NB* please note all underlined + circled items

Special attn to Marty Morantz interviewing me Murray Malanchuk before Dec. 6, 2017 EPC vote on presently council presented proposed new By passing

Agenda – Executive Policy Committee – December 6, 2017

I hope you Marty can figure out that all underlined in this proposal of new By law as part of transportation by law & ...

should be all in blue ink,

REPORTS

Item No. 8 **Transition of the Regulation of Vehicles for Hire from the Province of Manitoba to the City of Winnipeg**

presently voted on Dec. 6, 2017

I fear that dire safety concerns ... serious ...

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

1. That the attached Vehicle for Hire By-law draft set out in Appendix A be enacted with an effective date of February 28, 2018. more debate needed that only one day from this proposal as changed + proposed by Murray Malanchuk

2. That the ~~Taxicab Licence Fee By-Law No. 6123/93 be repealed~~ it should require the present taxi board security requirement for accessible bus owner operators + their drivers

3. That the fees set out in Appendix B be approved effective February 28, 2018, with authority provided to the designated employee to accept payment for fees up to two (2) months in advance of the effective date.

4. That Council requests from the Province of Manitoba Judicial Authorities express ~~legislative authority to~~ assess fines and penalties administratively as part of the vehicle for hire program, in addition to fines and penalties imposed under ~~the~~ new Municipal By-Law Enforcement Act and the Provincial Offences Act be new changed as on Page 1 by proposed by Murray Malanchuk

5. That new taxi licenses may be issued by the Designated Employee for the City when the ratio of City of Winnipeg taxi licenses / population falls below the ratio of 1:1203, which results in the immediate issuance of 120 licenses.

6. That the 2018 maximum fares for taxis be approved as set out in Appendix C.

7. That membership on the Vehicles for Hire Appeal Board be established in accordance with the Policy - Citizen Appointments on Boards and Commissions.

8. That, as a temporary measure, and notwithstanding its Operating Charter, the Winnipeg Parking Authority be authorized to administer and enforce the Vehicle for Hire By-law and the collection of all fees and any penalties imposed for contraventions of the By-laws.

9. That the full time equivalents (FTEs) as outlined in Appendix D be approved to be added to the Winnipeg Parking Authority's FTE complement to enable the administration and enforcement of the By-law.

10. That the 2018 Operating Budget for the Winnipeg Parking Authority be amended to increase revenues by $1.3 million and increase expenditures by $1.3 million for a net budget impact of nil, as included in Appendix E.

Attention Marty Morantz - my email is non operative right now Dec. 5, 2017 and you'll have to call me personally anytime on my iphone 204-299-7703 and I'll answer it

PS: I can't attend Dec. 6, 2017 EPC ~~[illegible]~~ meeting so [illegible] [illegible]

As proposed by Murray Malanchuk 3:05 PM Tues. Dec. 5, 2017 to MARTY MORANTZ + ANDREW POITRAS

11. That the City enter into, execute and deliver an information sharing agreement with Manitoba Public Insurance Corporation and such other agreements as determined necessary by the City Solicitor / Director of Legal Services ("ancillary agreements") to facilitate enforcement of the Vehicles for Hire By-law and all other By-laws of the City, which agreement may contain provisions concerning real-time access to personal information and the provision of personal information for the purposes of collecting fines.

12. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the information sharing agreement and the ancillary agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interests of the City.

13. That the Public Service be required to report back in 24 months with an update on the vehicle for hire industry under the new By-law and to request approval for any By-law revisions deemed necessary.

14. That the Stakeholder Engagement Summary included under Appendix G be received as information.

15. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

ADMINISTRATIVE REPORT

Title: **Transition of the Regulation of Vehicles for Hire from the Province of Manitoba to the City of Winnipeg**

Critical Path: EPC → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Wardrop	D. Wardrop	M. Ruta	D. McNeil

Murray MacKenzie 204 2997744

EXECUTIVE SUMMARY

On November 9, 2017, The Province of Manitoba passed Bill 30 – The Local Vehicles for Hire Act, which will dissolve the existing Taxicab Board, the Taxicab Act and associated regulations, and transition oversight and regulation of the vehicle for hire industry to the City of Winnipeg, effective February 28, 2018. In order to assume responsibility for the vehicles for hire industry, the City of Winnipeg must have a new Vehicle for Hire By-law in place no later than February 28, 2018.

Through the Vehicles for Hire By-law, the City of Winnipeg is proposing to streamline and modernize vehicle for hire regulations. The By-law would also allow Personal Transportation Providers (PTPs) such as Uber and Lyft to operate legally within the City of Winnipeg. The By-law proposes requirements that would support passenger and driver safety and increase accessible options for passengers.

The City of Winnipeg conducted extensive stakeholder engagement over the past few months, receiving feedback from the taxi industry, potential PTP dispatchers, and organizations which have a direct stake in the industry. While not all feedback from stakeholders was incorporated, it was invaluable to shaping the Vehicle for Hire By-law. It is envisioned that future changes to the By-law will be necessary and stakeholder engagement will continue as we move forward.

Some of the key highlights of the Vehicles for Hire By-law include:

- Increasing the taxi license supply and creating a formula that will adapt to population growth.
- Enabling PTPs to operate within Winnipeg.
- 24/7 on-street enforcement.
- Require licencing of dispatchers and impose reporting requirements on dispatchers, (dispatchers have not previously been licensed).

- Setting a maximum taxi fare structure rather than a mandatory fare structure, to allow taxi service providers to compete on price with PTPs by negotiating lower fares with passengers.
- Allowing existing taxi licenses (standard and accessible) and existing taxi driver's licenses to be transitioned into the new By-law structure to minimize disruption to the taxi industry.
- Creating a five-member Vehicle for Hire Appeal Board appointed by Council.

It is being recommended that the administration of the Vehicle for Hire By-law and associated industry licensing and enforcement be initially placed with the Winnipeg Parking Authority. License fees are being set to achieve full cost recovery and no budgetary impact to the City, with the appropriate budget and staff being added to the Winnipeg Parking Authority's 2018 operating budget.

RECOMMENDATIONS

1. That the attached Vehicle for Hire By-law draft set out in Appendix A be enacted with an effective date of February 28, 2018.

2. That the Taxicab Licence Fee By-Law No. 6123/93 be repealed.

3. That the fees set out in Appendix B be approved effective February 28, 2018, with authority provided to the designated employee to accept payment for fees up to two (2) months in advance of the effective date.

4. That Council requests from the Province of Manitoba express legislative authority to assess fines and penalties administratively as part of the vehicle for hire program, in addition to fines and penalties imposed under the Municipal By-Law Enforcement Act and the Provincial Offences Act.

5. That new taxi licenses may be issued by the Designated Employee for the City when the ratio of City of Winnipeg taxi licenses / population falls below the ratio of 1:1203, which results in the immediate issuance of 120 licenses.

6. That the 2018 maximum fares for taxis be approved as set out in Appendix C.

7. That membership on the Vehicles for Hire Appeal Board be established in accordance with the Policy - Citizen Appointments on Boards and Commissions.

8. That, as a temporary measure, and notwithstanding its Operating Charter, the Winnipeg Parking Authority be authorized to administer and enforce the Vehicle for Hire By-law and the collection of all fees and any penalties imposed for contraventions of the By-laws.

9. That the full time equivalents (FTEs) as outlined in Appendix D be approved to be added to the Winnipeg Parking Authority's FTE complement to enable the administration and enforcement of the By-law.

10. That the 2018 Operating Budget for the Winnipeg Parking Authority be amended to increase revenues by $1.3 million and increase expenditures by $1.3 million for a net budget impact of nil, as included in Appendix E.

11. That the City enter into, execute and deliver an information sharing agreement with Manitoba Public Insurance Corporation and such other agreements as determined necessary by the City Solicitor / Director of Legal Services ("ancillary agreements") to facilitate enforcement of the Vehicles for Hire By-law and all other By-laws of the City, which agreement may contain provisions concerning real-time access to personal information and the provision of personal information for the purposes of collecting fines.

12. That authority be delegated to the Chief Administrative Officer to negotiate and approve the terms and conditions of the information sharing agreement and the ancillary agreements, in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interests of the City.

13. That the Public Service be required to report back in 24 months with an update on the vehicle for hire industry under the new By-law and to request approval for any By-law revisions deemed necessary.

14. That the Stakeholder Engagement Summary included under Appendix G be received as information.

15. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

REASON FOR THE REPORT

By-laws, new fees, and additional budgetary resources require the approval of Council.

IMPLICATIONS OF THE RECOMMENDATIONS

Financial

With the Winnipeg Parking Authority assuming responsibility for the administration of the Vehicle for Hire By-law, adjustments to its submitted 2018 operating budget are required on a zero net budgetary impact basis. Revenues and Expenditures have been estimated both at $1.3 million for 2018.

Fees charged under the Vehicle for Hire By-law have been set out in Appendix B at a level that is aimed at providing full cost recovery to the City. The budget for costs to administer and enforce the By-law is based on best estimates but adjustments will be required over time as actuals to revenues and expenditures occur. Future fee increases within the rate of inflation may be requested, and would be approved by the Chief Financial Officer under the authority of the Fees and Charges By-Law 196/2008.

Community Services currently collects business licenses fees from taxi business owners under the Taxicab License Fee By-law No. 6123/93. The new license fees in Appendix B will replace this business license and By-law No. 6123/93 will be repealed, and the proposed license structure will ensure the revenue Community Services previously collected is also covered.

Other City services are expected to be impacted by the City's new legislated responsibilities, including 311. There is a potential for a high volume of requests to come into 311 once the City assumes responsibility for the vehicle for hire industry. To assist 311 in its ability to handle the potential for increased call volume, an additional budgetary transfer to 311 from the Winnipeg Parking Authority has been included in the cost estimates.

Human Resources

For the By-law to be in force on February 28, 2018, implementation of the Vehicle for Hire Office within the Winnipeg Parking Authority will require staff resourcing and office facilities to be functional by February 1, 2018.

Seven (7) new permanent FTEs (increasing to 8 in 2019, and 8.5 in 2020) are required by the Winnipeg Parking Authority to administer the By-law and regulate the vehicle for hire industry.

Regulatory

The By-law includes a revision to the City Organization By-law to give responsibility to the Standing Policy Committee on Infrastructure Renewal and Public Works for vehicle for hire policy.

The By-law regulates more vehicles than Bill 30 requires, such as handicab vans and limousines with more than 10 seats. These vehicles were previously regulated by the Taxicab Board.

The following has not been addressed in the Vehicle for Hire By-law and further work will be required to determine if and how to regulate:

- Party buses;
- Charter vehicles that fall under the authority of Manitoba Transport Board; and
- Tourism focused vehicles providing tours with a tour guide.

In addition, the following issues have been identified by stakeholder groups but require further consideration before a regulatory position can be determined:

- Maximum number of hours a driver can drive per day;
- Expanded video retention period over the 14 days currently contemplated;
- Setting a flat rate fare for trips from Winnipeg to other cities or municipalities;
- Understanding effective fleet proportions for responsive accessible service.

Several of the issues raised by stakeholder groups will be addressed by the authority given to the Designated Employee, such as:

- Creating a passenger and driver bill of rights;
- Determining training requirement details;
- Creating educational materials;
- Requiring audio as well as video in-vehicle cameras for taxis;
- Approving an appropriate data security, passenger property return, and complaints processes for dispatchers.

Once determined by the Designated Employee, each will be set out in writing, filed with the City Clerk, and posted on the City's website.

HISTORY/DISCUSSION

Background

On November 9, 2017, the Province of Manitoba passed Bill 30 – The Local Vehicles for Hire Act, which will dissolve the existing Taxicab Board, the Taxicab Act and associated regulations, and transition oversight and regulation of the vehicle for hire industry to the City of Winnipeg effective February 28, 2018

A City of Winnipeg Vehicle for Hire By-law is legally required to be in effect on or before February 28, 2018. If not, the vehicle for hire industry in Winnipeg will be entirely unregulated on March 1, 2018. In order to meet this deadline, an administrative structure to renew licenses, to issue new licenses, and to make decisions concerning a variety of issues must be operating by February 1, 2018.

The Taxicab Board currently oversees approximately 2600 licensed drivers, 661 business licenses (for all vehicle for hire types), and an additional 120 seasonal taxicab licenses.

MNP LLP (MNP) carried out a comprehensive overview of the vehicle for hire industry in Winnipeg at the request of the Province, which was completed in December 2016 and is publicly available on the Province's website: http://www.gov.mb.ca/mr/taxicab/pubs/summary_overview-of-the-taxicab-industry2016.pdf. As part of the study, extensive public and stakeholder consultations were conducted. MNP surveyed 9215 consumers online and 500 residents in a telephone survey. Study findings indicated "the public feels more supply is needed, particularly during winter months, peak periods of the day/evening, and after special events." Due to the high response rate, recentness

of the study, and clarity around public perception and desires, engagement carried out for the development of the Vehicle for Hire By-law focused on targeted stakeholder engagement rather than public engagement.

MNP was engaged by the City in August 2017 as a consultant to:

- Assist in the development of the draft By-law for regulation of the industry,
- Support stakeholder engagement processes, and
- Analyze and make recommendations for the administrative structure and requirements to enable implementation.

The report from MNP has been included under Appendix F.

Other Jurisdictions

As part of MNPs review of the industry, comparisons to other cities was undertaken by exploring legislation and regulatory frameworks, fare structures, organizational structures as well as how other jurisdictions are adapting to emerging trends and issues. The MNP report included in Appendix F includes: comparisons and lessons learned from other jurisdictions included in Appendix A of the report, as well as comparison tables to other jurisdictions from the 2016 review, included as Appendix C of the same report.

In addition, in 2016, MNP reported that: the Competition Bureau has provided guiding principles for regulating the taxicab and ride-sharing industry, including:

- Provincial and municipal governments should limit regulations to those required to achieve legitimate policy goals such as protecting passenger safety. This has been applied to elements of regulation such as driver licensing, insurance, vehicle inspections and training. The extent of background checks and required training should not exceed what is necessary for safety and knowledgeable service.
- Care should be taken to ensure that regulations do not restrict competition and innovation any more than is necessary to achieve legitimate policy goals.
- Regulations should be applied equally to taxicabs and ride-sharing services to ensure that one does not gain a competitive advantage over the other.
- Where possible, restrictions on traditional taxicabs should be relaxed rather than imposing additional regulations on ride-sharing services.

Based on the reviews of other jurisdictions, the Winnipeg model has been based on regulatory systems operating in Edmonton and Hamilton as well as incorporating some of the existing regulations of the Taxicab Board.

By-Law

The new Vehicle for Hire By-law aims to:

- Transition the regulation of vehicles for hire (taxicabs, accessible transport vehicles, and limousines) from the Province to the City,
- Enable the operation of Personal Transportation Providers (PTPs) such as Lyft and Uber,

- Modernize the regulations and streamline administration of vehicles for hire,
- Exclude any regulations already covered in other existing By-laws, laws or regulations so as to avoid unnecessary duplication, and
- Increase competition and allow the market to improve service for passengers.

Approach

The new Vehicle for Hire By-law establishes regulatory requirements to accomplish objectives in the following four categories:

1. Passenger Safety
2. Driver Safety
3. Consumer Protection
4. Accessibility for all Citizens

Other key elements of the By-law will include processes that promote administrative efficiency, a simplified licensing framework, and continued supply management of taxi licenses through a transparent process.

Major Changes to Vehicle for Hire Regulations

The draft By-law modernizes the vehicle for hire industry, and is designed to be non-intrusive so that competition can influence how the industry evolves and innovates. The proposed By-law creates a regulatory environment that encourages industry participants to find innovative ways to improve service for passengers.

The following are major changes from the current Provincial regulations of the vehicle for hire industry to the new City of Winnipeg By-law regulating the vehicle for hire Industry as well as highlights:

Page 1

Licenses should be 1 type of licence as proposed by Murray Malanchuk + Marty Moroney who I made Dec contact in at Dec. 5, 2017 EPC public hearing of proposals.

- There ~~are three types of licenses, some with multiple categories~~:
    1. Dispatcher (new license category)
        a. Taxi
        b. ~~Personal Transportation Provider (PTP)~~ shall not be allowed
    2. Vehicle (previously a Business License)
        a. Taxi Vehicle (accessible) unchanged for years as proposed by Murray Malanchuk
        b. ~~Taxi Vehicle (standard)~~
    3. Driver to be changed
        a. Taxi Driver (accessible)
        b. ~~Taxi Driver (standard)~~
- In addition to the above licenses, the following vehicle classes are regulated, but not licensed:
    1. PTP Vehicle (accessible)
    2. PTP Vehicle (standard)
    3. PTP Vehicle (limousine)

} never

Note: Uber, Lyft, + Ride sharing operator, owners, drivers could easily take a selfie, photoshop it and presently use that as security requirement because Uber, Lyft, + ride sharing presently in Canada + USA only have proposed requirements as proposed by Winnipeg Council in this By-law section

Dispatchers

- PTPs (such as Lyft and Uber) will be permitted to operate in Winnipeg.
- All vehicles for hire will be required to be registered with a Dispatcher.
- All vehicle for hire Dispatchers will be licensed.
- Dispatchers will be required to ensure ongoing compliance with vehicle safety and driver screening standards so passenger and driver safety is maintained.
- Dispatchers with PTP vehicles in their fleet will be required to screen and register PTP drivers and PTP vehicles to the standard of the By-law and are subject to audits.
- Dispatchers will be responsible for:
  - Ensuring timely, accurate, automated electronic trip data reporting on trip numbers, response times, and refused trips;
  - Establishing complaint resolution processes, including tracking and resolving complaints, and reporting back to the City;
  - Establishing a process to track and return lost passenger property;
  - Overseeing compliance of their fleet with all regulations; and
  - Maintaining a minimum ratio of accessible vehicles to non-accessible vehicles.

Dec 5, 2017 and Presented by Murray Malanchuk Dec 5, 2017

Note Page 2

NEW Proposed by Bd, requirements as seen here

Page 1 Proposed by Murray Malanchuk MMH#25 Wheelchair Services of Manitoba Inc. Equal safety requirements met monthly by

Page 2

Taxi Vehicle Licenses

- Current taxi license holders who are permitted to transfer their licenses will be allowed to continue to do so for 20 years from the effective date of the By-law, at which point the license will no longer be transferable.
- Limousines will no longer be licensed individually by the regulator (i.e. now the City); instead the company will have to register as or with a PTP dispatcher. A PTP dispatcher can restrict its operations to limousines if desired.
- Various other license categories will be folded into two categories – standard taxis and accessible taxis. For example, handicab van licenses will be issued as accessible taxi licenses if they have a meter, or will fall under the PTP category if they do not have a meter.
- The number of licenses issued annually will be determined by a formula established by Council, being that when the ratio of City of Winnipeg taxi licenses / population falls below the ratio of 1:1203, further licenses may be issued until the ratio is achieved. Further changes are subject to Council approval.

Drivers

- A clearly articulated standard for criminal record checks, child abuse registry checks and acceptable driving records will be included. The standards are more stringent than exists currently – a conviction for a relevant criminal offence or major driving offence within the past 10 years, or registration on the child abuse registry will disqualify drivers. Being charged with a relevant criminal offence or major driving offence could also result in temporary disqualification. Current taxi drivers would be 'grandfathered' so that prior criminal or driving history that did not disqualify them previously under the Taxicab Act would not be considered under the new City regulatory system. Moving forward, all drivers – both taxi drivers and PTP drivers - will have to comply with the new standards,

Page 3

Proposed Accessible Bus driver vehicles registration requirements to get WRHA, School Bd, Private services meet present WRHA, School Board + Private accessible 6-12 & Van Buses for children both able & disabled, adult women both able & disabled

because Uber, Lyft, + ride sharing fees are to lower than

and any new charge, conviction or registration on the child abuse registry could result in a suspension or cancellation of a license, or make a driver ineligible for a license renewal as determined through the provisions in the By-law.

Accessibility

For the purposes of the Vehicles for Hire By-law, accessible vehicles are those in which individuals can be transported while remaining in their wheelchairs or similar devices (i.e. roll on, roll-off service). In order to improve accessible transportation availability for those who require it, the following policies are included in the proposed By-law:

- A minimum ratio of accessible vehicles will be encouraged through a surcharge mechanism;
- An Accessibility Surcharge will be applied to all licensed Dispatchers on a per trip basis when applicable;
- The Accessibility Surcharge is applicable to a licensed Dispatcher if less than 10% of a Dispatcher's fleet is comprised of accessible (wheelchair roll-on) vehicles demonstrated to be in operation each month. (In order to qualify, an accessible vehicle must provide accessible service at least one day per week);
- Clients requiring accessible vehicles must be served on a priority basis by accessible vehicles; and
- Differentiation on fares to be charged for accessible service will be based on whether the service is door to door vs. curb to curb. Higher maximum fares can be charged for door to door service, while standard maximum taxi fares will apply when the service is curb to curb.

Fares

- Taxi-fare regulation will include a maximum fare only. Current fares are lower than other cities, so the maximum fare has been increased to allow the industry to better recover costs that have increased since 2010, including the proposed fee increases with this By-law. Removing the minimum fare will allow taxis to compete on price through negotiation with customers should they so choose.
- Future adjustments to the maximum taxi fare will be based on a Taxi Cost Index (TCI), and will be reviewed every two years. The TCI is a weighted index that considers three categories: fuel and insurance, labour, and general expenses. Each category is evaluated based on published data (e.g. Statistics Canada, Consumer Price Index (CPI)) or the source (e.g. MPI for insurance).

Other

- Customer service, cleanliness, and aesthetic standards will no longer be regulated. Increased market competition is expected to increase consumer choice, and encourage the market to improve customer service.
- The By-law provides the 'Designated Employee', who is assigned responsibility by the Chief Administrative Officer to administer and enforce the By-law, with extensive powers. Decisions of the Designated Employee can be appealed to the Vehicle for Hire Appeal Board.
- The By-law will be enforced through penalties for non-compliance under the Municipal By-law Enforcement Act. The penalties are included in Schedule A of the By-law.
- In addition, the Designated Employee will have the authority to impose penalties on licence holders, including suspending or cancelling a licence.

- Insurance requirements for taxi vehicles as well as PTP vehicles will be determined by Manitoba Public Insurance.

Table 1: Sample Regulatory Items for Vehicle Classes

Regulatory Item		Taxi	PTP	PTP Limousine
Pillar	**Requirement**			
Passenger Safety	Criminal record check (annual)	Y	Y	Y
	Driver abstract (annual)	Y	Y	Y
	Vehicle safety certification (annual)	Y	Y	Y
	Driver Information/ID available to passengers	Y	Y	Y
	~~Minimum~~ English proficiency	Y	N	N
Driver Safety	In-Car Camera	Y	N	N
	Driver shield and strobe light	Y	N	N
	Passenger information/ID	Y	Y	Y
	Prepayment	Optional	Optional	Y*
Consumer Protection	Insurance coverage minimum	Y***	Y***	Y***
	Maximum taxi fares	Y	n/a	n/a
	Predetermined fares	Y	Y	Y
	Detailed receipts	Y	Y	Y
	GPS tracking	Y	Y	Y
	Return of passenger property	Y	Y	Y
	Reporting of detailed trip data	Y	Y	Y
	Requirement to pre-arrange trips	Y	Y	Y
Accessibility	Fleet ratio / driver ratio for accessible (wheelchair roll-on) service	Y**	Y	Y
	Accessibility Surcharge	Y**	Y	Y
	Requirement to serve accessible client first (accessible fleet / driver)	Y**	Y	Y
	Specialized training	Y**	TBD	TBD
Fees	Dispatcher License (The fee will increase based on the size of the fleet)	Y	Y	Y
	Taxi Vehicle License	Y	N	N
	Taxi Driver License	Y	N	N
	Per trip charge / fee	Y	Y	Y
Other	Transferability of vehicle license	Y****	n/a	n/a
	Limit on number of vehicle licences	Y	n/a	n/a
	Street Hails and use of Taxi Stands	Y	N	N

*Prepayment agreement in place, ~~option for passenger to pay cash~~

**Applies to the portion of fleet or drivers who provide accessible service.

***Will be determined by Manitoba Public Insurance

****Only current licences remain transferable for 20 years

Fee Structure

Fees have been established based on the goal of recovery of at least the City's full costs for administration, regulation, and enforcement. Under The Taxicab Board, the fees charged did not cover the costs of operating the Board, with a net loss budgeted in 2015/2016 of $468,000. The result of utilizing a cost recovery model is that the fees proposed in this Report represent an increase over existing fees. However, increases in the maximum fares have also been recommended, which can be charged to customers to enable a recovery of the additional costs from the customer.

Fees will be charged for:

- Dispatchers
  - Licence fee to be based on fleet size
  - Per trip fee
  - Accessibility surcharge (see additional information below)
- Taxi Vehicle: annual license fee
- Taxi Driver: annual license fee

A complete fee structure is included in Appendix B.

It should be noted that the license fees for accessible vehicles and drivers are significantly lower than for standard vehicles and drivers. This is in recognition of the higher costs associated with purchasing accessible vehicles and the additional training required of accessible vehicle drivers.

The accessibility surcharge being proposed is to encourage the industry to make available more accessible vehicles. An accessibility surcharge will be charged on every trip (accessible and non-accessible trips) during the month when less than 10% of all registered vehicles for hire of a dispatcher were accessible vehicles for hire demonstrated to have provided transportation services during the month. To count as an accessible vehicle for the purposes of determining the applicability of the accessibility surcharge, the dispatcher must demonstrate that an accessible vehicle provided multiple trips on at least one day per week in the month, was occupied on those days by a driver qualified to provide accessible transportation services, and was available on those days for dispatch to individuals who required accessible transportation services. Records of trips by dispatchers will include the identification of the vehicle type as being accessible or standard and will be submitted. The trip records will be used to verify that vehicles being counted in the number of accessible vehicles providing service were actually performing trips.

In addition, the City of Winnipeg's existing Taxicab Licence Fee By-Law No. 6123/93, which charged a business license per taxicab or booking office, is being repealed and replaced by the new fee structure for licensing.

Penalties

The Taxicab Board currently has the authority to impose penalties of up to $1000 – an authority that is independent of any prosecution or enforcement of the Act or regulations. However, the Province did not grant this authority to the City when devolving to the City responsibility for vehicles for hire. This report is recommending that the Province be asked to consider providing the City with the authority to assess fines and penalties as part of the vehicle for hire program. Currently, the only financial penalty that can be imposed for By-law contraventions must come through the formal enforcement process. The proposed Vehicle for Hire By-law contains a schedule of fines to be enforced through the Municipal By-law Enforcement Act.

Taxi Vehicle Licenses Supply Cap

In the report prepared by MNP on the taxi industry, an evaluation of the supply of taxi licenses to the population was undertaken, which included public and stakeholder feedback as well as comparisons across Canada. The feedback indicated that there is not a sufficient supply of taxis in Winnipeg.

The following are the ratios of taxis to population reported by MNP in 2016.

	Calgary	Edmonton	Hamilton	Ottawa	Vancouver	Winnipeg
Ratio	1 : 647	1 : 611	1 : 1170	1 : 806	1 : 1066	1 : 1555

The ratio for Winnipeg does not include the months of November – March when 120 additional seasonal licenses are issued. Using the 2016 census population and including the seasonal licenses, the ratio becomes 1:1203. The recommended initial ratio is 1:1203 which means an additional 120 non-transferrable licenses can be issued immediately, and as the population increases new non-transferrable licenses will be issued. Seasonal licenses will no longer be issued. The industry will now have more flexibility to adjust vehicles in use at any time based on demand. The previous Act and Regulations required that a vehicle could only be out of use for 30 days or less.

This ratio will be reviewed by the Public Service in 24 months to assess the impact that Personal Transportation Providers have had on the market and approval will be obtained to adjust the ratio as necessary.

Establishing a taxi-to-population ratio to determine the number of licenses to be issued and available in the market provides a transparent and predictable supply of licenses to the public.

Priority for new licenses will be given to accessible vehicles, which is based on information from the MNP report that indicates roughly 15.6% of Manitobans deal with barriers to accessibility. The population of persons who require accessible services is expected to grow, creating a higher demand for accessible taxi service. Currently, accessible taxi licenses make up 12% of total taxi licenses.

New licenses will be issued based on a priority list established through an initial lottery of applicants.

Maximum Taxi Fares

The Vehicles for Hire By-Law will only regulate a maximum fare. Passengers and drivers may negotiate a lower fare. The meter must always be running to ensure the passenger will be charged less than the maximum, even when a fixed rate has been negotiated.

The last increase to taxi fares in Winnipeg was made in 2010. MNP undertook an analysis of the Taxi Cost Index (TCI) for Winnipeg to assess changes in cost factors that impact the taxi industry. This index considers fuel, labour and general Consumer Price Index (CPI).

MNP's assessment is that the TCI for Winnipeg has increased by approximately 14% since 2010. Therefore a fare increase of approximately 14% is supported. Additional information on the calculation of the TCI is available in the MNP report (Appendix B) in Appendix F of this report.

In addition, the City will be requiring the payment of increased license and per trip fees from the Dispatchers which ultimately must be recovered from the customer.

Future adjustments to the maximum taxi fare will be based on the TCI, reviewed every two years by the Public Service. Any proposed increase for 2020 will be brought back to Council with future requirements for Council approval to be considered at that time.

	Current	Proposed	% increase
Basic charge (drop fee)	$3.50	$3.75	7%
Rate per 1 km	$1.38	$1.60	16%
Rate per 1 minute waiting	$0.46	$0.52	14%

Proposed Maximum Fares are included in Appendix C, which includes separate fees for airport service, as well as accessible service for door to door vs. curb to curb.

Impact to customer based on a 5 km trip will be $1.35, or 13% as follows:
Existing cost: $3.50 basic charge + $1.38 per km x 5 km = $10.40 total cost for the trip.
New cost: $3.75 basic charge + $1.60 per km x 5 km = $11.75 total cost for the trip.

Vehicles for Hire Appeal Board

The City of Winnipeg Charter provides that all orders or decisions of a City employee are subject to an appeal. Administering and enforcing the Vehicle for Hire By-law will involve numerous appealable orders and decisions, and accordingly, a mechanism to enable appeals to be heard is necessary.

The By-law provides the authority for an appeal body of five (5) members, with the members being appointed by Council. The Vehicles for Hire Appeal Board would meet on a frequency to be determined by the Chair, who would be appointed by Council.

As required by The City of Winnipeg Charter, the By-law establishes remuneration for members of the appeal board who are not members of Council. The remuneration established is identical to that established for the Winnipeg Police Board.

As By-law enforcement will begin March 1, 2018 applications for membership on the Vehicles for Hire Appeal Board should be undertaken as soon as possible, with a report to be submitted to Council to seek approval for members as well as term length thereafter in accordance with the Vehicle for Hire By-law.

Administrative Structure

As part of its engagement, MNP provided analysis of the administrative structure required by the City, along with providing a recommendation on the best departmental fit.

The three main areas of administration required with this new service area are: Licensing, Enforcement, and Support. Three departments were looked at to assess fit including:

- Community Services as this department currently undertakes Business Licensing and By-law enforcement,
- Winnipeg Transit as this department currently undertakes limited By-law enforcement and operates the Handi-Transit service which has some similarities with the vehicle for hire industry, and

- Winnipeg Parking Authority as this department has an established permitting process and undertakes 24/7 on-street By-law enforcement.

MNP concluded that the administration and enforcement fits best with the Winnipeg Parking Authority (WPA). On this basis, this Report recommends authority for WPA to have the appropriate authority and budgetary resources to undertake this new service area. The compatibility with WPA will be assessed two years after implementation to determine if the vehicle for hire industry administration and enforcement will remain with the department, or transition to a stand-alone Special Operating Agency (SOA) or alternate department.

Discussion by the Public Service with the Manitoba Taxicab Board staff and agencies in other cities responsible for administration of vehicles for hire has indicated that there is often a higher level of disputes relating to enforcement than found with other By-laws. With the implementation of the MBEA for other City of Winnipeg By-laws in November, screening services is already projected to be operating at or above capacity by the implementation date of the Vehicle for Hire By-law in early 2018. As a result, the WPA anticipates that an increase to the number of Screening Officers and supporting resources, particularly office space and IT, assigned to screening services – beyond the additional position proposed for 2019 - may be required. Without a sense of the volume of requests for screening and adjudication the anticipated number of screening officers and associated supporting resources that will be needed cannot be accurately forecasted and, as such, the projected costs are not outlined in this report.

The full-time equivalents (FTEs) required both on a permanent and temporary basis assuming the administration and enforcement remain with WPA are presented in Appendix D. Should the responsibility for this service area transition to a new SOA or alternative department in the future, the permanent FTE resources included in this report would transition to the new department.

Information sharing agreement with MPI

Currently, the Taxicab Board works closely with MPI in enforcing the Taxicab Act. For example, MPI advises the Board whenever a licensed taxicab driver's license is suspended. This allows the Taxicab Board to act quickly to enforce its rules on drivers and vehicle owners. In order to enforce the Vehicles for Hire By-law, similar information sharing will be necessary.

In addition, although it currently has an information sharing agreement with MPI for the enforcement of parking offences, the City requires a revised and updated agreement in order to properly administer new responsibilities given to the City by the Province under The Municipal By-law Enforcement Act and The Provincial Offences Act for enforcement of other City By-laws as well. For example, the Province has made the City responsible for collecting fines owed for violations of By-law offences but has not given the City the powers it enjoys to carry out this function. Driver and vehicle information from MPI is required for issuing tickets as well as collecting outstanding fines, among other things.

Stakeholder Engagement

The Office of Public Engagement coordinated and facilitated stakeholder engagement focus group sessions and meetings in September, October, and November 2017, with the following groups:

Focus Groups

- Accessibility Interest Groups and Accessible Taxicab Owners
- Equitability Interest Groups
- Limousine and Executive Car Companies
- Related Industries (e.g. Winnipeg Chamber of Commerce, Tourism Winnipeg, Manitoba Hotel & Restaurant Association)
- Taxicab Dispatchers
- Taxicab Drivers
- Taxicab Owners

Meetings

- Disabilities Issues Office (Province of Manitoba)
- Green Action Centre
- Ikwe Rides - Women Helping Women (safe-ride non-profit group)
- Independent Living Resource Centre (training provider)
- Manitoba Public Insurance
- Oshki Annishinabe Nigaaniwak partners
- St. Amant Centre (contract holder)
- St. James - Assiniboia School Division (training provider)
- Taxicab Board Members and Administration (Province of Manitoba)
- Uber Canada
- Wheelchair Service of Manitoba and Vital Transit (handicab owners)
- Winnipeg Airports Authority (contract holder)
- Winnipeg Regional Health Authority (contract holder)

Internal City of Winnipeg Stakeholders

- 311
- Community By-law Enforcement Services
- Corporate Information Systems
- Corporate Information Systems (Open Data)
- Handi-Transit
- Indigenous Relations Division
- Legal Services
- Risk Management Division (Insurance)
- Transit
- Winnipeg Police Service

Stakeholder Working Group

- Winnipeg Community Taxi Coalition
- Taxicab driver representative
- Taxicab owner representative
- Accessibility group representative
- Equitability group representative
- Related industry group representative
- Transportation Network Company representative
- Indigenous partners representative
- Environmental group representative

Written submissions from stakeholders were also encouraged and notes were distributed to attendees for their review and additions. Input and feedback provided by stakeholders during focus groups and meetings was compiled and considered during the drafting of the Vehicle for Hire By-law. The Stakeholder Engagement Report is included as Appendix G to the report. Feedback from stakeholders was invaluable to shaping the Vehicle for Hire By-law, and although not all feedback was incorporated into the By-law, the input provided was carefully considered and stakeholder perspectives were highly appreciated. It is envisioned that future changes to the By-law will be necessary and further stakeholder engagement will continue as we move forward.

Future Steps

The intent is to review the By-law after two years in order to make any required modifications. Public and stakeholder input will be solicited to assist with the review through the formation of a vehicle for hire advisory committee and ongoing analysis of customer feedback. The advisory committee will be established by the Winnipeg Parking Authority in 2018 after the initial transition from the Province to the City for all license holders is complete and processes have been well established.

FINANCIAL IMPACT

Financial Impact Statement **Date:** November 30, 2017

Project Name: **First Year of Program** **2018**

Transition of the Regulation of Vehicles for Hire from the Province of Manitoba to the City of Winnipeg

	2018	2019	2020	2021	2022
Capital					
Capital Expenditures Required	$ 7000.-	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ 878,000	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues	true		impossible to predict.		
Direct Costs	$ 1,299,000	$ ~~1,544,000~~	$ ~~1,544,000~~	$ ~~1,574,880~~	$ ~~1,606,378~~
Less: Incremental Revenue/Recovery	1,299,000	~~1,544,000~~	~~1,544,000~~	~~1,574,880~~	~~1,606,378~~
Net Cost/(Benefit)	$ -	$ -	$ -	$ -	-
Less: Existing Budget Amounts			-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

1. Direct costs reflect the current estimate of costs of establishing a vehicles for hire office within the Winnipeg Parking Authority.
2. Incremental Revenues reflects the current estimate of licence and per trip fees to be charged to dispatchers, vehicle owners and drivers as more fully described in Appendix B.
3. Additional details on estimated revenues and expenses is presented in Appendix E.
4. As the industry adapts to the introduction of Personal Transportation Providers, changes to the underlying assumptions to the revenues is anticipated and therefore actual revenues earned may be higher or lower.

impossible to predict

changes of *Original Signed by* Murray Malachad

Tanis Yanchishyn
Manager of Finance (Campus)
Corporate Finance Department

Bus Driver MM #25
for Gerry Macren Bus owner
operator, CEO, CFO of Wheelchair
Services of Mone. Inc.
204-982 0799 office
cell # 204 981-8595

CONSULTATION

See list of stakeholder consultations in the main body of this Administrative Report, or the attached Stakeholder Engagement Report.

OURWINNIPEG POLICY ALIGNMENT

These changes are aligned with the key goals of the City of Winnipeg 2011 Transportation Master Plan (a part of the OurWinnipeg framework):

"A key underlying goal of the transportation plan is to expand the range of travel options that are available to residents, workers and visitors, and to ensure that people are not dependent on one single mode. Expanded travel choice creates countless community benefits."

Pg 1

SUBMITTED BY Murray Malanchuk

Department: Chief Administration Office
Prepared by: D. Wardrop

Date: November 30, 2017

Attachments:

- Appendix A - Vehicle for Hire By-law
- Appendix B – Fee Structure
- Appendix C – Fares
- Appendix D – Full Time Equivalents
- Appendix E – Budgetary Requirements
- Appendix F – MNP Report
- Appendix G - Stakeholder Engagement Report

APPENDIX E

VEHICLES FOR HIRE
ESTIMATED REVENUES AND EXPENSES

	2018	2019	2020
Revenues	10 months		
Drivers License Fees - Taxi	$ 127,000	$ 146,000	$ 146,000
Vehicle License Fees - Taxi	274,000	329,000	329,000
Brokerage / Dispatch Fees - Taxi			
License	135,000	163,000	163,000
Per Trip Fee - Taxi	342,000	400,000	400,000
Total Income - Taxi Industry	$ 878,000	$ 1,038,000	$ 1,038,000
Brokerage / Dispatch Fees - Private Transportation Provider (PTP)			
License	$ 113,000	$ 136,000	$ 136,000
Per Trip Fee - PTP	265,000	318,000	318,000
Other revenues (penalties and fees)	22,000	27,000	27,000
Total Estimated Revenue	$ 1,278,000	$ 1,519,000	$ 1,519,000
Expenditures			
Salaries and Benefits			
Permanent	$ 542,000	$ 690,000	$ 746,000
Temporary	193,000	82,000	
Contract Expenditures	252,000	308,000	315,000
Office Setup Costs (Furniture, computers etc)	70,000	7,000	
Vehicle lease and operating costs	40,000	49,000	49,000
Other Operating costs (office space, telephone, supplies etc)	80,000	102,000	102,000
Transfer to 311	60,000	50,000	51,000
General Government Charges	20,833	25,000	25,000
Community Services lost licensing revenue	41,000	41,000	41,000
Surplus held for future allocation to revenues or expenditures		190,000	215,000
Total Estimated Expenditures	$ 1,298,833	$ 1,544,000	$ 1,544,000
Projected Surplus/Deficit - Winnipeg Parking Authority	20,883 -	25,000 -	25,000
Recovery into Corporate Departments for General Government Charges	20,833	25,000	25,000
Projected Surplus/Deficit - City of Winnipeg			

as of Dec 5, 2017

Rules open door for ride-hailing services to move in March 1

City overhauls taxi industry

ALDO SANTIN

CITY hall unveiled new rules for the taxi industry Friday that will allow ride-hailing services such as Uber and Lyft to operate beginning March 1 and loosen the rules on traditional taxi operators.

While Mayor Brian Bowman and senior city staff applauded the move, the taxi industry criticized the changes that it said were rushed and done without proper consultation.

"This is, for me, largely about providing consumers with more choice and better and safer service, both with the taxi industry as well as personal transportation providers," Bowman said, using the newly coined phrase to describe ride-hailing operators. "That's why I'm very excited that we've got something now to debate, consider and move forward with. I think consumers will ultimately be the winners in having more choice."

Included among the provisions of the new regulations:

- The Winnipeg Parking Authority will regulate the industry on an interim basis
- The city plans to issue 120 new taxi licences
- There will be no restrictions on the number of vehicles in ride-hailing, or personal transportation provider (PTP), services
- Ride-hailing services will pay an annual fee, ranging from $2,000 to $50,000, depending on the number of vehicles it operates
- Traditional taxi firms will have to pay similar fees, also depending on the size of their fleet
- City hall will increase fees for taxi drivers and owners
- The bylaw will be reviewed in 24 months

City hall has set itself a tight schedule. The proposals will be considered by Bowman's executive policy committee Dec. 6 and then go to a council vote Dec. 13.

Councillors were briefed on the bylaw at a closed-door meeting Friday morning. The taxi industry only learned of the proposals as they were posted on the city's website early in the afternoon.

Scott McFadyen, spokesman for the city's two largest taxi firms, Unicity and Duffy's, described the proposed bylaw provisions as "good, bad and the ugly."

McFadyen said adding more taxis is a positive as it will alleviate supply pressures on the industry. He said he was disappointed that ride-hailing drivers will not be required to provide the same security measures that will still apply to taxi vehicles.

The "ugly," he said, is how the bylaw was developed and is being rushed, adding city hall has been aware of the March 1 deadline since the spring and it should have released the proposals sooner.

McFadyen said city hall has given the industry only days to review the bylaw and two opportunities to propose formal amendments.

"This is something that has real, far-reaching implications, and to do it within the space of a week, really, that's shocking," McFadyen said.



THE ASSOCIATED PRESS FILES

The taxi industry says the changes were rushed and made without proper consultation.

"To play this shell game with dates is an affront to accountability and transparency."

Dave Wardrop, the city's chief transportation and utilities officer, said while the public will be allowed to suggest improvements at both meetings, city hall had no alternative but to rush to get infrastructure in place by the March 1 deadline imposed by the province.

Wardrop said the intent of the new bylaw is to modernize and streamline the regulation of the industry and allow it to grow and respond to consumer need, based on four principles: passenger safety, driver safety, consumer protection and accessibility for all citizens.

"We've drafted what we feel is good, guiding policy and a comprehensive bylaw to deal with a new and evolving industry," Wardrop said.

The introduction of ride-hailing services and the overhaul of the taxi industry are the result of the Pallister government's decision in March to bring more competition to the industry by disbanding the Manitoba Taxicab Board and turning over regulation, at least within Winnipeg, to city hall. Other municipalities already regulate the taxi industry in their own communities.

The province passed enabling legislation Nov. 9 and set a deadline of March 1 for Winnipeg to take over regulation of the industry.

Edmonton was the first city in Canada to authorize ride-hailing, in March 2016. It has been followed by Calgary, Ottawa, Toronto, London, Hamilton, Waterloo and dozens of other communities.

Bowman has publicly advocated for ride-hailing services and said he's excited with the changes that are coming.

"With the passage of the provincial legislation to enable this change, we embark on one of the most significant reconfigurations of provincial-municipal service delivery in Winnipeg in decades," Bowman said. "It represents the changes and improvements we can make when there is alignment and collaboration between governments."

Wardrop said the new rules will eliminate many of the regulations that governed taxi operators, including rules on vehicle age, cleanliness and customer service, but added that taxi drivers will still need to meet minimum English-language proficiency standards — a rule that will not apply to ride-hailing drivers.

Wardrop said the goal is to replace regulation in those areas with market competition.

"The idea being to take a minimal approach to regulation to increase market competition and to have market competition take the place of regulation in that regard," Wardrop said.

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SUPPLIED PHOTO

The first Apple 1s were sold more than 40 years ago, at the Byte Shop in Silicon Valley, Calif.

Apple 1, 'Blue Box' to be sold at auction

MARCO DELLA CAVA

SAN FRANCISCO — Apple fans are known to hold onto the company's products long after they've been eclipsed by new models.

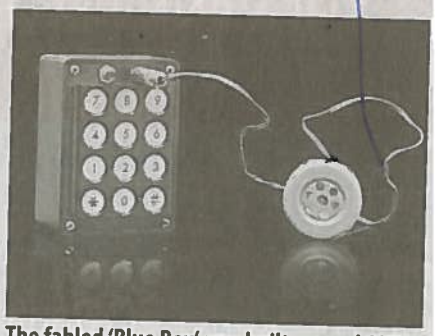
But it's unlikely these two very early Apple touchstones are sitting in anyone's collection: Steve Wozniak's fabled "Blue Box," and the very first Apple 1 computer produced by Woz and his younger buddy Steve Jobs. Both Apple artifacts are up for sale on Wednesday at Bonhams' New York auction.

The Blue Box, which is expected to fetch between US$30,000 and US$50,000, was built around 1972, when Woz was a sophomore at the University of California at Berkeley and Jobs was still in high school.

The simple box with a keypad tethered to a crude earpiece was essentially a hacking device designed to fool the phone company's switching systems by reproducing its specific tones. The result: free phone calls in an era when long-distance calls could be pricey.

The so-called Phone Phreak phenomenon of the era even prompted an *Esquire* piece titled: *Secrets of the Little Blue Box: A Story So Incredible It May Even Make You Feel Sorry for the Phone Company.*

Wozniak's particular contribution to the box that fooled the phone company was to dismiss the often-glitchy analog boxes in favour of designing a then-novel digital variation



The fabled 'Blue Box' was built around 1972.

eager to make no-cost calls.

Fast-forward a few years, and the two Steves had founded a company they chose to call Apple. Woz handled circuit board design, Jobs hustled to source parts cheaply and land customers.

The first Apple 1 computers, copyrighted in 1976, sold through a network of Silicon Valley stores called the Byte Shop. Its founder, Paul Terrell, had told Jobs that he couldn't sell solitary circuit boards, and instead encouraged the young tech entrepreneur to provide his stores with complete computers, featuring both a keyboard and monitor.

Just such an example is what Bonhams has up for sale. Sourced from the collection of an early Apple aficionado named Steve Fish, this Apple 1 (expected to sell for at least US$400,000) apparently still works.

The two iconic items are part of Bonhams' History of Science and Technol-