

Operational Policy:

Modernizing Taxi Regulation, 2018

Purpose:

To set the policy and process to guide implementation of short term actions to modernize the taxi industry recommended by the Hara Report, namely,

- allow existing licensees a one-time opportunity to increase their number of taxi vehicles (plates) by up to 15% in the near future;
- give the industry the flexibility to lower fares before meter rates in off-peak hours for app-hailed taxi trips; and
- enable separate day and night vehicles for one plate.

Legislation:

The Passenger Transportation Act (PTA) regulates the supply of taxis. The Board may approve an application for additional taxis if it considers that:

- There is a public need for the service;
- The applicant is a fit and proper person and capable of providing the service; and
- The application would promote sound economic conditions in the passenger transportation business in the province

Under the PTA, the Board may approve rates charged by a licensee operating passenger directed vehicles.

Context:

The British Columbia government has announced that it will introduce legislation in the fall session of 2018 to modernize taxi regulation and make way for the introduction of Transportation Network Companies (TNCs). As part of the background work, the Minister of Transportation and Infrastructure (MOTI) commissioned a study entitled *Modernizing Taxi Regulation* by Hara and Associates. The report included three recommendations for short term action by the Board. In June 2018, the Board approved the three actions in principle subject to consultation with stakeholders. The consultation results are in a report called *Taxi Modernization: Short-term Actions, Results of Consultation & Recommendations* to the PT Board. These results form the basis for the operational policy below.

Given the context and circumstances of the short-term actions, the PT Board will not require applicants to submit detailed operational data and public need indicators with their applications.

Policy:

1. This policy applies to licensees
 - (a) whose licence
 - i. contains a Special Authorization: Passenger Directed Vehicle
 - ii. contains express authorization to allow an operator to pick up passengers who hail or flag the motor vehicle from the street; and
 - (b) who were approved by the PT Board to operate on or before July 19, 2018.
2. In calculating the 15%, the Board will use the maximum fleet size stated on a licence as of July 19, 2018.
3. Any licensee whose licence as of July 19, 2018 authorized a maximum fleet size of 14 or more vehicles may apply to increase its fleet size by up to 15%.
4. Any licensee whose licence, as of July 19, 2018, authorized a maximum fleet size of between 4 and 13 vehicles may apply to increase its fleet size by one vehicle.
5. Any licensee whose licence, as of July 19, 2018, authorized a maximum fleet size of 3 vehicles or less may affiliate with one or more licensees and submit a joint application to receive additional vehicles pursuant to paragraphs 3 and 4 above, as long as:
 - a. The total number of vehicles that all licensees affiliating in the application are currently licensed to operate is 3 vehicles or less;
 - b. All licensees affiliating have the same originating area on their individual licences;
 - c. All licensees will declare
 - i. on whose licence the additional taxis will be assigned, or
 - ii. the name of the new legal entity under which the taxis will operate; and
 - d. The applicant demonstrates to the satisfaction of the Board that granting the request will not result in an increase in taxis of more than 15% plus one in the relevant operating area.
6. Notwithstanding paragraph 5 above, if the licensee affiliates operate under a common dispatch service and trade name, the maximum number of additional vehicles that may be approved will not exceed 15 % of the total vehicles operating under the common dispatch or trade name, unless the Board orders otherwise.
7. Any licensee:
 - (a) operating as the only taxi service in a community with a population of less than 2,000 people,

- (b) whose licence as of July 19, 2018, authorized a maximum fleet size of three vehicles or less, and
 - (c) whose licence has an originating area breadth of 25 kilometres or moremay apply to increase its maximum fleet size by one vehicle.
- 8. Applicants must declare the principal dispatch company and brand used by each licensed vehicle at present and, if different, on July 19, 2018.
- 9. Percentages will not be rounded up.
- 10. The Board, at its sole discretion, may require one or more vehicles approved under this policy to be a wheelchair accessible taxi. The Board will consider:
 - a. Opportunities to expand the number of accessible taxis in areas with a low percentage of taxis relative to the need for these vehicles; and
 - b. Opportunities to more equitably distribute the percentage of accessible taxis among companies in an operating area.
- 11. All non-wheelchair accessible taxis must be activated within 3 months and all wheelchair accessible taxis must be activated within 6 months, unless otherwise ordered by the Board.
- 12. Licensees must request any extension:
 - (a) prior to the end of the activation period specified in paragraph 11, and
 - (b) must demonstrate to the Board's satisfaction what factors are obstacles to plate activation.
- 13. All applications for additional vehicles under this policy must be submitted to the [Passenger Transportation Branch](#), using this streamlined package, by October 19, 2018. After October 19, 2018, application processes and requirements stated in the PT Board's [taxi application guides](#) apply.
- 14. Notwithstanding section 13, the Board may accept a late application if delays beyond the applicant's control occurred.
- 15. The PT Board may consider together applications received from licensees serving in the same or similar geographic areas.
- 16. Licensees will have the flexibility to lower fares below meter rates in off-peak hours for app-hailed trips as of September 1, 2019.
- 17. The Board will permit licensees to increase their maximum fleet size to designate vehicles as

single shift paired vehicles. Single shift paired vehicles are two vehicles pairing together for the purpose of operating separate shifts, rather than one vehicle covering 2 shifts.

18. Licensees must keep a written or digital record of

- (a) The two vehicles that are paired; and
- (b) The start and end times of all single shift paired vehicles.

19. Unless the driver is completing a trip that started before the end of a specified shift, single shift paired vehicles may not be on the road at the same time.

20. For identification and enforcement purposes, single shift paired vehicles are required to have a specified "identification code" on their vehicles pursuant to Board rules.

Effective Date: September 17, 2018