

# **CITY OF GRANDE PRAIRIE**

## **BYLAW C-1394**

### **A Bylaw of the City of Grande Prairie for the Licensing and Regulation of Vehicle for Hire within the City of Grande Prairie**

**WHEREAS**, pursuant to sections 7 & 8 of the *Municipal Government Act*, RSA 2000, Chapter M-26, Council may pass bylaws for municipal purposes respecting:

- A. the safety, health and welfare of people and the protection of people and property;
- B. transport and transportation systems;
- C. businesses, business activities, and persons engaged in business;
- D. the regulation of businesses, activities, and industries;
- E. licenses, permits, and approvals; and
- F. enforcement of Bylaws.

**NOW, THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF GRANDE PRAIRIE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:**

#### **SHORT TITLE**

1. This Bylaw shall be called the “Vehicle for Hire Bylaw”.

#### **PART I - INTERPRETATION**

##### **PURPOSE**

2. The purpose of this Bylaw is to establish a system of licensing and regulation of Vehicles for Hire.

##### **DEFINITIONS**

3. In this Bylaw, the following terms will have the following definitions:

**“Accessible Taxi”** means a vehicle which is specially equipped to accommodate the transportation of persons with physical disabilities and has been approved as an Accessible Taxi by the Chief License Inspector.

**“Act”** means the Municipal Government Act (MGA), RSA 2000, Chapter M-26, as amended, or any statute enacted in its place.

**“Bylaw Enforcement Officer”** means a Member of the Royal Canadian Mounted Police, a Bylaw Enforcement Officer, or a Community Peace Officer of the City.

**“Chauffeur”** means a licensed driver of a Vehicle for Hire who holds a valid Chauffeur Permit.

**“Chauffeur Permit”** means a permit to drive a Vehicle for Hire issued in accordance with this Bylaw.

**“Chief License Inspector”** means the person appointed to that position by the City, or the designate of that person.

**“City”** means the municipal corporation of the City of Grande Prairie having jurisdiction under the Act and other applicable legislation.

**“Clerk”** means the City Clerk of the City or their designate.

**“Committee”** means the standing Committee of Council in accordance with the [Procedure Bylaw C-1299, Schedule “B”](#).

**“Designated Driver”** means any person who operates a motor vehicle owned by another registered motor vehicle owner for the purposes of providing Designated Driving Services.

**“Designated Driving Service”** means the transportation of a registered motor vehicle’s owner and that person’s passengers, if any, in the registered motor vehicle owner’s vehicle from any place in the City to any other place for payment of a salary, fee, or for any other consideration.

**“Designated Driver Support Vehicle”** means a vehicle utilized by a Designated Driving Service solely for the transportation of Designated Drivers in the provision of Designated Driving Services.

**“Dispatch”** means the sending of a Vehicle for Hire to a location for the purpose of offering or providing transportation to a passenger, and includes but is not limited to:

- (a) receiving telephone or radio calls from prospective passengers and directing a person operating a Vehicle for Hire to attend at the passenger’s requested location;
- (b) offering or operating any part of a mobile application, transportation network, or other electronic service that receives requests for transportation services from prospective passengers and connects such requests to a person operating a Vehicle for Hire; or
- (c) any other action that results in a passenger and Vehicle for Hire being in the same place at the same time for the purpose of providing the passenger with Vehicle for Hire services, regardless of whether the Vehicle for Hire services are actually provided to the passenger.

**Dispatch License”** means any Vehicle for Hire License to Dispatch Vehicles for Hire issued in accordance with this Bylaw, and includes:

- (a) a Designated Driving Service Dispatch License;
- (b) an Exclusive Dispatch License;
- (c) a General Dispatch License;
- (d) a Taxi Dispatch License; or
- (e) a Transportation Network Dispatch License.

**“Dispatcher”** means a person who dispatches a Vehicle for Hire, and includes a person named on a Dispatch License.

**“Licensee”** means a person named on the License issued in accordance with this Bylaw.

**“Limousine”** means a luxury Vehicle for Hire that provides a Pre-arranged Service and includes but is not limited to a vehicle for which a Limousine Permit has been issued.

**“Municipal Tag”** means a tag whereby the person alleged to have committed a breach of a provision of this Bylaw is given the opportunity to pay a Specified Penalty to the City in lieu of prosecution for an offence.

**“Police Information Check”** means a police information or criminal record check obtained from the Royal Canadian Mounted Police or other Police Service within Canada.

**“Pre-arranged Service”** means the transportation services provided by a Vehicle for Hire that are arranged, booked, scheduled, or requested by the passenger in advance of the Vehicle for Hire arriving at the passenger’s location.

**“Private Transportation Provider”** means a Vehicle for Hire that provides a Pre-arranged Service to passengers and includes but is not limited to a vehicle for which a Private Transportation Provider Permit has been issued but does not include a Transportation Network Vehicle.

**“Shuttle”** means a Vehicle for Hire that provides Pre-arranged Service to passengers based on a pre-determined schedule and route and includes but is not limited to a vehicle for which a Shuttle Permit has been issued.

**“Street Hailing”** means offering, soliciting, or accepting offers to provide transportation service, to passengers that is not Pre-arranged Service.

**“Taxi” or “Cab”** means a Vehicle for Hire that provides transportation service to passengers as requested by the passenger based on time and distance travelled and includes but is not limited to a vehicle for which a Taxi Permit has been issued, but does not include a Private Transportation Provider or a Transportation Network Vehicle.

**“Traffic Safety Act”** means the *Traffic Safety Act*, RSA 2000, Chapter T-6.

**“Transportation Network Companies Regulation”** means the Transportation Network Companies Regulation, AR 100/2016.

**“Transportation Network Vehicle”** has the same meaning as “Transportation Network Automobile” as defined in the Transportation Network Companies Regulation.

**“Vehicle for Hire”** means a motor vehicle used or offered for the transportation of at least one (1) passenger in return for compensation from any place within the City to a destination either within or outside of the City, and includes but is not limited to:

- (a) an Accessible Taxi;
- (b) a Limousine;
- (c) a Motor Vehicle operated by a Designated Driver;
- (d) a Private Transportation Provider;
- (e) a Shuttle;
- (f) a Taxi; or
- (g) a Transportation Network Vehicle;

but, does not include any vehicle or class of vehicle exempted by the Chief License Inspector; and

- (h) without limiting the generality of this definition, if the transportation of a passenger is provided as part of a package of additional goods or services for which there is compensation, then the transportation of the passenger is considered to be in return for compensation unless the transportation is shown, on a balance of probabilities, to be merely ancillary to the goods or services.

**“Vehicle Permit”** means a permit issued for a Vehicle for Hire in accordance with this Bylaw, and includes:

- (a) an Accessible Taxi Permit;
- (b) a Limousine Permit;
- (c) a Private Transportation Provider Permit;
- (d) a Shuttle Permit; and
- (e) a Taxi Permit.

**“Violation Ticket”** means a violation ticket as defined in the *Provincial Offences Procedures Act*, RSA 2000, Chapter P-34.

**“Vulnerable Sector Check”** means a Police Information Check including a check to see if a person has a record suspension (pardon) for sexual offences.

Any reference to legislation of Canada or the Province of Alberta is deemed to include a successor legislation.

## **PART II - VEHICLE FOR OPERATION**

### **Division 1 - General Operation of All Vehicles for Hire**

#### **REQUIRED LICENSES**

- 4. (1) No person may drive, cause or permit the driving of a Vehicle for Hire, unless the person holds a valid Chauffeur Permit except if:
  - (a) the Support Vehicle operated by a Designated Driving Service is exempt from Subsection 4(1).

- (2) No person may drive, cause or permit the driving of a Vehicle for Hire, except a Transportation Network Vehicle or a vehicle operated by a Designated Driver unless a valid Vehicle Permit has been issued for that vehicle.
- (3) No person may Dispatch or participate in the dispatching of a Vehicle for Hire unless the person holds a valid Dispatch License.
- (4) No person may undertake, cause or permit any of the actions in Subsections 4(1) (2) and (3) contrary to any term or condition imposed on a License and/or Permit.
- (5) No person may drive, cause or permit the driving, of a Transportation Network Vehicle, unless the person holds a valid Provincial Class 1, 2 or 4 Operator's License.
- (6) No person may drive, cause or permit the driving, of a Transportation Network Vehicle, unless a valid Provincial Class 1-55 Registration Certificate has been issued for that vehicle.
- (7) No person may drive, cause or permit the driving, of a Transportation Network Vehicle, unless the person can provide proof of valid insurance that meets the requirements of Section 33.
- (8) This Section does not apply to:
  - (a) a motor vehicle used as a part of a transit system operated by the City;
  - (b) a motor vehicle licensed and used as part of an inter-municipal or inter-provincial bus service; or
  - (c) an emergency vehicle.

#### **DISPLAY OF INFORMATION**

5. (1) No person may drive, cause or permit the driving, of a Vehicle for Hire unless the following information is displayed so that it is visible to all passengers:
  - (a) the Dispatcher's name and contact information;
  - (b) City contact information, as prescribed by the Chief License Inspector;
  - (c) either the valid Chauffeur Permit issued to the person driving the Vehicle for Hire, or the driver's name and a current photograph of the driver's face; and
  - (d) payment methods, rates and terms unless prearranged.
- (2) The information required to be provided by Subsection 5(1) may be:
  - (a) subject to Sections 13, 14 and 15, clearly and prominently displayed on the interior or exterior of the vehicle in a location that is visible to all passengers; or
  - (b) accessible to all passengers electronically through a mobile application used by the Dispatcher for that Vehicle for Hire.
- (3) A person driving, or that causes or permits the driving of a Vehicle for Hire, except a Transportation Network Vehicle or a vehicle operated by a Designated Driver, must ensure that the valid Vehicle Permit issued for that vehicle is displayed on the exterior of the vehicle.

**DOCUMENTS FOR INSPECTION**

6. (1) On the request of a Bylaw Enforcement Officer, the driver of a Vehicle for Hire must produce to the Bylaw Enforcement Officer any of the following:
- (a) a License or documentation required by Section 4;
  - (b) a valid Mechanical Inspection Certificate, in a form satisfactory to the Chief License Inspector, for that vehicle dated within one (1) year prior to the date of the request is:
    - (i) a vehicle operated by a Designated Driver is exempt from the requirements of Subsection 6(1)(b);
  - (c) proof of valid insurance that meets the requirements of Section 33;
  - (d) the person's valid Provincial Class 1, 2 or 4 Operator's License;
  - (e) a valid Provincial Class 1-55 Registration Certificate for that vehicle; and
  - (f) any other information pertaining to the operation of the Vehicle for Hire requested by the Bylaw Enforcement Officer.

**VEHICLE INSPECTION & MAINTENANCE**

7. (1) Upon the direction of a Bylaw Enforcement Officer or the Chief License Inspector, a vehicle Licensee or person driving a Vehicle for Hire, except a Designated Driver, must:
- (a) provide the vehicle for inspection at a time and location specified by the Bylaw Enforcement Officer or Chief License Inspector;
  - (b) provide the Bylaw Enforcement Officer or Chief License Inspector with proof of a satisfactory mechanical inspection completed within five (5) days of the date of the direction; or
  - (c) upon the direction of a Bylaw Enforcement Officer or the Chief License Inspector, a vehicle Licensee or person driving a Vehicle for Hire must, by the date specified in the direction, undertake any repairs or maintenance directed by the Bylaw Enforcement Officer or Chief License Inspector.

**DRIVER CONDUCT**

8. (1) A person driving a Vehicle for Hire must:
- (a) take the most economical route to the passenger's destination unless otherwise directed by the passenger;
  - (b) be courteous at all times and provide reasonable assistance to any passenger as requested or required in the circumstances;
  - (c) at the conclusion of each trip, check the vehicle for any personal property apparently left behind by a passenger and make any such property available for retrieval by the passenger unless otherwise directed by the Chief License Inspector; and
  - (d) allow for electronic payment.

**STREET HAILING**

9. (1) No persons may engage in Street Hailing while driving a Vehicle for Hire on a highway unless the person is driving a vehicle for which a valid Taxi Permit or Accessible Taxi Permit has been issued.
- (2) For greater certainty, a Designated Driving Service or a person driving a Limousine, Shuttle, Private Transportation Provider, or Transportation Network Vehicle may not engage in Street Hailing on a highway at any time and may only provide Pre-arranged Service that has been dispatched by a Dispatcher.
- (3) The onus of proving that a service is pre-arranged for the purpose of this section is on the person alleging a Pre-arranged Service on a balance of probabilities.

**SEIZURE OF PERMIT**

10. (1) If a Bylaw Enforcement Officer has reasonable grounds to believe that a Vehicle for Hire is being driven in a manner contrary to this Bylaw, the Bylaw Enforcement Officer may seize and take possession of the Vehicle Permit issued for that vehicle and/or the Chauffeur Permit of the driver of the Vehicle for Hire.
- (2) A permit seized pursuant to this Section must be returned to the Chief License Inspector as soon as practicable, along with a written summary of the basis of the Bylaw Enforcement Officer's reasonable belief in support of the seizure.
- (3) Upon receipt of a seized permit, the Chief License Inspector must either return the permit or provide notice of the intent to suspend, cancel, or impose terms and conditions on the permit pursuant to Section 43.

**Division 2 - Operation of Certain Vehicles for Hire****ACCESSIBLE TAXI/TAXI REQUIREMENTS**

11. (1) A person driving, or that causes or permits the driving, of a Taxi, or Accessible Taxi ensure that:
- (a) the vehicle is equipped with an operating meter and top light;
  - (b) the colour and marking of the vehicle comply with requirements prescribed by the Chief License Inspector;
  - (c) the Dispatcher's name, telephone number and vehicle unit number are displayed on the exterior of the vehicle;
  - (d) a valid meter accuracy certificate, in a form satisfactory to the Chief License Inspector and dated within the previous one year, is accessible and produced to a passenger or Bylaw Enforcement Officer upon request; and
  - (e) effective May 1, 2022, the vehicle is equipped with an operating Global Positioning System (GPS) approved by the Chief License Inspector capable of tracking retrievable records for a period of no less than thirty (30) days.

**DESIGNATED DRIVER REQUIREMENTS**

12. (1) Any person who operated a motor vehicle owned by another registered motor vehicle owner for the purposes of providing Designated Driving Services will ensure that:
- (a) the Designated Driver maintains an agreement with a Licensed Designated Driving Service;
  - (b) immediately prior to each occasion on which the propose to operate a customer's motor vehicle, the Designated Driver shall have:
    - (i) reviewed the necessary documents to satisfy themselves that the motor vehicle has a valid registration and is insured under a contract for automobile insurance;
    - (ii) secured the registered motor vehicle owner's consent to operate the motor vehicle;
    - (iii) ensured that the number of individuals to be transported in the registered motor vehicle owner's motor vehicle does not exceed the number of available seatbelts and will otherwise be in compliance with applicable safety and highway traffic laws; and
    - (iv) struck an agreement with the registered motor vehicle owner respecting the Designated Driver's fee for operating the motor vehicle.
  - (2) The Designated Driver Support Vehicle is prohibited from conveying passengers with the exceptions of other Designated Drivers.
  - (3) The Designated Driver will have proof of appropriate commercial insurance that meets the requirements pursuant to Section 33.
  - (4) No person shall advertise or promote themselves as providing Designated Driving Services, or as a Designated Driver unless they are licensed in accordance with this Bylaw.

**DESIGNATED DRIVER SUPPORT VEHICLE MARKING**

13. (1) A person driving, that causes or permits the driving, of a Designated Driver Support Vehicle must ensure that:
- (a) the Dispatcher's name is clearly displayed so that it is visible from the exterior of the vehicle;
  - (b) no equipment or markings visible from the exterior are present in or on the vehicle that identify the vehicle as a Taxi or Accessible Taxi including but not limited to:
    - (i) the words "Taxi", "Cab", or "Accessible Taxi";
    - (ii) a top light or meter; or
    - (iii) the Dispatcher's name, contact information, or other than that required by Subsection 13(1)(a).



**PRIVATE TRANSPORTATION PROVIDER MARKINGS**

14. (1) A person driving, that causes or permits the driving, of a Private Transportation Provider must ensure that no equipment or markings visible from the exterior are present in or on the vehicle that identify the vehicle as a Taxi or Accessible Taxi, including, but not limited to:
- (a) the words “Taxi”, “Cab”, or “Accessible Taxi”; or
  - (b) a top light or meter.

**TRANSPORTATION NETWORK VEHICLE MARKINGS**

15. (1) A person driving, that causes or permits the driving, of a Transportation Network Vehicle must ensure that:
- (a) the Dispatcher’s name is clearly displayed on the front and rear of the vehicle so that it is visible from the exterior of the vehicle;
  - (b) the size of the Dispatcher’s name required by Subsection 15(1)(a) is at least 8cm x 8cm and does not exceed 20cm x 20cm; and
  - (c) no equipment or markings visible from the exterior are present in or on the vehicle that identify the vehicle as a Taxi or Accessible Taxi including but not limited to:
    - (i) the words “Taxi”, “Cab”, or “Accessible Taxi”;
    - (ii) a top light or meter; or
    - (iii) the Dispatcher’s name, contact information, or other than that required by Subsection 15(1)(a).

**ACCESSIBILITY EXCEPTION**

16. (1) Nothing in Sections 11, 13, 14 or 15 restricts a Vehicle for Hire from displaying the international symbol of access, provided that it does not exceed 20cm x 20cm and does not contain any words.

**SERVICE REFUSAL**

17. (1) A person driving a Vehicle for Hire must not refuse a request for service from a potential passenger.
- (2) Notwithstanding Subsection 17(1), a person driving a Vehicle for Hire may refuse a request for service from a potential passenger if, based on the circumstances, the person reasonably believes there is a danger to their personal safety or of serious damage to property or the service would contravene this Bylaw.
- (3) The fact that a potential passenger is accompanied by an assistance animal cannot be used to support a reasonable belief as referred to in Subsection 17(2).

- (4) If a request for service is refused pursuant to Subsection 17(2), the person driving the Vehicle for Hire must:
- (a) immediately provide verbal notice of the refusal to the Dispatcher that either arranged the refused request or is otherwise providing Dispatch services to the Vehicle for Hire at the time of the refusal; and
  - (b) within twenty-four (24) hours of the refusal, provide a signed written report of the circumstances of the refusal to the Chief License Inspector.
- (5) A notice of refusal required by Subsection 17(4) must include:
- (a) date of refusal;
  - (b) time of refusal;
  - (c) location of refusal;
  - (d) the Chauffeur Permit number, or full name and Provincial Operator's License number, of the person driving the Vehicle for Hire at the time of the refusal;
  - (e) the Vehicle Permit number, or provincial license plate and vehicle identification number;
  - (f) a complete description of the circumstances and the reasons for refusing the request for service; and
  - (g) any other information requested by the Chief License Inspector.

#### **ACCESSIBLE TAXI PRIORITY**

18. (1) A person driving Accessible Taxi must provide priority to request for service from passengers using a mobility aid.

#### **NOTATION REQUIRED**

19. (1) No person may drive an Accessible Taxi unless that person holds a valid Chauffeur Permit with a notation from the Chief License Inspector indicating the person has completed the required Accessible Taxi driver training.

#### **SHUTTLE RESTRICTIONS**

20. (1) A person driving a Shuttle must:
- (a) not provide service upon the request of a passenger at a time or location specified by the passenger;
  - (b) not permit a passenger to choose the route, duration, or destination of the trip;
  - (c) provide service only pursuant to a pre-determined, fixed, and published schedule and route;
  - (d) only load and unload passengers at pre-determined locations specified in the schedule;
  - (e) charge a fare that is a flat rate based solely on the destination and regardless of the number of passengers; and
  - (f) provide a copy of the schedule and route required by Subsection 20(1)(c) to the Chief License Inspector or a Bylaw Enforcement Officer upon request.

**Division 3 - Dispatcher Requirements****DISPATCHER OBLIGATIONS**

21. (1) A Dispatcher must:
- (a) not Dispatch the Vehicle for Hire unless a valid Vehicle Permit has been issued for:
    - (i) a Vehicle for Hire dispatched by a Transportation Network Dispatch Licensee, or a Designated Driving Service Dispatch Licensee is exempt from the requirements of Subsection 21(1)(a);
  - (b) not Dispatch a Vehicle for Hire unless the person driving the Vehicle for Hire holds a valid Chauffeur Permit:
    - (i) a Designated Driver Support Vehicle dispatched by a Designated Driving Service may be operated by a Designated Driver without a Chauffeur Permit; and
    - (ii) Designated Drivers operating without a Chauffeur Permit may not operate a customer's vehicle at any time;
  - (c) maintain a commercial or branch office within the Grande Prairie Region which ensures a central point of contact with representation from the Dispatch Licensee for the Chief License Inspector, License Inspectors or Bylaw Enforcement Officers:
    - (i) Exclusive Dispatch Licensees may submit application to be exempt from Subsection 21(1)(c).
- (2) A Taxi Dispatch Licensee must:
- (a) not Dispatch a Vehicle for Hire unless a valid Taxi Permit has been issued for that vehicle.
- (3) A Transportation Network Dispatch Licensee must:
- (a) not Dispatch a Vehicle for Hire unless the person driving the Vehicle for Hire holds a valid Provincial Class 1, 2 or 4 Operator's License;
  - (b) not Dispatch a Vehicle for Hire unless a valid Provincial Class 1-55 Registration Certificate has been issued for that vehicle;
  - (c) not Dispatch a person driving a Vehicle for Hire unless that person has been issued a Police Information Check and Vulnerable Sector Check that meets the requirements of Section 38;
  - (d) not Dispatch a Vehicle for Hire unless the driver and all passengers are covered by valid insurance that meets the requirements of Section 33;
  - (e) not Dispatch a Vehicle for Hire unless the vehicle is a Transportation Network Vehicle; and
  - (f) comply with the requirements of the Transportation Network Companies Regulation.

**DISPATCHER RECORDS**

22. (1) A Dispatcher must keep records related to all Vehicles for Hire for which it provides Dispatch services, including:
- (a) an account of all trips in the form prescribed by the Chief License Inspector;
  - (b) a complete list of all drivers and vehicles associated with or that receive Dispatch services from the Dispatcher;
  - (c) a summary of verbal notices of refusal provided to the Dispatcher pursuant to Subsection 17(4)(a), including the date, time, location, and Chauffeur Permit or full name and Provincial Operator's number of the person that reported the refusal; and
  - (d) any other information required by the Chief License Inspector.
- (2) A Dispatcher must keep all of the records required by Subsection 22(1) for a minimum of one (1) year of the date of the record.
- (3) Upon request of the Chief License Inspector or a Bylaw Enforcement Officer, a Dispatcher must, within ten (10) days of the request, provide copies, or access to an electronic database where such records are stored, of any record required to be kept by the Dispatcher pursuant to Subsection 22(1).

**EXCLUSIVE DISPATCH**

23. (1) If, when applying for a Vehicle Permit, a person makes a declaration pursuant to Subsection 29(1)(f) that the vehicle will be dispatched and driven exclusively by the person applying for the Vehicle Permit:
- (a) the person making the declaration is deemed a Dispatcher for the purposes of this Bylaw, and must submit an application and pay all applicable fees pursuant to Subsection 39(1)(a) and (b) to obtain an Exclusive Dispatch License;
  - (b) no person other than the person making that declaration may provide dispatch services for that vehicle; and
  - (c) at no time is the Exclusive Dispatch Licensee to provide Dispatch services for any other Vehicle for Hire.
- (2) A person may revoke a declaration made pursuant to Subsection 29(1)(f) at any time by providing the Chief License Inspector with proof of a valid agreement with at least one (1) Dispatcher who holds a valid Dispatch License to provide Dispatch services for the vehicle for which the Vehicle Permit has been issued.
- (3) The Exclusive Dispatch License must be surrendered to the Chief License Inspector upon revocation of a declaration made pursuant to Subsection 29(1)(f).

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**PART III - VEHICLE FOR HIRE LICENSING****TYPES OF PERMIT AND LICENSES**

24. (1) Subject to the requirements of this Part, the Chief License Inspector may issue the following permits and licenses for:
- (a) a Chauffer Permit;
  - (b) a Dispatch License; and
  - (c) a Vehicle Permit.

**VEHICLE PERMITS**

25. (1) Subject to the requirements of this Part, the Chief License Inspector may issue the following types of Vehicle Permits for:
- (a) an Accessible Taxi Permit;
  - (b) a Limousine Permit;
  - (c) a Private Transportation Provider Permit;
  - (d) a Shuttle Permit; and
  - (e) a Taxi Permit.

**DISPATCH LICENSES**

26. (1) Subject to the requirements of this Part, the Chief License Inspector may issue the following types of Dispatch Licenses for:
- (a) a Designated Driving Service Dispatch License;
  - (b) an Exclusive Dispatch License;
  - (c) a general Dispatch License;
  - (d) a Taxi Dispatch License; and
  - (e) a Transportation Network Dispatch License.

**PROPERTY OF THE CITY**

27. (1) Every License and permit issued pursuant to this Bylaw or any bylaw preceding this Bylaw does not confer any property rights and remains at all times the sole property of the City.
- (2) A Licensee or other person in possession of a License and permit issued pursuant to this Bylaw or any bylaw preceding this Bylaw may not sell, assign, lease or otherwise dispose of or give up control of a License or permit, except in accordance with this Bylaw, and must surrender the License or permit to the City immediately if requested by the Chief License Inspector.

**TRANSFERABILITY**

28. (1) All Licenses and permits are non-transferable.

- (2) A person driving a Vehicle for Hire, that causes or permits the driving of a Vehicle for Hire, must not display a Vehicle Permit or Provincial License Plate that has not been issued for that vehicle.

### **VEHICLE PERMIT ISSUE**

29. (1) A person applying for a Vehicle Permit must provide all of the following to the Chief License Inspector:
- (a) a completed application form;
  - (b) the fee(s) in accordance with [Bylaw C-1395, Schedule "A"](#);
  - (c) proof in a form satisfactory to the Chief License Inspector that the person has a sufficient ownership interest in the vehicle for which the Vehicle Permit will be issued a Transportation Provider License;
  - (d) proof in a form satisfactory to the Chief License Inspector that the vehicle for which the Vehicle Permit will be issued has a valid Provincial Class 1-55 Registration Certification;
  - (e) proof in a form satisfactory to the Chief License Inspector that the vehicle for which the Vehicle Permit will be issued and all persons who may drive that vehicle are covered by valid insurance that meets the requirements of Section 33;
  - (f) proof in a form satisfactory to the Chief License Inspector that the person has a valid agreement with a Dispatch Licensee to provide Dispatch services for that vehicle, or a declaration that the vehicle will be dispatched and driven exclusively by the person applying for the Vehicle Permit;
  - (g) if the person is applying for an Accessible Taxi Permit, proof in a form satisfactory to the Chief License Inspector that the vehicle for which the Accessible Taxi Permit will be issued is equipped to provide service to persons using mobility aids; and
  - (h) if the person is applying for a Limousine Permit, proof in a form satisfactory to the Chief License Inspector that the vehicle for which the Limousine Permit will be issued is:
    - (i) a stretch sedan or stretch sport utility vehicle containing a Limousine package interior;
    - (ii) a specialized vehicle containing a Limousine package interior;
    - (iii) a bus or motor coach containing a Limousine package interior;
    - (iv) any other vehicle approved by the Chief License Inspector; and
    - (v) any other information reasonably required by the Chief License Inspector to process the application.

### **VEHICLE PERMIT EXPIRY**

30. (1) Unless cancelled pursuant to this Bylaw or as otherwise specified on the Vehicle Permit, every Vehicle Permit expires on April 30 each year.
- (2) A suspended Vehicle Permit may be re-issued to the same Licensee, however the re-issuance will not alter the term of the suspension imposed pursuant to this Bylaw.

- (3) If a Taxi Permit or Accessible Taxi Permit has not been re-issued to the current Licensee prior to October 31, the Chief License Inspector may not issue the same Taxi Permit or Accessible Taxi Permit to another person until after December 31 of that year.

### **DUTY TO INFORM**

31. (1) If, at any time during the term of a Vehicle Permit, the Provincial Registration Certificate, Insurance Policy, or agreement with a Dispatcher required by Section 29 expires or is suspended or cancelled, the Licensee must immediately notify the Chief License Inspector.

### **AUTOMATIC SUSPENSION**

32. (1) If a Licensee's Provincial Registration Certificate, Insurance Policy, or agreement with a Dispatcher is suspended, cancelled, or expires at any time during the term of the Vehicle Permit, the Vehicle Permit is deemed to be immediately suspended without prior notice to the Licensee.

### **INSURANCE REQUIREMENTS**

33. (1) Every driver of a Vehicle for Hire and every Vehicle for Hire must be covered at all times by either:
- (a) a Motor Vehicle Liability Policy that complies with the *Insurance Act*, RSA 2000, Chapter I-3 and provides coverage of not less than the limits prescribed in the Commercial Vehicle Certificate and Insurance Regulation, AR 314/2002;
  - (b) a Motor Vehicle Liability Policy or a Transportation Network Automobile Insurance Policy that complies with the *Insurance Act*, RSA 2000, Chapter I-3 and the Transportation Network Companies Regulation and provides coverage of not less than the limits prescribed in the Transportation Network Companies Regulation; and
  - (c) Designated Driving Services will have proof of appropriate Commercial Insurance for their Support Vehicle(s) as well as Commercial General Liability insurance for their company of no less than \$1,000,000 per accident or occurrence
- (2) The insurance required by Subsection 33(1) may be satisfied by a valid insurance policy held by:
- (a) a Dispatcher that holds a valid Dispatch License, provided that the Dispatch Licensee is a named insured on the policy;
  - (b) the driver of a Vehicle for Hire;
  - (c) the owner of a Vehicle for Hire; and
  - (d) any combination of the persons listed in Subsections 33(2)(a), (b) and (c).
- (3) If the insurance required by this Section expires or is cancelled or suspended, the policy holder must immediately notify the Chief License Inspector.

- (4) Upon request of the Chief License Inspector or a Bylaw Enforcement Officer, a person listed in Subsections 34(2)(a), (b) and (c) must provide a complete copy of the insurance policy.
- (5) In a prosecution for a contravention of this Bylaw pertaining to insurance required by this Section, the onus of proving that a valid insurance policy exists is on the person alleging the sufficiency of the insurance policy on the balance of probabilities.

#### **CHAUFFEUR PERMIT ISSUE**

34. (1) A person applying for a Chauffeur Permit must provide all of the following to the Chief License Inspector:
  - (a) a completed application form;
  - (b) the fee(s) in accordance with [Bylaw C-1395, Schedule "A"](#);
  - (c) proof in a form satisfactory to the Chief License Inspector that the applicant or Licensee holds a valid Provincial Class 1, 2 or 4 Operator's License;
  - (d) recent, and in any event dated within ninety (90) days prior to the date of application, Police Information Check including Vulnerable Sector Check that meets the requirements of Section 38;
  - (e) a driver's abstract dated within thirty (30) days prior to the date of the application;
  - (f) if the person may drive an Accessible Taxi at any time, proof of successful completion of an Accessible Taxi driver training program acceptable to the Chief License Inspector;
  - (g) a photograph of the applicant's or Licensee's face for information into the Chauffeur Permit, to be taken by the Chief License Inspector at the time of application or in compliance with requirements prescribed by the Chief License Inspector; and
  - (h) any other information reasonably required by the Chief License Inspector to process the application.

#### **CHAUFFEUR PERMIT EXPIRY**

35. (1) Unless cancelled pursuant to this Bylaw or as otherwise specified on the Chauffeur Permit, every Chauffeur Permit expires on the second date of birth of the Licensee following the date the Chauffeur Permit is issued.

#### **DUTY TO INFORM**

36. (1) If, at any time during the term of a Chauffeur Permit, any information contained in the Police Information Check required by Section 34 changes, the Licensee must immediately notify the Chief License Inspector and provide an updated Police Information Check including Vulnerable Sector Check.



- (2) If, upon receipt and review of the Police Information Check including Vulnerable Sector Check, the Chief License Inspector believes an offence may have been committed which could negatively affect the functions, duties or business of a Vehicle for Hire or driver, the Chief License Inspector may suspend, cancel or impose terms and conditions to the Chauffeur Permit until the charges are resolved.
- (3) If, at any time during the term of a Chauffeur Permit, the Licensee's Provincial Operator's License expires, is suspended or cancelled, the Licensee must immediately notify the Chief License Inspector.

### **AUTOMATIC SUSPENSION**

37. (1) If a Licensee's Provincial Operator's License is suspended, cancelled, or expires at any time during the term of a Chauffeur Permit, the Chauffeur Permit is deemed to be immediately suspended without prior notice to the Licensee.

### **POLICE INFORMATION CHECK AND VULNERABLE SECTOR REQUIREMENTS**

38. (1) No Chauffeur Permit, or renewal shall be issued to any person who:
  - (a) within the past ten (10) years, was convicted of an offence under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada), or the Cannabis Act (Canada) that is related to the functions, duties, or business of a Vehicle for Hire or driver, which includes, but is not limited to:
    - (i) any offence of a violent nature, including firearms and weapons offences;
    - (ii) any offence involving sexual assault, sexual exploitation, sexual interference, procuring or invitation to sexual touching;
    - (iii) trafficking, or possession for the purpose of trafficking;
    - (iv) any offence involving fraud or fraudulent transactions, conspiracy to defraud, the use of false pretences, bribery, extortion, or theft; or
    - (v) any offence relating to the unlawful operation of a motor vehicle.

### **DISPATCH LICENSE ISSUE**

39. (1) A person applying for a Dispatch License must provide all of the following to the Chief License Inspector:
  - (a) a completed application form;
  - (b) the fee(s) in accordance with [Bylaw C-1395, Schedule "A"](#);
  - (c) if the person is applying for a Transportation Network Dispatch License, proof in a form satisfactory to the Chief License Inspector that the person has a valid approval granted by the Registrar pursuant to the Transportation Network Companies Regulation to operate as a transportation network company;
  - (d) if the person is applying for a General Dispatch License or Transportation Network Dispatch License, proof in a form satisfactory to the Chief License Inspector of the number of vehicles that may be dispatched by the applicant during the term of the License, including the number of accessible vehicles;

- (e) appropriate documentation proving a commercial or branch office has been established within the City at an approved location; whereas an exclusive Dispatch Licensee(s) may submit an application to be exempt; and
- (f) any other information reasonably required by the Chief License Inspector to process the application.

#### **DISPATCH LICENSE EXPIRY**

40. (1) Unless cancelled pursuant to this Bylaw or as otherwise specified on the Dispatch License, every Dispatch License expires on April 30 each year.

#### **TRANSITIONAL**

41. (1) On the coming into force of this Bylaw the following transitional provisions will apply to current Licenses, until the expiry, suspension, or cancellation of the License for a valid:
- (a) Chauffeur Permit is deemed to be a valid Chauffeur Permit;
  - (b) Limousine Broker License is deemed to be a valid General Dispatch License;
  - (c) Taxi Broker License is deemed to be a valid Taxi Dispatch License;
  - (d) Vehicle Permit (Limousine) is deemed to be a valid Limousine Permit; or
  - (e) Vehicle Permit (Taxi) is deemed to be a valid Taxi Permit.
- (2) If any License deemed valid by the operation of this Section was subject to terms and conditions prior to the coming into force of this Bylaw, those same terms and conditions are deemed to be applicable to the License issued pursuant to this Bylaw.

### **PART IV - ROLE OF THE CHIEF LICENSE INSPECTOR**

#### **LICENSE REVIEW**

42. (1) The Chief License Inspector may refuse to issue or transfer, suspend, or cancel any License issued pursuant to this Bylaw, and may impose any terms and conditions on any License for any of the following reasons:
- (a) the applicant or Licensee does not or no longer meets the requirements of this Bylaw;
  - (b) the applicant or Licensee or any of its officers, employees, agents, or affiliates:
    - (i) furnishes false information or misrepresents any fact or circumstance to a Bylaw Enforcement Officer or the Chief License Inspector;
    - (ii) has, in the opinion of the Chief License Inspector based on reasonable grounds, contravened this Bylaw whether or not the contravention has been prosecuted;
    - (iii) fails to pay a fine or obey any order issued by a court for a contravention of this Bylaw;
    - (iv) fails to pay any fee in accordance with [Bylaw C-1395, Schedule "A"](#); or
    - (v) provides a cheque or other negotiable instrument for payment of a fee in accordance with [Bylaw C-1395, Schedule "A"](#) that is returned to the City based on non-sufficient funds;

- (c) in the opinion of the Chief License Inspector based on reasonable grounds it is in the public interest to do so.

### **NOTICE TO LICENSEE**

- 43. (1) Before refusing to issue, transfer, suspending, or cancelling a License, or imposing terms and conditions on a License, the Chief License Inspector must provide the applicant or Licensee with:
  - (a) a notice in writing of the proposed refusal, suspension, cancellation, or terms and conditions;
  - (b) reasons for the proposed refusal, suspension, cancellation, or terms and conditions; and
  - (c) the opportunity to make a written representation to the Chief License Inspector in response to the proposal prior to the Chief License Inspector making a decision.

### **NOTICE NOT REQUIRED**

- 44. (1) Notwithstanding Section 43, the Chief License Inspector is not required to provide notice to the applicant or Licensee prior to making a decision if the reason for the proposed condition, refusal, or suspension is:
  - (a) a failure by the applicant or Licensee to pay a required fee in accordance with [Bylaw C-1395, Schedule "A"](#), including providing a cheque or other negotiable instrument that is returned to the City based on non-sufficient funds;
  - (b) a failure to provide any information required pursuant to this Bylaw for the issuance of a License;
  - (c) an automatic suspension of a Vehicle Permit pursuant to Section 32; or
  - (d) an automatic suspension or cancellation of a Chauffeur Permit pursuant to Sections 37 or 38.

### **SERVICE OF DECISION**

- 45. (1) A decision to refuse to issue or transfer, suspend, cancel, or impose terms and conditions on any License issued pursuant to this Bylaw must be in writing and served on the applicant or Licensee.
- (2) The applicant or Licensee will be notified of a decision made pursuant to Subsection 45(1) by one (1) of the following means:
  - (a) by personal service of a notice on the Licensee or applicant; or
  - (b) by mailing a notice to the Licensee or applicant's business location or residential address on file with the City by registered mail.
- (3) A decision made pursuant to Subsection 45(2) shall be deemed to have been received on the date of service or five (5) working days after the date it is mailed.

- (4) The Chief License Inspector must provide written notice of a decision to suspend or cancel a Vehicle Permit to the Dispatcher that provides Dispatch services for that vehicle.

### **APPEAL**

46. (1) Any person who is affected by a decision of a Chief License Inspector, other than a decision to issue a violation ticket, may appeal to the Committee by delivering to the Clerk, a notice of appeal in the form prescribed by the City within fourteen (14) days of the date of the decision.
- (2) If the Clerk determines that a notice of appeal is not properly completed, he or she shall notify the appellant and the appellant shall correct the notice of appeal within three (3) days, failing which the notice of appeal will be deemed to be invalid.
- (3) Upon confirming that a notice of appeal is complete, the Clerk shall:
  - (a) arrange for the Committee to hear the appeal; and
  - (b) notify the appellant in writing of the date, time and place of the appeal hearing.
- (4) An appeal shall be heard by the Committee within forty-two (42) days of the date upon which a properly completed notice of appeal is received by the Clerk.
- (5) In an appeal hearing, the Committee shall hear the appellant, the Chief License Inspector or their designate and any other person who, in the opinion of the Committee, is affected by the decision. The Committee may accept any other evidence or information deemed pertinent to the subject matter of the appeal.
- (6) The Committee may uphold, vary, or reverse a decision of the Chief License Inspector.
- (7) The Clerk shall advise an appellant of the outcome of the appeal within seven (7) days of the decision being rendered by the Committee.

### **CHIEF LICENSE INSPECTOR ROLE**

47. (1) In addition to any other power, duty, or function pursuant to this Bylaw, the Chief License Inspector may:
  - (a) issue, refuse, suspend, cancel, or impose terms and conditions on any License authorized by this Bylaw;
  - (b) designate vehicles or classes of vehicles as exempt Vehicles for Hire;
  - (c) prescribe City contact information that must be displayed in Vehicles for Hire;
  - (d) prescribe forms for vehicle inspection and meter accuracy certificates;
  - (e) prescribe the forms of Vehicle Permits, Chauffeur Permit, or Dispatcher Licenses;
  - (f) prescribe application and consent to transfer forms for Licenses issued pursuant to this Bylaw;
  - (g) prescribe the form of Accessible Taxi notation required for Chauffeur Permits;

- (h) prescribe colours for Taxis and Accessible Taxis;
- (i) prescribe driver training requirements;
- (j) prescribe minimum ownership interest requirements for issuance of a Vehicle Permit;
- (k) prescribe requirements for photographs to be incorporated into Chauffeur Permits;
- (l) approve vehicles or classes of vehicles as Limousines;
- (m) prescribe the form for accounts of trips;
- (n) prescribe criteria for any requirements or approvals not otherwise specified in this Section;
- (o) modify or waive any requirement for issuance of a License pursuant to this Bylaw, including reducing or waiving the applicable fee;
- (p) carry out any inspection necessary to determine compliance pursuant to this Bylaw; or
- (q) delegate any power, duty, or function pursuant to this Bylaw.

### **FEES**

48. (1) A person who changes or updates any information required to be provided to the Chief License Inspector pursuant to this Bylaw must pay the administration fee in accordance with [Bylaw C-1395, Schedule "A"](#) prior to the acceptance of the changed or updated information by the Chief License Inspector.
- (2) If a License issued pursuant to this Bylaw is lost, damaged, stolen, or destroyed, the Chief License Inspector may issue a replacement License of the same type, term, and with the same terms and conditions upon payment of the License replacement fee in accordance with [Bylaw C-1395, Schedule "A"](#).

## **PART V - ENFORCEMENT**

### **OFFENCE**

49. (1) A person who contravenes this Bylaw is guilty of an offence.

### **CONTINUING OFFENCE**

50. (1) In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine for each such day.

### **FINES AND PENALTIES**

51. (1) A person who is guilty of an offence pursuant to this Bylaw is liable:
- (a) to a fine as prescribed in Schedule A; or
  - (b) on summary conviction, to a fine not exceeding \$10,000.00 or to an order of imprisonment for not more than one (1) year, or both.

**MUNICIPAL TAG**

52. (1) A Municipal Tag may be issued for any offence pursuant to this Bylaw.
53. (1) If a Municipal Tag is issued for an offence, the Municipal Tag must specify the fine amount established pursuant to this Bylaw for the offence.

**PAYMENT IN LIEU OF PROSECUTION**

54. (1) A person who commits an offence may, if a Municipal Tag is issued for the offence, pay the fine amount established pursuant to this Bylaw for the offence and if the full amount is paid on or before the required date, the person will not be prosecuted for the offence.

**VIOLATION TICKET**

55. (1) If a Violation Ticket is issued for an offence pursuant to this Bylaw, the Violation Ticket may:
- (a) specify the fine amount established pursuant to this Bylaw for the offence; or
  - (b) require a person to appear in court without the alternative of making a voluntary payment.
56. (1) A person who commits an offence may, if a Violation Ticket is issued specifying the fine amount established pursuant to this Bylaw for the offence, make a voluntary payment equal to the specified fine amount.

**PROOF OF LICENSE OR PERMIT**

57. (1) The onus of proving that a person has a valid License or permit for the purpose of this Bylaw is on the person alleging the License or permit on a balance of probabilities.

**PROOF OF EXEMPTION**

58. (1) The onus of proving that a person is exempt from a requirement of this Bylaw is on the person alleging the exemption on a balance of probabilities.

**PROOF OF BUSINESS**

59. (1) In a prosecution for a contravention of this Bylaw pertaining to providing Dispatch or Vehicle for Hire services without a License or permit, proof of one (1) transaction or that the service has been advertised is sufficient to establish that the person has provided Dispatch or Vehicle for Hire services.

- (2) In a prosecution for a contravention pursuant to this Bylaw pertaining to the driving of a Vehicle for Hire, proof that the vehicle is displaying a Vehicle Permit or trade dress marking as required pursuant to this Bylaw, or proof that the driver or vehicle is presented in or has access to a mobile application used by a Dispatcher to offer Vehicle for Hire services, is sufficient proof that the vehicle is operating as a Vehicle for Hire, unless the contrary is established on a balance of probabilities.

### **VICARIOUS LIABILITY**

60. (1) For the purposes of this Bylaw, an act or omission by an employee or agent of a person is deemed to be an act or omission of the person if the act or omission occurred in the course of the employee's employment or agency relationship with the person.

### **CORPORATIONS**

61. (1) If a corporation commits an offence pursuant to this Bylaw, every principal, director, manager, officer, employee, or agent of the corporation who authorized, assented to, acquiesced, or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.

### **PARTNERSHIPS**

62. (1) If a partner in a partnership is guilty of an offence pursuant to this Bylaw, each partner in that partnership who authorized, assented to, acquiesced, or participated in the act or omission that constitutes the offence is guilty of the offence.

### **READINGS**

63. This Bylaw shall come into force and effect on May 1, 2021.

**READ** a first time this 8 day of March, 2021.

**READ** a second time this 8 day of March, 2021.

\_\_\_\_\_  
"J. Clayton" (signed)

Mayor

\_\_\_\_\_  
"A. Karbashewski" (signed)

City Clerk

**READ** a third time and finally passed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**CITY OF GRANDE PRAIRIE**

**BYLAW C-1394**

**SCHEDULE “A”**

**SPECIFIED PENALTIES**

<b>OFFENCE</b>	<b>SECTION(S)</b>	<b>PENALTY</b>
Operate Vehicle for Hire without valid Chauffeur Permit	4 (1)	\$1,000.00
Operate Vehicle for Hire without valid Vehicle Permit	4 (2)	\$1,000.00
Dispatch Vehicle for Hire without valid Dispatch License	4 (3)	\$1,000.00
Fail to abide by License and/or Permit condition	4 (4)	\$500.00
Operate a Transportation Network Vehicle without a valid Provincial Class 1, 2 or 4 Operator’s License	4 (5)	\$1,000.00
Operate a Transportation Network Vehicle without a valid Provincial Class 1-55 Registration Certificate	4 (6)	\$1,000.00
Operate a Transportation Network Vehicle without required insurance	4 (7)	\$1,000.00
Fail to provide License or document	6 (1)(a)	\$500.00
Fail to provide a valid Mechanical Inspection Certificate	6 (1)(b)	\$500.00
Fail to provide proof of valid insurance	6 (1)(c)	\$500.00
Fail to provide a valid Provincial Class 1, 2 or 4 Operator’s License	6 (1)(d)	\$500.00
Fail to provide a valid Provincial Class 1-55 Registration Certificate	6 (1)(e)	\$500.00
Engage in Street Hailing without Taxi or Accessible Taxi Permit	9 (1)	\$500.00
Fail to meet Accessible Taxi/Taxi requirements	11 (1)	\$500.00
Fail to meet Designated Driver requirements	12 (1)	\$500.00
Conveying passengers with Designated Driver Support Vehicle	12 (2)	\$500.00
Designated Driver fail to show proof of appropriate commercial insurance	12 (3)	\$500.00
Advertise or promote providing Designated Driving Services when not licensed to do so	12 (4)	\$500.00
Fail to meet Designated Driver Support Vehicle Marking requirements	13 (1)	\$500.00
Fail to meet Private Transportation Vehicle Marking requirements	14 (1)	\$500.00
Fail to meet Transportation Network Vehicle Marking requirements	15 (1)	\$500.00
Vehicle for Hire unreasonably refuse service	17 (1)	\$500.00
Accessible Taxi fail to provide priority to passenger using mobility aid	18 (1)	\$500.00
Dispatcher fail to meet obligations	21	\$1,000.00
Dispatching contrary to declaration	23 (1)(a)	\$1,000.00
Fail to provide insurance policy upon request of the Chief License Inspector	33 (4)	\$1,000.00
<b>For any offence for which a fine is not otherwise established</b>		<b>\$250.00</b>