



## *I want to start a new PDV service (that is not a taxi or limousine service)*

### *Do I need a licence to start a passenger directed vehicle service?*

Yes. You need a passenger transportation licence to operate a passenger directed vehicle service in British Columbia. The type of licence you need is known as a “**special authorization**” licence. The type of vehicle you need authority to operate is a “**passenger directed vehicle**”.

The Passenger Transportation Board (“Board”) makes decisions on applications for special authorization licences.

### *What is a passenger directed vehicle?*

A **passenger directed vehicle** (PDV) is a vehicle operated to or from locations determined by passengers, or on behalf of passengers, and the vehicle:

- (a) seats a driver and 11 passengers or less, or
- (b) primarily has perimeter seating vehicles (regardless of vehicle size).

Examples of PDVs are **taxis, limousines** and **small shuttle buses**.

Vehicles used for **crew transportation** are PDVs if they seat a driver and 11 passengers or less. The employer is directing the transportation on behalf of its employees who are the passengers.

Vehicles used for “customized” services (e.g. tours or sightseeing trips) if the vehicle seats a driver and 11 passengers or less, or if it is primarily a perimeter seating vehicle.

For information on applying for a taxi or limousine service see: [Guide 1: “I want to start a new taxi service”](#) or [Guide 5: “I want to start a new limousine service”](#).

## *Passenger Directed Vehicle Exclusions*

The *Passenger Transportation Act* says that some vehicles may be **excluded** from the definition of a PDV. This means that even though the vehicles meet the definition of a PDV, operators do not need a Special Authorization licence. They need a General Authorization licence. The Registrar of Passenger Transportation makes decisions on General Authorization applications.

**Exclusions** are set out in the Regulations. These include:

- Vehicles used to transport persons with a disability and their companions. The person is not able to use conventional transit services. An example of this exclusion is *patient transfer services* that take people to and from hospitals.
- Overnight tour packages. Transportation for all passengers is arranged or brokered by a travel agent or broker licensed under the *Business Practices and Consumer Protection Act*. Tours catering to foreign tourists are an example of this type of exclusion.
- Vehicles used to transport people from outside British Columbia in or through British Columbia and then out of the Province. No new passengers may be picked up in British Columbia. For example, a Washington state tour company may bring people into BC, tour the province and then return with or without their passengers to Washington.

**Note** *The exact wording of these exclusions is in the [Passenger Transportation Regulation](#). If you think your service falls under one of these exclusions, you should refer to the Regulations. These are posted on the Board's website: [www.ptboard.bc.ca](http://www.ptboard.bc.ca)*

This Application Guide will help you prepare an application for the Board to review your application to operate your passenger directed 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)
- 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, including** Reference [Sheet 2](#) and [Sheet 3](#)
  - 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](#)*

#### ***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 your service?
2. Are you a fit and proper person and capable of providing the 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 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 a new PDV service?*

The Board expects you to show that there is a public need for a new passenger directed service in the **whole area** that you want to serve. If your application is approved, the Board may limit your operating areas to those where you have shown need. 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 give the Board information that is factual and objective. This information should show that there are people who would **use** your PDV service. You should not rely on your opinion or general statements of others to show public need. Your information or evidence must be reliable, relevant and probative, i.e. capable of proving a fact.

### *What are public need indicators?*

The list below describes some types of “public need indicators” that you could include in your application package.

- **User Support Statements** These are documents such as letters or e-mails written by people who would either use your service themselves or who would refer the service to others or book the service for passengers. User support statements should have the following details:
  - why, when and how often the writer needs your new transportation service in the area or areas you want to serve
  - whether the writer uses any other transportation services now
  - why the writer would use a new company instead of companies that are available
    - the writer's name, signature and contact information

**Excerpt from a Board decision on a shuttle service**

*I found the independent and specific letters provided sufficient detail regarding need. I accept them as showing some need for the proposed service.*

*With respect to the form letters, they indicate use of the new service, but do not provide details as to what needs were being served and when and how often they would use the service. ...*

*The questionnaires did not ask respondents to report personal experiences regarding the use of current and available transportation options. However, the structure of the questionnaires did allow a level of participation and commentary regarding the categories of questions and the response choices to each. Further, the number of questionnaires were fully completed and provided some quantification of need. ...*

*Collectively all of the documents indicate a public need for this type of transportation service*

*I found the use of demographic data of seniors in the area and the income data ... helpful and reliable. They link the settlement pattern in the area and the need for an affordable town-to-town shuttle service. They were also useful when assessing the lack of suitable transportation options for this demographic. The application includes support relating to its planned focus on providing town-to-town service for seniors and others, including those who require a wheelchair accessible vehicle, at a price that is more affordable for individual passengers.*

**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 a transportation service. For example, if you are applying to transport English as second language (ESL) students, then you should include signed contracts with schools or homestay agencies.
- **Information about other available transportation services** This may be relevant to public need, particularly if current services are not meeting the public's need.
- **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 transportation services.
- **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 an overview 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 have a related business or service. If so, then you may be able to supply evidence of booking requests that you are not able to fulfill. Or, you may be able to show that you have an established customer base.

- **Other Material** You may have other information that indicates public need for your service. 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 proposed transportation service. The above list is not a comprehensive list.
- **Information from Municipal Councils or Community Organizations** The Board requires you to notify municipalities of your application. The Board may receive information on transportation services from a town council, tourist board or other community organization. The Board may consider it as part of the application materials, especially if it is detailed information. The Board would share any negative information with you and give you a chance to respond.

### **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 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.

The Board will look at how you say you will run your business. Do you seem to understand passenger transportation laws and policies? Is your business set up to follow these laws? Do you have procedures in place for drivers or employees who are not compliant with the *Passenger Transportation Act*, regulations or company policies?

If you are a company, the Board may consider the conduct and character of directors and key management staff.

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?

You do not need to have run a transportation service before. The Board wants to know that you have skills that you can apply to running a transportation service. You may have gained these skills through your education or work history.

The Board looks at such things:

- **Your background** Do you have the background, experience and skills to manage the proposed service?
- **Your proposal** Does your business plan and financial information show that you understand what is needed to manage the proposed service? For example, how will your operations be set up? Are your operating costs realistic? Have you separated start-up costs from ongoing costs? Have you considered factors that may hold up your success? Does your financial plan include appropriate costs?

### **Excerpts from Board decisions:**

*The applicant, with its two principal operating directors, has been in the tour business for a period of time. From information provided by the applicant, such as business plan and financial statements, it appears that the applicant has the knowledge, experience and financial stability to provide service and more importantly, an expanded service. The applicant already has in place operations, management and drivers necessary for transporting the public in the winter months. Several authors of the letters of support included in the application speak highly of the level of service provided by the company.*

- **Your ability to provide the service** Do you have plans to overcome obstacles? Do you have resources to see you through lean times?

The Board gets much of this information from the business plans and financial information that you submit with your application.

If your application is approved and you start a transportation business, you must continue to be a fit and proper person and capable of providing the service. 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 state of transportation services in the area where you are applying to operate. The Board considers how your service could benefit the market and whether

the market has the capacity to absorb additional services. The Board may consider such things as:

- Will your service fill a gap in the market?
- Has a similar business recently left the market?
- Are you providing a specialized or niche service?
- Will your service give the public additional transportation options?
- Have you shown that current service levels are unsatisfactory?
- 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?
- Are your rates competitive?

***Excerpt from Board decision regarding “sound economic conditions”***

*The applicant is correct in identifying that currently there are limousines, bus and taxi companies providing passenger directed service to and from Whistler to Vancouver/Richmond/YVR. The applicant is also correct when stating that the majority of these service providers are not based in Whistler. I find that the applicant's eleven passenger vehicles another choice for the public, especially larger groups of people who would prefer to travel together in one vehicle. I find that the applicant's availability on a reservation system also another choice for the public. Also, being located in Whistler may be of benefit to the public, especially for last moment transportation decisions.*

*There are no submitters to this application. I find that the proposed service would expand the transportation market, should not have an undue, adverse impact on other transportation providers, and provide the public with improved convenience and choice. I find that the application, if granted would promote sound economic conditions in the passenger transportation business within the province.*

Your application should show that you understand the existing local transportation market. You need to show the Board that the local passenger directed 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 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.

Local passenger directed vehicle operators may make a submission on your application. They may try to show that there is not enough business for a new service. They may also

say that if a new service starts they would lose business. The Board expects submitters to use factual information to support their claims.

### ***Do I need to have my rates and rules approved?***

Yes. You may only charge passengers the rates that have been approved by the Board. All rules relating to rates must be approved by the Board.

**Rates** are what you may charge passengers for a trip. **Rules** govern how you apply rates.

Rates may be hourly, point to point or individual fares.

With hourly rates, the Board requires a minimum charge of one hour for any trip.

Depending on the type of service that you are applying for, the Board may decide that the [Minimum and maximum rates and standard rules for limousines](#) applies to your service. Generally, the rule would apply to charter and sightseeing services and would not apply to passenger specific services such as English-as-a-Second language, seniors, crew transportation or services provided under contract. If you are applying to operate a charter or sightseeing service, you may ask to have the limousine rates rule apply to your service.

Point-to-point rates are from one location to another.

Individual rates are paid by each passenger. For shuttles, individual rates are often set on the basis of transportation between zones. Rates may vary depending on the number of passengers in a group.

For example:

<b>Point A (to and from terminal to the following areas)</b>	<b>Rate \$ (per person)</b>	<b>Couple or Second Passenger Rate</b>	<b>Child Rate \$ (3-11 yrs)</b>
City 1			
City 2			
City 3			
City 4			

*The per person and couple or second passenger rates as set out apply when there are two or more passenger traveling at same time.*

*\*Children under 2 – no charge when accompanied by an adult  
Children 3 – 11 yrs – half the applicable adult rate  
Children 12 years and over – adult rate*

The Board has sample forms that you can use to submit your rates. See the Board's [Optional Forms Package](#).

You should tell the Board how you chose your rates and why they are appropriate for your type of service. You should explain any general terms used such as “children”, “group” or “senior”.

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 the rates within industry norms for limousines in your area or in a comparable area?

### ***Contract Rates***

#### **I. Crew Transportation Services**

The Board does not require you to submit contract rates if:

- (a) You have a contract or agreement in principle to provide crew transportation services to a company or its agent; and
- (b) You are applying to have a crew transportation service limitation on your licence.

**Note:** *This type of clause is usually on taxi licences. For information about terms and conditions of licence (including service limitations), see [Reference Sheet 10](#).*

#### **II. Other Contracts**

You must submit other contract rates that you have negotiated with companies. You must also provide proof that the company you are contracting with agrees to these rates.

**Note** *The Board considers contracts, including contract rates, as “confidential information”. The Board will not publish or disclose them unless the Board is required to do by legislation.*

## ***How does the Board make decisions on applications?***

Board members make decisions on applications. Staff do not make decisions. Members make their decisions on the information that the Board received during the application process. This 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 of Passenger Transportation 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.

**Note** *If you are applying to service a specific clientele, such as crew transportation or students, and the Board approves your application, the Board may impose a service restriction on your licence.*

### ***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](#).