

# CITY OF HAMILTON M O T I O N

General Issues Committee: May 31, 2018

**MOVED BY COUNCILLOR M. GREEN.....**

**SECONDED BY COUNCILLOR .....**

## **Hamilton Transit Passenger Bill of Rights for Hamilton Street Railway (HSR) and Light Rail Transit (LRT)**

WHEREAS, the residents of Hamilton, through elected City Councillors and the Mayor, should have direct oversight over any transit projects within in their jurisdiction, including the Hamilton LRT.

THEREFORE BE IT RESOLVED:

- (a) That Metrolinx build a mechanism into the contract with ProjectCo to allow Hamilton City Council, through Metrolinx, to initiate sanctions against ProjectCo, up to and including, termination of the Operating Agreement for LRT; and,
- (b) That the residents and transit users of the city of Hamilton are entitled to expect the following articles of their transit system, whether it be public or private, municipal or provincial including, but not limited, to Hamilton Street Railway and Hamilton Light Rail Transit operations (currently known as ProjectCo):

### **PASSENGER BILL OF RIGHTS**

- 1. Safety and Accountability, Public Oversight
  - (i) That ProjectCo must comply with any and all public audit requests at expense of each contractor;
  - (ii) That ProjectCo submit, unredacted, any and all audits performed related to efficiency, labor, performance, and safety to [relevant agency, executive, and Council offices] within 30 days of any audit's completion;
  - (iii) That ProjectCo must commit to the highest level of maintenance and safety standards as defined by federal, provincial, and municipal regulations. In addition, each contractor must submit a summary report to Metrolinx, City Council and the Minister of Transportation of all infractions related to noncompliance with any relevant federal, provincial, or municipal regulatory statute; and,

- (iv) If the designated bidder is headquartered outside of the Province of Ontario, said contract cost shall be increased by the amount of income tax revenue, if any, which will be lost to the province.

## 2. Reliability, Predictability and Service

- (i) ProjectCo must demonstrate and adhere to providing high-quality transit service at levels that reflect and meet demand;
- (ii) ProjectCo must commit to provide reliable transit service and submit quarterly reports on on-time performance and hours of missed service to Metrolinx, City Council and the Minister of Transportation;
- (iii) ProjectCo must commit to working with the City of Hamilton and Hamilton Street Railway to optimize service integration; and,
- (iv) To prepare for any event that the Hamilton LRT will experience service interruptions, delays, or stoppages, ProjectCo and HSR must have an established arrangement for HSR to provide bus service at ProjectCo's expense.

## 3. Affordability and Fares

- (i) Each private contractor must provide any and all operating and capital budget drafts and revisions for public review to Metrolinx, City Council and the Minister of Transportation;
- (ii) The total contract cost, inclusive of all cost considerations, outlined in this Passenger Bill of Rights, will be at least fifteen percent less than the estimated current year cost of the service provided by the public sector, or that could be were public sector partners afforded equal opportunity and resources; and,
- (iii) Hamilton LRT fares must be equal to current and future HSR fares, and ProjectCo must honour all HSR transfers and Presto discounts.

## 4. Equity and Accessibility

- (i) ProjectCo must honour all federal, provincial, and municipal transit discounts and special fares for persons with disabilities, senior citizens, low-income riders, children, and students. This must include all current and future rate-reductions provided by HSR; and,
- (ii) Hamilton LRT may not adopt a fare-by-distance model that would disproportionately affect riders from neighbourhoods with equity-seeking groups, who have been pushed out of the inner core due to gentrification and rising housing costs in Ontario.