

**BYLAW NUMBER 31M2015**

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

\*\*\*\*\*

**WHEREAS** Council has considered CPS2015-0580 and deems it necessary to amend Bylaw 6M2007, the Livery Transport Bylaw;

**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.
  - (1) In Bylaw 6M2007, the word "**Manager**" is deleted and replaced with "**Chief Livery Inspector**" wherever it appears.
  - (2) The heading "**PART 3 – MANAGER**" is deleted and replaced with "**PART 3 – CHIEF LIVERY INSPECTOR**".
3. Section 6 is deleted and replaced with the following:
  - "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."
4. In section 12:
  - (a) subsection 12(a) is deleted and replaced with the following:
    - "(a) "**Accessible Taxi**" means a **Motor Vehicle** which has an **A.T.P.L.** joined to it;"
  - (b) subsection 12(f) is deleted and replaced with the following:
    - "(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;"
  - (c) subsection 12(h) is deleted and replaced with the following:
    - "(h) "**Brokerage**" means a **Person** who holds a **Licence Issued** by the **Chief Livery Inspector** to conduct **Brokerage Operations**;"
  - (d) the following is added after subsection 12(l) as subsection 12(l.1):

(l.1) "**Chief Livery Inspector**" means the chief administrative officer of the City of Calgary or his or her designate;";

(e) subsection 12(q)(ii) is deleted;

(f) subsection 12(w) is deleted and replaced with the following:

"(w) "**Licence**" means a licence issued under this Bylaw;";

(g) in subsection 12(x), the words "Bylaw 48M2007" are deleted and replaced with "Bylaw 50M2011";

(h) subsection 12(bb) is deleted and replaced with the following:

"(bb) "**L.P.L.**" means a **Licence Issued** by the **Chief Livery Inspector** which permits a **Motor Vehicle** to be **Operated** as a limousine;";

(i) subsection 12(ee) is deleted and replaced with the following:

"(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;";

(j) subsection 12(gg) is deleted;

(k) subsection 12(ii) is deleted and replaced with the following:

"(ii) "**Motor Vehicle**" means a motor vehicle as defined in the Traffic Safety Act, R.S.A. 2000, c. T-6;";

(l) subsection 12(nn) is deleted and replaced with the following:

"(nn) "**Plate**" means a **T.P.L., A.T.P.L. or L.P.L.**;";

and

(m) subsection 12(tt) is deleted and replaced with the following:

"(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;".

5. Subsection 22(b)(v) is deleted and replaced with the following:

"(v) transportation of passengers with disabilities;";

6. In section 25, the words "with the current City of Calgary validation tab attached" are deleted.

7. The following is added after section 36 as sections 36.1 and 36.2:

“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.

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**.”

8. In section 39.1:

(a) subsection 39.1(1)(a)(ii) is deleted and replaced with the following:

“(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”;

and

(b) the following is added after subsection 39.1(3) as subsection 39.1(4):

“(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**.”

9. In section 59, the words “on his person” are deleted and replaced with “in his or her possession”.

10. Section 65 is deleted and replaced with the following:

“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**.”

11. In section 86:

(a) section 86(e) is deleted and replaced with the following:

“(e) must keep a log book in English in a form and manner approved by the **Chief Livery Inspector**;

(e.1) must retain the log book for a minimum of one year following the date of the last entry;

(e.2) must enter the following information for each shift by the end of the **Driver's** shift each day:

- (i) the date and time the **Driver** starts **Operating** the **Livery Vehicle**;
- (ii) the time and date when every passenger is picked up;
- (iii) the location at which every passenger is picked up;
- (iv) the destination at which every passenger is discharged; and
- (v) the time the **Driver's** shift ends;";

and

(b) in section 86(f), the words "on his person" are deleted and replaced with "in his or her possession during the **Driver's** shift".

12. Subsection 95(1) is deleted.

13. The following is added after section 128 as section 128.1:

"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."

14. In section 165(1), the words "Bylaw 48M2007" are deleted and replaced with "Bylaw 50M2011".

15. In **SCHEDULE "B" – FEES**, under the headings indicated:

(a) the following is deleted:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
<b>Division 3 – T.P.L. and A.T.P.L.</b>				
"8. Annual <b>Licence</b> Fee for <b>T.P.L.</b>	\$877	\$912	\$948	\$986"

and replaced with:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
<b>Division 3 – T.P.L. and A.T.P.L.</b>				
"8. <b>Licence</b> Fee for new <b>T.P.L.</b> and <b>A.T.P.L.</b>	\$877	\$912	\$948	\$986"

(b) the following is deleted:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
<b>Division 3 – T.P.L. and A.T.P.L.</b>				
“10. New <b>Accessible Taxi Plate Licence</b> Fee	\$8764	\$9115	\$9479	\$9858”

(c) the following is deleted:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
<b>Division 3 – T.P.L. and A.T.P.L.</b>				
“11. Annual Renewal Fee for <b>A.T.P.L.</b>	\$877	\$912	\$948	\$986”

and replaced with:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
<b>Division 3 – T.P.L. and A.T.P.L.</b>				
“11. Annual <b>Licence</b> Renewal Fee for <b>T.P.L. and A.T.P.L.</b>	\$877	\$912	\$948	\$986”

16. In **SCHEDULE “C” – ENHANCED LIVERY VEHICLE INSPECTION STANDARDS**, the following is added after section 76 as section 77:

<b>Section 77. Camera</b>	
<b>Subsection</b>	<b>Defect(s)</b>
<b>(1) operation</b>	a) required camera equipment is missing or inoperative

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

(a) after:

<b>OFFENCE</b>		<b>PENALTY</b>	
<b>Section</b>	<b>Description</b>	<b>Minimum</b>	<b>Specified</b>
“s.36	carry a passenger without engaging <b>Taximeter</b> computing correct fare	\$200.00	\$700.00”

the following is added:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.36.1	<b>Operate a Taxi or Accessible Taxi</b> with the <b>Taximeter</b> 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"

(b) after:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.39.1(3)	Fail to disclose the recordings to the <b>Manager</b> or Calgary Police Service within the specified time	\$200.00	\$700.00"

the following is added:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.39.1(4)	Tamper, interfere, block or obstruct a security camera	\$200.00	\$700.00"

(c) the following is deleted:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.65	<b>Operate</b> vehicle with markings of <b>Livery Vehicles</b> where vehicle has no <b>Livery Vehicle Registration Certificate</b>	\$300.00	\$1000.00"

and replaced with the following:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.65	Offer for hire a <b>Motor Vehicle</b> in the <b>City</b> with markings of a taxi, accessible taxi or limousine unless that <b>Motor Vehicle</b> has a valid <b>Livery Vehicle Registration Certificate</b>	\$300.00	\$1000.00"

and

(d) after:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.86(e)	Failure to maintain logbook	\$200.00	\$700.00"

the following is added:

OFFENCE		PENALTY	
Section	Description	Minimum	Specified
"s.86(e.1)	Failure to retain logbook for specified period	\$200.00	\$700.00
s.86(e.2)	Failure to enter specified information by end of shift	\$200.00	\$700.00
s.86(f)	Failure to keep logbook in possession during shift	\$200.00	\$700.00"

18. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME THIS \_\_\_ DAY OF \_\_\_\_\_, 2015.

READ A SECOND TIME THIS \_\_\_ DAY OF \_\_\_\_\_, 2015.

READ A THIRD TIME THIS \_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
MAYOR  
SIGNED THIS \_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
CITY CLERK  
SIGNED THIS \_\_\_ DAY OF \_\_\_\_\_, 2015.

PROPOSED