

BYLAW 20388

Amendments to Vehicle for Hire Bylaw 17400

RECOMMENDATION

That Bylaw 20388 be given the appropriate readings.

Purpose

To amend Vehicle for Hire Bylaw 17400 to:

- create mandatory training requirements for all vehicle for hire drivers;
- remove current restrictions on the size of the international symbol of access that a vehicle for hire can display;
- update the Edmonton International Airport zones and taxi flat rate fares;
- update the ride refusal reporting frequency from 24 hours to seven days; and
- add a ride refusal provision that a passenger may be refused service if they fail to provide a fare deposit upon request.

Readings

Bylaw 20388 is ready for three readings

A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving to the third reading, Council must unanimously agree “That Bylaw 20388 be considered for third reading.”

Position of Administration

Administration supports this Bylaw.

Previous Council/Committee Action

At the May 1, 2023 , Community and Public Services Committee meeting, the following motion was passed:

That Bylaw 20338 be referred back to Administration to add provisions clarifying that vehicle for hire drivers may request a deposit from a passenger before providing service, and may refuse service if one is not provided.

Report Summary

The Vehicle for Hire Bylaw 17400 regulates vehicles for hire in alignment with the City's commitment to public safety and The City Plan's direction that Edmonton's mobility system should be safe, secure, accessible and responsive.

This report proposes amendments to Vehicle for Hire Bylaw 17400 in response to the March 7, 2022 motion regarding driver training requirements and in three additional areas:

1. To remove current restrictions on the size of the international symbol of access that a vehicle for hire can display to allow for easier identification by passengers.
2. To update the Edmonton International Airport zones and taxi flat rate fares.
3. To update the ride refusal reporting frequency from 24 hours to seven days to allow for more reasonable time frames for industry reporting requirements.

Based on a motion from Community and Public Services Committee on May 1, 2023, this report also proposes

4. To update the service refusals section to include a provision that a passenger may be refused service if they fail to provide a fare deposit upon request.

REPORT

Bylaw 17400 - Vehicle for Hire defines a "vehicle for hire" as:

'...a motor vehicle used or offered for the transportation of at least one passenger in return for compensation from any place within the city to a destination either within or outside of the city....'

The Vehicle for Hire program oversees diverse and integrated features including user accessibility and safety, the Vehicle for Hire Bylaw and bylaw enforcement, licensing and public education. The program works closely with other services, such as Edmonton Transit Service, to help deliver a comprehensive mobility network for Edmontonians. These aspects combine to support The City Plan's direction that Edmonton deliver a mobility system that should be safe, secure, accessible and responsive.

Expanding Mandatory Driver Training Requirements to All Vehicle for Hire Drivers

Current Driver Training Requirements and Practices

Bylaw 17400 provides Administration with the authority to prescribe training requirements for vehicle for hire drivers. Currently, only drivers of accessible taxis are required to complete accessibility training prior to being issued a Vehicle for Hire driver's licence. Administration provides training materials to taxi dispatchers who are responsible for delivering the training to accessible taxi drivers. The current training materials focus on accessibility issues and cover topics such as types of disabilities, disability laws, communication and inclusive language, providing accessible customer service and experiential disability awareness.

Although Administration currently does not prescribe a training requirement for all vehicle for hire drivers, the majority of dispatchers provide some type of training to all of their drivers. The

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curriculum and structure of the training varies among the dispatchers, with some providing classroom training and others providing optional information modules for drivers to review.

Administration undertook various research and engagement activities to understand training gaps and develop expanded driver training requirements, as presented below. This was in response to concerns from the public, advocacy groups and Council, as heard at the March 7, 2022, Community and Public Services Committee meeting, regarding safety and accessibility challenges on vehicles for hire.

The Development of Expanded Driver Training Requirements

The proposed training program content and delivery options were informed by the following:

- A 2021 Accessible Vehicle for Hire Program Needs Assessment report which recommended the standardization of accessible taxi driver training as a tool for improving vehicle for hire services for accessible taxi users.
- A jurisdictional scan of driver training in comparable Canadian municipalities and of local organizations delivering driver training, outlined in Attachment 3.
- An adult learning/training model and methodology scan, which included a review of accessibility-specific training materials developed by Administration in 2019 and currently used by taxi dispatchers to train their drivers.
- Current State/Gap Analysis on existing industry training content, methods and delivery.
- Driver training content delivered by current providers (e.g. Norquest College's Taxi Ambassador Program).
- Driver and passenger experiences.
- Women's Advocacy Voice of Edmonton Committee (WAVE), the Accessibility Advisory Committee (AAC).

Significant engagement was also conducted with industry and user stakeholder groups to inform the training content and delivery options. Details can be found in the Community Insights section below. A listing of research and engagement inputs into the proposed training program content and delivery options can be found in Attachment 4.

Training Curriculum

In developing the proposed training program, Administration set a goal to ensure that the training program:

- Is, wherever possible, universal across the industry to help set a consistent experience for customers;
- Balances addressing content gaps identified through research and engagement, while ensuring ease of access and simplicity for dispatchers and drivers; and
- Can be incorporated seamlessly into existing industry training programming and infrastructure.

Based on the goals set out by Administration, along with the feedback provided at Committee on March 7, 2022, additional research and stakeholder engagement, and the inputs listed above, Administration proposes that the training curriculum consist of the following two modules:

Module 1: Customer Service, Accessibility and Safety

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- Engagement with advocacy groups and passengers identified that there are concerns with the industry's ability to meet service and support expectations. The goal of this module is to ensure that drivers have the tools and skills to provide good customer service and deal effectively with challenges they may encounter.
- This module would also explore skills needed to support passengers with disabilities, passengers without mobility concerns and safety and security on vehicles for hire by providing training on topics such as the different types of disabilities, mobility aids, safely securing passengers into the vehicle and customer service best practices.
- Administration proposes that Module 1 should be delivered in-person as a full day course.

Module 2: Navigating the Vehicle for Hire Industry and the Bylaw

- During research and interviews to develop the training content, drivers identified that they do not always know or understand the rules outlined in the Vehicle for Hire Bylaw and the role of the City.
- The goal of the second module is to ensure that drivers have a clear understanding of the bylaw, including their roles, and responsibilities to passengers with varying accessibility requirements, enforcement and how complaints and investigations work.
- Module 2 could be delivered as online self-paced training.

Through engagement with stakeholders, Administration also heard that a minimum standard of English language skills are required of drivers to participate and benefit from training content, and to support passengers of all abilities - in getting passengers to their destination and in responding to any specific support or services that they may require. Training curriculum experts will review and incorporate English language conditions and supports where necessary as part of the content development process.

Options for the Delivery of Expanded Driver Training Requirements to all Vehicle for Hire Drivers

Through research and engagement, Administration has identified the following four options for the delivery of training requirements to all vehicle for hire drivers:

- Option 1: The City of Edmonton mandates content requirements and develops the training program. Industry Delivers the training.
- Option 2: The City of Edmonton mandates content requirements. Industry develops and delivers the training.
- Option 3: The City of Edmonton mandates content requirements, develops the training program and delivers the training.
- Option 4: The City of Edmonton mandates content requirements and procures a vendor to develop and deliver the training.

Details on each option are found in Attachment 5. Administration will advance with Option 1, as it is anticipated that this option will advance the best outcomes for the training program. Option 1 provides a balanced level of oversight to delivering the program and its costs, roles and responsibilities.

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Next Steps

Further Development and Finalization of Training Content & Delivery Methods

Administration has gathered research and engagement inputs on English language training, training methodology (online versus in person, learning at the same time or different times) and time commitment requirements for trainees. Further development of these elements of the training program must be stewarded by experts in training development, delivery and adult learning.

Administration will advance with Option 1 with a goal of finalizing the training program for delivery to dispatchers by Q2 2024. The finalization of training content will include at least one round of content engagement with dispatchers and drivers to continue to explore how best to meet training programs desired outcomes while mitigating impacts to this increased requirement to drivers and dispatchers. Should Administration be directed to undertake an alternate option, Administration will report back to Committee no later than Q2 2024 with any required updates.

Training Implementation

Based on feedback gathered from industry drivers regarding the impact that training will have on their experiences, it is expected that industry will begin to deliver training as soon as possible in Q2 2024 to give drivers adequate time to complete requirements while minimizing impact to their driving schedules and incomes. Completion of training requirements will be a condition of new licences and licence renewals beginning in April 2025.

Compliance and Accountability Mechanisms

In support of the April 2025 training completion requirement noted above, Administration will develop a Certificate of Completion that will be required as part of a driver's application prior to being issued a Vehicle for Hire driver's licence. Administration will work with rideshare operators to develop an equivalent process for their drivers - who are not individually licensed by the City.

The City approved training also includes a condition that dispatchers demonstrate that course materials are being deployed successfully. Administration will conduct regular audits of dispatchers' training deployment utilizing existing program resources.

Removing Current Restrictions on the Size of the International Symbol of Access

The international symbol of access is a symbol that identifies accessible elements and spaces. Bylaw 17400 currently restricts a vehicle for hire from displaying this symbol if it exceeds a specified size (20 centimetres (cm) x 20 centimetres (cm)) or if it contains any words.

Administration recommends removal of these restrictions to enable opportunity to increase the size of the decal to help improve visibility to passengers.

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Update to Edmonton International Airport Zones and Taxi Flat Rate Fares

Administration received feedback from Edmonton International Airport indicating that some of the flat rate fares to the airport were not proportionate to the distance they covered in the southern part of the city. Administration recommends revisions to some of the zones and fares in the southern part of the city to account for the distance traveled to these zones. The proposed flat rate map can be found in Attachment 6.

Update to Ride Refusal Reporting Requirements

The current bylaw requires dispatchers to provide a written report of any situation where a customer is refused a ride within 24 hours. To simplify this requirement for dispatchers and allow for automated reporting, Administration recommends changing this requirement to require reports to be provided within seven days.

Update to Service Refusal Reasons

At the May 1, 2023, Community and Public Services Committee meeting, Greater Edmonton Taxi Service requested that the bylaw be further amended to allow drivers to request a deposit from passengers prior to commencing a trip. Greater Edmonton Taxi Service informed Committee that drivers are increasingly facing unsafe interactions with passengers who do not make payment for a ride, in addition to not receiving compensation for service provided. Greater Edmonton Taxi noted that their drivers are generally able to assess when to ask for a deposit. Committee passed a motion to amend proposed Bylaw 20388 to allow for deposits and to clarify that a driver may refuse service if a deposit is not provided.

FINANCIAL IMPLICATIONS

Financial Implications of each of the four expanded driver training requirements noted above are included in Attachment 5. These options have identified the forecasted costs of program administration and the potential impact on the Vehicle for Hire Reserve, but have not contemplated any form of cost recovery. This can be explored if so desired, recognizing that cost recovery may be more imperative for some of the options presented versus others.

Administration does not anticipate additional significant financial impacts resulting from the removal of size restrictions on the International Symbol of Access, the update to Edmonton International Airport zones and taxi flat rate fares or extending the ride refusal reporting requirement from 24 hours to one week.

COMMUNITY INSIGHTS

The Development of Expanded Driver Training Requirements

The proposed training program content and delivery options were informed by engagement with both industry and user stakeholder groups that took place during 2022 and 2023. A listing of research and engagement inputs into the proposed training program content and delivery options can be found in Attachment 4.

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The full 'What We Heard' report summarizing industry and user stakeholder feedback inputs into the development of training content and delivery options can be found in Attachment 7.

Key takeaways from Vehicle for Hire dispatchers engagement included:

- A desire for industry to lead on training, in line with the current training role they play.
- Strong consensus from limousine operators that they should be exempted from the required training (and further requests to be regulated by the Business Licence Bylaw 20002 instead of the Vehicle for Hire Bylaw 17400).
- Training should not be a one off and there should be different training opportunities for new versus experienced drivers.
- There remains much work to do to continue to ensure that accessible vehicles remain on the road, including looking at opportunities to subsidize accessible vehicles and drivers.

Key takeaways from Vehicle for Hire driver engagement included:

- Drivers are concerned with the potential cost of training, and the opportunity cost of taking time off of work to participate in training.
- The majority prefer to take training online and asynchronously (at their own pace).
- The majority of respondents felt that they could complete the training within six months.
- Approximately 60 per cent of respondents indicated that they would be willing to pay no more than \$100 for the training, while approximately 25 per cent feel the training should be free.

Key takeaways from advocacy groups representing Vehicle for Hire users (WAVE and AAC) included:

- A desire for strong oversight to ensure accountability of delivery.
- The need to have in-person training, especially for accessibility and experiential learning.

Feedback from stakeholder groups has informed the proposed training program. While the draft training program is still identified for all Vehicle for Hire drivers, per the motion - Administration acknowledges additional concerns voiced by the limousine dispatchers regarding the relevance and applicability of the training to their industry - and is committed to exploring the role of limousine drivers within the upcoming Vehicle for Hire mandate development work.

Removing Current Restrictions on the Size of the International Symbol of Access

The recommendation to remove the current size restriction was based on feedback from the Accessibility Advisory Committee (AAC) and vehicle for hire accessibility users - who indicated difficulty at times ascertaining whether a vehicle was accessibility-compatible.

Update to Edmonton International Airport Zones and Taxi Flat Rate Fares

Subsequent to the temporary adjustment of the taxi base fares in July 2022, Administration received feedback from taxi drivers indicating that some of the flat rate fares to the Edmonton International Airport were not proportionate to the distance they covered. In response to these

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concerns, Administration collaborated with the Edmonton International Airport to recommend revisions to some of the zones and fares in the southern part of the city.

Update to Service Refusal Reasons

No engagement was conducted relating to the motion made at the Community and Public Services Committee on May 1, 2023 to amend Bylaw 20388.

GBA+

The proposed driver training curriculum and design and delivery options have been informed by a GBA+ lens as demonstrated by:

- Collaboration and engagement with the Accessibility Advisory Committee (AAC) and the Women's Advocacy Voice of Edmonton (WAVE) on draft details of the proposed training content.
- The development of user personas - an exercise that prompts the identification of inclusion and diversity perspectives and ensures program development is informed by those perspectives. The personas were used to understand the impacts on the user and driver experience.
- Research surveys on Edmontonians' experience using vehicles for hire.
- Targeted engagement with industry representatives and drivers, who themselves represent a broad spectrum of Edmontonians and experiences, and have historically been absent or under-represented in decision-making and program development.

Through engagement with stakeholders, Administration heard that vehicle for hire drivers and passengers represent a wide spectrum of Edmontonians with diverse experiences, language and accessibility needs. As the work moves forward, adult education and training curriculum experts will review and incorporate conditions and supports (including English language supports) where necessary as part of the content development process.

Update to Service Refusal Reasons

A GBA+ analysis was not conducted relating to the May 1, 2023 motion to identify the impacts this bylaw amendment may have on vehicle for hire user stakeholder groups (e.g., potential discriminatory application of requests for deposits or rates of deposit). Additionally, analysis has not been undertaken to identify potential unintended consequences for drivers (e.g. the potential for an increase in disputes with passengers related to deposit amounts).

ATTACHMENTS

1. Bylaw 20388 - Vehicle for Hire Bylaw Amendment No. 8
2. Redline Version of Bylaw 17400
3. Cross Jurisdictional Review of Driver Training Requirements
4. Driver Training - Summary of Research & Engagement Inputs
5. Driver Training Delivery Options and Considerations
6. Flat Rate Edmonton International Airport Map
7. Driver Training - What We Heard Report

OTHERS REVIEWING THIS REPORT

- M. Plouffe, City Solicitor