Being a by-law of the Town of Altona to provide for the regulation of vehicles for hire in the Town of Altona, to be known as the "Vehicles for Hire By-law".

WHEREAS The Local Vehicles For Hire Act, C.C.S.M., c. L195, was enacted and came into force on the 28th of February, 2018;

AND WHEREAS The Local Vehicles For Hire Act dissolved the Taxicab Board and provided municipalities with specific powers to make bylaws regulating vehicles for hire;

AND WHEREAS Section 232(1) of The Municipal Act, C.C.S.M., Cap. M225 (the "Act") states in part that:

232(1) "A Council may pass by-laws for municipal purposes respecting the following matters:

(n) businesses, business activities and persons engaged in business:

AND WHEREAS it is deemed expedient and in the best interests of the Town of Altona to create and maintain a sustainable industry that meets the needs of the travelling public within the municipality as well as those who work in the industry;

NOW THEREFORE the Town of Altona, in Council duly assembled, enacts as follows:

- 1. This by-law regulates:
 - (a) Vehicles For Hire
 - (b) Drivers of Vehicles For Hire

- 2. Vehicles For Hire are divided into the following categories:
 - (a) Taxi, consisting of standard and accessible taxis;
 - (b) Limousines;
 - (c) Personal Transportation Provider (PTP) consisting of standard and accessible PTPs.

Definitions

- 3. In this by-law:
 - "Accessible" in respect of a vehicle, means a vehicle
 - (a) Constructed and equipped to permit loading, transportation and off-loading of individuals confined to a wheelchair, or similar device used to assist disabled persons, without transfer; and
 - (b) Driven by an individual who is physically capable of providing, and trained to provide in compliance with the requirements of this by-law, transportation services to an individual confined to a wheelchair, or similar device used to assist disable persons, without transfer.
 - "Charges in relation to a relevant criminal offence or a major driving offence" means the initiation of law enforcement proceedings
 - (a) in the case of an enactment of the Parliament of Canada, by way of an information laid by a peace officer before, and received by, a justice; or
 - (b) in the case of an offence under an enactment of Manitoba, a proceeding under *The Provincial Offences Act, C.C.S.M. c. P160* by information or ticket.
 - "Child abuse registry check" means a report about a person's listing in the child abuse registry established and maintained under the *Child and Family Services Act, C.C.S.M. c. C80*.

- "Criminal Record Check" means a report about a person obtained from a law enforcement agency stating whether or not the person has been convicted under an enactment of the Parliament of Canada of an offence in respect of which a record of the person's finger prints is maintained under the identification of criminals, R.S.C. 1985 c.l-1, or has any outstanding charges for such offences awaiting court disposition, and includes a Vulnerable Persons Sector Search.
- "Vehicle For Hire Driver's Licence" means a licence issued under this by-law which authorizes an individual to drive a Vehicle For Hire with a valid permit in the Town of Altona.
- "Vehicle For Hire Permit" means a licence issued under this by-law held by an individual that allows up to a maximum of three (3) other individuals to operate a Vehicle For Hire under the endorsed Permit for short term or one-off instances.
- **"Limousine"** means a vehicle determined by the Chief Administrative Officer or designate to qualify as a luxury or specialized vehicle that provides transportation services.
- "Major Driving Offence" means an offence set out in subsection 125(6) of The Drivers and Vehicles Act, C.C.S.M. c. D104.
- "PTP Vehicle" means a Vehicle for Hire that is not a taxi or limousine.
- "Taxi" means a Vehicle for Hire in respect of which a standard or accessible taxi licence has been issued.
- "Vehicle For Hire" means a vehicle
 - (a) with a manufacturer's seating capacity originally designed for 10 or fewer occupants including the driver; and

- (b) that is used to transport a passenger for compensation where:
 - (i) the vehicle is hired for single trip; and
 - (ii) the passenger controls the route travelled or the destination.

General Provisions

- 4. A person must not operate, or offer to operate, a Vehicle For Hire except in compliance with this by-law.
- 5. The owner of a vehicle must not allow it to be used, or to be offered to be used, as a Vehicle For Hire except in compliance with this by-law.
- 6. Payment of applicable fees as listed in Schedule A to this By-law and can henceforth be amended from time to time by resolution of Council.
- 7. Provision of a permit under this by-law entitles the permit holder to operate a Vehicle for Hire with service originating from Altona.

Exceptions

8. Only the specifically named exceptions in Schedule B are excluded from all the provisions in this by-law.

Vehicles For Hire

- 9. All categories of Vehicles For Hire must
 - (a) have a valid registration and insurance;
 - (b) undergo an annual inspection and been issued inspection certificates applicable to that vehicle under *The Drivers and Vehicles Act* C.C.S.M. c. D104. An inspection must be completed within 30 days of issuing a permit or annual renewal;
 - (c) be maintained in good condition;
 - (d) display a permit or licence issued under this by-law at all times

in a location visible to the passengers who hired the vehicle;

- (e) operate in accordance with their permit; and
- (f) install winter tires in accordance with Manitoba Public Insurance guidelines/regulations.
- 10. A PTP Vehicle must only be operated by the owner of that vehicle.

Drivers of Vehicles For Hire

- 11. A driver of a Vehicle for Hire must
 - (a) have a valid minimum class 4 driver's licence;
 - (b) not have been convicted of a relevant criminal offence within the previous ten (10) years, unless a record suspension (pardon) has been issued in respect of that offence;
 - (c) not have been convicted within the previous ten (10) years of a major driving offence;
 - (d) not be registered on the Child Abuse Registry;
 - (e) demonstrate a proficiency in speaking English or French; and
 - (f) complete accessibility transportation training if wishing to be endorsed with an accessible permit.
- 12. A driver must immediately notify the Town of Altona if their eligibility to hold a Vehicle For Hire Driver's Licence under this bylaw changes.
- 13. The holder of the Vehicle for Hire Permit is responsible for the conduct of the individual driving under the permit.
- 14. Any penalties of the driver under authority of a Town of Altona bylaw are the responsibility of the holder of the Vehicle for Hire Permit.
- 15. A maximum of three individual Vehicle For Hire Driver's Licences in addition to the Vehicle for Hire Permit holder can be held at any one time.

Specific Regulations of Vehicle For Hire Categories

16. A Taxi:

- (a) can be hailed;
- (b) can be hired from identified taxi ranks or stands;
- (c) accepts payment via cash and via debit or credit on an optional basis;
- (d) driver can only reject a customer (fare) or terminate the ride for reason of safety or suspect damage to property;
- (e) can be rejected by a customer (fare) without reason;
- (f) must display in view of each passenger
 - (i) the current fare schedule;
 - (ii) the process by which a complaint can be made;
 - (iii) the process by which property left behind by a passenger can be returned;
- (g) must install a certified meter which measures time, distance or both;
- (h) must display a light on the exterior of the vehicle that turns off when the meter is operating;
- (i) permit is issued upon Town approval and is non-transferable;
- (j) driver must take the most economical route to the passenger's destination unless otherwise directed by the passenger and provide reasonable assistance to any passenger as requested or required in the circumstances; and
- (k) must not charge fares other than in accordance with the fares set out in Schedule C.

17. A Limousine

- (a) cannot be hailed;
- (b) can be hired from an identified taxi rank or stand;
- (c) accepts payment via cash and via debit or credit on an optional basis;
- (d) driver can only reject a customer (fare) or terminate the ride for reason of safety or suspect damage to property; and
- (e) must indicate upfront pricing.

- 18. A Personal Transportation Provider (PTP):
 - (a) cannot be hailed;
 - (b) cannot be picked up from taxi ranks or stands;
 - (c) driver can only reject a customer (fare) or terminate the ride for reason of safety or suspect damage to property;
 - (d) can only be ordered and paid for via an application (app) downloaded by a user to a mobile device; and
 - (e) the app must provide:
 - (i) the driver's name;
 - (ii) a photo of the driver;
 - (iii) a photo of the car;
 - (iv) previous customer ratings of the driver and vehicle;
 - (v) upfront pricing for the journey;
 - (vi) for the payment platform;
 - (vii) customer option to reject the driver provided and automatically provide the next driver available; and
 - (viii) customer the ability to specifically request driver that is on duty.

Numbers of Vehicles For Hire

19. The number of Vehicle For Hire permits issued will be set by the Town of Altona from time to time via a formula and identified in Schedule D.

Enforcement of By-law Provisions (Penalties)

20. In accordance with the Administrative Penalty Scheme By-law of the Town of Altona, contained in Schedule E of this by-law are penalties for contravention of this by-law, and so scheduled in the Administrative Penalty Scheme By-law.

Vehicle For Hire Commission

21. The elected members of the Town of Altona Council, as appointed by resolution of Council, will form the Vehicle For Hire Commission and when required will convene as the Commission,

and if such time is during a Council meeting, the Council pass a resolution to convene as the Commission separate to the business of Council, at the conclusion resolve to close the Commission.

- 22. Any decision made by the authorized officer in relation to the Vehicle For Hire By-law may be appealed to the Vehicle For Hire Commission using the Notice of Appeal Form in Schedule F.
- 23. An appeal heard by the Commission will provide both the appellant and the authorized officer sufficient time to speak to the matter and the Commission has the ability to ask questions and to seek clarifications.
- 24. The decision of the Commission must be consistent with the Vehicles For Hire By-law.
- 25. If as a result of an appeal the Commission believes that the bylaw needs amendments, the Commission can suggest such changes for consideration of Council.
- 26. The Commission may defer a decision, suspend a Commission hearing until a later date to allow further evidence to be gathered.
- 27. Once the Commission has made its decision it is final, and no appeal may be taken in respect of that decision.

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DONE AND PASSED in Council at The Town of Altona in the Province of Manitoba this 12th day of October, A.D. 2021.

Mayor

Chief Administrative Officer

Read a first time this 28th day of September, A.D. 2021. Read a second time this 12th day of October, A.D. 2021. Read a third time this 12th day of October, A.D. 2021.

Schedule "A" VEHICLE FOR HIRE FEES

	Frequency	Fee
Vehicle for Hire Permit- full time ¹	Annual	\$200.00
Vehicle For Hire Permit – part	Annual	\$90.00
time ²		
Vehicle For Hire Driver's Licence	Annual	\$50.00
- additional driver		
Notes		

- 1. Hours of operation are 24 hours per day, every day of the year.
- 2. Vehicle must be used less than 5 days per week. Owner must stipulate the hours of operation which will become a permit condition on that vehicle.

TOWN OF ALTONA BY-LAW 1797/2021 SCHEDULE "B" EXEMPTIONS

The following are exempt from the Vehicle For Hire By-law:

1. Rhineland CARE Handivan

SCHEDULE "C" MAXIMUM FARE SCHEDULE

The maximum fare schedule sets out the maximum fare rates to be charged by Taxi vehicles. The meter on a Taxi vehicle must always be on when transportation service is being delivered. Limousine and PTP vehicle rates are not regulated, but must be posted and agreed to in advance.

		Each additional	Each 15 seconds				
Category	Basic Charge	100 meters	of waiting time				
Curb to Curb Service							
Taxi (Standard & Acces	sible)						
6 am to Midnight	\$4.75	\$0.211	\$0.15				
Midnight to 6 am	\$6.65	\$0.211	\$0.15				
Taxi (more than 4 passe							
6 am to Midnight	\$9.75	\$0.211	\$0.15				
Midnight to 6 am	\$12.65	\$0.211	\$0.15				
Door to Door Service			10.7.7				
Accessible service	\$12.65	\$0.211	\$0.15				
One Way Flat Rate Fare	S						
From Altona	Lin Roman and American State of the Control of the	То					
\$102.00	and the second s	Boundary Trails Hos	pital				
\$558.00	A CONTRACTOR OF THE CONTRACTOR	Brandon					
\$176.00		Carman					
\$89.00		Emerson					
\$38.00		Gretna					
\$117.00		Morden					
\$110.00		Morris					
\$64.00		Plum Coulee					
\$321.00		Portage La Prairie					
\$36.00		Rosenfeld					
\$89.00		Winkler					
\$249.00	249.00 Winnipeg						
Other charges							
Cleaning Fee \$50.00							
Per person drop (flat fare only) \$5.00							

SCHEDULE "D" VEHICLE FOR HIRE PERMITS ISSUED

CATEGORY	PERMITS	
Limousine	Unlimited	
PTP	Unlimited	
Taxi	Unlimited	

SCHEDULE "E" PENALTIES FOR VEHICLE FOR HIRE RELATED OFFENCES

Provision of By-Law No. 1797/2021	Contravention	Administrative Penalty (\$)	Discounted Amount (\$)	
Section 4	Provide transportation services without a permit	\$500.00	\$250.00	
Section 5	Vehicle not licenced and used for transportation services	\$1,000.00	\$500.00	
Section 9 (a)	Insurance and/or registration not valid	\$1,000.00	\$500.00	
Section 9 (b)	Failure to undergo prescribed inspection	\$1,000.00	\$500.00	
Section 9 (c)	Failure to maintain in good condition	\$1,000.00	\$500.00	
Section 9 (d)	Failure to display Vehicle For Hire By-law Permit or Licence appropriately	\$500.00	\$250.00	
Section 9 (e)	Operating a Vehicle For Hire in excess of the hours within the permit	\$1,000.00	\$500.00	
Section 9 (f)	Failure to install winter tires	\$1,000.00	\$500.00	
Section 10	Section 10 Other than owner of vehicle operating PTP vehicle		\$500.00	
Section 11 (a)	Individual driving a Vehicle Section 11 (a) For Hire without appropriate licence		\$250.00	
Section 12	Failure to notify Town of		\$500.00	

SCHEDULE "E" (CONTINUED) PENALTIES FOR VEHICLE FOR HIRE RELATED OFFENCES

Provision of By-Law No. 1797/2021	Contravention	Administrative Penalty (\$)	Discounted Amount (\$)	
Section 15	More than allowed number of drivers operating	\$500.00	\$250.00	
Section 16 (c)	Taxi failing to provide all forms of payment	\$500.00	\$250.00	
Section 16 (f) (i)	Failure to display current fare schedule	\$500.00	\$250.00	
Section 16 (f)	Failure to display complaint process	\$500.00	\$250.00	
Section 16 (f) (iii)	Failure to display process to claim property left in taxi	\$500.00	\$250.00	
Section 16 (g)	Failure to have a certified meter in accordance with by-law	\$1,000.00	\$500.00	
Section 16 (h)	External light inoperable in accordance with by-law	\$500.00	\$250.00	
Section 16 (j)	Failure to take the most economical route	\$1,000.00	\$500.00	
Section 16 (k)	Charging more than the fare schedule allows	\$1,000.00	\$500.00	
Section 17 (a)	Limousine accepting a fare from being hailed	\$500.00	\$250.00	
Section 17 (c)	Limousine failing to provide all forms of payment	\$500.00	\$250.00	

SCHEDULE "E" (CONTINUED) PENALTIES FOR VEHICLE FOR HIRE RELATED OFFENCES

Provision of By-Law No. 1797/2021	Contravention	Administrative Penalty (\$)	Discounted Amount (\$)
Section 17 (e)	Limousine failing to provide upfront pricing	\$500.00	\$250.00
Section 18 (a)	PTP accepting fare from being hailed	\$500.00	\$250.00
Section 18 (b)	PTP accepting fare from taxi ranks	\$500.00	\$250.00
Section 18 (c)	Failure to comply with PTP App conditions of hire	\$500.00	\$250.00

SCHEDULE "F" NOTICE OF APPEAL FORM

Chief Administrative Officer PO Box 1630 Altona, Manitoba ROG 0B0

RE: NOTICE OF APPEAL

In the matter of the Vehicle For Hire By-law No. 1797/2021 of the Town of Altona, please take notice that I wish to appeal to the Vehicle For Hire Commission the action of the Administration to:

	suspend	sue or renew					
	cancel	,					
a Ve	hicle For Hire	e Permit					
on th	ne	day of		, 20_	•		
My r	easons for a	ppealing are:					
Date	ed at Altona,	, Manitoba this	day d	of	, '2	20	
Sign	ature of App	pellant		Name of A	Appellant	(please prir	nt)
۸ ۵۵	ross						

SCHEDULE "G" DRIVER'S LICENCE APPLICATION



Drive	er Type					
	Taxi			Accessik	ole 🗆	Standard
	Limousine					
	Personal Transpo	ortation Provider		Accessik	ole 🛚	Standard
App	licant Informatio	on				
First	Name					
Mic	ddle Name					
Las	t Name					
Ad	dress					
Tov	vn/City		Posta	l Code		
Pho	one		Cell			
E-m	nail					
Driv	/er's Licence #					
Clc	ssification	1 2 3 4 5	Date	of Birth	DDA	MM/YYYY
1	gally entitled to v	work in		Yes No		

SCHEDULE "G" (CONTINUED) DRIVER'S LICENCE APPLICATION

Required Documentation

All applicants must provide copies of the following documents with the completed application form:

All Dri	vers
	A valid Provincial Driver's Licence (applicable to the use of the vehicle being driven);
	Criminal Record Check with Vulnerable Sector Screening (VSS) indicating the applicant has not been convicted within the previous 10 years of a relevant criminal offence unless a record suspension (pardon) has been issued in respect of that offence;
	Child Abuse Registry Check indicating the applicant is not registered on the Child Abuse Registry;
	Document satisfactory to the Town indicating that the individual has provided consent for the Town to have access to their personal information maintained by Manitoba Public Insurance, the Altona Police Service and the body responsible for maintaining the Child Abuse Registry for the purposes of administering and enforcing this by-law; and
	Proof that the applicant has completed the required training and that the applicant has the skills and knowledge reasonably considered necessary in order to provide the services exclusive to Vehicle For Hire drivers.
Acce	ssible Taxis & Personal Transportation Providers
In add	dition to the required documents above, copies of the following documents
are re	equired for applications for drivers of accessible vehicles:
	Documentation indicating that the applicant has completed the required training with respect to transportation service for individuals who use a wheelchair, or similar device which can accommodate a seated individual, and who cannot self-transfer; or
	Documentation indicating the applicant demonstrates the skills and knowledge reasonably considered to be necessary to provide services to individuals who use a wheelchair, or similar device which can

accommodate a seated individual, and who cannot self-transfer.

SCHEDULE "G" (CONTINUED) DRIVER'S LICENCE APPLICATION

Consent for Collection and Use of Personal Information

I understand that by signing below, I am providing the Town of Altona with my explicit consent to collect, use and disclose the personal information provided within this application, and the information provided by third parties as described below, for the purposes of determining initial eligibility for a taxi driver's licence and to monitor my ongoing eligibility to operate under this by-law.

I hereby authorize Manitoba Public Insurance to disclose to the Town of Altona all licence, accident, registration, and vehicle information necessary for the above purposes until such time as I notify Manitoba Public Insurance, in writing, to revoke this authorization.

I hereby authorize the Province of Manitoba to disclose to the Town of Altona my Child Abuse Registry Check results as necessary for the above purposes until such time as I notify the Province of Manitoba, in writing, to revoke this authorization.

I hereby authorize all law enforcement agencies (including Altona Police Service and RCMP) to disclose to the Town of Altona my Criminal Records Check with Vulnerable Sector Screening (VSS), and other information, as required for the above purposes until such time as I notify applicable law enforcement agencies, in writing, to revoke this authorization.

Date	
	Date

Any personal information collected or obtained through third parties is done so under the authority of The Freedom of Information and Protection of Privacy Act (FIPPA) and the Vehicles For Hire By-law, and is protected by the Protection of Privacy provisions of FIPPA. This information will be used for the purposes stated above, and will not be used or disclosed for any other purposes, except as authorized by the law. If you have any questions about the collection of this information contact the Chief Administrative Officer at 204.324.6468.

For office use only		
Approved by:	Payment method	Licence #
Signature		

SCHEDULE "H" VEHICLE PERMIT APPLICATION



Registered Owner Information First Name Middle Name Last Name **Address** Postal Code Town/City Cell Phone E-mail Driver's Licence # Date of Birth **Business Information** Operating Name Address Postal Code Town/City Phone Fax

E-mail

SCHEDULE "H" (CONTINUED) VEHICLE PERMIT APPLICATION

Vehicle Information

		Accessible	е				Standard
	Full Time Vehicle (operates 5 days or more per week)						
	Part Time	Vehicle (o	perat	tes le	ess than 5 o	day	vs per week)
Hou	rs of operc	ntion					
From	ղ:				To:		
Mak	е						
Mod	lel						
Year	•						
Seat	eating Capacity Colour						
VIN :	#						
Date	e of safety	inspection			DD/MMA		Y
Equip	ment						
		x next to all	equi	pme	ent include	ed in	n the vehicle.
	Driver Sat	fety Shield		Operating In-Vehicle Camera			
	Global Po	ositioning		Emergency Strobe Light System			
	Certified	Meter		Exterior Light (indicates when meter is in operation)			
	Date of safety inspection						

SCHEDULE "H" (CONTINUED) VEHICLE PERMIT APPLICATION

Required Documentation

provide the following:

All applicants must provide copies of the following documents with the completed application form:

All To	axis
	Safety inspection certificates applicable to the vehicle under The Drivers and Vehicles Act, C.C.S.M. c. D104, within 30 days prior to the application for registration;
	Inspection certificates applicable to the taxi meter and video camera installed in the vehicle;
	Proof of ownership (if the applicant is the owner) or a letterhead from the owner stating the applicant can purchase the permit on behalf of the owner; and
	Manitoba Public Insurance registration and insurance documents indicating the vehicle is insured as a vehicle for hire.
Acc	essible Taxis
	dition to the required documents above, copies of the following uments are required:
,	Evidence that the vehicle is constructed and equipped to permit the loading, transportation and off-loading of individuals who use a wheelchair, or similar device which can accommodate a seated individual, and who cannot self-transfer.
-	oration (if applicable)
	ddition to the documents required above, a corporation must ide the following:
	A copy of its incorporating documents; A certificate of Status issued by the Companies Office; and A list of the members of its board of directors.
Partr	nership (if applicable)

In addition to the documents required above, a partnership must

The names and addresses of each member of the partnership; and

SCHEDULE "H" (CONTINUED) VEHICLE PERMIT APPLICATION

The business name under which it operates and proof of the registration of its business name.

NOTE: A Vehicle For Hire Permit will authorize the permit holder to operate in the Town of Altona only and Provincial and Federal Licences may also be required.

Consent for Collection and Use of Personal Information

I understand that by signing below, I am providing the Town of Altona with my explicit consent to collect, use and disclose the personal information provided within this application, and the information provided by third parties as described below, for the purposes of determining initial eligibility for a Vehicle for Hire Permit to monitor my ongoing eligibility to operate under this by-law.

I hereby authorize Manitoba Public Insurance to disclose to the Town of Altona all licence, accident, registration, and vehicle information necessary for the above purposes until such time as I notify Manitoba Public Insurance, in writing, to revoke this authorization.

I have been provided a copy of the Town of Altona Vehicle For Hire By-law and acknowledge that it may be amended from time to time.

Applicant Signature	Date	

Any personal information collected or obtained through third parties is done so under the authority of The Freedom of Information and Protection of Privacy Act (FIPPA) and the Vehicles For Hire By-law, and is protected by the Protection of Privacy provisions of FIPPA. This information will be used for the purposes stated above, and will not be used or disclosed for any other purposes, except as authorized by the law. If you have any questions about the collection of this information contact the Chief Administrative Officer at 204.324.6468.

For office use only		
Approved by:	Payment method	Permit #
Signature		