



TRANSPORTATION BOARD

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Passenger Transportation Board Bulletin

October 24, 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.

October 17, 2007

OVERVIEW OF RESULTS OF THE "INVITATION TO COMMENT" ON MINIMUM HOURLY RATES

On June 27, 2007, the Board issued an "Invitation to Comment" on proposed minimum rates for limousines and other non-taxi passenger directed vehicles. The invitation was published in the Bulletin and mailed to approximately 200 non-taxi PDV licensees.

The minimum rates proposed were as follows:

1. *Rates for Licensees with Originating Areas in the **Lower Mainland***
 - ♦ Sedan Limousines - **\$65 per hour**
 - ♦ Vehicles that can accommodate a driver and 6 passengers or more –**\$70 per hour**
2. *Rates for Licensees with Originating Areas **Outside Lower Mainland***
 - ♦ Sedan Limousines - **\$60**
 - ♦ Vehicles that can accommodate a driver and 6 passengers or more –**\$65 per hour**

The Board received 14 responses. The breakdown of responses is:

- ♦ 13 from, or on behalf of, licensees
- ♦ 7 from the Lower Mainland; 5 from outside the Lower Mainland; 1 from a licensee that provides crew transport services
- ♦ 1 from a Vancouver lawyer
- ♦ 3 licensees from outside the Lower Mainland support the minimum rates; 2 oppose the minimum rates
- ♦ 1 licensee from the Lower Mainland supports the minimum rates; 1 supports the 6 passenger rate, but not the sedan rate; 4 oppose the rates; 1 understands its not applicable to carriers with a contract clause and rates

Summary of Comments

There was no clear consensus among respondents. Those from outside the Lower Mainland seemed to support the simplification of regulation and its positive effect on business. However, there was no agreement on what minimum rates should be. Some stated that the rates are fair, some said too high and some said too low.

Respondents from within the Lower Mainland expressed concern over the proposal not to allow discounts below the minimum rates. This could impact some current contracts as well as cause operators to increase rates to incorporate minimums. The rates and rules as proposed could make services less palatable cost-wise to the public. Some respondents indicated that there needs to be allowances for vehicle substitutions as currently permitted under the rules of some licensees. For example, if a sedan is not available a carrier may substitute another vehicle, but charge the lower sedan rate.

There was concern that minimum rates may further increase differences between limousine operators charging hourly rates and the operator who charges zone rates from Vancouver International Airport. There was a suggestion that minimum rates should apply to all operators and be flexible enough to allow for whatever vehicles the carrier wishes to direct to any specific service to fulfill the needs of the traveling public. It was noted that the General Authority (GA)/Special Authority (SA) licensing has created an uneven playing field and that SUVs licensed as GAs are having a negative impact on the industry. Also, it was stated that the Act is being administered in a way that seems to protect taxis at the expense of limousines.

Some respondents noted that limousine rates should be de-regulated. Others noted that the proposed rates were too low or too high.

Board Conclusion

The Board thanks all those who took the time to respond to the "Invitation to Comments". The comments that were received were thoughtful and raised some significant points. However, the number of responses was low and no clear consensus has emerged. At this time, the Board will not be proceeding to introduce minimum hourly rates for limousines and other non-taxi passenger directed vehicles.

The Board still sees advantages to a minimum rate system and is willing to work with industry representatives to develop an approach to rates that is fair and workable.

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
<u>2730-07</u>	Enderby Taxi (2007) Ltd. Enderby BC (transferee)	Transfer of Licence (PDV) Proposed transfer of passenger transportation licence 70451 from COPEMAN, Ida Clara dba J.C. Taxi to Enderby Taxi (2007) Ltd.	November 8, 2007
	COPEMAN, Ida Clara Enderby BC (transferor) dba JC Taxi		
<u>AV2635-07</u>	Kootenay Taxi Ltd. Fernie BC	Addition of Motor Vehicles (PDV) Proposed addition of 2 motor vehicles to increase the maximum fleet size for passenger directed vehicles from 10 to 12 vehicles.	November 8, 2007
<u>AV2088-07</u>	Regent Limousine Service Ltd. Victoria BC	Addition of Motor Vehicles (PDV) Proposed addition of 1 motor vehicle to increase the maximum fleet size for passenger directed vehicles from 13 to 14 vehicles.	November 8, 2007
<u>2461-07</u>	Skeena Taxi Ltd. Prince Rupert BC	Amendment of Licence (PDV) Proposed addition of Service 3 providing service under contract with CN Rail and Albert Co-op.	November 8, 2007
<u>AV2114-07</u>	Whistler Resort Cabs Ltd. Whistler BC dba Resort Cabs	Addition of Motor Vehicles (PDV) - Republished Proposed addition of 10 motor vehicles to increase the maximum fleet size for passenger directed vehicles from 15 to 25 vehicles. This application is being republished because the previous application summary incorrectly included information that the applicant sought to include 3 accessible taxis as part of the additional 10 vehicles it is proposing to add to its maximum fleet size.	November 8, 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**.

Application	Applicant	Brief Summary of Application	Decision
<u>2730-07 UPN</u>	Enderby Taxi (2007) Ltd. Enderby BC (transferee) COPEMAN, Ida Clara Enderby BC (transferor) dba JC Taxi	Transfer of Licence (PDV) Transfer of passenger transportation licence 70451 from COPEMAN, Ida Clara dba J.C. Taxi to Enderby Taxi (2007) Ltd.	Claim of urgent public need refused. Application must be published and submissions accepted before application is considered by the Board.
<u>1560-07</u>	Prince George Taxi Holding Co. Ltd. Prince George BC (transferee) Centre City Cabs Ltd. Prince George BC (transferor)	Transfer of Licence (PDV) Transfer of passenger transportation licence 70095 from Centre City Cabs Ltd. to Prince George Taxi Holding Co. Ltd. This is an administrative transfer.	Approved as set out in the Decision
<u>13-07 TOP</u>	Time Limousine Service Ltd. Surrey BC	Application for Temporary Operating Permit (PDV) 1 temporary operating permit to operate for 2 days an additional passenger directed vehicle.	Approved
<u>1641-07</u>	WESTEROTH, Michael Steve Victoria BC	New Special Authorization (PDV) New special authorization to operate passenger directed vehicles in Victoria with a maximum fleet size of 1 taxi that accommodates a driver and not less than 2 and not more than 7 passengers.	Refused

Part 3: Hearing Notices

Notice of Application Hearing – New Hearing Date

Application	Applicant	Hearing Information
1623-07	Garden City Cabs of Richmond Ltd. Richmond BC Note: The Notice of New Hearing Date includes a note amendments by the applicant that differ from the original published application.	1623-07 – Notice of New Hearing Date Date: December 10, 11, 12, 13 and 14, 2007 Time: 9:00 am Place: Sandman Signature Hotel Vancouver Airport 10251 St. Edwards Drive Richmond BC V6X 2M9

Part 4: Appeal Decisions

None

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

None

Part 6: Other Matters

None