

**CITY OF PORTAGE LA PRAIRIE
BY-LAW NO. 19-8694
LOCAL VEHICLES FOR HIRE BY-LAW**

BEING A BY-LAW of the City of Portage la Prairie to provide for the licensing, controlling, regulating, and safety of local vehicles for hire within the municipality.

WHEREAS The Local Vehicles for Hire Act came into force on February 28, 2018, giving municipalities authority to design regulatory systems to fit their needs;

AND WHEREAS Subsection 232(1) of The Municipal Act, RSM 1996, c.M225, provides authority for the municipality to pass by-laws respecting the safety, health, protection and well-being of people, as well as by-laws respecting businesses, business activities and persons engaged in business;

NOW THEREFORE the Council of the City of Portage la Prairie, in open session assembled, enacts as following:

DEFINITIONS

EXCLUDED VEHICLES:

- A vehicle used without compensation from the passengers such as a complimentary hotel shuttle, charity or funeral services provided;
- An emergency vehicle;
- A bus or handivan with a manufacturer's seating capacity originally designed for 10 or more occupants including the driver;

LOCAL VEHICLES FOR HIRE vehicle:

- With a manufacturer's seating capacity originally designed for 10 or fewer occupants including the driver; and
- That is used to transport a passenger for compensation;
- Including taxis, shuttles, limousines or PTP (point to point) vehicles hired through a ride sharing service -- a digital application network or platform as authorized by the City;

POINT TO POINT:

- Term used in conjunction with a Ride-Sharing Service to refer to the vehicle and driver providing the trip to the passenger who has booked and paid for this service by an electronic application.

REGULATORY REQUIREMENTS

The process to operate any local vehicles for hire service in the City of Portage la Prairie requires three steps:

1. Business obtains a Local Vehicle for Hire License
2. Business obtains a business permit
3. Drivers employed by a Local Vehicle for Hire business obtain a driver's permit

A reference guide is provided for each requirement:

Type	Item
Business – Local Vehicle for Hire License	- Satisfactory vehicle mechanical inspection(s) within 30 days of application
	- Vehicle require inspection by City's by-law officers, annually or on request
	- Vehicles have LVFH (A,B,C,D) insurance with minimum of \$1 million general liability insurance
Business Permit	- Regular business process used
Driver's Permit	- Valid full Class 4 license (Manitoba)
	- Criminal records search within 30 days of renewal, no convictions in past 10 years ¹
	- Drivers abstract within 30 days of renewal, allowing a maximum of 3 driving offenses in past 2 years ² and no convictions for careless driving in past 5 years ³
	- Vulnerable person search within 30 days of renewal – no record
	- 2 passport type photos taken in past 30 days

It will be the City's practice for bylaw officers to conduct vehicle inspections annually and for all vehicles licensed at that time. When additional vehicles are added during the year, the business owner will be requested to bring their vehicle in for inspection within one month of receiving a license for that vehicle to be operated as a Local Vehicle for Hire.

All licenses and permits are renewed annually. Additional details on each requirement is provided in "FAQs – Local Vehicle for Hire". This document is available on the City's web site.

All licenses and permits are subject to approval of the City's Manager of Finance and/or Director of Corporate Services.

OTHER

- Local vehicles for hire must have authorized signage displayed on/in their vehicles and clearly visible to potential passengers.
- Fares may be charged as a flat rate per trip or as recorded on the meter. Flat rates or metered vehicles are supported under this by-law.

¹ No criminal convictions within 10 years preceding convicted of other offenses contrary to the Criminal Code of Canada; Controlled Drugs and Substances Act or Food and Drug Act for any of the following offenses: a sexual offense or offence relating to corrupt public morals; offense relating to criminal negligence, homicide, bodily harm, assault, kidnapping or abduction; or an offence relating to robbery or extortion; driving while over .08 blood alcohol level, impaired driving or refusal to provide a breath or blood sample; trafficking, possession for the purpose of trafficking, cultivation of a controlled substance or dangerous driving.

² Driving offenses are defined as convicted offenses under the Highway Traffic Act.

³ Convictions for careless driving are pursuant to the Highway Traffic Act.

- The flat rate per trip and per passenger should be agreed to by the passenger(s) before embarking on the ride. If a ride sharing service, the flat rate fare is paid for by the passenger through the electronic application and in advance of the ride.
- For trips commencing within the City of Portage la Prairie, the entire trip is governed by this by-law.
- Passengers engage the services of a local vehicle for hire business by contacting them by phone or hailing them as seen. The service of a ride sharing local vehicle for hire is engaged only through booking and pre-paying through a digital application.
- Should a local vehicle for hire licensed under the bylaws of another municipality wish to operate in Portage la Prairie, they must also satisfy the licensing requirements of this bylaw before and to conduct business within Portage la Prairie.
- The City contracts with the local RCMP detachment for oversight of highway and traffic violations. RCMP officials will enforce this bylaw's compliance as relates to operation of a local vehicle for hire.
- A copy of this by-law and further revisions to the by-law shall be provided to Manitoba Public Insurance and the Registrar of Motor Vehicles of Manitoba by the City of Portage la Prairie.

RIGHT TO APPEAL

- An applicant for a license or permit may appeal the refusal, revocation or suspension of a license or permit within 30 days of the date of such refusal, revocation, or suspension.
- An appeal must be made in writing stating reasons for the appeal; delivered to City Hall and addressed to the City of Portage la Prairie's Local Vehicle for Hire Appeal Committee.
- The City's Local Vehicle for Hire Appeal Committee is composed of the City Councillor responsible for public safety; the City Manager and the Director of Public Safety.

Bylaw 18-8666 is hereby repealed.

DONE AND PASSED as a By-Law of the City of Portage la Prairie in Council duly assembled this ____ day of _____, 2019.

THE CITY OF PORTAGE LA PRAIRIE

Mayor

Manager of Administration

GIVEN FIRST READING this _____ day of _____ 2019.

GIVEN SECOND READING this _____ day of _____ 2019.

GIVEN THIRD READING this _____ day of _____ 2019.