

December 1, 2010

Can taxi and/or limousine operators offer “Designated Driver Services”?

The short answer is “yes”. However, this answer needs qualification.

A “designated driver service” is a form of a chauffeur service. A driver takes a person home in **their own vehicle**. Another vehicle picks up the driver once the owner and vehicle are delivered to their destination.

If a taxi or limousine operator (“operator”) is offering a designated driver service, then the service falls outside the *Passenger Transportation Act*. The operator is not providing the vehicle. It is only providing the driver or chauffeur. Rates are not regulated by the Board.

Qualifications

- The operator must drive the person home in the person’s own vehicle.
- The operator must ensure that the service remains outside the definition of a commercial passenger vehicle under the *Passenger Transportation Act*. (See below)
 - A licensed commercial passenger vehicle must not be used for the driving service.
 - Any compensation is for the **driving service** only.
 - Any payment for the service is from, or on behalf of, the **owner** of the car to the **driver** or **operator**.
 - If the driver is returned in a licensed commercial passenger vehicle and the owner of the vehicle is charged directly for this return trip, then the rates charged must be Board approved rates.
- Note: “owner of the vehicle” includes anyone who is responsible for the vehicle, including a driver using a borrowed or rental vehicle.

Operators are responsible for any matters, including insurance, associated with designated driver services, which are not regulated by the Board. Operators may want to contact their insurance provider to determine any risks that may be associated with driving another person's vehicle.

Diversifying operations may enhance business success. However, taxi and limousine licences are approved in response to public need. Operators must be capable of providing their licensed services. Should it appear to the Board that operators are no longer using their vehicles to meet the public need or provide licensed services, the Board may review this matter in order to ensure that public need is met. It may review an individual licensee's service. It may consider applications from other parties for new or increased services. Or, the Board may take a more global review through standardizing terms and conditions of licence.

PTA Definitions

"commercial passenger vehicle" means a motor vehicle operated on a highway by or on behalf of a person who charges or collects compensation for the transportation of passengers in that motor vehicle.

"compensation" includes a rate, remuneration or reward of any kind paid, payable or promised, or received or demanded, directly or indirectly.

"passenger directed vehicle" means a commercial passenger vehicle if that vehicle

(a) can accommodate a driver and not more than the number of passengers prescribed by the regulations, and

(b) is operated to and from locations determined by the passenger or group of passengers or by a person acting on behalf of the passenger or group of passengers,

and includes or excludes any commercial passenger vehicle or type of commercial passenger vehicles prescribed by regulation.