



Discussion Paper

Calgary's Livery Industry & Regulatory Approach: A History and Overview

December 31, 2019

The City of Calgary, Calgary Community Standards

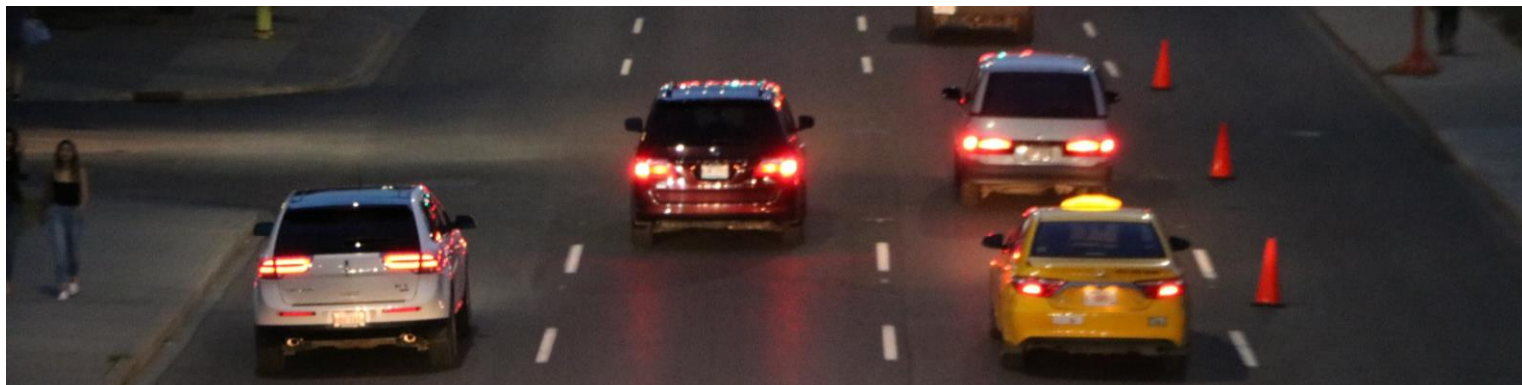


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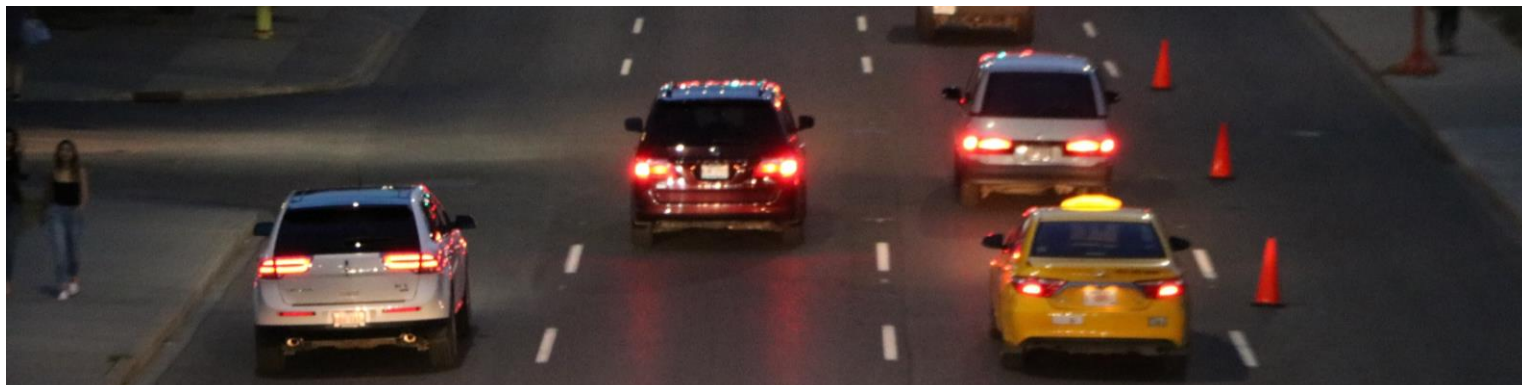
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List of Acronyms & Abbreviations

ATPL	Accessible Taxi Plate Licence
CLI	Chief Livery Inspector
E.L.V.I.S.	Enhanced Livery Vehicle Inspection Standards
GPS	Global Positioning System
LDL	Limousine Driver's Licence
LPL	Limousine Plate Licence
LTS	Livery Transport Services at The City of Calgary
PFHV	"Private For Hire Vehicle" means a Motor Vehicle which is used to provide for the transportation of persons for compensation and for which rides are exclusively arranged through an App administered or promoted by a Transportation Network Company
TDL	Taxi Driver's Licence
TNC	Transportation Network Company. Also commonly referred to as "rideshares", or "ridesharing".
TNDL	Transportation Network Driver's Licence
TPL	Taxi Plate Licence

Executive Summary

Background and Purpose of the Discussion Paper

On 2019 May 27, Council approved the accelerated review of the Livery Transport Bylaw (6M2007), which regulates drivers, vehicles and companies in Calgary's vehicle-for-hire industry. This industry is comprised of taxis, limousines and Transportation Network Companies (also known as 'rideshares'). Through the Bylaw, The City's Livery Transport Services (LTS) makes sure that drivers have the right security checks, qualifications and insurance, and that vehicles have regular mechanical inspections. The City regulates these areas to ensure high standards of safety and reliability for customers.

In 2016, the Bylaw was revised to allow Transportation Network Companies (TNCs) to operate legally in Calgary. Now that rideshares have been part of our vehicle-for-hire options for over three years, The City is reviewing the Bylaw to make sure the regulations are still supporting customers and industry participants.

The purpose of this discussion paper is to inform the Bylaw review and provide an overview of the evolution of the livery industry in Calgary. The overview provides a common, plain-language understanding of the key elements of Calgary's regulatory framework for the livery industry as well as a detailed comparison of today's different industry business models. It also outlines the role of The City's Livery Transport Services in regulating the livery industry, summarizes performance indicators such as customer satisfaction research and complaints data, and highlights some of the current challenges with regulating the industry based on existing and emerging livery transportation trends within Calgary. The discussion paper is organized into the following sections:

1. Historical Development of Calgary's Livery Regulatory Framework;
2. Calgary's Livery Industry Overview;
3. Current Mandate and Role of Livery Transport Services;
4. Customer Satisfaction; and
5. Challenges and Emerging Trends in Calgary

Historical Development of Calgary's Livery Regulatory Framework

From the early years of the taxi industry to the diverse vehicle-for-hire options available today, the livery industry has fulfilled an important niche in Calgary's transportation system. In the early part of the 20th century, taxis evolved from initially being more of a select luxury service to a more affordable option in Canada during the Great Depression years in a period referred to as the "taxi wars". Cut-rate competition and a jump in taxi numbers led to the taxi industry asking for regulatory reform from their local municipalities, resulting in increased regulation and cost of entry into the industry. After WWII, a similar cycle occurred leading to an era of restricted entry systems for the taxi market in large cities across Canada (Davis, 1988).

History repeated itself after The City's establishment of Calgary's first Taxi Commission in the 1970s. Although many regulatory controls such as licensing were formalized at that time for taxi drivers, vehicles and brokerages, there was no cap set on the number of taxi licences to be issued. By the mid 1980s, there was high unemployment in Alberta and taxi drivers were petitioning The City for taxi licence limits to make a better living. In 1986, the Taxi Commission "froze" the number of taxi plate licences at no more than 1311, establishing Calgary's controlled entry regulatory framework. This plate cap would remain in place for 20 years. A key lesson learned from the past is that during periods of recession and lower demand, the livery industry, uniquely from other industries, has often responded with surges in supply. After these supply spikes, municipal governments typically responded by creating more regulatory controls to manage oversupply issues such as quality, safety, and working conditions.

After several years of development and consultation with stakeholders, Bylaw 6M2007 was passed in 2007. This new bylaw covered both taxis and limousines, and followed a regulatory approach based on City controlled limits on taxi plate licences issued.

Following the passage of the 2007 Bylaw, Council has approved over 28 amendments. In 2009, key regulatory changes included integrating electronic payment options, restricting cell phone use, and adoption of a Taxi Cost Index to guide annual taxi rate-setting. New Regular and Accessible Taxi Plate Licences (TPLs and ATPLs) issued from 2012 onwards included conditions such as non-transferability, and plate-holders needing to hold a taxi driver's licence (TDL) and drive the vehicle a minimum number of hours per year. Additional conditions, later revised, required the newer plates to be on the road during weekends and late nights to address taxi shortages. By 2012, upon Council's approval of additional ATPLs, Calgary achieved the target of 11 per cent of the taxi fleet being wheelchair accessible.

Calgary's current Bylaw was revised most significantly in 2016 after Council approved the entry of Transportation Network Companies (TNCs) into Calgary's livery market. TNCs were a completely different business model from taxis in that everyday passenger vehicles were used by drivers as vehicles-for-hire rather than the traditional taxi or specialized limousine vehicles, and the trips were only bookable through electronic "Apps". Under the new Council-approved regulatory approach, several key aspects of the system were established. Street hailing and accepting cash payments would remain as an exclusive service for taxis only. Taxis would continue to operate under a plate limit (cap or controlled entry system), as determined by Council, while there would be no limits to the number of vehicles for TNCs or limos (open system). All livery industry participants using an approved App (approved by LTS) could set their own rates for customers, while taxis hired through street hails or telephone dispatch would be required to set rates no higher than the maximum City regulated meter rates. A detailed summary of the "open" versus "controlled" aspects of Calgary's current regulatory system is provided within the Discussion Paper under the section "Overview of Calgary's Current Regulatory Framework".

Accessible Taxi Incentives and Improvements

On-demand taxi service is an important transportation option for people who require special assistance to accommodate a wheelchair or other mobility device. On-demand service provided by taxi companies is different from Calgary Transit Access, which provides pre-arranged service to qualified, disabled customers (including those with mobility disabilities).

Parallel to the bylaw review and amendments over the past several years addressing new market entrants, The City has also continued to work with industry and the community to review and improve accessible taxi services.

On 2018 October 15, Council approved amendments to the Livery Transport Bylaw 6M2007 which authorized the establishment and implementation of an **Accessible Taxi Incentive Program (ATIP)** effective on, 2019 January 1. Starting in 2019, to fund ATIP, a nominal \$0.10 'per-trip' fee was added to the fare, paid by customers, of all trips taken in Calgary provided by taxis, accessible taxis and Transportation Network Companies (TNCs). Visit www.calgary.ca to review the ATIP and the **ATIP Incentive Chart** which summarizes the grants and incentives that will be provided through this program

Council has also endorsed a two-year pilot for an accessible wheelchair taxi centralized dispatch system, operating as **Wheelchair Accessible Vehicle (WAV) Calgary**, launched 2019 December 4.

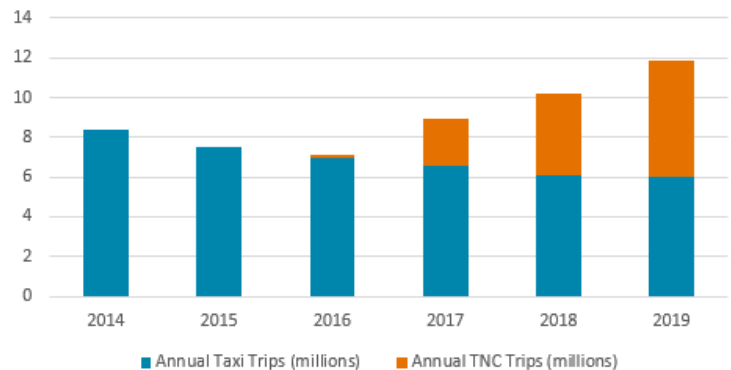
Calgary's Livery Industry Overview

In 2019, over 11.8 million livery trips were completed in Calgary, compared to just over 10 million trips in 2018. Of these, an estimated 5,976,993 taxi trips were delivered in Calgary, down from 6,080,853 in 2018. Of the 5,976,993 trips, an estimated 16,037 were for on-demand wheelchair accessible taxi trip requests. In 2019, there were 5,848,961 TNC trips up from 4,071,485 in 2018. At the end of 2019 September, there

were 4357 licensed taxi drivers, more than 800 of those also with the accessible taxi driver endorsement, 4801 licensed TNC drivers and 334 licensed limousine drivers. Also as of September 30, the livery fleet consisted of 1881 taxi plates (including 189 accessible taxi plates), 226 limousine plates and 4801 TNC vehicles for hire* (*based on number of licensed TNC drivers as they must be affiliated with a vehicle).

While annual taxi trips have gradually declined (16% since 2016), the overall number of trips taken on both taxis and TNCs has increased over 40% since 2014, increasing the market size from 8.4 million trips to 11.8 million trips in 2019. This may reflect a growing interest from Calgarians in the vehicle-for-hire market, including all types of transportation options. In 2019, the number of TNC trips exceeded the number of taxi trips in the second half of the year for the first time since TNCs entered Calgary's livery market. The proportion of year end 2019 trip volumes was shared almost equally between taxis (51%) and TNCs (49%).

Annual Trip Volumes of Taxis & TNCs



Livery Industry Models

Each of the diverse industry models for taxis, TNCs and limousines are described in detail in the Discussion Paper section “Calgary’s Livery Industry Overview”. The structure of each industry model is explained, including the key roles and requirements for companies, drivers, plate-holders (for taxis and limos) and vehicles. Some of the key differences in the structure pertain to the legacy role of plate licences for taxis and limos, as plates must be attached to every taxi or limo vehicle in service. Plates may be held by either brokerages or individuals, however most taxi drivers do not actually hold a plate. Conversely, no plates are associated with TNC vehicles as they are privately owned vehicles.

An **Industry Regulatory Comparison Chart** is attached for reference in Appendix B comparing similarities and differences between the taxi, limousine, and TNC regulatory requirements for drivers, vehicles, operating conditions, rates, and fleet size.

Current Mandate and Role of Livery Transport Services

Livery Transport Services (LTS) is a division within the Calgary Community Standards (CCS) business unit which regulates drivers, vehicles and companies in Calgary’s livery industry according to the requirements of the Livery Transport Bylaw (6M2007).

With LTS being a cost-recovery service, fees are charged to livery industry participants to deliver on LTS’ mandate. LTS strives to ensure the fee schedule contained in the Bylaw is set at a level that: maintains the service line’s financial sustainability; provides funds for capital investments to support livery industry improvements and innovations; and aligns with a changing and evolving industry. In 2019 May , Council approved a recommendation from Administration under the Livery Fee Review project to freeze current licensing fee levels until the completion of the accelerated Livery Transport Bylaw review in 2020.

In recent years, a number of initiatives have illustrated LTS’ operational effectiveness and commitment to continuous improvement, such as development of an on-line training module for taxi drivers, electronic data submission for TNC driver applications, additional data tracking/analytics authority to enhance enforcement capability, and enhanced collaboration with Calgary 9-1-1 regarding a referral process for livery-related complaints. LTS is in the process of developing an on-line training module for TNC drivers to be available for applicants in 2020 Q1.

LTS' approach to complaint handling focuses on a preventative approach, with a key focus on public awareness and education through safety campaigns. A 311 bumper sticker is a key tool to communicate the complaint intake process along with a Passenger/Driver Bill of Rights displayed in all taxis. Livery-related complaints received by LTS through 311 were investigated and disposition rendered within 30 days 100 per cent of the time in 2018, while concerns from passengers continue to be addressed (initial contact made) by LTS within 24 hours. Over 1000 complaints were received in 2018, consistent with the previous three years of data. However, as of early 2019 December, LTS was on track to receive approximately 30 per cent more complaints compared to 2018. The top three complaint categories since 2015 continue to be: traffic violations, driver conduct and improper parking (livery vehicles parked in loading zones, double-parked, etc.).

A 311 complaint or other LTS enforcement activities such as inspections or investigations can lead to a Licence Review Hearing. In 2018, 19 licences were revoked after a hearing.

Citizen Satisfaction Surveys

From 2014 through 2018, The City commissioned annual third party (Leger) citizen satisfaction research via telephone surveys regarding the livery industry in Calgary. The surveys have shown a consistently high level of customer satisfaction results across the livery industries, including satisfaction with drivers, the ride, and obtaining taxi services. In one area, there was less satisfaction from taxi users with value for money from rides in the 2018 survey compared to limo and TNC users, leading Leger to conclude from the results that "some price sensitivity is at play" with taxi users (2018, p.33).

Key Findings

Overall, the discussion paper identified a number of challenges and key trends impacting the regulation of the industry. These are outlined in more detail in the section "Challenges and Emerging Trends" of the Discussion Paper.

The vehicle-for-hire market has continued to expand overall since the arrival of TNCs in Calgary with the number of trips increasing. Although benefiting Calgarians and visitors to Calgary with more transportation options, there is increasing tension within certain aspects of the livery industry to compete under the current regulations with contrasting business models providing vehicle-for-hire services. The role of The City and its regulations needs to be reviewed to determine whether it still fits the needs of industry and customers.

Another trend is that most recent citizen satisfaction survey results from 2018 continue to show high levels of satisfaction for rides from all livery industry providers, whether taxis, rideshares, or limousines. Meanwhile, complaints data received and reported through LTS shows that there are some areas of consistently higher numbers of complaints than others, such as traffic violations, driver conduct, improper parking and fare disputes. As the city grows and new market entrants join the vehicle-for-hire industry, this puts pressure on existing regulatory resources for training, licensing, and enforcement.

Other challenges include subjective regulations on service quality, changes in technology available to industry, clarifying how limousines are regulated, and reviewing The City's role in regulating supply through open or controlled entry.

Emerging trends in Calgary also call on The City to be proactive in how the vehicle-for-hire industry is regulated. Changing expectations may come from demographic trends such as an aging and diverse population, while economic trends such as recessions put pressure on fees and industry costs. Market and industry trends such as an ongoing increase in the number of livery trips and new technologies available for vehicles, data tracking and communications may require changes in The City's regulatory approach.

The recently completed scan of other North American municipal regulatory frameworks conducted by an external contractor reveals other emerging trends that The City will consider when amending its livery

regulatory framework. Additionally, public and stakeholder engagement regarding Calgary's livery industry conducted in 2019 Q4 by The City will further inform the review of the Livery Transport Bylaw.

Introduction

Purpose of the Discussion Paper

On 2019 May 27, Council approved the accelerated review of the Livery Transport Bylaw, which regulates drivers, vehicles and companies in Calgary's taxi, limousine and vehicles-for-hire industry. The purpose of this discussion paper is to inform the Bylaw review and provide an overview of the evolution of the livery industry in Calgary. The overview will provide a common, plain-language understanding of the key elements of Calgary's regulatory framework for the livery industry as well as a detailed comparison of today's different industry business models and players. It will also outline the current challenges with regulating the industry based on existing and emerging livery transportation trends within Calgary. The discussion paper is organized by the following sections:

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Historical Development of Calgary's Livery Regulatory Framework

For decades, Calgary's livery industry has played an important role in serving the transportation needs of Calgarians and visitors to Calgary. While today's livery industry consists of taxis, limousine services, and private vehicles-for-hire, prior to 2016 it was dominated by the services of the taxi industry. Technology advancements and consumer-driven demand for alternative forms of transport continue to place pressures on the livery regulatory framework to adapt to changes in the marketplace.

This historical section of the paper will provide highlights of the evolution of Calgary's livery industry from the regulatory perspective, focusing on how and why the municipal government in Calgary became more involved in regulating this unique industry.

Historically, The City's regulatory involvement with the livery industry has primarily been focused on public safety and ensuring sufficient supply of livery vehicles for consumers. This role has evolved over time, generally from a period of little or no regulation to increasing regulation.



Figure 1 "Brown's taxi in front of Whitney Hotel and White Lunch, Calgary, Alberta", ca. 1920, Unauthorized photo, Courtesy of Glenbow Archives, Archives and Special Collections, University of Calgary.

Early Years of the Taxi Industry in Canada: a period of rapid change

In the early part of the 20th century, it is anticipated that Calgary's experience with the taxi industry was similar to those of many other Canadian cities at the time. In these early years, taxis were considered more of a luxury service, primarily catering to their clientele of "business travellers, the socioeconomic elite and government officials" (Davis, 1988, p. 8). High investment costs included specialty motor cab vehicles,



Figure 2 "New cars for Imperial Taxi, Calgary, Alberta", 1939, Unauthorized photo, Courtesy of Glenbow Archives, Archives and Special Collections, University of Calgary.

cabstands, central dispatching, and taximeters (Davis, 1988). A City of Calgary Council Committee report from 1922 April shows there was some regulation in place as licence fees were being charged for Motor Livery Vehicles as well as for Taxi Drivers.

From 1925 and through the subsequent economic recession of the early 1930s there was a period known as "the taxi wars" in Canada. During this time, taxi numbers proliferated, fares dropped, and incomes for drivers appeared to fall sharply as cut-rate taxi services rose. Entry to the market was easier due to relaxed vehicle standards, and resultant lower capital costs. There were pushes from the taxi industry in Canadian municipalities for regulatory reform to counter the effects of the taxi wars and numerous municipal governments subsequently raised the cost of entry into the industry. However, the Second World War brought on another wave of change by the federal government with the conscription of many taxi

drivers, and Transit Control restricting taxi numbers to help conserve gasoline and tires (Davis, 1988). As a result, cab numbers were reduced across Canada, "...from 15,000 in 1939 to 9,600 in 1944" (Davis, 1988, p. 16).

After the war ended, war veterans returned home to their cities looking for employment, and once again licence numbers in cities increased as municipalities loosened their quotas. This led to an era where numerous large cities in Canada clamped down on taxi licences, creating a more restricted entry system into the taxi market, which favored the old-line taxi companies (Davis, 1988).

One of the key economic lessons to be learned from this early period of the taxi industry in Canada is how the livery industry, during periods of recession and lower demand, often responded with surges in market entrants (drivers). After these supply spikes, governments typically responded by creating more regulatory controls to manage oversupply issues.

Post-war era to 1960s

In 1952, License¹ Bylaw 4138 was passed by The City of Calgary, establishing a License Department at The City under the supervision and control of the Chief License Inspector who regulated many business types in Calgary, including Motor Liveries and Taxi-Cabs. The Bylaw required motor livery or taxi-cab driver/operators to obtain an annual licence. The owners or operators of the vehicles were also required to obtain annual vehicle licences and were issued a numbered licence plate for each vehicle. Fares were also established through the bylaw. Responding to a petition of owners, operators and driver-operators of taxis, these tariffs of fares were increased by City Council in 1965 December.

¹ Note that the term "License" was the accepted spelling in past bylaws. The current accepted Canadian spelling for the noun is "licence".

1970s - Establishment of the Taxi Commission

In the early 1970s, the Government of Alberta updated the *Municipal Government Act*, authorizing municipalities to establish Taxi Commissions to regulate the taxi industry. Accordingly, in 1973 October, The City of Calgary passed The Taxi Commission Bylaw 8857 establishing Calgary's first Taxi Commission to regulate the taxi industry and control the number of taxi licences issued. This bylaw also established that taxi and driver licence fees were to be collected through the License Department of The City and that a taxicab licence could not be transferred to another person.

In 1975, "The Taxi Business Bylaw" 8/75 was passed by Council which reinforced most of Bylaw 8857, continuing to allow the Commission to set limits on the number of taxicab licences² (no more than 512 licences were to be issued in 1975 according to the bylaw). It also established the mandatory licensing of taxi brokerages. However, it appears from Council minutes that Council did not approve the Commission's recommendation to allow taxicab licences to sell at market value.

In 1977, Bylaw 8/75 was repealed and Bylaw 91/77 (also called the "Taxi Business Bylaw") was passed, which remained in effect with numerous amendments for decades to come. Other than minor changes to Bylaw 8/75, Bylaw 91/77 also continued to mandate that licences for a taxi, a taxi broker, or a taxi driver were not allowed to be transferred from one person to another. Interestingly, no mention was made in the Bylaw of a specific number of taxi licences to be issued for the year, as was previously addressed in the 1975 Bylaw.

With the establishment of the Taxi Commission, the 1970s ushered in a new era of regulatory oversight in Calgary with empowerment of the Commission to regulate licensing and operating conditions of the taxi industry.

1980s-Taxi Plate Freeze Begins

In the mid 1980s, Albertans were experiencing high unemployment. Taxi drivers had petitioned The City in the fall of 1985 for taxi plate limits due to their inability to make a living in what was considered an open entry livery system. During this time, public meetings and reports looked at the merits of a "closed" or "controlled entry"³ system of capping the number of taxi plate licences (TPLs) available versus an "open" entry TPL system where plates would be available on demand (*United Taxi Drivers' Fellowship of Southern Alberta v. Calgary (City of)*, 1998).

In 1986, The Taxi Commission froze the number of TPLs in the names of the licensees holding a TPL registered with the Commission. The cap was set at issuing no more than 1311 taxi plate licences.

"The taxi industry experiences economic recessions differently from other industries. In most industries, supply tends to contract along with demand during a recession. In the taxi industry, supply expands during a recession, even as demand for taxis shrinks. In the absence of regulation, the industry is easy to enter for anyone with a vehicle" (Hara Associates Inc., 2018, p. 33).

² Historically the term "taxicab licences" or "taxi licences" would have the same meaning as The City's current Taxi Plate Licences, also known as "TPLs".

³The terms "closed" or "controlled entry" are used interchangeably in this paper in the context of the livery industry, referring to the common municipal practice of limiting the number of certain livery licences made available to industry.

Calgary's taxi system would be considered a controlled entry system from this point forward, one of the more recent Canadian cities to adopt a limit on taxi plates, along with Edmonton (in 1995) and Halifax (in 1996) (Hara, 2015).

1990s-early 2000s: Taxi Plate Licence Transferability, Court Challenges, and Limousine Regulations

Transferability of Licences & Continuation of Taxi Plate Cap

In 1993, The City's amendments to the Taxi Business Bylaw 91/77 took some significant steps toward restructuring taxi plate licence holdings, with the long-term goal of reducing the number of plates without active drivers.

The amendments effectively ratified the Commission's 1986 decision to freeze licence numbers, adding a section which prohibited the issuing of any new taxi plate licences beyond the 1311 cap and also required the yearly renewal of existing TPLs by the holder. Other significant changes **allowed the transferability of plate licences**, while at the same time **making it illegal to charge a fee for the usage of a licence which does not include the vehicle** (commonly referred to in the industry as "**subleasing**"). The 1993 bylaw also established conditions of being active in the industry for the purposes of obtaining new licences and transferring existing licences. The bylaw lacked a similar condition (for the plate to be active) for the ongoing renewals of the limited plate licences (The City of Calgary, 2006).

By 1998 the oversupply of taxi plates was absorbed and all 1311 plates were in use. From that point on, the driver-to-plate ratio began to increase which, in effect, allowed for supply to keep pace with demand without the release of additional plates through "double shifting" of taxis (multiple driver shifts per vehicle). In 2006, Council released 100 accessible taxi plate licences (to individuals rather than brokers) in response to increased demand. See section "Calgary's Livery Industry Overview" for more discussion on taxi plates.

Court Challenges

After the 1993 bylaw changes, the taxi plate cap was legally challenged by members of the industry starting from the mid-90s and concluding with the Supreme Court of Canada decision in 2004, which agreed with the 1998 Court of Queen's Bench decision that The City has jurisdiction to limit the number of taxi plates.

Limousine Regulations/Bylaw – 1994

By 1994, The City of Calgary recognized the need to regulate the limousine industry in Calgary and created Bylaw 3M94 covering limousine service as distinct from the existing taxi Bylaw 91/77.

According to this new Limousine Business Bylaw, it was passed to "regulate and control the business of limousine operators, limousine chauffeurs, the standards of vehicles used as limousines, and the fares

October 2002 Industry Snapshot

- 1307 Taxi Licences (Plates/Operating Authorities)
- 3528 Licenced Taxi Drivers
- 791 (60%) Licences owned by brokers
- 516 (40%) Licences owned by drivers, individuals or small companies
- 1267 Taxi Vehicles on the road
- 9 Taxi Brokers
- 215 Limousine Licences
- 132 Limousines on the road
- 22 Limousine Operators (Brokers)
- 7 taxi companies licenced for pickups at the airport
- 5.5 years - Average age of taxi fleet
- 5 Km Fare = \$8.30

(Excerpt from The City of Calgary Cover Report, TTP2003-26)

charged to the public for the use of a limousine. ...” The purpose of the Bylaw was to “provide for the safety, orderly conduct and general well being of the limousine industry. ...”

Under Bylaw 3M94, the Taxi Commission, as empowered by Bylaw 91/77, was given jurisdiction to regulate the limousine industry. This included the power to limit the number of limousine plate licences (LPLs) issued in a licence period, however no plate limits have since been established. All LPLs were also deemed non-transferable from one person to another.

Building the 2007 Livery Transport Bylaw

Regulatory Model Options Studied and Approved

From 2002 until the passage of the current Livery Transport Bylaw 6M2007, numerous studies were undertaken in preparation of developing the new bylaw. For example, in 2003 March, BearingPoint prepared a document for Council’s direction entitled “*Draft Livery Transport Regulatory Model Development Process*”, which described Administration’s comprehensive review of previous studies and best practices, development of a mandate and guiding principles, development of regulatory model selection criteria, development and refinement of model options, stakeholder consultation and feedback, and development and refinement of the recommended model option. The **four guiding principles** developed for the bylaw review were:

- **Service quality**
- **Public safety**
- **Consumer Protection, and**
- **Enforceability.**

In 2003 May, through Report TTP2003-26, Council approved the regulatory model that formed the basis of the bylaw rewrite process. Under the approved **controlled-entry system**, The City was to issue any new standard taxi licences in proportion to increased consumer demand. In addition, applicants for new licences would need to meet higher driver standards. The existing 1307 licences (TPLs) would remain in operation.⁴ This controlled-entry regulatory approach for TPLs would mean that The City, not the marketplace, would effectively control the size of the industry through regulation of taxi supply. (NATIONAL Public Relations, 2007.)

After Council’s direction in 2003 May, the bylaw rewrite process experienced many delays, including the above-mentioned Supreme Court of Canada case which in 2004 determined The City’s ability to limit taxi plate licences.

Addressing Accessible Taxi Issues and Licences

While the bylaw review continued, the Taxi Commission had identified the issue of accessible taxis as a priority in its 2006 regulatory agenda. From 1993-1996, six accessible taxis operated on a pilot project basis in Calgary. In 2003 January, one taxi brokerage re-introduced accessible taxis to the Calgary market. By 2006, there were 15 (wheelchair) accessible taxis operating with regular taxi plate licences. Feedback from representatives of customers with disabilities had indicated that the accessible taxis were well-used, but that availability of service was limited, particularly in the off-peak hours. (The City of Calgary, 2006)

A task force was established with industry and Commission members to examine the issues and in 2006 June, Bylaw 36M2006 was passed to amend Bylaw 91/77 (Taxi Business Bylaw) and The City of Calgary Taxi Commission Regulation 1/78. As a result, Council approved a new licence type – **Accessible Taxi Plate Licence (ATPL)** in addition to the **Regular Class Taxi Plate Licence (TPL)**. Council also approved

⁴ Note that although Council had approved a limit of issuing up to 1311 taxi plate licences in 1986, 1307 licences had been distributed to taxi plate licence holders by City Administration as of 2003.

an application fee for the plate selection process and a \$5000 plate licence fee paid at the time the vehicle was registered.

Under the newly established plate licence types, Council approved the issue of **100 transferable ATPLs** (to be held for a minimum of three years prior to being eligible for transfer), and **six existing (previously surrendered) regular TPLs** (to be held a minimum one-year period prior to transfer). These newly issued plates would be made available through a non-discriminatory plate selection process. These 2006 decisions were aimed at increasing availability of accessible taxi service and to respond to an increased demand for overall taxi services from a bustling Alberta economy. Adding 100 ATPLs would increase the Calgary taxi fleet by 7.6 percent. Accessible taxis would then account for a minimum of 7 percent of the fleet, since any of the other 1311 TPLs could also be put on accessible vehicles.

Finalization of Livery Transport Bylaw 6M2007

The 2007 bylaw reflected a high level of stakeholder participation and a lengthy bylaw drafting process where over 2000 changes were made to the original draft released in 2005 June. According to LPT2006-102, dated 2006 Oct 30, the following goals guided the bylaw rewrite process:

- “Clean-up the existing bylaws and regulations in terms of readability, consistency, and enforceability;
- Confirm Taxi Plate Licences (TPLs) as a business licence, and a privilege;
- Bring balance to the business relationships within the industry and between the industry and the regulator;
- Clearly articulate the roles and responsibilities of the various participants, within a simplified framework;
- Raise the standards of entry and ongoing participation of licensees, with clearly articulated responsibilities and accountabilities;
- Obtain industry performance data, to improve the quality of decision-making and policy advice to the Taxi Commission and Council; and
- Develop bylaw language that implements the Regulatory Model approved by Council.”

On 2007 January 22, Council approved and passed the new, comprehensive Livery Transport Bylaw 6M2007 which repealed the existing three related Bylaws (91/77, 3M94, 36M2006) and four Regulations (1/78, 1/94, 1/99, and 1/2000). Although the new bylaw addressed many different regulatory items, overall it was developed to create a licensing system designed to attract and retain professional drivers and focus licensees on providing quality customer service. The bylaw also tightened up language from the 1993 bylaw to reduce the number of non-active licence holders.

Recent Era of Bylaw Amendments & Continuous Improvement

Following passage of the Livery Transport Bylaw, there were numerous bylaw amendments over the next several years that affected governance of the bylaw, and included enhancements to address customer service, accessibility, rate-setting, data reporting, and safety requirements within the industry.

2009 – Amendments after two years of Bylaw implementation

After two years of implementation of 6M2007, Administration was required (in 2009) to review the bylaw and come back to Council with any recommended amendments. After surveying citizens and customers and working with the Taxi Limousine Advisory Committee (TLAC) and stakeholders, Administration recommended numerous amendments which were adopted by Council in late 2009. Highlights of amendments under Bylaw 68M2009 included (The City of Calgary, 2009):

- “Taxi Plate Licences and Accessible Taxi Plate Licences holders are to be in service for a minimum of 250 days annually.
- Cell phone use to be restricted while carrying passengers.

- Extending the life of sedan limousines from (5) five model years to (8) eight model years.
- A driver may request a reasonable cash deposit in advance if the driver suspects a passenger may not provide payment at the end of a trip.
- Mandating enhanced taxi payment conveniences that include electronic capability such as paying by debit card or credit charge card.
- Minimum penalty for failing to renew Taxi Driver's Licence and Limousine Driver's Licence to establish fairness and align with provincial legislative penalties for similar offences."

As part of its role to review and recommend taximeter rates to Council, TLAC adopted a **Taxi Cost Index (TCI)** to help guide (annual) rate-setting in a fair and predictable way that would respond to industry costs, not just fuel prices. The Taxi Cost Index was developed by an industry expert (Hara Associates) in consultation with industry and was calculated using data from Statistics Canada that considered vehicle, fuel, insurance, repairs & maintenance, cell phone, stand rent, license fees, professional fees and labour costs.

2011-2013 – Continuous improvement of regulations for plate release, downtown service, and accessibility

In 2011, Taxi Hydrant Zones were introduced downtown, as approved by Council 2011 May 16. Administration evaluated all parking options downtown and proposed to use parking space at fire hydrants for taxis but only while the driver was attending to the vehicle. The intention was to improve dispatch response times for downtown taxi service and provide easier markers for customers looking for taxis in the downtown area.

In 2012, TLAC adopted an industry expert's population-based formula to determine annual recommended release of taxi plates to Council, with the advice to be further informed by the volume and service data to be provided by taxi companies. Council also approved a bylaw amendment to 6M2007 to require taxi brokers to provide electronic trip data from GPS and taximeters to City Administration starting in 2013.

With the 2012 June 25 Council approval of 55 additional Accessible taxi plates, Calgary achieved the target of 11 per cent of the taxi fleet being wheelchair accessible. This was based on TLAC's advice as per Report TT2012-13 to quickly achieve the accessible plate ratio. Through TLAC's review of Accessible Service, in Report TT2012-14, Council adopted nine recommendations from the 2011 December, J Hoad Consulting report *Accessible Taxi Service in Calgary-Stakeholder Consultation and Recommendations*, to improve accessible taxi services in Calgary. These recommendations ranged from enhancing accessible taxi driver training, to communicating the 311 complaint process to customers, to surveying Calgarians regarding needs and satisfaction levels for on demand accessible taxi service.

Changes in Livery Transport Governance

From 2007 to 2016, the organizations providing recommendations to Council on Calgary's livery transport regulatory framework evolved to represent a more diverse membership from the public, industry and interest groups. Effective 2018, after a Livery Transport Advisory Committee Governance Review, the Livery Transport Advisory Committee (LTAC) was disbanded by Council. Refer to timeline below of governance change highlights in this time period.



To increase safety for both drivers and passengers, **security cameras** were made mandatory in all taxis in 2013. In 2014, through Report TT2014-0562, Council adopted TLAC's recommendation against mandating the use of safety partitions in taxis due to a lack of research data supporting their effectiveness, and findings that emphasized the superiority of security cameras over the safety partition approach.

2015 – Passenger and Driver Bill of Rights and 311 bumper sticker launched

The Passenger and Driver Bill of Rights (see Appendix A) and Compliments/Concern bumper sticker was launched with the Calgary taxi industry in 2015. All taxis registered to operate were required to display a City-issued Passenger and Driver Bill of Rights, a document that encourages mutual respect between taxi drivers and customers. The new Compliments/Concerns bumper sticker information on all registered taxis also alerted customers to The City's 311 service to share compliments or concerns with The City of Calgary to help improve tracking and analysis of citizen feedback.

New Entrants to Livery Market

By 2014, new options for the livery industry were emerging in Calgary. Transportation Network Companies (TNCs) such as Uber, had arrived in Alberta to start business and yet Calgary's current Livery Transport Bylaw was not set up to regulate or accommodate their business model or services. TNCs were operating solely based on Smartphone apps to connect vehicles to customers, with drivers using their own personal vehicles for profit, known as Private for Hire Vehicles (PFHV). In response to Council direction, Administration and TLAC began research and engagement initiatives with TNCs, the existing livery industry and citizens to explore regulatory approaches that would enable these new entrants to compete in the livery market.

Council Approves TNCs Entry into Calgary Market

On 2015 November 16, Council endorsed the Hybrid Open/Closed⁵ System recommended by Administration where TNCs would be allowed to operate in Calgary under specific safety-based conditions. Through the development of amendments to the Livery Transport Bylaw 6M2007 to accommodate the Hybrid Open/Closed System, six strategic outcomes were considered: **safety, accessibility, reliability, fairness, competition and customer focus**. These were organized across five framework categories, including: 1) municipal licensing and safety screening, 2) operating conditions, 3) restrictions on fleet size, 4) rate setting and 5) vehicle markings (The City of Calgary, 2015).

Under this system and to optimize the ability to best meet the six strategic outcomes, several key aspects of the system were established. Street hailing and accepting cash payments would remain as an exclusive service for taxis only. Taxis would continue to operate under a plate limit (cap), as determined by Council. Industry participants using an approved App (approved by LTS) could set their own rates for customers, while taxis hired through street hails or telephone dispatch would be required to set rates no higher than the maximum City regulated meter rates.

At the 2016 February 22 regular meeting of Council, Administration presented Report C2016-0144, *Transportation Network Company Amendments*. Council approved the report and associated amendments to the Livery Transport Bylaw based on the Hybrid Open/Closed System previously endorsed by Council.

At the 2016 November 28 regular meeting of Council, Administration presented Report C2016-0918, *Livery Industry Improvements*, which, among other Bylaw amendments enhancing TNC data requirements and registration, allowed TNCs to select from two licence fee options. The first option was the existing licence fee option, as approved by Council in 2016 February (consisting of an annual TNC licence fee and an annual Transportation Network Driver's Licence (TNDL) fee per driver). The second option was a proposed alternate TNC licence fee system – the “Combined TNC Licence Fee Option” (included a scalable administration fee based on the number of drivers, and licence fee per driver and fee per trip). Council also directed Administration to report back to Council in 2018 Q1 with an update regarding the one-year pilot for the combined TNC licence fee option.

On 2018 April 23, through Report CPS2018-0378, Council approved amendments to the Livery Transport Bylaw 6M2007 regarding the licencing fees for Transportation Network Companies (TNCs) and drivers. Among other changes, the “Combined TNC Licence Fee Option” licence term was amended to ‘calendar year’ and to streamline the fee calculation, includes only the scalable administration fee plus a per trip fee. Further details on the TNC fee schedule are described in Schedule B of the Bylaw.

Accessible Taxi Incentives and Improvements

On-demand taxi service is an important transportation option for people who require special assistance to accommodate a wheelchair or other mobility device. On-demand service provided by taxi companies is different from Calgary Transit Access, which provides pre-arranged service to qualified, customers with disabilities (including those with mobility disabilities).

Parallel to the bylaw review and amendments over the past several years addressing new market entrants, The City has also continued to work with industry and the community to review and improve accessible taxi services.

In 2016 February, Administration provided Council with Phase 1 of the Accessible Taxi Review which included a best practices review and current state livery data findings for Calgary. Phase 2 included a detailed options analysis and significant engagement with accessible taxi users and the taxi industry. On

⁵ Note that the “Closed” aspect of this system refers to The City’s role in limiting the number of taxi plate licences that can be issued. In conjunction with other aspects of the industry that are controlled by The City, the term for this approach is considered as “controlled entry”.

2016 December 19, Council considered Report CPS2016-0898, *Accessible Taxi Review*, which included a recommendation for Council to endorse Option 1: The Broker Accountability Model. This recommended option was to give brokers the ability to control accessible service and place the accountability on the company, rather than on the individual ATPL holder or driver. Council moved that the Report be referred to Administration to undertake an accessible transportation policy scoping report between Calgary Transit Access and Livery Transport Services (LTS), and report back to Council no later than 2017 Q1.

On 2017 March 20, through Report C2017-0250, Council approved amendments to the Livery Transport Bylaw to eliminate the annual \$220 Accessible Taxi Plate Licence fee.

On 2018 March 19, Council endorsed the proposed Framework for an Annual Accessible Incentive Program presented by Administration, where the incentive would be funded through a per-trip fee, paid by customers, applied to all taxi and TNC trips. On 2018 October 15, Council approved amendments to the Livery Transport Bylaw 6M2007 which authorized the establishment and implementation of an **Accessible Taxi Incentive Program (ATIP)** effective on 2019 January 01.

City Council approved ATIP to provide incentives to holders of ATPLs and accessible drivers affiliated to ATPLs. The goals of this program are to:

- Improve service to customers requesting on-demand wheelchair accessible taxis
- Reduce higher costs of purchasing and operating wheelchair accessible vehicles
- Improve 24/7 on-demand wheelchair accessible service delivery

Starting in 2019, to fund ATIP, a nominal \$0.10 'per-trip' fee was added to the fare, paid by customers, of all trips taken in Calgary provided by taxis, accessible taxis and Transportation Network Companies (TNCs). Visit www.calgary.ca to review the ATIP and the **ATIP Incentive Chart** which summarizes the grants and incentives that are provided through this program

Council also endorsed a two-year pilot for an on-demand accessible wheelchair taxi centralized dispatch system, operating as **Wheelchair Accessible Vehicle (WAV) Calgary**, launched 2019 December 4.

Council has directed Administration to monitor the effectiveness of ATIP and WAV Calgary, and report back in 2021 with updates and next steps for sustaining both over the long term.

Overview of Calgary's Current Regulatory Framework

As described in the previous historical section, Calgary's regulatory framework evolved from a controlled (also referred to as "closed") entry model to a hybrid open/controlled entry model in 2016 February when Council approved changes to the existing livery transport bylaw allowing Transportation Network Companies to operate in the Calgary vehicle-for-hire market. Council's approved option allowed TNCs to operate in Calgary, under the condition that Private for Hire Vehicle (PFHV) drivers obtain a municipal licence and that PFHVs could only provide services through the use of a Smartphone application. PFHVs would not be allowed to street hail, use telephone dispatch services, or accept cash payments. Under this framework, taxis were given flexibility in rate setting for trips arranged through a Smartphone application; however, the number of taxis in the system would continue to be limited (controlled) in order to maintain the integrity of this component of the municipal transportation system.

What does Calgary's open/controlled entry model look like in more detail since this Council decision was made?

Let's take a closer look at the open aspects of the model first.

Open System

The Open approach to the model means that The City does not regulate or set limits for that aspect of the livery service. The major Open aspects of Calgary's current model include:

- **Number of Vehicles:** There is currently no limit to the number of Private For Hire Vehicles operating under a TNC and no plate licence limit on the number of Limousine/Sedan vehicles allowed to operate. The City regulates these licences to ensure minimum safety considerations such as mechanical inspections and vehicle age limits are met.
- **Number of Drivers:** There is no limit to the total number of drivers allowed for any of the livery industry participants. However, driver entry to the industry is regulated by The City through licensing controls.
- **Rates:** Pricing is uncontrolled for vehicles for hire (taxis, limos, TNCs) that are booked through mobile/smartphone apps. Taxis, limousines and TNCs that have an app approved by the City can choose to charge any rate and change this rate based on consumer demand and market conditions. Limousines have no regulated rate for their standard services.
- **Driver training:** City-led training is not currently required for TNC drivers however in 2019 May Council endorsed Administration’s recommendation that a driver training program be developed for new TNC drivers. The current bylaw already allows LTS to bring in training for all livery industry sectors.

Controlled Entry System

In this section, the Controlled Entry approach to Calgary’s model means that The City sets requirements or limits to that aspect of the livery service. The major Controlled Entry aspects of the model include:

- **Number of Plates:** The City controls the number of taxi plate licences (both regular and accessible), and therefore the number of taxis, allowed to operate in Calgary. This has also been called a “closed” system in past reports. Council has approved 1909 taxi plates, and to date, Council has released a total of 1692 Regular and 189 Accessible Taxi Plate licences⁶. Plates are also required for limousines, however there is no cap on the number that can be issued. Plate licences are not required for TNC vehicles, however every TNC driver must acquire a licence for each TNC vehicle they operate on each TNC platform.
- **Driver requirements:** All livery industry drivers are required to obtain a City-issued driver’s licence, and The City’s Livery Transport Services (LTS) must review and approve all relevant documentation (Calgary Police background check, insurance, demerits) prior to issuing the City licence. Additionally, when first obtaining the City licence, taxi drivers must take and pass a City-facilitated two-day driver training program or on-line training module, and limo drivers must pass a written exam regarding the Bylaw. A training module is being developed by LTS to be available for all livery drivers including TNC drivers.
- **Rates:** Pricing maximums (rates) to customers are regulated by The City for taxi rides arranged through telephone dispatch and street hails. Limousine flat rate fares and TNC rates are not regulated by The City.
- **Street Hails⁷:** Only taxis are allowed to accept street hails in all locations (except for at the Calgary International Airport where limos (sedans) are also allowed to accept curb-side hails with flat rates).
- **Vehicle Requirements:** In order for livery vehicles to be safe and reliable for drivers and passengers, several regulatory requirements must be met across all industries. Examples include: vehicle mechanical inspections, vehicle age limits, and plate or decal required to be displayed (or

⁶ Plate numbers are valid as of 2019 November 30.

⁷ A Street Hail is defined on page 8 of the Livery Transport Bylaw. Essentially it involves either or both a verbal or physical signal to request transportation from a Livery Vehicle, including a request at a taxi stand.

sticker for TNC vehicles). There are numerous vehicle requirements applicable only to taxis which are described in the Taxi Industry section but include such items as: taxi meter equipment, requiring a CCTV camera in the vehicle for visual identification, top light to indicate availability, two-way communications equipment, and physical rate decal displayed in the vehicle.

- **Data Reporting:** All industry participants are subject to data reporting requirements.

What are the key differences as we look across industries? An **Industry Regulatory Comparison Chart** is attached for reference in Appendix B comparing similarities and differences between the taxi, limousine, and TNC regulatory requirements for drivers, vehicles, operating conditions, rates, and fleet size.

To help understand the differences in how each industry is regulated, the following section describes each industry model and the key aspects and participants that are regulated within Calgary's Livery Transport Bylaw.

Calgary's Livery Industry Overview

Background

Calgary's livery industry includes multiple industry models that offer on-demand vehicles for hire to customers to travel for a fee to destinations within the city. These vehicle-for-hire (livery) industry models include taxis, Transportation Network Companies (TNCs), and limousine/sedans. The City regulates the drivers, vehicles and companies in the vehicle-for-hire industry according to the requirements of the Livery Transport Bylaw (6M2007).

In 2019, over 11.8 million livery trips⁸ were completed in Calgary, compared to just over 10 million trips in 2018. Of these, an estimated 5,976,993 taxi trips were delivered in Calgary, down from 6,080,853 in 2018. Of the 5,976,993 trips, an estimated 16,037 were for on-demand wheelchair accessible taxi trip requests. In 2019, there were 5,848,961 TNC trips up from 4,071,485 in 2018. At the end of 2019 September, there were 4357 licensed taxi drivers, more than 800 of those also with the accessible taxi driver endorsement, 4801 licensed TNC drivers and 334 licensed limousine drivers. Also as of September 30, the livery fleet consisted of 1881 taxi plates (including 189 accessible taxi plates), 226 limousine plates and 4801 TNC vehicles for hire* (*based on number of licensed TNC drivers as they must be affiliated with a vehicle).

Trip Volumes

Figure 3 titled "Annual Trip Volumes of Taxis & TNCs" reports the annual number of trips completed by taxis and TNCs since 2014. As TNCs didn't enter the market with full operation until late 2016, 2017 data onwards is more representative of complete annual TNC trip data. While annual taxi trips have gradually declined (16% since 2016), the overall number of trips taken on both taxis and TNCs has increased over 40% since 2014, increasing the market size from 8.4 million trips to 11.8 million trips in 2019. This may reflect a growing interest from Calgarians in the vehicle-for-hire market, including all types of transportation options. Prior to the arrival of TNCs in the market, the decline of annual taxi trips from 2014 to 2016 was likely reflecting an economic downturn at

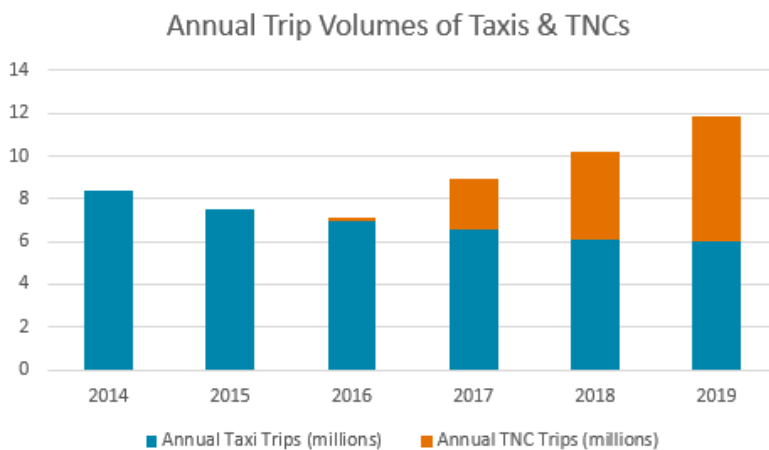


Figure 3 Annual Trip Volumes of Taxis & TNCs from 2014 to 2019

the time (Summit72 Capital Advisory Services, 2018). In 2019, the number of TNC trips exceeded the number of taxi trips in the second half of the year for the first time since TNCs entered Calgary's livery market. The proportion of year end 2019 trip volumes was shared almost equally between taxis (51%) and TNCs (49%).

⁸ A livery trip is defined as....a completed trip delivering a passenger(s) via a taxi or TNC vehicle. Limousines are not included in the trip volumes.

Driver Trends

All drivers in Calgary’s livery industry are required to be licensed by The City under the current bylaw.

As Figure 4 shows, the total number of livery transport drivers has increased dramatically since the entry of TNCs in Calgary in 2016. After a 45% increase from 2016 to 2017, the overall number of licensed taxi drivers, TNC drivers, and limousine drivers has stabilized since 2017, with only a 6% increase from end of 2017 to end of 2019 September (totalling 9492 livery transport drivers).

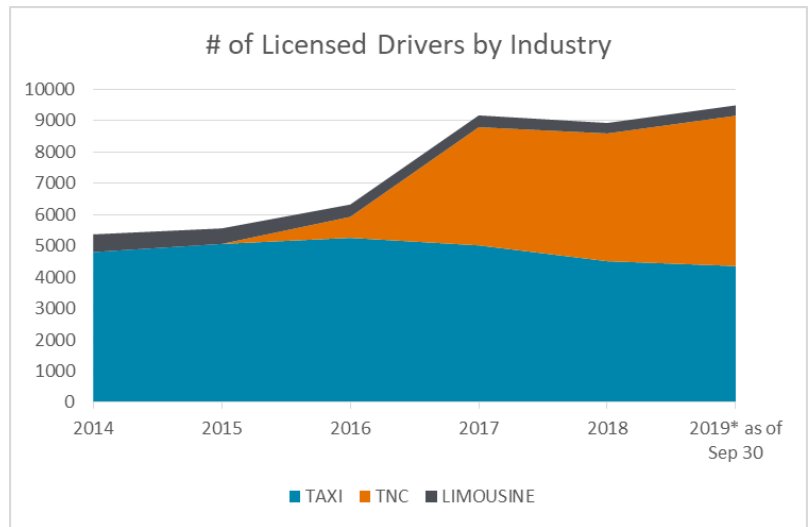


Figure 4 Annual Number of Licensed Drivers by Industry, 2014-Sep 2019*

The number of licensed taxi drivers declined 13% since 2017, while the number of licensed TNC drivers has increased by 18% in the same time period. The number of limousine drivers has remained stable. It should be noted, that the number of licensed livery drivers does not automatically mean licensees are actively driving. There is also a possibility an individual could have multiple livery driver’s licences, i.e. one person could have a taxi driver’s licence (TDL) and one (or more) TNC driver’s licence.

Figure 5 “Driving Frequency – Taxi” shows the percentage of 4357 taxi drivers who self-reported to LTS being full-time, part-time, or “not driving” when renewing their licence as of end of 2019 August. Forty-nine per cent of the drivers reported driving full-time at the time of their licence renewal while 40% reported “not driving” and 11% reporting driving part time. This may be an indicator that only about half of the licensed taxi drivers are actively driving a taxi for a living, while the remainder may be considering taxi driving as a part time job opportunity and not as their main occupation.

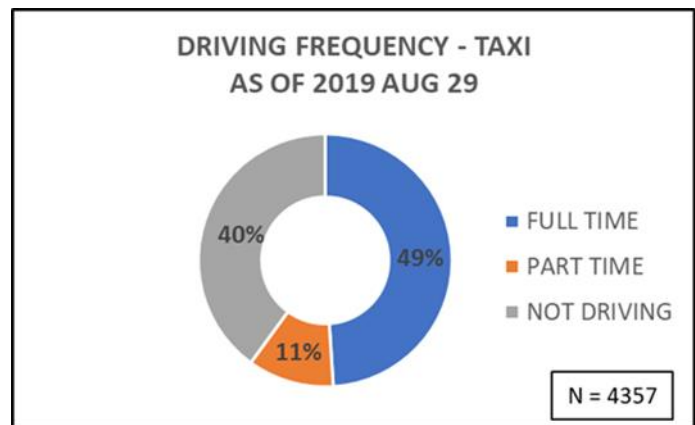


Figure 5 Driving Frequency Self-reported by Taxi Drivers to Livery Transport Services upon Licence Renewal

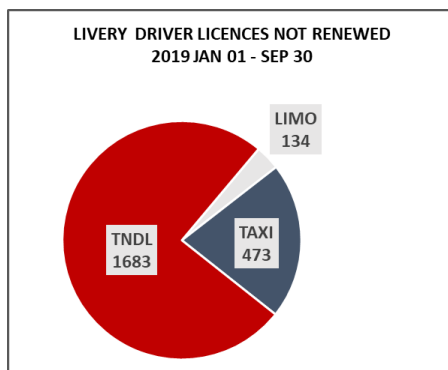


Figure 6 Livery Driver Licences Not Renewed in 2019

TNC drivers are not

currently asked by The City about their level of driving frequency when they renew their City driver’s licence. However, from 2019 January through August, The City found that on average 68% of licensed TNC drivers were on the platform/completed a trip. This statistic indicates a percentage of active TNC drivers however it does not distinguish between part-time or full-time levels of TNC driver activity.

Another indicator of whether drivers are staying in the industry after obtaining their City licence is to look at **licence renewal statistics**. For City issued driver’s licences that were not renewed before expiry between 2019 January and September (a total of 2231 including limo driver licences), 75% were TNC drivers, 21% were taxi drivers, and 3% were limo drivers (See Figure 6). The numbers are fluid, however, as new drivers in any of the industries could apply for a licence in the same time period, replacing those drivers that left the industry.



Taxi Industry Model

The taxi industry can be considered the first entrant into Calgary’s motor livery vehicle market, arriving in the early 1900s as an option for Calgarians to pay for a ride in a vehicle from one part of the city to another. The City has been involved in licensing and regulating taxi services for a similar period of time, adapting the regulatory framework as the industry and Calgary grew. The structure of the industry today still relies on the familiar roles of the taxi driver, the taxi brokerage (formerly known as “cab companies”) and taxi plate licence holders (“plate-holders”).

The following sections will profile each of these roles and their relationships with each other.

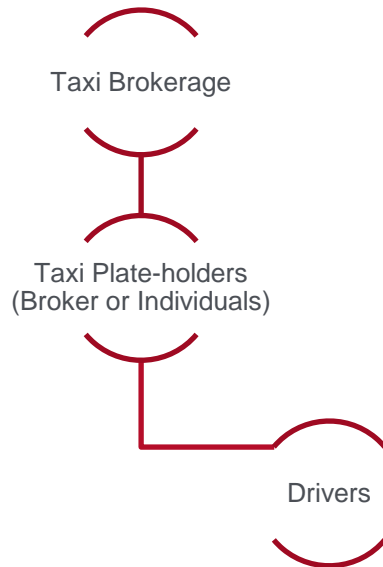


Figure 7 Typical Calgary Taxi Industry Structure. Note this graphic is meant to show the most common scenario and that some older Taxi Plate Licences (TPL-1’s) may be held but not actively driven, or may not be associated with a brokerage.



Taxi Brokerages

Taxi vehicles in Calgary’s taxi industry are usually affiliated with one of the licensed taxi brokerages⁹. Brokerage operations are defined in the Bylaw as employing or contracting with one or more persons who are Licensed to operate a Limousine, a Taxi or an Accessible Taxi and hold a valid T.D.L. or L.D.L.; and accepting calls for taxi dispatch through a manned communication system that operates 24 hours a day 365 days a year. Brokerages must be licensed through The City in order to operate. In short, brokerages are responsible for ensuring that any taxis or accessible taxis (or limousines) affiliated with their company are properly licenced, insured, and inspected and are otherwise in compliance with the Bylaw.

Taxi brokerage fleets may be comprised solely of ‘individual’ taxi plates or a combination of ‘individual’ and ‘broker-held’ plates. Brokerages can negotiate contracts with affiliated ‘individual’ plate-holders and drivers including charging them weekly fees often referred to as “stand rent”. It should be noted that The City does not regulate stand rents or the contracted agreements between brokerages and their contractors.

⁹ Six taxi brokerages are currently licensed to operate in Calgary. There were no registered Independent Livery Vehicles as of November 30, 2019.

Dispatching, Apps, and Rate-setting

Taxi drivers working for a brokerage must be booked onto the brokerage's dispatch system and respond to the dispatch service request unless already carrying a customer. When responding to a street hail or dispatched call, each Taxi or Accessible Taxi affiliated with the Brokerage must charge passengers no more than the **City regulated meter rate** specified in **Schedule "A" of the Bylaw**. The current maximum regulated rate is \$3.90 (which includes the \$0.10 ATIP per-trip fee) for the first 120 meters and \$0.20 for each additional 120 meters when travelling at a speed greater than 20.24 kilometres per hour. The rate is then calculated using a combination of distance travelled and the amount of time for which the taxi is hired. The City uses a calculation called a Taxi Cost Index to set regulated taxi rates and this rate was last reviewed and approved by Council in 2016 February.

Exceptions to the above include rates for trips originating from the Calgary International Airport. In addition to the maximum meter rate fares, a taxi driver charges a surcharge to cover the departure fee imposed by the Calgary Airport Authority for trips that originate at the Calgary International Airport. Also, flat rates can be charged for trips to or from the Airport and between any hospitals in Calgary, however these fares must be filed with LTS.

The Bylaw also allows taxi brokerages to provide "**App based Service**" for customers to book taxis, as long as the App is approved for use by the Chief Livery Inspector. **App based taxi services are not subject to City regulated taxi rates** and can therefore apply surge pricing to meet fluctuating consumer demand. See the **TNC Overview section** for a definition of "App" in the Bylaw.

Data Reporting

Brokerages are responsible under the Bylaw for submitting data to The City's Livery Transport Services office. **Schedule "E" of the Bylaw** describes the Reporting Requirements, which includes: Trip Volumes (Daily), Dispatch Response Times (Daily and Hourly for select days), Vehicle Counts (Hourly for select days), and Telephone Response Times (Daily). The data provided means that The City can track the entire route of a taxi with a passenger, from pick-up to drop-off, enabling The City to monitor taxi services for safety and consumer protection purposes.

The brokerage must also ensure it retains recordings from the security cameras in any affiliated taxis or accessible taxis for no less than five days. These recordings can be requested by the Chief Livery Inspector or Calgary Police Service and must be disclosed by the brokerage.

Vehicle Requirements

As taxis have specialized vehicle requirements and taxis are typically affiliated with a brokerage, the vehicle requirements are highlighted in this section. The Bylaw reflects the need for taxis to be recognizable to the public for safety reasons as taxis are the only livery vehicle¹⁰ currently permitted to be street hailed by potential passengers in all areas of the city.

Some of the unique requirements for taxis include:

- vehicle is not more than 8 years old (unless otherwise approved by the Chief Livery Inspector ("CLI"))
- equipped with a fully-operational security camera
- equipped with a Taximeter approved by the CLI which can produce a paper or electronic receipt



¹⁰ One exception is at the Calgary International Airport, limousines can also provide curb-side service to passengers with flat rates only.

- has a top light able to be illuminated when available for hire and turned off when taxi is unavailable
- has decals showing maximum fare to be charged for Street Hail or phone Dispatch
- has an operating 2-way communications system
- displays the name, trade name or trademark of the affiliated Brokerage and is painted in CLI approved colours
- displays rights and obligations of passengers and Drivers (Passenger Bill of Rights) and 311 Bumper Sticker
- each Livery Vehicle affiliated with the Brokerage has a valid **Livery Vehicle Registration Certificate**, and **Inspection Certificate**, both of which must be in the **Livery Vehicle**.

Accessible taxis have additional requirements as follows:

- has a seating capacity for a minimum of three adults including the Driver with all seats being constructed by the Manufacturer and unaltered; and
- meets all Canadian Motor Vehicle Safety Standards and Canadian Association Standard D409-02 Motor Vehicle for the Transportation of Persons with Physical Disabilities as varied or amended from time to time.

Mechanical Inspections



Another vehicle-related requirement for regular and accessible taxis is that they must undergo a mechanical inspection by a Certified Mechanic at an approved Livery Inspection Station **every six months**. In order for an Inspection Certificate to be issued, the vehicle must comply with the Bylaw's **E.L.V.I.S., Enhanced Livery Vehicle Inspection Standards**. Besides the mechanical inspection components of the standards, E.L.V.I.S. also includes a Customer Service component that looks at the condition of the interior and exterior of the vehicle as well

as the functioning of Taxi specific equipment such as taxi meters and top lights.



Plate-holders

If there is one main difference between the taxi and limo industries versus TNCs, it's the role of the plate licences. Plates, otherwise known as **taxi/accessible taxi/limousine plate licences (TPL/ATPL/LPL)**, must be attached to taxis, accessible taxis or limousines providing livery services. By contrast, there is no role or requirement for plate licences to be attached to TNC vehicles. Plates have been used in the taxi industry for many years to help The City control licensing and size of the taxi fleet to meet consumer demand, and today is the key component of the "controlled" or "closed" aspect of Calgary's livery system. It is important in understanding the overall regulatory framework to understand how the current plate system is regulated and how it operates within the taxi and limousine industry models.

Taxi Plate Licence Types: TPL-1's/ATPL-1's versus TPL-2's/ATPL-2's

One way to explain the differences in the types of taxi plates is to show the progression of when the numbers of plates were approved for release by Council over the years. In Table 2 in Appendix A, the Regular TPLs issued as of 2013 September 16 were deemed to be a "TPL-1" and are transferable. Over the years, to address a growing population and demand for vehicle for hire services, Council issued additional

plates, including a new plate for Accessible Taxis in 2006 (ATPL) which are considered as “ATPL-1s”. Since 2012 May 28 (for ATPLs) and 2013 September 16 (for TPLs), any additional plates released were non-transferable and were considered “ATPL-2s” and “TPL-2s”. Other criteria for ATPL-2s and TPL-2s were introduced with the aim of reducing the number of ‘absentee’ plate-holders and have plate-holders vested in the industry. Having a non-transferable plate (on its own merit) reduces the ‘black market – behind the scenes’ agreements between the current/new plate-holder. Individuals holding a transferable Taxi Plate Licence (ie. TPL-1) are not required to hold a valid Taxi Driver’s Licence nor drive the vehicle, which increases the risks of illegal subleasing of the plates. See Figure 8 for a breakdown of the different plate types and numbers of plates released to date. The requirements for ATPL-2 and TPL-2 holders include:

- non-transferable by the plate-holders,
- must be attached to a driver with a TDL,
- holder must drive a minimum of 981 hours a year,
- can be held only by individual plate-holders, not by brokerages,
- may have conditions for peak period service (i.e. weekend shifts) imposed by the Chief Livery Inspector.

The plate licence system effectively limits the number (supply) of taxis that can be on the road because every taxi driven must have a plate attached. The plate licences must be renewed annually every June.

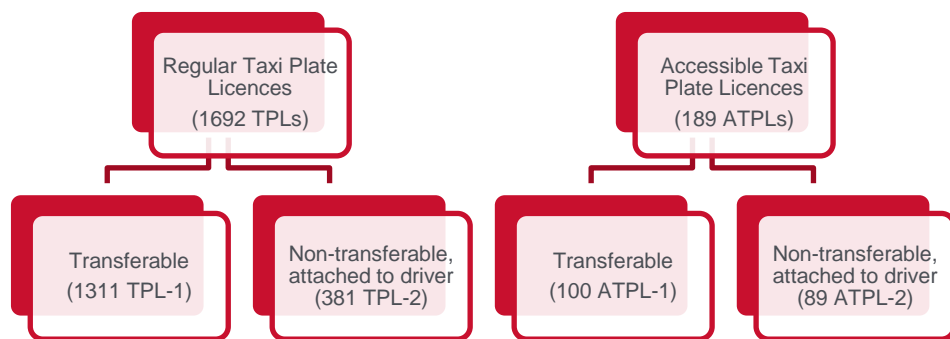


Figure 8 Taxi Plate Licences and Types

Of the 1881 plates (including Accessible plates) released by Council to date, approximately 60% are individually-held plates, while 40% are held by brokerages. There are seven TPLs and 21 ATPLs approved by Council but not yet distributed.

All of the 189 Accessible Taxi Plates released can be held only by drivers, however some of those released have been permanently surrendered to The City due to challenges in the industry. These challenges, such as the financial burden of wheelchair accessible taxis, are being addressed through The City’s aforementioned incentive (ATIP) program.

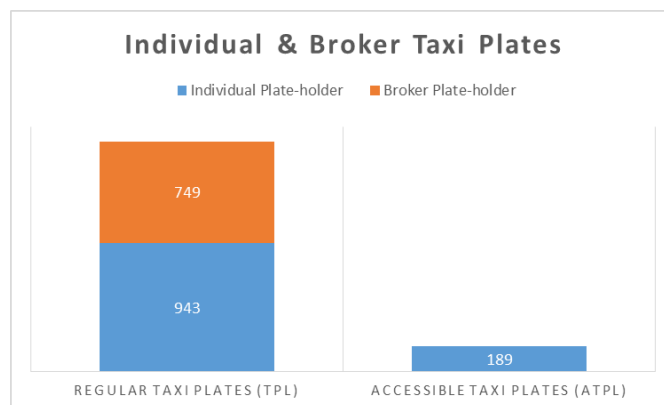


Figure 9 Comparison of Individual & Broker Taxi Plateholders, both Regular and Accessible Taxi Plates. Data as of 2019 December.



Taxi Drivers

To become a taxi driver in Calgary, you need to apply for and acquire a **City issued Taxi Driver's Licence (TDL)**. To apply for a taxi or limousine driver's licence, you must visit the Livery Transport Services office and produce a valid Class 1, 2 or 4 Alberta Driver's Licence (in good standing with no more than nine demerit points) and original proof of eligibility to work in Canada. A non-refundable application fee for the TDL training must be paid at this time in order to proceed with City delivered taxi driver training.

Training

To receive a new taxi driver's licence, you must register for the Taxi Driver Training Program, available as either a two-day in-class course or on-line. This program focuses on driver safety, passengers with disabilities, culture and diversity, and relevant bylaw information. Training on customer service and geography was removed from the City training a few years ago. A training course fee is payable at the time of registration and includes all course materials and exam rewrites, if required. Attendance for the Taxi Driver Training Program is mandatory and a minimum grade of 80 per cent is required to successfully pass the program.

To drive an Accessible Taxi, drivers must also take an additional two hour practical training course regarding wheelchair securement, coupled with a review of the theory portion taken during the Taxi Driver Training Program. LTS is also developing an **Accessible Driver Endorsement Refresher Training** program.

Post-Training Qualifications

All taxi and limousine driver licence applicants are required to complete the following requirements after successfully completing the appropriate training:

- Calgary Police Service Information Check – This is completed at the Livery Transport Services office and relevant fees apply. A favourable recommendation from Calgary Police Service is required in order to obtain a taxi or limousine driver's licence.
- Driver's abstract with no more than 9 demerits (re-verified from original application)

Upon meeting all training and post-training requirements, an individual may purchase the TDL (\$141 annual licence fee). The first licence is valid from the date of issue to the driver's next birthday. Subsequent licences are issued yearly from the driver's birthday. All taxi or limousine driver's licences must be renewed on or before expiry.

Taxi Driver Entry Options

The Bylaw allows a taxi driver to operate in the market in a variety of ways, including: as an Independent Livery Vehicle owner/driver¹¹ who also holds a taxi plate licence ("individual plate-holder" of either a TPL or ATPL), a driver/individual plate-holder who owns a vehicle that is affiliated with a taxi brokerage, or a non-plate-holder driver who works shifts directly for a brokerage or through another taxi plate holder(s). Approximately one in four of Calgary's taxi drivers hold either a regular or accessible taxi plate licence (TPL/ATPL), although this proportion can fluctuate depending on the number of licensed taxi drivers.

¹¹This licence category is very rarely used.

It's worth noting that with one Taxi Driver's Licence (TDL), a taxi driver can theoretically drive multiple taxis – it is not a one-to-one relationship between a TDL and a TPL/ATPL.

Drivers working on contract for a brokerage will likely pay fees for a package of services provided by the brokerage, sometimes referred to as weekly “stand rent”, which may cover business services such as insurance, two-way communications, dispatch services, marketing, and taximeters. Drivers hired by another taxi plate-holder to work shifts on the taxi or accessible taxi may pay the plate-holder rental fees for use of the vehicle. The City does not regulate these fees or contracts negotiated between drivers, plate-holders and brokerages.

Customer Service

The Bylaw permits drivers to accept gratuities from customers however a driver cannot charge customers with disabilities for any assistance or additional service provided.



Transportation Network Companies (Rideshare) Industry Model

Transportation Network Companies (TNCs) use Smartphone applications (Apps) that connect passengers with drivers who use their personal vehicles for profit; known in the Bylaw as Private for Hire Vehicles (PFHVs).

The TNC industry is also referred to in North American markets as “ridesharing”, “ride-hailing”, and “vehicle-for-hire”. Within this paper, the term “TNC” and “rideshares” are used except if specified differently within Calgary’s current Bylaw language.

As previously mentioned, Council approved Bylaw amendments allowing TNCs and their drivers to legally operate in the Calgary market in 2016 February. The amendments came into effect in 2016 April.

The industry model for TNCs has two main roles: the TNC (similar to a taxi “brokerage”), and the TNC Driver. Figure 10 shows the TNC structure in Calgary’s framework. There are currently eight TNCs licenced by The City to operate in Calgary (as of 2019 September 30).

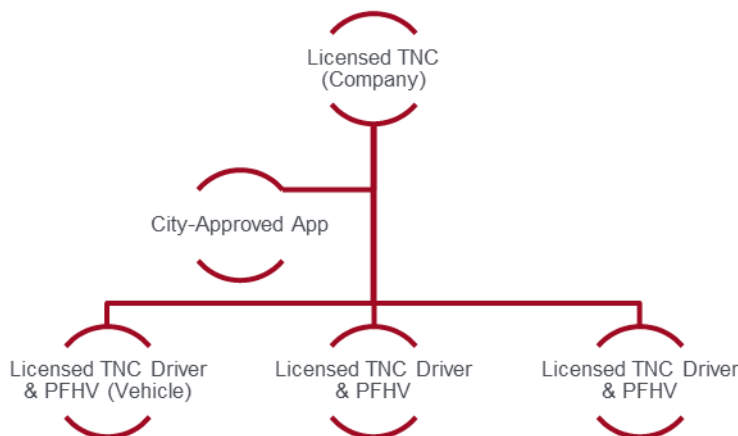


Figure 10 TNC Industry Structure

Before explaining The City’s regulatory controls for TNC operations, it is helpful to look at the Alberta government’s current regulations for TNCs, as this provides some context for The City’s regulatory approach.

Provincial Legislation/Regulation of TNCs

On 2016 July 1, the Government of Alberta passed legislation and a regulatory framework for the legal operation of TNCs. The **Transportation Network Company Regulation (AR 100/2016)** is part of the Traffic Safety Act. To operate legally, TNCs must comply with provincial requirements and any applicable bylaws in the community(s) where they provide services. If TNCs do not comply with the provincial regulation, they can be fined up to \$50,000 per offence per day.

According to the Government of Alberta website on Ride-for-hire services (Government of Alberta, 2019) (<https://www.alberta.ca/ride-for-hire-services.aspx>), some of the highlights of the province's TNC requirements include:

- All TNCs must register with Alberta Transportation and receive a TNC Certificate of Approval prior to operating.
- a TNC must ensure that its transportation network drivers do not solicit, accept or transport passengers other than through the use of a transportation network (i.e. street hails are not permitted by TNCs).
- TNCs are required to have in place either a motor vehicle liability policy or transportation network automobile insurance policy that meets minimum insurance coverage requirements as outlined in the Transportation Network Companies (TNC) Regulation.
- Vehicles must be originally designed to transport 8 or fewer passengers, including the driver.
- Each transportation network automobile must have commercial vehicle registration and plates. The **1-55 (Ride-for-Hire Services) plate class** is used to register a vehicle that operates as a transportation network company (TNC) to transport clients to their requested destination for a fee.
- TNCs are responsible for ensuring any transportation network driver accessing its transportation network has:
 - A Class 1, 2 or 4 Driver's Licence
 - A Police Information Check¹² conducted within the previous 12 months (a Vulnerable Sector Screen must be provided on the initial application). The regulation forbids a TNC's approval of any driver who is charged with, or has been convicted of, offenses listed in the regulation during the 10 years immediately preceding the driver's application¹³.
 - Proof of insurance coverage that specifically covers driving a transportation network automobile for a TNC

The provincial regulatory framework puts the onus for compliance onto the TNCs (the companies) rather than the drivers.

The City of Calgary's regulatory approach for TNCs aligns with the province's regulatory framework however it provides additional oversight through its licensing of drivers and TNCs as well as vehicle safety requirements.

¹²According to AR 100/2016, 4(3): "A transportation network company shall ensure that at all times all its transportation network drivers have been issued a police information check within the previous 12 months".

¹³ According to AR 100/2016, 4(4): "A transportation network company shall not authorize any person as a transportation network driver if during the 10 years immediately preceding the person's application to be authorized as a transportation network driver the person was convicted of an offence under the Criminal Code (Canada) or the Controlled Drugs and Substances Act (Canada) that is related to the functions, duties or business of a transportation network company or a transportation network driver,..."



Transportation Network Company (TNC)

In addition to the provincial government's compliance obligations for TNCs, in order to legally operate in Calgary, a TNC must also be licensed by The City. A **"Transportation Network Company" (TNC)** is defined in the Bylaw as: a Person other than a Brokerage, who sells, leases, administers, promotes or otherwise makes available an **App**.

In the Bylaw, **"Application"** or **"App"** means a software program residing on a mobile phone or other digital electronic device which performs one or more of the following functions: (i) allows a person to identify the locations of available vehicles for hire and allows a driver of a vehicle for hire to identify the location of a person who is seeking the services of a vehicle for hire; (ii) allows a person to request a vehicle for hire via the mobile phone or other digital electronic device; (iii) allows a driver of a vehicle for hire to receive a request from a potential passenger; and (iv) allows for the payment for vehicle for hire service through electronic means.

These definitions are important to understand as Apps can be provided by both taxi and limousine brokerages. However, the unique aspect of TNCs versus other livery industry models is that **they must only book vehicles for hire using a City approved "App" through an electronic device**. No telephone dispatch, on-line booking or street hails are allowed for TNC operations.

The App must also record, at the time the TNC service is arranged, the following information:

- (i) the time, date and location where and when the customer is to be picked up;
- (ii) the destination where the customer is to be discharged;
- (iii) a photo of the Driver;
- (iv) the Alberta licence plate number of the Private For Hire Vehicle; and
- (v) the make and model of the Private For Hire Vehicle

All of this helps ensure safety of the customers and if required assists both the TNC and The City with follow up inquiries or investigations regarding a TNC trip.

Apps & Rate-setting

The approved TNC App used by TNC must transmit to a prospective customer the rate to be charged to the customer including any variable or surge pricing prior to the customer agreeing to the ride. There is no applicable City regulated rate for TNCs, enabling them to charge rates that respond to market demand, also known as **"surge pricing"**. For example, during busy times in holiday seasons, weekends, concerts or Stampede, rates may increase. This also applies to rates charged through approved taxi and limousine Apps. The Bylaw permits TNCs to collect payment only by electronic means from customers, unless a camera approved by the Chief Livery Inspector is installed in the vehicle, and payment can then be accepted by cash. As of 2019 September 30, no TNCs have been approved to accept cash payment.

Data Reporting

The City has worked with TNCs to develop feasible and reliable data reporting requirements that are compatible with technology in use.

In the Bylaw, a TNC must, for each trip arranged through an App that is administered or promoted by the TNC, record in an electronic format the following information: (a) the Licence number of the Transportation Network Driver who provided the trip; (b) the time and date that the trip was arranged; (c) the time and date of the start of the trip; (d) the latitude and longitude of the location where the trip started; (e) the time and date of the end of the trip; (f) the latitude and longitude of the location where the trip ended; and (g) whether a wheelchair accessible vehicle was requested.

TNC Drivers

The number of licensed TNC drivers skyrocketed initially from 671 drivers in 2016, to 3775 in 2017 but has since gradually increased to exceed the number of taxi drivers at **4801 TNC drivers** as of 2019 September 30.

To become a Transportation Network Company driver in Calgary, you must be affiliated with a City-licensed Transportation Network Company, and obtain a City licence, called a **Transportation Network Driver Licence, or “TNDL”**.

In order to become a licensed Transportation Network Company driver, you must provide:

- proof of affiliation with a City-licensed Transportation Network Company;
- a police information check (from the local enforcement agency), with vulnerable sector check (for new applications), dated no older than 60 days
- a valid Alberta driver's licence Class 1, 2 or 4, in good standing with no more than 9 demerit points;
- proof of status to legally work in Canada. Proof of status includes: Canadian birth certificate, Canadian citizenship card, permanent resident's card or current work permit;
- a valid vehicle registration, including a letter of authorization if applicant is not the registered owner of the vehicle;
- valid vehicle insurance confirming proper commercial insurance;
- proof of a Government of Alberta Motor Vehicle Record of Inspection, or an Enhanced Livery Vehicle Inspection Standards (E.L.V.I.S.) inspection dated within 30 days of application.

Unlike taxi drivers, **a TNC driver must be associated with a vehicle for every TNDL they obtain**. They can hold multiple TNDLs (one is required for each vehicle/platform affiliation).

Once all the required information has been provided by an applicant and verified, depending on the payment fee option selected by the Transportation Network Company, an individual applicant may need to pay a licensing fee to Livery Transport Services. Once all licensing requirements have been met, TNC drivers receive an email with a letter (stating licencing term and vehicle information) and an “Information Guide” regarding expectations and bylaw requirements.

Ongoing Vehicle Requirements

With the TNC industry model, a PFHV must be registered by the TNC driver if they will be using it to provide App based ride services, therefore the initial requirements for vehicles are explained under this TNC Driver section. For enforcement purposes only, each PFHV must display a “TNC” sticker from The City's LTS office. This is distinct from the TPL or ATPL numbered plates or LPL decals required on taxi or limo vehicles for identification. As per the Government of Alberta's exemption of section 114 of Alberta's Vehicle Equipment Regulation, (VER), on 2018 Oct 9, the use of a “TNC” lamp in a PFHV is permitted however may only be activated in connection with picking up or dropping off a rider.

Further requirements for PFHVs to be legally used for App based Service include:

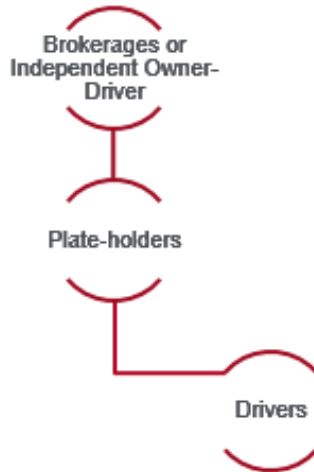
- Private For Hire Vehicle must not be more than ten model years old unless otherwise permitted by the Chief Livery Inspector (CLI) based on mechanical condition and appearance
- no trade markings on the vehicle other than those specified by the CLI
- vehicles must be inspected **every 12 months** unless the vehicle incurs 50,000 kms or more in the first year, then every 6 months is required.



Limousine Industry Model

Limousines are regulated similarly to taxis except for a few key differences: (1) there are no limits on numbers of Limousine Plate Licences (“LPLs”); and (2) limousines do not charge “metered” rates and can therefore not be street-hailed except at the Calgary International Airport.

The structure of the industry is similar to the taxi industry (see Figure 11) in that there are: Brokerages or Independent Owner-Drivers (common in Calgary’s limo industry), Plate-holders, and Drivers.



The limousine model in Calgary has two streams: the traditional service (i.e. stretch limousine for wedding) and curb-side on-demand service at the Calgary International Airport. There are three categories for vehicles; **Sedan**, **Stretch** and **Specialized**. A **Limousine Plate Licence (LPL)** must be affiliated with each vehicle and renewed every September. Unlike the taxi plate licences, the limousine is an ‘**open entry system**’ as there are no set plate limits and LPLs can be acquired at any time. Drivers must hold a Limousine Driver’s Licence (LDL), which is renewed annually. Some limousine drivers are self-employed (independent owner-drivers) and others are company employees.

Figure 11 Limousine Industry Structure



Brokerages & Independent Livery Vehicles

Limousines must be licenced with The City and can be affiliated with either a company or an individual. A City issued Brokerage Licence is required for a company with a fleet size of two or more vehicles. For the independent owner-driver of a limousine qualified by The City as an Independent Livery Vehicle, Home Occupational Permits are required for individuals using their residence as an office, and only one limousine is permitted. There were 23 licensed Limousine brokerages and 20 independent owner-drivers at the end of 2019 September.

All other conditions on Taxi Brokerage licences are applicable to limousine brokerages except where noted in the Bylaw, such as vehicle equipment, GPS and data reporting requirements.

Vehicle Requirements

As mentioned previously, there are three types of Limousines under the Bylaw: **Stretch**, **Sedan**, and **Specialized**.

A **Stretch-Limousine** is defined in the Bylaw, Sec. 40, as a “Motor Vehicle on which the frame has been cut or altered and extended at least 8 inches, which is **no more than ten model years old** and meets all Federal or Provincial Regulations and manufacturer’s specifications such as Q.V.M. and C.M.C.” A Livery Vehicle Registration Certificate may be issued for a Stretch Limousine older than 10 years if the Chief Livery Inspector approves of the vehicle’s mechanical condition and appearance.

The Chief Livery Inspector is authorized to designate makes and models for vehicles to be considered a **Sedan-Limousine** under the Bylaw, and these vehicles must be **8 years old or newer** unless otherwise approved by the Chief Livery Inspector.

A **Specialized Limousine** does not otherwise qualify for the Bylaw's description of taxis or limousines, however is approved by the Chief Livery Inspector as being able to be operated safely, provide comfort to passengers, and offer a unique experience or luxury to passengers.

Mechanical Inspections

Sedan and Specialized Limousines must be inspected once every six months by a Certified Mechanic at a Livery Inspection Station.

Stretch-Limousines must be inspected once every twelve months by a Certified Mechanic.

Upon successful inspections, an Inspection Certificate will be issued for the vehicle and must be carried in the vehicle.

Rate setting & Apps

The City does not regulate the rates charged for limousine services. The Bylaw does require pricing to be clearly communicated to limousine customers whether through pre-arranged agreements, curbside service at the Airport, or through an approved App.

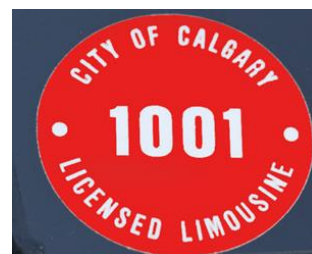
Data Reporting

There are data reporting requirements for Limousine brokerages however they differ from taxis due to the way limos can be booked. Limousine trips are often previously arranged with a customer, where the customer has entered into an agreement with either the brokerage or the driver (if an Independent Livery Vehicle). The Bylaw dictates the minimum information that must be included in the agreement, such as time, date and location of passenger pick-up, destination location, LDL of the driver and LPL of the limousine, and the rate to be paid by the customer.

If the limousine trip is booked through an App approved by the Chief Livery Inspector, then there are numerous requirements for the information to be recorded by the App for the customer, including real time GPS tracking, driver and plate identification (LDL and LPL), and a customer feedback mechanism.

Plate-holders

The limousine fleet consists of 226 limousine plate licences (LPLs) as of 2019 September. However, this number may fluctuate depending on applications for new LPLs or whether existing LPLs are renewed in September. All LPLs are non-transferable, and can be held by either an individual or a brokerage.



Drivers

There were 334 licensed limousine drivers in Calgary (as of 2019 September 30) and this number has not fluctuated much over the last several years. Limo driver applicants must pass a written exam regarding the Livery Transport Bylaw and meet all requirements of taxi driver applicants before receiving their LDL from The City.

Current Mandate and Role of Livery Transport Services

Mandate of LTS

Livery Transport Services (LTS) is a division within the Calgary Community Standards (CCS) business unit which regulates drivers, vehicles and companies in Calgary's livery industry according to the requirements of the Livery Transport Bylaw (6M2007). This includes livery trips by taxis, accessible taxis, limousines and TNC vehicles.

LTS ensures public safety, consumer protection and service quality. This service fulfills the need for citizens to have timely access to safe, quality and economical livery services.

The main roles of LTS in regulating the livery industry include:

- Regulatory body for taxi, limousine and private for hire vehicles;
- Ensure safety of the travelling public, service quality and consumer protection;
- Proactive patrols, investigate complaints received through 311;
- Establish procedures for issuing all licences and certificates;
- Develop and facilitate livery driver training programs; and
- Administrative Hearings – Licence Review Hearings which may result in sanctions against the livery licence.

There are three teams within LTS reporting to the Chief Livery Inspector, including: Licensing (Licensing Coordinator and Licensing Assistants), Enforcement (Deputy Chief Livery Inspector, Sergeant, and Inspectors), and Data & Training (Issue Strategist, Geospatial Analyst, and Instructional Designer/Trainer).

Fee Structure and LTS Cost Recovery

As a cost-recovery service, fees are charged to livery industry participants to deliver on LTS' mandate. LTS ensures the fee schedule contained in the Bylaw is set at a level that: maintains the service line's financial sustainability; provides funds for capital investments to support livery industry improvements and innovations; and aligns with a changing and evolving industry. The fees reflect the current regulatory framework that is in place, essentially a controlled entry system for taxis, and an open system for limos and TNCs.

In 2019 May, Council approved a recommendation from Administration (see Council Report CPS2019-0609 and attachments) under the Livery Fee Review project to freeze current licensing fee levels until the completion of an accelerated Bylaw review in 2020 Q4. A review of the Livery Transport Bylaw could lead to amendments that change the way LTS licenses and regulates the industry which, in turn, may result in additional operating efficiencies.

The LTS Sustainment Reserve Fund was established to stabilize livery fees and financing, benefiting industry while helping to achieve a balanced budget without tax rate support. The Reserve Fund is used by LTS to stabilize the operating budget; fund one-time operating expenditures; and fund capital expenditures that directly support Livery Transport Services. \$1.1 million from the Reserve Fund is being allocated to accelerate the planned review of the Livery Transport Bylaw. Completing the review earlier than planned in One Calgary will enable Administration to ensure the licensing and regulatory framework is aligned with a fee schedule that will result in financially sustainable future operating budgets.

Operational Effectiveness and Value

LTS strives to deliver on its mandate of ensuring the safety of the public using vehicles-for-hire. In recent years, a number of initiatives have illustrated LTS' operational effectiveness and commitment to continuous improvement, such as development of an on-line training module for taxi drivers, electronic data submission for TNC driver applications, additional data tracking/analytics authority to enhance enforcement capability, and enhanced collaboration with Calgary 9-1-1 regarding a referral process for livery-related complaints.

Livery Transport Services Audit

The regulation of livery services is a critical component to ensure the safety of passengers and drivers. As part of the Corporate 2017/2018 Annual Audit Plan, the City Auditor's Office conducted an operational audit to assess the effectiveness of internal controls which support public and driver safety. Fourteen recommendations were made by the City Auditor's Office in 2019 March (AC2019-0278), and LTS has committed to set action plan implementation dates no later than 2022 December 31. Currently there are seven outstanding recommendations and four of them involve collaborative efforts amongst various City business units. Two are related to the Livery Transport Bylaw review and two are enhancements to the licensing system (POSSE) with possible additional impacts from the Bylaw review.

Customer Service

In 2018, LTS's office served industry customers at the front counter 83% of the time within 15 minutes and this trend appears to be improving into 2019 with a 93% average up to the end of October. This is an accomplishment as overall livery driver numbers have continued to increase over the same period. Part of this service achievement of processing more customers in a shorter amount of time can be attributed to the use of electronic data transfer for processing TNC driver applications starting in early 2019.

Driver Training

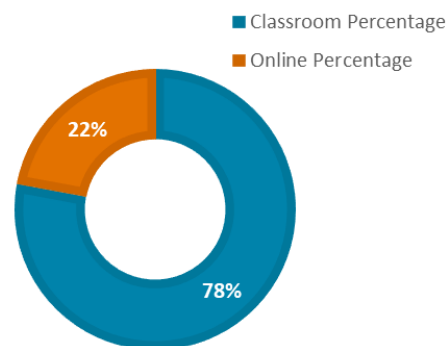
LTS delivers mandatory training for all taxi driver applicants either as two-day classroom training or on-line training, with the exam written in person. From 2018 to 2019 Q3, the proportion of taxi applicants taking the classroom training has remained high (over 75%) compared to the on-line training. In 2018, there were 89 e-learning students versus 283 classroom students, for a total of 372 students.

LTS is in the process of developing an on-line training module for all livery drivers (including TNC drivers) to be available for applicants in 2020 Q1.

Complaints Handling

Part of LTS' role is to handle complaints from the public related to the livery industry. LTS' approach to complaint handling has evolved to a more preventative approach, with a key focus on public awareness and education through safety campaigns, such as providing customers with important points to remember when booking a vehicle. Another tool LTS uses to communicate the complaint intake process is the 311 bumper sticker and "Taxi – Passenger/Driver Bill of Rights". LTS is working to raise awareness of the 311 intake process for TNC driver complaints (e.g. including wording on the App or customer receipt).

Taxi Driver Training by Type
(Jan - Sep 2019)



Percentages in 2018/2019 were consistent

Compliments? Concerns?

Use the 311 App.



Figure 12 311 Bumper Sticker (not to scale)

In addition to receiving complaints from the public via 311, LTS receives an email notification from Calgary 9-1-1, when calls are received regarding a taxi, limo or TNC. The 9-1-1 notification process was proactively implemented by LTS in 2018 August.

Complaints received by LTS were investigated and disposition rendered within 30 days 100% of the time in 2018, although concerns from passengers continue to be addressed (initial contact made) by LTS within 24 hours. Actions as a result of disposition, such as additional driver training, or suspension of licences could take longer than 30 days.

Over 1000 complaints were received in 2018, consistent with the previous three years of data. However, as of early 2019 December, LTS was on track to receive approximately 30 per cent more complaints compared to 2018.

Table 3 in Appendix A provides a **Complaint Yearly Comparison** from 2015 to 2018, based on complaints received through 311. Although this data provides information about perceived service quality it should not be considered the only measure of service within the industry. The top three complaint categories since 2015 continue to be: traffic violations, driver conduct and improper parking (livery vehicles parked in loading zones, double-parked, etc.). The next three highest categories of complaints, although significantly less than the top three, are: vehicle condition, fare disputes and unlicensed drivers or vehicles. Figure 13 shows 2018's top six complaint categories and how the complaints were addressed by LTS ("disposition").

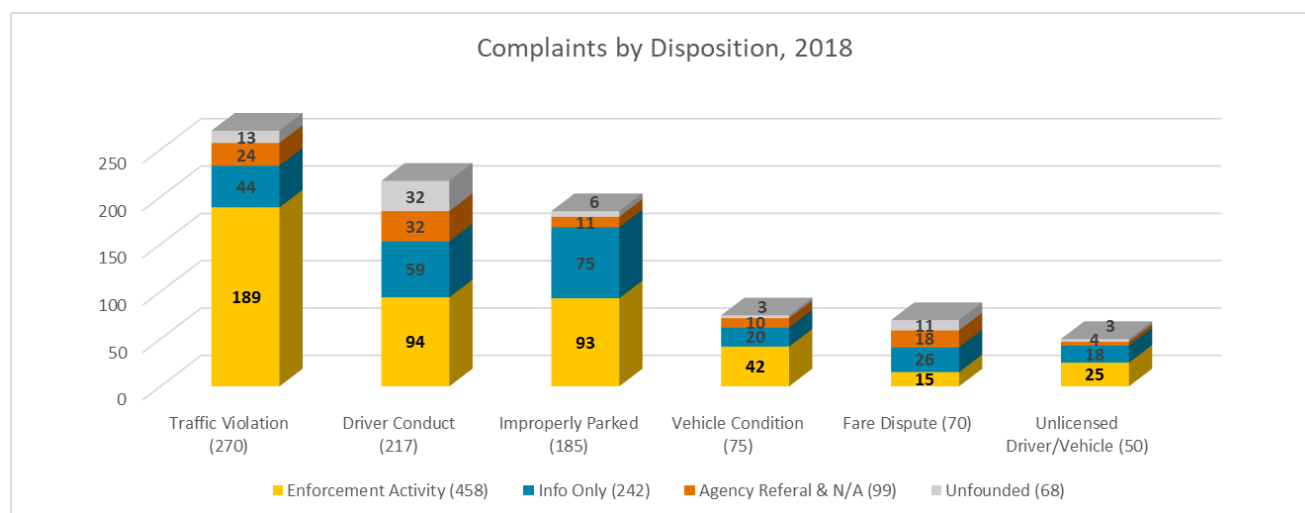


Figure 13 Top Six Complaint Categories by Disposition for 2018. Note: "Enforcement Activity" means when the LTS office takes official action such as a Warning, Order, Ticket or Summons issued. "Info Only" is when no enforcement activity is taken. "Agency Referral & N/A" means something outside of LTS scope or incomplete investigation.

Other LTS Enforcement Activities

LTS officers conduct inspections of livery companies, drivers and vehicles whether as follow up to complaints or based on field observation or data collected. In 2018, LTS completed 7563 Vehicle Inspections. These activities may lead to LTS issuing Verbal Warnings (524 in 2018), Inspectors' Orders for vehicle deficiencies (508 in 2018), Summons (tickets issued under the Provincial or Municipal regulation/bylaw that requires a court appearance, 136 in 2018), and Parking Tickets (58 in 2018).

Sometimes a 311 complaint or other LTS enforcement activities such as inspections or investigations can lead to a **Licence Review Hearing**. A Licence Review Hearing is a quasi-judicial tribunal with a mandate to act fairly and apply the principles of natural justice and procedural fairness. That means a Licence Review Hearing is not an evidence-seeking body. The hearing officer, usually the Chief Licence Inspector or delegate, uses written and verbal submissions during the hearing to make his/her decision. Licence Review Hearings typically result from: inappropriate behaviour; breaches of the Bylaw or any statute; criminal activity; or, ongoing complaints. Figure 14 illustrates the decisions of livery-related Licence Review Hearings from 2017 and 2018.

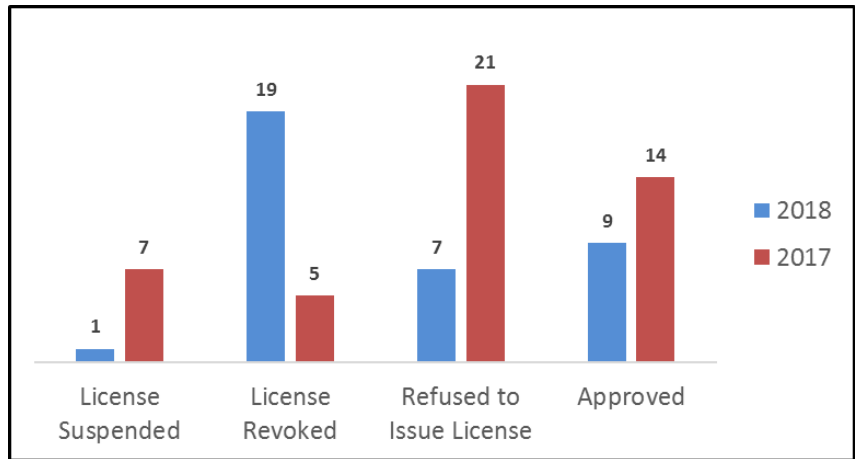


Figure 14 Licence Review Hearing Decisions, 2017-2018

Customer Satisfaction

Citizen Satisfaction Surveys

From 2014 through 2018, The City commissioned annual third party citizen satisfaction research via telephone surveys regarding the livery industry in Calgary. The surveys have shown a consistently high level of customer satisfaction results across the livery industries.

In 2016 April, the Livery Transport Bylaw amendments came into effect to allow TNCs to legally operate in Calgary's livery industry. Survey results from 2015 (pre-TNCs) compared to more recent survey results can reveal how customer satisfaction and attitudes may have changed for taxis and other livery services since TNCs arrived in the market. Due to the small sample size of limousine users, results are only available on select topics.

The following information has been summarized from the Leger phone survey reports published in 2015 and 2018 for The City of Calgary.

Overall Satisfaction Across Vehicle-for-Hire Industries

The 2015 customer satisfaction survey showed that overall satisfaction levels with Calgary's taxi industry and limousine industry were high, at 87% and 94% respectively (Leger, 2015).

The most recent survey conducted in 2018 indicated that satisfaction remained strong for all types of livery services. Specifically: 97% of users of TNC services, 90% of sedan/limousine customers, and 89% of taxi/accessible taxi customers were satisfied with their experiences over the past year (Leger, 2018).

The City puts a priority on having regulations in place to ensure the safety of the travelling public and recent survey results from 2018 indicate that most customers felt safe during their last ride (a range of 91%-99%) regardless of the type of livery service. These results are consistent with 2017 (Leger, 2018).

Satisfaction with Drivers, Ride Experience, Obtaining Services, and Value for Money

Satisfaction with Taxi Drivers

In 2015's survey, 94% of taxi users surveyed were satisfied with taxi drivers compared to 91% in 2018's survey. In 2015 and 2018, more than 90% of taxi users were satisfied with the professional appearance of drivers, the courteousness of drivers, and the safe manner in which they drive.

Satisfaction levels remain consistently high in 2018 compared to 2015 (between 84% to 89%) for ease of communications, helpfulness of the driver (trending up since 2016), and drivers' knowledge of city's communities, landmarks and roads, while there has been a slight decrease in satisfaction with taxi drivers taking the most economical routes since 2015 (89% in 2015 compared to 83% in 2018).

Satisfaction with TNC Drivers

Similarly to satisfaction with taxi drivers, a vast majority (94%) of TNC users were satisfied overall with TNC drivers in the 2018 survey (Leger, 2018). While "TNC users were most satisfied with the driver taking the most economical route (98%)", more than 90% of TNC users were satisfied with courtesy of the drivers (97%), driving in a safe manner (97%), and professional appearance (95%) and drivers' knowledge of city's communities, landmarks and roads (91%), and "least satisfied with the helpfulness of the drivers with any assistance required, such as bags (78%)" (Leger, 2018, p. 84).

Satisfaction with the Ride

The most recent survey data is summarized to compare ride experiences between TNC users and taxi users. Generally, the 2018 ride satisfaction data shows that both taxi and TNC users were satisfied with their overall ride experiences.

More than nine-in-ten taxi and TNC users were satisfied with their ride overall (93% of taxi users, 96% of TNC users, with the condition and maintenance of the vehicle (91% of taxi users, 97% of TNC users), and with the cleanliness of the vehicle (91% of taxi users, 100% of TNC users).

In 2018, “89% were satisfied with the amount of time it took for their taxi to arrive...” (Leger, 2018, p.70). There was no corresponding question asked of TNC ride experiences.

Obtaining Taxi Services

Looking at how customers prefer to book taxi services over time may reveal trends in behavior that have changed since the arrival of TNCs and enable The City to respond with appropriate levels of enabling regulations and enforcement.

Table 4 “*Method Used to Obtain Taxi Services*” from Leger’s 2018 report (see Appendix A) summarizes the methods used to obtain taxis by users from 2014 to 2018, based on the surveys conducted over this time period. According to the 2018 Leger survey results, “taxi users most commonly phone dispatchers to obtain a taxi, either by phoning dispatchers for immediate service (63%), or via pre-booking a taxi (50%)” (p. 58): Since the arrival of TNCs in 2016, the percentage of taxi users pre-booking a taxi through dispatch has decreased slightly, while hailing a cab has remained a commonly used method of obtaining a taxi at about 35% of users. Results show a steady upward trend of taxi users who obtained taxi services via online bookings or a taxi App and calling a taxi driver directly (“Code-8s”) since 2015.

Results also show that in 2018, the majority of taxi users were satisfied with all methods of obtaining a taxi (ranging from 80% for hailing a taxi to 94% for booking a taxi online or via an App).

Value for Money

Customers of any service want to receive value for their money and livery services are no exception. Since The City regulates rates only for hailed or dispatched taxis, and otherwise allows industry to set prices, understanding whether customers are satisfied with the value for their money for livery rides is important in setting future policy.

Taxi users’ satisfaction with value for money from rides in the past year has held steady at about two thirds (67% in 2018) of taxi users being satisfied since 2014.

This compares to 2018 results for the other vehicle-for-hire options where more than 85% of sedan/limousine users and 89% of TNC users were satisfied with the value for money that they received.

Leger (2018, p. 33) concluded from the survey results that “some price-sensitivity is at play” with taxi users. The difference in satisfaction for value for money may be partially because TNC users and most limousine users pre-book their rides and know the fare upfront, versus many taxi users who do not yet use an App to pre-book the ride (only 31% did in the 2018 survey) and therefore do not know the cost of the ride until it is determined at the end of the ride via the taximeter set rates.

Challenges and emerging trends

Challenges with Current Bylaw Framework

The City most recently consulted with livery industry participants to obtain their feedback on a proposed change to the livery fee schedule, where The City also heard their opinions about the current Bylaw. Citizens have also been surveyed annually since 2014 on their levels of satisfaction with livery industry services. Through day-to-day enforcement activities as well as regular data collection and reporting on the livery industry, the Livery Transport Services division is also an excellent source of information about the challenges of implementing the current Bylaw. Together, these information sources are summarized in the following sections to highlight how the current regulatory framework might need to change to respond to the evolving needs of the livery industry and citizens in Calgary.

Industry/citizen feedback - “What we’ve heard”

From past engagement, some livery industry participants are telling The City they want a more even playing field in regulations and fees so they can compete fairly with other industry participants. While the regulatory framework remains closed entry for the taxi industry, it has enabled other market participants (limos and TNCs) to operate in an open entry system. The licensing fees charged by The City reflect the current regulatory structure however the recent review of livery fees conducted by Administration in early 2019 revealed opportunities to have the fees more accurately reflect costs incurred by The City to regulate different industry participants. If the Bylaw review leads to a Council decision to amend the current regulatory framework, the livery fee structure will be adjusted accordingly.

Citizens have consistently indicated through annual citizen satisfaction surveys that they are highly satisfied overall with services of taxis, TNCs, and limousines. Recent surveys have revealed that there may be some areas for further review to determine if the livery regulatory framework can address citizen satisfaction with perceived value for money received across the vehicle-for-hire options. Accessibility remains an area of opportunity to improve services for citizens in Calgary needing accessible vehicle-for-hire options. The City recently launched initiatives to help address these issues: the Accessible Taxi Incentive Program and the WAV Calgary on-demand central dispatch pilot.

Complaints data received and reported through LTS shows that there are some areas of consistently higher numbers of complaints than others, such as traffic violations, driver conduct, improper parking and fare disputes. As the city grows and new market entrants join the vehicle-for-hire industry, this puts pressure on existing regulatory resources for training, licensing, and enforcement.

Additional Bylaw Implementation Challenges

Through LTS’ day-to-day operations and implementation of the Livery Transport Bylaw, several challenges have emerged over the past few years with the current regulatory framework. Highlights of these challenges are provided below however these will be further reviewed after stakeholder engagement and a jurisdictional scan are completed in 2019.

- Review feedback from industry members for opportunities to level the playing field across industries in terms of licensing (including plates), vehicle requirements (including vehicle identifiers) and associated fees. Initial principles for developing the current Bylaw were to keep different industries distinct, however industries are actually becoming more similar or merging their services. Drivers are working for multiple industries, yet need multiple licences.
- Clarify how Limousines are regulated, in terms of defining what services or capacity is considered a limousine in the Bylaw.

- Review how The City regulates service quality. Related regulations can be difficult to enforce due to their subjective nature. In recent years, customer service and geography training have been moved from The City's driver training to modules provided by the brokers.
- Respond to changes in technology, such as movement towards soft meters (technology-based, GPS-based) and away from traditional 2-way radio communication. Regulations need to adapt quickly to technology changes used by the livery industry.
- Explore camera regulations to meet the safety needs of the public and drivers, and respond to feedback from public and stakeholder engagement. Cameras in TNC vehicles and Limousine vehicles are allowed in the Bylaw subject to Chief Livery Inspector approval yet none have been approved to date.
- Support Calgary's Transportation Plan to provide safe, affordable and accessible transportation choices for Calgary's citizens. If the current regulatory approach remains controlled entry (i.e. plate limits for taxis), then The City will need to evaluate the methodology for issuing new plates (taxi cost index formula) in a marketplace with diverse and emerging suppliers of vehicles for hire.

This list of challenges with the current regulations also offers opportunities for improvement, whether to enhance safety, streamline The City's services, or respond to the changing needs of Calgarians and the vehicle-for-hire businesses serving them.

Emerging Trends in Calgary

In the 'One Calgary' submission for the livery service line, the following trends were identified as areas to watch as The City plans for this rapidly evolving transportation industry:

Demographic Change: With the increasing age of citizens, passengers with disabilities and cultural diversity, the expectations on the livery industry will continue to change.

Economic Change: Recessions have implications for how The City determines licensing fees as these need to be sustainable for industry stakeholders and the regulator.

Technology Change: The livery industry will evolve as new vehicle types become available and the fleets change (e.g. electric and autonomous vehicles). Data tracking and communication technologies such as soft meters for taxis, booking technologies, and location tracking and reporting opportunities are emerging that can improve The City's ability to pro-actively manage safety and streamline enforcement activity to areas that need it most.

Industry Change: Trip data is showing that the number of TNC trips (rides) have been gradually catching up to taxi trips the last several years. Meanwhile, the overall number of livery trips is also increasing, indicating that the market for vehicles-for-hire is growing. The City's regulations will need to be mindful of potential issues associated with increased vehicles for hire on the road, such as parking, traffic, congestion, safety, accessibility and customer service.

A comparative scan of other North American municipal regulatory frameworks recently conducted by an external consultant for The City may reveal other emerging trends that The City can consider when amending its livery regulatory framework. Additionally, public and stakeholder engagement regarding Calgary's livery industry conducted in 2019 Q4 by The City will further inform the review of the Livery Transport Bylaw.

Appendix A: Supporting Tables & Figures

Figure A: Livery Transport Services Passenger and Driver Bill of Rights (referenced on p.13)



Note your taxi #

Video and audio is being recorded

Share compliments or concerns by downloading the 311 App. calgary.ca/taxi

Respect the ride Passenger and Driver Bill of Rights.

A **passenger** has the right to:

- A licensed driver, in accordance to the *Livery Transport Bylaw 6M2007*.
- Travel with a guide dog or service animal and/or portable mobility aid.
- Ride in a clean, safe, comfortable and smoke-free vehicle.
- Direct the route, or expect the most economical route.
- Request curb side assistance with personal items at no extra charge, provided request is reasonable.
- View the metered fare.

A **passenger** is required to:

- Pay the required fare.
- Wear a seat belt.
- Not smoke or consume alcohol.
- Not be disorderly or abusive to the driver.

A **driver** has the right to:

- Refuse or terminate a trip when passengers are disorderly or abusive, including as a result of impairment by alcohol or drugs.
- Refuse to carry animals, with the exception of guide dogs or service animals.
- Require a deposit of up to \$30 towards the total cost of the fare.
- Refuse to carry more passengers or baggage than the vehicle can safely and legally accommodate.
- Charge a cleaning fee if a passenger soils the cab.

A **driver** is required to:

- Display his or her Taxi Driver's Licence so that it is clearly visible.
- Be professional and courteous.
- Accept all trips regardless of trip length.
- Accept all valid forms of payment as advertised on the taxi.
- Know the major routes and destinations in the city of Calgary.
- Obey all traffic safety laws.
- Not use a cell phone while passengers are in the taxi and comply with provincial Distracted Driver Legislation.
- Provide a receipt upon requesting a deposit and at the end of each trip.

Table 1: ATIP Incentive Overview Chart

Type of Payment	Grant	Incentive	
		ATPL Holder	Accessible Driver
Recipient	ATPL Holder	ATPL Holder	Accessible Driver
Amount (frequency)	\$1500 (annually)	Up to \$1500 (annually)	Up to \$2000 (annually)
Criteria	None	Yes (tied to achieving customer service and safety criteria)	Yes (tied to achieving customer service and safety criteria)
First Payment	Following 2019 June 30 ATPL renewal	Following 2020 June 30 ATPL renewal	Following 2020 taxi driver licence renewal (tied to birthdate)

Table 2: Taxi Plate Licences Released by Council since 1986

Plate Series	Issue Date	Regular or Accessible Taxi	Type of Plate (TPL/ATPL)	Total Released by Council
1-1311	Pre 2006	Regular	TPL-1 (transferable)	1311
1312-1411	2006	Accessible	ATPL-1 (transferable)	100
1412-1466	2012	Accessible	ATPL-2 (conditions, NON-transferable)	55
1467-1479	2013	Accessible		13
1480-1526	2013	Regular	TPL-2 (TDL, NON-transferable)	47
1527-1638	2014	Regular		112
1639-1652	2014	Accessible	ATPL-2 (conditions, NON-transferable)	14
1653-1659	2015	Accessible		7
1660-1881	2016	Regular	TPL-2	222
Accessible				189
Regular				1692
Total				1881

Table 3: 311 Complaints Yearly Comparison, 2015-2018

ISSUE	2015	2016	2017	2018
Accessible Service	12	13	4	19
Dispatch Delay	2	5	14	12
Driver Conduct	227	273	189	217
Fare Dispute	56	51	59	70
Phone Line Busy	3	1	1	2
Improperly Parked	159	374	251	185
Passenger Conduct	6	5	2	6
Trip Refusal	46	49	42	38
Time Call	7	1	0	0
Unlicensed Driver/Vehicle	100	36	56	50
Cell Phone Usage	42	41	21	31
Traffic Violation	294	305	269	270
Vehicle Condition	28	86	77	75
Taxi Shortage	10	8	1	0
General	75	85	64	30
Airport Service	0	0	1	2
TOTAL	1064	1333	1051	1007

Table 4: Method Used to Obtain Taxi Services (Leger, 2018)

Method to obtain taxi	2014 (n=303)	2015 (n=400)	2016 (n=365)	2017 (n=314)	2018 (n=315)
Phoning the taxi company's dispatch telephone number for immediate service	57%	63%	68%	68%	63%
Phoning the taxi company's dispatch to pre-book a future trip*	62%	60%	51%	53%	50%
Hailing or flagging a taxi	32%	36%	36%	37%	35%
Booking a taxi online or via an App	12%	16%	22%	26%	31%
Calling a taxi driver directly to arrange a ride	13%	12%	20%	21%	27%
Using a designated taxi stand NOT located at a hotel	15%	15%	21%	20%	22%
Using a hotel taxi stand	20%	16%	15%	11%	13%

Note: Reprinted from The City of Calgary - Livery Services Citizen Satisfaction 2018, by Leger.

Appendix B: Industry Regulatory Comparison Chart



Industry Regulatory Comparison Chart

Summarized in the chart below are the current regulatory requirements in the Livery Transport Bylaw 6M2007 across industries.

Municipal Licence and Driver Requirements

Regulatory Requirement of the Bylaw	Taxi	TNC/PFHV	Limousine	Details
City-issued broker (or TNC) licence required	Yes	Yes	Yes	Taxi and limo brokerages and TNC companies all require a City licence to operate.
City-issued driver's licence required	Yes	Yes	Yes	Expires on DOB and renewed annually for all driver types. A person can hold more than one type of City livery driver licence.
AB driver's licence commercial class either 1, 2 or 4 required	Yes	Yes	Yes	The province regulates the class of licence required based on service or use of licence. The City requires a minimum AB Class 4 commercial licence to be eligible for any of the City issued livery driver licences.
Proof of Status in Canada	Yes	Yes	Yes	Examples of documentation include: Canadian Birth Certificate, valid Canadian Passport, Canadian Citizenship Card, Permanent Residence Card, and current Work Permit.
Annual Calgary Police background check (including vulnerable sector)	Yes	Yes*	Yes	The City requires all livery drivers to provide this information as part of applying for and renewing their City driver licence. *Note that there are also Provincial requirements for TNCs to ensure their drivers have had background checks under the AB TNC Regulations.
Provincial driving records check	Yes	Yes	Yes	Driver records checked upon application for a livery driver's licence and annually thereafter. Up to 9 demerits allowed.
English proficiency requirement for drivers	No	No	No	Currently The City has no English proficiency requirements however the Bylaw gives the Chief Livery Inspector the authority to re-introduce them.
City-provided driver training requirement	Yes, in-class and on-line options	In development*	City exam requirement only	*City has authority under the current bylaw to require driver training for TNCs and this is in development. Currently TNC drivers receive an "information guide" regarding City expectations and bylaw requirements.



Industry Regulatory Comparison Chart

Summarized in the chart below are the current regulatory requirements in the Livery Transport Bylaw 6M2007 across industries.

Fleet Size

Regulatory Requirement of the Bylaw	Taxi	TNC/PFHV	Limousine	Details
<i>Limit on number of Taxis (Regular and Accessible Plates)</i>	Yes, through a City set limit on number of plate licences issued N/A	N/A	N/A	Taxi plate licences are currently a controlled entry system under The City's regulatory framework and a population formula is used to help determine when more plates are required.
<i>Limit on number of TNC vehicles (Private For Hire Vehicles -PFHV)</i>	N/A	No	N/A	PFHVs for TNCs are not subject to any limits on number of vehicles as there is no TNC plate licence. With the current licensing system for TNCs, the driver is licensed allowing them to operate the affiliated vehicle. A TNC driver must hold a separate City driver's licence for each vehicle they operate.
<i>Limit on number of Limousines (Plates)</i>	N/A	N/A	No, unlimited limo plate licences	The number of limo participants is lower compared to taxis and TNCs and historically stable. Therefore, no limits have been set for the number of limo plate licences



Industry Regulatory Comparison Chart

Summarized in the chart below are the current regulatory requirements in the Livery Transport Bylaw 6M2007 across industries.

Rate Setting/Pricing

Regulatory Requirement of the Bylaw	Taxi	TNC/PFHV	Limousine	Details
<i>Regulated rates/fares for trips arranged through an approved App</i>	No	No	No	For industry participants using an approved App, rates are not regulated by The City. Although surge pricing is allowed, all rates must be clearly stated to the customers prior to accepting the trip. This ensures price transparency to customers.
<i>Regulated rates/fares for telephone dispatch and street hails (set as a maximum)</i>	Yes	N/A	N/A	For taxis doing street hails or telephone dispatch calls, a regulated rate exists as a maximum. However, taxi companies can charge less than this rate to compete with other market participants. The maximum regulated rate is \$3.90 for the first 120 meters and \$0.20 for each additional 120 meters when travelling at a speed greater than 20.24 kilometres per hour.
<i>Limousine minimum rate</i>	N/A	N/A	No	Limousines no longer are subject to a regulated minimum rate, as of 2016. Helps to enable competitive rate-setting.

Industry Regulatory Comparison Chart

Summarized in the chart below are the current regulatory requirements in the Livery Transport Bylaw 6M2007 across industries.

Vehicle Requirements & Safety Considerations

Regulatory Requirement of the Bylaw	Taxi	TNC/PFHV	Limousine	Details
CCTV camera required in vehicle	Yes	No (optional)	No (optional)	Cameras required in taxis for safety of drivers and passengers as taxis are permitted to accept street hails and cash payments.
Physical copy of livery driver's licence must be displayed in vehicle	Yes	No, available in app.	Yes	TNC City driver's licence is electronically produced. Customer is provided the driver's licence number and vehicle details when trip is booked.
Plate or decal required	Yes, plate	No*, sticker only	Yes, decal	Plate (Tin) required for Taxi/Accessible Taxi Plate Licence identification Decal required for Limo to indicate Limo Plate Licence; *TNC sticker is required as an identifier for enforcement only, not for customers.
Physical meter rate decal displayed in vehicle	Yes	N/A	N/A	This requirement doesn't apply to TNCs and limos as they don't use taximeters or metered rates.
Vehicle have distinguishing trade markings/colour	Yes, mandatory	N/A, as private vehicles are used	N/A, optional upon LTS approval	Vehicle markings, colors and signage requirements for taxis are specifically defined in the bylaw. Trade markings for TNCs and limousines are at the discretion of the Chief Livery Inspector.
Vehicle mechanical inspection required	Every six months	Every 12 months. If the vehicle incurs 50,000 km or more, an inspection is required every six months*	Every six months (Sedan/Specialized); Every 12 months (Stretch)	*TNC vehicles must be inspected every 12 months unless the vehicle incurs 50,000 km or more in the first year, then an inspection is required every 6 months. TNC drivers have the option of a provincial inspection instead of the Bylaw's Enhanced Livery Vehicle Inspection Standards.
Vehicle age limits	Yes, eight years old or newer*	Yes, 10 years old or newer*	Yes, eight years old or newer for Sedan-Limousine; 10 years old or newer for Stretch-Limousine*	Upon initial licensing, the livery vehicle's age must fall within the age limit. *When a livery vehicle reaches the age limit, the Chief Livery Inspector can approve an extension permitting the vehicle to continue to operate.



Industry Regulatory Comparison Chart

Summarized in the chart below are the current regulatory requirements in the Livery Transport Bylaw 6M2007 across industries.

Operating Conditions

Regulatory Requirement of the Bylaw	Taxi	TNC/PFHV	Limousine	Details
<i>Street hails permitted</i>	Yes	No	No, exception for curbside at airport only	Street hailing remains exclusively with the taxi industry, other than Street Hail (curb-side) limousine service at the airport where only flat rates are permitted.
<i>On-street taxi stand access</i>	Yes	No	No	Due to the street hailing provisions, taxi stands are also restricted to taxi vehicles only. Taxi stand permits are approved through Calgary Parking Authority and enforced through CPA, LTS, and CPS (other City departments).
<i>Special Event-related staging area access for TNCs/limos</i>	Yes	Yes	Yes	For special events such as Flames games, Stampede week, or other events, private land agreements can be negotiated without City approval, such as on the Stampede grounds.
<i>Permitted to use an approved App</i>	Yes*	Yes (App required)	Yes	All Apps must be approved by The City. Booking and payment accepted electronically. *Taxi customers can pay the driver in cash if option is offered by the taxi brokerage.
<i>Payment by cash permitted</i>	Yes	No* with exceptions	No* with exceptions	*Limos can accept payment by cash for curbside airport service. Bylaw allows Limos and TNC (PFHV) vehicles to accept payment by cash if a camera has been installed in the vehicle and approved by The City.
<i>GPS tracking requirement</i>	Yes	Yes	No	All industry participants are subject to data reporting requirements and GPS tracking (except for limousines). This data helps Administration to analyze patterns which informs the development or amendment of policy and conduct audits or investigations.
<i>Data submission requirements</i>	Yes	Yes	Yes (App based)	

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