

Schedule 4

Relating to the Licensing and Regulation of Limousine Owners, Drivers and Companies

1.0 LICENSING REQUIREMENTS FOR LIMOUSINE OWNERS

- 1.1 In addition to the general requirements for licensing established in the City's Mobile Business Licensing By-law, every Applicant for a Limousine Owner's Licence and for the renewal of a Limousine Owner's Licence shall produce with their application:
- (a) the current hourly tariff rate charged;
 - (b) the Vehicle to be licensed for an inspection and approval by the Licensing Officer; and
 - (c) file a list of all licensed Limousine Drivers who operate the Limousine.
- 1.2 For purposes of this Schedule, an Applicant for a Limousine Driver or Limousine Owner licence who, in the opinion of the Licensing Officer, is satisfactorily licensed by another municipality shall be considered licensed by the City of Markham and may operate within the City's boundaries, subject to the following:
- (a) the Applicant is not in breach of the City's threshold policy for licences, as per Schedule 2 of this By-law;
 - (b) the Applicant owes no amounts to the City as a result of outstanding fees or fines;
 - (c) the Applicant has paid the required licensing fee;
 - (d) once licensed, the Licensee continues to either:
 - (i) be licensed with the other municipality and meet the requirements of this subsection; or
 - (ii) meet the renewal requirements for the licence, under this by-law for Limousine Owners and Limousine Drivers.
- 1.3 For purposes of complying with application and renewal provisions for Limousine Drivers, Limousine Owner holding a valid City of Markham licence may, on behalf of a Limousine Driver, submit and maintain the required documents and, under such circumstances, the Limousine Driver shall be required to consent to access to those documents by the City for purposes of the administration and enforcement of this By-law.
- 1.4 A vehicle may only be licensed as a Limousine if it is not older than ten model years old.

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- 1.5 Despite section 1.4, a Limousine Owner may apply to continue to operate their Limousine for an additional year by making an application to the City. Such an application may not be made if the model year of the Limousine is more than eleven (11) years old or for an initial licensing application.
- 1.6 An application under section 1.5 must be made at the time of renewal and shall require an inspection and the approval of the Licensing Officer.
- 1.7 For purposes of complying with application and renewal provisions of this By-law and a Limousine Owner holding a valid City of Markham licence may, on behalf of a Limousine Driver, submit and maintain the required documents and, under such circumstances, the Limousine Driver shall be required to consent to access to those documents by the City for purposes of the administration and enforcement of this By-law.
- 1.8 No person shall be licensed as a Limousine Driver unless they hold a valid, non-probationary provincial driver's licence with a minimum of 3 years' Canadian driving experience deemed acceptable to the Licensing Officer and the City.
- 1.9 No person shall be licensed as a Limousine Driver unless they are at least nineteen (19) years of age and a Citizen of Canada, or a landed immigrant, or produces a valid work permit issued by the Government of Canada to work as a driver.
- 1.10 No person shall be licensed as a Limousine Driver unless they attend and complete the applicable City training programs as required by the Licensing Officer or provide proof satisfactory to the Licensing Officer that they have attended and completed a recognized training program acceptable to another municipality and acceptable to the Licensing Officer meeting all City requirements

2.0 LIMOUSINE OWNER AND LIMOUSINE DRIVER DUTIES

- 2.1 Every Limousine Owner and Limousine Driver shall:
 - (a) provide Limousine service on a pre-arranged basis, and Persons contracting for conveyance by Limousine shall be informed of the rates to be charged at the time of contracting such conveyance, and no greater amount shall be demanded or received;
 - (b) file with the Licensing Officer at least seventy-two (72) hours prior to the effective date, any and all changes in tariff rates;

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- (c) only charge for services in accordance with the tariff rates filed;
- (d) keep in the Vehicle a card showing the Schedule of Rates, and provide a copy on request to any passenger or person appointed to enforce this by-law;
- (e) maintain the Vehicle in good repair and mechanically safe;
- (f) maintain the interior of the Vehicle in good repair free from litter, garbage and damage;
- (g) maintain the exterior of the Vehicle in good repair free from dents, damage and dirt;
- (h) while driving their Limousine shall take the shortest possible route to the destination desired, unless the passenger designates another route.
- (i) be civil and well-behaved;
- (j) while providing limousine service, operate a vehicle with an operational security camera capable of recording forward facing images of the road as seen by the Limousine Driver and/or capable of recording images of persons in the vehicle unless suitable public notification of video recording activity as approved by the Licensing Officer is affixed in plain view in the vehicle.

3.0 LIMOUSINE OWNER PROHIBITIONS

5.1 No Limousine Owner shall:

- (a) hire, employ or permit a Person not licensed under this By-law to Operate a limousine owned by him;
- (b) operate or permit to be Operated, any Limousine unless it is equipped with a Licence Plate supplied by the City securely affixed to the exterior front of the Vehicle;
- (c) solicit any Person to hire the Limousine or hold out the Limousine as being available for hire by any Person at or in any public place;
- (d) stage the Limousine so as to Solicit any Person to hire the Limousine without a Prearranged service agreement;
- (e) park or stop on a Taxicab Stand;

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- (f) while providing limousine service, operate a vehicle with an operational security camera capable of recording forward facing images of the road as seen by the Limousine Driver and/or capable of recording images of persons in the vehicle unless suitable public notification of video recording activity as approved by the Licensing Officer is affixed in plain view in the vehicle.

4.0 LIMOUSINE DRIVER PROHIBITIONS

4.1 No Limousine Driver shall:

- (a) operate any Limousine not licensed under this By-law;
- (b) operate any Limousine unless it is equipped with a Licence Plate, supplied by the City securely affixed to the exterior front side of the Vehicle;
- (c) solicit any person to hire the Limousine or hold out the Limousine as being available for hire by any Person at or in any public place;
- (d) stage a Limousine so as to Solicit any Person to hire the Limousine without a Prearranged service agreement;
- (e) park or stop on a Taxicab Stand;
- (f) while providing limousine service, operate a vehicle with an operational security camera capable of recording forward facing images of the road as seen by the Limousine Driver and/or capable of recording images of persons in the vehicle unless suitable public notification of video recording activity as approved by the Licensing Officer is affixed in plain view in the vehicle.

5.0 INSURANCE

5.1 Every Limousine Owner shall purchase and maintain in force, at their own expense (including the payment of all deductibles), the following policy of insurance underwritten by insurers licensed to conduct business in the Province of Ontario and satisfactory to the City:

- (a) Commercial General Liability Insurance policy in the name of the Limousine Owner and shall include coverage for but not limited to Bodily Injury, Person

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Injury, Property Damage and Contractual Liability with a minimum amount of five million dollars (\$5,000,000.00) for each occurrence, and include:

- (i) The Corporation of the City of Markham is included as an additional insured;
- (ii) a cross liability clause; and
- (iii) non-owned automobile coverage including legal liability for damage to hired automobiles with a minimum amount of five million dollars (\$5,000,000.00) for each occurrence

- 5.2 The Limousine Owner shall furnish the City, prior to the issuance of the Licence, with a certificate of insurance (in a form satisfactory to the City, in its sole discretion) confirming that the Limousine Owner has in place the above-mentioned insurance policy. The certificate of insurance shall also contain an endorsement to the effect that such insurance policies shall not be altered, cancelled or allowed to expire without thirty (30) days advance written notice to the City.
- 5.3 Every Limousine Owner shall produce proof of any vehicle and insurance coverage to the City upon demand.
- 5.4 The City may suspend the Limousine Owner licence if the Limousine Owner fails to comply with any of the above requirements until such time as the Limousine Owner provides proof of compliance to the satisfaction of the City.
- 5.5 The Limousine Owner shall provide the City with such information as the City shall require, from time to time upon demand, to demonstrate that this is being complied with.