



Legislation Text

File #: BL-17-027, **Version:** 1

TAMRMS#: B06

Bylaw 22/2017 - Amendment to Business License Bylaw 43/2000 Regarding Vehicle for Hire

Presented by: Dawn Fedorovich, Acting Manager of Business Retention

RECOMMENDATION(S)

1. That Bylaw 22/2017 be amended by replacing it in its entirety with the version provided as an attachment to the May 15, 2017 agenda report entitled "Bylaw 22/2017 - Amendment to Business License Bylaw 43/2000 Regarding Vehicle for Hire".
2. That Bylaw 22/2017, being Amendment #16 to Business Bylaw 43/2000, as amended, be read a second time.
3. That Bylaw 22/2017 be read a third and final time.

PURPOSE OF REPORT

This report is to outline the proposed amendment to Business Licensing Bylaw 43/2000. This amendment creates "Schedule C - Vehicles for Hire" which provides direction to companies wishing to operate as a Vehicle for Hire business in St. Albert.

COUNCIL DIRECTION

On March 20, 2017 Council passed the following motion:

(AR-17-021)

"That Bylaw 22/2017, being Amendment 16 to Business Bylaw 43/2000, be read a first time.

That Council Members provide feedback to Administration on Bylaw 22/2017, provided as an attachment to the March 20, 2017 agenda report entitled "Bylaw That Administration incorporate feedback received from Council Members into amendments to Bylaw 22/2017, for Council consideration to a date to be determined by Agenda Committee."

BACKGROUND AND DISCUSSION

On March 20, 2017, Administration presented to Council an amendment to the Business License Bylaw that provides safety-based regulations to companies wishing to operate as a Vehicle for Hire business in St. Albert. The complete agenda report from that meeting is attached as a previously distributed item.

Administration has incorporated grammar suggestions and updates into the bylaw. Administration also received feedback to alter the way that Transportation Network Companies (TNCs) are handled

by the bylaw. Feedback received was to exclude TNCs and have them regulated through the province only.

Administration still recommends that all Vehicle for Hire businesses have the same regulatory requirements, as was recommended in the original Schedule C. Council's intent was to create regulations around the Vehicle for Hire industry that would promote safety for our residents. The original bylaw amendment will allow Administration to ensure that residents using all types of Vehicle for Hire services within St. Albert are riding in vehicles with drivers that have met standard safety-based requirements.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

The internal stakeholders' committee met again to discuss the Council feedback. This committee comprises of staff from Economic Development, Municipal Enforcement, Legal, Risk & Insurance and Community & Social Development. The Economic Development Advisory Board was also consulted on the feedback.

IMPLICATIONS OF RECOMMENDATION(S)

Financial: N/A

Legal / Risk: N/A

Program or Service: N/A

Organizational: Through the original consultations with stakeholders and through an in-person presentation to Council, Uber has made it clear that they perceive any municipal regulations for TNCs as a duplication of existing regulations they already comply with on the provincial level and the municipal level (with the City of Edmonton). The added administrative costs of finding a way for thousands of drivers to comply with multiple (and sometimes conflicting) regulatory regimes means they may choose to not provide service in St. Albert or other suburban communities that impose additional regulatory requirements on their business.

Removing licensing requirements for all TNCs would create a situation where local Municipal Enforcement Officers would be unable to enforce the City's safety-based regulations for TNCs, and any safety concerns for Vehicle for Hire businesses that operate as TNCs would have to be addressed by the Province of Alberta's Ministry of Transportation. The provincial regulations for TNCs only provide Department of Transportation Peace Officers with access to databases containing driver and vehicle information; Municipal Peace Officers do not have access to the database. If a situation arises where Administration believes a TNC or a TNC driver is not complying with the province's TNC regulations, St. Albert Municipal Enforcement would have to make requests to the Alberta Department of Transportation to both access any information concerning a TNC or its drivers, as well as to pursue any enforcement action.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

If Council chooses to exclude TNCs from the Vehicle for Hire bylaw amendment, Administration

recommends the following motion be made:

That Administration draft, for Council's consideration, amendments to Bylaw 22/2017 to reflect alternate requirements for Transportation Network Companies, including proof of a valid "Transportation Network Company Approval Certificate" from the Province of Alberta and an agreement to allow the City of St. Albert to audit their driver records upon request.

STRATEGIC CONNECTIONS

- a) Council's Strategic Outcomes and Priorities (See Policy C-CG-02)
 - CULTIVATE ECONOMIC PROSPERITY: A diversified, robust and resilient economic foundation to support growth and community service delivery.
 - CULTIVATE SUSTAINABLE INFRASTRUCTURE AND SERVICES: A growing community that has balanced development and management of civic facilities, transportation networks and related services.
 - CULTIVATE A SAFE, HEALTHY AND INCLUSIVE COMMUNITY: A community that provides opportunities for everyone to realize their potential in a thinking, caring and connected way.
- b) Long Term Plans (e.g. MDP, Social Master Plan, Cultural Master Plan, etc.)
 - Social Master Plan
- c) Corporate Objectives (See Corporate Business Plan)
 - Deliver programs and services that meet or exceed our standards
 - Ensure our customers are very satisfied
- d) Council Policies
 - N/A
- e) Other Plans or Initiatives (Business Plans, Implementation Strategies, etc.)
 - N/A

Report Date: May 15, 2017

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Committee/Department: Economic Development

General Manager: n/a

City Manager: Kevin Scoble