

Gouvernement du Québec

O.C. 690-2002, 5 June 2002

An Act respecting transportation services by taxi (2001, c. 15)

Taxi transportation

Taxi transportation regulation

WHEREAS the Act respecting transportation services by taxi (2001, c. 15) was assented to on 21 June 2001;

WHEREAS section 88 of the Act provides that the Government may make a regulation on the matters set forth in that section;

WHEREAS section 141 provides that the first regulation enacted under the Act is not subject to the publication requirements of section 8 of the Regulations Act (R.S.Q., c. R-18.1);

IT IS ORDERED, therefore, upon the recommendation of the Minister of Transport:

THAT the Taxi Transportation Regulation, attached hereto, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Taxi Transportation Regulation

An Act respecting transportation services by taxi (2001, c. 15, s. 88)

DIVISION I
ISSUE OF PERMITS

§1. Taxi owner's permit

1. In addition to the conditions provided for in the first paragraph of section 8, the second paragraph of section 11 and the second paragraph of section 19 of the Act respecting transportation services by taxi (2001, c. 15), every natural person, in order to obtain a taxi owner's permit from the Commission des transports du Québec, must

(1) be a Canadian citizen or a permanent resident within the meaning of the Immigration Act (R.S.C., 1985, c. I-2);

(2) be of full age;

(3) provide a negative search certificate for the purposes of the first and third paragraphs of section 18 of the Act respecting transportation services by taxi;

(4) be the holder of a taxi driver's permit allowing the applicant to carry out that occupation in the urban area for which the taxi owner's permit is requested;

(5) have the knowledge or experience required to operate a taxi transportation business;

(6) file an inventory of human and material resources for the purpose of establishing the applicant's ability to administer such a business;

(7) submit budget estimates covering a period of at least 12 months, so that the profitability of the business may be evaluated; and

(8) pay a fee of \$250 to the Commission.

Where a municipal or supramunicipal authority levies a fee in addition to that referred to in subparagraph 8 of the first paragraph, the fee payable for obtaining a taxi owner's permit on its territory is decreased to \$25.

2. Holders of a taxi owner's permit must keep their permit or a permit certificate issued by the Commission in the taxi to which it is attached at all times.

When the taxi is in service, the permit or certificate must be kept in the glove compartment and be available should a client ask to consult it.

3. Holders of a taxi owner's permit must notify the Commission in writing within 30 days of any change in their name or their domicile address.

§2. Taxi driver's permit

4. In order to obtain a taxi driver's permit from the Société de l'assurance automobile du Québec, a person must

(1) be a Canadian citizen or a permanent resident within the meaning of the Immigration Act;

(2) be of full age;

(3) hold a Class 4C driver's license issued under the Regulation respecting licenses, enacted by Order in Council 1421-91 dated 16 October 1991;

(4) understand, speak and read French sufficiently to carry on the occupation;

(5) provide a negative search certificate for the purposes of subparagraphs 2 to 4 of the first paragraph of section 26 of the Act respecting transportation services by taxi;

(6) not have had his or her taxi driver's permit suspended or revoked under section 30 of the Act, before three months have elapsed from the date of the end of the suspension or revocation;

(7) if applicable, not have failed, at least in the past month, the examination referred to in subparagraph 1 of the first paragraph of section 26 of the Act; the passing grade for the examination is 60% and the fees payable are \$25;

(8) if applicable, produce a certificate attesting that the person attended the course referred to in paragraph 1 of section 27 of the Act;

(9) if applicable, produce a certificate attesting that the person attended the course referred to in paragraph 2 of section 27 of the Act; and

(10) pay a fee of \$25, plus \$10 for each permit issued to replace a lost or damaged permit, to the Société or, if applicable, pay the fees required by a municipal or supramunicipal authority referred to in the second paragraph of section 25 of this Act.

5. When on duty, holders of a taxi driver's permit must display their taxi driver's permit so that a client sitting in the back seat can read the information it contains.

6. Holders of a taxi driver's permit must notify the Société within 30 days of any change in their name or their domicile address. However, if the permit was issued by an authorized municipal or supramunicipal authority, the holder must notify that authority.

§3. Taxi transportation service intermediary's permit

7. A person or partnership, in order to obtain a taxi transportation service intermediary's permit from the Commission, must

(1) have the knowledge or experience required to operate a taxi transportation service intermediary business;

(2) file an inventory of human, material and information resources for the purpose of establishing the ability to administer such a business;

(3) in the case of a person or a partnership, be entered in the register of sole proprietorships, partnerships and legal persons under section 58 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45);

(4) not have had the taxi transportation service intermediary's permit suspended or revoked under subparagraph 3 of the first paragraph of section 79 of the Act respecting transportation services by taxi, before three months have elapsed from the date of the end of the suspension or revocation;

(5) show that the services to be offered meet a need in the urban area concerned, in particular with regard to the transportation services required by disabled persons;

(6) file the draft of the general by-law to be imposed upon holders of a taxi owner's permit and holders of a taxi driver's permit who contract the applicant's services;

(7) file a copy of the contract to be concluded with holders of a taxi owner's permit and holders of a taxi driver's permit who contract the applicant's services; and

(8) pay a fee of \$250 to the Commission.

8. Holders of a taxi transportation service intermediary's permit must notify the Commission in writing within 30 days of any change in their name or in their domicile or head office address.

DIVISION II ASSIGNMENT, TRANSFER AND RENEWAL OF PERMITS

9. A person or partnership, in order to obtain authorization from the Commission to assign or transfer a taxi owner's permit issued before 15 November 2000, must

(1) have the knowledge or experience required to operate a taxi transportation business;

(2) file an inventory of human and material resources for the purpose of establishing the ability to administer such a business; and

(3) pay a fee of \$250 to the Commission.

In addition to the conditions provided for in the first paragraph, a natural person must

(1) be a Canadian citizen or permanent resident within the meaning of the Immigration Act;

(2) be of full age; and

(3) provide a negative search certificate for the purposes of the first and third paragraphs of section 18 of the Act respecting transportation services by taxi.

In addition to the conditions provided for in the first paragraph, a legal person or a partnership must provide, in respect of its managers and its chief shareholder, a negative search certificate for the purposes of the first and third paragraphs of section 18 and subparagraphs 2 to 4 of the first paragraph of section 26 of the Act.

10. Notwithstanding section 9, a hypothecary creditor or an heir is only subject to the condition referred to in subparagraph 3 of the first paragraph of that section if the application is only to obtain authorization to assign or transfer the taxi owner's permit to a third party within no more than 90 days from the date of the Commission's decision.

11. Notwithstanding section 9, a person may not apply to the Commission to be assigned or transferred a taxi owner's permit if the person possesses or controls, directly or indirectly, over 20 taxi owner's permits, unless these permits were acquired before 1 November 1973 or unless they are for transportation services required by disabled persons using an accessible vehicle.

12. The taxi owner's permit holder referred to in section 11 who has obtained authorization to assign or transfer a permit may not then proceed to increase the number of permits thus reduced to over 20.

13. For a taxi owner's permit to be renewed, the holder must pay an annual fee of \$100 to the Commission and, if applicable, pay any fine referred to in the second paragraph of section 84 of this Act.

Where a municipal or supramunicipal authority levies an annual fee in addition to that referred to in the first paragraph, the fee payable for renewing a taxi owner's permit in its territory is decreased to \$10 annually.

14. The holder of a taxi owner's permit referred to in section 13 is subject to the provisions of sections 2 and 3.

15. For a taxi driver's permit to be renewed, a person must pay a fee of \$50 every two years to the Société de l'assurance automobile du Québec or, if applicable, to the municipal or supramunicipal authority referred to in the second paragraph of section 25 of the Act.

16. For the purposes of section 15, a taxi driver's permit is renewed during the three months preceding the birthday of its holder, as follows:

(1) if the holder's date of birth falls in an even-numbered year, the fee for renewal of the permit is payable during the first even-numbered year after the permit was issued and then every two years after that during the same period preceding the holder's birthday;

(2) if the holder's date of birth falls in an odd-numbered year, the fee for renewal of the permit is payable during the first odd-numbered year after the permit was issued and then every two years after that during the same period preceding the holder's birthday.

17. A taxi driver's permit must at least contain the date of the beginning and the end of its period of validity, the name of the holder and the Société's name or, if applicable, the name of the authorized municipal or supramunicipal authority which issued it.

The holder of the taxi driver's permit must sign it.

18. To have a taxi transportation service intermediary's permit renewed, its holder must

(1) submit a statement of the human, material and information resources available for administering and operating the business;

(2) submit a description of the services provided to the public and to contracting parties, whether they are holders of a taxi owner's permit or holders of a taxi driver's permit;

(3) file a copy of the general by-law in effect;

(4) file a copy of the contract concluded with holders of a taxi owner's permit and taxi drivers; and

(5) pay a fee of \$100 to the Commission.

DIVISION III ACQUISITION OF INTEREST AND SPECIALIZATION OF SERVICES

19. A person or a partnership applying for authorization to acquire an interest in the business of a holder of a taxi owner's permit must file with the Commission a copy of the document attesting to that interest as well as proof that the notice of acquisition was served on the taxi owner's permit holder concerned, and pay a fee of \$250 to the Commission.

20. In order to obtain authorization for a taxi business to specialize in limousine and "de grand luxe" limousine services, a person must

(1) have the knowledge or experience needed to offer such a specialized service;

(2) file an inventory of human and material resources establishing the ability to administer such a specialized service;

(3) show that the services to be offered meet a service need in the territory concerned;

(4) submit budget estimates covering a period of at least 12 months, so that the profitability of the specialized service may be evaluated;

(5) establish that the automobile to be attached to the permit complies with the provisions of Division IV and that its chassis was manufactured less than two years before the date of the specialization application in the case of a limousine or less than four years before in the case of a “de grand luxe” limousine;

(6) file a copy of the purchase, leasing or rental contract, which must have been concluded for a term of at least one year, for an automobile referred to in paragraph 5, as well as a copy of the contract for converting an automobile into a “de grand luxe” limousine, if applicable; the contracts may be conditional upon service specialization authorization by the Commission;

(7) specify the rates to be charged; and

(8) pay a fee of \$250 to the Commission.

21. In order to obtain authorization for a taxi business to specialize in transportation with personal attendants for beneficiaries of the health care system, a person must

(1) have the knowledge or experience needed to offer such a specialized service;

(2) file an inventory of human and material resources establishing the ability to administer and operate such a specialized service;

(3) show that the services to be offered meet a client-base need in the territory concerned;

(4) submit a written commitment to have all holders of a taxi driver’s permit in the applicant’s service, once service specialization authorization is obtained from the Commission, take at least the part of the course referred to in the first paragraph of section 27 that bears on the knowledge required for the transportation of disabled persons;

(5) submit budget estimates for a period of at least 12 months, so that the profitability of the specialized services applied for may be evaluated;

(6) file a copy of the contract for transportation with personal attendants for beneficiaries of the health care system concluded with a public institution within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) or a regional health and social services council within the meaning of the Act; the contract may be conditional upon service specialization authorization by the Commission;

(7) file a copy of the purchase, leasing or rental contract, which must have been concluded for a term of at least one year, for the automobile or vehicle to be used; and

(8) pay a fee of \$250 to the Commission.

DIVISION IV AUTOMOBILES AND OTHER AUTHORIZED VEHICLES

22. The holder of a taxi owner’s permit offering non-specialized services must use as a taxi a sedan or station wagon-type automobile

(1) whose model has been on the market for no more than 10 years and which meets the requirements of the Motor Vehicle Safety Act (Statutes of Canada, 1993, c. 16);

(2) which, as of the date of the application to the Commission to have it attached to a taxi owner’s permit, is no more than five years old;

(3) which has a wheelbase of at least 261 centimetres;

(4) which is equipped by the manufacturer with at least four safety belts;

(5) which has a solid roof; and

(6) which has at least four side doors.

The following vehicles may also be used if they meet the requirements referred to in subparagraphs 1 to 5 of the first paragraph, if they are equipped by the manufacturer to transport a maximum of nine persons and if their net weight is under 3500 kg

(1) a van with a running board and three or four side doors, each with its own window;

(2) a utility vehicle with three or four side doors and four drive wheels or a device allowing full traction; or

(3) a disabled accessible vehicle which is equipped with a ramp for wheelchair access or a wheelchair lift, fitted to carry at least two persons in wheelchairs and equipped with a restraining device, fixed to the floor with four anchorages, used to keep each wheelchair in the same position as the permanent seats installed by the manufacturer, as well as seat belts for each wheelchair consisting of a shoulder belt and a lap belt.

Notwithstanding the second paragraph, a disabled accessible vehicle equipped with a wheelchair lift may have a net weight of up to 4000 kg.

23. The holder of a taxi owner's permit offering specialized transportation with personal attendants for beneficiaries of the health care system must use as a taxi an automobile or vehicle referred to in section 22

(1) which is equipped by the manufacturer with temperature-controlled air conditioning; and

(2) which is equipped with a cellular phone or an intercommunication system that allows the driver to "radio" the main establishment of the business or of its contracting party.

24. The holder of a taxi owner's permit offering specialized limousine transportation services must use as a limousine an automobile or vehicle referred to in section 22 – with a wheelbase of at least 280 centimetres, however. In addition, the automobile or vehicle must

(1) be a model that is no more than two years old at the time of the application to the Commission to have it attached to a taxi owner's permit and correspond to the most luxurious make marketed by its manufacturer at the time;

(2) have side doors with power windows;

(3) be equipped by the manufacturer with temperature-controlled air conditioning;

(4) have an interior without any stains or tears; and

(5) have a rust-free body coated with paint that is neither flaking nor scratched.

25. The holder of a taxi owner's permit offering specialized "de grand luxe" limousine transportation services must use as a "de grand luxe" limousine an automobile or vehicle referred to in section 22 – with a wheelbase of at least 340 centimetres, however. In addition, the automobile or vehicle must

(1) be a model that is no more than four years old at the time of the application to the Commission to have it attached to a taxi owner's permit and correspond to the most luxurious make marketed by its manufacturer at the time;

(2) have side doors with power windows;

(3) have a partition separating the front seat from the passenger compartment;

(4) be equipped with temperature-controlled air conditioning and heating that can be controlled by passengers in the back seat;

(5) be equipped with a cellular phone accessible to clients; and

(6) have a rust-free body coated with paint that is neither flaking nor scratched.

Notwithstanding the first paragraph, an automobile or vehicle with an unaltered chassis may also be used if it has a wheelbase of more than 330 centimetres. Likewise, a vehicle weighing over 3500 kg may be used if it is referred to in subparagraph 2 of the second paragraph of section 22 even if it has only two drive wheels.

DIVISION V TAXI DRIVER TRAINING

26. In order to obtain or maintain a taxi driver's permit, a person who wishes to carry on the occupation in an urban area or territory referred to in Schedule I must attend a course given by the Commission scolaire des Premières-Seigneuries, for the purposes of subparagraph 1 of section 27 of the Act respecting transportation services by taxi; the course is to last at least 50 hours and cover the toponymic and geographical knowledge required to work as a taxi driver.

27. In order to obtain or maintain a taxi driver's permit, a person who wishes to carry on the occupation in an urban area or territory referred to in Schedule II must attend a course given by the Centre de formation professionnelle pour l'industrie du taxi du Québec Inc., the Commission scolaire des Premières-Seigneuries or the Commission scolaire de la Rivière-du-Nord, for the purposes of subparagraph 2 of section 27 of the Act.

At least seven hours of the course, which is to last a minimum of 30 hours, deal with the transportation of disabled persons and the remaining hours cover knowledge of the provisions of the Act respecting transportation services by taxi and its regulations as well as basic knowledge of the skills, abilities and conduct required to work as a taxi driver in a specific urban area or territory.

DIVISION VI MANDATORY EQUIPMENT, MECHANICAL MAINTENANCE AND REPORTS

§1. *Mandatory equipment*

28. Holders of a taxi owner's permit must equip their taxis with a taximeter unless exempted following a decision by the Commission under subparagraph 7 of the first paragraph of section 79 of this Act.

A taximeter must include a digital display that lights up when activated and allows clients sitting in the back seat to read the information it displays.

29. The holder of a taxi owner's permit must use a taximeter which shows a reading at all times that is in keeping with the rates in effect and may not vary by more than 1% in relation to the rates fixed by the Commission under section 60 of the Act.

30. The holder of a taxi owner's permit must ensure that a taxi's taximeter is sealed at all times. The holder must have the taximeter inspected and have a new seal affixed by the Commission at the holder's own expense

(1) within 30 days of the effective date of a change in the rate fixed by the Commission;

(2) immediately after the taximeter or taxi transmission is replaced, repaired or altered;

(3) immediately after a change in the size of the tires on the drive wheels of the taxi; and

(4) every six months.

31. Holders of a taxi owner's permit must equip their taxis with a domelight that is securely fastened to the front part of the roof, unless their permit is a specialized permit.

The domelight must be made of translucent material, be equipped with an internal lighting device, and allow the taxi to be recognized when it is in service and to be identified among others in the urban area concerned.

32. Notwithstanding section 31, in a territory served by a holder of a taxi owner's permit for specialized limousine and "de grand luxe" limousine services, the holder of a taxi owner's permit is authorized to remove the domelight when transporting someone under a written contract concluded with that holder.

In addition to the first paragraph, the holder of a taxi owner's permit may, at the client's request, remove the domelight from a taxi if the holder is providing transportation services under a written contract concluded with that client. The contract must be kept in the taxi during the trip.

§2. *Mechanical maintenance and reports*

33. During the pre-departure inspection performed for the purposes of section 51 of the Act, the driver of a taxi, a limousine or a "de grand luxe" limousine must carry out a visual check or, as the case may be, an auditory check of the following:

(1) the brake fluid level, which should never be under the level indicated by the manufacturer or, if not indicated, any more than 10 mm under the filler neck opening;

(2) the parking brake, which must be activated a number of times in order to check whether its cables are operating freely, its compliance with regard to vehicle immobilization and the activation of a dashboard indicator that lights up or turns off depending on whether the brake is applied or released;

(3) the vehicle's headlights, lights and signals, including in particular low-beam headlights, turn-signal lights, emergency flashers and parking lights, which must be operational and securely fastened in the places provided for by the manufacturer, and their dashboard indicators, which must activate the electrical circuits enabling them to work at the intensity intended by the manufacturer;

(4) the tires, which must not show any wear, cracks, cuts or tears exposing the tire rib or the steel belt, have any bulges or abnormal deformities, or be affected by material or an object stuck in the tread or tire wall, which could cause a flat;

(5) the tire valves, which must not be worn, damaged, scraped or cut and the projecting part of which must be long enough to allow tires to be filled easily and tire pressure to be checked;

(6) the horn, which must work properly in keeping with the manufacturer's standards;

(7) the windshield wipers and windshield washer fluid, all of the components of which must be complete, properly adjusted and in good condition to ensure that they work effectively;

(8) the rearview mirror, which must be vertically and horizontally adjustable and remain in the desired position, be an adequate size and securely fastened and not have any sharp edges, the mirror of which should not be broken, cracked, tarnished or dull; and

(9) the domelight, which must be securely fastened and work properly.

34. The driver must perform a pre-departure inspection every time the vehicle is to be used.

35. The pre-departure inspection report must contain the following:

(1) the date and time of the last pre-departure inspection;

(2) the license plate number of the vehicle inspected;

(3) a description of the defects noted during the last pre-departure inspection and of any defects noted after departure; and

(4) the driver's name and taxi driver's permit number.

The taxi driver's permit holder must sign the report.

36. The holder of a taxi owner's permit or, if applicable, the holder of a taxi transportation service intermediary's permit, if the holder manages the vehicle's use, must ensure that all the pre-departure inspection reports for the current month are kept in the taxi.

37. The taxi driver referred to in section 54 of the Act must send each taxi owner's permit holder for whom he or she works as a taxi driver, by registered mail, a copy of the document certifying the modification, suspension or revocation of his or her taxi driver's permit, driver's license or class authorizing the driving of a taxi, upon receipt of a notice to that effect from the Société or, if applicable, from the municipal or supramunicipal authority referred to in the second paragraph of section 25 of the Act.

38. The holder of a taxi owner's permit referred to in section 56 of the Act must keep a record of the nature and date of any repairs made to the vehicle attached to the permit, attach the supporting documents and keep this record for as long as the holder is the owner of the vehicle.

39. The holder of a taxi transportation service intermediary's permit referred to in section 59 of the Act or the holder of a taxi owner's permit, if applicable, must keep the following documents:

(1) the employment contract or taxi rental contract concluded with the taxi driver's permit holder;

(2) a copy of the driver's license and taxi driver's permit;

(3) a copy of the registration certificate for each taxi driven by that holder according to the holder's working time; and

(4) if applicable, a copy of a certificate attesting that the holder attended the course referred to, as the case may be, in paragraph 1 or 2 of section 27 of the Act.

The documents must be kept for as long as the driver is employed by a person referred to in the first paragraph or rents one of the person's taxis and for a 12-month period after the driver's termination of employment or the end of the taxi rental.

DIVISION VII CLIENT SERVICE

§1. *Client service*

40. The holder of a taxi driver's permit must be properly dressed in clean clothing.

41. Holders of a taxi driver's permit must afford clients the courtesy, comfort and safety required by their occupation.

42. At night, holders of a taxi driver's permit must keep the taxi domelight on when the taxi is available and when

(1) driving in their urban area; or

(2) parked in the first space at a public taxi station.

43. Holders of a taxi driver's permit may not refuse to make a trip starting inside the urban area for which the taxi permit was issued, unless the destination is over 50 kilometres outside the boundaries of the urban area.

44. A holder of a taxi driver's permit who is hailed by a client may not let the client get into the taxi if there is a public taxi station less than 60 metres away and a taxi is parked there and available for service. If this is the case, the holder must inform the client that the taxi already waiting can meet his or her need for service.

The first paragraph does not apply, however, if the client is a disabled person in a wheelchair.

45. When parking the taxi at a public taxi station, the holder of a taxi driver's permit must park in the first space available.

The holder must move up one space when the space ahead becomes free.

46. Notwithstanding section 43, a holder of a taxi driver's permit who does not occupy the first space in a public taxi station must turn down a client who asks for a ride and direct the client to the first taxi in the line-up, unless the client requires a special means of payment – credit card payment in particular – or requires a disabled accessible vehicle or a special accessory such as a luggage rack.

By the same token, a holder of a taxi driver's permit who is waiting at a public taxi station must turn down a trip his or her taxi transportation service intermediary calls in if a taxi with the same intermediary is ahead of him or her at the station, unless the intermediary is calling the holder as a result of a special request from a client with regard to a means of payment other than cash, a driver's special qualifications, the taxi's wheel-base or accessibility, or a special accessory or equipment.

47. The holder of a taxi driver's permit must help a passenger get in or out of the automobile or vehicle safely if he or she notes that the client obviously needs assistance because of age, apparent state of health or a handicap.

48. Unless the client directs otherwise, the holder of a taxi driver's permit must take the most direct route to the destination.

49. The holder of a taxi driver's permit offering private transportation services is obliged to offer this transportation exclusively to the client or persons designated by the client.

50. The holder of a taxi driver's permit must start the taximeter at the beginning of the trip and, unless the client directs otherwise, stop it as soon as the taxi arrives at the destination.

Furthermore, after finding out the destination from the client, the holder must turn off the dome light.

For the purposes of this section, a taxi trip begins when the client gets into the taxi or when the client explicitly asks the driver to wait for him or her.

51. If the taximeter becomes defective during a trip, the taxi driver's permit holder must agree with the client on the fare and this fare must correspond to that calcu-

lated by taximeter. In urban areas where the Commission authorizes odometer billing, the holder must agree with the client on the fare if the odometer becomes defective.

The holder shall not make any other trips until the taximeter or odometer has been repaired or replaced.

52. When a trip entails expenses for meals or accommodation for the holder of a taxi driver's permit, the reimbursement of those expenses by the client must be agreed upon with the client prior to departure.

When a trip involves expenses for crossing a bridge or using a ferry, or highway toll expenses, the expenses are added to the amount for the trip.

When a trip requires the use, at the client's request, of special equipment, with the exception of equipment needed to compensate for a physical handicap, reimbursement of the related expenses by the client must be agreed upon with the client prior to departure.

53. When a holder of a taxi driver's permit is paid for a trip, he or she must give the client the exact amount of change, if applicable.

The holder does not have to accept payment for a trip with a bill that is over \$30 more than the fare. If the holder accepts the bill, however, he or she may charge the client for the cost of driving to a place where the exact change can be obtained.

54. The holder of a taxi driver's permit must give each client a receipt upon request. The receipt must include at least the following information :

- (1) the name of the holder of a taxi owner's permit or of the taxi transportation service intermediary's permit ;
- (2) the name of the holder of the taxi driver's permit ;
- (3) the date ; and
- (4) the amount of the fare.

The holder of a taxi driver's permit must sign the receipt.

§2. Rates

55. The rates fixed by the Commission under section 60 of the Act for private transportation by taxi are the same for all holders of a taxi owner's permit in the same urban area, except in the case of specialized permits for transportation with personal attendants for beneficiaries of the health care system, limousine services or "de grand luxe" limousine services.

The rates in effect must be displayed inside the taxicab.

56. The method of charging to be used during a trip made partly outside the urban area for which the permit is issued is the same as that used for trips within the urban area when the fare is calculated by taximeter or odometer, if applicable.

However, where the rates are fixed by zone for an urban area, the fare for the portion of the trip made outside the urban area is calculated by taximeter or odometer, or by the hour, according to the method used by the Commission to fix rates for service outside an urban area.

57. Where the rates are fixed by the Commission so that the fare can be calculated by odometer, the holder of a taxi driver's permit only takes into account the pick-up charge and the distance covered with the client.

Where the rates are fixed by zone, the holder of the taxi driver's permit, when determining the fare, only takes into account the number of zones crossed or entered, even partially.

58. Notwithstanding sections 55 to 57, the holder of a taxi owner's permit, a taxi transportation service intermediary's permit or a taxi driver's permit may conclude a contract referred to in the second paragraph of section 62 of the Act which allows the holder to agree upon the fare with the client if the contract

- (1) is written;
- (2) names the parties and indicates that they signed it;
- (3) identifies the persons or group of persons to be transported;
- (4) mentions the date and duration of the contract;
- (5) mentions the fare determined or the method to be used to calculate it;
- (6) indicates the starting point and destination.

DIVISION VIII **SERVICES PROVIDED BY TAXI** **TRANSPORTATION SERVICE INTERMEDIARIES**

59. Subject to the restrictions indicated on the permit and established by the Commission under subparagraph 3 of the first paragraph of section 79 of the Act, the holder of a taxi transportation service intermediary's permit must handle call distribution 24 hours a day, 7 days a week for the urban area territory specified on the permit.

60. For each call from a client, the holder of a taxi transportation service intermediary's permit must note and keep the following information:

- (1) the date and time of the call;
- (2) the address where the taxi is required;
- (3) the number of the taxi assigned; and
- (4) the outcome of the call.

This information must be kept for three months from the date it is noted.

61. The holder of a taxi transportation service intermediary's permit must adopt a general by-law containing at least

- (1) the conditions for joining so that holders of a taxi owner's permit may conclude contracts for their services;
- (2) the working conditions of holders of a taxi driver's permit if the intermediary employs or refers any;
- (3) the rules of conduct and ethics which employees and contracting parties must adhere to;
- (4) a chart identifying the penalties, according to their severity, for offenses against the rules referred to in paragraph 3; and
- (5) the nature of the information that may be contained in the files concerning employees and contracting parties as well as the way that this information is accessed.

62. The holder of a taxi transportation service intermediary's permit, when concluding a contract with a holder of a taxi owner's permit, must indicate in the contract the rights and obligations of each party. The contract must also

- (1) name the parties concerned and include their signature;
- (2) give the intermediary's name and address;
- (3) indicate the date and duration of the contract;
- (4) mention the price fixed for services or the method used to calculate it;
- (5) designate a natural person to represent the holder of a taxi transportation service intermediary's permit, for the holder of a taxi owner's permit to contact for execution of the contract; and

(6) specify how the rules and penalties referred to in paragraphs 3 and 4 of section 61 are to be applied.

63. There must be at least one disabled accessible taxi in the taxi fleet of the holder of a taxi transportation service intermediary's permit who provides services to at least 20 contracting parties, whether the taxis in the fleet are owned by the holder or by the holder's contracting parties.

DIVISION IX **SHARED TRANSPORTATION SERVICES**

64. The provisions in this Division prevail over any other provisions in this Regulation with which they might be incompatible.

65. A holder of a taxi owner's permit who provides shared transportation services for the purposes of section 7 of the Act must install on the front part of the taxi roof, in place of the domelight, a sign identifying the holder and indicating that the taxi is providing shared transportation.

The sign must be made of translucent material and have an internal lighting device. The holder of the taxi driver's permit must ensure that it is lit at night when providing shared transportation and remove it once the taxi is no longer in service.

The first paragraph does not apply to shared transportation services reserved for disabled persons.

66. The fare charged to a client for shared taxi transportation to or from an airport referred to in Schedule III is the fare provided for therein.

67. A holder of a taxi owner's permit for an urban area referred to in Schedule III may offer shared taxi transportation to or from an airport on the conditions provided for therein.

DIVISION X **LIMOUSINE AND "DE GRAND LUXE"** **LIMOUSINE SERVICES**

68. The provisions in this Division prevail over any other inconsistent provisions in this Regulation.

69. Holders of a taxi owner's permit offering specialized limousine services or "de grand luxe" limousine services and holders of a taxi driver's permit who drive such limousines or "de grand luxe" limousines shall not provide shared transportation, do any soliciting or "cruise" for fares.

70. Holders of a taxi driver's permit who drive limousines or "de grand luxe" limousines must not park their limousines or "de grand luxe" limousines in a public taxi station when on duty.

71. Holders of a taxi driver's permit who drive limousines or "de grand luxe" limousines must wear townwear when on duty.

72. Holders of a taxi owner's permit specializing in limousine or "de grand luxe" limousine services and holders of a taxi driver's permit who drive limousines or "de grand luxe" limousines must not display any commercial notices inside or outside their limousine or "de grand luxe" limousine, install a domelight or sign, or equip the limousine or "de grand luxe" limousine with a taximeter or other similar meter.

73. Holders of a taxi owner's permit offering specialized limousine or "de grand luxe" limousine services must propose rates to the Commission for their limousine or "de grand luxe" limousine services which must include a one-hour minimum to be charged to all clients as soon as the limousine or "de grand luxe" limousine is placed at their disposal. They are also authorized to ask the Commission to take fractions of hours into account in fixing their rates after the first hour charged.

74. A holder of a taxi driver's permit who drives a limousine or "de grand luxe" limousine may charge a client for using a cellular phone with which the vehicle is equipped; the charges must be in line with the actual cost of the service, plus the required taxes.

DIVISION XI **PENAL**

75. Any contravention of the provisions in sections 2, 3, 5, 6, 8 and 14, the second paragraph of section 17, sections 28 to 32, 36, 38 and 40 to 43, the first paragraph of section 44, sections 45 to 49, the first and second paragraphs of section 50, section 51, the first paragraph of section 52, the first paragraph of section 53, or sections 54, 59, 60, 63, 65, 66 and 69 to 72 constitutes an offence punishable by the fine provided for in section 115 of the Act.

DIVISION XII **TRANSITIONAL AND FINAL**

76. The provisions in subparagraphs 3, 4, 6 and 7 of the first paragraph of section 1 do not apply to a holder whose taxi owner's permit was issued by the Commission between 15 November 2000 and 30 June 2002.

77. Notwithstanding section 7, a person who has been operating a taxi transportation service intermediary business for 12 months on the date of an order made for the purpose of the first paragraph of section 32 of the Act is only required to meet the conditions referred to in paragraphs 6 to 8 of section 7 if the person files an application for a permit with the Commission within 60 days of the order. During the 60-day period allowed to file the application and until the Commission renders its decision, the person is presumed to be a holder of a taxi transportation service intermediary's permit.

78. Notwithstanding sections 22 to 25, the holder of a taxi owner's permit may continue to use, until 30 June 2004, an automobile or vehicle whose model is over ten years old on 30 June 2002. Notwithstanding subparagraph 3 of the first paragraph of section 22, the holder may also continue to use until 30 June 2004, a taxi whose wheelbase is between 246 and 260 centimetres.

79. Section 26 only applies to a person who is issued his or her first taxi driver's permit as of 1 September 2002.

80. Notwithstanding section 27, a person who, on the date that a regulation referred to in paragraph 2 of section 27 of the Act comes into force, is the holder of a taxi driver's permit issued under the Act respecting transportation by taxi (R.S.Q., c. T-11.1) only needs to attend the 7-hour part of the course on the knowledge required for the transportation of disabled persons before 1 January 2005 in order to maintain or renew his or her taxi driver's permit. During that period, he or she is presumed to be the holder of a taxi driver's permit.

81. This Regulation replaces the Transportation by Taxi Regulation made by Order in Council 1763-85 dated 28 August 1985.

82. This Regulation comes into force on 30 June 2002, except for subparagraph 3 of the first paragraph of section 1 and paragraph 5 of section 4 which will come into force on 30 June 2003 and section 63 which will come into force on 31 March 2005.

SCHEDULE I (s. 26)

Territory where special toponymic and geographical knowledge is required to carry on the occupation of taxi driver:

- Ville de Québec.

SCHEDULE II (s. 27)

Territories or urban areas where knowledge on the transportation of disabled persons is required in order to carry on the occupation of taxi driver, as well as knowledge of the provisions of the Act respecting transportation services by taxi and its regulations and basic knowledge of skills, abilities and conduct:

1. Ville de Québec;
2. Ville de Longueuil;
3. Ville de Laval.

SCHEDULE III (s. 66)

RATE FOR SHARED TAXI TRANSPORTATION TO AND FROM THE AÉROPORT DE MONT-JOLI

Shared airport transportation services may be provided at the Aéroport de Mont-Joli by holders of a taxi owner's permit who are empowered to do so by this Schedule, if they meet the conditions that apply.

The shared taxi service must be offered in keeping with the departure and arrival time of commercial flights. The fare is set at \$35 per trip, plus the required taxes, and must be shared by all clients in the same taxi, regardless of each client's destination or the number of clients.

Where the number of clients requires the use of more than one taxi, considering the number of seatbelts, the fare is \$35 per taxi, plus the required taxes, and it must be divided equally among the clients, no matter which taxi they are in.

All holders of a taxi owner's permit in the urban area which includes the territory of Ville de Mont-Joli are authorized to provide shared transportation for trips starting at the Aéroport de Mont-Joli and ending at any of the following addresses:

- 155, boulevard René-Lepage Est, Rimouski;
- 130, rue Saint-Barnabé, Rimouski;
- 53, rue de l'Évêché Est, Rimouski;
- 556, rue Saint-Germain Est, Rimouski Est;
- 922, boul. Sainte-Anne, Pointe-au-Père;
- 225, boul. René-Lepage Est, Rimouski.

All holders of a taxi owner's permit in the urban area which includes the territory of Ville de Rimouski are authorized to provide shared transportation for trips starting at any of the above-mentioned addresses and ending at the Aéroport de Mont-Joli.