

CITY OF MARTENSVILLE
VEHICLES FOR HIRE BYLAW
BYLAW NO. 7-2018

A BYLAW OF THE CITY OF MARTENSVILLE TO ESTABLISH A VEHICLES FOR HIRE BYLAW

WHEREAS, Subsection 8(1) of The Cities Act authorizes a Council to pass any bylaw that is considered expedient for promoting the health, safety, morality and welfare of the inhabitants of the urban municipality; and

WHEREAS, Subsection 8(3) of The Cities Act authorizes a Council, by bylaw, to classify, control, regulate and license any business carried on within the urban municipality; and

WHEREAS, Subsection 4(1) of the Vehicles for Hire Act authorizes a Council, by bylaw, to classify, control, regulate and license transportation networks and transportation network companies; and

NOW THEREFORE THE COUNCIL OF THE CITY OF MARTENSVILLE IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

PART I

ADMINISTRATION

1. DEFINITIONS

“chauffeur” means a person that who drives a taxi or limousine;

“driver for hire” means a person who has been requested, hired or contracted to physically drive the customer in the customer’s private vehicle as agreed upon.

“license” means a license issued by a municipality to operate a vehicle-for-hire service;

“limousine” means, subject to the regulations, a luxury class vehicle with at least four doors, intended for hire that:

- (a) has seating capacity for 6 or more passengers including the chauffeur;
- (b) is operated by a chauffeur;
- (c) is the object of a valid prescribed inspection certificate;
- (d) is not equipped with a taxi meter or any equipment designed to calculate a passenger fare based on distance travelled;

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- (e) is not equipped with a dispatch device, two-way radio or mobile data terminal whereby the vehicle is matched with or directed to a passenger seeking to purchase transportation; and
- (f) is used exclusively for the transportation of passengers

"street hailing" means offering, soliciting, or accepting offers to provide transportation service, or providing transportation service, to passengers that is not prearranged service

"taxicab" means, subject to the regulations, a vehicle for hire that:

- (a) is registered in a prescribed class; and
- (b) may be equipped with a taxi meter or any equipment designed to calculate a passenger fare based on distance travelled

"transportation network" means, subject to the regulations, an online enabled application, a digital platform, a software program, a website or other system or technology platform offered, used or operated by a transportation network company to enable a person to obtain a vehicle using its vehicle-for-hire service;

"transportation network automobile" means a motor vehicle with a manufacturer's seating capacity originally designed for 8 or fewer passengers, including the driver, used to provide pre-arranged transportation of passengers for compensation through the use of a transportation network, but does not include a tax.

"transportation network company" means a person or other prescribed entity that operates a transportation network; **"vehicle"** means a vehicle that meets the prescribed qualifications and that has a seating capacity of no more than 10 occupants, including the driver;

"transportation network driver" means a person authorized by a transportation network company to operate a transportation network automobile to provide pre-arranged transportation of passengers for compensation through the use of a transportation network.

"vehicle-for-hire service" means a service provided by a transportation network company that provides a vehicle and driver for the pre-arranged transportation of passengers for compensation through the use of a transportation network but does not include a taxi service.

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2. LICENSE REQUIRED

(a) Shall be obtained by the following:

- i. Taxicab company, standard or accessible
- ii. Limousine company
- iii. Transportation network company
- iv. Driver for Hire

(b) No person shall carry on or engage in a business using a vehicle for hire without having first procured a license to do so under this bylaw

PART II

TAXICAB COMPANIES AND DRIVERS

3. APPLICATION

(a) Before operating in the City of Martensville, a Taxicab Company must:

- i. Obtain a City of Martensville Business License
- ii. Submit an Application to Operate a Taxicab in the City of Martensville
- iii. Pay the annual City of Martensville taxi license fee provided for in Schedule A

(b) The application to operate a Taxi (Taxicab licenses) must be renewed annually, on the anniversary of the initial application

4. NUMBER OF TAXICABS

(a) The number of taxicabs to be licensed within the City of Martensville will be determined through the discretion of the City Council. Level and quality of service will be considered in determining the issuance of additional taxi licenses in the City of Martensville.

(b) Nothing in subsection (a) precludes the issuing of temporary taxicab licenses by the City, as may be required, in excess of the limit set in subsection (a). Instances where temporary licenses may be granted include but are not limited to seasonal licenses or for special events in the community or area.

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5. TAXICAB BUSINESS

- (a) The Taxicab business shall be an independent incorporated entity within the Province of Saskatchewan.
- (b) Taxicab businesses must maintain a valid City of Martensville Business License
- (c) Vehicles that are part of a Taxicab business' fleet must have the proper Saskatchewan vehicle registration and insurance and be duly licensed under *The Traffic Safety Act* for the Province of Saskatchewan and the regulations there under.
- (d) Taxicab vehicles are required to be identified as 'taxis', this may be done through decals or appropriate advertising on the vehicle, or displays or toppers

6. TAXICAB LICENSES

- (a) A taxi cab license in addition to a business license shall be taken out by every person who owns or keeps for hire or profit a taxicab or taxicabs, as hereinafter defined, and he shall pay therefore the annual fee provided for in Schedule A.
- (b) In transferring a license, the owner operator shall contact the City of Martensville noting their intention to transfer a taxi cab license to another company, that license than is in effect cancelled and then reissued to the new taxi cab owner operator.
- (c) Taxi cab companies wishing to cancel a license must contact the City of Martensville to cancel the license. The cancelled license may then be issued out, per the application protocol to another company.

7. TAXICABS INSPECTION CERTIFICATE

- (a) The owner of a taxicab shall not operate or allow a taxicab to be operated unless the operator has obtained a valid vehicle inspection certificate from Saskatchewan Government Insurance.
- (b) A person operating a taxicab shall carry a valid inspection certificate within the taxicab at all times

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8. TAXICAB DRIVERS

- (a) Taxicab drivers are required to have a valid and subsisting prescribed class Saskatchewan Driver's license.
- (b) Drivers shall have identification present and visible for passengers at all times.
- (c) Driver's shall have a completed and valid Criminal Reference Check prior to operating a Taxicab

9. TAXICAB VEHICLES

- (a) The age limit of Taxicab vehicles is 8 years from the approval of their application

10. FEES TO BE CHARGED

- (a) Taxicabs licensed by the City of Martensville are permitted to set their own fees for service; these fees must be as flat rate charges or per kilometer rates for service inside of Martensville and/or within the immediate trading area.
- (b) Non-Resident Taxicabs may utilize a taximeter or any equipment designed to calculate a passenger fare based on distance travelled

11. FEES TO BE DISPLAYED IN TAXICAB

- (a) The owner or operator of every taxicab operated within the City shall display a schedule of fees within the taxicab that is visible to passengers.

PART III

LIMOUSINES

12. APPLICATION

- (a) Before operating in the City of Martensville, a Limousine Company must:
 - i. Required to have a valid and subsisting prescribed class Saskatchewan Driver's license.
 - ii. Provide proof of the minimum liability insurance pursuant to the Automobile Accident Insurance Act.
 - iii. A valid and subsisting prescribed vehicle inspection certificate pursuant to the Automobile Accident Insurance Act.
 - iv. Obtain a City of Martensville Business License

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- v. Submit an Application to Operate a Limousine in the City of Martensville
- vi. Pay the annual City of Martensville chauffeur license fee provided for in Schedule A

PART IV

TRANSPORTATION NETWORK COMPANIES AND DRIVERS

13. APPLICATION

(a) Before operating in the City of Martensville, a **Transportation Network Company** must:

- i. Submit an Application to Council to Operate a Transportation Network Company in the City of Martensville
- ii. Obtain a City of Martensville TNC Business License
- iii. An application to operate TNC must be renewed annually by the TNC company, on the anniversary of the initial application

14. TNC DRIVERS AND LICENSES

(a) The City of Martensville does not limit the number of Transportation Network Companies or TNC drivers allowed to operate within City limits

(b) TNC drivers shall have a valid prescribed class of Saskatchewan Drivers License as specified by the Vehicles for Hire Act

(c) Driver's shall have a completed and valid Criminal Reference Check prior to operating a TNC Vehicle

(d) Provide proof of the minimum liability insurance pursuant to the Automobile Accident Insurance Act.

15. TNC VEHICLES

(a) The age limit of TNC vehicles is 10 years from the approval of their application

(b) The operator of a TNC vehicle shall not operate without a valid vehicle inspection certificate from Saskatchewan Government Insurance.

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(c) All vehicles operating under a TNC must be identifiable by the appropriate window marking and shall not utilize markings that would be consistent with those of a taxicab or commercial branding

16. TNC BUSINESS

(a) A TNC shall not permit or condone the acceptance of street hails or the solicitation of passengers by TNC drivers. Transportation services must be prearranged using the TNC software or 'app' with which the TNC driver is affiliated

(b) A TNC shall not permit and TNC drivers shall not accept payment by cash for a transportation service facilitated by the TNC

(c) TNC and TNC drivers shall not permit any person to smoke in the TNC Vehicle while it is providing transportation services

**PART V
DRIVERS FOR HIRE**

17. APPLICATION

- (a) Before operating in the City of Martensville, a Driver for Hire Company must:
- i. Obtain a City of Martensville Business License
 - ii. Pay the annual City of Martensville license fee provided for in Schedule A

**PART V
GENERAL REGULATIONS**

18. BREACH OF BYLAW

(a) Any person found guilty of a breach of any of the provisions of this Bylaw shall, on summary conviction, be liable to a penalty of not less than Five Hundred Dollars (\$500.00) and costs and may be subject to additional penalties as outlined in the City of Martensville Business Licensing Bylaw 9-2017 and those under statute of the Province of Saskatchewan.

19. REPEALED

Bylaw No. 15-2011 is hereby repealed.

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20. PASSAGE

This Bylaw shall come into effect upon final passage of Council.

Read for a first time this 18th day of December 2018

Read for a second time this 18th day of December 2018

Read for a third and final time this 18th day of December 2018

(Mayor)

(City Clerk)

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SCHEDULE A- Vehicles for Hire- FEES

Annual Resident Taxicab Company Business License Fee (per Operator - includes the first taxi-cab	Applicable business license fees, per the Licensing Bylaw
Annual Taxicab Fee (per every additional taxicab)	\$50
Annual Non-Resident Taxicab Company Business License Fee (per Operator includes the first taxi cab	\$200
Annual Resident-Limousine Company Business License Fee	Applicable business license fees, per the Licensing Bylaw
Annual Non-Resident Limousine Company License Fee	\$200
Chauffeur License	\$50
Annual TNC Business License Fee	\$500
Annual Driver for Hire Business License Fee- Resident	Applicable business license fees, per the Licensing Bylaw
Annual Driver for Hire Business License Fee- Non Resident	\$200