

July 27, 2016

Peak Season TOPs for Limousines

1. *What is a Peak Season (PS) TOP for Limousines?*

A PS TOP is a streamlined [temporary operating permit process](#). It allows limousine operators to add vehicles to meet seasonal spikes in business.

2. *How many days in a calendar year can I get a PS TOP for?*

Up to 92 days. In any calendar year, a licensee may apply for a maximum of one of the following PS TOP time blocks:

- 3 – 30 day PS TOPs,
- 1 – 60 day PS TOP and 1 – 30 day PS TOP, or
- 1 – 92 day PS TOP.

3. *How many limousines can I get under a PS TOP?*

The maximum number of vehicles permitted for a PS TOP time block is as follows:

Fleet Size	PS TOP Vehicles Permitted
1 - 10	1
11-23	up to 2
24+	up to 3

4. *Does the permit have to be for continuous days?*

Yes. PS TOPs are available in blocks of 30, 60 and 92 days.

5. *Can I get PS TOPs at different times of the year?*

Yes. You can apply for a PS TOP (e.g. 30 days) and then apply later (for a 60-day PS TOP).

PS TOP Summary

- A licensee may apply for up to 3 PS TOPs in a calendar year
- Each PS TOP may be for a consecutive time block of 30 days, 60 days or 92 days (the total may not exceed 92 days in a year)
- The maximum number of additional vehicles under a PS TOP is as follows:
 - 1 vehicle for a licensee with PT authority for 10 limousines or less
 - Up to 2 vehicles for a licensee with PT authority for 11-23 limousines
 - Up to 3 vehicles for a licensee with PT authority 24 limousines or more

6. *Can I get a PS TOP to cover the festive season?*

Yes. PS TOPs can run through December and up to January 7th of the next year. For example: A 92 day permit from October 8, 2016 would be valid until January 7, 2017. This permit would be counted as a 2016 PS TOP.

7. *Is the calendar year January 1 to January 7 of the following year?*

No. The calendar year is January 1st to December 31st. During the festive season, a TOP that starts in one year may end in the following year. (See Question 6.)

8. *Can I get a permit for fewer vehicles than my maximum allowed?*

Yes.

9. *Am I guaranteed a PS TOP?*

No. The process is streamlined but there are no guarantees. The Board may refuse any application if circumstances warrant. For example, the Board may refuse a PS TOP if it is not satisfied that you are fit and proper or capable of providing the service.

10. *Do I have to apply for my maximum number of vehicles when I apply for a PS TOP?*

Yes. If approved, your PS TOP will be for the maximum number of vehicles you request. You cannot come back through a PS TOP time block and ask to activate another vehicle under your PS TOP.

There will not be an activation deadline for PS TOPs.

You will need to manage your fleet and your bookings around PS TOP parameters.

11. *My maximum fleet size is higher if I have a contract for service. What will my maximum number of vehicles be based on - the number of vehicles with the contract or my base amount without the contract?*

If the contract is in effect, your PS TOP maximum will include the vehicles that may be operated under contract.

If the contract is not in effect, your PS TOP maximum will be based on your base number of vehicles only.

12. *Can I have a different operating area for my PS TOP?*

No. Your operating area stays the same as stated in the terms and conditions of your PT Licence.

13. *I have PSBs. Can I operate a stretch limo or sedan under my PS TOP?*

Yes. Under a PS TOP vehicle capacity and type may be different than on your PT Licence.

The Board is tracking the number of vehicles approved, including sedans, in an area and may limit sedans if supply increases significantly or if we receive information from police forces, local governments or other enforcement agencies relating to accelerated compliance and enforcement matters.

14. *Can I charge different rates?*

No. The Board has set rates in the [Minimum-Maximum Rates and Standard Rules for Limousines in BC](#). This rule applies to PS TOPs.

Also, any company-specific rates approved by the Board would apply to your PS TOP vehicles.

15. *If I need more than the maximum number of vehicles can I get more TOPs?*

Yes. You may apply through the regular TOP application process.

If you submit a regular TOP application, you will be expected to supply evidence of “urgent & temporary need”. This includes fleet usage data that shows year-over-year trends as well as daily trip bookings for the **whole fleet** for the TOP period requested. (Refer to [Reference Sheet 17: TOPs](#) and [Limousine Data Spreadsheets](#).)

The Board may also be interested in what strategies you have in place to manage your fleet so that you avoid accepting bookings that exceed your fleet capacity.

16. *I have bought a new vehicle; can I get a PS TOP?*

Yes, if you are within the PS TOP parameters.

Buying a vehicle before you get Board approval to increase your fleet size is a huge risk. There is no guarantee that the Board will approve an application to increase your fleet size.

For additional vehicle applications the Board considers whether:

- (a) there is a public need for your application
- (b) you are a fit and proper person and capable of providing the service requested
- (c) approval of the application will promote sound economic conditions in the passenger transportation business

17. *How long will it take to get a PS TOP from the time I submit my application to the PT Branch?*

Expect 2-3 days. The Passenger Transportation Board will do its best to issue a decision within 1-2 business days after we receive the application from the Passenger Transportation Branch.

The Passenger Transportation Branch requires a minimum of 1 day to issue a permit.

18. *If I have a regular TOP, can I get a PS TOP?*

Yes.

19. *If I am operating vehicles under a regular TOP, will it change the maximum number of PS TOPs vehicles I can have?*

No. The maximum fleet size is as stated on your PT licence.

20. *If I have an application pending for additional vehicles or an amendment to my PT Licence, can I get a PS TOP?*

Yes. The PS TOP will be based on the maximum fleet size and originating area stated on your current PT licence.

21. *I have a PT Licence for both taxis and limousines. Can I get a PS TOP?*

Yes. A PS TOP is available for the limousine service only.

22. *My city has by-laws for limousines. Will I be able to operate a PS TOP limousine in the city?*

That depends on the by-laws. Board approval of a PS TOP does not override city by-laws. That is why you should check any relevant by-laws as well as other relevant regulations before applying for a PS TOP.

23. *What is a limousine?*

Limousines are vehicles whose operators must charge the hourly rates set out in to the Board's [*Minimum-Maximum Rates and Standard Rules for Limousines in BC*](#). Vehicles include sedan limousines, mid-size sedans, vans, stretch or super stretch SUVs, etc.

Luxury app based transportation services, which use time and distance to calculate rates, are not limousines.

Vehicles used for speciality services, such as ESL senior services or crew transportation, are not limousines.

Taxis are not limousines.

24. Why did the Board introduce this policy?

The Board is addressing trends it sees in the limousine industry. Limousine companies require greater flexibility in managing their fleets to respond to seasonal spikes and short notice booking requests.

TOP applications from limousines have increased significantly in the past year and a half, from 3 in 2013/14 to 46 in 2015/16. We have received 17 TOP requests to date in 2016.

25. Will the policy cause a flood in the limousine market?

No. We do not anticipate that the market will be flooded. PS TOPs are time limited and vehicle limited. Any PS TOP vehicles must also meet licensing and safety requirements.

The Board is monitoring the uptake and has the ability to adjust the policy if circumstances warrant.

26. Will the policy apply to taxis?

The Board's Festive Season (FS) TOPs for taxis applies to taxis. It allows taxis to increase their supply in December through to January 15th. In 2015, 17 taxi companies received FS TOPs.

Otherwise, the regular TOP process is available to taxis. The Board has approved 2 TOP applications for seasonal demand in the summer in the Okanagan area. Vancouver taxi companies have approval to operate peak period taxis on weekends and other high-demand days associated with the cruise ships and events. Other than these, most taxi TOP requests are short-term for specific events.

27. More Info

- [Apply for Limousine TOPs](#) (including PS TOPs)