

Overview of Special Authorization Application Processes

Applicants send their applications to the Branch

People send application materials to the Passenger Transportation Branch. The Branch reviews the materials to confirm that they are complete. The Branch does not review the quality of the materials. Complete applications have all the information required by the Passenger Transportation Board. The Branch transmits completed applications electronically to the Board using its Passenger Transportation System.

Incomplete applications are missing information required by the Board.

The Branch tells applicants what information is missing and gives them a deadline to submit the information. If applicants submit the missing information by the set date, the Branch sends the complete application to the Board.

If applicants do not provide the complete information to the Branch, the Branch will forward the application to the Board. The Branch tells the Board that applications are not complete. The Board may, after giving notice to applicants, dismiss incomplete applications.

Dismissed applications are not processed any further. The \$200 application fee is not refunded.

Board Staff Prepare Application Summaries & Publish the Application

Board staff prepares a summary of the application. The summary uses language that is common to passenger transportation licences. .

The published summary will generally include a public explanation of your application that you write and submit with your application.

Staff uses information in the application materials to draft the summary. The summary is e-mailed to applicants, unless the applicant does not have an e-mail address. In that case the summary is faxed or mailed. Applicants are asked to confirm that the summary is correct. Applicants may change the summary if it is not correct. Applicants must sign the summary and send it back to the Board. The summary is published on the Board website in

its *Bulletin*. The Bulletin is published at least on Wednesday but may be published other days if the Board considers it necessary

The published application summary is public notice of the fact and nature of application.

Submissions on Applications

The Board accepts submissions on applications. Most submissions are from people who oppose an application. However, people may make a submission in support of an application. Submissions must be sent to the Board by a set date. The submission deadline is posted in the Board's *Bulletin* where the application summary is posted. Submission deadlines vary depending on the type of application. People making submissions pay a \$50 submission fee. See Reference Sheet 8: [Making a Submission on an Application](#).

Applicant Replies to Submissions

Board staff send submissions to applicants. Applicants are usually given seven days to send a reply to the Board. Submissions and the applicant's replies are part of the application file that is reviewed by the Board.

File Overviews

Board staff prepare a brief overview of the application file. This overview includes information from the applicant. Submissions and applicant replies are noted. Public information about other licensees in an area may also be included. Information about other licensees is on the [Industry Info webpage](#) of the Board website.

Panel is Appointed

Staff advise the Chair of the Board that the application file is ready to go to the Board for a decision. The Chair appoints a panel to review the application. Most panels have one Board member. Some have more than one. (The Chair can assign the file to him or herself).

Board Processes: File Reviews, Investigations and Oral Hearings

The Panel reviews the file. Most Board decisions are made after a review of the application file. This is a "file review". The Board may have further questions for an applicant, a submitter or another person. This is a "board investigation". The Board may ask the Registrar of Passenger Transportation to undertake a more detailed investigation of all or part of the application. This is referred to as a "registrar investigation". The Board may also hold an oral hearing to hear first-hand from applicants, submitters or other persons. Oral hearings are open to the public. Very few applications are set down for an oral hearing.

Board Decisions

The Board issues written decisions. The decisions include the reasons why the Board reached its decision. If an application is approved, the decision will set out the terms and conditions of licence approved by the Board. Decisions are sent to the applicant and the Registrar. Decisions are published in the *Bulletin* and posted on the Board [web site](#).

Appeal of Board decisions

There is no “automatic” right of appeal of Board decisions. There are only 2 grounds on which the Board may reconsider, vary or rescind a decision. These are:

- (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.

The Board may review a decision if it is satisfied that these grounds exist.

In some cases, Board decisions may be reviewed by a Court. Refer to *Reference Sheet 14: Options after a Decision*.

Registrar of Passenger Transportation Issues Licences

The Registrar must issue a licence before a person can start the service that the Board approved.

Annual Renewal of Licences (Registrar)

Licences are valid for one year from the date of issue. The Registrar of Passenger Transportation renews licences. Licences that are not renewed expire.

“Urgent Public Need” (UPN) Claims

Sometimes, the Board may decide an application without giving public notice. For this to happen, the Board must be satisfied that there is an urgent public need for the service the applicant seeks. See *Reference Sheet 5: Urgent Public Need*.

Applications may be Dismissed

The Board may dismiss an application without considering its merits or substance. For example, the Board may dismiss:

- incomplete applications; .
- an application when the applicant does not meet a Board timeline; or,
- an application that does not have a reasonable chance to succeed.

The Board ,gives an applicant notice of a dismissal and an opportunity to respond. The Board considers any response received from an applicant before making its final decision,

Figure 1: Overview of PT Licensing Process

