

Presidents Message:

The Law is Above All Without Exception

Law and order exist for the purpose of establishing justice and when they fail in this purpose they become the dangerously structured dams that block the flow of social progress.

Martin Luther King, Jr.

I believe that the City of Toronto did the right thing by taking the first step in applying for a court injunction against Uber to prevent them from being able to operate in the City of Toronto. This matter however should really be of a provincial concern rather than being taken on simply at the municipal level. Uber operates across the entire GTA with their trips often crossing municipal boundaries. To ensure the safety of users and the public, and to ensure certain minimum standards of quality in the transportation industry, Uber needs to be regulated and licensed and held to the same business threshold standards as all licensed transportation services.

The transportation industry has indeed evolved with time and the advancements in technology have been embraced across the board. The availability of this technology however cannot be used to defeat laws and regulations that protect the public and industry. Everyone is under the law, not above it and Uber is no different in that respect. While Uber claims that it is an IT company and not a transportation company, the fact remains that the process of their business and operating model is executed exactly like any transportation company: a client requests a vehicle using the Uber application, and Uber's technology to dispatches the closest affiliate vehicle able to provide service:

1. The customer contacts the transportation company or Uber to place the reservation;
2. A vehicle is dispatched, by the reservation-taking entity, to the customer's location;
3. The vehicle arrives at the customer's location and picks-up the customer;
4. The vehicle transports the customer to their desired drop off location for a fare;
5. The fare for that ride is processed by the transportation company;

If you noticed, there is no difference in executing the business, except the fare charges. Taxis use municipally-regulated Fare Meters, Limousines use a Flat Hourly Rate, and Uber charges by distance and time. No matter which transportation service you use, you are paying to be transported. The difference is that taxis and limousines are licensed, properly insured and operated by highly trained transportation professionals, who must meet standards (including extensive and costly training). The vehicles themselves are subject to frequent inspection by the licensing municipality/region and both vehicles and drivers that are found to be unfit are immediately removed from the road, with significant financial consequences and penalties. Licensed vehicles and drivers have natural motivators to ensure that they operate the vehicles and conduct themselves in a manner that ensures their continued ability to remain licensed. Those who are not naturally motivated to comply with the laws are subject to stiff penalties, including suspension of operating privileges. These penalties are designed to promote regulatory compliance, and

are highly effective in ensuring public safety for users of the transportation service itself and indeed for all road users.

Uber on the other hand is not regulated, licensed or insured like the taxi and limousine industry. This should be a major concern for both the consumer and government. If and when an accident happens involving an Uber vehicle, insurance companies have the ability to deny the claims as the vehicle would not have been ensured to transport passengers for hire. No one is properly covered in this situation and this will have significant implications for people who are injured in a collision. Licensed taxis and limousines pay significant premiums for insurance because the vehicles are on the road much longer and more frequently than private/non-commercial vehicles and include special considerations for injuries that could be suffered by passengers. As Uber is not licensed, they are not required (or even able) to purchase this type of coverage and most Uber-affiliated vehicles operate with standard, personal insurance policies. Without being regulated, those vehicles could even operate illegally without any insurance at all, and no one other than the driver would know.

With Taxis and Limousines in the City of Toronto, there is the Municipal Licensing and Standards set out by the City of Toronto that govern and regulate the industry to protect the consumer. Similar structures and By-laws exist across all municipalities and include effective complaint processes and dispute resolution mechanisms. Uber on the other is neither licensed nor regulated and consumers of their service do not enjoy the protection that consumers of licensed transportation services do. Licensed and regulated transportation providers undergo mandatory criminal record background checks and must always possess valid CPR and first responder certification. Unlicensed and unregulated operators? Not so much. The municipalities and the province have a clear responsibility to ensure that our roads are kept safe and that the users of the roads operate in accordance with the rules and regulations that govern, among other things, the commercial transportation of passengers. Uber's flagrant disregard and self-declared exemption from these laws can no longer go unchallenged by the government.

Respectfully yours

John Dahdaly

President

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