Uber transfer application Q&As

May 10, 2023

Who is the Passenger Transportation Board (Board)?

The Passenger Transportation Board is an independent administrative tribunal in British Columbia established under the Passenger Transportation Act (Act).

The Board is responsible for making decisions, setting terms and conditions, and reviewing appeals related to Special Authorization licences which consist of the following:

- Passenger directed vehicle authorizations (i.e., taxis, limos, or shuttles).
- Inter-city bus authorizations.
- Transportation network service authorizations (i.e., ride-hailing).

What is a transportation network service (TNS)?

TNS stands for Transportation Network Services, which is commonly known as ride-hailing or ride sharing. Passengers hail and pay for services through the use of an online platform. Vehicles on the TNS online platform must be licenced by the Board and comply with provincial regulations.

Who is ReRyde (ReRyde Technologies Inc.)? Who is Uber (Uber Canada Inc.)?

ReRyde and Uber are both privately owned TNS, or “ride-hailing”, companies.

- ReRyde was previously approved to operate in the Capital Regional District (Region 2); Vancouver Island, excluding CRD (Region 3); Okanagan-Kootenay-Boundary-Cariboo (Region 4); and North Central and Other Regions (Region 5). This decision can be found here.

- Uber was previously approved to operate only in Lower Mainland and Whistler (Region 1). This decision can be found here.

Has Uber's licence transfer from ReRyde to operate in Region 2 (Capital Regional District), Region 3 (Vancouver Island, excluding CRD), Region 4 (Okanagan-Kootenay-Boundary-Cariboo), and Region 5 (North Central and Other Regions including Islands Trust and Sunshine Coast) been approved?

Yes, the licence transfer from ReRyde to Uber has been approved by the Passenger Transportation Board and the decision can be found in the May 10, 2023 Weekly Bulletin. Uber may now operate in Region 2, Region 3, Region 4, and Region 5. However, before starting to operate in Regions 3 and 5, the Board has directed that Uber provide 3 month's notice to the Board.

What is a licence transfer?

A licence transfer occurs when a passenger transportation licence is transferred from one legal entity to another. A legal entity may be a person or sole proprietor, a partnership, or a corporation.

Licence holders cannot transfer their licence to anyone else without the Board's approval. Approval is obtained by way of an application to the Board under section 30 of the Act.

What is considered by the Board in a licence transfer?

In an application to transfer a licence, the Board considers only whether the entity that is receiving the licence, in this case Uber, is fit, proper and capable to provide the service. The Act does not allow the Board to consider whether there is a public need for the transfer or whether transferring the licence promotes sound economic conditions in the passenger transportation industry.

Why has the decision for Uber's licence transfer from ReRyde taken so long?

Uber's application was substantial in length and content. Also, the application generated significant public interest – the Board received over 40 submissions, including from taxi companies and other licensed TNS operators.

The Act requires that the Board provide the opportunity to any person to make a submission on an application. Once the submission period closes, submissions are shared with the applicant, who is given time to send a written response to the Board. When that process is completed a panel of the Board is appointed to decide the application. The Board takes great care in reviewing all application and submission documents.

What is the submissions process?

Anyone can make a submission on an application that comes before the Passenger Transportation Board for a decision. The public is made aware of pending applications through a summary published in the Board's Weekly Bulletin. There is a limited time to provide submissions once the summary is posted in the Weekly Bulletin. There is a $50 filing fee and submissions must be in writing.

Why isn't Uber operating in my area?

In the past Uber was only approved to operate in Region 1. During the pandemic Uber applied to amend its licence so that it could operate in all regions of the province. At that time, the Board declined to approve the application. In that application the Board was able to consider whether there was a public need for the service and the impact on the rest of the industry.

With this decision, Uber is now approved to operate in all regions of the province. Uber drivers are private contractors who choose their own hours. It is up to Uber and its drivers or potential drivers to begin operations in approved areas. Any additional questions regarding Uber's operations should be directed to the company.

What is the next step for Uber?

Uber may obtain a licence from the Registrar of Passenger Transportation. If the Registrar is satisfied that safety requirements are met, the Registrar will transfer the licence.

The company must then obtain a blanket insurance certificate for ride-hailing from ICBC and work with municipalities in their respective operating areas to ensure compliance with local by-laws.

What is the Registrar's role?

The Registrar is located within the Ministry of Transportation and Infrastructure. As set out in the Act, the Registrar makes decisions and regulates commercially owned passenger General Authorization licenses (i.e., charter buses, shuttles, tour buses).

The Registrar also handles the day-to-day business of commercial passenger transportation licensing, safety, and compliance. After the Board decides to transfer a Special Authorization licence, the decision is sent to the Registrar. If the Registrar is satisfied that safety requirements are met, the Registrar will transfer the licence.

What are the TNS regions? Where can I find a list of all approved TNS operators?

For more information on regions, click here. For a list of approved TNS operators, click here.

Will the Board accept more TNS applications in the future?

Yes, the Board continues to receive TNS applications from interested parties. The Board is not required to grant applications if the Board does not consider that the applicant has met the requirements under the Act. The Board must make decisions that are reasonable and follow an administratively fair process.

Are TNS companies required to provide wheelchair accessible vehicles?

There is no requirement in the terms and conditions of the licence that TNS licensees provide wheelchair accessible vehicles but licensees must comply with all other applicable laws on this issue.

What enforcement measures are in place to ensure TNS comply with the rules?

Questions regarding enforcement should be directed to the Registrar of Passenger Transportation, who is responsible for compliance and enforcement of the passenger transportation industry. Correspondence related to compliance and enforcement can be sent to cpv@gov.bc.ca or by calling 604-527-2198.