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March 28, 2007

Industry Advisory

Amendments to Terms and Conditions of Licence

Section 31(2) of the Passenger Transportation Act gives the Board a power to direct the Registrar to amend licences with special authorization. This power is limited by the parameters of section 31(3). These sections read:

- (2) ... subject to subsection (3), the board may, on its own initiative, direct the registrar to amend a licence issued under Division 3 and, in that event, sections 28 (2) and 29 apply.
- (3) The board may issue a direction under subsection (2)...
 - ...(b) if the board is making amendments to all licences, or to all licences of that class of licences, to standardize the terms and conditions applicable to those licences,

The Board is directing that the Registrar make the following amendments to terms and conditions of licence.

1. Amend all licences to include a standard clause pertaining to transfer requirements

All Special Authorization licences will be amended to include the following clause.

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.

This clarifies that to transfer a license, licensees must make an application under section 30 of the Passenger Transportation Act. Administrative sanctions may be imposed upon a licensee who transfers a licence without Board approval.

2. Changes to wording of the "originating area/terminating area" porton of Special Authorizations for Passenger Directed Vehicles

	Transportation of passengers may only originate from any point in the City of the Future and points within 24 road kilometres of the City of the Future.
	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
` '	Transportation of passengers must terminate within the City of the Future.

 This amendment is designed to make it clear to licensees, enforcement officers and others that passengers may only be picked up and dropped off at specific locations. If the destination area is "any point" in the Province or extra provincially, this is a sufficiently broad area that "may" is appropriate. However, if the destination area is a finite area within the Province then, "must" is the wording that will be used on terms and conditions of licence.

3. Amend all "taxicab" licences to refer to approval for a taxi camera program

A new "taxi camera" term and condition will be added to licences with a Special Authorization to operate Passenger Directed Vehicles where the vehicles' operation could be classified as a "taxicab".

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.

The new term and condition will permit the installation and use of taxi cameras in vehicles when a licensee complies with applicable taxi camera rules, standards and orders of the Board.

Vehicle operations could be classified as a taxicab if licensees:

- a) Charge metered rates and have Board authorization to use a taxi meter, or
- b) Charge non-metered rates and have a licence that contains express authorization to use a top light or pick up hails and flags from the street, and operate one or more vehicles that carry no more than 7 passengers.

Implementation

These amendments will be made to terms and conditions of individual licence:

- immediately if there is any re-issuance of a licence related to an application, or
- starting June 2007 as licences are renewed. (This Industry Advisory will be included with renewal notices.)

If anyone has a question regarding these amendments, please contact:

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