

TOWN OF NIVERVILLE

Bylaw No. 805-18

BEING A BYLAW of the Town of Niverville to provide for licensing, controlling, regulating, and safety of local vehicles for hire within the municipality.

WHEREAS The Local Vehicles for Hire Act came into force on February 28, 2018, giving municipalities authority to design regulatory systems to fit their needs;

AND WHEREAS Subsection 232(1) of *The Municipal Act* (Act) provides authority for the municipality to pass bylaws respecting the safety, health, protection and wellbeing of people, as well as bylaws respecting businesses, business activities and persons engaged in business;

NOW THEREFORE Council of the Town of Niverville enacts as a bylaw, the following:

Definitions:

“Local Vehicles for Hire” means a vehicle:

- With a manufacturer’s seating capacity originally designed for ten (10) or fewer occupants including the driver;
- That is used to transport a passenger for compensation; and
- Including taxis, shuttles, limousines, or point to point vehicles hired through a ride sharing service, a digital application network or platform as authorized by the Town.

“Tag” means an identification piece produced by the Town to show valid and approved Local Vehicle for Hire License holders, which must be displayed in the vehicle when it is in service.

“Town” means Town of Niverville.

Local Vehicles for Hire – Requirements

The process to operate local vehicles for hire service in Town requires two steps to be completed at the Town Office:

1. Local Vehicle for Hire Business License

- Companies owning and operating a Local Vehicle for Hire business are required to apply for a business license from the Town. The license must be obtained prior to the commencement of business and renewed annually before the anniversary date.

2. Local Vehicle for Hire Vehicle Permit

- An application is required for each vehicle the company owns and/or operates.
- An application form must be completed and include:
 - o Manitoba Public Insurance (MPI) documents which describe the vehicle’s make, year, model and vehicle identification number. Vehicles may not exceed fifteen (15) years old. (Requests for exemptions of classic cars may be submitted to the Town in writing with application.)
 - o Excluded Vehicles are:
 - A vehicle used without compensation from the passengers such as a complimentary hotel shuttle, charity or funeral services provided;
 - An emergency vehicle; or
 - A bus or handi-van with a manufacturer’s seating capacity originally designed for 10 or more occupants including the driver.
 - o A passed Certificate of Inspection issued by a Province of Manitoba certified inspection station no more than thirty (30) days prior to the date of application. Inspection certificate must be provided every two (2) years once approved.
 - o Proof of general liability insurance no less than \$1,000,000.

- Proof of MPI certificate showing insurance use is "Taxi" or Local Vehicle for Hire.
- Tags must be displayed in the vehicle at all times while in service.
- License is applicable to a specific vehicle and is non-transferable (cannot be applied to different vehicles if sold).
- No refunds will be issued for licenses cancelled during the year.
- Business Owners will ensure their vehicles are kept in good working order and provide a safe and sanitary environment for their passengers in the opinion of the Designated Officer for the Town.

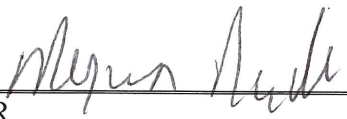
Passenger and Driver/Business Rights

1. The Town considers the rights and freedoms of their residents very important and to that end, considers that passengers of local vehicles for hire have the right to peaceful freedom to contract the services of local vehicles for hire without risk to their safety and persons.
2. The Business License holder must ensure that all drivers are qualified, fit and have proper background checks in place to ensure safety of passengers using their service.
3. Local vehicle for hire drivers are considered to have entered into a contract with passengers upon the passenger's entry into their vehicle, including the right to be paid fares on arrival at the requested destination, without incident.

Reign of Bylaw

1. For trips commencing within the Town of Niverville, the entire trip is governed by this bylaw.

DONE AND PASSED in the Town of Niverville, Manitoba this 8th day of January 2019.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

Read a first time this 18th day of December 2018.
Read a second time this 8th day of January 2019.
Read a third time this 8th day of January 2019.