Passenger Transportation Board
MOVING FORWARD, TOGETHER

Social media

Context

Section 28(1) of the Act sets out the criteria the Board must consider on an application, such as fit and proper, capable, public need, and sound economic conditions.

In addition to the information provided by the applicant, the Board may also consider submissions received when deciding on an application. Submissions may either support or oppose part or all of an application before the Board. A person making a submission does not become a party to the application process.

Applicants and submitters may wish to provide social media data as evidence to support their support or opposition to an application. General submission requirements and considerations applicable to all written submissions are detailed in the Board's Submissions- Application policy and Board RPP 13-18; 46-48. In addition to these general requirements, the Board has created this policy to clarify how the Board considers social media data as evidence in its application decision-making process.

Applicability

This policy applies to all social media data, posts, or other content that an applicant or submitter wishes to present to the Board as evidence to support or oppose an application.

Policy

The Board will review submitted social media data and decide what weight it should receive. Quantity does not necessarily equate to relevancy or reliability.

The Board expects applicants and submitters to analyze information and tell the Board what it shows or proves. Reams of raw data, such as strings of posts, may not be meaningful to the Board. Putting raw data into a table or chart may show trends or common responses. The raw data should also be provided for reference.

In reviewing public need, the Board may find specific information from individuals about their use of passenger directed vehicles (i.e., how often, when, where, service quality experience etc.) more informative than petitions, form letters, or general social media posts. For more guidance on demonstrating public need and sound economic conditions, see the Board's policies and web page dedicated to these criteria and their indicators.

The Board must know the identity of people who post on social media sites in case it has follow-up questions. When social media evidence is submitted, the person who submits it is expected to document and authenticate it. The Board will not accept unsolicited social media posts.

Submitting social media as evidence

The Board makes evidence-based decisions. Evidence is information or facts that are used to support a claim or prove something is true. Objective evidence is information or facts that are verifiable and accurate.

Social media evidence must meet the same standards as any other evidence.

To document social media evidence, persons submitting such evidence should provide the following:

1. A complete copy of the material being submitted (in writing or electronically);
2. The date the material was retrieved;
3. The URL from where the material was retrieved;
4. The identity and contact information for the persons who wrote the text, post, or other social media content; and

5. A copy of notice to the people whose social media texts, tweets, posts, or other social media comments are being submitted advising them that the information is being disclosed to the Board as part of its consideration of a specific application and may be treated as public information.

If the Board does not receive social media evidence in the manner described in this policy, the Board may choose to disregard the social media data or give it little weight.

Legislation

27 (1) If an application is forwarded to it under section 26 (1), the board…

(b) may require further information from the applicant, including written or oral submissions.

(2) Any person may, within the time period specified by the board and on payment of the prescribed fee, make a written submission to the board respecting the application forwarded to it under section 26 (1) …

(4) The board may permit a person to make submissions, respecting an application, for consideration at a hearing,

(a) at the time and in the manner specified by the board, and

(b) if the person is not the applicant, on payment of the prescribed fee.

(5) Unless the board directs otherwise, a person making a submission respecting an application does not, merely because of that submission, become entitled to

(a) participate any further in the application process, and

(b) obtain any further information or disclosure respecting the application.

(6) The board may, in its sole discretion, waive or reduce a fee payable under subsection (2) or (4) or any costs that the board is entitled to claim.

28 (1) The board may approve, in whole or in part, an application forwarded to the board under section 26 (1) [other licence applications] after considering the following:

(a) whether the applicant

(i) is a fit and proper person to provide the service the applicant proposes to provide under the special authorization, and

(ii) is capable of providing the service;

(b) if the board considers that the applicant is a fit and proper person to provide the service and is capable of providing the service,

(i) whether there is a public need for the service, and

(ii) whether the application, if granted, would promote sound economic conditions in the passenger transportation industry in British Columbia.

Related topics:

- Support or object to an application
- Board rules of practice and procedure: RPP 13-18; 46-48
- Public need policy
- Sound economic conditions policy
- Demonstrating public need and sound economic conditions
- Hearings