



Special Committee
to Review
Passenger Directed Vehicles
REPORT



LEGISLATIVE ASSEMBLY
of BRITISH COLUMBIA

MAY 2024

Fifth Session
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CONTENTS

Composition of the Committee	4
Terms of Reference	5
Key Terms	6
Executive Summary	7
Committee Recommendations	9
Work of the Committee	12
Overview	13
What the Committee Heard: Operator Licensing	15
What the Committee Heard: Supply of Passenger Directed Vehicles	18
What the Committee Heard: Passenger and Driver Safety	23
What the Committee Heard: Accessibility	27
What the Committee Heard: Employment in the Industry	32
What the Committee Heard: Public Transportation, Traffic Congestion, and the Environment	35
What the Committee Heard: Transportation in Small, Rural, and Remote Communities	38
What the Committee Heard: Data	40
Committee Discussion and Conclusions	42
Appendix A: Taxi and Ride-hailing Driver Licensing Requirements Across Canada	50
Appendix B: Consultation Participants	52



May 9, 2024

To the Honourable
Legislative Assembly of the
Province of British Columbia

Honourable Members:

I have the honour to present herewith the Report of the Special Committee to Review Passenger Directed Vehicles.

Respectfully submitted on behalf of the Committee,

Mable Elmore, MLA
Chair

COMPOSITION OF THE COMMITTEE

MEMBERS

Mable Elmore, MLA, **Chair**
Vancouver-Kensington

Shirley Bond, MLA, **Deputy Chair**
Prince George-Valemount

Kelly Greene, MLA
Richmond-Steveston

Janet Routledge, MLA
Burnaby North

Doug Routley, MLA
Nanaimo-North Cowichan

Jordan Sturdy, MLA
West Vancouver-Sea to Sky

COMMITTEE STAFF

Karan Riarh, Committee Clerk

Lisa Hill, Committee Research Analyst

Jonathon Hamilton and Danielle Migeon, Committee Researchers

Sean Morgado, Parliamentary Committees Coordinator

TERMS OF REFERENCE

On February 26, 2024, the Legislative Assembly agreed that a Special Committee to Review Passenger Directed Vehicles be appointed pursuant to section 42.1 of the *Passenger Transportation Act* (S.B.C. 2004, c. 39) to review passenger directed vehicle services and transportation network companies administered under the Act. This includes, but is not limited to, a review of the following:

1. whether the provision of licences under the Act that include passenger directed vehicle authorizations or transportation network services authorizations promotes an adequate supply of passenger directed vehicles, including accessible passenger directed vehicles, and passenger and driver safety;
 2. the effectiveness of the test set out in section 28 (1) in promoting adequate supply and passenger and driver safety;
 3. whether the Act promotes employment in the passenger directed vehicle services and transportation network services industries;
 4. impacts on public transportation, traffic congestion and the environment attributable to the administration under this Act of passenger directed vehicle services and transportation network services; and
 5. whether the Act promotes passenger directed vehicle services, including transportation network services, in small, rural or remote communities.
- b. sit during a period in which the House is adjourned, during the recess after prorogation until the next following Session and during any sitting of the House;
 - c. conduct consultations by any means the Special Committee considers appropriate;
 - d. adjourn from place to place as may be convenient; and
 - e. retain personnel as required to assist the Special Committee.

That the Special Committee have the powers of a Select Standing Committee and in addition be empowered to:

- a. appoint of its number one or more subcommittees and to refer to such subcommittees any of the matters referred to the Special Committee and to delegate to the subcommittees all or any of its powers except the power to report directly to the House;

That any information and materials previously under consideration by the Special Committee appointed by order of the Legislative Assembly on May 11, 2023 for the same purpose be referred to the Special Committee.

That the Special Committee report to the House by May 10, 2024; and that during a period of adjournment, the Special Committee deposit its reports with the Clerk of the Legislative Assembly, and upon resumption of the sittings of the House, or in the next following Session, as the case may be, the Chair present all reports to the House.

KEY TERMS

Passenger Directed Vehicle (PDV)	Vehicles for hire, including taxis and ride-hailing, that operate under a company licence.
Ride-hailing	A service which allows passengers to hire a personal driver through an app to transport them between locations of their choice. See also TNS.
Transportation Network Services (TNS)	Companies that provide commercial ride-hailing services and use a technology platform, such as an app.
Transportation Network Company (TNC)	Company that owns and operates an app that is used to provide TNS.
Ministry of Transportation and Infrastructure	The provincial ministry responsible for transportation networks, infrastructure, and services, including commercial passenger transportation. The Registrar of Passenger Transportation and Commercial Vehicle Safety and Enforcement are also part of the Ministry.
Licensee/Operator	A company or a person approved to provide passenger directed vehicle services, including taxis or ride-hailing.
Passenger Transportation Board	Independent administrative tribunal established under the <i>Passenger Transportation Act</i> that makes decisions on applications for taxi and ride-hailing licences on the basis or criteria established in legislation.
Wheelchair Accessible Vehicles (WAVs)	Vehicles equipped to transport passengers who use a wheelchair, scooter, or similar device.

EXECUTIVE SUMMARY

The *Passenger Transportation Act*, S.B.C. 2004, c. 39, (the “Act”) governs the commercial passenger transportation industry in BC, including taxis and ride-hailing. The Legislative Assembly empowered the Special Committee to Review Passenger Directed Vehicles (the “Committee”) to examine passenger directed vehicles (PDV) and transportation network companies (TNC), pursuant to section 42.1 of the Act.

The Committee makes 34 recommendations to improve accessibility for persons with disabilities, ensure effective regulation that works for drivers, companies, and passengers, and enhance data collection and access. To inform its work, the Committee received briefings from ministries and other regulatory bodies and held a public consultation. During this process, the Committee heard from 66 participants. Committee Members developed their recommendations based on a number of key principles. These include: equity in the regulatory environment for taxis and Transportation Network Services (TNS); affordability; safety; accessibility; integrated and efficient transportation systems; awareness of the needs of small, rural, and remote communities; and data-driven and transparent decision making.

Committee Members were concerned about the experiences of persons with disabilities who described the systemic and attitudinal barriers and discrimination they face accessing vital transportation services, including PDVs and wheelchair accessible vehicles (WAVs), and highlight changes here as a priority. To ensure the rights of persons with disabilities are respected and to promote accountability, Members recommend implementing a formal complaints process and a unified driver code of conduct for taxi and TNS drivers, requiring standardized accessibility training, and ensuring that passengers are always provided with a taxi vehicle number. With respect to service provision and WAVs, Committee Members identify a need to make significant improvements to the accountability and administration of the Passenger Transportation Accessibility Program (PTAP), and the distribution of its funds. This includes expanding eligibility

for funding to TNS and expanding the range of supports and incentives provided under the program. Committee Members also suggest reviewing the per-trip fee, which funds the program, with a view to potentially including all non-accessible PDVs which could then enable a lower fee. Members additionally recommend exploring a centralized dispatch system and the removal of operating boundaries for WAVs.

As it relates to operator licensing, the Committee recommends the provincial government work with the Passenger Transportation Board (the Board) to clarify and address issues related to the Board’s authority. Members also recommend reviewing the impacts of fees and regulations placed on the industry by various levels of government and facilitating regional business licensing models to limit costs and reduce the barrier to entry for small companies. The Committee was further interested in how the definition of TNS results in taxi companies needing to acquire and pay for a second licence so passengers can book and pay for their services through an app. As such, the Committee recommends allowing all PDVs to use an online platform to book and pay for rides without requiring a separate TNS licence.

To ensure adequate supply, encourage fair competition, and promote sustainability, the Committee recommends that the Board use a proactive evidence-based approach to monitor and manage supply, as well as reviewing the Board’s power to remove unused operating licences. To increase efficiency and improve service, Committee Members recommend reviewing the possible impacts of harmonizing taxi and TNS operating boundaries. The Committee identified opportunities to improve price transparency for TNS and taxis to ensure that passengers are informed of costs prior to booking. Committee Members recommend reviewing driver licensing requirements, noting that small TNS companies and drivers working toward Class 4 licences can face greater challenges.

The Committee heard about a number of issues related to passenger and driver safety. Members support reviewing

the record check process, introducing a mandatory training program for all drivers, implementing a revised camera program for all PDVs, and strengthening enforcement efforts and penalties for non-compliant TNS operators. Committee Members note that to ensure equity in the industry, the same regulations should apply to taxis and to TNS as much as possible.

As it relates to employment, Committee Members discussed the amendments to the *Employment Standards Act* and the *Workers Compensation Act* in fall 2023 and the forthcoming regulations. The Committee suggests collecting data and monitoring as needed to ensure the labour standards framework is fair and meets the needs of workers and the industry. To address concerns raised by drivers, the Committee also recommends enhancing transparency on anticipated earnings and implementing an independent process to review TNS driver account deactivations.

The Committee heard that PDVs could help to reduce personal vehicle usage and play an important role connecting passengers with public transportation. Committee Members recommend promoting the integration of transportation systems including PDVs to provide more seamless transportation and mobility options for British Columbians. The Committee also recommends continuing to monitor the impacts of PDVs on traffic congestion and the environment and making adjustments based on data as appropriate.

Challenges faced by small, rural, and remote communities with transportation service provision was another key theme. To address the unique needs and circumstances of these communities, the Committee recommends improving transportation connectivity within and between communities by adopting a holistic approach which includes viable PDV options along with other transportation modes. Members emphasize the need to apply a rural lens to all aspects of commercial passenger directed transportation.

Throughout its work, the Committee heard about the importance of data and ensuring that quality data can be easily accessed to support decision-making and inform policy development. The Committee recommends that government consult with public bodies to ensure appropriate data is collected, simplify data reporting processes to enable compliance and increase data quality, and facilitate

the integration of real-time trip data into the Passenger Transportation Data Warehouse to meet stakeholder needs. Members additionally recommend ensuring that the appropriate public bodies are provided with reliable access to quality data, and that aggregated data can be shared publicly to support decision-making and transparency, in accordance with provincial privacy legislation.

COMMITTEE RECOMMENDATIONS

The following is a list of the Committee's recommendations based on the input received. Please note that the order of recommendations does not indicate priority. A more fulsome explanation of the recommendations is outlined in the Committee Discussion and Conclusions section beginning on page 42 of the report.

The Committee recommends to the Legislative Assembly that the provincial government:

OPERATOR LICENSING

1. Work with the Passenger Transportation Board to clarify and address issues related to the Board's authority.
2. Enable all licensed passenger directed vehicles to use an online platform for booking and paying for a ride without requiring a separate TNS licence.
3. Explore how to better support the viability of smaller local TNS companies, including those operating in small, rural, and remote communities, including consideration for developing an alternative framework for these companies.
4. Facilitate regional business licensing models to serve passengers, drivers and the transportation ecosystem in a more efficient and cost-effective manner.

SUPPLY OF PASSENGER DIRECTED VEHICLES

5. Review the impacts of various fees and regulations placed on passenger directed vehicles by municipal and provincial governments with the aim of streamlining the system.
6. Ensure the Passenger Transportation Board uses a proactive, evidence-based approach to monitoring and managing supply of passenger-directed vehicles that considers factors such as demand, safety, congestion, capacity and licence utilization, trip data, and other transportation modes.

7. Increase the Passenger Transportation Board's flexibility in setting and adjusting fleet size for different sectors and regions of the commercial passenger transportation industry.
8. Review the Passenger Transportation Board's power to remove unused operating licences to ensure that licensees are actively using their licences.
9. Prioritize a detailed analysis of the potential impacts of harmonizing the operating boundaries of TNS and taxis, including examining deadheading and any effects on the provision of services to outlying or neighbouring communities.
10. Improve fare transparency for PDVs by:
 - a. Requiring TNS to provide the full cost of the trip with a detailed breakdown of all fees prior to booking; and
 - b. Having taxis provide the estimated cost prior to booking or starting a trip.
11. Review driver licensing requirements to ensure public safety, driver professionalism, and equitability between taxis and TNS while lowering barriers to entry.

PASSENGER AND DRIVER SAFETY

12. Review the record check process for individual taxi and ride-hailing drivers to ensure:
 - a. It is thorough, timely, consistent, and cost effective; and
 - b. Supports confidence in public safety with a more active role for police in issuing and revoking Record Check Certificates.

13. Implement a mandatory standardized training program for all taxi and ride-hailing drivers.
 - a. The curriculum should include vehicle safety, quality customer service, handling customer concerns or complaints, avoiding assaults, route planning and collision avoidance, as well as accessibility awareness.
 - b. The program must be equitable, affordable, consistent, accessible online and in-person, and multi-lingual.
 14. Work with the Passenger Transportation Board and the Information and Privacy Commissioner to implement a revised camera program that:
 - a. Applies equitably to all passenger directed vehicles;
 - b. Is affordable for drivers and companies;
 - c. Is adaptable to changing technology and meets security requirements; and
 - d. Adheres to privacy legislation.
 15. Strengthen enforcement efforts and impose stricter penalties for non-compliant TNS operators as a deterrent against unauthorized TNS drivers.
 16. Review taxi and TNS insurance rates to improve harmonization and affordability for companies and drivers.
- escalating fine structure and/or remedial accessibility training.
 21. Explore removing operating boundaries for wheelchair-accessible passenger directed vehicles.
 22. Consider implementing a centralized dispatch model for wheelchair-accessible passenger directed vehicles, similar to WAV Calgary.
 23. Review the application and amount of the per-trip fee to ensure an adequate supply of WAVs, with a view to potentially including all PDVs which could enable a lower fee.
 24. Improve the accountability, administration, and distribution of PTAP to better support the provision of accessible transportation service for persons with disabilities and those with mobility issues, including:
 - a. Expanding eligibility for funding to include TNS;
 - b. Expanding the range of supports and incentives covered under the program, such as operational or per-trip subsidies for WAV drivers;
 - c. Prioritizing grants for underserved communities; and
 - d. Requiring accessibility and sensitivity training as a condition of receiving PTAP grant funding.

ACCESSIBILITY

17. Implement a unified driver code of conduct for taxi and TNS drivers under the Passenger Transportation Regulation focused on appropriate driver behavior, safety, and accessibility-related matters.
 18. Require all passenger directed vehicle drivers to take standardized accessibility and sensitivity training, offered virtually and in multiple languages.
 19. Ensure that all passengers are provided with a taxi vehicle number when they book a trip to ensure a means of recourse if the taxi does not show up or is suspected of denying a person with a disability a ride.
 20. Implement a formal complaint process for passengers who have experienced discrimination and improved accountability mechanisms for companies, including an
25. Continue to engage on and monitor the labour standards of ride-hailing drivers, including increasing the collection of data on working conditions, wages, and hours of work, to ensure the labour standards framework is fair and meets the needs of workers and the industry.
 26. Ensure ride-hailing drivers are provided with more detailed trip information in a standardized format, including anticipated earnings, before accepting a trip.
 27. Implement an independent process to review TNS driver account deactivations to ensure fairness and transparency for drivers.

EMPLOYMENT IN THE INDUSTRY

PUBLIC TRANSPORTATION, TRAFFIC CONGESTION, AND THE ENVIRONMENT

28. Promote the integration of transportation systems and services, including passenger directed vehicles, to provide a cohesive, unified, and affordable network and more seamless transportation and mobility options for British Columbians.
29. Continue to monitor and study the impacts of passenger directed vehicles on traffic congestion and the environment and make appropriate evidence-based adjustments as necessary within regulatory frameworks.

TRANSPORTATION IN SMALL, RURAL, AND REMOTE COMMUNITIES

30. Take a holistic approach to improve transportation connectivity within and between communities in small, rural, and remote areas that recognizes their unique needs and includes viable passenger directed vehicle options in conjunction with other transportation modes.

DATA DRIVEN DECISION-MAKING

31. Consult with key partners to ensure that appropriate data is collected to support evidence-based decision-making and public policy development in the sector.
32. Simplify data reporting processes to enable all taxi and ride-hailing operators to comply with requirements to provide data.
33. Facilitate the integration of instantaneous or “real time” PDV trip data into the Passenger Transportation Data Warehouse.
34. In accordance with provincial privacy legislation, ensure that public bodies have reliable access to quality data from the Passenger Transportation Data Warehouse and that aggregated data can be shared publicly to support decision-making and transparency.

WORK OF THE COMMITTEE

Section 42.1 of the *Passenger Transportation Act* stipulates that, on or before July 1, 2023, the Legislative Assembly must appoint a special committee to conduct a review of passenger directed vehicle services and transportation network companies administered under the Act. This includes examining: whether the provision of licences promotes an adequate supply of passenger directed vehicles, including accessible vehicles, and passenger and driver safety; whether the Act promotes employment in the sector; impacts on public transportation, traffic congestion and the environment; and whether the Act promotes services in small, rural, or remote communities. On May 11, 2023, the Legislative Assembly appointed the Special Committee to Review Passenger Directed Vehicles to undertake this work.

To inform its work, the Committee received briefings from key public bodies and held a public consultation. Initial briefings from the Ministry of Transportation and Infrastructure, Passenger Transportation Board, Ministry of Labour, and Insurance Corporation of BC (ICBC) took place in September 2023. The Committee received an overview of the legislative and regulatory framework and the passenger directed vehicle sector in British Columbia. This included information about roles and responsibilities of various bodies, supply, safety, accessible service, employment in the industry, driver licensing and vehicle insurance. In February 2024, the Committee received follow-up briefings from all four bodies in response to requests for further information on specific facets of its examination, as well as a briefing from the Office of the Information and Privacy Commissioner regarding privacy rights and rules pertaining to the sector. The Ministry of Transportation and Infrastructure also appeared in April to answer additional questions related to the Passenger Transportation Accessibility Program (PTAP).

The Committee's public consultation consisted of a call for written submissions between September 11 and November 30, 2023. The Committee also held public meetings to hear from subject matter experts, organizations, and individuals with an interest in or experience with the sector in October

and November, 2023 and in February, 2024. To encourage participation, the Committee issued a media release, shared information on the Legislative Assembly's social media, and advertised in newspapers and online. In total, the Committee heard from 66 participants. A list of the individuals and organizations that participated in the Committee's consultation is available in Appendix B. Following the consultation period, the Committee met several times to consider the input received and develop its recommendations.

MEETING SCHEDULE

Fourth Session, 42nd Parliament

July 7, 2023	Election of Chair and Deputy Chair, Planning
September 7, 2023	Briefings
October 26, 2023	Public Hearing
October 27, 2023	Public Hearing
November 15, 2023	Public Hearing
November 16, 2023	Public Hearing
November 23, 2023	Public Hearing
November 24, 2023	Public Hearing
February 13, 2024	Public Hearing
February 14, 2024	Follow-up Briefings; Public Hearing

Fifth Session, 42nd Parliament

March 4, 2024	Election of Chair and Deputy Chair; Deliberations
March 11, 2024	Deliberations
March 14, 2024	Deliberations
March 15, 2024	Deliberations
April 3, 2024	Follow-up Briefings; Deliberations
April 8, 2024	Deliberations
April 22, 2024	Deliberations
April 29, 2024	Deliberations; Adoption of Report

OVERVIEW

The *Passenger Transportation Act* (the Act) has been the legislative framework for the commercial passenger transportation industry in BC since 2004. It outlines: the roles and responsibilities of the key bodies, the licensing processes for operators, record check and licensing requirements, and information about enforcement and compliance. The Passenger Transportation Regulation sets out further requirements such as those relating to safety, record check requirements, vehicle condition, vehicle identifiers, and fees.

The Act, along with several other statutes, was amended in 2018 to enable TNS to enter the market in BC and operate legally as well as to modernize taxi service operations. This included: providing for provincial regulation of TNS licensing; setting out taxi and TNS company and driver requirements; creating safety, compliance, and enforcement tools; and introducing new distance-based insurance products. In anticipation of the amendments coming into force in September 2019, the Passenger Transportation Board (the Board) adopted a TNS Operational Policy in August 2019 and began accepting TNS applications at the beginning of September 2019.

THE PASSENGER TRANSPORTATION BOARD

The Passenger Transportation Board is an independent tribunal established to regulate and oversee the commercial passenger transportation industry in BC. The Board makes decisions on Special Authorization (SA) licences, which are predominantly passenger directed. SA licences have significant entrance requirements for operators and are closely regulated. The Board also determines terms and conditions of licence for SA licensees, including data submission requirements. The Board must make decisions about individual operator licence applications and engage in systems-level analysis to determine how an applicant fits into the wider passenger transportation ecosystem. The Board is also mandated to conduct reviews and make decisions about the industry more broadly using evidence-based decision-making. This may include decisions

related to fleet sizes, operating areas, and rates. The Board also oversees the Taxi Camera Program as well as the Voluntary Taxi Bill of Rights Program.

THE REGISTRAR OF PASSENGER TRANSPORTATION

The Registrar of Passenger Transportation (the registrar), which operates under the Ministry of Transportation and Infrastructure, receives all passenger transportation applications, and sends any SA licence applications to the Board for review and approval. The registrar also makes decisions on General Authorization (GA) applications which are predominantly carrier directed. The registrar is responsible for the Commercial Passenger Vehicle Program (known as the Passenger Transportation Branch prior to March 2023), the Commercial Vehicle Safety & Enforcement Branch (CVSE), the Passenger Transportation Data Warehouse (a database administered by the Ministry that houses taxi and ride-hailing trip data), and the Passenger Transportation Accessibility Program (PTAP). The Commercial Passenger Vehicle Program processes applications and issues licences for both SA and GA authorization. The CVSE's Passenger Transportation Enforcement Officers deal with commercial passenger transportation compliance with terms and conditions of licence and ensure that operators meet and follow requirements. The CVSE can also conduct audits and issue fines and suspensions for non-compliance. The registrar monitors submissions to the Data Warehouse, and audits data to ensure accuracy, as well as manages PTAP which includes trip fee payment verification.

THE MINISTRY OF LABOUR

The Ministry of Labour is responsible for overseeing the *Employment Standards Act*, *Labour Relations Code*, and the *Workers Compensation Act* which outline employment classification, employment conditions and standards, as well as earnings and benefits.

ICBC

ICBC is responsible for overseeing Class 4 testing and licensing as defined under division 30 of the Motor Vehicle Act Regulations. ICBC is also responsible for providing distance-based insurance products for ride-hailing and taxi operators.

MUNICIPALITIES

Municipalities influence PDVs through business licensing and congestion pricing fees. For example, Metro Vancouver has a ride-hailing inter-municipal business licence for ride-hailing companies while taxis must be licensed in each municipality where they wish to operate. To operate in the Metro Core Area of Vancouver, all PDVs must have a curbside and congestion management permit and pay a fee of 50 cents per pick-up and drop-off. The City of North Vancouver and University of British Columbia have similar permits which only apply to TNS providers. Amendments to the Act in 2018 removed the authority of municipalities to limit supply or operating areas for PDVs that the Board has approved, as well as removing the authority for municipal chauffeur permits.

WHAT THE COMMITTEE HEARD: OPERATOR LICENSING

The Committee heard a number of specific issues related to operator licensing, including challenges stemming from the separation of regulatory powers between the Board and the registrar, and issues with the process for evaluating company fitness. Consultation participants also raised questions relating to the definition of TNS under the Act, municipal licensing, and support for small TNS companies.

SEPARATION OF SPECIAL AUTHORIZATION AND GENERAL AUTHORIZATION LICENCES

Under the Act, powers to license commercial passenger transportation operators are split between the Board and the registrar. The Board has the authority to issue Special Authorization (SA) licences and the registrar has the authority to issue General Authorization (GA) licences. SA licences are primarily passenger-directed and are required for vehicles which seat a driver and 11 passengers or less. These include taxis, TNS, limousines, perimeter seating buses, and small shuttle vans. Inter-city buses also require SA licences. GA licences are primarily carrier-directed but can apply to any commercial passenger vehicle not operated under a SA licence. Hybrid licences also exist.

The Board was of the view that the separation of regulatory licensing powers acts as a barrier to effectively regulating the overall commercial passenger transportation industry. The Board indicated that they receive complaints from SA operators about their primary competitors being GAs and the confusion about why requirements are different for the two licences. The Board highlighted that while GAs represent over 50 percent of the total number of licences issued under the Act, they do not have information about this part of the market. The Board stated that without this data, they are unable to properly evaluate SA applications and economically regulate the passenger-directed transportation industry. The Board recommended that consideration be given to providing them with authority over the entire commercial passenger transportation industry.

FITNESS

Prior to issuing licences to taxis and TNS companies, the Board evaluates the fitness of these companies, and the individuals running them, to provide passenger directed transportation. Section 28(1) of the Act sets out the criteria the Board must consider when determining an applicant's eligibility to receive an operating licence. The first criterion, under section 28(1)(a), considers whether the applicant is a "fit and proper" person and capable of providing the proposed service. The Board assesses whether an applicant is "fit and proper" by:

- reviewing the police record check of certain key individuals,
- considering the history of regulatory compliance under the Act or the Regulation,
- determining if their National Safety Code (NSC) safety profile status is satisfactory, and
- looking at the history of financial insolvency or fraudulent activity.

The Board expects an applicant to demonstrate they are "capable" through:

- awareness and knowledge of their responsibilities and obligations (especially safety obligations),
- résumés for key personnel which outline training and experience needed to run the proposed business,
- a business plan indicating the financial viability of the proposed business, and
- financial information (36-month cash flow projections, balance sheets, and income statements).

The Board must first consider whether an applicant is a fit and proper person, and capable of providing a service before it can continue to other criteria. If the applicant is determined to be unfit, the application is rejected. If the operator is found to be fit, the Board proceeds to the "public need" and "sound economic conditions" tests in section 28(1)(b). These tests are designed to determine if there is a demand for the service

in the operating area and if it would benefit the public by promoting accessibility, safety, affordability, or service quality. The Board also looks at how the applicant would fit within the existing transportation industry in the region and the province, and how the business contributes to competition, innovation, sustainability, and variety in the sector. The Board was of the view that the fit, proper, and capable test is useful to assess the safety and the qualification of the applicant to operate their proposed service and that the current public need and sound economic conditions tests in section 28(1) should be maintained.

If a licence is transferred from one operator to another, they only need to pass the fitness threshold test and not the public need or sound economic conditions tests. The Board recommended an amendment to the Act to provide them with the discretion to apply all section 28(1) criteria to licence transfers, noting that public need and sound economic conditions can fluctuate over time. They further requested adding a sustainability criterion to section 28(1), noting that it could refer to economic sustainability as well as labour and environmental sustainability, and enable the Board to consider broader societal impacts when regulating the passenger transportation industry. Black Top & Checker Cabs supported the Board's recommendation as they believe sustainability should be the guiding principle in the regulation of the industry to promote long-term social welfare.

The Board also highlighted other specific issues related to assessing fitness. The Board noted that they currently ask applicants to fill out declarations regarding criminal activity, violations of relevant acts and bankruptcy; however, this relies on the applicant to be truthful and leaves the Board with no clear means to check the validity of these claims. They highlighted a need for clarity with respect to undertaking searches, such as through Court Services Online, or other investigations into potential criminal activity, and the authority to compel or obtain information related to violations of other Acts, such as the *Liquor Control and Licensing Act*, *Cannabis Control and Licensing Act*, or *Motor Vehicle Act*. The Board also shared that the *Passenger Transportation Act* does not have a definition of "controlling members" in a business structure and therefore it can be unclear whose fitness must be assessed.

While section 39.1 of the Act allows the Board to consider whether a licensee is fit, proper and capable on an ongoing basis, the Board highlighted challenges regarding how it is made aware of fitness issues. Grounds for a fitness review include: being involved in illegal activities; providing false information to the Board; breaching terms and conditions of licence; providing exceptionally poor service to the public; and being charged or convicted with a crime, especially related to motor vehicle offences, fraud, threats or violence. The Board may investigate a licensee if it receives information from a credible source such as the registrar, a municipality, the police, or another licensee. The Board recommended clarifying its powers to investigate potential criminal activity of companies and controlling members, as well as requiring licensees to report any charges or convictions for relevant criminal offences. The Board additionally highlighted that they only obtain information from the Ministry of Transportation and Infrastructure during the application process and recommended creating a mechanism to obtain this information on an ongoing basis to inform fitness reviews.

DEFINITION OF TNS

The Act defines TNS as services which connect PDV drivers with passengers who hail and pay through an app. Taxi companies, including Yellow Cab Company Ltd. and Black Top & Checker Cabs, highlighted that due to this definition, they are unable to use their pre-paid online app without applying for a separate TNS licence in addition to a taxi licence. This means having to pay for two annual licences as well as paying TNS fees and submitting two sets of data. Black Top & Checker Cabs noted that having to maintain a separate TNS licence imposes additional costs on taxi licensees, placing them at a competitive disadvantage and denying customers the choice of a convenient payment option. The Vancouver Taxi Association emphasized that many taxi companies have not modernized because they cannot afford to. For example, Bonny's Taxi indicated that they previously had an app and a TNS licence; however, they had to discontinue it due to the additional cost. The Vancouver Taxi Association and Black Top & Checker Cabs recommended amending the definition of TNS to allow taxis to use an app to hail rides and pay for fares without requiring a separate TNS licence.

SMALL TNS COMPANIES

Apt Rides, a BC TNS company, was of the view that the current regulatory system was created for the larger TNS companies that operate in the market. They shared that requirements such as data submission and tracking, and licencing fees are a barrier to entry for small TNS companies and those trying to operate sustainably. They recommended creating fleet size thresholds for small or local TNS companies to reach before being required to pay certain licencing fees.

MUNICIPAL REGULATIONS

Amendments to the Act in 2018 removed the authority of municipalities to issue taxi permits and impose supply or boundary limits; however, they can set requirements in other areas such as with respect to business licencing. Dr. Dan Hara, an economist and consultant specializing in the vehicle-for-hire industry, highlighted that most jurisdictions in Canada and the US regulate ride-hailing at the municipal level and as a result have not encountered the same issues as BC with regards to conflicting boundaries and operating areas. Uber stated that a patchwork of municipal regulations creates barriers to entry and recommended removing municipalities' ability to require a licence or charge fees (including business licencing) for ride-hailing companies, drivers, or vehicles. Uber noted that municipal requirements limit drivers' flexibility and highlighted the examples of municipal licencing fees, and the City of Victoria requiring a copy of each driver's Record Check Certificate. In contrast, municipalities stated that business licencing allows them to manage mobility. The City of Vancouver outlined that they manage the ride-hailing inter-municipal business licence on behalf of twenty-three municipalities in the Lower Mainland by redistributing fees based on the number of pick-ups and drop-offs in each municipality. These funds can then be reinvested into infrastructure or projects to encourage active transportation. The City of Victoria described how they are struggling to gain a regional view of passenger directed transportation due to individual municipalities issuing their own business licences and expressed an interest in developing a model similar to the TNS business licencing system in the Lower Mainland.

WHAT THE COMMITTEE HEARD: SUPPLY OF PASSENGER DIRECTED VEHICLES

The Committee heard about the Board's three levers (also known as systemic decisions), fleet size, operating areas, and pricing, which shape the supply of PDVs. The Board can use these levers, along with individual application decisions, to regulate supply and demand in the industry. The Committee also heard how the Class 4 driver licensing requirement impacts supply, particularly in small, rural, and remote communities.

FLEET SIZE

Under section 28(3) of the *Passenger Transportation Act*, the Board may establish terms and conditions for taxi and ride-hailing licences including fleet size. Fleet size is defined in the Act as the maximum number of PDVs authorized to be actively operating. A PDV is actively operating if it is available to be hailed by or for a passenger, or if it is being operated to pick up, transport, or drop off a passenger by or for whom the vehicle has been hailed. A licensee may not increase the fleet size without obtaining an amendment to their licence under section 31 of the Act or applying for a temporary fleet size increase under section 36.1.

The Ministry of Transportation and Infrastructure reported that as of July 2023, TNS held 70 percent of market share of PDVs and employed 10,995 drivers, and that as of January 24, 2024, six ride-hailing companies out of 17 licensees were operating in some capacity. With respect to taxis, the Ministry noted that as of July 2023, 188 taxi companies with 4,707 drivers were operating. In September 2018, as part of taxi modernization efforts in anticipation of the introduction of TNS, the Board approved a one-time opportunity for companies to expand their fleets by up to 15 percent. As of May 2023, 84 percent (280) of these additional licences had been activated. The Board extended the licence activation deadline to December 31, 2023 due to supply chain issues.

The Board currently regulates the size of taxi fleets by setting a maximum number of vehicles in the terms and conditions of licence. The Board's approach thus far has been to not limit

the size of TNS fleets; however, the Board noted that they are prepared to impose a limit on fleet size for TNS if there is evidence to support such a move. The Board stated that there has been an adequate supply of PDVs since 2019; however, as the passenger transportation industry emerged from the pandemic, supply chain issues and labour shortages impacted supply. The Board added that the issue of monitoring, reviewing, modelling, and adjusting vehicle supply is becoming a more pressing concern as taxis and TNS find their competitive equilibrium. The Board recommended increasing their flexibility to set and adjust fleets for different sectors of the commercial passenger transportation industry. The Board also favoured establishing efficient methods so they could undertake systemic decisions on fleets at a sector or regional level. Further, the Board recommended improving fleet size definitions and examining fleet utilization in the Act.

The Committee also heard from experts, taxi companies and individuals on the issue of fleet size and competition between taxis and ride-hailing. Esquimalt Taxi emphasized that large ride-hailing companies like Uber are putting local TNS operators like Lucky to Go and Kabu out of business and that the Board has a responsibility to ensure that the market is not monopolized by multinational companies. Dr. Anthony Perl held a similar view that local TNS have not shown the capacity to flourish and establish themselves even in areas where Lyft and Uber were not operating and believes it is unrealistic to expect a made-in-BC ride-hailing company will break through in this space. Dr. Perl added that due to the growth in popularity of ride-hailing, the taxi industry has lost revenue, ridership, and profits while idling no more stated that lucrative fares, such as trips to the airport or the ferry terminal, are disappearing. RideFair recommended that the Board determine TNS fleet size for specific operating areas rather than leaving it up to individual ride-hailing companies to determine their fleet size.

The Vancouver Police Department (VPD) noted that if changes are made to licensing or enforcement, measures must be taken

to ensure they do not create “choke points” that limit supply. In addition, the VPD highlighted the importance of ensuring adequate supply in entertainment zones, particularly late at night, to provide safe transportation options and prevent public disturbances or fighting.

Committee Members additionally heard about the effects of driver and vehicle shortages on supply and demand. Bonny’s Taxi reported that taxi companies are struggling to provide service due to driver and vehicle shortages. The Vancouver Airport Authority noted that taxi shortages are an almost daily occurrence especially during periods when it is more lucrative for them to operate in the downtown core and advocated for an adequate supply of taxis and ride-hailing vehicles, particularly during peak periods. Apt Rides explained that driver shortages and the competition for drivers from other TNS were barriers to recruitment and delayed launching their company. They added that this issue was difficult to resolve, since without enough drivers they cannot generate demand and without enough demand, they cannot attract drivers. Clark Lim, an engineer and consultant in the transportation sector, highlighted that to ensure supply and demand, a large pool of drivers is needed, but that driver shortages will occur if they are not well paid.

Several presenters raised concerns about TNS licences that had not been activated and the impact on the market. Under section 31(4) of the Act, if a licence contains terms and conditions related to fleet size and it appears to the Board that the licensee has consistently failed to operate the full number of vehicles authorized, the Board may direct the registrar to amend the licence to reduce the fleet size. Dr. Hara highlighted that since operating licences can sit unused, one business can keep another company out of the market because they might choose to operate in future. The Village of Radium Hot Springs was of the view that the Board must set a timeline for licensees to start operating as part of their terms and conditions of licence so that inactive operators do not prevent other TNS from entering the market. Similarly, the B.C. Taxi Association recommended holding non-operating companies accountable for their inactivity. The Ministry of Transportation and Infrastructure stated that many TNS licences were initially granted in 2019 and 2020, and smaller TNS operators had to delay launching their operations due to the pandemic and had only begun operations in 2023. The Board noted that once it

has the necessary data, it plans to proactively monitor fleet utilization and wait times to ensure that licensees are meeting their service obligations.

OPERATING AREAS

Under section 28(3) of the Act, the Board may establish terms and conditions for taxi and ride-hailing licences including operating areas. Operating areas are geographic regions where companies may pick up and drop off passengers. The Board’s policy notes that they regulate operating areas to balance adequate service levels that meet public need while maintaining a sustainable passenger transportation industry.

Taxi applicants must specify each individual municipality, regional district, or highway corridor they propose to serve. To serve an airport or a ferry terminal, a taxi company must ensure that it is part of their originating area or include it as a separate originating or destination area (or both). For TNS, the Board has established five large regions as operating areas: Region 1 (Lower Mainland, Whistler); 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). There are no internal boundaries within these areas.

Taxi companies and TNS may not pick up passengers outside of their originating areas unless they apply for terms and conditions of licence that allow them to offer return trips and reverse trips. When a PDV drops off a passenger outside of their operating boundary and must return to their operating area without a passenger, this causes “empty kilometres” also known as deadheading.

The Committee heard from several taxi companies about the need to preserve existing taxi boundaries to maintain adequate supply. Black Top & Checker Cabs emphasized that taxis are a public service licenced by the Board to meet a demonstrated public need in a designated area. They suggested that a potential solution would be to better publicize taxi company accounts which allow drivers to pick up passengers even if they are outside of the company’s operating area. Royal City Taxi was of the view that the existing boundaries ensure that no area is over supplied. One individual stated that removing boundaries would lead to increased congestion in downtown Vancouver and

further jeopardize the financial survival of the region's taxi owner-operators and lead to reduced service in outlying municipalities.

Conversely, several taxi companies and industry associations recommended harmonizing taxi boundaries and TNS operating regions. The B.C. Taxi Association indicated that standardizing operating areas would ensure healthy competition, fair pricing, and passenger convenience, and eliminate deadheading. The Association highlighted that deadheading is a major inconvenience for both drivers and passengers, and a primary reason for drivers refusing long trips. The Tourism Industry Association of BC suggested that regionalization of taxi services and cross-boundary pick-ups and drop-offs of passengers would ensure that all drivers have the same ability to provide services wherever and whenever a passenger requests a ride. Sidney Taxi Ltd. and Westshore Taxi noted that a small portion of taxi companies in the Capital Regional District have more limited operating areas and that removing geographic restrictions would promote equity with TNS who can already operate in the entire Capital Regional District. They also noted that removing restrictions on where certain taxi companies can operate would avoid deadheading, increase driver income, and improve fleet efficiency.

PRICING

Section 7 of the Act provides the Board with the authority to set and approve rates or fares for PDVs as well as any related practices. In their application, companies must include proposed rates and associated rules which the Board may approve or change. The Board also has the authority to establish and enforce rates rules, which are fares that apply to classes of licences or sector types, such as all taxis.

Taxi fares include the flag rate, a rate per kilometre and an hourly wait time rate. The Board uses the Taxi & Limousine Cost Index to identify rate increases for taxis and limousines. Many areas have common rate rules that apply to all taxi operators in the area. In other areas, taxis may charge non-metered rates such as hourly rates, point-to-point rates, zone rates, flat fares, or per person fares. In the Board's December 2023 systemic decision, they noted that common rates rules will be eliminated and replaced with standardized rates. In regions where common rates rules are not in effect,

regional rates bands will be established. The timeline for implementation has yet to be determined.

For ride-hailing operators, the Board sets minimum rates which are based on taxi flag rates in each operating region. Ride-hailing also has a flexible pricing structure that can vary depending on real-time demand. When the demand is higher than the supply of drivers, prices may temporarily increase. This model is known as surge or dynamic pricing. The Board indicated that they receive data on surge pricing from TNS that they can use as part of their fare analysis.

The Committee heard from experts who described how fixed taxi metre rates are tied to driver shortages. Dr. Perl noted that taxis are unable to raise prices to meet increased demand, are facing financial struggles and cannot retain drivers. Dr. Hara described how driver shortages are exacerbated by a lag in the adjustment of taxi metre rates which do not reflect rising costs and the need for drivers to earn more. He noted that the Board is reviewing the taxi rate policy. The taxi industry highlighted that fixed rates promote fairness and provide stability. AC Taxi Nanaimo Ltd. and Black Top & Checker Cabs noted that the taxi industry opposes the idea of introducing flexibility to the existing taxi rate structure as they believe that customers choose taxis because they rely on the certainty and fairness of the prices. Sidney Taxi Ltd., Westshore Taxi, and Silver Shadow Taxi stated that the taxi industry's standard rates protect passengers from unfair price gouging.

With respect to the TNS pricing structure, some ride-hailing drivers recommended increasing minimum TNS rates due to inflation and rising costs, noting that the Board has not increased the minimum TNS rates since the introduction of ride-hailing. Uber recommended that the Board avoid over-regulating fares, noting that surge pricing is a market-based approach to increase driver availability during peak-use times to align supply with demand. They stated that restricting dynamic pricing leads to a decrease in availability for riders (particularly at off-peak hours) and a decrease in earnings for drivers. Uber indicated that during major emergencies and other exceptional circumstances, they will override dynamic pricing in the area, for example in Kelowna during the 2023 state of emergency. Dr. Hara similarly noted the value of the flexible pricing structure for TNS and how it gives them the ability to quickly increase fares to meet demand and attract drivers. Coastal Rides, a BC TNS company, noted that they do

not currently have the technology to use dynamic pricing, but they do have pooled trips and higher prices at certain times of day when they know that demand is high. They noted that this helps to counteract driver shortages and reduce wait times.

The Committee heard from several taxi companies about what they perceived to be the downsides of surge pricing. Bonny's Taxi, Sidney Taxi Ltd., Westshore Taxi, and Silver Shadow Taxi stated that TNS' ability to set their own prices is unfair since the Board regulates taxi fares and they cannot change their rates to meet changing demand or to reflect the increased cost of living. Tofino Taxi suggested that the Board implement fixed rates for both taxis and ride-hailing. Tofino Taxi also highlighted that surge pricing is unfair to passengers who are charged more. RideFair was of the view that the Board should consider setting a ceiling on TNS rates and surge pricing to protect both drivers and passengers. Esquimalt Taxi described how in Victoria, the supply of ride-hailing vehicles is currently unable to meet demand and so surge pricing always seems to occur. They also reported that in certain locations, like Tofino, TNS drivers only operate during peak hours and charge high fares to passengers due to long wait times.

Another key theme was the importance of price transparency. The Vancouver Taxi Association stated that it is imperative for TNS companies to provide cost transparency to passengers prior to booking a ride as it allows them to make informed decisions. The Association added that price transparency ensures that passengers have control over their choice of provider or mode of transportation. The Vancouver Airport Authority noted how they collaborated with the taxi industry to introduce flat fare zone pricing for trips from the airport to Vancouver and Richmond in 2014. They stated that this feature provides reassurance to customers, particularly tourists and those unfamiliar with the area. The Committee heard conflicting information about fare transparency for TNS companies. Uber noted that TNS must comply with passenger-facing transparency measures to ensure that passengers can see and agree to the fare before sending a ride request. Ride-hailing drivers described being unable to see the amount that passengers pay, and passengers being unable to see the amount that drivers receive. Drivers also stated that they do not understand how Uber's pricing algorithm works and that surge pricing contributes to customer dissatisfaction and to the misperception that ride-hailing drivers are earning more

money from increased fares. Yellow Cab Company Ltd. claimed that fares shown in ride-hailing apps are not transparent as they may not include all final charges, which leads users to think that they are less expensive than taxi fares.

Several taxi companies expressed concerns about TNS operators charging cancellation fees. Black Top & Checker Cabs, Royal City Taxi, Yellow Cab Company Ltd. and an individual highlighted that TNS cancellation fees disincentivize passengers from taking available taxis. Bonny's Taxi noted that TNS can charge a cancellation fee on the passenger's credit card to recoup some of the cost, while taxi fares are not typically booked in advance and so do not have this recourse. They stated that no show fares are an additional cost in time and insurance borne by taxi companies.

DRIVER LICENSING

Both taxi and ride-hailing drivers are required to have a Class 4, commercial licence. To be eligible for a Class 4 licence, a driver must be at least 19 years old, have a Class 5 or 6 driver's licence with a minimum of two years non-learner driving experience. Drivers also need a driving record with less than four penalty points in the past two years and no driving-related criminal convictions in the past three years. To obtain the Class 4 licence, a driver must pass a knowledge test, pass a road test (which includes a pre-trip inspection) within the following year, and obtain a doctor's medical exam report.

ICBC reported that after the introduction of ride-hailing in 2019, applications for Class 4 licences increased by 50 percent. To reduce wait times, ICBC has shortened the Class 4 road test length, opened new facilities, added additional appointments, and hired more driver examiners. In addition, a decrease in wait times for Class 5 road tests has increased capacity for commercial road testing. As a result, ICBC noted that the average wait time for a Class 4 road test decreased from 44 business days in 2022 to 34 business days in 2023. ICBC also reported that in 2023, the pass rate for the Class 4 knowledge test was 42 percent, and the pass rate for the road test was 44 percent. ICBC stated that while they do not have data to prove that Class 4 drivers are safer drivers than Class 5 drivers, passengers know with confidence that Class 4 drivers have been tested more recently, have no driving convictions, have fewer than four points on their licence, and know how to check the safety of their vehicle. ICBC noted that

it does not have the ability to unilaterally create a licensing test specifically for TNS drivers since the Class 4 licence allows people to drive many types of vehicles.

Several taxi companies, including AC Taxi Nanaimo Ltd., the Vancouver Taxi Association, Esquimalt Taxi, and Black Top & Checker Cabs, supported maintaining the Class 4 licence for taxi and ride-hailing drivers due to passenger and driver safety benefits. The Tourism Industry Association of BC supported the use of Class 4 licences for both taxi and ride-hailing drivers since they both provide similar services. If government were to move to a Class 5 licence for TNS, the Association was of the view that the same should apply to taxis, provided that drivers have a minimum of five years of safe driving experience, no violations, and appropriate training.

The Committee also received recommendations to change driver licensing requirements. Dr. Hara highlighted that the Class 4 licence requirement contributes to driver shortages for both taxis and TNS. He added that other Canadian jurisdictions allow people over a certain age to drive PDVs with a Class 5 driver's licence if they have enough driving experience, have no accidents, and have completed a certified training course. Dr. Hara suggested that adopting a similar model would achieve comparable results to the Class 4 licence while broadening supply. The City of Enderby suggested that barriers to Class 4 licensing could be reduced by eliminating the road test in favour of an enhanced knowledge test. They also proposed exploring moving to a Class 5 licensing model (supplemented by an experience endorsement, such as having five years of prior driving experience) for ride-hailing drivers. On the other hand, the Vancouver Taxi Association and the Tourism Industry Association of BC stated that the Class 4 licence requirement has not hindered ride-hailing companies' ability to hire drivers citing the high number of Class 4 tests taken and licence applications received since the launch of ride-hailing.

Uber highlighted several issues with the Class 4 licensing system. They noted that the current Class 4 knowledge test includes modules on trucks, trailers, and school buses, which are not relevant to driving a typical ride-hailing vehicle and added that the inclusion of these modules may have an impact on the low pass rate reported by ICBC. Uber supported modernizing the Class 4 content by adding material on conflict resolution and accessibility. They also recommended

eliminating the Class 4 road test and pre-trip inspection since the same content is mostly covered by the Class 5 road test, as well as eliminating the periodic medical checks. They were of the view that periodic medical checks are unnecessary as medical professionals are required to notify ICBC proactively if they discover a medical condition that can impact overall road safety. In addition, they described how booking and attending these appointments can be challenging and expensive and cause an undue burden on the health care system.

The Committee also heard that access to Class 4 licensing and testing is more challenging in small, rural, and remote communities. ICBC noted that where they have a resident office, drivers can find a road test appointment within 30 days. For non-resident offices, where examiners only visit intermittently, drivers must wait until ICBC comes to the community which can vary from several times a month or year depending on the community size, location, and examiner availability. ICBC indicated that testing appointments are undersubscribed in some areas or in communities where ICBC has a testing office and that wait times in some rural communities are lower than many offices in the Lower Mainland. Coastal Rides indicated that access to Class 4 road tests is a major hurdle for driver recruitment, while Uride added that they offer a \$1,000 incentive for drivers to get licensed. Uber highlighted that in Québec, where only a Class 5 licence with mandatory training is required, their services are available across the province. They further suggested modernizing BC's Class 4 licensing system by making the knowledge test available online to increase the supply of drivers in these areas. Apt Rides recommended streamlining the process to get a Class 4 licence for PDV drivers in rural areas.

WHAT THE COMMITTEE HEARD: PASSENGER AND DRIVER SAFETY

The Committee heard about several aspects of passenger and driver safety, including challenges with the current driver vetting process and the importance of mandatory driver training. The Committee also heard about the differences between taxis and ride-hailing with regards to cameras, vehicle identification, and insurance.

DRIVER VETTING

Section 42.2 of the *Passenger Transportation Act* requires all PDV drivers to obtain record checks. Section 12.61 of the *Passenger Transportation Regulation* outlines the specific requirements: all PDV drivers must obtain an annual police record check in the form of a police information check with vulnerable sector screening; and obtain a driving record check in the form of an ICBC driver's abstract which includes a two and three-year review period for driving offences. Taxi and ride-hailing companies must issue Record Check Certificates to their drivers every year. To be eligible, drivers cannot have committed crimes or acts as outlined in part 2.1 of the *Passenger Transportation Regulation* within the previous ten years. For certain crimes, including those of a sexual nature, there is no time limit.

The Vancouver Police Department (VPD) highlighted that companies hesitate to decline driver applications or initiate driver suspensions due to the risk of civil liability. To address this issue, the VPD recommended that the Act be amended to include provisions providing employers with clear legal authority to refuse a Record Check Certificate based on adverse contact and that the term be clearly defined under the Act. They also suggested that Ministry of Transportation and Infrastructure enforcement staff and police should be allowed to seize Record Check Certificates when serious allegations are made against drivers or when the police identify a pattern of behaviour. The VPD also stated that the Chief Constable should be provided with the authority to revoke Record Check Certificates while an investigation or review takes place. Uber advocated for the transition to an annual Criminal Record and

Judicial Matters Check (a check currently only available in Ontario) after a one-time vulnerable sector check at the time of the driver's application, stating that it would reveal any new criminal charges or convictions long before any pardon could suspend the criminal record.

Several taxi organizations raised concerns with the current record check process including cost, timelines, and information gaps. The Committee heard that while companies are responsible for issuing Record Check Certificates to their drivers, companies have a limited understanding of the requirements for issuing them. The Vancouver Taxi Association noted that the Record Check Certificate Checklist issued by the Commercial Passenger Vehicle Program is confusing for companies to use. The Vancouver Taxi Association, Black Top & Checker Cabs, Yellow Cab Company Ltd., and a taxi driver stated that the process to renew the Record Check Certificate on an annual basis is time-consuming and costly. Due to differences in processing times, or the need to be fingerprinted, some drivers' background checks are only valid for six to ten months and they may be out of work for months while they await their clearance. Yellow Cab Company Ltd. highlighted the need for a system that allows for annual police record checks to be completed at regular and predictable intervals to avoid periods when a driver is unable to work. The Vancouver Taxi Association stated that temporary operating permits would enable drivers to continue working while awaiting their results and help alleviate the burden on drivers who face financial difficulties during the waiting period. The Vancouver Taxi Association, Black Top & Checker Cabs, and Royal City Taxi further suggested that Record Check Certificates should be valid for a minimum of two years to streamline the system.

The Committee also heard that a different approach may be required for some drivers with a criminal record. Yellow Cab Company Ltd. and the Vancouver Taxi Association were of the view that charges should be evaluated based on severity, criminal record, and any rehabilitation that has occurred rather

than issuing an overall ban. The Association added that this approach provides the driver the opportunity to present their case and continue to work while a fair decision is made. Royal City Taxi highlighted that taxi drivers should not be unfairly penalized for making a mistake such as driving under the influence. The company described how prior to the current legislation, the VPD would use their discretion to let drivers back on the road two years after being charged with a driving offence with a temporary permit and then verify drivers were complying with all conditions prior to granting a regular licence. Royal City Taxi suggested reducing the time period the police record check covers to the previous two years, instead of the current ten, to shorten the period when drivers with criminal records are ineligible. The Vancouver Taxi Association emphasized that drivers can face long delays while they wait for a decision from the registrar or to receive a court date and recommended that police review pending charges to determine drivers' ability to operate in the interim. The Association highlighted that this would ensure that delays do not reduce the supply of drivers and leave both the driver and the company at a financial loss.

POLICE OVERSIGHT

The VPD described how prior to 2019, they were responsible for conducting police record checks as well as approving and issuing municipal chauffeur permits to taxis which were valid for one or two years. The VPD stated that currently, after a police record check is completed, the process is removed from police oversight; applicants bring all necessary information to the employer who decides whether that person is eligible to be a driver or not. The VPD highlighted that police have access to confidential information that is not included in a police record check and is not available to employers, such as whether an individual is involved in organized criminal activity or the subject of any allegations. The VPD stated that changes to the Act created an enforcement issue as taxi drivers who were not able to operate prior to 2019, due to inappropriate conduct or gang ties, were again able to operate as the VPD no longer had jurisdiction to deny their licences. The Department recognized that the Commercial Vehicle Safety and Enforcement unit provides checks and balances; however, since it operates on a provincial scale, they are unable to act immediately when the VPD needs issues addressed. The VPD favoured an approach where driver vetting would be overseen

by a single body, rather than split between multiple groups. To that end, they recommended establishing an advisory group to gather input and determine if PDV licensing approval should be the purview of the police.

TRAINING

Under section 7.1 of the Passenger Transportation Regulation, the registrar can require drivers of PDVs to complete specified training programs. While there are not currently any training requirements, the Ministry of Transportation and Infrastructure noted that they are working with interested parties on what training could look like. The Committee heard from several participants about the value of the Justice Institute of British Columbia's discontinued TaxiHost program. The program was developed in 1996 to standardize taxi driver training in the Lower Mainland. The program's curriculum covered local geography, route planning, collision avoidance and assault avoidance as well as taught drivers effective communication strategies, how to handle customer concerns and how to transport persons with disabilities. Changes to the Act and Regulation in September 2019 eliminated jurisdiction-specific training requirements for taxi drivers and as a result, the Justice Institute of British Columbia suspended delivery of the program.

The Board, taxi organizations and several individuals recommended reinstating TaxiHost or a similar program for both taxi and TNS drivers. The B.C. Taxi Association was of the view that reintroducing training requirements for all drivers of PDVs would ensure fair competition between taxi and ride-hailing services. The Association, along with Black Top & Checker Cabs and Royal City Taxi, highlighted that TaxiHost program graduates were trained in a consistent manner to provide quality customer service, drive safely, navigate efficiently, and assist persons with disabilities. Bonny's Taxi and Royal City Taxi highlighted that without the TaxiHost program, companies must train their own drivers at an additional cost and that drivers are not getting sufficient training which is contributing to lower driving standards. The Justice Institute of British Columbia suggested revisiting an online training model for the TaxiHost program that would be accessible throughout the province. They noted that they were developing content for online, self-directed, training courses for both taxis and

TNS when it was announced that there would be no training requirement under the new provisions.

The Committee also heard about other training related needs in the industry. BC Seniors Advocate, Isobel Mackenzie, indicated that additional driver training to assist seniors would be useful. She emphasized that there are tensions between the needs of seniors and safety rules in place to reduce driver injuries, using the example that HandyDART drivers are not allowed to lift grocery bags.

CAMERAS

Since 2004, the Board has had a camera program for taxis with the aim of deterring crime and supporting safety for passengers and drivers. Mandatory taxi camera programs are in place in Greater Vancouver, Greater Victoria, and the Fraser Valley Regional District (excluding Hope). Voluntary taxi camera programs are in place in Prince George, and Williams Lake. Taxi companies in other areas can choose to set up a taxi camera program. As part of the program, taxi companies must use prescribed cameras and install decals informing passengers about the cameras and are responsible for all associated costs. In addition, only law enforcement can access the footage and they can only do so after a crime has been reported. There is currently no similar required program for TNS.

Generally, private sector organizations, such as companies and drivers of PDVs, must comply with the *Personal Information Protection Act*. The Office of the Information and Privacy Commissioner noted that there are exceptions to the *Personal Information Protection Act* such as the Board's Taxi Camera Program which is authorized under another law (the *Passenger Transportation Act*). The Deputy Commissioner noted that the Board could establish a camera program for TNS if there is a demonstrated risk to driver and passenger safety, provided that the purpose for collecting the information is clearly identified and limited to that use. The Deputy Commissioner highlighted that companies must ensure passengers and drivers are aware of any surveillance or recording by displaying a decal or using a notification in their app and that relying on implied consent is not sufficient.

Several organizations advocated for mandatory cameras in all PDVs to protect both driver and passenger safety. The B.C.

Taxi Association, Black Top & Checker Cabs and the Vancouver Taxi Association indicated that rear-facing cameras (which capture activity inside taxis) deter crime and address incidents such as theft, assault, vandalism, and fare evasion. They added that drivers are more likely to adhere to traffic rules and maintain professionalism. The B.C. Taxi Association noted that standardized requirements would maintain passenger privacy and data security as well as prevent unauthorized surveillance and guarantee that only law enforcement agencies can access recordings for investigatory purposes. At the same time, several taxi operators including Royal City Taxi highlighted challenges with the type of camera prescribed by the Board as it is costly to purchase (\$1,300 per unit) and have professionally installed. The Vancouver Taxi Association and Black Top & Checker Cabs suggested financial support such as subsidies, grants, or tax incentives for camera systems. The Vancouver Taxi Association also suggested mandating forward-facing cameras (which record activity outside the vehicle), which are currently prohibited, as this would help promote safety by recording accidents or interactions with other vehicles or pedestrians and support investigations and insurance claims. The Board acknowledged that the taxi camera technology is becoming obsolete and there are fewer installers. They also highlighted difficulties accessing data and changing privacy requirements. To address these issues, the Board is reviewing the Taxi Camera Program.

VEHICLE IDENTIFICATION

Under section 28(4) of the Act, all vehicles with a special authorization (SA) licence must display an identifier such as a sticker, decal, tag, certificate, or plate. Taxi identifiers are a plate at the front of the vehicle with the decal attached. Ride-hailing vehicle identifiers must: clearly display the company logo/tradename, be reflective; be 6 cm by 14 cm or larger, be clearly visible and prominently displayed on the inside of the front and rear windshield of a vehicle while it is operating, and not obstruct the vision of the driver. Currently, top lights are not mandatory for taxis or ride-hailing vehicles. Vehicles can only have top lights if they are authorized as a condition of licence.

The Committee heard that many cities including New York, London, Tokyo, and Sydney have laws mandating the use of top lights on taxis with several participants highlighting

how top lights make taxis easily identifiable. The Vancouver Taxi Association and Yellow Cab Company Ltd. supported mandatory taxi top lights and illuminated TNS signage along with specific guidelines and standards to ensure consistency across the industry. The Vancouver Taxi Association shared that top lights reduce the time spent searching for an available taxi, enhance overall customer satisfaction, and reduce the risk of passengers entering unauthorized vehicles. Yellow Cab Company Ltd. suggested that illuminated signage for TNS would help law enforcement agencies identify and act against non-compliant TNS companies, adding that enforcement efforts and penalties need to be strengthened to deter unauthorized drivers. Black Top & Checker Cabs recommended that TNS vehicles be more clearly marked to promote accountability and public safety as TNS vehicles are often indistinguishable from private vehicles and only identifiable by a licence plate number which can be obstructed.

INSURANCE

ICBC offers a flat rate and combination flat rate/distance-based rate for taxis and combination product for TNS. ICBC shared that when taxis and TNS are offline or available, they are charged a flat rate. Both pay on a distance basis once a trip has been accepted, and they are enroute to pick up or are carrying a customer. Unlike taxis, TNS stop paying the distance-based rate from the point at which a trip is cancelled. ICBC explained that if any claims occur while a TNS driver has a passenger (or is in transit to pick up a passenger) the insurance impact would apply to the corporate TNC policy, not the driver's policy. While a driver is unengaged or off service, any claims would be covered under their personal insurance policy.

Black Top & Checker Cabs and a taxi driver shared concerns about the difference between taxi and TNS insurance rates, particularly from the point of dispatch. Yellow Cab Company Ltd. added that insurance under the per kilometre basis should only be charged when a passenger is in the vehicle given that taxi trips can also be cancelled while enroute to picking up the passenger or when a passenger does not show up. Yellow Cab Company Ltd. further highlighted the differences between taxi and TNS rates, noting that trips prepaid through the company's app are subject to the TNS rate which is 35 percent lower than if that same vehicle provided a regular taxi trip. The Vancouver

Taxi Association recommended combining distance-based rates with existing monthly premium charges. They noted that it would be more predictable and would compensate taxi drivers for traveling farther.

COLLISIONS

Several taxi companies raised concerns about the impact of collisions on rates as well as the claim settlement process. Tofino Taxi claimed that drivers are not being properly compensated for lost time due to an accident, especially when they are not at fault. Black Top & Checker Cabs similarly noted that long delays prior to finding out the status of their vehicle after an accident cost taxi drivers time and money. They added that in the event of a total loss, the market value to buy a replacement vehicle is significantly higher than the value determined by ICBC. Black Top & Checker Cabs suggested a review of ICBC's claim settlement process in terms of total loss of value, time loss compensation, and claim process time.

ROBOTAXIS

The Committee also heard from TransLink about the need to look ahead and prepare for the introduction of automated vehicles, including "robotaxis." While the impacts may not be felt in BC for several years, TransLink is aware that such technology would have significant impacts in urban areas like Metro Vancouver. TransLink was of the view that more robust consultation is needed to inform a better system where cities can leverage the benefits of automated passenger-directed vehicle services while mitigating some of the negative impacts.

WHAT THE COMMITTEE HEARD: ACCESSIBILITY

During its consultation, the Committee heard from British Columbians with disabilities and the organizations that represent them about significant challenges with accessible transportation options, including PDVs. They described how critical accessible transportation is for persons with disabilities to enable them to carry out their everyday lives, whether getting to work or school, accessing health and social services, or engaging meaningfully in their communities. Key issues highlighted for the Committee included poor service standards, discrimination, and a lack of training, understanding, and knowledge of the rights and needs of persons with disabilities. Many individuals also spoke about how a lack of wheelchair accessible vehicles (WAVs) adversely affects their ability to participate fully in daily activities.

“Transportation is simply critical to quality of life — to accessing services, to going to school, to work. It’s really about independence. The fact that it remains one of the biggest barriers faced by [persons] with disabilities is not understandable.” – Stephanie Cadieux, Chief Accessibility Officer

“I never know what my day will look like when I leave my home and how the world will receive me.” – Inclusion BC quoting an individual with physical and intellectual disabilities

EXPERIENCES OF PERSONS WITH DISABILITIES

The Committee heard repeatedly from British Columbians with disabilities about their experiences, or lack thereof, with PDVs. One of the most common issues brought to the Committee’s attention was accessing taxis with a service dog. Several individuals with service dogs described how drivers have refused to provide service or drive by when they see an individual with a service dog, and how this is typically framed around concerns with allergies or dog hair in their vehicle. Others spoke about how taxi companies request passengers identify that they have a service animal prior to booking a taxi

or alternatively, to schedule a pet taxi that is reserved for vet visits. The Canadian Federation of the Blind, BC Barrier Free Design Ltd., and others emphasized that under current human rights legislation, there is no requirement for an individual to self-identify as someone who has a service animal prior to booking a taxi and that persons with disabilities have the right to access the same services in the same manner as able-bodied individuals. The Committee also heard about individuals who have been forced to be separated from their service dog in a vehicle, which can be detrimental to both the individual and their dog, or how a lack of geographic knowledge adversely affects their ability to get to where they need to go. When recounting their challenges to the Committee, one individual summed up their experiences by saying that they are not seeking an accommodation or asking for something out of the ordinary and that they cannot be denied a ride they are entitled to under human rights legislation.

“I am simply a person who is trying to live like everyone else in BC. My blindness is made more manageable when I am spoken to positively and my strengths as a human being are supported and celebrated.” – Representative for the Canadian Federation of the Blind

“I have been repeatedly dropped off at the wrong address. I phone back the company, and they want to know where I am. I don’t know where I am. I’m in Granville Island, but I’m not where I’m supposed to be. They want to send another car to get me, but they don’t know where I am.” – Individual with a visual disability

The Committee also heard from a number of individuals and organizations representing persons with disabilities about long wait times when trying to access WAVs and how WAVs sometimes do not show up at all when requested. One individual recounted an experience where they had to wait approximately three hours for a WAV after being discharged from hospital. They noted that they had requested a WAV around 6 am and were initially told that their ride would be

there in 20 minutes. After repeated calls to the taxi company, their WAV finally arrived around 9 am. The Chief Accessibility Officer highlighted that it is almost impossible to book a WAV for time sensitive appointments.

“Imagine you’ve gone out to run an errand or finished your day at work, but then whether or not you can make it home is entirely uncertain. You might have to sit with your groceries for three hours while your ice cream melts, or you might have to wait outside in the elements for hours. It’s clearly unacceptable, but it’s the regular experience of [persons] with disabilities.” – Stephanie Cadieux, Chief Accessibility Officer

Transportation challenges faced by persons with disabilities who live in small, rural, and remote communities was another key theme. Coastal Rides indicated that they have heard of persons with disabilities being forced to use ambulances to get to medical appointments when no other transportation options are available. Others spoke about a lack of taxis or other on-demand transportation options and how this can keep persons with disabilities and seniors from accessing core services and participating fully in their communities.

Inclusion BC and Disability Alliance BC spoke about an “ableist” undertone to system design for transportation options that does not fully consider the needs of persons with disabilities. They highlighted the need to incorporate the principles of universal design into transportation systems and services as well as input and perspectives from persons with disabilities for service delivery planning or policy development. In addition, Inclusion BC and Disability Alliance BC highlighted that the cost of using PDVs is out of reach for persons with disabilities who experience poverty with Disability Alliance BC suggesting expanding access to the TaxiSaver program. Inclusion BC spoke about another barrier for some persons with disabilities, which is the need for a device or smart phone and digital literacy to use these services. They noted that the requirement to use apps can be challenging for people with intellectual or developmental disabilities or for those with a visual impairment. The BC Seniors Advocate, Isobel Mackenzie, noted that public transportation methods or accessible transit such as HandyDART may not fulfill the needs of all seniors and is forcing some to become housebound. The Seniors Advocate recommended creating a provincial ride-hailing program devoted to seniors to offer them more options.

WHEELCHAIR ACCESSIBLE VEHICLES

The Board indicated that taxi or TNS companies may be required as part of their operating licence to reserve a portion of their approved fleet or otherwise provide for accessible vehicles. No TNS companies currently have this provision as part of the terms and conditions for their licence; however, a recent BC Human Rights Tribunal decision ordered Uber to offer accessible rides for persons with disabilities in the Lower Mainland by March 1, 2025. According to the Taxi Licensee List on the Board’s website (updated July 2023), there were 625 accessible taxis in BC which represents nearly 18 percent of 3,495 licensed taxis in the province. The Board shared that only 50 percent of authorized WAVs are operating and that in some parts of the province this number is as low as 20 percent. The Board indicated that they monitor wait times for WAVs and that anything over a one-hour wait time would be considered a service failure.

The Chief Accessibility Officer was of the view that there are few incentives to encourage taxi drivers to drive WAVs or to compensate them for the extra time needed to load and unload passengers with disabilities. One individual noted that WAVs can be used for other purposes such as moving heavy cargo or picking up able-bodied passengers at the airport who have a lot of luggage which takes these vehicles out of service for persons with disabilities. A number of taxi companies and Disability Alliance BC spoke about the opportunity to require TNS companies to provide WAVs in an effort to ensure there are more WAVs available to fulfill the service needs for persons with disabilities. Disability Alliance also noted that the lack of WAVs available through TNS companies means that persons with disabilities are not able to participate as equal consumers. TransLink noted that other jurisdictions have fleet size thresholds at which ride-hailing companies are required to offer WAVs.

Members heard that WAVs are very expensive to purchase, maintain, and operate. Taxi companies estimated that it costs \$200,000 to purchase or convert, maintain, and operate a WAV over its lifetime. Bel-Air Taxi Ltd. suggested that taxi companies should continue to receive subsidies to cover the high cost of WAV maintenance. The Ministry of Transportation and Infrastructure estimated that it costs \$64,000 a year to maintain and operate a WAV. The Ministry noted that there are particular challenges for operating WAVs in rural communities,

including higher fuel and towing costs and indicated that the flat price fuel rebate could help offset these costs.

The Committee also heard about the intersections between different types of transportation services including paratransit such as HandyDART and PDVs. Participants highlighted issues accessing HandyDART in terms of its inflexibility and having to book rides far in advance. Inclusion BC also noted that HandyDART has limited capacity, and priority is given to rides for medical appointments. While HandyDART may have its challenges, BC Seniors Advocate, Isobel Mackenzie, did note that frail seniors rely heavily on the service. HandyDART (TransLink) acknowledged that they use WAVs to supplement approximately a quarter of their services and highlighted the lack of availability of WAVs as a factor that affects their ability to provide services.

One model highlighted for the Committee with respect to how WAVs are accessed and deployed was WAV Calgary. The City of Calgary shared that WAV Calgary is a centralized dispatch system for WAVs from five taxi companies that was initiated in 2019 as a two-year pilot program; the service can be accessed by phone, through an online booking system or through an app. The City reported an average wait time of 15 to 20 minutes for a WAV, compared with up to 45 minutes prior to the program's creation, and that trip volumes nearly doubled between January 2019 and October 2023. They also noted that feedback from WAV Calgary users indicated confidence in the system and increased user satisfaction with rejected trips projected to be down by 52 percent in 2023, compared to previous years. Several taxi companies expressed interest in a similar centralized dispatch service for WAVs. Esquimalt Taxi supported a centralized dispatch for WAVs but noted that providing wheelchair accessible service is very expensive. The Chief Accessibility Officer also spoke favourably about implementing a similar service to WAV Calgary if accessible vehicles were able to cross boundaries and if there was a financial incentive for drivers to accept WAV trips.

PASSENGER TRANSPORTATION ACCESSIBILITY PROGRAM

The Passenger Transportation Accessibility Program (PTAP) provides grants to taxi companies to acquire or convert, maintain, and operate WAVs. Managed by the Ministry of Transportation and Infrastructure, there are two grant streams

– one for maintenance and operation, launched in January 2023, and another related to acquisition and conversion, launched in February 2024. The latter stream also includes funding for an auto insurance rebate and a flat fuel rebate. Funding for the program comes from a per-trip fee applied to non-accessible TNS rides, per section 24.1(2) of the Passenger Transportation Regulation.

The Committee heard that not all funds from the per-trip fee are allocated towards PTAP; rather, the per-trip fee was created in part to offset the regulatory and administrative costs related to enabling ride-hailing operations. The Ministry reported that funds from the per-trip fee, which was increased from 30 cents to 90 cents in January 2023, have gone towards staff, enforcement, and IT (including developing and maintaining the Data Warehouse), as well as Board operations. They shared that between fiscal years 2020-21 and 2022-23, \$16.388 million was collected in per-trip fees \$2.563 million of which was distributed through grants in 2022-23.

A number of organizations and individuals, including Disability Alliance BC, expressed concerns regarding whether PTAP is meeting its goal to provide more accessible transportation for persons with disabilities. They also speculated as to whether program grants will go as far as expected with rising costs in the transportation sector. The Chief Accessibility Officer noted that PTAP will only be effective if drivers use WAVs to transport persons with disabilities, rather than for other purposes.

The Vancouver Taxi Association noted that PTAP is important for ensuring that there are WAVs available for persons with disabilities and that more work needs to be done to ensure the program is operating effectively. Black Top & Checker Cabs stated that PTAP suffers from a lack of transparency and does not effectively promote the provision of WAVs. They noted that taxi companies are already collecting and reporting trip data and that perhaps this information could be used to incentivize WAV trips and ensure that these vehicles are being used by the people who need them. Yellow Cab Company Ltd. indicated that they operate a fleet of 54 accessible vehicles funded through PTAP. They noted that, in the past, they were able to reduce dispatch fees for accessible vehicles to compensate for their expenses, but they can no longer afford to do so.

Uber noted that the per-trip fee only applies to ride-hailing companies, while grant funds are reserved for the taxi industry. They stated that the policy goal of PTAP should be to increase the availability of accessible services and that they could provide WAVs more cost effectively than the 90 cent per trip fee. Uride recommended expanding PTAP to include ride-hailing companies to help them purchase WAVs. The City of Vancouver similarly suggested expanding PTAP to ride-hailing companies as a way to support a requirement for ride-hailing companies to provide WAVs. Uride also noted that the 90 cent per trip fee was challenging for them and that the fee could amount to a disproportionately large percentage of a shorter fare and recommended a per-trip fee exemption for smaller fares.

Regarding similar programs in other jurisdictions, the Committee heard about the City of Calgary's Accessible Taxi Incentive Program which collects a 10 cent fee from both taxi and ride-hailing companies. The fund pays for program management, dispatch services, WAV tablets, driver training and a number of different incentives. Calgary also anticipates launching a wheelchair ramp installation incentive in the future.

TRAINING AND ACCOUNTABILITY

Many disability organizations, including Inclusion BC and Disability Alliance BC, emphasized that drivers need better training on accessibility and how to serve persons with disabilities, including sensitivity training to address inherent attitudinal barriers. The Chief Accessibility Officer noted that sometimes drivers do not have adequate training on how to safely secure a person in a wheelchair in a vehicle. Inclusion BC indicated that persons with disabilities are experiencing poor treatment by taxi drivers because of a perception that serving persons with disabilities is more work. Disability Alliance BC recommended that drivers receive training on accessibility issues so they can take a trauma informed approach when interacting with passengers with disabilities and that evaluation mechanisms need to be included to ensure that training is being provided effectively. The Canadian Federation of the Blind shared that learning from the life experiences of persons with disabilities would be beneficial for drivers and suggested that persons with disabilities be included in training development. They, along with TransLink,

also supported training on accessibility for both taxi and ride-hailing drivers.

Regarding examples of accessibility training, the Committee heard that the discontinued TaxiHost program included a module on providing services to persons with disabilities. In terms of current offerings, Yellow Cab Company Ltd. spoke about their "Ask, Listen and Act" accessibility training program offered to drivers to assist seniors and persons with disabilities. Uber indicated that they have driver training on transporting passengers with service animals which includes information on drivers' legal responsibility to transport service animals and passengers with disabilities. The City of Calgary stated that they offer free accessibility training in addition to mandatory one-time training for taxi and ride-hailing drivers.

In terms of accountability and enforcement measures, the Commercial Vehicle Safety and Enforcement (CVSE) investigates potential violations of the *Passenger Transportation Act* and Regulation. The Ministry of Transportation and Infrastructure reported that 49 trip refusal complaints were received from 2021 to 2023 and that of these, seven complaints were substantiated leading to two drivers being disciplined. CVSE also provided education to the companies who shared this information with their drivers. In terms of tracking issues related to accessible transportation options, the Ministry indicated that they track cancellations and refusals, but that this information does not include "drive-bys", where persons with disabilities are not picked up, since this information relies on the driver entering this information. According to the Ministry, in 2023, there were over 98,000 accessible taxi trips – 90 percent were completed, 4 percent were cancelled and nearly 6 percent were a "no show." The Ministry noted that in terms of cancelled trips, many are often passenger initiated and could be due to excessive wait times. Regarding refusals or "no shows," these are driver initiated and may capture situations where a taxi driver drives past the passenger waiting for them – such as the case with a "drive-by."

There are also two bills of rights programs: a mandatory program in Metro Vancouver and a voluntary program outside Metro Vancouver. The Taxi Bill of Rights program in Metro Vancouver was developed in 2007 to provide improved taxi services prior to the 2010 Olympics. The program is managed by the registrar and includes provisions related to persons

with disabilities, including a \$288 fine for trip refusals. Anyone wanting to make a complaint can do so through Consumer Protection BC who may refer the complaint to the Commercial Passenger Vehicle Program within the Ministry. The voluntary program for operators outside of Metro Vancouver was created by the Board in 2013. The Board indicated that they are looking at the overlap between the two programs and considering whether they should be consolidated. They also suggested that a driver code of conduct could be included under the Passenger Transportation Regulation to replace these programs, focused on appropriate driver behaviour and safety-related matters.

Disability Alliance BC recommended that a formal complaints process be implemented to report any discrimination faced by persons with disabilities when accessing PDV services. Spinal Cord Injury BC suggested that stronger service standards be enforced and that accountability mechanisms to ensure that taxi companies and drivers are delivering safe, respectful, and equitable services for persons with disabilities be implemented.

WHAT THE COMMITTEE HEARD: EMPLOYMENT IN THE INDUSTRY

In fall 2023, the Legislative Assembly amended the *Employment Standards Act* and *Workers Compensation Act* to classify online platform workers as employees and platform companies as employers under law. These workers, which include ride-hailing drivers, were previously considered as independent contractors and were exempt from these labour statutes. The amendments also provided regulation-making authority for government to establish alternative labour standards under the *Employment Standards Act* for these workers. In its presentation to the Committee, the Ministry of Labour shared it intends to develop alternative standards regarding: the minimum wage of gig/app-based workers; expense reimbursement; trip earnings and destination transparency; suspension and termination; and Worker's Compensation coverage.

Consultation input focused on the difficulty and complexity of regulating the labour standards of ride-hailing and other gig/app-based work. The Committee heard there is a need to maintain the flexibility of the work while also strengthening safety protections and standards, along with improving driver earnings and transparency. Participants provided differing opinions and recommendations towards establishing labour standards and conditions for ride-hailing drivers.

FLEXIBILITY

Some participants viewed an independent contractor classification of ride-hailing drivers as necessary to provide drivers with the flexibility to work when they choose. Uber and Lyft shared that the flexibility of gig/app-based work enables drivers to work around their personal schedules and without this flexibility many drivers would not engage with ride-hail work. Uber stated that more than half of their drivers work part-time, while Lyft highlighted that 89 percent of Vancouver Lyft drivers work another job or are students. On the other hand, Mark Thompson, labour and industrial relations expert, shared that some ride-hailing drivers would support reducing the flexibility provided by the work to receive

more traditional employment standards such as being paid for the time spent waiting between assignments. Disability Alliance BC highlighted the benefit of gig/app-based work flexibility for persons with disabilities but raised issues regarding the earnings and working conditions in the industry. The Committee heard from a panel of ride-hailing drivers who described flexibility as being limited when working for TNS as they feel pressured to accept all assignments, limit themselves to working on a single app, work longer hours, meet in-app targets, and tolerate abusive passengers.

EMPLOYMENT CONDITIONS

The BC Federation of Labour viewed the labour rights and conditions of ride-hailing drivers as a human rights issue due to the workforce being highly racialized and noted the lack of an intersectional equity lens towards driver working conditions. They stated that ride-hailing drivers have no health and safety protections, no influence on their working conditions, and can be terminated without reason or notice. Mark Thompson highlighted that as independent contractors, gig/app-workers are not covered under employment insurance and compensation systems. He added that in the event of an injury while working, medical costs to treat gig/app-based workers are borne by the public health care system. The Tourism Industry Association of BC recommended requiring TNS companies to improve safety standard protections and provide workplace injury compensation through Occupational Health and Safety Regulation and WorkSafeBC while classifying ride-hailing drivers as independent contractors. Several organizations and taxi companies recommended expanding taxi driver employment standards and conditions to ride-hailing drivers.

Several taxi companies described a lack of clarity on the application of the NSC to ride-hailing drivers. The NSC is a set of minimum performance and safety standards for all commercial vehicles in Canada that is supported by provincial regulations and applies to all vehicles operating under the

Passenger Transportation Act. Bonny's Taxi and Esquimalt Taxi both highlighted that ride-hailing drivers are only considered working under the NSC when transporting a passenger, while taxi drivers are considered working for the entirety of their shift. Bel-Air Taxi and Vancouver Taxi Association noted that a lack of information and data regarding the length of hours worked by ride-hailing drivers poses a safety risk for passengers and other road users. The BC Taxi Association and several taxi companies recommended harmonizing ride-hailing and taxi driver safety standards under the NSC to prioritize driver and passenger safety by preventing the overwork of ride-hailing drivers, promoting fairness in the industry, and simplifying enforcement and compliance. A panel of ride-hailing drivers estimated that most full-time ride-hailing drivers are online and available for an average of 10 to 13 hours a day. These drivers noted that under the NSC, commercial drivers are not allowed to work for more than 13 hours a day, but ride-hailing drivers are only considered working while transporting a passenger.

The Committee heard that there is a lack of data on the working conditions of ride-hailing and other gig/app-based workers. United Food and Commercial Workers Canada noted that without sufficient data it is difficult to establish the appropriate benefits for these workers, particularly for those who frequently work on multiple apps. They added that without data, it is difficult to determine the minimum threshold for unionization within the sector and recommended collecting data on the hours of work, apps worked, number of trips, and jurisdictions for the TNS workforce. The BC Federation of Labour recommended collecting more demographic data on TNS drivers and noted that information on the working conditions of drivers should be independently verified and made publicly available to inform policy decisions. Dr. Perl suggested conducting a labour market survey of taxi and ride-hailing drivers to gain a better understand of changes in the workforce.

DRIVER EARNINGS

The Committee heard from various consultation participants who described declining earnings among ride-hailing drivers due to factors such as rising operating and maintenance expenses. Under the current pay structure for ride-hailing and other gig/app-based work, ride-hailing drivers are only paid for

time spent on assignment such as transporting a passenger. A panel of ride-hailing drivers shared personal experiences with growing wait times for assignments which has required them to work longer hours. These drivers estimated that they now spend 10 to 13 hours a day actively on TNS apps but are only on assignment and being paid for 7 hours a day. These drivers added that they are also not paid for the time spent traveling to pick up a passenger, which can take five to ten minutes per-trip.

Some ride-hailing driver panelists were skeptical that introducing a minimum wage for drivers based on assignment time would lead to earning a sufficient wage due to the time they spend waiting for assignments. These drivers recommended that their time spent on the app should be used to determine hours worked and compensation. Dr. Shauna Brail, Director of the Institute for Management & Innovation at University of Toronto Mississauga, explained that the challenge in ensuring ride-hailing drivers receive a minimum wage for their time spent on assignment is often due to an oversupply of TNS vehicles. The BC Federation of Labour similarly described that as more ride-hailing drivers log onto TNS apps, it can increase the time drivers spend waiting for an assignment. RideFair highlighted that other jurisdictions have set limits on the number of ride-hailing vehicles to ensure driver incomes exceed a minimum rate per hour on assignment. The Passenger Transportation Board explained that their mandate does not consider labour market or employment matters, but acknowledged their regulations can affect driver earnings and employment levels through rate structure and fleet size decisions. Uber stated that in 2023, for time spent on assignment, the median hourly earnings of ride-hailing drivers in Vancouver was \$36 excluding tips.

A panel of ride-hailing drivers expressed a desire to have TNS apps provide them with greater earnings transparency. These drivers shared that they are unaware of what they will earn from a trip until after it has been accepted. They further highlighted that they are also unable to see the fare that is paid by the passenger, which prevents them from estimating their earnings. Apt Rides shared that they provide drivers on their app with information on fares and provide a set earnings rate for drivers but noted this is not a common practice among TNS companies. Uber confirmed that drivers on their app are

unable to see the fare or the potential earnings of a trip before accepting it.

These drivers also expressed uncertainty over how their pay is determined. They claimed that during periods of dynamic or surge pricing, they do not receive additional earnings, despite passengers being charged a higher fare. Uber shared with the Committee that drivers on their app receive the majority of surge price fares. The company stated that drivers on their app also receive a weekly statement that shows each trip completed, the fare paid by the passenger, and a breakdown of how a driver's earnings were calculated. The panel of ride-hailing drivers additionally recommended requiring TNS companies to lower the fees charged to drivers to increase driver earnings. Uber shared with the Committee that their company charges 25 percent of a fare as a service fee to drivers, along with a booking fee. They noted this fee is to help cover insurance and other overhead costs.

A panel of ride-hailing drivers described an incentive system with TNS apps that provides drivers with rewards for achieving certain objectives such as completing a certain number of trips within a specified time. They noted that these incentives are offered inconsistently and believed that incentives are primarily offered to new drivers to encourage them to stay on the TNS app for longer and accept all assignments. These drivers also theorized that assignments are distributed to drivers based on an in-app driver rating system which they suspect is affected by the rate a driver accepts assignments, along with passenger reviews. Uber shared that on their platform a driver's rating does not impact their access to standard UberX trips, but it does impact a driver's access to Uber's premium ride-hailing services. They stated that the rate a driver accepts offered assignments does not impact a driver's ability to be on the app.

WHAT THE COMMITTEE HEARD: PUBLIC TRANSPORTATION, TRAFFIC CONGESTION, AND THE ENVIRONMENT

Consultation participants highlighted the connection between public transportation, traffic congestion, and environment. Some participants view the introduction of TNS as having a negative impact, claiming TNS reduces public transportation ridership, increases traffic congestion in urban areas, and contributes to emissions. Others view TNS as playing an important role within the transportation market as it can provide alternative transportation options and when partnered with public transportation can reduce private vehicle trips and ownership.

PUBLIC TRANSPORTATION

The Committee heard varying perspectives on the impact that PDVs, particularly TNS, have on public transportation. Some participants viewed TNS as having an inherently competitive relationship with public transportation, claiming that these services draw passengers away from public transportation. Clark Lim stated that for individuals who do not own a private vehicle, the availability of TNS will increase single occupancy vehicle trips as passengers substitute public transportation trips with TNS trips. RideFair claimed that in the City of Toronto, TNS directly competes with public transportation by providing short wait times and low fares and has reduced public transportation ridership.

Conversely, several consultation participants were of the view that TNS and public transportation complement each other by providing additional or alternative transportation options. Dr. Perl stated that existing evidence suggests TNS does not have a significant impact on public transportation ridership and added that the two transportation modes can develop a synergistic relationship that provides an alternative to private vehicle ownership. Uber highlighted that public transportation does not work for all circumstances or for all trips and alternative transportation options should be readily available. Uber noted that an efficient public transportation system paired with alternative transportation options can reduce private vehicle trips and traffic congestion. Lyft shared that 51

percent of Vancouver Lyft riders do not own a private vehicle and over half of their passengers have used Lyft's service to get to, or from, a public transportation station. The Passenger Transportation Board noted that the price floor for PDV rates is set above the fare of public transportation in order to support public transportation.

Municipalities viewed PDV as filling an important niche within transportation systems. The City of Vancouver noted that TNS can act as a beneficial link between passengers and public transportation networks. The City of Victoria highlighted that TNS can reduce personal vehicle usage but only when public transportation, active transportation, and shared mobility is sufficiently funded. They added that managing congestion, lowering emissions, and maximizing the benefits of TNS requires investment into sustainable transportation modes to prevent further entrenching cities into being vehicle dominated. The city recommended transforming public transportation delivery and services to make it the preferred mobility option within the Capital Regional District. TransLink shared that transit ridership has recovered significantly from the pandemic and is nearing 100 percent of pre-pandemic ridership; it viewed PDVs as an important part of the transportation ecosystem and supported the use of car-sharing, taxis, and ride-hailing over private vehicles for trips that cannot be made by walking, cycling, or transit. TransLink highlighted their new multi-modal app developed in partnership with bike and car-sharing services. The app, named RideLink, will integrate public transportation, carshare, and bikeshare services allowing for planning, booking, and payment through a single platform.

TRAFFIC CONGESTION

The Committee heard from consultation participants that there is a lack of definitive data regarding the impact of PDVs on traffic congestion within the province. United Food and Commercial Workers Canada discussed the need for more data to be collected to better inform decisions on the management

of traffic congestion and environmental impacts of TNS. RideFair highlighted a need for more data on TNS vehicle kilometers traveled, curbside congestion impacts, and the competition with other forms of surface transit. The Passenger Transportation Board shared that they are currently studying the impacts of passenger transportation on traffic congestion in the Lower Mainland and expects to release its findings in 2025.

Dr. Hara stated that in the short term, PDVs will contribute to increased vehicle hours traveled and traffic congestion. In the long term, he noted that a well-functioning PDV system complemented by public transportation provides the alternative transportation modes needed to reduce private vehicle ownership and congestion. Dr. Brail highlighted research that suggests TNS can lower traffic congestion and emissions but only when there is a reliance on shared or pooled rides of multiple passengers in a single vehicle. She also noted that research has shown that TNS increases traffic congestion, particularly in densely populated areas.

Several taxi companies viewed the growth of TNS as a direct contributor to worsening traffic congestion within the province, particularly in the Lower Mainland. Yellow Cab Company Ltd. suggested that traffic congestion is increasing due to passengers substituting public transportation trips with TNS trips and therefore adding more vehicles to the road. Black Top & Checker Cabs similarly noted that low fares of TNS discourages the use of public transportation. The Vancouver Taxi Association highlighted that TNS often operate in the densest, busiest parts of cities which adds further pressure to already growing traffic congestion in these areas. To address potential traffic congestion created by TNS, numerous taxi companies recommended imposing a cap on the number of TNS vehicles allowed to operate.

Conversely, Uber recommended against implementing a cap on TNS vehicles; in its view, this would create artificial and anti-competitive supply restrictions which would lead to higher prices, longer wait times, and concentrate TNS drivers in downtown cores. Uber also discussed a growing interest in some municipalities to enact additional charges and restrictions on TNS to manage traffic congestion. They highlighted that TNS are less than one percent of trips in some areas and that adding additional charges to TNS would have a minimal impact on reducing traffic congestion. The

Passenger Transportation Board shared that they are aware of the potential risks of having an unlimited fleet size for TNS but noted that a flexible supply of drivers is part of the TNS business model. They added that the Board has the authority to impose maximum fleet sizes as a term and condition of licences for TNS, if evidence suggests it is necessary.

Clark Lim and TransLink highlighted PDVs contribution to growing curbside congestion within cities. Clark Lim explained that an efficient transportation system cannot have any harsh disruptions or stoppages, as it reduces roadway capacity and creates congestion. He added that when PDVs stop to pick up or drop off a passenger, it can create congestion and stoppages, especially during peak travel times. The City of Victoria noted the growing demand for curb space caused by at-home food and product deliveries, which has required the city to increase its number of commercial loading zones. The city added that ride-hailing is a new service and management of its curbside usage is still being determined. The City of Vancouver similarly described having to repurpose curbside parking to make space for additional passenger and commercial loading zones. The city highlighted it has a congestion and curbside management permit for PDVs to manage congestion within the metro core. The permit charges a fee for curbside usage within specific hours and intends to encourage the use of walking, cycling, and public transit.

Dr. Brail discussed assigning specific places where PDV passenger pick-up and drop-offs can or cannot occur to help reduce congestion in the densest parts of cities, which also supports passenger accessibility and safety. The Committee heard from a panel of ride-hailing drivers who described challenges with a lack of designated TNS pick-up and drop-off spaces. They shared that the lack of designated space results in drivers receiving parking and bylaw fines, along with receiving low ratings from passengers when drivers are unable to pick up or drop off passengers at their preferred location due to parking or operating restrictions. Black Top & Checker Cabs noted a need to reserve taxi stands and designated taxi spaces solely for taxi use, as street hails represent a significant number of taxi trips and often occur at these designated spaces.

ENVIRONMENTAL IMPACTS

The Committee heard from a variety of groups and individuals concerned over the environmental impacts of PDVs, particularly with the growth of TNS. RideFair stated that TNS in Toronto is the city's fastest growing source of transportation emissions. Taxi companies such as AC Taxi Nanaimo, Westshore Taxi, and Silver Shadow Taxi similarly described an increase in transportation emissions due to TNS as it puts more vehicles on the road. Black Top & Checker Cabs added that there are currently no incentives or requirements for TNS companies to have eco-friendly vehicles operating on their apps.

One focus of the input regarding the environmental impacts of PDV was increasing the adoption of eco-friendly vehicles within the PDV industry, specifically fully electric vehicles. TransLink aims to achieve a zero-greenhouse gas transportation system by 2050 and discussed introducing specific targets to achieve a fully electric TNC industry by 2030 as part of this vision. TransLink noted that the current age restriction on TNS vehicles, which requires vehicles to be no more than 10 years old, creates additional opportunities to incentivize electric vehicle transitions as TNS vehicles are replaced more frequently.

Uber shared that British Columbia is a leader in electric vehicle adoption and that more than 20 percent of kilometers driven via Uber in North America are by electric vehicles. Uber highlighted their benefits programs for drivers to switch to an electric vehicle and partnerships to increase the availability and affordability of charging infrastructure. The City of Vancouver shared that they have seen a limited uptake in electric TNS vehicles within the city, with only 11 percent of the 25,000 TNS vehicles licensed by the city being zero-emission or electric. The city added that transitioning more PDVs to electric vehicles would lead to a significant reduction in emissions, as these vehicles are constantly traveling. The city suggested providing electric vehicle targets for TNS companies and incentives to promote electric vehicle transitions. The Vancouver Airport Authority also suggested providing incentives and expanding charging infrastructure to increase the adoption of electric vehicles among PDV operators.

WHAT THE COMMITTEE HEARD: TRANSPORTATION IN SMALL, RURAL, AND REMOTE COMMUNITIES

The Committee heard that the Act does not include any specific provisions that differentiate passenger transportation services based on community size. Participants emphasized the importance of applying a rural lens to the Act so that the unique needs of small, rural, and remote communities are acknowledged and addressed. The Committee also heard about gaps in service and challenges with the viability of passenger directed transportation services in these communities and opportunities to better support their provision.

TRANSPORTATION GAPS

Dr. Sarah-Patricia Breen, BC Regional Innovation Chair in Rural Economic Development at Selkirk College, and UBCM noted that mobility within and between rural communities is needed to support the health, wellbeing, and prosperity of residents, including access to health care, education, jobs, and meaningful participation in their communities. Dr. Breen noted that it is increasingly common for an individual's regularly used services, place of employment and home to be in different communities.

The Village of Radium Hot Springs indicated that rural communities struggle to have any transportation options available, especially during weekends and evenings when there is a higher risk of impaired driving. They added that a lack of transportation affects the economy and that impacts are especially felt by the lower-income segment of the population. UBCM similarly highlighted gaps across different transportation services, including public transit, regional or inter-community transportation, and passenger directed transportation. The City of Enderby added that conventional transit options do not work for their community, noting that they only have bus service and have not had taxi service for ten years. They added that inter-community travel was provided by volunteers who were burned out since demand exceeded supply and any honoraria provided did not cover all costs.

The Ministry of Transportation and Infrastructure noted that they are trying to bridge gaps left by the departure of Greyhound bus services by working with BC Transit and other providers. They are also doing policy work with the economic trusts to determine ways to better connect rural communities and enhance transportation options within communities.

GENERAL VIABILITY OF PDVS

The Board indicated that the viability of commercial passenger transportation businesses in low density areas is a challenge due to several factors, including: greater distances; lower ridership; wide disparities in service wait times; increased deadheading; varying levels of competition; and the unique geography, density patterns and size of BC. They noted that when applying the public need and sound economic conditions (section 28(1)) test on an application in a low-density area, it is more likely that the Board will find these conditions do not exist. The Board indicated it has undertaken a consultation with the public and local governments in low density areas to determine current service levels and the ability of the community to sustain a commercial passenger transportation service. The Board's economics team will be able to leverage their demand model to identify underserved areas and determine whether passenger transportation service could be commercially viable and sustainable long term. If a potential licensee were to make an application, the Board could then choose to support the service with higher rates, or by restricting other entrants.

The Board also highlighted challenges for both TNS and taxis in smaller communities. Ride-hailing companies may have difficulty attracting enough drivers or experience poor connectivity or lack of digital infrastructure while taxis face higher entry costs and fleet requirements, the need to increase/expand the rate structure to mitigate other factors, and difficulties competing with other operators for limited customers.

Dr. Breen highlighted the importance of understanding different types of rural communities based on population size and remoteness and that in the absence of a definition of rural or a rural lens in the Act, there will be poor outcomes for rural communities. Dr. Breen was of the view that while passenger directed transportation and transit may not earn a profit in rural areas, decision-makers need to consider other factors since people with access to transit may save the community money in other ways such as health care costs. UBCM made several recommendations to amend the legislative and regulatory framework to improve the viability of passenger directed transportation in small, rural, and remote communities, including establishing an area-based, tiered, regulatory solution to address the unique needs of these areas.

The Village of Radium Hot Springs indicated that small, rural, and remote communities lack the critical mass of riders required for many transportation options. Uride noted that they find it difficult to operate in cities with a population of under 40,000 due to a lack of critical mass of riders. Uride also emphasized that the seasonality of the local tourism industry, notably in Penticton, means that the company must subsidize trips in the off season to provide year-round service. They indicated this is not financially sustainable over the long-term. Esquimalt Taxi highlighted a statement from Uber where the company had only found it viable to operate in Metro Vancouver, Victoria, and Kelowna.

RIDE-HAILING AND TAXIS IN SMALLER COMMUNITIES

UBCM stated that local governments in rural areas see ride-hailing as an opportunity to provide innovative transportation solutions to residents and businesses. The Village of Radium Hot Springs proposed providing municipalities or regional districts with the freedom to spend public transit funding in the way that best serves their community. They highlighted that this could include allowing PDVs to operate as part of the transit ecosystem and suggested that the municipality could set requirements for service providers such as expanded hours of operation and wider service areas. The City of Enderby acknowledged that having an aging population that wants to age in place and an influx of newcomers are forcing the city to rethink how ride-hailing could be part of a sustainable private sector transportation solution.

Coastal Rides and Apt Rides recommended relaxing the ten-year vehicle age restriction for ride-hailing in rural and remote areas. Coastal Rides noted that vehicles last a lot longer in these communities and do not need to be replaced as frequently as they would in urban centres where people drive every day. Apt Rides added that fewer drivers in these communities have newer vehicles. Apt Rides also suggested reducing licensing and operating fees to help TNS companies be viable in rural or remote areas.

Conversely, some participants were of the view that ride-hailing in small, rural, or remote communities could have a negative impact. The B.C. Taxi Association felt that introducing ride-hailing in smaller communities could be detrimental to the community and to local taxi companies that are currently financially viable. Sidney Taxi, Westshore Taxi, Silver Shadow Taxi and Esquimalt Taxi all stated that local taxi companies will not survive if ride-hailing is allowed in smaller communities. The Tourism Industry Association of BC stated that ride-hailing should not be permitted to operate in smaller communities where taxi service is readily available or should only be allowed in situations where there are not enough taxis to meet demand during peak times.

While taxi companies highlighted the need to maintain their services in rural communities, the Committee also heard about issues with taxi services in these communities. One individual from Powell River noted that there is only a single cab in their community and that fares are more expensive than in Vancouver over the same distance; they added that the initial metre rate for taxis is also higher in Powell River. Another individual from Nakusp indicated that, while their community has a taxi service, it is rarely available, has limited daytime service and no evening service. Coastal Rides highlighted that in most of the communities in TNS operating areas 3 (Vancouver Island excluding CRD) and 5 (North Central and Other Regions), there are few taxis and limited public transit, and, in many cases, ride-hailing fills a gap where there is no option other than hitchhiking.

WHAT THE COMMITTEE HEARD: DATA

The Committee heard about the critical importance of collecting quality data to address and monitor issues in the industry and to make evidence-based decisions. The Committee also heard about how taxi companies face difficulties complying with data reporting requirements and how these impact data quality.

DATA COLLECTION AND REPORTING

Section 28(5) of the Act enables the Board to include data reporting requirements in the terms and conditions of licence for both taxi and ride-hailing companies. The licensees must then report the required data to the registrar. Information collected includes: data about drivers and their vehicles; vehicle availability; and trip data such as rates, wait times, and pick-up and drop-off times and locations.

The Ministry of Transportation and Infrastructure indicated that as of July 2023, TNS trip data collection rates were 100 percent while only 50 percent of taxis in Metro Vancouver and 18 percent of taxis in the rest of the province had reported trip data to the registrar. As of December 2023, the Ministry reported improvements, with 93 percent of taxis in Metro Vancouver and 56 percent of taxis in the rest of the province having reported trip data to the registrar. The Ministry uses data to monitor the taxi and ride-hailing industry for compliance, as well as to inform program and policy development.

The Ministry stated that the registrar decided not to enforce data submission requirements until the industry had recovered from the pandemic. The registrar has since worked with the Board to update the terms and conditions of licence for taxi companies which now include data reporting requirements. While the quantity and quality of the data has improved with enforcement underway, there is still work to do for taxi companies outside of the Lower Mainland. The Ministry noted that the registrar is working with operators to provide capacity support, address technology challenges and improve data quality. The Ministry emphasized that it is critical for

regulators to have access to data to support evidence-based decision-making, as well as compliance and enforcement. The Ministry also provides data to the Board, municipalities, and to TransLink through the Data Warehouse Information Sharing Agreement.

Dr. Brail described how the digital infrastructure used by ride-hailing companies enables new data collection opportunities for cities and other levels of government, including tracking the movement of people to identify new infrastructure investment opportunities, and ways to manage and price congestion. It also provides opportunities to leverage the technology of ride-hailing apps to offer things like on-demand bus services. Dr. Brail emphasized that while governments can require companies to provide data as an operating requirement, many governments initially did not know what to ask for and data provided by TNCs can become difficult to manage. In addition, some companies may choose to stop operating rather than comply with data reporting requirements. Clark Lim noted that there is a need to develop and apply an equitable evaluation and regulatory framework based on a transparent, auditable, and evidence-based approach. He emphasized that not only does the Board need to collect data, but it must also be accountable for its management through proper indicators and analytics.

The Ministry indicated that data must be submitted to the Data Warehouse on a weekly basis and that this frequency does not appear to be an issue for operators. The Ministry noted that taxi companies face challenges meeting their data reporting requirements because their equipment does not support data collection and extraction, administrative costs are high, and companies are unfamiliar with the technology. These challenges were also described by taxi companies. The Vancouver Taxi Association highlighted that taxi companies struggle to align data to meet Data Warehouse reporting criteria, and that in some cases a third party must be hired. Bonny's Taxi described how data reporting costs around

\$40,000 a year, noting that this could contribute to low compliance rates.

With respect to TNS, Uber emphasized that the data they are required to provide is very detailed, but they provide all the required details on each trip taken to the Ministry's Data Warehouse. Apt Rides indicated that data reporting is initially very difficult and costly due to the technology investment and time it takes to understand the requirements; however, over time it becomes less burdensome.

DATA ACCESS AND QUALITY

Several participants noted issues with getting access to the data submitted to the Data Warehouse by taxi and TNS operators. The City of Vancouver identified that because of personal information within TNS data, they cannot share it without provincial approval. They explained that while city planners can share data with council *in-camera*, decision-makers cannot explain the rationale behind decisions made using this data to the public or the media. The City of Victoria noted that data sharing between municipalities, such as those within the Capital Regional District, would give city planners a regional view of passenger directed transportation to better manage the system and increasing pressures. TransLink noted that organizations were not able to access data until 2023 and that due to data quality issues, they are still unable to use it to properly inform analysis. The BC Federation of Labour emphasized that to access data from the Data Warehouse, users must make a freedom of information request. In addition, Dr. Hara highlighted that there is no good mechanism for quick retrieval of data for law enforcement or complaint enforcement purposes.

COMMITTEE DISCUSSION AND CONCLUSIONS

The Committee agreed that, in general, the Act and regulation are performing as expected; however, Members observed significant issues in relation to accessibility and services provided in small, rural, and remote communities. To guide the development of their recommendations, Committee Members used a number of key principles. These included: equity in the regulatory environment for taxis and TNS, as well as smaller and larger operators; a desire to maintain affordability for drivers, companies, and passengers when implementing any new fees, regulations or requirements applying to the industry; and setting appropriate requirements to ensure public confidence in the safety of passengers, drivers, and vehicles. Committee Members also recognized the vital importance of accessibility, training, and accountability towards providing equitable, reliable, timely and courteous service for persons with disabilities. The Committee further identified coordination, integration, and efficiency as key for aligning regulatory and administrative systems and requirements, while also considering how PDVs fit within the broader transportation ecosystem. Members acknowledged the importance of applying a rural lens to legislation, regulations, and policies to ensure they reflect the unique circumstances of, and support mobility in, small, rural, and remote communities. The Committee also stressed the value of data-driven decision making, and transparency to establish appropriate data collection, access and use in policy development.

OPERATOR LICENSING

Committee Members noted that the Board brought forward a number of recommendations related to their mandate and powers. The Committee considered how some of these recommendations, such as providing the Board with authority over the entire commercial transportation industry, were significant in scope, and had questions about the potential broader implications of such changes. As such, Members were not inclined to support these recommendations. At the same time, the Committee noted that some specific issues the

Board highlighted regarding their authority, particularly as it relates to definitions and compliance, may warrant further examination, and recommended the provincial government work with the Board on these issues.

One definition the Committee supported changes for was the definition of TNS under the Act to address the issue of taxis having to apply for a TNS licence to accept payment via an app. Members highlighted that passengers are increasingly interested in using apps to book and pay for a range of services because of convenience. The Committee indicated that enabling taxis to use apps supports modernization and a level playing field and competition with TNS. To this end, the Committee recommended enabling all licensed PDVs to use an online platform for booking and paying for a ride without requiring a separate TNS licence.

In terms of municipal licensing powers, the Committee emphasized the importance of ensuring that various rules and regulations are not created in isolation and the value of a standardized and coordinated approach to regulating transportation services between municipalities. Committee Members highlighted the importance of efficiency and affordability and suggested reviewing the impacts of fees and other regulations imposed by multiple levels of government. The Committee also discussed the challenges faced by smaller ride-hailing companies in trying to enter the market and compete with large multinational companies. Members expressed an interest in finding ways to support the viability of small and local ride-hailing companies and discussed the idea of establishing different rules and regulations for companies based on fleet size or location.

The Committee recommends to the Legislative Assembly that the provincial government:

1. Work with the Passenger Transportation Board to clarify and address issues related to the Board's authority.

2. Enable all licensed passenger directed vehicles to use an online platform for booking and paying for a ride without requiring a separate TNS licence.
3. Explore how to better support the viability of smaller local TNS companies, including those operating in small, rural, and remote communities, including consideration for developing an alternative framework for these companies.
4. Facilitate regional business licensing models to serve passengers, drivers and the transportation ecosystem in a more efficient and cost-effective manner.
5. Review the impacts of various fees and regulations placed on passenger directed vehicles by municipal and provincial governments with the aim of streamlining the system.

SUPPLY OF PASSENGER DIRECTED VEHICLES

The Committee discussed the complexity of managing fleet sizes and the supply of PDVs and the importance of data and detailed analysis and modelling to ensure that decisions are based on evidence and do not have unintended consequences, such as denying access to the market, reducing needed supply, or creating oversupply. This includes any evidence-based decisions on PDV caps. Members acknowledged that the Board may need additional flexibility to set and adjust fleet size for different sectors or regions of the commercial passenger transportation industry, for example in response to the data collected in the Board's upcoming congestion study. The Committee also noted concerns about unused licences and supported a review of the Board's power in this regard to ensure licensees are delivering services and not inhibiting competition. Members indicated that to better serve the entire transportation ecosystem, the solution may be to implement a "use it or lose it" system.

Regarding operating areas, the Committee recognized the challenges relating to existing boundaries, notably the differences between taxi and TNS operating areas, as well as the varying perspectives they received on this topic. Members discussed the potential advantages and disadvantages of harmonizing operating boundaries as highlighted by consultation participants while also acknowledging that there may be other unintended consequences or

considerations. Accordingly, they recommended government prioritize a detailed analysis of harmonizing boundaries, including examining deadheading and effects on outlying or neighbouring communities.

As it relates to fares, the Committee noted that surge pricing is a part of the ride-hailing model, and it is a consumer choice. At the same time, Members agreed that TNS fare transparency could be improved with a detailed breakdown up front to help passengers make informed decisions. Committee Members highlighted that more transparency is also needed in the taxi industry, since passengers do not necessarily know in advance how much they will pay, due to factors such as congestion, nor do they know what the driver will receive from a fare. The Committee noted that certain fare models, such as point-to-point, zone or flat rates already exist in some areas, and technology now enables taxis to better estimate fares in advance. Members recognized that fare transparency will look different for taxis and TNS since they have different business models and regulations. Committee Members acknowledged that consultation with taxi companies will be required to determine how to increase fare transparency as much as possible for passengers.

In terms of driver licensing, the Committee highlighted that ensuring public safety, consistent requirements for both taxis and TNS, and professional standards are key considerations for what the appropriate licensing should be. Members reflected on input about the applicability of some parts of the Class 4 test to PDVs and how this may contribute to higher knowledge test failure rates and potential barriers to entry for drivers in small, rural, or remote communities due to potential wait times and required travel for testing. Committee Members also reviewed driver licensing requirements for PDVs in other Canadian jurisdictions (see Appendix A). In addition to keeping BC's current requirements, the Committee discussed alternative approaches, including having a dedicated Class 4 for PDVs, moving to a Class 5 only or Class 5 with an endorsement (driving experience, criminal record check and medical exam), or a combination thereof, and concluded that the driver licensing requirement should be reviewed.

The Committee recommends to the Legislative Assembly that the provincial government:

6. Ensure the Passenger Transportation Board uses a proactive, evidence-based approach to monitoring and managing supply of passenger-directed vehicles that considers factors such as demand, safety, congestion, capacity and licence utilization, trip data, and other transportation modes.
 7. Increase the Passenger Transportation Board's flexibility in setting and adjusting fleet size for different sectors and regions of the commercial passenger transportation industry.
 8. Review the Passenger Transportation Board's power to remove unused operating licences to ensure that licensees are actively using their licences.
 9. Prioritize a detailed analysis of the potential impacts of harmonizing the operating boundaries of TNS and taxis, including examining deadheading and any effects on the provision of services to outlying or neighbouring communities.
 10. Improve fare transparency for PDVs by:
 - a. Requiring TNS to provide the full cost of the trip with a detailed breakdown of all fees prior to booking; and
 - b. Having taxis provide the estimated cost prior to booking or starting a trip.
 11. Review driver licensing requirements to ensure public safety, driver professionalism, and equitability between taxis and TNS while lowering barriers to entry.
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PASSENGER AND DRIVER SAFETY

The Committee heard the concerns raised by drivers, companies and police regarding driver vetting and acknowledged that the current criminal record check and certificate issuing process does not seem to be working effectively. Committee Members identified a need for consistency, thoroughness, timeliness, and cost-effectiveness in the process. They emphasized the need for confidence to support the safety of drivers and passengers and were of

the view that the entire record check process needs to be reviewed and adjusted to better meet these goals, including ensuring police are more actively engaged in the process. Members also discussed how a more rigorous and proactive approach to issuing Record Check Certificates could lead to the possibility of having certificates which were valid for two or three years, rather than requiring annual renewals.

With respect to training, the Committee stated that the amount of time spent on the road by PDVs necessitates safety and accessibility training. In addition, Members highlighted that mandatory, standardized training for both taxi and TNS drivers could help mitigate many of the issues raised by consultation participants, improve the industry's reputation and protect against liability issues. Committee Members noted the value of having online courses complemented by in-person modules (e.g. for collision avoidance and accessibility), while also acknowledging potential barriers to delivering training in rural areas. In addition to ensuring easy access to training, Members emphasized that training needs to be affordable so as not to create an additional financial barrier for small companies and drivers, as well as multi-lingual to support British Columbia's diverse population.

Another area related to safety where the Committee supported some changes was related to the use of cameras. Members agreed on the value of having cameras in all PDVs to support passenger and driver safety while adhering to provincial privacy legislation. Committee Members noted that the Board's current program for taxis was highly prescriptive and costly, and supported a more flexible approach focused on setting minimum standards and providing guidelines on the purpose and use of cameras or other surveillance. The Committee also commented on the lack of standards for cameras used by TNS and the need to ensure equitable requirements for taxis and TNS in this area.

Regarding vehicle identification, Committee Members indicated that top lights are practical for vehicles that are street hailed rather than ordered in advance but were not supportive of mandatory requirements in this regard. The Committee also discussed the idea of simplifying decals for taxi companies to put them on an equal footing with TNS. The Committee recognized that illegal TNS operators are an ongoing problem in the Lower Mainland and elsewhere and recommended strengthening enforcement efforts and

imposing stricter penalties for non-compliant TNS operators. Committee Members commented that current solutions mainly target drivers, some of whom may be unaware they are driving for an unlicensed company.

Members noted the complexity around the issue of insurance premiums since TNS are private vehicles while taxis are not. The Committee stated that since additional risk is only incurred when the passenger is in the vehicle, not enroute to pick up a passenger, they did not see the logic of charging an enroute premium for taxis. Committee Members expressed interest in harmonizing taxi and TNS insurance rates as well as improving affordability and recommended a review in this regard. With regards to collisions, the Committee highlighted that ICBC must continue to increase its efficiency when assessing and resolving claims.

The Committee recommends to the Legislative Assembly that the provincial government:

12. Review the record check process for individual taxi and ride-hailing drivers to ensure:
 - a. It is thorough, timely, consistent, and cost effective; and
 - b. Supports confidence in public safety with a more active role for police in issuing and revoking Record Check Certificates.
13. Implement a mandatory standardized training program for all taxi and ride-hailing drivers.
 - a. The curriculum should include vehicle safety, quality customer service, handling customer concerns or complaints, avoiding assaults, route planning and collision avoidance, as well as accessibility awareness.
 - b. The program must be equitable, affordable, consistent, accessible online and in-person, and multi-lingual.
14. Work with the Passenger Transportation Board and the Information and Privacy Commissioner to implement a revised camera program that:
 - a. Applies equitably to all passenger directed vehicles;
 - b. Is affordable for drivers and companies;
 - c. Is adaptable to changing technology and meets security requirements; and
 - d. Adheres to privacy legislation.
15. Strengthen enforcement efforts and impose stricter penalties for non-compliant TNS operators as a deterrent against unauthorized TNS drivers.
16. Review taxi and TNS insurance rates to improve harmonization and affordability for companies and drivers.

ACCESSIBILITY

The Committee expressed their sincere appreciation to British Columbians with disabilities, and the organizations who advocate on behalf of them, for sharing their personal experiences regarding PDVs with Committee Members. Members acknowledged that there are significant changes and improvements needed in this area and highlighted that serving persons with disabilities is a matter of respecting human rights. They further emphasized that British Columbians of all abilities, including those with mobility challenges, should be treated with dignity and respect and have equitable and timely access to service.

Members noted that some of the issues related to accessible service relate to attitude and awareness, and that this could be addressed in part with training and education. As such, they recommended mandatory accessibility and sensitivity training for all PDV drivers. To complement this training, Members also recommended implementing a unified driver code of conduct for taxi and TNS drivers focused on appropriate driver behavior, safety, and accessibility-related matters.

With respect to the provision of WAVs, the Committee noted challenges with capacity and deployment, particularly outside urban centres, as well as utilization rates. The Committee was particularly interested in the WAV Calgary centralized dispatch model and discussed how such a model could be adapted to BC (e.g. taking a regional approach to a centralized dispatch model, piloting the model in a municipality or region). The Committee also discussed removing operating region restrictions for WAVs only. The Committee acknowledged that the details and nuances of adopting such approaches could

have a number of impacts and require further examination and therefore recommended government explore these options.

The Committee also reflected on opportunities to incentivize companies to use WAVs for their intended purpose and to increase the overall number of WAVs available across the province. Members were particularly interested in how PTAP could be improved and better leveraged in this regard. Members were concerned to hear that the majority of revenue from the per-trip fee have been supporting administrative costs rather than accessibility grants and were strongly of the view that this needs to change with the majority of per-trip fees being utilized for PTAP grants. They discussed opportunities to provide more consistent and stable funding for PTAP through measures such as capping the percentage of funds going to administrative costs. Committee Members emphasized the importance of evaluating PTAP to ensure it is achieving intended outcomes and possibly restructuring the program to increase effectiveness. They noted, for example, that while grants may be available, taxi companies may not be responding to the opportunity.

Committee Members were also interested in opportunities to refocus PTAP funding to make WAV service provision more attractive to operators and drivers and increase vehicle utilization. This could include providing incentives for drivers to operate WAVs, as well as funding driver accessibility training. Members further noted the recent BC Human Rights Tribunal decision requiring Uber to provide accessible service and suggested that potential mechanisms for ride-hailing companies to provide WAVs could include PTAP funding or partnerships with taxi companies.

With respect to the per-trip fee itself, Members acknowledged the value of the fee, provided more of the funds are allocated toward providing accessible service. They also noted that the fee has an impact on affordability for passengers, particularly for smaller fares, and that it only currently applies to TNS. The Committee was therefore interested in reviewing the application and amount of the fee, with a view to potentially including all non-accessible PDVs and then lowering the fee.

In terms of accountability and enforcement, the Committee discussed the need to better distinguish between accessibility issues and general complaints to help provide targeted

improvements. Committee Members highlighted that the public may be unaware of or not understand the current complaint reporting process, or that it may be too complicated to pursue, given the various roles of the Ministry of Transportation and Infrastructure, CVSE, Consumer Protection and individual companies. Committee Members discussed whether the existing \$288 fine for denying service to a passenger who has a disability is a sufficient deterrent. Members supported implementing a formal accountability structure that includes escalating fines based on the number of offences, and/or a remedial accessibility and sensitivity training component. Members further identified an opportunity to support accountability with respect to “drive-bys” of people with visual disabilities who are unable to see when they are passed by a taxi. They supported ensuring that taxi companies provide a taxi vehicle number to passengers upon booking so persons with disabilities can report when they suspect a driver has committed a “drive-by.” The Committee highlighted that certain taxi companies are already doing this, notably through automated services and apps.

The Committee recommends to the Legislative Assembly that the provincial government:

17. Implement a unified driver code of conduct for taxi and TNS drivers under the Passenger Transportation Regulation focused on appropriate driver behavior, safety, and accessibility-related matters.
18. Require all passenger directed vehicle drivers to take standardized accessibility and sensitivity training, offered virtually and in multiple languages.
19. Ensure that all passengers are provided with a taxi vehicle number when they book a trip to ensure a means of recourse if the taxi does not show up or is suspected of denying a person with a disability a ride.
20. Implement a formal complaint process for passengers who have experienced discrimination and improved accountability mechanisms for companies, including an escalating fine structure and/or remedial accessibility training.
21. Explore removing operating boundaries for wheelchair-accessible passenger directed vehicles.

22. Consider implementing a centralized dispatch model for wheelchair-accessible passenger directed vehicles, similar to WAV Calgary.
23. Review the application and amount of the per-trip fee to ensure an adequate supply of WAVs, with a view to potentially including all PDVs which could enable a lower fee.
24. Improve the accountability, administration, and distribution of PTAP to better support the provision of accessible transportation service for persons with disabilities and those with mobility issues, including:
 - a. Expanding eligibility for funding to include TNS;
 - b. Expanding the range of supports and incentives covered under the program, such as operational or per-trip subsidies for WAV drivers;
 - c. Prioritizing grants for underserved communities; and
 - d. Requiring accessibility and sensitivity training as a condition of receiving PTAP grant funding.

EMPLOYMENT IN THE INDUSTRY

Members recognized that ride-hailing drivers represent an emerging workforce that is part of the larger gig and app-based economy. Members reflected on the diverse perspectives and sometimes conflicting approaches they heard during the Committee’s public consultation regarding the need to establish dedicated labour standards and working conditions for ride-hailing drivers. Members discussed the challenges and complexities of regulating gig and app-based work compared to more traditional forms of employment and looked at various approaches for regulating this workforce in other jurisdictions. It was noted by Members that some drivers pursue ride-hailing as full-time employment, while others engage with on a part-time or casual basis which can add to the complexity of determining appropriate labour regulations.

The Committee noted that the Ministry of Labour has implemented significant changes to the gig and app-based sector through the enactment of the *Labour Statutes Amendment Act, 2023* and is expected to bring forward new labour standards through regulation. Members

emphasized the importance of continuing to consult with industry and gig or app-based workers to ensure that labour standards meet their needs and achieve intended outcomes, including providing those who pursue ride-hailing as full-time employment with fair compensation. Members also encouraged government to consider the impacts of new labour standards on workers, the industry, and passengers in relation to supply and affordability. The Committee identified a need to increase data collection to ensure more effective monitoring and reporting on drivers’ working conditions to evaluate the ongoing effects of these standards. This includes examining data such as, but not limited to, engaged time, the number of drivers signed on to multiple apps simultaneously, and the number of drivers signed on to apps in a given day and for how long. Members further reflected on input that highlighted issues with earnings transparency and noted that drivers should know approximately how much income they will make before accepting a trip. To address this, the Committee recommended ensuring drivers are provided with detailed trip information in a standardized format that includes anticipated earnings before accepting a trip. The Committee also recognized potential issues with TNS driver account deactivations and supported the implementation of a mechanism to review these deactivations.

The Committee recommends to the Legislative Assembly that the provincial government:

25. Continue to engage on and monitor the labour standards of ride-hailing drivers, including increasing the collection of data on working conditions, wages, and hours of work, to ensure the labour standards framework is fair and meets the needs of workers and the industry.
 26. Ensure ride-hailing drivers are provided with more detailed trip information in a standardized format, including anticipated earnings, before accepting a trip.
 27. Implement an independent process to review TNS driver account deactivations to ensure fairness and transparency for drivers.
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PUBLIC TRANSPORTATION, TRAFFIC CONGESTION, AND THE ENVIRONMENT

Regarding the impacts of PDVs on public transportation, Members discussed the range of perspectives they heard on the relationship between ride-hailing and public transportation. Members reflected on the shared goal voiced by many consultation participants to provide more alternative transportation options, including public transportation and ride-hailing or taxis, to help reduce private vehicle ownership. Members shared the view that improved integration of various transportation services into a cohesive and complementary transportation network can provide an alternative to private vehicle ownership. Members highlighted that an integrated transportation system that includes public transportation, ride-hailing and taxis, car sharing, active transportation and other services would provide more options for British Columbians and could reduce the reliance on private vehicles for many trips.

Members discussed the benefits of an integrated transportation network, including increased public transportation ridership, reduced traffic congestion, and lower transportation emissions. The Committee spoke favourably of efforts by transportation service providers to look for opportunities to partner and integrate services. As an example of integrated transportation networks, Members highlighted TransLink's RideLink app. This "mobility as a service" app was created to integrate planning, booking, and payment of public transit and car or bike sharing services onto a single app to provide users with seamless multi-modal travel options. Members further discussed the current silos that exist within the transportation system, noting that some transportation authorities appear to be unwilling to cooperate or partner with local transportation service providers. Members noted that some transportation authorities might charge transportation service providers additional fees and create other barriers to integration. The Committee noted the importance of leadership within the passenger transportation system and acknowledged the value of integration and collaboration to provide passengers a more cohesive and convenient transportation experience.

Committee Members also discussed the issue of congestion within urban areas, the different types of congestion (e.g. traffic vs. curbside), the various factors that contribute to it,

and the tools available to manage impacts. The Committee agreed on the importance of making evidence-based and data driven decisions related to transportation systems. Accordingly, Members highlighted the need to collect and analyze data to thoroughly assess the impacts of PDVs on traffic congestion and the environment. The Committee acknowledged that the Board is currently studying the impacts of traffic congestion within selected areas of Vancouver and the Lower Mainland and expects to release its findings in 2025. In addition to the study, the Committee agreed that the Board should continue to collect data and monitor the impacts of PDVs and make appropriate adjustments to their operating conditions as needed.

While discussing the environmental impacts of PDVs, Members noted the broad transition towards a low emissions future is underway and how government is supporting the ongoing electrification of the transportation sector. Members highlighted the existing emissions targets and incentives provided by government to work towards increasing the adoption of zero-emission vehicles, including PDVs. Members discussed the additional benefits provided by the PDV industry towards increasing the number of zero-emission vehicles in their fleets to achieve emission targets and environmental goals.

The Committee acknowledged that the availability of charging infrastructure will need to expand in areas served by PDVs, such as airports or cruise ship terminals, to support the transition of the industry. Members also highlighted that in small, rural, and remote areas, electric vehicle charging infrastructure is insufficient and special considerations will be needed to provide adequate service within and between these communities.

The Committee recommends to the Legislative Assembly that the provincial government:

- 28. Promote the integration of transportation systems and services, including passenger directed vehicles, to provide a cohesive, unified, and affordable network and more seamless transportation and mobility options for British Columbians.**

29. Continue to monitor and study the impacts of passenger directed vehicles on traffic congestion and the environment and make appropriate evidence-based adjustments as necessary within regulatory frameworks.
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TRANSPORTATION IN SMALL, RURAL, AND REMOTE COMMUNITIES

Committee Members reflected on the transportation gaps and challenges experienced throughout BC's small, rural, and remote communities. They highlighted that reliable transportation can affect the lives of British Columbians through their ability to access services, health care, employment or education. The Committee agreed that the Act does not do enough to promote passenger directed transportation in small, rural, and remote communities in BC and that a rural lens needs to be applied to ensure the legislative framework appropriately responds to the unique circumstances of smaller communities. At the same time, the Committee appreciated that finding a market to support sustainable PDV services in some areas could be challenging. They discussed the role PDVs could fill within the larger transportation ecosystem, notably to connect to other transportation modes with the goal of improving connectivity within and between communities, and recommended government take a holistic approach to improving transportation service in small, rural, and remote communities.

The Committee recommends to the Legislative Assembly that the provincial government:

30. Take a holistic approach to improve transportation connectivity within and between communities in small, rural, and remote areas that recognizes their unique needs and includes viable passenger directed vehicle options in conjunction with other transportation modes.
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DATA DRIVEN DECISION-MAKING

Throughout their discussions, the Committee emphasized the critical importance of high-quality data to support evidence-based decision-making in all aspects of the passenger directed transportation industry, and noted the efforts and changes in this regard as it relates to current data collection and reporting requirements. While Committee Members noted that the current system appears to be working well overall, they identified opportunities for improvements, including addressing gaps in what data is collected and working with key partners to ensure that appropriate data is available to support decision-making and public policy development. They also indicated a need to simplify data reporting processes to reduce the burden on companies while ensuring quality data is provided to the Passenger Transportation Data Warehouse. The Committee further encouraged the integration of instantaneous or "real time" trip data into the Data Warehouse to support timely analysis and decision-making. Members also supported improvements in providing reliable access to data to public bodies through appropriate data-sharing agreements in accordance with provincial privacy legislation. In particular, Members emphasized the importance of finding ways to report data publicly, such as an in aggregate form, to support transparency in decision-making.

The Committee recommends to the Legislative Assembly that the provincial government:

31. Consult with key partners to ensure that appropriate data is collected to support evidence-based decision-making and public policy development in the sector.
 32. Simplify data reporting processes to enable all taxi and ride-hailing operators to comply with requirements to provide data.
 33. Facilitate the integration of instantaneous or "real time" PDV trip data into the Passenger Transportation Data Warehouse.
 34. In accordance with provincial privacy legislation, ensure that public bodies have reliable access to quality data from the Passenger Transportation Data Warehouse and that aggregated data can be shared publicly to support decision-making and transparency.
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APPENDIX A: TAXI AND RIDE-HAILING DRIVER LICENSING REQUIREMENTS ACROSS CANADA

Jurisdiction	Taxi Requirement	TNS Requirement	Basic Requirement	Testing	Training	Notes
British Columbia	Class 4	Class 4	<ul style="list-style-type: none"> Be 19 years old Have a min. of 2 years of non-learner driving experience Driving record with less than 4 penalty point incidents in the past 2 years 	<ul style="list-style-type: none"> Class 4 knowledge test Class 4 road test Class 4 pre-trip inspection 	None	<ul style="list-style-type: none"> Medical report
Alberta	Class 4	Class 4	<ul style="list-style-type: none"> Have a valid Class 5 licence 	<ul style="list-style-type: none"> Class 4 enhanced knowledge test No road test for any Class 4 applicant 	None	<ul style="list-style-type: none"> Medical report
Saskatchewan	Class 4 or Class 5	Class 4 or Class 5	<ul style="list-style-type: none"> Be 18 years old Cannot be a novice driver 	<ul style="list-style-type: none"> Class 4 knowledge test Class 4 road test Class 4 trip inspection 	None	<ul style="list-style-type: none"> Medical report Class 5 if the driver is experienced with a satisfactory driver history
Manitoba	Class 5	Class 5	<ul style="list-style-type: none"> Be 18 years old Cannot be a novice driver 	<ul style="list-style-type: none"> Class 5 knowledge test Class 5 road test 	None	<ul style="list-style-type: none"> Medical report required on request Class 4 may be required depending on municipality
Ontario	Class G (equivalent of a Class 5)	Class G (equivalent of a Class 5)	Have completed the Graduated Licensing Program	<ul style="list-style-type: none"> G1 knowledge test G2 and G road tests 	None	<ul style="list-style-type: none"> Cities may have min. age or min. years of driving experience requirements
Québec	Class 5	Class 5	<ul style="list-style-type: none"> Min. of 1 year of non-learner driving experience No driving penalties during the past 12 months or at the time of application 	<ul style="list-style-type: none"> Class 5 knowledge test Class 5 road test 	<ul style="list-style-type: none"> Mandatory driving course Mandatory PDV driver training 	<ul style="list-style-type: none"> Must understand, speak and read French
New Brunswick	Class 4	Class 4	<ul style="list-style-type: none"> Be 18 years old Have valid Class 5 licence 	<ul style="list-style-type: none"> Class 4 knowledge test Class 4 test 	None	<ul style="list-style-type: none"> Medical report completed within the last 6 months

Jurisdiction	Taxi Requirement	TNS Requirement	Basic Requirement	Testing	Training	Notes
Nova Scotia	Class 4	Class 4	<ul style="list-style-type: none"> • Be 18 years old • Min. of 1 year of non-learner driving experience 	No written or road test if operating a vehicle with seating capacity of 8 passengers or less	None	<ul style="list-style-type: none"> • Medical report on application and at intervals thereafter
Prince Edward Island	Class 4	Restricted Class 4	<ul style="list-style-type: none"> • Be 19 years old • Have held a valid Class 5 licence 	<i>Class 4</i> <ul style="list-style-type: none"> • Vehicle pre-check • Class 4 road test <i>Restricted Class 4</i> <ul style="list-style-type: none"> • None 	None	<ul style="list-style-type: none"> • Medical report • Road test not required for drivers who meet current Class 4 medical standards with a valid PEI Class 5 licence and a good driving record
Newfoundland and Labrador	Class 4	Class 4	<ul style="list-style-type: none"> • Min. of 1 year of non-learner driving experience • Have no more than 8 demerit points 	<ul style="list-style-type: none"> • Class 4 written test • Class 4 Taxi road test 	None	<ul style="list-style-type: none"> • Medical report on application and at intervals based on age thereafter
Yukon	Class 4	N/A (no TNS)	<ul style="list-style-type: none"> • Be 18 years old • Have a valid Class 5 licence 	<ul style="list-style-type: none"> • Class 4 knowledge test • Class 4 road test Pre-trip inspection 	None	<ul style="list-style-type: none"> • Medical report
Northwest Territories	Class 4	N/A (no TNS)	<ul style="list-style-type: none"> • Be 18 years old • Have a valid Class 5 licence 	<ul style="list-style-type: none"> • Class 4 knowledge test • Pre-trip inspection • Class 4 road test 	None	<ul style="list-style-type: none"> • Medical report on application and at intervals based on age thereafter
Nunavut	Class 4	N/A (no TNS)	<ul style="list-style-type: none"> • Be 18 years old • Have a valid Class 5 licence 	<ul style="list-style-type: none"> • Class 4 knowledge test • Class 4 road test • Pre-trip inspection 	None	<ul style="list-style-type: none"> • Medical report on application and at intervals based on age thereafter

APPENDIX B:

CONSULTATION PARTICIPANTS

AC Taxi Nanaimo Ltd.
Apt Rides
B.C. Taxi Association
BC Barrier Free Design Ltd.
BC Federation of Labour
Bel-Air Taxi Ltd.
Black Top & Checker Cabs
Bonny's Taxi
Dr. Shauna Brail
Dr. Sarah-Patricia Breen
Canadian Federation of the Blind
City of Calgary
City of Enderby
City of Vancouver
City of Victoria
Coastal Rides
Eryne Croquet
Disability Alliance BC
Nan Dunn
Esquimalt Taxi
HandyDART - BC Transit
HandyDART - TransLink
Dr. Dan Hara
ICBC
idling no more
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Satnam Jaswal
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Office of the Information and Privacy Commissioner
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Passenger Transportation Board
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Silver Shadow Taxi
Harpreet Singh Kauldhar
Spinal Cord Injury BC
Tanya Stockand
Mark Thompson
Tofino Taxi
Tourism Industry Association of BC
TransLink
Uber
Union of British Columbia Municipalities
United Food and Commercial Workers Canada
Uride
Jasper Vaillant
Vancouver Airport Authority
Vancouver Police Department
Vancouver Taxi Association
Village of Radium Hot Springs
Westshore Taxi
Yellow Cab Company Ltd.

