

## Regulations and other Acts

### M.O., 2018

#### Order number 2018-24 of the Minister of Transport dated 10 December 2018

An Act respecting transportation services by taxi (chapter S-6.01)

Pilot project to optimize taxi transportation services and the servicing of regional infrastructures and equipment in the territory of the Communauté métropolitaine de Québec

THE MINISTER OF TRANSPORT,

CONSIDERING the first paragraph of section 89.1 of the Act respecting transportation services by taxi (chapter S-6.01), which provides that the Minister of Transport may, by order, authorize pilot projects designed to experiment or innovate in the area of taxi transportation services or to study, improve or define standards applicable to that area;

CONSIDERING the first paragraph of section 89.1 of the Act, which provides that the Minister may also, within the scope of pilot projects, authorize any person or body that is a holder of a taxi owner's permit or a taxi transportation service intermediary's permit issued under the Act, or a business partner of such a holder, to offer or provide taxi transportation services in compliance with standards and rules prescribed by the Minister that differ from those set out in the Act and the regulations or any other Act or regulation whose administration falls under the Minister's responsibility, for the purpose of increasing the safety of users, improving the quality of the services offered, ensuring supply management of taxi transportation services that takes into consideration the public's needs or fostering the development of the taxi transportation services industry, all in compliance with the principle of equity toward holders operating under any permit at the time the pilot project is implemented and with the applicable privacy protection rules;

CONSIDERING that the details of the pilot project were published on the website of the Ministère des Transports and of the Commission des transports du Québec on 6 December 2018, in accordance with the third paragraph of section 89.1 of the Act;

CONSIDERING the fourth paragraph of section 89.1 of the Act, which provides that a pilot project made under that section is not subject to the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1);

CONSIDERING the Government's intention to review the rules applicable to the taxi industry in order to optimize taxi transportation services to take into account the public's evolving needs and improve the services intended to serve regional infrastructures and equipment;

CONSIDERING the Government's direction to modernize the rules governing supply management of taxi transportation services in Québec, in particular to foster the development of technological platforms integrating a mobile application, with a view to fostering the development of the taxi industry and meeting the needs of users;

CONSIDERING that it is expedient to authorize the Pilot project to optimize taxi transportation services and the servicing of regional infrastructures and equipment in the territory of the Communauté métropolitaine de Québec;

ORDERS AS FOLLOWS:

The Pilot project to optimize taxi transportation services and the servicing of regional infrastructures and equipment in the territory of the Communauté métropolitaine de Québec, attached to this Order, is hereby made.

FRANÇOIS BONNARDEL,  
*Minister of Transport*

### **Pilot project to optimize taxi transportation services and the servicing of regional infrastructures and equipment in the territory of the Communauté métropolitaine de Québec**

An Act respecting transportation services by taxi (chapter S-6.01, s. 89.1)

#### **DIVISION I GENERAL**

**1.** The Pilot project to optimize taxi transportation services and the servicing of regional infrastructures and equipment in the territory of the Communauté métropolitaine de Québec is hereby authorized

(1) to establish certain special rules that differ from those set out in the Act respecting transportation services by taxi (chapter S-6.01), to improve the taxi transportation services offered to serve the regional infrastructures and equipment in the territory of the Communauté métropolitaine de Québec;

(2) to put the users at the centre of concerns to better meet their needs, in particular during peak periods or special events held in that territory;

(3) to give the holders of a taxi transportation service intermediary's permit the opportunity to offer taxi transportation services from a mobile application and allow the holders of a taxi owner's permit or a taxi driver's permit to use that application to benefit from the special rules set out in the Pilot project;

(4) to foster the development of the taxi transportation services industry in pursuit of development and organization of mobility in the territory of the Communauté métropolitaine de Québec;

(5) to collect information on the optimization results obtained for taxi transportation services in the territory of the Communauté métropolitaine de Québec, in particular to serve the regional infrastructures and equipment therein, to modernize in the long term the rules governing the taxi transportation services offer.

**2.** For the purposes of this Pilot project,

(1) "home area" means the taxi servicing area authorized to be served by the taxi transportation service intermediary's permit or taxi owner's permit;

(2) "Act" means the Act respecting transportation services by taxi (chapter S-6.01);

(3) "Minister" means the Minister of Transport.

## DIVISION II IMPROVEMENT OF THE SERVICE

### §1. *Regional infrastructures and equipment*

**3.** Despite section 6 of the Act, a taxi owner or driver who carries on activities in one of the taxi servicing areas listed in Schedule I may make a trip outside the taxi owner's or driver's home area if the pick-up point of the trip is located in one of the following regional infrastructures or equipment:

- (1) Québec City Jean Lesage International Airport;
- (2) the Port of Québec cruise terminal;
- (3) ferry terminal of the Québec City-Lévis ferry of Ville de Québec;
- (4) the Gare du Palais;

(5) the Sainte-Foy bus station;

(6) the Sainte-Foy train station;

(7) the Videotron Centre.

The same applies to a taxi owner or driver who carries on activities in one of the taxi servicing areas listed in Schedule II, if the pick-up point of the trip is located in one of the following places:

(1) ferry terminal of the Québec City-Lévis ferry of Ville de Lévis;

(2) the Charny train station.

### §2. *Mobile application*

**4.** Despite section 6 of the Act, a taxi owner or driver who offers services in the territory of the Communauté métropolitaine de Québec may make a trip outside the home area if

(1) the customer requested the trip using a mobile application entered in the register referred to in section 9; and

(2) the pick-up point or destination of the trip requested is located in one of the taxi servicing areas served by that mobile application.

**5.** The holder of a taxi transportation service intermediary's permit or a group of such holders that carries on activities in a taxi servicing area located in the territory of the Communauté métropolitaine de Québec and who wants to offer taxi transportation services from a mobile application must, first, enter the application in a register held by the Minister and accessible on the website of the Ministère des Transports.

To that end, the interested holder or group of holders of a taxi transportation service intermediary's permit must file a written application to the Minister and provide the following information and documents in support of the application:

- (1) the objectives covered by the project;
- (2) a description of the proposed mobile application;
- (3) a list of the holders of a taxi owner's permit to whom one of the services provided for in subparagraph 2 of the first paragraph of section 2 of the Act is offered;

(4) a copy of the procedures agreed upon under section 7 or 8 of this Pilot project, as the case may be, with any holder of a taxi transportation service intermediary's permit who intends to use the mobile application, with the list of holders of a taxi owner's permit to whom the holder offers services or agreed upon directly with holders of a taxi owner's permit;

(5) the identification of the servicing areas that would be served by the proposed mobile application.

To file an application for registration with the Minister under this section, the holder of a taxi transportation service intermediary's permit or a group of such holders must provide services to a number of holders of a taxi owner's permit equal to more than 50% of all those who are authorized to serve their home area. This paragraph is not applicable however in the case where the home area is already served by a mobile application entered in the register provided for in section 9.

**6.** A mobile application must include at least the following functionalities allowing

(1) to make a request for a trip, specifying a pick-up point;

(2) to obtain an estimate of the travel cost;

(3) to accept or refuse the trip offer that is posted;

(4) to indicate the number of passengers for that trip;

(5) to complete the online payment transaction where an offer is accepted;

(6) to examine the assessments made by the users of their customer experience.

To be entered in the register of mobile applications provided for in section 9, the holder of a taxi transportation service intermediary's permit must show to the Minister that the mobile application covered by the application complies with the conditions referred to in the first paragraph.

**7.** In order for the holder or a group of holders of a taxi transportation service intermediary's permit to file an application for registration of a mobile application with the Minister under section 5, the holder or group of holders must first agree in writing with the procedures that will apply to the service request distribution received from that application

The procedures must be agreed upon with the holder of a taxi transportation service intermediary's permit or a group of such holders, to the extent where the holder or group of holders provides services to a number equal to more than 50% of all the holders of a taxi owner's permit authorized to serve the holder's home area. That number may also be reached by agreeing with the distribution procedures directly with the interested holders of taxi owner's permits of the same area or both with such holders or holders of taxi transportation service intermediary's permit. This paragraph does not apply however in the case where the taxi servicing area is already served by a mobile application entered in the register provided for in section 9.

This section applies, with the necessary modifications, to extend the territory served of a mobile application entered in the register to a new taxi servicing area that is not served by such a mobile application.

**8.** Despite the second paragraph of section 7, for each of the following taxi servicing areas, the procedures applicable to the service request distribution received from a mobile application must be agreed upon with a minimum of 75% of the holders of taxi owner's permits authorized to serve the taxi servicing area:

(1) Sainte-Catherine-de-la-Jacques-Cartier;

(2) Lac-Beauport;

(3) Sainte-Brigitte-de-Laval;

(4) Château-Richer;

(5) Sainte-Anne-de-Beaupré;

(6) Saint-Pierre-de-l'île-d'Orléans.

This section does not apply however in the case where the taxi servicing area is already served by a mobile application entered in the register provided for in section 9.

**9.** The register of mobile applications held by the Minister includes the following information:

(1) the name of every authorized mobile application and the name of the holders of a taxi transportation service intermediary's permit who applied therefor in accordance with section 5;

(2) the name of the holders of a taxi transportation service intermediary's permit authorized to use that mobile application;

(3) the taxi servicing areas served by that mobile application.

Every holder of a taxi transportation service intermediary's permit who caused to have a mobile application entered in the register must inform the Minister of any change made to the information referred to in the first paragraph, within 30 days following such a change. In the case where the change is to extend the territory served of a mobile application to a new taxi servicing area that is not served by such a mobile application, the information and documents referred to in subparagraphs 4 and 5 of the second paragraph of section 5 must also be sent to the Minister.

The minister promptly makes the required amendments in the register.

### **DIVISION III MONITORING REPORT**

**10.** The holder of a taxi transportation service intermediary's permit whose drivers bound to the holder made trips outside their home area pursuant to section 3 must send to the Minister and the Commission des transports du Québec, within 60 days before the end of the Pilot project, a report containing, for each regional infrastructure or equipment concerned, the following information:

- (1) the monthly number of trips made whose pick-up point was located in their home area and whose destination was located outside the home area;
- (2) the number of holders of a taxi owner's permit, identified based on their home area, having made such trips;
- (3) a customer satisfaction assessment.

**11.** The holder of a taxi transportation service intermediary's permit whose mobile application is entered in the register provided for in section 9 must send to the Minister and the Commission des transports du Québec, on the fifteenth day of each month, a monthly report indicating

- (1) the total number of trips requested by the mobile application and the number of trips made among them;
- (2) the average time elapsed between the receipt of a request for a trip made from a mobile application and the pick-up of the customer; and
- (3) the average number of kilometres travelled, duration and total cost of a trip.

In addition, the holder referred to in the first paragraph must provide the Minister and the Commission, within 60 days before the end of the Pilot project, with a final report indicating

- (1) the monthly number of trips requested using the mobile application and the number of trips made among them;
- (2) the monthly number of trips made according to the rules of section 4, for each home area served by the mobile application;
- (3) a description of the measures taken to ensure the quality of services and, where applicable, the number of complaints received and processed;
- (4) the holder's appreciation of the application of the Pilot project rules.

### **DIVISION IV COLLECTION OF INFORMATION**

**12.** The Minister is responsible for collecting information on the optimization of taxi transportation services with respect to the services offered to serve the regional infrastructures and equipment in connection with the Pilot project.

The Minister is also responsible for collecting information on the optimization of taxi transportation services requested using a mobile application authorized under this Pilot project.

The holder of a taxi transportation service intermediary's permit must send to the Minister, within the time requested, any information that the Minister deems necessary for the purposes of the follow-up and assessment of the Pilot project.

### **DIVISION V OFFENCES**

**13.** The holder of a taxi transportation service intermediary's permit who contravenes the second paragraph of section 9, any of sections 10 and 11 and the third paragraph of section 12 is guilty of an offence and liable to a fine of \$200 to \$300.

**14.** The holder of a taxi transportation service intermediary's permit who contravenes section 6 is guilty of an offence and liable to a fine of \$300 to \$400.

**15.** The holder of a taxi transportation service intermediary's permit who offers services from a mobile application without having obtained the prior authorization required by section 5 is guilty of an offence and liable to a fine of \$500 to \$1,500.

**DIVISION VI**  
MISCELLANEOUS AND FINAL

**16.** The rules of this Pilot project prevail over any inconsistent provision of the Act and its regulations.

**17.** This Pilot project comes into force on 28 December 2018. It is revoked on 28 December 2019.

**SCHEDULE I**  
(section 3)

**Taxi servicing areas covered by the provisions of the first paragraph of section 3**

A-25 Charlesbourg  
A-30 Est-de Québec  
A-36 Québec  
A-38 Sainte-Foy-Sillery  
Saint-Émile  
Val-Bélair  
Wendake

**SCHEDULE II**  
(section 3)

**Taxi servicing areas covered by the provisions of the second paragraph of section 3**

Charny  
Saint-Romuald  
A-35 Lévis

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