



BRIEFING NOTE FOR INFORMATION

DATE: October 10, 2012

PREPARED FOR: Honourable Mary Polak

ISSUE: TRAN is promoting standardized police record check requirements for all taxi and limousine drivers. Standardization will eliminate existing inconsistencies and remove the onus for multiple checks in different municipalities.

SUMMARY:

- **Police record checks are not currently required in all municipalities, nor are the checks consistent between municipalities.**
- **The ministry has sent letters to the President of UBCM and the GVRD Mayors requesting that they pass bylaws to implement the standardized police record check developed by the Ministry of Justice.**
- **By standardizing the requirements for the police record checks, we hope the municipalities will recognize each other's chauffeur permits and eliminate the requirement for drivers of taxis and limousines to obtain permits from each municipality in which they operate.**

BACKGROUND:

The *Motor Vehicle Act* delegates the authority to regulate drivers of vehicles for hire (taxis and limousines) to municipalities. As such, municipalities choose whether to regulate and, if so, determine the parameters for exercising that authority. Each jurisdiction individually determines acceptable adjudication levels of the data collected during a police record check and driving history review.

S13

The Ministry of Transportation and Infrastructure consulted with 162 municipalities throughout the province to identify which jurisdictions currently regulate an estimated 7,000 taxi and limousine drivers that operate in BC. Of the 110 municipalities with taxi or limousine services based in their jurisdiction, only 40 have bylaws requiring chauffeur permits issued by local law enforcement agencies following a police record check.

Of the 4,200 taxi drivers within the GVRD, approximately 100 drivers must complete multiple police record checks. Despite the fact that not all GVRD municipalities with taxi or limousine service based in their jurisdiction have a chauffeur permit bylaw, all chauffeurs in the GVRD have been subject to a police record check in at least one municipality within which they operate.

DISCUSSION:

The ministry wishes to respond to the Lower Mainland driver concerns respecting multiple permits and the potential passenger safety issues of drivers not being uniformly subjected to permitting across the province.

S13

S13



S13

The ministry has sent letters to the UBCM President and the GVRD Mayors requesting them to work together to harmonize police record check requirements for taxi and limousine drivers who provide service within the GVRD. The objective is to ensure that chauffeur permits are based at minimum on driver record reviews and on driver screening to the standard required to work with vulnerable persons – as outlined in the *“British Columbia Guideline for Police Record Checks”*. This should position the GVRD municipalities to recognize a valid chauffeur permit adjudicated by a partner municipality, avoiding multiple permits. The letters indicated ministry staff would be available to assist in advancing any changes with respect to chauffeur permits. To-date, no municipalities have approached the ministry.

In addition, letters were sent to Taxi Associations indicating the ministry is working with the municipalities to promote uniform police record checks. The ministry committed to work with local governments to seek ways to reduce the impacts on drivers who currently are not required to undergo police record checks.

Legislative changes are not required if the municipalities voluntarily adopt bylaws based upon the standard. However, if municipalities do not voluntarily adopt bylaws which are based upon the uniform standards, the province may consider a provincial requirement.

S13

S13

Any provincial initiative which would require all taxi and limousine drivers in BC to submit to an annual standardized police record check in order to drive a vehicle for hire in BC, and remove the duplicate authority currently allowed to municipalities will require changes to the *Motor Vehicle Act*. No such changes have been initiated, pending determination whether the municipalities will voluntarily adopt bylaws based upon the standard.

PREPARED BY:

Greg Gilks, Executive Director
Transportation Policy Branch
(250) 387 0882

REVIEWED BY:

Jacquie Dawes, Assistant Deputy Minister
Transportation Policy and Programs

INITIALS:

GG
on behalf of