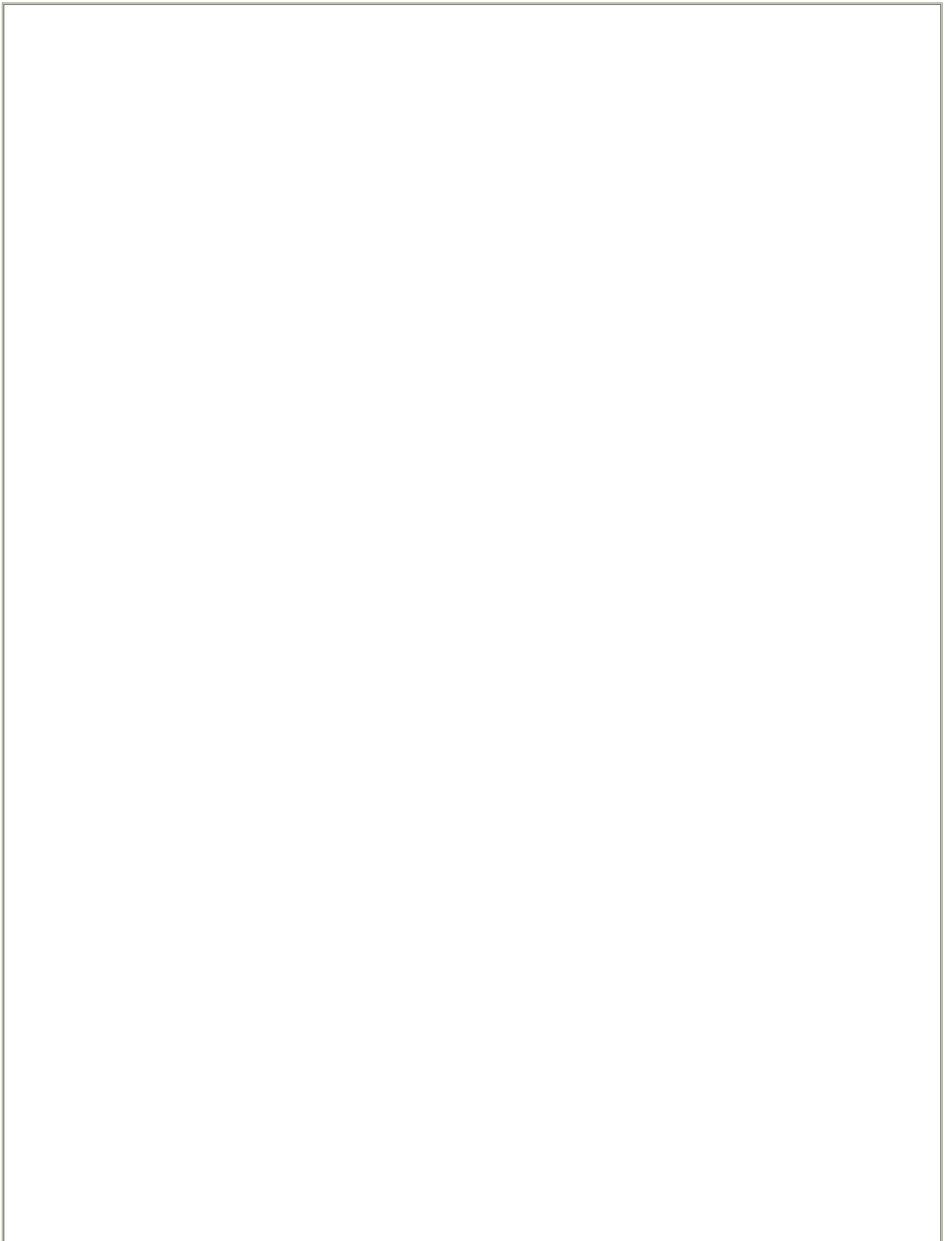


Passenger

TRANSPORTATION BOARD

**ANNUAL REPORT
2009/10**



September 24, 2010

Honourable Shirley Bond
Minister of Transportation & Infrastructure
Parliament Buildings
Victoria, British Columbia
V8V 1X4

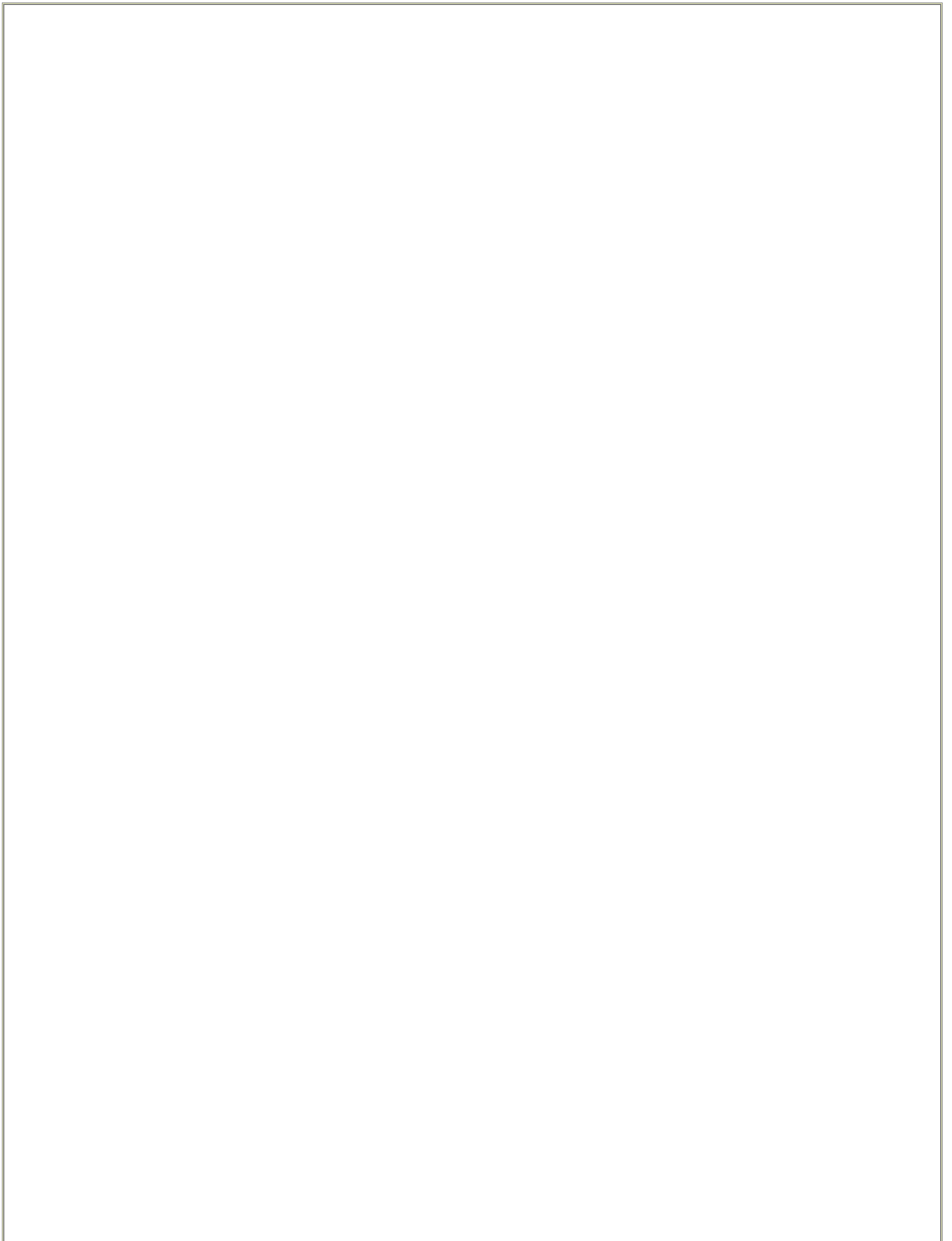
Dear Minister Bond:

I am pleased to present the fifth Annual Report from the Passenger Transportation Board. The Report was prepared using the guidelines in the *Memorandum of Understanding* between the Passenger Transportation Board and the Ministry of Transportation and Infrastructure. The Report covers the period from April 1, 2009 to March 31, 2010.

Yours sincerely,



Dennis J. Day
Chair
Passenger Transportation Board



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Message from the Chair

I am pleased to present this Annual Report of the Passenger Transportation Board (“Board”). Once again, we had a very busy and productive year. This report highlights our accomplishments, initiatives and performance.

We are a small, yet industrious team. For most of 2009/10, there were 5 part-time members, including myself. In January 2010, a new member was appointed to the Board. The Board is supported by 4 full time staff.

The Board meets every 6 to 8 weeks. Board meetings focus on policy development and procedural matters.

In 2009/10, the Board finalized a three year Strategic Plan. This plan will guide the Board’s key policy and program initiatives. Pursuant to our MOU with the Ministry, the Plan was approved by the Minister and is posted on our website.

As well, in 2009/10, the Board implemented its regulatory measures for the 2010 Olympic and Paralympic Games. These measures enabled the supply of taxis and limousines to increase to accommodate residents and visitors during the Games.

Supply returned to normal levels after the Games.

Under the *Passenger Transportation Act*, the Registrar of Passenger Transportation and the Passenger Transportation Board have separate roles and duties. Cooperation is needed to complete many tasks. For example, the Board and the Passenger Transportation Branch (“Branch”) worked cooperatively on 2010 initiatives.

At the same time, the two organizations respect each other’s independence. The Branch does not get involved in Board decision making. The Board does not get involved in enforcement and compliance activities. There continues to be excellent cooperation at all levels of these two organizations.

In 2009/10, the Board processed 157 files. About 65% of these applications were decided based on information in the file from the applicant and any submitters. Only 1 application was set down for a public hearing. This was a public meeting on an application from an inter-city bus company to reduce its minimum route frequency.

We continue to strive for efficiency and administrative fairness in all our processes.

We undertook consultations during 2009/10. Our Passenger Directed Vehicle Advisory Committee met

twice. The Board and Branch hosted an Information Session for taxi and limousine representatives in November 2009. Representatives from VANOC, the City of Vancouver and the Resort Municipality of Whistler provided brief presentations to participants. The session was well attended and positive. The Board continued to meet with municipal officials and the Vancouver International Airport Authority regarding Olympic planning. These, too, were fruitful meetings.

I look forward to another productive year in 2010/11. We will focus on implementing our Strategic Plan activities, including the *Accessible Transportation Discussion Paper*, a plain language rewrite of Board documents and licensee fitness.

As well, Board members will continue to consider all applications received and make decisions that are in keeping with the Board's mandate and the principles of administrative fairness.

I would like to express my appreciation for the work and dedication of Donna Hains and Kabel Atwall whose appointments expired on March 31, 2010. Both were instrumental in developing Board policies and processes. I welcome Don Zurowski, who joined the Board in January 2010. Tracy Gray will become a Board member as of April 1, 2010.

I will end by acknowledging the contributions of Board members and staff. Their enthusiasm, team spirit

and dedication ensure that the goals and objectives of the Board are accomplished.



Dennis J. Day
Chair

Mission, Values Goals & Objectives

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

I Mission

The 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.

II 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.

III Goals & Objectives

Goal A

- *Policies contribute to a commercial transportation system that serves the public, is run by capable operators and maintains the overall economic health of the industry*

Objectives

Board policies facilitate:

1. a dynamic, innovative and healthy industry
2. licensing of responsible, competent transportation operators
3. diversity in passenger transportation service

Goal B

- *Board processes are clear and relevant*

Objective

1. Processes are efficient, effective and administratively fair

Goal C

Board facilitates communications between the Board and stakeholders

Objective

1. Board communications are interactive and meaningful.

Goal D

Board promotes organizational excellence and accountability

Objectives

1. Board fosters a culture of professionalism, administrative fairness and consistency in decision making.
2. Board members and staff have the skills and expertise to fulfill their governance responsibilities.
3. Board evaluates its performance against objectives.
4. Board is accountable to government and the public.

Overview of Regulatory Framework

The Passenger Transportation Board is created under the *Passenger Transportation Act*. The Board is an administrative tribunal.

I Administration

Administration of the *Passenger Transportation Act* is a joint responsibility of the Passenger Transportation Board and the Passenger Transportation Branch.

II Registrar and Passenger Transportation Branch, Ministry of Transportation and Infrastructure

The Registrar of Passenger Transportation leads the Passenger Transportation Branch. The Branch:

- ❖ Accepts licence applications
- ❖ Issues passenger transportation licences
- ❖ In cooperation with partner agencies (police and Ministry of Transportation and Infrastructure's commercial

vehicle inspectors), undertakes compliance actions against both licensed and unlicensed operators

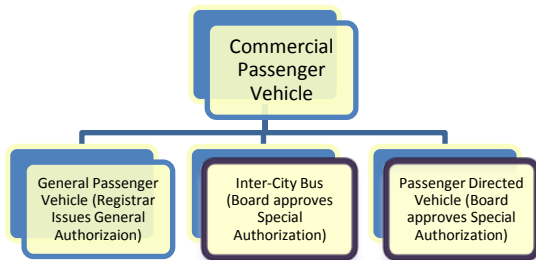
- ❖ Manages an administrative penalty scheme for licensees who are not in compliance with their terms and conditions of licence

III Passenger Transportation Board

The Passenger Transportation Board:

- ❖ Decides:
 - applications for new taxis, limousines and inter-city bus licences
 - licence transfer and amendment applications for taxis, limousines and inter-city buses
 - additional vehicle and rate change applications for taxis and limousines
- ❖ Hears appeals of administrative penalties imposed by the Registrar

IV Types of Commercial Passenger Vehicles and Authorization Required



V Definitions of Vehicles Requiring a Special Authorization

Inter-City Buses (ICBs)

- ❖ Operate on set time schedules between municipalities (other than those in the 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 private bus service operated on a schedule between 2 or more cities. Inter-city buses are not public transit buses.

Passenger Directed Vehicles (PDVs)

- ❖ Carry a driver and not more than 11 passengers
- ❖ Operate to and from locations determined by the passengers

Common examples of PDVs include taxis, limousines and shuttle vans.

VI Applications Considered by the Board

The Board may approve applications if it considers:

- ❖ There is a public need for the service
- ❖ The applicant is fit and proper and capable of providing the service
- ❖ The application promotes sound economic conditions in the transportation business

Applicant fitness is the only factor the Board considers in transfer applications.

If an application is approved, the Board sets terms and conditions for a license.

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 rates for passenger directed vehicles.

Board Members and Staff

I Board Members

Board members make decisions on applications and appeals.

The Board is appointed by Cabinet. The *Passenger Transportation Act* says that there must be at least 3 Board members. One member must be designated as Chair.

Appointment processes and terms are governed by the *Administrative Tribunals Act*. Under this Act, the Chair may, after consultation with the Minister, appoint an individual to

be a Board member for a term of up to 6 months. An individual may be appointed only twice in any 2 year period.

The Cabinet appointments of Board Members Atwall and Hains expired on July 31, 2009. On August 31, 2009, the Board Chair appointed Kabel Atwall and Donna Hains each for a 6 month term under the *Administrative Tribunals Act*. These appointments were extended for one month and expired on March 31, 2010.

Don Zurowski was appointed by Cabinet to the Board on January 1, 2010 for a 2 year term.

In the 2009/10 fiscal year, there were 8 Board meetings.

Member	Appointed By	Initial Appointment Effective	Current Term Expiry Date
➤ <i>Dennis Day, Chair</i>	Cabinet	June, 2004	June 27, 2011
➤ <i>William Bell</i>	Cabinet	January, 2008	February 1, 2011
➤ <i>Brenda M. Brown</i>	Cabinet	December 31, 2008	December 31, 2010
➤ <i>Don Zurowski</i>	Cabinet	January, 2010	January 1, 2012
➤ <i>Kabel Atwall</i>	Cabinet/ Board Chair*	June, 2004/ August, 2009	
➤ <i>Donna Hains</i>	Cabinet/ Board Chair*	June, 2004/ August 2009	

* Until July 2009, Members Hains and Atwall were appointed by Cabinet to the Board. From August 31, 2009 – March 31, 2010 they were appointed to the Board by the Chair under section 6 of the *Administrative Tribunals Act*.

II Board Staff

The Board is supported by a staff of 4 full-time employees who work out of the Board office in Victoria. Staff handle the administrative functions of the Board, undertake policy initiatives and respond to applicant inquiries.

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

III Board Contact Information

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 Victoria, British Columbia, V8W 9T5
Street Address: 202-940 Blanshard Street
 Victoria, British Columbia
Phone: 250-953-3777 Facsimile: 250-953-3788
Email: ptboard@gov.bc.ca Web: www.ptboard.bc.ca

IV Passenger Transportation Board Budget

2009/10		
Budget Category	Allocation	Expenditure
Salaries	251,000	250,968
Benefits	60,000	60,617
Board Per Diems and Travel	110,000	150,066
Staff Travel	11,000	5,783
Building Occupancy/WTS	68,000	64,637
Information Systems / Professional Services	12,000	782
Office and Business Expenses	44,000	10,941
Statutory Notices	1,000	0
Amortization	3,000	0
Other Expenditures	1,000	0
Recoveries	(2,000)	0
Total	559,000	543,794

Highlights of Activities & Accomplishments in 2009/10

I Projects Completed

1. *Strategic Plan 2009/10-2011/12*

In 2005, the Board considered its mandate and developed its mission, values and goals. After nearly five years of operations, the Board recognized it was time to look back at these statements and look forward to the future. In the spring & summer of 2009, the Board engaged in an in-house strategic planning exercise. All Board members and staff participated.

The Board concluded that its mission and values are still relevant. Goals were revised. Objectives and strategies were developed and performance measures were set for the next three years.

The Board's *Strategic Plan: 2009/10-2011/12* sets 4 goals that focus on key aspects of the tribunal's business: policy, process, communication and governance. Each goal has objectives, related strategies and clear performance measures.

The Board met all of its performance measures for 2009/10, except for one. This one was deferred to 2010/11 as it was better matched for activities planned for that fiscal.

The Strategic Plan is available for viewing on the Board's website.

http://www.th.gov.bc.ca/ptb/images/annual_reporst/StrategicPlan.jpg

2. *2010 Regulatory Measures*

The 2010 Olympic and Paralympic Games created unique opportunities and challenges for the taxi and limousine industries: responding to a short term spike in demand while maintaining service to residents. Prior to the Olympics, the Board and the Passenger Transportation Branch of the Ministry of Transportation and Infrastructure consulted on this issue with industry, municipal representatives and members of VANOC. These consultations resulted in the Board's *Regulatory Framework for the 2010 Olympic and Paralympic Games*, which was published in September, 2009.

The Board introduced three measures that enabled taxi and limousine operators to increase the supply of vehicles on a temporary basis. These measures gave opportunities to companies operating within the Greater Vancouver Regional District (GVRD) and the Squamish Lillooet Regional District (SLRD), as well as operators in other areas of the province who wanted to participate in

the Olympic experience. All three measures were developed from provisions within the Passenger Transportation Act.

1. 2010 Temporary Operating Permits

Taxi and limousine operators could increase their fleet size for a 60 or 92 day period during the Games.

2. 2010 Temporary Service Clauses

Taxi and limousine operators from outside the GVRD and SLRD, who were aligned with a local company, were able to provide service in these Regional Districts. Taxi operators were required to maintain at least 65% of their vehicles in their home service area.

3. 2010 Temporary Boundary Relaxation for Taxis

Taxi operators in the GVRD were able to deploy up to 35% of their fleet to pick up passengers at Olympic sites or elsewhere in the GVRD. (In March, the number was reduced by 50% as demand was

significantly lower during the Paralympics.) Taxis were required to maintain at least 65% of their vehicles in their home service areas.

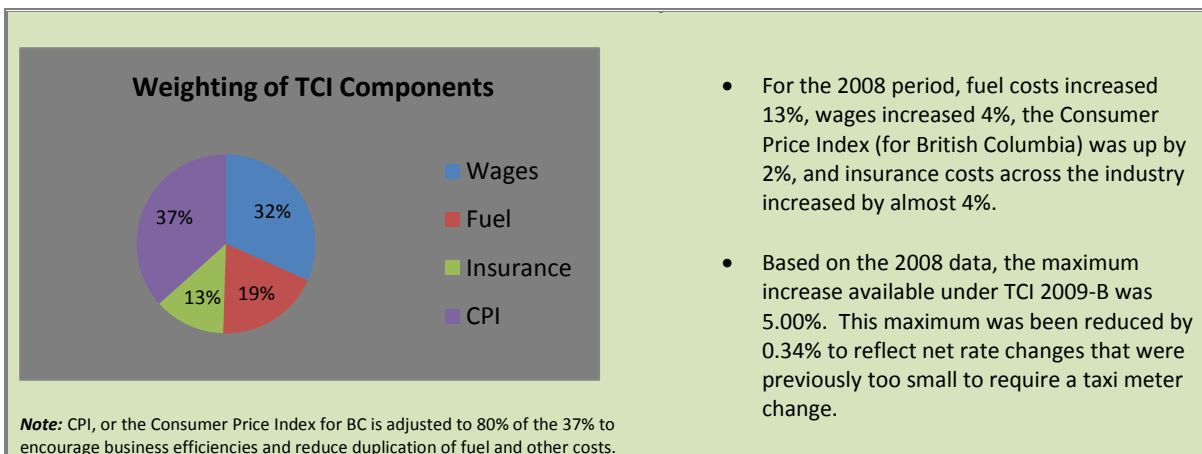
The Board set minimum and maximum limousine rates during the Games. This allowed the industry to have rate flexibility while discouraging rate exploitation.

3. Taxi Cost Index 2009 B

The Board approved a Taxi Cost Index (TCI) increase for implementation starting June 20, 2009. TCI 2009-B allowed taxicab operators to request a permanent rate increase of up to 4.66%.

TCI is a tool that the Board uses to assess rate increases based on objective measures of taxi operating costs. Each component has a separate weighting, as indicated in the chart below.

TCI2009 B was based on 2008 data.



II Board Initiatives

1. Accessible Transportation Discussion Paper

The Board is developing a discussion paper on accessible transportation services that are licensed by the Board. The research for the discussion paper and public input will guide the Board's policy work in this area.

Purpose

The purpose of the project is to help the Board better understand the transportation challenges of persons with disabilities. This understanding will help the Board develop policies and guide its licensing decisions that promote and sustain more accessible transportation options.

Objectives

1. To improve Board understanding of the transportation needs of people with mobility challenges, and understanding of the vehicles, services and technologies that are designed to meet those needs.
2. To identify the demographic trends and projections relevant to the transportation of people with mobility challenges.
3. To assess the financial challenges of operating accessible transportation vehicles and identify ways the industry can provide more and better services.

The Board approved a project plan for the discussion paper in March 2010.

2. Plain Language Materials & Stakeholder Website Review

The Board is updating its templates, handbooks and other documents to ensure that they are in plain language. The "Application Handbook" will be replaced with "Application Guides" specific to different types of applications. The Board hopes that these guides will make it easier for applicants to learn about Board requirements. This should result in more complete and detailed applications.

The Board's website was re-launched in early 2009. The Board felt that this was an improved product; however, the Board is seeking stakeholder verification of this.

In March 2009, Board staff started telephone interviews and written surveys of about two dozen people. The results of this survey will be presented to Board at the end of May, 2010.

Any major changes to the website will occur when the new application guides are completed and ready for posting. Minor changes will be made as soon as possible.

3. Review of Emerging Trends

The Board is reviewing emerging social and/or economic trends and how these affect commercial passenger transportation. It is also reviewing how various regulatory schemes accommodate these trends.

The Board approved an outline for this project in March 2010.

4. Performance Evaluation for Members

The Board reviewed various appraisal programs for tribunal members and drafted a process and procedure specific to the Board's needs. This process recognizes the importance of providing feedback to members while ensuring that their decision making independence is maintained.

The Board will pilot this procedure in 2010/11.

5. Taxi Cameras

Taxi cameras are used in British Columbia to make it safer for taxi drivers to operate taxicabs, especially at night. Taxi cameras deter crime and help police identify suspects and prosecute offenders. Taxi camera standards and procedures are put in place by the Passenger Transportation Board so that taxi cameras perform as intended. They also establish important safeguards that protect the privacy of taxicab passengers and drivers.



This sign was designed by the West Coast Meter Service (Vancouver) and is displayed here with permission.

Original taxi cameras in use in the Lower Mainland were replaced with upgraded models. The Board approved a temporary surcharge on the meter to cover some of the cost of replacement and installation of the cameras.

The Board continues to liaise with police and industry to ensure that the taxi camera program meets its goals.

6. Rules & Policies

In 2009/10 the Board established operational policies on: definitions of "YVR" and "Vancouver" for licensing purposes; rate harmonization; transportation of personal baggage; and gift certificates. The Board also revised its *Rules of Practice and Procedure* to reduce the public comment period from 30 – 21 days on applications from inter-city bus licensees to reduce minimum route frequencies. As well, these operators must submit a public document that explains the reasons the request to reduce service on a route.

III Stakeholder Consultations

1. *Passenger Directed Vehicle Advisory Committee*

This advisory committee met in April, 2009 and October, 2009. It is made up of people from the taxi and limousine industries, public transit, municipalities, persons with disabilities, the Vancouver International Airport Authority, the Passenger Transportation Branch and Passenger Transportation Board.

The Board and Branch representatives shared information on current activities and projects and responded to committee questions or comments. Industry and other committee representatives raised matters of concern to them, such as rates for the transportation of freight (as opposed to luggage), rate harmonization and chauffeur's permits.

2. *2010 Olympic and Paralympic Games*

(i) *Committee on Taxi and Limousine Requirements during the Olympics (CTLRO)*

CTLRO was comprised of municipal representatives, the Vancouver International Airport Authority, the Branch and the Board. It met 2 times in 2009/10.

The purpose of the group was to share information on Olympic planning as it relates to taxi and limousine services. A representative from VANOC provided an update on

its activities at each meeting. The Board used this group as a resource as it developed its 2010 Regulatory Framework.

(ii) *Industry*

In November 2009, the Board hosted an Information Session with industry regarding the 2010 Olympic and Paralympic Games. Representatives from VANOC, the City of Vancouver and the Resort Municipality of Whistler attended and provided brief presentations. Representatives from the Passenger Transportation Branch were also available to answer questions.

Approximately 60 representatives from the taxi and limousine industry attended this session.

3. *Ministry of Transportation & Infrastructure*

The Ministry of Transportation & Infrastructure asked the Board to participate in two of its policy initiatives: applicant and licensee fitness; and the federal-provincial/territorial task on inter-city buses.

4. *Conferences and Workshops*

The Chair of the Board attended regular meetings of the "Circle of Chairs". This group is comprised of chairs of administrative tribunals in British Columbia.

In October 2010, the Chair and Director and Secretary of the Board attended the British Columbia Council of Administrative Tribunals annual conference.

IV Communications

1. Industry Advisories

In 2009-10, the Board issued 12 Industry Advisories on a variety of topics, including 2010 Olympic and Paralympic Games, rules and policies and tolls.

2. "Weekly Bulletin"

The Weekly Bulletin contains summaries of applications, hearing notices and final decisions of the Board. It was published every week except July 1, 2009, November 11, 2009 and December 30, 2009.

3. Regulatory Framework for the 2010 Olympic & Paralympic Games: Passenger Directed Vehicles

In September, 2009, the Board published its Regulatory Framework for the 2010 Olympic & Paralympic Games. This framework outlined the measures the Board was putting in place to increase taxi and limousine supply during the Games. It was posted on the Board's website. An overview of the Framework was sent to all taxi and limousine licensees in British Columbia as well as city councils in the Greater Vancouver Regional District and Squamish-Lillooet Regional District.

4. 2010 Forms

The Board worked with the Passenger Transportation Branch to design streamlined application forms for 2010 measures.

V Looking Ahead to 2010/11

1. Applicant & Licensee Fitness

The Board will continue its work with the Ministry of Transportation and Infrastructure on the issue of licensee fitness. The Board will also review the practice and policies of other agencies.

2. Accessible Transportation Discussion Paper

Work on this major initiative will continue. A small stakeholder session will be held in the Fall of 2010. Following this, in early 2011, the Board will publish a discussion paper for public comment.

3. Application Guides & Website Changes

The new “Application Guides” should be launched in the Fall of 2010. In conjunction with this, changes will be made to the Board’s website. These changes will reflect the outcome of the stakeholder website review.

4. Licence District Review

Some passenger transportation licences describe originating areas by licence districts. These licence districts cannot be easily understood without a map. The Board will review options for replacing licence districts.

5. Fleet Size Review

The Board will begin its second fleet size review in September, 2010. The Board will review licensees’ vehicle activation history. Licensees who have not activated all their vehicles for 2 years may be put on a list to have their maximum fleet size reduced. Before the Board takes this action, licensees are given an opportunity to comment.

6. Operations

Operational requirements will continue to provide the focus for many Board activities. These include such matters as: processing applications; making decisions; responding to inquiries; publishing the weekly Bulletin and managing the budget and resources.

Special Authorization Matters

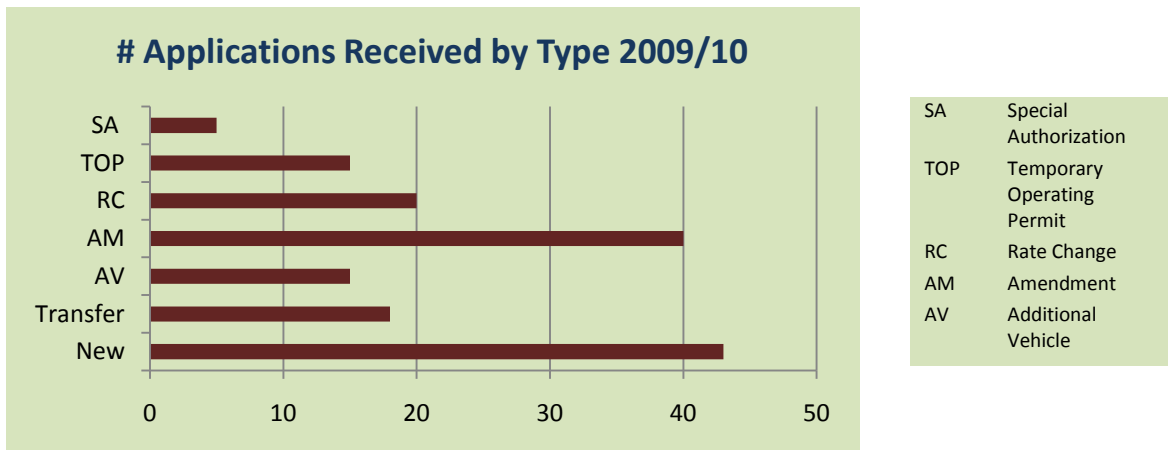
I General Information

The Board’s main activity is reviewing applications related to special authorizations. A special authorization (SA) 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 approves rates and rules for passenger directed vehicles. The steps in processing applications are listed in Appendix A.

The Board may approve temporary operating permits (TOPs) to increase fleet sizes of taxis and limousines and other passenger directed vehicles. The Board may also be asked by the Registrar to make a determination on whether a particular application requires a special authorization. (These types of applications are referred to below as “SA required” applications.)

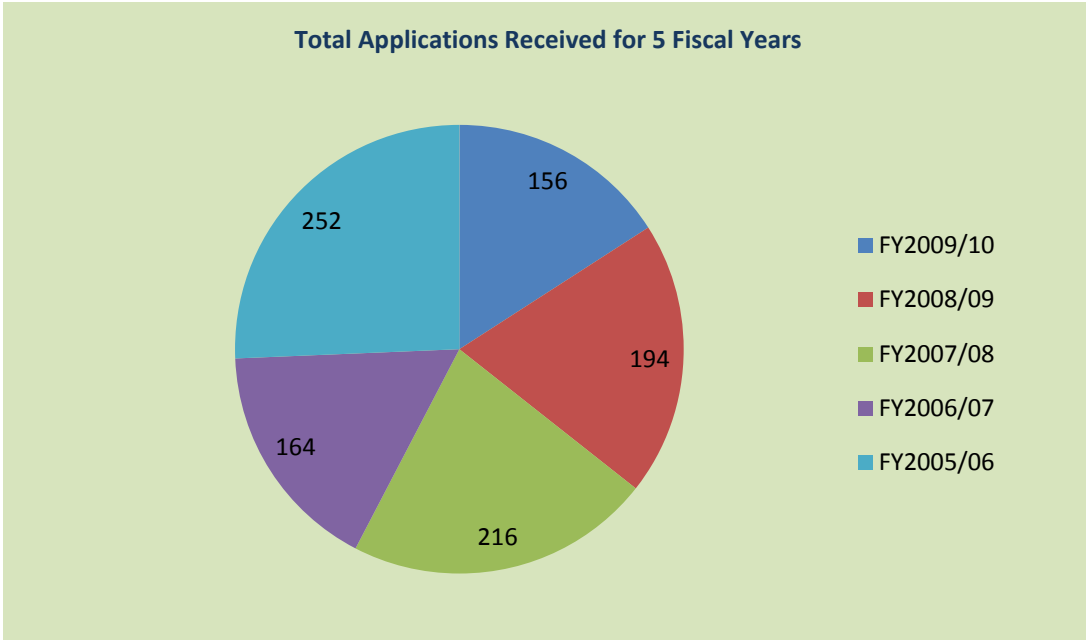
Final Board decisions on licensing and rate change applications are published in the PT Board Bulletin and posted at the Board’s website (<http://www.th.gov.bc.ca/ptb/index.htm>)

II. Regular Applications

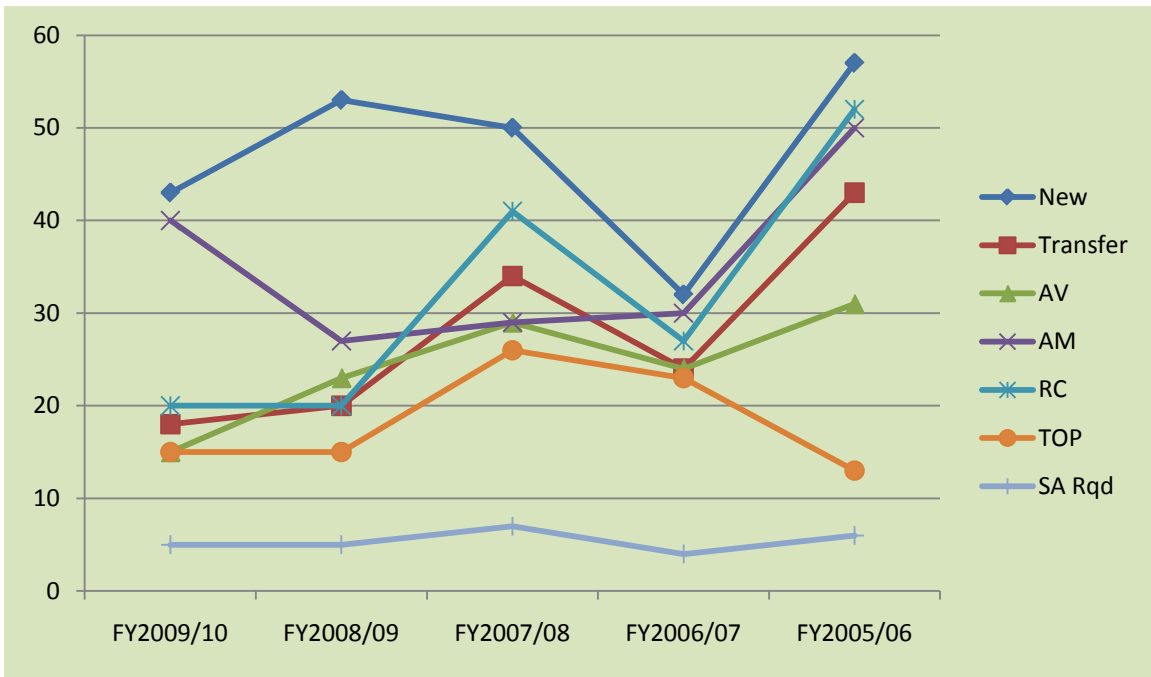


In 2009/10, the Board received 156 applications. All were decided within this reporting period. Five were inter-city bus applications, of which 2 were new applications and 3 were licence amendment applications. The

remaining applications were for passenger directed vehicles. Of these applications, 41 were new applicants, 17 were for licence transfers, 20 were change of rates, 37 were licence amendments and 15 were additional vehicle requests.



Applications Received by Type Over 5 Years



This 5 year comparison chart shows that the number and types of applications vary from year to year.

Each year, the Board receives less than 10 requests from the Registrar to determine if a special authorization is required.

Decided Applications by Regional District 2008/09 and 2009/10*

Regional District	# of Decided Apps 2008/09	# of Decided Apps 2009/10	Regional District	# of Decided Apps 2008/09	# of Decided Apps 2009/10
Alberni-Clayoquot	1	1	Kitimat-Stikine	1	3
Bulkley-Nechako	2	4	Kootenay-Boundary	1	0
Capital Regional District	19	12	Mount Waddington	1	2
Cariboo Regional District	3	0	Nanaimo	5	3
Central Coast	0		North Okanagan	0	3
Central Kootenay	0	4	Northern Rockies	2	0
Central Okanagan	7	5	Okanagan-Similkameen	4	4
Columbia Shuswap	3	3	Peace River	12	11
Comox-Strathcona	3	3	Powell River	0	1
Cowichan Valley	4	3	Skeena-Queen Charlotte	2	2
East Kootenay	5	1	Squamish-Lillooet	3	8
Fraser Valley	4	7	Strathcona	2	1
Fraser-Fort George	21	4	Sunshine Coast	1	0
Metro Vancouver	53	60	Thompson-Nicola	5	2
			Multi Regional or Extra Provincial	1	6
			Islands Trust	4	4

*Excludes TOPs and applications where the Board was asked to determine if a special authorization licence is required.

III. 2010 Applications

The Board implemented three measures to increase the supply of taxis and limousines during the Olympics. These were:

1. **2010 Temporary Operating Permits (TOPs)** – Taxi and limousine operators could apply for TOPs to add vehicles to their fleets.
2. **2010 Temporary Service Clauses** – Taxi and limousine operators from outside the Vancouver & Whistler area, who were aligned with a local company,

could provide service in these these locations.

3. **2010 Temporary Boundary Relaxation for Taxis** – Taxi operators in the GVRD were able to deploy up to 35% of their fleet to pick up passengers anywhere in the GVRD for the month of February. This figure was reduced by 50% during the Paralympic Games. Taxis were required to maintain most of their vehicles in their home service areas. Also there was flexibility for operators taking fares to/from the GVRD to the SLRD.

Number of 2010 Temporary Operating Permits Approved

	Limousines		Taxis		Total
	92 day permits	60 day permits	92 day permits	60 day permits	
GVRD	0	43	39	9	91
SLRD	0	2	3	2	7
GVRD/SLRD (or parts thereof)	2	42	0	0	44
Total	2	87	42	11	142

The Board issued 142 TOPs for the Games. Some companies applied for multiple permits. 97 % of all permit requests were processed in one day or less. The longest processing time was 3 days.

The Board received 2 temporary service clause applications: one from a taxi company in Duncan and one from a limousine company in the Tri-Cities area. Both were approved.

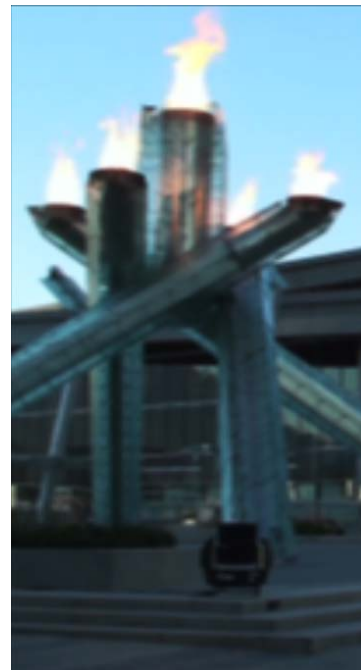
In August 2009, the Board directed the Registrar, pursuant to Section 31(2) of the Passenger Transportation Act, to:

1. *Amend terms and conditions of taxi licenses in the GVRD to:* (a) allow licensees to allocate up to 35% of their fleet to originate passengers anywhere in the Greater Vancouver Regional District (GVRD) from January 24, 2010 to March 24, 2010 and (b) permit the pick up of people in Squamish Lillooet Regional District (SLRD) who are returning to the GVRD.
2. *Amend terms and conditions of licenses of taxis companies in the SLRD to permit pick up of people in the GVRD who are returning to the SLRD.*

GVRD taxis operating under this amendment had special plates. The companies had to request the plates. All but one taxi company requested the maximum number of plates available.

The amendments increased the supply of taxis in Vancouver by 338. During the height of the Games, further boundary relaxations were permitted to ensure that people could get taxis at venues and get rides home in the evenings.

In February, 2010 the Board provided further direction to the Registrar to reduce the number of vehicles eligible to operate throughout the GVRD. This was in recognition that volume was significantly reduced at the conclusion of the Games.



*Photos courtesy of Michael McGee,
Manager of Policy & Communications*

III. Post Decision Matters

	Sub total	Totals	Ave. Days to Decision
Judicial Reviews Concluded		0	0
Licence Decisions Amended		3	
Reconsiderations Concluded		3	
Reconsiderations Proceeded & Decided	2		38
• Confirmed	1		
• Rescinded	0		
• Varied	1		
Reconsiderations Not Proceeded	1		48
• Grounds not established	1		
• Withdrawn			

There were no judicial reviews of the Board's decisions in 2009/10. Three (3) decisions were amended to correct clerical or technical errors.

The Board may reconsider, vary or rescind 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.

Three (3) reconsideration requests were received in 2009/10, resulting in 2 decisions being reconsidered. The Board varied its decision on 1 application and confirmed its decision on 1 application. One reconsideration request did not proceed as the Board was not satisfied that requestor had established grounds for reconsideration.

Performance Measures

2009/10

Fiscal Year 2005/06 is the base year for Board performance targets and results. The Board has two sets of targets: “low” and “high”. The low target represents the most efficient processing times, with no delays by applicants, submitters or the Board. The high target factors in delays that may occur in the application process.

The Board reviews performance results at each Board meeting. The Board endeavors to improve its performance and timelines.

Reporting Constraints – Board database reports are based on the date an application is received. If a report is compiled for a particular time period, the reports will provide performance results only for applications that were received

during this period and decided or closed at the time the database report is compiled or accessed. There were no outstanding application decisions for 2009/10 at the time of writing this report.

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.

I. Performance Targets

Process and Track	Low Target	High Target
Application Files	# days	# days
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
Temporary Operating Permits	15 or less	16 - 30
Special Authorization Determinations	14 or less	15 - 35

II. Performance Results*

Application Processing Times in Relation to Performance Targets

	# Board Decisions	Average # of days to a decision**	% within low target	% within high target	% over high target
Application Files Received in 09/10					
File Review	100	60	85	14	1
Board Investigation	29	82	90	10	0
Registrar	1	43	100	0	0
Registrar Investigation and Hearing	0	0	0	0	0
Hearing	1	231	0	100	0
UPN***	5	18	100	0	
Temporary Operating Permits (TOP)****	15	7	87	7	6
Special Authorization (SA) Determinations	5	13	60	40	0

* These performance results were based on applications received between April 1, 2009 and March 31, 2010 and closed by July 30, 2010 when the report was compiled.

** These timelines are from when an application is received at the Board office until a decision letter is sent to an applicant.

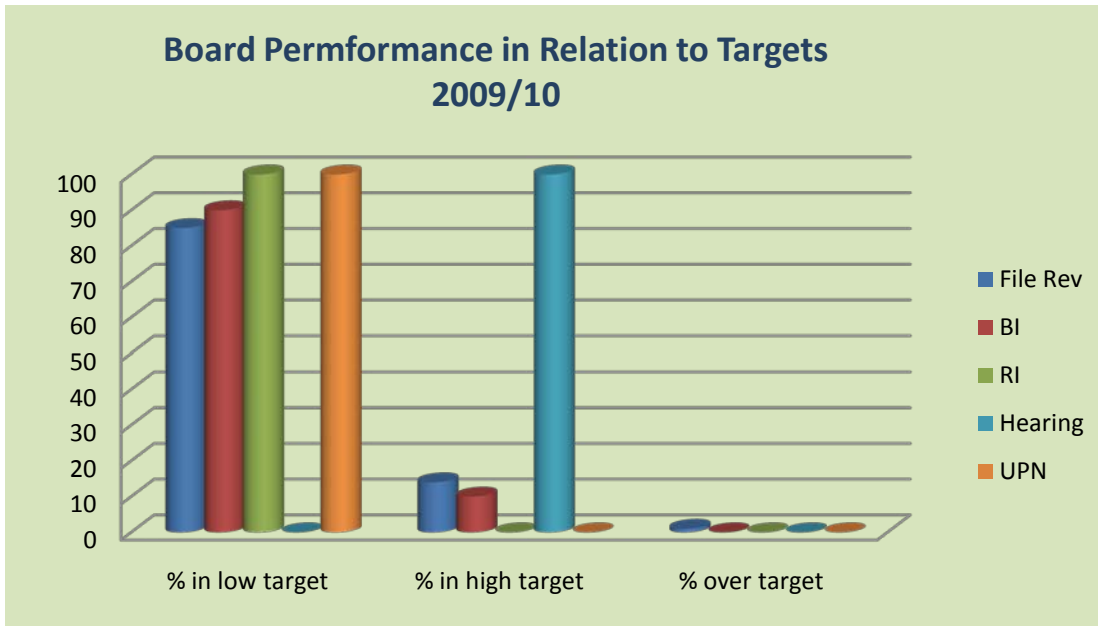
*** A "UPN" is an application that is processed on the basis of "urgent public need". If the Board is satisfied that it should process an application as an UPN, then the

application is not published and submissions may not be accepted. Most "UPN's" are processed on the basis of a file review. However, some may be a "board investigation" or a "registrar's investigation" in which case they are tracked under these categories in the list above. For example, the 1 application tracked as a "Registrar's Investigation" was processed by the Board as a UPN application.

**** This figure excludes 2010 TOPs, which are reported separately

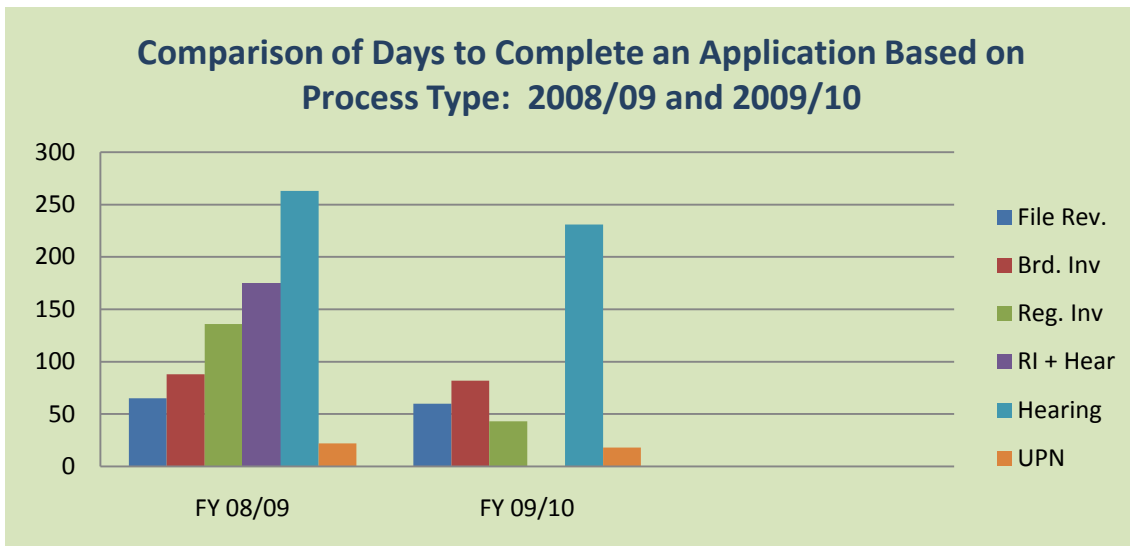
The Board seeks to process at least 75 % of all applications within the low target timeframe. The Board achieved this in 5 categories.

Eleven (11) of the 15 TOP requests were processed in 2 days or less.



With the exception of hearings, the majority of all applications were

processed within the low targets established by the Board.



The 2008/09 performance results were based on applications received between April 1, 2008 and March 31, 2009 and closed by August 18, 2009 when the report was compiled. (Note: All applications received in

2007/08 had been decided by August, 24, 2008).

The 2009/10 performance results were based on applications received between April 1, 2009 and March 31,

2010 and closed by July 30, 2010 when the report was compiled. (Note: All applications received in 2009/10 had been decided by July 30, 2010).

These timelines are from when an application is received at the Board

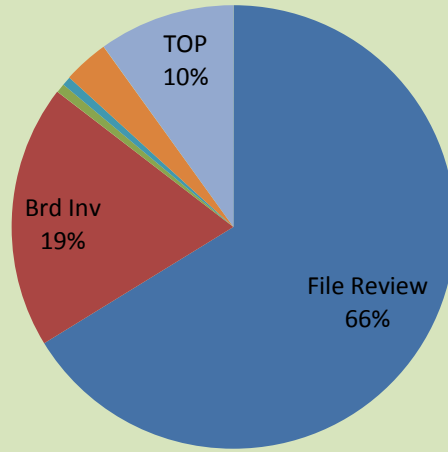
office until a decision letter is sent to an applicant. Processing times may be affected by matters that are outside the Board’s control, such as requests by an applicant to extend response times or, in the case of hearings, adjournments.

Application Processing Times at Various Stages of the Application Process 2009-10

	Total number of files	Average # of days from receipt of application to appointment of Panel*	Average # of days from panel appointment to draft decision	Average # of days from draft decision to final decision sent to applicant	Total average days to process application
Application Files Decided in 09/10					
File Review	100	33	23	4	60
Board Investigation	29	34	41	7	82
Registrar Investigation	1	4	21	18	43
Registrar Investigation and Hearing	0	0	0	0	0
Hearing	1	123	98	10	231
UPN	5	12	5	1	18
Temporary Operating Permits	15	3	3	1	7
Special Authorization Determinations	5	10	0	1	13

* Includes submission/reply period which is a minimum of 15 days for most applications (except a change of rates application, which has a 10 day submission period).

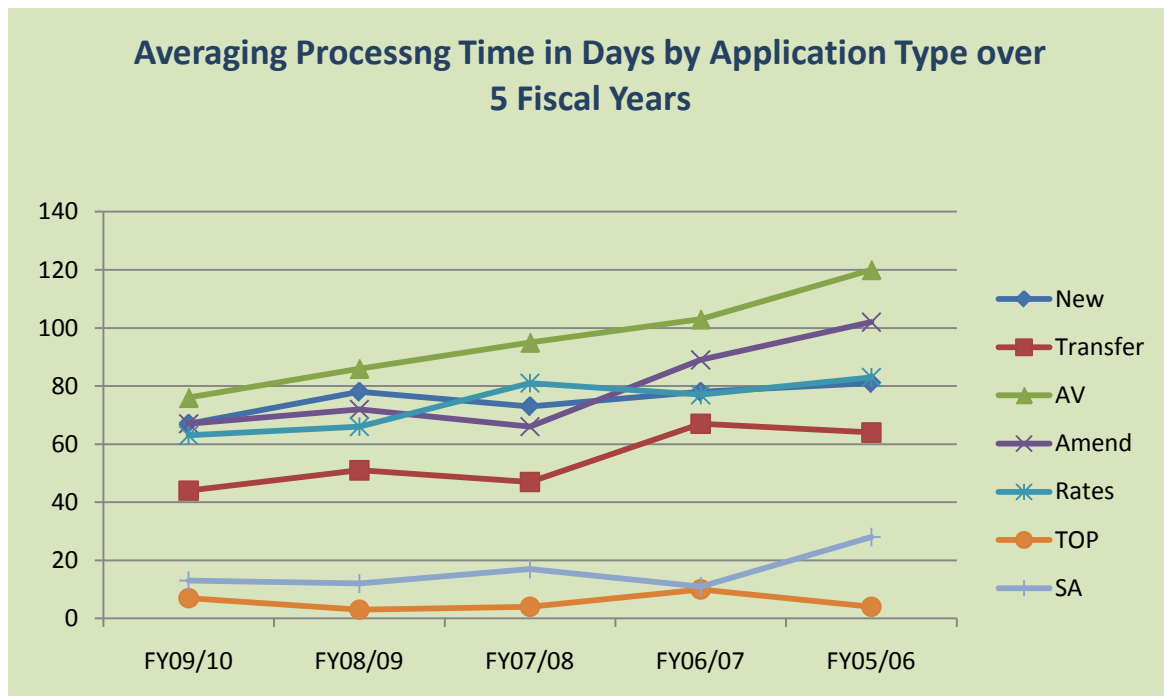
Percentage of Board Decisions by Decision Making Process



The majority of the Board's decisions are based on a review of the file. This includes material from the applicant and any submissions received. Board investigations, which occur when the Board requires additional

information from an applicant, submitter or another person, account for 19% of the processing of applications. Together these 2 tracks account for 85% of all file processing.

Averaging Processing Time in Days by Application Type over 5 Fiscal Years

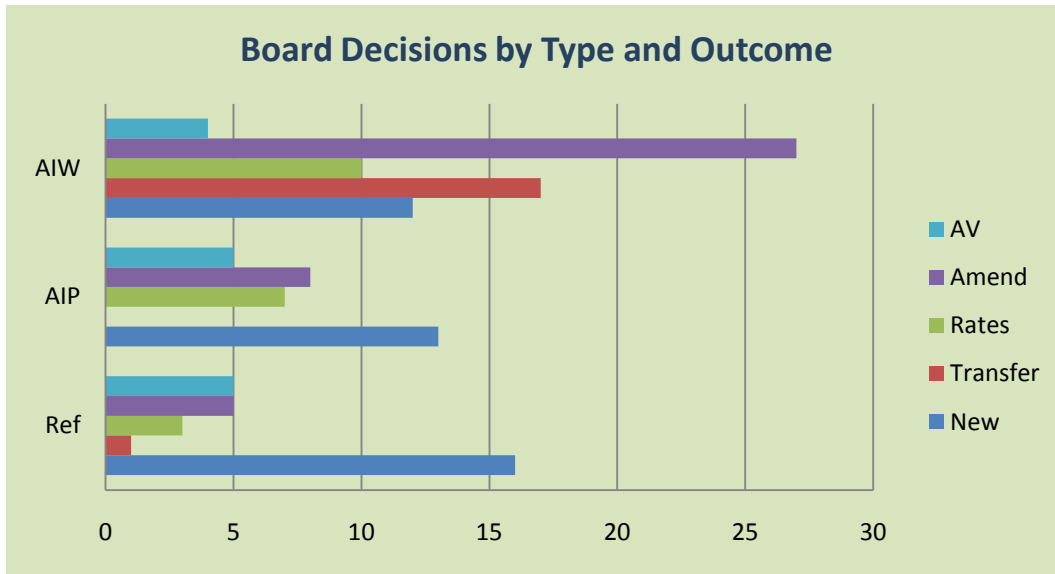


Board Decisions by Type of Application and Outcomes

	Received	Approved in Whole	Approved in Part	Refused	SA Required	SA Not Required	Decision Subtotal	Returned To Registrar	Dismissed Summarily	Withdrawn	Outcome Subtotal
ICB Applications											
<i>New</i>	2	2	0	0	0	0	2	0	0	0	0
<i>Transfer</i>	0	0	0	0	0	0	0	0	0	0	0
<i>Change of Rates</i>	0	0	0	0	0	0	0	0	0	0	0
<i>Amendment</i>	3	2	1	0	0	0	3	0	0	0	0
<i>Additional Vehicles</i>	0	0	0	0	0	0	0	0	0	0	0
Subtotal:	5	4	1	0	0	0	5	0	0	0	0
PDV Applications											
<i>New</i>	41	10	13	16	0	0	39	0	1	1	2
<i>Transfer</i>	17	16	0	1	0	0	17	0	0	0	0
<i>Change of Rates</i>	20	10	7	3	0	0	20	0	0	0	0
<i>Amendment</i>	37	25	7	5	0	0	37	0	0	0	0
<i>Additional Vehicles</i>	15	4	5	5	0	0	14	0	1	0	1
Subtotal:	130	65	32	30	0	0	127	0	2	1	3
ICB/PDV Applications											
<i>New</i>	0	0	0	0	0	0	0	0	0	0	0
<i>Transfer</i>	1	1	0	0	0	0	1	0	0	0	0
<i>Change of Rates</i>	0	0	0	0	0	0	0	0	0	0	0
<i>Amendment</i>	0	0	0	0	0	0	0	0	0	0	0
<i>Additional Vehicles</i>	0	0	0	0	0	0	0	0	0	0	0
Subtotal:	1	1	0	0	0	0	1	0	0	0	0
<i>TOP</i>	15	8	3	3	0	0	14	0	1	0	1
<i>SA Determination</i>	5	0	0	0	3	2	5	0	0	0	0
Total Board Files:	156	78	36	33	3	2	152	0	3	1	4

The Board made 152 substantive decisions. One application was withdrawn by the applicant and 3 were dismissed summarily by the Board. The Board may dismiss an application if an applicant does not

respond to a request for information within a specified time or if the Board determines that there is no reasonable prospect that the application will succeed.



AV= Additional Vehicle Application; Amend=Amendment of Licence Application; Rates = Change of Rates Application; Transfer = Transfer of Licence Application; New = New Licence Application

AIW = Approved in Whole; AIP = Approved in Part; Ref = Refused

Of the 133 applications referred to above, 70 were approved in whole (i.e. approved as applied for); 33 were approved in part and 30 were refused. Of the 15 Temporary Operating Permit requests, 8 were

approved in whole, 3 were approved in part, 3 were refused and 1 was dismissed.

APPEALS

The Board hears appeals from licensees who have received an administrative penalty from the Registrar of Passenger Transportation.

One appeal was filed in 2009/10. The Board confirmed the Registrar's decision.

Appendix A: Steps in 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 signature, and publish it in the PT Board Bulletin (on the Board web site)
3. *Public Submission/Reply Period** – From the date an application summary is published, people have 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 the 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 the 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.

* Some types of applications of an administrative nature have a shorter submission period.

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