

## Sample Terms & Conditions for special authorization licences

**This package can be used as a “technical reference” when applying to the Passenger Transportation Board for special authorization to operate passenger directed vehicles (PDVs) or inter-city buses (ICBs) in British Columbia.**

Section 28(2) of the Passenger Transportation Act authorizes the Passenger Transportation Board to establish terms and conditions that are to apply to a licence that includes a Board-approved special authorization. This “technical reference” contains samples of the more common terms and conditions that the Board has established in the past. The Board may establish terms and conditions that are unique to a particular applicant or licensee, depending on the circumstances.

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# 1. Passenger Directed Vehicles (PDVs)

## *PDV Definition*

“**Passenger directed vehicle**” means a commercial passenger vehicle if that vehicle

- (a) can accommodate a driver and not more than 11 passengers, 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 vehicle prescribed by regulation.

### *1.1 Sample PDV Special Authorization*

The following is an example of terms and conditions for a passenger directed vehicle (taxicab) with 21 vehicles:

#### **Special Authorization:**

#### **Passenger Directed Vehicle (PDV)**

- Maximum Fleet Size: **X** vehicles of which a maximum of **Y** may be conventional taxis. All other vehicles are accessible taxis.
- Vehicle Capacity: A driver and not less than 2 and not more than 7 passengers.
- Specialty Vehicles: **Accessible taxis** may be operated in accordance with the *Motor Vehicle Act Regulations* including Division 10 (*commercial passenger vehicles*) and Division 44 (*mobility aid accessible taxi standards*), as amended from time to time, and in accordance with any other applicable equipment regulations and standards.
- Service 1:** *The following terms and conditions apply to Service 1:*
- Originating Area: Transportation of passengers may only originate from the City of the Future.
- Destination Area: Transportation of passengers may terminate at any point in British Columbia and beyond the British Columbia/Alberta border when engaged in an extra-provincial undertaking.
- Return Trips: The same passengers may only be returned from where their trip terminates in the *destination area* to any point in the *originating area* if the return trip is arranged by the time the originating trip terminates.
- Express authorizations:
- (i) Vehicles may be equipped with a meter that calculates fares on a time and distance basis.
  - (ii) Vehicles may be equipped with a top light.
  - (iii) Vehicles may, from within the originating area only, pick up passengers who hail or flag the motor vehicle from the street.
- Taxi Cameras: Taxi camera equipment may only be installed and operated in vehicles when the licensee is in compliance with applicable taxi camera rules, standards and orders of the Passenger Transportation Board.

**Transfer of a licence:** This special authorization may not be assigned or transferred except with the approval of the Board pursuant to section 30 of the Passenger Transportation Act.

The following is an example of terms and conditions for a PDV (limousine) that operates 3 vehicles in the Lower Mainland.

**Special Authorization:** Passenger Directed Vehicle (PDV)

**Terms & Conditions:**

**Vehicles:**

Maximum Fleet Size: 3 vehicles

Vehicle Capacity: A driver and not less than 6 and not more than 11 passengers.

**Service 1 :** *The following terms and conditions apply to Service 1.*

Originating Area: Transportation of passengers may only originate from Licence District 14, 14A and 15.

Destination Area: Transportation of passengers may terminate anywhere in British Columbia and beyond the British Columbia/Alberta border when engaged in an extra-provincial undertaking.

Return Trips: The same passengers may be returned from where their trip terminates in the *destination area* to any point in the *originating area* if the return trip is arranged by the time the originating trip terminates.

**Transfer of a licence:** This special authorization may not be assigned or transferred except with the approval of the Board pursuant to section 30 of the Passenger Transportation Act.

## 1.2 Maximum Fleet Size

**a. A typical term & condition for maximum fleet size:**

Maximum Fleet Size: X vehicles

**b. "Sliding Scale" maximum fleet Size**

The following example ties the maximum fleet size (via a "sliding scale") to a contract with a company or airport.

Maximum Fleet Size:

1. **At any time** - a fleet size of **26** vehicles may be operated.
2. **Airport Contract** - The licensee may operate up to an additional 5 vehicles under service 2, if the Airport Authority has approved airport licences for 30 or more vehicles in fleet of the licensee. The maximum number of additional vehicles decreases on a sliding scale as follows:

Total "airport licenses" approved by the Airport Authority (or its agent)	Additional Vehicles	Maximum Fleet Size
30	5	<b>31</b> vehicles
29	4	<b>30</b> vehicles
28	3	<b>29</b> vehicles
27	2	<b>28</b> vehicles
26	1	<b>27</b> vehicles

- a. When making application for renewal of its licence, ABYZ Taxi Company must submit a letter to the Registrar of Passenger Transportation from the Airport Authority stating that its contract with ABYZ Taxi Company remains in good standing.
- b. The letter referred to in (a) must confirm the number of airport licences approved for ABYZ Taxi Company .
- c. The Registrar may issue appropriate number of identifiers based on the sliding scale above.

**1.3 Vehicle Capacity Bands**

**Note:** Vehicle capacity is the maximum number of people that can be seated in a particular vehicle. Any number of passengers may be carried up to the maximum seating capacity for the vehicle.

**"T" Taxis**

Vehicle Capacity: A driver and not less than 2 and not more than 7 passengers.

Vehicles would be classified as a taxi if the operator:

- Charges metered rates and has Board authorization to use a taxi meter, or
- Charges non-metered rates and has express Board authorization to use a top light or pick up hails and flags from the street when operating a vehicle that carry no more than 7 passengers.

## **“SL” Sedan limousines & Eco-friendly sedan limousines**

Vehicle Capacity: Any vehicle that can accommodate a driver and not less than 3 and not more than 5 passengers must be a *sedan limousine*.

Specialty Vehicles: A *sedan limousine*, including an *eco-friendly sedan limousine*, may only be operated when the vehicle meets the applicable criteria, rules, policies and orders of the Passenger Transportation Board.

## **“LV” Large Passenger Directed Vehicles**

Vehicle Capacity: A driver and not less than 6 and not more than 11 passengers

Examples: limousines, large passenger vans, large sport utility vehicles, etc.

## **“M” Motorcycle**

Vehicle Capacity: A driver and not more than 1 passenger.

Specialty Vehicles: The vehicle must be a motorcycle as defined by the Motor Vehicle Act.

## **1.4 Specialty Vehicles**

### **a. Accessible Taxi**

Specialty Vehicles: **Accessible taxis** may be operated in accordance with the *Motor Vehicle Act Regulations* including Division 10 (*commercial passenger vehicles*) and Division 44 (*mobility aid accessible taxi standards*), as amended from time to time, and in accordance with any other applicable equipment regulations and standards.

In some cases, the Board may establish a minimum operating requirement for accessible taxis. An example is provided below.

Minimum Operating Requirement: At least **1** accessible taxi must be operated and available for hire 24 hours each day, every day of the week.

### **b. Classic Vehicles**

Specialty Vehicles: **Classic vehicles** (more than 30 years old) must be operated.

### **c. Convertibles**

Specialty Vehicles: **Convertibles** may be operated.

#### **d. Four Wheel Drive Passenger Vans**

Specialty Vehicles: Only **four-wheel drive or all-wheel drive passenger vans** must be operated.

#### **e. Two-door vehicles**

Specialty Vehicles: Vehicles with only two passenger side doors may be operated.

### **1.5 Terms and Conditions for Taxicabs**

#### **Taxicab Authorizations & Taxi Cameras (all)**

Express authorizations:

- (i) Vehicles may be equipped with a meter that calculates fares on a time and distance basis.
- (ii) Vehicles may be equipped with a top light.
- (iii) The operator of the vehicle may, from within the originating area only, pick up passengers who hail or flag the motor vehicle from the street.

Taxi Cameras: Taxi camera equipment may only be installed and operated in vehicles when the licensee is in compliance with applicable taxi camera rules, standards and orders of the Passenger Transportation Board.

\*Express authorizations may vary for some taxi companies.

#### **Eco-friendly Taxicabs (CRD & Metro Vancouver)**

Eco-friendly taxis: Any additional conventional taxis that are approved for this licence on or after June 11, 2007 and for which a passenger transportation identifier is issued, must be operated as 'eco-friendly taxis' as defined by Board Policy Guidelines in effect at the time the vehicle is issued a passenger transportation identifier.

#### **Taxi Bill of Rights (Metro Vancouver Taxicabs)**

Taxi Bill of Rights:

- a) A Taxi Bill of Rights issued by the Ministry of Transportation ("Taxi Bill of Rights") must be affixed to an interior rear-seat, side window of each taxicab operated under the licence.
- b) The Taxi Bill of Rights must at all times be displayed in an upright position with the complete text intact and visible to passengers.
- c) Licensees may only display a current Taxi Bill of Rights.

#### **Taxicab Proposing to Use "Flip Seats" (flip seat authorization request is required)**

Flip Seat Authorization: Accessible taxis may be equipped with flips seats that are installed in accordance with Division 10.07(5) of the Motor Vehicle Act Regulations.

## 1.6 Originating Area

Each PDV service includes an originating area and a destination area. Two sample “originating areas” are provided below. Generally, the originating area can be defined as municipality, regional district, unincorporated town or as a Licence District (as defined by the Passenger Transportation Board). For a description of “Passenger Transportation Board Licence Districts” go to the board website at [http://www.th.gov.bc.ca/ptb/Advisories/Licence\\_Districts.pdf](http://www.th.gov.bc.ca/ptb/Advisories/Licence_Districts.pdf).

### a. Intra-provincial (typical):

Services: |

Originating Area: | Transportation of passengers may only originate from **X**.

### b. Extra-provincial:

Services: |

Originating Area: | Transportation of passengers may originate from points beyond the British Columbia border when engaged in an extra-provincial undertaking.

## 1.7 Destination Area

Each PDV service includes an originating area and a destination area. Two sample “destination areas” are provided below. Generally, the destination area can be defined by the boundaries of an existing municipality or regional district, or by a Licence District as defined by the Passenger Transportation Board. For a list of “Passenger Transportation Board Licence Districts” go to the board website at [http://www.th.gov.bc.ca/ptb/Advisories/Licence\\_Districts.pdf](http://www.th.gov.bc.ca/ptb/Advisories/Licence_Districts.pdf).

### a. Intra-provincial Sample:

Destination Area: | Transportation of passengers may terminate anywhere in British Columbia.

### b. Extra-provincial Sample:

Destination Area: | Transportation of passengers must terminate in **X** or at points beyond the British Columbia / United States border when engaged in an extra-provincial undertaking.

## 1.8 Return Trips

Return Trips: | The same passengers may only be returned from where their trip terminates in the *destination area* to any point in the *originating area* if the return trip is arranged by the time the originating trip terminates.

## 1.9 Reverse Trips

### a. "Limited" Reverse Trips (more typical)

Reverse Trips: Transportation of passengers may only originate in the *destination area* if the transportation terminates in the *originating area* and the cost of the trip is billed to an active account held by the licence holder that was established before the trip was arranged.

### b. "Unlimited" Reverse Trips (less typical)

Reverse Trips: Transportation of passengers may only originate in the *destination area* if the transportation terminates in the *originating area*.

## 1.10 Crew Transportation Service Agreements

The Board will not require approval of contracted crew transportation rates as long as the conditions in both (a) and (b) below are met:

- (a) There is a valid, current written contract for crew transportation between a licensee and a company or its agent, **and**
- (b) the licensee's terms and conditions of licence have a service limitation specifying that crew transportation service may only be provided if there is a current, valid contract between the licensee and, or on behalf of, a specified organization.

In most cases, the following terms and conditions are used:

Service Limitation: Service may only be provided to persons employed or engaged by **X** and only when the licensee has a written transportation service agreement with **X** or its broker or agent to provide ongoing crew transportation.

In limited circumstances, the Board may establish terms and conditions that require a licensee to have written confirmation of an ongoing crew transportation agreement. An example is provided below. Operators with such a clause do not require Board approval of contract rates.

Service Limitation: Service may only be provided to persons employed or engaged by **X** and only when the licensee has written confirmation that the licensee has an agreement with **X** or its broker or agent to provide ongoing crew transportation.

## 1.11 Engaged Carrier Authorization (PDV)

**Service 1:** *The following terms and conditions apply to Service 1:*

**Engaged Carrier Authorization:** The holder of this licence may operate as a passenger directed vehicle when engaged by another licensed operator in the following limited circumstances:

1. The other licensed operator must have a special authorization to operate a passenger directed vehicle under a licence issued pursuant to the Passenger Transportation Act,
2. The holder of this licence must have signed written authorization from the other licensed operator specifying the terms by which the licence holder is engaged including the time period for which the written authorization is valid,
3. The holder of this licence must operate its vehicles in accordance with all the applicable terms and conditions and rates of the other licensed operator's licence, and
4. The holder of this licence must carry in its vehicles a copy of the written authorization referred to in paragraph 2 and a copy of the terms and conditions of the other licensed operator's licence when operating under this *engaged carrier authorization*.

**Application Requirements:** *An applicant seeking this authority needs to supply documentation to demonstrate another PDV licensee will engage the applicant to operate under the licence of the other operator.*

**See also:** *"Attached Carrier Authorization"*

## 1.12 Attached Carrier Authorization (PDV)

**Service 1:** *The following terms and conditions apply to Service 1:*

**Attached Carrier Authorization:** **ABC Ltd.** may operate its passenger directed vehicles to provide the services set out in the licence of **XYZ Ltd.** when all of the following conditions are met:

1. the holder of this licence carries a copy of the licence of **XYZ Ltd.** in each vehicle that it operates under this *attached carrier authorization*,
2. rates are charged according to the current rates and rules of **XYZ Ltd.** as set or approved by the Passenger Transportation Board, *and*
3. the same person is the only shareholder in **XYZ Ltd.** and in **ABC Ltd.** and is the sole owner of both of these companies.

**Application Requirements:** *An applicant seeking this authority needs to supply documentation to demonstrate that the two licensees have common ownership. This documentation needs to include the percentage of ownership.*

**See also:** *"Engaged Carrier Authorization"*

## 2. Inter-city Buses

### ICB Definition

**“Inter-city bus”** means a commercial passenger vehicle when it is operated

- (a) on a set time schedule between any prescribed municipality or regional district in British Columbia and any other location, whether in British Columbia or not,
- (b) for individual fares,
- (c) over a regular route, and
- (d) between fixed terminating points, picking up or dropping off passengers at intermediate points as necessary,

and includes or excludes any commercial passenger vehicle or class of commercial passenger vehicles prescribed by regulations.

### 2.1 Sample ICB Special Authorization

The following is an example of how the terms and conditions may be written so as to give special authorization to operate an inter-city bus with 1 route.

**Special Authorization:**

**Inter-City Bus (ICB)**

**Terms & Conditions:**

Service: Transportation of passengers must be provided to and from each *route point* on a scheduled basis according to the *daily minimum* route frequency that is set for each *authorized route*.

Schedule: The licence holder must, in a manner accessible to the general public, public a schedule for each route with the time and location of each stop, and must carry in each vehicle a copy of the schedule that the vehicle is following.

Service Exception: No service is required on December 25<sup>th</sup>.

**Route Number: 1 of 1**

Terminating Point 1: Bronze County

Terminating Point 2: Pacifica Place

Authorized Route:	<u>Route Points</u>	<u>Daily Minimum (each direction)</u>
	Bronze County	4
	Silver City	4
	Golden Resort	3 fd
	Pacifica Place	4

Abbreviations: fd “flag” (where the vehicle will stop on signal to pick up a passenger) or “drop” (where the vehicle will stop on signal to drop off a passenger on board), or both.

- Limited Pick Up & Drop Off: Passenger pick up and drop off is limited to *route points* on the *authorized route*.
- Westbound:* Bronze County *to* Pacifica Place
- From Bronze County through to Silver City, passengers may be picked up only.  
From Golden Resort through to Pacifica Place, passengers may be picked up or dropped off.
- Eastbound:* Pacifica Place *to* Bronze County
- From Pacifica Place through to Golden Resort, passengers may be picked up only. From Silver City through to Bronze County, passengers may be picked up or dropped off.
- Service Limitation: Service is limited to the operation of vehicles equipped to carry surfboards being transported by passengers.
- Transfer of a licence:** This special authorization may not be assigned or transferred except with the approval of the Board pursuant to section 30 of the Passenger Transportation Act.

## 2.2 Abbreviations

- Abbreviations: The following abbreviations are used to describe terms and conditions of this special authorization.
- alt "alternate" route point that is not located directly enroute between other route points authorized by the Board; service may be provided to one or more alternate route points at the option and frequency of the licence holder on the condition that all minimum route frequencies approved or set by the Board are maintained.
- fd "flag" (where the vehicle will stop on signal to pick up a passenger) or "drop" (where the vehicle will stop on signal to drop off a passenger on board), or both.
- oc "on call" where the vehicle will only proceed to the community when an advance reservation is made for the pick up of a passenger or when a passenger requests drop off.
- n/a "not applicable"

## 2.3 Engaged Carrier Authorization (ICB)

- Engaged Carrier Authorization: The holder of this licence may operate as an inter-city bus when engaged by another licensed operator in the following limited circumstances:
- 1 The other licensed operator must have a special authorization to operate an inter-city bus under a licence issued pursuant to the *Passenger Transportation Act* (British Columbia) or the *Motor Vehicle Transport Act* (Canada),
  - 2 The holder of this licence must have signed written authorization from the other licensed operator specifying the terms by which the licence holder is engaged including the time period for which the written authorization is valid,
  - 3 The holder of this licence must operate its vehicles in accordance with all the applicable terms and conditions of the other licensed operator's

- licence, and
- 4 The holder of this licence must carry in its vehicles a copy of the written authorization referred to in paragraph 2 and a copy of the terms and conditions of the other licensed operator's licence when operating under this *engaged carrier authorization*.

## 2.4 Limited Pick Up and Drop Off

- Limited Pick Up & Drop Off: Passenger pick up and drop off is limited to *route points* on the *authorized route*.
- Westbound:* Bronze County *to* Pacifica Place
- From Bronze County through to Silver City, passengers may be picked up only. From Golden Resort through to Pacifica Place, passengers may be picked up or dropped off.
- Eastbound:* Pacifica Place *to* Bronze County
- From Pacifica Place through to Golden Resort, passengers may be picked up only. From Silver City through to Bronze County, passengers may be picked up or dropped off.

## 2.5 Route Details

ICB route points typically include municipalities (e.g. incorporated cities, towns, and/or villages) and unincorporated towns and villages. The boundaries of a route point are generally considered to be the legal boundary of the incorporated or unincorporated area.

**Tip:**

Use the following UBCM link to get the correct name of an incorporated area:  
<http://www.civicnet.bc.ca/members/map.shtml>

## 2.6 Schedule

- Schedule: The licence holder must, in a manner accessible to the general public, public a schedule for each route with the time and location of each stop, and must carry in each vehicle a copy of the schedule that the vehicle is following.

## 2.7 Seasonal Operations

- Seasonal Operation: Service must:
1. start on a day in the month of **November**,
  2. from the start date required under paragraph 1 above, continue to operate according to the weekly minimum for this route until the cessation date required under paragraph 3 (below),

3. cease operation on a day in the month of **March**,
4. after the cessation date required under paragraph 3 (above), not operate at any time before the start date required under paragraph 1 (above); and,
5. notwithstanding the *seasonal operation* requirements in paragraphs 1 through 3, no service is required when the **Big Ski Resort** is closed for downhill skiing operations.

## 2.8 Service

Service: Transportation of passengers must be provided to and from each *route point* on a scheduled basis according to the *daily minimum* route frequency that is set for each *authorized route*.

## 2.9 Service Limitations

Service Limitation: Service is limited to the operation of vehicles equipped to carry surfboards transported by passengers.

## 2.10 Standees

Express Authorization: Transportation of standees is authorized only when all of the following conditions are met:

1. The licence holder has current and proper insurance coverage for the transportation of standees,
2. Passengers are not permitted to stand for a period that is longer than 30 minutes or for a distance that exceeds 30 road kilometres, and
3. Freight and passenger baggage is not carried in the passenger compartment when standees are being transported.

### 3. PDVs & ICBs

#### 3.1 *Standard Term & Condition for all Licences*

**Transfer of a licence:** This special authorization may not be assigned or transferred except with the approval of the Board pursuant to section 30 of the Passenger Transportation Act.

#### 3.2 *Activation*

The following terms and conditions relate to the expiry and activation of a Board approval of special authorization or additional vehicles. These terms and conditions are set out in the Board application decision and not the new or amended licence that is issued to an applicant.

##### *a. New Special Authorizations & Transfers*

**Activation:** No vehicles may be operated under this Special Authorization unless a Passenger Transportation Licence has been issued by the Registrar of Passenger Transportation under section 29(1) of the Passenger Transportation Act.

Unless otherwise specified by the Board, approval of this Special Authorization expires if the applicant has not received a licence issued by the Registrar within one year of the date of this decision.

##### *b. Additional Vehicle Approvals*

**Activation of Identifiers** Unless otherwise approved by the Board, the additional identifiers approved in this decision must be activated within **6** months of the date of this decision. Any additional identifiers that have not been activated within the 6 month time period are no longer approved and the maximum fleet size is reduced accordingly.

**Notice to Registrar re: Activation** The Registrar must not, without direction from the Board, issue any identifiers for additional vehicles approved in this decision that have not been activated within the 6 months of the date of the decision. (**Note:** activation means completed paperwork for each vehicle has been submitted by the licensee to the Registrar.)