

**BYLAW NUMBER 12M2016**

**BEING A BYLAW OF THE CITY OF CALGARY  
TO AMEND BYLAW 6M2007, THE LIVERY  
TRANSPORT BYLAW**

\*\*\*\*\*

**WHEREAS** Council has considered C2016-0144 and considers it necessary to amend Bylaw 6M2007, the Livery Transport Bylaw, to provide for the regulation of transportation network companies, transportation network drivers and private for hire vehicles;

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

1. Bylaw 6M2007, the Livery Transport Bylaw, as amended, is hereby further amended.
2. In the Preamble, item B. is deleted and replaced with the following:

“B. to establish a system of licensing Livery Vehicles, Drivers, Brokerages and Transportation Network Companies;”.
3. Section 10 is deleted and replaced with the following:

“10. All schedules attached to this Bylaw form part of this Bylaw.”
4. In section 11:
  - (1) subsection (f) is deleted; and
  - (2) in subsection (g), the words “shared ride” are deleted and replaced with “shuttle”.
5. In section 12:
  - (1) the following is added after subsection (e) as subsection (e.1):

“(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;”;

(2) subsection (i) is deleted and replaced with the following:

“(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**,”;

(3) after subsection (o) the following is added as subsection (o.1):

“(o.1) **“Dispatch Hail”** means a request for transportation from a **Livery Vehicle** made through a verbal telephone call to a manned dispatch centre,”;

(4) subsection (p) is deleted and replaced with the following:

“(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.**,”;

(5) subsection (dd) is deleted and replaced with the following:

“(dd) **“Livery Vehicle”** means a **Limousine**, a **Taxi**, an **Accessible Taxi** or a **Private For Hire Vehicle**,”;

(6) after subsection (nn), the following is added as subsection (nn.1):

“(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 by a **Transportation Network Company**,”;

(7) after subsection (pp), the following is added as subsection (pp.1):

“(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 (a) and (b);

to request transportation from a **Livery Vehicle**, and includes requesting transportation at a taxi stand;”;

- (8) after subsection (ss), the following is added as subsection (ss.1):

“(ss.1) “**T.N.D.L.**” means a **Transportation Network Driver’s Licence Issued** by the **Chief Livery Inspector** under this Bylaw;”;

and

- (9) after subsection (tt), the following is added as subsections (tt.1) and (tt.2):

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

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

6. In section 22, subsection 22(a) is deleted and replaced with the following:

“(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**;”.

7. In section 24:

- (1) after subsection 24(3)(b) the following is added as subsection 24(3)(c):

“(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**;”.

- (2) after subsection 24(4) the following is added as subsection 24(4.1):

“(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**;”.

and

- (3) subsection 24(6) is deleted and replaced with the following:

“(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).”.

8. After section 27 the following is added as section 27.1:

“27.1 Sections 25, 26 and 27 do not apply to a **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.”.
9. Section 29 is deleted and replaced with the following:

“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**.”.
10. In section 33, after the word “**Taxi**” the words “or **Accessible Taxi**” are added.
11. In section 34, after the word “**Taxi**” the words “or **Accessible Taxi**” are added.
12. In section 35:

(1) after the word “**Taxi**” the words “or **Accessible Taxi**” are added; and

(2) the words “other than” are deleted and replaced with “greater than”.
13. Section 36 is deleted and replaced with the following:

“36. No **Person** shall carry a paying passenger in a **Taxi** or **Accessible Taxi** unless the **Taximeter** is turned on.”.
14. after section 36, the following is added as section 36.01:

“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.”.
15. Section 37(f)(iii) is deleted and replaced with the following:

“(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**.”.
16. Sections 41, 42 and 43 are deleted and replaced with the following:

“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.
42. The **Chief Livery Inspector** is authorized to designate makes and models of **Motor Vehicles** that may be **operated** as a Sedan-Limousine.
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 old 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.”.
17. Sections 47, 48 and 49 are deleted.
18. In section 50:
- (1) in subsections 50(2)(a) and (b), the words “at least 30 minutes” are deleted;
  - (2) the following is added after subsection 50(2) as subsection 50(2.1):  
 “(2.1) In subsection (1), “previously arranged” does not include a **Street Hail**.”
  - (3) subsections 50(3)(f) and (g) are deleted and replaced with the following:  
 “(f) either: (i) the amount to be paid for the service; or  
 (ii) the hourly rate to be charged to the customer.”.
- and
- (4) in subsection 50(4) the words “a form” are deleted and replaced with “either a written or electronic form”.
19. After section 50 the following is added as sections 50.1 and 50.2:
- “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.
- 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.”.
20. In section 51, subsection 51(1) is deleted and replaced with the following:
- “(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.”.
21. After section 53 the following is added as section 53.1:
- “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.”.
22. Section 54 is deleted.
23. The following is added after section 54 as sections 54.1 to 54.10:
- “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".

### **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".

### **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 the **Person** who administers the **App** holds:
- (a) a valid and subsisting **Brokerage Licence**; or
  - (b) a valid and subsisting **Transportation Network Company Licence**.

### **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** or **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 the customer and while carrying the customer; and
- (h) allows the customer to provide feedback regarding the service to the **Brokerage** that administers the **App**.

#### 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 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**.

**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 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 or otherwise make available an **App** for the purpose 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 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 Livery Inspector**.”.
24. The following is added after section 56 as section 56.1:
- “56.1 No **Person** shall **Operate a Private For Hire Vehicle** without a valid and subsisting **T.N.D.L.**”.
25. Section 69(3)(c) is deleted and replaced with the following:
- “(c) a driver’s abstract if the application is for a **T.D.L.**, **L.D.L.** or **T.N.D.L.**”.
26. Section 70 is deleted and replaced with the following:
- “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.
- (2) Despite subsection (1), the **Chief Livery Inspector** may relieve an **Applicant** for a **Licence** from the requirement to attend in person.”.

27. Section 71 is deleted and replaced with the following:

- “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.”.

28. Section 72.1 is deleted and replaced with the following:

“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 Class 1, 2 or 4 **Provincial Operator’s Licence**.”.

29. Subsection 83(1) is deleted and replaced with the following:

“83. (1) All **Licences** are a privilege granted by The **City** and may not be sold, leased, assigned or otherwise transferred.”.

30. In section 85 the words “Every **Driver** while operating a **Livery Vehicle** shall:” are deleted and replaced with “Every **Driver** other than a **Transportation Network Driver** while operating a **Livery Vehicle** shall:”.

31. Subsection 85.1(1) is deleted and replaced with the following:

- “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.”.

32. In section 86:

- (1) the words “A **Driver**:” are deleted and replaced with “A **Driver** other than a **Transportation Network Driver**:”;

and

(2) subsections 86(e), (e.1), (e.2) and (f) are deleted.

33. In section 87, after subsection (d), the following is added as subsection (d.1):

“(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**,”.

34. After section 88.1 the following is added as sections 88.2 to 88.8:

**“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.

(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

(f) 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;
  - (c) 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; 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**.
- 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.”.

35. Section 117 is deleted and replaced with the following:
- “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.”.
36. In section 127:
- (1) subsection 127(h) is deleted and replaced with the following:
- “(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
- (2) subsection 127(i) is deleted.
37. In section 132, subsection 132(c) is deleted and replaced with the following:
- “(c) the agreement evidencing each **Limousine** trip except where **Limousine** service is provided through an approved **App**; and”.
38. The following is added after subsection 135.2(2) as subsection 135.2(3):
- “(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**.”.
39. Section 135.3 is deleted.
40. The following is added after section 135.3 as sections 135.4 to 135.9:
- 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)."
41. Before section 136, the title "**PART 6 – ENHANCED LIVERY VEHICLE INSPECTIONS**" is deleted and replaced with the following:
- "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**".
42. In subsection 139(2), the words "the white copy" are deleted and replaced with "a copy".
43. In section 142:
- (1) In subsection 142(1)(a), the words "the white copy" are deleted and replaced with "a copy";
  - (2) In subsection 142(1)(b), the words "the pink copy" are deleted and replaced with "a copy";
- and
- (3) In subsection 142(2), the words "the white copy" are deleted and replaced with "a copy".
44. In section 143, the words "the canary coloured copy" are deleted and replaced with "a copy" wherever they appear.

45. In section 144, the words "The goldenrod copy" are deleted and replaced with "A copy".

46. In section 147:

(1) subsection 147(c) is deleted and replaced with the following:

"(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**;";

(2) subsection 147(d) is deleted and replaced with the following:

"(d) keep one copy of the **Inspection Certificate** at the **Livery Inspection Station**;";

(3) subsection 147(e) is deleted and replaced with the following:

"(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**;"

and

(4) subsection 147(f) is deleted and replaced with the following:

"(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**;"

47. After section 150 the following is added as section 150.1:

**"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 semi-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 6 months from the date of the last record of inspection submitted to the **Chief Livery Inspector**.

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

48. After section 157 the following is added as section 157.1:

"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**."

49. Sections 178 and 179 are deleted.

50. In **SCHEDULE "A" – RATES**:

- (1) before section 1, the title "**PART 1 – TAXI RATES**" is deleted and replaced with the following:

**"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**."

- (2) in section 1, after the words "**Accessible Taxi**" the words "that is providing **Street Hail** service or **Dispatch** service" are added;

- (3) section 2 is deleted and replaced with the following:

"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."

- (4) Section 3 is deleted and replaced with the following:

"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 meters or any portion thereof; and  
(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.

- (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.”;

- (5) Section 4 is deleted and replaced with the following:

- “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**.”;

- (6) In section 6, after the word “**Taxi**” the words “or **Accessible Taxi**” are added.

- (7) Section 7 is deleted;

- (8) In section 8:

- (a) subsection 8(c) is deleted and replaced with the following:

“(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.”;

and

- (b) in subsection 8(e), after the word “**Taxi**” the words “**Accessible Taxi**” are added;

- (9) Section 9 is deleted;
- (10) **TABLE 1 – FLAT RATE FARES FOR REGISTERED HOTEL GUESTS AND AIRLINE CREWS** is deleted;
- (11) **TABLE 2 - OTHER APPROVED FLAT RATE FARES** is deleted;
- (12) Sections 10, 11, 12, 13, 14 and 15 are deleted;

and

- (13) **TABLE 3 – ZONE BASED FARES FOR SEDAN LIMOUSINES** is deleted.

51. In **SCHEDULE “B” – FEES**, under the headings indicated:

- (1) the following is deleted:

	<b><u>2015</u></b>	<b><u>2016</u></b>	<b><u>2017</u></b>	<b><u>2018</u></b>
“4. <b>T.D.L. Training Fee</b> (includes 1 rewrite)”	\$745	\$745	\$774	\$805”

and replaced with the following:

	<b><u>2015</u></b>	<b><u>2016</u></b>	<b><u>2017</u></b>	<b><u>2018</u></b>
“4. <b>T.D.L. Training Fee</b> (includes 1 rewrite)”	\$745	\$300	\$312	\$324”

- (2) the following is deleted:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
"6. Annual <b>T.D.L.</b> and <b>L.D.L. Licence</b> Renewal Fee (includes Photo ID Badge)	\$135	\$135	\$141	\$146"

and replaced with the following:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
"6. Annual <b>T.D.L.</b> and <b>L.D.L. Fee</b> (includes Photo ID Badge)	\$135	\$135	\$141	\$146"

(3) after:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
"8. Accessible <b>Driver</b> Endorsement Refresher Training Fee	\$72	\$72	\$75	\$78"

the following is added:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
<b>"Division 2.1 – T.N.D.L.</b>				
8.1 Annual <b>T.N.D.L.</b> Fee	n/a	\$220	\$229	\$238"

(4) the following is deleted:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
<b>"Division 5 – Transfers</b>				
15. Transfer Application Fee	\$877	\$877	\$912	\$948

16.	Transfer Fee (approved)	\$438	\$438	\$455	\$474"
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and replaced with the following:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
"Division 5 – Transfers				
15. Transfer Application Fee	\$877	\$250	\$260	\$270
16. Transfer Fee (approved)	\$438	\$250	\$260	\$270"

(5) after:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
"18. Annual <b>Brokerage Licence</b> Fee	\$1753	\$1753	\$1824	\$1897"

the following is added:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	
"Division 3 – Transportation Network Company					
18.1	Transportation Network Company Licence Application Fee	n/a	\$135	\$141	\$141
18.2	Annual Transportation Network Company Fee	n/a	\$1753	\$1824	\$1897"

and

(6) the following items:

Miscellaneous Administrative Services				
“26. Photocopying	\$ 1 per page	\$ 1 per page	\$ 1 per page	\$ 1 per page
27. Meter Permit Fee	\$94	\$94	\$97	\$101
28. NSF Cheque Fee	\$48	\$48	\$50	\$52”

are renumbered as follows:

Miscellaneous Administrative Services				
“28. Photocopying	\$ 1 per page	\$ 1 per page	\$ 1 per page	\$ 1 per page
29. Meter Permit Fee	\$94	\$94	\$97	\$101
30. NSF Cheque Fee	\$48	\$48	\$50	\$52”

52. In **SCHEDULE “D” – OFFENCE AND PENALTY**, under the headings indicated:

(1) the following is deleted:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
“s.35	charge fare other than <b>Taximeter</b>	\$200.00	\$700.00”

and replaced with the following:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
“s.35	charge fare greater than <b>Taximeter</b>	\$200.00	\$700.00”

(2) the following is deleted:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
“s.47	advertise or offer <b>Limousine</b> for less	\$400.00	\$750.00



	than specified fare		
s.48	operate <b>Limousine</b> for less than specified fare	\$200.00	\$700.00
s.49	<b>Owner</b> fail to ensure specified fare	\$200.00	\$700.00"

(3) after:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.50	pick up passengers without pre-arrangement	\$300.00	\$1000.00"

the following is added:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.50.1(4)	charge more than the posted rate	\$300.00	\$1000.00"

(4) the following is deleted:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.53	<b>L.P.L.</b> holder fail to ensure written agreement	\$800.00	\$1500.00"

and replaced with the following:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.53	<b>L.P.L.</b> holder fail to ensure written or electronic agreement	\$800.00	\$1500.00"

(5) after:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.53	L.P.L. holder fail to ensure written agreement	\$800.00	\$1500.00"

the following is added:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.54.1	accept <b>Street Hail</b>	\$300.00	\$1000.00
s.54.3	accept <b>Dispatch Hail</b>	\$300.00	\$1000.00
s.54.9	make available unapproved <b>App</b>	\$800.00	\$1500.00
s.54.10	fail to transmit data	\$1000.00	\$2000.00"

(6) after:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.56	<b>Operate Limousine</b> without <b>L.D.L.</b>	\$300.00	\$1500.00"

the following is added:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.56.1	<b>Operate Private For Hire Vehicle</b> without <b>T.N.D.L.</b>	\$300.00	\$1500.00"

(7) the following is deleted:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified

"s.86(e)	Failure to maintain logbook	\$200.00	\$700.00
s.86(e.1)	Failure to retain logbook for specified period	\$200.00	\$700.00
s.86(f)	Failure to keep logbook in possession during shift	\$200.00	\$700.00"

(8) after:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.88.1(b)	Failure to respond to dispatched service request	\$500.00	\$1000.00"

the following is added:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.88.3(2)	Failure to advise <b>Chief Livery Inspector</b> of affiliation	\$300.00	\$1000.00
s.88.7	Place unauthorized trade markings	\$200.00	\$700.00
s.88.8	Use unauthorized <b>Motor Vehicle</b>	\$300.00	\$1000.00"

(9) the following is deleted:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.135.1(2)	<b>Brokerage</b> fails to transmit AVL or <b>Taximeter</b> data"		

and replaced with the following:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified

"s.135.1(2)	<b>Brokerage</b> fails to transmit AVL or <b>Taximeter</b> data	\$1000.00	\$2000.00"
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(10) the following is deleted:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.135.3(2)	<b>Brokerage</b> fails to record <b>Stand Rent</b> data	\$1000.00	\$2000.00
s.135.3(3)	<b>Brokerage</b> fails to submit <b>Stand Rent</b> data	\$1000.00	\$2000.00"

(11) after:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.149	person other than <b>Certified Mechanic</b> complete <b>Inspection</b> <b>Certified Mechanic</b> Chief Livery Inspector	\$800.00	\$1500.00"

the following is added:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.150(2)	Fail to keep copy of record of inspection in <b>Private For Hire Vehicle</b>	\$200.00	\$700.00"

and

(12) after:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.157	fail to produce required documents	\$200.00	\$700.00"

the following is added:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.157.1	fail to transmit required documents	\$1000.00	\$2000.00"

53. This Bylaw comes into force on April 4, 2016.

READ A FIRST TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

READ A SECOND TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

READ A THIRD TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
MAYOR  
SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
CITY CLERK  
SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.