



CITY OF BURNABY
EXECUTIVE COMMITTEE OF COUNCIL
MEETING 19TH MARCH 2015

B.C. Taxi Association
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March 19-2015

Honourable Chairperson & Executive Members

Dear Sirs. /Madams:

- My name is Mohan Kang and I am appearing before you on behalf of the Association and Bonny's taxi. The Association is a non-profit organization having 13 duly elected directors representing all the regions of the Province. Bonny's taxi is a leading member of the Association and currently Mr. Emon Bari, GM is serving director. The Association represents 22 suburban taxi companies having authority to operate over one thousand taxis. I have been involved with the taxi industry for 35 years or so and have the honour and privilege of leading the Association board for sixteen terms elected unanimously. The Association is a proud member of the AMBER ALERT since last 10 years or so as one of the first responders. The taxi industry also serve as the eyes and ears for the community live in or operate whereby they have prevented countless incidents of break-ins, violent assaults and sexual assaults by reporting to the police or simply being present there.
- The main fabric of any civilized society is the rules and regulations by which they live and conduct themselves which protects the individual rights and enforces the duties to ensure fairness, equity and good governance. These rules and regulations ensure the PUBLIC SAFETY and ensure that no person shall be discriminated. Uber is professing to do away with rules and regulations and want to follow their own rules to be implemented. UBER want to go for "CHERRY PICKING" to serve the selected persons who hold the credit cards. Uber considers that it is ok to discriminate against other sects of the society. UBER does not want to serve persons with disabilities,

seniors who want to pay by taxi savers. Seniors or young persons who do not have credit cards and persons who want to pay by cash.

- What does UBER offer beside flouting local/Provincial and federal law? All the money flows directly to the head office in San Francisco, USA where UBER takes 20% cut (do we get any income tax on their cut?) UBER professes the drivers are not employees but at the same token they encourage the drivers to break law and if they are caught UBER promises to pay their fines. In fact UBER is aiding and abetting to break our laws. They have a good spinning team to make us believe that they are providing the transportation system which is cost effective and convenient. Uber patrons have adequate insurance coverage but the fact remains they have a good spinning machine. Recently in Toronto Uber applied to the court that their insurance coverage issues should stay sealed.
- We would submit that Uber model will create chaos and public safety would be compromised. There are thousands of foreign migrated doctors and dentists of which substantial numbers of them have long practical experience yet the society has said NO and taken action against them. They would be very much cost effective and convenient. A middle class family spends a fortune on child care while both the parents are working. Why not to open it to any and everybody which would also much cost effective and convenient (off course any child molester would love that) same goes for rules regarding our legal or house building industry. They would be getting cost effective legal advice or quick and cheap houses built. The point we are making that local/ provincial Governments cannot permit the UBER to operate in B.C, until unless they want to come through the front door and meet the laws of the land. UBER tried that in in 2012 and could not succeed and UBER is back since 2014 nothing has changed yet Uber is telling the regulators that their model is the only good model with which we MUST AGREE with but they do not want to comply with the rules of the land. We have stated since 2012 that we have no problem if the Uber wants to provide transportation service in B.C, meeting the Local and Provincial laws. Uber has always used social media to force their illegal model through the back door policy.
- The taxi industry in British Columbia is a closely regulated industry. Operation of a taxi is pursuant to the provisions of the Passenger Transportation Act. The Passenger Transportation Board (PTB) is the administrative body looking after the taxi industry.
- Most taxi companies are now computer dispatched, so companies closely monitor their ability to properly service their customers within a reasonable acceptable timeline. Now most of the member taxi companies in Metro Vancouver have their personal app and we are in advance stage of implementation of a national app.

- All taxi drivers in Metro Vancouver must pass a TaxiPro course conducted by the Justice Institute, Westminster, Suburban taxi drivers go through in house training and accessible training and workshops through Richmond Disability Center (RDC) and recently the suburban taxi companies went through workshop conducted by Handy-dart (TransLink MVT Canada) Manager. All taxi companies in the Metro Vancouver has safety camera for the protection of the drivers as well as passengers since 2004. (In fact Bonny's taxi was pioneer who installed safety cameras in 2002).Taxis have average 20000.00 and with further 5-9 million dollars third party liable coverage. UBER spin stating that they have five million coverage while the passenger is in the car without making the documents public as per newspaper report in fact UBER would be asking a judge in the Ontario Superior Court to seal all details about their insurance policy. Uber has done the same in USA.
- Taxis are vital to the health of a transportation system. First and foremost the taxi industry is a service industry serving the communities on 24/7 basis .There must be an even playing ground but in case of Uber it is much more , a competition between an illegal operation and highly regulated taxi industry.
- Taxi service is vital to hospitals, beyond delivering and picking up patients and visitors, we provide timely service to the labs and pharmacies by delivering specimens and transferring medications. Lawyers and banks rely upon taxis to deliver time sensitive documents.
- Taxis provide freedom to those who otherwise may be shut in. Something as simple as a shopping trip can make the world of difference in a person's life.
- Persons with disabilities have no other method of travel available on call. Those who don't drive need to have access to taxi for medical appointments, family visits, even church on Sunday.
- Parents and students would not be able to meet any of their objectives without access to reliable taxi service.
- We provide transportation service to the consumers who consume alcohol and need a safe ride home, saving the economy millions of dollars annually by keeping the roads safer. Hotels nite- clubs and restaurants could not thrive without reliable taxi

transport passengers of a drinking driver, or uninjured in motor vehicle accidents. Those who choose not to ride with a driver that has been drinking call a taxi first.

- Taxis are the second highest usage alternative transportation, and first after public transportation. It is a proven safe, professional and accepted mode of alternative transportation because the infrastructure of public transportation is still fully being developed, taxis are readily set up and no added adaption is needed.

- Taxis have a "readymade" solution that can be adapted to any changing population shift. Taxi industry is a private concern as such does not put any burden on the general public in shape of any type of taxes.

- **CONCLUSION:**

We respectfully submit that the Executive Committee recommends to the Mayor-in-Council for a resolution for not allowing UBER and UBER type illegal operation to operate in the Municipality of Burnaby along with a letter to the Hon. Todd Stone, Minister of Transportation and infrastructure supporting taxi industry position against UBER, an illegal operation.

Respectfully submitted by,

Mohan Kang

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President

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Directors representing all the regions of the Province.)

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PS Six month inspection, NSC, Lost and found etc. ???

COMPARISON MATRIX BETWEEN YOUR LOCAL TAXI COMPANIES AND UBER/UBERX SERVICE

	<u>TAXI</u>	<u>UBERX</u>
HAVE PTB LICENCE AS REQUIRED BY PT ACT	YES	NO
COMPLY WITH LOCAL MUNICIPAL VEHICLE FOR HIRE BYLAWS	YES	NO
HAVE COMMERCIAL INSURANCE WITH MINIMUM \$5 MILLION COVERAGE	YES	NO/BASIC INSURANCE
DRIVERS ATTEND TAXI HOST PRO COURSE AT JIBC IN NEW WESTMINSTER	YES	NO
DRIVERS HAVE CLASS 4 OR HIGHER COMMERCIAL DRIVER'S LICENSE	YES	CLASS 5
DRIVERS OBTAIN CHAUFFEUR'S PERMIT FROM LOCAL POLICE DEPT.	YES	NO
HAVE WHEELCHAIR ACCESSIBLE TAXIS IN FLEET	YES	NO
ACCEPT ALL FORMS OF PAYMENT-CASH,C/C, DEBIT, TAXI SAVERS ETC	YES	C/C
PROVIDE SERVICE TO HANDYDART CUSTOMERS AS PER MVT AGREEMENT	YES	NO
HAVE LOCAL OFFICE IN HOME MUNICIPALITY & PAY CITY PROPERTY TAXES	YES	NO
HAVE SMARTPHONE APP TO BOOK TRIPS	YES	YES
PROVIDE ONLINE BOOKING FOR PASSENGER'S CONVENIENCE	YES	NO
MUST ACCEPT ALL SERVICE ANIMALS AS PER MVA/PTB REGULATIONS	YES	NO
VEHICLES HAVE SECURITY CAMERA & GPS COMPUTER	YES	NO
VEHICLES ARE INSPECTED BY PROVINCIAL INSPECTORS EVERY 6 MONTHS	YES	NO
MAXIMUM AGE OF VEHICLES IN FLEET	7 YRS	10 YRS
VEHICLES ARE CLEARLY MARKED WITH COMPANY PHONE NO. & UNIT NO.	YES	NO
ALL DRIVERS HAVE GST NUMBER AND PAY PROV/FEDERAL TAXES	YES	MAYBE
LICENCEE FILES CANADIAN BUSINESS INCOME TAX RETURNS WITH CRA	YES	NO

ICBC INFORMATION REGARDING RIDESHARING APPS LIKE UBER AND LYFT

Insurance

QUESTION I want to use my vehicle to drive passengers for payment, for a service like Uber or Lyft. What kind of insurance do I need?

ANSWER:

The owner of the vehicle needs to declare how they plan to use the vehicle so the **insurance** can be properly **assigned a specific taxi or limousine** rate class. Talk to your broker, they can help make sure you have the right coverage for how you use your vehicle.

Before you pick up your first passenger you'll also need:

- At a minimum a Class 4 (restricted) licence. This is a commercial driver's licence, which allows you to drive up to 10 persons including the driver.
- **Licence plates** specially designated for taxis and limousines

You will also need:

- A licence approved by B.C.'s Passenger Transportation Board
- A National Safety Code Safety Certificate
- Semi-annual commercial vehicle inspections
- Check with the municipality where you plan to operate for any additional requirements

If you're involved in a crash without having completed all necessary requirements, there could be very serious financial consequences including potentially having to repay the full value of all claims that arise and forfeiting coverage for your own injuries as well as damage to your vehicle.

We want to make sure you're covered.

SEE THE ICBC LINK FOR THIS PAGE AT : <http://www.icbc.com/FAQ/Pages/insurance.aspx>

ICBC INFORMATION REGARDING RIDESHARING APPS LIKE UBER AND LYFT

Driver licensing

QUESTION I want to use my vehicle to drive passengers for payment, for a service like Uber or Lyft. What kind of licence do I need?

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SEE THE ICBC LINK FOR THIS PAGE AT : <http://www.icbc.com/FAQ/Pages/Driver-licensing.aspx>

FACTSHEET: Uber

/ministries/transportation-and-infrastructure/factsheets/factsheet-uber.html

Tuesday, October 28, 2014 3:04 PM

OPERATING A PASSENGER TRANSPORTATION VEHICLE IN B.C.

Any vehicle operated by a person who charges or collects compensation for transporting passengers must be licenced under the Passenger Transportation Act.

Limousine, taxi and other passenger directed services, including those dispatched through a "rideshare" app such as Uber or Lyft, must be approved by the Passenger Transportation Board. Currently, Uber and Lyft are not licenced in B.C.

The rates charged by taxis, limousines and other small passenger directed vehicles are set or approved by the Passenger Transportation Board.

Smart phone apps operated by any company, including commercial "rideshare" providers, must reflect Passenger Transportation Board approved rates.

Vehicle operators will also need:

- A **National Safety Code** Safety Certificate
- Semi-annual **commercial vehicle inspections**
- To check with the municipality where you plan to operate for any additional requirements
- A **driver's licence and vehicle insurance** that meets the requirements for commercial vehicles.

Fines:

- Any company or driver advertising or providing a service they're not licensed to provide is subject to being ticketed.
- A ticket for \$1,150 can be issued by the police, Commercial Vehicle Safety Enforcement officers or Passenger Transportation Inspectors at the roadside.
- Repeat offenders can be fined up to \$5,000.

Contact:

Ministry of Transportation and Infrastructure
Government Communications and Public Engagement
250 356-8241

FACTSHEET: Uber

/ministries/transportation-and-infrastructure/factsheets/factsheet-uber.html

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NEWS - Is Uber Coming to British Columbia?

Mon, 2014-11-03 21:17 — DriveSmartBC



The news agencies are busily discussing the possibility of Uber becoming active in Vancouver. Uber is a way to make money with your vehicle by sharing rides in your vehicle with people willing to pay less than taxi fare to you. You sign up as a driver with Uber and the Uber app puts people seeking a ride in touch with you via smart phone. A simple way to earn cash? Not in BC.

Before you sign up with Uber you should be aware that using your private vehicle for business purposes could void your insurance coverage should you be involved in a collision while carrying a paying passenger. Discuss this very carefully with your insurance agent before you sign up.

Be aware that the Passenger Transportation Act and Regulation require licencing and inspection as well as fare and territory control. Uber does not replace this and violations can be very costly, \$1,150.00 in fact.

Regardless of the fact that Uber will currently accept your application as a driver in Vancouver, you should be aware of the significant pitfalls related to your participation under current BC laws.

Links:

- The Uber Web Site
- BC Government News Regarding Uber's 2012 Attempt to Set Up in BC
- Passenger Transportation Act
- Passenger Transportation Regulation
- Commercial Vehicles
- Government
- Vehicle Licencing
- Login to post comments

<http://drivesmartbc.ca/commercial-vehicles/news-uber-coming-british-columbia>

Business

Uber seeks court order to seal insurance documents

Lawyers for Uber to ask judge for sealing order to keep information on \$5 million insurance policy confidential for competitive reasons.

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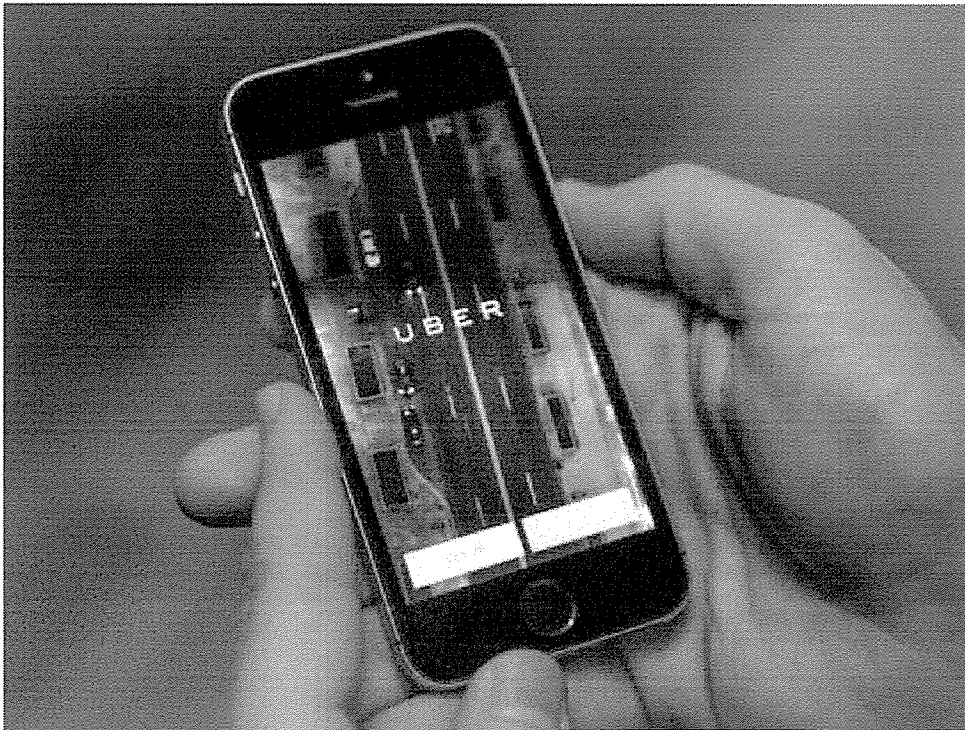
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MOSA'AB ELSHAMY / AP

The Uber company claims its unique insurance policy, which it spent seven months developing, must be kept secret for competitive reasons.

By: Vanessa Lu Business reporter, Published on Tue Mar 10 2015

Lawyers for Uber Canada Inc. say the ride-hailing app has plenty of insurance coverage for its drivers, but it needs to keep the details secret for competitive business reasons.

In fact, the insurance policy, which covers up to \$5 million (U.S.) for drivers, is so secret that very few people have seen it, even within Uber, according to a court affidavit.

The company will be asking a judge in the Ontario Superior Court of Justice on Tuesday to seal all details about the insurance policy, arguing the company's "competitive advantage" would be lost with disclosure.

If the information became public, then companies marketing competitor apps could simply copy the terms, Uber says.

Henry Gustav Fulder, director of insurance for parent company Uber Technologies Inc. in San Francisco, states in an affidavit that the company's insurance policy is not a standard automobile liability product.

Rather, it is a new product specifically designed to address the peer-to-peer transportation market — where Uber links ordinary drivers using their personal vehicles with riders through its smartphone app.

Uber's wholly owned subsidiary Rasier holds contracts with Uber's drivers. Rasier said it spent seven months working with its insurance broker and multiple insurers in Canada and other countries to develop a policy to meet their needs.