(Amended by 53M2008, 65M2011, 65M2014, 31M2015, 38M2015, 12M2016)

- (1) No refund will be granted, in whole or in part, where a **Licence** is surrendered, suspended or revoked.
- (2) No refund will be granted, in whole or in part, where the **Applicant** abandons an application.
- (3) No refund will be granted, in whole or in part, where an application is refused.
- (4) Annual **Licence** fees will not be pro rated.
- (5) The **Chief Livery Inspector** may waive a reinstatement fee.
- (6) Where the fees described in this Schedule are shown for a particular calendar year, the fees shall apply in the calendar year indicated (from January 1 to December 31, inclusive).

TABLE 1 – Licence Fees

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
PART 4 – Livery Vehicles				
Division 1 – General				
1. Livery Vehicle Registration Certificate	\$135	\$135	\$141 <u>\$135</u>	\$146 <u>\$141</u>
PART 5 – Licences				
Division 1 – General				
Licence Applications				
2. Calgary Police Service Information Check	\$41	\$41	\$43 <u>\$41</u>	\$45 <u>\$43</u>
Driver Licence Applications (T.D.L. and L.D.L.)				
3. L.D.L. Application Fee (includes 1 st test and study guide)	\$54	\$54	\$56 <u>\$54</u>	\$58 <u>\$56</u>
4. T.D.L. Training Fee (includes 1 rewrite)	\$745	\$300	\$312 <u>\$300</u>	\$324 <u>\$312</u>
5. L.D.L. Re-testing Fee	\$24	\$24	\$25	\$26

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
			<u>\$24</u>	<u>\$25</u>
6. Annual T.D.L. and L.D.L. Fee (includes Photo ID Badge)	\$135	\$135	\$141 <u>\$135</u>	\$146 <u>\$141</u>
7. Replacement ID Badge (Lost, Damaged)	\$37	\$37	\$39 <u>\$37</u>	\$40 <u>\$39</u>
8. Accessible Driver Endorsement Refresher Training Fee	\$72	\$72	\$75 <u>\$72</u>	\$78 <u>\$75</u>
Division 2.1 – T.N.D.L.				
8.1. Annual T.N.D.L. Fee	n/a	\$220	\$229 <u>\$220</u>	\$238 <u>\$229</u>
Division 3 – T.P.L. and A.T.P.L.				
9. Annual Licence Fee for T.P.L. (new plate or renewal)	\$877	\$877	\$912 <u>\$877</u>	\$948 <u>\$912</u>
10. Annual Licence Fee for A.T.P.L. (new plate or renewal)	\$220	\$220	\$229 <u>\$220</u>	\$238 <u>\$229</u>
11. Replacement Plate for T.P.L. and A.T.P.L.	\$72	\$72	\$75 <u>\$72</u>	\$78 <u>\$75</u>
12. Application Fee for T.P.L. or A.T.P.L. for new Plates	\$174	\$174	\$181 <u>\$174</u>	\$188 <u>\$181</u>
Division 4 – L.P.L.				
13. Annual Licence Fee for L.P.L.	\$703	\$703	\$731 <u>\$703</u>	\$760 <u>\$731</u>
14. Replacement Decal	\$48	\$48	\$50 <u>\$48</u>	\$52 <u>\$50</u>
Division 5 – Transfers				
15. Transfer Application Fee	\$877	\$250	\$260 <u>\$250</u>	\$270 <u>\$260</u>
16. Transfer Fee (approved)	\$438	\$250	\$260 <u>\$250</u>	\$270 <u>\$260</u>
Division 7 – Brokerage				

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
17. Brokerage Licence Application Fee	\$1753	\$1753	\$1824 <u>\$1753</u>	\$1897 <u>\$1824</u>
18. Annual Brokerage Licence Fee	\$1753	\$1753	\$1824 <u>\$1753</u>	\$1897 <u>\$1824</u>
Division 3 – Transportation Network Company				
18.1 Transportation Network Company Licence Application Fee	n/a	\$135	\$141 <u>\$135</u>	\$141
18.2 Annual Transportation Network Company Licence Fee	n/a	\$1753	\$1824 <u>\$1753</u>	\$1897 <u>\$1824</u>
PART 6 – Livery Vehicle Inspections, Livery Vehicle Inspection Certificates and Livery Vehicle Inspection Station Licence				
19. Inspection Certificate Forms	\$25 per package	\$25 per package	\$26 per package <u>\$25 per package</u>	\$27 per package <u>\$26 per package</u>
20. Inspection Station Licence Application Fee	\$94	\$94	\$97 <u>\$94</u>	\$101 <u>\$97</u>
21. Inspection Station Licence Annual Fee	\$174	\$174	\$181 <u>\$174</u>	\$188 <u>\$181</u>
22. Mechanic Licence Application	\$48	\$48	\$50 <u>\$48</u>	\$52 <u>\$50</u>
23. Mechanic Licence Annual Fee	\$94	\$94	\$97 <u>\$94</u>	\$101 <u>\$97</u>
24. Bylaw	\$5	\$5	\$5	\$6 <u>\$5</u>
PART 7 – Refusal, Revocation, Suspension, Appeal				
25. Licence Reinstatement Fee	\$174	\$174	\$181 <u>\$174</u>	\$188 <u>\$181</u>
26. Licence Reinstatement Fee (Subsection 152(2))	\$1212	\$1212	\$1260 <u>\$1212</u>	\$1310 <u>\$1260</u>

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
27. Licence Reinstatement Fee (Subsection 152(3))	\$363	\$363	\$377 <u>\$363</u>	\$393 <u>\$377</u>
Miscellaneous Administrative Services				
28. Photocopying	\$ 1 per page	\$ 1 per page	\$ 1 per page	\$ 1 per page
29. Meter Permit Fee	\$94	\$94	\$97 <u>\$94</u>	\$101 <u>\$97</u>
30. NSF Cheque Fee	\$48	\$48	\$50 <u>\$48</u>	\$52 <u>\$50</u>

(B/L 53M2008, 2008 November 30)
(B/L 65M2011, 2011 November 29)
(B/L 65M2014, 2014 November 28)
(B/L 31M2015, 2015 July 27)
(B/L 38M2015, 2015 September 28)
(B/L 12M2016, 2016 April 04)

Combined Transportation Network Company/Transportation Network Driver Licence Fee

Despite the **Licence** fees set out in items 8.1, 18.1 and 18.2 of Table 1, a **Transportation Network Company** may elect to pay a combined **Transportation Network Company/Transportation Network Driver Licence** fee ("Combined Fee") in accordance with the following provisions.

1. The Combined Fee comprises the fee for a **Transportation Network Company's Licence** and the fee for the **Transportation Network Driver Licences** for all **Drivers** that are authorized, during the term of a **Transportation Network Company's Licence**, to use any **App** that is administered or promoted by the **Transportation Network Company**.
2. A **Transportation Network Company** that elects to pay the Combined Fee, must advise the **Chief Livery Inspector** accordingly at the time of the **Transportation Network Company's Licence** application or renewal.

Calculation of Fee

3. The Combined Fee consists of an Administration Fee plus a Driver Fee plus a Per Trip fee as follows:
 - (a) the Administration Fee is payable by the **Transportation Network Company** at the time of its **Licence** application or renewal, and is based on the number of **Licensed Transportation Network Drivers** authorized, at the time of the **Licence** application or renewal, to use any **App** administered by the **Transportation Network Company** as follows:

<u>Number of Transportation Network Drivers</u>	<u>Administration Fee</u>
<u>1-100</u>	<u>\$5.000</u>
<u>101-500</u>	<u>\$10.000</u>
<u>501-1000</u>	<u>\$15.000</u>
<u>1001 or more</u>	<u>\$20.000</u>

In addition to the initial Administration Fee payable at the time of Licence application or renewal, if during the term of a Transportation Network Company's Licence, the number of Licensed Transportation Network Drivers authorized to use any App administered or promoted by the Transportation Network Company increases such that a higher Administration Fee would be payable, the Transportation Network Company must immediately pay the difference.

- (b) a Driver Fee of \$15 for each Licensed Transportation Network Driver that is authorized, during the term of a Transportation Network Company's Licence, to use any App that is administered or promoted by the Transportation Network Company, payable by the Transportation Network Company on a quarterly basis.
- (c) a Per Trip Fee of \$0.20 for each trip arranged, during the term of a Transportation Network Company's Licence, through any App that is administered or promoted by the Transportation Network Company, payable by the Transportation Network Company on a quarterly basis.

Minimum Fee amount

4. If at the end of the term of the Transportation Network Company's Licence, the total amount paid by the Transportation Network Company is less than the following:

cumulative number of Licensed Transportation Network Drivers who were authorized, at any time during the term of the Transportation Network Company's Licence, to use any App that is administered or promoted by the Transportation Network Company

X

\$220

the Transportation Network Company must pay the difference within 30 days of the end of the term of the Transportation Network Company's Licence.

Maximum Fee amount

5. If at any time during a calendar year the total amount of the Combined Fees collected from the **Transportation Network Company** by the **Chief Livery Inspector** equals or exceeds the projected annual costs for regulating the **Transportation Network Company** and all **Licensed Transportation Network Drivers** authorized to use any **App** administered or promoted by the **Transportation Network Company**, the **Chief Livery Inspector** shall discontinue the collection of the Driver Fee and Per Trip Fee from that **Transportation Network Company** for the remainder of the calendar year.

Reimbursement of excess fees

6. If at December 31 of any year, the total amount of Combined Fees collected by the **Chief Livery Inspector** for all **Transportation Network Companies** who have elected the Combined Fee option exceeds the projected annual costs for regulating such **Transportation Network Companies** and their affiliated **Transportation Network Drivers** (the "surplus"), the **Chief Livery Inspector** shall reimburse all such **Transportation Network Companies** from the surplus. The reimbursement shall be proportional based on the total fees paid by each such **Transportation Network Company** during the calendar year.

Transitional

7. (1) Any **Transportation Network Company** which has paid a **Transportation Network Company Licence** Fee pursuant to item 18.2 of Table 1, may elect to transition to the Combined Fee if the **Transportation Network Company** notifies the **Chief Livery Inspector** in writing of its intention to do so no later than December 31, 2016.
- (2) For a **Transportation Network Company** that elects to transition to the Combined Fee:
- (a) the **Transportation Network Company** Licence Fee paid pursuant to section 18.2 of Table 1 will be credited towards the **Transportation Network Company's** Administration Fee; and
- (b) all fees paid by **Transportation Network Drivers** pursuant to item 8.1 of Table 1 will be refunded to those **Transportation Network Drivers**.

SCHEDULE "C" – ENHANCED LIVERY VEHICLE INSPECTION STANDARDS

(Amended by 31M2015)

NOTE: The ELVIS materials have been excluded from this document in order to reduce paper use.

Text for Discussion

SCHEDULE "D" – OFFENCE AND PENALTY

(Amended by 35M2012, 33M2013, 45M2014, 31M2015, 12M2016)

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
s.22.1	Improper placement of Plates , decals or identification markings	\$200.00	\$700.00
s.25	offer unlicensed vehicle for hire	\$800.00	\$1500.00
s.26	charge a fee for unlicensed vehicle	\$800.00	\$1500.00
s.27	operate an unlicensed vehicle to suggest it is for hire	\$800.00	\$1500.00
s.29	operate a Livery Vehicle without Livery Vehicle Registration Certificate	\$800.00	\$1500.00
s.30	holder of T.P.L. or L.P.L. fail to ensure T.P.L. or L.P.L. joined to vehicle with Livery Vehicle Registration Certificate	\$200.00	\$700.00
s.31	attach invalid Plate to a Motor Vehicle	\$300.00	\$1000.00
s.32	offer accessible service without accessible endorsement	\$300.00	\$1000.00
s.33	operate with unsealed Taximeter	\$200.00	\$700.00
s.34	operate with broken seal on Taximeter	\$200.00	\$700.00
s.35	charge fare greater than Taximeter	\$200.00	\$700.00
s.36	carry a passenger without engaging Taximeter computing correct fare	\$200.00	\$700.00
s.36.1	Operate a Taxi or Accessible Taxi with the Taximeter turned on when not engaged by a customer	\$500.00	\$1000.00
s.36.2	evade payment of the fare or fee	\$500.00	\$1000.00
s.39.1(1)(a)	Fail to install security camera	\$200.00	\$700.00
s.39.1(1)(b)	Fail to post decal in a conspicuous location	\$200.00	\$700.00
s.39.1(2)	Fail to retain recordings	\$200.00	\$700.00
s.39.1(3)	Fail to disclose the recordings to the Chief Livery Inspector or Calgary Police Service within the specified time	\$200.00	\$700.00
s.39.1(4)	Tamper, interfere, block or obstruct a security camera	\$200.00	\$700.00
s.50	pick up passengers without pre-arrangement	\$300.00	\$1000.00
s.50.1(4)	charge more than the posted rate	\$300.00	\$1000.00
s.51	Limousine parked on Highway	\$200.00	\$700.00
s.53	L.P.L. holder fail to ensure written or electronic agreement	\$800.00	\$1500.00
s.54.1	Accept Street Hail	\$300.00	\$1000.00
s.54.3	Accept Dispatch Hail	\$300.00	\$1000.00
s.54.9	Make available unapproved App	\$800.00	\$1500.00
s.54.10	Fail to transmit data	\$1000.00	\$2000.00
s.55	Operate Taxi without T.D.L.	\$300.00	\$1500.00
s.56	Operate Limousine without L.D.L.	\$300.00	\$1500.00

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
s.56.1	Operate Private For Hire Vehicle without T.N.D.L.	\$300.00	\$1500.00
s.57	possess more than one copy of same Licence	\$200.00	\$700.00
s.58	Operate Taxi or Limousine contrary to restriction or condition	\$800.00	\$1500.00
s.59	Operate Taxi or Limousine without T.D.L. or L.D.L. in possession	\$200.00	\$700.00
s.60	conduct Brokerage Operation without Brokerage Licence	\$1500.00	\$3000.00
s.61	Operate Accessible Taxi without accessible endorsement	\$800.00	\$1500.00
s.62	Operate Independent Taxi without independent endorsement	\$800.00	\$1500.00
s.63	attach a Plate to a Motor Vehicle without Livery Vehicle Registration Certificate	\$300.00	\$1000.00
s.64	allow a Plate to be attached to a Motor Vehicle without Livery Vehicle Registration Certificate	\$300.00	\$1000.00
s.65	Offer for hire a Motor Vehicle in the City with markings of a taxi, accessible taxi or limousine unless that Motor Vehicle has a valid Livery Vehicle Registration Certificate	\$300.00	\$1000.00
s.80	Licensee fail to advise Chief Livery Inspector of change in status	\$200.00	\$700.00
s.85.1(1)	Taxi Driver fail to provide receipt	\$200.00	\$700.00
s.85.1(2)	Limousine Driver fail to provide receipt	\$200.00	\$700.00
s.86(a)	Refusal to accept passenger	\$200.00	\$700.00
s.86(e.2)	Failure to enter specified information by end of shift	\$200.00	\$700.00
s.86(g)	Failure to clearly display T.D.L. or L.D.L.	\$200.00	\$700.00
s.88.1(a)	Failure to be booked onto dispatch system	\$500.00	\$1000.00
s.88.1(b)	Failure to respond to dispatched service request	\$500.00	\$1000.00
s.88.3(2)	Failure to advise Chief Livery Inspector of affiliation	\$300.00	\$1000.00
s.88.7	Place unauthorized trade markings	\$200.00	\$700.00
s.88.8	Use unauthorized Motor Vehicle	\$300.00	\$1000.00
s.126.1(1)	Failure to record complaint	\$1000.00	\$2000.00
s.126.1(2)	Failure to transmit complaint	\$1000.00	\$2000.00
s.126.2(1)	Failure to maintain list of complaints	\$1000.00	\$2000.00
s.126.2(2)	Failure to produce list of complaints	\$1000.00	\$2000.00
s.126.3(1)(a)	Failure to equip AVL	\$1000.00	\$2000.00
s.126.3(1)(b)	Failure to equip Taximeter	\$1000.00	\$2000.00
s.126.3(2)	Failure to transmit AVL or Taximeter data	\$1000.00	\$2000.00

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
s.127 (a)-(i)	Brokerage fail to carry out obligations	\$400.00	\$750.00
s.128 (a)-(c)	Brokerage fail to comply with administrative provisions	\$400.00	\$750.00
s.129(a)	Brokerage fail to post Licence	\$200.00	\$700.00
s.129(b)	Brokerage fail to post conditions	\$200.00	\$700.00
s.130 (a)-(n)	Brokerage fail to comply with obligations	\$200.00	\$700.00
s.131	Brokerage fail to provide receipts to Driver , T.P.L. or L.P.L. holder	\$200.00	\$700.00
s.132	Brokerage fail to provide records	\$500.00	\$1000.00
s.135(1)	Brokerage fails to record complaint	\$1000.00	\$2000.00
s.135(2)	Brokerage fails to transmit complaint	\$1000.00	\$2000.00
s.135.1(1)(a)	Brokerage fails to equip AVL	\$1000.00	\$2000.00
s.135.1(1)(b)	Brokerage fails to equip Taximeter	\$1000.00	\$2000.00
s.135.1(2)	Brokerage fails to transmit AVL or Taximeter data	\$1000.00	\$2000.00
s.135.2(1)	Brokerage fails to utilize adequate taxi dispatch system	\$1000.00	\$2000.00
s.135.2(2)	Brokerage fails to transmit taxi dispatch system data	\$1000.00	\$2000.00
s.139	Operate Livery Vehicle Taxi, Accessible Taxi or Limousine without valid Inspection Certificate	\$300.00	\$1000.00
s.140	allow Livery Vehicle Taxi, Accessible Taxi or Limousine to be Operated without Inspection Certificate	\$300.00	\$1000.00
s.141	T.P.L. , A.T.P.L. or L.P.L. holder fail to ensure Livery Vehicle Taxi, Accessible Taxi or Limousine joined to his T.P.L. , A.T.P.L. or L.P.L. has Inspection Certificate	\$300.00	\$1000.00
s.142	T.P.L. or L.P.L. holder fail to deliver copies of Inspection Certificate	\$200.00	\$700.00
s.143	Operate Livery Vehicle Taxi, Accessible Taxi or Limousine without Inspection Certificate in vehicle	\$200.00	\$700.00
s.149	person other than Certified Mechanic complete Inspection Certificate	\$800.00	\$1500.00
<u>s.150.1(1.1)</u>	<u>Operate a Private For Hire Vehicle without a record of inspection or Inspection Certificate</u>	<u>\$300.00</u>	<u>\$1000.00</u>
<u>s.150.1(3)</u>	Fail to keep a copy of record of inspection or <u>Inspection Certificate</u> in Private For Hire Vehicle	\$200.00	\$700.00
s.155(2)	Driver leave before LTS Inspector complete inspection	\$800.00	\$1500.00
s.155(4)	person fail to ensure vehicle at specified location	\$300.00	\$1000.00

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
	and time		
s.155(5)	interfere with LTS Inspector or mechanic	\$800.00	\$1500.00
s.156(7)	interfere with inspection of premises	\$800.00	\$1500.00
s.157	fail to produce required documents	\$200.00	\$700.00
s.157.1	fail to transmit required documents	\$1000.00	\$2000.00
s.158(6) (a)-(d)	fail to comply with LTS Inspector's Order interfere with Order	\$300.00	\$1000.00
s.169	make false statement in a document, application or report	\$800.00	\$1500.00
s.170	make false advertisements	\$800.00	\$1500.00"

(B/L 35M2012, 2012 June 25)

(B/L 33M2013, 2013 July 29)

(B/L 45M2014, 2014 July 21)

(B/L 31M2015, 2015 July 27)

(B/L 12M2016, 2016 April 04)

SCHEDULE “E” – REPORTING REQUIREMENTS

(Amended by 35M2012)

Metric	Time Unit	Reporting Items
Trip Volumes	Daily	Daily Number of Trips: <ul style="list-style-type: none"> • Total trips • Trips dispatched • Trips hailed • Monthly Number of Accessible Taxi trips: • Total Accessible requests dispatched • Unfilled dispatch requests
Dispatch Response times	Daily	Daily % of trips from entering system to meter on: <ul style="list-style-type: none"> • % 4:59 minutes or less • % 5:00 to 9:59 minutes • % 10:00 to 14:59 minutes • % 15:00 to 19:59 minutes • % 20:00 + minutes Plus total trips associated with the distribution. The same also for Accessible Taxi dispatch requests by themselves with a separation between time calls and regular on-demand dispatch. In the case of time calls for Accessible Taxis , the difference between booked time and load time.
	Hourly for Selected Days each Week	(Thursday 0:00 am to Sunday 24:00) Hourly based on time call entered in system, same format as for daily.
Vehicle Counts	Hourly for Selected Days Each Week	(Thursday 0:00 am to Sunday 24:00) Hourly count: <ul style="list-style-type: none"> • # Vehicles in service • # Vehicles booked into dispatch zone. • # Vehicles meter on • # Vehicles on contract assignment and not available for dispatch (e.g. on Access Calgary scheduled routes). Plus the same for Accessible Taxis alone. Reference to meter on refers to any fare, whether or not an accessible taxi.
Telephone Response Times	Daily	<ul style="list-style-type: none"> • Average time to answer • Abandoned call rates • Hold wait times • Occupancy • % of calls exceeding 2 minutes to answer Occurrences and duration of telephone system at capacity (ringing busy).

Explanatory notes:

In this Schedule,

“abandoned call” means a telephone call that has been made to a dispatch system that is terminated by the person originating the call before any conversation occurs.

“entering system” means the point in time in which a request for a **Taxi** or **Accessible Taxi** is made to a **Brokerage**.

“hold wait times” means the length of time a caller to a dispatch system spends waiting for a **Brokerage** staff member to become available to speak to, but does not include time spend going through an automated menu system.

“meter on” means the point in time when a trip commences.

“occupancy” means the percentage of time **Brokerage** staff assigned to respond to dispatch service requests are busy on a call or doing after-call work compared with available time.

“vehicles” means **Taxis** and **Accessible Taxis**.

(B/L 35M2012, 2012 June 25)