

LUXD:

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Vehicles for Hire Limousine Driver's Licence Application



Application Date
(MM/DD/YYYY)

Applicant Information Canadian Citizen Permanent Resident Work/Study Permit (must provide a copy)

<i>FIRST NAME</i>	<i>MIDDLE NAME</i>	<i>LAST NAME</i>
<i>ADDRESS</i>	<i>CITY, PROVINCE</i>	<i>POSTAL CODE</i>
<i>HOME PHONE</i>	<i>MOBILE</i>	<i>OTHER</i>
<i>EMAIL ADDRESS</i>		<i>MANITOBA DRIVER'S LICENCE #</i>

Dispatcher Information

Required Documentation

All applicants must provide copies of the following documents with the completed application form:

- A valid Provincial Driver's Licence (applicable to the use of the vehicle being driven) at a Class 5 minimum qualification;
- Proof of eligibility to work in Canada such as a Permanent Resident card, Citizenship card/certificate, Birth Certificate, or Passport indicating Canadian Citizenship, Work permit or Study permit;
 - o Your study permit must include the condition to work on or off campus. You may only start working in Canada when you start your study program.
 - o Please ensure that you apply for your work or study permit more than 30 days before expiry to allow for processing time – Apply online at <https://www.canada.ca/en/services/immigration-citizenship.html>
- Document satisfactory to the City indicating that the individual has provided consent:
 - a) For the applicant to have access to his or her personal information maintained by Manitoba Public Insurance, the Winnipeg Police Service and the body responsible for maintaining the Child Abuse Registry for the purpose of administering and enforcing this By-law; and
- If accessible;
 - o Valid ILRC (Independent Living Resource Centre) Card
- Commercial Driver's Abstract indicating the applicant has not been convicted within the previous 10 years of a major driving offence; (obtained through MPI);
- Criminal Record Check with Vulnerable Sector Screening (VSS) indicating the applicant has not been convicted within the previous 10 years of a relevant criminal offence unless a record suspension (pardon) has been issued in respect of the offence;
 - o Apply Online at <https://policeinformationcheck.winnipeg.ca/> share results with 'Winnipeg Parking Authority – Vehicles for Hire';
- Child Abuse Registry Check indicating the applicant is not registered on the Child Abuse Registry;
 - o Apply Online at <https://web22.gov.mb.ca/AbuseRegistry>

Definitions

“**accessible**” in respect of a vehicle, means a vehicle

- a) constructed and equipped to permit the loading, transportation and off-loading of individuals who use a wheelchair, or similar device which can accommodate a seated individual, and who cannot self-transfer; and
- b) driven by an individual who is physically capable of providing, and trained to provide in compliance with the requirements of this By-law, transportation services to individuals who use a wheelchair, or similar device which can accommodate a seated individual, and who cannot self-transfer;

“**accessible taxi**” means a vehicle for hire in respect of which an accessible taxi licence has been issued under this By-law;

“**accessible taxi driver’s licence**” means licence issued under this By-law which authorizes an individual to operate and to provide, or offer to provide, transportation services by way of an accessible taxi;

“**accessible taxi licence**” means a licence issued in respect of an accessible taxi;

“**charges**” in relation to a relevant criminal offence or a major driving offence means the initiation of law enforcement proceedings

- a) in the case of an enactment of the Parliament of Canada, by way of an information laid by a peace officer before, and received by, a justice; or
- b) in the case of an offence under an enactment of Manitoba, a proceeding under The Provincial Offences Act, C.C.S.M. c. P160 by information or ticket;

“**Charter**” means *The City of Winnipeg Charter*, S.M. 2002, c. 39;

“**Child Abuse Registry Check**” means a report about a person’s listing in the Child Abuse Registry established and maintained

under *The Child and Family Services Act*, C.C.S.M. c. C80; “**City**” means The City of Winnipeg continued under section 8 of the Charter;

“**city**” means the geographical area within the jurisdictional boundaries of the City of Winnipeg;

“**City**” means the City employee whom the Chief Administrative Officer has designated as responsible for exercising the authority given to the Designated Employee;

“**Criminal Record Check**” means a report about a person obtained from a law enforcement agency stating whether or not the person has been convicted under an enactment of the Parliament of Canada of an offence in respect of which a record of the person’s fingerprints is maintained under the *Identification of Criminals Act*, R.S.C., 1985, c. I-1, or has any outstanding charges for such offences awaiting court disposition, and includes Vulnerable Sector Screening (VSS);

“**disabled person**” means an individual with a physical, mental, intellectual or sensory disability, or a combination of these;

“**dispatch**” means the act of receiving a request for a transportation service or sending a vehicle for hire to a location for the purpose of providing or offering to provide transportation service to a passenger and includes:

- a) receiving requests for transportation services from passengers by any medium, except street hails;
- b) directing a person driving a vehicle for hire to attend at the passenger’s location;
- c) operating any part of a platform that receives requests for transportation services from passengers and connects such requests to a person driving a vehicle for hire; and
- d) any other action that results in a vehicle for hire being sent to a passenger’s location for the purpose of providing the passenger with transportation services, regardless of whether transportation services are actually provided to the passenger;

“**dispatcher**” means a person who dispatches one or more vehicles for hire and who holds a dispatcher licence issued under this By-law;

“**dispatcher licence**” means a taxi dispatcher licence and a PTP dispatcher licence issued under this By-law;

“**enforcement officer**” means

- a) The City;
- b) every person designated under subsection 176(1) of the Charter as an enforcement officer for the purposes of this By-law; and
- c) every person appointed under subsection 176(2) of the Charter as a special constable who, by the terms of the appointment, is authorized to enforce this Bylaw;

“**limousine**” means a vehicle determined by the designated employee to qualify as a luxury or specialized vehicle that provides transportation services;

“**limousine driver**” means an individual to whom a limousine driver’s licence has been issued under this By-law;

“**major driving offence**” means an offence set out in subsection 125(6) of *The Drivers and Vehicles Act*, C.C.S.M. c. D104;

“**Manitoba Public Insurance**” means the Manitoba Public Insurance Corporation continued by *The Manitoba Public Insurance Corporation Act*, C.C.S.M. c. P215;

“**non-digital platform**” means a platform that is not a digital platform;

“**passenger**” includes a prospective passenger;

“**person**” includes an individual, a partnership, and a corporation (including a cooperative);

“**Provincial driver’s licence**” means a driver’s licence issued under *The Drivers and Vehicles Act*, C.C.S.M. c. D104 that is applicable to the vehicle for hire being driven by the individual;

“**relevant criminal offence**” means an offence under an enactment of the Parliament of Canada involving

- a) an offence involving actual or threatened violence;
- b) an offence involving weapons, including the illegal possession of weapons;
- c) an offence involving sexual assault, sexual exploitation, sexual interference, procuring, or invitation to sexual touching;
- d) an offence involving trafficking of controlled drugs or substances;
- e) an offence involving fraud, false pretences, bribery, extortion or theft over \$5000; or
- f) an offence related to the unlawful operation of a motor vehicle; “**standard taxi**” means a taxi that is not an accessible taxi;

“**street hail**” means the offer of, solicitation of, or acceptance of an offer to provide, a transportation service, or the provision of a transportation service, that is not prearranged;

“**taxi**” means a vehicle for hire in respect of which a standard taxi licence or an accessible taxi licence has been issued;

“**taxi dispatcher**” means a person who holds a taxi dispatcher licence;

“**taxi dispatcher licence**” means a taxi dispatcher licence issued under this By-law which authorizes the licence holder to dispatch taxis;

“**taxi driver**” means an individual to whom a taxi driver licence has been issued under this By-law;

“**taxi driver’s licence**” means a standard taxi driver’s licence and an accessible taxi driver’s licence issued under this By-law;

“**transportation service**” means the provision, or the offer to provide, transportation of a passenger for compensation in which

- a) the passenger controls the route or the destination; and
- b) the vehicle is hired for a single uninterrupted engagement, which may include multiple stops; but does not include
 - a) the transportation of a passenger in exchange for a receipted donation to a non-share capital corporation so long as the transportation is provided whether or not the donation is provided or offered;
 - b) transportation of a passenger provided or offered as part of package of goods or services for which there is a fee or charge so long as the transportation of a passenger is shown by the owner or driver of the vehicle to be merely ancillary to the provision of the goods or services;
 - c) transportation in vehicles regulated by the Motor Transport Board;
 - d) a shuttle service in which transportation is provided based on a pre-determined schedule or route;
 - e) transportation of students by vehicles owned or operated by or on behalf of a school division established under The Public Schools Act, C.C.S.M. c. P250, or a private school as defined in The Education Administration Act, C.C.S.M. c. E10;

“**valid**” in the context of a licence issued under this By-law means a licence that has not been revoked, cancelled or expired and is not suspended;

“**vehicle for hire**” means any vehicle in which transportation services are provided and includes, but is not limited to, the following:

- a) a taxi;
- b) an accessible taxi;
- c) a PTP vehicle;
- d) an accessible PTP vehicle; and
- e) a limousine

Terms and Conditions

ALL DRIVERS

Rules for all vehicles for hire drivers

1. An individual must not operate a vehicle for hire unless he or she
 - a) Is registered with a licenced dispatcher;
 - b) Maintains a valid Provincial driver’s licence applicable to the use of the vehicle being driven;
 - c) Has not been convicted within the previous 10 years of a relevant criminal offence unless a record suspension (pardon) has been issued in respect of that offence;
 - d) Has not been convicted within the previous 10 years of a major driving offence; and
 - e) Is not registered on the Child Abuse Registry.
2. The driver of a vehicle for hire must immediately report to the dispatcher with which he or she is registered any of the following:
 - a) His or her conviction for any relevant criminal offence or a major driving offence;
 - b) Charges laid against him or her of any relevant criminal offence or for a major driving offence;
 - c) His or her registration on the Child Abuse Registry;
 - d) The suspension of his or her Provincial driver’s licence.

LIMOUSINE DRIVERS

Rules for Limousine Drivers

3. Notwithstanding clause 48(a) (Services exclusive to taxis), the driver of a limousine
 - (a) may accept street hails at the international airport in Winnipeg so long as
 - (i) zone fares for limousines hailed at the airport have been approved by the designated employee and are posted and visible to passengers of the limousine before they agree to pay for the transportation service; and
 - (ii) the driver charges a fare no greater than is consistent with the zone fares approved by the designated employee; and
 - (b) may accept payment by any means, including non-digital payments

Requirements for obtaining limousine driver's licence

5. Every driver of a limousine must hold a valid limousine driver's licence issued under this Division. Requirements for obtaining limousine driver's licence
6. In order to be eligible for a limousine driver's licence, an individual must
 - (a) pay the applicable licence and application fee or fees;
 - (b) be at least 18 years of age;
 - (c) meet the requirements set out in section 46 (Rules for all vehicle for hire drivers) and Division 3 (Rules for PTP drivers);
 - (d) not have been convicted of a relevant criminal offence or major driving offence, or have outstanding charges in relation to such an offence, if the designated employee determines that the nature of the offence or the charges is such that issuing a limousine driver's licence would result in a significant risk of harm to the public;
 - (e) complete training required by the designated employee;
 - (f) demonstrate to a level required by the designated employee the skills and knowledge reasonably considered by the designated employee to be necessary in order to provide the services that may be provided by limousine drivers; and
 - (g) provide all documentation reasonably required by the designated employee to determine the individual's eligibility for a limousine driver's licence.

Requirements for renewing limousine driver's licence

7. In order to be eligible for a renewal of his or her licence, a limousine driver
 - (a) must meet the requirements for an applicant for a limousine driver's licence set out in section 65.2 (Requirements for obtaining limousine driver's licence);
 - (b) must provide information to the designated employee concerning any factual changes to information provided at the time of its application or most recent renewal;
 - (c) must provide to the designated employee a criminal record check and a child abuse registry check issued no more than 90 days before the application for registration was made; and
 - (d) must not owe any outstanding fines or fees with respect to this Bylaw or any City parking by-law; and
 - (e) must pay any applicable renewal fee and any applicable late renewal fee.

Driver's licence must be visible

At all times while providing transportation services, a limousine driver must ensure that a valid licence card or other object that has been issued by the designated employee as proof that he or she is a licenced limousine driver is prominently displayed and clearly visible to passengers within the limousine.

Reporting requirements for taxi drivers

8. A limousine driver must immediately report to the designated employee
 - (a) his or her conviction of a relevant criminal offence or a major driving offence;
 - (b) charges initiated against him or her in relation to a relevant criminal offence or a major driving offence;
 - (c) his or her registration on the child abuse registry;
 - (d) the suspension of his or her Provincial driver's licence; and
 - (e) any change in his or her medical condition that could affect his or her ability to drive and to maintain a Provincial driver's licence.

Obligation to return passenger property

- a) A limousine driver must comply with the approved passenger property retrieval policy for the PTP dispatcher with whom he or she is registered and who has dispatched the passenger whose property has been left behind.

By signing below, the Applicant agrees that they have fully read and understood all terms and conditions outlined above and the Applicant accepts and agrees to be bound by the said terms and conditions in their entirety.

X

APPLICANT SIGNATURE

DATE

Consent for Collection and Use of Personal Information

1. I understand that by signing below, I am providing the City of Winnipeg with my explicit consent to collect, use and disclose the personal information provided within this application, and the information provided by third parties as described below, for the purposes of determining and verifying eligibility for a taxi drivers licence and to monitor my ongoing eligibility to operate under this by-law.
2. I hereby authorize The Manitoba Public Insurance Corporation (MPI) to disclose to the designated employee (as that term is defined in section 3(1) of City of Winnipeg By-law No. 129/2017) the following information:
 - a) Whether I have a valid Provincial driver's licence;
 - b) If the vehicle I have registered to drive is insured as a vehicle for hire and the periods for operation;
 - c) Any convictions or suspensions of my driver's license which would impact my ability to operate under City of Winnipeg By-law No.129/2017;
 - d) My address as maintained byMPI;
 - e) Other information necessary for the administration of my application in compliance with City of Winnipeg Vehicles for Hire By-law 129/2017, The Drivers and Vehicles Act and The Freedom of Information and Protection of Privacy Act.

My consent to collect, use and disclose my personal information as outlined for the above purposes remains in effect for 1 year from the date of signing, or until such earlier date as I notify Manitoba Public Insurance in writing to revoke this authorization.

3. I hereby authorize the City of Winnipeg to disclose to The Manitoba Public Insurance Corporation the following information for the purposes of determining and verifying eligibility for services or benefits:
 - a) Trip log data, as required to administer an insurance claim; and
 - b) Any other information necessary for the administration of my application in compliance with City of Winnipeg *Vehicles for Hire By-law 129/2017, The Drivers and Vehicles Act and The Freedom of Information and Protection of Privacy Act.*

My consent to use and disclose my personal information as outlined for the above purposes remains in effect for 1 year from the date of signing, or until such earlier date as I notify the City of Winnipeg in writing to revoke this authorization.

4. I hereby authorize the Province of Manitoba to disclose to the City of Winnipeg my Child Abuse Registry Check results as necessary for the above purposes for 1 year from the date of signing, or until such time as I notify the Province of Manitoba, in writing, to revoke this authorization.
5. I hereby authorize all law enforcement agencies (including Winnipeg Police Service, and RCMP) to disclose to the City of Winnipeg my Criminal Records Check, and other information, as required for the above purposes until such time as I notify, in writing, applicable law enforcement agencies.

NOTICE: Any personal information collected or obtained on this form is done so under the authority of *The Freedom of Information and Protection of Privacy Act* (FIPPA) and the *Vehicles for Hire By-law*, and is protected by the Protection of Privacy provisions of FIPPA. This information will be used for the purposes stated above, and will not be used or disclosed for any other purposes, except as authorized by law. If you have any questions about the collection of this information, contact the Corporate Access and Privacy Officer by mail at City Clerk's Department, Susan A. Thompson Administration Building, 510 Main Street, Winnipeg MB, R3B 1B9, or by telephone at 311.

X _____

APPLICANT SIGNATURE **DATE**