Minutes – Executive Policy Committee – December 5, 2023

Report – Standing Policy Committee on Public Works – November 21, 2023

Item No. 3 Vehicles for Hire Industry Annual Report

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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

1. That the update provided on the VFH industry be received as information.

2. That a by-law be enacted to amend the VFH By-law No. 129/2017 and the Municipal By-law Enforcement Act Enabling By-law No. 59/2016 in accordance with this report, a draft of which is attached as Appendix A to this report.

3. That the continuation of the existing Winnipeg WAV "Improvements to Accessible On-Demand Transportation Service" be approved for 2024 to allow for further evaluation and analysis and authorize the additional expenditure of Accessibility Surcharge funds in the amount of up to $625,000 related to the contract for dispatch services and to fund the associated Accessible On-Demand Transportation Incentive Program.

4. That authority continue to be delegated to the Designated Employee (Manager of Vehicles for Hire) for the administration of the Winnipeg WAV program, as was originally approved by Council on April 29, 2021.

5. That 1.0 temporary Full Time Equivalent be approved in 2024 for a Winnipeg WAV analyst position, in the amount of up to $100,000 on a full year basis, funded through the Accessibility Surcharge fund.

6. 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 Public Works – November 21, 2023

DECISION MAKING HISTORY:

Moved by Councillor Lukes,

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

Carried

STANDING COMMITTEE RECOMMENDATION:

On November 21, 2023, the Standing Policy Committee on Public Works concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

COUNCIL DECISION:

On December 15, 2022, Council adopted the recommendation of the Standing Policy Committee on Public Works which included the following:

2. That the Winnipeg Public Service be directed to continue its annual report to Council on the vehicle for hire industry until December, 2027.

On December 13, 2017, Council adopted the recommendation of the Executive Policy Committee, as amended, which included the following:

13. 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.

ADMINISTRATIVE REPORT

Title: Vehicle for Hire Industry 2023 Annual Update and Proposed VFH By-law Amendments

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

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Topolniski	J. Berezowsky	J. Speidel Acting	M. Jack

EXECUTIVE SUMMARY

In 2023, the Vehicles for Hire (VFH) office has continued to make accessible service delivery and safety for both drivers and passengers its top priorities. Highlights of this year's annual report include:

- An update on the health of the VFH industry in Winnipeg;
- Recommended amendments to the VFH By-law that will improve parity in the licensing and operating requirements for traditional taxi and personal transportation (PTP) service providers;
- Recommended by-law amendments that will add offences to the Municipal By-law Enforcement Act (MBEA) Enabling By-law so that the VFH office can issue penalty notices (tickets) for these offences more efficiently;
- Recommended changes to the fine amounts for certain VFH offences;
- An update on the Winnipeg Wheelchair Accessible Vehicle (Winnipeg WAV) accessible centralized dispatch pilot project, the program's vehicle owner and driver incentives, and a recommendation for next steps;
- An update on the work led by Indigenous Relations (IRD) related to the MMIWG2S+ Calls for Justice and safe transportation;
- An update on the new Building Cultural Competency training for VFH drivers; and,
- An update on planned updates to VFH driver training and VFH driver accessible training.

The VFH office was recently named 2023 Global Regulator of the Year at the conference of the International Association of Transportation Regulators (IATR).

There are a number of VFH By-law changes proposed, many of which are intended to improve parity in licensing and operating requirements between traditional taxis and PTP operators. The newly proposed fines, as well as the amended existing fines, are expected to produce nominal revenue.

The proposed extension of the Winnipeg WAV centralized dispatch pilot project for another year will require the expenditure of $625,000. Additionally, the recommendation to add a temporary FTE (January to December 2024) for analysis and report on this project will cost up to $100,000. The funds to support both recommendations will come from the VFH Accessibility Surcharge Fund and will not otherwise impact the City budget.

RECOMMENDATIONS

1. That the update provided on the VFH industry be received as information.

2. That Council enact a by-law to amend the VFH By-law No. 129/2017 and the Municipal By-law Enforcement Act Enabling By-law No. 59/2016 in accordance with this report, a draft of which is attached as Appendix A to this report.

3. That Council approve the continuation of the existing Winnipeg WAV "Improvements to Accessible On-Demand Transportation Service" for 2024 to allow for further evaluation and analysis and authorize the additional expenditure of Accessibility Surcharge funds in the amount of up to $625,000 related to the contract for dispatch services and to fund the associated Accessible On-Demand Transportation Incentive Program.

4. That authority continue to be delegated to the Designated Employee (Manager of Vehicles for Hire) for the administration of the Winnipeg WAV program, as was originally approved by Council on April 29, 2021.

5. That Council approve 1.0 temporary Full Time Equivalent in 2024 for a Winnipeg WAV analyst position, in the amount of up to $100,000 on a full year basis, funded through the Accessibility Surcharge fund.

6. 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 is the first of five additional annual reports required by Council, as per Council's December 15, 2022 direction:

> "That the Winnipeg Public Service be directed to continue its annual report to Council on the vehicle for hire industry until December 2027."

Council approval is required to amend By-laws.

IMPLICATIONS OF THE RECOMMENDATIONS

There are financial implications related to the proposed VFH By-law and MBEA Enabling By-law amendments, including the addition of new fines and changes to the fines for existing offences.

The frequency of these offences, and therefore their associated revenue, is difficult to predict but is not expected to have a significant budgetary impact.

The proposed extension of the Winnipeg WAV centralized dispatch pilot project for another year will require the expenditure of $625,000. Additionally, the recommendation to add a temporary FTE for analysis and report on this project will cost up to $100,000 on an annualized basis. The funds to support both recommendations will come from the VFH Accessibility Surcharge Fund and will not otherwise impact the City budget.

There are also a number of VFH By-law changes proposed, many of which are intended to improve parity in licensing and operating requirements between traditional taxis and PTP operators.

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

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 will make oversight and enforcement more efficient, bring parity to the VFH by-law, address feedback from industry stakeholders, and offer improvements to the VFH industry.

VFH By-law amendments

In an attempt to ensure that the VFH By-law remains current, innovative, and reactive to market and industry forces, potential by-law amendments are collected and analyzed throughout the year, captured from a variety of sources. These allow the VFH office to continue to effectively administer and enforce the VFH By-law, and to ensure that the proper tools are in place for regulation, licencing and compliance. Possible amendments could serve to address areas of the by-law that have been identified by the VFH office and through feedback from a number of sources including VFH industry service providers, accessibility advocates, the VFH stakeholders, and from passengers using VFH services.

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

i. Amending the by-law so that any outstanding City of Winnipeg by-law fines or fees can be collected

   Presently, the VFH by-law requires that any outstanding fines or fees related to only the VFH by-law or any parking by-law must be paid by an applicant prior to a licence issue or renewal. This amendment will require any outstanding fine or fee in respect of any City of

Winnipeg by-law to be paid prior to the issuance of a VFH licence. This can be done, as the Winnipeg Parking Authority presently collects Municipal By-law Enforcement Act (MBEA) fines for all City departments.

ii. Making taxi vehicle owners responsible for retaining camera footage

Presently, the by-law requires a taxi dispatcher be responsible for ensuring that in-vehicle camera recordings are retained for the required time. In general, dispatchers are not always aware when a taxi owner replaces their camera. This amendment will put the responsibility on the taxi owners to ensure they retain this camera footage for the minimum required time. It is important to have this footage retained so as to ensure that it is available for either a VFH or Winnipeg Police investigation.

iii. Ensuring Personal Transportation Provider (PTP) dispatchers receive a Child Abuse registry check prior to registering a driver

Taxi and PTP limousine drivers are currently required to have a child abuse registry check completed within 90 days of application, while any other PTP driver is able to become registered by their dispatcher upon providing a receipt showing they applied for the check, but without providing the actual results of the check. This amendment will now require PTP drivers to provide a copy of the actual child abuse registry check results prior to the PTP dispatcher registering them or renewing their registration.

iv. Adding clarity for taxi drivers that the meter must run at all times

The requirement for a taxi driver to run the fare meter while providing transportation to a passenger is in the by-law. However, it isn't as clearly laid out as it could be. This proposed amendment uses language that was in the Taxicab Act and explicitly states that a meter must be running during a trip.

v. Adding a section that relates to Registered PTP Vehicles and sets operating requirements for these vehicles

Presently, the by-law specifies operating requirements and the requirement to ensure that annual vehicle inspections are completed for taxis and limousine/luxury PTP vehicles. This proposed amendment would also add in relevant operating requirements for other registered PTP vehicles. While it may seem that these requirements are inherent in the by-law, the addition of this section will ensure that VFH enforcement and the industry have clear rules for compliance, adds possible penalty fines for non-compliance by PTP registered vehicle owners and adds parity for operators in the entire industry.

vi. Adding additional clarity around pre-payment of a fare

The VFH By-law allows for a taxi driver to request a fare be paid up front from a passenger in certain situations, which include during specific times of the day and days of the week as authorized by the designated employee, and when the driver believes or is aware from past behaviour that the passenger is unable or unwilling to pay a fare. Fare jumping is one of the biggest concerns facing taxi drivers today. Every fare that isn't paid results in a loss of income to the driver, who is still responsible for the costs to operate the taxi, and may result in a fare dispute which can lead to verbal or physical violence, and ultimately amounts to theft.

In 2019, ending in 2020, the VFH Office, through discussions and engagement from the taxi industry, undertook the Mandatory Pre-Payment pilot project. This pilot authorized taxi drivers to request a $10 deposit from passengers, with limited exceptions, for any trip

between 10pm and 6am. This was not overly successful due to a number of factors. A report regarding this pilot program was received by the Standing Policy Committee on Public Works in December 2020 which provides more details and information related to it.

While the amendment proposed in this report does not change the current allowances to ask for a pre-payment, it does add an additional allowance that a taxi driver may request a pre-payment when the trip they are providing begins as a street hail (where it is not called in to the dispatcher and subsequently dispatched via their systems), or if there are multiple stops on the trip (which increases the fare due to both additional distance and often includes wait time). This suggestion came through direct discussions with the Winnipeg Community Taxi Association (WCTA) and allowed for clear situations that raise the risk of non-payment.

The amendment proposed includes that the request for a pre-payment must follow these specific guidelines in the VFH by-law, be indiscriminate, and be a reasonable amount related to the expected final fare. It also requires, and in accordance with the proposed amendment to ensure there is clarity around the taxi meter running during the trip, that the meter is running to ensure that the pre-paid fare is reasonable and the final fare is transparent.

vii. <u>Ensuring that PTP drivers may refuse a trip due to a safety concern, as well as ensuring a passenger with a service animal is accommodated by a PTP</u>

The VFH By-law allows a taxi driver to refuse a passenger on the basis their safety is in jeopardy. It also clearly states that a passenger with a service animal does not constitute a safety concern and must be accommodated by a taxi driver. This accommodation is also protected under Human Rights legislation. However, the by-law does not provide this same clarity on service animals to PTP drivers. This means that VFH enforcement is unable to take action should a situation arise where a PTP driver refuses service on the basis of a service animal. The proposed amendment will draw parity between taxi drivers and PTP drivers, and ensure the requirement to take a passenger who has a service animal in a PTP vehicle is in the by-law, which will also allow VFH enforcement to enforce instances of non-compliance.

viii. <u>Adding additional reasons that the Designated Employee may deregister or take other enforcement action against PTP drivers or PTP vehicle owners for serious non-compliance</u>

The VFH By-law sets out specific reasons that a designated employee may hold a licence review/disciplinary hearing in regards to serious non-compliance of the by-law in a number of areas for those who are licenced under the by-law (including both taxi and PTP dispatchers, taxi vehicles, PTP Limousines, taxi drivers and limousine drivers). Currently, the same reasons do not exist for the designated employee to hold a disciplinary hearing for a PTP driver or PTP vehicle owner. These changes are being made in order to ensure that all service providers in the industry, regardless of how they provide service, are held to the same standards, and that the designated employee may consider holding a hearing for serious non-compliance in order to hold service providers to account while still allowing for a hearing to provide the opportunity to hear the reasons as to why a licence or registration should not be suspended or cancelled, or have some form of enforcement authority apply. There are a number of amendments required to bring in the same language and requirements to PTP drivers and PTP vehicle owners that exist for those who are licenced. The ability for the designated employee to conduct a hearing for discipline or a licence

review has existed since the VFH By-law came into force in 2018. The proposed amendments ensure this authority is extended to the PTP drivers and PTP vehicle owners.

ix. Addition of new Offences and associated Fines related to the By-law sections added above, as well as adjustments to existing fines to better align the fine with the actual offence

With a number of new sections being proposed, most of which bring parity to the VFH by-law related to ensuring the same rules apply in a number of areas to PTP drivers and PTP vehicle owners that already apply to those industry participants who are licenced, the proposed amendments here bring in the same offences, with the corresponding financial fine. There are also sections of the by-law that currently do not have a fine, and a new one is being added in these cases.

As well, the VFH office has identified a number of offences where the existing fine appears to be out of line with the corresponding offence. In these instances, a revised fine amount is being proposed. While there are a small number of by-law sections seeing an increase in the fine amount to better reflect the seriousness, the majority of the changes are decreases in fine amounts. A table has been produced (see Appendix E) to highlight the new offences, as well as the proposed changes.

All of these sections, offences and subsequent fines are included in Appendix A of the VFH By-law amendments with associated MBEA offence amendments.

Key achievements and VFH industry update

The VFH industry continues to play an important role in transporting citizens and visitors around the City, obtaining important goods and services, and ensuring they are able to get to work, medical appointments, and conduct business and tourism, as well as allowing people to fully participate in all the City has to offer.

As mentioned in past annual update reports, 2020 and early 2021 were significantly challenging for the industry. However, from March 2021 to present, the industry has seen a strong resurgence, and quite a bit of growth.

The VFH industry saw 2022 post “best-ever” results from a trips-taken standpoint, and the momentum generated has continued into 2023. There is also a large number of vehicles available to handle these increased numbers of trips. The average number of vehicles available to provide service in 2023 is 2,693 (to the end of August), which is a average increase of 909 vehicles over the 2022 average of 1,784. The total number of vehicles available is significantly higher than even in 2021, and is reactive to the increased numbers of trips that are being requested as well as the flexibility and opportunity that is provided in the industry. This also continues to demonstrate the overall resiliency and elasticity of the industry as well the fact that as the demand for the service increases, there are interested service providers that can meet the needs of customers.

The maximum number of taxis (standard and accessible) available for service in 2023 remains at 600 licences issued, with an average of 585 on the road each month. There has been an average of 2,050 personal transportation providers (“PTPs”, including accessible and standard passenger vehicles) and have seen the limousine/luxury vehicles numbers also improve with an average of 58 in 2023 vs 49 in 2022 available on a monthly basis. Nearly all available PTPs

would be considered standard passenger vehicles (including those in the limousine category). These numbers have generally remained constant throughout the year based on the increase in demand. The average number of taxis operating in Winnipeg has remained constant during this period, but can generally fluctuate and be affected by demand as well as vehicle repairs and maintenance.

The PTP category continues to provide significant 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 increased transportation choices, more flexibility regarding the type of service they are able to obtain, and are better able to manage their own transportation choices. Further, VFH continues to see customers integrating various multi-modes of transportation into their overall plans. The PTP segment of the industry also provides an opportunity for residents 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.

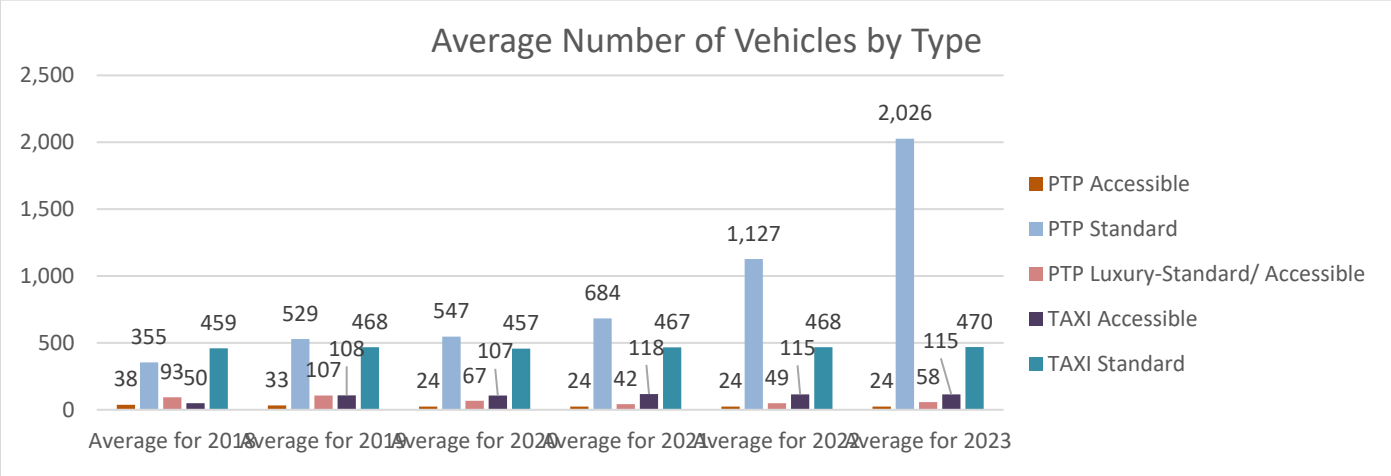


Figure 1

Throughout 2022, there was a significant increase in the available standard PTP category. This trend has continued in 2023, and to some extent seen an acceleration. As shown in Figure 1, the average number of standard PTPs available during 2023 to the end of August is 2,026, which is an increase over the 2022 average of 1,127 (which saw a large number of drivers and vehicles added in the latter half of 2022). With increases in the demand for service remaining consistent from 2022's previous highs, and showing further growth, companies have scaled up their operations and brought on more drivers to meet the ever-growing needs for transportation. As mentioned in past reports, it should be noted there could be some double-counting of vehicles, albeit this appears to be an immaterial number on the total count.

The overall market share has significantly shifted. During 2022, taxis provided 64 percent of the trips, limousine/luxury vehicle companies provided 0.23 percent, while standard PTPs accounted for 35.77 percent. Throughout 2023, the entire PTP category has continued to earn a greater share of the market, averaging 47.8 percent through the end of August, while taxi companies have provided 52 percent (as shown in Appendix B).

Year-to-date (January to August) in 2023, there have been 5,719,115 trips completed in the VFH industry. This is an average of 714,889 trips per month. The first quarter of 2023 opened

in much the same fashion as how 2022 ended, and has continued to see increased growth in overall number of trips, which will likely lead 2023 to set a new record high. This is an average increase of 28.4 percent trips per month over 2022.

The 2022 year concluded with the industry providing 6,679,718 (an average of 556,643 trips/month). Compared to 2021, there were 2,380,458 more trips provided over the entire year (2021 – 4,299,260), and eclipsed the previous industry high from 2019 of 5,435,454. See Figure 2, below, for total VFH trips per year (2018-2023).

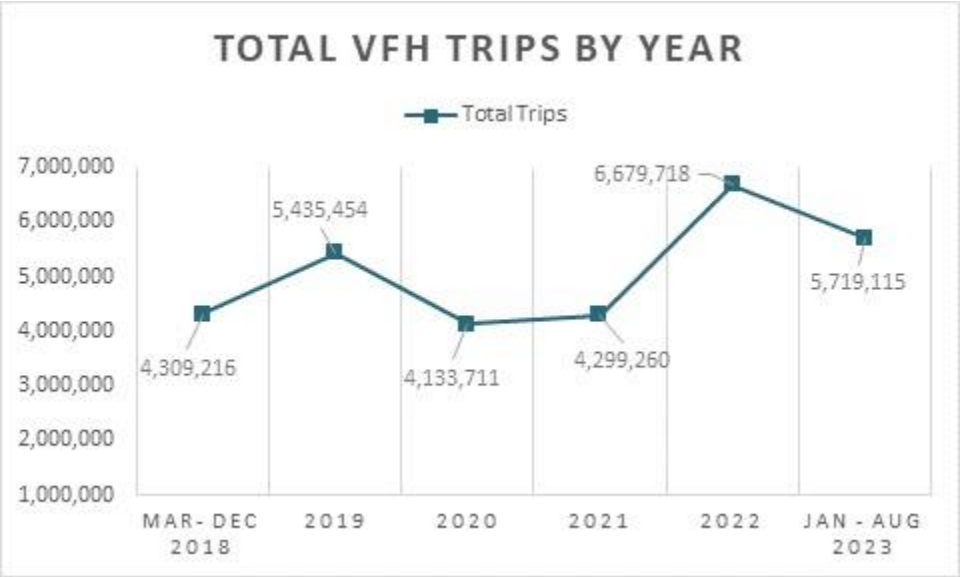


Figure 2

With the strength of trips in 2022 allowing the year to finish with record numbers and post increases over previous year's reported numbers of trips, it generally indicates there has been an expansion in the size of the market and the number of passengers wanting to use the service. New users are regularly requesting more trips and shifting the modes of transportation they are choosing to use, as well as choosing to use the VFH industry for their everyday transportation needs, as the cost of owning a vehicle continues to increase.
The increase in 2023 can be attributed to a few items:

- Increases in air travel throughout the year, as exhibited by the travel numbers reported by the James A Richardson International Airport. This includes the return of business travel, as well as personal or pleasure travel. This is one of the largest impacts on the VFH industry.
- The increasing cost of vehicle ownership, due to inflation and other costs, with reduced usage, leading to a shift in transportation modes with less reliance on personal vehicles.
- A full slate of various music, arts and cultural festivals this year, as well as professional sporting events, such as the Winnipeg Blue Bombers and Winnipeg Jets, concerts and performances.

- An increase in the use of VFH for non-emergency medical transportation and people getting to appointments.

- Changing behaviours as residents adjusted their modes of transportation. People had more choices regarding the type of transportation they wanted, often integrating both public and private transportation into their decision-making.

- In-person grads, weddings, holiday gatherings and other large-scale social events where people are making the decision to take VFH service instead of driving.

The use of VFH continues to be a much-needed and popular mode of transportation. Residents continue to see the benefits of having choice and competition and access to both taxi and PTP options, and the service providers in each category. VFH continues to see overall improving customer service, and increased accountability by the dispatch companies, as well as improvements in the availability and access to vehicles, which in turn all benefits residents and transportation users.

Standard and accessible taxis hold a slight majority in the overall number of trips provided to passengers, accounting for 52 percent of all trips (to the end of August 2023). This is down from the 64 percent they provided 2022 and 77.6 percent in 2021. Limousine/Luxury PTP vehicle service providers have seen some of their business return, also but have a niche market share. Through August 2023, they have provided approximately 0.20 percent of the trips on average, which is consistent with their post-pandemic market share. They finished 2022 at 0.23 percent.

Rideshare PTPs continue to see significant growth in their market share, earning 47.8 percent to the end of August, increasing the category's share by nearly 12 percent over 2022, where they finished with 35.8 percent. As shown in Figure 3, below, the number of trips being provided by Rideshare PTPs continues to increase.

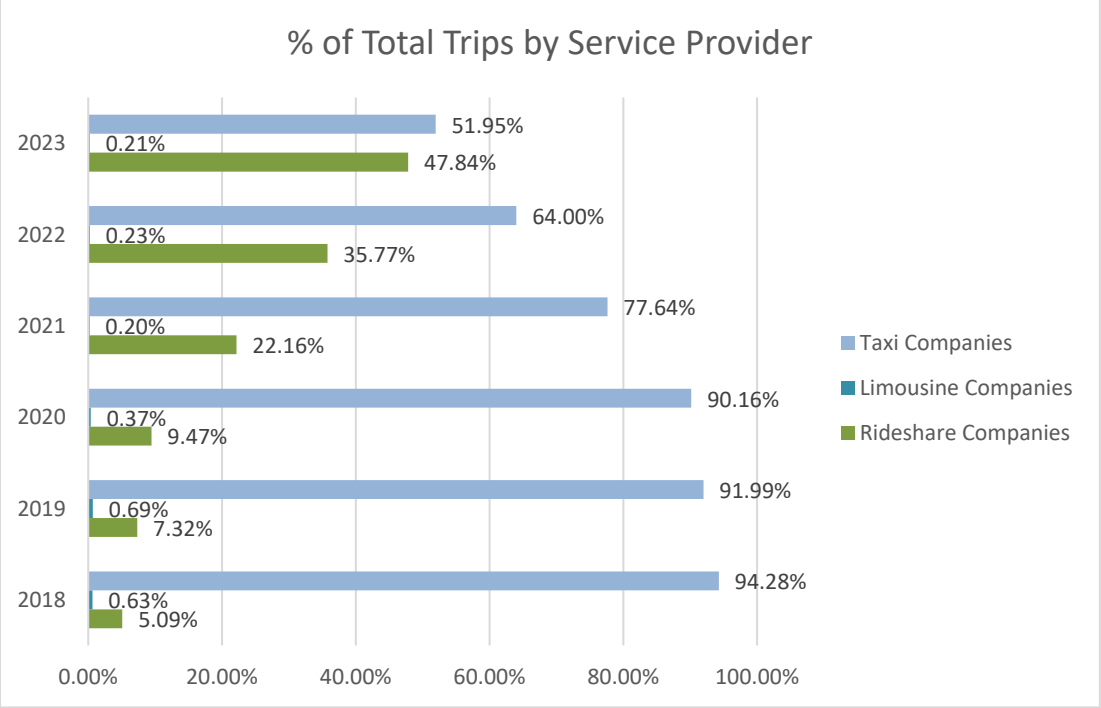


Figure 3

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

From January 2023 to the end of August 2023, a total of 12,406 vehicles have been inspected by VFH officers under the VFH By-law. In comparison, there were 14,489 total vehicles inspected in 2022. These inspections may be full vehicle inspections that are more in-depth, or may be less involved ones. There has been a specific focus on inspecting more PTP vehicles throughout 2022 and into 2023. With an increased number of PTP vehicles on the road, this has been an important step to take, especially in ensuring vehicles are properly decaled while providing service, so that passengers can identify they are in-fact being picked up by the legitimate driver from the company they requested. While VFH maintains its partnership with Manitoba Public Insurance (MPI), there have been no vehicle inspection blitzes since 2021. A number of analytical projects between MPI and VFH have occurred tracking vehicles and their usage.

VFH enforcement officers continue to focus on overall vehicle safety. Of all the inspections in 2023 to date, officers have placed a vehicle “out of service” only 4.1 percent of the time, which is relatively consistent with 2022’s average of 4.28 percent. This can be mainly attributed to the increased numbers of inspections, the proactiveness of drivers and owners to ensure their vehicles meet compliance standards, as well as a number of PTP vehicles being placed out of service due to improper or missing decals. As well, the proactive nature of the inspection program continues to demonstrate the desire of VFH to ensure that vehicles are maintained, and those that are on the road are safe and road-worthy and those that are not in compliance with accepted standard and the VFH By-law should be taken off the road.
All vehicles for hire are required to meet certain mechanical and operating standards in order to pass inspections, and are expected to meet those minimum standards at all times while available to provide transportation service. Roadside or call-in vehicle inspections are used to inspect critical components and systems that may pose imminent safety concerns to the public and drivers. As well, the VFH office has continued work closely with MPI to ensure that any vehicles providing service to customers are safe, reliable, and meet the standards of both the VFH By-law and the MPI vehicle inspection and safety certification program. VFH continues to see that the intense inspection program of previous years is paying dividends now, in that vehicles are much more regularly maintained to ensure they meet standards and remain compliant, which ensure a safer vehicle for all and reduces the overall risk of dangerous vehicles being on the road.

The Public Service continues to review the numbers of vehicles available to provide transportation service. With the scalability of the PTP licence, and how that has reacted to increases in demand, there is no need right now to issue new taxi licences and increase the current maximum cap number. There does not appear to be a shortage of vehicles available to provide service, and in fact it appears, as previously indicated, that the number of vehicles have additional available capacity in order to continue to increase the numbers of trips provided.

As has been discussed 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 given the

aging population of Winnipeggers, the versatility of accessible vans to provide both accessible and standard service, as well as to ensure that there is on-going available capacity for the Winnipeg Wheelchair Accessible Vehicle (WAV) pilot project. Ensuring that accessible vehicles are available for service continues to be important in ensuring that passengers who rely on the service are served.

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 met as a group in early 2022, but there has not been an advisory committee meeting since that time. While the committee still exists, there had been waning engagement amongst a number of members, due to changing priorities or other factors. The Advisory Committee continues to consist of 13 residents 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.

When there have been meetings, the committee provides a number of strong voices and perspectives, and members have a willingness to speak freely, including providing their lived experiences, and to ensure that a balanced approach is discussed. In the past, members had provided beneficial feedback and insights to the Public Service on the various perspectives of the VFH industry, continuing to assist in the development of programs identifying needs and providing expertise on items. The Advisory Committee has consistently been a “sounding board” for ideas, with members being consulted on concerns and plans, often providing valuable feedback and insight prior to implementation. The Advisory Committee continues to provide valuable insights and feedback in a number of areas, specifically Indigenous relations, accessibility issues and improvements to driver safety and training.

The on-going meetings and open dialogue that had begun in 2022, between the Public Service and the Winnipeg Community Taxi Association (WCTA), which specifically represents the interests of Duffy’s Taxi and Unicity Taxi, continued into 2023.

The VFH office and the WCTA, along with their business advisors, have had a number of positive discussions. These sessions provided an opportunity for not only discussions related to the specific sections of the by-law that the WCTA felt could be amended, but also areas of concern where they felt things could be strengthened. Of note, the VFH division has had regular, nearly quarterly phone calls or meetings with the WCTA or representatives since early 2019. The VFH office has worked to ensure open lines of communication with the WCTA’s representatives and legal advisors, and ensure there have been on-going discussions to move issues along. This relationship has allowed for more focused discussions and has helped identify specific items that require additional collaboration. The ongoing discussions have also allowed for concerns to be brought forward earlier, thereby allowing time to consider changes, and work collaboratively on solving challenges.

While there has been consistency within the VFH office regarding the administration and enforcement of the by-law, as well as the policies and guidelines that have supported the by-law and the overall industry, there have been numerous changes amongst the representation of

those operating within the industry. Frequent changes to Board leadership and management have also brought adjustments to their style of operation, priorities and agendas. This can, at times, present a challenge to ensuring that the industry continues to improve its level of engagement, passenger and driver safety, and in implementing positive changes to ensure that the public has confidence in the service providers.

MMIWG2S+ 231 Calls for Justice and National Action Plan Implementation – Safe Transportation

On April 28, 2022, Council directed the Public Service, led by the City's Indigenous Relations Division (IRD), to work with the MMIWG2S+ implementation team, Indigenous governments and territorial organizations, VFH service providers, and the community, to consult and engage on the lived experiences that passengers have had using vehicles for hire, on what can be done and what needs to change, as well as bringing the groups together to share experiences and learn from each other. The original motion requested the Public Service report back in the City's Indigenous Accord Report in 2023, which occurred earlier this year.

The 2022 VFH annual report included details regarding the first two engagement sessions; held in August and September of that year.

A third engagement session was held October 26, 2022, which was supported by Community Services, and involved newcomer and racialized women and their experiences with VFH service and using Transit. Many of the same themes that came out of the previous sessions were brought forward at this one as well – the need for better education and understanding amongst drivers and the community, better access to information, complaints handling information that has been translated for understanding.

These sessions provided a place to start for consultations with the Indigenous community, racialized and newcomer women and the taxi industry, and allowed for the beginning of discussion and engagement. Ongoing feedback is possible through a dedicated phone number (204-986-0544) and email at safetransportation@winnipeg.ca to allow confidential feedback, experiences, concerns and ideas to be brought forward to improve safety within public transportation in Winnipeg.

The task force, led by the Indigenous Relations Division, looked at the feedback that had been received, and determined that one of the areas that could be implemented the soonest and could have a big impact on both the industry and the community was to implement Cultural Competency training for drivers. This was an area that the WCTA had identified as being required through its work with a private Indigenous consultant's group, and would be in support of seeing it implemented. As well, this training is in line with the City's commitment to the National Calls for Justice and in the spirit of reconciliation.

The VFH office made this training mandatory for all vehicle for hire drivers in the industry, in order to maintain their licencing or registration, as this change did not require a by-law amendment. Further, it should be noted, this mandatory training is believed to be a first of its kind in Canada and North America. This is a significant accomplishment for the City of Winnipeg. While this will take a number of years to accomplish, the impact will begin to grow as more drivers are trained, with the expectation that Building Cultural Competency amongst drivers will not only help in making passengers safer, but also in making drivers safer as well. By providing this training to drivers, it will also raise the individual and collective consciousness and help in having more accountability for actions and words.

Using a decolonized and trauma-informed approach, IRD worked with Giganawenimaanaanig (formerly the MMIWGS2+ Implementation Committee) and other Indigenous community members to develop the training content, and put together a program to deliver this training. Working with VFH, a budget and training plan rollout was determined, and in July 2023, a report was approved by Council to authorize an additional $130,000 (with $20,000 already approved in 2019) from the Safety and Security surcharge fund to cover the cost of the training, to ensure there was no additional cost for this to be provided to drivers.

On August 24, 2023, the first training session was held, which was attended by Duffy's Taxi Board of Directors, their General Manager, Fleet and Road Supervisors, some of their call takers/dispatchers and a number of their senior, experienced drivers. The Boards and General Managers of both major taxi companies had been invited to this session in order to show support and leadership, as well as be in a position to provide direct feedback and continue to have ongoing dialogue about the material. The content was well-received, with much positive feedback and some items that could be better clarified and explained to make it as relevant as possible to drivers. The feedback received from the session will be incorporated into future sessions in order to constantly improve the content and delivery of information and material. This session was also attended by a number of VFH staff, including the Manager, the Coordinator of Enforcement and Investigations, Enforcement Clerk, and all four VFH enforcement officers. There were also attendees from the MMIWGS2+ implementation committee (Giganawenimaanaanig) and the Assembly of Manitoba Chiefs and Southern Chiefs Organization.

Communication regarding upcoming sessions is being rolled out to drivers, along with an online platform to sign-up for future sessions so that attendance can be tracked. There are also plans to develop additional platforms to deliver this training so that it is as accessible as it can be. The training was also developed with the fact in mind that it could be used by other City departments, not only those involved in transportation, so that this training can be a foundation program related to the Calls for Justice (specifically 1.9) related to colonization, impacts of colonization towards Indigenous women and girls and their traditional roles as well as implementing Calls for Justice both individual and industry specific, that can also be customized and delivered to City staff as well. There have been training sessions scheduled throughout the fall, and this will continue into 2024. The originally planned sessions through to the end of 2023, which included two sessions in October, three in November and one in December, have been scheduled for drivers to attend. There has been very solid support in registering for these sessions. Additional sessions are being planned in order to meet the high demand for this training.

<u>Winnipeg Wheelchair Accessible Vehicle (WAV) On-Demand Accessible Transportation Service</u>
In January 2022, the project contract for dispatching services was awarded to a joint bid proposal from Duffy's Taxi and Unicity Taxi. Over several months, the VFH project team worked closely with Duffy's Taxi (who is the main dispatcher in the project) and iCabbi, who is the software/dispatch system provider, to meet the RFP specifications and have the dispatch system customized so that it would fit the expected parameters and be in a position to be implemented. Further, the VFH office partnered with the Independent Living Resource Centre, on providing a targeted enhanced refresher training course to the drivers regarding proper securement of a wheelchair. This training was paid for as an incentive to drivers through the Winnipeg WAV project.

On May 11, 2022, the Winnipeg WAV program officially launched and the centralized dispatch system for on-demand accessible transportation service in Winnipeg became a reality. There were a number of challenges after launch that VFH and Duffy's had to work through.

One of the biggest challenges was having enough accessible vehicles signed onto the dispatch app throughout the day in order to meet the varying levels of demand for service. Significant attention was paid to this area, and in working with the WAV dispatcher, a plan was devised to have accessible vans assigned to certain areas of the City and to ensure that vehicles were available both day and night. As the two proponents of the system, Duffy's and Unicity have worked to instill the need in their drivers to be available to provide the service, and to accept trips and subsequently pick accessible passengers up. Duffy's has consistently been supportive of the Winnipeg WAV program and has strongly reinforced this amongst their fleet, and while not totally widespread through their fleet, there has been more engagement from Unicity Taxi in this area. As well, a number of the drivers and accessible vehicles from the smaller taxi companies are signed up and providing service on Winnipeg WAV, and have access to technology and regular ability to accept trips that they might not have had an opportunity to provide in the past and because of this, have been able to have an increased income due to this.

From the launch of the Winnipeg WAV in May 2022 to the end of 2022, there were 2,565 trips provided. As the community became more familiar with the program and began to feel some confidence that the level and reliability of service had improved, the numbers of trips began to climb in late 2022. Additionally, in November, Winnipeg Transit Plus (WTP), through its partnership with VFH and their own pilot project, began to use the Winnipeg WAV system for some of their overflow trips. This wasn't without its own challenges as the types of service (on-demand vs pre-booked) and service levels do differ. Continued engagement between VFH, WTP and the WAV dispatcher has been ongoing and has helped in identifying the issues, and working towards solutions that can help improve them.

During 2023, the Winnipeg WAV has continued to see improving trip numbers, recording 7,011 trips to the end of August. WTP trips have made up approximately 22 percent of the overall WAV trips in 2023. This trend is expected to continue, with WAV likely to deliver an estimated approximately 11,500 trips by the end of December 2023, which would be a 348 percent increase over 2022. Figure 4, below, shows the rise in trips from the launch of the WAV in May 2022 through August 2023.

Considering the numbers of accessible trips provided previously, this is considered a success based on the fact that community members requiring accessible service are able generally more likely to obtain on-demand transportation service, and increasingly see a more reliable on-demand transportation service.

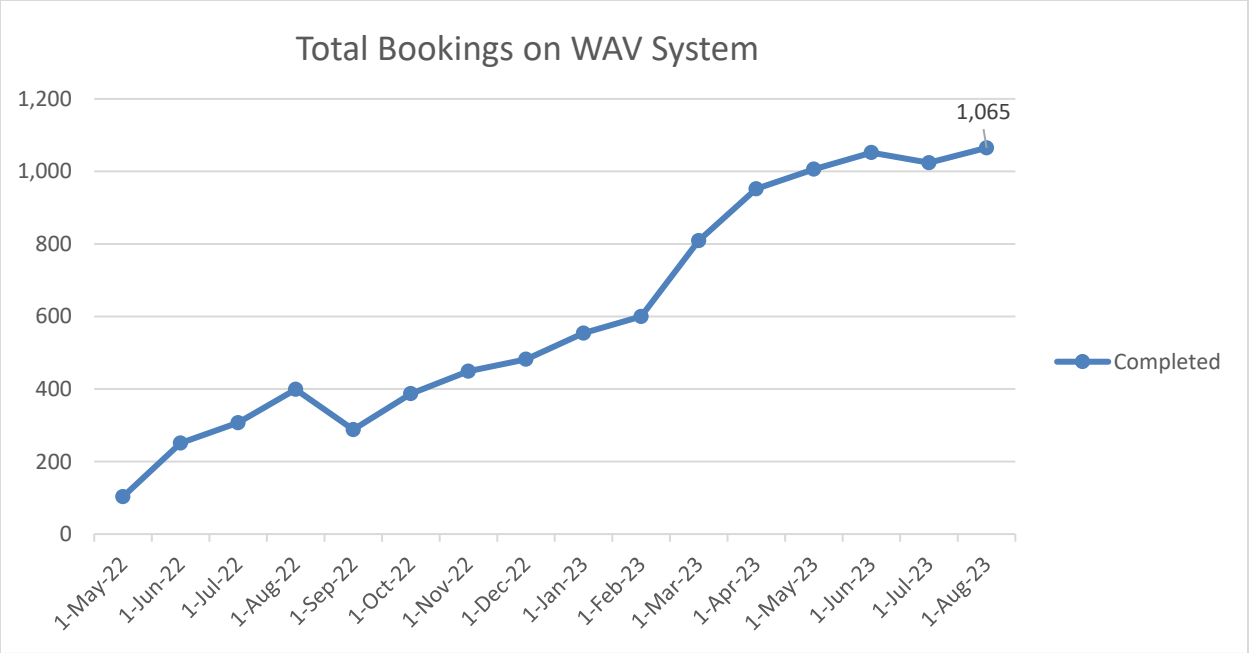


Figure 4

The number of drivers wanting to sign up to participate in the Winnipeg WAV has increased, as have the number of users continued to grow, and generally user satisfaction has been relatively strong overall.

There are a number of ways for the Winnipeg WAV users to provide feedback to the VFH office and Duffy's. Users are able to provide feedback directly through the app if they booked their trip that way. For those who have called the dispatch number (204-986-4WAV), a sample size of passengers is called back by Duffy's each month so that we can obtain some feedback regarding their trip. As well, there is an opportunity for VFH to receive feedback through either 311 or a dedicated email address that is monitored by VFH staff. The feedback has been important to VFH, as it's been a barometer of the level and reliability of service, the level of skill and customer service provided by drivers and has provided valuable information that has afforded VFH Enforcement the ability to follow up when needed, or for the Winnipeg WAV program to tweaked to better respond to the needs of customers. While higher participation numbers amongst service providers is possible, the program is seen to be running as it was intended, and accessible users are generally receiving service during times of the day and in areas of the City that they may not have prior to its launch. If more accessible vehicles and accessible drivers were to participate, this would only serve to continue to improve the capacity and overall level of service. VFH continues to work with Duffy's and discuss with stakeholders on how this could be achieved.

For the most part, users have been relatively happy with the service received when they are picked up. The results from the feedback over the past few months has been steadily improving, and generally quite good, with many ratings of 4 or 5 on a scale of 5, and some positive comments.

As a component of the Winnipeg WAV, VFH Enforcement developed an inspection program specifically targeted at WAVs. The main purpose is to enhance passenger safety, but also to confirm the vehicle owner incentives that are tied to successful WAV inspections. In order to

maintain participation in the WAV program a WAV must be inspected by a VFH Officer quarterly. In 2022, there was an overall 74 percent pass rate for WAVs and, up to September 2023, WAVs currently have an 83 percent pass rate. This quarterly inspection process is in addition to the regular daily patrol checks VFH officers conduct. As for complaints concerning the WAV Program, VFH Enforcement received two formal complaints in 2022, with enforcement action taken in both cases. As of September 2023, VFH Enforcement has not received a formal complaint with regards to the WAV program. In addition to these initiatives, VFH Enforcement also conducts random WAV trip audits through the dispatch system to confirm compliance with fare rates, routing and to ensure drivers are picking customers up in a timely manner.

In addition to the centralized dispatch system, the Winnipeg WAV pilot project provides financial incentives to accessible drivers and accessible vehicle owners who are available to provide service through the system. These incentives are meant to encourage improved customer service and the expanded availability of vehicles and drivers, as well as helping to address the additional costs associated with purchasing and operating an accessible vehicle. The incentives are credited with the improved availability of the accessible vehicles and drivers, as well as the overall increase in the level of service that the accessible community has seen. Accessible drivers are now prioritizing accessible trips, when this might not have been the case in the past. From the inception of the Winnipeg WAV to end of December 2022, drivers earned a total of $61,150 in incentives (which includes trip incentives as well paid enhanced accessible), and vehicle owners received $92,400 in incentives. Throughout the year, driver incentives are paid on a quarterly basis, as drivers qualify in each category. Vehicle owner incentives are paid at year end. To the end of Q2 (June 30, 2023), drivers have earned $49,700 in incentives. These amounts go directly to the drivers and the vehicle owners.

After analyzing the data from 2022 and into Q1 2023, and through discussions with the WAV contractor, who provided their insights and feedback as well as some perspective from service providers themselves, the driver and vehicle incentive categories were simplified, while still maintaining their focus on service delivery. As well, an additional per-trip incentive was added, where drivers could earn an additional $10/trip between 5am and 10pm and $25/trip provided from 10pm to 5am.

The entire WAV centralized dispatch system and all the incentives for the pilot project are funded through the Accessibility Surcharge, with no cost to taxpayers or the VFH budget. While this is currently sustainable based the numbers of trips being provided, the incentives being paid out and the on-going funding of the surcharge account, the VFH office is maintaining close scrutiny on this and plans to include this as part of the review and recommendations going forward.

<u>Recommendations to Continue the WAV</u>

The pilot project was originally intended to be in place early in 2022. However, several factors led to the delay in launch until May 2022. There will have been only one full year of operation (with 2022 being 9 months and the total project being 21 months long by the end of 2023). Therefore, the Public Service is recommending that the pilot project be continued for 2024 as set out in Recommendation 2. An additional year of the pilot project will allow for a second full year of operation of the Winnipeg WAV, and will allow for a more fulsome data set and analysis on whether the program did in fact improve accessible service and availability as well as engagement with the accessible vehicle owners, accessible drivers and the community as to the impact on each. The cost of continuing the Winnipeg WAV for an additional year, inclusive of the contract with the dispatcher and both driver and vehicle incentives, is estimated to be approximately $625,000. Recommendation 4 also sets out the continued delegation of duties to

the designated employee, which were originally laid out in the “Framework for On-Demand Accessible VFH Service” approved by Council in April 2021. There is no change to this delegated authority and the responsibilities laid out in that document. However, this is required in order to ensure that the Winnipeg WAV pilot project continues to function.

Further, as the Winnipeg WAV program continues to expand, it has become apparent that there is increasing a need for an additional Full Time Equivalent (FTE) to provide oversight, analysis and support to the existing VFH team. This position would be hired on a temporary basis for the remainder of the pilot project, and should the Winnipeg WAV become a permanent program, would continue on. The estimated cost of a position would be approximately $100,000 on a full-year basis. The position would likely be in place for nine months of 2024. The cost of this position would be funded through the Accessibility surcharge fund and there are sufficient funds currently to fund this position.

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

Communications and Service

The VFH office has continued to communicate with, and provide guidance and support to, the VFH industry. The virtual access portals that were created during the pandemic have remained in place and continue to be a successful and an effective way for drivers to become licenced, as well as having a variety of options for those in the industry to access service. The VFH office continues to endeavour to ensure that it provides a high level of customer service to the industry, and continues to work on adjusting and redeveloping processes and procedures that can be implemented easily both online and in-person.

Innovation and Modernization

The VFH office is continuing a spirit of innovation and is always looking for ways to become more efficient and provide more flexibility to the VFH industry.

A major adjustment/innovation that occurred in late 2022/early 2023 was the taxi driver provisional licence. From a number of discussions with the taxi dispatchers and the WCTA, the VFH office heard that the length of time to hire, train and fully licence a driver was too long. The present situation had drivers requiring to do all their mandatory new driver training, and accessibility training, as well as getting all their background checks, before they could begin driving. Due to training backlogs and available sessions, this sometimes could mean a month or longer from the time they started the process, until the time they finished it and became licenced. Working with the taxi industry, the VFH office created a “provisional” taxicab driver’ licence, which allowed a driver to provide all their required background checks, application and confirmation of registration for their required training to the office for review, be approved and received a temporary 90-day licence, in which time they would be required to successfully complete their required training. This program allowed drivers to begin working and gain some practical experience while completing the training and was monitored by the VFH office. It was a benefit to the taxi dispatchers in being able to bring drivers on and gave them more of a level playing field with the PTP dispatchers. This program has been beneficial to the taxi industry, by allowing them to bring drivers on sooner, and help with retaining new drivers. This allowed for some levelling of the field between taxis and PTPs.

In December 2021, the VFH office identified an opportunity to create an online application form, which includes the ability to upload all required forms. The project was developed internally by VFH and IT which made a portal available to drivers that enabled them to renew their taxi

driver's licence and upload their documentation to the VFH office. This made the entire licencing process more efficient, and allowed for VFH to more quickly process the applications for renewal. Taxi drivers who took advantage of this were able to complete their renewal process whenever it was convenient for them. Given that the online portal is available 24 hours/day, drivers who may find it challenging to get into the VFH office during normal business hours are able to seamlessly complete the process.

The plan for this online application is a multi-step project. Phase 1 of the project allowed for only existing taxi drivers being able to renew their licences. Building on the success of Phase 1, Phase 2 of this project saw the addition of online payment functionality, which allowed drivers to pay for their renewal after they were provided confirmation that the licence was approved. This was all done electronically, and streamlined the licencing process for those who used it. This was especially useful for drivers who were not awake during business hours or could not make it into the office. With VFH taking over Limo/Luxury PTP driver licencing, Phase 3 will likely see renewing Limo/Luxury drivers be able to renew using it, and then Phase 4 will be opened up to new drivers. Overall, having an online driver licencing portal provides options for customers, makes applying for licences more accessible to drivers who work varying shifts, as well as reducing paper.

Relationships with Stakeholders

The VFH office has continued to support and develop relationships within the community and 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 to 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 in each year since, with an eye to always being open to consultation and feedback. This positive dialogue and relationship-building initiative continues to bring a number of voices to the table to provide their perspective and input in shaping the industry and how VFH regulates and oversees it.

Manitoba's Bill 40 "*The Hospitality Sector Customer Registry Act and Amendments to The Child and Family Services Act and The Child Sexual Exploitation and Human Trafficking Act* Implementation

In November 2022, Manitoba passed Bill 40 "*The Hospitality Sector Customer Registry Act and Amendments to The Child and Family Services Act and The Child Sexual Exploitation and Human Trafficking Act"*, which strengthens the required reporting of incidents of child sexual exploitation and human trafficking by VFH drivers, and obligates them to report suspected incidents when they have been part of the transportation. The Bill also makes it easier for law enforcement to obtain records. Over the past year, VFH has worked with dispatch companies and drivers to educate them on this bill and how they can be apart of the solution.

Further, training around this is included in the Building Cultural Competency training that is being rolled out to drivers. As well, new drivers continue to be trained in the area of sexual exploitation and human trafficking, often having guest subject matter experts, such as the Joy Smith Foundation, presenting to the classes.

Often, the drivers are unaware of their part in the act, but realize after they have been engaged for service and often complete the trip for their own safety. Helping educate drivers on the

potential signs of human trafficking, and providing them with the phone numbers to confidentially report suspect incidents and details has been an important step forward in this area.

There is more work to be done in this area, especially around education; however, the VFH office continues to discuss and engage with organizations and stakeholders who are willing to provide the training and assist the industry in being part of the overall solution.

Other Manitoba Regulatory Bodies

VFH continues to strengthen and solidify its relationships with industry regulatory bodies, including MPI, the Winnipeg Airports Authority and the Winnipeg Police Service. The Master Information Sharing Agreement that was signed between MPI and the City continues to be beneficial to both parties. It has continued to strengthen communication and the relationship between the City and MPI and made the flow of important vehicle and driver-related information much easier as it pertains to the agreement. Further, VFH has partnered on a number of initiatives with MPI, regarding insurance, vehicle and accident data and in determining vehicle usage and mechanical garage information.

Complaints

The VFH office continues to receive and actively investigate complaints, holding the dispatch companies accountable to respond to residents when issues arise, as well as holding vehicle owners and drivers in the industry accountable to remain in compliance with the VFH By-law as well as 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. Though the number of serious incident complaints continues to fall, the VFH office is also acutely aware that this number is likely underreported.

Through 2023, there have been 51 complaints filed with the VFH office. The VFH office added some additional complaints categories in 2022, including drivers reporting fare jumping/unpaid fares, as well as complaints or issues that have arisen from the Winnipeg WAV program. In comparison, there were 108 complaints received by VFH in 2022. One of the biggest area of complaints in 2023 has been driver customer service and driving/road habits. In 2022, a majority of complaints related to overcharging of passengers, requesting prepayment when not warranted, and trying to “flat rate” passengers and not run the meter. There continues to be a large number of service and driver conduct-related incidents, totalling nearly 44 percent of the total in 2022. There have been improvements in this area as the dispatchers have taken more action regarding driver incidents (see Appendix C).

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.

VFH recognizes that the number of complaints filed may be under-reported, as there continues to be more work that needs to be done to make reporting easier, and to ensure that those experiencing issues with the VFH industry are able to safely have their voices heard. The VFH office continues to work on this area, and has been engaging grassroots community organizations to assist in providing ideas to improve complaint reporting mechanisms.

Appeals

While the VFH Board has been less active over the last few years, VFH Appeal Board continues to be an important component as it relates to discipline and licence appeals. Much of their

original work comes in the form of driver's licence reviews related to taxi drivers transitioning to the City from the Manitoba Taxicab Board who did not meet the stricter requirements of the VFH By-law, specifically related to criminal and driving records.

Early in 2023, there were a number of appeals related to the failure of the taxi vehicle owners to renew their licences. The VFH Appeal Board heard from all of these owners, including their reasons for being unable to complete the licencing process by the "late" deadline already allowed under the by-law. The Appeal Board subsequently allowed them additional time in order to complete their licencing, obtain the required safety and equipment checks and pay for their licences. As well, the Appeal Board continues to hear appeals related to driver licencing based on By-law required licence denials and on decisions made as a result of a licence review hearing.

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 continues to be 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, from reprimands and training/re-training, to fines, and up to licence suspensions or cancellation.

International Association of Transportation Regulators (IATR)

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 was especially important throughout 2020 and 2021, as regulators across Canada and the USA were 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 jurisdictions, and to have a network of other regulators to pose questions of, get advice and provide feedback. In 2023, Winnipeg's Manager of VFH was asked to serve, and subsequently installed by IATR as the Co-Chair of the Canadian Regulators committee. This provides an opportunity to elevate Winnipeg's status amongst its fellow Canadian regulators.

In addition to this, the VFH office continues to sit on other relevant IATR committees, including the Accessibility Committee, Safety Committee and the Technology 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.

While the 2020 and 2021 IATR conferences were moved to a virtual platform, allowing many a number of key VFH staff members (and staff from others areas and departments) to participate, and providing an opportunity to more fully engage in the event, the 2022 conference was back to a live in-person setting. The VFH office was unable to attend in 2022. However, the in-person conference was attended in 2023. Further, during both 2020 and 2021, Winnipeg was given an opportunity to present during the Canadian Regulators meeting. At the 2023 conference, Winnipeg was a featured speaker and panelist during the Global Regulator

Spotlight panel, and discussed both the Winnipeg WAV program and the Building Cultural Competency training.

In recognition of its efforts over the past few years in a number of areas, Winnipeg's VFH office was recently named the IATR's Global Regulator of the Year 2023. This prestigious award is handed out during the annual IATR conference each year. Winnipeg is only the second Canadian city ever to receive this award from IATR, and has joined an exclusive group of other worldwide Cities who regulate transportation.

The conference usually include panel discussions related to the VFH industry and have begun to focus on overall mobility and multi-modal opportunities, as well as regulatory information, policy setting, enforcement, technology, accessibility, training, and industry changes.

There continues to be more discussion on both autonomous (automated) and electric vehicles, micro-mobility options (such as e-scooters), industry modernization 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 as well as attending this conference yearly, as the opportunity provides substantial benefits to the Public Service and the local VFH industry.

Documentation Verification & Auditing

As part of its ongoing enforcement of the industry, PTP driver and vehicle documentation audits continued to be conducted by the VFH office. The VFH division undertakes this work 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 of drivers and vehicles in the PTP category. While some dispatch companies have done well in obtaining, and reviewing the documentation submitted by prospective drivers, there are still deficiencies.

Through these audits, the VFH office has identified fewer drivers and vehicles that are not qualified for registration under the by-law. The registration and subsequent vetting of background checks and documentation by PTP dispatchers continues to remain an area of concern for VFH. While some dispatchers are adept at it, and have the capacity to perform the task, there are a number who simply do not.

The Public Service also continues to educate the PTP companies on their responsibility regarding the registration of drivers and collection of their paperwork. The audit process has identified that documentation continues to be an area that requires specific attention from the VFH office. Dispatch companies who fail to properly vet drivers and vehicles present a risk to both 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 continue to be synergies with the existing WPA systems, and through the support provided within the department. The VFH office manages its finances closely, adjusting its operations as revenue moves. As well, when possible, VFH looks to reinvest in its operation and staff to ensure that it remains effective and efficient in delivering service and support to the industry and the

community. The VFH office budgets to remain on a budget-neutral basis and ensure that operational expenses meet its expected revenues (see Appendix D).

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 the following.

Innovation and Modernization

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 that have been undertaken, that will show benefits in the years to come, include:

- 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 the 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. Due to IT resource constraints, project completion has been delayed and is now being planned for 2024.

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

Implementation of Accessible Training for all VFH Drivers

At present, all taxi drivers and those PTP drivers who provide accessible service are required to take accessible driver training. This training is important, especially as VFH drivers see more customers who face some form of accessibility needs. In order to ensure that drivers are trained in this area, VFH has made accessible training mandatory for all VFH drivers, whether they drive a standard or accessible vehicle, effective January 1st, 2024. The type and content of the training will vary depending on the type of driver, but all drivers across the industry will take some form of this training. As well, taxi drivers are currently required to re-take this training every two years. However, with the roll-out of this training to all drivers, the timeframe for every VFH driver will require them to take a refresher accessible training course every three years. In advance of this rollout, the transition to the three-year certification occurred in August 2023 for taxi drivers. This will also meet and be in line with Provincial Accessibility of Manitobans Act customer service requirements on accessible training.

As well, VFH continues to partner with the Independent Living Resource Centre (ILRC) to deliver this training. There have also been discussions with WTP to have accessible VFH drivers, whether taxi or PTP attend a portion of the WTP training to receive enhanced securement training. As enhanced training is an incentive of the WAV program, those drivers on the WAV would receive this training free of charge, while non-WAV accessible drivers would

be required to cover the cost of it. The details and requirements around this are still being considered and reviewed by VFH and there is additional work required with WTP to ensure that they have the capacity to deliver the training and that a proper training facility as well as regular sessions are available.

Updating VFH Driver Training

Presently, all new taxi drivers are required to attend a 44-hour training course. This course was implemented by the Taxicab Board and has been in place for a number of years and is delivered by the St. James School Division Continuing Education division. Through discussions with stakeholders, specifically the taxi industry, in analyzing the successful implementation of the provisional taxi driver licence in 2022, as well as reviewing the content of the current training course, it has been determined that this is an area that needs updating and modernization. VFH plans to work with the industry, and it's training partners and other stakeholders to create a working group in early 2024 to review and modernize the training program.

A further consideration is that there is presently a discrepancy in the training requirements between taxi drivers and PTP drivers. In modernizing the training, attention will be paid to relevancy across the entire industry, and to ensure that all drives have a minimum level of expected training, while providing some flexibility to the companies to deliver training they are capable and willing to do, as well as that they feel is important for their staff.

Incentives for Fully Electric Vehicles in the VFH Industry

As additional charging infrastructure continues to be deployed throughout the City, and the cost of electric vehicles falls, as well as additional incentives from other levels of government, VFH will continue to look for opportunities to support the industry on transitioning to electric vehicles. VFH also continues to discuss and partner with other City departments to ensure that opportunities to transition are maximized. However, realistically, the City has limited ability to incentivise the VFH industry to transition to electrification more quickly.

Reserve Fund

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

Ongoing administration of the VFH 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. As well, given the breadth of the VFH industry, continued regulation and licencing should remain as it has been since transitioning to the City. This model works well, and 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.

Requested Changes

On November 9, 2023, an earlier draft of this administrative report was reviewed by Mayor's Office staff and the following revisions were requested:

- The addition of a visual representation of trip counts annually.

FINANCIAL IMPACT

Financial Impact Statement **Date:** October 5, 2023

Project Name: **First Year of Program** **2024**

Vehicle for Hire Industry 2023 Annual Update and Proposed VFH By-law Amendments

	2024	2025	2026	2027	2028
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	$ 625,000		$ -	$ -	$ -
Less: Surcharge Revenue/Deferred Revenue	625,000	-	-	-	-
Net Cost/(Benefit)	$ -	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: There are no financial implications from receiving this report as information (**recommendation #1**). **Recommendation # 4** also has no financial implications.
There can be financial implications from **recommendation #2** as it is expected to improve collection rates. Any financial implications will be managed within existing budgets.
There are financial implications from **recommendations #3 and #5** as Winnipeg WAV program is being extended for another year. This includes financial implications that relate to 1 temporary FTE to be hired for the period from January 1, 2024 to December 31, 2024. These financial implications are reflected in direct costs above and will be covered by accessibility surcharge which had sufficient balance of $1.0M as of September 30, 2023.

Lioubov Gavrilova-Crozier, Oct 5, 2023

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

CONSULTATION

This Report has been prepared in consultation with:

- Legal Services
- Indigenous Relations Division
- Winnipeg Transit Plus (as to the Winnipeg WAV pilot project and VFH Accessible driver training)

OURWINNIPEG POLICY ALIGNMENT

Goal: Environmental Resilience

Goal: Economic Prosperity.
Goal: Social Equity
Objective #2 - Build bridges spanning ideas, cultures, identities and generations on a foundation of truth, understanding, and rights-based reconciliation.

Policy 5.4 – Reconciliation with Indigneous Peoples Policy 5.5 – Indigenous Lens
Policy 5.6 - Equitable Service Access

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic opportunity #3 – Advancing Sustainable Transportation – Increase Mobility Options and Shift to Zero Emission Vehicles

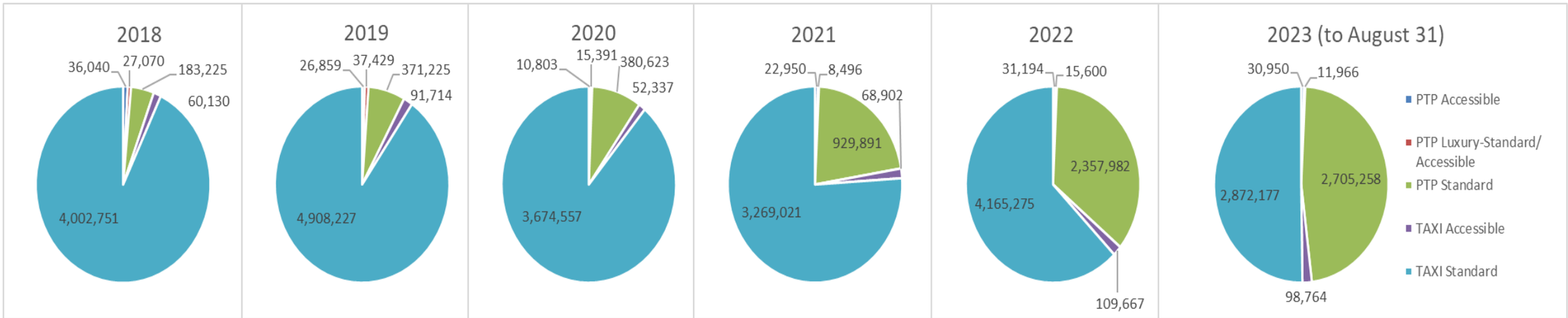
WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Goal 5 -Transportation System Equity is Enhanced.

SUBMITTED BY

Department: Public Works
Division: Winnipeg Parking Authority SOA
Prepared by: G. Heather
Date: October 11, 2023
File No: WPA-016-2023
Attachements:
Appendix A: Vehicle for Hire By-law Amendments
Appendix B: Vehicle for Hire Marketshare by Category
Appendix C: Vehicle for Hire Complaints
Appendix D: Vehicle for Hire Office Revenue and Expenditures
Appendix E: Details for New and Revised Fines

Appendix B: Vehicle for Hire Marketshare by Category



Appendix C: Vehicle for Hire Complaints

	Complaints (2018 - 2023)												
	Service - Refusal/ Poor	Driver - Conduct/ Road Habits	Taxi Condition	Articles lost/ Damaged/ Collateral	Overcharge/Pre-payment/ Meter not on	Illegal Operator	Assault/ Harassment	Driver Reported - Fares not paid by passenger *	WAV / Accessible Complaints *	Police / MPIC	Cell Phone	Other	Total
2018	35	26	5	9	8	6	2	-	-			29	120
2019	9	25	1	4	20	3	1	-	-			23	86
2020	15	15	3	2	7	3	-	-	-			6	51
2021	10	31	-	5	7	-	1	-	-			20	74
2022	9	21	3	5	17	1	2	23	13			14	108
2023	3	16	-	3	3	-	2	5	5	1	3	10	51

* New Category in 2022

Appendix D: Vehicle for Hire Office Revenue and Expenditures

	2019		2020		2021		2022		2023
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
Revenue	1,519,000	1,472,676	1,545,600	1,284,270	1,107,387	1,323,611	1,213,651	1,657,539	1,504,780
Expenditures	1,519,000	1,472,676	1,545,600	1,284,270	1,566,043	1,323,611	1,593,354	1,657,539	1,644,512
Surplus/(Deficit)	-	-	-	-	(458,656)	-	(379,703)	-	(139,732)

Appendix E: Details for New and Revised Fines

Yellow – New sections of the VFH By-law with new fines.
Green – Existing sections with new fines.
Grey – Existing sections with revised fines.

New/Existing By-law Section	Provision	Contravention Summary	Current Administrative Penalty ($)	Current Early Payment Discount ($)	Proposed Administrative Penalty ($)	Proposed Early Payment Discount ($)
Existing Section New Fine	20(2)	Failure to submit contract upon request	-	-	$250	N/A
New Section New Fine	45(5)	Failure to preserve camera records	-	-	$1000	N/A
Existing Section Revised Fine	46(3)(a)(b)(c)(d)(e)	Driver Code of Conduct	$250	$125	$500	$250
Existing Section New Fine	48(a)(b)(c)	Services exclusive to taxi drivers and taxi vehicles	-	-	$500	$250
Existing Section Revised Fine	55(3)	Taxi driver failing to allow passenger to pay by either cash or credit card	$250	$125	$125	N/A

Existing Section New Fine	58(2)	Failure to allow travel with a service animal	-	-	$500	N/A
New Section New Fine	56(c)	Failure to engage taxi meter	-	-	$250	N/A
New Section New Fine	45.5(1)	Failure to ensure vehicle meets applicable requirements while in operation	-	-	$1000	$500
New Section New Fine	45.5(2)	Failure to comply with required signage and marking requirements	-	-	$250	$125
New Section New Fine	45.5(3)	Failure to have vehicle inspected annually	-	-	$1000	$500
New Section New Fine	45.5(3)	Failure to submit vehicle for inspection as required	-	-	$1000	$500
New Section New Fine	45.5(4)	Failure to meet accessible vehicle requirements	-	-	$1000	$500

Existing Section Revised Fine	45(2)	Failure to post required camera signage in taxi	$1000	$500	$250	$125
Existing Section Revised Fine	45(3)	Failure to comply with required signage and marking requirements	$1000	$500	$250	$125
Existing Section Revised Fine	45(4)	Failure to have taxi inspected annually	$1000	N/A	$1000	$500
Existing Section New Fine	59(1)	Failure to comply with authorized pre-payment requirements	-	-	$500	$250
Existing Section Revised Fine	60	Failure to comply with dispatcher's property retrieval policy - TAXI	$1000	$500	$500	$250
Existing Section New Fine	63	Obligation to return passenger property - PTP	-	-	$500	$250
New Section New Fine	64.1(1)	Refusal to provide service without reasonable grounds	-	-	$1000	N/A

New Section New Fine	64.1(2)	Failure to allow travel with a service animal	-	-	$500	N/A
New Section New Fine	64.1(3)	Failure to notify dispatcher of notice of refusal of service	-	-	$1000	$500
Existing Section New Fine	65.6	Obligation to return passenger property - LIMOUSINE	-	-	$500	$250