



Fourth Session - Thirty-Fifth Legislature  
of the  
**Legislative Assembly of Manitoba**

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**STANDING COMMITTEE**

on

**LAW AMENDMENTS**

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42 Elizabeth II

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*Chairperson  
Mr. Bob Rose  
Constituency of Turtle Mountain*



**VOL. XLII No. 15 - 9 a.m., WEDNESDAY, JULY 21, 1993**

**MANITOBA LEGISLATIVE ASSEMBLY  
Thirty-Fifth Legislature**

**Members, Constituencies and Political Affiliation**

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	Liberal
ASHTON, Steve	Thompson	NDP
BARRETT, Becky	Wellington	NDP
CARSTAIRS, Sharon	River Heights	Liberal
CERILLI, Marianne	Radisson	NDP
CHOMIAK, Dave	Kildonan	NDP
CUMMINGS, Glen, Hon.	Ste. Rose	PC
DACQUAY, Louise	Seine River	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DEWAR, Gregory	Selkirk	NDP
DOER, Gary	Concordia	NDP
DOWNEY, James, Hon.	Arthur-Virden	PC
DRIEDGER, Albert, Hon.	Steinbach	PC
DUCHARME, Gerry, Hon.	Riel	PC
EDWARDS, Paul	St. James	Liberal
ENNS, Harry, Hon.	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Cliff	Interlake	NDP
EVANS, Leonard S.	Brandon East	NDP
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen, Hon.	Springfield	PC
FRIESEN, Jean	Wolseley	NDP
GAUDRY, Neil	St. Boniface	Liberal
GILLESHAMMER, Harold, Hon.	Minnedosa	PC
GRAY, Avis	Crescentwood	Liberal
HELWER, Edward R.	Gimli	PC
HICKES, George	Point Douglas	NDP
LAMOUREUX, Kevin	Inkster	Liberal
LATHLIN, Oscar	The Pas	NDP
LAURENDEAU, Marcel	St. Norbert	PC
MALOWAY, Jim	Elmwood	NDP
MANNESSE, Clayton, Hon.	Morris	PC
MARTINDALE, Doug	Burrows	NDP
McALPINE, Gerry	Sturgeon Creek	PC
McCRAE, James, Hon.	Brandon West	PC
McINTOSH, Linda, Hon.	Assiniboia	PC
MITCHELSON, Bonnie, Hon.	River East	PC
ORCHARD, Donald, Hon.	Pembina	PC
PALLISTER, Brian	Portage la Prairie	PC
PENNER, Jack	Emerson	PC
PLOHMAN, John	Dauphin	NDP
PRAZNIK, Darren, Hon.	Lac du Bonnet	PC
REID, Daryl	Transcona	NDP
REIMER, Jack	Niakwa	PC
RENDER, Shirley	St. Vital	PC
ROCAN, Denis, Hon.	Gladstone	PC
ROSE, Bob	Turtle Mountain	PC
SANTOS, Conrad	Broadway	NDP
STEFANSON, Eric, Hon.	Kirkfield Park	PC
STORIE, Jerry	Flin Flon	NDP
SVEINSON, Ben	La Verendrye	PC
VODREY, Rosemary, Hon.	Fort Garry	PC
WASYLYCIA-LEIS, Judy	St. Johns	NDP
WOWCHUK, Rosann	Swan River	NDP
<i>Vacant</i>	Rossmere	
<i>Vacant</i>	Rupert's Land	
<i>Vacant</i>	The Maples	

**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**THE STANDING COMMITTEE ON LAW AMENDMENTS**

**Wednesday, July 21, 1993**

**TIME — 9 a.m.**

**LOCATION — Winnipeg, Manitoba**

**CHAIRPERSON — Mr. Bob Rose (Turtle Mountain)**

**ATTENDANCE - 10 — QUORUM - 6**

*Members of the Committee present:*

Hon. Mr. Driedger

Messrs. Helwer, Lamoureux, McAlpine, Pallister, Reid, Mrs. Render, Messrs. Rose, Sveinson, Ms. Wasylycia-Leis

**WITNESSES:**

Martin Boroditsky, Private Citizen

Balwant Singh, Private Citizen

Akihola Abiodun, Private Citizen

Mohinder Gundhu, Private Citizen

Momsuru Tijami, Private Citizen

C. Amado, Private Citizen

Olufemi Ilelaboye, Private Citizen

Gurdev Singh, Private Citizen

**MATTERS UNDER DISCUSSION:**

Bill 24—The Taxicab Amendment and Consequential Amendments Act

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**Mr. Chairperson:** Order, please. Will the Standing Committee on Law Amendments please come to order. When the committee last met, it was hearing public presentations on Bill 24, The Taxicab Amendment and Consequential Amendments Act. You have a list of person's names registered to speak to Bill 24. It has been distributed. For the public's benefit copies are posted on the board at the back of the committee room. Any person wishing to make a presentation whose name is not on the list, identify yourself to the staff at the back of the room and your name will be added.

We will now continue with public presentations. When we adjourned yesterday we had not completed the last presenter, but I do not see him here this morning.

**Mr. Kevln Lamoureux (Inkster):** Mr. Chairperson, the individual was just out in the hallway. I am sure that if we just give him a couple of minutes he can come back in possibly.

**Hon. Albert Driedger (Minister of Highways and Transportation):** Mr. Chairperson, committee members, we have had two sessions of this committee. We have over 30 presenters. We have managed to deal with exactly four presenters in two sittings. To accommodate the 30-some-odd presenters that we have, I move that we will limit the presentations, questions to 20 minutes.

The reason for that is, if the members want to debate among themselves, that is fine. We can do that in clause by clause, but I think it is only appropriate that we try and accommodate the presenters who have been patiently waiting here whose time is precious as well. It is for that reason that I put that motion.

**Mr. Chairperson:** Thank you, Mr. Minister.

**Mr. Lamoureux:** Mr. Chairperson, I think that would be most inappropriate and unfair to presenters who have been sitting and waiting over the last couple of days. We started a process that allowed presenters to go as long as they want, the opposition parties to ask as many questions as we felt were necessary. To change that particular rule after we have had I believe three or four presenters I think would not be fair to members of the committee, nor would it be fair to individuals who want to make presentation who might have based a presentation on what they have witnessed or what they saw in the last couple of days.

I think that we just continue on in the way that we have been going. There are only 30 presenters. I am sure that we will get through the list. We have been accommodating in terms of when this committee would meet. We are not trying to filibuster in any fashion whatsoever because we are not suggesting committee rise or anything of this nature. We want to deal with it.

### Point of Order

**Mr. Driedger:** Mr. Chairperson, I have been here 16 years. I know about the rules and I know when games are being played. That is all that happened in the last two sessions. We are going to accommodate the people who want to make presentations.

**Mr. Chairperson:** Order, please. The honourable minister does not have a point of order.

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**Mr. Chairperson:** Mr. Lamoureux, to finish his remarks.

**Mr. Lamoureux:** Mr. Chairperson, I just wanted to re-emphasize the importance that in the previous committee meetings, and I would look that you might want to consult with the Clerk or Clerk's staff with respect to when was the last time where a committee starting hearing individuals where there was unlimited time and then after hearing three or four presenters then decide, because maybe the minister or whoever, some committee members might feel somewhat offended that it is not moving as quickly as it could be.

I have participated in a number of committee meetings, and I am concerned. I am concerned about the other individuals who are here, who want to make the presentation. It is those individuals that we have to be conscious of, and we cannot start changing the rules.

In the past I have seen the first couple of presenters at committees being longer than others. I believe it is safe to assume that you are not going to have hour-and-a-half presentations and questions and answers being asked of every presenter. I would be surprised if in fact that was the case. I know it might appear to be somewhat repetitious in some of the questions of each presenter, but I think it is important that individuals out there do have the opportunity to express what it is that they feel about this particular bill and opposition members or members of this committee have the opportunity to continue to ask questions, to continue asking questions like we have done before.

Because now, Mr. Chairperson, you will recall on both or all three or four presenters that we have had thus far, you will find that the official opposition takes 20 minutes in itself. If we start putting time limits on it, then I myself as the critic for the Liberal

Party might not even get the opportunity to ask questions of a presenter. So if you in fact say that we are limiting it to 20 minutes and a presenter takes 10 minutes, it does not leave any time for the critics of both parties.

\* (0910)

If in fact you go ahead and move something of this nature because you have a majority on the committee and it passes, are you now going to take into account fairness for members to be able to ask the questions? Those are the type of things that I believe have to be considered before we vote on this, because one can emphasize the point that the government does have a majority on this particular committee, unfortunately. We know that if in fact we were in a minority government, government would not be doing this.

But there are a number of things that we would like to see done, and I would suggest to you and the committee members that changing the rules after we have had only four presenters would be most inappropriate and unfair to those individuals who want to make presentation to this committee and unfair to individuals who want to ask questions.

**Mr. Driedger:** Mr. Chairperson, the reason I put this motion is because I have sat here for two hearings already, and it is not the presenters who are the problem, it is the opposition members who are trying to debate with each other on that. I have been here long enough, and I know when games are being played.

We will hear the presenters, and if the members then want to take and debate this forever in committee, clause by clause, that is fine, we will deal with it then, but I am going to accommodate the people who want to make presentations here.

**Ms. Judy Wasylycia-Lels (St. Johns):** Mr. Chairperson, I appreciate the concerns you are raising this morning, that the minister has raised by way of this motion and understand that it has been slow going at the start of this committee dealing with Bill 24. However, as you know, we remain concerned about any attempt to any form of closure, any attempt to deny full and open debate on any issue before this assembly, particularly when it comes to public hearings, the only opportunity that the public has to make presentation on a bill.

So, Mr. Chairperson, we of course have to oppose this motion. We have done so consistently

throughout this session and previous sessions whenever the government has come forward with this form of a closure motion. I think that things will start to move more quickly. I do not believe that this motion is really necessary.

I believe that the first number, always the first few presenters on a bill take more time. I think that members of this committee will use good judgment to move things along to ensure that everyone has an opportunity to speak.

So, Mr. Chairperson, we oppose the motion and hope that it will not be necessary and move along. Thank you.

**Mr. Driedger:** One final comment, when we started off this committee there were eight presenters. At that time I conceded to allow this bill to be the last. I gave concession to the opposition members who wanted the other bills passed first. I did that. We had eight presenters. We have 30 some-odd presenters now, and it is the opposition members who are basically inconveniencing people who want to make presentation. The motion stands, and I call for the question.

**Mr. Chairperson:** The question has been called. Just for clarification I will ask the minister, for the record, to move the motion.

**Mr. Driedger:** I move that the question be put now.

**Mr. Chairperson:** Order, please. Just for clarification and for the records and Hansard, we would like the original motion to be withdrawn. If the minister would not mind doing that, and read this motion into the record, please.

**Mr. Driedger:** Mr. Chairperson, I move that the presenters and questions on Bill 24 be limited to 20 minutes.

**Mr. Chairperson:** Thank you. The question has been called.

### Point of Order

**Mr. Lamoureux:** On a point of order, I had understood that you had requested the minister to withdraw the original motion. If in fact that is the case, do you not require the unanimous leave of the committee to do that?

**Mr. Chairperson:** Mr. Lamoureux, we are simply for the sake of Hansard getting the correct reading of the motion. It has been written out since the motion was made, and I simply asked the minister

to read the motion into the record, and that has been done.

**Ms. Wasylycia-Lels:** Could I get some clarification I guess on the motion. Is it 20 minutes for the presentation and questions from the opposition, or would the minister consider 20 minutes for the presenters and then a short period of time for questioning on the part of the members?

**Mr. Chairperson:** I will read to you the motion that has been put. It has been moved by the honourable Minister of Highways and Transportation (Mr. Driedger) that the presenters and questions on Bill 24 be limited to 20 minutes. That is the motion before the committee. The question has been called. All those in favour of the motion?

### Point of Order

**Mr. Daryl Reid (Transcona):** Mr. Chairperson, could you provide some guidance, please. Could you tell me if this is a debatable motion?

**Mr. Chairperson:** No.

**Mr. Reid:** I have not had the opportunity to indicate our concerns with the government's intention to invoke a form of closure here to in a way limit the opportunity for members of the public to bring forward their concerns. On the motion of the minister, we think that is exactly what will happen. In fact, what you are doing here is moving the goal posts when you decide you do not like the way the rules of the game are going.

We have had the opportunity here to hear from some presenters who have put forward some very good presentations, and what you are doing is you are going to stifle the opportunity for members of the public to come forward and address their concerns to members of the committee.

**Mr. Chairperson:** Order, please. You do not have a point of order. You are speaking to the question.

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**Mr. Chairperson:** Order, please. Just a moment.

**Mr. Driedger:** Mr. Chairperson, I again move that the question be put now.

**Mr. Chairperson:** It has been properly moved in writing, and for the information of the committee a motion to put the question is debatable.

### Point of Order

**Mr. Lamoureux:** On a point of order, the minister just finished moving that the question be put. The member for Transcona (Mr. Reid) had the floor, and now he has been denied the opportunity. Number one, the floor was taken away from him, and now he is being denied the opportunity to be able to speak to the original motion. I find that most inappropriate for this committee.

\* (0920)

**Mr. Chairperson:** Order, please. The member for Transcona rose on a point of order. He did not have a point of order. The chair so ruled. The chair now rules that the member for Inkster does not have a point of order.

\* \* \*

**Mr. Chairperson:** The question before us is shall the question be put? It is a debatable motion.

All those in favour of the question being put, raise your hand. The clerk will count.

**A COUNTED VOTE** was taken, the result being as follows: Yeas 6, Nays 3.

**An Honourable Member:** A recorded vote, Mr. Chairperson.

**Mr. Chairperson:** That was a recorded vote.

**An Honourable Member:** You do not do it by name?

**Mr. Chairperson:** Not in committee, no.

That has been carried. We will now vote on the original motion. It has been moved by the honourable Minister of Highways and Transportation that the presenters and questions on Bill 24 be limited to 20 minutes. All those in favour, please indicate. The clerk will count.

**A COUNTED VOTE** was taken, the result being as follows: Yeas 6, Nays 3.

**Mr. Chairperson:** The motion has been carried.

We will now move into calling presenters.

**Ms. Wasylycia-Leis:** Yes, I would like to, with all due respect, move a motion to challenge the ruling.

**Mr. Chairperson:** I have trouble handling that, Ms. Wasylycia-Leis, because there is nothing to challenge. We have counted the votes and it is indicated.

Order, please. Could we now move into the reason that we are here in the first place, to listen to the public presenters?

I would ask direction from the committee because when we recessed yesterday we were in the process of questions with Mr. Martin Boroditsky. Is it the will of the committee to complete that presentation recognizing that Mr. Boroditsky will now be subject to the 20-minute time limit? [agreed]

Mr. Boroditsky, please. I think when we recessed that Mr. Lamoureux had already put a question, but that has probably gone out of our minds, so perhaps we will ask Mr. Lamoureux to repeat.

**Mr. Lamoureux:** Mr. Chairperson, right from the onset I am somewhat concerned in terms of what we have seen earlier pass in terms of a motion, in terms of double standards for different presenters, but I am going to go on in terms of Mr. Boroditsky because we do not have very much time, only 20 minutes left for his presentation.

Yesterday we were talking in terms of the consensus versus policy and how can the board build upon a consensus from within the industry if in fact it does not have the confidence of many individuals, whether they are a driver or a driver-owner.

I think that Mr. Boroditsky brought up a number of concerns that clearly demonstrate he is, at the very least as an individual, very disappointed with the board. I am wondering if he might want to comment if he believes that in fact the current board is able to address the problems that the industry is facing today given the personalities on the board?

**Mr. Martin Boroditsky (Private Citizen):** I would say, Mr. Lamoureux, that it is obvious from the reaction of the members from both the government side and the opposition side to the brief that I presented yesterday that I think there is actually concurrence, collectively we agree that the public interest is not satisfied by the board's actions.

If they really believe that sexual harassment, extortion rackets and people lying about owning plates, when they are at the same time considered to be upstanding citizens who are presidents of cab companies, if we agree that those are not appropriate actions, and the board says that the current act and regulations do not allow it to do anything, then obviously, if Bill 24 does not address these kinds of things, the bill has to be amended or

the board has to get some very direct orders from their higher-ups to start to take appropriate action. That is plainly evident.

I think any group is capable of doing what they are directed to do if they are supervised. I would suggest, based on what appears to be misinformation that the minister had at hand when he made comments in Hansard on April 29, that the minister's office needs to more closely supervise the cab board. They cannot be allowed to run roughshod in the manner they have done.

I do not view them as being an oppressive body. I think there has been a lack of communication, and both sides, the owner group and the board, are intransigent. A lot of that is clearly routed in comments I have heard from both sides in racial tension. It is inappropriate for a government agency to be intransigent based on their lack of cultural understanding of the people in the industry that they are regulating. It is absurd.

**Mr. Lamoureux:** Can the presenter comment with respect to the make-up of the board? Does he perceive any conflict to have a driver or a driver-owner as a member of the board itself?

**Mr. Boroditsky:** As I indicated yesterday, Mr. Lamoureux, if Mr. Gershman, who is an award-winning businessman and hotelier, can hold through his hotel service contracts with dispatch companies subject to his regulation and not be in conflict of interest, and I do not think in most cases Mr. Gershman would be, then it is obviously pretty silly to suggest that industry representation would cause major problems.

There is more of a problem with an operator associated with the dispatch service, who holds a \$50,000 plate and has a major stake, being on the board, but there is almost no problem with somebody who is associated with the industry as being an employed driver.

I also think there is something else that is missing from this bill and from the considerations. There is a limo industry out there. There are handicapped transportation industries, and most of the attention is focused on taxis and what you people view as the cab business. There are another hundred or so plates, in that neighbourhood, beyond what are called taxis that are subject to regulation that I have not even had the time to look into what is wrong with that segment of the industry and how they are regulated.

I know there have been some very dubious decisions, in my opinion, made by the board pertaining to some of those services. I think some attention should be paid to people from outside so-called taxi service. You could have somebody like Phil Walding who has experience in public policy and experience as an owner and a driver in the cab industry on the board, but it would not even make Phil Walding an expert on handicapped transportation, on limos and on executive cars.

You have to keep in mind that there are subgroups that are being regulated that are not being addressed in this debate at all. To tell you the truth, they may not recognize the kinds of shortcomings that we might acknowledge are present in Bill 24, because they are not geared politically to looking at it. They figure this is an act regulating the 400 and some-odd taxis.

Clearly, if you are going to have representation from industry on the board, it has to include the different segments of industry that are regulated under that board. I have not heard anybody here recognize that limos and executive cars and accessibles and such things, handicapped transportation vehicles, are regulated by this same act.

That is why I think, in terms of the financial model, a flat fee is more feasible. You have about 500 plates to be able to charge here, and 500 plates times \$700 an owner is \$350,000. Then you do not have this dispute about powers of the board and fines. You still have suspension terms, by all means, as long as they are laid out so everybody knows what the game is. But it is far more practical when you have 500 plates available.

I would also go so far as to suggest the courier business should be regulated under this. If they are going to be transporting human beings, they should be brought under regulation—plenty of plates in the courier business.

You see, you can adjust the financing on this any damn way you please, and you all know it. But to try to do it the way it—well, at my estimate last night, we continue to work on this bill, and I could tell the minister there is still a shortfall. The subsidy is not 330 grand a year, it is about 150, because they are already collecting fees and licences. The drivers pay 30 bucks each. It is 1,000 drivers—30 grand a year for nothing that we pay towards the board's operation. Now, the expectation seems to be

among us, we expect we are going to end up paying more for even less.

Well, there is still going to be a shortfall no matter how I play with the numbers. I am no expert, but I do try. I still come up 50 to 70 grand short, or are they going to come back to the House and ask for an appropriation because they goofed next year? Are they going to hike the fees, which causes the fares to go up, to pay for it, which causes an inflationary spiral?

If you would let me continue with the point, Mr. Lamoureux, I want to get this in. The idea that taxis should be a user-group industry is wrong, because taxi service is part of an integrated public transportation policy. If you had 24-hour-a-day bus service in the city of Winnipeg, it would be feasible and it would be ethically true, but it is not true as long as there is not 24-hour bus service in the city.

Women who get involved in domestic disputes at four in the morning cannot hop a bus to Osborne House, and it is unreasonable to try to make those kinds of customers be in a position of user pays. We are a public necessity, we are not a public convenience. We are used as ambulances. We handle bleeders. Guys that get curb-stomped at Main Street hotels, pounded out, and they get into the cab, and we have to assist them into hospitals.

So I am not positive that whoever drafted this bill really understands that this is not an industry that has sprung up, like the way government has to regulate bungee jumping. It has a different premise to it, and I do not think that has been recognized. With regard to the financial model, I think it is more feasible to make the plate holders pay for the privilege of being protected by quota, because they are the ones with the captive market.

If couriers are not being brought into it, then something has to be done to the couriers and the people who are outside regulation that are stealing our livelihood. You cannot expect the employed drivers to live with it, and certainly the shareholders who are often a militant bunch are not going to live with it either.

\* (0930)

**Mr. Lamoureux:** I want to go specifically into maybe one, or if we get time, two clauses. The first one is with respect to the cost of proceedings. As you know, this particular piece of legislation allows the board to order a person who is a party to or a

participant in a hearing or other proceeding to pay for one more—and it goes on to list three aspects:

(a) all, or part of the cost of another person, respect to the hearing or proceeding;

(b) all or part of costs of the board in respect to the hearing proceeding;

(c) security for costs that may ordered under Clauses (a) and (b).

I am wondering if you can give some sort of insight in terms of what type of an impact you feel that might have on individuals, drivers and driver-owners?

**Mr. Boroditsky:** I studied the figures the minister stated in the House on April 29. Mr. Walding has gone deeper into them than I have because he is really the financial expert in the newspaper's operation.

I believe that there is evidence that the board's costs have not been properly scrutinized. There is anecdotal evidence that has been provided to my newspaper that I intend to access through freedom of information, that the telephone bills, long distance telephone bills are sky-high. This would seem logical, given that we know that board staff loves talking about how they do things in New York and Toronto and Philadelphia and Cincinnati and try to impose conditions outside of the province, outside of the city of Winnipeg, onto the city of Winnipeg.

Mr. Gershwin told me that if he ran his hotel the way they run hotels in Calgary he would be out of business. He as a member of the board does not understand how a board, until his entry onto it in May, has been able to operate on the basis of, they do this here, they do that there, that is how we should do it. Our contention has long been, for instance, that board staff spends far too much time studying what goes on everywhere else and not enough time doing something about the problems here. And even if it were acceptable for sexual harassment and a slave market in terms of the drivers' employment to continue, I do not care if it is acceptable in Philadelphia or Toronto, it is not acceptable in Winnipeg and in the province of Manitoba.

I have been told that those long distance phone bills, and I am not saying this is true, I am telling you I have been told that they approach somewhere in the realm of like \$40,000 a year. It may not be true, and it might be high, but I think it is significant that



nobody can say what their phone bills are, and I can tell you as a cabbie in the city of Winnipeg, I really do not care to have my fees go up to pay so that a government bureaucratic can talk with all his international taxi regulator buddies.

Board staff is attending a conference in Saskatchewan. I am sure the board staff will be able to contribute greatly to that process, but the fact is, he spends time preparing for it and time studying for it. I do not deny him that, but there are serious problems here that have been allowed to fester and have not been paid, in my opinion, proper attention to by board staff.

Unless the costs are monitored, how do we know whether we are not getting shafted in being asked to pay higher fees? There has got to be a better monitoring process so that there is accountability of the board. The board talks often about their lack of resources. They had thousands of dollars to spend on premium plate hearings.

The amount of money that has been spent on driver safety since 1987 or '88 does not approach, to my estimates, \$50,000. That is inadequate. If you spend half a million dollars to achieve a political agenda that cannot be supported based on current market conditions, because since they began the initiative we have hit a recession, it is not the board's fault. They have spent nothing on driver safety and yet they cry about a lack of resources.

Again, a per-plate charge gives them their resources. They have 350 or 400 grand a year. They know what they can deal with. I think that people would be much more willing to play ball with that and then not worry so much about the costs.

**Mr. Lamoureux:** Another clause that has caused a great deal of concern is with respect to the requirement or the board now having the authority to ask for one's gross and net earnings and expenses as maybe prescribed in a form that the board itself comes up with.

I am wondering, you made reference in terms of accountability. You are asking the board to be more accountable. The board is asking industry drivers with licences and permits to be more accountable. Do you feel that there is a requirement or a need for those licence and permit operators to be more accountable?

**Mr. Boroditsky:** As I currently understand it, because the board needs a subsidy of about half of what they get, about 130 grand or something from

the government, they go to the government, they go to the minister and they say, well, we are being accountable, here is what our bills are, here is what our expectations are, here are our salaries, we need a subsidy, and they get it.

If all they have to do to break even is to nail the drivers and the owners then they have to be accountable to us. I am not sure that the industry is in any position—you know, what are we going to do? Are we going to approve it? They can do whatever they want to us. We do not have the option opposite. I believe that politically there is a failing in what is supposed to be a balanced system.

I can tell you that the drivers, myself included, have offered repeatedly to provide the board with our T-4 slips, with other financial information, because by going backward through the earnings of the employees they can get a picture of what is going on with the owners. I do not mind telling you, for the last two years my T-4s have been a matter of a few dollars below \$12,000 a year. I can tell you about how many days a year I have worked, and I am considered a better than average driver, and I drive nights, but you have to know how to interpret the data.

They can ask for all the information from owners they want, but different owners operate their cars different ways. If you split your shifts between your drivers at 3 a.m. or 4 a.m. on a weekend it can be a difference of \$20 or \$30 or \$40 on the gross fares.

The board staff has a bad problem in thinking all cabs are equal. Board data in the past says the average owner makes X. There is no average. Some cars are highly productive because of the seniority of the owners and the system. They attract more experienced drivers who are better producers. That is because this is a skilled job, and the board has not recognized that the level of skill affects the ability of individual cars to make money. It is not like the pie is divided into equal pieces. There are a lot of variables.

If you have three or four accidents on your cab in a year, your earnings are going to be way down. The way the board wants to have financial data, they will never be able to understand why a guy's earnings are in the 70- or 80-grand range and why another guy might be able to show for instance up to 110 or 120. So they do not even understand how to interpret the data. I say that with full confidence.

I have been in the business for years. I did not learn how until I started a newspaper, started trying to read it. The board staff admits they have no experience in the cab industry. The senior staff are all appointees. They all have a background in the military or the police. They do not know how to understand the financial data in the business.

With regard to the Charter of Right's challenge, I do not believe in some instances it would stand up. I think that if the operators want a fare increase, then they should have to produce intimate financial data. I do not think they should be forced to produce it under almost any other circumstances except to prove that they were in care and control of a vehicle or operating a vehicle.

If they were trying to slough off income and cheat Revenue Canada and cheat a driver out of his UI claim, as we have provided evidence to the cab board that that may have been going on, then they can say, okay, Jack, produce your records. If the records cannot be produced for those dates, then it builds the case that something wrong was going on that violates the integrity that is supposed to be held by the owner who holds the plate and can trade on the goodwill that is attendant with that integrity.

So, again, they do not understand what they can use the data for and they do not understand how to interpret it. That I can say with confidence. They do not.

**Mr. Lamoureux:** Finally, Mr. Chairperson, to end in terms of the presentation that Mr. Boroditsky introduced at the beginning of his presentation with respect to what was circulated, and in that document there were a number of very serious allegations that were made. I am wondering if Mr. Boroditsky could tell the committee how and through what means did he get this message to the board itself. Did he make presentation to the board? Has he made presentations to the board in the past with respect to these incidences? Are there letters that he has sent? Maybe I might have even possibly missed something in my second reading of his presentation, but maybe he could just comment on those allegations. How can he assure the committee that in fact the board itself did in fact know about the allegations?

**Mr. Boroditsky:** In an overall sense, a number of them were brought to the attention of Hollis Kinsey in the minister's office by Randy Delorme at a meeting, and I had a couple of conversations with

Hollis Kinsey myself. I understand from having worked in this building that the political process is by nature backed up, and again I think part of the problem here is the cabbies are not very important.

I mean for 45 years the fact that we have been denied labour rights has been missed by governments of all three stripes. Doug Campbell missed it, too. So we are not considered very important people. We are not politically attractive. We are not viewed as somebody whose votes can be, you know, bought, in effect, and I think that has hampered the political process.

If you look at the list at the back of my brief, sexual harassment—the board got a letter from the complainant. Threatening fares with firearms is an anecdotal matter that will be in my next paper. I have gotten a letter from the guy. The complainant is a nationally recognized youth leader. I believe he is credible.

Extortion rackets—the board has received evidence of receipts written by Duffy's Taxi to Unicity owners. They have received evidence in other files where drivers have talked about how they have been told, you are barred, you are suspended, unless you pay off this guy, pay off that guy, and the sums that are asked are onerous and unsubstantiated. Indeed, it is an extortion racket.

On regulated stock market in plates, they received a copy of the letter Armand Cote gave me, which I published in the April Observer, and he is easily an expert witness. He has expertise as a chartered accountant with indeed 20 years experience as a cab user. The guy spends three grand a year on cabs. You would think he would be the kind of user they would worry about. Insider trading ties in with the Cote letter.

High fares are philosophical. We have discussed that with the board, that the high fares are being used to support the stock market in plates. The driver contracts, they are aware of, because the companies, Duffy's and Spring Taxi, have tried to circulate driver contracts that in and of themselves are probably not legal.

Discrimination against inner-city residents—there has been some anecdotal evidence, and they have seen it in the briefs presented by premium plates, lying about owning a cab. They have got that file. Lax safety standards—we have discussed that with them.

Violations of labour and human rights laws, they are clearly aware of, based on discussions about

how I was threatened that I could not come forward to this hearing and still work at Duffy's Taxi. Illegal business practices, unregulated taxis, they have received evidence of this, sometimes from us, sometimes from plaintiffs who are readers and supporters of our paper. It is because there is a paper people feel that the government should respond because there is a watchdog now, but I do not have the resources to be the watchdog.

**Mr. Chairperson:** We have 50 seconds remaining.

**Mr. Lamoureux:** Yes, Mr. Chairperson, just one very quickly. You mention that you were threatened in order to come before the committee. Can you just, in 30 seconds, comment on that?

**Mr. Boroditsky:** When the heat started to hit in the middle of June about the drivers organizing, about the matter of no liability and wanting to be protected, I was identified because I provided the drivers information as a labour leader. I was hauled into the office on false pretenses and told that drivers had no right to appear at the government agencies or before Bill 24 and make their views known and explain what goes on in the industry. We have worked co-operatively with Mr. Norquay. That is why I cannot say there is a problem with him. He listens, but we are not being protected, and we will not be able to come forward if that continues.

\* (0940)

I was specifically told I could not work in the industry and continue to deal with government to try to solve the problems, and I am identified as a leader by the management at Duffy's.

**Mr. Chairperson:** Thank you very much for your presentation to the committee, Mr. Boroditsky.

We will now move to the list of presenters that was distributed this morning. Again, for the information of the public, that list is available at the back of the room, and with apologies in advance that I may have trouble with the pronunciation of some folks' names, I would ask you to look at the list, because I will also identify by number when you are called.

Also for the information of the presenters, prior to the arrival of some of you this morning, the committee reached agreement that the presentations and questions would be limited to 20 minutes. So that is the total presentation and the questions put by the committee, so you may want to adjust your presentations with that in mind.

I will indicate to you when you have two minutes left in your allotted time of 20 minutes.

We will now move to No. 1, Balwant Singh.

Mr. Singh, did you have a written presentation that you wish to have distributed?

**Mr. Balwant Singh (Private Citizen):** No, Sir.

**Mr. Chairperson:** That is fine. It is not required. You may begin when you are ready.

**Mr. Singh:** Thank you, Mr. Chairperson and the members, ladies and gentlemen. I was not given enough time to prepare anything so I do not have much to say, but I do have a few things to say which might hurt some people, but that is a fact of life and I am going to say it. I hope the minister will listen.

First of all, what we would like to say is, what is a taxi driver? A taxi driver is an ambassador for this city. We are the people who meet the customer, whoever comes down from the airport or wherever, tourism and all that. What we do is we can influence him and tell him the city is great, or we can tell him the city is bad or whatever.

I think in that aspect we should be given some credit and we should be applauded for that because we are the people who serve day and night. We pick up good people, bad people. We do all kinds of things in order to accommodate the city and run this business.

Second, I do not have much about the bill. The board is charging us money. The licence fee was \$1 to start with, and it went up from \$1 to \$100. That was 10,000 percent. Now from \$100 to \$400, that is another 40,000 percent. Is that right, sir? No? Okay, 4,000 percent. Okay, 400 percent. Could you show me any other city or anything else which was raised 400 percent?

Our meter did not go up even 1 percent. Autopac has gone up 7 percent, 13 percent, 2.7 percent and is going up again 2.7 percent, and the ridership is declining. It is not going up. We cannot afford to make the wage we want to. We cannot make a living. Now people talk about why we work 12 hours a day. In order to make our living, we have to work 12 hours a day.

I would like to talk a little bit about the handivan particularly—not handivan, I guess, it is the van, Kidd's Limousine. I think the chairman knows; we had a meeting with him a few years back about the Kidd Limousine. He said there is nothing he can do about it because he has been running those vans

for quite some time. All that he can do is he can bring him into the taxi industry and give him an LV plate. At that time, at the meeting, we said, I think that is wrong because this guy was already doing something wrong, and now you are already going to give him a plate. I think he should be off the market, but nothing happened to him. He is still running those handivans and he is—not handivans, sorry. It is some kind of a van anyway, but he is going from hotel to hotel to pick up people, charging money, and the board did not do anything about it.

The first hearing, which happened, I think, in 1988, Mr. Chairman wrote that the taxi should be worth about \$30,000 to \$42,000, and the funds should be going into the driver fund. That was the first book Mr. Chairman wrote, and then he just forgot about the book. I do not know what he did with it. Then he wrote another book. I think he should be an author, instead of a taxi chairman. Then I think he wrote another book.

We challenged him. We took the Taxicab Board to court, and at that time it was Judge Monnin who said that the taxi price should be set at \$38,000. But now nobody even listens to Judge Monnin's judgment, and the Taxicab Board goes ahead and issues the plates for \$100 or \$200, or whatever the plates are right now. They should have been issued for \$38,000. If that plate would have been issued for \$38,000 and you are issuing 40 plates or whatever, that would have been enough money to cover the expenses of the board.

In one statement I think the Taxicab Board needed a financial statement from every owner of how much they make. According to the report and recommendation of 1990, Winnipeg taxi service and regulations, they made their own report. In their own report, it says, meter revenue, \$60,950. At the end of the report, it says the owner or driver only makes \$900 a year and that was in the 1988 report, but the book was made in 1990.

At that time, the repair and maintenance, they said \$7,300; nowadays every time you go to a garage it is \$60 an hour, so it could be double by now. Same thing with the Autopac: at that time, they declared it \$3,100; now it is close to \$5,000. Licence fees, they said \$200; it is gone up again. If a guy is going to make \$900, I think he is going to lose money according to the Taxicab Board financial data.

I do not know why they would like to ask us to give again a different kind of report, when their own report is saying that they are losing money.

Secondly, for protection of the drivers—owner or driver, it does not matter; when you are driving a cab, you are a driver. Not even a driver, we are considered lowlife as cabbies. Some people even call us different names. We have no protection at all. Even if we call the police, the police do not show up. If we say they call us names, nothing happens.

\* (0950)

We have no right to defend ourselves. At night we get customers which are drunk, maybe 2 or 3 percent of the customers. One customer you get which is bad. You only have 30 seconds to defend yourself. Either he kills you or beats you up. If I cannot defend myself, then he is going to beat me or kill me. If I do defend myself and he reports it, the Taxicab Board is going to penalize me. That is why they put that law, so I will get a \$200 fine or prison or a \$500 fine.

I mean, I should have a right to defend myself at least. We are not allowed to even keep something to protect ourselves. It happened, a case a long time ago. I was driving a cab, I picked up two customers, and by Place Louis Riel they already told me that they only have \$5, the meter was already \$4.55. I told them that I will drop them off when the \$5 is finished and they say, okay, drop us here.

They had a case of beer. I said, give me the money. He said, come on out, I give you the money. I just came out from my door, the other guy broke the beer bottle and shoved it in my back. The other starts kicking on my head, and I was down. The security guard shouted. One ran. The other one was still kicking. The only way I defended myself, I had an iron bar, the tire wrench beside me. When I showed him, he ran.

If I did not have that, he would probably still be kicking me or kill me. Why are we not allowed to do something? Why are we not allowed to keep something to protect ourselves? We go to people's houses, we ring people's bells, and we say, well, cab—you call a cab, sir or ma'am or whatever. We do not know who is going to come out. Maybe he is going to come out with a gun, maybe he is an okay person, maybe he is drunk. Yet the policemen have the right of everything and yet they carry guns, batons. All we are asking for is a little bit of protection to defend ourselves. We do not want to

carry guns or something, but we need at least something to protect ourselves. There is no way we can defend. Whenever somebody says something, the Taxicab Board suspends you right away or come for a hearing, and that is not fair.

Another one making mistakes—for example, I am driving down on Portage Avenue and here is another inspector standing on the side and he sees a cop pass by. He said, I think that car looked dirty. He will phone in and say suspend that taxi. Now he did not catch the number, whether it was the right number or not. It happened to one of my cabs. I was not driving; it was my driver. At that time, I was standing at the Taxicab Board and then they said, oh, Mr. Singh, your cab is suspended. I said, well, call him in, cab No. 375. The driver was driving, they said, well, you are suspended, come on right down.

When he came down there, let us go and have a look, nothing wrong with the cab; sorry, I made a mistake. Okay, fine. You made a mistake, it is fine, okay. If we make a mistake, we are suspended, we are fined. Where is our right again? He have made a mistake, why did not he check first? We are not—maybe some of us are like that, but not all of us are like that, driving around dirty cabs, but we cannot keep on cleaning after every customer either. So I think the board has to take—I mean, the board cannot just keep on suspending cars just because he saw a car passing by. We pay our licence due. We pay the city licence and everything.

Do you think if this board is looking after the business, let us say, for Eaton's, and the inspector goes down and says, oh, I think the carpet is dirty, close Eaton's down now, let us clean it up before you can open the store again? There would be a big riot and nobody would dare to do it because it is a big businessman. Because we are just taxicab drivers everybody pushes us around, the government does the way they want it. They just listen to the Taxicab Board, do not listen to the concern of the people who are driving. Ask some of the drivers who drive at night what happens to them.

I think these are the concerns which we should look into. The Taxicab Board saying they are not making—they want to be self-sufficient. I do not think any other board is self-sufficient. You look at the grain commission, do you think they start charging the farmer \$400 per farm? Do you think

they are going to accept that? You charge the vegetable board—they start charging \$400 per licence fee. Do you think they are going to listen to that? They will be up in arms, but if we get up in arms they say, oh, these people are hostile, let us get them somehow. I do not know which way you are going to get us, but maybe put more cabs on the road or maybe charge them some more, penalize them, introduce another bill.

On the same topic, I think if the Taxicab Board is saying they are not self-sufficient, I have proof here, one of the taxicab guys, I will not mention his name, was down in Miami Beach, Florida, on a convention, on government money. He was down in New York, Minneapolis, London, Ontario, Vancouver. I can keep on naming more and more, and they are spending government money. The government said, well, you guys are not self-sufficient, so let us charge, so they charge the taxi driver, taxi owners \$400-\$500. I think he is going again to a convention again in Saskatchewan.

The long distance phone calls to New York asking how is the taxi business in New York—Yellow Cab to be exact. The Yellow Cab guy said, oh, the business is good. He starts jumping up, oh, we need more taxis in Winnipeg. There are 27,000,000 in New York and there are 600,000 people in Winnipeg, and you want to compare New York. You should be comparing Canada and not going overseas, or you should be comparing Winnipeg and not go running around.

One more thing—the Taxi Board said they do not have enough money. Everybody is either laying off or firing people, and the Taxi Board is hiring people with \$30,000 to \$40,000 salaries. They created new jobs. How did they create new jobs? Before, the Taxi Board was doing fine, all these years. Suddenly they have a position of chief inspector and a manager of the Taxicab Board. Why? Does the government have enough money or are they going to collect from us?

I do not have much to say, but that is all I have to say for now.

**Mr. Chalrperson:** Thank you, Mr. Singh.

**Mr. Reid:** Thank you, Mr. Singh. for your presentation. You have raised some interesting points and given us a good insight into the type of work you do and the situations you encounter. That is something that people such as myself and I am sure other members of this committee do not have

the opportunity to experience, and we thank you for drawing those situations to our attention.

You mentioned problems with police not responding to calls that may go in from drivers such as yourself. Have you drawn this matter to the attention of the Taxicab Board, and if so, what was the response?

**Mr. Singh:** Well, I have given a written complaint. That was four or five years back, and one of the inspectors investigated and nothing happened. He said he could not do anything about it. It was out of his jurisdiction.

**Mr. Reid:** So then in a sense, when it comes to drivers' safety, the board and/or its inspectors were unwilling to take any action, to lend any support to your safety concerns.

\* (1000)

**Mr. Singh:** The board is only concerned about public safety, not drivers' safety. That is what they always say.

**Mr. Chairperson:** Two minutes.

**Mr. Reid:** You also mentioned, Mr. Singh, about the fact that there was a study that you have a copy of there showing that there should have been a fund established utilizing the fees that could have been charged to the luxury vehicles, of \$38,000.

**Mr. Singh:** Yes, it was also said by Judge Monnin when we took the Taxicab Board to court, and he stated that \$38,000 should be charged.

**Mr. Reid:** Can you give us an idea what a fund like that would have meant to you and possibly other owners and drivers? Is it something that would have been established to provide future benefits or pensions for you in the future?

**Mr. Singh:** Yes, I think that was the whole thing behind it, the dental plan, pension plan and so on.

**Mr. Reid:** So in that sense then, you have, outside of your day-to-day earnings, you have no other benefits that can accrue to you from any of your activities and that this would have provided for your future financial security and that of your family.

**Mr. Singh:** Yes, that would have been correct.

**Mr. Chairperson:** Mr. Lamoureux, thirty seconds.

**Mr. Lamoureux:** One quick question, and that is, would you say that your concerns with respect to the board or lack of confidence in the board itself, if you have 1,700 to 1,800 drivers within the industry, what percentage of the drivers would you say share

the same concerns you have with respect to the board? Could you speculate, guess on that?

**Mr. Singh:** No, it is very hard to say that. Most of the drivers, I think, would have no confidence in the board, but the problem is they will not come out and say that because if they say that, they will be penalized or they will be suspended somehow, like one of our members was before. He was being pushed around and he sold out, and I think he went into a different business.

**Mr. Chairperson:** Thank you very much, Mr. Singh, for your presentation this morning.

### Point of Order

**Ms. Wasylcia-Lels:** Yes, I just think it is important to let the presenter and others who have arrived recently know that we had more questions, but the government imposed a 20-minute time limit on total presentation and opportunity for us to ask questions.

\* \* \*

**Mr. Singh:** Mr. Chair, can I say one more point?

**Mr. Chairperson:** Please.

**Mr. Singh:** One of the Taxicab Board employees, when his cab was awarded or was going to be awarded to one of these people, went with them to Minneapolis to look for luxury cars. I think that was not appropriate for the Taxicab Board to do. Thank you.

**Mr. Chairperson:** Thank you very much, Mr. Singh.

I call No. 2, Akihola Abiodun. Good morning. Do you have a written presentation you wish to have distributed?

**Mr. Akihola Abiodun (Private Citizen):** Yes, Mr. Chairperson.

**Mr. Chairperson:** The Page will do that for you. You may begin when you are ready. You may begin while it is being distributed.

Your presentation has been distributed, you may begin.

**Mr. Abiodun:** Good morning, Mr. Chairperson, ladies and gentlemen. I do not know why you have it, The Taxicab Amendment and Consequential Amendment Act, Bill 24.

The taxicab act of the province of Manitoba is an act of the Legislature, a document put in place with the advice and consent of the Legislative Assembly

of Manitoba. On a superficial reading, one would assume that—first of all, please, I believe that I do need to tell you this. If you do not listen to me carefully, you will probably not understand me. Please bear with me.

On a superficial reading, one would assume that the Legislature is aware of the implications of the legislation that is drafted. That is an assumption in any given situation. The act states that the Taxicab Board is continued and, further, that the board shall be composed of a member of the council of the City of Winnipeg nominated by the council; the chief constable of the police force of the City of Winnipeg; and three other persons appointed by the Lieutenant-Governor-in-Council. The parliament may have intended to constitute a group of people and bestow them with powers unparalleled in the administrative sense. That intent, however, does not seem reflected in the structure of the legislation.

Section 2(3) of the act seems to have reaffirmed the opinion that the Legislature did not intend to confer unparalleled powers on the board by allowing delegation of the exercise of power. The section provides that each of the members of the board may from time to time nominate a person to act for him on the board at meetings of the board.

The intent that seems to underlie the act when promulgated seems to have been overlooked or forgotten by the same Legislature in considering the subsequent amendment proposed to the act. Some argue that this oversight is deliberate. Others argue that it was a mistake. Whatever it may be, a fact undeniable is that the proposed legislation would have an impact significantly different from its predecessor.

Section 6 of The Taxicab Act gives the board an exclusive jurisdiction over punishment for violation of any of the provisions of the act. The only limitation is not to impose pecuniary penalties. This power, one would assume, should be subject to judicial scrutiny to avoid the possibility of misuse. This section is about to be repealed because it is, in the board's view, inconsistent with the cost-recovery compliance system proposed in the new Section 14. An outsider would assume that the board is being magnanimous in trying a new approach that would alleviate the problems of the existing operators within the industry.

\* (1010)

Section 9(1) of the act is being changed, too. The word "annual" is being removed to effect broader fee-making powers of the board. With this the board may levy fees at will whether proportional or appropriate. The power of the board seems to have been extended well beyond the normal ambit of regulatory bodies. Under Section 11(1), every driver of a taxicab shall hold a driver's licence issued by the board. Section 14(1) seems to have capped the powers of the board. Under the section, the board may hold a hearing under its discretionary power. The rationale for this is that the present regulation provides no opportunity for the board to recover the costs of the compliance system from offending parties. The board may also relate the severity of the penalty to the gravity of a contravention. Furthermore, Section 14(1.5) of the act allows the board to proceed with a hearing in the absence of a participant.

With all these provisions, the board is seeking additional powers. The goal is to improve the perception of fairness in the system. The perception of fairness in the provisions of Sections 14(1.6), 17(1) and 18, fairness is about to be achieved at the risk of justice. Our Legislature is allowing a price tag on justice under the guise of fairness. Under Section 18(1), the board may order a person who is a party to a hearing to pay all or part of the costs of another person in respect of the hearing. The person may also be ordered to pay all or part of the costs of the board. The board may also order security for costs. This may seem as a bold attempt to intimidate operators into silence.

Under Section 19(2), a person may apply to a judge of the court for leave to appeal to the court from a decision of the board on a question of jurisdiction or law. This precludes any appeal on any question of fact. If the board errs on any fact, there is no way the decision can be challenged. This might seem stretching the legislative process too far. In addition, a board that is made up of mostly lay people is now being given powers similar only to that of a court. An appeal from this board courtroom lies only to the Court of Appeal of Manitoba. Section 2(2) of The Taxicab Act has been referred to on the composition of the board. Under Section 19(4) of the proposed amendment, three of the members of the board may constitute a quorum at a meeting or hearing of the board. Yet this body is being compared to a judicial body.

If you look at my appendix, you find in there that a board that has a history of blunders is seeking to protect itself from review.

The proposed legislation proceeded on an assumption of correctness on the part of the board. If the board would take the right decision, or act within its own powers, there would not be the need for litigation. A clouded change in the legislation to prevent meaningful challenges to a decision of the board seems an abuse of process. The very act of trying to implement these changes shows the way the board has regulated the industry this far: implementing impractical proposals. A board that has a history of blunders is seeking to protect itself from review, and the Legislature is the means to an unjust end. If you challenge the decision of the board, you may be slapped with a heavy cost—a deterrent to speaking effectively. Examples are many.

1. During the course of the last hearing of the board, the board set a deadline. It is the same board that contravened the deadline in the apparent favouritism that was played to allow some applicants to put in special materials. That may be a question of fact. It cannot be challenged under the proposed amendments. If the board allows you to challenge that, you may still be subject to a fine for pointing out the error of the board.

2. In the same hearing, one of the successful applicants did not even submit an application. The board found merits in an application that was not submitted and issued licences to the applicants. That cannot be challenged in court, however—not when the board has a special power to order costs.

3. The board had a good basis to act against another applicant who contravened the laws of the province of Manitoba. The board did not act. Yet we cannot speak for fear of being levied with additional cost.

4. A judgment rendered on November 22, 1991, gave the board directions on matters to consider at a public hearing. It includes considering the fate of existing licence holders if licences are still to be increased. The board did not do this. A stand that many saw as a challenge to the order of our Queen's Bench. Yet such a stand cannot be brought up for fear of cost assessment.

If I can, I will read that out to you. It was a judgment from Judge Monnin. It says clearly, quote and unquote: The board then must order further any under Section 8 and consider the public

convenience a necessity of which one of the many elements would be fit of existing licence orders, if the number of licences is to be increased. Furthermore, we have to consider this issue in light of the powers which it has and not in the light of the power that it might not touch its act. That is Judge Monnin's decision.

Then a minute after that, our chairman, Mr. Norquay, came on CKND, in which he said, I will go back to the legislation and ask the Legislature to give me the power to charge that 8,040—something like that. Now, you finally do it in front of us. What he said on CKND is not even Bill 24 at all. It did not even include it in there. Now to continue with my brief.

5. The board has expressed that it does not want headgear in the industry. This may be a violation of our constitutional rights. With the kind of amendment that the board seeks, there is no way to determine this. Under it, the board is its own court and can basically do what it likes.

This is the same body to whom the Legislature is about to hand our future. Our right to speak is being taken away and handed over to the board, a board that many has expressed concern over its competence. The industry has no representation on the board.

Yes, we found the minister and Mr. Norquay in there arguing, I believe, about two days ago, saying that if you put somebody from the industry on the board, that will be a conflict of interest.

Now, let me remind all of you. We have a law enforcement agency in the city of Winnipeg or probably for all of Manitoba; we have policemen sitting on this committee. Is that not conflict of interest? Without saying, just about a month ago, a few days ago, a few weeks ago, they voted for an increase for their salary. Is that a conflict of interest? Why can we not sit on the board? Why can we not have our representatives sit on the board? Why cannot somebody from the industry sit on the board? These are the things that affect us. Everybody on the Taxicab Board is presidents. None of you have driven a cab before. None of you have anybody in the household that has driven a cab before.

I will give you one illustration. I have five children. Let us say there is trouble in my family now. They send a special Yellow cab to me. This special Yellow cab is from Tuxedo, to come out and look after me. What does he know about me? Does he



know my conscience? Does he believe in the same God that I believe in? If you do not know me, how can you solve my problem? If you do not know what goes on in the industry, how can you solve the problem? You need somebody to enlighten you, to tell you what is going on.

That is why we are asking that sure you bring this bill in then, and for the moment thank you Mr. Norquay and Mr. Driedger for introducing this bill. Now it is in the light. It is now left to all of you. Let us forget where we come from, whether we are Conservative, we are NDP, we are Liberal. Let us for the moment believe that we are all human beings. Let us forget the colours, for God's sake. Whatever we believe in, our conscience, our God. Let us do the right thing. We believe in justice. People have spoken before I came over here, people are going to speak after me. Have you seen the light? Does it give us all the lights, Bill 24? I believe there is nobody willing to dash in there like Mr. Mulroney.

What I cannot understand is that these troubles started from as far back as 1988. How come this legislation was not introduced in 1989? Why now? Because we have a majority government in the House? Do we believe in justice, or do we just want to raise a motion and pass it through?

\* (1020)

Please, ladies and gentlemen, it is now in your court. It is left to you. Let your conscience be your guide. If you look in the other material that I believe you have with you, I will give you one instance. I believe the movie came out last year. It was about 1716 in the United States, the revolution in the United States. The British called it mutiny against the Queen. The Americans called it revolution. Let us understand that what we are looking for is justice. It ties Mr.—

**An Honourable Member:** Boroditsky.

**Mr. Ablodun:** Boroditsky just spoke before I came. Unfortunately, I will not have the time that he had because he started from yesterday. I believe that we can go to 20 minutes and I will not waste anything, but I believe it is enough time because he spoke of so many things that somebody needs to reply to, and I will take a few minutes to do that right now.

I will give you the history of the industry. I joined the industry in 1977 with Unicity Taxi. When I joined them, we were only a few minority—even though I

do not like the word minority. Minority what? I am a different colour, that is all. Anyway, we were only three Indians. The people on the board were all whites. Even though we owned the cab, all they asked us to do was come to the office, pay your rent and go. You have no say at all.

Then I joined Duffy's Taxi in 1988. It is like going from the frying pan to the fire. I believe Mr. Norquay knows about everything that happened in there. We ended up in court last year. The few people that were left in the industry, we took them to court. I will give you a little bit of explanation on that.

When you buy a cab in Duffy's Taxi, there is something they call an entrance fee, \$2,000. It is not an entrance fee. They do not want you in there. Simply, they do not want you in there. If you are not white, they do not want you. When you pay \$55,000 for your plates, you are buying a Duffy's; it says Duffy's. When you come in there, they say, before you can drive, we want \$2,000 from you, and they call it an entrance fee. You pay the \$2,000. You have no vote rights. You cannot say anything.

I went to Mr. Norquay. I told him about this. He said, sorry, I cannot help you. I went to Mr. Walker, when he was there. He said, sorry, I cannot help you. I went to Mr. Terry Smythe. He said, sorry, I cannot help you.

In 1989—and I would like you to listen to this very carefully, please. When the time payment came in, I did not have money to pay my second installments. A letter was written to Duffy's Taxi because the address is with Duffy's Taxi. They did not take the registered letter; they refused to accept it, and I did not know anything about it. Fortunately for me, I went to 330 Graham the last day of the payment. When I walked in there, they showed me the letter that they refused to accept, and I paid in tax installments. If I did not go there that day, what would have happened to me? I would be driving a cab with no insurance. I went to the Taxicab Board and I asked them, can I change my address to my house because the cab is registered in my name? They told me no.

Now, when the trend changed last year, we won the case against the whole regime in there, the few white that are still in there, because in the constitution of Duffy's Taxi it says clearly, when you own a cab that says Duffy's you are entitled to one vote, and you can only vote one vote, but when we got in there, Mr. Kapusta had been voting 50 votes.

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**Mr. Chairperson:** Two minutes.

**Mr. Ablodun:** Okay. They went to the Taxicab Board. They said, we want our addresses changed. They changed it for them.

I went back to Mr. Terry Smythe. I said, I came in three years ago. You said, you cannot do it. And I will quote him exactly what he told me. He said, we made a mistake. I said, why is it when I come to you or a minority comes to you, you always make a mistake; when a white man comes to you, you do not make a mistake?

Now, in a nutshell, because I do not have the time, I am going to use, just to show you the confusion in this industry, the last one. I know Mr. Norquay is out. This is what I really want to ask him about this—I know he is going to.

If you read this from definition 7(1) to 7(2), I believe we all speak English in here. Is there any way I can ask somebody to translate that section to me because I have a different translation from Mr. Norquay, and it is simple English. Is there any way I can ask the question, if anybody can translate this to me? When you read that, that is what we have in the industry. It says clearly, you cannot lease your cab, and it says clearly in the act, yes, you can.

Now, Mr. Driedger, Mr. Chairperson, ladies and gentlemen, I believe in justice, and I believe in one God and that God is my almighty. I do not know what you believe in, but please, we all have consciences, our belief in one thing. This bill as it stands is like Meech Lake. Can we go back to Meech Lake again, or can we go back to the

Taxicab Board and start all over again? Please, I beg you. This is not the answer.

Thank you very much.

**Mr. Chairperson:** Thank you very much for your presentation this morning.

I call No. 3, Mohinder Gundhu.

**Mr. Ablodun:** No questions?

**Mr. Chairperson:** I am sorry. Your time has expired, sir.

Order, please. I have been informed that we have to take a recess to reset the tape in Hansard, so recess for five minutes.

The committee recessed at 10:29 a.m.

### After Recess

The committee resumed at 10:32 a.m.

**Mr. Chairperson:** Order, please. We are prepared to continue.

During recess, to put it on the record, Mr. Abiodun asked for an extension of time. Is it the will of the committee to extend his time by two or three minutes to complete his presentation? Is that agreed?

**Some Honourable Members:** Agreed.

**Mr. Chairperson:** You may continue then, sir.

**Mr. Ablodun:** Thank you, Mr. Chair.

If you look in there you will find—this was submitted to the Taxicab Board. They did not even take two seconds to look at it. This is something that we did. It lists addresses [inaudible] Tuxedo, North Kildonan, E.K., St. Vital and then all the months. When you find out from that place, you find out that you only have peak period in the city of Winnipeg for the taxicab industry. In there, you find that the only time that we need licences is from November to January of every year.

We asked the cab board if there is any way they can look into this instead of putting more cabs. Then, when you go through it, you will find out in there everything has been explained and analyzed. We have from MTS—this I believe the government could have done a long time ago—we have the report back from the MTS. They gave to us all the phone calls that comes to our switchboard every day of the year. You will find that the only time that we have the number of calls, you will find that for

January—anything there you have the copy in there.

**Mr. Chairperson:** Excuse me. If you wish to have this recorded in Hansard, you must stay by your microphone. Otherwise, they do not pick it up.

**Mr. Ablodun:** There is one with a docket from the Taxicab Board. It says dockets. This is the letters dockets from the Taxicab Board. The date is right there, June 16, 1993. The same Taxicab Board approved two series of taxicab licences, one for \$52,000, docket 13593, another one for \$52,500, and the same chairman is issuing plates for \$200. Please, is that justice?

You see we do not have a composition—oh, what do you call it again?—we do not have something to go back to when we finish driving cabs. The only things that enticed us to come into this industry are two things. First of all, has anybody sat down to think, why do we have lots of minorities in this industry? Why? Most of us went to school, writing most in Manitoba, most in Winnipeg. Why did we go into this? Because we could not get a job. Now we have bought a job.

We bought it because we think that at the end of our driving, we would find something to fall into. There is no pension for us. We are thinking that if we pay \$52,000 now, probably after 15 years it will go \$200 or it will be \$52,000. I will take my money, I will go and retire.

Thank you.

**Mr. Chairperson:** Thank you for your presentation this morning. I call No. 3, Mohinder Gundhu. Good morning, did you have a written presentation for distribution?

**Mr. Mohinder Gundhu (Private Citizen):** No, I just want to speak on general terms.

**Mr. Chairperson:** That is fine. Begin when you are ready.

**Mr. Gundhu:** Good morning, ladies and gentlemen. My name is Mohinder Gundhu, owner-operator of Unicity Taxi. I want to start, beginning with some many years ago. My uncle used to live in Washington, and he took a toy for my sister back home in India. I asked my uncle, what a nice doll, and my uncle answered, no, this is not a doll. That is virtue of liberty and the Statue of Liberty, the symbol of democracy, fairness and equality.

(Mr. Ben Sveinson, Acting Chairperson, in the Chair)

Anyway, 13 years ago, I found that virtue of liberty. Last year I went to see him, and he asked me, did you remember my word? Did you see that? I said yes. We have something there, too, in Manitoba. He says, what? I told him, we have a Golden Boy facing north, asking prosperity, equality, fairness, and he will serve us.

Today we are here to talk about Bill 24, but I will take you a little bit further ahead. I could speak on this for days, on this bill, but I care about your precious time which should be devoted for good purposes, but I will talk about fairness, the civil servant, how they behave with the taxi industry, and first, I will take to you the procedure and fairness.

Number one, no board member from the taxi industry is there since the new chairman is in there. There was a member, he forced him to resign, and after that he never came back to the taxi industry to have any board member from the industry. When the Taxi Board drew up this bill, was anybody from the public, anybody from the taxi industry consulted? No. Even when that bill came in the Legislature, most of the MLAs did not know what the bill was about, what this was all about.

\* (1040)

There are too many examples of fairness, and the board—I want to give a little example of how the board is fair to the taxi, how they want the service to be improved.

I own a car, 1989 Fleetwood Brougham. I brought that car from Chicago, spent \$16,000. I brought it to Winnipeg, put my car on the road. After three days, I was waiting in Transcona for a trip for two hours, and then my car was suspended immediately.

I asked my supervisor first, why do you suspend my car? They say, well, the Taxicab Board asked me to suspend your car. I asked why. She says you have a plate in front of your car that says Cadillac. You have to remove it, go to the Taxicab Board, then we are going to put you on the road. It cost me four hours to come from Transcona. I was waiting for a trip for two hours and then went to the Taxicab Board. I asked the inspector what was wrong. My car is a Cadillac, how come I cannot have a Cadillac plate on it? Terry Smythe gave no answer. He says, well, you have to remove it.

I will show you the plate. This is the plate. See it is Cadillac. I ask him again, what should I do? I want this plate. He says come to the Taxicab Board meeting. We are going to approve this plate, if you want to put it in front of your Cadillac. So this is how they treat us very fairly and genuine.

I am the chairman of Unicity Taxi, and I went many times to the Taxicab Board and what I am saying, I am saying 100 percent. I say many times good morning to Terry Smythe. He does not even give an answer to a good morning. He does not even shake his head. Ask 20 guys sitting back there if anybody says he answers to a good morning. What bad relations we have. Today, I can say we have 99 percent taxi industry and driver nonconfidence about this Taxicab Board.

I will take you to another few things, how fair the Taxicab Board was. Present taxi versus Tuxedo—they issue the licence on different conditions, bounced the licence as he should, then the guy who got a licence keeps on coming to the Taxicab Board and we keep on opposing. They keep on lowering down the standard what they give the licence to him.

The chairman had a recommendation in luxury service in 1991 Taxicab Board, he said 53 percent of the people in Winnipeg can afford 20 percent fare, but Tuxedo was not on the road. He did not buy the car. He did not buy the equipment. He says no more; 20 percent is too high. I was not there. He approved the difference of one dollar between a regular car and the luxury car.

I am running that car, leather interior, mint shape, and it is parked out front. In 17 months I had nine luxury trips, and we have 110 cars running in our company, Lincoln or Cadillac. Number two, the same thing, Tuxedo falling down anyway, the thing was gone and then comes another new licence.

Anyway, we put the application there. We know what is going to happen, who is going to get the licence. We knew from the beginning, and I want to tell you who got the licence.

It was got by Bob McGregor. He was the manager of Unicity for a couple of months. He got fired because he could not control the company. And who is the partner? He was the business planner for Tuxedo. Another partner is the accountant of Tuxedo, and a third guy, he does not know what taxis are all about. He does not know what the taxi is all about and Bob McGregor, his

business planner and the guy sitting behind are the investors. If today they pulled the chair from underneath McGregor, he is again flat.

Another comparison to do is Unicity. We have 240 cars, we have 110 Cadillac and Lincolns running, and we have a dispatch system. We have trained staff. We have 1,000 drivers, who are professionals. I do not know, where is the justice, where is the Golden Boy, where is the virtue of liberty? I do not understand how we are saying again this board is very good, this board, what it is doing it is good doing, and the board never tries to solve the problems. Day by day the friction between the taxi industry and the Taxi Board is widening.

Look at the vans running, 65 vans are running without any regulation. I do not understand. The guy does not have an LV plate, and he says get limousine services. Limousine means should be regulated. He should have an LV plate. That guy having insurance of \$700, pay \$700 and pick up the fares from all the hotels, and we went to the chairman, and the chairman says I can do nothing. Another thing, gypper, MTS. They do not pay \$4,500 or \$5,000. Where is the justice? How come they are letting those guys steal our business from the backdoor, if this is a regulatory industry?

Another thing, we have information that licences awarded brand new Lincoln Town cars or Cadillacs are going to the lower-class cars. Those guys are coming very soon to the meeting at the Taxi Board, and I want to tell the chairman. They are going to approve it. They are going to approve the lower classes. They are going to change the model. I want this thing to be recorded, because we have the information, could be true, could be wrong, because we know from previous how the Taxi Board runs, how they were fair to the present industry.

Another thing we are talking about to cover up the cost or whatever, I do not know how we are justifying with the taxi industry. One way we are paying the taxes, another way they are recovering the cost.

When Terry Smythe can go to Florida, they have 20 times, 40 times more population. They have 50 times more tourism, more foreigner flights, more international flights. We have only one flight coming from Northwest Airlines, and I do not know how Terry Smythe or other board members compared

Florida, Minneapolis, Chicago, Vancouver or Toronto with Winnipeg. I do not know how come the Taxi Board did not take a mechanic with them. I call them mechanics who have experience in the taxi industry who knows what our problems are, which way we should go, if we should go, how we should provide the nice luxury car. I agree with this. The drivers are the ambassadors of the city. They make a big difference to create tourism.

\* (1050)

There are ways to solve the problems. I ask the chairman, how do you define a taxi car? He says, four-wheeled, four-door, nice clean car. If I put a 1968 car, I can clean the seat, I can clean the door, I can clean the trunk, but if the car structurally, mechanically is bad, I do not know how the Taxi Board justifies it is a taxi. They are talking about this bill. He did not talk about, what about the 400 taxis left over? What should be the standard of those cars? What should be the year of that car? No? One guy is running a Cadillac, another guy is running a four-door car. We are talking about the bill, lots of things to do, but he is leaving the 400 cars back. We are talking about fairness, equality and other things.

The business—when we have a big convention all this business goes to the big guys. They allow the U-drive van to pick up the people. We have winter games. We have summer games. We can handle the business. We are sitting in the car and they are allowing the people who are not in business, they are not professionals, they take our money when we are supposed to be having that business when we are sitting in the car three hours in the summertime. I do not know what the Taxi Board is all about. They may think that they are small-business people, they are small this and that—care about the big people. The thing is, all I am talking about here is bread. I am not asking you for the butter because we make bread. We do not make bread in taxi business.

One of the members was asking yesterday, how can you afford the taxi? I told him, if you ask me, I wake up at four o'clock, and at five o'clock I am in my car and I go till midnight. How I pay my house bills, how I pay this taxi to the bank—my father is sixty-five years old and he is sweeping the floor. He is not getting any welfare or anything. I am proud of it. I am proud of myself. My mother is picking up the nuts and bolts in the scrap yard in Transcona. They pay my bill. They pay everything for me. I do not

drink. Most of the guys do not. Most of the guys do not go to bars, they do not have a steak, they do not have dancing, this and that. It is really unrealistic when the chairman is recommending we make \$80,000, we make \$110,000, we make \$2 million.

Another thing. We asked him to take the member from the taxi industry—finally our city of Winnipeg took George Gershman. I do not know how he is going to be careful about the taxi industry. I know he is familiar with tourism. Lots of guys are familiar with tourism. What about us, the mechanics, who run the taxi industry, who know what it is all about, what problems we have? We have thousands of problems. The Taxi Board never tries to listen, and I do not know why they are excluding us from the taxi industry.

Now I want to talk to you about Bill 24. Bill 24 is, for the small ones, if you want to run the cab, the licence should be under your name, plate should be under your name, and car should be under your name. What about if they should issue the licence through Bob McGregor? Who then busted their behinds? The cars are not in their name. It is really their business is there. What is the class taxi going to do if they pull the mat from under that guy's feet? He is going to go bang.

Same thing with the Unicity. There are two standards that apply. We make our living. We try to serve this company, and the Taxicab Board is desperate to break this company. They recommended in 1988, 1989, the Taxi Board: we want to break up Unicity. We want to take over some cars from the Unicity and create a third company.

Their intentions are to take our bread and squeeze and throw it in pieces. Okay, guys, there are pieces, pick them up. They do not care. Here is bread: make four pieces; have one each. No, he wants to squeeze it and throw it in there and pick up the pieces of bread on the floor.

**The Acting Chairperson (Mr. Sveinson):** Mr. Gundhu, there are two minutes left.

**Mr. Gundhu:** Two minutes. I have no control over events. I already explained to you, and the other things, the cost. Anyway I heard it is agreed; we are pleased that there will be no cost. That is all that I want to say.

**Mr. Reid:** I thank the presenter for his presentation here today. Since time is very short, I only have one

quick question for you. What advice can you give to the government with respect to this bill?

**Mr. Gundhu:** I am not blaming the government for this bill. We know who recommended this bill. The government should be really very careful about my bread, not my butter. Asking another 400 cabs or 1,700 drivers to savor our bread. The way they run the Taxi Board is a dictatorship. If they give him more power, he is going to finish us. He is going to penalize us. He is going to put dictatorship tape on our mouths so that we cannot speak in the future.

**Mr. Lamoureux:** Mr. Acting Chairperson, I would ask the presenter just to confirm because I think it is very important. You expressed concern with respect to that front licence plate having Cadillac written on it. You were suspended, your licence was suspended only for the reason that you had that front plate on that identified the make of your car, and you still had the black paint on and so forth? Were you in violation of—individuals prior made reference to a bible, the taxi industry bible. Does it indicate in there, or is there something that the board could justify suspending that on that you are aware of?

**The Acting Chairperson (Mr. Sveinson):** Order, please. The time is up, but I will allow you to answer, Mr. Gundhu.

**Mr. Gundhu:** Actually, they did not suspend my licence. They suspended my cars not to do any more business before you showed up later, moved. I asked the Taxi Board, they said, in the regulations it says there you cannot have a nameplate on the front, but I do not feel, my Cadillac says it is a Cadillac, so I should have the right.

They should be able to understand within the Taxi Board and the taxi industry or the taxi owner or the driver. There should not be—if they are not sticking up 100 percent with the rules and regulation, they should have a little relaxation and do create nice and good and quality affairs with the taxi industry, so we should be proud of the taxi industry.

So we should not be criticizing here about the taxi industry, and as a team we can make Winnipeg a better place to live.

Thank you.

\* (1100)

**The Acting Chairperson (Mr. Sveinson):** Mr. Gundhu, I would like to thank you very much for your presentation. Thank you.

Would Mr. Brar Jagjit step forward please. I hope I have the pronunciation right but it is No. 4 on the list. No. 5, Dhalla Navtej; No. 6, Harnam Dhillon; No. 7 has removed his name from the list; No. 8, Steve Sidhu; No. 9, Momsuru Tijami. Do you have a written presentation?

**Mr. Momsuru Tijami (Private Citizen):** No, I do not.

**The Acting Chairperson (Mr. Sveinson):** Proceed, please.

**Mr. Tijami:** Good morning, Mr. Acting Chairperson and committee members. My name is Momsuru Tijami, and I will give you a little bit of history about myself and possibly how I end up in the taxi industry.

I am a graduate of the University of Alberta with a B.Sc. in Ag Economics, and I went down south and I have my Masters in Agric Management.

Because I am a landed immigrant in Canada I came back up with the hope of getting a good job in agriculture in Canada, which I did not, and I am married with two kids and I have to feed my family. Maybe by virtue of my pride I do not want to go on assistance. Not anything against the people who go on assistance, mind you, but that is the way I am, so I am not going to knock myself off for being a cab driver. I am presently an owner-operator with Unicity Taxi, and since I got into the industry, it looks like we have been dumped on, stepped on as far back as 1988 with this board, this Taxi Board.

I cannot pinpoint whatever the reason is, but God knows, an individual on the board knows what their reasons are. But I can speculate. I could be right or wrong, what the reasons are.

First of all, my objection to Bill 24, which is why we are here today, is that this particular bill—since I believe, migrating to Canada, that this is supposed to be a democratic society. The country I come from is democratic, but I love to travel around, so I end up in Winnipeg after going through North America.

This bill is going to be an authoritative bill; it is going to give the Taxicab Board more power than they ever need. It is going to be a dictatorial bill. It is even going to make the Taxicab Board the court of law, which I think and most members of my

community and other industries or other taxi industries think is just unfair.

If I may start, whether one believes it or not, the taxi industry is shareholders; they are small business. We might not register with the Chamber of Commerce, but we are a small business in our own rights. The argument with the Taxicab Board is that the plates are not worth more than 200 bucks. They have contradicted themselves in their reports a couple of times, but we pay quite a lump sum of money. Everybody knows how he got his money or her money to buy a franchise, if I can call it that.

Calling us a small business, we are self-employed. Again, pardon me if I am going to be a little bit more personal, I employ my own wife. She drives days; I drive nights. Why? Because I stick my neck out to provide food on the table for my little school-aged boys. Now, if I can do that and try hard, why is the government going to give a Taxicab Board—to destroy me, for no reason. That is what the government can tell me, if they can; but, if they cannot, well, like the other people, what God says—God is up there.

The bill, if passed, will deal with the conscience of the government, will deal with the conscience of the Taxicab Board for their reason for proposing this bill. First of all, Section 4(1) is going to give taxi business. It says, if you own a taxi, you cannot have an agent, which means, as a franchise, I cannot go to Unicity. If that is therein, I do not know, but it is left to them to explain it. It is left for them in their conscience to justify it.

If they bring any business in this city, ordinary net income, they advertised they are giving a franchise to a businessman. That is the agent. Unicity is our agent; Duffy is an agent. What are they doing to us? Would they like it if I parked in Eaton Place and I do not have anywhere to go? Unicity is my agent. They get a call; I produce the service. That is the way it is. But this bill is trying to destroy Unicity. I do not know Duffy's because Duffy's is pretty well independent. You can come and go as you want, but with Unicity we are pretty well tied up. That is No. 1.

Number 2, Section 14(1) talks something about penalty. My goodness. If, an example, for whatever reason, you penalize my wife a hundred bucks today for driving day shift, and I come on night shift, you penalize me another hundred bucks. Where

am I going to get it? It is going to come from my purse, from the same family purse.

Again, this bill is giving the—even inspectors, to fine you for whatever reason, and Taxicab Board has gotten fear into everybody. I will give you one example. My wife had a problem with somebody from transportation department. For that reason alone, my wife was called for a show cause hearing. The inspector came to my house. I mean, I am no friend to the inspector. I am not going to see him or her. I am not a friend of him or her. Why should the inspector come to my house on Sunday? For what, to go out for a drink or what?

Bill 24 is not passed yet. They are coming to my house. What about when it is passed? They are going to ask me to open my door. We are from Taxicab Board. Why? Because I drive a cab. I have my own dignity. So do all of the Indian taxi people here. They have their own dignity. They should be respected as human beings and they should be treated as businessmen, if they think we are, which I do not think, because the notion with the Taxicab Board or a lot of people is that cab drivers, pardon me, guys, are lowlifes, which we are not.

In my community, we have a few guys that drive cabs, and the minimum education is a Red River Community College, which is a fair education as far as Manitoba is concerned. We have more than high school, but for whatever the reason, they end up driving cabs.

A few other things here. Since I have studied the business by cab, there have been fewer drivers, there have been—the only time a cab driver or a shareholder can be happy is paydays and welfare days. If the Taxicab Board wants to be honest with themselves, they know that because they hear everything, but they do whatever they want to do. Welfare days, paydays for the civil servants, that is the only time you make money.

Yesterday, the families, all of us just came out and we are all jumping at that for at least since the last four weeks we are going to make some money. My wife started at six. She finished at four. She came home with \$96, with \$16 propane. I started at four right away without picking up my kid, and I finished yesterday at 3:30. I came home with \$65, with \$16 propane because I was running around to make money.

\* (1110)

On a family basis, that is about, I do not know, 16 hours of work, and we take net, as of that day, about \$130 or something. For every day you own a taxi, you pay \$1.50 whether I am sitting down or moving around, it is \$38 you incur, and that is only the office expenditures and insurance. It does not take into account your loan.

So where the Taxicab Board got their statistics, I do not know, but they are not realistic about it. They are never concerned with the people in the industry. They are trying to put the cost burden on the taxi industry.

They sent out one of their board members which was not a board member before. He was going to Florida, this, that, comparing it to Winnipeg. At whose expense? At their expense, at my expense. This is taxpayers' money, and this same guy, finally, because of whatever he has in mind, ended up as a member of the board. Now you are going to give him power to make decisions in our industry. What is he going to do? Kill us. Period.

Where does that money come from? Again, this bill is going to give the Taxicab Board power that when they say jump, we do not say anything. All we have to say is, how high? We are human beings, too.

Another thing I have to say is, like I said, but the way I see it, and I am going to say it, is that maybe somehow the Taxicab Board does not understand why a lot of people are not in it. Most of the people in it are from different ethnic minorities. Maybe they are scared. Maybe they are whatever, I do not know, but the thing is, though, we work damn hard. I have not gone on holidays for three years just because I borrowed \$40,000 from the bank to pay off my cab.

My school-age boy wants to go to Tinkertown. I keep promising him every Sunday to go, I cannot go. I will go before the end of summer, hopefully, because I came home five o'clock Sunday morning and I at least have to have some sleep. That is not the Taxi Board business, that is my business. But when I work that hard to give a little bit of life, not for me, I have accepted my fate, but for my kids, the government is going to give power to the Taxicab Board again to penalize my kids again? That is unfair and unjust.

Thank you.

**The Acting Chairperson (Mr. Sveinsson):** Thank you, Mr. Tijami.

**Mr. Lamoureux:** Mr. Acting Chairperson, the previous presenter has done an excellent job in making a very strong case. I want to go right into the bill itself, because as an owner and driver, you know, one of the things that has come out is that we want to see more accountability from the board. We want to see the board listening for a change in terms of what the industry and stakeholders are saying. Part of this particular bill, if passed, will allow the board to require you, upon request, to give a gross and net earnings and expenses on a form that they decide is most appropriate. I am wondering if you can indicate, do you feel that there is any need for the board to have that sort of information?

**Mr. Tijami:** If I may say, they work for the government. They are not Revenue Canada. If Revenue Canada thinks we are cheating, they know how to get a hold of everybody. Every shareholder has a GST number. I have, and so does everybody else. So there is hardly anything you can hide from them. They do not work for Revenue Canada. They are just there to regulate the taxi industry, to have the industry run properly. But for the fear that these guys probably have a town house or bought a house, they have got to be making money. Why are they concerned about what we make? Why would you ask a hot-dog guy where he got money to buy a Honda Accord to drive his cart around? That is his business. If the government wants to know, that is why they have Revenue Canada.

I mean, why would we ask a \$40,000 man in a nice suit, blue-collar worker, if that is the word for it, living in Tuxedo, how can you afford living here? That is his problem. Most of us bought a house or live in an apartment or condominium, because everybody here knows where the shoe hurts. We cannot all be here smiling, but we know where the shoe hurts. We know that a couple of guys in summertime cannot pay their insurance and they go to their buddies, they go to the community, and borrow money to pay it, but I do not tell the Taxicab Board that. The Taxicab Board, because you can afford to pay your insurance, you must be making money. They squeeze us to death. The first people to even go to luxury cars—a lot of guys are still paying for it. Most of those guys are not even rich enough, but they still got a loan. The Taxicab Board never cares about that. All they care about is how can you afford to buy a luxury car.



**Mr. Lamoureux:** I believe that you had made mention in terms of that you have been driving for how long?

**Mr. Tijami:** I have been driving a taxi in Winnipeg for seven years now, and I am an owner-shareholder for four and a half years now.

**Mr. Lamoureux:** Many of the drivers that I have talked to make reference in terms of some of the frustration that they are experiencing. You have been a driver now for seven years. Have you been experiencing this frustration with the board for the full seven years? When did this really surface?

**Mr. Tijami:** When I was driving, I did not really care because I drove a taxi to work my way through college. So I know a little bit about the industry, but when I was driving I did not care. Once I decided to buy—I do not have an RRSP. I do not have an RESP for my kids, nothing. I cannot buy RRSPs. I do not have enough left over to buy. So when I became a shareholder, that is when my interest started growing, that I have to protect this because this is my investment, this is my life. So for the past couple of years, maybe three years, there has been a lot of frustration from the Taxicab Board.

**Mr. Lamoureux:** You, like many other individuals within the industry, have not only an investment, but you base your livelihood on this particular industry. I guess maybe if I can end it—because I know the member for Transcona wants to ask a question, too—is to say, given your interest in the industry, do you believe that this board has any confidence amongst your peers that they are concerned about the stakeholders of the industry?

**Mr. Tijami:** I do not, and so do most others not on this board, because we have been stepped on, dumped on, kicked around too long, for whatever reason. I have my own reason, but I do not think I am going to say it here.

**Mr. Reid:** Thank you, Mr. Tijami, for your presentation here today. You have brought a point forward that we have not heard from other presenters before in the sense, at least from my experience, where there is a husband-and-wife team that are working the business together. That is one possibility I had not thought of, in the sense when you raise the point that there is a possibility, whether it be hypothetical or otherwise, that both of you could incur fines as a result of the operation of the vehicle in service of the public. That is something that I had not thought of before. In that

sense, I can see that there would be a possibility of financial hardship imposed upon your family.

**Mr. Tijami:** That is right.

**Mr. Reid:** In the sense that both providers to the house could be penalized and take away any earnings you might have accrued during the course of that day of operation and maybe successive days.

Can you tell me, with the broader fee-making powers that you sense from this legislation here, what impact—I know you have told us a bit about the amount of income that you and your wife both generate from a day's activities in operation of your vehicle. What do you sense will be the impact upon your family with these fees, these extra fees the government is going to bring in?

**Mr. Tijami:** I will tell you what. This summertime, it does not matter how small the fine is, we cannot afford it. The board is given power to fine as they wish for whatever reason or the inspector is out witch hunting, because with this bill you cannot go to the Taxicab Board and express your view. You cannot go to the office and tell them, you are wrong. The next thing is they are going to get you somehow.

\* (1120)

I mean, the chairman might not have that in mind, I do not know, but once the instruction is out, that fine, whoever offends or commits something, it is going to be hard to retract it because the inspector will be out. There are inspectors at midnight now, and they are trying to cut down on costs? What are they doing?

**The Acting Chairperson (Mr. Sveinsson):** Order, please. There is about a minute and a half left.

**Mr. Reid:** In the short time that we have left, I sense by your comments then that—and by your experience that you have related to us here today—there may be times during the operation of your vehicle where you think or have experienced that the Taxicab Board or its inspectors would be unfair in decisions that they might make and that there would be no appeal mechanism by way of this legislation to allow you to in some way challenge any of the decisions that have been made. What advice do you have to the government with respect to that aspect of this bill and any other aspect of the bill in the short time we have left?

**Mr. Tijami:** As far as I am concerned, this bill should be scrapped because the bottom line is this bill gives more power to the board. It is authoritarian, it is dictatorial, and it makes the board a court of law. In that case, it takes off my rights to complain, or any other person, except if I have to pay for my complaint. Why should I do that? That is not fair. That is not democratic.

**The Acting Chairperson (Mr. Sveinsson):** Thank you, Mr. Tijami, for your presentation.

Number 10, Mr. Amado. Mr. Amado, do you have a written presentation?

**Mr. C. Amado (Private Citizen):** No.

**The Acting Chairperson (Mr. Sveinsson):** Thank you very much. Proceed.

**Mr. Amado:** Okay, basically I came to these meetings just to be a witness and to see what is going on, because the industry—I have been around it for about a dozen years.

The industry in the last five years has gone downhill financially and commercially because it is classified as a business. Unfortunately, 50 percent of the so-called owners are just making ends meet, and they are having a hard time with, you know, to make money. The board is issuing new licences. It is changing the laws, making very severe, strict laws, also misinformation from the board to the industry. Like myself, I am not fully up to date on the proposed amendments and changes that are proposed.

There is one that I looked at, like, issuing, you know, individual licence to an applicant as the need arises like they did in Alberta about 10 years ago to the point where anybody could qualify for a licence as a board judged within its rights. After a while there were so many licences issued for nothing that they had to recall some of the licences because there were too many taxis on the streets.

I feel that about six years back when a lot of the immigrants from India and, you know, foreign countries like so-called coloured immigrants became owners because they had no other jobs available, I feel that is when the so-called war got enacted against the Indians themselves in the sense that it was not as, how can I say it, quietly ruled or controlled as it had been decades before. So now with these changes it does not take into account the concern of the owners, you know, to making ends meet or the prospective owners that might attempt to buy a cab if they wanted to.

A couple of years ago I helped a cousin of mine finance a cab. I had to mortgage my home because he had no means whatsoever to buy the cab with because of the \$50,000 value. A lot of the guys who are just drivers are part of the so-called, you know, bottom end of the scale of the workforce because the cab industry and the driver is not looked at as a special kind of worker. It is more like the bottom of the step, because we do not have many options left.

(Mr. Chairperson in the Chair)

Some guys can go into other jobs, but like earlier I heard a witness, some people saying, because of their colour or their race, they have not got the opportunity to get other jobs. So the cab industry is the last resort that they can attain.

I feel that in some instances, you know, myself included, we are the losers in this industry, because we have no say or else we are not fully informed what the prospective changes are all about. I made my money in the first four, five years roughly. I was able to save \$10,000 or less into a bank account after each year, after paying the operation costs, the income tax and my cost of living. Now I find, if I can save \$1,000 or \$2,000 a year, at the end of the year I am lucky, and I still put in my 50-hour week. I cannot endure more than 50 hours a week, you know, work time because of the stress factor and the ill health that you suffer from this. A lot of guys now—the owners do not put night drivers on because it is not feasible for them to put a night driver on. You cannot make any money that way with the costs and the overheads that they have.

So if we do not so-called get more opportunities in this, because it is a point that we have no say in it, there are changes done, the proposed amendments are not being brought up way in advance. So trying to push it through too fast through the legal process was a last resort. I mean, 95 percent of the cab owners or drivers are not appearing here, are they? Because they feel like they are helpless pawns. They cannot do anything, or else, what can they do here against the system?

One time, when I bought this cab for my cousin two years ago, I was told by a member of the board, I will not say who, that it would be better for me to sell my cab because he was foreseeing gloom coming in the industry. I felt like there was a war ensuing between the industry and the boards.

I have never had any confidence legally with the board in my 12 years. I am not saying that other people have not, but the thing is, for every fault, there is a reason why it happened. The person should have a wider opportunity to defend themselves, which they might not be able to do, because they will have the ultimate say in certain laws that will affect them drastically to where it is not financially feasible to fight the conviction or the law because it would cost too much money. Where are they going to get the money from?

That is what I have done my time for, a minor parking ticket which I received, which I was never even parked there, over the mail. It was not given to me directly. I paid the ticket. I did not go fight it in courts. And this is going to be more. It is going to be up to \$1,000 or \$500 for a certain fine that they are going to have. I feel that we should be just as listenable, answerable two ways, so that the board and the industry has more communication, which right now they are not getting.

I get emotional about this because I have been what you call classified as see no evil, hear no evil, speak no evil, because I am a helpless pawn in the system. What in effect can I do or many other people can do to have certain things changed? Whenever a new law gets passed, it is much easier for the law to get passed through the system than for me to, once it gets passed, defend myself against it in case of a severe instance where I have not really got enough evidence or so-called counterevidence against the accusation. It widens the doors too much.

The main fault I find is that this so-called confrontation, war between the industry and the board, it is not communicating back and forth. It is like confrontation on one another. It is not like the attitude, on the fear side, there are a lot of people that are anti-East Indian, of drivers and other races. They sometimes would skip other Unicity guys and come to me because they do not want to go into the so-called East Indian cab. So it is a two-way street, you know. They suffer from both sides.

I feel that if a person invests money up to \$50,000 on a cab, he is fighting a losing battle, because the operating cost is a minimum \$25,000 a year. Then, if he is making payments, with the interest accumulated, some people are paying a fortune in accumulated interest all over the four, five, six years that they take to pay.

\* (1130)

It is like a no-win proposition. I feel that if the board passes new laws or else puts new cabs on the road, I mean, the Blueline cabs or the other cabs will now come into effect, how can they possibly survive in this world where we the present cab owners are just making ends meet or just surviving? It is something that is not like other cities, the big city where you have to have a lot of cabs in the streets to pick people up because they need the cabs. Most of the time people do not take the cabs; only certain peak hours that they are calling for them, and after that it is like dead. No availability. These things should all be looked into before major changes are done against the industry without the industry having any say to defend themselves against it.

I have been quiet so long; the last five years I have become a loser because I have no equity to show for those times, like the 50-hour week that I put in. The only way I can make any money at this is if I were to work an 80-hour week, but my health would suffer. So I feel that it should not come to the point where it is a competition between the board and the industry and the multirace ownership of the industry. It should be like working together instead of having these confrontations and these legal laws that we are not even fully aware what they are.

I think before something is rushed into, it should be dealt with in a long process, and full information be presented to really decide them, not on a very minute amount of information or data that is unavailable, and decide on something that they do not fully know what is going on.

I can say that 50 percent of the cab owners are just making ends meet. There are only 50 percent that actually make the money because they put the hours in. It is like a two-job week, 80-hour week, and I think it is unfair to a lot of beginners, like my cousin, who is—as a matter of fact, recently I had to buy half of his cab back because he was suffering ill health and I had to remortgage my home to buy his half out. Now that he is not making any payments anywhere, he owes me several thousand dollars, and he is unable to make the payments. Like \$200 to \$300 a month, that is all he can afford to pay me.

That is how extreme the industry is in, or it is like dog eat dog and you cannot survive on the way it is, and all these changes, all these licences will be issued out. I have people comment—I have got a Lincoln Town car; I use a Lincoln Town car. I have

them comment, how come you have a Lincoln Town car? All the cabs in other cities, they are all plain cars you can get for next to nothing because people abuse the cabs. I have burn spots behind the head rests and behind the back rests of the seats and the arm rests. People vandalize cabs, and I know certain East Indian owners who have them even more extremely vandalized.

So it is a vicious cycle; it is like a no-win situation. I feel that if we are totally—the Taxi Board is working for us, working for the public, working for the city, but it is a two-way street. You have to give and take, and be answerable to one another, not just telling everybody what to do, what not to do.

Unfortunately, what happens is, too many people like me enter a state of stagnation, where they lose the hope of initiative because it is a no-win situation. The money is not there to be made, and you cannot endure the stress and the physical fatigue that ensues on you. And now, whenever things like this happen, it is all of a sudden, all of a rush, and before you know, it is gone, it is over.

So what do the other 95 percent of the people who do not know? Or they will say, we have not got a hope. What are we going to do. That is what the sad fact of it is. Not too many people come forward to say the negative things that are ensuing because they feel it is a no-win situation. I am just here. I witnessed a couple of presentations, but there is still so much unlimited information and stories that could be told. It would take forever to say it. But why are these stories, these sides of the conflict not being heard and being acted upon where possibly everybody will benefit, not just have a few selective people decide for the majority of people that it depends on, 1,000 people or so that this industry depends on.

The time that this board member told me this, you know, I do not know why it should come to that, why a board member would say it would be better for me, advise me, to sell the cab and get out of the business because it is going nowhere, it is going to get dirty. For what reason? Is this something that they want to do, you know, to prove something to the so-called minority section? Well, they own 50 percent of the cab industry right now.

I know a lot of so-called white people that sold their cabs. I never did. I even got asked to, you know, I better sell my cab because it is not going to get any better. In effect, it is partially true, but why should it come to that?

This incident happened in Edmonton about 10 years ago when anybody could apply for a licence. Then they got to a point where there was no new limit, and then there was the fact that there were too many cabs and not enough customers available. So they had to recall some of the licences.

It is a known fact that we are in a recession, and it is not getting better for the next couple of years either. So why make it look like we are short of cabs? It is not true—[interjection] Well, it is very emotional, I can understand, but I feel we are not looking on the other side of the fence. It should not be like that.

It should be fully discussed and evaluated before major changes on the act. I agree some of the old acts might be an extreme, might be harsh, strict, but there was no problem before. I never had any problems with it before. So, it is something that they ask certain limits, you have to give and take on both sides of the fence.

We, the industry, are the ones who are losing most of it right now. We are not gaining anything. Other companies, other corporations, other sides of the industry get subsidies from the government, special financial aid. Now for the Taxicab Board's financial operation costs, they want to subsidize that instead of having the government pay them. I mean they are giving out hundreds of thousands of dollars, millions of dollars to subsidize other ventures that actually go bankrupt, and it is a big scam, whereas we are the little ants of the system, and we are going to be charged more and be, in effect, told that we have to pay more to help out the board with their costs of operations. We are the ones on the losing end, you know, left and right. So what is the answer?

Well, I guess there are probably other things I could say, but I think I said enough.

**Mr. Chairperson:** Thank you very much.

**Mr. Reid:** Mr. Chairperson, I thank the presenter for his insight into the taxicab industry. I sense that you have a fair degree of frustration, not only with this legislation but the way the events have unfolded that have had, obviously, a detrimental impact on the taxicab industry.

In your opinion, do you think it would be to the advantage of the taxicab industry and to the government, for that matter, to have some forum available for you and other members of the industry whereby you could bring forward any concerns,

any problems, that you had that could be addressed in a manner that would then be able to provide advice or counselling to the Taxicab Board so that we could bring forward real solutions to your concerns?

**Mr. Amado:** Well, in the olden days the old board members and the old chairman of the board would go to the managers of each company or the various companies when there were more cab companies, and then, you know, they would consult one another. They were on so-called talking terms.

Now because there are two primary companies that the Taxicab Board is not too happy with, they want more competition because Unicity was comprised of three companies before. Now they want to bring in more competition because they feel that the industry has got too much power, so to speak, because there are only two separate companies that the average person can call. So, in effect, that is a negative point on the cab board's side because there is too much power on the industry side, which in effect is not true, because we might have more cabs controlled by two different companies.

In a case where there are more companies, people still would call more companies—whichever call comes first, that is the one that is taken. The other ones would still be stuck without taking them.

I feel that they can easily contact each company, and the board can contact Unicity's and Duffy's boards or management and have discussions or ask for certain information, certain data that could be provided, certain things. My financial statement, like that is no big deal for me to provide that information to the board because I am not making any money. The thing is those other people consider it a private matter. There are not too many people that have access to other people's financial, you know, income tax return. It is called private information. So I do not know in that regard. But whether there is income, whether they claim a certain amount of income is made, there is a lot of overhead, operation costs. I feel it is just a matter for the board to consult and get the information, if they can, of whatever they want to have.

\* (1140)

**Mr. Reid:** Mr. Amado, could you tell me, are you aware that Tuxedo Taxi did receive a grant from this government to train individuals?

**Mr. Amado:** I heard that. I also heard that there were some people that had put money into it out of their own pocket and they lost. There are lawsuits counteracting that too. So, that Tuxedo Taxi is a big scam, because anybody with common sense knows that another cab company with luxury cabs, new cars, just cannot make ends meet. It is physically impossible to invest that kind of money in those kinds of cars and expect to get the return back. It just would not happen.

**Mr. Chalrperson:** Two minutes.

**Mr. Reid:** Mr. Amado, could you tell me, to give us from your experience, what you would generate from an average shift and how long that shift would be for you? How much would you generate in revenue?

**Mr. Amado:** As a matter of fact, just yesterday, Monday, my night driver wanted to take time off because it was so dead; he needed some time off, and it was not worthwhile driving. So he gave me the day off. I put in about 11 hours and I made \$75. The previous week, on Wednesday, I also did the dark shift on it because he wanted time off again and I made \$100 for about 12 hours.

**Mr. Lamoureux:** Mr. Amado, you said that you were in the industry for 12 years, and the last five years is where you have seen a lot of this controversy that is going nowhere. The industry has virtually been getting worse, and I have argued, in terms of policy versus consensus, how can a board develop what is good policy that all the shareholders or the stakeholders of the industry would benefit if in fact you cannot work together? We have talked in terms of the lack of consulting and advisories and advisory boards. We have the Manitoba taxi association, which did not know anything about the legislation coming forward, and so forth.

Do you believe that under the current board there is any possibility to be able to rectify the problems that are there today? Is there anything that can be salvaged there?

**Mr. Amado:** It is very simple, basically. What the Taxicab Board should do is look at reality, because the industry is not going anywhere, not for the coming year, until this recession is over. The people do not have the money to buy. Ten years ago it was about 50-60 percent less in cab fare value-wise, and a person could make more money. There were more people calling a cab then than

there is now. So that is in effect saying something, that people because of the higher cost and the lower income that they are provided or unemployment that they might have or welfare they might have—there are a lot of welfare recipients that call a cab, but not as much as they used to, because it was cheaper then. The main fault is the lack of money that is available. How can a cab board justify increasing the cab numbers or making extra costs to the industry when the industry is, in effect, just making ends meet?

**Mr. Chairperson:** Thank you very much for your presentation this morning, Mr. Amado.

I will now call No. 11, Olufemi Ilelaboye. Good morning. Do you have a written presentation you would like to have distributed?

**Mr. Olufemi Ilelaboye (Private Citizen):** No. Mr. Chairperson, ladies and gentlemen. I have been in this industry for about 10 years, partly as a driver, and eventually I got to be an owner and operator. Since I came in as a driver about 10 years ago, I have witnessed the industry going from so high to so low, particularly in the area of safety.

I have very grave concerns in the sense that I have been a victim three times. Records can be checked with Health Sciences. I had seven stitches in one incident; I had eight stitches in another incident. I am particularly concerned about this bill if it comes to the point that the Taxi Board has the excessive power to actually tell me that in instances where I am being assaulted and have no course for appeal would the Taxi Board have the sole jurisdiction to actually tell me, well, if you have been assaulted you have to drop dead and let them kill you first and then we take it to the police after that. But after I am dead, it is no good to my family anymore. For that reason, I personally do not think that this bill should be passed at all.

One time I had a meeting with the chairman of the Taxi Board, and not just at that meeting but on radio, on public radio and in the papers, he has categorically said that the mandate he has got from the legislation is for the interest of the public. I am wondering if that public interest does not actually include the interests of the individual citizens that participate in the industry.

Especially on that issue I would like to know if this bill is passed, if I have no recourse for appeal, and I have to actually take the abuses from—as far as I am concerned I like plying all areas of the city. I do not restrict myself to either Charleswood or to

Fort Garry. I go to Main Street. This is where the money is at times, and it is a struggling business and there is no way, you know, simply because I feel I am going to be assaulted on Main Street I will therefore neglect Main Street. If I have to limit myself to Fort Richmond and Charleswood only, I would never survive in this business. I have four kids to feed, and the impact on my own personal family, if I am dead or something, the government would have to pick up the burden of my family and so many other people.

So for that reason, I am critically against the idea that I have no course for appeal to the Taxi Board. That is the No. 1 issue, which is the security to me.

Number two is the question of inspection. Each year we have to go for inspection with the MPIC. Right now, somehow for some reason or the other the last spring inspection we did not attend any inspection. I realize that the government is trying to cut down on expenses and things like that. However, I am very worried. It is one of the things I had really—you know the neutrality of the MPIC in terms of the inspection of the vehicles, I am particularly concerned.

It is true that if left alone, maybe some of the owners may not put their vehicles in proper shape. Fine. However, I do not actually like to see that these inspections are being done by these side-road mechanics that are so-called licensed mechanics. MPIC has no interest in the money aspect of this as long as this goes to the private industry. We have heard of some of the Firestone locations where, because of the interest they have at it, they say it could have been just a question of a lube job billing the people for over \$1,000. For this reason, I would like to see the interest of the industry is put first to the MPIC whereby we can go there for the inspection. Since they are a neutral body, I believe in their fairness and their good knowledge in what they are doing.

Particularly I would like to say that the power of the board, the relationship of the board actually of late has been so much of a one-way street, whereby it is impossible for you to solve an equation where you have just only one side of the equation. If you do not listen, if you feel your mandate is just to the public interest and you do not listen to the side of the industry, then how can you actually justify that you know or you have all the knowledge of what is going on in the industry? To

me, I just cannot understand that kind of an assumption or that kind of judgment.

\* (1150)

For that reason, I would like to see that a representative of the industry, be it the driver representative or owner-operator representative, is present on the board, not just because they have the knowledge, and they have the day-to-day knowledge of what is going on in the industry, but again, they will be able to speak and actually advise the Taxicab Board exactly what we are experiencing out there because most of the people on the board right now, as far as I know, none of them actually have had any experience on the road.

Regardless of what amount of teaching they have, I can honestly tell you that your real teacher is right there driving on the streets. That is where you are really going to learn, because clients are very different. You have very superior clients coming from the airport, coming from Charleswood, but you have a different type of clientele who is coming from Main Street. For those of us that like plying the Main Street area, I do not see why those people should have to have the security and I do not have the security.

When the police are so busy, I do not blame the police for this when they are so busy they cannot respond to, as they put it, "in my own incident," when I was assaulted in front of the Leland Hotel. They have priority and they, you know, taxi is not all of those priorities, so then what do I do, lay down and be dead before they show up?

For that reason, I personally will not accept this bill, especially, like I said, I will restate it again, the safety aspect of this business is a prime concern to my own liking. For that reason, I do not want to take too much of your time, if there is any aspect of questions or whatever that you want me to clarify, I will have to stop here.

**Mr. Chalrperson:** Thank you very much, sir.

**Mr. Reid:** I thank the presenter for the information that he has provided for us here today. We have heard from other presenters as well that have indicated that they have some various serious safety concerns. In fact, several of the presenters have mentioned that they had some difficulties with the response time of the city police to any concerns you might have, whether it be assaults or nonpayment of fare or other issues.

I hope that the minister would be listening to those concerns. It is unfortunate that those concerns had not been dealt with prior to this bill having been introduced where the public would have to continue to raise these concerns.

Do you think, in your estimation, that it would be to the best interests of the industry and for the government to have some advisory body that would give members of the industry the opportunity to raise their concerns and to have a means of having those concerns addressed? Do you think that also, and I raise that in the context that members of the industry, of course, would be participants in the board activities as well, directly involved in that, but have another advisory body that would continue to advise the Taxicab Board on matters of concern on a regular and ongoing basis?

**Mr. Ilelaboye:** I would think so because, like I said, there is a difference of views, groups of people that are interested in this business. You have the safety council, which has not been meeting for quite a long time, you have the driver representative, you have the owner and operator representative. If in that case, you know, these different groups come, actually form a committee and then act as representation to the Taxicab Board, I think it would be a very good opportunity for the Taxicab Board to actually hear and listen to the other side of the equation, like I said before, whereby they can really know exactly what is going on, particularly in the area of safety with the Taxicab Board.

But if the Taxicab Board is going to actually decide and say, look, listen, if you have been assaulted you cannot do too much, and you cannot come to us for any appeal, then where do we go? Eventually, if I am pushed to the wall, I am going to have to fight back, and if I fight back, there is either going to be me or whoever is challenging me. Somebody is going to have to suffer. This is what I am concerned about.

**Mr. Reid:** Thank you for your comments on that. I am also interested in—because with this legislation, with this Bill 24, it will give the Taxicab Board the opportunity to have wider or broader fee-making powers.

**Mr. Ilelaboye:** Right.

**Mr. Reid:** Can you give me some idea on what you expect that to result in or the consequences that that would result in for you personally in the operation of your vehicle? Give me some insight,

as well, as to what you would generate by way of revenue in the operation of your vehicle during the course of an average day?

**Mr. Illelaboie:** Anyway, I am one of those guys. I cannot speak for everybody. I am one of those people, I keep records. If the Taxicab Board wants to see my records today, I am willing to give them to them. I have nothing to hide from anybody.

I can tell you this. For the last three weeks, I have been looking for a night driver. Nobody wants to drive nights. When you ask them why, why do you not want to drive nights? Oh, why did you quit? I was driving that for seven years before I bought my own cab. I had to quit and buy a taxi simply because I was fed up with driving nights. That is when I told you that I had a severe injury, seven stitches on my forehead. I do not drive at night because of my own safety. I have a family to take care of. For that reason, like I said, for almost three weeks, I have not been able to get a night driver.

I keep records. I keep records in detail, from, to and the amount, including the tips. The Taxicab Board does not require that actually, to accumulate the amount of tips on the envelope. But I still keep it regardless of what, simply because I have the notion that eventually, one of these days, somebody is going to call for these records. So it has not been any secret as far as that goes.

If they want to know, I can open my records to them. This is not a question of whether or not I am afraid of Revenue Canada or the Taxicab Board. I am not afraid of any of these people. They can help themselves to whatever records they want. When it comes to a question of generation of money, like I said, you can see my record.

For the last three or four weeks, it has been a very difficult night. Granted that during the wintertime, you make a little bit more because of the severe weather we have in Manitoba. Yes, it is true. But then in the summertime, you have to make up for it. You pay for it in the sense that, in the summertime you probably, some nights, you do not make \$60 for the 12-hour shift that you are driving. I am in there slaving out for 12 hours, not being able to make \$60 for the night regardless if I drive the car or not. I still have overhead of \$38 per day, in insurance and office dues. That I have to pay regardless of if that guy is sitting or not.

If I want, it could be parked, if I want I could drive it. I still have to pay this money. I can show you letters from TD. It is true. Okay, everybody is

driving Lincolns and Cadillacs now. Yes, but I can show you letters from TD. I have been five months back in my payments. They are requiring their payments. They are writing me letters all of the time. It is not an easy road. This is not an easy road. We are all struggling out there. It is a difficult economy. Maybe it will turn around in the future. We do not know.

However, what we are saying is that the Taxicab Board must have to listen to the concerns of the industry. It is not a one-way street. So we have to have a forum for some kind of appeal.

**Mr. Reid:** I am a bit surprised at the level of earnings for a 12-hour period. I know we have heard from other presenters, and they, too, shocked me because I had no idea personally that the levels of earnings or revenues that would be generated over that number of hours of operation, which is obviously well beyond a standard work day, would be so low.

You made reference in your comments during your statement to MPIC inspections.

**Mr. Illelaboie:** Right.

**Mr. Reid:** And you made reference to the fact that you feel that the Manitoba Public Insurance Corporation inspections are fair and that they are unbiased and that they give you an evaluation of your vehicle and tell you any repairs that are necessary. I sense that you do not have that same confidence of the private industry that is going to be doing those inspections now by way of the government's Bill 36. Are you aware that there is going to be an additional up to \$40 charge per inspection, which I believe has to be done twice a year on your vehicles as a result of that Bill 36?

**Mr. Illelaboie:** Well, I have been sitting at the hearings since the very first day that they started. I heard about it when I got here. Actually I did not know it was on until I got to the hearings, and I wanted to make mention of it that, yes, I am aware of that now from this hearing, not before the hearings. One of the things we are saying is that the communication between the Taxi Board and the industry is very lacking.

**Mr. Reid:** So in that sense, you would like to see better communication between the Taxicab Board to advise you of these matters that are going to be affecting you and other members of the industry, financial or other matters, something which is lacking at this present time.



I take it then that in addition to this extra up to \$40 per inspection fee that you are going to be required to pay, in addition to the broader fee-making powers, you are going to be severely restricted in the ability to earn a living. What advice can you give to the government on this piece of legislation? What would you like to see happen to this legislation?

\* (1200)

**Mr. Illelaboie:** Well, if anything has to be done, we have to go back to square one. They have to talk to the industry. They have to talk to everybody affected. I am for the, you know, safety of the public. It is true, the public interest has to be protected, but they should not forget that we are part of this public too, and for that reason, for smooth operation of the industry and for the fairness of the public interest, they must become the cushion between us and the Taxi Board. Therefore, we have to start all over and then with consultation from the industry and all the areas affected, perhaps we can all come back with some kind of amendments or whatever that everybody can actually live with.

**Mr. Lamoureux:** Mr. Illelaboie, in one of the responses you gave to a question from the member for Transcona (Mr. Reid), you made reference to the fact that, yes, you could provide your details, your income and so forth, and I guess the board would appreciate an offer of that nature. They might be able to use it for statistical reasons or something of that nature, but as an owner, do you feel that the board should have the right to demand that you provide that information?

**Mr. Illelaboie:** Well, like I said, you know, I personally do not believe in these dictatorial kinds of actions. If they demand it, then I would tell them, well, in that case maybe you should go to Revenue Canada and get the information there if you could, because it should be a voluntary process. It should not be a confrontational process.

We have to agree on, you know, issues and how this has been approached. It is not just a question of the lord and the slave. It is certain that everybody has to sit down and then agree on a process, and once the process is in place, then everybody obeys the rule; we play fairly on the same rule. It is not just a question of, okay, I am your lord, you are the servant. You do whatever I say. You know that is not acceptable.

**Mr. Lamoureux:** I guess this is what I wanted to make sure, that it was clear for the committee members to understand that, yes, you were prepared to be able to give such information, but it is only as a gesture. It is something that they should not necessarily be given the mandate that if in fact they want it, they can demand it from individuals. I think that is very important.

Another aspect is with respect to the cost. Now the board has the authority to be able to charge if they want to bring you forward, maybe they have suspended your licence for some reason—maybe you put a licence plate, for example, was made reference to earlier—and you have to come up before the board, and then you can be charged. Or if, in fact, you want to bring in witnesses, conceivably, you could be charged for doing that. Do you think that will have any impact on your ability to be able to make presentation to the board?

**Mr. Illelaboie:** If it has to boil down to the fact that the Taxicab Board will call me for a show-cause hearing, for instance, if I have to pay them, I do not know, whatever rates they set, be it \$1,000, be it \$500, I cannot actually see myself coming up with whatever amount they decide for me to pay to investigate all the matters concerned.

There are issues that they can deal with, and most other corporations, when they do their investigation, they have the government department to do it without them having to pay for this investigation. I cannot see, as an individual or even as a company, say, for instance, Unicity as a whole, whereby we ask them to pay for the investigation. I cannot afford it, in the sense that, how much am I making? If they do this, for instance, I have no authority over my driver, what he does, but if the Taxicab Board is going to hold hearings, it is going to have to call me for a show hearing simply because I have a plate from the Taxicab Board. Then how am I going to make my own livelihood? I would not be able to afford it.

**Mr. Chairperson:** Thank you very much, Mr. Illelaboie, for your presentation this morning. Your time has expired.

Number 12, Gurdev Singh. Did you have a written presentation that you wish to have distributed?

**Mr. Gurdev Singh (Private Citizen):** No, I do not have a written presentation.

**Mr. Chairperson:** That is fine, it is not required. You may begin when you are ready.

**Mr. Singh:** Okay, thank you.

I have a lot of questions for our board. First, when I came to Canada, it was 1980. I started working within two weeks. Things were different in 1980. The economy was much better. Jobs were there. I worked from '80 to '85 in a factory. I worked hard, and then I started driving a cab in the evenings because I thought it would just be extra money. Business was still much better in those days in the evenings. I made pretty decent money.

In '86, I decided to buy one, and I bought one in '86, and I worked hard, 12 hours, 13 hours, and I had my brother working on the side at the same time. So we worked till '88 in the same company. In '88, we decided to take a rest for a while because in '89 there were some rumours there were going to be about 260 cabs released. In '88, the business was already down to the point where you could just barely survive. You could not just go out there and say, I am going to buy another one or I can take two weeks holidays or three weeks holidays.

We were scared of that fact, and we thought, rather than losing \$50,000 that we gain working four, five hours, just sell out. By then things cooled down for a while, and we bought back in again. Then things started getting bad again about the luxury cars. I am pretty sure the board thought about it, and they had surveys. I am pretty sure the surveys were not done in Winnipeg. If they were done in Winnipeg, those surveys would not indicate that we need a luxury service.

When you have existing companies, two of them or three right now, both companies probably willing if the board had talked, sat down and talked to them, they were willing to provide the service that the city was asking for. The service that board was asking for, not from these companies, they were saying that we are going to put luxury cars in service. Those luxury cars will provide 20 percent more business, which means if 400 cars right now are getting one trip an hour, that means 400 trips are out there in an hour. So I would like to see today's. We should give the board from MTS how many calls we are getting an hour, of all the companies, and when these luxury cars come into service, how much business we gain. If we do not gain this 25 percent of business that has already been assessed by the board, these cars should be

taken off the road. As well, they have been given free anyway.

I would also like to know how much money was spent, as taxpayers' money, to do all these surveys when the taxi companies were already providing enough information about Frank Goldberg, that it was nothing but a fraud. The board never dared even to listen to one word. They kept going. They were saying, no, Frank is good. I am pretty sure he was backed up one time on CJOB. Mr. Chairman was there and he said, Frank, he can go ahead and put him on our board, and going on from there, Frank backed up. Frank ripped off his drivers; he got away with it. He was never charged and he made the money. If he had a little bit of money, he could have been in the business for two years and off of that, he could have been a millionaire.

We cannot become a millionaire overnight. I have worked in this industry since '86 and I am still working, still sitting my 12 hours to 13 hours and making \$40 to \$60 in a whole shift. My expenses are—Mr. Chairman knows if he had ever looked into it—insurance is \$4,500-\$4,600, our dispatching fee is \$105, our repair bills on the cars run about \$4,000 a year, very easily, and now the board decided to put another \$80 on our heads.

Then we are paying \$4,500 to MPIC. What do we get back? The board never looked into it. One of the services we did get back is that our cars will be inspected by them, so we know where we stand. We were given some time to get our cars repaired and go back and your car will be passed. But now I have to go to the garage, maybe later on, because the board that is asking for powers, the board may say that I want you to go to GM dealer, because that is what I believe in. I cannot afford to pay \$400 to have a tire replaced on my car when I can buy the same tire for \$200 from somewhere else. But the board never looks into this, all the power that he is getting, with the power that he can suspend me from the road saying that I did not go to that guy, because that is what he believed in.

\* (1210)

As I said in the hearing when he gave these luxury cars, 20 to new guys, Classic Cab and Bob McGregor and Blueline, those applications were not completed. As the board indicated, if those applications were not completed they would be cancelled. The Blueline application was not completed. The guy had on it, first he puts that he will be putting in LTDs and Caprice. Then he gives

the board a little notice: I can change my cars to 1983 Cadillacs. If he were able to do it, why was not everybody else?

On the other hand, Bob McGregor set up a meeting in the Marlborough Hotel trying to rip off people just like Frank Goldberg did, trying to sell shares before he even had number plates.

In that meeting, he said he will get the number plates. That meant he had some access to the board or a board member had promised him something. Otherwise, if I do not know if this bill is going to be passed or not, how can I say today it will not be passed. But he was saying that in earlier meetings, that he would get all these cars and he wants one share for \$2,500 plus one person has to buy 10 shares. That means you spend \$25,000 and he has cars in his name. If the shares make money, good, you get money, if not, that is fine. But those guys have got those number plates. What if they do not make it? What if they do not put those cars on the road? What if they do not deliver the service that they applied for?

Is the board going to take any actions? I am pretty sure not, because we asked the board at that time, if these guys apply for 1983 Cadillacs, will they put 1983 Cadillacs and will they live with the standards. They say their drivers will be clean shaven, their drivers will be well dressed, and their drivers will be paid \$10 an hour. If they will not deliver that, what will happen to them? The chairman said he will see at that time. Why could he not say that if the guy does not deliver the promises, his numbers will be taken back, giving them to whomever qualifies for it? But, no.

The other question we raised was that the fare he set up for those taxis will stay on that level and they cannot come down. The chairman replied, he will see at the time if they apply for less fares. That means they can operate pretty well just like any regular cabs. Tomorrow, they come around and they say, well, we do not see any business out there, so how about if we apply for the same rate as the other cabs. In other words, this is the back door to put more cabs on the road. Actually those guys will not serve the demands that the board has said they will serve.

These are the things that have been hurting the industry that is already in there. The companies had to hire lawyers. I am pretty sure Unicity already spent about \$150,000 to \$200,000 on a lawyer to fight this case over and over. That means this

money comes out of the drivers who are working out there, drivers who put 14, 15 hours, drivers who barely see their families. Some of the drivers do not even know how many kids they have, because pretty well—I can tell you about myself. I got up at four in the morning. I got two trips before I came over. This was ten o'clock, and 9:30 I had to go to a taxi board meeting.

When I went there, I saw another thing going on down there. Gold Leaf has applied for another two executive cars. This is another back door for executive cars. When you have 1983 Cadillacs in taxi service, why do you need executive cars? Is not a 1983 Cadillac or Lincoln an executive car? If it is not, then what is an executive car? Maybe the chairman should answer that. On his application, who is opposing? Another person who is running executive cars already.

Two months ago, I was in the Taxi Board room and I asked, how come this guy got four or five executive cars? While these cars are running at the airport, his drivers go inside the airport and say, the taxi will take you for \$10 to downtown and I will take you two guys downtown for \$10, and my car is a brand new. Of course, he can do it because he does not pay the expenses that we do. On the other hand, the board has set up the price of \$17.55, I understand, that he should charge, but they are not going by that law. They sit out by the door and they say that if anybody wants to go to St. Vital the taxi is \$20, and we are \$17.

Of course, we get beat again. We sit there like dummies because we cannot move up there. We cannot go up to the door and say that, okay, he is charging you \$17, I can charge you \$17, because we have to run by meter. If my driver does not turn his meter on, he is cheating with me. If I do not turn my meter on, I am cheating with the government because I have to pay GST according to my meter.

So nothing has been done. We have written to the airport saying that some of the drivers are going to the customers and doing that. If they do not stop, we are going to have to start doing the same thing they are. If you are coming out of the airport and I approach you saying, okay, that guy is saying \$17 and I will take you for \$15; he say \$10 and I say \$5, what kind of impression do you get coming to Winnipeg when we are ready to stretch your clothes off? One guy is with a bag and the other guy with a tie. I think something should be done about that.

There should be a sign there saying, executive car for \$17 or whatever and limousines for that rate and taxis on a meter, but there has not been anything done about that. The way I look at it, the board has not sat down with the industry and has not made any commitment to do good for the industry. It has always been against it.

Now I will get back on to Bill 24. Bill 24 says the chairman has the power or any board member sitting at the hearing can make the decision. Have you or anybody ever seen any court that only a judge could make a decision without a jury?—I have not. I have been here for 13 years now. I love the country, that is why I am still here. I hope everything will be running the way it was, and I hope Mr. Chairman could sit down with us and we talk. There is a lot of misunderstanding. We are not against you. We want to work with you.

The way Bill 24 goes, if I am doing something wrong, there is no warning, there is no my side of story, they can simply say from \$100 to a \$1,000 fine. Sure, you want to look at my record? I have not been able to pay my property tax. I have not paid the city my property tax. Why? Because this year I worked 12 hours every day, but the way the business is right now, I made \$24,000. My expenses are \$14,000. I made \$10,000. I have two kids. We are four people. How many people can survive on \$10,000? I simply cannot. My standards are not that high. These pants I am wearing are four years old. My shirt, bought in Hong Kong, my parents sent it to me. I could not afford to buy one. I cannot wear a suit and tie if my earnings are that low.

If I am earning \$30,000, my expenses are \$14,000 and I still only made \$16,000, out of \$16,000, I still have to replace my car. I have to support my family. My wife works at night. I work in the daytime. The way I look at it, I do not have very far to work the way the board is making decisions. It will not be long before I will be on welfare. Thank you.

**Mr. Reid:** Thank you, Mr. Singh, for an excellent presentation.

I have heard several presentations today. All of them were well done and provided us with some extensive insight into the industry and the problems that you face. You relate to us your concerns about the financial impact of this legislation potentially upon you and other members of the industry. You also come forward with some interesting ideas for

the airport operation and how it would potentially better serve the customers and the industry itself. Have you ever had the opportunity, has any forum ever been provided for you that would give you that opportunity to raise those suggestions, or have you ever raised those suggestions or other suggestions with the Taxicab Board?

\* (1220)

**Mr. Singh:** I was in a Taxicab Board meeting today, and I suggested it down there. They said, they cannot do anything about it because that is federal property. We have written because, as far as I understand, the Unicity manager has phoned a few times and has even given written complaints to the manager of the airport that this is what is happening down there. So far my understanding of this has been in a process to work. I talked to our manager today again because when I talked to the board, and as an active car owner, he threatened me outside; he said he will see me in a court. I guess he will, so that means there is no freedom of speech.

If I go back tomorrow to our manager and say, well, he threatened me, he will see me in a court and all that—and that means I should sit there like a dummy and take whatever is coming to me. Whoever can punch me or nail me, that is fine. Because you are treated like a second citizen, maybe you suspected that or maybe you are. If it does not work with the industry, both companies are, as far as my understanding, even executive cars are interfering with the limousine service people. I am pretty sure because I talked to one of them, and they said they already wrote to the board. They already had a meeting at the airport or with the board, talking about their fares because the guys who drive executive cars, their fares are lower than stretch limousines. If there is one or two people coming, the stretch limousine has to take at least four because their sitting time is a lot longer than executive cars, so they have to sit there or wait for four people to cover their costs.

On the other hand, the other guy just says, okay, I will take you for \$10 and let us go. So those guys are also complaining just like we are. Maybe it is about time we should sit down and talk about this and work it somehow: taxi drivers should be by the taxi; limousine drivers should be by limousines; or executive car drivers should be by executive cars.

**Mr. Chairperson:** Two minutes.

**Mr. Reid:** I sense by your comments, then, that there should be an opportunity for you and other members of the industry to have some mechanism in place that would allow you to bring forward your concerns, that would give you an opportunity to have those concerns addressed and some real solutions found for the problems. You have related to us concerns about the Taxicab Board's not wanting to get involved because it is federal property, federal jurisdiction in there.

**Mr. Singh:** Right.

**Mr. Reid:** Is it common that when you bring concerns to the Taxicab Board, if you have, that they are reluctant to get involved or at least to make some representation on behalf of the industry members for any concerns that might be raised?

**Mr. Singh:** They have not said anything else, but just saying that we cannot get involved; it is "you have to talk to them" kind of thing. In other words, they are not involved in that business.

**Mr. Chairperson:** One quick question, Mr. Lamoureux.

**Mr. Lamoureux:** To the presenter, I am wondering if you could tell me, one of the consistent things that has been coming out of here is the fact that taxicab drivers are not overpaid by any stretch of the imagination. Every presenter that comes forward talks in terms of the amount of money and hours that they have to put in in order to sustain life, if we can put it in that fashion. Are you aware of any driver that works 40 hours a week that earns in excess of \$20,000? If you listen to what the board

says, and others, you would be of the opinion that drivers are well off. Are you personally aware of any drivers that make more than \$20,000 a year that work only 40 hours a week?

**Mr. Singh:** I am not aware of any driver, and if Mr. Chairman is aware of any driver, he can have my keys, because I am pretty sure their driver can give me the same amount of money, what he is expecting, what I have to work 12 hours to get it. My key, I can put it right here, if Mr. Chairman could give me \$200 a shift. It is right here if he wants to take it.

**Mr. Chairperson:** Thank you very much for your presentation this morning, Mr. Singh.

Just for the information of the presenters that remain on the list, this committee will reconvene tonight at 7 p.m. However, we have been charged with other responsibilities that we will need to dispose of first. We will take the undertaking that we will not begin or we will not resume public hearings on this Bill 24 prior to 8:15; however, we can make no guarantee as when we may get started because we have no idea how long it will take to dispose of the other bills that are before us.

Let us just say, the committee will take the undertaking that we will not start this bill again before 8:15 this evening. Again, I repeat that does not mean we will start at 8:15; I am just saying that we will not start before that.

The hour is approaching 12:30. What is the wish of the committee? Committee rise.

**COMMITTEE ROSE AT: 12:27 a.m.**