



Does the Passenger Transportation Board need to approve a transfer of my licence?

Yes. The Passenger Transportation Board must approve the transfer of a licence with a special authorization.

A transfer is from one legal entity to another. A legal entity may be a person or sole proprietor, a partnership or a corporation.

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I. About Licence Transfers

A transfer of a licence includes a transfer of **all** the terms and conditions of licence. A single term and condition of licence cannot be transferred. If the transfer is approved, the new licence will have the same terms and conditions as the previous licence.

The person who is transferring the licence is called the “**transferor**”. The person who is obtaining the licence is called the “**transferee**”. Both the transferor and the transferee must submit a transfer application form to the Passenger Transportation Branch (Branch).

The transferor is responsible for renewing its licence pending a decision on a transfer application. A licence that is not renewed expires. If the licence expires, then a pending transfer application also expires.

Share Transfers

The Passenger Transportation Board (Board) does not approve share transfers. However, if the Board becomes aware of a major transfer of shares, it may require new majority shareholders or directors to complete a "*disclosure of unlawful activity and bankruptcy*" form or supply further information. The Board may also conduct a licensee fitness review at any time.

Administrative Transfers and Regular Transfers

The Board considers some transfers administrative in nature and has streamlined requirements for these applications. Examples of administrative transfers are:

- A sole proprietor converts the business to a limited corporation and the proprietor becomes the sole shareholder of the new corporation.
- A partner leaves the partnership and the company changes from a partnership to a:
 - a sole proprietorship;
 - a new partnership; or,
 - a new corporation.

The remaining partners are the majority of principals in the new entity.

- One corporation is being dissolved voluntarily and a new corporation is established with the same principals or majority of the same principals.

All other transfers, such as from one corporation to another, are considered regular transfers and applicants must meet more detailed requirements.

The Board determines whether a transfer is in nature, and may request more information at any time.

Application requirements are set out in Section III “Checklist for Applications”.

II. Application Process

The Board and the Registrar of Passenger Transportation (Registrar) are separate entities with distinct responsibilities under the *Passenger Transportation Act*. The roles of each in the application process are explained below.

1. Branch Receipt of Application

Through the Passenger Transportation Branch (Branch) office, the Registrar accepts all applications (including those which require Board approval) and ensures that the applications are complete.

- You pay a fee of \$200 when submitting an application to the Branch office. If the application is approved, you must pay \$100 per vehicle that you activate. The Branch will advise you of payment processes.
- The Registrar verifies safety requirements and issues all licences. The Registrar is also responsible for initiating compliance and enforcement actions against both licensed and unlicensed operators.
- The Branch screens submitted applications prior to forwarding them to the Board in Victoria.
- If an incomplete application is received, the Branch will contact the applicant and request that missing information be provided within a specified time frame. If the due date is missed, the application fee will not be processed, and the application will not be forwarded to the Board for a decision. You will need to resubmit a complete package.

The filing of an application does not confer any permission or authority to operate a passenger transportation service.

Sending Your Application

Send your application to the Passenger Transportation Branch in Coquitlam.

200 – 1500 Woolridge Street, Coquitlam BC V3K 0B8

Phone: 604-527-2198 Fax: 604-527-2205

Toll Free: Call Enquiry BC at 1-800-663-7867

Email: passengertransportationbr@gov.bc.ca

Web: Registrar & Passenger Transportation Branch

2. Board Decision-Making Process

The Board is an independent tribunal in British Columbia established under the *Passenger Transportation Act*. The Board’s primary responsibility is to make decisions on

applications relating to the licensing of passenger directed vehicles (e.g. taxis, limousines, shuttle vans, transportation network services) and inter-city buses in British Columbia.

Publication & Submissions

Using information in your application, Board staff draft and email you an Application Summary that includes proposed terms and conditions for providing the transportation services you seek.

After you confirm that the Application Summary is correct, we publish it in the Board's *Bulletin*, typically on Wednesdays at the end of the business day. However, the *Bulletin* also may be published on days other than Wednesday.

Within 10 days of publication of a regular transfer application or 7 days for an administrative transfer, anyone may send the Board a written submission with the required \$50 submission fee. Local governments and First Nation governments may also comment on an application; however, a submission fee is not required.

You will receive a copy of all submissions and comments, and you will have 7 days to send a *reply* to the Board.

Further information on submissions can be found on the [Making a Submission webpage](#) and in [Reference Sheet 8](#).

Information & Evidence

Board members make decisions based on information and evidence that relate to your application. This information and evidence may include:

- information you submit with your application;
- written submissions from other people, first nation councils/nations or local governments¹;
- information that is available to the public (e.g. information on your website, information on the Board or Branch website, etc.) as well as other records, information or reports that the Board reviews, obtains or produces²;
- data collected from taxis, transportation network services, limousines and other passenger directed vehicle operators in an area;
- information from a public hearing;
- your replies to submissions and comments on records, information or reports;
- compliance information received from the Registrar of Passenger Transportation;

¹ You will be able to see information from submitters or another person, unless it is confidential business information. If it is confidential business information, you will receive a summary of the information as set out in Board Rule 18 ("Confidential Information from a Submitter").

² You will be able to comment on information that the Board uses or produces.

- investigation reports from the Registrar of Passenger; and
- information available through the provincial court registry (Court Services Online).

The information referred to in the last three bullets will be used by the Board to assess “fit, proper and capable” under section 28(1)(a) of the *Passenger Transportation Act*.

Decisions

Application decisions are made by Board members. Staff do not make decisions on applications.

The Board makes its decision according to its mandate as set out in section 28(1)(a) of the *Passenger Transportation Act*, as outlined below in section 3. The Board decides each case on its own merits. The Board also seeks to have consistency in its decisions.

To approve an application, the Board must also be satisfied that applicants have shown that as licensees they would meet the requirements of the *Passenger Transportation Act* and regulations, including those relating to drivers and vehicles.

Decisions are emailed to applicants and the Branch, then published in the *Bulletin*.

3. Board Considerations

When making a decision on a transfer application, the Board must consider applicant fitness. The Board considers this in two parts:

- (i) Are you a “fit and proper person” to provide the proposed service?
- (ii) Are you capable of providing that service?

Reference Sheet 19 provides detailed information about the factors and information the Board considers regarding the above questions. The reference sheet informs applicants of obligations and requirements they are assessed on and with which operators must comply after a Special Authorization licence has been approved and issued.

4. Licences Issued by the Branch

If your application is approved in whole or in part by the Board, and the Registrar is satisfied that the applicant meets the requirements set out in s. 29(1) of the *Passenger Transportation Act*, the Registrar will issue a passenger transportation licence with the a Special Authorization. The service you provide must comply with the Board’s terms and conditions of this licence. The Registrar must issue a licence before your service can start.

Your licence is valid for one year from the date of issue unless otherwise specified by the Board. Renewals are under the authority of the Registrar and licensees must apply to renew their licence every year.

Any changes to legal name, sole proprietor, partners or company CEO & local GM , business mailing address/physical location of records, or signing authorities require submission of forms available on the [Branch forms webpage](#) and must be submitted to the Branch.

III. Checklist for Applications

This section lists information you need to know before you apply for a passenger transportation licence. It also lists the forms and documents that you must provide with your application. More details about application requirements are provided in the forms themselves, and in Section IV: [More Information About Required Attachments](#) .

1. Before you apply – Transferees		
<input type="checkbox"/>	Obtain a National Safety Code Certificate (NSC) – the Branch will return any applications received that do not have a valid NSC number.	LINK
<input type="checkbox"/>	Understand Commercial Vehicle and Safety Information about commercial passenger transportation vehicles	LINK
2. Branch Forms (no electronic signatures permitted) & Fees		
<input type="checkbox"/>	Special Authorization Licence Transfer form (submitted by both the transferor and the transferee)	LINK
<input type="checkbox"/>	Fee: Non-refundable fee of \$200 payable to the Minister of Finance by cheque, money order or credit card (the Branch will contact you by telephone for authorization if using a credit card)	ATTACH
<input type="checkbox"/>	Identification Documents Business/Organization (required only if located outside British Columbia)	ATTACH
<input type="checkbox"/>	Signing Authority form	LINK

3. Passenger Transportation Board Forms from the <u>transferee</u> for all transfer applications		
Complete the forms and submit the attachments listed below with information that allows the Board to assess whether the transferee is <u>fit, proper and capable</u> of providing the service.		
<input type="checkbox"/>	Disclosure of Unlawful Activity & Bankruptcy form	LINK

<input type="checkbox"/>	Declarations form	LINK
4(a). Attachments for administrative transfers only		
<input type="checkbox"/>	Balance Sheet from the transferor or transferee and current to the most recent fiscal year. Personal Net Worth Statements if the transferee is a sole proprietor or partnership.	ATTACH
<input type="checkbox"/>	Resumés of any new partners	ATTACH
<input type="checkbox"/>	Criminal record checks for any new partners	ATTACH
<input type="checkbox"/>	Updated rate information	ATTACH

4(b). Transferee Attachments for regular transfers.		
<input type="checkbox"/>	Business Plan	ATTACH
<input type="checkbox"/>	Cash Flow Projections (36 months)	ATTACH
<input type="checkbox"/>	Balance Sheet Personal Net Worth Statements if the transferee is a sole proprietor or partnership	ATTACH
<input type="checkbox"/>	Resumés of sole proprietor, partners or company president and general manager	ATTACH
<input type="checkbox"/>	Criminal record check(s) for sole proprietor, partners or company chief executive officer and general manager	ATTACH
<input type="checkbox"/>	Updated rate information	ATTACH

IV. More Information About Required Attachments

This section provides more detailed information on “Application Attachments” that are listed in the checklist sections IV. 3(a) or (b). Attach only the documents that apply to your application.

Attached Document	Requirements
Business Plan	Business plans give the Board a clear, detailed picture of your operation. You need to provide enough information to the Board to enable it to review and understand how you will set up and run your business. Your business plan should show that you understand the passenger transportation business, including the requirements of the

	<i>Passenger Transportation Act</i> , its regulations and Board policies. See Board Reference Sheets on Business Plans , Business Plan Updates and Sample Business Plan Outlines .
Cash Flow Projections	Provide month-by-month cash flow projections for 36 months . Break projections down to the main expense and revenue categories for your operation. See Reference Sheet 4: Financial Information for more information.
Balance Sheets or Personal Net Worth Statements	If you are a company, submit a balance sheet If you are sole proprietor or partnership, submit a personal net worth statement. See Reference Sheet 4: Financial Information for more information.
Income Statements	If you operate a passenger transportation business, you must submit a income statements for the past 2 years. See Reference Sheet 4: Financial Information for more information.
Resumés	Resumés are required from sole proprietors, each partner in a partnership involved in management, and for a corporation, the president and the general manager (head) of the Canadian or BC operations. You should include information that shows you have the knowledge, skills and abilities to operate the service for which you are applying. Resumés outline education, work experience and skills. You do not need to have run a passenger transportation service before. The Board wants to know that you have skills that you can apply to running the service. You may have gained these skills through your education, experience or work history.
Criminal Record Checks	Criminal record checks must be provided for sole proprietors, each partner in a partnership involved in management, and for a corporation, the CEO and GM (head) of the Canadian or BC operations. NOTE: Individuals who are not residents of Canada must provide either (a) a Police Certificate from their country of residence confirming that a criminal record does not exist; or (b) a copy of the criminal record. Information about obtaining criminal record information from other countries is available on the Government of Canada website .
Updated Rate Information	Submit updated individual rates and rules in the name of the transferee. With a licence transfer, the Board approves the rates and

	rules that are the same as those of the transferor. To change rates, submit a Change of Rates application .
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V. Other Information Available to Applicants

The Board's [website](#) has additional information available to applicants. This includes information on legislation and Board policies and rules, applications and reference sheets, rates, industry specific matters and rates.

Confidentiality

The Board keeps the following types of information confidential:

- private financial information (e.g. personal net worth statements)
- private business details (e.g. contracts, customer account information, detailed expansion processes)
- information from criminal record checks that is not public and other personal information (e.g. "Disclosure of Unlawful Activity and Bankruptcy" form)

Other information submitted with an application may be made public. Board decisions are public. The *Freedom of Information and Protection of Privacy Act* may apply to information in your application package

VI. Reconsiderations

There is no right to appeal Board decisions. The Board may reconsider, vary or rescind a decision in only two circumstances:

- (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.

For further information, see [Reference Sheet 14: Options after a Decision](#).

VII. Contacts

For further information or questions on the Board's process contact the Board at the following link:

[Passenger Transportation Board](#)

P.O. Box 9857 STN PROV GOVT, Victoria BC V8W 9T5

Phone: 250-953-3777 Fax: 250-953-3783 Email: ptboard@gov.bc.ca