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*TRANSPORTATION BOARD*

# **ANNUAL REPORT**

**2006/07**



September, 2007

Honourable Kevin Falcon  
Minister of Transportation  
Province of British Columbia  
Rm. 306  
Parliament Buildings  
Victoria, British Columbia  
V8V 1X4

Dear Minister Falcon:

I am pleased to present the second Annual Report from the Passenger Transportation Board. The Report was prepared using the guidelines in the "Memorandum of Understanding" (MOU) between the Passenger Transportation Board and the Ministry of Transportation.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Dennis J. Day", is placed over a light grey rectangular background.

Dennis J. Day  
Chair  
Passenger Transportation Board

## *Message from the Chair*

The Passenger Transportation Board, established in June 2004, consists of 5 part-time members, including myself, and four full time staff. It meets every 6-8 weeks.

Board meetings focus on policy development and procedural matters. For example, in 2006/07, the Board finalized its "Application Handbook" and appeal processes, introduced a new program to enable the installation of cameras in taxicabs that operate outside of the Lower Mainland and approved a 2006 taxi cost index.

Both the Registrar of Passenger Transportation/Passenger Transportation Branch and the Passenger Transportation Board share responsibility for the implementation of the *Passenger Transportation Act*. It is important for the Board and the Branch to work cooperatively in the processing of applications and the development of policies that have a "cross-over" effect. As well, both the Board and the Branch must respect each other's independent jurisdictions.

I am pleased to say that there continues to be excellent cooperation at all levels of these two organizations. For example, the Branch and Board agreed on a procedure to amend licences based on the Board's direction and the Board developed a policy related to the Branch's activities in confirming seating capacity for stretch Sport Utility Vehicles.

In 2006/07, the Board processed over 160 applications. Almost 70% of these applications were decided based on the information supplied by the applicant and any submitters. Only 4 applications were set down for a public hearing. These continue to be challenging to complete according to the Board's "low" target for processing an application. None, however, exceeded the Board's "high" target. Although the Board strives for efficiency in completing hearings, it cannot do so at the expense of administrative fairness.

Fiscal 2006/07 was yet another productive year for the Board. We anticipate that in 2007/08, we will continue to look for opportunities to streamline processes, engage in stakeholder consultations and make decisions that are understood by applicants and the industry, within the Board's legislative mandate and that are administratively fair.

I would like to close by thanking my colleagues for their continued commitment to Board matters and to acknowledge the dedication and diligence of our staff.



Dennis J. Day  
Chair

## *Mission, Value and Goals of the Passenger Transportation Board*

The Passenger Transportation Board, an independent tribunal established pursuant to the *Passenger Transportation Act*, (a) makes decisions on applications for taxis, limousines and small vans and inter-city buses and (b) hears appeals regarding administrative penalties imposed by the Registrar of Passenger Transportation.

### *Mission*

This mission of the Passenger Transportation Board is to make decisions pertaining to the commercial passenger transportation industry in a way that

- enables people throughout the province to access diverse, stable and competitive commercial passenger transportation, and
- promotes consistency and fairness in application decisions and enforcement measures.

The Board will make its decisions in a timely, fair, consistent and open fashion, and will provide responsive and accurate information to applicants, submitters, agents, members of the public, government representatives and persons who appear before the Board.

### *Values*

**Integrity** – ethical, professional and honest conduct by members and staff of the Board.

**Fairness** – impartial decision making in accordance with the principles of administrative justice and the Board's legislative mandate; just treatment of applicants and submitters and others who participate in Board processes.

**Respect** - treat all persons who contact the Board, as well as colleagues, with courtesy, fairness and dignity.

**Accountability** –enhance or streamline Board processes and policies to foster the public's confidence in, and understanding of, Board decisions.

**Responsiveness** – to ensure that Board processes and policies enhance the public's confidence and understanding of Board decisions.

### *Goals*

1. Make decisions, within the mandate of the Act, that contribute to a commercial transportation system that serves the public, is run by capable operators and maintains the overall economic health of the industry.

2. Keep rules and processes relevant, simple and clear.
3. Enhance communication about, and satisfaction with, Board processes.
4. Make timely decisions on matters affecting applicants, submitters, appellants and other stakeholders.

## ***Overview of Regulatory Framework***

In June 2004, the Motor Carrier Act was repealed and the *Passenger Transportation Act* (PTA) took effect.

The PTA:

- Streamlines regulation for large tour and charter buses
- Reduces regulation for inter-city buses
- Continues regulation of taxis and limousines
- Introduces an administrative penalty scheme for compliance

### ***Administration***

Administration of the *Passenger Transportation Act* is a joint responsibility of the Passenger Transportation Board, a quasi-judicial body, and the Registrar of Passenger Transportation (who leads the Passenger Transportation Branch of the Ministry of Transportation)

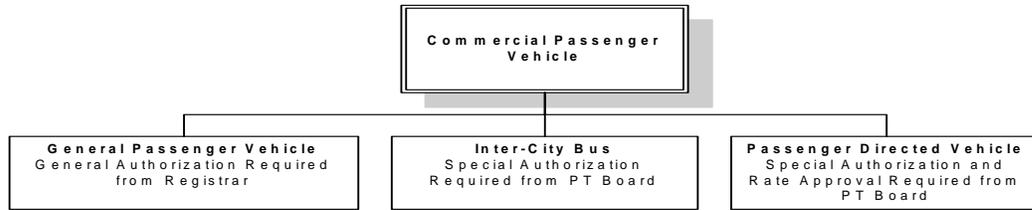
### ***Registrar and Passenger Transportation Branch, Ministry of Transportation***

- Accept all licence applications and issue all passenger transportation licences
- In cooperation with partner agencies (police and Ministry of Transportation's commercial vehicle inspectors), undertake compliance actions against both licensed carriers and unlicensed operators
- Manage an administrative penalty scheme for licensees who are not in compliance with their terms and conditions of licence

### ***Passenger Transportation Board***

- Considers applications for specific types of licences such as taxis, limousines and scheduled buses as well as transfers and licence amendment applications
- Hears appeals of administrative penalties imposed by the Registrar

## Types of Commercial Passenger Vehicles and Authorization Required



## Definitions of Vehicles Requiring a Special Authorization

*Inter-City Buses* (ICBs) operate

- ♦ On set time schedule between prescribed municipalities (other than GVRD or CRD)
- ♦ For individual fares
- ♦ Over a regular route
- ♦ Between fixed terminating points, picking up and dropping off passengers at intermediate points, as necessary

A common example is a privately operated (i.e. not public transit) scheduled service among 2 or more cities.

*Passenger Directed Vehicles* (PDVs)

- ♦ Accommodate a driver and not more than 11 passengers
- ♦ Operate to and from locations determined by or on behalf of the passengers

Common examples of PDVs include taxis, limousines, small charter or shuttle vans.

## Applications Considered by the Board

The Board may approve ICB and PDV applications if it considers:

1. There is a public need for the service;
2. The applicant is fit and proper and capable of providing the service; and
3. The application promotes sound economic conditions in the transportation business.

If the Board is considering a transfer application, it only considers whether the applicant is a fit and proper person and capable of providing the service.

If an application is approved, the PT Board may set terms and conditions of licensing.

Examples of terms and conditions include:

- ♦ Passenger pick-up and drop off locations for taxis and limousines
- ♦ Maximum fleet size for taxis and limousines
- ♦ Minimum route frequencies for inter-city buses

The PT Board also approves or sets rates for passenger directed vehicles.

## ***Members and Staff of the Passenger Transportation Board***

### ***Board Members***

The Board is appointed by the Lieutenant Governor in Council (Cabinet). There must be at least 3 Board members. Appointment processes and terms are governed by the *Administrative Tribunals Act*. The composition of the Board between April 1, 2006 and March 31, 2007 is as follows:

| <b>Member</b>          | <b>Initial Appointment</b> | <b>Term</b> | <b>Re-Appointment</b> | <b>Term</b> | <b>Per Diem</b> |
|------------------------|----------------------------|-------------|-----------------------|-------------|-----------------|
| ➤ Dennis Day,<br>Chair | June 28, 2004              | 3 years     |                       |             | \$525           |
| ➤ Kabel Atwall         | June 28, 2004              | 2 years     | June 27, 2006         | 2 years     | \$350           |
| ➤ Ranjiet Bhimji       | June 28, 2004              | 2 years     | June 27, 2006         | 18 months   | \$350           |
| ➤ Donna Hains          | June 28, 2004              | 2 years     | June 27, 2006         | 2 years     | \$350           |
| ➤ David McLean         | June 28, 2004              | 2 years     | June 27, 2006         | 18 months   | \$350           |

In the 2006/07 fiscal year, the Board held 6 meetings, 1 workshop and 1 teleconference. With the exception of one meeting and the teleconference, attendance was 100%.

In June, 2006, Cabinet approved the re-appointment of four members; two for 2 years and two for 18 months.

### ***Board Staff***

The Board is supported by a staff of 4 full-time employees who work out of the Board office in Victoria. Staff handles the administrative functions of the Board and responds to applicant inquiries.

Staff is as follows:

|               |   |
|---------------|---|
| Jan Broocke   | Director and Secretary                  |
| Michael McGee | Manager, Policy and Communications      |
| David Watling | Appeals and Operations Coordinator      |
| Kathy Mitten  | Research and Administrative Coordinator |

## Board Contact Information

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 Victoria, British Columbia  
**Phone:** 250-953-3777      **Facsimile:** 250-953-3788  
**Email:** ptboard@gov.bc.ca      **Web:** www.ptboard.bc.ca

## Passenger Transportation Board Budget

| Budget Category              | 2006 / 2007    |                |
|------------------------------|----------------|----------------|
|                              | Allocation     | Expenditure    |
| Salaries                     | 237,000        | 217,971        |
| Benefits                     | 59,000         | 53,665         |
| Board Per Diems and Travel   | 132,000        | 146,533        |
| Staff Travel                 | 17,000         | 15,316         |
| CITS                         | 0              | 446            |
| Professional Services        | 5,000          | 0              |
| Telephones                   | 0              | 4,062          |
| Office and business expenses | 34,000         | 20,956         |
| Statutory Notices            | 1,000          | 778            |
| Utilities                    | 0              | 5              |
| Operating equipment          | 2,000          | 0              |
| Amortization                 | 3,000          | 0              |
| Building occupancy           | 39,505         | 36,312         |
| Other Expenditures           |                | (339)          |
| Recoveries                   | (1,000)        | 0              |
| <b>Total</b>                 | <b>528,505</b> | <b>495,705</b> |

## Highlights of Activities in 2006/07

### Projects Completed

- **Revised Application Materials** – The Board and Branch undertook a joint review of application forms and related materials to provide more detailed information to individuals and companies who apply for a new special authorization or to change an existing special authorization (i.e. relating to passenger directed vehicles or inter-city buses).

The Board developed an "Application Handbook" as a reference guide for "special authorization applicants". The Handbook provides information on application requirements, the application process and how the Board makes decisions. In addition to the Board developed a "PDV Forms Package" and an "ICB Forms Package".

At the same time that the Board introduced its new application materials, the Passenger Transportation Branch introduced new licence application forms for special authorizations.

- **Taxi Cost Index 2006** – The Board approved a Taxi Cost Index (TCI) for 2006 which allowed taxicab operators to request a rate increase of up to 5.77%.

The TCI is a tool designed to assess rate increases based on objective measures of increased operating costs. The TCI has four components (each one with a separate weighting): wages (31%); fuel (19%); insurance (13%) and Consumer Price Index (37%). The Consumer Price Index component is adjusted to 80% of the 37% to encourage business efficiencies and reduce duplication of fuel and other costs.

TCI 2006 is based on net cost increases that occurred in 2004 and 2005. During these two years, fuel costs increased more than 22%, wages and CPI increased from 2.5 to 3% while taxi insurance costs declined by just more than 2%.

The implementation of TCI 2006 superseded TCI 2004. As well, the temporary fuel surcharge of 4.5%, approved in November 2005, ended for those companies who requested TCI 2006 prior to October 31, 2006. This meant the net change to rates was, in most cases, 1.27%

Over 220 taxicab licensees, out of approximately 275, requested TCI 2006. The Board established common rates and rules for taxicab operators in Nanaimo, Prince George, Port Alberni, the Lower Mainland and the Capital Regional District. For example, all taxicab licensees in the Capital Regional District operate under common rates and rules. Some operators in very small markets chose not to request TCI 2006.

- **GST Reduction in Rates** – In July, 2006, the Federal Government reduced the Goods and Services Tax by 1%. As a result, Board staff had to review all approved rates that included GST and make the necessary adjustment. This applied mainly to taxi operators as meters are calibrated to include GST. Most other passenger directed vehicle operators do not have GST included in their approved rates.
- **Temporary Fuel Surcharge Ended October 31, 2006** - On November 7, 2005, the Board established a temporary fuel surcharge of 4.5% for taxicabs in the province. This surcharge was put in place to give taxi operators temporary relief from fuel price increases without shifting the full costs to the passenger. With the availability of TCI 2006, the Board discontinued the Temporary Fuel Surcharge on October 31, 2006.

➤ **Stakeholder Consultations**

- A. *Passenger Directed Vehicle Advisory Committee (April 2006; November 2006)* – This advisory committee is comprised of representatives from the taxi and limousine industries, public transit, municipalities, persons with disabilities, the Passenger Transportation Branch and Passenger Transportation Board. At these meetings, the Board and Branch shared information on current activities/projects and responded to committee questions/comments. As well, industry and other committee representatives raised matters of concern to them, such as service issues, board processes and taxi supply in the Lower Mainland.
- B. *Limousine Forums, Victoria (December 2005)* – This forum was co-chaired by the Board and the Passenger Transportation Branch. Fifteen Vancouver Island industry representatives attended; however, most were from the greater Victoria area. The Board was represented by the Chair and one Board member as well as staff and the Registrar/Director and Deputy Registrar attended on behalf of the Branch. There was a good exchange of information at the meeting. Many of the Victoria companies had issues with the municipalities and their regulations. Some of the Board/Branch issues raised included hailing and flagging for limousines, new applications and application processes and rates.
- Okanagan* -The Board & Branch were prepared to meet with operators in the Okanagan/Interior in October. Only two operators pre-registered so the forum was cancelled.
- C. *Municipalities* - At the invitation of Council, the Registrar/Director of Passenger Transportation and the Director/Secretary to the Board met with the Council of the District of Maple Ridge in November, 2006 to provide an overview of licensing under the *Passenger Transportation Act*. In November, 2006, Board staff met with staff from the City of Richmond to discuss licensing matters.
- D. *Licensees in the Oil & Gas Industry* – In July 2006, a Board member and staff member met with some licensees in Dawson Creek who provide transport services for oil and gas crews. The focus of this meeting was for the Board to get information on the particular issues of this industry. Unfortunately, representatives from oil and gas companies that require crew transport services were unable to attend. The meeting coincided with an application hearing that was held in Chetwynd.
- E. *VANOC* – In May & July 2006, the Registrar/Director of Passenger Transportation and the Director/Secretary had 2 meetings with Director of Transportation Services staff of the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games (VANOC). These were preliminary meeting to gain a better understanding of the transportation needs of VANOC and the licensing structure under the Passenger Transportation Act.
- F. *Conferences/Workshops* – In May, 2006, the Chair of the Board and Director/Secretary to the Board attended a workshop hosted by the

Administrative Justice Office of the Ministry of Attorney General on Appraisal Training for British Columbia's Administrative Tribunals and in September 2006, the Director Secretary attended the International Association of Transportation Regulator's Conference.

➤ **Taxi Cameras**

- A *Program for licensees outside the Lower Mainland* - The Board established a new policy that permits the use of taxi cameras by licensees outside the Lower Mainland when the public and local governments are given notice, and when minimum equipment standards and procedural requirements are followed. The new standards are designed to deter crimes against taxi drivers, help investigating police officers identify suspects and prosecute offenders and establish safeguards that protect the privacy of passengers and drivers.
- B *Lower Mainland Taxi Camera Program Review* – In November 2006, the PT Board invited a group of Lower Mainland taxi camera stakeholders to review the Lower Mainland Taxi Camera program on an ad hoc basis and make recommendations to the PT Board on program adjustments that would improve the safety and privacy results that the program aims to achieve. Members include representatives of Vancouver Taxi companies, the BC Taxi Association, the Vancouver Police and the RCMP, installers (meter shops), the Passenger Transportation Branch and the City of Vancouver. It is chaired by the Board's Manager of Policy and Communications. The Group had 3 meetings which focused on the performance of taxi camera equipment relative to the safety and privacy objectives of the taxi camera program. The Lower Mainland taxi camera review group has concluded its review of equipment performance and will be looking at procedures and protocols. Final recommendations are expected in the summer of 2007.

- **Policy Guidelines** – The board introduced 3 policy guidelines in 2006/07. One outlined requirements for fuel surcharges proposed by non-taxi passenger directed vehicles. Another introduced streamlined application requirements when a transfer is administrative in nature, i.e. a sole proprietor wants to transfer to a company of which he or she is the sole shareholder. The final policy guideline indicated that if the Board approves an application for an additional vehicles based on a contract, the Board may make the additional vehicles conditional upon the existence of a contract.

Additionally, the Board developed policies regarding the processing of applications from limousine operators who had been operating a stretch SUV under a General Authorization licence but who, after a review of seating capacity and a weighing of the vehicle, were required to operate the vehicle under a Special Authorization.

- **Communications** – In 2006, the Board provided the following industry information on its website: a listing of Special Authorization Approvals, which is updated quarterly; a listing of metered taxicab and non-metered taxicab rates, which is updated as required; and a listing of common limousine rates in the Lower Mainland as of December 2006. The Passenger Transportation Board "Bulletin",

which contains summaries of applications received, hearing notices and all final decisions of the Board, was published every week except for the last week in December. Four "Industry Advisories" were posted in the "Bulletin" and on the Board's website.

- ***Amendments to licences*** – Pursuant to Section 31(2) of the Passenger Transportation Act, the Board initiated administrative amendments to terms and conditions of licence to include standardized wording with respect to licence transfers, originating/terminating areas and taxi cameras (this pertained only to taxicab operators).

### ***Projects Initiated or Underway***

- ***MOU with Ministry*** – the Board and the Ministry developed a draft Memorandum of Understanding (MOU) between the Minister and Board. It emphasizes the Board's independence in decision making as well as its accountability to the Minister for performance measures. The agreement is based on a model agreement developed by the Administrative Justice Office of the Ministry of Attorney General. It is anticipated that the MOU will be signed in the Spring of 2007.
- ***Vehicle Capacity Ranges for Taxis and Limousines*** - Although the notion of establishing vehicle capacity band for various types of passenger directed vehicles was originally introduced in 2005/06, resource issues and competing priorities precluded its introduction in 2006/07. It will be presented at the PDVAC meeting in April 2007, with implementation targeted for July 2007.
- ***Minimum Hourly Rates for Limousines and Other Passenger Directed Vehicles*** - The Board is considering introducing minimum hourly rates for limousines and other passenger directed vehicles that charge hourly rates. (It would not apply to taxis). Before introducing such a policy, the Board will notify and seek comments from affected licensees. These consultations will be undertaken in July 2007 and, depending on the results of the consultation, implementation is targeted for October, 2007.
- ***Operating Areas*** – The Board, in consultation with the Branch, is reviewing the descriptions of operating areas to determine if current wording is appropriate and clear and if there are any alternative approaches to describing operating areas.
- ***Rules of Practice & Procedure Review*** – The Board is undertaking a review of its Rules of Practice & Procedure, first published in June 2005.

## Special Authorization Matters

The Board's primary activity is reviewing applications related to special authorizations. A special authorization is required to operate passenger directed vehicles or intercity buses. Applications may be for new licences, to transfer or amend existing licences or to add vehicles to a passenger directed vehicle licence. As well, the Board must approve rates and rules for passenger directed vehicles. The steps in processing applications are listed in Appendix A.

The board may approve temporary operating permits (TOP) for passenger directed vehicles if there is an urgent and temporary need to increase fleet sizes. The Board may also be asked to make a determination on whether a particular application requires a special authorization.

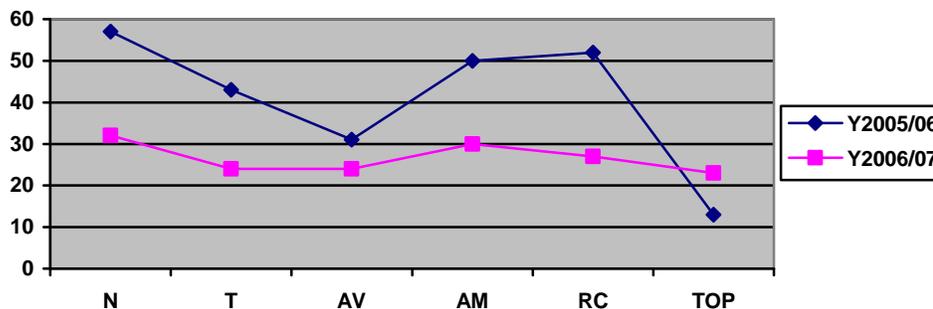
All final Board decisions on licensing applications are published in the PT Board Bulletin and posted at the Board's website - <http://www.ptboard.bc.ca/>

### Applications Received by Application Type

|         | New (N) | Transfer (T) | Additional Vehicle (AV) | Amendment (AM) | Rate Change (RC) | TOP | SA Required | Total |
|---------|---------|--------------|-------------------------|----------------|------------------|-----|-------------|-------|
| 2006/07 | 32      | 24           | 24                      | 30             | 27               | 23  | 4           | 164   |

Of these 164 applications received in 2006/07, all were decided within this reporting period. The Board received 11 applications pertaining to inter-city buses and the remainder pertained to passenger directed vehicles. All additional vehicle applications and change of rate applications pertained to passenger directed vehicles. The Board does not regulate bus fares or fleet sizes.

### Comparison of Applications Received by Type: 2005/06 & 2006/07



In 2005/06, the Board received 252 applications and in 2006/07, it received 164 applications.

### **Decided Applications by Regional District (excludes TOPs and SA Required): 2005/06 and 2006/07**

| Regional District         | # of Decided Apps 2005/06 | # of Decided Apps 2006/07 | Regional District                  | # of Decided Apps 2005/06 | # of Decided Apps 2006/07 |
|---------------------------|---------------------------|---------------------------|------------------------------------|---------------------------|---------------------------|
| Alberni-Clayoquot         | 6                         | 6                         | Kitimat-Stikine                    | 9                         | 4                         |
| Bulkley-Nechako           | 4                         | 5                         | Kootenay-Boundary                  | 2                         | 0                         |
| Capital Regional District | 42                        | 19                        | Mount Waddington                   | 2                         | 0                         |
| Cariboo Regional District | 2                         | 3                         | Nanaimo                            | 7                         | 2                         |
| Central Coast             | 0                         | 0                         | North Okanagan                     | 4                         | 1                         |
| Central Kootenay          | 2                         | 2                         | Northern Rockies                   | 7                         | 0                         |
| Central Okanagan          | 7                         | 2                         | Okanagan-Similkameen               | 11                        | 3                         |
| Columbia Shuswap          | 0                         | 1                         | Peace River                        | 12                        | 10                        |
| Comox-Strathcona          | 5                         | 3                         | Powell River                       | 0                         | 1                         |
| Cowichan Valley           | 2                         | 6                         | Skeena-Queen Charlotte             | 1                         | 3                         |
| East Kootenay             | 7                         | 3                         | Squamish-Lillooet                  | 10                        | 4                         |
| Fraser Valley             | 7                         | 2                         | Sunshine Coast                     | 2                         | 1                         |
| Fraser-Fort George        | 3                         | 7                         | Thompson-Nicola                    | 13                        | 1                         |
| Metro Vancouver           | 58                        | 43                        | Multi Regional or Extra Provincial | 5                         | 3                         |
|                           |                           |                           | Islands Trust                      | 3                         | 1                         |

### **RECONSIDERATIONS**

The Board may reconsider a decision 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.

The Board received 6 reconsideration requests in 2006/07. Of these, the Board determined that 4 should be reconsidered. Out of these 4, the Board varied its decision on 1 application (to approve the application), rescinded its decision on 2 applications (and subsequently approved the application) and confirmed its decision on 1 application. Two reconsideration requests did not proceed as the requestor did not demonstrate grounds for reconsideration.

## *Board Performance Measures 2006/07*

The Board considers 2005/06 as its base year for performance targets and results. These performance targets were reviewed and confirmed by the Board in 2006/07. The Board reviews performance results at each Board meeting and seeks ways to improve our performance and timelines.

*Reporting Constraints:* The results of Board database reports are based on the date an application is received. If a report is done for a particular time period (e.g. April 3, 2006- March 30, 2007), the reports will provide performance results only for applications that were received during this period and closed by the time the database report is compiled (i.e. August 24, 2007).

The results reported in 2005/06 did not include one application file that was received during the 2005/06 fiscal period but which had not yet been completed when the report was compiled on January 30, 2007. This was an application that was set down received by the Board on January 12, 2006 and set down for a hearing that was originally scheduled to start on June 19<sup>th</sup>; however, at the request of participants, the Board adjourned the hearing until Sept. 25<sup>th</sup>. This portion of the hearing lasted four days and then continued on November 13<sup>th</sup> for 2.5 days with final, written submissions closing on Dec. 13<sup>th</sup> 2007. The Board issued its decision on February 9 2007. Processing time was 396 days. Although this significantly exceeds the Board's high targets, the application was complex, there were 13 submitters, 22 witnesses, including 2 experts, and a 3 panel Board.

*Reporting Timelines* – These are the total number of days that an application was in process with the Board, including times when the application may be in abeyance pending receipt of further information, e.g. submission/reply periods; applicant is providing further information; or the Registrar is completing an investigation. With public hearings, the reported timelines include adjournments and continuations. Most adjournments are at the request of applicants or submitters.

### *Performance Targets*

| <b>Process and Track</b>                    | <b>Low Target</b> | <b>High Target</b> |
|---|-------------------|--------------------|
| <b>Application Files</b>                    | <b># days</b>     | <b># days</b>      |
| File Review                                 | 89 or less        | 90 - 156           |
| Board Investigation                         | 113 or less       | 114 - 192          |
| Registrar                                   | 117 or less       | 118 - 205          |
| Registrar Investigation and Hearing         | 197 or less       | 198 - 331          |
| Hearing                                     | 178 or less       | 179 - 293          |
| UPN   | 37 or less        | 38 - 75            |
| <b>Temporary Operating Permits</b>          | 15 or less        | 16 - 30            |
| <b>Special Authorization Determinations</b> | 14 or less        | 15 - 35            |

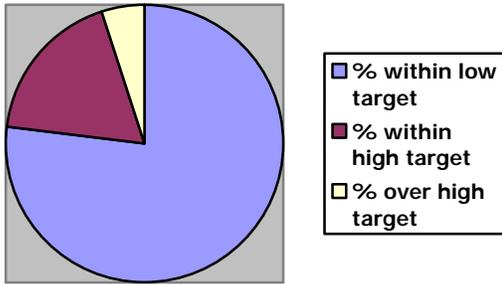
## Performance Results\*

### Application Processing Times in Relation to Performance Targets

|  | # Board Decisions | Average # of days for Board to make a decision** | % within low target | % within high target | % over high target |
|--|-------------------|--|---------------------|----------------------|--------------------|
| <b>Application Files Received in 06/07</b>       |                   |  |                     |                      |                    |
| File Review                                      | 95                | 76   | 77                  | 18                   | 5                  |
| Board Investigation                              | 17                | 112  | 65                  | 29                   | 6                  |
| Registrar  | 9                 | 153  | 0                   | 100                  | 0                  |
| Registrar Investigation and Hearing              | 0                 | 0  | 0                   | 0                    | 0                  |
| Hearing  | 4                 | 189  | 25                  | 75                   | 0                  |
| UPN***   | 12                | 10   | 100                 | 0                    | 0                  |
| <b>Temporary Operating Permits (TOP)</b>         | 23                | 10   | 83                  | 0                    | 17                 |
| <b>Special Authorization (SA) Determinations</b> | 4                 | 11   | 75                  | 25                   | 0                  |

- \* These performance results were based on applications received between April 3, 2006 - March 30, 2007 and closed by August 24, 2007. (Note: All applications received in 2006/07 had been decided by August, 24, 2007.)
- \*\* These timelines are from when an application is received at the Board office until a decision letter is sent to an applicant.
- \*\*\* A "UPN" is an application that is processed on the basis of "urgent public need". In such cases, the Board need not publish notice of the application or accept or consider any written submissions provided in respect of the application if the board is satisfied that there is an *urgent public need* for the service proposed in the application.

**Graph Showing Percentages of Decisions within Low, High and Over Targets**



**Comparison of Application Processing Times in Relation to Performance Targets: 2005/06 & 2006/07**

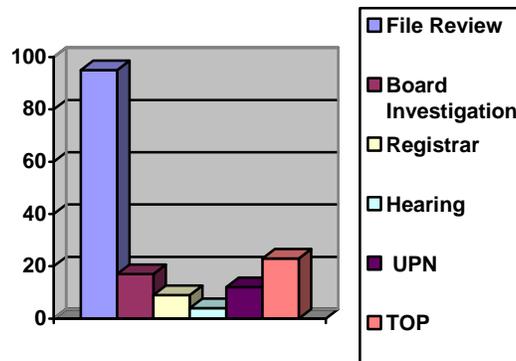
|   | # Board Decisions |       | Average # of days for Board to make a decision** |       | % within low target |            | % within high target |            | % over high target |           |
|---|-------------------|-------|--|-------|---------------------|------------|----------------------|------------|--------------------|-----------|
|   | 05/06             | 06/07 | 05/06  | 06/07 | 05/06               | 06/07      | 05/06                | 06/07      | 05/06              | 06/07     |
| <b>Application Files Received in 05/06*</b> |                   |       |  |       |                     |            |                      |            |                    |           |
| File Review                                 | 168               | 95    | 73   | 76    | <b>78</b>           | <b>77</b>  | <b>21</b>            | <b>18</b>  | <b>1</b>           | <b>5</b>  |
| Board Investigation                         | 16                | 17    | 121  | 112   | <b>56</b>           | <b>65</b>  | <b>31</b>            | <b>29</b>  | <b>13</b>          | <b>6</b>  |
| Registrar Investigation                     | 16                | 9     | 193  | 153   | <b>12</b>           | <b>0</b>   | <b>44</b>            | <b>100</b> | <b>44</b>          | <b>0</b>  |
| Registrar Investigation and Hearing         | 1                 | 0     | 208  | 0     | <b>0</b>            | <b>0</b>   | <b>100</b>           | <b>0</b>   | <b>0</b>           | <b>0</b>  |
| Hearing                                     | 10                | 4     | 257  | 189   | <b>30</b>           | <b>25</b>  | <b>50</b>            | <b>75</b>  | <b>20</b>          | <b>0</b>  |
| UPN   | 21                | 12    | 7  | 10    | <b>100</b>          | <b>100</b> | <b>0</b>             | <b>0</b>   | <b>0</b>           | <b>0</b>  |
| <b>Temporary Operating Permits</b>          | 13                | 23    | 4  | 10    | <b>100</b>          | <b>83</b>  | <b>0</b>             | <b>0</b>   | <b>0</b>           | <b>17</b> |
| <b>Special Authorization Determinations</b> | 5                 | 4     | 28   | 11    | <b>20</b>           | <b>75</b>  | <b>60</b>            | <b>25</b>  | <b>20</b>          | <b>0</b>  |

**Application Processing Times at Various Stages of the Application Process**

|   | # Files | Average # of days from Board's receipt of application to appointment of Panel** | Average # of days from panel appointed to draft decision | Average # of days from draft decision to final decision sent to applicant |
|---|---------|---|--|---|
| <b>Application Files Decided in 06/07</b> |         |   |  |   |
| File Review                               | 95      | 43  | 27   | 6   |
| Board Investigation                       | 17      | 42  | 66   | 4   |
| Registrar Investigation                   | 9       | 53  | 96   | 4   |
| Registrar Investigation and Hearing       | 0       | 0   | 0  | 0   |
| Hearing                                   | 4       | 57  | 126  | 6   |
| UPN                                       | 12      | 3   | 5  | 2   |
| Temporary Operating Permits               | 23      | 1   | 8  | 1   |
| Special Authorization Determinations      | 4       | 9   | 2  | 0   |

\* Includes submission/reply period which is a minimum of 15 days for most applications except change of rates which is 10 days.

**Number of Board Decisions by Decision Making Process (Excluding Special Authorization Determinations)**



**Average Processing Time in Days by Application Type: 2006/07 & 2005/06**

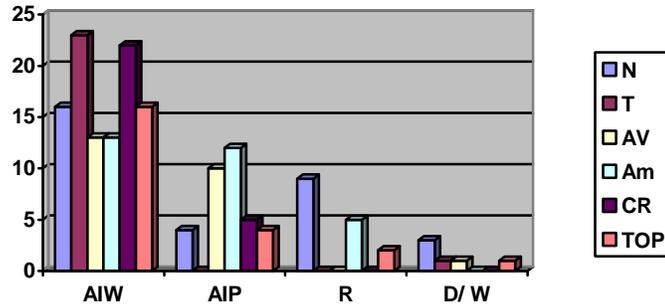
|                              | N  | T  | AV  | Am  | RC | Total Ave. # Days | TOP | SA |
|------------------------------|----|----|-----|-----|----|-------------------|-----|----|
| Avg.# days to decision 06/07 | 78 | 67 | 103 | 89  | 77 | 83                | 10  | 11 |
| Avg.# days to decision 05/06 | 81 | 64 | 120 | 102 | 83 | 90                | 4   | 28 |

**Board Decisions by Type of Application and Outcomes (Excludes SA Determinations)**

| Application Type        | # Approved in Whole (AIW) | # Approved in Part (AIP) | # Refused (R) | # Dismissed (D) | # With-drawn (W) | # of Decisions |
|-------------------------|---------------------------|--------------------------|---------------|-----------------|------------------|----------------|
| New (N)                 | 16                        | 4                        | 9             | 0               | 3                | 32             |
| Transfer (T)            | 23                        | 0                        | 0             | 1               | 0                | 24             |
| Additional Vehicle (AV) | 13                        | 10                       | 0             | 1               | 0                | 24             |
| Amendment (Am)          | 13                        | 12                       | 5             | 0               | 0                | 30             |
| Change of Rate (CR)     | 22                        | 5                        | 0             | 0               | 0                | 27             |
| TOP                     | 16                        | 4                        | 2             | 1               | 0                | 23             |
| Total                   | 103                       | 35                       | 16            | 3               | 3                | 160            |

The Registrar sent 4 application files to the Board for a determination on whether a special authorization was required. Of these, the Board determined that 2 did not require a special authorization, 1 did require a special authorization and for 1 the Board need more information in order to make a determination.

*Graph of Board Decisions by Outcomes*



**APPEALS**

The Board has the authority to hear appeals regarding the imposition of administrative penalties on a licensee by the Registrar of Passenger Transportation. No appeals were filed in 2006/07.

## Appendix A: Steps in the Processing Special Authorization Licence Applications

1. *Applications are submitted* to the Passenger Transportation Branch which forwards completed applications to the Board office.
2. *Board staff draft an application summary*, send it to the applicant for verification, and publish it in the PT Board Bulletin (at the Board web site)
3. *Public Submission/Reply Period* – From the date an application summary is published, any person usually has up to 15 days to make written submissions on the application to the Board and pay a \$50 submission fee within the same time period. Submissions are forwarded to applicants, who have 10 days to reply. (An exception to this step is if an application is processed on an “urgent public need” basis.)
4. *Board staff completes an overview* of the application file for transmittal to the Board.
5. *Board Chair appoints a Panel* who will consider and decide the application. Board staff forwards the application file to the Panel.
6. *Application Considerations and Decisions* – the Panel reviews the file and determines which process should be followed to make a decision. These processes include:
  - a) Review of file materials only – decision is made on application file materials, including information from the applicant and any submitters
  - b) Review of file materials and Board Investigation into application – the Board follows up with questions to the applicant, submitters or other parties
  - c) Review of file materials and Registrar Investigation – the Board asks the Registrar to undertake an investigation of an application and provide a report. The applicant is given an opportunity to respond to this report and then it is sent to the panel.
  - d) Oral Hearing – the Board sets the application down for a public hearing. A hearing notice is published and persons have 21 days to give notice that they wish to make submissions at the hearing and to pay the \$50 fee.
7. *Decision sent to the applicant and Registrar* – the board’s decision on an application is sent to both the applicant and Registrar. Decisions following a public hearing are also sent to submitters.
8. *Decision published in the Bulletin* – all final decisions on applications are published in the Board’s bulletin.
9. *Licence Issuance by Registrar* - if the Board approves the application and the licensee meets specified safety standards, the Registrar issues the licence.

Note: Rate change applications follow similar steps except the submission period is 10 days and these applications cannot be processed on the basis of urgent public need.

*Steps 2-8 are the responsibility of the Passenger Transportation Board*