



I want to start a luxury, app-based transportation service

Do I need a licence to start this service?

Yes. You need a passenger transportation licence to operate a luxury app-based service in British Columbia.

You will need a Special Authorization licence if you operate vehicles that:

- seat up to 11 passengers plus the driver, or
- are primarily perimeter seating vehicles (regardless of vehicle size).

The Board makes decisions on Special Authorization applications. On a licence, the Board commonly specifies the type of LATS that may be operated.

What is a luxury, app based transportation service?

A luxury app-based transportation service (LATS) has the following characteristics:

- Trips are booked through a smartphone application
- Rates are based on time and distance
- Luxury, newer model vehicles are used
- Mid-tier service between a taxi and traditional limousines

Is a LATS a rideshare or Transportation Network Company?

Not as these terms are commonly used. A LATS uses vehicles that are licensed and insured for commercial use, not private vehicles. Like other licensed services, rates are approved by the Board and vehicles must meet specified safety requirements.

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](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

- Special Authorization Licence Application Package** [Branch SA Forms PTR 5010](#)
- PDV Vehicle Proposal** [PDV Forms](#) (Form 1)
- PDV Proposed Terms & Conditions of Licence** [PDV Forms](#) (Form 2)
- Disclosure of Unlawful Activity & Bankruptcy** [PDV Forms](#) (Form 5)
- Business Plan, including** Reference [Sheet 2](#) and [Sheet 3](#)
 - Financial Information** Reference [Sheet 4](#)
 - Public Need Indicators** (as outlined in this application guide)
 - Information on the proposed smartphone app**
- Proposed Rates and Rules** (as outlined in this application guide) [Optional Forms](#)
- Public Explanation of Application** [PDV Forms](#) (Form 6)
- Declaration** [PDV Forms](#) (Form 17)

2. Optional

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

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 goes to a public 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* (FIPPA) 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 LATS service?
2. Are you a fit and proper person and capable of providing a LATS 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 a new LATS service?

The Board expects you to show that there is a public need for a new LATS service in the area where you want to provide service. 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.

Excerpt from a decision

In conclusion, we find that the applicant has presented sufficient evidence to establish that there is a demand for this niche transportation service. This mid-tier luxury sedan service, with app calculated fares based on time, distance and cashless payment fills a market gap and provides a transportation option.

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. Your information or evidence must be reliable, relevant and probative, i.e. capable of proving a fact.

The Board finds statements written by potential passengers more useful than form letters, petitions or strings of social media posts. You should put information in your application that shows:

- People will **use** the service you want to provide
- People or businesses will **refer** people to your service
- People cannot obtain the services you are offering
- The market is not served well by the type of service you will be providing

The amount of support should relate to the scope of your application.

What are public need indicators?

The following list 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 the new LATS 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 the new LATS service in the area or areas you want to serve
- whether the writer uses any other LATSs now
- why the writer would use a new company instead of 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.*

- **Signed Contracts** or agreements to enter into a contract to provide LATS service
- **Information about other LATS services** The Board will want factual evidence about other LATS 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 LATS service. Increases in population do not necessarily equate to increased need for LATS 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 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. The Board may give more weight to detailed information than general inquiries or website "hits".
- **Other Material** You may have other information that indicates public need for more LATs. 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 LATs.
- **Information from Municipal Councils or Community Organizations** Petitions and form letters often do not give the Board specific information on a person's LATs usage, and need for LATs services.

The Board may receive information on LATs 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. You should include the source and date of any references or statistics you put in your application.

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 LATS 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 to maintain care and control of your vehicles?

Do you have procedures in place for drivers or employees who are not compliant with the *Passenger Transportation Act*, regulations or company policies?

Excerpts from Board decisions:

Mr.X's focus will be on corporate management, financing, administration, business strategy, accounting, budgeting, and legal responsibilities. ...Mr. X has proven business experience, most specifically in the electronic arts and digital technology sector. ... He has demonstrated the ability to develop human capital to management teams and has achieved bottom line results. ...No information was brought to our attention that causes concerns regarding Mr. X's fitness.

...(the) principals were able to provide us with a clear sense of the company's management structure, target market, positions of vehicles and financial resources. ...

We are convinced that, based on the approach taken by the principals of the company to date, they are making efforts to comply with the provincial government's regulatory regime. ...

We gave significant weight to the in-depth operational materials and policies submitted ... These documents will help to focus their operations and business practices.

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 on the form, 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?

You should include information that shows you have the knowledge, skills, and abilities to operate a LATS 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 a LATS service before. The Board wants to know that you have skills that you can apply to running a LATS 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 information show that you understand what is needed to manage the LATS 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 lean times?

The Board gets much of this information from business plans and financial information that you include in your application.

If your application is approved and you start a LATS 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 LATS 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 LATS company 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 LATS providers in your target market area?
- Will your services supplement another non-transportation business?
- Are your rates competitive? Do they maintain a distinction between the traditional limousine market and the taxi market?

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

Local licensed operators may make a submission on your application. They may try to show that there is not enough business for a new LATS. They may also say that if a new

Excerpt from Board decision regarding "sound economic conditions"

We find that there are significant distinctions between this application and taxis in terms of service, price and rate separation, payment options and vehicles. Although rates for shorter trips are lower than the minimum hourly rates for sedan limousines, for trips of longer time and distance, minimum hourly rates are competitive with the applicant's rates. We find that approval of this proposed mid-tier service should not create destructive competition in the passenger transportation industry.

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.

LATS rates are based on time and distance and calculated by the app you use. LATS are mid-tier services; therefore, for shorter trips, the rates should be higher than traditional taxi rates and lower than hourly rates for limousines.

Unless the Board specifies otherwise:

- Board rules for limousine rates do not apply to LATS
- Discounts do not apply for LATS
- Refunds may only be given in response to verified customer complaints
- Free rides may not be offered to entice people to sign up for the LATS

Can I use any app I want?

As the applicant, you must identify the app you want to use or that you are developing. If the Board approves your licence application, it may require you, at your expense, to have the accuracy and reliability of your app verified by a pre-approved third part.

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.)
- 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](#).