



TRANSPORTATION BOARD

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

# Passenger Transportation Board Bulletin

September 5, 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.

---

August 29, 2007

# Industry Advisory

## Rail Crew Transport

### *Application*

This Notice applies to taxicab companies who have contracts with a railway company or its broker or agent for crew transportation services.

### *Context*

Many passenger transportation licences (with special authorization) contain the following type of clauses:

Service Limitation:	Service may only be provided to employees of <Name of Railway Company> with a written contract between licence holder and <name of agent or broker> on behalf of <Name of Railway Company> and as long as the Board has received and approved the rates set out in the contract.
------------------------	--

If the broker changes, licensees must apply to amend their licences to have the name of the broker changed. This is essentially an administrative change.

### ***Board Direction to Registrar of Passenger Transportation***

Pursuant to section 31(3) of the *Passenger Transportation Act*, the Board is directing the Registrar to amend all SA licences with a service limitation respecting the transportation of railway workers to revise the service limitation to read as follows:

Service Limitation:	Service may be provided only to persons employed or engaged by <Name of Railway Company> and only as long as a current written contract exists between the licence holder and <Name of Railway Company> or its broker or agent.
---------------------	---

---

September 5, 2007

# Industry Advisory

## Approval of Rates under a Contract Clause

### Context

Some licences have a clause which reads similar to the following:

Service Limitation: Service may be provided only to employees of **X** and only as long as a current written contract exists between the licence holder and **X** and **as long as the Passenger Transportation Board has received and approved the rates** (emphasis added).

These types of clauses generally apply when service is provided for crew transport of railway, ship or oil and gas workers or to postal employees or other specified groups. These contracts have been negotiated between the parties and the rates reflect these negotiations. Under this clause these contracted rates had to be filed with, and approved by, the Board.

The Board has reviewed this policy and concluded that the filing and approval of such contracted rates imposes an unnecessary regulatory requirement on industry and is not an efficient use of resources.

### Policy Change

The Board will not require approval of contracted rates as long as the conditions in both (a) and (b) below are met:

- (a) there is a valid, current written contract between a licensee and a company or its agent and
- (b) the licensee's conditions of licence have a service limitation specifying that service may only be provided if there is a current, valid contract between the licensee and, or on behalf of, a specified organization.

This policy is effective as of August 30, 2007.

### Interpretation

Licences that contain a contract clause will now be read as:

Service Limitation: Service may be provided only to employees of **X** and only as long as a current written contract exists between the licence holder and **X** or its broker or agent.

---

## 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**.

<b>Application</b>	<b>Applicant</b>	<b>Brief Summary of Application</b>	<b>Deadline for Submissions</b>
<u>T2233-07</u>	<b>Duncan Taxi Ltd.</b> Duncan BC	<b>Change of Rates (PDV)</b> Proposed 18% increase in metered taxi distance rates that were previously approved or set by the Board—from approximately \$1.78 per km to \$2.10 per km (6% GST included). The applicant is not proposing any change to the flag or waiting-time rates.	September 15, 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

Board decisions on applications for special authorization are published in Part 2 of the *PT Board Bulletin*. To see a more detailed summary of the application, click on the **application number**.

<b>Application</b>	<b>Applicant</b>	<b>Brief Summary of Application</b>	<b>Decision</b>
<u>T284-07</u>	<b>WAHLLA, Joginder Singh</b> Duncan BC  Dba Cowichan Valley Limousine	<b>Change of Rates (PDV)</b> Proposed amendment to rates that were previously approved or set by the Board.	Approved

---

---

## Part 3: Hearing Notices

To see the full notice, click on the "Notice" below.

Application	Applicant	Hearing Information	Deadline for Submissions
1623-07	<b>Garden City Cabs of Richmond Ltd.</b> Vancouver BC	<b>1623-07 (Hearing Notice)</b>  <b>November 5, 6, 7 and 8, 2007</b>  <b>9:00 a.m.</b>  <b>Sandman Signature Hotel Vancouver Airport 10251 St. Edwards Drive Richmond BC V6X 2M9</b>	September 26, 2007

---

### ***Submissions for Application Hearings:***

*Any person, including those who may have made a previous submission or objection, wishing to make a submission at this hearing must follow the steps below.*

*Any person wishing to make a submission on an application, within 21 days of the date that this notice is published in the PT Board Bulletin:*

- *pay to the board a fee of \$50 and*
- *provide to the board and applicant a written summary of the assertions and evidence that the submitter intends to present at a hearing*
- *provide proof of service documents referred to in subparagraph (b) above, at the request of the board.*

*If the board does not receive any requests for submissions, the board may order that an oral hearing be discontinued, and conducted via another means, such as in writing or by teleconference.*

*The Board may hold a pre-hearing conference into the application and may determine the date and time of such a conference.*

*The Board will provide the applicant and submitters with more information about hearing processes, once all submitters have been identified.*

## Part 4: Appeal Decisions

None

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

None

---

## Part 6: Other Matters

None