



I want to start a new ICB service or route

Do I need a licence to start an inter-city bus (ICB) service?

Yes. You need a passenger transportation licence to operate a commercial inter-city bus service in British Columbia.

What type of licence do I need?

You need a licence with a “Special Authorization: Inter-city Bus”.

What is an inter-city bus?

An *inter-city bus* (ICB) is a vehicle that operates:

- (a) on a set time schedule
 - (i) between a prescribed municipality and another location outside the municipality, whether in British Columbia or not, or
 - (ii) between a location in a prescribed regional district and another location inside or outside the prescribed regional district, whether in British Columbia or not,
- (b) for individual fares,
- (c) over a regular route, and
- (d) between fixed terminating points, picking up or dropping off passengers at intermediate points as necessary

Note *Public transit buses are not inter-city buses.*

Inter-City Bus Exclusions

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

Exclusions are set out in the Passenger Transportation Regulations. They are outlined below.

1. Service Exclusively in the CRD or GVRD

A commercial passenger vehicle is excluded from the definition of “inter-city bus” when it is operated on a set time schedule

- (i) between a location in the Capital Regional District (Greater Victoria) and another location inside the Capital Regional District, or
- (ii) between a location in the Greater Vancouver Regional District and another location inside the Greater Vancouver Regional District

2. Connector Bus

A commercial passenger vehicle that operates as a “Connector Bus” is excluded from the definition of an “inter-city bus”. Connector buses operate to and from port, ferry and airport terminals.

The following three conditions must be met for a vehicle to operate as a connector bus:

- 1) The bus only picks up passengers on the way to the port, ferry or airport terminal. The bus does not stop to drop off passengers before it arrives at the terminal.
- 2) The bus only drops off passengers on the way from the port, ferry or airport terminal to the end of the route. The bus does not stop to pick up any passengers along the route.
- 3) The port, ferry or airport authority gives the connector bus operator written permission to provide service at the terminal.

The connector bus exclusion only applies to ports that are defined in the *Canada Marine Act*. The exclusion only applies to ferries operated under the *Coastal Ferry Act*.

3. *Pick Up and Return to a Single Municipality*

A commercial passenger vehicle is excluded from the definition of an “inter-city bus”:

- (a) if the vehicle
 - (i) picks up passengers in a single municipality,
 - (ii) takes those passengers to a location outside of the municipality, and
 - (iii) returns those passengers to the municipality;
- (b) if no other passengers are picked up along the route; and
- (c) if passengers are not dropped off in the starting municipality before they have gone to the destination location.

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*

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

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](#)
- 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](#)
- Public Need Indicators**
- Sample ICB Time Schedule**

3. Optional Information

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

Do I need to operate all year round as an Inter-City Bus?

No. An inter-city bus service may be operated all year round or seasonally. It may be operated daily or weekly. You need to describe the type of service you want to offer in your business plan.

Can I pick up and drop off passengers anywhere on a route?

This will depend on:

- (a) how you want to provide the service, or
- (b) any terms and conditions that the Board puts on your licence if it is approved.

Some companies provide an “open ended” service. They pick people up and drop them off along their routes. Other companies have “limited pick up” and “limited drop off” service. For example, they may only pick people up on the way to a destination and then only drop them off on the way back.

For information about terms and conditions of licence, see [Reference Sheet 10](#).

What do I apply for if all I want to do is provide “overflow” service to an inter-city bus provider?

You need to apply for a “Special Authorization: Inter-city Bus” licence. You will ask for an “engaged carrier clause”.

This would allow you to provide inter-city bus services for a licensed ICB operator. You would only be allowed to provide the same services as the ICB operator. You would need a written agreement with the ICB operator.

You need to meet the application requirements set out above. The Board may accept a letter from a licensed inter-city bus operator as a public need indicator.

Excerpt from a Board decision for an engaged carrier clause

The applicant has provided a letter from ..an inter-city bus operator. The operator indicates that it would engage the applicant to assist with its operations if the application were approved. ... The operator notes that the applicant company is reliable and has been able to accommodate its needs under the MCC. This satisfies me that there is a public need for this limited service. I find that the applicant is fit and proper and capable of providing the service for which it applied. The approval of this application will promote sound economics in the inter-city bus industry as it will enable inter-city bus operators to engage additional vehicles to meet increased service demands.

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. 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.

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

Is there a public need for a new inter-city bus service or new route?

The Board expects you to show that there is an “unmet” public need for an inter-city bus service on the corridor where you want to provide service. You should give the Board information that is **factual** and **objective**. You should not rely on your opinion or general statements to show public need.

The Board finds comments written by potential passengers more useful than form letters or petitions or strings of social media posts. Individually written letters of support show the Board that the writer has thought about the matter and is interested enough to take the

Excerpts from Board Decisions

The applicant presented some very general information and made some general statements about the public transportation industry growth, market size, population and trends. The applicant, however, has not provided any cogent analysis that shows the link between this information, its statements and references and its request to operate a private ICB service from Vancouver to Calgary. ...

...The survey was conducted in 16 cities in BC; however, only 8 were located on the applicants' proposed route. No details were provided about the 212 participants in B.C. and Alberta and their contact information was not provided. It is unclear in terms of the B.C. participants as to whether they reside and currently use private ICB services along the route points proposed.

While the survey evidence may indicate, at best, a preference for more competition and variety of service, the applicant has not provided any substantial and verifiable evidence that would lead to a conclusion that an unmet public need exists on the Vancouver to Calgary route

time to tell you why he or she supports your application. Generally, the Board does not give as much weight to petitions and form letters as indicators of public need. Often, 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 inter-city bus service.

What are public need indicators?

User Support Statements These are documents such as letters or e-mails written by people who would use the new inter-city bus service or route themselves. User support statements should have the following:

- why, when and how often the writer needs the inter-city bus service or route along the corridor you want to serve
- whether the writer uses any other inter-city bus services now
- why the writer would use your proposed service rather than one that is currently operating.
- 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 an inter-city bus service.
- **Information about other inter-city services** This may be relevant to public need, particularly if the current service is 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 an inter-city bus service or route.
- **Letter from an ICB operator** If you are applying only to have an “engaged carrier clause”, then you must include a letter from the ICB operator. This letter should state that the ICB operator will use you to provide overflow 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”.

- **Other Material** You may have other information that indicates public need for inter-city bus 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 inter-city buses. The above list is not a comprehensive list.
- **Information from Municipal Councils or Community Organizations** The Board may receive information on inter-city bus 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 inter-city bus 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?

Excerpts from Board decisions:

- ✓ *It would appear that the applicant is a “fit and proper person” to provide the proposed service. The applicant’s background in the hospitality industry and the fact that principle of the company has owned many profitable businesses as well as having experience in raising companies from the ground up is useful. Although there is no evidence of the applicant having any person in the company who has had experience in the passenger transportation business in British Columbia, it is believed that principle of the company has transferable skills that would indicate that he is capable of running the proposed business.*
- ✗ *The principal owner/operator has been providing services as an overflow and contract driver to licensees for the past 18 years. Several positive testimonials were received from people that have used his services. The Board concludes that the applicant is a “fit and proper person”. The application included a business plan; consisting of an executive summary, business description, marketplace evaluation and financials. The applicant submitted 2 different and unrelated revenue projections for 2009. Monthly projected financials for 2009 and 2010 were submitted. However, an explanation of the rationale and details of the vehicles operations to determine these revenue projections were not provided. There is not sufficient information in the business plans or financial statements to satisfy the Board that the applicant is capable.*

You should include information that shows you have the knowledge, skills and abilities to operate a bus service. Résumés outline:

- your work experience and skills, and
- the work experience and skills of people who will be managing the business.

You should also include information that shows that you have the financing to operate the service. 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.

You do not need to have run an intercity bus service before. The Board wants to know that you have skills that you can apply to running the service. You may have gained these skills through your education, experience 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 statements show that you understand what is needed to manage a taxi

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 indicated how you will receive income? Have you considered factors that may hold up your success? Does your financial plan include appropriate costs?

- Your ability to provide the service Do you have plans to overcome obstacles? Do you have resources to see you through slow 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 taxi 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 inter-city bus 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 an inter-city bus company recently left the market?
- 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 inter-city bus providers in your target market area?
 - Will your services supplement another non-transportation business?

Your application should show that you understand the existing local transportation 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 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.

The applicant offers a well-differentiated, growing service for which a public need has been shown to exist. The applicant offers a transportation product that is competitive in this Whistler-Vancouver/UBC market. Despite declines experienced by submitters and concerns about increased competition, the Board does not view the proposed service as destructive competition.

On balance, approving this application will promote sound economic conditions in the passenger transportation business on Vancouver Island and in British Columbia.

Local inter-city bus operators may make a submission on your application. They may try to show that there is not enough business for a new inter-city bus service or route. 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.

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.

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](#).