



I want to change my PDV licence (that is not for a taxi or limousine service)

Do I need approval from the Board to change any of my terms and conditions of licence?

Yes. You need to submit an application to amend your licence if you want to change any of your terms and conditions of licence.

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 Passenger Transportation Board (“Board”) have application requirements.

Note *If you are also applying to add passenger directed vehicles (PDVs) to your fleet, you should refer to Guide 11: [I want to add PDVs to my fleet.](#)*

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

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
- PDV Proposed Service and Terms & Conditions of Licence** [PDV Forms](#) (Form 2)
- 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 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](#)*

Rates

If you need different rates for your new service, you must apply for these rates. The Board has sample forms that you can use to submit your rates. See the Board's "[Optional Forms Package](#)". The Board considers the following questions when deciding whether to approve rates and rules:

- Are the rates and rules clear and complete?
- Are the rates easy to understand?
- Are the rates simple to measure?
- Are rates within industry norms for taxis in the area or in a comparable area?

If you propose rates or types of rates that are not common for your type of service, please explain why you are asking for them.

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 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 for the proposed service?
2. Are you a fit and proper person and capable of providing the proposed service?
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 the licence amendment I am seeking?

The Board expects you to show that there is a public need for the licence amendment that you are seeking.

Minor Amendments

Excerpt from a Board Decision

The applicant has researched the new area and has confirmed that no other ESL student shuttle exist.. a large number of students arrive into the area through the airport and ferry system during each semester. No details as to the number of students arriving and leaving were provided. The applicant cited concern that anyone driving a student, who has prepaid this expense, is not covered by ICBC insurance. These may include host family members or school representatives that are not licensed carriers. ...

The target market is Greater Victoria's growing influx of ESL students. Many of the applicant's current business relationships with Vancouver ESL schools and homestay companies have Victoria affiliates. She states there is an "invitation" to come to Victoria to offer the same standard of service.

Included with the application is a letter of support from Global Village English Centers. It states that "approximately 20-25 students per month may request this service, more in the summer and fewer in the winter months".

If you are seeking a minor amendment, you may not need to provide as much detail on public need. However, you must provide some public need indicators. These must be more than your "opinion" or "preference". For example, if you are applying to add return or reverse trips, information from customers may be relevant to public need. If you are applying to add a contract clause, you should submit a signed contract or letter of intent.

Major Amendments

If you want to add a new originating area, you should provide substantial public need indicators. This also applies if you want to significantly expand your current originating area, especially into areas where there are other transportation services.

What are Public Need Indicators?

A "public need indicator" is factual information that shows there is a public need for more limousine service in the area you want to serve. It is up to you to determine the type and amount of public need indicators that may be relevant to your application. Examples of public need indicators are provided below.

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

- why, when and how often the writer needs the new limousine service in the area or areas you want to serve
- whether the writer uses any other limousine services now and, if so, how often
- why the writer would use your company instead of other limousine companies 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.

Excerpt from a Board Decision

The applicant has provided an overview of the market and the company's current circumstance with regard to service provision, and reasons for expansion of service area.

There are 25 letters of support from individuals and businesses included with this application. Several refer specifically to the need for originating service in Mission, Maple Ridge and Abbotsford, some refer also to the need for extended destination service.

Although the support for Whistler is somewhat dated, I will accept it along with the other information provided by the applicant...

- **Signed Contracts** or agreements to enter into a contract to provide limousine service
- **Information about other transportation services in the area** The Board will want factual evidence about other passenger directed services, especially if you claim that they are not meeting the public's need or your type of service is unique.
- **Information on Population Trends, Community Plans and the Economy** You should explain how this information shows a need for more transportation services. Increases in population do not necessarily equate to increased need for limousine services. You should include the source and date of any references or statistics you put in your application.
- **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 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".

- **Booking Requests** You may already have received booking requests for the service you wish to provide. Or, you may be able show that you have an established customer base that will use your service. The board may give more weight to detailed information rather than general inquiries or the number of website "hits".
- **Other Material** You may have other information that indicates public need for more passenger directed vehicle services. 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 transportation services in your area.

- **Information from Municipal Councils or Community Organizations** The Board may receive information on limousine 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 any negative information with you and 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 passenger directed vehicle 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 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 passenger directed vehicle services in the area where you are applying to operate. The Board looks at the overall health and quality of transportation services. The Board may consider how your requested amendments will affect other providers.

Your application should show that you understand existing local passenger directed vehicle services. You need to show the Board that the local services are 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 passenger directed vehicle services is available on the Board's website at: www.ptboard.bc.ca/operators.htm The Board may refer to this information when reviewing your application.

If you request a minor amendment, you should note whether or not your competitors have what you are seeking.

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 other transportation providers in your target market area?
- Will your services supplement another non-transportation business?

Excerpt from a Decision

The applicant offers a specialized service to a select clientele. No such shuttle service for ESL students exists in the region. The applicant is filling a void to serve a niche market.

It is concluded that an amendment to include Service 2 area will promote sound economic conditions in the passenger transportation industry.

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](#).