

Application Handbook

For Applicants Seeking Special Authorization

This handbook explains the requirements of the Passenger Transportation Board that apply to applications for special authorization to operate passenger directed vehicles (PDVs) or inter-city buses (ICBs) in British Columbia.

Related PT Board Materials:

- PDV Forms Package
- ICB Forms Package
- Sample "Board Forms" Package (optional forms)

Related PT Branch Materials:

- Application Form Package for Special Authorization (PT5010)
- Licence Transfer Application (PT5025)
- Application to Change Rates and Rules (PT5026)

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Disclaimer

The legislation and board rules and policies referred to in this Handbook are subject to amendment and to judicial interpretation.

The Handbook may not reflect recent amendments to the legislation and should not be relied upon as an accurate statement of the existing law. It is a guide to the Board's practices and procedures only. Updated legislation can be accessed from the Queen's Printer for British Columbia and BCLaws.ca.

1. Introduction

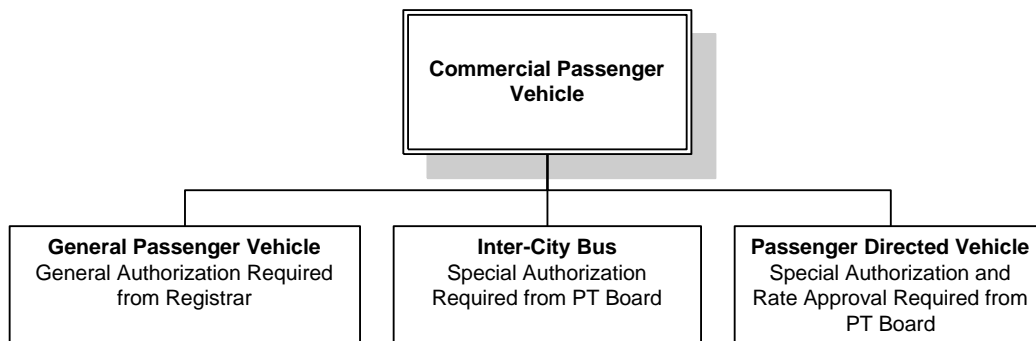
The Board created this Handbook to give “special authorization applicants” information about application requirements, the application process and how the Board makes decisions. The Handbook is organized as a reference guide.

If you are a first-time applicant or unfamiliar with special authorizations and passenger transportation licensing, we recommend that you read this Handbook in full. If you have a licence with special authorization and seek Board approval for additional vehicles, a transfer or an amendment of licence, or a change of PDV rates, we recommend that, at a minimum, you review sections [2](#), [3](#), and [4](#) of this Handbook, along with any referenced materials that you are unfamiliar with.

1.1 Passenger Transportation Licensing

Individuals and companies that operate commercial passenger vehicles in British Columbia need a Passenger Transportation Licence. There are three types of commercial passenger vehicles:

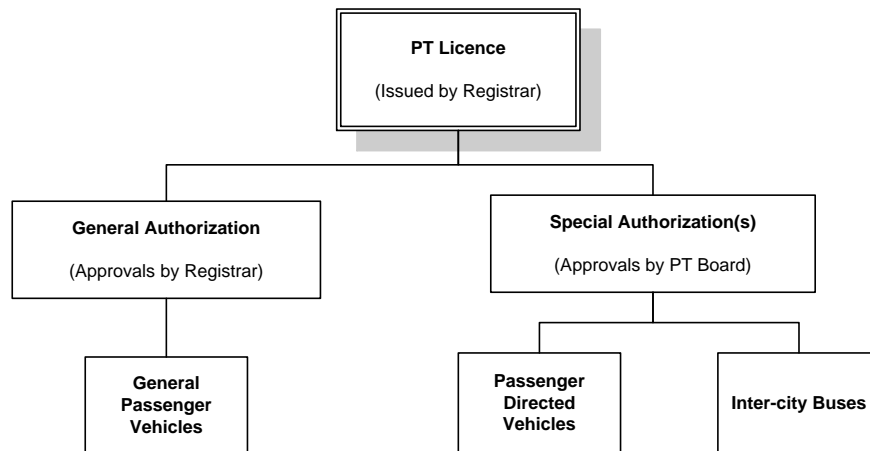
1. General Passenger Vehicles—GPVs (e.g. tour buses and large, charter buses)
2. Passenger Directed Vehicles—PDVs (e.g. taxicabs, limousines and shuttle vans— all of which accommodate a driver and no more than 11 passengers)
3. Inter-City Buses—ICBs (e.g. scheduled buses)



All applications for a Passenger Transportation Licence (“PT licence”) must be submitted to the Registrar of Passenger Transportation (“Registrar”) at the Passenger Transportation Branch (“PT Branch”), Ministry of Transportation.

Applications for general authorization are approved by the Registrar. Applications respecting special authorization (and the operation of PDVs and ICBs) are received by the Registrar and forwarded to the PT Board. The Board reviews each “special authorization” application and decides whether to approve or refuse the application. The Board sends its decision to the applicant and the Registrar.

PT licences can include general authorization, one or two special authorizations, or a combination (“hybrid”) of general authorization and either one or two special authorizations. A PT licence can include any or all of the following authorizations illustrated in this chart:



1.2 Types of Applications

The Application Handbook covers the following applications that are considered and decided by the PT Board:

- New Special Authorization (PDV or ICB)
- Amendment of Licence (PDV or ICB)
- Transfer of Licence with Special Authorization (PDV or ICB)
- Addition of Vehicles (PDV)
- Change of Rates (PDV)

The Application Handbook does not contain information about any of the following applications as they are considered and approved by the Registrar (and not the PT Board):

- New General Authorization (GPV)
- Addition of Vehicles (GPV or ICB) [*Note: ICB "fleet size" is not subject to PT Board approval*]
- Transfer of Licence with General Authorization

The Application Handbook does not contain information about applications for Temporary Operating Permits. To get information about matters that are not covered by this Handbook, contact the Passenger Transportation Branch or go to the Registrar’s web site. (Contact information follows.)

1.3 Application Forms & the Registrar

Application forms and related information are posted on the Registrar / Passenger Transportation Branch web site. Here are some direct links:

- [All Passenger Transportation Forms](#)
- [Submitting an Application to the PT Branch](#)
- [Special Authorization & General Authorization](#)
- [Special Authorization Application Forms](#)
- [Online Application for New Special Authorization](#)
- [Activating a New Licence After Receiving Board Approval](#)
- [Applications for a Temporary Operating Permit](#)

Applicants must submit completed application packages to the Registrar at the Passenger Transportation Branch. Contact information is as follows:

Registrar, Passenger Transportation
Passenger Transportation Branch
Ministry of Transportation
104-4240 Manor Street
Burnaby BC V5G 1B2

Phone: 604-453-4250
Toll Free: 888-453-4280
Fax: 604-453-4253
Email: passengertransportationbr@gov.bc.ca
Web: www.th.gov.bc.ca/rpt/

1.4 Other Reference Materials

Legislation & Regulations:

The *Passenger Transportation Act* and *Passenger Transportation Regulation* are the legislative references for commercial passenger transportation licensing. The *Administrative Tribunal Act* applies to some of the Board's powers and proceedings. Updated legislation can be accessed from the following locations:

PT Board: [Legislation Page](#)

Queen's Printer / BCLaws.ca: [Consolidated BC Statutes and Regulations](#)

Board Rules & Policies:

The PT Board has published its [Rules of Practice & Procedure](#) and [Operational Policies](#) on its website. These contain information on application procedures and board policies.

PT Board Bulletin:

The Board publishes its [Weekly Bulletin](#) each Wednesday on its website. The Bulletin is the primary mechanism for the Board’s communications with the industry and the public as a whole. Many licensees and people involved in the business check the PT Board Bulletin on a consistent basis to see the most recent applications and other information. The Bulletin contains a summary of new applications, notices relating to public application hearings, industry advisories and decisions issued by the PT Board.

Registrar / PT Branch Materials:

The [website of the Registrar of Passenger Transportation](#) has the application materials and other information of use to applicants and licensees.

1.5 About the Board

The Passenger Transportation Board is an independent tribunal that is made up of at least 3 part-time Board members, including the Board Chair. The Board determines whether applications for inter-city buses or passenger directed vehicles should be approved for licensing. It also makes decisions on appeals from administrative penalties imposed by the Registrar, and it sets policy and rules on matters respecting the Board mandate. (Appeals of administrative penalties are not covered in this Handbook.)

The Chair of the Board appoints a panel of one or more Board members to review and decide licence applications. The decision of a panel is a decision of the Board as a whole. Board members meet regularly to discuss issues of general policy and other Board matters. In its processes and decision making the Board strives for consistency in the interpretation and application of the Passenger Transportation Act, its Regulation and Board Rules and Policy Guidelines. However, the Board decides each application on its own merits and is not bound by its previous decisions.

The Board is supported by a staff of 4 full-time employees who work out of the Board office in Victoria. Staff handle the administrative functions and respond to applicant inquiries. Once the Board receives an application, all communication to the Board by applicants must be through the Board staff. Board members will not discuss application matters with applicants unless there is an oral hearing or pre-hearing conference.

1.6 Board Contact Information:

Phone: (250) 953-3777
Fax: (250) 953-3788
Email: ptboard@gov.bc.ca
Web Site: www.ptboard.bc.ca

Physical Location:

202 – 940 Blanshard Street
Victoria British Columbia V8W 9T5

Mailing Address:

PO Box 9850 STN PROV GOVT
Victoria British Columbia V8W 9T5

2. Processes

2.1 Introduction

The process for a “special authorization application” begins when an applicant submits an application to the Registrar at the Passenger Transportation Branch. The Branch reviews each application and confirms that all required documents and information have been received. Completed applications are forwarded to the Board for a decision. See [Appendix A](#) for a flow chart of the application process, and [Appendix B](#) for an overview of application process timelines.

Application Completeness and Administrative Acceptance:

Processing of applications may stop or be delayed if an application package does not contain the required documents.

An application that is accepted as “complete” (i.e. containing the required documents) by either Branch or Board staff is accepted for administrative purposes only and does not mean the application will be approved by the Board.

2.2 Application Summaries & Publication

When the Board receives an application, Board staff prepare a summary of the application using language that is common to applications or licences. *[For samples of how terms and conditions may be written, see the Sample Terms and Conditions document that is posted on the Board website at <http://www.th.gov.bc.ca/ptb/applications.htm#terms>.]*

To draft a summary, Board staff use the “service proposal” information in the application materials. Staff fax the summary to the applicant to get his or her confirmation that the summary is accurate. Applicants may change the wording in the summary if it does not accurately reflect what they are seeking. Applicant-approved summaries are published in the [PT Board Bulletin](#) each Wednesday, except on holidays, on the Board’s web site.

The published summary represents the special authorization and the terms and conditions of licence that the applicant seeks to get approved by the Board.

2.3 Submissions from Other Persons

From the date an application summary is published in the PT Board “Bulletin”, any other person has up to 15 days to make written submissions on the application to the Board. (The submission period is shorter when the application is for a [change of rates](#) or an [administrative transfer](#).) Persons making submissions must also pay a \$50 submission fee within the same time period. See the [“making submissions” page](#) on the Board website for more information.

2.4 Applicant Replies to Submissions

Board staff forward submissions to the applicant for reply. Applicants are usually given 10 days to submit a reply. Submissions and applicant replies are part of the application file that is considered by the Board.

2.5 File Overviews

After the submission and reply periods have ended, Board staff prepare an overview of the application file. This overview is a standard form and highlights information provided by the applicant such as business plan, marketing plan and financial information, analysis of competition, public need indicators, and other materials provided in support of an application. (The staff overview contains information that is similar to the Board's optional form 10 "Condensed Operating Plan." If an applicant completes this form, the processing time for an overview may be reduced.) Board staff also complete, for Board members, an overview of written submissions that are received by the Board and written replies (to those submissions) that are received by the Board. In the overview, staff may include information about other licensees and the number of vehicles that are used to provide a similar service in the area. This licensee and vehicle information is made available to applicants at the [operators' page](#) of the Board website.

2.6 Decision-Making Processes

The Chair of the Board appoints one or more Board members to consider and decide the application. Staff then forward the complete application file and overview to the appointed Panel members.

The Panel first decides which process should be followed to make a decision. Most Board decisions are made after a "file review", i.e. a review of the documents in the application file. The Board may also request that staff ask the applicant or a submitter or other party for further information. This is referred to as a "Board Investigation". In other cases, the Board directs the Registrar of Passenger Transportation to undertake a more detailed investigation of all or part of the application. This is referred to as a "Registrar Investigation". The Board may also hold an oral application hearing to hear first hand from applicants, submitters or other persons. Oral application hearings are open to the public, unless it is impractical to do so.

2.7 Board Decisions

The Board issues written decisions with reasons for all the applications that it decides. If an application is approved, the decision will specify any terms and conditions to be included on a licence issued by the Registrar of Passenger Transportation. Decisions that approve a passenger directed vehicle application will indicate what rates and rules are approved, if applicable. Each decision is sent to the applicant and the Registrar. Not less than 5 days later, it is published in the PT Board Bulletin and posted on the Board [web site](#).

2.8 Issuance of Licences (Registrar)

The Board process ends when the decision is made and published. The Registrar of Passenger Transportation issues licences if specified vehicle and safety requirements are met. A licence must be issued before any passenger transportation service can be provided under the special authorization that was approved by the Board.

2.9 Annual Renewal of Licences (Registrar)

Licences are valid for one year from date of issue. Renewals are under the authority of the Registrar of Passenger Transportation. If a license is not renewed pursuant to the requirements of the Passenger Transportation Act the licence expires. Any current or pending application made pursuant to that licence would also expire when the licence expires.

2.10 When Applicants Claim "Urgent Public Need" (UPN)

In exceptional cases, the Board may decide the outcome of an application without first publishing the application and receiving submissions from other persons. For this to happen, the Board must be satisfied that there is an *urgent public need* ("UPN") for the service proposed in the application. *[For more information about making a UPN claim (and related application requirements and processes) see [Appendix C6.](#)]*

2.11 Dismissal of Applications

The Board may dismiss an application at any time if an applicant does not comply with an order of the Board or with the rules of practice and procedure of the Board, including deadlines. The Board may also dismiss applications that are not within the Board's jurisdiction, are frivolous, vexatious or trivial, or give rise to an abuse of process, are filed in bad faith, have not been diligently pursued by the applicant or have no reasonable chance to succeed. Before any dismissal, an applicant will receive notice of such proposed action from the Board.

2.12 Changes in Corporate Ownership

When the ownership of a corporation changes (and the corporation holds a passenger transportation licence), an updated list of directors and a revised signing authority form may be needed by the Registrar of Passenger Transportation. A change in ownership of a corporation does not require a transfer of licence unless the licence is being transferred from one legal entity to another. A legal entity can be an individual, registered partnership or incorporated entity. *[For more information about transferring a licence, see [Appendix C2](#)]*

3. Making Decisions

3.1 Sources of Information

Board decisions are based on the information that is received during the application process. In addition to information submitted with an application package, the Board may consider the following:

- written submissions from other persons
- written replies from the applicant (relating to the submissions received above)
- follow-up information that is requested and received from the applicant or submitter
- information available in the public domain (e.g. information available at the applicant's web site, [previous Board decisions](#) relating to the applicant or other operators, and lists and statistical information posted at the Board web site which relates to other "special authorization" applications that have been approved by the Board. Information about operators with special authorization is posted on the operators' page at the PT Board website.)
- compliance information received from the Registrar of Passenger Transportation and any related comments that are received from the applicant [*see [section 3.4](#) of this Handbook*]
- reports following a Registrar's Investigation (as directed by the Board) into an application (and any comment that is received from the applicant)
- information obtained in the course of a hearing

*Any information and evidence that is sent to the Board should be relevant to one or more parts of the three-part test [*see [section 3.2](#)*]. This information should be factual, objective and from an identified source that can be verified by the Board.*

Competing Services and Industry Profile Information

Applicants are expected to be aware of comparable services in the area and they may improve their application by listing and describing the companies operating within the same target market. The Board generally reviews all information received about the competition in light of the "industry profile" information that is posted at its web site at <http://www.th.gov.bc.ca/ptb/operators.htm>. This information is normally updated quarterly.

3.2 Board Considerations (the "three part test")

Section 28(1) of the Passenger Transportation Act gives the Board a mandate to approve an application for special authorization if it considers that:

- (a) there is a public need for the service the applicant proposes to provide under any special authorization,
- (b) the applicant is a fit and proper person to provide that service and is capable of providing that service, and
- (c) the application, if granted, would promote sound economic conditions in the passenger transportation business in British Columbia.

Sections [3.3](#), [3.4](#) and [3.5](#) of this Handbook contain more information about each of these considerations and how they apply to an application respecting special authorization.

New special authorization applications, amendment applications and additional passenger directed vehicle applications are all considered on the basis of the "three part test" set out in section 28(1) of the *Passenger Transportation Act*. For these types of applications, the Board must find that an applicant has met all three parts of the test. Applications are refused when one or more parts are not met.

Transfer applications are subject only to the single test of "applicant fitness" set out in section 28(1)(b) of the Act. For these types of application decisions, refer to [section 3.4](#) of this Handbook.

Applications for a change of rates are not subject to the "three part test." For information on these types of decisions, refer to [section 4.6](#) and [Appendix C5](#) in this Handbook.

3.3 Public Need

For new special authorization applications, amendment applications and additional passenger directed vehicle applications, the Board reviews the application materials to consider whether there is a public need for the service that the applicant proposes.

Key Points for Applicants:

The onus is on the applicant to prove to the Board that there is a public need for the service. The applicant must present material, substantiate the material and explain how all the material relates to proving need.

Applicants should provide ***factual, objective and verifiable information*** that demonstrates that a public need exists for the operation they are proposing. A mere *preference* for a proposed service does not indicate need. Supporting information should show that there are people who would *use* the applicant's service.

Applicants should include a summary or explanation that links supporting information to a particular level of need for the proposed service. Any supporting documentation should relate to the scope of the application. For example, if an applicant is applying to provide service for cities A, B, C, the supporting documentation should reflect public need in all three cities.

The following list describes some “public need indicators” that applicants may wish to provide:

Actual Ridership or Trip Data in the form of trips sheets, passenger manifests, or reservation logs may support public need. This data may be more informative if it covers a period that is long enough to establish a particular ridership trend and if there is a clear explanation provided with the data.

Ridership or Trip Projections may be provided by applicants to show public need. Applicants should show what underlying data, calculations and assumptions were used in making their projections.

Financial Statements show multi-year trends in revenues and expenses. If the ridership trends do not reflect revenue trends, an explanation should be provided.

User Support Statements - include written materials prepared by people who would either use the proposed service or who would make referrals and bookings on behalf of passengers. Any written support materials need to explain the nature and extent of the author’s transportation usage. Materials should contain contact information for the authors (e.g. address, phone # or e-mail) and applicants should inform their supporters that they may be contacted by the Board or Branch and that their information may be shared with others.

Pre-completed forms, form letters or petitions may not be considered by the Board as informative or reliable as a detailed letter written by an actual or prospective passenger or booking agent.

Signed Contracts or agreements to enter into a contract may be provided by applicants to indicate public need.

Information about Competing Services may be relevant to public need, particularly if a type of service is unavailable, insufficient, or has undergone a significant change.

Surveys may be used to show public need when the survey methodology is explained and verifiable (i.e. who, what, when, where, and how) and the conclusions to be drawn are understandable and supported by survey data.

Information on Demographics and the Economy includes such things as statistics showing local demographic or economic trends. The source and date of this information must be included, along with an explanation that makes an understandable link between the underlying data and the public need conclusions that the applicant wants the Board to make.

The “public need” information in this section is general in nature. The “public need indicators” for one type of application may not be relevant for another type of application. For information on public need indicators that is more application-specific, see [Appendix G](#).

Secondary Transportation Services If an applicant owns a non-transportation business and seeks to provide transportation directly for its clientele (and receives compensation *directly* for providing that transportation) then *public need* must still be demonstrated. *Public need* may be demonstrated by information that describes the non-transportation business, the reasons that a passenger transportation is needed by clients to get to locations where the business operates, and the nature of the proposed transportation service (e.g. when, how often, how many passengers, to and from what locations). Such applicants should also agree to limit passenger transportation to clients when using their non-transportation business.

3.4 Applicant Fitness

The “applicant fitness test” applies for all Board applications except for a Change of Rates application. “Applicant fitness” is a determination of whether an applicant is a fit and proper person to provide the proposed service and whether the applicant is capable of providing that service.

An applicant may be a sole proprietor, partnership or a corporation. If the applicant is a corporation, the Board will require information on company directors or officers.

The Board considers “applicant fitness” from two perspectives, or in two steps:

1. Is the applicant a “fit and proper person” to provide the proposed service?
2. Is the applicant capable of providing that service?

“Fit and Proper” Person The “fit and proper” person test relates to such matters as the conduct and character of an applicant, and whether the applicant’s proposed operations are structured or organized in such a way that the applicant will be able to meet its obligations as set out in the [Passenger Transportation Act and Regulations](#). (A “person” includes partnerships and corporations.)

The obligations of an operator include the requirement to have a licence before providing service and, once a licence is obtained, the obligation to comply with the Act, regulations, applicable orders and rule, and the terms and conditions of that licence. It also includes the requirement to keep care and control over the operations conducted under the licence (see section 6 of the [Passenger Transportation Regulation](#)) and to ensure that vehicles are operated properly by the drivers (see section 7 of the Regulation).

Applicants must complete a “Disclosure of Unlawful Activity and Bankruptcy” form as part of the application process. (See Board Form 6 in the [PDV](#) and [ICB](#) Forms packages.) This information will be used by the Board as to assess fitness. In reviewing an applicant’s 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 routinely receives, from the Registrar of Passenger Transportation, information about administrative penalties the Registrar has issued.

The Board may receive an applicant's [National Safety Code](#) ("NSC") profile information that includes violation, accident, audit and other compliance matters tracked by the NSC program. This can occur when either the Registrar or National Safety Code program wish to bring a matter to the attention of the Board, or if the Board requests a copy of the profile. Applicants who wish to review their NSC profile before making an application can contact the National Safety Code program.

Upon receipt of satisfactory background information about an applicant, and absent evidence to the contrary, the Board may find that an applicant is a fit and proper person. Information that may cause the Board to question whether a person is a fit and proper person could include such items as serious convictions, sanctions or evidence of serious misconduct, or a pattern of convictions or sanctions or other evidence of conduct that shows insufficient regard for their legal obligations or the safety of passengers.

Applicant "Capability" With regard to the second portion of the fitness test, applicants must submit information and evidence that demonstrates their "capability" to manage an operation of the size and complexity of what is proposed. Business plans and financial statements are often a main source of this information. The following indicators are a general guide respecting applicant capability.

- The applicant has the background, experience and transferable skills to manage the proposed service.
- The applicant shows understanding of what is needed to manage the proposed service. For example, operating costs are realistic for the proposed service, the main business and management costs and challenges are addressed, and the maintenance costs reflect the age, type and use of the vehicles to be operated.
- The applicant has the resources to sustain operations throughout the implementation phase and to continue after becoming fully operational.

Ongoing Fitness Applicants who receive approval for a Passenger Transportation Licence must continue to be a fit operator. The Board may initiate fitness reviews that are conducted separately from any application decision. For more information, see the Reference Guide "[Fitness Reviews by the Passenger Transportation Board.](#)"

3.5 Sound Economic Conditions

Under the Passenger Transportation Act, operators of passenger directed vehicles and inter-city buses are subject to economic regulation in British Columbia. For most types of applications, the Board considers whether an application would, if it were granted, promote sound economic conditions in the passenger transportation business in British Columbia.

Applicants should have a reasonable understanding of the current state of the local passenger transportation business. This includes some awareness of local transportation business practices and the economic conditions in the industry and local

economy (e.g. past trends, current conditions and changes expected in the future). This type of information is often included in the business plan and/or supporting materials.

The Board approaches the “economic conditions” issue from a broad perspective. The economic conditions of the “transportation business in British Columbia” are considered ahead of the economic and financial interests of an individual applicant or operator. The Board supports healthy competition within passenger transportation markets. As well, the Board discourages destructive forms of competition that could unduly harm existing service providers. Philosophical and unexpanded statements on the general benefits of, for example, more competition and more passenger choice, may not (in and of themselves) be enough to demonstrate that Board approval of an application would promote sound economic conditions.

The following list describes circumstances where “sound economic conditions” may be considered to exist in the passenger transportation business in British Columbia:

- The application fills a gap in service that is created by the exit of a significant licensee in the applicant’s target market.
- The application would provide the public with something of economic value (e.g. improved convenience, newer vehicles, specialty vehicles and so on) without unduly threatening the sustainability of competent competitors already in the market.
- The application is for a service that responds to the changing economic conditions of the proposed transportation market.
- The application is for a service in a defined niche market that would expand the transportation market without an undue, adverse impact on other transportation providers.
- One or more licensed operators have failed to respond to current market place needs and expectations.
- The marketplace has the capacity to absorb the new or expanded service proposed in the application.

3.6 Setting Terms and Conditions of Licence

If the Board approves an application for a special authorization licence, it also sets terms and conditions of licence. The terms and conditions define the scope of the operation that has received special authorization approval. The Board may approve the terms and conditions of licence that were proposed by the applicant. Or, the Board may vary them or set different terms and conditions of licence. Terms and conditions of licence may include such things as:

- Routes and minimum route frequencies (inter-city buses)
- Fleet size and operating area (passenger directed vehicles)
- Equipment requirements (inter-city buses and passenger directed vehicles)

For samples of how terms and conditions may be written, see the [Sample Terms and Conditions](#) document that is posted on the Board website at <http://www.th.gov.bc.ca/ptb/applications.htm#terms>.

Some Specific Instances Where The Board May Set Terms and Conditions:

- **Eco-Friendly Taxis** If the Board approves a taxi application that increases the supply of taxicabs in the GVRD (Greater Vancouver Regional District) or the CRD (Capital Regional District), the Board will, as a matter of policy, establish a requirement that the vehicles must be eco-friendly. Applicants are expected to identify the eco-friendly vehicles they intend to use in the planning documents submitted with the application materials. The eco-friendly vehicle policy does not apply to accessible taxis. See the [eco-friendly vehicles page](#) on the Board website for more information about the Board policy on eco-friendly taxis.
- **Accessible Taxis** If the Board approves an application that relates to a fleet with wheelchair accessible taxis, the Board may add a licensing requirement that:
 - (a) a certain number must be wheelchair accessible taxis and
 - (b) they must be available 24 hours a day each day of the week.

The Board looks at the characteristics of a community when making these decisions. This policy applies even when an applicant does not propose to use more wheelchair accessible taxis. More information is available on the Board web page for [accessible taxis](#).

- **Contract Requirement** When an applicant relies largely on a contract to demonstrate public need for one or more vehicles, the Board will generally establish terms and conditions that (a) tie the contract-related vehicles to the existence of a contract between the licensee and the contracting party, and (b) require the Registrar to confirm that a contract is current at the time of licence renewal. Also: see the [Operational Policy III.2: Contracts and Additional Vehicles](#).
- **Taxi Cameras** Taxi cameras may only be used in British Columbia when a licensee meets the standards and requirements established by the Board. For driver and passenger safety, all taxicabs in the Lower Mainland and the Capital Regional District (CRD) must use a taxi camera in each taxicab. (In the CRD, this requirement takes effect on March 31, 2009.) Also: see the [taxi camera page](#) of the Board website.
- **Taxi Bill of Rights** The Taxi Bill of Rights promotes a consistent and high level of taxi service in Metro Vancouver. For this part of the province, taxi licences include a term and condition that requires that the Taxi Bill of Rights be displayed by every taxicab in Metro Vancouver. Also: see the [Taxi Bill of Rights page](#) of the Board website.

3.7 Determining PDV Rates and Rules

Licensees that operate a passenger directed vehicle must charge only the rates that are approved or set by the Board. Applicants are required to give the Board the rates they propose to charge, along with the rules that govern how rates are to be applied.

When an applicant is seeking special authorization to operate a new PDV service (as a "new special authorization" or "amendment of licence" application) the Board will, if the

underlying PDV service is approved, approve the proposed rates and rules or set different rates for the purpose of establishing just and uniform charges. With “change of rates” applications, the Board can approve or refuse the proposed new rates and rules, or it can set different rates for the purpose of establishing just and uniform charges.

See [section 4.6](#) of this Handbook for more information about:

- what is required when proposed rates and rules are submitted as part of a PDV application package, and
- factors considered by the Board when making rate approval decisions.

See [Appendix C5](#) for a list of sections in this Handbook that relate to PDV rates and rules.

4. Application Materials

This section discusses materials and information that applicants may include in their application. It does not directly discuss what is required with each type of application. For a list of requirements, see appendices [D](#), [E](#) and [F](#).

4.1 Quantity and Quality of Supporting Information

Key Points for Applicants:

Board decisions are based on the information it receives during the application process.

Applications should contain all the important arguments and points that the applicant wants the Board to understand and consider. Each of the main arguments and points needs to be relevant to the three-part test of public need, applicant fitness, sound economic conditions, and they need to be supported with factual, objective and verifiable information.

Applicants often ask what quantity and quality of information and evidence is needed to satisfy the Board with respect to public need, applicant fitness and sound economic conditions in the passenger transportation business. Each application is unique, and so there is no simple answer. However, this section provides some basic principles.

The length and complexity of the application materials (such as the business plan) and the volume of supporting materials (such as letters from prospective service users) should reflect the following factors:

- The type, size, and complexity of the proposed transportation business, and
- The degree of comparable competition in the operating area.

With applications that include a large volume of supporting material or data, applicants should include a summary of the information and an explanation of what conclusions should be drawn from the material. This may be done with written text, a statistical table, a chart, or a combination.

Regardless of how much supporting material is provided, it is important to make a clear link between the supporting information and one or more parts of the “three part test.” It is up to the applicant to guide the Board as to what conclusion it should reach based on the supporting data and information that it submits with its application.

4.2 Business Plans

The Board requires a business plan (including financial statements) for most types of Board applications. *[See appendices [D](#) and [F](#) for more information. As noted in the section above, the length and complexity of the business plan should reflect the nature of the service proposed in the application and level of comparable competition in the area.]* The Board reviews the applicant’s business plan to understand the proposed operation, particularly the sections of relevance to the “3-part test” that includes public need, applicant fitness and economic conditions (see section 3).

About Business Plans:

"Your business plan is the blueprint to the longevity and success of your business venture. Business plans describe the goals and objectives of your business and explains how you intend to make them a reality.

Your business plan also helps you obtain financing for your business, provides you with a measure for evaluating results, helps you uncover potential flaws, commits your plan to writing, helps you anticipate and adapt to change and tests the commitment of you and your team members."

—Small Business BC website

At one end of the spectrum, a business plan of a few pages may be all that is needed when an applicant is proposing to operate one PDV in a small community that does not have any passenger transportation service. At the other end, a company proposing to add a large fleet of vehicles to a competitive market may be expected to include several types of well-researched information in its business plan.

Most applicants will fall somewhere between the examples set out above. In business plans, the Board is looking for information on such things as:

- Business Overview
- Transportation Services Proposed or Provided
- Management / Staff / Support Services
- Drivers and Driver Training
- Market Analysis, including analysis of competition
- Passengers / Ridership
- [Indicators of Public Need for the Service](#)
- Implementation Plan (i.e. Operations Plan)
- Risk / Contingency Plan
- [Financial Plan](#)

Applications to increase the supply of taxis in the GVRD (Greater Vancouver Regional District) or the CRD (Capital Regional District) must include information about the types of eco-friendly vehicles to be used. See [section 3.6](#) and the Board's [eco-friendly vehicle web page](#) for more information.

General information on business plans is available at the Small Business BC web site which is located at www.smallbusinessbc.ca/bizstart-bPlan-intro.php. For information about how BC Stats can be used to help research a business plan, go to www.bcstats.gov.bc.ca/data/dd/bplandoc.pdf. Many other sources of business plan information can be used by applicants. These include books, software, sample plans and templates, professional business plan writers, and various other business planning materials.

What Makes A Good Business Plan?

Aside from reflecting the applicant's unique passenger transportation proposal, the information in a good business plan describes the proposed operation in a clear, complete and objective way. Assumptions are explained and reasonable. The applicant gives a clear definition of the target market and knows why people would use the proposed service. Information in the business plan, including the financial statements, is consistent with the applicant's other materials and representations. The contents (and the application materials) show that the applicant has the background and expertise to manage the challenging demands of operating in a dynamic marketplace.

Confidentiality of Proprietary Information

The Board considers proprietary information (in business plans and financial statements) as confidential. Some information in a business plan, such as proposed rates and information that describes how proposed service would be operated, may not be considered confidential. In fact, such "service plan" information is routinely published by the Board in the "application summary".

Decisions on the release of information are made by the Board in keeping with applicable legislation and the Board Rules of Practice and Procedure and Policy Guidelines or Board orders.

Note: *Marking a business plan as "Strictly Confidential" does not preclude information from being disclosed if disclosure is required by legislation or Board policy.*

4.3 Financial Statements

Financial statements are an important part of the business plan. It is important that the numbers in the financial statement are consistent with the written plans in the business plan. The following financial statements (audited or unaudited) are required for most types of applications (unless Board application materials state otherwise).

Balance Sheet	This is a current snapshot of a company's assets, liabilities and resulting equity (or net worth in some cases). The Balance Sheet can be substituted for a Net Worth Statement that contains the same elements.
Income Statements	<p>This is an annual statement of revenues, expenses and resulting income or profit (or loss). The Income Statement can be substituted for a Profit and Loss Statement that contains the same elements. Generally, annual income statements should be submitted for each of the past two years if the operational history goes back that far.</p> <p>An income statement is required only from passenger transportation businesses with pre-existing business operations.</p>
Cash Flow Projections	Month-by-month cash flow projections are required for the next 24 to 36 months. Cash flow projections include a detailed breakdown of operating expenses and revenues, along with the resulting profit or income.

4.4 Public Need Indicators

Applicants should include information on public need with their application package. In some cases, this may be included in the business plan. In other cases, additional information may be provided. Refer to [section 3.3](#) for examples of public need indicators, and see [appendix G](#) for information about what public need indicators are typically required for different types of applications.

4.5 Disclosure of Unlawful Activity and Bankruptcy

Applicants must complete a "Disclosure of Unlawful Activity and Bankruptcy Information" form as part of the application process [*see [section 3.4](#) of this Handbook*].

4.6 Rates and Rules

"Rates" are the fares or charges for a particular passenger transportation service. "Rules" (in the context of "rates and rules") is the information that explains how the rates are applied.

The regulation of rates and rules sets an environment where customers are charged reasonable and predictable prices for passenger services rendered, and where operators can maintain their vehicles in safe condition. The Board also seeks to maintain a price distinction between taxicabs and limousines.

Proposed rates and rules must be detailed and clear enough to understand what will be charged in a particular set of circumstances. They should be on a separate "Rates and Rules" page or document. Applicants can create these pages or documents themselves. Or, they can use the sample "Rates and Rules" forms that are made available by the Board. The [Board Sample Forms Package](#) includes the following rates forms or sheets:

12. Rates and Rules Cover Page
13. Metered Taxicab Rates (Charter)
14. Hourly Charter Rates
15. Flat Charter Vehicle Rates
16. Individual (per person) Fares
17. PDV Rules

The terms and conditions of a Passenger Transportation Licence (whether approved or proposed) should not be "restated" in the Rates and Rules. Applicants should not include rates for services when the applicant does not already have authority to provide those services in an existing licence and is not applying for authority to provide those services.

Passenger Transportation Agreements either include rates (and rules) that apply to passenger transportation services provided under that contract only, or there is an agreement to pay the established rates and rules that a licensee charges anyone. When rates and rules are included in a contract, the "contract rates" are subject to Board approval and must be supplied to the Board like any other proposed rates and rules. The Board treats "contract rates" as confidential.

The Board may consider the following questions when making its decisions on the rates to be charged for the operation of passenger directed vehicles:

- Are rates and rules stated clearly and comprehensively?
- Is it clear when, how and what fares apply to particular service or type of vehicle?
- Are the rates quantifiable?
- Are rates within industry norms for comparable services in the area or in a comparable area?
- Is there a distinction between rates and rules for non-taxicab services and the rates and rules of taxicabs in the area?
- If an application is made for a change of rates, does the applicant explain why the change or changes are requested?

The Board may also take into account other factors, such as those listed below:

- Whether any current Board rules (respecting PDV rates and rules) have some applicability to the applicant
- The length of time since the last change of rates
- The percentage of the proposed rate change

In certain circumstances, the Board may establish other processes for changing PDV rates. In the past, a Taxi Cost Index and Temporary Fuel Surcharge for taxicabs were established with requirements that were separate and different from the Change of Rates application process.

[Board rule 44, Board Approval of Contract Rates under Contract](#) describes the limited “crew transportation” circumstances when rates can be determined by a licensee and the user of ongoing crew transportation services without prior approval of the PT Board.

See [appendix C5](#) for a list of other sections in this Handbook that relate to PDV rates and rules. Also, see the [rates page](#) on the Board website.

4.7 Rationale for a Proposed Change of Rates—PDV

When an applicant seeks a change of rates or rules now in effect with Board approval, the applicant must explain why the proposed rate is required. Is it because rates are too high or too low relative to the competition? Is it because operating costs have increased, and if so, which ones? Is it related to changes in the way that business is being conducted, or a particular pricing issue of relevance to the local marketplace? Is there some other reason?

Applicants need to tell the Board why it needs the proposed change and then provide objective materials in support of that reason.

4.8 Public Notice

For taxicabs making a Change of Rates application, notice must be sent each local or municipal government that would be affected by the proposed change of rates. A copy of each notice that is sent must be included in the Change of Rates application.

For ICBs and Amendment of Licence applications—to reduce routes or minimum route frequency—applicants must provide copies of public notices placed (a) in local newspapers and (b) local governments of communities that are affected by proposed changes. See [Board Rule 35](#) for important details. These public notices are not required before an inter-city bus application is submitted. In conjunction with Board publication of an application in its Weekly Bulletin, Board staff will follow up with an applicant to specify what an applicant must do to meet the public notice requirements.

4.9 Sample Time Schedule (ICB)

When a new route is proposed for approval, the Board requires a sample time schedule (for each proposed route) in order to understand what an applicant intends to do. The sample time schedule needs to include, at a minimum, the route terminating points, intermediate route points, passenger pick up and drop off times, and the days of operation. This information is used to help make informed decisions with respect to ICB special authorization and the proposed routes, minimum route frequencies and other terms and conditions. The sample time schedule itself is not the subject of approval.

4.10 Disclosure of Passenger Transportation Ownership

Except for a Change of Rates application, applicants are required to indicate whether they have an ownership interest in other companies that provide passenger transportation by motor vehicle. When one or more ownership interests exist, a list with the name of each business or company must be provided. When an applicant is a partnership or corporation, this disclosure requirement applies to each partner in the partnership and each principal in the corporation. Each principal owner for the applicant can either make a written statement or complete the “Disclosure of Passenger Transportation Ownership” form in the [Board “Sample Forms” Package](#) [see form 11].

For “transfer of licence” applications, disclosure is required from the transferee only. A disclosure statement is not required from the transferor who holds the licence at present.

For “amendment of licence” and “additional vehicle” applications, the disclosure of passenger transportation ownership is required only when a change has occurred since disclosure was last submitted to the Board.

4.11 Priority Dispatch Plans (Accessible Taxis)

The Board expects that companies with [accessible taxis](#) will give priority service to people who need wheelchair accessible transportation.

Taxi licensees can replace conventional taxis in its fleet with accessible taxis. As long as the taxi company does not exceed its maximum fleet size, licensees do not need to apply to the Board.

When applying to increase fleet size by adding accessible taxis, applicants must show that a need exists for these vehicles and a larger fleet. Applicants must also submit a *Priority Dispatch Plan* that shows how the licensee will respond first to people who need a wheelchair accessible taxi service. The Board created [Guidelines for Preparing a Priority Dispatch Plan](#) to help applicants know what to include in their plan. More information about accessible taxi issues is posted on the [Board accessible taxi page](#).

The Board looks at the [three part test](#) when it considers applications to operate more accessible taxis. If the Board approves an application, it may set a minimum level of accessible taxi service. See [section 3.6](#) for more information.

Flip Seat Requests (Accessible Taxis)

Express authorization of the Board must be obtained before a commercial passenger vehicle use movable, let-down seats (or “[flip seats](#)”). Licensees may ask to use flip seats in an application for New Special Authorization or an Amendment of Licence.

Applicants should use the “Flip Seat Authorization Request” form in the Board [‘Sample Forms’ Package](#). See form 17. Applicants must include the following information with a flip seat authorization request:

- a. **Statement** that explains why you need to use flip seats.
- b. **Evidence of public need** for flip seats.
- c. **Number of trips** for persons who need an accessible taxi. Give a daily or weekly average. Submit data for at least six months.
- d. **List transportation service agreements** that your company has. Also, state whether taxis used under those contracts will have flip seats. For example, contracts may relate to the following: airports or airlines, cruise ship terminals, ferry terminals, travel agencies, postal workers, crew transportation, school boards, and hotels.
- e. **Priority Dispatch Plan**. See the [Guidelines for Preparing a Priority Dispatch Plan](#).

Operators that are licensed to operate [accessible taxis](#) must respond to the needs of people who rely on wheelchair accessible transportation services. When the Board decides whether to review a flip seat application, it looks at the issues listed in [section 28 \(1\)\(a\)-\(c\) of the Passenger Transportation Act](#). This can include the availability of accessible taxi services and measures that an operator has in place to ensure that people who need accessible transportation are being served in a timely manner.

The requirement to obtain Board authorization to install flip seats is set out in Division 10.07(5)(a) of the *Motor Vehicle Act Regulations*. If the Board approves a flip seat application, it may require certification that vehicles meet the vehicle safety standards set out in [Division 10.07\(5\)](#). Licensees are responsible for meeting the vehicle safety requirements. For information about vehicle safety standards and certification requirements, contact [Commercial Vehicle Safety and Enforcement](#).

After The Board Issues a Decision

5.1 Approved Applications

Even when the Board approves an application, applicants cannot implement the Board decision and start operating until the Registrar of Passenger Transportation issues a new or amended passenger transportation licence. The Registrar of Passenger Transportation starts this process by contacting successful applicants and advising what is needed for the Registrar to issue a new or amended licence (and related certificates and identifiers for the vehicles).

Change of Rates applications are different. When the Board approves a Change of Rates application, the effective date of the change is set by the Board and communicated to the applicant. The applicant is independently responsible for implementing the rate changes on the effective date. This may involve reprogramming taxi meters and making changes to rates that are posted or advertised for the public.

5.2 Refused Applications

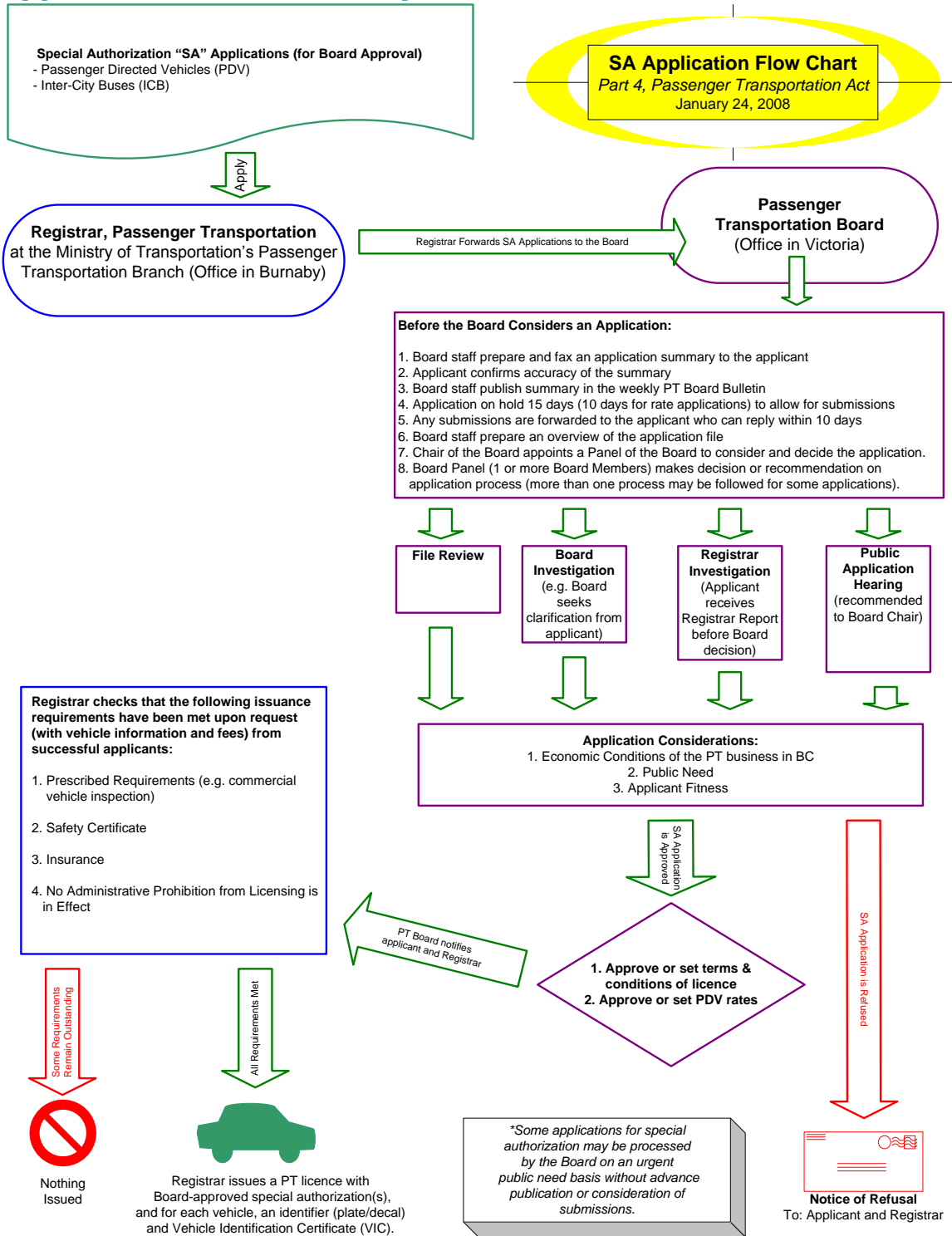
There is no right of appeal to the courts from a Board decision. Section 22 of the [Passenger Transportation Act](#) states that the Board has exclusive jurisdiction to hear and determine all matters of fact, law and discretion arising under the Act and these decisions are not open to review by the Courts. Nevertheless, a party dissatisfied with a decision or order of the Board may apply to the B.C. Supreme Court for a judicial review of a decision pursuant to the [Judicial Review Procedure Act](#).

Section 21(4) of the Passenger Transportation Act provides the Board with a limited power of reconsideration. The Board may reconsider, vary or rescind any decision of its decisions if the Board is satisfied that (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.

Requests for reconsideration must be made in writing, state the reason for the request, and describe in detail the grounds for the reconsideration request. Anyone who requests reconsideration will need to provide objective, factual and verifiable information and evidence that supports key reconsideration claims.

Appendix A

Application Flow Chart—Special Authorization



Appendix B

Timelines for Special Authorization Applications

Most applications that involve special authorization go through the following steps toward a decision on the application:

Step	Estimated Time* (Each Step)
1. Branch logs, processes and forwards application to the Board office.	10 days
2. Board staff draft application summary, send it to the applicant for verification, and publish it in the PT Board Bulletin (at the Board web site)	2 weeks
3. Public Submission Period	15 days (10 days for rate applications; 7 days for administrative transfer applications and applications to add engaged carrier authorization)
4. Applicant receives any written submission and sends Reply to the Board.	10 days
5. Board staff complete an overview of the application file.	3 weeks
6. Board Chair appoints the Panel (i.e. a Panel Chair and possibly other Panel Members) who will consider and decide the application. Board staff forward the application file to the Panel.	1 week
7. Application Considerations and Decisions	
a. Review of file materials only	4 weeks
b. Review of file materials and Board Investigation into application	6 weeks
c. Review of file materials and Registrar Investigation into application	7 weeks (3 with Registrar plus 4 with the Board)
d. Oral Application Hearing	4 months
8. Licence Activation by Registrar (if the Board approves the application)	4 days

****Actual timelines vary from one application to another.*** External factors can affect application timelines. These include the completeness of an application when received, the payment of required fees, the number of submissions received after publication in the PT Board Bulletin, the timeliness in supplying additional information or meeting additional requirements if applicable, the complexity of the issues raised by a particular application, and whether there are any external disruptions such as a hearing adjournment. The timelines set out above do not apply to applications where an urgent public need is found (by the Board) to exist, applications for administrative transfer, or to applications for Temporary Operating Permits (not addressed in this Handbook). Calendar days are used for the timeline estimates noted on this page.

Appendix C

Requirements by Application Type

C1 New Special Authorization Applications

See the tables in Appendices [D](#) and [E](#) for a list of requirements for New Special Authorization applications.

In addition to those requirements, the Board recommends that applicants also submit a "Condensed Service Plan" which provides a summary of a lot of the information included in the application package. See Board Sample Form 10 in the [Board "Sample Forms" Package](#).

C2 Transfer of Licence Applications

A licence holder (transferor) and another person (transferee) can jointly apply to transfer an entire licence that includes special authorization from the transferor to the transferee. The Registrar of Passenger Transportation requires that the transferor and transferee complete and submit its "Transfer of Licence" application form PT5025. [*see PT Branch [web site](#).*]

A transferred licence cannot be split into multiple licences, and a transferor cannot transfer part of the licence and keep part of the licence. The transfer process does not allow for any amendments to the terms and conditions of the licence. When a transfer application involves a licence with special authorization and general authorization, an application is needed for each type of authorization. (Contact the [Passenger Transportation Branch](#) about applying to transfer a licence with a General Authorization).

The transferor must maintain ***care and control*** over the operations under the passenger transportation licence until a decision is made and, if approved, a new licence is issued to by the Registrar.

The Board may approve a transfer application when it considers the transferee:

- a fit and proper person to provide service under the terms and conditions of the licence, and
- capable of providing service under terms and conditions of the licence.

The Board does not consider "public need" or matters relating to "sound economic conditions" when deciding whether to approve a transfer application.

Licences Must Be Renewed Pending an Application

Applications may become invalid if the licence to be transferred expires while an application is being considered. When a transfer application is in progress, the licensee (i.e. the transferor) is responsible for renewing the licence before the expiry date.

For changes in corporate ownership, see [section 2.12](#).

Administrative Transfer Applications

Transfer application requirements ([see Appendix D](#)) are streamlined when the Board is satisfied that the transfer application is administrative in nature. Generally this occurs when the principals for the transferor and transferee are the same or mostly the same individuals.

Examples of possible administrative transfers:

1. A sole proprietor converts the business to a limited corporation and the proprietor becomes the sole shareholder of the new corporation.
2. A partner leaves the partnership and the company changes from a partnership to (a) a sole proprietorship, (b) a new partnership or (c) a new corporation. Streamlined transfer application requirements would apply only where a majority of the original partners continue as principals for the transferee.
3. One corporation is voluntarily being dissolved and a new corporation is established with the same principals or majority of the same principals.

After receiving an application, the Board may contact an applicant and require additional information or documents to examine the circumstances of the transfer before it proceeds with an application decision. Such an examination may, among other things, include a review of the degree and impact of changes in the responsibilities of owners or the management team.

Streamlined Administrative Transfer Requirements:

When a transfer is administrative in nature, transferees are not required to submit, as part of their initial application, a business plan or a full set of financial statements (i.e. cashflow, income statement). Instead, and in addition to meeting the Registrar's application requirements, transferees must provide:

- Transferee Balance sheet
- Transferee Statement of Passenger Transportation Ownership Interests
- PDVs only: It is recommended that Transferees submit the transferor's rates and rules in their name; no changes can be made without making a change of rates application

The publication period for administrative transfers is 7 days (instead of 15 for regular transfer of licence applications).

C3 Amendment of Licence Applications

See the tables in Appendices [D](#) and [E](#) for a list of requirements for Amendment of Licence applications (PDV and ICB respectively).

For most Amendment of Licence applications, each of the required materials can be "scaled back" to focus on the particular amendment (or amendments) proposed in the application. For example, the business plan can focus on the special authorization that is requested as an amendment instead of covering the transportation business operations as a whole.

PDV Rates and Rules are not required unless the proposed amendment means the introduction of a new PDV service (e.g. a different size of vehicle or a different type of PDV service) and the rates that would be charged are not already covered in the current Rates and Rules (that were previously approved or set by the Board).

The [forms](#) required for a New Special Authorization (e.g. PDV Vehicle Proposal, PDV Service Proposal, ICB Route Proposal) are not required if the content of those forms are irrelevant to the scope of the proposed amendment. For example, if an applicant proposes to change the operating area but not the fleet size or types of vehicles to be operated, then the PDV Service Proposal form would be required but the PDV Vehicle Proposal would not.

The Board applies the "[three part test](#)" when deciding whether to approve an Amendment of Licence application (i.e. public need, applicant fitness and sound economic conditions).

C4 Additional Vehicles Applications (PDVs only)

See the table in Appendix [D](#) for a list of requirements for an Additional Vehicles Application.

In most cases, each of the required materials can focus on the additional vehicle(s) proposed in the application. As a guideline, the Board requires the following information when relevant to a particular Additional Vehicle application:

- Reason for needing more vehicles (e.g. revenue growth, had to refer calls to competitors, slow taxicab response times, etc)
- The date the fleet size was last increased
- Explanation of how the applicant chose a particular number of additional vehicles to apply for and documentation in support of the explanation.
- Information on how the additional vehicles would fit in with the existing fleet, operations and services that are offered.
- Capacity of the licensee to operate the proposed additional vehicles.
- Indication of who will operate the vehicles and under what contractual and financial arrangements (i.e. employee, contractor, subcontractor or lessee / what fees, costs, prices or compensation apply?).
- Implications for the company and for the traveling public if the additional vehicles were not approved by the Board.
- Whether revenue trends reflect an increasing demand, and explain why or why not.

The Board applies the "three part test" when deciding whether to approve an Additional Vehicles application (i.e. public need, applicant fitness and sound economic conditions).

C5 Change of Rates Applications (PDVs only)

Taxicabs must provide financial statements that support the proposed change of rates. Other passenger directed vehicles, including limousines, must provide supporting financial information; financial statements are not required.

Other Board requirements for Change of Rates applications are set out in [appendix E](#), with explanations in the following sections of this Handbook:

[3.7 Determining PDV Rates and Rules](#)

[4.5 Rates and Rules](#)

[4.7 Rationale for a Proposed Change of Rates](#)

[4.8 Public Notice](#)

[5.1 Approved Applications](#)

Also, see the [Board "Sample Forms" Package](#) for optional forms that applicants can use when proposing rates and rules.

Applications for a change of rates and rules may be considered in light of applicable, current Board rules respecting PDV rates. This includes rules respecting such matters as the Taxi Cost Index (TCI) or a rate surcharge that may be in effect.

Taxi Cost Index & Surcharges

At times, the Board establishes rules and processes for rate increases (such as a Taxi Cost Index or Temporary Fuel Surcharge) for certain PDVs that do not involve a Change of Rates application under section 35 of the Passenger Transportation [Act](#). The requirements set out in those rules will apply, not the requirements that apply to Change of Rates applications.

C6 Claiming Urgent Public Need (not applicable to Change of Rates applications)

A person or company may claim that an urgent public need exists when they apply for special authorization to operate passenger directed vehicles or inter-city buses.

In limited and compelling circumstances, the Board may be satisfied that an urgent public need exists, and that the application should be processed on that basis. Examples include:

- The only taxi company in town has stopped operating
- The applicant has negotiated a written contract with an employer, such as a railway company or postal company, respecting the transportation of company workers, and a copy of the contract has been submitted indicating an imminent start date.

The UPN process is generally not an option when licensed competitors are already operating in the proposed operating area, when an applicant is applying to introduce a more discretionary service such as a limousine, or when an applicant purchases an vehicle ahead of the required licensing.

Two Decisions Made by the Board

When an applicant submits a UPN claim with their application, the Board first decides whether to accept or decline the claim. That decision determines the process to be followed for the Board to make a decision on the application itself.

If the Board is satisfied that there is an urgent public need (“UPN”) for the service proposed in the application, it may process the application without giving public notice or receiving submissions. Normally, applications are published in the PT Board Bulletin and other persons are given time to make written submissions.

If the Board does not find that an urgent public need exists, the application must be published and submissions accepted before the Board makes a decision on the application. Thus, a claim of urgent public need may add a new step to the application process by requiring the Board to review the UPN claim and make a decision on this matter before proceeding to the next step. As well, when a UPN claim is declined, applicants should expect that their application will be returned to the “application queue” so it is processed in the order in which it was initially received at the Passenger Transportation Branch.

Deciding the UPN Claim

For the Board to accept a claim of urgent public need, the applicant must provide information and materials to satisfy that the public has an urgent need for the service being proposed. The applicant must submit a letter to the PT Board that claims the existence of an urgent public need for the proposed service, and which explains both the “public need” and “urgency.” “Urgent” is relevant to the public’s need, not the applicant’s.

When the Board considers whether an urgent public need exists, it may look at factors such as:

- Whether other licensees are available to provide the service to the public.
- Whether there is a real public demand for the service.
- How the urgency came to exist.
- Whether any of the urgency was due to the applicant’s delay.

Application Requirements

When an applicant claims the existence of an urgent public need, the items that would normally be required for the type of application being made must still be submitted. See Appendices [D](#), [F](#) and [G](#) of the Board Application Handbook. However, the application package may be less detailed than an application that would be published. For example:

Business plans should give a clear description of who will use the service, and include information about the applicant’s business experience.

Financial statements might be cash flow statements and are sufficient to enable the Board to determine whether the applicant has the resources required to implement and maintain the service.

Public Need Indicators If a licensee has stopped providing service, or a contracted service has gone through a public tender process, this verifiable information will need to be provided, either in the business plan and/or as supporting documents (such as a copy of a passenger transportation agreement or letter of intent to enter such an agreement).

The more complete the application, the less likely there will be a need for follow up questions or investigation that can delay the application. Also, if the Board refuses to process on the basis of UPN, the applicant may want to send more detailed information to the Board before the end of the submission period. The submission period for most applications ends 15 days after the application summary is published in the PT Board Bulletin.

In deciding a UPN application, the Board must still apply the “[three part test](#)” of public need, applicant fitness and sound economic conditions in the transportation business. In other words, “urgent public need” may affect how an application is processed, not the Board’s criteria for assessing an application.

For more information about Urgent Public Need, see [Operational Policy II.3](#) and [Board Advisory about Urgent Public Need](#).

Appendix D

PDV Application Requirements

Application requirements may vary according to the type of application that is being made. The following table sets out what materials must be submitted to the Board for four (out of five) types of “PDV applications.” This table includes Board requirements only. See the [Registrar’s application materials](#) for other applicable requirements.

[For “Change of Rates” applications, see [Appendix E.](#)]

Board PDV Application Requirements	New Special Authorization	Transfer of Licence (Regular)	Transfer of Licence (Administrative)	Amendment of Licence	Addition of Vehicles
<input type="checkbox"/> Checklist for Applications for Special Authorization [Board Form 1]	◆			◆	◆
<input type="checkbox"/> PDV Vehicle Proposal [Board Form 2]	◆			▼	◆
<input type="checkbox"/> PDV Service Proposal [Board Form 3]	◆			◆	
<input type="checkbox"/> Business Plan [Handbook s. 4.2]	◆	◆ ¹		◆	◆
<input type="checkbox"/> Financial Statements [Handbook s. 4.3]	◆	◆ ¹	◆ ²	◆	◆
<input type="checkbox"/> Public Need Indicators [Handbook ss. 3.3, 4.4 and appendix G]	◆			◆	◆
<input type="checkbox"/> Disclosure of Unlawful Activity & Bankruptcy [Form 6 & Handbook s. 3.4]	◆	◆ ¹	◆ ¹	◆	◆
<input type="checkbox"/> PDV Rates and Rules [Handbook s. 4.6 and appendix C5]	◆	★	★	▼	
<input type="checkbox"/> Disclosure of Passenger Transportation Ownership [Handbook s. 4.10]	◆	◆ ¹	◆ ¹	▼	▼
<input type="checkbox"/> Priority Dispatch Plan [Handbook s. 4.11]	▽			▽	▽
<input type="checkbox"/> Flip Seat Authorization Request [Handbook s. 4.12]	▼			▼	▼

Legend

- ◆ Required
- ◆¹ This requirement applies to the “transferee” only.
- ◆² Only a balance sheet is required. This must be provided by the “transferee.”
- ▼ Required only if applicable.
- ▽ Required only if vehicles are accessible taxis.
- ★ Recommended but not required. The transferee may submit rates and rules with the transferee’s name on them as long as there are no changes to the rates and rules themselves. Any new or different rates would require a Change of Rates application.

The above table includes Board requirements only. See the [Registrar’s application materials](#) for other applicable requirements which may include:

- Application Form Package for Special Authorization (PT5010)
- Licence Transfer Application (PT5025)

Appendix E

Change of Rates Application Requirements—PDVs

The following table serves as a checklist of the materials that a licensee must submit to the Board with an application to change rates or rules that were previously approved or set by the Board.

Board Requirements for <i>Change of Rates & Rules</i> Applications	Taxicabs	Other PDVs
<input type="checkbox"/> This Checklist (<i>Handbook appendix E</i>)	◆	◆
<input type="checkbox"/> Financial Statements [<i>Handbook s. 4.3 and appendix C5</i>]	◆	
<input type="checkbox"/> Supporting Financial Information [<i>Handbook appendix C5</i>]		◆
<input type="checkbox"/> Proposed Rates and Rules [<i>Handbook s. 4.6 & Board "Sample Forms" Package</i>]	◆	◆
<input type="checkbox"/> Rationale for a Proposed Change of Rates [<i>Handbook s. 4.7</i>]	◆	◆
<input type="checkbox"/> Written Notice to Each Affected Local Government [<i>Handbook s. 4.8</i>]	◆	

Legend

◆ Required

The above table includes Board requirements only. See the [Registrar's application materials](#) for other applicable requirements which may include:

- Application to Change Rates and Rules (PT5026)

Appendix F

ICB Application Requirements

Application requirements may vary according to the type of application that is being made.

The following table sets out what materials must be submitted for each of the three types of “ICB applications.” In some instances, materials may only be required for a portion of the application; these are noted in the table.

Board ICB Application Requirements	<u>New Special Authorization</u>	<u>Transfer of Licence (Regular)</u>	<u>Transfer of Licence (Administrative)</u>	<u>Amendment of Licence</u>
<input type="checkbox"/> Checklist for Applications for Special Authorization [Board Form 1]	◆			◆
<input type="checkbox"/> ICB Application Summary [Board Form 4]	◆			◆
<input type="checkbox"/> ICB Route Worksheet for each proposed ICB route [ICB Form 5]	◆			▼
<input type="checkbox"/> Business Plan [Handbook s. 4.2]	◆	◆ ¹		◆
<input type="checkbox"/> Financial Statements [Handbook s. 4.3]	◆	◆ ¹	◆ ²	◆
<input type="checkbox"/> Public Need Indicators [Handbook ss. 3.3, 4.4 and appendix G]	◆			◆
<input type="checkbox"/> Disclosure of Unlawful Activity and Bankruptcy [Form 6 and Handbook s. 3.4]	◆	◆ ¹	◆ ¹	◆
<input type="checkbox"/> Public Notice [Handbook s. 4.8 and Board Rule 35]				▼
<input type="checkbox"/> Sample ICB Time Schedule [Handbook s. 4.9]	◆			▼
<input type="checkbox"/> Disclosure of Passenger Transportation Ownership [Handbook s. 4.10]	◆	◆ ¹	◆ ¹	▼

Legend

- ◆ Required
- ◆¹ This requirement applies to the “[transferee](#)” only.
- ◆² Only a balance sheet is required. This must be provided by the “transferee.”
- ▼ Required only if applicable.

The above table includes Board requirements only. See the [Registrar’s application materials](#) for other applicable requirements which may include:

- Application Form Package for Special Authorization (PT5010)
- Licence Transfer Application (PT5025)

Appendix G

Public Need Indicators

The Board requires that applicants submit “public need indicators” with all “special authorization” applications except for a “transfer of licence” or a “change of rates” application. [Section 3.3](#) of this Handbook provides important general information about public need that applicants should read. This appendix complements that section by providing more specific information about the different types of “public need indicators” that the Board expects, depending on the type of application.

The Board views inter-city buses and taxicabs as complementary to the public transportation system used by many people in their daily life. Limousines, small charter vans and other types of transportation services can be more discretionary in nature—designed to provide a luxury service, serve a niche market or be an adjunct to a larger charter bus fleet. The type of service for which a person is applying is relevant to the type of supporting documentation for public need that the Board may expect. Below is a look at various types of transportation services and specific information that applicants may consider providing with their applications.

G1 Inter-City Buses (ICBs) & Public Need

New ICB Routes—“New Special Authorization” or “Amendment of Licence” applications

Applicants wanting to establish a new inter-city bus business (or amend a licence to add an additional inter-city bus route) should provide evidence of an ***“unmet” public need on the proposed corridors.***

Mostly, the Board looks for detailed information that the applicant collects directly from passengers who would use the proposed inter-city bus service. The minimum route frequency proposed by the applicant should be supported by the evidence that is given with an application.

Letters, emails and forms (written by the passengers who would benefit from the proposed ICB service) should contain the following details:

- why, when and how often the writer needs the proposed service
- whether they use any other services and why they would use the proposed service instead
- acknowledgement that proposed price levels are in line with their expectations
- the writer’s name and contact information

Applicants should advise each letter writer that their letter may be treated as a public document as part of the Passenger Transportation Board’s licence application process.

Reduction in Minimum Route Frequency

or Route Discontinuance—“Amendment of Licence” applications

An ICB operator applying for an amendment of licence to reduce the minimum route frequency (MRF) (or discontinue a particular route) requires a Board decision on what level of service meets the public need. If the Board determines that the proposed level of MRF will meet the public need, it may grant the application. If the Board determines that the proposed level of MRF will not meet the public need, then it may refuse the application or grant the application in part in a manner that meets the public need.

In a route reduction, the Board would be looking for information respecting ridership and availability and usage of other transportation options.

Evidence relating to public need can include statistics, passenger manifests, financial statements, and letters from agents and third parties that together show year-over year changes in:

- ridership (e.g. the number of individual passengers and where they embark and disembark)
- ICB operating revenues and expenses
- Letters and/or testimony from community members affected by the service.
- competition from other inter-city buses or competing non-bus services (e.g. air and rail)

With MRF reductions and route discontinuances, operators are required to post notices in community newspapers and to provide notices to municipalities and regional districts.

G2 Passenger Directed Vehicles (PDVs) & Public Need

Taxicabs—“New Special Authorization” or “Amendment of Licence” Applications

Applicants wanting to establish a new taxicab business (or to extend an existing service to a new area) should provide evidence of an ***“unmet” public need*** in that area. Mostly, the Board looks for detailed information that the applicant collects directly from passengers who would use the proposed taxicab service.

Letters and emails written by these passengers should contain the following details:

- why, when and how often the writer needs the proposed service
- whether they use any other services and why they would use the proposed service instead.
- Relevant price details, especially if prices are different from the competition in the area.
- the writer’s name and contact information.

Applicants should advise each letter writer that their letter may be treated as a public document as part of the Passenger Transportation Board’s licence application process.

Taxicabs—Addition of Vehicles Applications

Existing taxicab operators who apply for additional vehicles (to be operated within the same operating area) should supply evidence of a **growing public need that exceeds taxicab capacity in the area**. In these instances, past ridership data and recent trend information may be more useful than written support from prospective users. This can include trip sheets, call logs, financial statements, new contracts and correspondence directly from passengers who would benefit from there being more vehicles. The evidence should show year-over year increases in:

- ridership (e.g. the number of taxicab trips)
- passenger waiting times
- taxicab operating revenues

It is important for the applicant to demonstrate first that the existing fleet is operating at full capacity, and second that there is a need in the area to expand its fleet capacity. If other taxicab capacity exists in the area, the applicant should be able to explain why the unused capacity is not being used to meet the public need.

The applicant should also explain how the evidence of public need supports the specific number of additional vehicles requested. It is not enough that the evidence simply show that there is a public need for “some” more vehicles.

In cases where one or more local competitors is operating below its maximum fleet capacity, the applicant will be expected to explain why there is a public need to expand the applicant’s fleet size despite the existence of unused capacity in the same area. In cases where year-over-year changes in revenue and earnings are not consistent with growth in ridership, applicants should explain why.

Limousines & Shuttles—Overview

For applications pertaining to a limousine or other types of PDVs, other than taxicabs, the Board looks at the **business plan** and **financial statements** when considering public need, applicant fitness and economic conditions. The Board also considers evidence of public need from **third parties** who make bookings or referrals for passengers who use the non-taxicab services.

Limousines & Shuttles—“New Special Authorization” or “Amendment of Licence” Applications

Non-taxicab PDVs can include limousines and small shuttle van services.

Applicants wanting to operate limousines or shuttle vans (for example) as a new PDV service (or to extend an existing service to a new area) should provide evidence of an **“unmet” public need in that area**. These types of services may rely on travel agents, resort staff including a concierge, and other third parties or intermediaries to book its passenger transportation services. When this is the case, applicants can provide evidence of an unmet public need in the proposed operating area by collecting and submitting letters or emails written by third parties who deal directly with the passengers who use transportation services.

Letters and emails written by agents and third parties should contain the following details:

- why and how often does the writer or the writer's clientele need the proposed service
- whether the writer uses, recommends or books with any other services and why they would opt for the proposed service.
- relevant price details, especially if prices are different from competition in the area.
- the writer's name, company, title, and other contact information.

Applicants should advise each letter writer that their letter may be treated as a public document as part of the Passenger Transportation Board's licence application process.

Limousines & Shuttles—“Additional Vehicles” Applications

Existing limousine and van operators who apply for additional vehicles (to be operated within the same operating area) should supply evidence of a ***growing public need that exceeds the applicant's fleet capacity***. That is, applicants must provide public need indicators in the form of supporting materials and information that applicants collect or can assemble in the course of operating their businesses, and/or through the passengers and third parties who book or refer passengers. Examples include reservation logs, trip manifests, financial statements, new contracts, and letters from agents and third parties.

It is important for the applicant to demonstrate first that the existing fleet is operating at full capacity, and second that the need of the applicant's clients exceeds its fleet capacity. As well, if an applicant seeks, for example, 3 additional vehicles, the applicant should explain how the evidence showing public need supports 3 additional vehicles in particular. It is not enough that the evidence simply show that there is a public need for “some” more vehicles.

In cases where year-over-year changes in revenue and earnings are not consistent with a growth in ridership, applicants should explain why.

G3 Secondary Transportation Services & Public Need (PDV or ICB)

If an applicant owns a non-transportation business and seeks to provide transportation directly for its clientele (and receives compensation *directly* for providing that transportation) then *public need* must still be demonstrated. *Public need* may be demonstrated by information that describes the non-transportation business, the reasons that a passenger transportation is needed by clients to get to locations where the business operates, and the nature of the proposed transportation service (e.g. how often, how many passengers, and to and from what locations). Such applicants must also agree to limit passenger transportation to clients when using their non-transportation business.

Appendix H

Glossary

"Accessible taxi" is a vehicle that has been specially equipped to transport person using mobility devices and meets the requirements set out in the Motor Vehicle Act Regulations.

"Act" means the [Passenger Transportation Act](#) (established in British Columbia June 2004).

"Applicant" means a person who has made application to the Registrar for a licence and who seeks a special authorization to operate inter-city buses or passenger directed vehicles.

"Auxiliary passenger vehicle" means a commercial passenger vehicle when it is being operated for the transportation of persons if

- (a) the operator of the commercial passenger vehicle is a business enterprise,
- (b) the arrangement or provision of that transportation is not a primary business of that enterprise, and
- (c) no compensation is directly charged or collected for the provision of transportation.

"Board" means the Passenger Transportation Board (established under section 6 of the [Act](#)) and includes a member or panel of the board.

"Board application" refers to an application relating to special authorization for the operation of passenger directed vehicles or inter-city buses; all such applications are submitted to the Registrar and decided by the Board.

"Board staff" includes the Director and Secretary to the Board, the Policy and Communications Manager, Appeals and Operations Coordinator, the Research and Administrative Coordinator, other officers and employees required to allow the Board to perform its functions, and persons contracted on behalf of the Board to provide services to the Board.

"Branch" means the Passenger Transportation Branch and includes the Registrar and officers and employees of the Registrar.

"Bulletin" means the Passenger Transportation Board Bulletin.

"Care and control" refers to the obligation of a licensee under section 6 of the [Regulation](#) to do all things necessary to ensure that the [Act](#) and Regulation are complied with by drivers, operators, officers, agents and employees of the licensee.

"Chair" refers to the chair of the board established under section 6 of the [Passenger Transportation Act](#), and when used in relation to a panel of the board established under section 26 of the [Administrative Tribunals Act](#), "chair" refers to the chair of the panel.

"Commercial passenger vehicle" means a motor vehicle operated on a highway by or on behalf of a person who charges or collects compensation for the transportation of passengers in that motor vehicle.

"Compensation" includes a rate, remuneration or reward of any kind, payable or promised, or received or demanded, directly or indirectly.

"Conventional taxi" is any taxicab that is not an accessible taxi.

"Corporation" means an incorporated association, company, society, municipality or other incorporated body, where and however incorporated, and includes a corporation sole other than Her Majesty or the Lieutenant Governor.

"Day" means calendar day.

"Decision" includes a determination, an order or other decision.

"Flip Seats" refer to movable seats and let-down seats that are installed in accordance with Division 10.07(5) of the Motor Vehicle Act Regulations.

"Fitness" refers to the conduct and capacity of Passenger Transportation Licence holders and applicants to exercise powers conferred by the granting of a licence with regard to proper standards of conduct. This includes specific obligations under the Passenger Transportation Act such as the requirement that applicants and licence holders be fit and proper persons and capable of providing the service they are proposing or licensed to provide.

"General authorization" when used in relation to a motor vehicle, means an authorization to operate the motor vehicle as a general passenger vehicle. (Applications for general authorization are made to the registrar, not the board.)

"General passenger vehicle" means a commercial passenger vehicle when it is not operated as an inter-city bus or as a passenger directed vehicle.

"Highway" includes all public streets, roads, ways, trails, lanes, bridges, trestles, ferry landings and approaches, and any other public way.

"Holiday" includes

- (a) Sunday, Christmas Day, Good Friday and Easter Monday,
- (b) Canada Day, Victoria Day, British Columbia Day, Labour Day, Remembrance Day and New Year's Day,
- (c) December 26, and
- (d) a day set by the Parliament of Canada or by the Legislature, or appointed by proclamation of the Governor General or the Lieutenant Governor, to be observed as a day of general prayer or mourning, a day of public rejoicing or thanksgiving, a day for celebrating the birthday of the reigning Sovereign, or as a public holiday;

"ICB" is an abbreviation for inter-city bus.

"Identifier" means a uniquely numbered sticker, decal, tag or plate that is issued in respect of, and is to be attached to, a motor vehicle in respect of which a licence has been issued.

"Inter-city bus" means a commercial passenger vehicle when it is operated

- (a) on a set time schedule between any prescribed municipality or regional district in British Columbia and any other location, 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,
and includes or excludes any commercial passenger vehicle or class of commercial passenger vehicles prescribed by regulations.

“Licence” means a licence issued under section 25(1) or 29(1) of the Act. (A licence may be referred to as a **“passenger transportation licence.”**)

“Licensee” means a person who holds a valid licence that has been

- (a) issued to that person, or
- (b) transferred to that person in accordance with section 30 of the Act.

“Limousine” refers generally to a class of passenger directed vehicle that are advertised by the operator as a limousine and which, except for sedan limousines, accommodate a driver and 6 or more passengers, and further to section 23 of the Act, is not equipped with a top light and taxicab meter and is not used to carry passengers who hail or flag the vehicle from the street.

“Member” means a person appointed by the Lieutenant Governor in Council to the Passenger Transportation Board. (A member may also be referred to as a “board member.”)

“Motor vehicle” means a vehicle, not run on rails, that is designed to be self propelled or propelled by electric power obtained from overhead trolley wires, but does not include a motor assisted cycle (as defined in the Motor Vehicle Act).

“Municipality” means, as applicable,

- (a) the corporation into which the residents of an area are incorporated as a municipality under the Local Government Act, the Vancouver Charter or any other Act, or
- (b) the geographic area of the municipal corporation;

“Newspaper,” in a provision requiring publication in a newspaper, means a printed publication in sheet form, intended for general circulation, published regularly at intervals of not longer than a week, consisting in great part of news of current events of general interest;

“Panel” means a member or members appointed by the Board Chair to exercise some or all of the powers and duties of the Board.

“Participant” means any person who will make a submission at a hearing, and includes an applicant and a submitter, but does not include a witness or a “Guest of the Board” under [Rule 20](#).

“Passenger directed vehicle” means a commercial passenger vehicle if that vehicle

- (a) can accommodate a driver and not more than the number of passengers prescribed by the regulations, and
- (b) is operated to and from locations determined by the passenger or group of passengers or by a person acting on behalf of the passenger or group of passengers, and includes or excludes any commercial passenger vehicle or type of commercial passenger vehicle prescribed by regulation.

“Person” includes a corporation, partnership or party, and the personal or other legal representatives of a person to whom the context can apply according to law.

“Published” means published in a Bulletin that has been posted on the Board’s website.

“Regional district” means a regional district as defined under the [Local Government Act](#).

“PDV” is an abbreviation for passenger directed vehicle.

“Rates” includes discount fares, deadhead charges, round trip fares, point-to-point fares, minimum charges, and any other fees or charges.

“Registrar” means the Registrar of Passenger Transportation appointed under section 2 of the [Act](#). (The Registrar manages the Ministry of Transportation’s Passenger Transportation Branch.)

“Ridership” refers to the number of charter trips that are provided with respect to a party of one or more persons with exclusive use of a vehicle, or to the number of individual passengers carried by an operator providing and charging passengers on a per-person basis.

“Rules,” when used in reference to “rates” charged in relation to the operation of a passenger directed vehicle service, means any rule, practice or tariff of the licensee that relates to what is charged for providing the service.

“Secondary transportation service” means a service provided by using a commercial passenger vehicle that does not meet the definition of “auxiliary passenger vehicle” because compensation is charged or collected directly for the provision of transportation.

“Shuttle van” refers generally to a class of passenger directed vehicles that have a van-style body, accommodates a driver and not less than 6 and not more than 11 passengers, and is not a taxicab or limousine.

“Special authorization,” when used in relation to a motor vehicle, means an authorization to operate the motor vehicle as

- (a) an inter-city bus, or
- (b) a passenger directed vehicle.

“Submissions” refers to a written submission respecting an application that was received by the board which was made by a person other than an applicant in accordance with section 27(2) of the [Act](#), or to ‘applicant submissions’ when further information is required by the board and received from an applicant in accordance with section 27(1)(b) of the Act.

“Submitter” means a person, other than the applicant, permitted by the Board, pursuant to Section 27 of the [Act](#), to make submissions on an application.

“Taxicab” refers generally to a class of passenger directed vehicle that accommodates a driver and not more than 7 passengers, and further to section 23 of the [Act](#), is equipped with a top light and taxicab meter and is used to carry passengers who hail or flag the vehicle from the street.

“Three-part test” refers generally to the mandate of the Board as set out under section 28(1) of the [Act](#) (i.e. public need, applicant fitness/capability, and sound economic conditions).

“Transferee” is the person who is applying to have an existing licence transferred from another person (the transferor) and issued in the name of the transferee.

“Transferor” is the person who holds a current passenger transportation licence and is applying to have that licence transferred to and issued in the name of another person (transferee).

“Vehicle” means a device in, on or by which a person or thing is or may be transported or drawn on a highway, but does not include a device designed to be moved by human power, a device used exclusively on stationary rails or tracks or a motor assisted cycle (as defined in the [Motor Vehicle Act](#)).

Appendix I: Handbook Modifications

Previous Editions (and publication date):

1 st Edition:	April 28, 2006
2 nd Edition:	June 12, 2006
3 rd Edition:	June 8, 2007
4 th Edition:	March 12, 2008
5 th Edition:	February 11, 2009
6 th Edition:	July 22, 2010
7 th Edition	November 17, 2010
7 th Edition (Revision 1)	November 26, 2010

Summary of Modifications Appearing in the 7th Edition:

Section 3.4	(a) Revise information about the materials that the Board routinely receives from the Registrar. (b) Add information about Board considerations relating to information about unlawful activity and bankruptcy. (c) Add information respecting Ongoing Fitness.
Section 4.5	Add new section "Disclosure of Unlawful Activity and Bankruptcy." The addition of this section affects the numbering of other sections, and references to those sections. Adjustments have been made throughout the document.
Appendix B	Add a note that the waiting period for applications to add an engaged carrier authorization is 7 days
Appendices D-F	Note that a Disclosure of Unlawful Activity and Bankruptcy form must be submitted with an application
Appendix H	Add a definition of "fitness"

Summary of Modifications Appearing in Revision 1 of the 7th Edition:

Appendix E	A Disclosure of Unlawful Activity and Bankruptcy form is not required with a Change of Rates application. 7 th Edition changes to Appendix E indicated otherwise. A correction is made in this revision.
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