




WINNIPEG PARKING AUTHORITY
Vehicle for Hire Division
VEHICLE FOR HIRE REGULATIONS

SUBJECT:	DISPATCH REQUIREMENTS	VFH-18-001
CATEGORY:	Dispatchers	REVISION DATE: January 19, 2021
PURPOSE:	To outline requirements placed on dispatchers under the provisions of the Vehicle for Hire By-law	
REFERENCE:	<ul style="list-style-type: none">• Vehicle for Hire By-law 129/2017, section 8(1)• Vehicle for Hire By-law 129/2017, section 10(2)• Vehicle for Hire By-law 129/2017, section 11(2)• Vehicle for Hire By-law 129/2017, section 12(3)• Vehicle for Hire By-law 129/2017, section 13• Vehicle for Hire By-law 129/2017, section 14(1)	
General The above noted sections of the Vehicle for Hire By-law provide the authority for the designated employee to specify the following requirements for dispatchers which are outlined in detail in the noted schedules to the Regulation: <ul style="list-style-type: none">• Insurance Requirements; Schedule A;• Data Security and Dispatch Records; Schedule B;• Complaints Review Process, Schedule C;• Property Retrieval Process, Schedule D		
DATE OF ISSUE:	January 19, 2021	SUPERSEDES ISSUE OF: February 12, 2018
APPROVED:	 _____ Grant Heather, Manager of Vehicles for Hire Winnipeg Parking Authority	

Schedule A

Insurance Requirements

In accordance with section 13 of the Vehicle for Hire By-law, a licenced dispatcher shall provide and maintain the following insurance coverage:

Commercial General Liability (CGL) insurance, in the amount of at least two million dollars (\$2,000,000.00) inclusive, with the City of Winnipeg as an additional insured, such liability policy to also contain a cross-liability clause, products and completed operations cover, to remain in place at all times during the course of the license

Non-owned automobile, which may be included in the CGL policy, or may be provided separately, in the amounts of at least five million dollars (\$5,000,000.00). This may be obtained through an insurance broker or directly through Manitoba Public Insurance (MPI).

Licence Application

Proof that the above noted insurance requirements are in place is required as part of any application for issuance or renewal of a Dispatcher Licence.

Insurance Lapse

Should a dispatcher's insurance policy lapse without renewal, this would immediately invalidate their dispatch licence with the City of Winnipeg and they must cease operating. All vehicles under their dispatch are in non-compliance with the By-law and would not be able to be dispatched until such time as the policy is in force.

Schedule B

Data Security and Dispatch Records

Section 14(1) of the Vehicle for Hire By-law (“the By-law”) requires dispatchers to create and maintain records of confidential information, including trip data and driver personal information, and to provide this confidential information to the City for the purpose of enforcing the By-law. Collection, use, and disclosure of driver personal information by the City of Winnipeg is governed by *The Freedom of Information and Protection of Privacy Act* (FIPPA)

Dispatchers may also collect personal information about customers for the purposes of service to the customer, including payment card information.

Collection of personal information as part of a commercial activity is governed by the *Personal Information Protection and Electronic Documents Act* (PIPEDA). Both parties must at all times comply with their respective obligations for the collection, protection, use, retention and disclosure of personal information.

Definitions

"Confidential Information" specifically includes, for the purposes of this regulation, documents, records and files collected and or retained by a dispatcher. For the purposes of this Regulation, the terms "documents", "records", "data" and "files" include all information fixed in any medium of expression, regardless of form or format. Confidential Information includes "personal information" defined in *The Freedom of Information and Protection of Privacy Act* (FIPPA). Confidential Information, however, does not include information that:

- a. Is now or subsequently becomes generally available to the public through no act, omission, misconduct, failure or neglect on the part of the Dispatcher, whether through breach of this regulation or otherwise;
- b. The Dispatcher rightfully obtains from a third party who has the right to transfer or disclose it without restriction on disclosure; or
- c. The Dispatcher is legally required to disclose.

"data sharing" means, for the purposes of this regulation, the collection, exchange and disclosure of information collected by the licensed Dispatcher and provided to the City of Winnipeg for monitoring compliance and enforcement for the Dispatcher business and drivers.

Customer Information

If the Dispatcher collects customer personal information, including payment card information, - the Dispatcher shall use appropriate security procedures and technologies to thwart theft of cardholder data. Vulnerability may appear anywhere in the card processing ecosystem, including point of sale devices, personal computers or servers, wireless hotspots, web applications, paper-based storage systems and unsecured transmission of cardholder data to service providers. To address this risk, any dispatcher who collects such information, directly or through registered drivers, must demonstrate compliance with current Payment Card Industry (PCI) Data Security Standards and with PIPEDA

Driver Information

In accordance with section 14(1) of the By-law, a dispatcher is required to create and maintain records of the provision of transportation services, and records of any drivers registered with that dispatcher.

The information that must be created, maintained, and disclosed to the City of Winnipeg as part of driver records is outlined in the By-law and is outlined in Appendix 1 to this Schedule:

In accordance with section 33(7) of the By-law, the driver must provide a document satisfactory to the designated employee indicating that the individual has provided consent for his or her personal information to be submitted to the designated employee and for the designated employee 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 the By-law.

Use of Confidential Information

The City will use confidential information provided by dispatchers for calculating fees, compliance monitoring and reporting, enforcement purposes, and to promote consumer and public safety. This information will not be used or disclosed by the City for any other purposes unless authorized by FIPPA.

The City will treat personal information as confidential and not disclose it to third parties unless authorized by the use/disclosure provisions under FIPPA. De-identified or aggregated trip data which does not identify individuals may be used or disclosed without restrictions.

Data Transfer

The City requires the data collected by the Dispatcher to be transferred to the City over a secure communication channel as outlined in Appendix 1 to this Schedule.

The City uses a secure website with password protection, or may alternately use a SFTP (Secure File Transfer Protocol using SSH), for the transfer of data listed in the By-law. Technical details of the electronic transfer method are provided in Schedule B. No other method of file transfer will be permitted before or after the effective date of the Dispatcher Licence without the express written permission of the Designated Employee.

The use of e-mail to transfer Confidential Information is not considered a valid method of data transfer.

Data is to be transferred in the format and frequency outlined in section 14(1) of the By-law.

Accuracy and Security of data

The Dispatcher shall submit the required data in an electronic format satisfactory to the designated employee, currently either MS Excel or csv format, ensuring the information is complete, accurate and up-to-date.

The Dispatcher shall securely store Confidential Information, in accordance with the standards approved as part of their licence application, while it is in their possession.

The Dispatcher must notify the City within twenty-four (24) hours of any security breaches involving the Data.

Licence Application

In accordance with section 8(1)(c) of the Vehicle for Hire By-law, in any application for a dispatcher licence ("a licence"), the applicant must demonstrate to the designated employee that they have data security measures and policies in place that are sufficient to protect the personal information collected by the dispatcher related to drivers and passengers. Provision of a summary that outlines data security measures and policies that are acceptable to the designated employee will satisfy the requirements under the By-law. Where the designated employee determines that the summary does not provide enough information in order for a determination to be made, the applicant will be required to provide any additional information required by the designated employee.

Applications must include provisions for reporting any potential breach of security regarding the data within 24 hours of the dispatcher becoming aware of a potential breach which may involve customers utilizing transportation services within the City of Winnipeg.

Changes to Data Security Measures

Any request to change an approved data security measure shall be submitted in writing for the approval of the designated employee a minimum of 30 days in advance of the requested date of the change.

Any such request shall be in sufficient detail to allow the designated employee to assess the magnitude of the proposed changes and the potential impact on customer service, safety and/or data security.

Appendix 1 to Schedule B

Required Information

TRIP INFORMATION (required by s. 14(1) of the Vehicles for Hire By-law)

- Total number of transportation services provided on a monthly basis
- Total number of transportation services provided by accessible vehicles for hire on a monthly basis
- Total number of vehicles for hire providing transportation services through the dispatcher over the course of the month
- Total number of accessible vehicles for hire providing transportation services through the dispatcher over the course of the month
- The driver and vehicle involved in providing each transportation service, including
 - The type of vehicle by by-law category
 - The name of the driver
 - The Provincial licence plate number of the vehicle
 - The date, time and duration of the transportation service
 - The pick-up and drop off locations (block number and street)
 - The elapsed time between a request for a transportation service and the initiation of the transportation service (unless the service was not scheduled for immediate dispatch)
- A daily list of registered vehicles and registered drivers
- Other records as reasonably required by the Designated Employee.

Appendix 2 to Schedule B

Data Transmission Security Protocols

Technical details for the secure website and required formats are provided to licenced dispatchers through VFH Reporting.

Schedule C

Complaints Review Process

As part of any application for a dispatcher licence (“a licence”), the applicant shall submit a summary of their process for reviewing customer complaints which shall include, but not be limited to:

- A sample of the complaints submission form to be completed by the customer;
- A flowchart outlining the steps in the complaints review process;
- A description of the process for investigating complaints; and
- A description of the mechanism used to track complaints based on, at a minimum, the following information:
 - Type of vehicle for hire;
 - Driver information
 - Date and time of trip that formed basis of complaint;
 - Type of complaint (fare/customer service/route/vehicle condition)
 - Date the complaint was received; and
 - Date of response to individual submitting complaint.

The summary of the process shall be submitted in writing and should, if applicable, include screen shots of any electronic systems used.

Reporting

All complaints review processes submitted to the designated employee for approval shall include a method for reporting data collected as part of the process to the City of Winnipeg on a quarterly basis through electronic means.

Changes to the Process

Any request to change an approved complaints review process shall be submitted in writing for the approval of the designated employee a minimum of 30 days in advance of the requested date of the change.

Any such request shall be in sufficient detail to allow the designated employee to assess the magnitude of the proposed changes and the potential impact on customer service and/or safety.

Schedule D

Property Retrieval Process

As part of any application for a dispatcher licence (“a licence”), the applicant shall submit a summary of their process for a customer to retrieve property left in a vehicle for hire registered with the dispatcher, which shall include, but not be limited to:

- A flowchart outlining the steps in the property retrieval process;
- A description of the process for a customer to report property left in a vehicle for hire;
- A description of the process for drivers to report and turn over property found in a vehicle for hire to the dispatcher;
- A description of the process for customers to retrieve property;
- A description of the retention period for found property and the disposal process for unclaimed property; and
- A description of the method for tracking property left in a vehicle for hire based on, at a minimum, the following information:
 - Date the property was found;
 - Vehicle for hire the property was found in;
 - Driver at the time the property was found;
 - A description of the property found;
 - Date property returned to customer, if applicable; or
 - Date property disposed of.

The summary of the process shall be submitted in writing and should, if applicable, include screen shots of any electronic systems used.

Reporting

All property retrieval processes submitted to the designated employee for approval shall include a method for reporting data collected to the City of Winnipeg on a quarterly basis through electronic means.

Changes to the Process

Any request to change an approved property retrieval process shall be submitted in writing for the approval of the designated employee a minimum of 30 days in advance of the requested date of the change.

Any such request shall be in sufficient detail to allow the designated employee to assess the magnitude of the proposed changes and the potential impact on customer service and/or safety.