



City of Prince Rupert

Vehicle For Hire Regulation Bylaw No. 2642, 1988

**(With Amendments to August 28, 2006)
Consolidated for Convenience Only**

This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws of this subject.

CITY OF PRINCE RUPERT

BYLAW NO. 2642

A BYLAW TO REGULATE VEHICLES FOR HIRE

WHEREAS Section 526 of the Municipal Act, R.S.B.C. 1979, c. 290 empowers Council to regulate the carrying on of business;

AND WHEREAS Section 498 of the Municipal Act, R.S.B.C. 1979, c. 290 empowers Council to require an owner or operator of a business to hold a business licence and to fix licence fees;

AND WHEREAS Section 528 of the Municipal Act, R.S.B.C. 1979, c. 290 empowers Council to regulate carriers of persons and chattels to the extent they are not subject to regulation or order under any other Act;

AND WHEREAS Section 120 (1) (p) of the Motor Vehicle Act, R.S.B.C. 1979, c. 288 empowers Council to provide for the establishment, use and designation of Taxi stands;

AND WHEREAS Section 32 (7) of the Motor Vehicle Act provides for the issuance of chauffeur's permits;

NOW THEREFORE the Council of City of Prince Rupert in open meeting assembled enacts as follows:

APPLICATION

1. The regulations of this Bylaw govern the operation of vehicles for hire within the whole of the City of Prince Rupert.

DEFINITIONS

2. In this Bylaw:

“Advance Reservation” means engagement of a Vehicle for Hire a minimum of 12 hours before commencement of use of the vehicle by the person making the reservation.

Bylaw 3187

“Bylaw Officer” means the person appointed by resolution of the Council as such from time to time, and includes a Traffic Control Officer, Bylaw Enforcement Officer, or Bylaw Compliance Officer.

“Driver” means a person who drives or has care and control of a Vehicle for Hire.

“Licence Inspector” means any person(s) appointed by the City Council from time to time to carry out the duties of Licence Inspector or to administer this Bylaw.

Bylaw 3195

“Motor Assisted Cycle” has the same meaning as in the *Motor Vehicle Act*.

Bylaw 3215

“Mobility Aid” means a device or thing, including a manual wheelchair, electric wheelchair and scooter, that is used to facilitate the transport, in a normally seated orientation, of a person with a physical disability, and for the purpose of this bylaw shall include a guide or seeing eye dog used by a visually impaired person as an aid assisting in their mobility and shall also include a “guide animal” as defined in the Guide Animal Act of British Columbia.

“Passenger” includes a passenger's personal baggage, not exceeding two average size travelling bags.

“Seating Capacity” means the rated passenger load assigned to a motor vehicle by its manufacturer, but when used in combination with “passengers” does not include the driver.

“Vehicle for Hire” means a vehicle used for the carrying, transportation or conveyance of persons and their property for hire with a driver and, without limiting the generality of the foregoing, shall for the purposes of this bylaw include the following classifications:

“Charter Bus” means a motor vehicle having a seating capacity of 10 or more passengers, and used to transport persons by advance reservation and on a prearranged basis to a specified location.

“Charter Limousine”, means a luxury sedan motor vehicle having a seating capacity of 6 or more passengers, and used for carrying persons by advance reservation for a fixed fee or hourly rate.

Bylaw 3215

“Dual Taxi” means a Motor Vehicle of a type and design of a sedan, bus or a van that is appropriately designed, constructed or modified, and used primarily for transporting people who have a disability or disabilities, including persons who use a wheelchair, scooter or other necessary Mobility Aid, and which may preclude them from accessing, using, or utilizing a Taxi.

Bylaw 3195

“Pedicab” means a three wheeled, motor assisted cycle or human powered cycle, including a Peditrail.

Bylaw 3195

“Peditrail” means a three wheeled, motor assisted cycle or human powered cycle which tows a two wheeled trailer carriage.

Bylaw 3215

“Taxi” means a motor vehicle having a seating capacity of not less than 4 and not more than 8 passengers for the transportation or conveyance of persons, but does not include a Charter Limousine.

“Tour Bus” means a motor vehicle having a seating capacity of 7 or more passengers and operated as a sightseeing venture over a fixed or predetermined route of travel and charging a certain sum per person for each trip.

INTERPRETATION PROVISIONS

Bylaw 3215

2.1 In this Bylaw:

- (a) reference to a ‘Taxi’ or to ‘Taxis’ in any Section except Section 2, and subsection 20 (a.2) also includes reference to a ‘Dual Taxi’ or to ‘ Dual Taxis’ whichever the case may be.
- (b) reference to ‘Licence Inspector’ in any Section except Section 2 also includes reference to ‘Bylaw Officer’.

EXEMPTIONS

- 3. The following are exempt from the regulations of this Bylaw:
 - (a) The operation of any Vehicle for Hire which is part of a service established under the British Columbia Transit Act; and,

LICENSING REGULATIONS AND FEES

Bylaw 3193

- 4. No person shall own or operate any Vehicle for Hire unless that vehicle is a Charter Bus, Charter Limousine, Taxi, Tour Bus, Pedicab, or Peditrail.
- 5. No person shall carry on, engage in, own or operate any business, trade, occupation, undertaking or thing classified, described or named in Schedule “A” of this Bylaw unless the person holds a valid and subsisting operation licence under this Bylaw for that purpose.

Bylaw 3193

- 5.1 A person may operate a Pedicab, with a passenger in or on it, only if a valid and subsisting business licence has been issued under the provisions of this Bylaw and the Trade or Business Licence Bylaw No. 2426, as amended.

Bylaw 3193

6. Vehicle for hire operation licences will be issued in accordance with this Bylaw and the Passenger Transportation Act.

Bylaw 3193

7. An application for a Vehicle for Hire operation licence shall be in the form prescribed by the City and shall be submitted to the Licence Inspector together with the licence fee specified in Schedule “A” of this Bylaw and;
 - (a) Every applicant for a licence pursuant to this Bylaw shall furnish proof at the time of application that a permit or licence for the same has been or will be issued to the applicant by the Provincial Authority having jurisdiction, where a Provincial permit or license is required by law.
 - (b) Every applicant for a licence pursuant to this Bylaw shall furnish proof in his application that he has sufficient off-street parking facilities to accommodate all of his vehicles for hire while not in use.
 - (c) Every applicant for a licence pursuant to this Bylaw shall furnish in his application, the name of the owner of the vehicle(s) concerned as well as the Make, Model, Year, seating capacity, Serial Number, Licence Number, and Insurance Policy Number of all such vehicles for hire.

Bylaw 3166

- (d) every applicant for, or holder of, a licence pursuant to this bylaw shall at the time of application, or upon payment for renewal, furnish proof of valid insurance for the Vehicle for Hire that is to be operated by the licensee under the licence
8. All licences issued under this Bylaw, unless the same becomes sooner suspended or revoked, shall be valid for a calendar year.
9. Where an applicant commences the operation of any Vehicle for Hire within the City after July 31st in any calendar year, the licence fee shall be one half the applicable fee shown in Schedule “A” of this Bylaw.
10. Licence fees shall not be refunded.

USE OF VEHICLES

11. No Vehicle for Hire shall be operated as such except by the Owner or Licensee thereof, or by a driver employed by and directly responsible to such Owner or Licensee.
12. Any person who, for monetary consideration, employs his Vehicle for Hire for purposes other than for which he is licensed shall be subject to suspension of the licence by the Licence Inspector or revocation of the licence by Council.

OTHER BYLAWS

13. It is an express condition of the granting of any licence pursuant to this Bylaw that the licensee shall observe all Bylaws of the City, and noncompliance with any of the provisions of such Bylaws shall be deemed to be a breach of the conditions under which the licence was granted, and shall render such licence subject to suspension of the licence by the Licence Inspector or revocation of the licence by Council.

DISPLAY OF LICENCE

14. A licence issued in respect of a Vehicle for Hire shall be prominently displayed in the vehicle at all times in a position plainly visible to all passengers.

TRANSFER OF LICENCES

Bylaw 3193

15. (a) A Vehicle for Hire operation licence shall not be transferred or sold.

(b) A different vehicle may be substituted for the vehicle in respect of which the licence was issued, upon written notice to the Licence Inspector and receipt of his written approval, which shall be granted provided the substitute vehicle complies in all respects with this Bylaw.

CHAUFFEUR'S PERMITS

Bylaw 3193

16. Every driver shall hold a valid chauffeur's permit issued by the Chief of Police in accordance with Section 36 of the Motor Vehicle Act regardless of whether the Vehicle for Hire is a 'motor vehicle' or not, and shall carry it on their person at all times when operating a Vehicle for Hire.

PROHIBITED STANDING OF VEHICLES

17. No owner or driver of any Taxi shall occupy or use as a stand, parking space, or stopping place for soliciting or awaiting business any part of 2nd Avenue West, 3rd Avenue West and all streets connecting 2nd Avenue and 3rd Avenue West between McBride Street and 8th Street inclusive, between the hours of 8:00 a.m. and 12:00 midnight, provided that a Taxi may be stopped temporarily in a public parking place for the purposes of taking on or discharging passengers or goods or to use the Taxi stand designated upon the licence in respect of such vehicle.
18. No owner or driver of any Charter Limousine, Tour Bus or Charter Bus shall occupy or use as a stand, parking space, or stopping place for soliciting or awaiting business any street or other public property.

CRUISING PROHIBITED

Bylaw 3193

19. No driver of any Vehicle for Hire shall seek employment by driving his Vehicle for Hire to and fro upon any street, or by interfering with the proper and orderly access to or egress from, or by cruising or hovering in front of any theatre, hall, hotel, railway, airline, cruise ship, or ferry station, or other place of public gathering; provided, however, that the driver of a Taxi or Pedicab may accept passengers at any place of public gathering so long as his Taxi or Pedicab is lawfully parked in the vicinity of the place or building where such public gathering is taking place.

TAXI SERVICE

Bylaw 3215

- 19.1 (a) Every holder of a License to operate a Taxi shall provide a 24-hour service to all persons, and every holder of three or more Licenses shall include a Dual Taxi service to persons who have a disability or disabilities, and any person who may use a wheelchair, scooter, or other required or necessary Mobility Aid.
- (b) Every holder of a License to operate a Dual Taxi service shall, upon telephone or other notification, and after the person has identified themselves as one who requires the service because of a handicap or who uses a wheelchair, scooter or other Mobility Aid, give priority of access to a Dual Taxi to such customers, and must ensure that Dual Taxi's are available to primarily serve such customers' on demand transportation requirements at all times that a Vehicle For Hire service is provided to the public.
- (c) The holder of a License to provide a Vehicle For Hire service, and which includes a Dual Taxi service, shall insure that all requests for service, from a person or persons who have a disability or disabilities, and any person who may use a wheelchair, scooter, or other required or necessary Mobility Aid, are satisfied in a timely and efficient manner and that a sufficient number of vehicles are available at all times to provide such service. For the purpose of this bylaw, timely and efficient shall mean the average time of response to customers requesting a Taxi."

LIMIT ON NUMBER OF TAXIS

Bylaw 3166

20. (a) The total number of vehicles with respect to which persons may be licensed to operate as Taxis shall not exceed 40, except that any licences issued prior to adoption of this bylaw in excess of 40 may be renewed by the original holder of the licence until such time as the licence is surrendered to the City.

Bylaw 3166

- (a.1) Any licence in excess of the 40 permitted pursuant to clause (a) above that is surrendered to the City shall not be renewed by the City for any purpose, under any circumstance.

Bylaw 3166

- (a.2) Vehicles licensed to operate as Taxis must be actively used as a Taxi a minimum of 9 months per year unless otherwise approved in writing by the City due to extraordinary circumstances.

Bylaw 3166

- (a.3) The holder of any licence to operate a Taxi within the City of Prince Rupert shall immediately advise the City if the licensed vehicle is not being actively used as a Taxi for the required minimum 9 months per year, or if they do not intend to operate the vehicle as a Taxi.

- (b) Where there are more outstanding applications for Taxi operation licences than the maximum number of vehicles permitted to be licensed as Taxis under this Bylaw, priority shall be given to renewal of existing licences over issuance of new licences.

Bylaw 3215

DUAL TAXI

20.1 Every Dual Taxi:

- (a) shall have posted on each side of the vehicle the International Symbol of Accessibility for people with disabilities;
- (b) shall have displayed, in a position on each side at the rear windows and so as to be easily seen and identifiable by a person seated inside the vehicle in a wheelchair or scooter, the cab identification number.”

DUAL TAXI OWNER REQUIREMENTS

20.2 Every Licence holder of a Dual Taxi:

- (a) shall ensure that every Dual Taxi meets the standards prescribed for accessible Taxis in Division 44 of the *Motor Vehicle Act Regulations* and its amendments;
- (b) shall ensure that each driver of a Dual Taxi is suitably trained for, and is physically capable of assisting in, the correct and safe loading and unloading of people who have a disability or disabilities and who may use a wheelchair, scooter or other Mobility Aid;
- (c) shall ensure that each driver of a Dual Taxi records, on a daily record, every trip that involved the transporting of a person with a disability, stating in each case whether such person used a wheelchair, a scooter or other Mobility Aid;

- (d) shall at all times carry liability insurance in the amount of \$5,000,000 that insures all drivers of such Dual Taxis against all loss, damage, and claims arising out of, or in connection with, the loading, unloading or transporting of people with disabilities.
- (e) shall ensure that the vehicle used as a Dual Taxi is equipped with a properly maintained and working hydraulic lift or ramp, or other such approved equipment that is satisfactory to the Licence Inspector, to enable the provision of service to persons who have a disability or disabilities, and any person who may use a wheelchair, scooter, or other required or necessary Mobility Aid.
- (f) shall place or amend an advertisement in the Yellow Pages of the Telephone Directory providing information to residents of the City, and under the trade name under which the License holder operates, indicating that the vehicle is capable to serve handicapped and wheelchair passengers and others who may use a Mobility Aid and that requests for service from these classes of persons shall receive priority over all other service requests.”

TAXI STANDS

- 21. Every Taxi shall operate out of a licensed Taxi stand.
- 22. Council may, by resolution, designate portions of highway as a Taxi stand including a parking area sufficient to accommodate one Taxi only and there shall be no more than one such stand for each vehicle in respect of which a Taxi operation licence has been issued. It shall be the responsibility of the Taxi operator granted a stand to pay for signs or other work required to mark the stand and all work shall meet the requirements of the City Engineer.

DIRECT ROUTE

Bylaw 3193

- 23. Every driver of a Taxi or Pedicab shall proceed by the most direct travelled route to the point of destination, unless otherwise directed by the passenger.

REFUSAL OF SERVICE

Bylaw 3193

- 24. No owner or driver of a Taxi or Pedicab shall refuse or neglect to convey any orderly person or persons upon request in the City unless previously engaged, unable or prohibited by the provisions of this Bylaw or some other just cause. Notwithstanding the foregoing, the R.C.M.P. may require Taxis' or Pedicabs to refrain from taking on or discharging passengers at specific sites, in the public interest.

TAXI IDENTIFICATION

Bylaw 3187

- 24.1 No owner or driver of a Taxi shall drive or operate a Taxi unless it has an illuminated sign bearing the word “Taxi” or “Cab” and complying in all respects with the regulations made pursuant to the *Motor Vehicle Act* and which shall be placed on the front of the Taxi, either outside above the windshield, or inside behind the windshield in a position satisfactory to the Licence Inspector. Such sign shall be illuminated at all times when the Taxi is available for hire and shall be extinguished at all times when the Taxi is engaged or not available.

Bylaw 3187

- 24.2 No owner or driver shall drive or operate a Taxi unless there is painted on or otherwise permanently affixed to the vehicle:
- (a) a business name and the words “Taxi” or “Cab” in figures not less than five (5) cm high which shall be placed on either the rear doors or front doors on each side of the Taxi;
 - (b) a number, or fleet number, which uniquely identifies that Taxi in figures not less than eight (8) cm high which shall be placed on both sides of the Taxi’s front fender near the door, and on the right rear end of the Taxi’s trunk lid, or other position satisfactory to the Licence Inspector; and
 - (c) the same number which is referred to in subsection 24.2 (b) which shall be placed on the inside of the vehicle in a prominent location that is visible to passengers in the rear seat.

Bylaw 3187

- 24.3 All words and letters required by sections 24.1 and 24.2 shall be kept clear, clean and distinguishable at all times.

TAXIMETERS

25. It shall be unlawful for any person to drive or operate or engage in the business of operating a Taxi unless that Taxi is equipped with a taximeter which complies with this Bylaw.
26. A taximeter shall mechanically or electronically register the distance and time travelled and the corresponding rate or charge therefor while under hire, shall be kept in a condition ensuring accuracy and continuous registration during hire, and shall automatically operate when the Taxi is in motion and when the Taxi is standing under hire.
27. No person shall use or permit to be used in any Taxi a taximeter which registers a distance travelled greater than 2% in excess of the actual distance travelled or which registers a tariff greater than that permitted under this Bylaw.

Bylaw 3187

27.1 At the request of the Licence Inspector, and in any event once every 6 (six) months, every taximeter shall be tested to insure that it displays the correct tariff authorized by the Passenger Transportation Board or maximum thereof, is accurate subject to section 27 and is otherwise in good working order.

28. Every taximeter shall be:

Bylaw 3187

- (a) adequately illuminated at all times when in use between dusk and dawn;
- (b) installed at the right side of the driver's seat in such position that the fare to be paid by the passenger and the signal lever indicating whether or not the meter is registering may be easily read from the rear seat, provided that receipt-issuing taximeters may be located beneath the dashboard, and any Taxi so equipped shall have a sign indicating whether the vehicle is "for hire" or "engaged";
- (c) adjusted in accordance with the tariff rates specified in this Bylaw;

Bylaw 3187

- (d) used only when the seal placed on the taximeter is intact;
- (e) kept in good working condition at all times and not used when defective in any way.

Bylaw 3187

29. No driver shall, while carrying passengers or under engagement, display the sign referred to in Section 24.1 illuminated or otherwise denote that such Taxi is not engaged, nor shall he display the sign referred to in Section 24.1 extinguished or otherwise denote that the Taxi is engaged when the Taxi is not actually engaged unless it is otherwise unavailable for service.

Bylaw 3187

30. A driver shall start the taximeter in the recording position immediately on the commencement of a trip with a passenger, and at the termination of the trip shall place the taximeter in the "time off" position or non-recording position and shall call the attention of the passenger to the amount of the fare registered on the meter.

TARIFF RATES AND CHARGES FOR TAXI

Bylaw 3187

31. No owner or driver of a Taxi shall charge, demand, collect or receive any fare, charge or remuneration of any kind except as set out by the Passenger Transportation Board or maximum thereof, nor shall any owner or driver refund or remit in any way any portion of the fares so specified. No owner or driver of a Taxi shall publish or use or permit to be published or used any rates or fares other

than those authorized by the Passenger Transportation Board or maximum thereof, whether such rates or fares are determined by Taximeter or by time. No owner or driver of a Taxi shall, either directly or indirectly, carry or permit to be carried without charge any passenger, unless the passenger is an officer, agent or employee of the owner or unless the ride is for a charitable purpose.

Bylaw 3187

32. If authorized to do so by the Passenger Transportation Board, any driver operating a Taxi may operate on a time or mileage basis at the request of a passenger at and for rates and charges as authorized by the Passenger Transportation Board in respect to time rates or fares for such vehicle.

Bylaw 3187

33. The owner and driver of every Taxi shall display therein a tariff card of the rates and charges for such Taxi as authorized by the Passenger Transportation Board. Such tariff card shall be kept displayed so as to face the passenger and so it is clearly and easily able to be viewed by the passenger from the rear seated position. No person shall remove such tariff card or mutilate, deface or otherwise dispose of same.

Bylaw 3187

- 33.1 Where an owner or driver of a Taxi is required to collect a tax imposed by a government, such tax shall be included in the fare shown on the Taximeter and may be demanded, collected or received in addition to any fare or charge demanded, collected or received pursuant to Section 31. A sign clearly indicating that the fare shown includes such tax shall be posted inside the Taxi in proximity to the tariff card referred to in Section 33.

CHARTER LIMOUSINES

34. A Charter Limousine shall have no signs or other advertising on the vehicle.
35. A Charter Limousine shall not have any transceiver installed, nor use any portable transceiver to receive or acknowledge calls for customer service.
36. A Charter Limousine shall be for hire by advance reservation only.
37. (1) No person shall be licensed with respect to a Charter Limousine unless the year of the vehicle's manufacture is within 5 years of the date of application for the licence or any renewal thereof.
- (2) Notwithstanding subsection (1), the Licence Inspector shall licence a person with respect to a Charter Limousine manufactured more than 5 years but less than 10 years from the application or renewal date if the exterior appearance of the vehicle and the condition of its interior finishings are of a high standard.

MINIMUM CHARGE FOR LIMOUSINES

38. No owner or driver of a Charter Limousine shall charge, demand, collect or receive any fare or charge less than \$45.00 or \$2.00 per mile whichever is greater, nor shall any owner or driver refund or remit in any way any portion of the charge so specified. No owner, either directly or indirectly, shall carry or permit to be carried free any passenger, except his officers, agents or employees or for a charitable purpose.

TOUR BUSES

39. Tour buses shall operate as sightseeing ventures only and while under hire shall travel only over fixed or predetermined routes and, shall take on and discharge passengers only at stops, approved by Council.

CHARTER BUSES

40. Charter buses shall be for hire by advance reservation only and shall take on and discharge passengers only at prearranged locations specified at the time of advance reservation.
41. Every driver of a Charter Bus shall keep a record book in which shall be recorded each hiring of such vehicle. The record must contain the date, time, origin and destination of each trip, the name of the group chartering the bus, and the name and address of the driver. The record book shall be open at all reasonable times to inspection by the Inspector.

Bylaw 3193

PEDICABS

Number of Licences

42. The total number of vehicles with respect to which persons may be licensed to operate as Pedicabs shall not exceed sixteen (16).
43. Not more than eight (8) licences for Pedicabs may be issued to a person.
44. Licences to operate a Pedicab shall be issued in the name of individuals only as the Licensee and not in the name of corporate entities such as corporations, partnerships, firms, associations, societies or parties.
45. An owner of a Pedicab must have each licensed Pedicab fully operational within 60 days after the date of issuance of the licence for the Pedicab.
46. Vehicles licensed to operate as Pedicabs must be actively used as a Pedicab unless otherwise approved in writing by the City due to extraordinary circumstances, and any Pedicab licence holder who, without City approval, does not actively use his

vehicle as a Pedicab for hire must surrender the licence to the City and if not surrendered the City may cancel the licence to operate the Pedicab.

Driver's Licence and identification

47. A person may drive a Pedicab with a passenger in or on it only if that driver holds a valid Class 5 or 6 British Columbia Driver's Licence or an equivalent driver's licence issued by another province or state and is carrying it at all times when he is operating a Pedicab.

Construction of Pedicab

48. Every Pedicab licence holder shall equip each Pedicab with the following equipment which he shall, at all times, maintain in good working order:
- (a) heavy duty front and rear brakes (acceptable to the Licence Inspector) heavy duty steel rims, and extra-strength spokes on all wheels;
 - (b) a front head light and rear tail lights;
 - (c) rear flashing light (for night time operations);
 - (d) turn signal lights and four-way flashers;
 - (e) reflectors on wheels and on each side of the carriage;
 - (f) standard bell or horn;
 - (g) rear mud flaps or similar protection;
 - (h) first aid kit;
 - (i) repair kit;
 - (j) rear bumper protection; and
 - (k) two metre high flag pole with a safety flag at the top.

Tariff Rates

49. The owner and driver of every Pedicab shall display therein a tariff card of the rates and charges for such Pedicab. Such tariff card shall be kept displayed so as to face the passenger and so it is clearly and easily able to be viewed by the passenger. No person shall remove such tariff card or mutilate, deface or otherwise dispose of same.

Insurance

50. Every Pedicab licence holder shall obtain and maintain a comprehensive public liability and property damage insurance policy in the amount of at least \$1,000,000.00, with an insurer authorized to carry on business in the Province. The Pedicab licence holder shall deliver a copy of the certificate of insurance for the preceding policy to the Licence Inspector prior to a business licence being issued and upon any application for business licence renewal, and shall deliver a new certificate whenever the policy is changed or renewed.
51. A person must not operate a Pedicab with a passenger in or on it unless the insurance required by this section is in effect and covers every passenger in the Pedicab.
52. The Licence Inspector at any time may require proof of insurance and, in default of satisfactory proof by the Pedicab licence holder, may refuse to renew a business licence or may revoke or suspend an existing business licence.

Area of Operation

53. The Director of Engineering Services may from time to time designate streets that are not for use by Pedicabs.

Operation of Pedicabs

Bylaw 3195

54. A driver of a Pedicab must comply with the parking and stopping provisions of the City of Prince Rupert Traffic Bylaw No. 2470 as amended, and the Motor Vehicle Act (B.C.), and with all applicable provisions of the *Motor Vehicle Act* (B.C.).

Hours of Operation

55. No driver shall operate a Pedicab between the hours of one half hour after sunset and one half hour before sunrise.

Stopping and Parking of Pedicabs

56. No driver of a Pedicab shall:
 - (a) stop to on or off load passengers in any location which would disrupt the flow of traffic;
 - (b) park in any restricted zones identified for other vehicles; or
 - (c) park at a pay parking space without first paying the applicable parking charge fee.

Number of Passengers

57. A driver of a Pedicab that is not a Peditrail must not carry more than 3 passengers in the Pedicab simultaneously.
58. A driver of a Pedicab that is a Peditrail must not carry more than:
- (a) 2 passengers in the trailer carriage;
 - (b) a total of 5 passengers.

Building for Business

59. An applicant for a business licence for the operation of a Pedicab must provide a building or part of a building for the maintenance, storage and administration related to the business.”

DRIVER DEPARTMENT

60. Every driver of any Vehicle for Hire shall:
- (a) be neatly and properly dressed, neat and clean in his person, and be civil and well behaved;
 - (b) not use obscene, impudent or abusive language, nor molest, annoy or insult any passenger, pedestrian or other person whatsoever.
 - (c) refrain from smoking at the request of any passenger.

VEHICLE MAINTENANCE

61. The interior and exterior of every Vehicle for Hire shall be kept clean and in good repair, and whenever the owner of any Vehicle for Hire receives notice, either given to him personally or to his driver, signed by the Licence Inspector, that such vehicle is not in a fit or proper condition for use, stating briefly the condition complained of, such owner shall forthwith cease to use such vehicle or, within the time mentioned in such notice, shall remedy the condition complained of.

PROPERTY LEFT IN VEHICLE

62. Every owner and driver of any Vehicle for Hire shall take due care of all property delivered or entrusted to him for conveyance and immediately upon termination of any hiring or engagement, shall carefully search his vehicle for any property lost or left therein; and all property and money left in his vehicle shall be

forthwith delivered over to the person owning the same, or if the owner cannot at once be found, the same shall be delivered to the Police Headquarters, with all information which might assist in establishing ownership of such property.

ACCESS

63. Every person to whom a licence has been granted shall, at all reasonable times, permit the Licence Inspector, or any other official of the City to inspect any place, premises or thing in respect of which such licence has been granted.

VIOLATION OF BYLAW

64. Noncompliance with any of the provisions of this or any other Bylaw applicable to a licence, making any false statement in any application for a licence under this Bylaw, or failure to maintain the standard of qualifications for the issue of a licence as herein provided shall be deemed to be an infraction of this Bylaw and shall render a licence holder liable to the penalties hereby imposed, or to suspension or revocation of the licence.
65. Every person who interferes with or obstructs the Licence Inspector acting in the conduct of administration or enforcement of this Bylaw, commits an offence against this Bylaw.

OFFENCE AND PENALTY

Bylaw 3187

66. (a) Every person who offends against any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do, or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act or thing which violates any of the provisions of this Bylaw, or who fails to comply with any order, direction or notice given under this Bylaw commits an offence and, shall be liable on summary conviction to a fine of not more than Ten Thousand Dollars (\$10,000.00) and not less than Fifty (\$50.00) for each offence and the cost of prosecution, and in default of payment thereof, or in the alternative, to imprisonment for a period determined by a Justice of the Court of British Columbia.
- (b) Where an offence under this Bylaw is of a continuing nature, each day that the offence continues or is permitted to exist shall constitute a separate offence.
- (c) Nothing in this section affects any other right or remedy of the City of Prince Rupert in respect of any violation of any provision of this Bylaw.

ENFORCEMENT

Bylaw 3187

67. This Bylaw may be enforced by means of a ticket in the form prescribed for the purpose pursuant to section 264 of the *Community Charter*.

Bylaw 3187

68. This Bylaw may be enforced by the Licence Inspector, Bylaw Officers, members of the Royal Canadian Mounted Police, or duly authorized Peace Officers.

SEVERABILITY

69. If any section, subsection, sentence, clause, or phase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

REPEAL

70. "Taxi Regulation By-law No. 1906, 1972", and amendments, is repealed.

71. This Bylaw may be cited for all purposes as "**Vehicle for Hire Regulation Bylaw No. 2642, 1988**".

READ THE FIRST TIME THIS 28TH DAY OF NOVEMBER, 1988.

READ THE SECOND TIME THIS 28TH DAY OF NOVEMBER, 1988.

READ THE THIRD TIME THIS 28TH DAY OF NOVEMBER, 1988.

RECONSIDERED FINALLY PASSED AND ADOPTED THIS 5TH DAY OF DECEMBER 1988.

MAYOR

CITY CLERK

This Bylaw has been consolidated for convenience and includes amendments from:

Bylaw No. 2670 - Adopted April 10, 1989

Bylaw No. 2826 - Adopted September 28, 1992

Bylaw No. 3012 – Adopted August 25, 1996

Bylaw No. 3102 – Adopted June 12, 2000

Bylaw No. 3166 – Adopted November 24, 2003

Bylaw No. 3172 – Adopted March 31, 2004

Bylaw No. 3187 – Adopted December 13, 2004

Bylaw No. 3193 – Adopted March 14, 2005

Bylaw No. 3195 – Adopted April 25, 2005

Bylaw No. 3215 – Adopted August 28, 2006

TAXI REGULATION BYLAW NO. 2642, 1988

Bylaw 3172, Bylaw 3193, Bylaw 3215

SCHEDULE "A"

VEHICLE FOR HIRE FEES

A classification of vehicles for hire and respective fees payable.

The following Licence fees are payable by every person owning or operating any of the following vehicles for hire in the City of Prince Rupert.

Charter bus, for each vehicle	\$85.00
Charter limousine, for each vehicle	\$85.00
Dual Taxi, for each vehicle	\$85.00
Pedicab, for each vehicle	\$85.00
Peditrail, for each vehicle	\$85.00
Taxi, for each vehicle	\$85.00
Tour bus, for each vehicle	\$85.00

Bylaw 3193

Schedule "B – deleted"