

SCHEDULE NO. 2

Relating to Driving School Operators and Driving Instructors

LICENSES REQUIRED

1. The following types of licenses may be issued:
 - (a) License "A" to a Driving School Operator,
 - (b) License "B" to a Driving Instructor.

CONDITIONS FOR ISSUANCE OF A DRIVING SCHOOL OPERATOR'S LICENSE

2. (1) No applicant for a Driving School Operator's License "A" shall be issued a license unless:
 - (a) the applicant is engaged in the business of a driving school operator,
 - (b) the applicant is at least eighteen (18) years of age,
 - (c) the premises from which it is proposed to carry on the business,
 - (i) are located in Ontario, and
 - (ii) comply with the zoning, building and property standards requirements of the City if situated within the City,
 - (d) the applicant has filed proof of insurance for each of the motor vehicles to be used in the business in accordance with the requirements of Section 9 hereof,
 - (e) the applicant has filed a declaration stating the make, model serial number and Ontario registration permit number issued pursuant to the Highway Traffic Act for each of the motor vehicles to be used in the business,
 - (f) the applicant has filed a safety standards certificate for each of the motor vehicles to be used in the business, except in the case of a new motor vehicle obtained directly from a motor vehicle agency within six (6) months from the effective date of the motor vehicle registration,
 - (g) the motor vehicles to be used in the business have been inspected by the Chief License Inspector and comply with Section 7 hereof, and the applicant has paid the inspection fee, as applicable,
 - (h) the applicant has filed a declaration stating the name and address of each driving instructor who is teaching in the business,

- (i) each driving instructor listed in the declaration referred to in paragraph (h) holds a valid Driving Instructor's License "B" of the City, and
- (j) the Chief of Police has reported in writing as to the good character of the applicant.

CONDITIONS FOR ISSUANCE OF A DRIVER INSTRUCTOR'S LICENSE

- (2) No applicant for a Driving Instructor's License "B" shall be issued a license unless:
 - (a) the applicant is the holder of a current driving instructor's license issued pursuant to the Highway Traffic Act, and
 - (b) the Chief of Police has reported in writing as to the good character of the applicant.

GENERAL CONDITIONS FOR ISSUANCE OF A LICENSE

- 3. Upon application in accordance with the provisions of this by-law, a person may be the holder of a License "A" and a License "B".
- 4. A separate driving school operator's license shall be obtained for each separate business address.

ISSUANCE OF LICENSE

- 5. Upon issuance of a Driving School Operator's License "A", the Chief License Inspector shall furnish to the licensee, in addition to the license, one (1) decal bearing the letter "D" for each of the motor vehicles to be used in the business, except where a decal has already been furnished for any of the said motor vehicles.

DISPLAY OF DECAL

- 6. Every licensed driving school operator shall ensure that the decal furnished pursuant to Section 5 is properly affixed to the upper right corner of the rear window of the driving instruction motor vehicle for which it has been issued within twenty-four (24) hours of it being furnished by the Chief License Inspector so as to be clearly visible from outside of the vehicle during the currency of the license.

(amended by By-laws 2003-311 & 2004-491)

VEHICLE STANDARDS

- 7. Every driving school operator shall ensure that every motor vehicle used in his or her business is:

- (a) equipped with a dual control braking system in good working order placed in a position for ready use by the instructor seated beside the student driver,
- (b) maintained in good repair so that it is mechanically safe,
- (c) maintained so that it does not have body damage with sharp edges, holes in floorboards, unserviceable tires, doors not closing properly, wire protruding from the seat, or any other mechanical defect that would render the motor vehicle unsafe,
- (d) ensure that the motor vehicle is maintained,
 - (i) in a clean condition as to its exterior, and
 - (ii) in a clean and dry condition as to its interior,
- (e) ensure that the interior of the motor vehicle is free of articles left by passengers,
- (f) equipped with snow tires or all-season radial tires from November 1 to March 31, and
- (g) equipped with a plastic roof sign that shall,
 - (i) have the name of the driving school on the front and back of the sign,
 - (ii) be at least twenty (20) centimetres high by sixty-five (65) centimetres wide,
 - (iii) be lighted, and
 - (iv) be securely affixed to the roof of the motor vehicle, except that the roof sign may be removed when the vehicle is not being used for the purposes of driving instruction in his or her business.

8. No driving instructor shall use a motor vehicle that does not comply with Section 7 for teaching a person to operate a motor vehicle.

INSURANCE

9. Every driving school operator shall file with the Chief License Inspector proof of insurance for motor vehicle liability, endorsed to include Ontario Policy Change Form (OPCF) 6D for "Driver Training School" operations, in the amount of not less than Two Million (\$2,000,000.00) Dollars inclusive per occurrence for bodily injuries, property damage and accident benefits, and including damage occasioned by any accident

arising out of the operation of any motor vehicle to be used in the business in respect of which a license is applied for; such insurance policy shall contain an endorsement to provide the Chief License Inspector with thirty (30) days prior written notice of cancellation or of a material change that would diminish coverage.

GENERAL REGULATIONS

10. No driving school operator shall permit or allow any motor vehicle to be used in his or her business that is not listed in the declaration filed with the Chief License Inspector pursuant to paragraph (e) of subsection (1) of Section 2 hereof or added to the declaration pursuant to Section 12 hereof.

11. No driving instructor shall use any motor vehicle that is not listed in the declaration filed by the driving school operator with whom he or she is affiliated pursuant to paragraph (e) of subsection (1) of Section 2 hereof or added to the declaration pursuant to Section 12 hereof for teaching a person to operate a motor vehicle.

12. (1) Where a licensed driving school operator requests to add a motor vehicle to the declaration filed pursuant to paragraph (e) of subsection (1) of Section 2 hereof, the motor vehicle shall first be inspected by the Chief License Inspector and shall comply with Section 7 hereof, and the operator shall pay the inspection fee, as applicable.

(2) Where a motor vehicle has been inspected by the Chief License Inspector and found to comply with Section 7 hereof pursuant to subsection (1), the Chief License Inspector shall furnish one (1) decal for the motor vehicle to be affixed to the motor vehicle in the manner prescribed by Section 6 hereof.

(amended by By-law 2004-491)

13. No licensee shall take a license decal from one vehicle and affix it to another vehicle that is not approved for licensing purposes.

14. No driving school operator shall permit or allow any person other than a driving instructor licensed pursuant to this by-law to do any driving instruction in the City

15. Every driving school operator shall advise the Chief License Inspector of all changes in his or her staff or affiliates of licensed instructors within seven (7) days of the occurrence of such change.

16. No licensee shall instruct or cause instruction to be given to any student driver unless the student driver is the holder of a valid driver's license or temporary instruction permit issued pursuant to the said Highway Traffic Act.

17. A student driver may request that he or she be accompanied by one (1) person other than the driving school instructor and the driving school instructor shall ensure that the request is complied with and the other person shall be seated in the back seat of the motor vehicle.

TRANSFER OF LICENSE

18. No driving school instructor's license shall be transferable.

EXEMPTION

19. This Schedule does not apply to persons who own or operate a private vocational school that offers training in the operation of transport trucks and their driving instructors.

PROHIBITED AREAS

(Sections 20 & 21 added by By-law 2007-120; amended by By-law 2011-73 & By-law 2022-269)

20. No licensee shall offer or provide or permit the offering or provision of driving instruction within the areas:

- (a) bounded on the south by the north side of Montreal Road, on the east by the west side of Shefford Road, on the north by the Rockcliffe Parkway and on the west by the east side of Blair Road more particularly described in Appendix "A" and hereinafter referred to as "Area A"; or,
- (b) bounded on the south by the north side of Kitchener Avenue, on the east by the west side of Albion Road, on the north by the south side of Walkley Road and on the west by the east side of Bank Street more particularly described in Appendix "B" and hereinafter referred to as "Area B".
- (c) bounded on the south by the south side of Erin Crescent, on the east by the west side of Uplands Drive, on the north by the north side of Bennett Street more particularly described in Appendix "C" and hereinafter referred to as "Area C".

(By-law 2022-269)

21. Section 20 shall not apply to:

- (a) a licensee engaged in picking up or dropping off a student driver in Area A or Area B or Area C; and,

(amended by By-law 2022-269)

- (b) an official of the Ministry of Transportation when conducting the driving exam in a driving school vehicle.

(Appendices A, B, and C to Schedule 2 available upon request)