

INDUSTRY ADVISORY

September 22, 2021

Board Concludes Investigation on the Impact of the COVID-19 Pandemic on the BC Passenger Transportation Industry.

On April 20, 2021, the Board exercised its discretion pursuant to section 27(3)(b) of the *Passenger Transportation Act*, to initiate an investigation on the effects of the COVID-19 pandemic on the passenger transportation industry (the “COVID-19 Board Investigation”). This Investigation was concluded on September 17, 2021.

The Board initiated this Investigation under the Uber Canada Inc.’s application to expand its current area of operation from the Lower Mainland to all regions in BC, and Facedrive Inc.’s application to operate a ride hailing service in Region 1, i.e. the Lower Mainland (collectively referred to as the “Main Applications”). The Board was concerned that it did not have sufficient empirical data to properly consider whether there was public need for the services applied for and whether granting the applications would promote sound economic conditions, given the impact of the pandemic.

Pursuant to section 14(d) of the *BC Passenger Transportation Act*, the Board continued to review other applications which involved similar questions of fact, law, or policy that may be impacted by the COVID-19 Board Investigation and decided to defer making a decision until after the conclusion of the Investigation. The affected applications include: Black Top Cabs Ltd. (#11024-20TNS), North Shore Taxi (1966) Ltd. (#10575-20TNS), and Swiftsure TaxiCo. Ltd.; Duncan Taxi Ltd.; Comox Taxi Ltd.; Oceanside Taxi Ltd. (#10336-20TNS).

The Board retained Hara Associates, a professional economist, to conduct the investigation and produce an Investigator's Report. This was made possible through the cooperation of industry members who provided relevant data and information in a timely manner.

The Investigator's Report provides the Board the objective data decision-makers need when considering the three factors outlined in section 28 of the Act: whether there is a public need for service the applicant proposes to provide; whether the applicant is fit, proper and capable of providing the service; and whether the application would promote sound economic conditions in the passenger transportation business in BC.

All affected applicants, and the submitters in those applications, have been provided a copy of the Investigator's Report and have been invited to provide submissions on its contents before the Board makes any final decisions. The Board is committed to rendering its decisions as quickly as possible and in the best interests of the passenger transportation industry as a whole.

We encourage the public and members of the industry to continue to consult the Board's website for any updates.