



TRANSPORTATION BOARD

202- 940 BLANSHARD STREET • PO BOX 9850 STN PROV GOVT • VICTORIA BC V8W 9T5

Passenger Transportation Board Bulletin

March 28, 2007

The *Passenger Transportation Board Bulletin* is published weekly on the web site of the Passenger Transportation Board. Printed copies are available directly from the Passenger Transportation Board at the address above.

The *PT Board Bulletin* gives notice of the applications for special authorization that have been received by the Board, the determinations the Board makes on those applications, as well as appeals from enforcement orders of the Registrar of Passenger Transportation. Board Advisories may also be published in the *PT Board Bulletin* to update the public and commercial passenger transportation industry on Board initiatives and changes to Board rules or procedure and policy guidelines.

March 28, 2007

Industry Advisory

Amendments to Terms and Conditions of Licence

Section 31(2) of the Passenger Transportation Act gives the Board a power to direct the Registrar to amend licences with special authorization. This power is limited by the parameters of section 31(3). These sections read:

(2) ... subject to subsection (3), the board may, on its own initiative, direct the registrar to amend a licence issued under Division 3 and, in that event, sections 28 (2) and 29 apply.

(3) The board may issue a direction under subsection (2)...
... (b) if the board is making amendments to all licences, or to all licences of that class of licences, to standardize the terms and conditions applicable to those licences,

The Board is directing that the Registrar make the following amendments to terms and conditions of licence.

1. Amend all licences to include a standard clause pertaining to transfer requirements

All Special Authorization licences will be amended to include the following clause.

Transfer of a licence: **This special authorization may not be assigned or transferred except with the approval of the Board pursuant to section 30 of the Passenger Transportation Act.**

This clarifies that to transfer a license, licensees must make an application under section 30 of the Passenger Transportation Act. Administrative sanctions may be imposed upon a licensee who transfers a licence without Board approval.

2. Changes to wording of the “originating area/terminating area” portion of Special Authorizations for Passenger Directed Vehicles

Originating Area: Transportation of passengers **may only** originate from any point in the City of the Future and points within 24 road kilometres of the City of the Future.

Destination Area (1): Transportation of passengers **may** terminate at any point in British Columbia and beyond the British Columbia/Alberta border when engaged in an extra-provincial undertaking...

Destination Area (2) Transportation of passengers **must** terminate within the City of the Future.

This amendment is designed to make it clear to licensees, enforcement officers and others that passengers may only be picked up and dropped off at specific locations. If the destination area is “any point” in the Province or extra provincially, this is a sufficiently broad area that “may” is appropriate.

However, if the destination area is a finite area within the Province then, "must" is the wording that will be used on terms and conditions of licence.

3. Amend all "taxicab" licences to refer to approval for a taxi camera program

A new "taxi camera" term and condition will be added to licences with a Special Authorization to operate Passenger Directed Vehicles where the vehicles' operation could be classified as a "taxicab".

Taxi Cameras: ■■■■ Taxi camera equipment may only be installed and operated in vehicles when the licensee is in compliance with applicable taxi camera rules, standards and orders of the Passenger Transportation Board.

The new term and condition will permit the installation and use of taxi cameras in vehicles when a licensee complies with applicable taxi camera rules, standards and orders of the Board.

Vehicle operations could be classified as a taxicab if licensees:

- a) Charge metered rates and have Board authorization to use a taxi meter, or
- b) Charge non-metered rates and have a licence that contains express authorization to use a top light or pick up hails and flags from the street, and operate one or more vehicles that carry no more than 7 passengers.

Implementation

These amendments will be made to terms and conditions of individual licence:

- immediately if there is any re-issuance of a licence related to an application, or
- starting June 2007 as licences are renewed. (This Industry Advisory will be included with renewal notices.)

If anyone has a question regarding these amendments, please contact:

Jan Broocke
Director & Secretary to the Board
Phone: 250-953-3777
Fax: 250-953-3788
Email: jan.broocke@gov.bc.ca

Part 1: Applications Received

Applications in which special authorization is sought are published in Part 1 of the *PT Board Bulletin*.

To see a more detailed summary of the application, click on the application number.

Application	Applicant	Brief Summary of Application	Deadline for Submissions
58-07	Ambrosia Tours Ltd. Penticton BC	New Special Authorization (PDV) Proposed new special authorization to operate passenger directed vehicles in the City of Penticton and within 25 road kilometers of the City of Penticton, or along the Kettle Valley Rail Trail, or from Kelowna International Airport with a maximum fleet size of 2 vehicles that accommodate a driver and not less than 7 and not more than 11 passengers.	April 12, 2007
T203-07	MC GUIRE, Gerald Thomas Vancouver BC dba A-Ace Limousine	Change of Rates (PDV) Proposed amendment to and increase in rates that were previously approved or set by the Board.	April 7, 2007
196-07	Perimeter Transportation Ltd. Vancouver BC	Amendment of Licence (PDV) Proposed amendment to expand the <i>vehicle capacity</i> from vehicles that accommodate 'a driver and 11 passengers' to vehicles that accommodate 'a driver and 9 - 11 passengers.' Addition of Motor Vehicles (PDV) Proposed addition of 3 motor vehicles to increase the maximum fleet size for passenger directed vehicles from 11 to 14 vehicles.	April 12, 2007

Submissions:

Any person may make a submission on an application to the Passenger Transportation Board. Submissions should relate to the following matters that the Board must consider (see section 28 of the Passenger Transportation Act):

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

All submissions must be:

- *in writing*
- *accompanied by a \$50 fee (payable only by cheque or money order to the Minister of Finance)*
- *received at the Passenger Transportation Board office in Victoria by 4:30 p.m. within 15 days of the PT Board Bulletin publication date (10 days for Change of Rates applications).*

All information that a person submits on an application is routinely disclosed by the Board to the applicant. Any person who gathers and submits personal information from third parties is subject to the Personal Information Protection Act and should not guarantee the confidentiality of the information being submitted.

Within 10 days of when a submission is forwarded by the Board to the applicant, the applicant may reply by sending written comments to the Board.

Part 2: Application Decisions

To see the full decision, click on the application number.

Application	Applicant	Brief Summary of Application	Decision
2768-06	Aclass Limousine Services Ltd. Kelowna BC	New Special Authorization (PDV) New special authorization to operate passenger directed vehicles in the City of Kelowna and City of Penticton with a maximum fleet size of 3 limousines that accommodate a driver and not less than 6 passengers and not more than 10 passengers.	Refused
2767-06	Legacy Limousine Services Ltd. North Vancouver BC (transferee) MERALI, Arif Hassanali North Vancouver BC (transferee)	Transfer of Licence (PDV) Transfer of passenger transportation licence 70566 from Arif Hassanali MERALI dba Legacy Limousine to Legacy Limousine Services Ltd.	Approved
218-07UPN	Mackenzie Taxi Ltd. Mackenzie BC	Amendment of Licence (PDV) Urgent Public Need Addition of Service 2 to originate from Tumbler Ridge and points within the District of Tumbler Ridge and points connected by roadway to the District of Tumbler Ridge that are located south of Highway 97 and southwest of Highway 2. Points on Highways 97 and 2 are excluded from the originating area. The Service will be limited to Canadian National Railway employees. Addition of Motor Vehicles (PDV) Addition of motor vehicles to increase the maximum fleet size for passenger directed vehicles from 6 to 7	Approved (see amendment below)
218-07UPN (amendment)	Mackenzie Taxi Ltd. Mackenzie BC	This amendment is to correct a clerical error in the "Issuance of Licence" and "Issuance of Identifier for Service 2" sections of the decisions, and to add a previously omitted Service Limitation under Service 2. All other terms and conditions remain as in the original decision.	Amendment approved
2914-06	Tofino Bus Services Ltd. Tofino BC	Amendment of Licence (ICB) Amendment to add inter-city bus "route 2" with terminating points in the City of Victoria and the District of Tofino. Amendment to add an express authorization for the transportation of standees. Amendment to add an engaged carrier authorization.	Approved as set out in the Decision

Part 3: Hearing Notices

None

Part 4: Appeal Decisions

None

Part 5: Decisions Whether Application for General
Authorization Requires Special Authorization

None

Part 6: Other Matters

None