



City of Richmond

Report to Committee

To: General Purposes Committee
From: Victor Wei, P. Eng.
Director, Transportation
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Manager, Business Liaison

Date: September 4, 2007
File: 12-8275-02/2007-Vol 01

**Re: BUSINESS LICENSING OF CLASS A AND CLASS N TAXICABS IN RICHMOND
– FOLLOW-UP REPORT**

Staff Recommendation

1. That staff be directed to bring forth amendments to Vehicle for Hire Bylaw 6900 to:
 - (a) add a Standard of Service section for all Class A and Class N taxicabs, including a provision that Class N taxicabs must give priority of service to people with disabilities;
 - (b) require that all taxicabs display an enhanced tariff decal that includes information regarding the process for customers to register comments about the service they receive;
 - (c) require that all taxicab drivers must complete a suitable disability awareness training course offered by the Justice Institute of BC and approved by Council;
 - (d) strengthen provisions that Class N taxicabs must have adequate equipment for transporting people with mobility aids with such equipment to be maintained in proper working order; and
 - (e) add a Chauffeur Permit requirement section that specifically addresses application and appeal procedures.
2. That Council direct staff to bring forward a report to add specific fines for violations made under the Vehicle for Hire Bylaw 6900.
3. That staff be directed to bring forth amendments to the Business Licence Bylaw 7360 to eliminate the maximum number of vehicle licences that can be issued for Class A and Class N taxicabs.
4. That a letter be sent to the Passenger Transportation Board requesting that any future taxi licences issued for Richmond-based taxicab operators provide for an increase in the number of accessible taxis available to serve Richmond.

5. That the City request Commercial Vehicle Safety and Enforcement to jointly participate with City staff and Richmond RCMP in annual vehicle inspections of Richmond taxi operators with this inspection to coincide with one of the City's semi-annual inspections.
6. That the curriculum of the disability awareness and sensitivity training course offered by the Disability Resource Centre be forwarded to the Justice Institute of BC for its consideration in the development of a new disability awareness course for taxicab drivers.
7. That a copy of this report be forwarded to the Passenger Transportation Board for information.

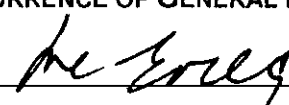




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Director, Transportation
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Staff Report

Origin

At the October 16, 2006 meeting of the General Purposes Committee, staff presented a report on the City's bylaw regulation that limits the maximum number of vehicle licences that can be issued for Class A and Class N taxicab service in Richmond. Following discussion of the report, the following referral was carried:

- (1) *That staff review and report to Council on the licence fees levied for Class A and Class N taxicabs to ensure that the licence fees are collected on a cost-recovery basis.*
- (2) *That the matter of Business Licensing of Class A and Class N taxicabs in Richmond be referred to staff to review:*
 - (a) *the service and safety levels provided by Kimber Cabs;*
 - (b) *the need for more taxis for those with disabilities in Richmond; and*
 - (c) *the number of taxi cabs needed for Richmond, and the training required for people with and without disabilities;*
- (3) *That staff discuss with the Passenger Transportation Board:*
 - (a) *the number of taxicabs in Richmond, including the possible need for the further eleven as applied for by Richmond Cabs;*
 - (b) *the service levels provided by, and training provided to, Kimber Cabs, and whether Kimber Cabs is providing service to the disabled as required by their existing Class N licence;*
 - (c) *whether there is a need for additional taxi cabs for those with disabilities within Richmond; and*
 - (d) *the number of taxi cabs in other cities and how these cabs affect service in Richmond.*

This report responds to Parts 2 and 3 of the referral and provides recommendations with respect to the need to amend the existing regulation of Class A and N taxicab operations in the city. Due to the time and resources required to undertake a comprehensive review of the licence fees levied, staff anticipate presenting a separate report to address Part 1 of the referral in early 2008.

Analysis

1. City Regulation of Accessible (Class N) Taxicab Service in Richmond

Per Section 10.1 of the City's Vehicle for Hire Regulation Bylaw 6900 (Bylaw 6900), a person with disabilities is defined as:

A person whose mobility is limited as the result of a permanent or temporary disability which makes it difficult or impossible to use a conventional taxicab.

Per Section 3.9 of the City's Business Licence Bylaw 7360 (Bylaw 7360), Class N vehicle licences are defined as:

A taxicab of a type and design which is used primarily for transporting a person with disabilities, and which is equipped with a hydraulic lift or ramp, or other equipment for loading or unloading persons who use wheelchairs for mobility.

Per Section 7.1 of Bylaw 6900:

A taxicab driver must not transport persons in a Class N taxicab unless at least one of the persons being transported is a person with disabilities, except that an able-bodied person who accompanies a person with disabilities on a portion of a round-trip may travel unaccompanied in the same vehicle on the remainder of the journey.

Class N taxicab service in Richmond is provided primarily by Kimber Cabs, which has 18 accessible¹ vehicles, as well as Richmond Taxi, which has four (4) accessible vehicles. While the conditions of the provincial taxi licences held by both companies for these vehicles specify that the vehicles must be operated as accessible taxis, the conditions do not specify that the companies can only transport passengers with disabilities.

2. Service Levels of Class N Taxicabs

Staff contacted various stakeholders to obtain feedback regarding the current customer service levels for the disabled community of both Richmond Taxi and Kimber Cabs. These comments are summarized below.

2.1 Kimber Cabs

In a meeting with staff in November 2006, Kimber Cabs advised that:

- typically all of its 18 vehicle are in service from 8:00 am to 7:00 pm during weekdays, with about 14 vehicles in service on weekends;
- the company endeavours to maintain a minimum of three (3) vehicles operating after 7:00 pm for service in Richmond (excluding the airport);
- wait times for passengers are typically 10 minutes during slower periods and passengers with disabilities are given priority; and
- transporting passengers with disabilities accounts for approximately 25% of its business by number of trips.

The company also advised that it intends to apply to the provincial Passenger Transportation Board (PT Board) for an additional 10 provincial taxi licences for Class A service. The company believes the additional licences will allow it to respond to increasing demand for both conventional and accessible taxi service as the new Class A vehicles will cater to passengers without disabilities and thus allow its existing Class N vehicles to focus on the transportation of passengers with disabilities.

¹ Per Division 44.1 of the Motor Vehicle Act Regulations, an accessible taxi is defined as a taxi having a gross vehicle weight rating of not more than 4500 kg, which is designed and manufactured or converted for the purpose of transporting persons who use mobility aids. Mobility aid means a device, including a manual wheelchair, electric wheelchair and scooter, that is used to facilitate the transport, in a normally seated orientation, of a person with a physical disability.

Kimber Cabs' application for these 10 additional taxi licences was published in the May 30, 2007 edition of the PT Board Bulletin, which is published weekly to advise of applications to and decisions by the PT Board. Upon publication of the application, the PT Board provides a 14-day period for interested parties to make submissions to the PT Board regarding the application. In response to this invitation, City staff forwarded a letter to the PT Board (see **Attachment 1**) that summarized the comments received from stakeholders regarding the level of service of both Kimber Cabs and Richmond Taxi (i.e., summary of comments described in Sections 2.3 and 2.6). As published in the August 29, 2007 edition of the PT Board Bulletin, the PT Board rejected the application of Kimber Cabs, primarily because the company failed to demonstrate a public need for the additional 10 taxi licences (see **Attachment 2** for the PT Board decision).

2.2 Richmond Taxi

In a meeting with staff in November 2006, Richmond Taxi advised that:

- the company has four (4) accessible taxis, all of which the company endeavours to maintain available for service at all times;
- transporting passengers with disabilities accounts for approximately 70% of the trips made by the accessible taxis;
- the conditions of Richmond Taxi's provincial taxi licence, revised when the company was issued an additional four (4) licences in July 2006 (two (2) for conventional and two (2) for accessible taxis), require that a minimum of one (1) accessible taxi be available for service at all times (i.e., 24 hours per day, every day of the week); and
- the company will monitor demand levels to assess whether or not additional accessible taxi service is required.

The company's original application to the PT Board for additional taxi licences did not include any accessible taxis. The PT Board specified that two (2) of the four (4) taxi licences must be accessible taxis based on a submission from the Richmond Committee on Disability (RCD). Richmond Taxi advises that, at the time of its application, it did not perceive a demand for increased Class N service.

2.3 Richmond Committee on Disability / Disability Resource Centre

At their appearance before the General Purposes Committee at its October 16, 2006 meeting, representatives for the Richmond Committee on Disability (RCD) and the Disability Resource Centre (DRC) expressed dissatisfaction with Class N taxi service for the disabled community. The representatives complained that at times it was difficult to obtain accessible taxi service during evening hours and that safety equipment was not adequate within some Class N vehicles to safely secure passengers using wheelchairs. A representative recounted an incident in May 2006 when Kimber Cabs refused to provide service between the airport and a Richmond hotel for disabled delegates attending a conference as the hotel had a contract with Richmond Taxi, not Kimber Cabs, to provide service. The RCD subsequently followed up its concerns with the provincial Passenger Transportation Branch, which is responsible for initiating enforcement and compliance actions against licensed taxicab operators.

In a subsequent meeting with staff, RCD representatives advised that it met with Kimber Cabs on November 7, 2006 to discuss Kimber Cabs' safety and service levels for the disabled

community. The RCD reports that it is awaiting a follow-up response from Kimber Cabs. The RCD also noted that Kimber Cabs and Richmond Taxi appear to use each other's services when responding to a request for an accessible taxi. For example, if Richmond Taxi receives a call for an accessible taxi but does not have one available, the company will advise Kimber Cabs, which will then send an accessible taxi. However, according to the RDC, this practice can create confusion for the client as he/she is typically not informed of the change and thus is not aware when the alternative taxi arrives that the vehicle is responding to his/her request. As an example, RCD reported that a request to Kimber Cabs was made but a conventional sedan from Richmond Taxi responded to the call instead.

Generally, the RCD supports an increased availability of Class N vehicles that have properly maintained safety equipment, and better training to ensure drivers are knowledgeable in the use of the equipment and professional in their treatment of people with disabilities.

2.4 TransLink / HandyDART

TransLink offers the TaxiSaver Program, which is a service for people with permanent disabilities who have a HandyCard.² HandyCard holders can buy TaxiSaver coupons from local HandyDART offices and use them to pay for taxi rides. Currently, all taxi companies in the Lower Mainland participate in the TaxiSaver program. TransLink staff managing the HandyDART program advise that they have no record of taxi service complaints from TaxiSaver clients in Richmond. In 2002, TransLink also engaged the use of Kimber Cabs to provide weekday evening service for HandyDART users on a temporary basis during which TransLink assessed the level of customer demand to determine if a HandyDART vehicle shift was warranted. TransLink staff encountered no problems with Kimber Cabs during that phase and, in general, report that their experience with both taxi companies in Richmond has always been productive and that the companies have been willing to correct problems when they are made aware of them.

Richmond HandyDART also uses Kimber Cabs as a back-up to their service. For example, if a HandyDART vehicle fails or a vehicle runs extremely late, Kimber Cabs will be used to alleviate the situation for wheelchair clients. Richmond HandyDART staff advise that in the past 12 months, they experienced three cases where a Kimber Cab did not show up as booked by HandyDART staff: one instance where the company was unable to take a booking at 6:30 pm due to a lack of available taxis and two instances where they could not take a booking because they were serving cruise ship passengers at that time. Richmond HandyDART had no complaints regarding taxi driver training, provision of evening service or the correct use of securement systems.

2.5 Passenger Transportation Board / Passenger Transportation Branch

The PT Board is mandated to consider public need, the suitability of the applicant and economic conditions when considering applications for taxi licences. Staff of the PT Board advise that the Board is responsible for approving the issuance of taxi licences while the PT Branch administers

² To be eligible for a HandyCard, persons must reside within the TransLink service region and have a permanent physical or cognitive disability that prevents them from using the public transit system without assistance. A HandyCard entitles holders to concession fares on TransLink services and an attendant who accompanies and assists a HandyCard holder is eligible to travel free.

the process and initiates enforcement and compliance actions against licensed operators. PT Branch inspectors perform random audits of taxi operators (e.g., verify areas of operation, rates being charged, etc) and also follow up on written complaints. The PT Branch can assess a variety of administrative penalties for violations including monetary fines up to \$1500, licence suspension and cancellation, refusal to transfer the licence, and restricting the operation of one or more of the licensee's vehicles.

The PT Branch does not disclose the nature of any complaints received or if any administrative penalties are levied. However, if the PT Board is reviewing an application for additional licences from a particular taxi company, the Board will check with the PT Branch to determine if any penalties have been assessed against the company and this information will be a factor in the Board's decision regarding the additional taxi licence application.

The PT Board typically does not include any service level standards (e.g., minimum hours of operation) as part of the conditions of a taxi licence.³ In addition, PT Board staff advise that the Board is unlikely to impose a condition that a taxi company transport only passengers with disabilities, as this restriction may render the company financially unviable due to the limited market. Rather, the PT Board establishes conditions that a minimum number of a taxi company's fleet must be accessible vehicles. PT Board staff acknowledge that it is difficult to ensure that a taxicab company consistently provides a satisfactory level of customer service.

2.6 Tourism Richmond / Hotels in Richmond

Tourism Richmond staff advise that they have no record of complaints lodged with their agency regarding the provision of taxi service for passengers with disabilities. However, the agency canvassed several local hotels for their feedback regarding the level of taxi service for both passengers with and without disabilities. Comments specific to taxi service for the disabled include:

- refusal of Kimber Cabs to provide pre-arranged passenger transfers between a hotel and the airport as that hotel had a taxi stand contract with Richmond Taxi;
- lack of available accessible vehicles and thus long wait times for passengers;
- drivers are assigned to accessible taxis who do not know how to use the ramps and securement systems (i.e., tie-downs for wheelchairs);
- lack of proper use of securement systems;
- lack of mechanical lifts on taxicabs;
- not enough trained drivers who know how to assist someone with disabilities;
- current level of training regarding disability awareness that is provided by the TaxiHost Level 2 Program is inadequate; and
- vehicles are old and not kept clean.

In addition, the following general comments were offered with respect to taxi service levels:

- hotel guests travelling from the airport have been subjected to complaints from taxi drivers that the trip is too short (i.e., the driver would receive a relatively low fare compared to a trip into Vancouver);

³ As noted in Section 2.2, the revised conditions of Richmond Taxi's provincial taxi licence require that the company maintain a minimum of one accessible taxi available for service at all times. This specific service-related condition was included to reflect the terms of an agreement between Richmond Taxi and the RCD.

- hotel guests have complained that taxi drivers did not take the most direct route to the hotel or dropped off guests at the wrong hotel; and
- recent experiences of longer than usual waits for taxicabs during the evening.

Tourism Richmond staff advise that they are working with local hoteliers, Vancouver International Airport Authority (YVR) staff and Tourism Vancouver staff to address the above concerns raised by visitors to this area.

3. Proposed Provincial Taxicab Service Initiatives

The BC Minister of Transportation proposed in April 2007 that a Taxi Bill of Rights be posted in every taxi to help address concerns of dissatisfactory taxicab customer service such as refusal of fares and demands for payments in cash. As part of this process, Ministry of Transportation (MoT) staff have developed four initiatives to improve taxi service:

- Picking Up Outside of Licensed Area: create a ticketable offence for a driver who picks up a passenger outside of the geographical area of the taxi licence. The offence would apply BC-wide and be enforceable by peace officers and PT Branch inspectors.
- Trip Refusal: create a ticketable offence for a driver who refuses to transport a passenger. The offence would apply BC-wide and be enforceable by peace officers and PT Branch inspectors.
- Taxi Bill of Rights: to clarify the expectations of both passengers and drivers and improve passenger satisfaction and taxi industry efficiencies. The Bill of Rights is not intended to be enforceable and its acceptance would depend on trust in an effective complaint process (next item). Initially, the intended scope would be the GVRD only.
- Complaint Handling: improve complaint handling rather than switch responsibilities from one agency to another. At this time, there are no plans to create an industry-funded "taxi ombudsman."

In July 2007, MoT and PT Board staff conducted consultations on the proposed initiatives with three primary stakeholder groups: (1) taxi industry and drivers; (2) local governments and peace officers; and (3) passengers and consumers, including people with disabilities. Staff attended the session for local governments, which included representatives from Burnaby, Surrey, Coquitlam, YVR, Vancouver Police Department, and RCMP. Key issues identified at the meeting included:

- concern that a "Bill of Rights" carries the connotation that it is enforceable and thus may create higher expectations in passengers that his/her complaint will be investigated and resolved, which reinforces that a strengthened complaint handling process is needed; and
- the proposed ticketable offences may not be among the priorities for enforcement by peace officers, which suggests that more PT Branch inspectors may be required to effectively enforce the new regulations.

At this time, the intent of the Ministry is to introduce the regulatory changes to create the ticketable offences in Fall 2007. It is not yet clear if the Taxi Bill of Rights and an improved complaint handling process will also be introduced at that time as well.

4. Service Levels of Taxicabs in Richmond

Recommendation 1: that the City's Vehicle For Hire Regulation Bylaw 6900 be amended to include a Standards of Service section for both conventional and accessible taxis.

Based on the recent feedback from various stakeholders, there are indications that the current level of accessible taxi service is inadequate, particularly during evenings. A key issue appears to be how the existing accessible vehicles are deployed with respect to hours of operation and the priority of response to service requests from customers with disabilities versus without disabilities. In addition, there are also concerns with the quality of service provided by operators of conventional taxis such as unprofessional behaviour towards customers in short trips. The PT Board has the authority to establish taxi service levels but typically does not specify such conditions as part of a taxi licence. Staff therefore propose amendments to the City's Vehicle for Hire Bylaw to include the following service standards for both conventional and accessible taxis:

- sufficient number of vehicles in operation to meet demand in a timely manner;
- accessible taxi licence holders to give priority of service to passengers with disabilities; and
- drivers to maintain professional and courteous conduct.

With respect to Class N taxi service, staff note that the prohibition in Section 7.1 of Bylaw 6900 (cited in Section 1) may discourage taxicab companies from applying to operate accessible taxis in Richmond as operators may deem meeting the requirement to be financially unviable.

Therefore, as part of the amendments proposed above, Section 7.1 would be amended such that accessible taxi licence holders must give priority of service to disabled customers. Given the proposed amendment, Section 7.1 would then be consistent with current provincial taxi licence conditions for accessible taxis.

In addition, as the PT Branch has the mandate to respond to written complaints regarding taxi service and the authority to levy penalties, staff propose that the tariff decal required to be displayed in every taxicab be modified to include information regarding the process for customers to register comments about the service they receive (see **Attachment 3** for the proposed decal). The tariff decal would be modified to meet any provincial requirements per the Province's proposed Passenger Bill of Rights (as noted in Section 3). Finally, staff would also suggest to the RCD that it encourage people with disabilities in Richmond who experience unsatisfactory service to write to the PT Branch and the City to register their concerns.

5. Mechanical and Equipment Safety of Taxicabs

5.1 Provincial Vehicle Inspection Program

Taxis are subject to semi-annual mandatory vehicle inspections via the Vehicle Inspection Program, which is a privately delivered program that is monitored and regulated by the provincial Ministry of Transportation through various acts and regulations. The inspections are performed by private mechanics authorized by the Ministry's Commercial Vehicle Safety and Enforcement (CVSE) as Authorized Inspectors at Designated Inspection Facilities and at Preventative Maintenance facilities for large fleets. Audits are performed on these inspectors and facilities by CVSE Vehicle Inspectors to monitor compliance of the applicable standards and regulations. A satisfactory CVSE inspection report is required when a company's provincial taxi

licences are renewed, which occurs annually. Vehicle Inspectors also investigate written complaints regarding safety-related issues.

5.2 Commercial Vehicle Safety and Enforcement (CVSE) Inspections

Local municipalities can also request CVSE Vehicle Inspectors to perform inspections of taxi operators, which are typically undertaken with local police at an ICBC Claim Centre. The municipality can advise the taxi companies that all of their vehicles are required to attend at the specified location, date and time. These inspections typically have not occurred on a regular basis and the City last participated with Richmond RCMP and ICBC in such an inspection in 2004.

5.3 City of Richmond Inspections

The City also performs semi-annual inspections with the assistance of Richmond RCMP. City staff examine vehicle cleanliness, verify that the commercial vehicle and tariff decals are displayed, and test the vehicle's lights and taximeter to ensure that they are in proper working order. Richmond RCMP's primary role is to serve as an added authority to ensure that taxicab operators report for the inspections; officers also verify that the operator possesses a valid driver's licence and chauffeur's permit.

5.4 Recommendation on Safety Inspection of Taxicabs

Recommendation 2: that the City request provincial Commercial Vehicle Safety and Enforcement (CVSE) Vehicle Inspectors to jointly participate with City staff and Richmond RCMP in annual vehicle inspections of Richmond taxi operators with this inspection to coincide with one of the City's semi-annual inspections and that the City's Vehicle For Hire Regulation Bylaw 6900 be amended to include equipment maintenance standards for accessible taxis.

The CVSE has the mandate, authority and expertise to conduct vehicle inspections of taxicabs, including the specialized equipment of accessible taxis, and has indicated a willingness to work with City staff and Richmond RCMP to increase the regularity of vehicle inspections of Richmond taxicab operators. Staff anticipate that an increased frequency of vehicle inspections will help ensure that the ramps, lifts and securement systems of accessible taxis are maintained in proper working order as well as improve overall vehicle safety levels. Staff further propose amendments to the City's Bylaw 6900 to require the maintenance in good working order of equipment specific to accessible taxis.

6. Training Requirements for Drivers of Accessible Taxis

6.1 Justice Institute of BC TaxiHost Program

The TaxiHost Program was developed in 1994 to help create a consistently high standard of taxicab service in Greater Vancouver. The program, offered through the Justice Institute of BC (JIBC), is open to current and new drivers and has two levels of training. Level 1 has three modules, one of which includes disability awareness training as part of the curriculum. Level 2 has four modules, one of which focuses entirely on transporting people with disabilities. This latter course uses disability awareness simulations to give participants an opportunity to

experience what it might be like to have different disabilities. The course also reviews the appropriate language for discussing major disabilities and the principles for transporting people who experience specific disabilities are discussed and practiced. Instructors include taxi industry and customer service personnel as well as people with vision loss.

The provincial *Motor Vehicle Act* and City bylaws require taxi drivers to possess a valid chauffeur's permit, which is issued by Richmond RCMP. As of January 1, 2007, Richmond RCMP (along with all municipalities that have RCMP police services) require completion of Level 2 of the TaxiHost Program as a prerequisite for obtaining a chauffeur's permit. Other municipalities and agencies that already required completion of Level 2 prior to January 2007 include YVR and the cities of Vancouver, New Westminster and Surrey. Virtually all taxi drivers with both Richmond Taxi and Kimber Cabs already have Level 2 training, as most of their cabs operate at the airport and YVR requires the completion of Level 2.

JIBC staff acknowledge that the TaxiHost Level 2 module on disability awareness provides limited hands-on training regarding the proper use of securement systems in accessible vehicles. JIBC staff advise that they intend to review in 2007 the need to develop a new course separate from the TaxiHost Program that provides specific hands-on training for drivers of accessible vehicles and, if judged necessary, develop the curriculum for such a course.

6.2 Richmond Committee on Disability – Disability Awareness and Sensitivity Training

The RCD, through the Disability Resource Centre (DRC), offers a disability and sensitivity training course for businesses and organizations (see **Attachment 4**). The course includes safety factors when transferring passengers in wheelchairs in and out of a vehicle. Hands-on training on the proper way to secure wheelchairs with tie-downs and seatbelts is provided when drivers can bring their vehicle for demonstration, as there are several different types of systems. Accessibility consultants and professional trainers, all of whom are persons with disabilities with knowledge of different types of conditions, provide the training. A professional driver who serves the disabled population on a daily basis was added to the training team in 2006. In 2005, the RCD provided training to 150 drivers with various hotel shuttle bus operators as well as some hotel staff and, in 2006, provided training to 50 employees with Park N' Fly. The RCD intends to develop a refresher course so that previous participants can update their training on a regular basis. To date, neither Richmond Taxi nor Kimber Cabs have enrolled any drivers in this training course. Kimber Cabs has spoken with the RCD regarding the course and the company's shareholders intend to discuss the possibility of funding the training for its drivers.

The RCD believes its training course would benefit taxicab drivers, particularly if the Level 2 module of the TaxiHost Program does not include hands-on training and demonstrations, and is not delivered by people with disabilities and/or who work daily with people with disabilities.

6.3 Passenger Transportation Board

PT Board staff advise that the Board does not specify training requirements for taxicab drivers, as there is no comprehensive province-wide standard for training. PT Board staff are not fully familiar with the TaxiHost Program in the Lower Mainland and cannot comment as to whether or not the Level 2 module that focuses on transporting people with disabilities is adequate.

6.4 Recommendation re Training for Drivers of Accessible Taxicabs

Recommendation 3: that the curriculum of the DRC disability awareness and sensitivity training course be forwarded to the JIBC for its consideration in the development of a new disability awareness course for taxicab drivers and that all Richmond taxicab drivers be required to complete a suitable disability awareness training program offered by the JIBC and approved by Council.

The DRC offers disability awareness training and the JIBC, which currently offers the TaxiHost Program, is considering development of a similar course. As the JIBC is the recognized regional authority for the provision of taxicab driver training, staff recommend that the curriculum of the DRC training course be forwarded to the JIBC for its consideration in the development of a new disability awareness course for drivers. All taxicab drivers would be required to complete the disability awareness courses offered by JIBC, as drivers are typically not assigned to a particular vehicle.

7. Need for Additional Conventional and Accessible Taxicab Service

7.1 Comments from PT Board Staff

PT Board staff advise that the process to issue new or additional taxi licences is entirely applicant-driven. The PT Board assess an application based on the following criteria:

- (a) whether there is a public need for the service the applicant proposes to provide under any special authorization;
- (b) whether the applicant is a fit and proper person to provide that service and is capable of providing that service; and
- (c) whether the application, if granted, would promote sound economic conditions in the passenger transportation business in British Columbia.

The applicant can substantiate that there is an unmet public need by including, for example:

- user support statements from passengers regarding wait times and the availability and cost of alternative transportation modes;
- signed contracts or agreements to enter into a contract;
- ridership and trip projections;
- information about competing services; and
- information on local demographics and economic trends.

7.2 Comparison with Other Municipalities

The table below compares all GVRD municipalities with Richmond and calculates the number of taxicabs per 1,000 population assuming that all taxicabs licensed by a municipality are available to operate within that municipality. Some taxicab companies may choose to assign a number of their taxicabs to operate solely to/from the airport, which would decrease the number of taxis available to serve the community.

Number of Taxis Licensed by Other Municipalities

Municipality	Maximum No. of Taxicabs	No. of Taxicab Companies	No. of Taxis Licensed	Taxicabs per 1,000 Population
Delta	No Maximum	8	200	1.95
New Westminster	<ul style="list-style-type: none"> Class A: 57 Accessible: N/A 	1	58	1.01
Coquitlam	No Maximum	3	117	0.96
Vancouver	<ul style="list-style-type: none"> Class A: 475 Accessible: 113 	4	477	0.81
Port Coquitlam	No Maximum	3	45	0.78
Surrey	<ul style="list-style-type: none"> Class A: 282 Accessible: N/A 	3	282	0.72
North Shore ¹	No Maximum	2	121	0.68
Burnaby	<ul style="list-style-type: none"> Class A: 96 Accessible: 11 	1	107	0.52
Richmond	<ul style="list-style-type: none"> Class A: 75 Accessible: 20 	2	95	0.52
White Rock	No Maximum	1	8	0.41
Maple Ridge	No Maximum	1	15	0.20
Langley City	No Maximum	1	2	0.08
Langley Township	No Maximum	3	Not Tracked	-
Regional Average				0.72

¹ Taxicabs serving the North Shore municipalities (City of North Vancouver, District of North Vancouver and West Vancouver) have an inter-municipal licence issued by the District of North Vancouver.

Of the five municipalities that impose a maximum limit on the number of vehicles licensed, two of these (New Westminster and Surrey) have a limit for Class A vehicles only and have no maximum limit for accessible taxis. In April 2007, the City of Vancouver approved an increase in the maximum number of taxicabs to be licensed from 477 to 588, with 54 of these to be accessible vehicles in order to reach an objective that 15% of the city taxi fleet be accessible by the end of 2007.

As noted in the table, Richmond is below the regional average of number of taxicabs per 1,000 capita. Applying the regional average to Richmond indicates that approximately 40 additional taxicabs would be licensed to operate in the city.

7.3 Number of Taxis Licensed by Other Municipalities

The conditions of a provincial taxi licence specify the geographic area within which a passenger trip may originate, which usually corresponds to the municipality that the company is based in. For example, the transportation of a passenger by a Burnaby-based taxi company typically can originate only from within the City of Burnaby but can terminate anywhere in BC. Some companies may be permitted to operate in more than one municipality and, if so, they would need to obtain municipal business and vehicle licences. Indeed, this situation accounts for the relatively high number of taxis per 1,000 capita in Delta. As there are no Delta-based taxi companies, Surrey-based taxi companies are permitted to operate in Delta to ensure service to that community. Richmond has issued business and vehicle licences to Richmond Taxi and Kimber Cabs only, thus no other taxi company can pick up passengers in Richmond, except from the airport.

YVR regulates the number of vehicles of taxi companies authorized to pick up passengers at the airport through individual contracts with each company. The conditions of the contracted company's provincial taxi licence must include airport servicing.

7.4 Recent Applications for Taxi Licences to PT Board

The PT Board Bulletin is a weekly publication of summaries of applications regarding taxi licences. Over the last few months, there have been two applications by separate companies for additional taxi licences to operate in Richmond:

- May 30, 2007 Edition: application from Kimber Cabs seeking additional taxi licences for 10 vehicles, of which none would be accessible; and
- July 18, 2007 Edition: application from Garden City Cabs of Richmond Ltd, a new company, seeking taxi licences for 30 vehicles, of which five would be accessible.

As noted in Section 2.1, the PT Board rejected the application by Kimber Cabs; no decision has been issued on the application by Garden City Cabs. Staff note that the maximum numbers of vehicle licences that can be issued for taxi operations has been reached; thus, should any or both of these applications be successful, amendments to the Business Licence Bylaw would be required to enable the operation of these additional taxis in Richmond.

7.5 Need for City Regulation of Maximum Number of Class A and N Vehicle Licences

PT Board staff have affirmed that the process to potentially increase the number of taxicabs operating in Richmond is entirely applicant driven and that the PT Board does not consider any municipal bylaws limiting the number of business and vehicle licences that can be issued when making its decision to grant new taxi licences.

The original impetus to establish a maximum number of taxicabs that would be licensed by the City was apparently prompted by an oversupply of licensed taxicabs operating in the municipality, which may have been due to the lack of a provincial licensing requirement for companies operating within a municipality at that time and/or that economic entry criteria may not have been fully considered at that time by the provincial agency responsible for issuing taxi licences. As of 2000, all taxi operators require provincial licensing and the *Passenger Transportation Act* became effective in June 2004 and specifically created the PT Board, which is responsible for, among other matters, determining whether applications for passenger directed vehicles (i.e., taxicabs) meet an economic test.

As the PT Board has the specific mandate, power, expertise, and resources to regulate taxicab operators in BC and must explicitly consider economic entry criteria, the City's need to impose an upper limit on the number of taxicabs that operate in Richmond is debatable. The PT Board considers all issues and consequences related to the issuance of additional taxi licences within a municipality; thus, additional oversight by the City may be considered as redundant and a duplication of effort.

Based on the above noted regulatory control of the PT Board over the taxicab industry, staff conclude that any increase or elimination of the maximum number of City licences that can be issued will not:

- affect the relative monetary value of a taxi licence as this is determined by the absolute number of taxi licences issued for a municipality, which is controlled by the PT Board; or
- “open the floodgates” and necessarily lead to an oversupply of taxis in Richmond, as any operator must first obtain a taxi licence from the PT Board, which has rigorous criteria that govern the issuance of taxi licences.

While there appears to be a need for increased taxi service in Richmond based on the existing per capita average relative to other municipalities as well as comments from various stakeholders, the City cannot directly increase the number of taxicabs operating in Richmond. The elimination of the maximum number of City-issued vehicle licences will enable the provision of increased taxi service in Richmond but does not guarantee it as the prior issuance of a provincial taxi licence by the PT Board is a prerequisite.

7.6 Recommendation re Additional Class N Taxicab Service

Recommendation 4: that the limit on the maximum number of Class N taxicab vehicle licences that can be issued be eliminated to encourage improved service levels, and that a letter be sent to the PT Board requesting that any future taxi licences issued for Richmond-based taxicab operators provide for an increase in the number of accessible taxis available to serve Richmond.

The elimination of the maximum number for City-issued Class N vehicle licences will streamline the administrative procedures by removing the need for the City to continually amend its Vehicle for Hire Bylaw in response to each application. It would also encourage new taxi companies with accessible vehicles to apply to the PT Board to provide service in Richmond. In turn, this potential or real competition from new taxi companies with accessible vehicles could motivate the existing taxi companies to raise their standards of service levels.

To further emphasize the City’s desire to increase the fleet of accessible taxis in Richmond, staff also recommend that a letter be sent to the PT Board requesting that any future taxi licences issued for Richmond-based taxicab operators provide for an increase in the number of accessible taxis available to serve Richmond.

7.7 Recommendation re Additional Class A Taxicab Service

As noted in Section 7.2, the number of taxis in Richmond is below the regional per capita average, which suggests that the current maximum limit on the number of Class A vehicle licences that can be issued should be revised. As such, staff present the following three options for Council’s consideration:

Option 1: that the existing limit on the maximum number of Class A taxicab vehicle licences that can be issued be retained (Status Quo).

This status quo option is not recommended. Should the maximum limit on Class A vehicle licences be retained at its current number and a taxicab company is successful in obtaining Class A taxi licences from the PT Board, then staff and Council would be required to address each application separately and amend Bylaw 7360 accordingly each time, which would continue the current redundant application review process and incur additional administrative procedures for City staff, Council and the applicant.

Option 2: Recommendation 5: that the limit on the maximum number of Class A taxicab vehicle licences that can be issued be eliminated to encourage improved service levels.

As noted in Section 7.4, the PT Board has the specific mandate, power, expertise, and resources to regulate taxicab operators in BC and municipal oversight is no longer necessary. Given approval of Recommendation 4 and the elimination of the cap on Class N vehicle licences, the similar elimination of the cap on Class A vehicle licences would avoid any possible apprehension of bias towards a particular company.

Option 3: that the limit on the maximum number of Class A taxicab vehicle licences that can be issued be increased by 30 from 75 to 105.

An alternative to eliminating the maximum limit on Class A vehicle licences is increasing the maximum limit by an amount to bring Richmond's per 1,000 capita number of taxicabs in line with the regional average. Given a current combined number of 95 taxis eligible to serve Richmond, the combined maximum limits would need to be increased by 40 from 95 to 135. Based on the existing proportion of Class A to Class N vehicle licences, increasing the combined maximum limits by 40 would translate to an increase of around 30 Class A taxis (from 75 to 105). An increase to the maximum limit on Class N vehicle licences would not be required given that Recommendation 4 is approved (i.e., elimination of the cap). This option would lessen (though not eliminate) the administrative burden associated with amending Bylaw 7360 each time an applicant is successful in obtaining taxi licence from the PT Board.

Financial Impact

None of the recommendations in this report would result in additional capital or operating financial costs to the City.

Conclusion

Based on discussions with staff from the Passenger Transportation Board and stakeholders, staff have developed the following three recommendations intended to improve the customer service and safety levels of all taxi operators in the city:

- **Recommendation 1:** that the City's Vehicle For Hire Regulation Bylaw be amended to include a Standards of Service section for both conventional and accessible taxis, including provision that Class N taxicabs must give priority of service to people with disabilities;
- **Recommendation 2:** that the City request CVSE Vehicle Inspectors to jointly participate with City staff and Richmond RCMP in annual vehicle inspections of Richmond taxi operators with this inspection to coincide with one of the City's semi-annual inspections and that the City's Vehicle For Hire Regulation Bylaw be amended to include equipment maintenance standards for accessible taxis; and
- **Recommendation 3:** that all taxicab drivers must complete a suitable disability awareness training program offered by the Justice Institute of BC and approved by Council.

With respect to the need for increased Class A and Class N taxicab service in Richmond, PT Board staff have affirmed that the process to potentially increase the number of taxicabs operating in Richmond is entirely applicant driven. The PT Board does not consider any

municipal bylaws limiting the number of business and vehicle licences that can be issued when making its decision to grant new taxi licences. Based on regional statistics as well as comments from various stakeholders, there appears to be a need for increased taxi service in Richmond. In addition, the expanded use of taxi service in Richmond would also be consistent with the City's long term sustainability objective of encouraging and supporting other transportation alternatives to private automobile ownership. Staff therefore propose the following two recommendations to allow for a more streamlined process for potential operators to apply to the PT Board for additional or new taxi licences:

- Recommendation 4: that the limit on the maximum number of Class N taxicab vehicle licences that can be issued be eliminated to encourage improved service levels; and
- Recommendation 5: that the limit on the maximum number of Class A taxicab vehicle licences that can be issued be eliminated to encourage improved service levels.

To further emphasize the City's desire to increase the fleet of accessible taxis in Richmond, staff also recommend that a letter be sent to the PT Board requesting that any future taxi licences issued for Richmond-based taxicab operators provide for an increase in the number of accessible taxis available to serve Richmond.



Joan Caravan
Transportation Planner (4035)

**City of Richmond Submission to PT Board
re Kimber Cabs Ltd Application AV07-704**



City of Richmond

6911 No. 3 Road, Richmond, BC V6Y 2C1
Telephone (604) 276-4000
www.cityrichmond.bc.ca

June 11, 2007
File: 12-8275-02/2007-Vol 01

Planning & Development Department
Tel: (604) 271-4882

Passenger Transportation Board
6202 - 940 Blanshard Street
Victoria, BC V8W 9T5

Attention: Dennis Day, Chair

Dear Mr. Day:

Re: Application AV704-07 - Kimber Cabs Ltd.

The City of Richmond has learned that Kimber Cabs Ltd has applied to the Passenger Transportation Board for an additional 10 taxicab licenses. In response to the invitation for comment posted at your website, City staff offer the following comments.

The City's Business Licence Bylaw 7360 currently specifies that the maximum number of vehicles licensed to operate as Class A¹ taxicabs is 75 and as Class B² taxicabs is 20. Both of these maximum limits have already been reached.

Further, we wish to advise that staff are currently reviewing the City's Business Regulation - Vehicle For Hire Bylaw 6906 with the intent of introducing regulations related to minimum customer service and driver training standards for taxicab operators. As part of this review, City staff have consulted with local stakeholders to solicit feedback on the level of customer satisfaction with current taxicab services in Richmond. In light of Kimber Cabs' application for an additional 10 taxicab licenses, we would like the Passenger Transportation Board to be aware of the following comments, which may be relevant input to your decision on the application.

1. Richmond Committee on Disability (RCD)

The RCD is an advisory committee to the City of Richmond that creates education and awareness about issues and barriers faced by people with disabilities including housing, transportation, recreation and community accessibility. At their appearance before the City's General Purpose Committee at its October 16, 2006 meeting, representatives for the RCD expressed dissatisfaction with Kimber Cabs'

¹ Defined as a vehicle having not less than 4 doors and a seating capacity for not less than six and not more than 8 passengers.

² Defined as a taxicab of a type and design which is specifically for transporting passengers who are disabled and which is equipped with a hydraulic lift or ramp, or other equipment for loading or unloading persons who use wheelchairs for mobility.



**City of Richmond Submission to PT Board
re Kimber Cabs Ltd Application AV07-704**

current service to the disabled community, particularly with respect to a lack of accessible taxi service during evening hours and inadequate safety equipment within the vehicles to safely secure wheelchair-bound passengers. A representative recounted a specific incident in May 2006 when Kimber Cabs refused to provide service between the airport and a Richmond hotel for disabled delegates attending a conference as the hotel had a contract with Richmond Taxi, not Kimber Cabs, to provide service. The RCD subsequently filed a complaint with the provincial Passenger Transportation Branch, citing this incident and advising that the RCD has received a number of similar complaints relating to Kimber Cabs' lack of service as well as equipment problems.

In a subsequent meeting with staff, the RCD noted that Kimber Cabs and Richmond Taxi appear to use each other's services when responding to a request for an accessible taxi. For example, if Richmond Taxi receives a call for an accessible taxi but does not have one available, the company will advise Kimber Cabs, which will then send an accessible taxi. However, this practice can create confusion for the client as he/she is typically not informed of the change and thus is not aware when the alternative taxi arrives that the vehicle is responding to his/her request. In one instance, a request to Kimber Cabs was made but a conventional sedan from Richmond Taxi responded to the call instead.

2. Tourism Richmond

The Committee directed staff to explore further issues of taxi service in the City. Accordingly, staff contacted Tourism Richmond. Several local hotels were canvassed for their feedback regarding the level of taxi service for both disabled and non-disabled passengers. Comments specific to taxi service for the disabled include:

- refusal of Kimber Cabs to provide pre-arranged passenger transfers between a hotel and the airport as that hotel had a taxi stand contract with Richmond Taxi;
- lack of available accessible vehicles and thus long wait times for passengers;
- drivers are assigned to accessible taxis who do not know how to use the ramps and securement systems (i.e., tie-downs for wheelchairs);
- lack of proper use of securement systems;
- lack of mechanical lifts on taxicabs;
- not enough trained drivers who know how to assist someone with disabilities;
- current level of training regarding disability awareness that is provided by the TaxiHost Level 2 Program is inadequate; and
- vehicles are old and not kept clean.

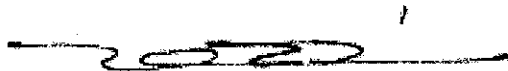
In addition, the following general comments were offered with respect to taxi service levels:

- hotel guests traveling from the airport have been subjected to complaints from taxi drivers that the trip is too short (i.e., the driver would receive a relatively low fare compared to a trip into Vancouver);
- hotel guests have complained that taxi drivers did not take the most direct route to the hotel or dropped off guests at the wrong hotel; and
- recent experiences of longer than usual waits for taxicabs during the evening.

**City of Richmond Submission to PT Board
re Kimber Cabs Ltd Application AV07-704**

Thank you for the opportunity to comment on the application by Kimber Cabs Ltd, and to express our concerns regarding minimum service, equipment maintenance and training standards of taxicab operators in Richmond. Should you wish to discuss these comments or would like further information, please contact Victor Wei, Director, Transportation at 604-276-4131 or Amarjeet Rattan, Manager, Business Liaison at 604-247-8646.

Yours truly,



Victor Wei, P.Eng.
Director, Transportation

JC:lee



Amarjeet S. Rattan
Manager, Business Liaison

PT Board Decision re Kimber Cabs Ltd Application AV07-704



TRANSPORTATION BOARD 204 AND BLANSHARD STREET • PO BOX 9802 STATION DRIVE • VICTORIA BC V8W 9T5

Application Decision

Application:	AV704-07						
Applicant:	Kimber Cabs Ltd.						
Trade Names:	Kimber Cabs						
Address:	4360 Vanguard Road, Richmond BC V6X 2P5						
Principals:	<table> <tr> <td>GILL, Ajit</td><td>GILL, Dalbara Singh</td></tr> <tr> <td>HANS, Surjit</td><td>SINGH, Kewal</td></tr> <tr> <td>SINGH, Kewal</td><td>STAMM, Peter</td></tr> </table>	GILL, Ajit	GILL, Dalbara Singh	HANS, Surjit	SINGH, Kewal	SINGH, Kewal	STAMM, Peter
GILL, Ajit	GILL, Dalbara Singh						
HANS, Surjit	SINGH, Kewal						
SINGH, Kewal	STAMM, Peter						
Special Authorization:	The applicant has special authorization to operate passenger directed vehicles. This can be viewed in the <i>PT Board Bulletin</i> of December 1, 2004 at www.ptboard.bc.ca/ptb/bulletins.htm .						
Summary:	<p>Addition of Motor Vehicles (PDV) (Section 32 of the <i>Passenger Transportation Act</i>)</p> <ul style="list-style-type: none"> Proposed addition of 10 motor vehicles to increase the maximum fleet size for passenger directed vehicles from 18 to 28 vehicles, of which 18 are accessible taxis. (Of these 10 additional vehicles, the applicant is proposing that none will be accessible taxis.) 						
Publication:	The application was published in the <i>PT Board Bulletin</i> on May 30, 2007.						
Submissions:	<p>Black Top Cabs Ltd. City of Richmond Yellow Cab Co. Ltd. Cora's Cabs Ltd. Richmond Cabs Ltd. Garden City Cabs of Richmond Ltd. Richmond Committee on Disability BHULLAR, Bakkar Singh</p>						
Board Considerations:	<p>The Board may approve an application forwarded to it under section 26(1) of the <i>Passenger Transportation Act</i> if the Board considers that, as set out in section 28(1) of the Act:</p> <ul style="list-style-type: none"> (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. 						

Page 1

PT Board Decision re Kimber Cabs Ltd Application AV07-704

	<p>The Board may approve a special authorization if all three provisions are answered in the affirmative. The Board may refuse a licence if any one provision is answered in the negative.</p>
Application Matters:	<p>The Board views taxicabs as complementary to the public transportation system used by many people in their daily life. For these types of applications, the Board is looking for supporting documentation from potential users as well as business plans and financial statements when considering public need, applicant fitness and economic conditions.</p> <p>The length and complexity of the business plan and financial information as well as the volume of letters or statements from potential users should reflect the following factors: the type, size, and complexity of the proposed transportation business; and the degree of comparable competition in the operating area.</p> <p>Regardless of how much supporting material is provided, it is up to the applicant to guide the Board as to what conclusion it should reach based on the supporting data and information that it submits with its application.</p> <p>The Application Handbook, a companion to the application package and forms, contains information on application requirements and Board considerations.</p>
Board Decisions:	<p>The application for additional vehicles is refused.</p>
Background:	<p>Kimber Cabs Ltd. (Kimber) holds Passenger Transportation Licence 70458 that authorizes the operation of 18 passenger directed vehicles as taxis, all wheel chair accessible, with origination of trips in the City of Richmond. This application seeks the addition of 10 passenger directed vehicles to operate as taxis, all non-accessible.</p> <p>After reviewing the file, I submitted a list of questions to the applicant, together with a request for additional information. A response was received July 25, 2007. Upon review of this information, I sought clarification of certain matters and received a response from the applicant on August 13, 2007.</p>
Procedural Matters:	<p>Upon receipt of the file, I noted that one of the submitters, Garden City Cabs of Richmond Ltd. (Garden City), had filed an application on the date of its submission on this application. This occurred near the end of the submission period for AV704-07.</p> <p>I considered whether Section 14 of the Act might be applicable. This section gives the Board discretion to consider applications that involve similar questions of fact, law or policy together or consecutively.</p> <p>Kimber's application is for 10 additional vehicles, all non-accessible, for a company that is already an established licensee in Richmond. Garden City is making application for a new licence, for 30 vehicles to operate in the same area. Kimber's application was received at the Board 2007/05/25, whereas Garden City's was not received until 2007/07/12. The applications are sufficiently different, and sufficiently separated in time of application and publication, that a further delay to Kimber's application is not warranted in the circumstances. I decided that I would proceed to consider application AV704-07 at this time.</p>
Reasons:	<p>1. <i>Is there a public need for the service that the applicant proposes to provide under special authorization?</i></p> <p>The application materials indicate that Kimber currently operates nine vehicles on dayshift at Vancouver International Airport (YVR), nine vehicles on dayshift in the City of Richmond, nine vehicles on night shift at YVR and five vehicles on night shift</p>

PT Board Decision re Kimber Cabs Ltd Application AV07-704

in the City of Richmond. The vehicles assigned to YVR may also provide service in the City of Richmond if there is demand for the service when those vehicles are not fully engaged with business at YVR.

The Application Handbook states: "The onus is on the applicant to prove to the Board that there is a public need for the service. The applicant must present material, substantiate the material and explain how all the material relates to proving need."

In speaking to the need for additional vehicles, the applicant states: "The Company currently operates 18 vehicles, 9 of which are dedicated to the Airport and which also work in the City of Richmond as required. These vehicles often travel from the Airport to the local hotels where they may be used to provide transportation services to guests and patrons of the hotel, back to the Airport or to other points in the city. The absence of those vehicles from the Airport will leave Airport demand for service unfulfilled." The application materials include pages of "Minutes of Taxi Service Group/YVRAA Meetings" from November 2006 to April 2007 indicating the number of trips that Kimber, as well as other companies, have originated at the airport over the past several months. There is nothing in the file however, that would support the claim that the absence of Kimber's vehicles from YVR would result in an unfulfilled demand there. It is not clear, on the evidence before me, that other companies could not or would not meet that demand. There is no indication from the YVR airport authority that would verify the applicant's claim.

Kimber indicates that its current contract with YVR expires in February 2008 and that, if successful in this application, it will seek to place an additional nine vehicles in the YVR service. Nine of ten additional vehicles, if approved, would be dependent upon a new contract with YVR that would double Kimber's commitment to that service. The applicant makes no claims that such a contract currently exists, only that it intends to enter into one. My review of the file shows that there is no indication of support for this application from the management of YVR, nor any material that would indicate intent on the part of YVR to enter into a contract with Kimber for additional vehicles. This is a statement of the applicant's business intentions rather than any evidence of public need.

The applicant states: "The hotels are constantly requesting service with 5 passenger sedans." There is no evidence in the file to substantiate this claim. There are no letters of support for the application from any hotels in the area.

The applicant states: "The Company provides service to a number of elderly passengers who experience some difficulty in accessing the vans, which are higher than a sedan. These elderly passengers are constantly requesting service for regular five passenger sedans which is (sic) easier for them to enter and exit." There is no evidence in the file from any of Kimber's passengers that would verify this claim. While there are some statements of service usage, none makes any reference to the issue of difficulty of entrance or egress with respect to the existing fleet.

With respect to the eventuality that this application is not approved, the applicant states: "The delays in response time will get longer. Currently the Company is experiencing unreasonable long delays between 7am and 9am and 3pm to 6pm. The delays currently experienced between 7am and 9am are in excess of half an hour and are unacceptable to the Company. The delays currently experienced between 3pm and 6pm can be and often are in excess of an hour." In my request for additional information from the applicant, I asked for specific customer service

PT Board Decision re Kimber Cabs Ltd Application AV07-704

response data and historic trip data. The applicant responded "The Company does not have available to it specific information with respect to historic customer response times as it has not in the past tracked wait times." Absent any verifiable information on this issue I place little weight on the claims the applicant has made with respect to customer service response times.

The letter of May 14, 2007 from Mr. Sabatino on behalf of the applicant states: "The Company's fleet has been static since the Motor Carrier Commission granted Kimber its licenses in 1993. The Company has not sought an increase in the size of its fleet since its inception." I note that decision AV1358-04 granted Kimber's request for four additional wheel chair accessible vehicles, authorizing it to increase its fleet from 14 vehicles to 18 vehicles, or nearly 29%, less than three years ago.

The City of Richmond, in its submission dated June 11, 2007 refers to, among other issues, "recent experiences of longer than usual waits for taxi cabs during the evening." In response, the applicant states: "The lack of service during the evenings is largely due to the shortage of vehicles in Kimber's fleet." I find this explanation at odds with the fact that the applicant operates only five vehicles on night shift in the City of Richmond. The explanation offered for this level of operation is: "During the night shift when demand decreases for service in the city only 5 vehicles are assigned to work the city..." Further, in its final response to my questions dated August 13, 2007, the applicant makes states that five vehicles work 24 hour shifts seven days per week and that four vehicles are operated by "lease operators" from 7 a.m. or 8 a.m. to 7 p.m. or 8 p.m., but in no case more than 60 hours per week. Clearly, with four vehicles not currently operating on the night shift, the reason for longer waits cannot fairly be attributed to the shortage of vehicles in Kimber's fleet. By exercising further control over the four lease vehicles, Kimber could increase its night shift capacity in the City of Richmond service by 80%.

The applicant offers 17 "statement of service usage" forms as support for the application. In reviewing these statements, I note that nine of them provide no details whatsoever with respect to the need for additional taxi services. These are signed statements with basic contact information. None of the questions pertaining to the need for more or improved service have been answered. I place little weight on these statements of service usage. The remaining eight statements range from a very minimal response to the questions to a more fulsome response.

There are no letters of support from individuals, companies or organizations who would either use the additional service or would be in a position to recommend or direct others to use it. This is, in my experience, very thin support for an application of this size and nature.

The application materials include several pages of data, apparently gathered from internet sites, pertaining to the City of Richmond's population base, demographics, businesses and hotels. There is nothing in the file that explains how this information relates to the past, present or future demand for the applicant's taxi services. There are some comparisons of population to taxi ratios for Richmond and for other Lower Mainland municipalities. Population statistics, in the absence of other supporting documentation, are not of much assistance in demonstrating public need for additional vehicles for a taxi company. If other supporting documents such as company operations, abandoned calls, financial projections and letters of support are provided, then population and tourism statistics may be a factor in the establishing that a need exists for more taxis. In this case, there was not sufficient supporting or corroborating information to give weight to the raw data provided.

PT Board Decision re Kimber Cabs Ltd Application AV07-704

I find that the applicant has not demonstrated that a public need exists for the additional vehicles sought under this application.

II. Is the applicant a fit and proper person to provide that service and is the applicant capable of providing that service?

The Board considers "applicant fitness" from two perspectives, or in two steps: (a) is the applicant a "fit and proper person" to provide the proposed service; and (b) is the applicant capable of providing that service?

The applicant is an experienced operator of taxis in the Lower Mainland. The application materials include sufficient historical financial information, financial projections and a business plan that supports the application.

Some submitters raise concerns with the age of the applicant's fleet. There are no terms and conditions of licence imposed on the applicant with respect to these matters. While seven of the vehicles in the fleet are model years between 1987 and 1991, there is no evidence before me that these vehicles do not meet the standards required by legislation.

Some submitters raise the issue of the lack of availability of Kimber's vehicles to serve the disabled community. Neither the applicant, nor most other taxi companies operating wheel chair accessible vehicles, is restricted from using its fleet to serve the broader community within its operating area. The Board encourages licensees to operate sufficient wheel chair accessible vehicles within their fleets to meet the needs of the disabled community, but generally refrains from placing restrictions on such use to enable operators to maintain flexibility and economic viability.

Some submitters have raised the issue of whether or not Kimber's dispatch operates on a 24/7 basis. After receiving responses to specific questions in my two separate enquiries into Kimber's application, I am satisfied that the applicant does have dispatch services on a 24/7 basis.

I find that the applicant is a fit and proper person to provide the service sought under this application, and would be capable of providing the service.

III. Would the application, if granted, promote sound economic conditions in the passenger transportation business in British Columbia?

The Board approaches the "economic conditions" issue from a broad perspective. 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 within passenger transportation markets. As well, the Board discourages destructive forms of competition that could unduly harm existing service providers.

In this particular instance, the applicant has not demonstrated public need to my satisfaction. I have not made any determination as to whether the application, if granted, would promote sound economic conditions in the passenger transportation business in British Columbia.

Board Panel Chair:

Dennis J. Day

Determination Date:

August 17, 2007

Proposed Revised Taxicab Tariff



**City of
RICHMOND**

TAXI CAB TARIFF METER RATES

(Includes G.S.T.)

\$2.75 for the first 63 metres or fraction thereof.

\$.10 cents for each additional 63 metres or fraction thereof.

\$.10 cents for each 13 seconds stopping time or waiting time.

- No charge shall be made for extra passengers.
- The carrying of passengers for separate fares is prohibited.

COMMENTS OR CONCERNS ABOUT YOUR TAXI CAB SERVICE?

Obtain cab #, cab company and call the Richmond License Office: 604-276-4000 with the details or send your concerns to Richmond City Hall at 6911 No. 3 Road, Richmond, BC V6Y 2C1 Attention: Business Licence.



Disability Resource Centre

A Program of the Richmond Committee on Disability
A Member of the Canadian Association of Independent Living Centres

DISABILITY & SENSITIVITY TRAINING

Training Fact Sheet – Welcome Customers with Disabilities

Basic Training Components:

1. Introduction & Overview
2. Background Information
 - Terminology
 - Statistics
 - Disability Types
3. General Approaches and Etiquettes
 - Basic Rules and Words of Dignity
 - Basic Skills
 - Communication Skills
4. Specific Approaches and Assistance
 - ❖ Mobility Disability, Visual Impairment, Hearing Impairment, Cognitive Disability, Mental Health Issues
 - Characteristics of Various Types of Disabilities
 - Assistive Devices
 - Effective Ways of Providing Assistance
5. Assisting Customers Using Assistive Devices
 - Presentation and Sharing by Professionals
 - Demonstration
6. Video Presentation
7. Questions and Answers
 - Share personal experiences and ask for more in-depth information

All training details are subject to changes and modification by DRC.

Comprehensive Training Components:

1. All Basic Training Components
2. Basic Emergency Scene Management
 - General guidelines
 - Visual Impairment
 - Hearing Impairment
 - Mobility Impairment
3. Evacuation Protocol for Persons with Disabilities
 - Scene Survey
 - Primary Survey ABC
 - On-going Care ABC
4. Know the Equipment
 - Mobility Tools – various manual wheelchairs, walker, scooter
 - Visual Cues – Talk Board
 - Tactile Cues – Braille, Raised Form
5. Role Play and Activities
 - Role Play
 - True or False Quiz
 - Inclusive Language
 - Case Studies
6. Special Requests
 - Additional topics relating to specific trades
 - Extra social-cultural aspects of disabilities
 - Any other subjects pertaining to disabilities issues

CONTRACTING OUR SERVICES:

Venue – Disability Resource Centre

Number of trainers – 2 or 3

Number of participants – maximum 12

- ❖ Basic Training – 2.5 hours (one 15-minute break) \$375.00
- ❖ Comprehensive Training – 4.5 hours (two 10-minute breaks) \$600.00
- ❖ Training with Special Requests Negotiable
- ❖ Training with Other Changes Negotiable

Call Ella Huang at 604-232-2404 for more information.