

NO: **R011**

COUNCIL DATE: **January 23, 2012**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **January 18, 2012**

FROM: **City Solicitor**

FILE: **3900-20-13610 #3**

SUBJECT: **Amendment to the Vehicle for Hire By-law, 1999, No. 13610 –
Term of Chauffeur Permit**

RECOMMENDATION

The Legal Services Division recommends that Council:

1. Receive this report as information; and
2. That Council adopt amendments to the City of Surrey Vehicle for Hire By-law, 1999, No. 13610 as documented in Appendix "A" to this report, which would bring into effect a Two-Year Chauffeur Permit for drivers who have a demonstrated record of responsible conduct and a safe driving record.

INTENT

At its Regular meeting on November 7, 2011, Council resolved

“That staff be requested to review the City’s by-laws and policies related to Chauffeur Permits and forward a report to Council complete with recommendations with a view to allowing for the issuance of a 2-year Chauffeur Permit to taxi drivers that have demonstrated their good character and ability to operate their vehicle safely over a period of years.”

This report responds to Council’s resolution.

BACKGROUND

All taxi drivers in the City regardless of their length of service are currently required to renew their Chauffeur Permit annually with the City through the RCMP at a cost of \$125 for the application in addition to the expense associated with new photographs and the costs associated with attending at the local RCMP detachment to fill out the necessary application. This Chauffeur Permit process is focused on ensuring the safety of the public who use taxis. After a

taxi driver has demonstrated their good character and their ability to operate a vehicle safely over a number of years an annual review should not be necessary and, therefore, a longer period between Permit renewals could be considered. Should any issues of concern arise prior to the renewal of a Permit, the RCMP has the authority under the *Motor Vehicle Act* to suspend or cancel a Permit prior to its renewal date.

DISCUSSION

Staff has surveyed the practices of other municipalities in the lower mainland and has compiled the following information with respect to the term for which Chauffeur Permits are issued in other jurisdictions.

Municipality	Term
Vancouver	2 years
Burnaby	3 years
Richmond	1 year
City & Township of Langley	1 year

The purpose of the Chauffeur Permit application process is to ensure the safety of the public who use taxi services in Surrey. The Screening Guidelines that have been established for use by the RCMP in determining whether a Chauffeur Permit should be issued or renewed for an applicant are attached as Appendix “B”. The Guidelines focus on the driving record of the applicant as well as the applicant’s record of negative police contact and criminal record.

The amendments to the Vehicle for Hire By-law as proposed in this report provide that taxi drivers who have held a Chauffeur Permit for a minimum of five years and who have no more than two traffic violation tickets during the most recent five-year period, have no administrative driving prohibitions or penalties, have no criminal record or convictions for traffic-related offences during that same period and are not subject to a charge for an offence, will be eligible to receive a Two-Year Chauffeur Permit. These amendments will act as an incentive to taxi drivers to drive safely and to be responsible in relation to their conduct. If the RCMP have other concerns with the applicant, they are not obligated to issue a Two-Year Permit or any Permit for that matter based on the applicant satisfying the above-referenced criteria.

A two-year term for a Chauffeur Permit for qualifying taxi drivers is within the range of terms that are already in place in other municipalities in the Region.

CONCLUSION

Based on the above discussion, it is recommended that Council adopt an amendment to the City of Surrey Vehicle for Hire By-law, 1999, No. 13610 as documented in Appendix "A" to this report, which would act to implement a Two-Year Chauffeur Permit for drivers who have a demonstrated record of responsible conduct and a safe driving record.

CRAIG MacFARLANE
City Solicitor

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Appendix "A": Proposed Amending By-law Related to Surrey Vehicle for Hire
By-law, 1999, No. 13610

Appendix "B": Chauffeur Permit Screening Guidelines

APPENDIX "A"

CITY OF SURREY

BY-LAW NO. _____

A by-law to amend the provisions of "City of Surrey Vehicle for Hire By-law, 1999, No. 13610" as amended.

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The Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. "City of Surrey Vehicle for Hire By-law, 1999, No. 13610" as amended, is hereby further amended as follows:

(a) Part 2 - General Provisions is amended by adding new Subsection 14(n) as follows:

(n) Despite Subsection (l), operators of a cab, Class A taxi cabs, Class B Limousines, Class C sightseeing cab, Class D airport cab, Class H school cab who have held a Chauffeur Permit for a minimum period of five (5) years and who have had:

- (1) no more than two (2) traffic violation tickets;
- (2) no administrative driving prohibitions or penalties;
- (3) no criminal record; and
- (4) no convictions for traffic-related offences,

during the most recent five-year period and who are not subject to a charge for an offence, may renew their Chauffeur Permits for two (2) years and every two (2) years thereafter provided they have had no more than two (2) traffic violation tickets, no administrative driving prohibitions or penalties, no criminal record, and no convictions for traffic-related offices within the two (2) year permit period and provided they are not subject to a charge for an offence.

2. This By-law shall be cited for all purposes as "City of Surrey Vehicle for Hire By-law, 1999, No. 13610, Amendment By-law, 2012, No. _____".

PASSED THREE READINGS on the ____ day of _____, 2012.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the ____ day of _____, 2012.

_____MAYOR

_____CLERK