

SCHEDULE 14
to City of Guelph By-law Number (2009)-18855

[amended by By-law (2013)-19613; By-law (2013-19639)]

DRIVING INSTRUCTOR

The provisions of this Schedule shall apply in respect of Driving Instructors.

INTERPRETATION

1. In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meanings:
 - (a) "Driving Instructor" means an individual who accepts remuneration to provide instruction in the operation of motor vehicles but does not include an individual who provides in-class instruction only;
 - (b) "Driving Instructor Business Licence" means a Business Licence issued to a Driving Instructor by the City pursuant to this By-law;
 - (c) "Driving School" means a driving school which holds a driving school licence issued by the Ontario Ministry of Transportation;
 - (d) "Ministry of Transportation Driving Instructor's Licence" means a licence issued to a Driving Instructor by the Ontario Ministry of Transportation; and
 - (e) "Retainer Contract" means a written contract between a Driving Instructor and a Driving School for the employment or services of the Driving Instructor to provide instruction in the operation of motor vehicles.

CONDITIONS

2. No person shall engage in or carry on the business of a Driving Instructor within the City without a Driving Instructor Business Licence to do so.
3. No person shall engage in or carry on the business of a Driving Instructor within the City without a valid Retainer Contract, even if the Driving School and the Driving Instructor are the same person.
4. No person except an individual may hold a Driving Instructor Business Licence.
5. No individual's Driving Instructor Business Licence is valid unless he/she holds a valid Ministry of Transportation Driving Instructor's Licence.
6. An individual's Driving Instructor Business Licence ceases to be valid at any time that the individual's Ministry of Transportation Driving Instructor's Licence ceases to be valid.

APPLICATION REQUIREMENTS

7. Every individual applying for a Driving Instructor Business Licence or renewal thereof shall submit an application signed by the individual himself/herself.
8. Every individual applying for a Driving Instructor Business Licence or renewal thereof shall submit the application by appearing in person at the office of the Issuer of Licences.

9. Every individual applying for a Driving Instructor Business Licence or renewal thereof shall submit one (1) valid piece of Identification when he/she appears at the office of the Issuer of Licences to submit the application.
10. Every individual applying for a Driving Instructor Business Licence or renewal thereof shall submit as part of the application:
 - (a) Without restricting the generality of the provisions in this By-law related to insurance, proof, satisfactory to the City, that the individual has the following automobile liability insurance coverage, taken out with an insurer licensed to transact insurance business in Ontario and satisfactory to the City's Procurement and Risk Manager:
 - i. In respect of licensed vehicles used in the Business in respect of which the Business Licence is applied for;
 - ii. Endorsed to include Ontario Policy Change Form (OPCF) 6D for "Driver Training" operations;
 - iii. To a limit of not less than two million dollars (\$2,000,000) inclusive per occurrence;
 - iv. Including bodily injury, death, damage to property and accident benefits; and
 - v. In the following forms: standard owner's form automobile policy providing third party liability and accident benefits insurance and covering licensed vehicles owned or operated by the Driving Instructor, and standard non-owned automobile form policy including standard contractual liability endorsement; and
 - (b) Proof that the individual has a valid Ministry of Transportation Driving Instructor's Licence.
 - (c) For those individuals permitted by the Ministry of Transportation to provide G1 instruction, a copy of their contract with a Driving School approved by the Ministry of Transportation.

OPERATIONAL REQUIREMENTS

11. While in a motor vehicle and engaged in providing instruction in the operation of a motor vehicle, no holder of a Driving Instructor Business Licence shall:
 - (a) Provide such instruction on any Highway listed in Appendix "A" to this Schedule, unless authorized in writing by the Issuer of Licences;
 - (b) Fail to carry his/her valid Ministry of Transportation Driving Instructor's Licence;
 - (c) Fail to carry his/her valid Driving Instructor Business Licence;
 - (d) Fail to carry his/her valid Retainer Contract;
 - (e) Fail to produce his/her valid Ministry of Transportation Driving Instructor's Licence upon request of an Officer;
 - (f) Fail to produce his/her valid Driving Instructor Business Licence upon request of an Officer;
 - (g) Fail to produce his/her valid Retainer Contract upon request of an Officer;

- (h) Make use of a motor vehicle that does not display signs, clearly visible to other motorists from all angles, identifying the motor vehicle as a driver training vehicle;
- (i) Make use of a motor vehicle that does not display signs, clearly visible to other motorists from all angles, identifying the name and telephone number of the holder of the Driving Instructor Business Licence and/or the Driving School which is a party to the Retainer Contract under which the instruction is provided;
- (j) Make use of a motor vehicle that displays any sign identifying any holder of a Driving Instructor Business Licence other than the holder of the Driving Instructor Business Licence himself/herself; or
- (k) Make use of a motor vehicle that displays any sign identifying any Driving School other than the Driving School which is a party to the Retainer Contact under which the instruction is provided.

APPENDIX "A"
to Schedule 14 – Driving Instructor,
of City of Guelph By-law Number (2009)-18855,
Amended by [By-law Number (2013)-19639]

Applewood Crescent
*Ajax Street
Brentwood Drive
*Burns Drive
Chad Place
Drew Street
Edgehill Drive
Elmhurst Crescent
Glenda Court
Grandridge Crescent
Greengate Road
*Guelph Street
Highview Place
Julia Drive
June Avenue
Lonsdale Drive
Marksam Road
Matthew Drive
Meadow Crescent
Nicklin Crescent
Pauline Place
Sanderson Drive
*Sleeman Avenue
Stephen Drive
Strathmere Place
Sunset Road
Thistle Road
*Western Avenue

* indicates Highway added Sept. 30, 2013