Passenger Transportation Board
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Systemic decision - TNS geo-fencing

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TNS Geo-fencing Term and Condition

Region 1 – Vancouver Cruise Ship Terminal and Surrounding Areas

Introduction

The Passenger Transportation Act (Act) regulates the licensing and operation of commercial passenger transportation vehicles and services in B.C. Section 6 of the Act establishes the Passenger Transportation Board (Board), and section 7 of the Act sets out the powers, functions, and duties of the Board. The Board's mandate goes beyond licensing decisions on individual applications and encompasses the role of regulating certain aspects of the passenger transportation industry on a systemic level.

One of the areas under the Board's jurisdiction involves the establishment of operating areas under the terms and conditions of licence which are applicable to individual licences but are also meant to provide consistency across certain sectors and/or geographical areas as part of the Board's regulatory function.

Jurisdiction

Section 28(3) of the Act provides authority to the Board to set terms and conditions of licence. Relevant to this matter, section 28(3)(d) states the following:

28(3) The board may establish terms and conditions that apply to a special authorization included in a licence, if issued, including, without limitation, terms and conditions respecting any of the following: …

(d) if the licence is to include a transportation network services authorization, …

(iii) the geographic area in which motor vehicles may be operated under the authorization.

The Board refers to these as “operating areas” and interprets this provision to not only include establishment of originating and destination areas for licensees, such as passenger transportation regions, but also to limit access to specific smaller areas through the use of geo-fencing.

After establishing terms and conditions of licence, the Board has the authority under section 31of the Act to amend those terms and conditions under certain circumstances. Section 31(2) states that the Board may, on its own initiative, direct the Registrar to amend a licence issued under the Board’s authority. Section 31(3) provides that the Board may issue this direction to amend a licence under certain circumstances, including standardizing terms and conditions of all licences in a specific class of licences.

Background

Pilot Project

City of Vancouver

The Board received a letter, dated March 6, 2025, from the City of Vancouver requesting temporary removal of TNS geo-fencing around Canada Place. The City of Vancouver explained that, in collaboration with the Vancouver Fraser Port Authority (VFPA) and Vancouver Convention Centre (VCC), the City of Vancouver was planning on piloting a program in 2025 to have Canada Place operate one-way westbound in an effort to simplify traffic movements, reduce traffic congestion, and improve pedestrian safety during the cruise ship season.

The City of Vancouver informed the Board that this proposed pilot would result in additional curb space that could be used by TNS (ride-hailing) for pickups if the Board lifted their geo-fencing term

and condition. To support the pilot, the City of Vancouver requested that the Board not implement the TNS geo-fencing term and condition from April 10 to December 31, 2025. The City of Vancouver indicated that they would evaluate the pilot at the end of 2025 and determine whether to continue one-way operations or to revert back to a two-way road.

Vancouver Fraser Port Authority

The Board received a letter, dated March 4, 2025, from the VFPA stating that they were in support of the City of Vancouver's one-way street pilot program. VFPA described their understanding of the City of Vancouver's pilot as including the establishment of a designated layby area on the south side of the Canada Place roadway, between Howe and Burrard Street, for ride-hailing vehicles. VFPA also requested that the Board temporarily suspend the TNS geo-fencing term and condition to align with the pilot program's timeframe.

Board Notice

On April 9, 2025, the Board posted a notice on its website requesting feedback in this matter.

The Board's notice explained known details of the pilot program proposed by the City of Vancouver and included a map in Appendix 1. The notice indicated that the Board was considering whether to remove or amend the geo-fencing term and condition to align with the City of Vancouver's pilot in 2025. The initial deadline for submissions was set at April 25, 2025; however, this was later extended.

Submissions

As a result of the above-noted notice, the Board received two submissions, from Uber Canada and the Vancouver Taxi Association.

Uber Canada

The Board received an email from Uber Canada, dated May 5, 2025, which expressed support for the proposed updates to the TNS Region 1 geo-fencing term and condition. This submission pointed out that the City's initiative to implement one-way street designations around Canada Place to improve

pedestrian safety and traffic flow during the cruise ship season was a thoughtful and timely measure. Uber welcomed the opportunity to support this coordinated effort to improve transportation management in a high-demand area.

Vancouver Taxi Association

The Board received an email from the Vancouver Taxi Association (VTA), dated May 29, 2025. This submission formally requested that the TNS geo-fencing in Vancouver remain in place during the City's pilot project for the cruise ship season, for the following reasons:

- The last cruise ship arrives in port on October 4, 2025, so it was not clear why the pilot program needed to run until December.
- The City of Vancouver was not properly prepared for this pilot, and further changes may be made to the original plan.
- The City of Vancouver stakeholder engagement was only with Uber, Lyft and bus operators and not with the taxis.
- Their passengers felt overwhelmed by the sudden change brought by this pilot, and it was costing passengers extra money on the meter due to long delays.
- This pilot will continue to evolve through the cruise ship season with more changes made.

The VTA urged the Board to maintain the geo-fencing restrictions and have TNS companies restrict their driver's geo-fenced area until a comprehensive plan is established, ensuring safety and efficient traffic management.

Analysis and Findings

The relevant TNS geo-fencing term and condition states the following:

TNSs operating in the City of Vancouver (in Region 1 above) must geo-fence off the areas listed below in (a) to (c) on cruise ship days to prevent drivers from picking up passengers:

(a) Canada Place Way between Howe Street and Burrard Street;

(b) Howe Street between Canada Place Way and Cordova Street; and

(c) Burrard Street between Canada Place Way and Cordova Street.

The Board will post a link to the city's cruise ship schedule, when available, in March or April of any year.

During the introduction of TNS in the province, the Board decided to impose this geo-fencing term and condition in co-operation with the City of Vancouver. While the Board has the authority to geo-fence operating areas for passenger transportation licensees, it does not have jurisdiction or authority over the City of Vancouver.

The Board has considered the information and submissions received in this matter. The Board appreciates that the VTA may feel that they were not adequately consulted by the City of Vancouver. However, the Board does not regulate the processes followed by the City of Vancouver or the land use or traffic decisions that they make.

The City of Vancouver and VFPA have requested that the Board temporarily suspend the TNS geo-fencing term and condition. The implication being:

- If the City of Vancouver decided to make the pilot permanent after 2025, then the Board would be requested to permanently remove the TNS geo-fencing term and condition.
- If the City of Vancouver decided to revert to the pre-April 2025 traffic configuration, then the Board would be expected to re-install the TNS geo-fencing term and condition.
- If the City of Vancouver decided to otherwise modify the traffic patterns in the future in a way that affected the geo-fenced areas, the Board would likely be requested to change the terms and conditions accordingly.

The Board does not believe that this upheaval with the TNS geo-fencing term and condition is necessary or desirable. The Board recognizes that the City of Vancouver has the authority to determine land use decisions, including establishing traffic patterns within their boundaries.

In establishing these TNS geo-fencing terms and conditions, the Board intended to support the City of Vancouver in managing traffic related to TNS services that were new to the City. In other words, these terms and conditions were established to help ensure public safety in the City following the initial implementation of significant amendments to the Act, out of an abundance of caution. Since the City no longer wishes to have these TNS geo-fencing terms and conditions in place (for the foreseeable future), the Board has decided to remove the TNS geo-fencing term and condition, effective 30 days from the date of this decision, with no plan to re-establish it. In doing so, the Board is confident that the City of Vancouver has access to adequate by-law and traffic enforcement resources to manage the matter without the Board's assistance and can consult further with the industry, including with taxis, to ensure it will do so in a way that is safe and fair. If the City of Vancouver requires the Board's co-operation in the future, the Board is open to receiving its written request for the Board's consideration.

Conclusion

For the reasons above, on its own initiative, the Board directs the Registrar of Passenger Transportation to amend the following TNS licences:

- Black Top Cabs Ltd. (dba Black Top Cabs) – PT #70294
- Bonny's Taxi Ltd. (dba Bonny's Taxi) – PT #70242
- Eardley, Tyler Joshua (dba Go Ride) – PT #75536
- Kabu Ride inc. (dba GoKabu) – PT #75267
- Lyft Canada Inc. (dba Lyft) – PT #75265

- MDD Transport Network Inc. (dba MDD) – PT #75309
- Metro Burnaby Rides Inc. (dba Metrorides) – PT #75279
- North Shore Taxi (1966) Ltd. (dba North Shore Taxi; Cadillac Cabs; Hollyburn Taxi) – PT #70476
- Parhar, Garrinder Singh (dba Apt Rides) – PT #75268
- Ripe Holdings Inc. (dba Ripe Rides) – PT #75317
- Tappcar Inc. (dba TappCar) – PT #75264
- Uber Canada Inc. (dba Uber) – PT #75266
- Vancouver Taxi Ltd. (dba Vancouver Taxi) – PT #70538
- Vancouver Taxi Ltd. (dba Handicapped Cab) – PT #70546
- Yellow Cab Company Ltd. (dba Yellow Cab) – PT #70277

The TNS licences are to be amended to remove the above-noted TNS geo-fencing term and condition. For those licences currently inactive, the Registrar may choose to place a note on file to update the terms and conditions should the licence be activated in the future.

This direction is issued for the purposes of standardizing terms and conditions on all TNS licences in Region 1.