



City of Richmond

Report to Committee

To: General Purposes Committee
From: W. Glenn McLaughlin
 Chief Licence Inspector & Risk Manager
Re: **Business Licence Bylaw No. 7360
 Amendment Bylaw 9255**

Date: May 14, 2015
File: 12-8275-02/2015-Vol
 01

Staff Recommendation

That Business Licence Bylaw No. 7360, Amendment Bylaw No. 9255, which increases the maximum number of Class A Taxicabs to 109 and Class N Taxicabs to 43, be introduced and given first, second and third readings.

W. Glenn McLaughlin
 Chief Licence Inspector & Risk Manager
 (604-276-4136)

Att.

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Law	<input checked="" type="checkbox"/>	
Transportation	<input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: 	APPROVED BY CAO

Staff Report

Origin

The City of Richmond establishes the maximum number of taxicab vehicles licensed in the City through Business Licence Bylaw No. 7360 and locally regulates them under the Vehicle for Hire Regulation Bylaw No. 6900.

This report deals with an application submitted to the Passenger Transportation Board (PTB) by Kimber Cabs Ltd. to approve 4 new additional vehicles to their fleet operations comprised of 2 conventional taxis and 2 accessible taxis. In May of 2015 the PTB made the following decision on the application;

“4 additional vehicles (2 conventional taxis and 2 accessible taxis) are approved”

In light of the decision made by the PTB and at the request of the Kimber Cabs Ltd., staff are bringing forward a proposed Amendment Bylaw No. 9255 (Bylaw 9255) to increase the number of taxicabs permitted under Business Licence Bylaw No. 7360, which will allow the additional vehicles to be licenced by the City of Richmond.

Analysis

Taxicabs are also licenced by the PTB and provincially regulated under the Passenger Transportation Act. The City looks to the review and diligence carried out by the PTB in the determination of the demand for additional PTB taxicab licences.

In November of 2014 Kimber Cabs Ltd. submitted an application to the PTB for an additional 4 taxicab vehicles - 2 conventional taxis and 2 wheelchair accessible taxis. In their review of the application the PTB takes into consideration, among other criteria, the background of the applicant, the reasoning and statistics provided regarding the increase, and submissions from other parties who wish to speak to the application.

Notwithstanding the inclusion of a Municipal Notice with the PTB submission, the City did not receive Municipal Notice from the applicant until following the PTB decision. (Attachment 1) As the City is generally supportive of increasing the number of taxis to meet growing demand of the community and noting no recent public complaints were received by the City regarding the services of Kimber Cabs, staff have no objection to granting the approved additional licenses

Kimber Cabs had been advised by staff that i) the City was concerned about the lack of prior notice and ii) that assurance be made by Kimber that in future the City would be notified in advance as per established procedures.

Kimber Cabs is predominantly a wheelchair accessible taxi (WAT) company with 18 units currently in service. The addition of 2 new WAT units should enhance service to this sector of the community and with receipt of their first conventional cabs to serve regular passengers, could in turn free up their remaining WAT's for passengers with disabilities.

In their decision, the PTB notes that based on all of the information submitted and reviewed that if approved, the increase “would promote sound economic conditions in the passenger transportation business in British Columbia.” The full decision is attached to this report (Attachment 2).

Pursuant to Council Policy 9311, prior to the adoption of Bylaw 9255, the proposed amendment will be published in a local newspaper for two consecutive publications to give persons and businesses who may consider themselves affected by the amendment an opportunity to submit any comments to the City.

Financial Impact

The Business Licence Fee for Kimber Cabs will be reassessed to accommodate the additional 4 Vehicles for Hire.

Conclusion

The PTB decision speaks to the increasing population of Richmond and an increase in taxi demand. Staff is recommending an amendment to Business Licence Bylaw No. 7360 to increase the number of Class A taxicabs by 2 vehicles and Class N taxicabs by 2 vehicles, consistent with the PTB decision.



Joanne Hikida
Supervisor, Business Licence
604-246-4155

JMH:jmh

Att. 1: Applicant email with Municipal Notice
2: PTB Licence Application Decision

From: Kimber Cab [kimbercabsltd@yahoo.com]
Sent: Thursday, 14 May 2015 02:05 PM
To: McLaughlin, Glenn
Cc: Hikida, Joanne; Duarte, Victor
Subject: Re: PTB APPROVED KIMBER 4 LICENCES
Attachments: MUNICIPAL NOTICE TAXI APP.pdf

Hi Glen,

Please accept my humble apology for not having informed city of Richmond before applying additional licenses for Kimber cabs. I was not assured on the procedure. Please find attached herewith the "Municipal Notice" for your reference. If you need any further information please let me know.

Thank you for your consideration and updating the procedure for taxi licenses

Regards,

Paramjit

KIMBER CABS LTD.

248 - 2633 Viking Way | Richmond, BC V6V 3B6

Off: 604-278-2155 | Fax: 604-207-9232

From: "McLaughlin, Glenn" <GMcLaughlin@richmond.ca>
To: "kimbercabsltd@yahoo.com" <kimbercabsltd@yahoo.com>
Cc: "Hikida, Joanne" <JHikida@richmond.ca>; "Duarte, Victor" <VDuarte@richmond.ca>
Sent: Thursday, May 14, 2015 10:35 AM
Subject: FW: PTB APPROVED KIMBER 4 LICENCES

Paramjit

We were not aware that Kimber had applied to the PTB for additional licenses and request you respond with the "Municipal Notice" referred to in your PTB submission.

Glenn McLaughlin
Chief Licence Inspector / Risk Manager
City of Richmond
6911 No. 3 road
Richmond BC V6Y 2C1
604-276-4136

From: Duarte, Victor
Sent: Wednesday, 06 May 2015 08:22 AM
To: Hikida, Joanne; McLaughlin, Glenn
Subject: FW: PTB APPROVED KIMBER 4 LICENCES

Kimber has been approved for 4 new vehicles – 2 class A and 2 Class N

From: Kimber Cab [mailto:kimbercabsltd@yahoo.com]
Sent: Tuesday, 05 May 2015 19:05
To: Duarte, Victor
Cc: Peter Stamm
Subject: RE: PTB APPROVED KIMBER 4 LICENCES

Hi Victor,

Kimber cabs had applied for additional licences, and which were in the best interest of the City of Richmond for the PTB to increase Kimber's existing fleet by four taxicabs in order to alleviate the unmet demand for additional taxi services within the local community. The additional taxicabs will be made available to serve the disabled community, Kimber's customer accounts, hotels, and the general population of the City of Richmond.

More specifically, the benefits of increasing Kimber's fleet include:

- * Increased availability of wheelchair accessible vehicles to those with disabilities, as Kimber's fleet will include two additional wheelchair accessible vehicles;
- * Two sedans could be allocated to service non-disabled clients;
- * Decreased wait times for taxicabs at local hotels and in the City of Richmond and Kimber clients.
- * Assisting Kimber in meeting its existing customer obligations.

Please find attached herewith the approval of Kimber's application form PTB. The same decision is going to publish in the weekly bulletin of ptb tomorrow May 6, 2015 Thankyou for your update on the procedure of City of Richmond to handle these additional approved licences.

If you need any further information please let me know.

Regards,

Paramjit

KIMBER CABS LTD.

248 - 2633 Viking Way | Richmond, BC V6V 3B6

Off: 604-278-2155 | Fax: 604-207-9232

CITY OF RICHMOND

MAY 21 2015

RECEIVED

Municipal Notice | Taxi Applications PT Board Form 4

About this Form:

The form has 2 pages. It must be completed by:

- ✓ Licensees applying to operate taxis in a new municipality (see Part 1)
- ✓ Licensees applying to add more taxis to their fleet (see Part 1)
- ✓ New applicants applying to start a taxi service (see Part 2)

Applicants must:

(a) send completed forms to each municipality where they are licensed or seek a licence to pick up passengers, and

(b) include copies of completed forms in their application package.

Note: The Passenger Transportation Board sends applicants a copy of any negative comments it receives from a municipality. Applicants have an opportunity to comment.

NOTICE

To: Chief Administrative Officer

City of Richmond
Name of Municipality

Nov 20, 2014
Date

Please be advised that the Licensee or New Applicant listed on page 2 of this Notice is applying to the Passenger Transportation Board to provide taxi service in your municipality.

A municipality may send comments about this application or taxi services in general to the Passenger Transportation Board by:

- Fax: (250) 953-3788
- E-mail: ptboard@gov.bc.ca
- Mail: PO Box 9850 STN PROV GOVT
Victoria British Columbia V8W 9T5

We recommend that municipalities comment **within 30 days** of receipt of this notice. This should ensure that comments are received on time.

After an applicant sends its municipal notices and submits its application, the Board publishes the application in the Board's "Weekly Bulletin." Bulletins are published on Wednesdays. They may be viewed online at: <http://www.th.gov.bc.ca/ptb/bulletins.htm>. The Board will consider any comments received up until 15 days after publication in the "Weekly Bulletin".

To confirm whether the comment period is still open, municipal representatives can call the Board office at 250-953-3777 or email ptboard@gov.bc.ca.

Part 1: To be completed by PT Licensees

Licensee

Legal Name: Kimber Cabs Ltd.

Trade Name: Kimber

PT Licence Number: 70458

Operating Area (check one)

I operate in this municipality Richmond

I am applying to operate in this municipality Richmond

My total originating area is: The city of Richmond

Fleet Size (Taxis only)

What is the maximum number of taxis you can operate in this municipality now?	<u>18</u>
How many accessible taxis do you operate in this municipality now?	<u>18</u>
How many taxis do you want to operate in this municipality?	<u>22</u>
How many taxis will be accessible taxis?	<u>20</u>

Part 2: To be completed by new applicants

Applicant

Legal Name: Kimber Cabs Ltd

Trade Name: Kimber

Fleet Size Requested

Number of Conventional Taxis: 2

Number of Accessible Taxis: 2

Operating Area

The originating area I'm applying for is:
(please list all municipalities and areas)

Richmond



TRANSPORTATION BOARD 202- 940 BLANSHARD STREET • PO BOX 9850 STN PROV GOVT • VICTORIA BC V8W 9T5

May 1, 2015

Brendan R. Burns, Miller Thomson LLP
Counsel for Kimber Cabs Ltd.
Robson Court, Suite 1000 - 840 Howe Street
Vancouver BC V6Z 2M1

By Email: bburns@millerthomson.com

Dear Brendan Burns:

Re: Decision on Passenger Transportation Licence Application AV19-15

The Passenger Transportation Board has made a decision on your client's licence application for Kimber Cabs Ltd.

The Board has approved the application in whole. Attached is the Board's decision. Please read it carefully. The decision sets out the terms and conditions of licence. These must be followed when operating the vehicles.

The Passenger Transportation Branch issues licences and identifiers. It may contact you regarding any additional requirements. You must obtain identifiers for any additional vehicles within 6 months of the date of the Board's decision.

You may also wish to contact the municipalities in which you will be operating. Municipalities may have by-laws relating to passenger carriers.

Yours sincerely,

A handwritten signature in black ink that reads "Michael McGee".

Michael McGee
A/Director

pc: Kristin Vanderkuip, Registrar, Passenger Transportation Branch

Attachments

Licence Application Decision

Taxi – Additional Vehicles

Application #	AV19-15	Applicant	Kimber Cabs Ltd.
Trade Name (s)	Kimber Cabs		
Principals	BHATTI, Surinder LALLY, Harjit STAMM, Peter	DHALIWAL, Amrit Raj Bhupinder Singh SUMAL, Michael	
Address	248 – 2633 Viking Way, Richmond BC V6V 3B6		
Applicant's Representative	Brendan R. Burns, Miller Thomson LLP		
Current Licence	70458		
Application Summary	<p>Additional Vehicles - Taxi Add 4 vehicles (of which 2 may be conventional taxis, all others must be accessible taxis). This will increase the maximum fleet size to 22 vehicles (of which 20 may be conventional vehicles, all others must be accessible taxis).</p>		
Date Published in Weekly Bulletin	February 25, 2015		
Submitters (and representatives)	Yellow Cab Co. Ltd.; Black Top Cabs Ltd.; MacLures Cabs (1984) Ltd.; Vancouver Taxi Ltd. (Representative: Peter Gall; Gall, Legge, Grant & Munroe LLP)		
Board Decision	<p>4 additional vehicles (2 conventional taxis and 2 accessible taxis) are approved.</p>		
Decision Date	May 1, 2015		
Panel Chair	Spencer Mikituk		

I. Introduction

This is an application from Kimber Cabs Ltd. dba Kimber Cabs (Kimber). The applicant is applying for 4 additional vehicles, 2 conventional taxis, and 2 wheelchair accessible vans (WATs). Kimber currently holds a passenger transportation licence, #70458, with a Special Authorization: Passenger Directed Vehicles. Kimber is permitted to operate a fleet of 18 vehicles, all must be WATs. Six of the WATs may be equipped with flip seats. Kimber's originating service area 1 is the City of Richmond and the destination area is any point in British Columbia and beyond the British Columbia/United States border when engaged in an extra-provincial undertaking. Kimber is also authorized under service area 2 to operate

3 vehicles in the Vancouver Entertainment District originating area on Friday/Saturday and Saturday/Sunday from 22:00 to 05:00. The destination area is any point in British Columbia. Kimber is located in Richmond, British Columbia.

II. Background

Kimber has established itself as a WAT service provider in the Richmond, British Columbia service area. Past applications and decisions included the following:

- 1347-04, expedited, approved
- AV1358-04, addition of 4 vehicles, approved, published September 29, 2004
- AV704-07, addition of 10 vehicles, refused, published August 29, 2007
- AV1139-08, addition of 9 vehicles, refused, published February 4, 2009
- 04-11, addition of flip seats, refused, published April 13, 2011
- 07-14, addition of flip seats, approved in part, published April 9, 2014

Information received with this application:

- PDV vehicle proposal
- Disclosure of passenger transportation ownership
- Financial information
- Municipal notice
- Disclosure of unlawful activity and bankruptcy
- Business plan
- Public need indicators
- Accessible service plan

On April 8, 2015, the Board sent Kimber a letter requesting further information. The results of this inquiry will be outlined in my decision.

III. Relevant Legislation

Division 3 of the *Passenger Transportation Act* (the "Act") applies to this application. The Act requires the Registrar of Passenger Transportation to forward applications for Special Authorization licences to the Passenger Transportation Board (Board). Section 28(1) of the Act says that the Board may approve the application, if the Board considers that:

- (a) there is a public need for the service the applicant proposed to provide under any special authorization.

-
- (b) the applicant is a fit and proper person to provide that service and is capable of providing that service, and
- (c) the application, if granted, would promote sound economic conditions in the passenger transportation business in British Columbia.

I will consider each of these points in making my decision.

IV. Rationale and Submissions

(a) Applicant's Rationale

Kimber states that it is in the best interest of the City of Richmond to increase Kimber's existing fleet by four taxicabs in order to alleviate the unmet demand for additional taxi services within the local community. The additional taxicabs will be made available to serve the disabled community, Kimber's customer accounts, hotels, and the general population of the City of Richmond. More specifically, the benefits of increasing Kimber's fleet include:

- Increased availability of wheelchair accessible vehicles to those with disabilities, as Kimber's fleet will include two additional accessible vehicles;
- Increased availability of wheelchair accessible vehicles to those with disabilities as Kimber's two proposed sedans would be allocated to service non-disabled clients;
- Decreased wait times for taxis at local hotels and in the City of Richmond;
- Assisting Kimber in meeting existing customer obligations; and
- Contributing to Tourism Richmond's goal of increasing the number of accessible vehicles available to visitors with disabilities.

(b) Submissions & Applicant's Response

Submissions were received from:

- Yellow Cab Co. Ltd.; Black Top Cabs Ltd.; MacLure's Cabs (1984) Ltd.; Vancouver Taxi Ltd. (collectively, the "Vancouver Taxi Companies")

The submission noted areas of concern noted below.

Kimber's proposed service would compete with other taxi companies in their home jurisdiction (Richmond) and the 15 other taxi companies with licences to operate at the Vancouver International Airport (YVR).

If the Board's findings in the October 2, 2012 Omnibus Decision on Licence Application Decisions on Peak Period Taxi Service in the City of Vancouver (the "Omnibus Decision") remain valid, the four additional vehicles for which Kimber is applying would not assist in meeting public need, and, in fact, will interfere with the ability of current licensees to meet the demand that exists. Alternatively, if the Board approves the application, such approval must be an implicit finding that Kimber no longer has the excess capacity that the Board found in the Omnibus Decision. Accordingly, if the application is approved the Board should at that time remove the authorization that it granted to Kimber in the Omnibus Decision.

The applicant responded to the submission as follows:

The additional vehicles will not be in direct competition with other taxi companies operating at the YVR as it is unlikely that the airport will be expanding the fleet currently authorized to operate at the YVR. Statistics the PTB relied on in approving Kimber's application to operate in the Downtown Vancouver Entertainment District were based on data from May 2011 to November 2011. Any conclusions as to Kimber's current operating capacity or the level of unmet need, based on this information, must be made with this in mind.

Kimber acknowledges that a significant portion of its fleet operates at YVR, and that Kimber's status as a predominately YVR operating company contributes to an excess capacity between the hours of 22:00 to 05:00. Excess capacity during this period of time is standard among taxi companies based primary at YVR and should not result in the PTB removing authorization it granted to Kimber in the Omnibus Decision. Kimber's operation of three of its vehicles in the Downtown Vancouver Entertainment District during peak hours on Friday night, Saturday night, and Sunday morning will not result in an unmet need for Kimber's services.

The Board gives more weight to submissions that back up general claims with facts or details. I have considered the submissions and the responses in my review of this application.

V. Reasons

- (a) *Is there a public need for the service that the applicant proposes to provide under special authorization?*

Taxi companies who want more vehicles are expected to show that there is a public need for more taxis. Companies are expected to show why their current fleet is not large enough to handle more trips and why they need a specific number and type of vehicles for which they have applied. The Board wants to be satisfied that there is a reasonable connection between the number and type of vehicles requested and public need. Applicants should explain why other taxis in the area are not meeting the public need.

The applicant has provided the following evidence to show public need for additional vehicles:

- spreadsheet summaries of trip volumes, vehicles on shift, and wait time data;
- user support statements;
- customer account information; and
- City of Richmond population statistics.

Spreadsheet summaries of trip volumes, vehicles on shift, and wait time operational statistics were reported using a Piccolo dispatch system. Statistical data covered the Kimber fleet of 18 WATs for 20 months from August 2013 to March 2015.

Trip volume statistics appear to change from season to season. Comparing monthly averages for total trips from January through March (2014 and 2015) and August through December (2013 and 2014), the average year-over-year increase is about 12%. Kimber has also provided monthly volumes for airport trips, regular flag trips, and dispatched trips. The first two of these trip types are growing in volume. However, monthly flag trips are small relative to all types of trips, and dispatched trips are very small. Growth for each type of trip is highest for flag trips in percentage terms (38%) and many times higher than YVR trips (7%). In terms of numbers of additional trips, growth is highest for YVR trips. Dispatched trips declined 14%.

The vehicles on shift statistics indicate that the fleet is operating near full capacity for most months. This appears consistent with a taxi operation that is well used. Kimber states that this data supports an unmet need for four additional taxicabs because it is operating almost

all of its vehicles and wait times are increasing (discussed below). The applicant attributes this to a shortage of taxicabs rather than inefficient use of its current taxi resources.

To improve responsiveness to the transportation needs of its clients, Kimber set a performance target in August 2013 to reduce wait times to 15 minutes for every dispatch trip received. The wait time statistics show the average wait time has increased from 22.9 minutes in 2013 to 26.2 minutes in 2015. Again, Kimber states that the addition of four taxicabs to Kimber's fleet will assist Kimber in reaching its performance target by providing the resources necessary to quickly and efficiently respond to calls requesting taxi service originating within the City of Richmond.

Kimber has provided substantive evidence that their overall taxi fleet trip volumes have increased. Kimber has shown that on average, the amount of vehicles on shift is at a high percentage. It also has shown that wait times appear to be high for the City of Richmond area and have an effect on people who rely on wheelchair accessible services. I accept the operational statistics supplied by the applicant as showing that a need exists.

Forty eight user support statements were received; one of the user support statements was general in nature. The other 47 user support statements were from local business owners or members of the public who regularly use taxi services in the City of Richmond. The concern expressed by these individuals and organizations are similar and generally relate to:

- the need for a sedan service to accommodate single passengers or those who cannot step into accessible vans;
- unacceptable long wait times due to a lack of fully accessible taxicabs.

Service contract information was submitted by Kimber. The applicant states that this shows a high level of demand being placed on its existing fleet.

Population statistics show that the City of Richmond is one of the largest and fastest growing cities in British Columbia.

These other public need support materials supplied by Kimber, while not as persuasive, provides corroboration that Kimber is not able to manage the trip volume increases with its existing fleet and that there is a public need for additional supply.

The applicant has provided significant factual information and verifiable evidence to indicate that market demand is not currently being met and that a public need exists for the proposed numbers and types of vehicles.

The applicant has satisfied me that there is a public need for its proposed 2 accessible taxis and 2 conventional taxis. Approving these vehicles will expand the applicant's capacity to meet the needs of both non-disabled clients and those who require a wheelchair accessible taxi.

(b) Is the applicant a fit and proper person to provide that service and is the applicant capable of providing that service?

The Board looks at fitness in two parts:

- (i) is the applicant a "fit and proper person" to provide the proposed service; and
- (ii) is the applicant capable of providing that service?

Kimber is a 100% wheelchair accessible taxi company incorporated under the British Columbia Company Act on August 24, 1989. Kimber started operations in 1992 and has grown to a taxi company which operates 18 vehicles. There are currently 22 shareholders of the company.

Kimber has a pool of over 50 drivers and all of Kimber's drivers are trained to operate wheelchair accessible vehicles by the Justice Institute of British Columbia (JIBC). The JIBC's TaxiHost Pro program has a course that includes training for serving people with disabilities. On completion of the TaxiHost Pro training, drivers receive a "Certificate of Successful Completion". In addition to the JIBC training, Kimber drivers receive four hours of training from Kimber before receiving their driver ID. Of the four additional hours of training, one hour is spent in-house reviewing standardized instructions for customer service and proper vehicle operation. The other three hours of training occur "on the road." This includes proper vehicle operation, safety procedures, and training related to safely securing passengers with mobility aids and wheelchairs. Kimber has submitted their Accessible Service Plan which was reviewed and found to be acceptable to the Board.

Since its last application, Kimber has implemented the following changes to its business:

- installed a computerized dispatch service, which although still high, has resulted in a significant reduction in wait times;

-
- installed GPS in all its taxicabs;
 - all of Kimber's directors, other than one, have been replaced;
 - hiring of a new operations and office manager who has a bachelor's degree in commerce and over 10 years of experience in the taxi industry;
 - Kimber has changed locations to a larger facility which can facilitate a larger fleet.

Kimber's National Safety Code certificate is in good standing.

The disclosure forms of Unlawful Activity and Bankruptcy and Passenger Transportation Ownership indicated no discrepancies. There has not been any information brought to my attention to prove that the applicant is not fit and proper.

I note that the file from the Passenger Transportation Branch contained information regarding one complaint. This matter was closed by the Branch and no administrative penalties were imposed.

Financial information included the following unaudited financial statements: balance sheet and statement of income and expenses for Kimber's 2012 and 2013 fiscal years and details regarding income and expenses for 2014. This information indicates that Kimber has been viable and stable over this period of time. Kimber has also supplied 3 year of cash flow projections for a fleet expanded by 4 vehicles that includes revenue and underlying assumptions. The additional revenue generated is shown to provide a strong financial base to absorb the initial startup cost of 4 vehicles if approved. Kimber has shown that they have adequate cash and other resources on hand to effectively manage the additional vehicles without having to make significant changes in their current structure of assets and liabilities.

The applicant has previously been deemed fit, proper and capable in order to obtain and maintain its licence. If this application were approved, the applicant states that there will be no change as to who is in care and control of the operation or vehicles. Kimber has its infrastructure in place and is an established taxi operator with a history of running a viable taxi service. Kimber appears to have the resources and skills to manage the proposed expansion of its fleet.

I find the applicant to be a fit and proper person with the skills and resources to be capable of managing and providing the service.

(c) *Would the application, if granted, promote sound economic conditions in the passenger transportation business in British Columbia?*

The Board looks at the "economic conditions" issue from a wide-ranging view. The economic conditions of the "transportation business in British Columbia" are considered ahead of the economic and financial interests of an individual applicant or operator. The Board supports healthy competition. The Board discourages competition that could unduly harm existing service providers.

The Vancouver Taxi Companies submit that approval of this application would be in direct competition with the other taxi companies operating in the City of Richmond and YVR. They also request the Board, if this application is approved, remove Service 2 that it granted to Kimber in the Omnibus Decision as Kimber no longer has excess capacity. Here, Kimber has provided evidence of need for full-time taxis in Richmond and YVR. With the Omnibus decision, Kimber was approved to operate part-time taxis in part of downtown Vancouver at limited times when YVR taxi volumes are light.

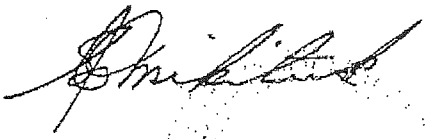
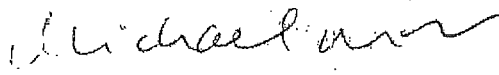
I also note that a need for more taxis has been demonstrated and I am satisfied that the growing City of Richmond/YVR marketplace can absorb these additional vehicles.

As a result, I find that the application, if granted, would promote sound economic conditions in the passenger transportation business in British Columbia.


VI. Conclusion

For the reasons above, this application is approved in whole.

I establish the activation requirements and the terms and conditions of licence that are attached to this decision as Appendix I. These form an integral part of the decision.

Signature of Panel Chair:	
Date	May 1, 2015
Entered & Sealed by the A/Director	

A/Director

Licence Required to Operate Vehicles	The Registrar of Passenger Transportation must issue the applicant a licence before the applicant can operate any vehicles approved in this decision.
Approval of application may expire	<ol style="list-style-type: none"> 1. The applicant must activate at least 50% of the vehicles within 6 months of the date of this decision. 2. If the applicant does not meet the requirements set out in 1 above, this Special Authorization expires. 3. The Passenger Transportation Board may vary the requirements set out in 1 above, if circumstances warrant it. 4. If an applicant needs more time to activate its vehicles, then the applicant must make a request to the Board before the end of the 6 month activation period. <p>(Note: "activate" means that the applicant has submitted the documents required to obtain a Special Authorization Vehicle Identifier to the Registrar of Passenger Transportation.)</p>
Notice to Registrar	<p>The Registrar must not, without direction from the Board, issue the applicant a licence or any Special Authorization Vehicle Identifiers if the applicant has not activated at least 50% of the vehicles within 6 months of the date of this decision.</p> <p>(Note: activated means that the applicant has submitted to the Registrar of Passenger Transportation the documents required to obtain a Special Authorization Vehicle Identifier.)</p>
Special Authorization	Passenger Directed Vehicle (PDV)
Terms & Conditions:	
Vehicles:	
Maximum Fleet Size:	<p>22 vehicles of which:</p> <ul style="list-style-type: none"> • 2 may be conventional taxis • all others must be accessible taxis • only 6 may be equipped with flip seats
Specialty Vehicles:	<p>All vehicles must be operated as an <i>accessible taxi</i> in accordance with the <i>Motor Vehicle Act Regulations</i> including Division 10 (<i>motor carriers</i>) and Division 44 (<i>mobility aid accessible taxi standards</i>), as amended from time to time, and in accordance with any other applicable equipment regulations and standards.</p>
Vehicle Capacity:	<p>A driver and not less than 2 and not more than 7 passengers.</p> 

Flip Seat Authorization:	Passengers may be seated in moveable "flip seats" or "let down seats" that are installed behind the driver in accordance with Division 10.07(5) of the Motor Vehicle Act Regulations.
Service 1:	<i>The following terms and conditions apply to Service 1</i>
Originating Area:	Transportation of passengers may only originate from any point in the City of Richmond.
Destination Area:	Transportation of passengers may terminate at any point in British Columbia and beyond the British Columbia / United States border when engaged in an extra-provincial undertaking.
Return Trips:	The same passengers may only be returned from where their trip terminates in the <i>destination area</i> to any point in the <i>originating area</i> if the return trip is arranged by the time the originating trip terminates.
Reverse Trips:	Transportation of passengers may only originate in the <i>destination area</i> if the transportation terminates in the <i>originating area</i> and the cost of the trip is billed to an active account held by the licence holder that was established before the trip was arranged.
Service 2:	<i>The following terms and conditions apply to Service 2: Peak Period Weekend Taxis</i>
Originating Area:	Transportation of passengers may only originate from the Downtown Vancouver Entertainment District, i.e. the area that is bounded by the west property line of Main Street from Burrard Inlet to National Avenue; the projection westward of the north property line of National Avenue from Main Street to False Creek; the north shoreline of False Creek from National Avenue to the extension southward of the west property line of Burrard Street; the west property line of Burrard Street from False Creek to Robson Street, the south property line of Robson Street from Burrard Street to Denman Street, the west property line of Denman Street from Robson Street to Georgia Street; the south property line of Georgia Street from Denman Street to Chilco Street, the east property line of Chilco Street and its extension north from Georgia Street to Burrard Inlet; Burrard Inlet from Chilco Street to Main Street. (See attached map.)
Destination Area:	Transportation of passengers may terminate at any point in British Columbia.
Vehicle Identification	Any vehicle operating under this Service must have a "yellow weekend" plate securely fastened in a conspicuous place at the front of the commercial vehicle and in a horizontal position.
Maximum number Vehicles	A maximum of 3 vehicles may operate under this Service
Maximum Operating Requirement:	Vehicles may only operate in the Downtown Vancouver Entertainment District on Friday/Saturday and Saturday/Sunday from 10:00 p.m. to 5:00 a.m.

	<i>The following apply to all vehicles in the fleet.</i>
Express Authorizations:	<ul style="list-style-type: none"> (i) Vehicles must be equipped with a meter that calculates fares on a time and distance basis. (ii) Vehicles may be equipped with a top light. (iii) Vehicles may, from within the originating area only, pick up passengers who hail or flag the motor vehicle from the street.
Taxi Cameras:	A digital taxi camera that meets board specifications must be installed and operated in each of the licence holder's vehicles in accordance with applicable rules and orders of the Passenger Transportation Board.
Taxi Bill of Rights:	<ul style="list-style-type: none"> a) A Taxi Bill of Rights issued by the Ministry of Transportation ("Taxi Bill of Rights") must be affixed to an interior rear-seat, side window of each taxicab operated under the licence. b) The Taxi Bill of Rights must at all times be displayed in an upright position with the complete text intact and visible to passengers. c) Licensees may only display a current Taxi Bill of Rights.
Taxi Identification Code:	On or before June 16, 2014, each vehicle operated by the licensee must have a unique taxi identification code (TIC) affixed to the inside and outside of the vehicles in a manner that complies with applicable rules, specifications and orders of the Passenger Transportation Board.
Transfer of a licence:	This special authorization may not be assigned or transferred except with the approval of the Board pursuant to section 30 of the Passenger Transportation Act.



Business Licence Bylaw 7360, Amendment Bylaw 9255

The Council of the City of Richmond enacts as follows:

1. Business Licence Bylaw No. 7360, as amended, is further amended by deleting subsection 2.1.27.3 (a) and (b) and substituting the following;
 - (a) for use as Class A taxicabs is 109; and
 - (b) for use as Class N taxicabs is 43.
2. This Bylaw is cited as **“Business Licence Bylaw 7360, Amendment Bylaw 9255”**.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
<i>[Signature]</i>
APPROVED for legality by Solicitor
<i>[Signature]</i>

MAYOR

CORPORATE OFFICER