

June 9, 2010

Amendments to the *Passenger Transportation Act: Fitness*

The Government of British Columbia has amended the *Passenger Transportation Act* (the “Act”). These amendments will help to ensure that providers of commercial passenger vehicle services are “fit and proper” persons. The amendments affect general authorization applicants and licensees, and they affect special authorization applicants and licensees.

The Registrar of Passenger Transportation now has the ability to consider whether an applicant or licensee is a fit and proper person. If, after an investigation, the Registrar determines that a person is not fit and proper, then the Registrar may refuse an application or suspend a licence, order one or more vehicles to stop operating or cancel a licence.

The Act requires the Board to consider fitness at the time of application for special authorization applicants. The Act now requires that special authorization licensees remain fit and proper and capable of providing the service. The Board may at any time conduct an investigation to determine whether a person is fit and proper and capable of providing a service. If the Board finds that a licensee is not fit and proper or capable of providing the service, it may direct the Registrar to suspend the licence, order one or more vehicles to stop operating or cancel the licence.

These amendments are now law. However, the particular sections have not yet been brought into force. We expect that this will happen this Summer. The amendments may be viewed on line at: http://www.leg.bc.ca/39th2nd/3rd_read/gov11-3.htm (sections 177-188)

The Board and the Branch are developing policies and procedures on fitness and fitness investigations. When these are completed, more information will be posted online.