



## *I want to reduce ICB service or eliminate an ICB route*

### *Do I need approval from the Board to reduce my minimum route frequencies (MRF) or eliminate an inter-city bus (ICB) route?*

- Yes. You must comply with your terms and conditions of licence. These set MRFs. To **decrease** MRFs, you need Passenger Transportation Board (Board) approval. The Board must approve any route or route point eliminations.
- If you want to **increase** your route frequencies, no application to the Board is necessary.

### *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 and Board have application requirements.

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](tel: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. This checklist is for applications to start, eliminate or reduce service on an ICB route.

#### 1. Required Forms

- Special Authorization Licence Application Package** [Branch SA Forms PTR 5010](#)
- ICB Application Summary** [ICB Forms](#) (Form 7)
- ICB Route Worksheet for each proposed route** [ICB Forms](#) (Form 8)
- Disclosure of Unlawful Activity & Bankruptcy** [ICB Forms](#) (Form 5)
- Declaration** [ICB Forms](#) (Form 17)

#### 2. Required Materials

- Business Plan** Reference [Sheet 2](#) and [Sheet 3](#)
- Financial Information** Reference [Sheet 4](#)
- Rationale**
- Sample ICB Time Schedule**

#### 3. Optional Information

- Condensed Operating Plan** [Optional Forms Package](#) (Form 9)

## ***What is needed if I want a licence change other than starting, eliminating or reducing service on an ICB route?***

You may propose a change to terms and conditions that does not change an ICB route or its service levels. If this is what you are doing, use this shorter checklist.

### 1. Required Forms

- Special Authorization Licence Application Package** [Branch SA Forms PTR 5010](#)
- ICB Application Summary** [ICB Forms](#) (Form 7)
- Disclosure of Unlawful Activity & Bankruptcy** [ICB Forms](#) (Form 5)
- Declaration** [ICB Forms](#) (Form 17)

### 2. Required Materials

- Business Plan** Reference [Sheet 2](#) and [Sheet 3](#)
- Financial Information** Reference [Sheet 4](#)

### 3. Optional Information

- Condensed Operating Plan** [Optional Forms Package](#) (Form 9)

## ***What should I put in a rationale for route or route point elimination reduction or minimum route frequency (MRF) reduction?***

The “Rationale” must include the following:

- A brief description of the route eliminations or MRFs you are applying for. The description should include information on planned revisions to schedules along the affected route points
- An explanation, for each specific route, of why you are making this application
- Passenger ridership and relevant financial trends over the past 3-5 years;
- A 5 year history of previous applications and decisions on the proposed routes; and
- The name, trade name and contact information of the applicant.

**Note**

A “Rationale for a Route or Route Point Elimination or Minimum Route Frequency Reduction” must have the following statement on its cover page:

***“This document has been prepared solely by <name of applicant> for public information”.***

***Are there any public notice requirements for my application?***

Yes. Inter-city bus operators applying for a route reduction or minimum route frequency reduction must:

- a) publish notice of proposed changes on the applicant’s website for affected route points;
- b) post notices of proposed changes in the applicant’s terminals, depots or agent’s premises
- c) send written notice of proposed changes to mayors and councils of affected municipalities and chairs of regional districts.

Notices must be prominently displayed and be in a normal or average font and type face and should state:

- a) the application number and legal name of the applicant and trade name (if company is mostly identified by a trade name);
- b) sufficient information for a reader to understand the proposed changes and how they will impact routes and/or route points; and
- c) that the reader can provide written comments to the Passenger Transportation Board at Box 9850 STN PROV GOVT, Victoria BC, V8W 9T5; by fax at (250) 953-3788; by e-mail at ptboard@gov.bc.ca within 14 days of the date the application is published in the Board’s “Bulletin”.

The applicant must submit copies of all notices to the Board at the time notices are posted on an applicant’s website and sent to mayors or chairs of regional districts or posted in its terminals, depots and agent’s office.

### ***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. contracts, customer account information)

Other information submitted with an application may be made public. A “Rationale for a Route or Route Point Elimination or Minimum Route Frequency Reduction” is a public document. It is posted on the Board’s website.

All Board decisions are public. If your application goes to a public hearing, most exhibits entered at the 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.

### ***Can I review the public comments on my application?***

Yes. As the applicant, you will get to see public comments. However, you must first promise to limit your use of any personal information to that associated with the application before the Board. You must agree that you will not use the personal information to take any action taken against anyone who wrote a comment or is a member of the travelling public.

## ***What does the Board consider when it reviews my application?***

Applications for MRF reductions and route elimination seek to reduce service. Most other applications seek to increase service. For MRF applications, the Board has developed a specific approach to the three questions that it must ask on any application. The questions and the Board's approach to them are outlined below. Generally, the Board must balance the public's need for service with an operator's ability to maintain a financially-viable service.

### *1. Is there a public need for the service?*

- The Board considers what level of service meets the public need. If the Board decides that the proposed level of service will meet the public need, it may approve your application.
- If the Board decides that the proposed level of service will not meet the public need, then it may refuse your application. Or, the Board may approve the application in a (a) way that meets the public need and (b) allows some reduction of service.
- If you are applying for more than one service reduction on a route, the Board may look at "public need" separately for each route. The Board may then make a decision on each route. For example, it may approve the reductions on some routes, refuse it on others and modify it on others.

### *2. Are you a fit and proper person and capable of providing the inter-city bus service?*

- If approved, MRFs and route elimination applications will result in lower levels of service. Therefore, the Board may find that a licensee seeking to reduce service is a fit and proper person to provide the service proposed unless there is compelling evidence to the contrary.

### *3. Would approving the application promote sound economic conditions in the transportation industry?*

- The Board may look at such things as the financial health of the applicant or whether there are other bus services on a route.

It is up to you to give the Board the information it needs to make a decision on your application. 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.

“Public Need” and “Sound Economic Conditions” are discussed further below.

### ***Is there a public need for the service?***

The Board considers what level of service meets the public need. If the Board decides that the proposed level of service will meet the public need, it may approve your application.

You must give the Board a “Rationale for a Route or Route Point Elimination or Minimum Route Frequency Reduction”. This should explain your reasons for seeking a MRF reduction or a route or route point elimination.

The rationale is a public document. You might also include more detailed financial or ridership information in what you send to the Board.

**Note:** *More information on rationales is in the above section: “What should I put in a Rationale for a Route or Route Point Elimination or Minimum Route Frequency Reduction?”*

If you are applying for more than one MRF reduction or to eliminate more than one route or route point, the Board may consider the issue of public need for each route.

The Board may consider the following types of information when deciding the issue of public need:

- Submissions from municipal governments.

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

*Of the 107 submissions that were received pertaining to these routes, 5 submissions provided specifics about level of usage, with only 3 showing a reasonable level of usage between 6 and 9 times per year. The remaining 2 submissions indicated usage at 1 to 2 times per year. Forty of the submissions indicated a general use of the service but no specifics were supplied as to the level of usage.*

*The licensee supplied data which shows the average passenger load (APL) and revenue per passenger mile (RPM) over the past 3 fiscal years. The APL when compared year after year is decreasing and consequently the RPM has decreased also and is considerably less than the current breakeven RPM. .*

*The Board finds that there is not sufficient public need to require the licensee to continue operating these routes. .*

- Comments received from members of the public. This includes the number of comments received as well as the content. Is there information about why, when and how often the writer uses the applicant’s service?
- Other transportation services that are available in the community.
- Passenger counts on a route
- Other information

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

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

*Considering this ridership and financial data, we find that there is insufficient public need to require the applicant to continue operating on this route and we approve its proposal to eliminate the route.*

*We also note that there are other transportation options available within communities, including public transit and another private inter-city bus company. The public will have access to transportation services, although scheduling may not be as seamless or convenient as it is now...*

*The applicant cannot reasonably be expected to re-design its inter-provincial network to accommodate a limited number of passengers. Requiring it to do so would not promote sound economic conditions in the transportation industry in BC.*

The Board must consider the promotion of sound economic conditions in the passenger transportation business in British Columbia. This includes, but is not limited to, the financial health of the applicant seeking a MRF reduction or a route or route point elimination. This could include the overall financial health of the applicant or the financial health of specific routes.

The Board reviews such things as:

- the financial performance of the applicant
- ridership on the inter-city bus
- other transportation options in the area

## ***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, 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.

**Note** *If the Board approves your application, you will have to publish notice of the changes and effective dates on your website or provide other public notice as specified by the Board. The Board usually requires this notice to be posted before the Registrar can issue you an amended licence.*

### ***If the Board approves my application, what public notice is required?***

If the Board approves an application for a route reduction or minimum route frequency reduction, then the Board usually requires that any schedule or route change is posted on

an applicant's website or otherwise made public in advance of the change being implemented.

### ***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](#).