Minutes – Executive Policy Committee – April 20, 2022

Report – Standing Policy Committee on Infrastructure Renewal and Public Works – April 6, 2022

Item No. 1 Vehicles for Hire Annual Report

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and submitted the following to Council:

1. That the update provided on the vehicle for hire industry be received as information.

2. That the Vehicles for Hire Fee set out in Appendix A be approved, and that the new fees take effect March 1, 2022.

3. That the draft amending by-law attached as Appendix B, which includes amendments to the Vehicle for Hire By-law as well as the Municipal By-law Enforcement Act Enabling By-law, be approved, and the Winnipeg Public Service be directed to report back to the Standing Committee at its September 7, 2022 meeting on its collaboration with the industry on proposed section 46(3) of the by-law.

4. That the Winnipeg Public Service be directed to develop a safety and violence prevention campaign in consultation with the Vehicle for Hire industry, to promote enhanced awareness around the safety of drivers and passengers, funded from the Safety and Security Surcharge fund to a maximum of $10,000, and incorporate a report back on the campaign into the next annual Vehicles for Hire report.

5. That the Winnipeg Public Service be directed to:

    A. Work with the following stakeholders towards engagement and safety solutions as they relate to implementing Calls for Justice, including but not limited to:

        i. MMIWG2S+ Implementation Team

        ii. Indigenous governments and territorial organizations

        iii. Vehicles for hire service providers

    B. Incorporate progress and activity into the Winnipeg Indigenous Accord annual report.

Report – Standing Policy Committee on Infrastructure Renewal and Public Works – April 6, 2022

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

6. That the stakeholder engagement noted in Recommendation 5 be funded from the Safety and Security Surcharge fund to a maximum of $10,000.

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

Report – Standing Policy Committee on Infrastructure Renewal and Public Works – April 6, 2022

DECISION MAKING HISTORY:

Moved by Councillor Allard,

That the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works be concurred in and forwarded to Council.

Yea:	Bowman, Allard, Browaty, Chambers, Gilroy, Mayes, Rollins	7
Nay:		0

Carried

STANDING COMMITTEE RECOMMENDATION:

On April 6, 2022, the Standing Policy Committee on Infrastructure Renewal and Public Works received the amending motion as information, and submitted the following to the Executive Policy Committee and Council:

1. That the update provided on the vehicle for hire industry be received as information.

2. That the Vehicles for Hire Fee set out in Appendix A be approved, and that the new fees take effect March 1, 2022.

3. That the draft amending by-law attached as Appendix B, which includes amendments to the Vehicle for Hire By-law as well as the Municipal By-law Enforcement Act Enabling By-law, be approved, and the Winnipeg Public Service be directed to report back to the Standing Committee at its September 7, 2022 meeting on its collaboration with the industry on proposed section 46(3) of the by-law.

4. That the Winnipeg Public Service be directed to develop a safety and violence prevention campaign in consultation with the Vehicle for Hire industry, to promote enhanced awareness around the safety of drivers and passengers, funded from the Safety and Security Surcharge fund to a maximum of $10,000, and incorporate a report back on the campaign into the next annual Vehicles for Hire report.

5. That the Winnipeg Public Service be directed to:

    A. Work with the following stakeholders towards engagement and safety solutions as they relate to implementing Calls for Justice, including but not limited to:

Report – Standing Policy Committee on Infrastructure Renewal and Public Works – April 6, 2022

DECISION MAKING HISTORY (continued):

STANDING COMMITTEE RECOMMENDATION (continued):

i. MMIWG2S+ Implementation Team

ii. Indigenous governments and territorial organizations

iii. Vehicles for hire service providers

B. Incorporate progress and activity into the Winnipeg Indigenous Accord annual report.

6. That the stakeholder engagement noted in Recommendation 5 be funded from the Safety and Security Surcharge fund to a maximum of $10,000.

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

The following persons submitted communications with respect to the matter

- Aimee Cadorath submitted a communication dated March 31, 2022
- Jennifer Berthelette submitted a communication dated March 30, 2022
- Kelsey Wade submitted a communication dated March 30, 2022
- Kira Caughlin submitted a communication dated March 30, 2022
- Rosa DeLuca submitted a communication dated March 30, 2022
- Andrew Buck, Pitblado Law, submitted a communication on behalf of the Winnipeg Community Taxi Association dated April 6, 2022
- Rachel Sansregret, CEO, Winnipeg Indigenous Friendship Centre Inc., submitted a communication dated April 5, 2022.

COUNCIL DECISION:

On March 24, 2022, Council referred the matter back to the Standing Policy Committee on Infrastructure Renewal and Public Works.

Further, on March 24, 2022, Council referred the following amending motion to the Standing Policy Committee on Infrastructure Renewal and Public Works for consideration:

Report – Standing Policy Committee on Infrastructure Renewal and Public Works – April 6, 2022

DECISION MAKING HISTORY (continued):

COUNCIL DECISION (continued):

BE IT RESOLVED:

1. That Item 3 of the report of the Standing Policy Committee on Infrastructure Renewal and Public Works dated March 8, 2022, be amended by deleting Recommendation 3 in its entirety and replacing with the following:

    "3. That the draft amending by-law attached as Appendix B, which includes amendments to the Vehicle for Hire By-law as well as the Municipal By-law Enforcement Act Enabling By-law, be approved, with the following amendment:

        A. That Sections 9(2) and 18(4) be deleted and the Winnipeg Public Service be directed to report back to the Standing Policy Committee on Infrastructure Renewal and Public Works on the proposed amendments to the by-law during its next annual vehicles for hire report to the Standing Committee."

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

Benjamin Hecht, and Andrew Buck, Pitblado Law on behalf of Winnipeg Community Taxi Association submitted a communication in opposition to the matter.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 16, 2022, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works, with the following amendment:

- Adding the following new Recommendations and renumber the remaining Recommendation accordingly:

    "5. That the Winnipeg Public Service be directed to:

Report – Standing Policy Committee on Infrastructure Renewal and Public Works – April 6, 2022

DECISION MAKING HISTORY (continued):

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

A. Work with the following stakeholders towards engagement and safety solutions as they relate to implementing Calls for Justice, including but not limited to:

i. MMIWG2S+ Implementation Team

ii. Indigenous governments and territorial organizations

iii. Vehicles for hire service providers

B. Incorporate progress and activity into the Winnipeg Indigenous Accord annual report.

6. That the stakeholder engagement noted in Recommendation 5 be funded from the Safety and Security Surcharge fund to a maximum of $10,000."

and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On March 8, 2022, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- In Recommendation 3, delete the period after the words "be approved" and replace with the following:

  ", and the Winnipeg Public Service be directed to report back to the Standing Committee at its September 7, 2022 meeting on its collaboration with the industry on proposed section 46(3) of the by-law."

Report – Standing Policy Committee on Infrastructure Renewal and Public Works – April 6, 2022

DECISION MAKING HISTORY (continued):

STANDING COMMITTEE RECOMMENDATION (continued):

- Add the following new Recommendation 4, and renumber the remaining accordingly:

    "4. That the Winnipeg Public Service be directed to develop a safety and violence prevention campaign in consultation with the Vehicle for Hire industry, to promote enhanced awareness around the safety of drivers and passengers, funded from the Safety and Security Surcharge fund to a maximum of $10,000, and incorporate a report back on the campaign into the next annual Vehicles for Hire report."

and submitted the matter to the Executive Policy Committee and Council.

Benjamin Hecht, Pitblado Law, submitted a communication on behalf of the Winnipeg Community Taxi Association with respect to the matter.

On February 8, 2022, the Standing Policy Committee on Infrastructure Renewal and Public Works laid the matter over for 30 days.

Rachel Sansregret, CEO, Winnipeg Indigenous Friendship Centre, submitted a communication dated February 8, 2022, with respect to the matter.

ADMINISTRATIVE REPORT

Title: Annual Update on the Vehicle for Hire Industry and Amendments to the Vehicle for Hire By-law

Critical Path: Standing Policy Committee on Infrastructure Renewal and Public Works – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Topolniski	J. Berezowsky	C. Kloepfer	M. Jack

EXECUTIVE SUMMARY

On March 1, 2018, the *Local Vehicles for Hire Act* came into force, thereby dissolving the Manitoba Taxicab Board and requiring the City to assume responsibility for regulation of the vehicle for hire (VFH) industry in Winnipeg through the passage of the VFH By-law.

The VFH By-law has continued to support a more streamlined and modernized vehicle for hire industry by reducing the regulatory burden on taxis, increasing the industry's capacity to meet demand by allowing more vehicles for hire on the road, adding to the accessible taxi fleet, and enabling improvements to both driver and passenger safety. Since assuming responsibility for VFH regulation, the VFH office has continued to develop collaborative relationships with the industry and stakeholders. With the increase in the number of accessible vehicles, the industry is now positioned to further improve accessible service. This report outlines more steps being taken in that direction.

There are no proposed changes to the maximum fare schedule for 2022. The VFH office has continued to focus on safety as a priority, working with several stakeholder groups to educate and raise the profile of the work that is being done.

Recommendations in this report are intended to strengthen safety measures, provide additional clarity regarding the application of the VFH By-law, and ensure the industry operates as efficiently as possible while continuing to innovate and modernize. The VFH office aims to address feedback from various stakeholders (including the taxicab industry, personal transportation providers, accessibility advocates and passengers who use VFH services, and industry partners), and take a proactive approach in making improvements to the overall regulatory and licensing regime.

Highlights of recommendations proposed in this report are:

- Adding new definitions to the VFH By-law and amending existing definitions to improve clarity.
- Adding new fines to go with new by-law amendments, so as to ensure continued compliance with the VFH By-law and encourage proper conduct.
- Creating a licencing regime for limousine drivers and owners, thereby transferring the administrative burden for ensuring proper documentation from the dispatchers to the City.

- Adding new licencing categories and associated fees as part of the new licencing responsibilities taken on by VFH in respect of limousine/luxury vehicles and drivers.
- Continuing to explore innovative ways to improve and streamline our licencing application process for new and renewing VFH drivers.

This report includes a number of by-law amendments that should continue to strengthen the VFH industry and provide more clarity and confidence for service providers and stakeholders.

This report also includes an update on the use of diamond lanes by taxicabs based on data collected by Winnipeg Transit. There are no recommended changes to the restrictions on the use of diamond lanes at this time.

The management, licensing, regulatory oversight, and other initiatives for the VFH industry are currently projected to be cost-neutral, even in light of the COVID-19 pandemic, and will have no budgetary impact to the City.

RECOMMENDATIONS

1. That the update provided on the vehicle for hire industry be received as information.

2. That the VFH fee set out in Appendix A be approved, and that the new fees take effect March 1, 2022.

3. That the draft amending by-law attached as Appendix B, which includes amendments to the Vehicle for Hire By-law as well as the Municipal By-law Enforcement Act Enabling By-law, be approved.

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

REASON FOR THE REPORT

This report is the fourth of five annual reports required by Council, as per the December 13, 2017 direction:

> "That the Public Service be required to report back every 12 months for the first 5 years 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."

On December 19, 2019, Council also directed that, in consultation with Winnipeg Transit, future reporting on the use of diamond lanes by taxis should be included the VFH Annual Report.

Only Council has the authority to approve By-law amendments and an updated fee schedule.

IMPLICATIONS OF THE RECOMMENDATIONS

This report provides an update on the state of the Vehicle for Hire industry. It proposes a number of legislative and regulatory changes that will continue to improve the overall safety and customer experience of the VFH industry, and enable ongoing administrative improvements.

This report also proposes a revised VFH fee schedule that accounts for the City taking over responsibility for licensing Personal Transportation Provider (PTP) limousine/luxury vehicles and drivers. There is also an update on the Winnipeg WAV accessible dispatch project, funded through the Accessibility Surcharge.

Any incremental revenue earned will be managed within existing VFH office budgets.

HISTORY/DISCUSSION

On November 9, 2017, the Province of Manitoba passed the *Local Vehicles for Hire Act*, which dissolved the Manitoba Taxicab Board, repealed *The Taxicab Act* and associated regulations, and statutorily transitioned oversight and regulation of Winnipeg's vehicle for hire (VFH) industry to the City, effective February 28, 2018.

The City of Winnipeg assumed responsibility for the VFH industry by enacting a new VFH By-law that streamlined and modernized VFH regulations, with an emphasis on passenger and driver safety, as well as an aim to increase accessible service and options for passengers. This report's recommendations, combined with recent achievements made since the City was assigned responsibility for VFH regulation, will continue to resolve these concerns and allow for further improvements in the industry.

The following recommendations will make oversight and enforcement more efficient, address feedback from industry stakeholders, and offer improvements to the VFH industry.

<u>Recommendation 2 – VFH Fee Schedule (Appendix A)</u>

The proposed updated fee schedule for the VFH industry will add additional categories related to Personal Transportation Provider (PTP) limousine/luxury vehicles and drivers. Responsibility for registration and licencing of the drivers and vehicles in this category has resided with the PTP dispatchers since 2018. However, the VFH office has identified compliance issues with the required background check and documentation of these licence holders.

In order to correct this, and to ensure that all licencees in this category are properly vetted, this report recommends amendments to the VFH By-law (Appendix B) that will transfer responsibility for licencing in this area to the VFH office. As such, new fees for these licences are being proposed which would be considered in line for the business type, based on the other fees charged for VFH licencing, as this category maintains the least market share. These changes follow the realignment of the PTP Limousine dispatcher permits, which took effect in 2021, and generally reduced the dispatcher licencing fees. The proposed changes are highlighted in yellow on the attached fee schedule (Appendix A). In implementing this new VFH schedule, there is minimal revenue impact from these changes as this is a small category. There are no changes to the per-trip surcharges, accessibility surcharge, or safety surcharge that are collected.

Recommendation 3 – VFH By-law amendments (Appendix B)

A number of amendments, as set out in Appendix B, are being proposed to provide additional clarity, more effectively administer and enforce the VFH By-law, and address areas of the By-law that have been identified by the VFH office and through feedback from the taxicab industry, PTPs, accessibility advocates, and passengers using VFH services.

Proposed amendments to the By-law and their associated implications are summarized below:

i. Amending the definition of 'transportation services"

The VFH By-law's current definition of "transportation service" excludes a number of transportation providers to whom the By-law does not apply. Among those excluded are school transportation vehicles. While the intent is to exclude school buses, transport buses used by schools, and other larger transport vehicles, there is some confusion in the wording. There are times when a vehicle for hire, generally an accessible vehicle registered and insured as a vehicle for hire, is hired by a school division to transport students. These are generally single trips and do not include multiple stops like a typical school bus.

At present, the definition of "transportation service" excludes trips for which "transportation of students by vehicles owned or operated by or on behalf of a school division established under *The Public Schools Act*, C.C.S.M. c. P250, or a private school as defined in The Education Administration Act, C.C.S.M. c. E10."

This report proposes amending the definition to specify that the exclusion applies to *"vehicles with a manufacturer's seating capacity originally designed for 11 or more occupants, including the driver".*

The definition of "transportation services" would also be updated to include a scenario where a company that wishes to operate a for-profit designated driver business would be considered a vehicle for hire. These companies would operate in competition with the vehicle for hire industry, as well as providing transportation service to patrons, many of whom could be in a vulnerable position. Therefore, the proper regulation and oversight of the drivers providing this service and the vehicles is required.

This report proposes amending the definition of "transportation service" to include *"a vehicle and two drivers are provided, one of whom is hired to drive the passenger's vehicle to a destination designated by the passenger".* An exclusion to organizations who run seasonal designated driver programs for donations would still be allowed under the By-law.

ii. Amending the definition of criminal "charges"

The By-law currently defines charges in relation to a relevant criminal offence or a major driving offence as "the initiation of law enforcement proceedings:

(a) in the case of an enactment of the Parliament of Canada, by way of an information laid by a peace officer before, and received by, a justice…."

However, we have come across situations where an individual has been arrested for a criminal offence and charged but, because of other circumstances during the police investigation or the legal process, the charge is not officially laid "under an enactment of the Parliament of Canada". This does not change the fact that a Criminal Code or other serious offence is alleged to have occurred, and the impact on the VFH industry and the overall safety of passengers and other

participants needs to be considered. Further, the fact that an offence has not been proven in court does not preclude conditions being imposed on the licence holder by the designated employee, after having a hearing. In order to ensure that the By-law covers other possible ways for the VFH office to be notified of possible criminal or otherwise dangerous behaviour by licensees, an amendment to the definition of "charges" is proposed as follows:

Amended wording: the definition of "charges" would be amended to *"(a) in the case of an enactment of the Parliament of Canada, by way of*

(i) an information laid by a peace officer before, and received by, a justice, or

(ii) an appearance notice given in accordance with that enactment to the person to be charged with the offence;"

iii. Amending the definition of 'owner"

In order to ensure that the By-law is consistent with the wording on documentation received from Manitoba Public Insurance (MPI) in relation to vehicle insurance, this report proposes an amendment to definition of owner. This will align with the current practice of ensuring that a licence holder is the "registered insured" of a licenced vehicle.

Amended wording: the current definition of owner is replaced with '***"owner"**, in respect of a vehicle, means the person in whose name the vehicle is insured, and to whom the vehicle is registered, by Manitoba Public Insurance, regardless of whether the person owns or leases the vehicle;'*

iv. Driver Conduct

There are instances in which the designated employee or a VFH enforcement officer finds that a taxi or PTP driver has engaged in inappropriate conduct. All taxis have an approved Code of Conduct, and all drivers in the industry are expected, as professional drivers, to maintain a high level of decorum and customer service. In cases where the actions do not warrant criminal charges and in which there may not be sufficient evidence to substantiate more severe punishment, such as the suspension or cancellation of a licence, a fine may be appropriate in order to correct behaviour. In order to support the enforcement of these cases, this report proposes adding a new section to the By-law:

New proposed wording: "*The driver of a vehicle for hire must, in accordance with the Code of Conduct, maintain a high level of decorum and refrain from conduct that may reasonably be considered inappropriate or unbecoming for a service provider in the vehicle-for-hire industry. Without limitation, the driver must not:*

(a) sexually harass a passenger or make lewd remarks to a passenger;

(b) insult, abuse, intimidate or threaten a passenger;

(c) ask a passenger for a tip or gratuity, whether directly or indirectly, or indicate that one is expected or required;

(d) fail to release a passenger from the vehicle at the passenger's request;

(e) subject to subsection 59(1) (pre-payment), accept, or request a passenger to provide, collateral as security for the payment of a fare."

The option to issue a penalty notice for driver conduct could be exercised in the course of regular inspection and patrolling, at the conclusion of an investigation or as a possible resolution to a hearing conducted by the designated employee. While the goal of these additional provisions is not to regulate customer service specifically, there are times when complaints and investigations prove that a driver has exhibited behaviour that, while not criminal in nature, is beyond what would be considered poor customer service and often leads to disagreements and an unsafe trip.

v. Creating a licencing regime for limousine/luxury vehicles and drivers

Presently, PTP dispatchers are responsible for ensuring that the drivers and owners of the vehicles they dispatch provide them with the required documentation prior to registration and being put into service. Since the City has taken over regulation of the VFH industry, the VFH office has performed documentation audits on PTP dispatchers. As discussed above regarding Recommendation 2, the limousine/luxury PTP dispatchers have struggled to maintain the proper documentation and ensure that the required background checks are complete and up-to-date. Many of these service providers are small companies that simply don't have the administrative capacity to handle this responsibility. The VFH office has taken enforcement action on a number of occasions, as well as consulting with these operators. Nearly all the PTP limousine dispatchers are in favour of transitioning vehicle and driver licencing to the VFH office. This transition can be accomplished with no additional capacity requirements.

vi. Use of hand-operated electronic devices

Instances of the use of hand-operated electronic devices by drivers while operating their vehicles for hire have increased over the past year. While this is a *Highway Traffic Act* offence with strict consequences, enforcement requires a police officer to observe the offender using the device. VFH Enforcement has received a number of complaints through 311 from passengers for the use of devices by the driver while the vehicle is in motion. This is a significant safety concern to the public and the VFH office. As such, this report proposes adding a section to the VFH By-law that will allow VFH enforcement officers to issue penalty notices for use of a hand-operated electronic device while driving. Allegations of this offence would typically be handled through receipt of a complaint from a passenger and if possible, through confirmation via video (if the offender is a taxi driver).

In order to ensure that the incidence of this dangerous action is reduced, and to continue to improve safety, a fine of $500 with an early-payment discount of $250 will be added to the VFH By-law and the MBEA Enabling By-law.

vii. Vehicle Insurance

Related to the proposed amendment to the definition of 'owner' is a minor adjustment to Section 39(1), regarding MPI insurance, to ensure that the person who is issued a vehicle licence under the VFH By-law is the person to whom a vehicle is properly registered. This is the current practice by the VFH office and is to simply update the language of the By-law.

viii. Operating requirements and inspections of PTPs

Section 45(4) of the By-law currently requires that all taxi owners submit their vehicle for an inspection when requested by the designated employee or an enforcement officer. In order to ensure that all vehicles providing for hire transportation service are safe and meet not only the VFH safety guidelines, but also MPI vehicle safety guidelines, we recommend that the same requirement be placed on the owner of a PTP vehicle, with a fine under the MBEA Enabling By-law for failing to do so. This would ensure that VFH enforcement has the ability to ensure that all vehicles can be sent for safety inspections when determined to need them.

ix. Addition of set fines to the Municipal By-law Enforcement Act Enabling By-law

Setting fines for the following offences and identifying them as enforceable under the *Municipal By-law Enforcement Act* (MBEA) will allow for more expeditious enforcement that will encourage increased compliance:

a. *Limousine Vehicle Licencing – new Section 45.1(1) and 45.4(1)-45.4(4):*
   Fines are being added in this section as it relates to the transfer of limousine/luxury vehicle licencing to the VFH office. The fines here are consistent with those of licenced

taxis, and ensure that limousines are following the licencing regime and are properly inspected. The fines being added here are $1000 with an early payment discount of $500. There is also a fine being added here for the owner of a limousine allowing an unlicenced driver to provide service. This fine would be $500, with an early payment discount of $250.

b. *Non-Compliance with new Section 46(3) regarding Driver Conduct:*
This fine would be applied in cases where a VFH driver is non-compliant with any of the specified clauses, maintains a less-than-high level of decorum, does not conduct themselves professionally, and/or commits an act specified in this section, which can be substantiated through a complaint and investigation supported by evidence. Fines for violations of this section would be $250 with an early payment discount of $125.

c. *Non-compliance by taxi drivers in handling customer payments*:
Taxi drivers are required to issue a receipt to customers when they request it, as well as accepting either cash or credit card for the payment of service. There are times when they do not provide receipts, or encourage customers to only pay by cash. While there are occasionally valid reasons that payment cannot be accepted by credit card, these are rare. Instances such as this frustrate customers, cause disputes and generate complaints. Fines for non-compliance with this section would be $250, with an early payment discount of $125.

d. *Limousine Driver Licencing – new Sections 65.1, 65.4 and 65.5(a)-65.5(e):*
Fines are being added in this section as it relates to the transfer of limousine/luxury driver licening to the VFH office. The fines here are consistent with those of licenced taxi drivers, and ensure that limousine drivers are following the licencing regime as required. As well, a new section is being added here which obligates the licenced driver to report charges, convictions, registration on the child abuse registry or a licence suspension. These fines are consistent with other licenced drivers. The new fine for operation of a limousine without a licence would be $500 with an early payment discount of $250. A fine for failing to display their driver's licence would be $250, with an early payment discount of $125. As well, fines related to failure to report charges, convictions, registration on the child abuse registry or a licence suspension would be $1000, with no early payment discount.

e. *Vehicle owner failing to comply with an inspection order*:
Vehicle owners are required to have a yearly inspection performed on their vehicle to ensure it meets MPI and VFH vehicle safety guidelines. As well, vehicle owners are required to submit their vehicle to occasional inspections throughout the year when an enforcement officer reasonably believes that the safety of a vehicle is compromised. Failing to comply with an inspection order that has been issued would put the safety of drivers and passengers at risk and would result in a fine of $250 with an early payment discount of $125.

Key achievements and VFH industry update:

The industry continues to play an important role during the COVID-19 pandemic, by allowing citizens to continue to move around, obtain important goods and services and to ensure they are able to get to work, medical appointments and continue their lives, as best as possible. While 2020 was a significantly challenging year for the industry, 2021 has begun to see a rebound, especially as vaccines have rolled out, immunizations numbers have increased and restrictions on businesses have been minimized. While demand for service was lower in the beginning months of 2021, as Code Red pandemic restrictions continued from 2020, as vaccine immunization numbers increased and the Public Health orders were amended, restaurants, casinos, and other entertainment venues began to re-open, as well as some travel, and the

industry began to see a gradual increase in demand for service. The impact of the pandemic has still been felt within the industry, especially in the limousine and luxury vehicle category where large gatherings have essentially not been occurring (including weddings, grads and funerals).

The industry should likely continue to see increases in trips for the remainder of 2021 and into 2022.

To that end, however, as the demand for transportation has gradually increased in 2021, a return of service providers, including taxis that are back on the road and PTP drivers has also seen an increase. The average number of vehicles available to provide service in 2021 was 1,261 a month, nearing pre-pandemic average levels. This not only demonstrates the overall resiliency of the industry but that, as demand for the service increases, there are interested service providers that can meet the needs of customers.

The maximum number of taxis available for service in 2021 remains at 600 licences issued, with an average of 584 on the road each month. There has been an average of 675 PTPs (accessible, standard passenger and limousine/luxury) available on a monthly basis. These numbers have varied throughout the year dependent on demand. The average number of taxis operating in Winnipeg has remained constant during this period, but can generally fluctuate and be affected by demand, and vehicle repairs and maintenance.

The PTP category continues to provide scalable capacity and is driving increased competition in the industry. The general overall level of customer service continues to improve, as does the availability of vehicles and accessibility of service. Customers have transportation choices and have more flexibility on the type of service they are able to obtain. As well, this segment of the industry provides an opportunity for citizens to earn additional income, especially at a time when other opportunities may not be available, as well as providing flexibility of schedule to accommodate other commitments.

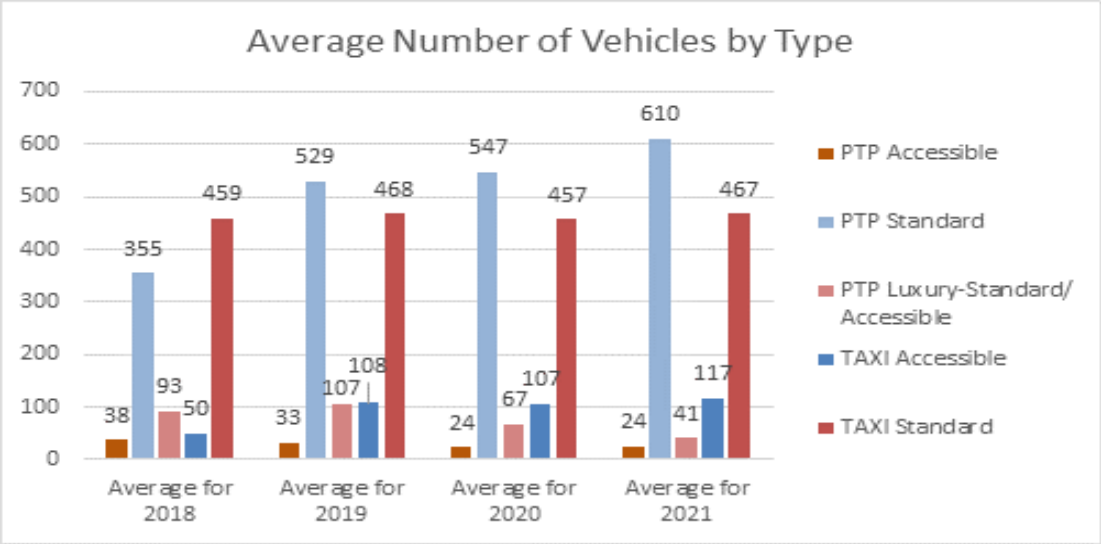


Figure 1

This past year has seen the highest average number of standard PTPs available, even during the early part of the year when COVID-19 pandemic lockdowns were in place. As shown in Figure 1, the average number of standard PTPs available throughout 2021 is 610, which is an

increase over the 2020 average of 547, as well as over 2019, where the category was at 529. With increases in the demand for service as public health restrictions have been loosened and an overall reopening and return to events has occurred, there have been increases in capacity from the dispatchers. As mentioned in the past, it should be noted that there could be some double-counting of vehicles and the VFH office is aware that many drivers are registered with multiple PTP dispatchers and would be reported more than once. While the number of PTP vehicles and taxis are nearly even, taxis continue to provide significantly more trips than PTPs (as shown in Figure 2).

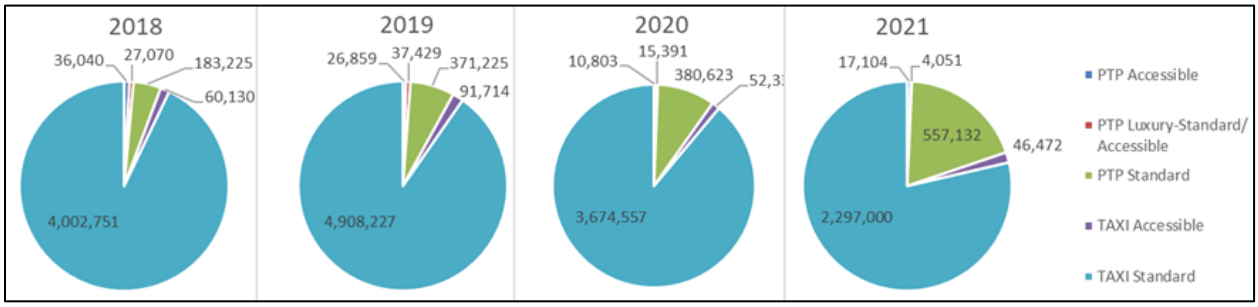


Figure 2

Year-to-date (January to September) in 2021, there have been 2,921,759 trips completed in the vehicle for hire industry. This is an average of 243,480 trips per month. January and February 2021 saw significant impacts due to continuing COVID-19 public health restrictions, however March began to see an increasing trend across the industry. The COVID-19 pandemic continues to challenge the industry, but it is anticipated there will be a gradual return to the industry's previously experienced trip numbers. Prior to March 2020, and through 2021, the industry had been on pace to have another year of growth, and the VFH office anticipates this state returning in 2022.

The 2020 year concluded with the industry providing 4,133,711 trips (an average of 344,476 trips/month). In contrast, this compared to 2019 where the year ended with 5,435,454 trips (an average of 452,955 trips/month). The 2020 average was a decrease of 23.9% in the number of trips per month.

The COVID-19 pandemic continues to have an impact on the entire industry. The industry saw a loss of trips throughout 2020, and into early 2021. However, as events have returned, restaurants, lounges, the casinos and other locations where people normally use vehicle for hire service have re-opened, there has been an uptick in reported trips. As well, with more passengers travelling by air for both business and pleasure, this has been positive for the industry. As we move further into the pandemic in late 2021, it appears as though the state we have experienced over the past number of months, mainly due to current vaccination rates may continue. This would have a positive effect for the industry as it continues to recover.

The industry has worked hard to ensure that they have been available to provide service to the citizens of Winnipeg throughout the pandemic. Throughout of spring and summer of 2021, reported trips continued to increase over the previous year, moving ever closer to pre-pandemic levels. For example, if omits January and February of 2021, which included strict lockdown/closure measures, the average number of trips in 2021 increases to 341,418 trips/month. This is still below both 2018 and 2019 levels, but does demonstrate the increases that have been seen, as well as the impact of the pandemic.

The increase in 2021 can be attributed to a few items:

- COVID-19 vaccination programs began during spring 2021 and as the numbers of people who became fully-vaccinated increased, restrictions were relaxed.
- Winnipeggers generally remained in the City during the summer holiday months, and took advantage of relaxed restrictions to support local restaurants, patios and bars.
- Malls and casinos were generally re-opened for most of 2021, and people moving around and attending those locations.
- Non-emergency medical transportation and people getting to appointments.
- Changing behaviours as citizens made a choice in some cases to move from taking public transportation to more “private” transportation.
- The return of the Winnipeg Blue Bombers, and Winnipeg Jets, as well as concerts and performances have led to an increase in usage.

While the industry has seen some resurgence in use throughout 2020 and during 2021, any strict lockdowns/closures would again impact the industry. Use of vehicles for hire continues to be a much-needed and popular mode of transportation. Citizens continue to see the benefits of having access to both taxi and PTP options, and the service providers continue to provide choice and competition. VFH continues to see improving customer service, increasing accountability by the dispatch companies, increased availability and access to vehicles, and this is benefitting citizens and transportation users.

Both standard and accessible taxis continue to provide a majority of the overall trips, accounting for 80.21% (to the end of September 2021), down from the 90.16% they provided in 2020, and lower than the 91.99% in 2019. Limousine/Luxury PTP vehicle service providers have continued to see a decrease in the share of reported trips they provide through 2020 and in 2021 to the end of September. The industry peaked at 0.69% in 2019, and has been largely impacted by the pandemic, with their share dropping to 0.37% in 2020 and to 0.14% in 2021 to the end of September. This category has consistently provided a small amount of the overall trips. PTPs has seen a significant increase in 2021 to the end of September increasing the category’s share by 10.18% over 2020, going from 9.47% to 19.65%. As shown in Figure 3, the number of trips being provided by PTPs continues to increase and there is a continuing trend where PTPs are providing on a more frequent basis than in the past.

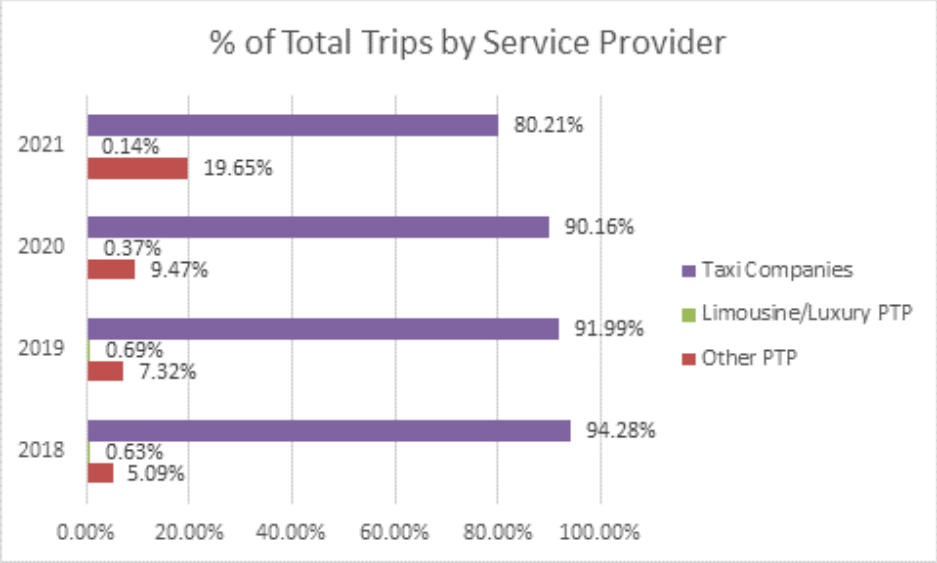


Figure 3

Enforcement and regulatory oversight of the industry continues to be a main focus of the Vehicle for Hire. The VFH enforcement team provides on-street monitoring of the industry, regularly attending to high-use locations and places where vehicles congregate waiting for trips. In order to ensure that vehicles providing for hire transportation service are compliant with the By-law and are safe for drivers and passengers, vehicle inspections continue to be a major focus of the team.

From January 2021 to the end of September 2021, a total of 11,655 vehicles have been inspected by VFH officers under the VFH By-law. Throughout 2020, due to factors influenced by the pandemic, the enforcement team scaled back it's inspections, finishing with 15,824. Comparatively, the team completed 19,969 inspections in 2019 and there were 16,706 inspections completed in 2018. These inspections can be full vehicle inspections that are more in-depth, or more cursory, less involved ones. The number of vehicles on the road, as well as the numbers being inspected have been impacted by the COVID-19 pandemic. While the majority of the vehicles being inspected are taxis, the team continues to focus on overall vehicle safety and continues to inspect PTPs. Of these inspections, officers have placed a vehicle "out of service" only 2.08% of the time, which has decreased from 3.43% in 2020, and down from 4.97% in 2019. This demonstrates that continued monitoring of vehicles, and proactive enforcement is reducing the number of vehicles that are found to be not in compliance with the By-law and need to be taken off the road.

All vehicles for hire are required to meet certain standards in order to pass inspections, and are expected to meet those minimum standards at all times. Roadside or call-in vehicle inspections are used to inspect critical components and systems that may pose imminent safety concerns to the public. As well, the VFH office has continued to strengthen its relationship with MPI's Vehicle Safety Division and has continued to work closely over the year with them to ensure that any vehicles providing service to customers are safe, reliable, and meet the standards of the VFH By-law and the MPI vehicle inspection and safety certification program. MPI and the VFH office partnered for a targeted enforcement program in the fall of 2020, and again in March 2021. These combined programs continue to identify vehicles in the industry that at the time they are called in do not meet vehicle safety standards and are identified as needing repair to pass a safety. As well, other important safety related information is ascertained through these inspection programs, and may provide support for future recommendations and changes to the By-law and industry. The proportion of vehicles that are inspected and subsequently deemed to be hazardous has dropped significantly since this program started, indicated that regular enforcement and inspections by the VFH office and MPI, as well as better maintenance and more timely repairs by the owners of the vehicles is reducing the risk in dangerous vehicles being on the road and increasing the safety of the vehicles that are transporting passengers.

The Public Service continues to review the numbers of vehicles available to provide transportation service. Given ongoing uncertainty around the pandemic, the number of vehicles available should be considered sufficient for present demand. As the demand for on-demand vehicle for hire service increases, based on the current number of vehicles and mix of service providers available, this demand will be met.

Given the recovery from the effects of the COVID-19 pandemic, at this time, there does not appear to be a shortage of vehicles available to provide service, and in fact it appears, as previously indicated, that a number of vehicles have additional available capacity in order to reach their previous high levels of trips.

As has been recommended in previous VFH Annual Reports, the Public Service continues to recommend that, when new taxicab licences are issued based on the Council-approved formula, that priority be given to accessible vehicles. This is especially important with VFH moving forward with the accessible on-demand transportation improvements and the Winnipeg WAV pilot project. Ensuring that accessible vehicles, which tend to be more versatile, are available for service continues to be important in ensuring that passengers who rely on the service are served.

Further, given the ongoing COVID-19 pandemic, the fact that no proposal has been received from the taxi industry, as well as continued increased competition in the market, at this time, the Public Service is recommending that no changes are made to the maximum fare schedule. It is recommended that the fare schedule currently in place for all City of Winnipeg licenced taxicabs remain for 2022 and that should the industry bring forward a proposed fare schedule increase, that it be considered and the VFH division undertake a review for the next VFH annual update at the end 2022. Besides inflation, there may be a number of factors to be considered in reviewing this schedule.

Since the introduction of the VFH By-law, the City of Winnipeg has ensured that ongoing consultations with VFH industry stakeholders and the public have occurred, in order to gain valuable insights, and to gather input for consideration while developing future recommendations to Council on the regulation. Over the past year, feedback was gathered specifically on accessibility, safety, education and licencing, as well as enforcement.

The VFH Advisory Committee continued to meet virtually throughout the year. The Advisory Committee consists of 13 citizens who represent a cross-section of VFH industry stakeholders, including: taxicab owners, taxicab drivers, PTP industry, limousine industry, safety perspective, poverty reduction community groups, Indigenous organizations, the business community, taxi dependent services, accessibility groups and citizen members at large with unique perspectives. There has been some transition of committee membership this year, which provides some fresh voices, ideas and points of view. As well, to ensure that the voice of the Indigenous community is represented and heard, an additional Indigenous member has been added to the community in order to strengthen the unique perspective they can bring to this committee.

Throughout the year, the committee has continued to provide beneficial feedback and insights to the Public Service on the various perspectives of the VFH industry, often assisting in developing programs, identifying needs and providing expertise on items. The Advisory Committee has consistently been a “sounding board” for ideas, and has been consulted on concerns and plans, often providing valuable feedback and insight prior to implementation. The Advisory Committee provided feedback on a number of items, most specifically accessibility issues, as well as continuing to improve driver safety, additional driver training and course content, and transitioning driver licencing of PTPs to the City. A major area that the Stakeholder Advisory committee has continued to provide feedback and insights on has been on improvements to accessible on-demand service and better access to the service for users. The Advisory Committee has also served as a way for the industry to measure its relationship and impact on the general public and to bring forward issues, concerns, and possible opportunities to solve them and improve the overall industry.

Other key highlights and achievements that have occurred since the VFH By-law was enacted by the City include:

Communications and Service

The VFH office has continued to take a role in communicating, providing guidance, support and where needed, assistance to the industry throughout the COVID-19 pandemic during 2020 and 2021. The VFH office has been closed to the public for service and transitioned to a complete online customer service platform. This has been relatively successful, and while there has been some shifting of processes and procedures over the time, as well as additional time spent working with applicants, things have generally gone smoothly. In order to accommodate the varied level of service from some of the service providers that applicants rely on to obtain background checks or training, VFH has been flexible in adjusting requirements (when safety or thoroughness is not considered impacted) or in extending deadlines, especially as it pertained to driver training. The extension of the training requirements, however, simply meant that drivers were given additional time to complete the requirement, and were given approval to continue working. Once the opportunity to obtain the required training was available again, drivers were notified and provided a reasonable amount of time to ensure they were compliant again. The VFH office has endeavoured to ensure that it continues to provide service to the industry, has worked to develop processes and procedures that can be implemented easily both online and in safely continuing to provide in-person service.

Innovation

The VFH office continued its spirit of innovation and identified that there was an opportunity to create an online application form, which includes the ability to upload all required forms. This project is currently in development, and once it has been fully tested, will be rolled out in a phased approach, first allowing existing drivers to renew their licences, and then adding the functionality for new drivers to apply in this way as well. This will make applying for licences more accessible to drivers who work varying shifts, as well as reducing paper.

On-Demand Accessible Service

With the approval and support of Council in April 2021, based on the conceptual framework and proposed details of a centralized dispatch system for on-demand accessible service, the Public Service immediately undertook to work on a request for proposal (RFP) to get out to the industry. This was completed in the summer and released for consideration. In September, two mandatory RFP proponent presentation conferences were held to give those considering a proposal the opportunity to hear from the Public Service what we were looking from a proponent and the specifics of the system, as well as to be able to ask questions. The RFP timeline closed in mid-September and the project team has been in the process of reviewing the proposals and will be issuing the contract in due time. Once a proponent has been selected, the VFH office and the proponent will move towards implementation of the dispatch system and into the next phase of this project, which is anticipated to “go live” in late quarter 1 of 2022. While this is a few months behind the original anticipated date, the project was delayed early in 2021.

In addition to a centralized dispatch system, this pilot project will provide financial incentives to accessible drivers and accessible vehicle owners who provide service through the system, that will help to address the additional costs associated with purchasing and operating an accessible vehicle, as well as the additional level of assistance and service that should be provided by drivers. These initiatives will be funded through the accessibility surcharge; there will be no cost to the taxpayer nor will it impact the budget of the VFH office. The project has an approved budget of $1.8m over the term of the 3-year pilot project (with a pilot project end date of December 2023), which is to include the centralized dispatch system and its operation as well

as the incentives for vehicle owners and drivers. This pilot project program will continue to be reviewed on a yearly basis as part of VFH annual report to ensure that there continues to be no negative impact on the VFH budget.

COVID-19 Vaccine

VFH coordinated additional support for the Province's COVID-19 Vaccine this summer and into the fall with a program that worked to reduce barriers for seniors, low-income Winnipeggers and other marginalized residents from the City's two major taxicab companies – Duffy's and Unicity, as well as Uber – all of whom provided vouchers or discounts towards trips to cover portions of the cost associated with transporting citizens to and from vaccine sites. This was done to assist citizens in Winnipeg who faced transportation challenges getting to vaccine sites in order to ensure that all those wanting to get to and from a location providing a COVID-19 vaccine were able to do so. There was significant uptake of these programs, with a VFH Stakeholder – Transportation Options Network for Seniors (TONS) being the point organization for the companies and the community in the distribution of the vouchers and the codes.

Licence Fee Credit

In September of 2020, Council voted to provide a credit to the licenced VFH dispatchers who had been operating in April, in recognition of extreme drop in business that occurred. Each licenced dispatcher, who held a valid licence for less than 25 vehicles, received a credit for 1/12th of their dispatch licence fee, while the larger dispatchers with licences over 25 cars received a credit equal to 50% of 1/12th of their licence fee. This amounted to approximately $16,000 being returned in a credit to the industry in order to assist the dispatchers in providing personal protective equipment, assistance to their drivers and maintaining their operations. This credit was rolled out late in 2020 and a number of the dispatch companies expressed appreciation for Council's support during this unprecedented time.

Relationships

The VFH office has continued to support and develop relationships within the community and of industry-affected organizations throughout Winnipeg. Connections have been made within Winnipeg to create opportunities for a number of organizations to provide feedback. The VFH office continues to reach out and strengthen its dialogue and lines of communication with Indigenous organizations in Winnipeg. These groups continue be a valuable resource and provide insights into how VFH service affects the community as well as assisting in improving customer service and monitoring. The Public Service has also continued to strengthen the relationships it started to build when the City took over in 2018 and has continued expanding its outreach through 2019, 2020 and during 2021. This positive dialogue and relationship-building initiative continues to bring a number of voices to the table to provide their perspective and input in assisting in shaping the industry and how VFH regulates and oversees it.

Other Regulatory Bodies

VFH continues to strengthen and solidify its relationships with industry regulatory bodies, including Manitoba Public Insurance (MPI), the Winnipeg Airports Authority, especially as air travel returns and the airport sees increases in the VFH service, as well as the Winnipeg Police Service. After nearly 3.5 years of negotiating and discussing, a Master Information Sharing Agreement was finalized and signed between MPI and the City. This will prove to further strengthen communication and the relationship between the City and MPI. As part of the ongoing efforts in partnership with MPI, as previously noted, over the course of several weeks in September 2020, and then again in March of 2021, the MPI vehicle safety division and the VFH enforcement team coordinated and executed targeted vehicle inspections on vehicles for hire. Both of these inspection programs had varying enforcement plans backing them, but ultimately

were to ensure that that vehicles providing for hire service were inspected by MPI to ensure they met vehicle maintenance and safety standards, and by the VFH enforcement team for VFH By-law compliance. The October 2020 campaign targeted mostly PTP vehicles and included both standard and accessible PTPs. This coordinated effort is planned to occur again and is being undertaken in order to ensure that vehicle safety standards are met on an ongoing basis. This directly impacts the safety of drivers and passengers using vehicles for hire and works to identify vehicles that require repairs and maintenance in order to meet safety standards.

Complaints

The VFH office continues to actively investigate complaints, holding the dispatch companies accountable to respond to citizens, and working towards ensuring passengers are safe and receiving improved and consistent customer service through a balanced approach of by-law enforcement, communication and education. The department takes legitimate complaints seriously, investigating them and ensuring follow-up with the complainant. Over the course of 2021, and especially since September, (January to end of September 2021), there have been 61 complaints lodged through 311. This is compared to 51 official complaints received in 2020 through 311. Of this amount, 73.8% pertain to customer service issues, driver conduct and road driving habits. In comparison, VFH concluded 2019 with 86 complaints that had been lodged with 311. With additional messaging and reinforcing the use of 311 for reporting VFH issues and complaints, VFH enforcement has seen an increase in reported incidents recently.

Appeals

From the time that the VFH By-law took effect in March 2018 to the end of September 2021, there have been 25 appeals heard by the VFH Appeal Board, 19 of which had the original decision overturned by the Board (i.e. the Appellant was successful). All appeals to date have dealt with either relevant criminal offence convictions or major driving offences for taxicab or PTP drivers. The appeal process is open and transparent and provides an opportunity to have a case heard by an impartial tribunal committee of citizens that considers the facts of the situation, the character of the appellant, and any relevant or mitigating factors as they weigh the risks and render a decision. There have been a number of disciplinary hearings conducted by the designated employee under the authority of the VFH By-law. Decisions from these hearings are not public, but there have been a range of outcomes as allowed under the By-law.

The International Association of Transportation Regulators

Since 2018, when the City began regulating the VFH industry, the VFH office has been a member of the International Association of Transportation Regulators (IATR). This worldwide regulatory association includes a strong Canadian Regulators Committee, and schedules regular conference calls to discuss insights, lessons learned, best practices, as well as issues of oversight and regulation. Membership in IATR has been especially important throughout 2020 and 2021, as regulators across Canada and the USA have been able to discuss and connect on COVID-19 pandemic issues, including support for the industry, measures taken at various times to implement precautions, guidance and regulation to protect drivers and passengers as best as possible. IATR provides a significant opportunity to learn from other municipalities, and to have a network of other regulators to pose questions of, get advice and provide feedback. In addition to sitting on the Canadian Regulators committee, the VFH office continues to sit on the IATR Accessibility Committee and Safety Committee. These committees provide opportunities for the Public Service to hear insights, experiences, and concerns from other regulators and stakeholders in North America in relation to improving safety and accessibility within the VFH industry.

In 2020, IATR moved their annual conference virtually, which allowed more members of the Public Service to participate. The same format is being used in 2021, and once again, VFH will be able to have a number of key staff participate, as well as being able to open this opportunity up to other staff within WPA, and those in other City departments, such as Transit Plus. The conference in 2021 will be held in mid-December over five days, and includes panel discussions related to the VFH industry and focused on COVID-19 issues, regulatory information, policy setting, enforcement, technology, accessibility, training, and industry changes as well as looking at innovations that were put in place due to COVID-19 and what will be beneficial as the industry recovers.

At the 2021 conference, Winnipeg's VFH office will again be speaking on one of the panels, which will focus on innovations and initiatives within our jurisdiction, issues we are facing within the VFH industry and new policies that have been enacted both during the COVID-19 pandemic as well as to address emerging issues. This is an opportunity to expand Winnipeg's profile in regulating the VFH industry, as well as hear from other Cities as to what is working and what needs to be improved. There will also be continued discussion on electric/green vehicles, micro-mobility options (such as e-scooters) and multi-modal transportation integration. These are areas that will be explored further in the future. The VFH office continues to reap the benefits of being a member of IATR and would like to make attending this conference a yearly opportunity as it provides substantial benefits to the Public Service and the local VFH industry.

Taxis in Diamond Lanes

Since March 1, 2018, taxis have been authorized to use transit diamond lanes in order to improve the service they provide during peak traffic hours. In June 2019, Council approved a report that authorized the use by taxis to become permanent, with ongoing and continued review by the Transit Department and the Winnipeg Parking Authority. From a VFH industry perspective, this remains a favourable opportunity for taxis and their passengers. This allows for taxis to use these lanes in order to expedite their travel, during the rush hour. The Public Service continues to work with and remind the taxi industry of the proper use of diamond lanes. Drivers continue to be reminded of their responsibilities in using the lanes correctly, and to ensure that they are mindful of both bus and cyclist use.

This additional use of the transit diamond lanes appears to be working as intended, and WPA and the Transit Department are working on streamlining communication related to issue areas, so those specific areas can be addressed quickly to impact the behaviour of the drivers. Transit and WPA will continue to work together to monitor and ensure there are no significant impacts to Transit operations and that the proper authorized use and the Highway Traffic Act continue to be obeyed by taxi drivers. Until the end of September 2021, there have been four incidents reported involving taxi drivers not using diamond lanes properly. During all of 2020, there were 14 reported incidents, and 13 incidences in 2019 when the ability to use diamond lanes was authorized permanently by Council. In 2020, 57% of the reported complaints occurred in one specific block. In late 2020, VFH undertook a targeted enforcement campaign in that area, through increased patrols, as well as providing educational information to the drivers to remind them of their responsibilities there, and reinforcing this with the taxi dispatchers. Overall, while Transit indicates that there are likely more concerns throughout the City, they often go unreported by Operators, as they do not cause a major impediment to their schedule or operations.

Taxis in Diamond Lanes			
	2019	2020	YTD 2021
Issues reported by Transit Operators	13	14	4

Pre-Payment

Since the conclusion of the Mandatory Pre-Payment Pilot project in April 2020, there has been minimal discussion on a minimum pre-payment amount and policy related to this. As well, no proposals have been received from the taxi dispatchers. There continues to be no time of the day/day of the week when a taxi driver may ask for pre-payment with prior knowledge of a specific issue with the specific fare.

Auditing

As part of its ongoing enforcement of the industry, PTP driver and vehicle documentation audits continued to be conducted by the VFH office throughout 2021. This is undertaken in an ongoing effort to ensure that the PTP dispatchers are complying with their responsibility under the By-law. The VFH office continues to see issues with ongoing documentation vetting and compliance on drivers and vehicles amongst the PTP category. While some dispatch companies have done well in obtaining, and reviewing the documentation submitted by prospective drivers, there are still deficiencies.

As well, these reviews continue to identify drivers that do not qualify for registration under the By-law, generally due to the fact that improper or incomplete documentation was provided to the dispatcher. Based on the result of these documentation requests and reviews, the VFH office continues to issue penalty notices when required. Based on the results seen during 2021, and over the past number of years related to this area, and in continuing to implement changes to improve compliance and safety through proper background checks and documentation, the VFH office has included a VFH By-law amendment that would see the City take on the licencing of PTP limousine/luxury drivers as well as the vehicles in this category. This group has shown to be the lowest in documentation compliance. The Public Service also continues to work to educate the PTP companies on their responsibility regarding the registration of drivers and collection of their paperwork. The audit process has identified that this is an area that requires specific attention from the VFH office. This continues to be an area of focus for the Public Service as dispatch companies who fail to properly vet drivers and vehicles does present a risk to the industry and passengers. The VFH office will continue to monitor to see if further amendments to licencing responsibilities need to be proposed in the future.

Budgets

The VFH office operates on a budget-neutral mandate generating all revenues needed to sustain its operations through licence revenue, fine revenue, and per trip surcharges. All activities performed by the division are within budgeted amounts. There are synergies with the existing WPA systems, and through the support provided within the department. While revenue was less than budgeted in 2020 (as shown in Table 1), as well as providing a Council-approved and department-supported credit back to dispatchers during the COVID-19 pandemic, the department adjusted its operations to align to its budget-neutral mandate. The same cannot be said for 2021, as expenditures may outpace revenues, as the recovery from the pandemic has

been slow, as well as seeing some companies leave the industry. While VFH strives to be cost-neutral, it may not be possible in 2021 due to pandemic-related impacts.

	Vehicles for Hire				
	2019		2020		2021
	Budget	Actual	Budget	Actual	Budget
Revenue	1,519,000	1,472,676	1,545,600	1,284,270	1,107,387
Expenditures	1,519,000	1,472,676	1,545,600	1,037,652	1,566,043
Surplus/(Deficit)	-	-	-	246,618	(458,656)

Table 1

Medium to Long-Range Plans for the VFH Industry

The VFH office continues to engage the community, stakeholders and the industry to look for ways to improve the safety for both passengers and drivers, streamline and improve compliance and enforcement, expand the capacity of the industry, and assist in providing an improved level of customer service. In order to do so, some of the plans that the VFH office has for the medium to longer term include:

Centralized Dispatch System

In line with the approval of the on-demand accessible VFH service through a centralized dispatch system and incentives for the owners of the vehicles and drivers of the accessible vans, the Public Service spent considerable time working through the RFP process. In September 2021, this was release for the proposals to come forward, with an aggressive implementation timeline. It is anticipated that a proponent will be selected later this year, and the system should be operation in early 2022. The original timeline for this project was delayed as further consultations were done once the framework was released, and then the RFP process. However, the VFH office is optimistic that we should be able to get back on target for early 2022 and begin seeing improvements then for accessible on-demand service. This program, including the incentives to drivers and vehicle owners, as well as the dispatch system, is proposed to be fully funded through the accessible surcharge.

Innovation

The Public Service continues to look for opportunities to innovate and streamline processes in order to provide improved service for the industry. A few of the projects undertaken during the pandemic, that will show benefits in the years to come, include:

- Development of an online driver licencing portal, which would allow drivers to fully complete an application, and upload all their required background checks and documentation directly to the VFH office was completed. This is expected to be fully rolled out to the industry in late 2021 or early 2022. This was undertaken to streamline access and make completing the driver licencing more accessible as well as reducing paperwork.
- Creation of an online vehicle inspection reporting program (IRP). This will allow VFH officers to more effectively and efficiently complete vehicle inspection reports using the technology they already possess. This virtual inspection program is to reduce the time required to fill out a paper inspection report, as well as the manual process of inputting

this into our database and sending it to any affected parties. The new IRP will reduce a number of the manual processes involved in this presently, and allow for more efficient completion of the report, better communication and a reduction in potential errors. This will also improve the experience of the owner or driver who has the vehicle during the inspection.

VFH is always considering opportunities to find innovative ways for continued process improvements to licencing, enforcement and reporting.

Proposed Licencing Regime

Initiation and implementation of the proposed licencing regime for limousine/luxury vehicles. This will streamline the requirements on limousine dispatchers by transferring the administrative burden to the VFH office. As well, this will provide an opportunity for taxicab drivers to apply for a dual taxi/limousine licence, enabling them to provide additional services when opportunities arise. As mentioned previously, this would remove an administrative burden from smaller dispatch companies, and by having the VFH office perform the review and issuance of licences, this will provide more confidence in the overall vetting process and on-going compliance with the By-law. This will take some communication to the limousine/luxury operators and drivers within the industry which will begin in early 2022 should the proposed amendments to the By-law be passed by Council.

Prepayment

Continue to engage the taxi industry on options and ways to implement pre-payment in the future in order to reduce disputes, fare jumping and improve the reliability of driver income and improve safety.

Refresher Training

Roll-out of the professional driver refresher training program originally identified in the VFH Safety and Security report which Council approved in February 2019. This was originally intended to be rolled out in 2020; however, the COVID-19 pandemic necessitated a delay of this. The content has been created, but with the delay, an opportunity to further improve the content and engage more community stakeholders for their input and refinement has been undertaken. Once this is complete, the program will be ready to be delivered to some test groups to determine how it's received and whether any minor adjustments need to be made. As well, the plan is to develop a number of ways to deliver this training to ensure that it's available to all drivers within the VFH industry. Based on a phased-in approach, it is estimated that it could take approximately three to four years to have all drivers complete this training. The VFH office will endeavour to provide this training at minimal or no cost to drivers who are completing it for the first time.

Reserve Fund

The Public Service will explore the feasibility of creating a reserve fund within VFH in order to have a funds available for initiatives to support the industry. Further research of options, including reserve usage, funding sources, and limitations will be undertaking in order to provide recommendations related to this.

Manitoba Public Insurance

Ongoing development and expansion of the VFH office's relationship with MPI, including their vehicle inspection division to ensure that safe vehicles are on the road and available to provide service, as well as assisting with claims related to the VFH industry.

Ongoing administration of the Vehicle for Hire industry and By-law:

The Public Service believes that the administration, oversight, and regulation of the VFH industry and By-law has been generally successful since implementation and should continue to reside within the Winnipeg Parking Authority. The Public Service continues to work with the industry, its partners, and stakeholders to evolve and improve all facets of the VFH network, especially in the areas of safety and improving accessible service.

The next annual reporting on the VFH industry, which will be the fifth and last one required, since the industry transitioned to the City including any required By-law amendments, is planned to be submitted to Council in December 2022.

FINANCIAL IMPACT

Financial Impact Statement

Date: January 11, 2022

Project Name:

Annual Update on the Vehicle for Hire Industry and Amendments to the Vehicle for Hire By-law

First Year of Program

	2022	2023	2024	2025	2026
Capital					
Capital Expenditures Required					
Less: Existing Budgeted Costs					
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
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					
Direct Costs					
Less: Surcharge Revenue/Deferred Revenue	5,250	5,250	5,250	5,250	5,250
Net Cost/(Benefit)	$ (5,250)	$ (5,250)	$ (5,250)	$ (5,250)	$ (5,250)
Less: Existing Budget Amounts	(5,250)	(5,250)	(5,250)	(5,250)	(5,250)
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Recommendation #1 has no financial implications as it is received as information.
Recommendation #2 has financial implication as additional revenue is expected to be earned and it is noted above.
Recommendation #3 may have financial implications as there are new fines being added to Municipal By-law Enforcement Act, however at this time it is impossible to estimate revenue earned from these offences as there are no historical information as to people's behavior for these types of fines.
Any incremental revenue earned will be managed within existing VFH budgets.

original signed
Lioubov Gavrilova-Crozier, CPA, CA
Manager of Finance, WPA

CONSULTATION

This Report has been prepared in consultation with:

- Legal Services (as to legal matters)
- Winnipeg Transit (as to taxis operating in diamond lanes)

OURWINNIPEG POLICY ALIGNMENT

These changes are aligned with the key goals of the City of Winnipeg 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.”

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

The vehicle for hire industry supports the climate change action plan strategic opportunity #3, which is to advance sustainable transportation and shift to zero emission vehicles (page vi of the plan). The ability to access taxicabs and personal transportation providers (limousines and ridesharing) allows greater flexibility for residents to shift out of single occupancy vehicles and provides improved access to other mobility options such as transit and active transportation. For example, in other jurisdictions ridesharing has been used successfully as part of an integrated multi-modal trip planning tool for residents where vehicles for hire are used for a portion of a trip and transit is used for the remainder of the trip.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

N/A

SUBMITTED BY

Department: Public Works
Division: Winnipeg Parking Authority SOA
Prepared by: G. Heather
Date: January 11, 2022
File No: WPA-024-2021

Attachments:
Appendix A - Vehicle for Hire 2022 Fee Schedule

Appendix B – Proposed Amendments to the VFH By-law 129/2017