


Taxicab Operating

PUBLISHED BY AUTHORITY

The following regulations have been made by the Town Council of Deer Lake under the provisions of the Local Government Act, 1972 and were approved by me on the 25th day of March A.D. 1977.


Jerome W. Dinn
Minister of Municipal Affairs & Housing

REGULATIONS

1. Interpretations: In these regulations unless the context otherwise requires.
 - (a) "Annual Taxicab operating license" means a license to operate or drive a taxicab and being in Form "A" to these Regulations annexed or such other Form as Council, may from time to time, prescribe;
 - (b) "Annual taxicab driving license" means a licence to operate or drive a taxicab and being in Form "B" to these Regulations annexed or such other Form as Council may, from time to time, prescribe;
 - (c) Town shall mean the Town of Deer Lake as defined by Paragraph 2 of Order-in-Council dated the 27th day of May A.D. 1950 and made under the Local Government Act.
 - (d) "Council" shall mean the Town Council of Deer Lake.
 - (e) "Cruising" means the driving of a taxicab on the streets or public places of the Town of Deer Lake in search of or soliciting prospective passengers for hire;

- (f) "Driver" shall be held to include every person in actual charge of the operation of a taxicab whether as owner or agent, licensee, servant, or employee of the owner;
- (h) "Hire" or "Compensation" shall mean and include any money, thing of value, payment, consideration, reward, tip, profit, donation or gratuity paid to, accepted or received by the owner or driver of any vehicle in exchange for transportation of a person or persons whether paid upon solicitation, demand or contract or voluntarily, or intended as a gratuity or donation;
- (i) "Inspector" shall mean the person appointed by the Council or the Committee thereof to supervise all vehicles and persons licensed under these Regulations and to enforce compliance with the provisions of these Regulations;
- (j) "Owner" shall be construed to include any person, firm or corporation who or which has the control, direction, maintenance and benefit of the collection of revenue derived from the operation of any taxicab or taxicabs whether as owner, licensee, or bailee, or in possession under any conditional sale or hire-purchase agreement;
- (k) "Taxi" or "Taxicab" shall mean and include any vehicle of any description whatever conveying or for the conveyance of passengers for hire or compensation and designed to carry not more than five seated passengers in addition to the driver;

- (l) "Waiting Time" shall mean the time consumed while the taxicab is not in motion at the direction of a passenger and also the time consumed while waiting for a passenger after having responded to a call, but shall not include time consumed by the premature response to the call for the first three minutes following timely arrival at any locality in response to a call or for time lost through traffic interruptions or for delays caused by the inefficiency of the taxicab or its driver;
- (m) "Town Clerk" means the Town Clerk of Deer Lake as appointed by Council.

- 2. No person shall operate or permit a taxi owned or controlled by him to be operated as a vehicle for hire upon the streets of the Town of Deer Lake without having first obtained an annual taxicab operating license from the Council, which license may be in the Form "A" to these regulations annexed or in such form as Council may determine, and such persons shall, prior to obtaining his license, pay such fee therefore to the Town Clerk as may be prescribed in these Regulations.
- 3. No person shall drive or act as a driver of any taxicab without an annual taxicab driving license from the Council, which said license may be in Form "B" to these regulations annexed or in such Form as Council may determine and such person shall, prior to obtaining his license, pay such fee therefore to the Town Clerk as may be prescribed by these regulations.

APPLICATION FOR LICENSE

4. (a) The application shall state the trade name or style, if any, under which the applicant proposes to operate, full information pertaining to the extent, character, and quality of the proposed operations and the manner in which such proposed operations are to be conducted, the type, model, capacity, and condition of the taxicab or taxicabs proposed to be operated;
- (b) There shall be attached to such application a certificate from the inspector or his agents certifying that the taxicab proposed to be licensed has been approved and inspected by him.
5. No license under these regulations shall be granted to any applicant who is not, in the opinion of the Council, a fit and proper person to hold a license for which application is made and due enquiry as to the fitness of any applicant shall be made by or on behalf of the Council.
6. Every driver's license under these regulations shall comply with all Town, Provincial and Federal laws. Failure to do so will justify the Council in suspending or revoking the license.
7. The Inspector is hereby given the authority to suspend any license issued under this ordinance for that person's failure or refusing to comply with the provisions of these regulations, such suspension to last for a period of not more than seven (7) days. However, a license may not be revoked unless the person has been in receipt of notice and had had an opportunity to present evidence in his behalf.

8. Every owner of more than one (1) taxicab required to be licensed under these regulations shall take out a separate license for each taxicab.
9. No taxicab operating license or taxicab driving license shall be granted under these regulations to any person unless his ordinary place of business is within the Town and such license granted under these regulations shall be cancelled if, during the period of the license, the ordinary place or residence of the owner of the license, ceases to be in the Town.
10. No license shall be issued under these regulations until there is lodged with the Town Clerk a duly certified copy of a policy of passenger liability insurance issued by a reputable insurance company insuring the licensee in a minimum amount of \$250,000 against all public liability and property damage and bodily injury to or the death of a passenger or passengers of the taxicab in respect of which such license is to be issued together with the receipt of the issuer indicating that the premium of such policy is paid for the year for which the license is to be issued.
11. The Council may, from time to time, affix and alter the total number of taxicabs which may be licensed under these regulations and thereafter no license in excess of the number so fixed shall be issued by the Council.
12. The prescribed fees for licenses to be issued under these regulations shall be as determined by Council from time to time.
13. Every license issued shall be an annual license and shall run from the first day of January of one year and expire on the 31st day of December, in the same year.

14. Every driver licensed under these regulations shall post his annual taxicab driver's license in such a place as to be in full view of all passengers while such driver is operating a taxicab.
15. Every owner and driver licensed under these regulations shall be of the full age of nineteen (19) years.

INSPECTION

16. (a) Any motor vehicle operating under these regulations shall be periodically inspected by the Inspector at such intervals as shall be established by the Council to ensure the continued maintenance of safe operating conditions;
- (b) The owner or driver of every taxicab licensed under these regulations shall keep the interior and exterior of such taxicab clean, sanitary and dry and in good repair and whenever the owner of any such cab receives notice, either given to him or his driver, and signed by the Inspector, that such taxicab is not in a fit or proper condition for use, stating briefly the items complained of, such owner shall, within the time mentioned in such notice, put the same in a fit and proper condition. At least once every seven days the interior woodwork, glass and doors shall be cleaned thoroughly with suitable antiseptic solutions.

16. Cont'd

(c) The owner of every taxicab in respect of which a license has been issued under these regulations shall, when required, submit his taxicab for examination by the Inspector, or any person authorized by him, and no owner or driver shall, at any time, when his taxicab is not employed, prevent or hinder the said Inspector, or any person authorized by him, and no owner or driver shall, at any time, when his taxicab is not employed, prevent or hinder the said Inspector, or any person authorized by him from entering the same or at any time prevent or hinder him from entering his garage or other building for the purpose of inspecting the same.

(d) Where any licensed owner disposes of his taxicab and acquires another taxicab in its place, he shall submit the latter taxicab to the Inspector for approval before using same.

17. No owner or driver licensed under these regulations shall exhibit on or about his taxicab, any number, sign, or card, other than those approved by or obtained from the Council or the Inspector, except his motor vehicle plates.

18. No licensed owner of any taxicab shall employ any person other than a licensed driver as a driver of his taxicab or permit such taxicab to be driven by or placed upon any stand in charge of an unlicensed person.

19. When any person employs a driver he shall, within two days thereafter, notify the Inspector that he has employed such driver, and when said driver quits his employ he shall, within the said period, notify the Inspector to such effect, giving the reasons therefor.

C R U I S I N G

20. (a) No owner or driver licensed under these regulations shall cruise on, over or along any street with his taxicab for the purpose of obtaining fares, provided, however, that upon the completion of or on the return trip from any call, a taxicab may stop for the purpose of taking on a passenger, upon call therefor, and may attend at the arrival of all trains and steamships to accommodate passengers who may require a taxicab.
- (b) No driver of a taxicab shall carry any person other than the passenger and his or her party first engaging the taxicab, unless by consent of the first passenger.
21. No licensed owner or driver shall take, or consume any liquor while he is in charge of a taxicab, nor shall the use of liquor by him be apparent while he is in charge of any taxicab.
22. Every driver licensed under these regulations and the owner, if driving his own taxicab, shall be properly dressed, neat and clean in his person and be civil and well-behaved.

23. (a) Every person licensed under these regulations shall, upon changing his address, notify the Inspector thereof within two (2) days and give his new address.
- (b) Every owner licensed under these regulations shall in writing inform and keep informed the Inspector of the names and addresses of all persons employed by him in such taxi business.
24. Every person licensed under these regulations shall take due care of all property delivered or entrusted to him for conveyance or safekeeping. Every driver of a taxicab, immediately upon the termination of any hiring or engagement, shall carefully search his taxicab for any property lost or left therein, and all property or money left in his taxicab shall be forthwith delivered over to the person owning the same, at the owner's expense, or if the owner cannot at once be found, then the nearest police station, with all information in his possession regarding the same.
25. Every person shall drive the taxicab operated by him by the most direct travelled route to the point of destination, unless otherwise instructed by the passenger.

RATES OF FARE

26. Every taxicab operator under these regulations shall have a rate card setting forth the authorized rates of fare displayed in such a place as to be in the view of all passengers.

27. The rates or fares to be charged by the owners or drivers of taxicabs for the transportation of any passenger or passengers on any trip within the Town shall be exactly in accordance with the tariff of fares shown in Schedule "A" to these regulations and no rates or fares higher or lower than that contained in the said Schedule shall be charged or payable.
28. No owner or driver licensed under these regulations shall publish or use a tariff or demand or receive any rate or charge which is not in accordance with these regulations.
29. No owner or driver licensed under these regulations shall be entitled to recover or receive any fare or charge from any person or persons from whom he shall have demanded any fare or charge greater or less than those authorized by these regulations, or to whom he has refused to show his card of tariff as provided by these regulations.
30. No person who engages any taxicab shall fail or refuse, upon demand, to pay the fare or charge authorized by these regulations, or in case no fare or charge is provided by these regulations, the reasonable fare or charge demanded for any taxi service provided to such person.
31. The tariff of rates herein authorized shall be computed from time or place when or at which the passenger or passengers first enter the cab to the time or place when or at which the passenger or passengers finally discharge the taxicab.

32. As many passengers up to the seating capacity of the taxicab shall be transported for the one fare, within the tariff of maximum rates fixed by Schedule "A" of these regulations where the passenger paying the fare gives his consent and approval, but no driver or owner shall carry or permit to be carried in any taxicab at any one time more passengers than the designated seating capacity of the taxicab will accommodate and in no case more than five passengers.
33. (a) Every driver of a taxicab shall have the right to demand payment of the regular fare in advance, and may refuse employment unless so paid, but no driver of a taxicab shall refuse or neglect to convey any orderly person or persons upon request anywhere in the Town unless previously engaged or unable to do so.
- (b) The driver of a public passenger vehicle may refuse to provide or to continue transportation to a person who is in an intoxicated condition or is conducting himself in a boisterous, disorderly or objectionable manner or is using profane or obscene language.

S T A N D S

34. (a) Every person, firm or corporation operating any taxicab shall maintain a fixed place of business or location approved by the Council and shall not stand or ply for hire or carry on his or its business from any other place.

34. (b) In case of taxicabs not standing for hire on private premises, the Council may appoint a public stand for each licensed cab, and may from time to time change the same, and such cab shall stand and ply for hire at the place so appointed for it and no other, and no vehicle shall stand or be parked at any such public stand except the cab for which it is appointed as aforesaid.
- (c) No person shall park and ply for hire with any taxicab at any place in the Town of Deer Lake except such place as a private taxicab stand approved by the Council for use by such taxicab or public taxicab stand appointed and approved by the Council for use by such taxicab.
- (d) Nothing in this section contained shall prevent any taxicab from attending at any bus, railway or steamship premises to await the arrival of passengers and ply for hire at such place.
- (e) Every taxi stand on private land shall have such amount of square feet of vacant land available on such stand at all times for every taxicab plying for hire on such stand as Council in its absolute discretion shall prescribe; and no taxicab shall be licensed in respect of or allocated to any stand unless such amount of square footage as prescribed by Council is available on such stand for use at all times by such taxicab.

34. (f) It shall be a violation of these regulations for any person to loiter on or about a taxi stand or premises unless such a person is an employee of the proprietor thereof or is a person there in the ordinary course of business.
- (g) It shall be unlawful for the owner or driver of any vehicle other than a taxicab to park on the taxi stand approved by Council.

APPLICATION ON EXPIRATION OF LICENSE

35. Any holder of a license issued under the provisions of these regulations if he desires to continue the operation of the business of taximan shall, on or before the expiry date of the existing license or licenses held by him apply to the Council for a new license to operate or drive a taxicab in the same manner and way as an original license is applied for and in accordance with the provisions of these regulations.
36. Notwithstanding anything in these regulations contained all licenses issued under these regulations which remain inoperative for 90 days shall be revoked provided that Council may decide not to revoke such license under this Section if it is of the opinion that such license should not be revoked.

PENALTIES

37. (a) The Council shall have the power to suspend or revoke any or all licenses granted under the provisions of these regulations when it shall have determined that any of the provisions hereof have been violated or that any holder of such license shall have failed to comply with the terms of such license or the rules and regulations of the Council pertaining to the operation, and to the extent, character, and quality of the service of any taxicab. Before revocation of such license the holder shall be entitled to a hearing thereon before the Council and shall be notified of such hearing.
- (b) Notice of hearing on such suspension or revocation, shall be in writing and shall be served at least five days prior to the date of hearing thereof, such service to be upon the holder of such license or his or its agent or manager, and such notice shall state the grounds of complaint against the holder of such license and shall also state the time when, and the place where, such hearing will be held. In event the holder of such license cannot be found or service of such notice cannot be made upon it or him in the manner herein provided, then a copy of such notice shall be mailed, postage fully prepaid, addressed to such license holder at its or his last known address at least then days prior to the date of such hearing.

37. (c) After the revocation, suspension or cancellation of such license, it shall be unlawful for any person to ply for hire with or use or operate or cause to be used or operated within the Town a taxicab in respect of which a license has been revoked, suspended or cancelled. It shall be unlawful for any person to drive a taxicab within the Town after the revocation, suspension or cancellation of his license to drive a taxicab.
38. Every person who violates or fails to comply with any provisions of these regulations shall be guilty of an offence and shall be liable to the penalties provided the Town of Deer Lake and Amendments thereto.

INSPECTOR

39. 1. The Inspector shall have supervision over all persons Licenses under these Regulations and over all cabs together with the equipment used by them and the following shall be the duties of the Inspector in connection with the provisions of these Regulations.
- (a) To report to the Council the performance of his duties under these regulations whenever he shall be required by the Council to do so;
 - (b) To make all necessary enquiries concerning applications for licenses as may be requisite to secure a due observance of the law, and these regulations
 - (c) To submit to the Council applications for licenses, or recommendations for the revoking or cancelling of any license, together with his report thereon;

39. 1.

- (d) To keep a register of all licenses granted by the Council, which shall contain the name or names of the applicants, the residence of the applicants, and the date of the license, and such further particulars and to keep such other books as the Council may order;
 - (e) To cause to be made out of all licenses and to sign all licenses issued under these regulations, the fees payable therefore having first been paid to the Town of Deer Lake.
 - (f) To furnish each person taking out a license with one copy of these regulations and to each owner a tariff card setting forth the rates and fares specified in Schedule "A" hereto, and to each driver (and owner if he drives his own cab) a metal badge, both said card and badge to have the number of the license shown thereon;
 - (g) To ascertain by inspection and enquiry from time to time as often as may be required by the said Council, whether the persons receiving licenses continue to comply with the provisions of the law and these regulations;
 - (h) To prosecute all persons who shall offend against any of the provisions of the law or of these regulations.
2. Any Act or duty to be performed by the Inspector under these regulations may be performed by any person authorized by the Council or such Inspector to perform such act or duty.

CONSTRUCTION

40. Each section of these regulations and each separate part of each section is hereby expressly declared to be separable, and, if any section, sentence, portion or part of these regulations shall be declared invalid, such invalidity shall affect only such section, sentence, portion or part so declared invalid.

REPEAL

41. (a) All previous Taxi Regulations and all amendments thereto, are hereby repealed.
42. These regulations shall come into effect on the day of A.D. 1977 and may be cited as the Town of Deer Lake Regulations, 1977

FORM "A"

TAXICAB OPERATING LICENSE

Operating License No. _____

This is to certify that _____ of _____
is hereby licensed to use and operate a
Cab No. _____ for hire in the Town of Deer Lake.

This license is to be in force from the date hereof until the
_____ day of _____ A.D. 19 _____ following, and is
issued subject to the provisions of the Regulations of the
Town of Deer Lake Council relating to the owners and drivers
of taxicabs operating in the Town of Deer Lake or any
amendments thereto or of any regulations passed in lieu thereof.

This license is not transferable.

Dated this _____ day of _____ A.D. 19 _____

Inspector

Received the sum of \$ _____ for above operating license.

Town Clerk

Per: _____
Inspector

FORM "B"

TAXICAB DRIVING LICENSE

Driver's License No. _____ Cab Badge No. _____

Dated this _____ day of _____ A.D., 19 _____

(Name in Full) _____

(Address) _____

This license is issued subject to the conditions of any or all of the Regulations of the Deer Lake Town Council relating to owners and drivers of taxicabs.

This is to certify that _____ is hereby licensed as a taxicab driver.

This license is in force from the date hereof until the _____ day of _____ following.

This license cannot be transferred or sold.

By order of the Deer Lake Town Council.

Inspector

Received the sum of \$ _____ for the above Driving License.

Town Clerk

Per: _____
Inspector

Signature of licensed person