



To: Community Safety Committee
From: Rendall Nessel
Officer In Charge,
Richmond RCMP Detachment

Date: January 31, 2012
File: 09-5000-01/2011-Vol 01
(12.03)

Re: Chauffeurs' Permits

Staff Recommendation

That the requirement for the renewal of Chauffeurs' Permits be changed from an annual to a biennial basis beginning January 1, 2013 (as outlined in the report dated January 31, 2012 from the OIC, RCMP Richmond Detachment).

Rendall Nessel
Officer in Charge, Richmond RCMP Detachment
(604) 278-1212

Att. 2

FOR ORIGINATING DEPARTMENT USE ONLY				
ROUTED TO:	CONCURRENCE		CONCURRENCE OF GENERAL MANAGER	
Budgets	Y	<input checked="" type="checkbox"/>	N	<input type="checkbox"/>
Business Licences	Y	<input checked="" type="checkbox"/>	N	<input type="checkbox"/>
Community Bylaws	Y	<input checked="" type="checkbox"/>	N	<input type="checkbox"/>
Law	Y	<input checked="" type="checkbox"/>	N	<input type="checkbox"/>
REVIEWED BY TAG	YES	NO	REVIEWED BY CAO	YES NO
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/> <input type="checkbox"/>

Staff Report

Origin

The City's Vehicle for Hire Regulation Bylaw No 6900, in part, regulates that each licensee or operator must ensure that all taxicab drivers employed possess a Chauffeurs' Permit. This bylaw was originally adopted by Council on November 1, 1998.

There is no fee for the Chauffeurs' Permit; however, there is a fee for the Criminal Records Check required as part of the application process. The City's Consolidated Fees Bylaw No. 8636 regulates the fees charged for RCMP Documentation Fees, including Criminal Records Checks. This bylaw came into effect on February 9, 2011 and is adjusted on an annual basis.

Background

In order to obtain a Chauffeurs' Permit, the taxicab driver must be approved by the Richmond RCMP Detachment. In order to be approved by the Richmond RCMP Detachment, the applicant must be a minimum of 19 years of age, possess a valid Class 1, 2 or 4 British Columbia Operator's Licence, have 5 or less hazardous moving violations in the past 5 years, be appropriately trained and not have any criminal convictions in the past 5 years for any violent crimes. (See "Attachment 1")

A permit may be refused, cancelled or suspended if the applicant is convicted of any serious Criminal Code Offences, is charged with an serious violent criminal offence or drug trafficking, is in violation of various Motor Vehicle Act Offences, or has excessive customer complaints. (See "Attachment 2"). Currently, the permitting process is repeated on an annual basis. Each year, Richmond RCMP Detachment reviews Chauffeur Permit applications for over 400 prospective taxicab drivers. The total revenue received for the Criminal Records Checks associated with these applications is estimated at \$24,000 annually.

Analysis

A comparison of the municipalities in the province was completed with the following findings:

Location	Renewal Period	Criminal Records Check Fees
Burnaby	3 Years	60.00
Coquitlam	Annually	62.00
Delta	Annual Business Licence	97.00 ¹
Langley	Annually	39.20
New Westminster	2 Years	No Charge ²
Richmond	Annually	56.25
Surrey	Annually	53.50
Vancouver	Annually for the first 2 years Subsequent years: Biennially	70.00 70.00

¹ Delta currently does not involve the police, it is a Business Licence process

² Currently under review

While it is evident that there is no municipal standard renewal period or cost, most conclude that a cycle in excess of 1 year was the most efficient.

Options Considered

1. Two Year Renewal Term with a total cost of \$56.25 (Recommended)

The recommended proposal will make Chauffeurs' Permits valid for a period of two years. Therefore, the current Criminal Records Check fee of \$56.25 would only need to be paid once during a two-year period. Although the revenue stream to the City will be reduced approximately \$24,000 based on a biennial period, these changes will improve the administrative process. This change will include a decrease in staff time thereby allowing staff to be redeployed to other duties. The proposal will also enhance customer service to the community as it will decrease the down-time for the drivers themselves and would make the permit process more affordable.

2. Status Quo (Not Recommended)

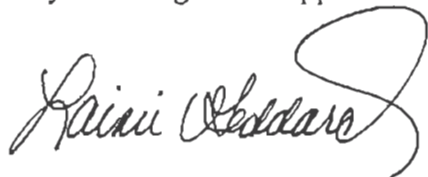
This option is not recommended as it has become burdensome for both City staff and the applicants.

Financial Impact

Currently Criminal Record Check fees associated with Chauffeurs' Permits generate approximately \$24,000 on an annual basis. This fee will continue to be adjusted annually through the Consolidated Fees Bylaw. Although it is anticipated that this revenue stream will be decreased by approximately 50%, based on a two-year cycle; it is a possibility more applications for Chauffeurs' Permits may be received.

Conclusion

In order to issue Chauffeurs' Permits in a timely manner to ensure public safety and reduce the administrative workload, it is recommended that the renewal period be changed from an annual renewal to a biennial cycle. Although it is anticipated the revenues to the City may decrease by up to 50%, as a result of the City's permitting being at a reasonable cost with a longer cycle, it may encourage more applications.



Lainie Goddard
Manager, RCMP Administration
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Chauffeur's Permit

Application Criteria:

- 1) Minimum 19 years of age.
- 2) Valid Class 1, 2, or 4 B.C. Operator's Licence.
- 3) Applicant must be Canadian Citizen or Landed Immigrant or legally entitled to work in Canada.
- 4) Five (5) or less hazardous moving violations in the past five (5) years as scheduled in the Motor Vehicle Act Regulations.
- 5) After January 01, 2006 all applicants must have successfully completed 27 hours of industry-related training in the areas of professional driving, taxi industry and local knowledge, and the Super Host for Taxicab Drivers or equivalent training.
- 6) After April 01, 2006 all applicants must have successfully completed the initial 27 hours of training and an additional 16 hours of industry-related training in the areas of defensive driving and collision avoidance, driver safety and assault avoidance, and transporting people with disabilities.

The above noted training must be delivered by an accredited training institution as approved by the municipality.

- 7) Applicants must not have criminal convictions in the past five years for: all crimes of violence (including family violence). Sex Offences, Criminal Code Traffic offences, Weapons offences, and/or Alcohol/Drug related offences. All other offences will be reviewed on a case-by-case basis.
- 8) Applications may not be approved while outstanding criminal matters are before the courts. Any other charges or convictions will be reviewed on a case-by-case basis.
- 9) Matters under the Mental Health Act will be reviewed on a case-by-case basis supported by medical reports and recommendations from the applicant's caregiver.
- 10) Applicants must disclose if they have been denied or refused a chauffeur's permit in any other Lower Mainland jurisdiction.

Applicant's information will be checked against the following databases:

CPIC, NCIC, PIRS, CIIDS, PRIME-LEIP, NCDB;

JUSTIN (for outstanding criminal charges);

Driving history;

ICBC Claims history (from the list provided by the applicant.).

Of note: The Criminal Records Check application fee is not refundable on refusal or cancellation of a chauffeur's permit.

Grounds for Refusal, Cancellation or Suspension of Chauffeur's Permit

A Chauffeur's Permit may be refused, cancelled or suspended if:

- 1) Upon conviction of any serious Criminal Code offences (eg: Impaired Driving, Dangerous Driving, Assault, etc...)
- 2) Charged with any serious, violent criminal offence or drug trafficking.
- 3) If applicant has accrued three (3) or more moving violations over any 12 months.
- 4) Received more than one Sec. 215 Motor Vehicle Act Driver's Licence suspension in the past five years.
- 5) Charged with operating a vehicle while under the influence of alcohol or a drug.
- 6) Charged with operating a vehicle while their driver's licence is suspended or prohibited.
- 7) Excessive customer complaints (three (3) or more in any 12 months period.)
- 8) Is the subject or any reports indicating health conditions resulting in a lack of fitness to act as a chauffeur.
- 9) Found at fault in three (3) or more Motor Vehicle Collisions over any 12 months period, with over \$1000.00 damage or bodily injuries.
- 10) Application will not be processed if incomplete (including all required attachments) and will be declined if application contains false information.
- 11) If an applicant has been charged with any of the offences mentioned above, he/she can re-apply upon resolution of the outstanding charges.
- 12) Application may be declined if indices check reveals pattern of violence, instability or substance abuse.