

RE: LETTER FROM LINDSAY M. GOWER WHICH APPEARED ON THE AGENDA FOR THE  
1984 APRIL 09 MEETING OF COUNCIL (ITEM 4f)  
TAXICAB SERVICE

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Chief Licence Inspector be adopted.

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TO: MUNICIPAL MANAGER  
FROM: CHIEF LICENCE INSPECTOR  
RE: TAXICAB SERVICE

RECOMMENDATION

1. THAT a copy of this report be forwarded to Lindsay M. Gower,  
#239 - 3730 Burke Street, Burnaby, B.C., V5H 1A3.

SUMMARY

This report addresses the issue of the operations of taxicabs, as raised by Lindsay Gower in a letter to Ald. Brown, dated 1984 March 21, and deals with the Municipality's position regarding accidents involving taxicabs, and our procedure to determine mechanical fitness of taxicabs.

REPORT

BACKGROUND

At the meeting of 1984 April 09, Council received correspondence from Lindsay M. Gower, outlining an accident that he alleges to have experienced on 1984 January 04 while getting out of a Bonny's taxicab at the Old Orchard Shopping Centre, Kingsway and Willingdon Avenue. Mr. Gower also suggests that cleanliness and safety of the cabs should be examined, and that drivers are lacking in courtesy, and that residents should have a choice of taxicab service available to them.

ACCIDENT

Investigation of Mr. Gower's statements, including an interview with him, determined that he is a handicapped person and requires a walker for assistance in getting around. At the time of the accident, he had gotten out of the cab and was standing at the right hand side of the vehicle, using the open door for support. The driver was in the process of getting Mr. Gower's walker from the rear of the cab when it began to roll. As the vehicle rolled, Mr. Gower lost his support and fell or was knocked to the ground by the open door. With the exception of the open door, the vehicle did not pass over him. The driver, after regaining control of the vehicle, brought the walker and assisted Mr. Gower to his feet. Mr. Gower then continued on into the shopping centre.

Mr. Gower made a verbal report of the accident to Bonny's Taxi Ltd. Mr. George Laphorne, Car Coordinator for the company, confirmed that he spoke with Mr. Gower on the day following the accident and explained to him that any claim against Bonny's Taxi for bodily injury or damage must be submitted to their insurance company, I.C.B.C., for investigation and settlement as warranted. Mr. Laphorne also gave Mr. Gower the fleet number of the cab involved. There has been no further contact between Mr. Gower and Bonny's Taxi Ltd.

It is important to recognize that when bodily injury is suffered in any accident involving a vehicle, it shall be reported to the R.C.M.P. within 24 hours. Determination of fault or error in any accident is a matter for the police, and perhaps the courts. The Municipality has no involvement in this process.

During the interview with Mr. Gower he indicated that, except for possible bruises, he was not injured. Further, it was determined that he did not file a claim with I.C.B.C., nor did he report the accident to the R.C.M.P.

#### CONDITION OF VEHICLES

Regarding Mr. Gower's statement concerning cleanliness and safety of cabs; annually the Licence Department tests the taxi meter of each cab for accuracy against a measured distance, at the established tariff rate. At the same time, the cabs are examined for interior cleanliness, general appearance, and to see that each vehicle displays a valid Provincial motor vehicle inspection decal. Additionally, members of the R.C.M.P. Traffic Division examine the vehicles to determine mechanical fitness by testing brakes, lights, horn, steering, and examining tires. The owners of the vehicles which do not pass the inspection are issued a checkup slip to effect the necessary corrections and present the vehicle for retesting. Occasionally a vehicle is taken off the road for mechanical reasons. Throughout the year, cabs are tested when a replacement vehicle is brought into service, or re-examined on receipt of a complaint concerning any of the above. Also, the company, through their Car Coordinator, regularly inspects the cabs for general appearance and cleanliness. In this case, Mr. Gower indicated that the cab was in average condition and that he has no specific complaint concerning other cabs in the fleet.

Regarding the statement of lack of driver courtesy, this is an operational area that is the responsibility of the operator. Certainly it is in the best interests of the operator of any business to maintain standards of conduct which are acceptable to their customers. It is not administratively practical or reasonable for the Municipality to attempt to establish standards of personal conduct for operators or employees of any business.

In the interview with Mr. Laphorne of Bonny's Taxi, it was revealed that the driver involved in the incident was the owner-operator of the cab. This person has since sold the cab and no longer has any association with the company. The vehicle in use at the time was last tested and passed on 1983 June 24. It has now been replaced by the new owner-operator.

#### LEVEL OF SERVICE

There is no indication by Mr. Gower that he has experienced a lack of taxicab service. In the interview he indicated that he does not find the service slow, nor does he have complaints regarding the condition of other cabs in Bonny's fleet. He expresses an opinion that service is average. However, in his opinion, taxicab users should be able to request service from the company of their choice, whether located in Burnaby or elsewhere. In this regard, the Provincial Motor Carrier Commission has scheduled a hearing in May of this year, and one of the points to be examined is the practicality of extending taxicab Provincial operating authority to permit them to offer service in other than their home base area. The findings of that hearing may be the subject of a report to Council.

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CONCLUSION

We appreciate that Mr. Gower has taken the time to bring this matter to our attention. Based on the information developed by our investigation, it is concluded that no further action is warranted in this matter. Staff will contact Mr. Gower personally and inform him of the results of our investigation, and urge him to immediately contact the office of the Licence Department in the event that he is serviced by a cab which is not maintained at a reasonable standard.



P. Kenzie  
CHIEF LICENCE INSPECTOR

cc: Director Finance

