



## ***I want to add PDVs to my fleet (that are not taxis or limousines)***

### ***Do I need approval from the Board to add passenger directed vehicles (PDVs) to my fleet?***

Yes. Your terms and conditions of licence state a maximum fleet size. They may also state a maximum number of specialty vehicles that you may operate.

You need approval from the Passenger Transportation Board (Board) if you want to **increase**

- your maximum fleet size or
- your maximum number of specialty vehicles.

### ***How do I put together an Application Package?***

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.

Send your application to the:

**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](mailto: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 you are changing vehicle type
- 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](#)
  - Public Need Indicators** (as outlined in this application guide)

#### 3. Optional Forms

- Condensed Operating Plan** (Optional) [Optional Forms](#) (Form 9)
- PDV Rates & Rules** [Optional Forms](#)

**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. Board decisions are public. If your application goes to a hearing, these are 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 to add vehicles to your fleet?
2. Are you a fit and proper person and capable of providing a transportation service?
3. Would approving the application promote sound economic conditions in the passenger transportation business in British Columbia?

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 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 vehicles in your operating area?***

#### ***Excerpt from a Board Decision***

*Comparable transportation services in the form of taxis, transit, shuttles, limousines and bus services are offered in the market area of the applicant. Because the applicant is proposing to add vehicles and expand services the board is looking for specific evidence relating to actual ridership, indications of support from direct users or others in a position to advise others to use the service. Other evidence to show the inability of current other providers to meet a transportation need is also helpful. An application such as this for additional vehicles should supply evidence of a growing and unmet public need that exceeds fleet capacity....*

*The financial information provided and the contracts the company has established show that the company has grown a customer base and need for its services and is busier than when it started in 2007, but has not demonstrated that their existing fleet is operating a full capacity. The applicant provided very limited information about its fleet utilization... Further, the applicant has shown no correlation between the growth or increases indicated or projected tourism statistics and the demand for shuttle services in its service areas.*

*... An unmet need for the expansion of services and fleet size has not been demonstrated by the applicant.*

The Board expects you to show that there is a public need for more vehicles in your fleet. You must show why your current fleet is not large enough to handle more trips. The Board also expects you to show why you need the number of vehicles that you are asking for. The Board wants to be satisfied that there is a reasonable connection between the number and type of vehicles and public need.

You should also tell the Board why you need a specific number of additional vehicles. The Board is looking for a logical connection between the number of vehicles requested and public need.

You should give the Board factual information that supports your request for more vehicles. Your information or evidence must be reliable, relevant and probative, i.e. capable of proving a fact.

The Board finds statements written by potential passengers more useful than form letters or petitions or strings of social media posts. User support statements that are written by people who would use a new transportation service show the Board that the writer has thought about the matter and is interested enough to take the time to tell you why he or she supports your application. Petitions and form letters do not give the Board specific information about when and how often the people who signed the petition

would use a new transportation service or information about current services.

### ***What are “Public Need Indicators”?***

Some examples of public need are outlined below.

- **Fleet Utilization Data** This includes information about your current fleet and utilization of vehicles. Is your fleet operating at, or near, capacity, especially at peak times? Are you regularly “farming out” work to other operators? Do you have data to support your claims? Are your claims supported by the financial information you provided?
- **Booking Request Trends** Is your customer base increasing? Are you turning away clients? Do you have data to show any trends? The Board may give more weight to detailed information rather than general inquiries or booking requests.
- **Signed Contracts** or agreements to enter into a contract to provide a transportation service
- **Information about other transportation services in the area**
- **Information on Population Trends, Community Plans and the Economy** The source and date of this information must be included. You should explain why this information shows a need for additional vehicles.
- **User Support Statements** These are documents such as letters or e-mails written by people:
  - who would either use your transportation service themselves or
  - who would refer people to your service or
  - book the service for passengers

User support statements should have the following:

- why, when and how often the writer uses your transportation service in the area or areas you want to serve
- whether the writer uses any other transportation services now
- why the writer would choose your company over other companies in the area
- 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.*

- **Surveys** The focus of the survey should be on public need (as opposed to preference) for your services. The Board is also interested in why, when and how often respondents use the type of service for which you are applying.

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 vehicles. 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 your type of transportation service.

- **Information from Municipal Councils or Community Organizations** The Board may receive information on transportation 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 an expanded PDV service?***

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.

If you have another passenger transportation licence, the Registrar will include information on any 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.

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 amendments promote sound economic conditions in the transportation industry?***

The Board looks at the state of transportation services in the area where you are applying to operate. The Board considers such things how your service could benefit the market and whether the market has the capacity to absorb additional services.

Your application should show that you understand the existing local transportation service. You need to show the Board that the local transportation service is not meeting the needs of the community. This must be done with factual information. Some of the information you collected for public need may be relevant. Information on competing services is available on the Board's website at: [www.ptboard.bc.ca/operators.htm](http://www.ptboard.bc.ca/operators.htm) The Board may refer to this information when reviewing your application.

The Board may consider such things as:

- Will your expanded service fill a gap in the market?
- Are you providing a specialized or niche service?
- Will your service give the public additional transportation options?
- Does the market place have the capacity to absorb another service?
- Are there transportation providers in your target market area?
- Will your services supplement another non-transportation 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 an applicant's website, previous Board decisions and information on the Board website)
- 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](#).