I want to add taxis to my fleet

Do I need permission from the Board to add taxis to my fleet?

Your terms and conditions of licence state a maximum fleet size. If you want to ***increase*** your maximum fleet size, then you need approval from the Passenger Transportation Board (Board).

If the number of taxis in your fleet is less than your maximum fleet size, you do not need Board approval to add vehicles. You cannot exceed your maximum fleet size. You cannot exceed your maximum number of conventional taxis.

How do I put together an Application Package?

You start by collecting information to put in your application package. An application package must be complete. Incomplete application packages delay the processing of your application. Both the Passenger Transportation Branch (Branch) and the Board have application requirements.

Note *If you want to make any other changes to your licence, refer to Guide 2: I want to change my taxi licence.*

Send your application to:

Passenger Transportation Branch
Ministry of Transportation and Infrastructure
313 – 1500 Woolridge Street, Coquitlam BC V3K 0B8
Phone: 604-527-2198
Fax: 604-527-2205
Toll Free: Call the Enquiry BC number at 1-800-663-7867
Email: passengertransportationbr@gov.bc.ca

The Branch reviews your application to confirm it is complete. If your application is complete, the Branch sends it to the Board. If your application is incomplete, the Branch will ask to you to supply missing documents. Once you have supplied these, the Branch will send your application to the Board. If you do not supply the missing documents in the time set by the Branch, it will send your incomplete application to the Board. The Board may, after giving you notice, dismiss your application if you do not provide the required documents.

What do I need to put in an application package?

Use this checklist to make sure your application package is complete.

1. Required Forms

- ☐ **Special Authorization Licence Application Package** Branch SA Forms PTR 5010
- ☐ **PDV Vehicle Proposal** PDV Forms (Form 1) (If changing your vehicle type)
- ☐ **Municipal Notice Form: Taxi Applications** PDV Forms (Form 4)
- ☐ **Disclosure of Unlawful Activity & Bankruptcy** PDV Forms (Form 5)
- ☐ **Public Explanation of Application** PDV Forms (Form 6)
- ☐ **Declaration** PDV Forms (Form 17)

2. Required Materials

- ☐ **Business Plan Update, including** Reference Sheet 2.1
  - ☐ **Financial Information** Reference Sheet 4
  - ☐ **Data Spreadsheet Reports** Sheet 16 + Spreadsheet Workbook A: Taxi Data, (Required in communities with a population of 10,000 or more)
  - ☐ **Other Public Need Indicators** (as outlined in this application guide)
- ☐ **Accessible Service Plan** Reference Sheet 7

If you want to use “taxi soft meters” to calculate rates, you **must** submit the following:

- ☐ **Taxi Soft Meter** Declaration of Compliance (Form 20)

3. Optional Form

☐ **Condensed Operating Plan** Optional Forms (Form 9)

Note: You must protect personal information of clients and potential clients. This is the law under the *Personal Information and Privacy Act* (PIPA). You must have consent to share personal information. For more information, read the Board's Industry Advisory *Protect Personal Information of Your Customers*

Is my information kept confidential?

Your application is public. The Board is required to publish notice of applications. An exception is if the Board is satisfied that there is an "urgent public need" for the proposed service. Then the application is not published. (See Reference Sheet 5)

The Board publishes application summaries every Wednesday in its "Weekly Bulletin". This Bulletin is posted on the Board's website and is available to the public. People may make submissions on your applications. (See Reference Sheet 8)

The Board keeps the following types of information confidential:

- private financial information (e.g. personal net worth statements)
- private business details (e.g., customer account information)

Other information submitted with an application may be made public. Business plans are not confidential. However, the Board does not routinely release them. Board decisions are public. If your application is set down for a public hearing, the hearing is open to the public. Most exhibits entered at a public hearing are public documents.

The *Freedom of Information and Protection of Privacy Act* may apply to information in your application package. See Operational Policy II.7 for information on requests made under FIPPA.

What does the Board consider when it reviews my application?

The Board will review your application and consider the following three questions:

1. Is there a public need for more taxis?
2. Are you a fit and proper person and capable of providing additional vehicles?
3. Would approving the application promote sound economic conditions in the transportation industry?

If the Board answers "yes" to all three questions, your application will be approved.
It is up to you to give the Board the information it needs to answer these questions. You should consider the type, location and scope of the service you wish to provide. This Application Guide outlines the type of information that the Board is looking for. If you submit too little information or information that is too general, your application may be refused.

In this guide, each of the questions above is considered separately. However, you should remember that the Board member will review your whole application. The information in your package should be consistent. You should not say one thing in one section that is contradicted by something in another section. If information in your package seems contradictory, you should explain the reason for this.

Is there a public need for more taxis in your operating area?

The Board expects you to show that there is a public need for more taxis in your service area. You must show why your current fleet is not large enough to handle more trips. If there are other taxi companies in your area, you must tell the Board why they are not meeting the public need.

You should also tell the Board why you need a specific number of additional vehicles. The Board is looking for a reasonable connection between the number of vehicles requested and public need. Your information or evidence must be reliable, relevant and probative, i.e. capable of proving a fact.

How do I show that a public need exists?

You should not rely on your opinion or general statements of others to show public need. You should give the Board factual information that supports your request for more taxis in the area you want to service. The Board calls this type of information "public need indicator."

Which public need indicators are required?

The Board expects all applicants to provide data in their application that summarizes operating levels in their taxi fleet. For licensees in communities with a population of 10,000 or more, the Board requires that applicants report operational data with its Spreadsheet Workbook A. This contains the following spreadsheets:

- Spreadsheet A: "Applicant's Info"
- Spreadsheet B: "Regular Tax Data Sheets"
- Spreadsheet C: "WAT Data Sheets"
- Spreadsheet D: "Data Dashboard"

Use spreadsheet A to provide basic information that helps the Board understand the data you are reporting. Use spreadsheets B and C to input data for 24 or more months of operational data for your entire fleet. Report data for your conventional taxis (e.g. sedans as well as vans that are not accessible) in B. Report data for all other vehicles (i.e. wheelchair accessible taxis) in C. The workbook automatically generates an analysis of the date you report, including a "Data Dashboard" in Spreadsheet D.

More Information about Taxi Data Spreadsheets

Reference Sheet 16, Operational Taxi Data, contains important details about the data you include in your application for more taxis. It includes instructions that help when using the Board spreadsheet to summary your data.

Can I send more public need indicators?

Yes. The requirements noted above are minimum requirements. You may add supplemental reports you think will show that a need exists for the extra vehicles you seek.

Excerpt from a Decision (where operational data was provided)

...Wait time data shows that the 22-month average of trips that have waited up to 15 minutes or more across all time periods (peak, medium and high) is 13.4% for conventional taxi trips and 15.7% for WATs. The conventional fleet vehicle utilization is 98.6% and the vehicle utilization is 96.6% for WATs. Year over year total trip volumes show an increase when compared to the same months in the previous year. Conventional taxis show an increase of 8% and WATs volumes have increased by 9%.
... the addition of 14 conventional and 3 WATs are the number of vehicles required to bring both conventional and WATs taxis under the 10-minute range. ...

The applicant has provided substantive evidence that conventional taxi and WATs trip volumes have increased. It has shown that, on average, the amount of vehicles on shift is at or near 100% for both conventional and WATs vehicles. It also has shown that wait times appear high its operating area, particularly for people who rely on WATs services. I have assigned strong weighting to the spreadsheet summary evidence to substantiate public need for the service.

If you are in a community with less than 10,000 people, you are encouraged to use the Board spreadsheets.

What types of public need indicators can I consider?

The following list describes some types of "public need indicators" that you could include in your application package:

- **Operational Statistics** The previous section introduced operational statistics and the Board spreadsheets for reporting them. Reference Sheet 16 provides more details about required spreadsheets as well as optional reports.

- **Performance Targets** It is good business practice to set measurable performance targets that improve responsiveness to the transportation needs of customers. They are a tool that can help focus business activities on a service goal that your company sees as a priority. They inform fleet management decisions and can provide insights that are relevant when applying for more taxis.

In the taxi business, response time targets may be the most common example of a performance target. Board Spreadsheet A prompts applicants to indicate the response time target their company has adopted. See Reference Sheet 16 for more information about performance targets, response time targets in particular.

- **User Support Statements** These are documents such as letters or e-mails written by people who would either use your taxi service themselves, who refer your service to others or who book taxi service for passengers. User support statements should have the following:

  - why, when and how often the writer uses your service

- any issues that they may have had with other taxis in the area
- why they use your taxi service instead of other taxis that are available
- the writer's name, signature and contact information

Note _You must tell people that their letter or e-mail may be treated as a public document as part of the Passenger Transportation Board's licence application process._

- **Signed Contracts** or agreements to enter into a contract to provide taxi service.
- **Information about other taxi services** may be relevant to public need. The Board will want to know if current providers are meeting the public's need.
- **Information on Population Trends, Community Plans and the Economy** You should explain how this information shows a need for more taxis. The Board may consider population statistics when reviewing public need. However, the Board does not use "taxi to population" ratios to determine need. These factors include size of an area, public transportation options, existence of transportation hubs and vehicle usage. You should include the source and date of any references or statistics you put in your application.
- **Surveys** The Board will want to know that the survey is reliable. You should tell the Board
    - how the survey was developed
    - who conducted the survey and
    - when, where and how the survey was conducted.

  You should also provide a summary of the survey results.
- **Social Media** This evidence must be meaningful and capable of being tested and verified. Quantity does not necessarily equate to relevancy or reliability.

When social media posts are submitted, you are expected to provide information that enables the Board to authenticate the information. You should provide:

- a complete copy of the original post (in writing or electronically)
- date material was retrieved

- URL for the material
- Identity and contact information for authors of the text, tweet, post or other social media comment
  - A copy of notice you provided to authors that their social media comments will be disclosed to the Board as part of its consideration of a specific application and may be treated as public information.

You need to consider how best to present the evidence. Reams of raw data, such as strings of posts, may not be meaningful to the Board. The Board expects applicants to analyze information and demonstrate what it shows or proves. For example, putting raw data into a table or chart may show trends or common responses. A sample of the raw data should also be provided for reference.

For more information, read the Board's Operational Policy II.5, "Submitting Social Media Information".

- **Other Material** You may have other information that indicates public need for more taxis. You may include petitions or form letters. However, the Board may not give as much weight to them as it does to information from individuals who give specific information about their use of taxis.
- **Information from Municipal Councils or Community Organizations** The Board may receive information on taxi services from a town council, tourist board or other community organization. If this information is detailed, the Board may consider it as part of the application materials. The Board would share this information with you. You would have a chance to comment on it.

Notes

1. *The above list is not a comprehensive list.*
2. *If you talk about a website, make sure you include a link to the specific site or webpage. You should also tell the Board what is on the site and why it is useful. If the link is to a document, tell the Board what pages of the document you want the Board to refer to.*

3. *Applicants should not ask people to contact the Board directly. Generally, the Board does not accept letters, e-mails of support or tweets or social media posts sent directly to the Board. Applicants are responsible for collecting this information and putting it in their application package.*

Are you a fit and proper person? Are you capable of providing a taxi service with more vehicles?

The Board reviews fitness in two parts:

(i) Are you a "fit and proper person" to provide the proposed service?

(ii) Are you capable of providing that service?

What is a fit and proper person?

The term "fit and proper" reflects the idea that a licensee has a responsibility to exercise the powers conferred by the granting of a licence with regard to proper standards of conduct. Fit and proper persons conduct themselves and their business lawfully. They uphold the integrity of the industry and promote public confidence in the industry.

The Board considers fitness in the context and circumstances of an application. The Board may look at such things as your conduct and its potential of harm to the public or to the integrity of the industry.

You must complete a *Disclosure of Unlawful Activity and Bankruptcy* form as part of the application process. This information will be used by the Board as part of its assessment of your fitness. In reviewing your answers, the Board may consider such things as:

- The circumstances around any criminal charges, convictions or findings of guilt
- Bankruptcy and insolvency history
- Past behaviour and whether it indicates a pattern of poor conduct and character, lack of financial integrity or a threat to the public

The Board inputs the names people who sign the *Disclosure of Unlawful Activity and Bankruptcy* into Court Services Online, a provincial court registry that provides the public with 24/7 access to information from Provincial traffic and criminal court files in British Columbia.

The Registrar will give the Board information on administrative penalties that have been imposed against you.

The Board may also consider other information that it learns about you when reviewing an application file. This could be information in your National Safety Code profile, allegations of illegal operations or information from submitters. The Board will review these in the context of the application, your explanation of the penalties and whether you are demonstrating care and control over your operations.

> ***Excerpt from a Board decision.***
>
> *The comprehensive business plan and operating procedures included an executive summary, company summary, market analysis and financial information. Also included were the accessible service plan; outlining WAT policies and procedures, with required knowledge and skills and consequences of non-compliance.*
>
> *Financial information included income statements and a balance sheet to June 2014. The income statements and cash flow projections were from 2011 to 2018.*
>
> *The required disclosure statements were completed by each of the directors.*
>
> *...*
>
> *The information provided demonstrates that the applicant has the business knowledge, understanding and ability to provide the expanded taxi service. The applicant is a long established taxi service provider in its areas of operation. It has the appropriate operational structure in place.*
>
> *We find that the applicant is fit, proper and capable of providing the proposed service of additional taxis.*

You will have an opportunity to comment on any information that may have a harmful effect on your application.

What is meant by "capable" of providing a service?

The Board reviewed "capability" when it approved the initial licence. With this application you need submit a business plan update that focuses on the changes you are applying for and how they will affect your business and operations. You need to satisfy the Board that you are capable of providing an expanded service.

The update should include information on your proposed changes and how they. It should provide information on how the expanded service will be integrated into the existing operations. You should advise the Board of any key operational changes since your initial application. You should include information on the knowledge, skills and abilities of key directors or management who have joined the organization since your last application. This might include information about yourself if you have recently acquired the business.

Information that shows you have the financing to operate the expanded service is important. A personal net worth statement or proof of financing may be required for the Board to assess whether you are capable of providing the service. The Board will also review your current financial information and financial projections and the assumptions on which they were based.

The Board may, at any time after a licence is issued, conduct a fitness review of a licensee. For information on fitness reviews, see Reference Sheet 15.

Would approving the application promote sound economic conditions in the transportation industry?

The Board looks at the total number of taxis operating in your area. The Board considers how more taxis could affect service. The Board looks at the overall health and quality of taxi services.

Your application should show that you understand the existing local taxi service. You need to show the Board that your competitors are not meeting the needs of the community. Or that the existing market has grown and is able to absorb more taxis. This must be done with factual information. Some of the information collected for public need may be relevant. Information on competing services is available on the Board's website at: http://www.ptboard.bc.ca/operators.htm. The Board may refer to this information when reviewing your application.

Your competitors may make a submission on your application. They may try to show that there is not enough business for more taxis. The Board expects submitters to use factual information to support their claims.

If your competitors support your application, you should include a letter from them in your application materials.

Some things that the Board may look at in deciding if adding more taxis would promote sound economic conditions in the local taxi industry are:

- Decreases in other taxi service (e.g. a taxi company has gone out of business or is not using all of its vehicles)
- Your service would add value to public (e.g. accessible taxis; eco-friendly taxis)
- The market is able to absorb more taxis
- Other taxi operators are not responding to current market needs

Excerpt from Board decision regarding "sound economic conditions"

The applicant has demonstrated that the existing fleet size is unable to keep up with the local growth and that the marketplace should be able to absorb extra vehicles quite readily...There are existing competitors in much of the same originating area as the applicant. However, the applicant has demonstrated quite capably that local demand has exceeded fleet capacity and additional vehicles should not negatively impact the competitors' business.

How does the Board make decisions on applications?

Board members make decisions on applications. Staff do not make decisions. Members make their decisions based on the information that the Board received during the application process. This information may include:

- information you submit with your application
- written submissions from other people
- your replies to the submissions
- follow-up information that the Board gets from you, submitters or another person. (You will be able to see information from submitters or another person, unless it is confidential business information. If it is confidential business information, you will receive a summary of the information)
- information already available to the public (e.g. information on your website, information on the Board website, etc.)
- information the Board receives from a town council, tourist board or other community organization
- compliance information received from the Registrar of Passenger Transportation
- investigation reports from the Registrar and any comments received from you
- information from a public hearing

Other Information Available to the Board

The Board also has "*Operational Policies*" and "*Rules of Practice & Procedure*". These are posted on the Board's website. A policy or rule may apply to your application.

Board decisions are posted on its website. The Board decides each case on its own merits. It is not required to follow its previous decisions. However, the Board seeks to have consistency in its decisions.

How are the Board's decisions issued?

The Board issues written decisions. The decisions include the reasons why the Board reached its decision. If an application is approved, the decision will set terms and conditions of licence. Decisions are sent to the applicant and the Registrar of Passenger Transportation. Decisions are published in the *Weekly Bulletin* and posted on the Board website. The Board process usually ends when the decision is made and published.

Can my decision be appealed?

There is no right of appeal of Board decisions. The Board may reconsider, vary or rescind a decision in two cases:

(a) information has become available that was not available at the time the decision was made, or

(b) there has been an error in procedure.

There must be a legal basis for reconsideration. Your decision cannot be reconsidered just because you disagree with it. For more information, see Reference Sheet 14.