



Kingston Area Taxi Commission Meeting 06-2023

Wednesday, June 14, 2023 at 7:00pm
in virtual electronic format hosted on Zoom and Facebook LIVE.

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Call Meeting to Order

Roll Call

Approval of Agenda

Disclosure of Potential Pecuniary Interest

Presentations

Delegations

Briefings

Petitions

Motions of Congratulations, Recognition, Sympathy, Condolences and Speedy Recovery

Standing Committee Items

Accessible Committee Items

Deferred Motions

Reports

Report Number 08: Received from the Chair, Kingston Area Taxi Commission

Report Number 08

To the Members of the Kingston Area Taxi Commission:

The Chair reports and recommends as follows:

All items listed on this Committee Report shall be the subject of one motion. Any member may ask for any item(s) included in the Committee Report to be separated from that motion, whereupon the Report of the Committee without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.



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1. **That** the Kingston Area Taxi Commission amend By-Law Number 2, section 7(2), a By-Law to “General Provisions – Plateholders” as follows:

- 7(2) A Plateholder is permitted to drive any Taxicab registered with the Commission, as a Driver only if;
- (a) The Plateholder is additionally licensed under this By-Law as a Driver, and;
 - (b) Carries within their possession a valid Taxi Driver’s License.

**Report Number 09: Received from the Chair, Kingston Area Taxi Commission
(Recommend)**

Report Number 09

To the Members of the Kingston Area Taxi Commission:

The Chair reports and recommends as follows:

All items listed on this Committee Report shall be the subject of one motion. Any member may ask for any item(s) included in the Committee Report to be separated from that motion, whereupon the Report of the Committee without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

1. **That** the Kingston Area Taxi Commission, on recommendation, authorise the Chair to enter into agreement with Peak Benefit Solutions and Benefits By Design, at no cost to the Commission, to provide access to group health benefits to Taxi Industry Members and their dependants, and;
2. **That** the Kingston Area Taxi Commission, provide a presentation outlining the process to enroll in group benefits at its earliest convenience.

Information Reports

Information Reports from Commission Members

Miscellaneous Business

Miscellaneous Business Items are voted on as one motion.



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New Motions

1. Moved by Commissioner Dowser
Seconded by Commissioner Fraser

Separation of Taxi License and Taxi Plate
23-009 (See Report TC-23-004)

Whereas In review of the licensing provisions contained within By-Law Number 2, specific to the Definitions and the General Provisions of both Drivers and Plateholders contained within, are in conflict;

Whereas only individuals who are licensed as a “Driver” and are issued a “Driver Badge” are permitted or authorised to drive a taxicab;

Whereas there are no provisions permitting or authorising a “Plateholder” to drive a taxicab;

Whereas a provision exists to allow Plateholders to drive a taxicab only if it is in relation to the Taxi Plate issued to that Plateholder for that Taxicab;

Whereas this provision does not negate the conflict and restricts a Plateholder to operating taxicabs that have only their issued Taxi Plate assigned, restricting a Plateholders ability to earn income as a Driver;

Whereas other municipalities have clear separations of Plateholder and Driver Badges, otherwise known as “Licenses”, and the provisions related to driving or operating a taxicab;

Whereas amending the By-Law would provide access to income for Plateholders who wish to drive a taxicab as a Driver, ensures compliance with the By-Law, and eliminates the conflict.

Therefore Be It Resolved That the Kingston Area Taxi Commission amend By-Law Number 2, section 7(2), a By-Law to “General Provisions – Plateholders” as follows:

- 7(2) A Plateholder is permitted to drive any Taxicab registered with the Commission, as a Driver only if;
 - (a) The Plateholder is additionally licensed under this By-Law as a Driver,



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(b) Possesses a valid Taxi Driver's License, and;

(c) Carries on their person a valid Taxi Driver's License while in the operation of a Taxicab.

2. Moved by Commissioner Chapelle
Seconded by Commissioner Abreu

Taxi Industry Group Health Benefits
23-010 (See Report TC-23-005)

Whereas Many members are having difficulties to maintain their lifestyle and provide for their families;

Whereas Drivers are independent contractors and Plateholders are small-scale business owners that have limited access to programs that may be available to assist them and their families;

Whereas it has been increasingly more difficult to maintain a level of income with continued increases to the cost of living, living payday to payday;

Whereas one or more unexpected expenses or an increase to living costs could potentially drive industry members into bankruptcy or dire need;

Whereas the health standards or requirements of any person should never have to be placed on-hold when there are solutions available;

Whereas the Kingston Area Taxi Commission can offer group health benefits to all members of the Taxi Industry and their dependant family members;

Whereas group health benefits add value to being a licensed Taxi member and may aid in obtaining new recruits as licensed Drivers and Plateholders.

Therefore Be It Resolved That the Kingston Area Taxi Commission, on recommendation, authorise the Chair to enter into agreement with Peak Benefit Solutions and Benefits By Design, at no cost to the Commission, to provide access to group health benefits to Taxi Industry Members and their dependants, and;

That the Kingston Area Taxi Commission, provide a presentation outlining the process to enroll in group benefits at its earliest convenience.



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Notices on Motions

Minutes

That the Minutes of Kingston Area Taxi Commission Meeting 05-2023, held Wednesday, May 10, 2023, be confirmed.

(Distributed to all members of the Commission on June 8, 2023)

Tabling Documents

Communications

Other Business

1. Taxi Operator Awareness Week

By-Laws

- a) **That** By-Law (1) be given it's first and second reading.
1. A By-Law to Amend By-Law Number 2, section 7(2), a By-Law to "General Provisions – Plateholders"

First and Second Reading
(Clause 1, Report Number 08)

Adjournment



Kingston Area Tax Licensing Commission Taxi Commission

Report Number: TC-23-004

To: Members of the Kingston Area Tax Commission
From: Commissioner Dowser, Chair, Kingston Area Tax Commission
Resource Staff: NA
Date of Meeting: June 14, 2023
Subject: Separation of Taxi Driver's License and Taxi Plate

Commission Strategic Plan Alignment:

Theme: Administration

Goal: See above

Executive Summary:

The purpose of this report is to provide the Commission with the logic and overview of the proposed separation of the Taxi License and Taxi Plate.

1. Separation of Taxi Driver's License and Taxi Plate

In review of the licensing provisions of By-Law Number 2, specific to the Definitions and the General Provisions of both Drivers and Plateholders contained within, it would be reasonable to conclude that these are in conflict.

Per the Definitions, only individuals who are licensed as a "Driver" and are issued a "Driver Badge" are permitted or authorised to drive a taxicab, whereas there are no provisions permitting or authorising a "Plateholder" to drive a taxicab, as illustrated below:

"Driver" means a person to whom the Commission has issued a Driver Badge under this By-Law.

"Driver Badge" means a badge issued by the Commission authorizing the person to drive a Taxicab.

"Plateholder" means a person to whom the Commission has issued a Plateholder Badge under this By-Law and who has been issued one or more Taxi Plates by the Commission.

"Plateholder Badge" means a badge issued by the Commission authorizing a person as a Plateholder and permitting the person to hold one or more Taxi Plates issued by the Commission.

Per the General Provisions – Plateholder, a provision exists to allow Plateholders to drive a taxicab only if it is in relation to the Taxi Plate issued to that Plateholder for that Taxicab, as illustrated below:



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Report Number: TC-23-004

- 7(2) A Plateholder is permitted to drive, as a Driver, a Taxicab registered with the Commission in relation to the Taxi Plate issued to the Plateholder for that Taxicab.

However, this provision does not negate the conflict present and in principle, restricts a Plateholder to operating taxicabs that have only their issued Taxi Plate assigned, restricting a Plateholders ability to earn income as a Driver.

Example: John Doe, who is a Plateholder and has been issued Taxi Plate 123, is only permitted to drive or operate the taxicab to which Taxi Plate 123 attached. John is not permitted to drive or operate any other taxicab in whole or part as a Driver.

Example: John Doe, who is a Plateholder and has been issued Taxi Plate 123, chooses to enter into a lease agreement to lease their Taxi Plate 123 to another duly licensed Plateholder in accordance with the By-Law, John is not permitted to drive or operate any other taxicab in whole or part as a Driver.

In the examples above, John Doe is restricted to driving or operating only taxicabs in relation to the Taxi Plate(s) issued to him. John can not drive or operate any other taxicab that is not in relation to his Taxi Plates. Should John lease his plate, he is no longer permitted to drive or operate any other taxicab in whole or part.

Additionally, Plateholders could potentially drive taxicabs with Taxi Plates unrelated to their Plateholder Badge under the assumption that said Badge authorises them to do so. However, this would be in contravention of the By-Law and would be subject to enforcement actions.

In discussion with other municipalities, there is a clear separation of Plateholder and Driver Badges, otherwise known as “Licenses”, and the provisions related to driving or operating a taxicab. Should a Plateholder wish to drive any taxicab, they are permitted to do so only if they also possess a valid Taxi Driver’s License, which ultimately does not restrict a Plateholders ability to earn income as a Driver.

Example: John Doe, who is a Plateholder and has been issued Taxi Plate 123, and holds a valid Taxi Driver’s License, then John is permitted to drive or operate any other taxicab in whole or part as a Driver.

Example: John Doe, who is a Plateholder and has been issued Taxi Plate 123, and holds a valid Taxi Driver’s License, chooses to enter into a lease agreement to lease their Taxi Plate 123 to another duly licensed Plateholder in accordance with the By-Law, then John is permitted to drive or operate any other taxicab in whole or part as a Driver.

By amending the By-Law per the recommendations below, would provide access to income for Plateholders who wish to drive a taxicab as a Driver, ensures compliance with the By-Law, and eliminates the conflict in the By-Law between the Definitions and General Provisions.



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Additionally, the Commission would be able to, where necessary and for example, adjust fees in accordance with the market specific to the Taxi Driver's License and Plateholder License separately.

It is recommended that no changes to the "Fee Schedule" should be applied at this time, and Plateholders that wish to drive or operate any taxicab in 2024 will be issued a Taxi Driver's License at no additional cost upon renewal of their Taxi Plates, allowing for a natural implementation within the industry.

Recommendations:

1. **That** the Kingston Area Taxi Commission amend By-Law Number 2, section 7(2), a By-Law to "General Provisions – Plateholders" as follows:
 - 7(2) A Plateholder is permitted to drive any Taxicab registered with the Commission, as a Driver only if;
 - (a) The Plateholder is additionally licensed under this By-Law as a Driver,
 - (b) Possesses a valid Taxi Driver's License, and;
 - (c) Carries on their person a valid Taxi Driver's License while in the operation of a Taxicab.



Kingston Area Tax Licensing Commission Taxi Commission

Report Number: TC-23-005 (Recommend)

To: Members of the Kingston Area Tax Commission
From: Commissioner Dowser, Chair, Kingston Area Tax Commission
Resource Staff: NA
Date of Meeting: June 14, 2023
Subject: Taxi Industry Group Health Benefits

Commission Strategic Plan Alignment:

Theme: Administration

Goal: See above

Executive Summary:

The purpose of this report is to provide the Commission with an overview of the proposed availability and access to group health benefits to Taxi Industry Members and their families.

1. Taxi Industry Group Health Benefits

Many individuals including our members are experiencing difficulties to maintain their lifestyle and provide for their families. As independent contractors (Drivers) or small-scale business owners (Plateholders), our taxi industry members may have limited access to programs and/or opportunities that would otherwise provide beneficial options to assist them and their families.

Since the pandemic, and the record setting inflation rates, it has become increasingly difficult for individuals to maintain a reasonable level of income with continued increases to the cost of living. Examples of increases include but are not limited to rent or mortgage, food, amenities such as telephone and internet, vehicle payments and/or insurance, etc. These increases, a principal result of inflation (CPI at 5.7% in 2022, 4.4% in 2023, and projected 2.39% in 2024), has continued to cause financial burden upon Taxi Members and their families, such as mental and emotional stressors, which can often manifest in physical anguish and/or a detrimental decline in health.

Despite industry member's efforts to work harder or attempts to increase their hours spent driving a taxicab, many are living payday to payday, whereas one or more unexpected expense(s) or increase in costs could ultimately cause harm to these individuals in the form of bankruptcy or destitution. In many cases it is often found that an individual's or family member's health, such as a prescription, dental filing/checkup, or extended care is the first item to be placed "on hold" to meet the demands of their increased living expenses.



Kingston Area Taxi Licensing Commission Taxi Commission

Report Number: TC-23-005 (Recommend)

The health standards or requirements of any person should never have to be placed on-hold when there are viable solutions that the KATC, through partnership, could make available to its members.

The Kingston Area Taxi Commission, in partnership with Peak Benefit Solutions and Benefits By Design (a local Kingston company), can offer group health benefits to all members of the Taxi Industry and their dependant family members. The KATC Group Health Benefits Program provides members with access to health professionals at discounted group premium rates.

Should a Taxi Industry Member wish to enroll in the benefits program, they could do so online via a secure link available on our website and will be able to select a plan based upon their needs for both them and their dependants. All costs of premiums are payable by the enrolling member, no costs are absorbed by the Commission, and all applications will be verified to confirm if they are a member of the Taxi Industry.

Group benefits add value to being a licensed Taxi member of the Kingston Area Taxi Commission and subsequently increase the level of positivity within the Industry. It too may aid the Brokers in obtaining new recruits in the form of Drivers and Plateholders.

Recently, the Kingston Area Taxi Commission requested a proclamation be made and as part of that, Taxi Industry Members were also proclaimed ambassadors to the City of Kingston and Loyalist Township. Both municipalities have carried this proclamation and declarations. It is with hopes that by providing access to group health benefits, our ambassadors can access medical professionals, where/when necessary, without the added overwhelming burden of costs.

Recommendations:

1. **That** the Kingston Area Taxi Commission, on recommendation, authorise the Chair to enter into agreement with Peak Benefit Solutions and Benefits By Design, at no cost to the Commission, to provide access to group health benefits to Taxi Industry Members and their dependants, and;
2. **That** the Kingston Area Taxi Commission, provide a presentation outlining the process to enroll in group benefits at its earliest convenience.