

I. Purpose

To clarify how taxi, limousine, and other passenger directed vehicle (PDV) operators may use mobile apps and related technologies (e.g. cloud computing) while meeting their requirements under the *Passenger Transportation (PT) Act*, Regulations, rules or policies of the PT Board, terms and conditions of their PT Licence and rates and rules approved by the PT Board.

II. Applicability

This Rule applies to all licensees with a passenger transportation licence that has a “Special Authorization: Passenger Directed Vehicles.”

III. Scope

This Rule establishes requirements that are specific to the use of app technologies. It is not exclusive. Legislation, other Board rules, terms and conditions of licence and rates and rules may also apply to the use of apps and app functions. Operators are responsible for knowing and complying with requirements that apply to the operation of their licensed vehicles.

IV. Definitions

For the purpose of this Rule:

“**app**” means application software that performs one or more **app functions** on an electronic device including a mobile tablet, smartphone, computer, server, the internet (e.g. cloud computing), and other electronic devices.

“**app function**” means a specific function that an **app** performs (e.g. identification of available vehicles, booking a trip, calculation of fares, process payments, generate trip records and receipts)

“**licence**” means a passenger transportation licence with a Special Authorization: Passenger Directed Vehicles and includes terms and conditions that apply to the licence.

“limited reverse trip authority” means a term and condition of licence with the following wording or similar wording:

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| Reverse Trips: | Transportation of passengers may only originate in the <i>destination area</i> if the transportation terminates in the <i>originating area</i> and the cost of the trip is billed to an active account held by the licence holder that was established before the trip was arranged. |
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“**tip**” includes gratuity

V. Rule

Passenger Transportation Licensing

1. Passenger directed vehicles booked or dispatched through an app must be operated in compliance with the operator’s
 - a. licence or
 - b. Temporary Operating Permit.
2. A licensee must maintain care and control of
 - a. every vehicle and driver operating under its licence, and
 - b. any app used in connection with the operation of vehicles under its licence.

Accessibility Requirements for Taxis

3. When an app is used for dispatch,
 - a. passengers must be given an option to request a wheelchair accessible vehicle or specify special service needs they have, and
 - b. wheelchair accessible taxis must be dispatched, on a priority basis, to persons with disabilities.
4. Taxi soft meters must have a “talking meter” option as set out in in the [BC Taxi Soft Meter Rule](#).
5. Unless the Board orders otherwise, taxi companies using an app must continue to provide a telephone dispatch.

Booking Trips

6. Licensees may only use a dispatch or booking app that originates and terminates trips within service area boundaries set out in the licence.

Requirements for Taxis Only:

7. Trips arranged under a licensee's "return trip authority" must be identifiable as a pre-arranged trip in the passenger's app or on an electronic or printed receipt that is received by the passenger.
8. A passenger's app registration with an account profile or setting up of a credit card account in an app does not give rise to or establish an "active account" for the purposes of limited reverse trip authority.

Rates and Fares

9. **Taxis with Metered Rates**

- a. **Calculations:** An app may only calculate Board approved taxi rates if the app meets requirements of the [BC Taxi Soft Meter Rule](#)
 - b. **Charges:** Any fare charged or collected through an app must represent the fare that is displayed on a taximeter, including taxi soft meter, and comply with any applicable rules set out in [Standard Rules for Taxicab Rates](#)
10. **Limousine Hourly or Point-to-Point Rates:** An app may only calculate and charge Board-approved rates in accordance with the Board's [Minimum-Maximum Rates and Standard Rules for Limousines in BC](#) and, if applicable, company specific rates and rules the Board has approved for the licensee. Licensees must at all times ensure that the app calculates rates accurately.
 11. **Other PDV Rates** An app may only calculate and charge Board-approved rates for operators of other PDVs, including shuttles and luxury app-based services. Licensees must at all times ensure that the app calculates rates accurately.

Fees & Discounts

12. Licensees may not advertise or provide "discounted transportation" or "free rides" to promote app downloads or usage of an app, unless specifically approved by the Board.

13. The Board does not regulate fees charged to download an app that is owned or used by a licensee.

14. Trip Cancellation & Dismissal Fees

A licensee's app may only charge a booking cancellation fee or trip dismissal fee as follows:

- a. **Taxis:** A cancellation or dismissal fee may only be charged in accordance with Rule 21 ("Taxi Dismissal Charges") in the Board rule, "[Standard Rules for Taxicab Rates.](#)"
 - b. **Limousines:** A cancellation or dismissal fee may only be charged in accordance with Rule 11 "Deposits, Cancellations and Refunds" of the Board rule, "[Minimum-Maximum Rates and Standard Rules for Limousines in BC.](#)"
 - c. **All other PDVs:** A cancellation or dismissal fee may only be charged or collected from a passenger if the Board has approved such a rule for the licensee either in a decision or on a licensee's rate and rule sheet.
15. **Tips:** Licensees must not use an app that adds a mandatory tip to the fare. An app may prompt a passenger to make a tip only if the passenger has an option to pay for a trip without giving a tip.
16. **App Usage Fees:** Notwithstanding Rule 13, a licensee must not use an app that charges or collects from passengers a fee for using the app.
17. **Payment Processing Fees:** A licensee's app may not charge or collect from passengers a fee for using a particular payment method.

Investigation, Compliance & Enforcement

18. If issues arise regarding the accuracy, reliability or compliance of an app or app function operated by a licensee, the Board or Registrar may require the licensee, at the licensee's expense, to
- a. produce records an information collected by an app,
 - b. provide an independent, third-party assessment of an app or app function,
 - c. modify an app or app function,
 - d. cease usage of an app or app function,

- e. set conditions for the use of an app or app function, or
- f. take any other action considered necessary to confirm the accuracy, reliability or compliance of the app or app function.

VI. Dates

Date of Rule: July 5, 2017 Effective Date: July 5, 2017