



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 134 - 2018

**To amend the Mobile Licensing By-law 67-2014, as amended, being a By-law respecting the licensing of mobile businesses operating within the City of Brampton specifically to add provisions for Personal Transportation Companies (PTC's) (Schedule 6)**

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**WHEREAS** the *Municipal Act, 2001*, as amended, provides that a municipality may pass by-laws for licensing, regulating and governing any business wholly or partly carried on within a municipality;

**AND WHEREAS** the Council of the Corporation of the City of Brampton enacted By-law 67-2014 in accordance with the *Municipal Act, 2001*, which established and created a system of licensing for mobile businesses;

**AND WHEREAS** pursuant to Committee of Council Recommendation CW242-2018, approved by Council Resolution C178-2018, the Council of the Corporation of the City of Brampton deems it appropriate to create a new category of mobile licence for Personal Transportation Companies and to amend By-Law 67-2014, as amended;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. Mobile Licensing By-law 67-2014, as amended is further amended by deleting the definition of "Chief of Police" in section 4 of the By-law.
2. Mobile Licensing By-law 67-2014, as amended is further amended by deleting the definition of "Police" in section 4 of the By-law and replacing it with the following:


"Police" means a police officer employed by Peel Regional Police or the Ontario Provincial Police.
3. Mobile Licensing By-Law 67-2014, as amended, is amended by deleting the word "or" at the end of subsection 5. (1) (l) under Part III – Licensing Required;
4. Mobile Licensing By-Law 67-2014, as amended, is amended by deleting the period at the end of subsection 5. (1) (m) under Part III – LICENSING REQUIRED and adding a semi-colon and the word "or" at the end of the subsection 5.(1)(m)


5. Mobile Licensing By-Law 67-2014, as amended, is amended by adding subsection 5. (1) (n) as follows:
  - (n) runs, operates or carries on the business of a Private Transportation Company (Personal Transportation Company – Sch.6).
6. Mobile Licensing By-Law 67-2014, as amended, is amended by deleting the reference to (m) in subsection 5. (2) and replacing it with (n);
7. Mobile Licensing By-Law 67-2014, as amended, is amended by deleting the reference to (m) in subsection 5. (3) and replacing it with (n);
8. Mobile Licensing By-Law 67-2014, as amended, is amended by deleting the reference to (m) in subsection 5. (4) and replacing it with (n);
9. Mobile Licensing By-Law 67-2014, as amended is amended by deleting subsection 55. (1) under Part XXI- CONTRAVENTION AND PENALTIES of the By-law and replacing it with the following:
  - 55.(1) Every Person who contravenes any provision of this By-Law, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, and the *Municipal Act, 2001*, as both may be amended from time to time.
5. Mobile Licensing By-Law 67-2014, as amended, is further amended by adding Schedule 6- Personal Transportation Company attached to this By-Law as Appendix 1.
6. Mobile Licensing By-Law 67-2014, as amended, is further amended by deleting Appendix A, Licence Fees, and replacing it with Appendix A, Licence Fees attached to this By-Law as Appendix 2.
8. Mobile Licensing By-Law 67-2014, as amended, is further amended by deleting Appendix B, Mobile Licensing By-Law Licence Expiry Dates, and replacing it with Appendix B, Mobile Licensing By-Law License Expiry Dates attached to this By-Law as Appendix 3.
10. Mobile Licensing By-Law 67-2014, as amended, is further amended by deleting Appendix C, Certificate of Insurance, and replacing it with Appendix C, Certificate of Insurance attached to this By-Law as Appendix 4.
12. Mobile Licensing By-Law 67-2014, as amended, is further amended by deleting Appendix E Threshold Policy and replacing it with Appendix E, Threshold Policy attached to this By-Law as Appendix 5.

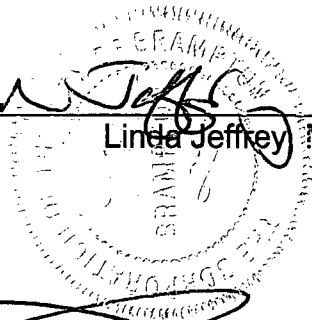
ENACTED and PASSED this 27<sup>th</sup> day of June, 2018.

Approved as to  
form.  
2018/06/15  
[Diana M. Soos]

Approved as to  
content.  
2018/June/13  
Paul Morrison

  
\_\_\_\_\_  
Linda Jeffrey Mayor

  
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Peter Fay, City Clerk



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## **SCHEDULE 6 – Mobile Licensing By-law**

### **Relating to Persons who carry on the Business of Owning and Operating a Personal Transportation Company**

#### **PART I - DEFINITIONS**

1. In addition to the terms defined in Part II of this By-Law, for the purpose of this Schedule:

“Facilitate” includes, but is not limited to, advertising, offering, operating, receiving, relaying, authorizing, enabling, communicating or providing;

“Personal Transportation Company” means a Person that, in any manner, Facilitates Transportation Services using a Platform to connect a Passenger with a PTC Driver or a PTC Vehicle, and may also be referred to as a “PTC”;

“Personal Transportation Company Driver” means a Person registered or affiliated with a PTC that transports a Passenger using a PTC Platform and may also be referred to as a “PTC Driver”;

“Personal Transportation Company Identifier” means a sign, including a decal, displaying the logo or name of the PTC, in a form approved by the Licence Issuer and may also be referred to as a “PTC Identifier”;

“Personal Transportation Company Licence” means a Licence issued under this Schedule to a PTC and may also be referred to as a “PTC Licence”;

“Personal Transportation Company Vehicle” means a Motor Vehicle used by a PTC Driver to provide Transportation Services to a Passenger using the PTC Platform and may also be referred to as a “PTC Vehicle”;

“Platform” means any software, technology, or service, including a smartphone application

“Solicit” means to appeal for a Passenger by sound, words, signs, or gestures directed at any Person, but does not include communication over a PTC Platform;

“Street Hail” means to appeal for a ride by any Person using sounds, words, signs, or gestures directed at a PTC Driver, but does not include communication over a PTC Platform;

“Transportation Service” means a trip arranged through a Platform commencing when a Passenger enters the PTC Vehicle, continuing for the period that the PTC Vehicle is continuously occupied, and ending when all Passengers or goods exit the PTC Vehicle.

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## **PART II – APPLICATION OF SCHEDULE**

2. This Schedule does not apply to:
- (1) taxicab services dispatched by a licensed taxicab broker and taxicab services provided by a licensed taxicab plate holder or a licensed taxicab driver under the authority of Schedule 4: Taxicabs of By-law 67-2014, as amended;
  - (2) limousine services provided by a limousine service provider under the authority of Schedule 2: Limousines of By-law 67-2014, as amended;
  - (3) a Motor Vehicle used as part of a transit system offered by the City of Brampton or the Region of Peel such as the public transit services known as Züm/Brampton Transit and TransHelp;
  - (4) a Person who Facilitates “carpooling” as defined by the *Public Vehicles Act*; or
  - (5) an emergency Motor Vehicle including but not limited to ambulance, fire department, or police vehicle.

## **PART III- GENERAL PROHIBITIONS AND OBLIGATIONS**

In addition to any other provisions of this By-Law, for purposes of this Schedule:

- 3. No Person shall Facilitate Transportation Services unless authorized to do so by a Licence issued pursuant to this By-law.
- 4. No Person shall permit, accept, or condone Street Hails for a ride with a PTC Driver or in a PTC Vehicle, whether on the street or at a Taxi Stand or in any other manner at any other location.
- 5. No Person shall Solicit or condone the Solicitation of a Passenger by a PTC Driver or PTC Vehicle, whether on the street or at a Taxi Stand or in any other manner at any other location.
- 6. No Person shall Facilitate a Transportation Service that does not comply with this Schedule.
- 7. No Person shall obstruct the Licence Issuer’s use of the Platform to ensure compliance with this By-law, including, but not limited to the creation and use of accounts as either a Passenger or PTC Driver.
- 8. No Person shall permit a PTC Driver or a PTC Vehicle to provide Transportation Services if the PTC Driver does not have the insurance required under this Schedule.

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9. No Person shall permit payment by cash for a Transportation Service.
  10. No Person shall permit any Passenger to smoke in the PTC Vehicle while it is providing Transportation Services.
  11. No PTC Driver or PTC Vehicle shall provide Transportation Services unless they hold a valid Identification Card issued by a PTC required under section 33 of this Schedule.
  12. Every PTC and PTC Driver shall ensure that a valid Identification Card required under section 33 of this Schedule is:
    - (1) in the PTC Vehicle at all times when Transportation Services affiliated with the PTC are offered or provided; and
    - (2) is produced immediately upon demand of an Inspector.
  13. Every PTC Driver shall produce on demand of the Licence Issuer or an Inspector, the following documents:
    - (1) the PTC Driver's Identification Card, required under section 33 of this Schedule;
    - (2) proof of valid insurance that meets the requirements of this Schedule; and
    - (3) any other information pertaining to the PTC Driver or the operation of the PTC Vehicle as requested by the Inspector.
  14. Every PTC shall where Transportation Service requested is a type which would require an accessible Motor Vehicle and the PTC is not able to provide such Transportation Service, direct the Person requesting such Transportation Service to a Person who can provide such Transportation Service.

#### **PART IV-REQUIREMENTS OF PTC LICENCE APPLICATION**

15. In addition to the general licensing provisions of this By-law, an Application for a new PTC Licence or a renewal of a PTC Licence shall be accompanied by:
  - (1) if the Applicant is a corporation, proof that it is legally entitled to operate in Ontario, including but not limited to:
    - (a) a copy of the incorporating documents;
    - (b) a copy of the last initial notice/notice of change which has been filed with the appropriate government department;
    - (c) a Certificate of Status issued by the Ministry of Government and Consumer Services; or
    - (d) a certified copy of an annual return and a list of all shareholders of the corporation.

- (2) the address and contact information of the PTC's registered business address in the Province of Ontario, which is not a post office box, to which the City may send during business hours any notice or documentation or communication that may be required under this By-law and at which the Applicant or the Applicant's agent will accept receipt of such notice, documentation or communication together with the name, telephone, and email contact information for the person authorized to receive and respond on behalf of the PTC to any and all communications from the City relating to the PTC's licence or the PTC's conduct of the business;
- (3) a PTC Identifier for approval by the Licence Issuer;
- (4) adequate demonstration that there are data security measures in place to protect the personal data collected by the PTC relating to Passengers and Drivers, to the satisfaction of the Licence Issuer;
- (5) documentation demonstrating that the Platform used:
  - (a) at the time the Transportation Service is arranged, provides to the Passenger requesting the Transportation Service:
    - (i) the PTC name and contact information;
    - (ii) the first name and photograph of the PTC Driver;
    - (iii) a description of the make, model and licence plate of the PTC Vehicle;
    - (iv) the surcharge, if any;
    - (v) an estimate of the total cost; and
    - (vi) the current location of the PTC Vehicle;
  - (b) provides a link to rate or provide comment on the PTC Driver and PTC Vehicle.
  - (c) provides a process allowing the Passenger to accept or refuse the Transportation Service prior to it commencing and keeps a record of such acceptance or refusal;
  - (d) provides a secure payment mechanism;
  - (e) provides a printed or electronic receipt to the Passenger at the end of the Transportation Service that includes the following information confirming:
    - (i) the fare rate and/or surcharges;
    - (ii) total amount paid;
    - (iii) date and time of pickup;
    - (iv) locations where the Passenger was picked up and dropped off; and
    - (v) the first name of the PTC Driver;

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- (f) incorporates a global positioning system (GPS) in which all Transportation Services are recorded; and
  - (g) is accessible for persons with disabilities;
- (6) a list of every affiliated PTC Driver and PTC Vehicle in a readily accessible format that includes:
- (i) the full name and address of every PTC Driver; and
  - (ii) the make, model and licence plate of every PTC Vehicle;
- (7) proof of the insurance required under this Schedule to the satisfaction of the Licence Issuer.
- (8) payment of the appropriate Licence Fee as set out in Appendix A of the By-Law; and
- (9) any other information required by the Licence Issuer.
16. Every PTC shall make available to the public on its Platform, and by any other means of its choice, the following information:
- (1) the insurance coverage required to be maintained by the PTC and by the PTC Drivers;
  - (2) the Transportation Services offered by PTC Drivers;
  - (3) the applicable screening process for PTC Drivers and PTC Vehicles;
  - (4) that PTC Drivers can only provide Transportation Services that are prearranged using the platform of the PTC and not accept Street Hails or pick up fares at taxi stands; and
  - (5) that PTC Drivers cannot accept cash payment for Transportation Services.

#### **PART V- INSURANCE**

For purposes of this Schedule, the following insurance requirements shall apply:

- 17.(1) Every PTC shall provide proof of commercial general liability insurance against all claims for personal injury including bodily injury resulting in death, and property damage with an inclusive limit of not less than five million (\$5,000,000.00) per occurrence insuring him or her against liability imposed by law for any loss or damage resulting from the carrying on of the business to which the Licence relates.
- (2) The commercial general Liability policy in subsection 17(1) shall be in the name of the PTC and the City of Brampton shall be included as an additional insured.
- (3) Every PTC shall obtain and maintain on behalf of every PTC Driver, at all times during the provision of Transportation Services, Automobile Liability Insurance for owned, non-owned, or leased PTC Vehicles, with limits of not less than Two Million



Dollars (\$2,000,000.00) exclusive of costs and interest, per occurrence for bodily injury, death, and loss or damage to property occurring while in the post-acceptance period. The Automobile Liability Insurance shall include the IPCF 6TN *Permission to Carry Paying Passengers for a Transportation Network* endorsement or an equivalent endorsement acceptable to the Licence Issuer.

- (4) The insurance coverage required under subsection 17(1) and (3) shall include a provision that requires the Insurer to provide the City of Brampton with no less than 10 days prior written notice of any cancellation or variation to the policy.
18. The certificate of insurance issued in respect of the policy in Section 17(1) shall be provided to the Licence Issuer prior to the issuance of the Licence in the form of proof set out in Appendix C of the By-law.
19. Every PTC shall keep such records of the PTC Driver's insurance coverage for a period of 3 years after the PTC Driver ceases to be affiliated with the PTC.
20. Every PTC shall produce proof of any PTC Driver's insurance coverage to the Licence Issuer upon demand.
21. The Licence Issuer may suspend the PTC licence if the PTC fails to comply with this Part until such time as the PTC provides proof of insurance coverage to the satisfaction of the Licence Issuer.
22. The PTC shall provide the Licence Issuer with such information as the Licence Issuer shall require, from time to time upon demand, to demonstrate that this Part is being complied with.

## **PART VI – PTC REQUIREMENTS**

23. Every PTC shall ensure that the Licence Issuer's use of the Platform as either a Passenger or PTC Driver will not be obstructed.
24. Every PTC shall keep an up-to-date list of every registered or affiliated PTC Driver and PTC Vehicle in a readily accessible format that includes, but is not limited to:
  - (1) the full name and address of every PTC Driver; and
  - (2) the make, model and licence plate of every PTC Vehicle.
25. Every PTC shall ensure that, prior to commencing as a PTC Driver and at all times when providing Transportation Services, a registered or affiliated PTC Driver:
  - (1) is at least 18 years of age;
  - (2) has a valid G licence or higher;
  - (3) is able to communicate in English; and

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- (4) has been advised and consents in writing to the personal information being submitted to the Licence Issuer for the purpose of auditing compliance with this Schedule.
26. (1) Every PTC shall require a Criminal Record search and driving record abstract to be submitted by the PTC Driver prior to providing Transportation Services and annually thereafter, for as long as the PTC Driver is registered or affiliated with the PTC.
- (2) Every PTC shall obtain a Criminal Record search and a driving record abstract for each PTC Driver as follows:
- (a) the driving record abstract should be no older than 30 days from the date the PTC Driver applied for affiliation with the PTC.
  - (b) the Criminal Record search must be conducted by a Police Service within the Province of Ontario and should be no older than 30 days from the date the driver applied for affiliation with the PTC.
- (3) Every PTC shall ensure that no PTC Driver exceeds the thresholds found in Appendix E- Threshold Policy of this By-law.
27. No PTC shall impose any mandatory arbitration clause on PTC Drivers or Passengers whose Transportation Services are Facilitated by the PTC.
28. No PTC shall require that the law of any jurisdiction other than Ontario be applied in relation to the use of the relevant PTC Platform in the City by PTC Drivers or Passengers.
29. No PTC shall permit a PTC Driver's access to the Platform immediately upon being notified by the Licence Issuer that a PTC Driver has acted in a manner that is adverse to the public interest, public safety or upon discovering that a PTC Driver is not insured under subsection 17(3) for so long as required by the Licence Issuer.
30. Every PTC shall provide the Licence Issuer with such information as he or she shall require to demonstrate that section 29 is being complied with.
31. Every PTC shall ensure that a PTC driver complies with Part XXIII, Discrimination subsections 57.(1) and (2) of the By-law.
32. Every PTC shall ensure that a PTC Vehicle meets the following requirements at all times when providing a Transportation Service:
- (1) the PTC Vehicle has a valid Motor Vehicle registration and ownership, prior to commencement of use as a PTC Vehicle, and then annually thereafter;

- (2) the PTC Vehicle has a valid and current Ontario Ministry of Transportation Safety Standards Certificate, prior to commencement of use as a PTC Vehicle, and then annually thereafter;
  - (3) if the vehicle accumulates more than 50,000 km in any calendar year, an additional Ontario Ministry of Transportation Safety Standards Certificate must be obtained;
  - (4) the PTC Vehicle is no more than 7 years old, excluding the manufactured year;
  - (5) the PTC Vehicle has four (4) doors and a maximum seating capacity of seven (7) Passengers excluding the PTC Driver;
  - (6) the PTC Vehicle is clean and in good repair as to its exterior and interior; and
  - (7) the PTC Vehicle is equipped with:
    - (a) fully functioning air-conditioning and heating system; and
    - (b) fully functioning seatbelts that are plainly visible and accessible to Passengers.
  - (8) the PTC Identifier displayed in the location approved by the Licence Issuer.
33. Every PTC shall issue to every affiliated PTC Driver an Identification Card in written or accessible electronic form providing the following information:
- (1) the first and last name and photograph of the PTC Driver;
  - (2) the make, model and licence plate number of the PTC Vehicle(s) used by the PTC Driver
  - (3) the name and contact information of the PTC; and
  - (4) the Insurance policy coverage for the PTC Vehicle.
34. Every PTC shall keep copies of the documents and information required under this Part for 3 years.
35. Every PTC shall make available to the Licence Issuer the records or information required in this Part within forty-eight (48) hours following a written demand by the Licence Issuer.
36. The Licence Issuer may refuse to grant or renew and may revoke or suspend a PTC Licence if the PTC fails to comply with any requirement of this Schedule or any provision of this By-Law.

## APPENDIX 2

**Appendix A - Mobile Licensing By-law  
Licence Fees**

<b>MOBILE LICENCE FEES</b>	<b>YEARLY FEE</b>	<b>TWO YEAR FEE</b>
<b>Schedule 1 - Driving Schools:</b>		
Driving School Operator	\$152	
Driving School Instructor	\$94	\$188
Driving School Motor Vehicle Owner	\$167	
<b>Schedule 2 - Limousines:</b>		
Limousine Owner	\$263	
Limousine Driver	\$94	\$188
<b>Schedule 3 - Refreshment Vehicles:</b>		
Refreshment Vehicle Class A (Coffee Truck)	\$286	
Refreshment Vehicle Class B (Ice Cream Bike)	\$231	
Refreshment Vehicle Class C ( Hot Dog Cart/ Chip Truck)	\$231	
Refreshment Vehicle Class D (Ice Cream Truck)	\$286	
Refreshment Vehicle Driver Class A	\$94	\$188
Refreshment Vehicle Driver Class B	\$94	\$188
Refreshment Vehicle Driver Class C	\$94	\$188
Refreshment Vehicle Driver Class D	\$94	\$188
Special Event-Refreshment Vehicle (All Classes)	\$109 Per Event	
<b>Schedule 4 - Taxicabs:</b>		
Broker- New	\$606	
Broker- Renewal	\$475	
Taxicab/Accessible Taxicab Owner - New	\$3,769	
Taxicab/Accessible Taxicab Owner - Renewal	\$430	
Taxicab/Accessible Taxicab Owner - Transfer	\$358	
Taxicab/ Accessible Taxicab Owner -Transfer from an Owner to their Spouse	\$358	
Taxicab/ Accessible Taxicab Owner -Transfer from the registered Owner to a sibling child of the Owner	\$358	
Taxicab/ Accessible Taxicab Owner -Transfer to a corporation controlled by that Owner	\$358	
Taxicab Driver	\$94	\$188
<b>Schedule 5 - Tow Truck:</b>		
Tow Truck Owner	\$348	
Tow Truck Driver	\$94	\$188
<b>Schedule 6 – Private Transportation Company:</b>		
Private Transportation Company – New and Yearly Renewal	\$20,000	
Private Transportation Company – Monthly paid on the 15 <sup>th</sup> of every month for every Transportation Service that took place the previous month.	\$0.30/Transportation Service originating in the City of Brampton.	
<b>All Schedules-ADDITIONAL FEES</b>	<b>Each Item</b>	
Replacement of Driver or Owner Licence	\$33	
Closed Application Fee	\$54	
Late Renewal	\$54	
Replacement of Plate	\$63	
Vehicle Inspection Fee (Not applied to Taxicab/Accessible Taxicabs)	\$123	
<b>Schedule 4 - Taxicabs - ADDITIONAL FEES:</b>	<b>Each Item</b>	
Extension of Vehicle Model Year	\$123	

APPENDIX 2

Filing of Lease	\$63
Replacement of Driver's Photo I.D. Card	\$33
Replacement of Tariff card	\$33
Taxicab Priority List - Initial Application	\$123
Taxicab Priority List -Renewal	\$63

These rates shall automatically increase and be rounded up to the nearest dollar on the first day of January in each year by the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area, published by Statistics Canada, during the 12-month period ending on September 30 in the year immediately preceding the rate increase date.

## APPENDIX 3

**Appendix B - Mobile Licensing By-law  
Licence Expiry Date**

<b>MOBILE LICENSING EXPIRY DATES</b>	<b>EXPIRY DATE</b>
<b>Schedule 1- Driving Schools:</b>	
Driving School Operator	February 28
Driving School Instructor	Date of Birth
Driving School Motor Vehicle Owner	April 30
<b>Schedule 2 - Limousines:</b>	
Limousine Owner	September 30
Limousine Driver	Date of Birth
<b>Schedule 3 - Refreshment Vehicles:</b>	
Refreshment Vehicle Class A (Coffee Truck)	March 31
Refreshment Vehicle Class B (Ice Cream Bike)	April 30
Refreshment Vehicle Class C ( Hot Dog Cart/ Chip Truck)	March 31
Refreshment Vehicle Class D (Ice Cream Truck)	March 31
Refreshment Vehicle Driver Class A	Date of Birth
Refreshment Vehicle Driver Class B	April 30
Refreshment Vehicle Driver Class C	March 31
Refreshment Vehicle Driver Class D	March 31
Special Event	Last day of Special Event.
<b>Schedule 4 - Taxicabs:</b>	
Broker	February 28
Taxicab/Accessible Taxicab Owner	May 31
Taxicab Driver	Date of Birth
Taxicab Priority List	Date of Birth
<b>Schedule 5 - Tow Truck:</b>	
Tow Truck Owner	June 30
Tow Truck Driver	Date of Birth
<b>Schedule 6- Private Transportation Companies:</b>	
Private Transportation Company	1 year from the Issuance of the Licence

**\*\*PROOF OF LIABILITY INSURANCE WILL BE ACCEPTED ON THIS FORM ONLY\*\***

<b>LICENCE TYPE</b>	<b>Taxi Cab Brokerage Taxi Cab Operator</b>	<b>Limousine Personal Transportation Company</b>	<b>PLATE NO. :</b>
<b>Vehicle(s) Make</b>	<b>Year</b>	<b>Model</b>	<b>Serial Number</b>
			<b>Owner</b>

This is to certify that the policies of insurance as described below have been issued by the undersigned to the insured named below and are in force at this time.

<b>NAME OF INSURED(LESSOR, if applicable)</b>		<b>TELEPHONE</b>		<b>AREA CODE</b>	
		<b>NUMBER</b>		<b>&gt; ( ) -</b>	
<b>ADDRESS</b>		<b>CITY</b>		<b>POSTAL CODE</b>	
<b>NAME OF INSURED(LESSEE, if applicable)</b>		<b>TELEPHONE</b>		<b>AREA CODE</b>	
		<b>NUMBER</b>		<b>&gt; ( ) -</b>	
<b>ADDRESS</b>		<b>CITY</b>		<b>POSTAL CODE</b>	
<b>TYPE OF INSURANCE</b>	<b>INSURER'S NAME</b>	<b>POLICY NUMBER</b>	<b>EFFECTIVE (YR/MO/DAY)</b>	<b>EXPIRY DATE (YR/MO/DAY)</b>	<b>LIMITS OF LIABILITY</b>
<b>COMMERCIAL GENERAL LIABILITY</b>					
<b>AUTO LIABILITY</b>					
<b>UMBRELLA</b>					

This will confirm the above vehicle insurance, with an OPCF 6A Endorsement (*Taxi & Limousine Licence ONLY*) or an IPCF 6TN Endorsement (*Personal Transportation Company ONLY*) is in full force and effect as of this date and issued in compliance with The Corporation of the City of Brampton, Licensing By-Laws.

If any of the above insurance policies are cancelled or changed so as to reduce the coverage during the coverage period as stated above, so as to affect this certificate, 10 days' notice of cancellation for non-payment or 30 days' notice for cancellation of the policy will be given by the insurer to:

**The Corporation of the City of Brampton - Licensing**  
 485 Chrysler Drive  
 Brampton, Ontario L6S 6G3  
 Phone: 905-458-3424 ext. 63225 Fax: 905-458-3903  
[enforcementclerks@brampton.ca](mailto:enforcementclerks@brampton.ca)

**NOTE: In the event of a change in vehicles, a Substitution Endorsement is to be filed with the Licensing Section.**

This certificate is executed and issued to the aforesaid Corporation of the City of Brampton, the day and date herein written below:

<b>DATE</b>	<b>YR. MO. DAY</b>	<b>NAME OF INSURANCE COMPANY (not broker)</b>
<b>&gt;</b>		
<b>NAME OF INSURANCE BROKER</b>		<b>AUTHORIZED REPRESENTATIVE OR OFFICIAL</b>
		<b>BY:</b>

**\*\*\* THIS FORM MUST BE COMPLETED & SIGNED BY YOUR INSURANCE BROKER \*\*\***

**\*\*PROOF OF LIABILITY INSURANCE WILL BE ACCEPTED ON THIS FORM ONLY\*\***

<b>LICENCE TYPE</b>	<b>Driving School (DS)</b>		<b>Driving School Vehicle</b>	<b>PLATE NO. :</b>
	<b>Tow Truck</b>		<b>Refreshment Vehicle</b>	
<b>Vehicle(s) Make</b>	<b>Year</b>	<b>Model</b>	<b>Serial Number</b>	<b>Owner</b>

This is to certify that the policies of insurance as described below have been issued by the undersigned to the insured named below and are in force at this time.

<b>NAME OF INSURED(LESSOR, if applicable)</b>	<b>TELEPHONE NUMBER</b>	<b>AREA CODE</b>
	> ( ) -	-
<b>ADDRESS</b>	<b>CITY</b>	<b>POSTAL CODE</b>
<b>NAME OF INSURED(LESSEE, if applicable)</b>	<b>TELEPHONE NUMBER</b>	<b>AREA CODE</b>
	> ( ) -	-
<b>ADDRESS</b>	<b>CITY</b>	<b>POSTAL CODE</b>

TYPE OF INSURANCE	INSURER'S NAME	POLICY NUMBER	EFFECTIVE (YR/MO/DAY)	EXPIRY DATE (YR/MO/DAY)	LIMITS OF LIABILITY
COMMERCIAL GENERAL LIABILITY					
AUTO LIABILITY					
UMBRELLA					
FOR TOW TRUCK OPERATORS ONLY: LIABILITY FOR DAMAGE TO TOWED VEHICLE					\$100,000
DAMAGE TO CARGO IN TOWED VEHICLE					\$ 50,000

This will confirm the above vehicle insurance, with an OPCF 6D (Driving School Vehicle) is in full force and effect as of this date and issued in compliance with The Corporation of the City of Brampton, Licensing By-Laws.

If any of the above insurance policies are cancelled or changed so as to reduce the coverage during the coverage period as stated above, so as to affect this certificate, 10 days' notice of cancellation for non-payment or 30 days' notice for cancellation of the policy will be given by the insurer to:

**The Corporation of the City of Brampton - Licensing**  
 485 Chrysler Drive  
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**NOTE: In the event of a change in vehicles, a Substitution Endorsement is to be filed with the Licensing Section.**

This certificate is executed and issued to the aforesaid Corporation of the City of Brampton, the day and date herein written below:

<b>DATE</b>	<b>YR.</b>	<b>MO.</b>	<b>DAY</b>	<b>NAME OF INSURANCE COMPANY (not broker)</b>
>				
<b>NAME OF INSURANCE BROKER</b>				<b>AUTHORIZED REPRESENTATIVE OR OFFICIAL</b>
				<b>BY:</b>

**\*\*\* THIS FORM MUST BE COMPLETED & SIGNED BY YOUR INSURANCE BROKER \*\*\***



## **Appendix E - Mobile Licensing By-law THRESHOLD POLICY**

### **POLICY STATEMENT:**

This policy deals with Applicants or Licensees who must submit a Criminal Record or driver's abstract as part of their Licence Application. When a police check reveals a prior conviction for a serious offence, the Licence Issuer must conclude that it is not in the public interest for the person to be licensed and shall refuse or suspend the licence.

When a Licence is refused or suspended, the Licence Issuer will advise the Applicant or Licensee in writing, setting out the specific conviction that forms the basis of the decision, and tell the Applicant or Licensee of the right to appeal to the Brampton Appeal Tribunal and the deadline for appealing. Any appeal letter must contain reasons in support and be accompanied by the appropriate appeal fee as set out in the City's User Fee By-law. The Tribunal makes the final decision and there is no further right to appeal to City Council.

In the course of an application, the Licence Issuer may also inquire into pending court cases and issue a conditional Licence to the date of the expected court date. Withholding the fact of a pending court date from the Licence Issuer is itself a ground for suspension of the Licence.

In respect of Schedule 6 of this by-law, this Policy must be applied by a PTC to all Persons applying to access a PTC Platform as a PTC Driver. If the Person's documents do meet the threshold set out in this policy, the PTC must conclude that it is not in the public interest for the person to be on the Platform.

### **SCOPE:**

The thresholds will apply to Licences issued by the City of Brampton pursuant to the following Schedules under Mobile Licensing By-law:

Schedule 1 Driving Schools	Schedule 4 Taxicabs
Schedule 2 Limousines	Schedule 5 Tow Trucks
Schedule 3 Refreshment Vehicles	Schedule 6 Personal Transportation Company

**1-A** Despite an application being complete and all fees paid the Licence Issuer shall refuse to issue or renew a Licence and in the case of an existing Licence, the Licence Issuer shall suspend the Licence, if an Applicant or Licensee has:

- (1) any code 01 conviction;
- (2) any code 02 conviction within the last ten years;
- (3) any code 03 conviction within the last five years;
- (4) two or more code 03 convictions within the last ten years;
- (5) any code 04 conviction within the last three years;
- (6) two or more code 04 convictions within the last five years;
- (7) any code 05 or 07 conviction within the last year;
- (8) any code 06 conviction within the last three years;
- (9) two or more code 6 convictions within the last five years;
- (10) three or more code 08 convictions within the last year;

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(11) nine or more demerit points, as defined in the *Highway Traffic Act*, on the driver's abstract provided to the Licensing Department;

(12) six or more by-law related\* convictions within the last year concerning the licensed business or individual, or any other of the individual's businesses that are licensed or are required to be licensed, or any of the individual's prior businesses that were licensed or were required to be licensed; four or more by-law and related\* convictions within the twelve-months immediately preceding the date of issuance;

(13) any code 09 event within the last year; or

(14) overdue by-law fines or other monies owed to the City, unless the Applicant or Licensee provides proof that such fines have been subsequently paid.

**1-B** The Licence Issuer shall issue, renew or reinstate a Licence, if at the time of the Application for a Licence or Licence renewal, the conviction or event has reached the age set out below.

(1) The code 02 conviction is more than ten years old;

(2) If the Licence was not issued because of a single code 03 conviction, when that conviction becomes more than five years old,

(3) If the Licence was not issued because of two or more code 03 convictions, when at least two of those convictions become more than ten years old;

(4) If the Licence was not issued because of a single code 04 conviction, when that conviction is more than three years old;

(5) If the Licence was not issued because of two or more code 04 convictions, when at least two of those convictions are more than five years old;

(6) If the Licence was not issued because of a single code 05 or code 07 conviction, when that conviction is more than a year old;

(7) If the Licence was not issued because of a single code 06 conviction, when that conviction is more than three years old;

(8) If the Licence was not issued because of two or more code 06 convictions, when at least two of those convictions are more than five years old;

(9) If the Licence was not issued because of a single code 07 conviction, when that conviction is more than one year old;

(10) If the Licence was not issued because of nine (9) or more demerit points, as defined in the *Highway Traffic Act*, on the driver's abstract provided to the Licence Issuer; when the driver's abstract falls below nine (9) demerit points;

(11) If the Licence was not issued because of three or more code 08 convictions, when three of those convictions are more than one year old;

(12) If the Licence was not issued because of a code 09 event, when that code 09 event is more than a year old; and

(13) If the Licence was not issued because overdue by-law fines or other monies owed to the City, when those fines have been paid.

These thresholds shall be applied threshold for threshold. For example if the Applicant's or Licensee's Licence was not granted by reason of a recent code

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02 conviction, the Licence shall be reinstated or issued when the code 02 conviction is more than 10 years old, provided there are no other applicable thresholds.

**1-C** The Licence Issuer may place conditions and issue a warning letter on a Licence if an investigation of a Licensee reveals circumstances that may in the future cause the Licensee to be in contravention of any of the thresholds listed.

**1-D** The Licence Issuer may issue a warning letter to be placed in an Applicant's or Licensee's file if, at the time of an Application for a Licence or renewal, the Applicant has four or more by-law and related\* convictions concerning the licensed business or individual, or any other of the individual's businesses that are licensed or are required to be licensed, or any of the individual's prior businesses that were licensed or required to be licensed, within the twelve months immediately preceding the date of issuance or renewal.

The warning letter must advise the Applicant or Licensee about the specific applicable threshold.

\* Related legislation may include, but is not limited to, City of Brampton Business Licensing By-law

<b>Criminal Code Offences</b>	<i>Description</i>	<b>Code</b>
Sexual Offences (minors)	Interference, invitation, exploitation, procuring sexual activity (parent or guardian), permitting sexual activity (householder) corrupting children, luring a child, exposure, incest (with minor)	01
Terrorism	Providing, collecting property; using, possessing property; providing, making available property	02
Homicide	Homicide, manslaughter, infanticide, murder, attempt to commit, accessory	02
Major assault and sexual assault offences	Sexual assault with weapon, causing bodily harm, aggravated, assault with weapon, causing bodily harm	02
Sexual offences (against person other than minor)	Exploitation of persons with a disability, incest, indecent act, sexual assault	03
Confinement	Kidnapping, hostage taking, abduction	03
Hate propaganda	Advocating genocide, public incitement of hatred	03
Robbery, extortion	All offences	03
Criminal organization	Participating in activities of	03
Criminal Negligence	Criminal negligence, causing death, causing bodily harm	04
Assault	Assault, of a peace officer	04
Noxious thing, poison	Administering to harm	04

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Harassment, threats	Criminal harassment, uttering threats	04
Explosives	Using, possession	04
Weapons	Possession, carrying, trafficking	04
Firearms	Using in commission of offence, careless use, pointing, possession, acquisition without certificate, causing bodily harm with intent (firearm, air gun, or pistol)	04
Theft offences	All offences	04
Forgery offences	All offences	04
Traps	Setting	05
Break and enter	Break and enter	04
Crime-possession of property	Possession of property obtained by crime	04
Fraud	Fraud offences, falsifying documents	04
Arson	All offences	04
Counterfeit money	Uttering, advertising, dealing	04
Proceeds of crime	Laundering	04
Noxious thing, poison	Administering to annoy, to aggrieve	05
Mischief	Mischief	05
Conspiracy	Conspiracy to commit an indictable offence	05
Prostitution	Offences related to	05
Bawdy houses	Keeping, transporting person to, procuring	05
Operation of motor vehicle, vessels, or aircraft	Dangerous operation, failing to stop for police, failure to stop at scene of accident, operation while impaired, operation with more than 80 milligrams of alcohol in blood, driving while disqualified	06
Other	All other Criminal Code Convictions	07

<b>Controlled Drugs and Substances Act Offences</b>	<i>Description</i>	<b>Code</b>
Possession	Possession	05
Trafficking	Of Schedule I or II substance	03
	Of Schedule III substance	04
	Of Schedule IV substance	05
Importing, exporting	Of Schedule I or II substance	03
	Of Schedule III substance	04
	Of Schedule IV substance	05

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Production	Of Schedule I or II substance	03
	(except marijuana)	04
	Of Marijuana	04
	Of Schedule III substance	05
	Of Schedule IV substance	

Highway Traffic Act	Description	Code
36	Driving while license suspended	07
43(1)	Driving while license suspended	06
Speeding	Exceeding speed by 50 km/hr	06
Careless	Careless driving	06
Fail to remain	Fail to remain at the scene of an accident	06
Fail to stop	Fail to stop when signaled or requested by a police officer	06
Racing	Racing	06
Fail to stop	Fail to stop for a school bus	06

By-Law	Description	Code
	Discriminate against a member of the public	08
	Refuse to serve a blind person guided by a dog	08
	Refuse to serve a physically challenged person	08
	Any instance of plate removal	09