



PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by the *City of Mount Pearl Act*, RSNL 1990, Chapter C-16, Sections 44 and 229 as amended, the following regulations have been made by the City Council of the City of Mount Pearl and amended on the 29th day of July 2014.

In accordance with Section 39 Notice of Motion to adopt amendments to the regulations was given at the City's regular Public Council meeting held on the 8th day April 2014.


Randy Simms
Mayor


Michele Peach
Chief Administrative Officer

TAXI REGULATIONS

Short Title

1. These regulations may be cited as the *City of Mount Pearl Taxi Regulations 2014*.

Interpretation

2. For the purpose of these regulations, unless the context otherwise requires:
 - (a) “*Act*” means the *City of Mount Pearl Act*, RSNL 1990 as amended;
 - (b) “*City*” means the City of Mount Pearl as defined by the Act;
 - (c) “*Class 04 Driver's Licence*” means a valid Class 04 Driver's Licence issued by the Province of Newfoundland and Labrador;
 - (d) “*Council*” means the Council as defined by the Act;
 - (e) “*cruise*” means the driving of a taxicab on, over and along the streets, highways or public places of the City in search of or soliciting prospective passengers;
 - (f) “*decal*” means the adhesive stickers issued by the City in respect of each taxicab bearing a designated number and date of expiry;

- (g) “*driver*” means any person driving or in actual charge of the operation of a taxicab;
- (h) “*inspector*” means:
 - (i) a municipal enforcement officer; or
 - (ii) any other person appointed by the Council to enforce compliance with the provisions of these Regulations;
- (i) “*holder*” means the person who holds a taxicab vehicle licence;
- (j) “*taxicab*” means a vehicle used to transport passengers for hire, but does not include:
 - (i) a bus or a school bus;
 - (ii) another motor vehicle that only transports children to and from school and school related activities under a contract with a school board for that purpose;
- (k) “*taxicab stand*” means a public or private place permitted to operate as a taxicab stand by the Council;
- (l) “*taxicab vehicle licence*” means a taxicab vehicle licence issued pursuant to these regulations;
- (m) “*taximeter*” means an electronic instrument or device attached to a taxicab by which the charge for hire of the taxicab is calculated, either by distance travelled or by waiting time or both, and upon which such charge is plainly registered by means of figures indicating dollars and cents;
- (n) “*waiting time*” means:
 - (i) the time while the taxicab is stopped while under engagement through traffic interruptions or for delays; and
 - (ii) the time while the taxicab is not in motion at the direction of a passenger.

Application

3. These regulations shall apply to all taxicabs plying for hire, used or operated within the City and to the holders and drivers of all such taxicabs.

4. Taxicabs, holders and drivers that are:
 - (a) licensed by another municipality;
 - (b) conduct the majority of their business in that municipality; and
 - (c) are only within the City for the beginning or the destination of each journey, but not both;are exempt from these regulations.

Number of Cars Permitted

5. The number of taxicabs permitted to operate within the City at any given time shall be 1 car per 650 people unless otherwise approved by the Council.

Licensing of Taxicabs

6. No person shall operate or permit a vehicle owned by him or her to be operated for the purpose of carrying passengers for hire within the City unless such vehicle has a taxicab vehicle license.
7. Every holder shall obtain a separate taxicab vehicle licence for each taxicab operated by him or her.

New Taxi Vehicle License

8. Every application for a new taxicab vehicle licence shall be made in writing in the form prescribed by the Council and shall:
 - (a) comply with these regulations in all respects;
 - (b) contain contact information for the applicant;
 - (c) contain information about the vehicle intended to be used as a taxicab and the location of the taxicab stand where the vehicle shall operate;
 - (d) contain proof of a policy of insurance that meets the requirements set out in section (30) of these regulations;
 - (e) contain the annual fee for a taxicab vehicle licence as set out in Schedule A of these regulations;

- (f) unless the vehicle is less than one year old, contain proof of an inspection by a qualified mechanic; such proof of inspection shall be no more than 90 days old; and
 - (g) contain an inspection check by a City inspector.
- 9. Every taxicab vehicle licence shall be effective from the first day of issue and shall expire one year from the last day of the month of issue.

Renewal of Taxicab Vehicle License

- 10. Prior to the expiry of a taxicab vehicle licence, a holder may apply for a renewal of his or her taxicab vehicle licence on the form prescribed by the Council. Such application shall meet the same requirements as those set out in section (8).

Transfer of a Taxicab Vehicle Licence

- 11. (a) A taxicab vehicle licence may be transferred:
 - from one vehicle to another vehicle;
 - from one holder to another holder where the vehicle remains the same; or
 - from one holder to another holder, where there is both a new holder and a new taxicab;
- (b) At all times, a taxicab vehicle licence must be associated with one specific taxicab and the vehicle may not change except through a transfer.
- 12. Every application for a transfer of a taxicab vehicle licence shall be made in writing in the form prescribed by the Council. The application shall meet the same requirements as those set out in section (8) and shall also contain:
 - (a) information about both the previous holder and the new holder, if applicable; and
 - (b) information about both the previous vehicle and the new vehicle, if applicable.

Refusal of Application

- 13. If in the opinion of the Council any new application, application for renewal or application for transfer does not contain sufficient information to enable the

Council to make a decision or does not comply with these regulations, the Council shall notify the applicant of such defects verbally or in writing, which may then be corrected within ten days. The Council may reject any application for failure to correct such defects.

Revoking or Suspending Taxicab Vehicle License

14. An inspector may revoke or suspend any taxicab vehicle license where:
 - (a) the provisions of these regulations have been violated;
 - (b) a holder fails to renew his or her taxicab vehicle licence;
 - (c) a taxicab issued a taxicab vehicle licence remains inoperative for more than three months; or
 - (d) a holder is unable to secure a place at an approved taxicab stand within 30 days of receiving his or her taxicab vehicle licence.
15.
 - (a) Where a holder anticipates that a taxicab will be inoperative for a length of time greater than three months, the holder may provide the Council with reasons in writing why the taxicab vehicle is inoperative and request that the licence not be revoked;
 - (b) Where a request is made under subsection (a), the Council may refuse the request, grant the request for a specified period of time or request further details.
16. Where a taxicab vehicle licence is suspended or revoked, an inspector shall issue a notice to the taxicab stand where the taxicab operates, if applicable. In the event of such suspension or revocation, the taxicab stand operator shall not allow the taxicab to be operated unless the suspension or revocation has been lifted.
17. Where a taxicab vehicle licence is revoked or suspended, it shall be unlawful for any person to drive, ply for hire with, use, operate, or cause to be used or operated a taxicab unless such revocation or suspension has been lifted.

Holders

18. Every holder shall require that any person driving his or her taxicab be in possession of a valid Class 04 Driver's Licence.
19. Every holder shall be of the full age of nineteen years.

20. Whenever there is a change in his or her contact information, every holder shall notify an inspector thereof within two days and shall provide his or her new contact information.

Drivers

21. Every driver must have a valid Class 04 Driver's Licence.
22. (a) No person shall cruise on, over or along any street in the City with a taxicab for the purpose of obtaining fares;

(b) Notwithstanding section (a), a taxicab may take on a passenger on the return trip of any call;

(c) Notwithstanding section (a), a taxicab stand may order a reasonable number of taxicabs to stop and wait for passengers outside a specific location or event.
23. Every driver shall drive the taxicab operated by him or her by the most direct travelled route to the point of destination, unless otherwise directed by the passenger.
24. Every driver shall have the right to demand payment of the regular fare in advance, and may refuse employment unless so paid, but no driver shall refuse or neglect to convey an orderly person upon request anywhere in the city unless previously engaged or unable to do so.
25. No person shall operate a taxicab where the driver is prohibited from driving a motor vehicle under and by virtue of the Criminal Code of Canada.

Taxicab Stands

26. The Council shall designate the number of taxicabs that may be licensed at each stand.
27. The Council may, from time to time, fix or alter the total number of taxicabs licensed at each stand.
28. It shall be a violation of these regulations for a person or persons operating a taxicab stand to operate a greater number of taxicabs than authorized by the Council.
29. Every holder shall operate out of a taxicab stand that has been approved by the Council and shall not ply for hire from any other place except as set out in these regulations.

Insurance

30. No taxicab vehicle licence shall be issued until there is lodged with an inspector:

(a) a proof of insurance with coverage in a minimum amount of one million dollars (\$1,000,000) in respect of bodily injury to or death of a passenger and a minimum amount of one million dollars (\$1,000,000) against all public liability and property damage arising out of the operation of the taxicab for which the operator's licence is to be issued.

(b) a written certificate from an insurer that it has issued to or for the benefit of the person named therein a motor vehicle liability policy or policies which at the date of the certificate or certificates is in full force and effect and which designates therein by explicit description or by other adequate reference all motor vehicles to which the policy applies, and the certificate shall certify that the motor vehicle policy or policies therein mentioned shall not be cancelled or expire except upon ten (10) days prior written notice thereof to the City and until such notice is duly given, the certificate or certificates are valid and sufficient to cover the term of any renewal of such motor vehicle liability policy by the insurer.

31. No person shall operate, or being the holder, allow another person to operate a taxicab within the City unless there is in force, in respect of the taxicab, a policy of insurance as required under section (30) for each and every driver of the said taxicab.

Taximeters

32. (a) Every holder shall ensure that the taxicab licensed to him or her shall be operated with a taximeter adjusted in accordance with these regulations;

(b) Every taximeter used in the operation of a taxicab shall be attached so that the reading dial showing the amount to be charged shall be well lighted and readily discernible at all times;

(c) Every taximeter used in the operation of a taxicab shall be subject to inspection at any time by the Council, its agents or employees or any police officer;

(d) Upon discovery of any inaccuracy in such taximeter the taxicab shall be removed from service until such taximeter has been repaired and accurately adjusted, and shall not be returned to service until it has been inspected by an inspector;

(e) All charges for taxicab service shall be calculated and indicated by a taximeter in accordance with the tariff prescribed in these regulations, refer to Schedule A.

Equipment and Operation

33. (a) Every taxicab shall at all times be equipped with all mechanical apparatus required under the Highway Traffic Act;
- (b) A taxicab may exhibit any advertisement, number plate, sign or card provided the driver's view is not impaired in any direction or under any conditions including the view by means of a rear-view mirror;
- (c) Every taxicab shall have affixed a decal on each side and on the rear bumper with the date and year of expiration;
- (d) When a vehicle previously licensed as a taxicab is no longer being used as such, the holder shall ensure the following are removed from the vehicle:
- (i) the taximeter;
 - (ii) the identity light;
 - (iii) the taxicab vehicle licence;
 - (iv) decals; and
 - (v) the identification plate;
- (e) When a vehicle previously licensed as a taxicab is no longer being used as such, the holder shall forward the taxicab vehicle licence and decals to the Council.

Fares

34. Unless otherwise stated in these regulations:
- (a) the rates or fares to be charged by drivers of taxicabs for the transportation of any passenger on any trip which commences and terminates within the city or within 1.5 kilometres outside the limits of the city shall not exceed the fares prescribed by these regulations;
- (b) the tariff rates herein authorized shall be computed from the time or place when or at which the passenger or passengers first enter the cab to the time or place when or at which the passenger or passengers finally discharge from the taxicab;
- (c) drivers of taxicabs may offer a fare which is lower than those fares prescribed by these regulations.

35. Special rates may be offered for persons with disabilities who are unable to operate their own private vehicle.
36. A holder, driver or taxicab stand operator may offer tokens or gift certificates for the purpose of promoting business or to a charitable organization for the purpose of fundraising. All tokens or gift certificates must display the actual monetary value and can only be used against the fares prescribed in these regulations.
37. A holder may provide a courier service for parcel/package pickup and delivery at rates established through public quotation, public tendering or negotiated rates between the holder and the business or agency requiring the service.

Enforcement

38. These regulations may be enforced by the Royal Newfoundland Constabulary, the Royal Canadian Mounted Police, a municipal enforcement officer, a peace officer or any other person appointed by the Council.

Penalties

39. Where any person contravenes any provision of these regulations:
 - (a) such person is guilty of an offence and liable on summary conviction to a minimum fine of \$100 or to a period of imprisonment in accordance with section 438 of the Act; and
 - (b) such person may be issued a violation notice pursuant to sections 280.1 and 280.2 of the Act.
40. All municipal enforcement officers are designated persons employed by the Council who may issue a violation notice or a summons pursuant to section 280.4 of the Act for any contravention of or failure to comply with these regulations.

Coming into Effect, Publication and Copy to Minister

41. These regulations shall come into effect on the 29th day of July 2014.
42. These regulations were published in The Telegram on the 9th day of August 2014, and gazetted on the 15th day of August 2014.
43. A copy of these regulations was sent to the Minister of Municipal and Intergovernmental Affairs on the 12th day of August 2014.

Repeal of Previous Regulations and Amendments

45. All previous City of Mount Pearl Taxi Regulations and amendments are repealed.

SCHEDULE "A"

TARIFF OF FARES

The first kilometer or (1/10th) part there of \$4.50

Each additional (1/10th) of a kilometer is \$.25

Waiting time / hour is \$40.50

Applicable provincial taxes included in the fare shown on the meter.

LICENSE, TRANSFER, AND DECALS

Taxicab Vehicle License (Original or Renewal)	\$60.00
Additional Decals	\$25.00
License Holder Transfer	\$50.00