

# CITY OF ESTEVAN



## **Taxi Bylaw 2020-2020**

**TABLE OF CONTENTS**

**Page**

**PART 1: INTERPRETATION**

1. Short Title .....	4
2. Principles .....	4
3. Purpose.....	4
4. Definitions.....	5
5. Responsibility .....	6

<b><u>PART 2 : EXEMPTIONS</u></b> .....	6
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**PART 3: GENERAL LICENSING**

6. Licence Required.....	6
7. Advertising .....	6
8. Number of Taxis.....	6
9. Licence Fees.....	7
10. Fees Non-Refundable.....	7

**PART 4: TAXI OPERATOR LICENCES**

11. Taxi Operator Licence.....	7
12. Application for Taxi Operator’s Licence.....	7
13. Certificate of Police Approval.....	9
14. Issuance of a Taxi Operator’s Licence.....	9
15. Conditions Attaching to a Taxi Operator’s Licence.....	10

**PART 5: TAXI OPERATORS RESPONSIBILITIES**

16. Operator Appearance and Behaviour.....	10
17. Licence and Taxi Fares Visible.....	11
18. Taxi Fares to be Charged.....	11
19. Shortest Practicable Route.....	11
20. Number of Passengers.....	11
21. Passenger Property.....	12
22. Receipts.....	12
23. Trip Record.....	12
24. Smoking and Alcohol in the Taxi.....	12
25. Documents to be kept in Taxi.....	12
26. Reporting Requirements.....	13
27. Documentation of Complaints.....	13
28. Vehicle Cleanliness, Maintenance and Repair.....	13

**PART 6: LICENCE EXPIRATION AND RENEWAL**

29. Expiration of Licence .....	13
30. Renewal of Licene.....	14

<b><u>PART 7: TAXI COMPANIES</u></b>	
31. Taxi Companies.....	14
32. Taxi Company Responsibilities.....	14
33. Licences, Registration, Insurance and Safety.....	14
34. Vehicle Equipment and Markings.....	14
35. Use of Licenced Operators Only.....	15
36. Documentation of Complaints .....	15
37. Notification of Information Change .....	15
38. Maintaining Records.....	15
 <b><u>PART 8: TAXI LICENCE</u></b>	
39. Taxi Licence.....	16
 <b><u>PART 9: VEHICLE REQUIREMENTS</u></b>	
40. Vehicle Equipment.....	16
41. Vehicle Markings .....	17
42. Taximeter.....	17
43. Vehicle Inspection and Safety.....	18
 <b><u>PART 10: IMPOUNDMENT OF A VEHICLE</u></b>	
44. Impoundment.....	18
 <b><u>PART 11: SUSPENSION AND REVOCATION OF LICENCES</u></b>	
45. Licence Suspension and Revocation.....	19
 <b><u>PART 12: OFFENCES AND PENALITES</u></b>	
46. Offences.....	20
 <b><u>PART 13: UNSPECIFIED PENALTY</u></b>	
47. Unspecified Penalty.....	21
 <b><u>PART 14: REPEALING BYLAWS</u></b>	
48. Repealed Bylaws .....	21
 <b><u>PART 15: EFFECTIVE DATE OF BYLAW</u></b>	
49. Effective Date of Bylaw.....	21
 <b><u>SCHEDULES</u></b>	
Schedule "A": Fines or Voluntary Penalties .....	23
Schedule "B": Offences under <i>The Traffic Safety Act</i> .....	24
Schedule "C": Trip Record.....	24
Schedule "D": Licence Fees.....	25
Schedule "E": Taxi Fares.....	25

**City of Estevan**  
**BYLAW 2020-2020**

**A BYLAW OF THE CITY OF ESTEVAN, IN THE PROVINCE OF SASKATCHEWAN TO REGULATE AND LICENCE  
'TAXIS, TAXI OPERATORS AND TAXI COMPANIES' IN THE CITY OF ESTEVAN.**

**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 licence any business carried on within the urban municipality; and

**WHEREAS**, the Council of the City of Estevan deems it in the interests of Public Safety to provide for the regulation, licensing and control of taxis, taxi operators and taxi companies within the City of Estevan;

**AND THEREFORE**, The Council of the City of Estevan, in the Province of Saskatchewan enacts as follows:

**PART 1: INTERPRETATION**

**1. Short Title**

This Bylaw may be cited as "*Taxi Bylaw*".

**2. Principles**

This Bylaw recognizes that taxis are an important part of the City's public transportation system and are relied upon by both the residents and visitors to the City.

**3. Purpose**

Taking the principles mentioned above, the purposes of this Bylaw are:

- (a) to ensure that taxi services will be available, safe and economical for the use of both citizens and visitors to the City;
- (b) to establish rates that are fair and reasonable for both the traveling public and persons involved in the taxi industry;
- (c) to ensure the taxi services operate in a manner that reflects positively on the image of the City; and
- (d) to ensure that in achieving these objectives, all persons who are involved in the taxi industry are accountable for their part in the provision of taxi services.

#### **4. Definitions**

In this Bylaw;

**"Business Licence"** means a licence to operate a business in the City of Estevan;

**"Certificate of Police Approval"** means a certificate of approval respecting the good character of a taxi operator issued by the Chief of Police or designate, pursuant to all applicable sections of *The Traffic Safety Act*;

**"City"** means the City of Estevan;

**"Chief of Police"** means the Chief of Police of the Estevan Police Service or any designate;

**"Class PT"** means a class of vehicles registered with the administrator of *The Traffic Safety Act* and used as a public service vehicle, including the transportation of passengers;

**"Conviction"** means a formal declaration that someone is guilty of a criminal, provincial or municipal offense, made by the verdict of a jury or the decision of a judge in a court of law;

**"Council"** means the Council of the City of Estevan;

**"Estevan Police Service"** means the police force of the City of Estevan;

**"Licence Inspector"** means a person employed by the City and authorized by the Chief of Police to act as a licence inspector for the purposes of this Bylaw;

**"Taxi"** means a vehicle for hire that is registered in class PT and is equipped with a taximeter. This does not include a public service vehicle or a vehicle of a transportation company having a franchise to operate within the City of Estevan.

**"Taxi Company"** means any person/corporation/business that has the control, direction and maintenance of a taxi(s) and through which any benefit is generated by operation of the taxi(s). This person/corporation/business must also receive approval from the City of Estevan to operate a taxi business within the City;

**"Taxi Operator"** means a person licenced to operate a taxi within the City of Estevan, pursuant to this Bylaw;

**"Taxi Operator's Licence"** means a licence issued to an individual for the operation of a taxi, which is in the form of a photo identification card. The identification card indicates the year during which the licence is valid and a taxi number assigned by the Licence Inspector;

**"Taxi Licence"** means a licence issued for the lawful operation of a taxi, which may be in the form of a decal which indicates the year which the licence is valid and a taxi number assigned to the vehicle by the Licence Inspector;

**“Taximeter”** means a mechanical or electronic device by which the charge for transportation by a taxi is mechanically or electronically calculated and upon which the charge is indicated by figures; and

**“Trip Record”** means information collected and maintained by a taxi company as set out in Schedule “C”.

## **5. Responsibility**

(1) Unless otherwise specified, the taxi companies shall be responsible for carrying out the requirements of this bylaw.

(2) Compliance with the requirements of this bylaw does not exempt any person/corporation/business from compliance with the requirements of any federal, provincial, or municipal legislation, the requirements of any other bylaw in force within the City or from obtaining any permit, licence, permission, authority or approval required by this or any other bylaw of the City in force from time to time.

## **PART 2: EXEMPTIONS**

(1) This Bylaw does not apply to:

- (a) a vehicle owned or operated by or on behalf of the City;
- (b) towing service; and
- (c) emergency vehicles.

## **PART 3: GENERAL LICENSING**

### **6. Licence Required**

(1) No person/corporation/business shall carry on business of a taxi company in the City of Estevan unless that person/corporation/business has a valid business licence with the City of Estevan.

### **7. Advertising**

(1) No person shall hold themselves out to be licenced under this Bylaw unless they are so licenced.

(2) No person shall advertise the establishment of any taxi services unless that person holds a valid and subsisting licence under this Bylaw.

(3) No taxi company shall advertise that they offer any other type of rate, other than the taximeter rates as prescribed by this bylaw.

## **8. Number of Taxis**

(1) The City shall have the authority and sole discretion:

- (a) to limit the number of taxis that may operate in the City;
- (b) to determine the types of licences that may be granted; and
- (c) to determine the manner in which any licence is to be allocated.

(2) The number of taxis to be licenced within the City of Estevan will be determined through the discretion of City Council. Level and quality of service will be considered in determining the issuance of additional taxi licences in the City of Estevan.

(3) Nothing in subsection (2) precludes the issuing of temporary taxi licences by the City, as may be required. Instances where temporary licences may be granted include but are not limited to; special events in the community or area.

## **9. Licence Fees**

(1) No person shall be licenced under this Bylaw until full payment of the prescribed fees set out in Schedule "D" are received by the Estevan Police Service.

## **10. Fees Non-Refundable**

(1) Licence fees are non-refundable. If a licence is suspended or revoked, no licence fee or part thereof is refundable.

(2) If the licence or the licence renewal is refused, the fee paid pursuant to Section 9 shall be returned to the applicant.

## **PART 4: TAXI OPERATOR LICENCES**

### **11. Taxi Operator Licences**

(1) No person shall operate a taxi within the City of Estevan unless that person holds a valid taxi operator licence issued by the Estevan Police Service.

### **12. Application for Taxi Operators Licence**

(1) No licence shall be issued for a taxi operator until the following conditions have been met. The application must be made on such forms and include such information as prescribed by the Estevan Police Service.

(2) Every applicant for a taxi operator's licence shall submit the following information along with their application:

- (a) the applicant's full name and any previous legal names;
  - (b) the applicant's date of birth;
  - (c) the applicant's current address and telephone number;
  - (d) a letter from a licenced taxi company with a letterhead confirming its affiliation with the applicant;
  - (e) the applicant's criminal record and vulnerable sector checks dated no earlier than 30 days prior to the licence application;
  - (f) request for a Certificate of Police Approval from the Chief of Police or designate;
  - (g) proof of a valid Class 4 or above licence for the Province of Saskatchewan;
    - (1) a Class 5 driver's licence may be used provided that the Driver:
      - i. is an experienced driver, not in the Graduated Driver Licensing (GDL) program; and
      - ii. has at least 2 years post-GDL driving experience in Canada or a reciprocal jurisdiction; and
      - iii. has a satisfactory driver history (meaning less than 12 points under the Driver Improvement Program in the last two years, and no impaired driving-related suspensions in the last 10 years);
  - (h) the applicant pays the licence fee set out in Schedule "D" to this Bylaw; and
  - (i) the applicant returns any prior expired taxi operator's licences.
- (3) Upon receiving an application to obtain or renew a taxi operator's licence, the Chief or designate shall take such steps as deemed necessary to verify the accuracy of the information contained in the application and shall determine whether the applicant is a fit person to operate a taxi, having regard to:
- (a) whether the applicant has been found guilty or convicted of an offence under the Criminal Code of Canada or under any other criminal statute of Canada or any other country;
  - (b) whether the applicant has been found guilty or convicted of any driving related offences under *The Traffic Safety Act*;
  - (c) whether the applicant has had any previous conviction for bylaw offences; and
  - (d) any other information within the knowledge of the Chief or designate concerning the character or conduct of the applicant.
- (4) If the Chief or designate is of the opinion that the applicant is not a suitable candidate to be licenced as a taxi operator in the city, the Chief or designate shall refuse to issue or renew the licence.



- (5) No person shall omit or fail to provide any relevant information, or knowingly provide any false, inaccurate or misleading information, when applying for or renewing a taxi operator's licence pursuant to the provisions of this Bylaw.
- (6) Any application that is discovered to have omitted or otherwise failed to include any relevant information, or which contains any false, inaccurate or misleading information, shall be refused a licence and dependent upon the nature of the information omitted or provided, the Chief or designate may refuse the applicant from applying for any further taxi operator's licence.
- (7) If a taxi operator's licence has been issued or renewed by the Chief or designate and the Chief or designate subsequently comes to the decision, based on any non-compliance with the requirements of this Bylaw, that the holder of the taxi operator's licence no longer meets the requirements of the Bylaw, the Chief or designate may:
- (a) revoke the taxi operator's licence; or
  - (b) suspend the taxi operator's licence for a period of time not exceeding the unexpired term of the licence; or
  - (c) suspend the taxi operator's licence until the requirements of the Bylaw, in the opinion of the Chief or designate, have been complied with.

### **13. Certificate of Police Approval**

- (1) Prior to operating a taxi, all taxi operators within the City of Estevan initially shall make application to the Chief of Police for a Certificate of Police Approval, pursuant to all applicable sections of *The Traffic Safety Act*.
- (2) The Chief of Police or designate shall review the certificates annually and may review any certificate at any time. In such cases as they deems appropriate, the Chief of Police may withdraw such certificates and give notice of such withdrawal to the City Clerk, Licence Inspector and the applicant.
- (3) The Chief of Police or designate shall not issue a Certificate of Police Approval, nor shall the Estevan Police Service issue a taxi operator's licence should any applicant have any convictions of a criminal offense as defined by the Criminal Code of Canada.
- (4) The Chief of Police or designate shall not issue a Certificate of Police Approval, nor shall the Estevan Police Service issue a taxi operator's licence should any applicant have any convictions of an offense as defined by the Controlled Drugs and Substances Act.
- (5) If the Chief of Police is of the opinion that it may not be in the public interest to issue or renew a Certificate of Police Approval; their decision shall be final.

### **14. Issuance of a Taxi Operator's Licence**

- (1) Upon the approval of an application under this bylaw and upon payment of the licence fee prescribed in Schedule "D" attached hereto, the Licence Inspector shall issue to the applicant an annual taxi operator's licence, which clearly displays on the front:

- (a) a photograph of the taxi operator;
- (b) the name of the person to whom the licence is granted;
- (c) the taxi operator licence number issued by the Licence Inspector; and
- (d) the expiry date of the taxi operator's licence;

(2) Taxi operator licence and the photo identification shall remain the property of the City.

(3) A taxi operator licence shall not be assigned or transferred.

(4) All taxi operators licences issued pursuant to this Bylaw shall expire on December 31st of the calendar year in which the licence was issued and must be renewed annually.

### **15. Conditions Attaching to a Taxi Operator's Licence**

(1) The Chief of Police may impose any additional terms and conditions on a licence issued pursuant to this part if in the Chief's opinion:

- (a) it is necessary to ensure compliance with any duties imposed on the taxi operator pursuant to this Bylaw;
- (b) it is necessary to ensure the integrity of the licensing system in the Bylaw; and
- (c) it is appropriate and in the public interest to do so.

(2) Every taxi operator shall comply with the terms, conditions and restrictions to which the licence is subject.

### **PART 5: TAXI OPERATOR'S RESPONSIBILITIES**

Every Taxi Operator in the City of Estevan shall:

### **16. Operator Appearance and Behaviour**

(1) At all times when operating a taxi shall maintain a neat, clean and properly groomed personal appearance and dress appropriately.

(2) At all times when operating a taxi shall be civil and courteous toward all passengers and prospective passengers.

(3) At all times when operating a taxi, shall conduct themselves in a prudent and safe manner.

(4) At all times when operating a taxi, ensure that the taxi is operated in a safe and controlled manner according to the rules of the road as defined under *The Traffic Safety Act*.

(5) Upon request of any passenger, provide in writing to such passenger their taxi operator's licence number, taxi identification number, and the name and address of the taxi company for which the operator is driving for.

(6) Taxi operators must comply with all applicable municipal, provincial and federal regulations and legislation, failure to do so may result in suspension or revocation of their taxi operator's licence.

### **17. Licence and Taxi Fares Visible**

(1) At all times when operating a taxi, place the taxi operator's licence issued by Estevan Police Service, so that the front of the identification card is clearly visible to any passenger who rides in the taxi.

(2) At all times when operating a taxi, carry a valid taxi operator's licence and shall produce the taxi operator's licence for inspection when requested to do so by the Licence Inspector.

(3) At all times when operating a taxi, display only their taxi operator's licence in the taxi and display no other identification card.

(4) At all times when operating a taxi, ensure that a clearly labelled decal indicating the applicable taxi fares as outlined in Schedule "E" is affixed to the interior of the taxi and is plainly visible to passengers.

(5) At all times when operating a taxi, ensure that the statement; **"should the taximeter not be turned on, the ride is free"** is plainly visible to passengers.

### **18. Taxi Fares to be Charged**

(1) At all times when operating a taxi, engage the taximeter in accordance with the provisions of section 42 of this Bylaw. **Should the taximeter not be turned on, the ride is free;**

(2) Operate a taxi only when the taximeter is sealed and the seal is intact; and

(3) Charge the taxi fares in accordance with Schedule "E" of this Bylaw.

### **19. Shortest Practicable Route**

(1) At all times when operating a taxi, take the shortest practicable route from the starting location to the end destination. Taxis are not permitted to travel down back alleys while transporting passengers.

### **20. Number of Passengers**

(1) At all times when operating a taxi, permit no more passengers than the number of seatbelts available for use in the taxi.

## **21. Passenger Property**

(1) Take care of all property left in the taxi by any passenger and deliver it immediately to the Estevan Police Service.

## **22. Receipts**

(1) Upon the request of the passenger, provide a receipt for the trip.

## **23. Trip Record**

(1) At all times when operating a taxi, keep with them a daily trip record of each trip the taxi operator has made during that work period, which shall contain the information set out in "Schedule "C", and provide the information to the Licence Inspector as requested.

(2) Trip records shall be kept on record by the taxi company for a minimum period of six (6) months.

## **24. Smoking and Alcohol in the Taxi**

(1) Taxi operators shall not drink, consume, or have in their possession any alcoholic beverage or other drug capable of causing impairment;

(2) Taxi operators shall ensure that no person, including the taxi operator, smokes, burns, uses or holds a lighted or otherwise heated cigarette, cigar, pipe, electronic cigarette, vaporizer, hookah or similar equipment in a taxi during any period that the vehicle is made available for hire, including any break or waiting period;

(3) Taxi Operators shall not operate or be in control of a taxi while they have knowingly caused to be carried therein any drugs or narcotics defined by Controlled Drugs and Substances Act;

## **25. Documents to be kept in the Taxi**

(1) At all times when operating a taxi, ensure that the following documents are in the taxi and shall produce to the Estevan Police Service or Licence Inspector as requested:

- (a) a validated Light Vehicle Safety Inspection Certificate or a copy thereof;
- (b) a current Saskatchewan Driver's Licence issued by Saskatchewan Government Insurance;
- (c) a current taxi operator's licence issued by the Estevan Police Service; and
- (d) a current vehicle registration for the taxi;

## **26. Reporting Requirements**

(1) Immediately notify the Estevan Police Service of:

- (a) being charged with or convicted of any criminal offense as defined by the Criminal Code of Canada; or
- (b) being charged with or convicted of any offence under the Controlled Drugs and Substances Act; or
- (c) being charged with or convicted of any offence under *The Traffic Safety Act*; or
- (d) cancellation, suspension or revocation of the driver's driving privileges or Saskatchewan Driver's Licence;

## **27. Documentation of Complaints**

(1) Taxi operators must document all complaints received from passengers and provide such documentation to the taxi company and the Licence Inspector immediately.

## **28. Vehicle Cleanliness, Maintenance and Repair**

(1) The interior of every vehicle including the trunk must be maintained in a clean and tidy condition. At a minimum, the vehicle must be:

- (a) free of all dirt, dust, grease, oil and any item which can be transferred onto a passenger's clothing or possessions;
- (b) free of all garbage or other items not essential to the operation of the taxi;
- (c) free of all noxious substances; and
- (d) free of excess wear, including tears and cigarette burns in the upholstery.

(2) The exterior of every vehicle must be maintained in good repair and in a clean condition, free from exterior body damage or defects which may cause injury or damage to the persons and property of passengers.

## **PART 6: LICENCE EXPIRATION AND RENEWAL**

### **29. Expiration of Licence**

(1) All taxi operators licences issued pursuant to this Bylaw shall expire on December 31st of the calendar year in which the licence was issued and must be renewed annually.

### **30. Renewal of Licence**

(1) An application to renew any licence under this Bylaw must be received by the Estevan Police Service one month prior to the expiry date.

(2) Failure to renew any licence under this Bylaw one month prior to the expiry date may result in late fees being applied to the licence renewal. Late fees are specified in Schedule "D" of this Bylaw;

(3) The application must also include the applicable licence fee specified in Schedule "D" of this Bylaw;

(4) The application must be made on such forms and include such information as prescribed by the Estevan Police Service.

## **PART 7: TAXI COMPANIES**

### **31. Taxi Companies**

(1) No person/corporation/business shall carry on business of a taxi company in the City of Estevan unless that person has a valid business licence with the City of Estevan.

### **32. Taxi Company Responsibilities**

Every taxi company in the City of Estevan shall:

### **33. Licences, Registration, Insurance and Safety**

(1) Maintain vehicle registration and insurance on each taxi identifying the owner of the vehicle and class PT designation.

(2) Annually submit each taxi for a safety inspection and provide the Licence Inspector a SGI Light Vehicle Inspection Certificate from a licenced mechanic certifying that each vehicle is mechanically safe, free of body damage that might be harmful to passengers or impact the road worthy condition of the vehicle.

(3) Ensure that each taxi complies with the safety requirements to maintain a validated Light Vehicle Inspection Certificate.

(4) Taxi Companies must ensure that their vehicle fleet is compliant with all the provisions of this Bylaw and in addition are compliant with all applicable municipal, provincial and federal regulations and legislation.

### **34. Vehicle Equipment and Markings**

(1) Ensure that each taxi is equipped with an approved operating taximeter and that every taximeter shall be installed within the taxi so that it is plainly visible at all times to the passengers in the taxi. The cost of the meter installation and annual maintenance is the responsibility of the taxi company.

(2) Taxi rates shall be provided on the passenger windows and/or body of each taxi visible to all passengers.

(3) Ensure that every taxi is equipped with seatbelts which are functional, visible and accessible for the convenient use of all passengers.

### **35. Use of Licenced Operators Only**

(1) Taxi Companies shall only allow their taxis to be driven by operators who are licenced by the Estevan Police Service.

(2) Taxi Companies shall instruct and ensure that their Taxi Operators meet all the requirements of this Bylaw.

### **36. Documentation of Complaints**

(1) Taxi Companies are responsible for the behavior and actions of their Taxi Operators and employees and shall at all times ensure that they behave appropriately.

(2) Taxi Companies must document all complaints received from passengers and provide such documentation to the Licence Inspector immediately.

### **37. Notification of Information Change**

(1) When there occurs for any reason a change in the employment status of any taxi operator, the taxi company shall inform the Licence Inspection of the change immediately.

### **38. Maintaining Records**

(1) Maintain accurate records of the maintenance on each taxi and make the records available to the Licence Inspector upon request.

(2) Maintain accurate trip records and make the records available to the Licence Inspector upon request.

(3) Failure to properly maintain records pursuant to this Bylaw or to provide access to records when requested pursuant to this Bylaw shall result in:

- (a) on the first offence, the suspension of the taxi company's Licence for twenty four (24) hours;
- (b) on the second offence, the suspension of the taxi company's Licence for forty eight (48) hours;
- (c) on the third offence, the suspension of the taxi company's Licence for seventy two (72) hours; and;
- (d) any subsequent offence shall result in the revocation of the taxi company's licence.

(4) If the Taxi Company's licence is suspended at any time, this also includes the suspension of any taxi operations under that company's Licence.

## **PART 8: TAXI LICENCE**

### **39. Taxi Licence**

(1) No person shall operate a taxi within the City of Estevan unless such taxi has a valid City of Estevan taxi licence that shall be renewed annually.

(2) Every taxi company shall provide full particulars of their vehicle fleet as to:

- (a) Make;
- (b) Model;

- (c) Year;
- (d) Color;
- (e) VIN number;
- (f) Licence plate number;
- (g) A valid certificate of registration for a vehicle;
- (h) Full particulars of any taximeter installed or to be installed in a vehicle; and
- (i) A valid taxi inspection certificate and decal from a qualified mechanic appointed by the Traffic Safety Services of the Government of Saskatchewan.

(3) The Estevan Police Service shall issue a licence and designate a taxi number that must be displayed in a prominent place on the inside and on the outside of the taxi in such a size that can easily be seen by customers. The cost of such signage is the responsibility of taxi company.

(4) The taxi company shall notify the Estevan Police Service immediately should any taxi be involved in an accident.

(5) Any taxi that has been involved in an accident shall be immediately taken out of service until the taxi company can provide the Estevan Police Service with a valid Taxi Inspection Certificate completed after an inspection/repairs have been made to the vehicle. The cost of the taxi inspection and all annual or taxi inspections as required under this Bylaw; are the responsibility of the taxi company.

(6) The taxi company shall notify the Estevan Police Service should any taxi be permanently taken out of service and the number designated for that taxi shall not be used again.

## **PART 9: VEHICLE REQUIREMENTS**

### **40. Vehicle Equipment**

(1) Every taxi must be equipped with:

- (a) a taximeter approved by the Licence Inspector; and
- (b) fully functional dome lights and topper capable of illumination.

### **41. Vehicle Markings**

(1) Every taxi must have affixed to it on each side of the vehicle, a decal or other marking identifying the company with which the taxi is affiliated.

### **42. Taximeter**

(1) Every taximeter shall be:

- (a) installed and calibrated so as to operate automatically while the taxi is providing service to passengers whether or not the taxi is in motion;



- (b) tested and sealed by the Licence Inspector annually or otherwise as required by the Chief of Police;
- (c) equipped with a light of sufficient power to illuminate the dial of the taximeter at all times when the taxi is on duty;
- (d) installed within the taxi so that it is clearly visible at all times to the passengers in the taxi;
- (e) maintained in good working condition at all times;
- (f) set so as to record the fare according to the taxi fares prescribed by Schedule "E" in this Bylaw and affixed to the interior of the vehicle; and
- (g) used only when an authorized seal is intact.

(2) A taximeter or seal must not be tampered with by any person.

(3) When transporting passengers, the meter shall not be started until the passenger is properly seated in the vehicle and shall be turned off immediately when the vehicle arrives at the final destination.

(4) Subsection (3) does not prevent the Taxi Operator from charging wait time when asked to wait by a passenger as per schedule "E".

(5) After conducting an inspection of a taximeter and upon being satisfied that the taximeter is functioning properly, the Licence Inspector shall place a seal upon the taximeter in such a manner that the working mechanism of the taximeter cannot be reached or tampered with unless the seal is broken.

(6) If the taxi operator or Taxi Company has reason to believe that the taximeter in the taxi may not be functioning properly, they shall immediately take the vehicle out of service and inform the Licence Inspector. The Taxi Company shall make the taxi available for taximeter inspection and testing.

(7) When a taximeter has been repaired or replaced, the taxi company shall immediately inform the Licence Inspector of the repair or replacement of the taximeter and shall make the taxi available to the Licence Inspector for inspection.

(8) If information comes to the attention of a Licence Inspector which causes them to believe that a taximeter may not be not functioning properly; the Licence Inspector may require the taxi company to make the taxi available for an inspection of the taximeter at a time and place directed by the Licence Inspector.

(9) In the event of a change in the taxi fares prescribed by Schedule "E" in this Bylaw, the taxi company shall make the taxi available for the purpose of resetting the taximeter. The taximeter must be resealed by the Licence Inspector.

#### **43. Vehicle Inspection and Safety**

(1) Every taxi must have an annual Light Vehicle Inspection completed by a Saskatchewan Government Insurance accredited mechanic at a facility approved by Saskatchewan Government Insurance.

(2) Every taxi must have an annual inspection completed by the Licence Inspector.

(2) Notwithstanding subsections (1) and (2), the Licence Inspector may, at their discretion, require more frequent inspections at a facility appointed by the Licence Inspector.

(3) The validated Light Vehicle Inspection Certificate sticker must be affixed to the rear passenger side window and a copy of the current inspection certificate must remain in the taxi at all times.

## **PART 10: IMPOUNDMENT OF A VEHICLE**

### **44. Impoundment**

(1) If, in the opinion of the Chief of Police or designate, a taxi is unsafe to convey passengers, the Chief of Police or designate may order that the taxi be removed from service immediately.

(2) An order pursuant to subsection (1) may be given, verbally or in writing, to all or any of the following:

- (a) the taxi company; or/and
- (b) the taxi operator.

(3) Upon receipt of an order, the person to whom the order is directed shall immediately remove the taxi from service.

(4) The taxi shall remain out of service until the vehicle passes a Light Vehicle Inspection completed by a Saskatchewan Government Insurance accredited mechanic.

(5) If the person to whom the order is directed refuses or neglects to remove the taxi from service, the Chief of Police may impound the vehicle.

(6) The vehicle, if impounded, must not be removed or released until all fees, costs and charges relating to the impoundment have been paid.

## **PART 11: SUSPENSION AND REVOCATION OF LICENCES**

### **45. Licence Suspension and Revocation**

(1) Any licence issued under this Bylaw may be suspended or revoked for any of the following reasons:

- (a) a Taxi Company or Taxi Operator has violated or failed to comply with any provision of this Bylaw;
- (b) a Taxi Company or Taxi Operator has violated or failed to comply with any condition of the licence;
- (c) a Taxi Company or Taxi Operator has refused to allow an inspection as authorized by this Bylaw;
- (d) a Taxi Company or Taxi Operator has given false or misleading information in the application for the licence;
- (e) a Taxi Company or Taxi Operator has been charged with or convicted of any criminal offense as defined by the Criminal Code of Canada;
- (f) a Taxi Company or Taxi Operator has been charged with or convicted of any offense as defined by the Controlled Drugs and Substances Act;
- (g) a Taxi Operator has been convicted of any Traffic Offences set out in Schedule "B" as defined by *The Traffic Safety Act*; or

(h) a Taxi Operator's driving privileges or Saskatchewan Driver's Licence has been suspended, cancelled or revoked. The fact that a conviction is being appealed shall have no effect on the suspension or revocation of the Taxi licence.

(2) The Chief of Police shall provide written notice of the suspension or revocation in a brief statement setting forth the grounds for suspension or revocation.

(3) A person whose licence has been revoked under this section may not apply for a new licence for a period of one year from the date that the revocation took place.

(4) The power to suspend or revoke a licence pursuant to this section is in addition to the penalties contained in Section 46. The Chief of Police may suspend or revoke a licence whether or not the licensee has been charged or convicted of an offence under this Bylaw.

## **PART 12: OFFENCES AND PENALTIES**

### **46. Offences**

(1) No person shall:

- (a) Contravene or fail to comply with any provision of this Bylaw;
- (b) Contravene or fail to comply with a term or condition of any licence;
- (c) Destroy, alter or deface any licence issued pursuant to this Bylaw; or
- (d) Obstruct or interfere with any Inspector or any other person acting under the authority of this Bylaw.

(2) Except where a penalty is specifically provided for in this bylaw, every person who contravenes any provision of subsection (1) is guilty of an offence and liable on summary conviction:

- (a) In the case of an individual, to a fine not exceeding \$10,000.00 and, in the case of a continuing offence, to a further fine not exceeding \$10,000.00 for each day during which the offence continues; and
- (b) In the case of a corporation, to a fine not exceeding \$25,000.00 and, in the case of a continuing offence, to a further fine not exceeding \$25,000.00 for each day during which the offence continues.

(3) Every person who contravenes a provision of this bylaw is guilty of an offence and liable on summary conviction to a fine of not less than:

- (a) For the first offence of \$250.00;
- (b) For the second offence of \$500.00;
- (c) For the third or subsequent offence of not less than \$500.00 and not more than \$10,000.00 in the case of an individual or \$25,000.00 in the case of a corporation.

(4) Offences under this Bylaw are designated as offences for which proceedings may be commenced pursuant to Part III of *The Summary Offences Procedure Act, 1990* by the issuance of a summons ticket.

(5) A person to whom a summons ticket is issued pursuant to subsection (4) shall, upon the request by the person issuing the summons ticket, provide his or her name, address and date of birth. A person who fails to provide this information is guilty of an offence and liable on summary conviction to the penalty set out in subsection (2).

(6) (a) Notwithstanding subsection (2), in the case of a person who contravenes subsection (1) for the first time, a Licence Inspector or a peace officer may issue a notice of violation to that person.

(b) The notice of violation shall provide that the person shall not be prosecuted for the contravention if the person, within 14 calendar days of the date of the notice of violation, pays the City the sum of:

- I. \$250.00 in the case of an individual; or
- II. \$500.00 in the case of a corporation.

(c) The fine pursuant to clause (b) must be paid:

III. in person, to the Estevan Police Service located at Estevan Police Service, Estevan, Saskatchewan;

(7) If the prosecutor considers it appropriate, the prosecutor may, on or before the court appearance date, permit a person who has been issued a summons ticket to pay the amount specified in clause (6)(b) to avoid prosecution.

## **PART 13: UNSPECIFIED PENALTY**

### **47. Unspecified Penalty**

(1) Any offence of this Bylaw that has not been provided a penalty in Schedule "A" shall be considered to be unspecified and subject to a fine of not less than \$250.00 and not more than \$10,000.00 in the case of a Taxi Operator.

(2) Any offence of this Bylaw that has not been provided a penalty in Schedule "A" shall be considered to be unspecified and subject to a fine of not less than \$500.00 and not more than \$10,000.00 in the case of a Taxi Owner.

## **PART 14: REPEALING BYLAWS**

### **48. Repealed Bylaws**

Bylaw 2005-1714 and 2008-1775 and any other bylaws are hereby repealed.

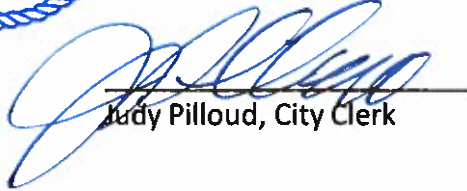
**PART 15: EFFECTIVE DATE OF BYLAW**

49. This Bylaw shall come into force and take effect on the day of final passing.



**City of Estevan**

  
Ray Ludwig, Mayor

  
Judy Pilloud, City Clerk

Introduced and read a first time this 10<sup>th</sup> day of February, 2020.

Read a second time this 16<sup>th</sup> day of March, 2020.

Read a third and final time this 16<sup>th</sup> day of March, 2020 .

**Schedule "A"**  
**Fines or Voluntary Penalties**

<b>Section</b>	<b>Offence</b>	<b>Fine</b>
6(1)	Operate a taxi company without a valid business licence	\$250.00
11(1)	Operate a taxi without a valid Taxi Operator Licence	\$250.00
12(5)	Omit, Fail or Knowingly provide false information on a Taxi Operator Application	\$300.00
15(2)	Fail to comply with the terms, conditions, or restrictions attaching to Taxi Operator Licence	\$250.00
17(1)	Fail to post Taxi Operator's Licence that is clearly visible to passengers	\$250.00
17(4)	Fail to display fees in a taxi	\$250.00
20(1)	Exceed passenger capacity	\$250.00
22(1)	Fail to provide receipt when requested	\$250.00
23(1)	Fail to keep/maintain a daily trip record	\$250.00
37(1)	Fail to notify Licence Inspector of change in Operator status	\$250.00
39(1)	Operate a Taxi without a valid Taxi Licence	\$500.00
39(4)	Fail to notify immediately when any taxi is involved in an accident	\$250.00
39(5)	Fail to take a taxi out of service after being involved in an accident	\$500.00
40(1)(a)	Operate a taxi without a taximeter	\$500.00
42(1)(g)	Operate a taxi with an unsealed meter	\$500.00
42(2)	Tamper with taximeter or taximeter seal	\$500.00

**Schedule "B"**  
**Offences under *The Traffic Safety Act***

	<b>Offence</b>	<b>Section</b>		<b>Offence</b>	<b>Section</b>
(a)	Drive in excess of 50 km/hr over the speed limit.	s. 199(2)	(f)	Drive at a speed greater than 60 km/hr when passing a stopped tow truck with its amber lights in operation.	s.205(1)
(b)	Drive at a speed that is greater than reasonable and safe.	s. 199(3)	(g)	Drive without due care and attention.	s. 213(1)
(c)	Exceed the speed limit in a school zone.	s. 200(2)	(h)	Drive without reasonable consideration for others.	s. 213(2)
(d)	Drive at a speed greater than 60 km/hr when passing: (a) a highway worker or flag person; (b) any highway equipment occupied by a highway worker and marked in the prescribed manner; (c) any highway equipment that has its warning lights in operation.	s. 203(1)	(i)	Driver preform stunt/activity likely to distract/startle or interfere with users of the highway.	s. 214(2)
(e)	Drive at a speed greater than 60 km/hr when passing an emergency vehicle with its emergency lights in operation.	s. 204(1)	(j)	Using electronic communications equipment while driving.	s. 241.1

**Schedule "C"**  
**Trip Record**

Every Taxi Operator shall record the following information for each trip dispatched and completed:

- (a) the date and time of pick-up and drop off;
- (b) the address of pick up and drop off;
- (c) the duration of taxi trip;
- (d) the number of passengers; and
- (e) the full name of the taxi operator.

**Schedule "D"**  
**Licence Fees**

Licence Fees	Amount
Taxi Operator's Licence & Picture Identification	\$ 80.00
Duplicate Picture Identification	\$ 30.00
Taxi Licence	\$ 125.00
Late Fees for Taxi Operator's Renewal Licence	\$160.00

**Schedule "E"**  
**Taxi Fares**

**General Taxi Fares**

Every person operating a taxi shall charge or collect only the following:

- (a) \$5.50 for the hire of a taxi; and
- (b) \$0.25 for each additional 100 meters or part thereof
- (c) For waiting time, at the direction of passenger, while under engagement; \$0.65 for each 60 seconds (or part thereof), equaling out to \$39.00/hour

If a flat rate is offered, the rate may not exceed the amount shown on the taximeter at the final destination.