



### TAXI AND LIMOUSINE REGULATIONS

Amended and adopted by the Town Council of the Town of Gander on the 5<sup>th</sup> day of February, 2014 and to come into effect as of the 5<sup>th</sup> day of February, 2014.

A copy of these Regulations was sent to the Minister of Municipal and Intergovernmental Affairs on the 10<sup>th</sup> day of February, 2014.

*Claude Elliott*  
MAYOR

*J. Brian*  
TOWN CLERK

**PUBLISHED BY AUTHORITY**

Pursuant and by virtue of the powers conferred by Section 414 and any other enabling sections of the *Municipalities Act, 1999 SNL Chapter M-24* as amended, the Town Council of the Town of Gander hereby adopts the following Taxi and Limousine Regulations.

A copy of these Regulations was forwarded to the Minister of Municipal and Intergovernmental Affairs on the 10<sup>th</sup> day of February, 2014.

  
MAYOR

  
TOWN CLERK

**TAXI AND LIMOUSINE REGULATIONS**

**1. Title**

These Regulations may be cited as "Taxi and Limousine Regulations of the Town of Gander";

**2. Definitions**

For the purpose of these Regulations, unless the context otherwise requires:

- a) "Act" shall mean the Municipalities Act, 1999, SNL Chapter M-24 as amended;
- b) "Application" shall mean a person herein defined presenting to or filing with the Council, an application for a license pursuant to these Regulations or causing such applications to be presented or filed on their behalf;
- c) "Town" shall mean the Town of Gander as defined in the Order-in-Council dated the 16<sup>th</sup> day of December, 1958 A.D., and continued as a Town under the said Act;
- d) "Council" shall mean the Town Council of the Town of Gander;
- e) "Cruise" or "Cruising" shall mean the driving of a taxicab on, over or along the streets, highways, or public places of the Town soliciting prospective passengers for transportation in a taxicab for compensation;

## Town of Gander Taxi and Limousine Regulations

---

- f) "Driver" shall be held to include every person in actual charge of the operation or driving of a taxicab whether as owner or agent, licensee, servant or employee of the owner and shall hold a Taxicab Driving License;
- g) "Holder" shall mean an owner or driver who is the holder for the time being, of a licence;
- 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 or persons appointed by the Council to supervise all vehicles and persons licensed under these Regulations and to enforce compliance with the provisions of these Regulations;
- j) "License" shall mean a Taxicab Operating License or a Taxicab Driving License issued pursuant to these Regulations;
- k) "Limousine" means any four-door, full size luxury class vehicle, having a standard seating capacity for at least five (5) persons exclusive of the drive, not equipped with a taximeter but furnished with a minimum of four (4) of the following features:
  - i. glass partition separating the rear and front seats;
  - ii. top quality interior appointments, being either leather or plush upholstery;
  - iii. power windows;
  - iv. one way tinted glass;
  - v. television;
  - vi. stereo system;
  - vii. cellular telephone;
  - viii. air conditioning
- l) "Limousine Driver" means the operator of a limousine vehicle licensed under these Regulations to transport passengers for hire;
- m) "Owner" shall include any person who has control, direction, maintenance and benefit of the collection of revenue derived from the operation of any taxicab or taxicabs whether as owner, lessee, licensee or bailee or in possession under any conditional sale or hire purchase agreement who holds a taxicab operating license;
- n) "Person" shall mean and include a person, a firm, partnership, corporation or company;
- o) "Taxicab Allocation" means the number of taxicabs which may be operated from an approved taxi stand;

- p) "Taxicab" means a motor vehicle commonly described as a four (4) door sedan or station wagon used for the transportation of passengers for hire and designed to carry not more than six (6) seated adults or equivalent, including the driver, but shall not include such vehicles generally described as a mini bus, suburban wagon or jeep type wagon;
- q) "Taxicab Operating License" means a license issued by the Council to operate a taxicab which shall be in the form of Form A, hereto annexed, which Form A is to be taken as part and parcel of these Regulations or in such other form as the Council may from time to time prescribe;
- r) "Taxicab Driving License" means a license issued by the Council to drive a taxicab;
- s) "Transfer" shall mean any sale, assignment, transfer, mortgage or other charge or alienation what so every of any license;
- t) "Transferee" shall mean the person to whom any transfer of any Taxicab Operating License or a Taxicab Driving License is made or is proposed to be made;
- u) "Waiting time" shall mean:
  - 1) the time consumed while the taxicab is stopped while under engagement through traffic interruptions or for delays;
  - 2) the time consumed while the taxicab is not in motion at the direction of a passenger;
  - 3) the time consumed while the taxicab is under engagement and travelling at eight kilometres per hour, or less;
  - 4) the time consumed while waiting for a passenger after having responded to a call provided that no charge shall be made for the time consumed by the premature response to a call for the first three minutes following timely arrival at any locality in response to a call not for time consumed or lost through traffic interruptions or delays caused by the inefficiency of the taxicab or its driver, or;
  - 5) the time consumed while the taxicab is under engagement and stopped temporarily as a result of traffic, weather or other road conditions.
- v) "Town Clerk" means the Town Clerk of the Town of Gander;
- w) "Identification Decals" means the decals issued by the Council of the inspector in respect of each taxicab bearing a distinctive number and words to indicate they are issued by the Council;
- x) "Operator" means any person who has been granted a Taxicab Operator's License and who has the control, direction, maintenance and benefit of the collection of the revenue derived from the operation of a taxicab whether as owner, lessee, licensee or bailee, or in possession under any conditional sale or hire purchase agreement.

**3. General Information**

The provision of these Regulations applies to all taxicabs applying for hire, used or operated within the Town and to all Taxi Stand owners, Taxicab operators and Taxicab drivers;

**3.1 Inspector**

The inspector shall have supervision over all persons licensed under these Regulations and over all taxicabs 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 Council, the performance of his or her duties under these Regulations whenever he or she shall be required by the Council to do so;
- b) To make all necessary enquiries concerning applicants for licenses as may be requisite to secure a due observance of law, and of these Regulations;
- c) To submit to the Council recommendations for the suspensions, revoking or cancelling of any license, together with his or her report thereon;
- d) To keep a register of all licenses granted by the Council which shall contain the name and address of the applicant, the date of the license and such further particulars and to keep such other books as the Council may order;
- e) To enter in aforesaid register, all transfers of any license, together with name and address of the transferee;
- f) To cause to be made out, all licenses and to sign all licenses issued under these Regulations, the fees payable therefore having first been paid to the Town;
- g) To furnish each person taking out a license with one copy of these Regulations;
- h) To ascertain by inspection and enquiry from time to time as often as may be required by the said Council, whether the person holding a license continues to comply with the provisions of these Regulations;
- i) To issue identification decals as required by these Regulations;
- j) To prosecute or cause to be prosecuted, all persons who shall offend against and of the provisions of these Regulations;
- k) To perform such other duties as may be assigned from time to time by Council.

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 duty.

### 3.2 Licenses

#### Taxi Stand Owner's License

- 1) No person shall carry on the business of owning and operating a Taxi Stand unless such person is the holder of a Taxi Stand Owner's License issued under these Regulations;
- 2) No Taxi Stand business shall be operated from a location other than the one approved by the Inspector and such Taxi Stand shall comply and be operated in accordance with the Town of Gander.

#### Taxi Operator's License

- 1) The owner of any Taxicab shall not apply for hire therewith or use or operate the same or allow the same to be used or operated within the Town Operator's Licenses;
- 2) The total number of Taxicab operating licenses which may be issued by the Inspector is hereby fixed at a maximum of thirty-six (36);
- 3) Every operator of more than one Taxicab required to be licensed under these Regulations shall take out a separate Taxicab Operator's License for each Taxicab;
- 4) No Taxicab Operator's License shall be issued to any person unless the location of the Taxicab Stand from which the Taxicab is to be operated is approved as a Taxi Stand by the Council;
- 5) An Operator may move the location of the operation of the Taxicab from one approved Taxi Stand to another upon written notification to the Inspector, provided that the Taxi Stand to which the Taxicab is to be relocated will not exceed its Taxicab allocation.

### 3.3 Insurance

- 1) No Taxicab Operator's License shall be issued until sufficient proof of insurance is provided to the Inspector issued by a reputable insurance company insuring the applicant in a minimum amount of one million dollars (\$1,000,000) in respect of bodily injury to or death of a passenger or passengers and a minimum amount of two hundred and fifty thousand dollars (\$250,000) insurance coverage against all public liability and property damage arising out of the Operator's license;
- 2) The proof of insurance referred to above shall be in the form of a written certificate from a reputable insurer that it has issued to, or for the benefit of, the person named therein a motor vehicle liability policy or policies which, at the date of the certificate or certificates, is in full force and effect and which designates therein by explicit description, or by other adequate reference, all motor vehicles to which the policy applies.

The certificate shall certify that the motor vehicle policy or policies therein mentioned shall not be cancelled or expire except upon ten (10) days prior written notice thereof to the Council and until such notice is duly given, the certificate or certificates are valid and sufficient to cover the term of any renewal of such vehicle liability policy by the insurer.

### **3.4 Vehicle Inspection**

- 1) No Taxicab Operator's License shall be issued until the motor vehicle, in respect of which the application for a license is made, has been inspected and approved by the Inspector;
- 2) Every vehicle operating as a taxicab under these Regulations shall have at least two comprehensive mechanical inspections per year in a form prescribed by the Inspector. The Inspector may, in his or her discretion, require additional mechanical inspections;
- 3) A new application for a vehicle operating authority will not be accepted by Council for vehicles which are eight (8) model years old or older. Council may approve on applications for renewal of vehicle operating authorities for vehicles eight (8) model years old or older that have been in service for at least one (1) year provided that each vehicle is judged fit by a criteria set forth by the Inspector;

### **3.5 Taxicab Driver's License**

- 1) No person shall drive or cause to be driven or act as a driver of any Taxicab without first obtaining a Taxicab Driver's license under these Regulations;
- 2) No Taxicab Driver's license shall be issued to any person while the license issued to such person to operate a motor vehicle, pursuant to the Highway Traffic Act and Regulations made therein, is suspended or cancelled by virtue of the operations of the laws of Newfoundland or Canada;
- 3) A Taxicab Driver's license is automatically cancelled upon the license issued, pursuant to the Highway Traffic Act or Regulations made thereunder, being suspended or cancelled, or upon the holder thereof being prohibited from driving a motor vehicle under and by virtue of the Criminal Code of Canada and amendments hereto.

### **3.6 Application for License**

- 1) Every application for a license or a transfer shall be made in writing to the Council and shall:
  - i. Comply with these Regulations in all respects;
  - ii. Set forth the name, age and address of the applicant, if a natural person, or, if a corporation, its name, date and place of incorporation, address of its principal place of business and the names of its officers together with their respective addresses, or if a partnership, association of unincorporated company, then the

names of the partners comprising the partnership, association or company together with their names and respective ages and addresses, and also 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 in 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. There shall be attached to such application a certificate from the Inspector, or his or her agent, certifying that the taxicab proposed to be licensed has been approved and inspected by him or her;

- iii. Contain such information as the Council may require to enable it to form an opinion as to the fitness of the application or transferee for the license for which the application is made or ensure compliance with these Regulations;
  - iv. Be accompanied by the fees prescribed by these Regulations for the license for which the application is made.
- 2) If in the opinion of the Inspector, any application does not contain sufficient information to enable the Inspector to make a decision or does not comply with these Regulations, the Inspector shall notify the application or transferee in writing of such defects, which may then be corrected, but if such corrections are not submitted to the Inspector within ten (10) days after the applicant or transferee has been notified of the defects, the applications shall be refused;
- 3) No license issued under these Regulations shall run from the 1<sup>st</sup> day of April or the date of the license in one year and shall expire on the thirty-first day of March in the following years.

### **3.7 Duration of License**

Every license issued under these Regulations shall run from the 1<sup>st</sup> day of April or the date of the license in one year and shall expire on the thirty-first day of March in the following years.

### **3.8 Renewal of License**

Any person holding a license issued under these Regulations who wishes to continue to hold such license shall, on or before the expiry date of the existing license, apply to the Council for a new license in the same manner as the original was applied for under these Regulations.

### **3.9 Transfer of License**



Except in the case of a taxicab driver's license which is not transferrable, no transfer of any license shall be made without the written consent of Council, which consent shall not be unreasonably withheld in the case of a person who, in the opinion of Council, is a fit and proper person to hold the license being transferred and otherwise complies with these Regulations but such consent shall not be required when the person dies or is declared insolvent or makes an assignment for the benefit of his or her creditors of business. Upon the happening of any of the said events, the purchaser of the person's taxicab may obtain a transfer of the taxicab operator's license for the unexpired term thereof upon application to the Council in writing.

**3.10 Abandoned License**

- 1) Where a person abandons or discontinues the carrying on of the business of owning or operating or driving a taxicab the license issued to him or her in respect of the business abandoned or discontinued shall forthwith lapse, be invalid and of no force or effect;
- 2) The Council may revoke any taxicab operator's license for any taxicab which had not been operated for a period of three (3) months and such license shall automatically be revoked if the taxicab has not been operated for a period of six (6) months.

**3.11 Suspension, Cancellation of License**

The Inspector or the Council, as the case may be, shall have the power to suspend, revoke or cancel any license issued under these Regulations for violation thereof.

**3.12 Fees**

The described fees to be issued under these Regulations shall be as follows:

	<b>Fee</b>
Annual Taxicab Operating License	\$30.00
Annual Limousine Operating License	\$50.00
Decal for Operating Taxicab	\$10.00
Annual Taxicab Driving License	\$20.00
Replacement Decals for Operating Taxi	\$10.00
Transfer Fee for Annual Taxicab Operating License	\$15.00
Transfer Fee for Annual Taxicab Driving License	\$10.00
** Temporary Annual Operating License	\$20.00
Replacement Taxi Rate Window Decals	\$10.00

(\*\*to be issued only during the period of January to March of each year, prior to the regular fee being applicable on April 1<sup>st</sup>)

**4. Taxicabs**

**4.1 Equipment**

- 1) Every taxicab shall at all times be equipped:
  - i. With all equipment as required under the Highway Traffic Act;
  - ii. With an interior light sufficient to illuminate the entire passenger compartment;
  - iii. With a handle or opening device attached to each door of the passenger compartment so that such door may be opened by the passenger from the inside or outside of the taxicab without the intervention or assistance of the driver;
  - iv. With an identity light attached to the top of such taxicab which shall be constructed in one unit consisting of an illuminated plate or cylinder upon which is printed the name of the taxi stand and/or telephone number of such taxi stand. The overall dimensions of such identity light shall not exceed six inches in height by twenty inches in length. The lights of the identity light unit shall be connected to a contact switch attached to the taximeter and such contact switch shall operate automatically to illuminate the said identity light when the taximeter is not in operation indicating the taxicab is vacant and for hire and to extinguish said identity light when the taximeter is in operation. It shall be unlawful to drive or operate any taxicab with such identity light illuminated while carrying passengers for hire and it shall be unlawful to drive, operate or be in charge of any taxicab unless such identity light is illuminated when such taxicab is for hire.
- 2) Every taxicab shall have posted therein or the driver himself shall have on his or her person the following:
  - i. A printed card bearing the words "Taxicab Driving License" issued by the Council to drive a taxicab under these Regulations;
  - ii. A printed card bearing the word "Taxicab" issued by the Council with each license to operate a Taxicab under these Regulations affixed to the inside of the taxicab, in respect of which it is issued, in such a manner as to be prominently displayed;
  - iii. A Town issued window decal which clearly identifies the taxi zones and applicable rate (Schedule A).
- 3) No operator shall exhibit on or about his or her taxicab, any advertisement, number plate, sign or card, other than those approved by or obtained from the Council or the Inspector, except his or her motor vehicle plates;
- 4) Every operator shall keep the interior and exterior of his or her taxicab clean, sanitary and dry and in good repair;

- 5) Every operator shall, when required, submit his or her taxicab for examination by an inspector or any person authorized by him or her and shall not, at any time, when such taxicab is not employed, prevent or hinder the inspector, or any person authorized by him or her, from entering the same or, at any time, prevent or hinder him or her from entering his or her garage or other building for the purpose of inspecting the same;
- 6) Where an operator discontinues the use of, sells or otherwise disposes of his or her taxicab, he or she shall forthwith remove there from all items required solely by these Regulations to be affixed thereto or displayed therein and thereafter no person shall drive or use or require that vehicle to be driven or used as a taxicab until a new license has been issued in respect thereof unless the sale is made to a transferee. If the operator acquires another taxicab in place of the one sold or otherwise disposed of (for use a taxicab) he or she shall submit the latter taxicab to the inspector for approval before using the same and if such approval is given he or she may affix thereof or display therein all items as required under these Regulations and substitute or temporary identification decals will be issued.

#### **4.2 Identification**

- 1) The operator of every taxicab licensed under these Regulations shall apply to the inspector for identification decals;
- 2) No motor vehicle shall be operated or used or be permitted to be used as a taxicab on any streets, highways or public places within the Town unless the identification decal evidencing that a taxicab license has been issued in respect of such motor vehicle is firmly affixed to such vehicle in the manner herein provided;
- 3) Identification decal shall be at all times be securely affixed to the rear trunk lid of the taxicab for which it was issued and shall be in such a place and position that they shall be clearly visible;
- 4) No person shall attach or display identification decals to or on any vehicle other than the taxicab in respect of which they were issued, without the prior approval of the inspector;
- 5) If identification decals issued in respect of a taxicab are lost or become mutilated or illegible, the operator of the taxicab shall notify the inspector who may, on payment of the fees prescribed by Council and upon receiving such information as he or she may require respecting the taxicab, issue substitute or temporary identification decals;
- 6) Identification decals shall, when the taxicab to which they are allotted is used upon any street, highway or public place in town, be free from mud, dust and other obstructing material and free from mutilation so that all times such decals are clearly visible and legible.

**5. Taxicab Operations**

- 1) No operator shall employ any person other than a driver who holds a license issued pursuant to the Highway Traffic Act as a driver of his or her taxicab or permit such taxicab to be driven by or placed upon any stand in charge of a person who does not hold such license; and, any such person before being so employed must also hold a current valid taxicab driving licence under the provisions of these Regulations;
- 2) Every person who holds a taxicab operator's license is responsible to ensure that every person who drives the taxicab complies with all the provisions of these Regulations;
- 3) No driver shall transport, consume or have in his possession any alcohol while in charge of a taxicab except for the sole purpose of transporting alcohol from a business licensed to sell alcohol by the Newfoundland Liquor Corporation to a residence of elsewhere, in which case a taxi driver will ascertain that the person accepting the alcohol has reached the legal age of majority.

**6. Taxicab Drivers**

- 1) No drivers shall drive his or her taxicab upon any street in such a manner that it interferes with the normal flow of traffic, or by interfering with the proper and orderly access to or egress from any place of public gathering, or by cruising in front of any place of public gathering; provided, however that the driver may accept passengers at any place of public gathering so long as his or her taxicab is lawfully parked in the vicinity of the place or building where such public gathering is taking place;
- 2) All drivers shall at all times obey the orders of any member of the Royal Canadian Mounted Police or Peace Officer appointed by the Council;
- 3) No driver shall carry any person other than the passenger and his or her party first engaging his or her taxicab, unless by consent of the first passenger, and no driver shall carry in his or her taxicab a greater number of persons or occupants than that specified in the licence of such taxicab;
- 4) Every driver shall be civil, courteous and well behaved at all times when driving a taxicab;
- 5) Every driver shall take due care of all property delivered or entrusted to him or her for conveyance or safekeeping. Every driver immediately upon the termination of any hiring or engagement, shall carefully search his or her taxicab for any property lost or left therein, and all property or money left in his or her taxicab shall be forthwith delivered over to the person owning the same, or if the owner cannot at once be found, then to the nearest police station will all information in his or her possession regarding the same;