



**KINGSTON AREA TAXI COMMISSION
BY-LAW 2025-3**

ACCESSIBLE TAXI BY-LAW

Passed: March 12, 2025

Kingston Area Taxi Commission
12-1201 Division Street, Kingston, ON, K7K 6X4
Office: (613) 547-3763 | Fax: (613) 547-2857
Email: info@katc.ca | Website: www.katc.ca

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By-Law 2019-01	December 2019
By-Law 2022-05	March 2022
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By-Law 2022-07	May 2022
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By-Law 2023-10	October 2023
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By-Law 2024-09	September 2024
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By-Law No. 2025-3

A BY-LAW RESPECTING THE TAXI LICENSING COMMISSION OF THE CORPORATION OF THE CITY OF KINGSTON AND THE CORPORATION OF LOYALIST TOWNSHIP

Whereas the Kingston Area Taxi Commission is a corporation hereby established by Provincial Act, *Bill Pr24* (Chapter Pr29, Statutes of Ontario, 1989);

Whereas the powers of the participating municipalities to license, regulate, and govern the owners, drivers and brokers of taxicabs under the *Municipal Act (R.S.O. 1980)* or any special Act is solely vested in the Kingston Area Taxi Commission, virtute duce.

Whereas the Kingston Area Taxi Commission may pass by-laws for licensing, regulating and governing the owners, drivers and brokers of taxicabs. *Bill Pr97 S.3.* (Chapter Pr35, Statutes of Ontario, 1990);

Whereas in accordance with its statutory authority the Kingston Area Taxi Licensing Commission wishes to license, regulate and govern the owners, drivers, and brokers of accessible taxicabs for the protection of the health and safety of the patrons of Accessible Taxicabs in compliance with the *Accessibility For Ontarians Act (R.S.O. 2005)*;

Whereas this By-Law is an extension of and used in conjunction with the “Taxi By-Law”, Taxi Commission By-Law 2025-2;

Now Therefore the Kingston Area Taxi Commission hereby enacts as follows:

1. GENERAL DEFINITIONS

1.1 For the purposes of this By-Law:

- (a) Terms used in this By-law have the same meaning as stated in the “Taxi By-Law”, Taxi Commission Bylaw 2025-2, and;

2. ACCESSIBLE GENERAL PROVISIONS – DRIVERS

2.1 Every applicant for an Accessible Taxi License and/or Accessible Taxi Badge will be required to successfully complete an Accessible Taxi Driver training and testing program approved by the Commission, within a timeframe as required by the Commission, prior to receiving an Accessible Taxi License and Accessible Taxi Badge.

- 2.2 The applicant shall comply with all the requirements set out in this By-Law as well as any other law which may govern the business of Accessible Taxis.
- 2.3 In addition to complying with the Taxi Driver responsibilities, every Accessible Taxi Driver shall:
- (a) Ensure that all wheelchairs being transported within the Accessible Taxicab are securely fastened so as to prevent them from moving when the Accessible Taxicab is in motion;
 - (b) Ensure that the Accessible Taxicab:
 - (i) is equipped with an extra tire, wheel and jack ready for use for that Accessible Taxicab;
 - (ii) has wheelchair tie downs;
 - (iii) a charged and certified fire extinguisher;
 - (iv) a properly stocked basic first-aid kit, and;
 - (v) is in compliance with Regulation 629 of the Highway Traffic Act, the Canadian Standards Association's Standard D409-M84 and all other applicable federal and provincial legislation.
 - (c) Record the number Trips of Persons with Disabilities and Persons without Disabilities on his or her Trip Sheets;
 - (d) Give priority to requests for Service from Persons with Disabilities over Persons without Disabilities.
 - (e) Operate their Accessible Taxicab on a full-time basis 24 hours a day, 7 days a week.

3. ACCESSIBLE GENERAL PROVISIONS – PLATEHOLDERS

- 3.1 In addition to complying with all of the Plateholder responsibilities, every Accessible Taxi Plateholder shall:
- (a) Ensure that the Driver of each Accessible Taxicab keeps an accurate record of the number Trips made of Persons with Disabilities;
 - (b) Record the total number of Trips made for Persons with Disabilities and for Persons without Disabilities from the Trip Sheets for each month;
 - (c) Ensure that each Accessible Taxicab:
 - (i) is equipped with an extra tire, wheel and jack ready for use for that Accessible Taxicab;

- (ii) has wheelchair tie downs;
 - (iii) a charged and certified fire extinguisher;
 - (iv) a properly stocked basic first-aid kit;
 - (v) has operable air-conditioning and heating;
 - (vi) meets standards for a Safety Standard Certificate; and,
 - (vii) is in compliance with Regulation 629 of the Highway Traffic Act, the Canadian Standards Association's Standard D409-M84 and all other federal and provincial legislation, including without limitation to all federal and provincial legislation applicable to the transportation of Persons with Disabilities;
- (d) Ensure that only an individual Licensed as an Accessible Taxi Driver Operates an Accessible Taxicab: and;
 - (e) Ensure that priority is given for providing Taxi Service to Persons with Disabilities over Persons without Disabilities.

3.2 Accessible Taxi Plateholders shall submit to the Taxi Inspector:

- (d) quarterly trip reports per Accessible Taxi Plate,
- (e) an annual report due on January 15th each year of all accessible calls received, and:
- (f) An annual costs report of operating an Accessible Taxicab.

3.3 An Accessible Taxi Plateholder shall ensure that:

- (g) Not less than one (1) of their Accessible Taxicabs shall be in service and available to passengers at all times;
- (h) A daily record of service activity is kept for each Accessible Taxicab including details of pick up and drop off points for each passenger.

3.4 The applicant shall provide to the Taxi Commission office at the time of application the vehicle registration/ownership information and insurance for the vehicle to be licensed as an Accessible Taxicab.

3.5 The applicant shall provide to the Taxi Commission office at the time of application, a valid Safety Standards Certificate issued pursuant to the Highway Traffic Act, R.S.O. 1990, c. H8 and specifically stating that the Accessible Taxicab is compliant with the rules and regulations stipulated in and by Regulation 629 of said Act.

4. ACCESSIBLE GENERAL PROVISIONS – BROKERS

4.1 In addition to complying with all of the Broker responsibilities, every Accessible Taxi Broker shall:

- (a) Ensure that the Driver of each Accessible Taxicab keeps an accurate record of the number Trips made of Persons with Disabilities;
- (b) Record the total number of Trips made for Persons with Disabilities and for Persons without Disabilities from the Trip Sheets for each month;
- (c) Ensure that each Accessible Taxicab:
 - (i) is equipped with an extra tire, wheel and jack ready for use for that Accessible Taxicab;
 - (ii) has wheelchair tie downs;
 - (iii) a charged and certified fire extinguisher;
 - (iv) a properly stocked basic first-aid kit,
 - (v) has operable air-conditioning and heating;
 - (vi) meets standards for a Safety Standard Certificate; and,
 - (vii) is in compliance with Regulation 629 of the Highway Traffic Act, the Canadian Standards Association's Standard D409-M84 and all other federal and provincial legislation, including without limitation to all federal and provincial legislation applicable to the transportation of Persons with Disabilities, and;
- (f) Ensure that only an individual Licensed as an Accessible Taxi Driver Operates an Accessible Taxicab.

4.2 Where service is requested by a Disabled Person, provide priority service for such Person,

- (a) subject to prior requests for service by other disabled persons.

4.3 Where service requested is for a disabled passenger and the Taxi Broker is unable to provide such service, must direct the person requesting such service to another Taxi Broker with an available Accessible Taxicab.

4.4 To offset the Accessible Taxi Drivers increased loading and unloading time, an Accessible Taxicab, when dropping off an accessible fare in a zone shall;

- (a) become first in the zone for the next fare, subject to requests for an Accessible Taxi

which remains the priority for an Accessible Taxicab.

4.5 An Accessible Taxi Broker shall ensure that:

- (a) Not less than one (1) of their Accessible Taxicabs shall be in service and available to passengers at all times;
- (b) A daily record of service activity is kept for each Accessible Taxicab including details of pick up and drop off points for each passenger.

4.6 Accessible Taxi Brokers shall submit to the Taxi Inspector:

- (a) quarterly trip reports per Accessible Taxi Plate,
- (b) an annual report due on January 15th each year of all accessible calls received, and;
- (c) annual costs report on operating an Accessible Taxicab.

5. ACCESSIBLE TAXI EQUIPMENT AND ITS USES

5.1 Every owner of an Accessible Taxicab shall:

- (a) provide a safety standards certificate every twelve 12 months,
- (b) all equipment, shall be inspected at this time to ensure compliance with federal and provincial regulations,
- (c) The vehicle to be used as an Accessible Taxicab shall comply at all times with the current Ontario Regulations pursuant to the Highway Traffic Act and amendments thereto and with the Canadian Standards Association standard D409-M84, and all other relevant federal and provincial regulations as may be established and in force from time to time including but not limited to:
 - (i) R.R.O. 1990 Regulation 629 Accessible Vehicles
 - (i) O. Reg 172/11 Amending Reg. 629 of R.R.O. 1990
 - (ii) O. Reg 191/11 ~ Integrated Accessibility Standard

5.2 No Accessible Taxi Plate shall be renewed in respect of an Accessible Taxicab which is more than ten (10) years old.

5.3 Notwithstanding section 5.2, the Taxi Inspector or Commission has the ability to extend the ten (10) Model Years restriction for four (4) additional six (6) month periods if the following conditions are met;

- (a) a valid Safety Standard Certificate is provided for the Motor Vehicle which has been

issued by a garage that is duly licensed by the Ontario Ministry of Transportation to perform Vehicle Safety Inspections within thirty (30) days of the expiration of the ten (10) Model Years for the Motor Vehicle and within fifteen (15) days of the expiration of the initial and subsequent six (6) month extension;

- (b) the Motor Vehicle is submitted to the Taxi Inspector for an inspection and in the opinion of the Taxi Inspector, the Motor Vehicle is safe and free of any mechanical defects;
- (c) the Licensee has submitted the Extension Application and paid the Administrative Fee as set out in By-law 2025-20; and
- (d) the Licensee has met the requirements of (a) and (c) and has provided their Motor Vehicle for an inspection to the Taxi Inspector within thirty (30) days of the expiration of the ten (10) Model Years and within fifteen (15) days of the expiration of the initial six (6) month extension.

- 5.4 Any taxi licensed under this by-law, which is equipped with a camera system, shall provide notice of the same to the public. Said notice shall be clearly visible from both outside the vehicle and within the interior of the vehicle.
- 5.5 The Accessible Taxicab shall have one of three safety items listed in Section 3.3(b) of By-Law 2025-2.
- 5.6 Every owner shall have affixed to every Accessible Taxicab a top sign from the Broker, a taximeter that shall register distance travelled, record trips and units, and compute fares to be paid.
- 5.7 Each taximeter shall be illuminated between dusk and dawn.
- 5.8 When a passenger with a disability requires the assistance of the Accessible Taxi Driver in entering the Accessible Taxicab or to store mobility aids or assistive devices, the driver shall not activate the meter until the person is seated in the taxi and any such devices stored away. The meter shall remain activated throughout the trip. At the conclusion of the trip, the taxi driver shall, upon being paid, deactivate the meter. The meter shall not continue to run while the driver is assisting the passenger with a disability to exit the taxi and/or with the removal of mobility aids and/or devices.
- 5.9 The Accessible Taxicab vehicle shall have affixed to the left side of the rear bumper the Accessible Taxi Plate compliant to all federal and provincial regulations and bylaws.
- 5.10 All licensed Accessible Taxicabs shall have 4 ½ inch black or white numbers, in contrast with

the vehicles colour. The numbers which state the Kingston Area Taxi Commission Accessible Taxi Plate number shall be located on the left and right front fenders. The numbers shall be located ahead of the front doors, but not past the wheel well and near the top of the fender.

- 5.11 No person shall operate an Accessible Taxicab where such vehicle being operated as an Accessible Taxicab does not or, if put to an inspection, could not pass the safety standards established pursuant to the *Highway Traffic Act*, R.S.O. 1990, c. H.8 and specifically, but not limited to, compliance with the rules and regulations outlined in and by Regulation 629 of said Act.
- 5.12 Where a person holds a valid Accessible Taxi Plate under this section for the current year and where such person certifies that the Accessible Taxicab licensed under this section has been removed from service and is being replaced by another vehicle to be operated as an Accessible Taxicab, and upon submission of:
- (a) a completed application form;
 - (b) vehicle registration/ownership information and insurance;
 - (c) a current Safety Standards Certificate for the vehicle to be licensed as an Accessible Taxicab;
 - (d) any other required inspections, approvals or documents as required by the Taxi Inspector or Commission; and
 - (e) The Accessible Taxi Plate may be installed on the replacement vehicle.
- 5.13 Every Broker, Plateholder, and Driver shall keep the interior and exterior of their Accessible Taxicab in good repair and in a clean and sanitary condition.

6. ACCESSIBLE TAXI PLATES

- 6.1 Accessible Taxi Plates remain the property of the Commission.
- 6.2 All Accessible Taxi Licenses must be issued in the name of the same individual or corporation as the Licensee.
- 6.3 Whether or not a person has been prosecuted for the commission of an offence, the Taxi Inspector may suspend any Accessible Taxi License if there are reasonable grounds to believe that the Licensee has contravened or failed to comply with any provision of this By-Law

7. ACCESSIBLE GENERAL PROVISIONS – BROKERS, PLATEHOLDERS AND DRIVERS

- 7.1 No person shall drive an Accessible Taxicab without first having completed a Wheelchair and Occupant Restraint System Training/Transportation Program with respect to the handling,

safety restraint, transportation, care and safety of passengers with disabilities.

- 7.2 Written proof outlining the record of training and the training the driver received shall be provided to the Commission forthwith upon the completion of the Wheelchair and Occupant Restraint System Training Program. The trainer and the driver shall sign the certification of training.
- 7.3 No owner or driver of an Accessible Taxicab shall smoke or permit smoking of any kind including vaping in their taxis.
- 7.4 No Accessible Taxi Broker, Placeholder, or Driver shall drive a taxi under this By-law for more than twelve (12) hours within any consecutive twenty-four (24) hour period.
- 7.5 Every Placeholder and Driver of an Accessible Taxicab shall offer exclusive priority to requests made by, or on behalf of, a person with a disability requesting Accessible Taxi Service, at any time of the day or night and at any place within the within the City of Kingston and the Township of Loyalist and to any point not more than five (5) kilometers beyond the limits of the Area.
- 7.6 The Accessible Taxicab will be available to those persons who have mobility issues and have challenges getting in and out of the regular taxicab.
- 7.7 During the hours when not in demand as an Accessible Taxicab, the Accessible Taxicab may operate as a regular taxi..
- 7.8 No person shall operate an Accessible Taxicab unless that person is a licensed Accessible Taxi Driver who has completed an Accessible Taxi Driver training/Transportation program.
- 7.9 A person operating an Accessible Taxicab shall give priority to requests for service from passengers using a Mobility Aid as a result of a physical disability.
- 7.10 Every driver of an Accessible Taxicab shall render all assistance required by a disabled passenger to enter and exit the taxicab safely.
- 7.11 Except where inconsistent with the provisions of this by-law, the provisions of Taxi By-law No.2 apply to this by-law with any required modifications for context.
- 7.12 A person who contravenes or does not comply with a provision of this by-law is guilty of an offence.
- 7.13 The licenses issued under this by-law are to be renewed annually on the anniversary of the applicant's birth ("birthday") each year.

- 7.14 Under no circumstances may an Accessible Taxi customer be charged a fee for the storage of mobility aids or mobility assistive devices.
- 7.15 Under no circumstances may an Accessible Taxi customer be charged a higher fare or an additional fee for persons with disabilities than for persons without disabilities for the same trip.
- 7.16 No person shall operate an Accessible Taxicab contrary to any license suspension or terms and conditions thereto or where such license has been revoked.
- 7.17 No person shall operate or maintain any vehicle as an Accessible Taxicab within the City of Kingston and the Township of Loyalist and to any point not more than five (5) kilometers beyond the limits of the Area without first obtaining an Accessible Taxi License, Accessible Taxi Badge, or Accessible Taxi Plate to do so.
- 7.18 The Licensee shall ensure that any Accessible Taxicab they operate is driven for the transportation exclusively of one person or group of persons in the same party and that only one fare is charged or collected for each specified trip.

8. INSURANCE

- 8.1 Every person who applies for an Accessible Taxi Plate under this By-law shall, before such license is issued or renewed, file with the Taxi Inspector for each Accessible Taxicab, a policy of insurance issued by a company authorized to issue indemnity insurance policies in the Province of Ontario.
- 8.2 Such policy shall insure the applicant in the amount of at least two million (\$2,000,000) and the policy shall include Public Liability and Property Damage exclusive of costs and interest, against liability for damages resulting from injury to or death of one or more persons and Property Damage in any one accident.

9. RENEWAL, REFUSAL OR SUSPENSION OF LICENSE

- 9.1 In addition to complying with the requirements under By-law 2025-2 and of this By-law, every Applicant for a renewal of an Accessible Taxi Driver License shall:
- (a) be a Licensed Taxi Driver;
 - (b) submit their Taxi Driver License and Taxi Badge to the Taxi Inspector for Accessible endorsement, and;
 - (c) as required by the Commission, provide proof of completion of an Accessible Taxi Driver Training/Transportation program.

- 9.2 In addition to any of its other powers, the Taxi Inspector or Commission may prescribe:
- (a) the application procedures for Accessible Taxi Licenses;
 - (b) the criteria by which such applications will be judged;
 - (c) vehicle standards for Accessible Taxicabs;
 - (d) training requirements for operators of Accessible Taxicabs; and,
 - (e) operational requirements for Accessible Taxicabs not otherwise specified in this by-law.
- 9.3 The Appeal hearings process and good character criteria are subject to Taxi Commission By-law 2025-2.
- 9.4 The Taxi Inspector's and their appointed agent's powers to suspend, hearings for Accessible Taxi Plates, Accessible Taxi Brokers, Plateholders, and Drivers and new Accessible Taxi Drivers shall be as per Kingston Area Taxi Commission By-law 2025-2.
- 9.5 Should any section of this by-law be declared by a Court of competent jurisdiction to be ultra vires or illegal for any reason, the remaining parts of this by-law shall nevertheless remain valid and binding, and in full force and effect and shall be read as if the offending section or part had been struck out.
- 9.6 The Taxi Inspector, Police Officer or other duly appointed individual may at all reasonable times enter on land, including buildings, for the purpose or carrying out of an inspection to determine whether the provisions of this by-law are being complied with, or an Order of the Court is being complied with.