



REPORT TO COUNCIL

To: **Mayor and Councillors**

Subject: Inter-municipal Ride-hailing Business Licence

File #: 3900.00

Doc #:

From: Dave Selvage
Manager of Community Safety

Date: February 26, 2020

RECOMMENDATION:

1. THAT Council approve the City of Langley's participation in the Inter-municipal Business Licence (IMBL) for Ride Hailing as described in this report.
2. THAT Council approve the Inter-municipal Transportation Network Services (TNS) Business Licence Agreement (attached as Appendix A) between the City of Langley and Region 1 participating municipalities (listed in Appendix C).
3. THAT Council authorize the Mayor and Corporate Officer to execute the Inter-municipal Transportation Network Services (TNS) Business Licence Agreement (attached as Appendix A).
4. THAT Council give three readings to the associated Inter-municipal Transportation Network Services (TNS) Business Licence Bylaw, 2020, No. 3121 (attached as Appendix B).

PURPOSE:

The purpose of the report is to seek approval from City Council to participate in the Inter-municipal Business Licence (IMBL) for Ride Hailing and to give first, second and third readings to the Inter-municipal Transportation Network Service (TNS) Business Licence Bylaw 2020, No. 3121.

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POLICY:

The *Community Charter* provides guidance on Bylaw procedures, municipalities' authority over business licencing and for entering into agreements with other Public Authorities.

COMMENTS/ANALYSIS:

Background

Provincial legislation in force since September 2019 has reduced the municipal authority to regulate Passenger Directed Vehicles (PDV) such as taxis, limousines and ride-hailing vehicles. The Province now has sole authority to regulate company fleet size and operational boundaries, to set vehicle standards and to issue driver Chauffeur Permits. While the province's new regulations surrounding PDV activities limit the role of municipalities in establishing local regulations, municipalities retain authority to:

- Issue business licences;
- Set business licence requirements; and
- Regulate business activities, such as street and curb use and pick-up and drop-off locations, through bylaws.

The Province regulates Passenger Directed Vehicles through the *Passenger Transportation Act*, the *Motor Vehicle Act* and the *Commercial Transportation Act*. Companies that operate passenger directed transportation services are licensed by the independent, provincially appointed BC Passenger Transportation Board (PTB). Municipalities may issue business licences to companies once those companies have been licensed by the PTB.

An Inter-municipal Business Licence (IMBL) is a business licence that allows mobile businesses to operate across participating municipalities with the purchase of one licence. An IMBL is formed through common bylaws enacted by each participating municipality. The IMBL Agreement for participating/partnering municipalities addresses terms such as the licence fee, revenue sharing formula and distribution and overall administration of the licence (IMBL agreement attached as Appendix A). The IMBL bylaw (Appendix B) is the formal mechanism through which the IMBL is implemented in each municipality and sets out the various terms and conditions that apply to the IMBL across the participating municipalities. When implementing an IMBL participating municipalities work together to determine:

- the types of businesses eligible to be covered under the particular IMBL (e.g. trades/construction);
- how much to charge for an IMBL;

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- the model for collecting and sharing revenue from the sales of the IMBL (e.g. seller retains revenue from sales or cost sharing among jurisdictions); and
- the terms of the bylaw to be enacted by each participating municipality.

In Region 1, there are four existing sub-regional IMBL groups: Fraser Valley, Metro West, North Shore and Tri-Cities that cover mobile businesses such as trades, construction, and catering. None of these existing IMBLs apply to vehicles for hire or any other transport services.

The process of developing an IMBL generally takes six months to a year. For ride-hailing, a year-long process carried the risk that a patchwork of municipal licensing frameworks would emerge and have a potentially negative impact on the regional roll-out of the industry. On December 12, 2019, the Mayors' Council on Regional Transportation directed TransLink to facilitate an expedited IMBL development process with Region 1 municipalities with agreement on bylaw terms by January 31, 2020.

Region 1 municipalities commenced work in late December 2019. An IMBL Working Group was established and met weekly throughout the month of January 2020 to develop the proposal for an IMBL for ride-hailing. The proposed IMBL bylaw agreement and bylaw establish licensing authority; licence fee and structure; licence conditions; and licence fee revenue sharing among participating municipalities (Appendix A and Appendix B). They represent the outcome of two-thirds majority-based voting undertaken by the IMBL Working Group members.

Participating municipalities will bring reports to their Councils in February and March 2020 recommending approval of the bylaws as presented. If approved, the IMBL will take effect on April 1, 2020. For any participating municipalities that enact the bylaw after April 1, 2020, the licence will take effect in that municipality on the day of enactment.

Given the expedited process for development, the terms of the bylaw should be understood as interim. Participating municipalities will assess the effectiveness of the licence over the coming months, as more companies are licensed and operating.

As of February 13, 2020 the PTB has authorized five ride-hailing companies to operate in Region 1. Should the IMBL be approved, all Region 1 PTB authorized companies will be able to apply to operate under that licence.

The City's participation in an IMBL for ride hailing will not affect its ability to regulate street use under the Street and Traffic Bylaw.

Strategic Analysis

The draft IMBL bylaws establish the following:

1. Licensing Authority

The City of Vancouver will be the licensing authority for the IMBL which means that ride-hailing companies will need to purchase the licence from the City of Vancouver. The licence will allow companies to operate in all participating Region 1 municipalities.

Given the expedited timeframe to develop a licensing scheme, the working group agreed that the City of Vancouver is well positioned for this role as it has developed an infrastructure to support tracking and issuing Transportation Network Services (TNS) business licences.

2. Licence Fee and Structure

The annual licence fee will be a company fee of \$155 plus per vehicle fees of

- \$150 for each vehicle
- \$30 for each zero-emission vehicle
- \$0 for each wheelchair accessible.

The discounted fee for zero emission vehicles provides a meaningful incentive while acknowledging that these vehicles do have an administrative cost and physical impact on streets. Wheelchair accessible vehicles are understood to be more expensive to purchase and maintain than non-accessible vehicles, and municipalities want to encourage their participation in ride-hailing as much as possible. Therefore, a \$0 per vehicle fee is proposed.

Licence fees are to be pro-rated to align with the City of Vancouver's calendar licensing structure.

Companies will self-report monthly all new vehicles operating under their licence, and whether they are standard, zero emission or wheelchair accessible. Once a vehicle has been reported and the associated fee paid, the vehicle may operate for the remainder of the calendar year.

The per vehicle fee structure was agreed upon as it can be implemented immediately; it enables incentives for specific vehicle types; and it is equitable among companies of all fleet sizes.

The per vehicle fee of \$150 was set with the aim of achieving administrative program cost recovery (Appendix D), and recovery of costs to participating municipalities associated with monitoring business activity and impacts in their communities. Because ride-hailing is a new business type the full costs

of licensing and monitoring are not yet known. The licence fee is comparable to licensing fees in other Canadian jurisdictions such as the City of Calgary.

Licence Fee Revenue Sharing

Licence fee revenue will be shared among participating municipalities. The City of Vancouver will first retain funds sufficient to recover costs for set-up and administration of the licence program, (Appendix D) and remaining revenues will be shared based on the percent of total regional pick-ups and drop-offs that occur within each municipality.

Year 1 of the IML program includes set-up costs that are expected to fall in subsequent years as the program is regularized. At the end of each licence year, the City of Vancouver will provide participating municipalities with a year-end account of costs, and revenue to be shared.

Licence Requirements

Companies will be required to comply with the municipal bylaws and regulations of each participating municipality.

Each participating municipality will retain authority to enforce its own bylaws (e.g. street and traffic regulations), and also to suspend or cancel an IML. Because suspension or cancellation of a licence would affect all participating municipalities, staff in participating municipalities will establish a shared protocol for escalating enforcement prior to any municipality considering suspension or cancellation. This protocol will include communicating with the Provincial Registrar and Passenger Transportation Branch about on-going concerns with a company or vehicle.

The Province will be enforcing compliance with provincial regulations and licence conditions. Field investigations will be carried out by the Commercial Vehicle Safety and Enforcement (CVSE) Branch; the Registrar of the Passenger Transportation Branch is authorized to investigate and audit companies for issues including compliance with licence conditions and public safety. At this time, the number of provincial enforcement staff that will be assigned to address potential issues in the City of Langley is not available.

Monitoring Industry Impacts – Access to Data

Access to detailed trip data is critical for municipalities in understanding the impact of ride-hailing in their communities at both the system-wide and street levels. At the system-wide level it will assist in identifying changes in travel mode share like transit use, cycling and walking. At the street level it can be used to establish solutions to

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mitigate safety concerns and congestion impacts such as identification of ride-hailing pick-up and drop-off zones. It can also highlight locations that may require enforcement attention.

The BC Passenger Transportation Branch requires comprehensive vehicle and trip data from companies. In early February, the Province confirmed that municipalities will be able to access these data on a regular, on-going basis through a Partnership Agreement with the Passenger Transportation Branch. Consequently, detailed trip data will not be a requirement of the IMBL; municipalities will benefit from access to provincial data, and companies will benefit from not having to duplicate data submission efforts.

As a condition of the IMBL, licenced ride-hailing companies will still be required to report the total number of pick-ups and drop-offs occurring in each participating municipality so as to enable the City of Vancouver to calculate the share of revenue owed to each participating municipality.

Next Steps

Should the proposed IMBL bylaws be approved by Council and by other participating municipalities, The City of Vancouver is prepared to issue IMBL licences on April 1, 2020; prepare invoices; and set-up revenue distribution.

The IMBL terms were developed on an expedited time frame; The City of Vancouver will work with participating municipalities to monitor its effectiveness and consider refinement of terms. For example, there may be opportunities to further encourage wheelchair accessible or zero emission vehicles. Industry representatives requested a fee structure that more accurately reflects their business model such as a monthly fee based on active vehicles. As more companies are licensed and staff come to better understand the costs for licensing and for monitoring industry impacts, such changes may be considered.

In considering adjustments to the ride-hailing IMBL, staff will consider opportunities to include limousines as they are also authorized by the PTB to operate across municipal boundaries. The PTB has announced that it will review its regulations with regard to taxi operating areas, but taxis cannot be considered for an IMBL at this time as the PTB restricts their operations to be within municipal boundaries.

Public/Civic Agency Input

The working group held an industry information session on January 22, inviting the 17 TNS operators who had applied to the PTB to operate in Region 1 at that time. Participants were informed about the proposed IMBL framework, including specifics, such as fee structure and data requirements. At the time of the consultation, the

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proposed IMBL included data submission requirements that have since been removed. Fifteen of the applicants invited sent representatives.

In addition to the comments given during the information session, three companies submitted written comments following the session. The working group reviewed and considered all comments submitted.

The TNS industry representatives were generally appreciative of the expedited IMBL process, particularly as two of the applicants received PTB approval during the process and had a more urgent need for an IMBL.

The key concerns heard by the working group were:

1. Fee structure and smaller operators: The working group heard concerns that the fee structure disadvantaged smaller operators who are less able to absorb the per-vehicle charges compared to larger operators.
2. Fee structure and TNS fluidity: The working group heard concerns that the way that fees are charged – based on vehicles that sign on with the company rather than number of vehicles in operation – do not match the fluid nature of the ride-hailing industry which tends to have high driver turnover.
3. Data requirements and granularity: The working group also heard concerns about the level of granularity required for data submissions, with respect to customer privacy.

The working group will take key concerns 1 and 2 under advisement and consider options to address these concerns as part of the ongoing development of a permanent IMBL. The concerns are significant enough and industry perspectives varying enough that further work and consultation is required, and was not possible prior to the January 31 deadline for the interim IMBL.

Regarding data requirement concerns, the working group has since determined that detailed data submission will not be required as part of the IMBL. Municipalities will access provincially collected data through a Partnership Agreement with the Provincial Transportation Branch.

Implications/Risks

1. Bylaw provisions not supported by Council

The terms proposed in the Inter-municipal Business Licence for ride-hailing have been developed and agreed to by staff from the municipalities that participated in the

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Working Group. Should Council seek to amend terms of the bylaws at this time, further consultation with all participating municipalities would be required. Consequently, the proposed effective date for implementation of the licence, April 1, 2020, would likely be delayed.

The IMBL will be effective in all participating municipalities that adopt the bylaws and enter into agreement. If Council chooses not to support the proposed bylaws as presented, The City of Langley will not be included as a participant in the IMBL. Ride-hailing companies holding the licence will not be able to operate under that licence in The City of Langley. As a result, residents may not be able to access regionally integrated ride-hailing services.

2. Environmental

Based on evidence from other jurisdictions, the introduction of ride-hailing (TNS) could adversely impact municipal streets and increase vehicle kilometers travelled by private vehicles. Other jurisdictions report the following impacts in their communities:

- While many trips taken with a TNS vehicle substitute trips that passengers would have otherwise driven themselves, travel surveys indicate that between 42% and 61% of urban TNS users would have taken transit, walked, biked, or not taken the trip at all if TNS services had not been available;
- Up to 50% of the vehicle kilometres travelled by TNS vehicles carry no passengers at all, resulting in “deadhead” kilometres TNS drivers travel while looking for patrons; this increases congestion and greenhouse gas emissions associated with transportation.
- In August 2019, Uber and Lyft shared some of their own data which indicated that ride-hailing accounted for 1.7% up to 13.4% of all vehicle kilometres travelled (VKT) in core urban areas and between 1.0% and 2.9% in suburban areas.

The impacts of the introduction of ride-hailing in the City of Langley and the Lower Mainland will be better understood once the City and region have access to ride-hailing trip data.

BUDGET IMPLICATIONS:

Year one (2020) set up and administration of the proposed Inter-municipal Business Licence is estimated to cost the City of Vancouver \$140,000. It is anticipated that these costs will be recovered through licence fee revenue. Should year one licence fee revenue be insufficient for cost recovery, the City will seek to recover outstanding costs from future year IMBL revenues.

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Included in the administrative costs is the addition of one half-time licence clerk at an approximate cost of \$33,000 per year.

The City of Langley will obtain a share of the licence fee revenue that remains once administrative program costs have been recovered by the City of Vancouver. That share will be based on The City of Langley's proportion of regional pick-ups and drop-offs and will be used to offset costs related to monitoring industry impacts in the municipality.

ALTERNATIVES:

To not support the implementation of the IMBL for the City of Langley and to have a stand-alone business licence.

Respectfully Submitted,



Dave Selvage
Manager of Community Safety

Attachments:

- A. Inter-municipal TNS Business Licence Agreement
- B. Inter-municipal Transportation Network Services Business Licence Bylaw, 2020, No. 3121
- C. Region 1 participating municipalities
- D. IMBL Administrative Program Cost

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:

I support the recommendation.



Francis Cheung, P. Eng.
Chief Administrative Officer

Appendix A

Inter-municipal TNS Business Licence Agreement

WHEREAS the City of Abbotsford, the Village of Anmore, Bowen Island Municipality, the City of Burnaby, the City of Chilliwack, the City of Coquitlam, the Corporation of Delta, the Village of Harrison Hot Springs, the City of Langley, the Corporation of the Township of Langley, the Village of Lions Bay, the City of Maple Ridge, the Corporation of the City of New Westminster, the Corporation of the City of North Vancouver, the Corporation of the District of North Vancouver, the Corporation of the City of Pitt Meadows, the Corporation of the City of Port Coquitlam, the City of Port Moody, the City of Richmond, the District of Squamish, the City of Surrey, the City of Vancouver, the Corporation of the District of West Vancouver, the Resort Municipality of Whistler, and the City of White Rock (the "*Participating Municipalities*"), wish to permit transportation network services ("*TNS*") businesses to operate across their jurisdictional boundaries thereby eliminating the need to obtain a separate municipal business licence in each jurisdiction;

NOW THEREFORE the *Participating Municipalities* agree as follows:

1. The *Participating Municipalities* agree to establish an *Inter-municipal TNS Business Licence* scheme among the *Participating Municipalities*, pursuant to section 14 of the *Community Charter* and section 192.1 of the *Vancouver Charter*.

2. The *Participating Municipalities* will request their respective municipal Councils to each ratify this Agreement and enact a by-law to implement an *Inter-municipal TNS Business Licence* scheme effective April 1, 2020 if this Agreement is ratified and a by-law is enacted prior to or on April 1, 2020, or upon the date of enactment if this Agreement is ratified and a by-law is enacted after April 1, 2020.

3. In this Agreement:

"*Accessible Vehicle*" means a motor vehicle designed and manufactured, or converted, for the purpose of transporting persons who use mobility aids;

"*Administrative Costs*" means the direct and indirect costs and investments attributable to setting up and administering the *Inter-municipal TNS Business Licence* scheme, including wages, materials, corporate overhead and rent;

"*Business*" has the same meaning as in the *Community Charter*;

"*Community Charter*" means the Community Charter, S.B.C. 2003, c. 26, as may be amended or replaced from time to time;

"*Inter-municipal TNS Business*" means a *TNS Business* that has been licensed to operate in the Region 1 operating area by the Passenger Transportation Board;

"*Inter-municipal TNS Business Licence*" means a business licence which authorizes an *Inter-municipal TNS Business* to be carried on within the jurisdictional boundaries of any or all of the *Participating Municipalities*;

“*Inter-municipal TNS Business Licence By-law*” means the by-law adopted by the Council of each *Participating Municipality* to implement the *Inter-municipal TNS Business Licence* scheme contemplated by this Agreement;

“*Mobility Aid*” has the same meaning as in the *Passenger Transportation Act*, S.B.C 2004, c. 39, as may be amended or replaced from time to time;

“*Municipal Business Licence*” means a licence or permit, other than an *Inter-municipal TNS Business Licence*, issued by a *Participating Municipality* that authorizes a *Business* to be carried on within the jurisdictional boundaries of that *Participating Municipality*;

“*Participating Municipality*” means any one of the *Participating Municipalities*;

“*Premises*” means one or more fixed or permanent locations where the *TNS Business* ordinarily carries on *Business*;

“*TNS Business*” means a person carrying on the business of providing *Transportation Network Services*;

“*Transportation Network Services*” has the same meaning as in the *Passenger Transportation Act*, S.B.C 2004, c. 39, as may be amended or replaced from time to time;

“*Vancouver Charter*” means the *Vancouver Charter*, S.B.C. 1953, c. 55, as may be amended or replaced from time to time; and

“*Zero Emission Vehicle*” means a motor vehicle that is exclusively propelled by electricity or hydrogen from an external source.

4. Subject to the provisions of the *Inter-municipal TNS Business Licence By-law*, each *Participating Municipality* will permit a *TNS Business* that has obtained an *Inter-municipal TNS Business Licence* to carry on the *Business* of providing *Transportation Network Services* within that *Participating Municipality* for the term authorized by the *Inter-municipal TNS Business Licence* without obtaining a *Municipal Business Licence* for the *TNS Business* in that *Participating Municipality*.

5. All *Inter-municipal TNS Business Licences* will be issued by the City of Vancouver.

6. The City of Vancouver may issue an *Inter-municipal TNS Business Licence* to a *TNS Business* if the *TNS Business* is an *Inter-municipal TNS Business* and meets the requirements of the *Inter-municipal TNS Business Licence By-law*, in addition to the requirements of the City of Vancouver’s License By-law No. 4450.

7. Notwithstanding that a *TNS Business* may hold an *Inter-municipal TNS Business Licence* that would make it unnecessary to obtain a *Municipal Business Licence* for the *TNS Business* in the *Participating Municipalities*, the *TNS Business* must still comply with all orders and regulations under any municipal business licence by-law in addition to those under any

other by-laws, regulations, or provincial or federal laws that may apply within any jurisdiction in which the *TNS Business* carries on *Business*.

8. Any *Participating Municipality* may require that the holder of an *Inter-municipal TNS Business Licence* also obtain a *Municipal Business Licence* for any *Premises* that are maintained by the licence holder within the jurisdiction of the *Participating Municipality*.

9. The annual *Inter-municipal TNS Business Licence* fee is \$155, plus \$150 for each vehicle operating under the authority of the *Inter-municipal TNS Business*, except that the per vehicle fee for *Zero Emission Vehicles* will be \$30, and there will be no per vehicle fee charged for *Accessible Vehicles*. Any fees paid by an applicant to any *Participating Municipality* for a *Municipal Business Licence* for the *TNS Business* prior to the availability of the *Inter-municipal TNS Business Licence* that are not refunded by that *Participating Municipality* will be credited against the initial *Inter-municipal TNS Business Licence* fee owing under this section 9.

10. The fee for any additional vehicles that begin operating under the authority of an *Inter-municipal TNS Business License* holder after the annual license fee is paid will be the per vehicle fee set out in section 9, pro-rated by dividing the applicable annual per vehicle fee by 12 and multiplying the resulting number by the number of months remaining in that calendar year, including any partial months which will be counted as whole months.

11. The City of Vancouver will distribute the revenue generated from *Inter-municipal TNS Business Licence* fees amongst all *Participating Municipalities* based on the City of Vancouver retaining an amount to cover its *Administrative Costs*, with the remaining fees to be distributed proportionally to the *Participating Municipalities*, including the City of Vancouver, based on the number of pick-ups and drop-offs in that *Participating Municipality*. The City of Vancouver will provide the other *Participating Municipalities* with an itemized accounting of the fees collected and disbursed, including an accounting of its *Administrative Costs*, at the time it distributes the remaining fees to those *Participating Municipalities*.

12. If the revenue generated from *Inter-municipal TNS Business Licence* fees in the initial year is insufficient to cover the *Administrative Costs* relating to the initial set up of the scheme, then the City of Vancouver may retain such portion of the *Inter-municipal TNS Business Licence* fees collected in the subsequent year or years as is necessary to reimburse the City of Vancouver for such initial *Administrative Costs*, until the full amount has been recovered.

13. Any revenue payable to a *Participating Municipality* in the initial year will be offset by any fees collected and not refunded by that *Participating Municipality* for a *Municipal Business License* for the *TNS Business* prior to the availability of the *Inter-municipal TNS Business Licence*, and if the fees collected by the *Participating Municipality* exceed the amount owing to that *Participating Municipality*, then that *Participating Municipality* shall remit the difference to the City of Vancouver for inclusion in the revenue distribution set out above.

14. The revenue generated from *Inter-municipal TNS Business Licence* fees collected from January 1 to December 31 inclusive that is to be distributed to the *Participating Municipalities* in accordance with section 11, including the fees collected for any additional vehicles under section 10, will be distributed by the City of Vancouver by February 28 of the year following the year in which fees were collected.

15. The length of term of an *Inter-municipal TNS Business Licence* is 12 months, except that

the length of term of the initial *Inter-municipal TNS Business Licence* issued to an *Inter-municipal TNS Business* by the City of Vancouver may be less than 12 months in order to harmonize the expiry date of the *Inter-municipal TNS Business Licence* with the calendar year, in which case the annual fee will be pro-rated by dividing the applicable annual license fee by 12 and multiplying the resulting number by the number of months remaining in that calendar year, including any partial months which will be counted as whole months.

16. An *Inter-municipal TNS Business Licence* will be valid within the jurisdictional boundaries of all of the *Participating Municipalities* until its term expires, unless the *Inter-municipal TNS Business Licence* is suspended or cancelled. If a *Participating Municipality* withdraws from the *Inter-municipal TNS Business Licence* scheme among the *Participating Municipalities* in accordance with the *Inter-municipal TNS Business Licence By-law*, then the *Inter-municipal TNS Business Licence* will cease to be valid within the jurisdictional boundary of that former *Participating Municipality*.

17. A *Participating Municipality* may exercise the authority of the City of Vancouver as the issuing municipality and suspend an *Inter-municipal TNS Business Licence* in relation to conduct by the holder within the *Participating Municipality* which would give rise to the power to suspend a business licence under the *Community Charter* or *Vancouver Charter* or under the business licence by-law of the *Participating Municipality*. The suspension will be in effect throughout all of the *Participating Municipalities* and it will be unlawful for the holder to carry on the *Business* authorized by the *Inter-municipal TNS Business Licence* in any *Participating Municipality* for the period of the suspension.

18. A *Participating Municipality* may exercise the authority of the of the City of Vancouver as the issuing municipality and cancel an *Inter-municipal TNS Business Licence* in relation to conduct by the holder within the *Participating Municipality* which would give rise to the power to cancel a business licence under the *Community Charter* or *Vancouver Charter* or the business licence by-law of the *Participating Municipality*. The cancellation will be in effect throughout all of the *Participating Municipalities*.

19. The suspension or cancellation of an *Inter-municipal TNS Business Licence* under section 17 or 18 will not affect the authority of a *Participating Municipality* to issue a *Municipal Business Licence*, other than an *Inter-municipal TNS Business Licence*, to the holder of the suspended or cancelled *Inter-municipal TNS Business Licence*.

20. Nothing in this Agreement affects the authority of a *Participating Municipality* to suspend or cancel any *Municipal Business Licence* issued by that municipality or to enact regulations in respect of any category of *Business* under section 15 of the *Community Charter* or sections 272, 273, 279A, 279A.1, 279B, and 279C of the *Vancouver Charter*.

21. A *Participating Municipality* may, by notice in writing to each of the other *Participating Municipalities*, withdraw from the *Inter-municipal TNS Business Licence* scheme among the *Participating Municipalities*, and the notice must:

- (a) set out the date on which the withdrawing municipality will no longer recognize the validity within its boundaries of *Inter-municipal TNS Business Licences*, which date must be at least 6 months from the date of the notice; and
- (b) include a certified copy of the municipal Council resolution or by-law authorizing the

municipality's withdrawal from the *Inter-municipal TNS Business Licence* scheme.

22. Nothing contained or implied in this Agreement shall fetter in any way the discretion of the Councils of the *Participating Municipalities*. Further, nothing contained or implied in this Agreement shall prejudice or affect the *Participating Municipalities'* rights, powers, duties or obligations in the exercise of their functions pursuant to the *Community Charter, Vancouver Charter, or the Local Government Act*, as amended or replaced from time to time, or act to fetter or otherwise affect the *Participating Municipalities'* discretion, and the rights, powers, duties and obligations under all public and private statutes, by-laws, orders and regulations, which may be, if each *Participating Municipality* so elects, as fully and effectively exercised as if this Agreement had not been executed and delivered by the *Participating Municipalities*.

23. Despite any other provision of this Agreement, an *Inter-municipal TNS Business Licence* granted in accordance with the *Inter-municipal TNS Business Licence Bylaw* does not grant the holder a licence to operate in any jurisdiction other than within the jurisdictional boundaries of the *Participating Municipalities*. Furthermore, a business licence granted under any other inter-municipal *TNS Business* licence scheme is deemed not to exist for the purposes of this Agreement even if a *Participating Municipality* is a participating member of the other inter-municipal *TNS Business* licence scheme.

24. This Agreement may be executed in several counterparts, each of which shall be deemed to be an original, and may be delivered by email or facsimile transmission, and each such counterpart, howsoever delivered, shall be deemed to be an original. Such counterparts together shall constitute one and the same instrument, notwithstanding that all of the *Participating Municipalities* are not signatories to the original or the same counterpart.

25. In the event that the municipal Council of a *Participating Municipality* other than the City of Vancouver does not ratify this Agreement, then that municipality will not be considered a *Participating Municipality* for the purposes of this Agreement, and the terms and conditions of this Agreement shall be effective as among the other *Participating Municipalities*.

Signed and delivered on behalf of the *Participating Municipalities*, the Councils of each of which have, by By-law, ratified this Agreement and authorized their signatories to sign on behalf of the respective Councils, on the dates indicated below.

The City of Abbotsford

Mayor

Corporate Officer

Date

Village of Anmore

Mayor _____

Corporate Officer _____

Date _____

Bowen Island Municipality

Mayor _____

Corporate Officer _____

Date _____

City of Burnaby

City Clerk _____

Date _____

City of Chilliwack

Mayor _____

Corporate Officer _____

Date _____

City of Coquitlam

Mayor _____

City Clerk _____

Date _____

City of Delta

Mayor _____

City Clerk _____

Date _____

Village of Harrison Hot Springs

Mayor _____

Corporate Officer _____

Date _____

The Corporation of the City of Langley

Mayor _____

Corporate Officer _____

Date _____

The Corporation of the Township of Langley

Mayor _____

Township Clerk _____

Date _____

Village of Lions Bay

Mayor _____

Corporate Officer _____

Date _____

City of Maple Ridge

Presiding Member _____

Corporate Officer _____

Date _____

The Corporation of the City of New Westminster

Mayor _____

City Clerk _____

Date _____

The Corporation of the City of North Vancouver

Mayor _____

City Clerk _____

Date _____

The Corporation of the District of North Vancouver

Mayor _____

Municipal Clerk _____

Date _____

The City of Pitt Meadows

Mayor _____

Corporate Officer _____

Date _____

The Corporation of the City of Port Coquitlam

Mayor _____

Corporate Officer _____

Date _____

City of Port Moody

Mayor _____

Corporate Officer _____

Date _____

The City of Richmond

Chief Administrative Officer _____

General Manager
Corporate and Financial Services
Financial Services _____

Date _____

District of Squamish

Mayor _____

Corporate Officer _____

Date _____

City of

Surrey _____

Mayor

City _____

Clerk _____

Date

The City of Vancouver

Director of Legal Services _____

Date _____

The Corporation of the District of West Vancouver

Mayor _____

Corporate Officer _____

Date _____

Resort Municipality of Whistler

Mayor _____

Municipal Clerk _____

Date _____

The Corporation of the City of White Rock

Mayor _____ Director of Corporate Administration _____ Date _____

Appendix B:

Inter-municipal Transportation Network Services Business Licence Bylaw, 2020
Bylaw No. 3121



**Inter-municipal Transportation Network Services
Business Licence Bylaw, 2020
Bylaw No. 3121**

A Bylaw to enter into an Inter-municipal TNS Business Licence Scheme

WHEREAS the municipalities that have entered or will enter into the *Inter-municipal TNS Business Licence Agreement* (the “*Participating Municipalities*”) wish to permit licensed transportation network services (“*TNS*”) businesses to operate across their jurisdictional boundaries thereby eliminating the need to obtain a separate municipal business licence in each jurisdiction;

AND WHEREAS each of the *Participating Municipalities* has or will adopt a similar Bylaw to implement the *Inter-municipal TNS Business Licence* scheme;

NOW THEREFORE, the Council of the City of Langley, in open meeting assembled, enacts as follows:

Title

1. This Bylaw may be cited for all purposes as “Inter-municipal Transportation Network Services Business Licence Bylaw, 2020, No. 3121”.

Establishment

2. There is hereby established an Inter-municipal TNS Business Licence scheme among the Participating Municipalities, pursuant to section 14 of the Community Charter and section 192.1 of the Vancouver Charter.

Definitions

3. In this Bylaw:

“Accessible Vehicle” means a motor vehicle designed and manufactured, or converted, for the purpose of transporting persons who use mobility aids;

“Business” has the same meaning as in the Community Charter;

“Community Charter” means the Community Charter, S.B.C. 2003, c. 26, as may be amended or replaced from time to time;

“Inter-municipal TNS Business” means a TNS Business that has been licensed to operate in the Region 1 operating area by the Passenger Transportation Board;

“Inter-municipal TNS Business Licence” means a business licence which authorizes an Inter-municipal TNS Business to be carried on within the jurisdictional boundaries of any or all of the Participating Municipalities;

“Mobility Aid” has the same meaning as in the Passenger Transportation Act, S.B.C 2004, c. 39, as may be amended or replaced from time to time;

“Municipal Business Licence” means a licence or permit, other than an Inter-municipal TNS Business Licence, issued by a Participating Municipality that authorizes a Business to be carried on within the jurisdictional boundaries of that Participating Municipality;

“Participating Municipality” means any one of the Participating Municipalities;

“Premises” means one or more fixed or permanent locations where the TNS Business ordinarily carries on Business;

“TNS Business” means a person carrying on the business of providing Transportation Network Services;

“Transportation Network Services” has the same meaning as in the Passenger Transportation Act, S.B.C 2004, c. 39, as may be amended or replaced from time to time;

“Vancouver Charter” means the Vancouver Charter, S.B.C. 1953, c. 55, as may be amended or replaced from time to time; and

“Zero Emission Vehicle” means a motor vehicle that is exclusively propelled by electricity or hydrogen from an external source.

Application

4. Subject to the provisions of this Bylaw, each Participating Municipality will permit a TNS Business that has obtained an Inter-municipal TNS Business Licence to carry on the Business of providing Transportation Network Services within that Participating Municipality for the term authorized by the Inter-municipal TNS Business Licence without obtaining a Municipal Business Licence for the TNS Business in that Participating Municipality.
5. All Inter-municipal TNS Business Licences will be issued by the City of Vancouver.
6. The City of Vancouver may issue an Inter-municipal TNS Business Licence to a TNS Business if the TNS Business is an Inter-municipal TNS Business and

meets the requirements of this Bylaw, in addition to the requirements of the City of Vancouver's License Bylaw No. 4450.

7. Notwithstanding that a TNS Business may hold an Inter-municipal TNS Business Licence that would make it unnecessary to obtain a Municipal Business Licence for the TNS Business in the Participating Municipalities, the TNS Business must still comply with all orders and regulations under any municipal business licence bylaw in addition to those under any other Bylaws, regulations, or provincial or federal laws that may apply within any jurisdiction in which the TNS Business carries on Business.
8. Any Participating Municipality may require that the holder of an Inter-municipal TNS Business Licence also obtain a Municipal Business Licence for any Premises that are maintained by the licence holder within the jurisdiction of the Participating Municipality.
9. The annual Inter-municipal TNS Business Licence fee is \$155, plus \$150 for each vehicle operating under the authority of the Inter-municipal TNS Business, except that the per vehicle fee for Zero Emission Vehicles will be \$30, and there will be no per vehicle fee charged for Accessible Vehicles. Any fees paid by an applicant to any Participating Municipality for a Municipal Business Licence for the TNS Business prior to the availability of the Inter-municipal TNS Business Licence that are not refunded by that Participating Municipality will be credited against the initial Inter-municipal TNS Business Licence fee owing under this section 9.
10. The fee for any additional vehicles that begin operating under the authority of an Inter-municipal TNS Business License holder after the annual license fee is paid will be the per vehicle fee set out in section 9, pro-rated by dividing the applicable annual per vehicle fee by 12 and multiplying the resulting number by the number of months remaining in that calendar year, including any partial months which will be counted as whole months.
11. The length of term of an Inter-municipal TNS Business Licence is 12 months, except that the length of term of the initial Inter-municipal TNS Business Licence issued to an Inter-municipal TNS Business by the City of Vancouver may be less than 12 months in order to harmonize the expiry date of the Inter-municipal TNS Business Licence with the calendar year, in which case the annual fee will be pro-rated by dividing the applicable annual license fee by 12 and multiplying the resulting number by the number of months remaining in that calendar year, including any partial months which will be counted as whole months.
12. An Inter-municipal TNS Business Licence will be valid within the jurisdictional boundaries of all of the Participating Municipalities until its term expires, unless the Inter-municipal TNS Business Licence is suspended or cancelled. If a Participating Municipality withdraws from the Inter-municipal TNS Business Licence scheme among the Participating Municipalities in

accordance with this Bylaw, then the Inter-municipal TNS Business Licence will cease to be valid within the jurisdictional boundary of that former Participating Municipality.

- 13.A Participating Municipality may exercise the authority of the City of Vancouver as the issuing municipality and suspend an Inter-municipal TNS Business Licence in relation to conduct by the holder within the Participating Municipality which would give rise to the power to suspend a business licence under the Community Charter or Vancouver Charter or under the business licence Bylaw of the Participating Municipality. The suspension will be in effect throughout all of the Participating Municipalities and it will be unlawful for the holder to carry on the Business authorized by the Inter-municipal TNS Business Licence in any Participating Municipality for the period of the suspension.
- 14.A Participating Municipality may exercise the authority of the City of Vancouver as the issuing municipality and cancel an Inter-municipal TNS Business Licence in relation to conduct by the holder within the Participating Municipality which would give rise to the power to cancel a business licence under the Community Charter or Vancouver Charter or the business licence Bylaw of the Participating Municipality. The cancellation will be in effect throughout all of the Participating Municipalities.
- 15.The suspension or cancellation of an Inter-municipal TNS Business Licence under section 13 or 14 will not affect the authority of a Participating Municipality to issue a Municipal Business Licence, other than an Inter-municipal TNS Business Licence, to the holder of the suspended or cancelled Inter-municipal TNS Business Licence.
- 16.Nothing in this Bylaw affects the authority of a Participating Municipality to suspend or cancel any Municipal Business Licence issued by that municipality or to enact regulations in respect of any category of Business under section 15 of the Community Charter or sections 272, 273, 279A, 279A.1, 279B, and 279C of the Vancouver Charter.
- 17.A Participating Municipality may, by notice in writing to each of the other Participating Municipalities, withdraw from the Inter-municipal TNS Business Licence scheme among the Participating Municipalities, and the notice must:
 - a. set out the date on which the withdrawing municipality will no longer recognize the validity within its boundaries of Inter-municipal TNS Business Licences, which date must be at least 6 months from the date of the notice; and
 - b. include a certified copy of the municipal Council resolution or Bylaw authorizing the municipality's withdrawal from the Inter-municipal TNS Business Licence scheme.

18. Despite any other provision of this Bylaw, an Inter-municipal TNS Business Licence granted in accordance with this Bylaw does not grant the holder a licence to operate in any jurisdiction other than within the jurisdictional boundaries of the Participating Municipalities.

19. A business licence granted under any other inter-municipal TNS Business licence scheme is deemed not to exist for the purposes of this Bylaw, even if a Participating Municipality is a participating member of the other inter-municipal TNS Business licence scheme.

Severability

20. The invalidity or unenforceability of any provision of this Bylaw shall not affect the validity or enforceability of any other provisions of this Bylaw and any such invalid or unenforceable provision shall be deemed to be severable.

READ A FIRST, SECOND AND THIRD TIME this day of , 2020.

FINALLY ADOPTED this day of , 2020.

MAYOR

CORPORATE OFFICER

Appendix C

The following list comprises municipalities that will be bringing the proposed IMBL to their Councils for decision. Those municipalities that approve and enact the by-laws will be participants of the IMBL.

1. City of Abbotsford
2. Village of Anmore
3. Bowen Island Municipality
4. City of Burnaby
5. City of Chilliwack
6. City of Coquitlam
7. City of Delta
8. Village of Harrison Hot Springs
9. The Corporation of the City of Langley
10. The Corporation of the Township of Langley
11. Village of Lions Bay
12. City of Maple Ridge
13. The Corporation of the City of New Westminster
14. The Corporation of the City of North Vancouver
15. The Corporation of the District of North Vancouver
16. The City of Pitt Meadows
17. The Corporation of the City of Port Coquitlam
18. City of Port Moody
19. City of Richmond
20. District of Squamish
21. City of Surrey
22. The City of Vancouver
23. The Corporation of the District of West Vancouver
24. Resort Municipality of Whistler
25. The Corporation of the City of White Rock

Appendix D

IMBL Administrative Program Cost

Estimated Year 1 Total Cost: \$140,000

Direct and indirect costs and investments Include:

- Privacy Management
- Legal Services
- Policy Development
- Corporate Overhead, Materials and Rent
- Licence processing including fee administration and reconciliation

The City of Vancouver will retain licence fee revenue sufficient to recover IMBL administrative program costs. Any remaining funds will be distributed among participating municipalities based on the percent of total regional pick-ups and drop-offs that occur within each of their boundaries.

Should year one licence fee revenue be insufficient for cost recovery, the City will seek to recover outstanding costs from future year IMBL revenue