

Bylaw 16340

Bylaw Amendment No. 14

Purpose

To amend Bylaw 14700, the Vehicle for Hire Bylaw, to restrict the types of vehicles that can be licensed as limousines, to prohibit limousine operators from soliciting fares, and to prohibit the use of roof lights and meters in limousines.

Readings

Bylaw 16340 is ready for three readings.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree “That Bylaw 16340 be considered for third reading.”

Advertising and Signing

Advertising is not required for this Bylaw.

Position of Administration

Administration supports this Bylaw.

Previous Council/Committee Action

At the February 25, 2013, Executive Committee meeting, the Committee heard from G. Beatty, 24-7; J. Halabi, Formal Limousine Inc.; K. Grady, Chauffeurs of Edmonton Coalition; P. Strong, Prestige Limo; M. Punia, United Cabbies Association of Edmonton; J. Deol, United Cabbies Association of Edmonton; R. Rakowski; and B. Manhas, United Cabbies Association of Edmonton; and Bylaw 16340 was forwarded to City Council for the appropriate readings.

Report Summary

Bylaw 14700, the Vehicle for Hire Bylaw, does not define the types of vehicles that can be licensed as limousines resulting in concerns raised by the industry. Bylaw 16340 defines the type of vehicles that can be licensed as a limousine. As well, the bylaw precludes limousines from picking up flagged fares and from having a roof light and meter.

Report

On February 22, 2011, Community Services Committee passed a motion requiring Administration to provide a report on details of proposed changes to the limousine regulations. This bylaw report proposes changes to the Vehicle for Hire Bylaw that will address the issues raised at the Community Services Committee meeting.

Restriction on Type of Vehicle

Bylaw 14700, the Vehicle for Hire Bylaw, was passed by City Council in September 2007. It does not limit the type of vehicle that can be licensed as a limousine. As a result, vehicles such as Toyota Sienna vans, Dodge Caravans, and Ford Windstars are currently able to obtain a limousine vehicle licence. This is not the image that legitimate limousine business operators want for their industry and is seen by the taxi industry as unfair competition.

Bylaw 16340 restricts the type of vehicle that can obtain a City limousine vehicle licence to luxury model sedans and sport utility vehicles, stretched sedans and sport utility vehicles, specialized vehicles, and buses containing a limousine package interior.

The luxury model category applies to non-stretched vehicles. In the industry, this class is known as sedan limousines, black sedans, and executive car services. Based on research of licensing bylaws in other municipalities, it is clear that there is no standard definition for such vehicles; however, the most prevalent way to define this category of limousine is to refer to permitted vehicles as high end, luxury, or manufacturer's top of the line.

Administration is recommending the use of the term "luxury" to define this class in the Vehicle for Hire Bylaw.

All other categories will require a limousine package interior to qualify for a licence. Administration is not proposing a definition for "Limousine package interior" as this term is well-known in the industry and the specific contents vary depending on the manufacturer.

Prohibition on Flagging/Curbing

Curbing and flagging refer to ways of picking up fares that are not pre-arranged. Flagging refers to picking up a fare that is waving the driver down and curbing refers to parking and waiting for a fare to approach. Curbing and flagging are frequently used by taxis and are considered not appropriate for use by a limousine service.

Bylaw 16340 will prohibit solicitation of fares while operating a limousine. Prior to the current Vehicle for Hire Bylaw 14700, the Limousine Bylaw 10670 contained a similar provision and Administration is proposing that this restriction be reinstated.

Prohibition on Meters and Roof Lights

The Limousine Bylaw 10670 contained a provision prohibiting limousines from having a roof light and operating meter. Bylaw 16340 will reintroduce these prohibitions. This equipment is required by taxis, but is not needed by limousines as limousines charge an hourly rate and will be prohibited from flagging.

Policy

- Bylaw 14700 – Vehicle for Hire Bylaw

Corporate Outcomes

The Way Ahead, City of Edmonton Strategic Plan (2009-2018):

- Improve Edmonton's Liveability

Public Consultation

On July 26, 2012, letters were sent to all limousine businesses, taxi brokers, and select taxi drivers licensed with the City outlining the proposed amendments to the Vehicle for Hire Bylaw. The letter included an invitation to meet with Administration and a survey to gather input on the proposed amendments. The report outlining the proposed amendments and the survey was also put on the City's website.

Administration received a limited number of replies (eight) and met with several limousine business owners. All respondents were in favour of limiting the categories of vehicles that could qualify for a limousine vehicle licence, and seven of the eight respondents were in favour of the curbing and flagging restrictions.

Legal Implications

Bylaw 16340 is authorized under the *Municipal Government Act*.

Justification of Recommendation

The proposed amendments to Bylaw 14700 will improve the image of the limousine industry, and are well-supported by the vehicle for hire industry.

Attachment

1. Bylaw 16340

Others Reviewing this Report

- D. H. Edey, General Manager,
Corporate Services