KINGSTON AREA TAXI COMMISSION

BY-LAW 2025-04

ACCESSIBLE TRANSIT PASS BY-LAW

Passed: June 20, 2024

Kingston Area Taxi Commission
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By-Law No. 2025-04

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

Accessible Transit Program (ATP)

WHEREAS The Kingston Area Taxi Commission (hereinafter referred to as the "Commission") has established and entered into agreements with The Corporation of the City of Kingston (attached as Schedule "A") and the Corporation of the Township of Loyalist (attached as Schedule "B') to implement a Pilot Accessible Transit Pass Program (hereinafter referred to as the "ATP") for Accessible Taxi operations within the City of Kingston and the Township of Loyalist for providing Accessible Transit Services to and the protection of the health and safety of the patrons of Accessible Taxis within the Accessible Transit Service Area in compliance with *"Accessibility for Ontarians Act 2005".*

NOW THEREFORE the Taxi Licensing Commission hereby enacts bylaws as follows:

GENERAL DEFINITIONS

1. For the purposes of this By-Law:

1.1 Terms used in this Bylaw have the same meaning as in Commission Bylaw 2025-2 and 2025-3.

1.2 "Accessible Transit Service Area" means the geographical boundaries of the City of Kingston and the Township of Loyalist.

1.3 "Accessible Transit Client" means a person who holds an Accessible Transit Client Card in accordance with the Agreements contained in Schedules "A" and "B".

1.4 "Taxi Fare" means the fare to be charged to an Accessible Transit Client as stipulated in the Agreements contained in Schedules "A" and "B".

1.5 "Taxicab" includes an "Accessible Taxi"

GENERAL PROVISIONS – BROKERS, PLATEHOLDERS, DRIVERS

2. Every Broker, Plateholder, and Driver shall comply with all the provisions and regulations of Commission Bylaw No. 2 and Commission Bylaw No.3. In the event of any conflict or inconsistency between any provisions of this by-law and any other by-law heretofore passed, the provisions of this by-law shall prevail.

3. A person who contravenes or does not comply with a provision of this by-law is guilty of an offence.

4. 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 bylaw 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.

GENERAL PROVISIONS – BROKERS

5. Every Broker shall reserve bookings and dispatch a Taxicab when service is requested by an Accessible Transit Client within the Accessible Transit Service Area.

    (i) Notwithstanding section 5, Brokers are exempt from reserve bookings where the number of licensed accessible taxicabs in operation at such brokerage is less than ten (10).

6. Accessible Transit Clients shall be able to book a 762mm (30 inches) or a 838mm (33 inches) wheelchair accessible van.

7. Before dispatching a Taxicab to an Accessible Transit Client, a Broker shall confirm the unique identifying number that is issued to an Accessible Transit Client and the type of Taxicab that is required.

8. Every Broker shall keep and supply to the Commission on a monthly basis a record showing, in respect of his/her/their brokerage, every Taxicab dispatched on a trip for an Accessible Transit Client, the time of dispatch, the place of pick-up and the destination of such trip, the number of passengers, the Accessible Transit Client Card number and the fare charged for each trip; The monthly record shall be delivered to the Commission on or before the 8th day in the following month.

9. No Broker shall refuse to reserve or dispatch a Taxicab when service is requested by an Accessible Transit Client.

    (i) Notwithstanding section 9, Brokers are exempt from reserve bookings where the number of licensed accessible taxicabs in operation at such brokerage is less than ten (10).

GENERAL PROVISIONS – PLATEHOLDERS

10. Plateholders are permitted to provide Taxicab service to an Accessible Transit Client through personal bookings, otherwise known as “personal calls” or “hails” for service. For each personal booking, the Plateholder must:

    (a) notify their Broker;

    (b) run the meter; and

    (c) indicate on Trip Log as a “Hail”.

11. A Plateholder must maintain monthly records and is responsible to complete the Taxi Commission approved trip sheet for each Accessible Transit Client fare which details:

(1) Taxi operators badge number;

(2) Taxi plate and top sign number;

(3) Date, time, and address of pickup location;

(4) Client’s name and/or Loyalist Township Accessible ID number;

(5) Number of passengers;

(6) Time and address of drop-off location, and;

(7) Total fare as displayed per the taxi meter.

The monthly record for the Plateholders and the Drivers shall be delivered to the Commission on or before the 8th day in the following month.

12. The Commission shall make payments to Plateholders for approved monthly records of Plateholders and Drivers within 30 days of receipt of the monthly record. No payments will be made by the Commission where the monthly record is submitted late or incomplete.

13. The payments by the Commission to the Plateholders shall be based on the total fare as displayed per the taxi meter less the Taxi Fare paid by the Accessible Transit Client.

GENERAL PROVISIONS – DRIVERS

14. Drivers are permitted to provide Taxicab service to an Accessible Transit Client through personal bookings, otherwise known as “personal calls” or “hails” for service. For each personal booking, the Driver must:

(a) notify their Broker;

(b) run the meter; and

(c) indicate on Trip Log as a “Hail”.

15. A Driver must maintain monthly records and is responsible to complete the Taxi Commission approved trip sheet for each Accessible Transit Client fare which details:

(1) Taxi operators badge number;

(2) Taxi plate and top sign number;

(3) Date, time, and address of pickup location;

(4) Client’s name and/or Loyalist Township Accessible ID number;

(5) Number of passengers;

(6) Time and address of drop-off location, and;

(7) Total fare as displayed per the taxi meter.

The monthly record shall be delivered to the Plateholder on or before the 6th day in the following month.

TARIFF RATES

16. The Taxi Fare charged to an Accessible Transit Client within the Accessible Transit Service Area shall be equivalent to the conventional transit service provided by Kingston Transit. An adult single (one-way) trip fare on a Kingston Transit bus is currently $3.50 (as of January 1, 2025).

(i) Specific to accessible taxicabs only, the Taxi Fare charged to an Accessible Transit Client as detailed in section 16 shall be retained in full by the driver; and

(ii) The total Taxi Fare charged shall be payable in accordance with the renumeration provisions of the Accessible Transit Pass agreements; and

(iii) Where the number of licensed accessible taxicabs in operation at such brokerage is greater than ten (10), clause (i) and (ii) shall be void.

17. Where an Accessible Transit Client requests transportation to a destination beyond the Accessible Transit Service Area, the Accessible Transit Client shall pay (i) the required fare within the Accessible Transit Service Area plus (ii) the metered fare beyond the Accessible

Transit Service Area to the final destination. The Accessible Transit Client shall be informed of this payment requirement at the time of booking the Taxicab. If the Accessible Transit Client refuses to pay the fee required for transportation beyond the Accessible Transit Service Area Service Area, a Broker may refuse the booking.

18. Accessible Transit Clients are not permitted to change their destination once the ride is booked and underway nor are Accessible Transit Clients permitted to stop at locations on way to their destination. Therefore, stops on route that incur "waiting time" are not permitted. Accessible Transit Clients requesting a destination change once the ride is booked and underway will be required to provide payment for the cost of the deviation from the original destination. If the Accessible Transit Client refuses to pay the fee required for transportation beyond the Accessible Transit Service Area, a Driver may refuse to provide the requested destination change.

19. An Accessible Transit Client may be accompanied by one travelling companion but only one fare is to be collected for each ride.

20. Service animals may accompany an Accessible Transit Client.

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