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# PASSENGER TRANSPORTATION AUDITS

## Introduction

A passenger transportation audit evaluates how well you are meeting your licence requirements. Upon completion of audit, the Passenger Transportation Inspector will provide you with audit findings and if deemed necessary, an action plan.

On the licensee's first random audit, the focus will be on education and consultation to assist carriers with complying with their licence obligations. On subsequent audits, the focus will be geared towards compliance of the regulatory requirements. If a licensee is deemed in non-compliance this may necessitate the issuance of notice & orders and/or violation tickets against the licensee.

It is our intention that each year licensees will be randomly selected for an audit, unless there are indications that a licensee may be in non-compliance of its licence. Random audits are performed to better understand how well licensees are meeting their obligations.

If a licensee is selected for a random audit they will be advised in advance. The Passenger Transportation Inspector will contact the licensee by ordinary mail, personal delivery or by electronic transmission. Person(s) being interviewed during the audit must be shown on the licensee's signing authority form or designated in writing by the licensee's principal.

## Audit Evaluation

An audit evaluation would include the review of documentation and inspection of vehicles, but not limited to:

1. Licensee operating within the Passenger Directed Vehicle (PDV) fleet size.
2. Inter-City Bus (ICB) licensee operating at minimum route frequency.
3. Licensee operating within the area of service as described in licence.
4. Licensee's driver(s) having the proper class of driver's licence.
5. Licensee operating within the timeframes (start and cease of operations of every year) as prescribed in licence.
6. Licensee operating within the PDV/ICB exclusions as described in the licence.
7. Licensee in compliance with the PDV tariff rates.

8. Licensee in compliance with the PDV tariff rules.
9. Safety conditions of vehicle being reported promptly to Licensee.
10. Licensee retaining for a period of two years written reports of repairs.
11. Licensee operating within the specific type/model of vehicle as prescribed in the licence.
12. Licensee operating vehicle(s) within the PDV carrying capacity of the licence.
13. Licensee operating vehicle(s) with current inspection certificate.
14. Licensee having a copy of the current licence in each vehicle operating under the licence.
15. Licensee will have a copy of the temporary operating permit in each vehicle operating under that licence.
16. Licensee having a valid identifier (plate and/or decal) displayed on the vehicle(s).
17. Licensee displaying the proper identifier (i.e. plate and/or decal or "GAVI") on vehicle(s).
18. Licensee carrying the proper vehicle identification certificate for each vehicle in operation.
19. Licensee operating a stretched SUV's that conforms to the motor vehicle safety standards, and has Canadian Motor Vehicle Safety Standards certification (secondary manufacturer's testing and decaling).
20. Licensee operating a stretched vehicle that was weighed and holds the correct authorization for that vehicle.
21. Licensee declared the vehicle to be an accessible vehicle, and the vehicle is in compliance with the Canadian Standards Association Standards (secondary manufacturer's testing and decaling) or has received approval to operate the accessible vehicle by Area Vehicle Inspector.
22. Licensee meeting the total number of wheelchair accessible vehicles as required by the Passenger Transportation Board.
23. Licensee having care & control on the drivers and operators of the vehicles.

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## Documentation Review

The review of the licensee's documentation may include, but not limited to:

- Charter Orders / Trip Sheets/ Invoices containing the following information:
  - a) Carrier Name;
  - b) Date of charter/individual fare trip or date period;
  - c) Name of charter group or person hiring the carrier;
  - d) Detail of the charter/individual trip, i.e. originating from and to where, along what routes, any stops. Detail if the charter/individual fare trip returning to point of origination;
  - e) Other relevant charges such as waiting time, toll, ferry costs, driver's expenses, etc;
  - f) Number of passengers carried, and any special conditions;
  - g) Charter/individual rates charged
  
- Reports of safety concerns of vehicle being reported to Licensee
- Written reports of repairs for the past 2 years
- Copies of vehicle registrations specifying type/model of vehicle as prescribed in licence
- Dispatch sheets
- Copies of current & passed inspection certificate (mechanical inspection report)
- Licensee's Rate Sheets
- Licensee's Rules Sheets
- Copies of Driver's Licence
- Driver's Abstract's
- Log Books/Pre -Trips

## Audit Findings

If a licensee is found to be in non-compliance of the Passenger Transportation Act and/or the Passenger Transportation Regulation, the Licensee will make the necessary changes in agreement as detailed in the Audit Action Plan with the Passenger Transportation Inspector. A written audit report of the findings will be given to the licensee.

The licensee will have a number of days to correct any inconsistencies found during the Audit Review. A follow-up Audit may be scheduled at a later date.

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## Authority to Conduct Passenger Transportation Audits

The Registrar of Passenger Transportation or a person authorized by the registrar may conduct investigations pursuant to Part 2, Section 5 of the Passenger Transportation Act (PTA).

Excerpts of Section 5 of the Passenger Transportation Act, states:

### Investigations

- 1) In this section, "inspector" means a person conducting an investigation that the person is authorized by or under this section to conduct.
- 2) Without limiting section 2 (3), the registrar, or a person authorized by the registrar under section 4 or otherwise, may conduct an investigation that the registrar considers is or may be necessary to ensure compliance with this Act and the regulations, including, without limitation, an investigation for the purposes of
  - (h) any other matter in relation to which the registrar or board has powers or duties under this Act.
- 3) An inspector
  - (a) may enter the business premises of a licensee, licensee's agent, permit holder or permit holder's agent during normal business hours for the purposes of inspecting any records and things that may be relevant to the inspection, and
  - (b) must, on request, present identification to the owner or occupant of the premises.
- 4) For the purposes of subsection (2), the inspector may
  - (a) require any person who has possession of or control over any records and things that may be relevant to the investigation to produce those records and things,
  - (b) inspect any of the records and things produced under paragraph (a), and
  - (c) remove any of the records and things produced under paragraph (a) for the purpose of making copies or extracts.

- 5) A licensee, licensee's agent, permit holder or permit holder's agent referred to in subsection (3) (a) must produce all records and things that an inspector may require for the purposes of this section and must answer all questions of the inspector regarding the matters relevant to the investigation.
- 6) An inspector who removes any records or things
  - (a) may make copies of, take extracts from or otherwise record them,
  - (b) must give a receipt for them to the person from whom they are taken, and
  - (c) must return them within a reasonable time.
- 7) A person must not obstruct an inspector or withhold, destroy, tamper with, conceal or refuse to produce any information, record or thing that is required by the inspector or that is otherwise relevant to any of the matters in respect of which the investigation may be conducted