

## Application Decision Temporary Operating Permits

<b>Application # s, Applicants &amp; Number of Vehicles Requested</b>	438-15	Vancouver Taxi Ltd.	34
	439-15	MacLure’s Cabs (1984) Ltd.	32
	437-15	Black Top Cabs Ltd.	60
	435-15	Yellow Cab Company Ltd.	72
<b>Principals and Addresses of Applicants</b>	See Appendix I		
<b>Application Summary</b>	<p><b>Application for Temporary Operating Permit (PDV)</b> <i>(Section 26 of the Passenger Transportation Act)</i></p> <p>Each applicant applied for Temporary Operating Permits (TOPs) to operate on a “flexible as needed basis” for 91 days from December 7, 2015 – March 7, 2016.</p>		
<b>Board Decision</b>	<b>The Board approves a total of 58 Temporary Operating Permits for 30 days</b>		
<b>Decision Date</b>	December 8, 2015		
<b>Panel Chair</b>	Don Zurowski	<b>Panel Member (s)</b>	Spencer Mikituk

### I. Introduction and Background

Vancouver Taxi Ltd., MacLure’s Cabs (1984) Ltd., Black Top Cabs Ltd., and Yellow Cab Company Ltd. are applying collectively to add 198 additional taxis “as needed”, on a flexible part-time basis as determined by all four Vancouver Taxi Companies. The applicants describe this as a “pilot project” and are requesting the permits from December 7, 2015 through March 7, 2016.

Under another set of Temporary Operating Permits, the companies are currently approved to operate in total 99 peak period taxis from 3:00 p.m. – 6 a.m. through the month of December and from 3 p.m. - 7 a.m. on January 1, 2016, when the permits expire. The

Vancouver taxi companies have applied for a further set of 99 TOPs to enable them operate until the end of June 2016.

The applicants want to start the pilot project immediately “in time for the Christmas period and New Year's, to show everyone why this is the best means for fully satisfying the needs of taxi users in Vancouver”.

The applicants have engaged Dr. Garland Chow to conduct the pilot project. They indicate that in order to respond with “flexible cabs” the taxi companies will monitor hourly trip volumes and will deploy flexible cabs “only when trip volumes reach a high level, or when an impactful event such as sky train failure indicates extraordinary demand”.

Terms of Reference were provided by Dr. Chow. The background notes:

*An inherent challenge for service companies is the fluctuation of demand over time. Service cannot be stored or inventoried so service providers must have enough capacity to meet the service needs of its customers. This challenge is very much evidenced in the taxi sector in Vancouver where demand peaks on Friday and Saturday evenings exceed the capacity of the taxi sector to provide the same level of service provided in nearly every hour and day of the week other than these weekend peaks. There are seasonal peaks in taxi demand such as on December 31st prior to New Year's celebrations. There are other regular peak demands such as the morning and the afternoon rush hour on weekdays as well as irregular but scheduled events such as major sporting or entertainment event, cruise ship arrival and departure days and selected holidays. In addition there are many unscheduled events that cannot be planned for such as a shutdown of the transit system or a major weather downturn. The former increases demand for taxi service because the customers of the transit system seek an alternative. The latter reduces the capacity of the taxi companies to provide service because both because (sic) customers seek alternatives to walking, and because each trip cycle takes longer, thus each available vehicle makes fewer trips....*

*...The VTA has perceived that the public seeks improved taxi service and in light of potential competition from Transportation Network Companies (TNCs), if improved service is not provided, the VTA members will lose market share. The VTA has requested an analysis of their trip activity data from their dispatch systems to quantify the variability of trip demand and impact on service and productivity. Based on this analysis an estimate of the number of taxis that could be added to provide improved service to the public is provided.*

Dr. Chow reviewed data available from the 4 companies for 26 days in 2014 (Dec. 5-Dec.30). The data indicates significant increases in demand at peak times.

Dr. Chow noted that “*On the assumption that total demand has increased since 2014 and anticipating growth in 2015, it is recommended that the number of TOP vehicles be increased at a minimum of 162 with consideration of a higher figure to account for market growth and the higher peak day and hourly demand not reflected in the data available for this analysis*”

The Vancouver taxi companies and Dr. Chow refer to a “pilot project” undertaken by them in 2011. In that case, the Board approved 65 temporary operating permits for peak period taxis to operate on Friday and Saturday nights as well as high demand cruise ship days.

The Board sought additional details from the applicants, published the applications and requested input from the City of Vancouver. After reviewing the submissions, historical content, applicants’ responses, the pilot project’s terms of reference and response from the City, the Board approved the TOPs to be operated at peak periods.

## II. Relevant Legislation

Section 38(2) of the *Passenger Transportation Act* allows the Board to approve an application for a temporary operating permit if the board considers that there is an **urgent** and **temporary** need for the licensee to increase the number of motor vehicles that are or may be operated under the licence.

## III. Reasons

### *Board Policy*

The Board may grant a TOP if the Board considers that there is an urgent and temporary need for the licensee to increase the number of motor vehicles that are, or may be operated under the licence.

The onus is on the applicant to satisfy the Board that there is a need that is both urgent and temporary.

Temporary operating permits are considered individually on the basis of urgent and temporary need. TOPs are not a way to get authority for additional vehicles without making a formal application.

## *Analysis and Findings*

This application is referred to by the applicants and their consultant, Dr. Garland Chow, as a “proposal for a flexible Taxi Pilot Project.” Dr. Chow proposed that the pilot project should include not less than 162 vehicles and this application is for a combined total of 198.

As defined above, the purpose of Temporary Operating Permits (TOPs) is to address a temporary and urgent need. Although the application package generally advocated a need for the proposed service it did not focus on the temporary and urgent purpose of a TOP from December through to March. The data presented is not compelling as support for 198 TOPs to be put into service for a 3 month period, based on “urgent” need. Considering the size of this application, that it covers a time period beyond a seasonal spike and may impact others in the industry, we are not approving the 3 month pilot project as it does not meet the intent of “urgent” as contemplated in the legislation. As well, an application of this size should be published, allowing for submissions from interested parties.

The Board considers each application on its merits. The circumstances in which these applications are received are different from those in 2011. Since then, the Board has approved the addition of a total of 99 peak period taxis and 20 wheelchair accessible taxis to the Vancouver taxi fleets. (Currently, the 99 peak period taxis operate under TOPs.) As well, the City of Vancouver has a moratorium on taxi licences while it reviews, in consultation with a number of stakeholders, including the Board, the Ministry of Transportation and Infrastructure, other municipalities and industry, on a number of matters related to commercial passenger transportation.

The Board recognizes that there is generally a seasonal spike in taxi demand December and on New Year’s Eve. The evidence provided by Dr. Chow in his analysis of data in December 2014 indicates that the four Vancouver taxi companies, at various times, experienced increased demand during this time period.

Under the Board’s Festive Season TOP policy, licensees may request a 10% increase in the maximum fleet of full-time vehicles. This is a streamlined process where urgent and temporary need is recognized as a function of seasonal increased demand.

Based on the evidence that the Vancouver taxi companies experienced increased demand in December 2014 as well as the Board’s Festive Season TOP policy, we are approving the applications in part as follows:

	TOPs
Vancouver Taxi Ltd.	5
MacLure's Cabs (1984) Ltd.	7
Black Top Cabs Ltd.	20
Yellow Cab Company Ltd.	26
Total	58

These TOPs will be available from December 10, 2015 until January 8, 2016.

## **I. Conclusion**

For the reasons above, these TOP applications are approved in part.

Appendix I  
Principals and Addresses  
of Applicants

<b>Application #</b>	438-15	<b>Applicant</b>	Vancouver Taxi Ltd.
<b>Principals</b>	CHAUHAN, Pardaman Singh CHEEMA, Sahajpal DHALIWAL, Manjit Singh JUDGE, Harparkash S.		KESHAVARZI, Reza MANGAT, Dharminder NAHAL, Kashmir S. RANA, Balbir Singh SANDHU, Gurbux
<b>Address</b>	790 Clark Drive, Vancouver BC V5L 3J2		

<b>Application #</b>	439-15	<b>Applicant</b>	MacLure's Cabs (1984) Ltd
<b>Principals</b>	BANSAL, Gursharan DYAL, Gurdial NAGRA, Gурpal POONIA, Sucha		SIDHU, Jasvinder
<b>Address</b>	1275 West 75 <sup>th</sup> Avenue, Vancouver BC V6P 3G4		

<b>Application #</b>	437-15	<b>Applicant</b>	Black Top Cabs Ltd.
<b>Principals</b>	BAL, Kamaldeep DHILLON, Inderjit GARG, Gurjit MAHIL, Amrik		DHILLON, Avninder PADDA, Jaspal SAHAY, Ramendera
<b>Address</b>	777 Pacific Street, Vancouver BC V6Z 2R7		

<b>Application #</b>	436-15	<b>Applicant</b>	Yellow Cab Company Ltd.
<b>Principals</b>	JASWAL, Satnam SAHOTA, Kulwant		PABLA, Manjit SIDHU, Nirmaljit
<b>Address</b>	1441 Clark Drive, Vancouver BC V5L 3K9		

Appendix II  
Vancouver Taxi Ltd.

<b>Special Authorization</b>	<b>Passenger Directed Vehicle (PDV)</b>
<b>Terms &amp; Conditions of the Permit</b>	
<b>Vehicles</b>	
Maximum Operating Requirement:	Vehicles may only be for hire on: <ul style="list-style-type: none"> <li>December 10, 2015 to January 8, 2016</li> </ul>
Vehicle Capacity (T):	The vehicle accommodates a driver and not more than 7 passengers.
Specialty Vehicles:	The accessible taxis must be operated in accordance with the Motor Vehicle Act Regulations including Division 10 (motor carriers) and Division 44 (mobility aid accessible taxi standards), as amended from time to time, and in accordance with any other applicable equipment regulations and standards.
<b>Services</b>	
Originating Area:	Transportation of passengers may originate from any point in the City of Vancouver.
Destination Area:	Transportation of passengers may terminate at any point in British Columbia and beyond the British Columbia / United States border when engaged in an extra-provincial undertaking.
Return Trips:	The same passengers may be returned from where their trip terminates in the <i>destination area</i> to any point in the <i>originating area</i> if the return trip is arranged by the time the originating trip terminates.
Reverse Trips:	Transportation of passengers may originate in the <i>destination area</i> if the transportation terminates in the <i>originating area</i> and the cost of the trip is billed to an active account held by the licence holder that was established before the trip was arranged.
<b>Other</b>	
Express authorizations:	(i) Vehicles <b>must</b> be equipped with a meter that calculates fares on a time and distance basis. (ii) Vehicles may be equipped with a top light. (iii) Vehicles may, from within the originating area only, pick up passengers who hail or flag the motor vehicle from the street.
Taxi Cameras:	A digital taxi camera must be installed and operated in each of the permit holder's vehicles in accordance with applicable rules and orders of the Passenger Transportation Board.
Taxi Identification Code:	Each vehicle operated by the licensee must have a unique taxi identification code (TIC) affixed to the inside and outside of vehicles in a manner that complies with applicable rules, specifications and orders of the Passenger Transportation Board.
Taxi Bill of Rights:	a) A Taxi Bill of Rights issued by the Ministry of Transportation and

	<p>Infrastructure (“Taxi Bill of Rights”) must be affixed to an interior rear-seat, side window of each taxicab operated under the permit.</p> <p>b) The Taxi Bill of Rights must be displayed at all times in an upright position with the complete text intact and visible to passengers.</p> <p>c) Permittees may only display a current Taxi Bill of Rights.</p>
Permit Expiry:	The permits will expire on <b>January 8, 2016 at 11:59 p.m.</b>
Rates:	The <i>Board Rule Respecting Lower Mainland Taxicab Rates, Effective November 6, 2014</i> and <i>Standard Rules for Taxicab Rates, July 16, 2014</i> apply to vehicles operating under this permit.

Appendix III

MacLure's Cabs (1984) Ltd.

<b>Special Authorization</b>	<b>Passenger Directed Vehicle (PDV)</b>
<b>Terms &amp; Conditions of the Permit</b>	
<b>Vehicles</b>	
Maximum Operating Requirement:	Vehicles may only be for hire on: <ul style="list-style-type: none"> <li>December 10, 2015 to January 8, 2016</li> </ul>
Vehicle Capacity (T):	The vehicle accommodates a driver and not more than 7 passengers.
Specialty Vehicles:	The accessible taxis must be operated in accordance with the Motor Vehicle Act Regulations including Division 10 (motor carriers) and Division 44 (mobility aid accessible taxi standards), as amended from time to time, and in accordance with any other applicable equipment regulations and standards.
<b>Services</b>	
Originating Area:	Transportation of passengers may originate from any point in the City of Vancouver.
Destination Area:	Transportation of passengers may terminate at any point in British Columbia and beyond the British Columbia / United States border when engaged in an extra-provincial undertaking.
Return Trips:	The same passengers may be returned from where their trip terminates in the <i>destination area</i> to any point in the <i>originating area</i> if the return trip is arranged by the time the originating trip terminates.
Reverse Trips:	Transportation of passengers may originate in the <i>destination area</i> if the transportation terminates in the <i>originating area</i> and the cost of the trip is billed to an active account held by the licence holder that was established before the trip was arranged.
<b>Other</b>	
Express authorizations:	<ul style="list-style-type: none"> <li>(i) Vehicles <b>must</b> be equipped with a meter that calculates fares on a time and distance basis.</li> <li>(ii) Vehicles may be equipped with a top light.</li> <li>(iii) Vehicles may, from within the originating area only, pick up passengers who hail or flag the motor vehicle from the street.</li> </ul>
Taxi Cameras:	A digital taxi camera must be installed and operated in each of the permit holder's vehicles in accordance with applicable rules and orders of the Passenger Transportation Board.
Taxi Identification Code:	Each vehicle operated by the licensee must have a unique taxi identification code (TIC) affixed to the inside and outside of vehicles in a manner that complies with applicable rules, specifications and orders of the Passenger Transportation Board.
Taxi Bill of Rights:	a) A Taxi Bill of Rights issued by the Ministry of Transportation and Infrastructure ("Taxi Bill of Rights") must be affixed to an interior rear-

	<p>seat, side window of each taxicab operated under the permit.</p> <p>b) The Taxi Bill of Rights must be displayed at all times in an upright position with the complete text intact and visible to passengers.</p> <p>c) Permittees may only display a current Taxi Bill of Rights.</p>
Permit Expiry:	The permits will expire on <b>January 8, 2016 at 11:59 p.m.</b>
Rates:	The <i>Board Rule Respecting Lower Mainland Taxicab Rates, Effective November 6, 2014</i> and <i>Standard Rules for Taxicab Rates, July 16, 2014</i> apply to vehicles operating under this permit.

Appendix IV  
Black Top Cabs Ltd.

<b>Special Authorization</b>	<b>Passenger Directed Vehicle (PDV)</b>
<b>Terms &amp; Conditions of the Permit</b>	
<b>Vehicles</b>	
Maximum Operating Requirement:	Vehicles may only be for hire on: <ul style="list-style-type: none"> <li>December 7, 2015 to January 8, 2016</li> </ul>
Vehicle Capacity (T):	The vehicle accommodates a driver and not more than 7 passengers.
Specialty Vehicles:	The accessible taxis must be operated in accordance with the Motor Vehicle Act Regulations including Division 10 (motor carriers) and Division 44 (mobility aid accessible taxi standards), as amended from time to time, and in accordance with any other applicable equipment regulations and standards.
<b>Services</b>	
Originating Area:	Transportation of passengers may originate from any point in the City of Vancouver.
Destination Area:	Transportation of passengers may terminate at any point in British Columbia and beyond the British Columbia / United States border when engaged in an extra-provincial undertaking.
Return Trips:	The same passengers may be returned from where their trip terminates in the <i>destination area</i> to any point in the <i>originating area</i> if the return trip is arranged by the time the originating trip terminates.
Reverse Trips:	Transportation of passengers may originate in the <i>destination area</i> if the transportation terminates in the <i>originating area</i> and the cost of the trip is billed to an active account held by the licence holder that was established before the trip was arranged.
<b>Other</b>	
Express authorizations:	(i) Vehicles <b>must</b> be equipped with a meter that calculates fares on a time and distance basis. (ii) Vehicles may be equipped with a top light. (iii) Vehicles may, from within the originating area only, pick up passengers who hail or flag the motor vehicle from the street.
Taxi Cameras:	A digital taxi camera must be installed and operated in each of the permit holder's vehicles in accordance with applicable rules and orders of the Passenger Transportation Board.
Taxi Identification Code:	Each vehicle operated by the licensee must have a unique taxi identification code (TIC) affixed to the inside and outside of vehicles in a manner that complies with applicable rules, specifications and orders of the Passenger Transportation Board.
Taxi Bill of Rights:	a) A Taxi Bill of Rights issued by the Ministry of Transportation and Infrastructure ("Taxi Bill of Rights") must be affixed to an interior rear-

	<p>seat, side window of each taxicab operated under the permit.</p> <p>b) The Taxi Bill of Rights must be displayed at all times in an upright position with the complete text intact and visible to passengers.</p> <p>c) Permittees may only display a current Taxi Bill of Rights.</p>
Permit Expiry:	The permits will expire on <b>January 8, 2016 at 11:59 p.m.</b> or before if the licensee receives approval to operate peak period taxis on a permanent basis, thus giving effect to the Board's decision on Peak Period Taxi service in the City of Vancouver, issued on October 2, 2012.
Rates:	The <i>Board Rule Respecting Lower Mainland Taxicab Rates, Effective November 6, 2014</i> and <i>Standard Rules for Taxicab Rates, July 16, 2014</i> apply to vehicles operating under this permit.

Appendix V

Yellow Cab Company Ltd.

<b>Special Authorization</b>	<b>Passenger Directed Vehicle (PDV)</b>
<b>Terms &amp; Conditions of the Permit</b>	
<b>Vehicles</b>	
Maximum Operating Requirement:	Vehicles may only be for hire on: <ul style="list-style-type: none"> <li>December 7, 2015 to January 8, 2016</li> </ul>
Vehicle Capacity (T):	The vehicle accommodates a driver and not more than 7 passengers.
Specialty Vehicles:	The accessible taxis must be operated in accordance with the Motor Vehicle Act Regulations including Division 10 (motor carriers) and Division 44 (mobility aid accessible taxi standards), as amended from time to time, and in accordance with any other applicable equipment regulations and standards.
<b>Services</b>	
Originating Area:	Transportation of passengers may originate from any point in the City of Vancouver.
Destination Area:	Transportation of passengers may terminate at any point in British Columbia and beyond the British Columbia / United States border when engaged in an extra-provincial undertaking.
Return Trips:	The same passengers may be returned from where their trip terminates in the <i>destination area</i> to any point in the <i>originating area</i> if the return trip is arranged by the time the originating trip terminates.
Reverse Trips:	Transportation of passengers may originate in the <i>destination area</i> if the transportation terminates in the <i>originating area</i> and the cost of the trip is billed to an active account held by the licence holder that was established before the trip was arranged.
<b>Other</b>	
Express authorizations:	(i) Vehicles <b>must</b> be equipped with a meter that calculates fares on a time and distance basis. (ii) Vehicles may be equipped with a top light. (iii) Vehicles may, from within the originating area only, pick up passengers who hail or flag the motor vehicle from the street.
Taxi Cameras:	A digital taxi camera must be installed and operated in each of the permit holder's vehicles in accordance with applicable rules and orders of the Passenger Transportation Board.
Taxi Identification Code:	Each vehicle operated by the licensee must have a unique taxi identification code (TIC) affixed to the inside and outside of vehicles in a manner that complies with applicable rules, specifications and orders of the Passenger Transportation Board.
Taxi Bill of Rights:	a) A Taxi Bill of Rights issued by the Ministry of Transportation and Infrastructure ("Taxi Bill of Rights") must be affixed to an interior rear-

	<p>seat, side window of each taxicab operated under the permit.</p> <p>b) The Taxi Bill of Rights must be displayed at all times in an upright position with the complete text intact and visible to passengers.</p> <p>c) Permittees may only display a current Taxi Bill of Rights.</p>
Permit Expiry:	The permits will expire on <b>January 8, 2016 at 11:59 p.m.</b>
Rates:	The <i>Board Rule Respecting Lower Mainland Taxicab Rates, Effective November 6, 2014</i> and <i>Standard Rules for Taxicab Rates, July 16, 2014</i> apply to vehicles operating under this permit.