



City of Richmond

Report to Committee

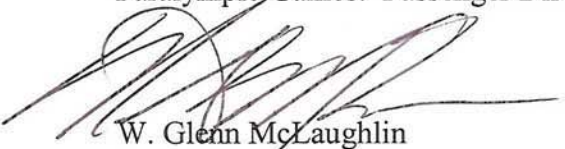
To: General Purposes Committee
From: W. Glenn McLaughlin
Chief Licence Inspector & Risk Manager
Re: **Passenger Transportation Bureau**
Regulatory framework for the 2010 Olympic and Paralympic Games:
Passenger Directed Vehicles

Date: October 9, 2009


File:

Staff Recommendation

That the Passenger Transportation Bureau "Regulatory Framework for the 2010 Olympic and Paralympic Games: Passenger Directed Vehicles" be received for information.


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

Att. 1

FOR ORIGINATING DEPARTMENT USE ONLY			
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER	
Transportation.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
REVIEWED BY TAG	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	REVIEWED BY CAO	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

Staff Report

Origin

The provincial Passenger Transportation Board (PTB) under the Ministry of Transportation and Infrastructure issue permits for Taxi and Limousine services in the province. The City in turn regulates taxicab licenses through the Business License Bylaw and taxicab activities thru the Vehicle for Hire Bylaw which details requirements for:

- Taxi inspections,
- Licensee responsibilities,
- Driver responsibilities and prohibitions
- Vehicle requirements
- Taximeter operations and,
- Tariff of Fares

In preparation for the 2010 Olympic and Paralympic Games the PTB conducted a consultative process on how to respond to the expected demand for passenger directed vehicles throughout games period. That consultative process has produced the PTB's *Regulatory Framework for the 2010 Olympic and Paralympic Games: Passenger Directed Vehicles*. (Attachment 1)

Analysis

PTB's regulatory role includes authorizing the geographical area passenger directed operators may service and the number of vehicles they may have. The *Regulatory Framework* will amend operators geographical areas of service and the number of vehicles permitted within the lower mainland (Metro) area over the games period Dec 28, 2009 to March 24, 2010.

Amendments included in the Regulatory Framework provide for:

- PTB may permit existing taxi companies additional Temporary Operating Permits (TOP)
- PTB will permit existing Metro taxi operators temporary approval for up to 35% of their fleet for pick up's throughout area (not just local)
- PTB will permit taxis from outside the Metro area to temporarily deploy up to 35% of their fleet into area **if** they have an alliance with a local company

PTB's taxi fare structure and all other regulations remain unchanged.

City Bylaws over passenger directed vehicles are superseded by Provincial Regulations and staff propose they remain unaltered in response the PTB's temporary regulatory framework. The City will ensure requirements under the Vehicle for Hire Bylaw for consumer service levels and community safety needs are addressed.

Financial Impact

PTB forecast a limited number of TOP's and staff propose that any Business Licenses issued for TOP taxicabs be required to pay the business licence fee to recover the costs for decals, permits and inspections.

Conclusion

The PTB Regulatory Framework addresses the projected marketplace demand for taxi services over the 2010 games period. The City's' response will support consumer service and community safety.

A handwritten signature in dark ink, appearing to read 'W. Glenn McLaughlin', with a long horizontal flourish extending to the right.

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

WGM:wgm

Regulatory Framework for the 2010
Olympic & Paralympic Games:
Passenger Directed Vehicles

September 2, 2009

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Vision

- Visitors and residents have reasonable access to world class passenger transportation services during the 2010 Olympic & Paralympic Games



Goal

- To establish a regulatory framework that enables an adequate supply of passenger transportation services during the 2010 Olympic & Paralympic Games

A. BACKGROUND

I Overview

<http://www.vancouver.ca/Vancouver>, British Columbia is Host City of the 2010 Olympic and Paralympic Winter Games. The venues for the 2010 Winter Games stretch over a 120-kilometre zone from Richmond, through Vancouver's downtown centre and north to the mountain resort of Whistler. Over 5,500 athletes and team officials are projected to attend the Olympic Games and 1,350 athletes and team officials are projected to attend the Paralympic Games. Over 10,000 media representatives, a workforce of 55,000 and 1.2 million spectators will take part in the Olympic experience. Approximately 600,000 spectators are expected to attend the Paralympics.

The high volume of visitors over a short period of time will create unique opportunities and challenges for the commercial passenger transportation industry. The Passenger Transportation Board, an independent tribunal, and the Passenger Transportation Branch of the Ministry of Transportation & Infrastructure have undertaken consultations with municipalities, VANOC officials and industry regarding options for enhancing taxi and limousine supply during the Games.

II Stakeholders and their Roles

Many stakeholders will contribute to an enhanced supply of taxi and limousine services during the 2010 Games. Industry plays the key role of providing vehicles and services to the public and acting as ambassadors for the host Province, cities and resorts.

The Board's role is to establish a regulatory environment that will allow for an increased supply of vehicles in a managed manner. A balance must be achieved between having taxis and limousines available to serve visitors and ensuring that residents are able to receive required services.



The Passenger Transportation Branch issues Board approved 2010 licences and permits to taxi and limousine licensees. The Branch is also responsible for compliance and enforcement matters relating to passenger transportation licenses.

Some municipalities have by-laws relating to taxi and limousine vehicles and drivers. By-laws may need to be reviewed and revised in order to facilitate the availability of these services during the Games.

VANOC released the 2010 Winter Games Integrated Transportation Plan in February 2009. This plan will assist the Board, municipalities and industry in planning for the Olympic and Paralympic Games.

III. Current State of Supply

Taxis in Greater Vancouver Regional District (GVRD)* as of May, 2009

Area	Number of PT Licensees	Total Number of Conventional and Accessible Taxis Approved	Total Number Accessible Taxis Approved
North Shore	2	190	19
Vancouver	6	589	113
Burnaby	2	119	11
Coquitlam/Port Coquitlam/Port Moody	3	91	8
Richmond	4	127	34
Delta/Surrey/ White Rock	6	320	52
Pitt Meadows/Maple Ridge	3	30	3
New Westminster	2	63	11
Total	28	1529	251

* These are taxi licensees whose primary service area includes municipalities in the GVRD and who have common meter rates as established in the "Board Rule Respecting Lower Mainland Taxicab Rates".

The above chart reflects the maximum number of vehicles approved by the Passenger Transportation Board. The actual number of vehicles on the road may be less than the maximum authorized number.

Taxis in the Squamish Lillooet Regional District (SLRD) as of May 2009

Area	Number of PT Licensees	Total Number of Conventional and Accessible Taxis Approved	Total Number Accessible Taxis Approved
Squamish	2	15	1
Resort Municipality of Whistler*	4	64	6
Pemberton**	2	15	0
Lillooet	1	8	1
Total	9	102	8

* Includes 10 "seasonal" vehicles (3 accessible) that one company may only operate from October – April of any year.

** Includes 10 vehicles that may also operate in Whistler

Limousines

Approximately 70 limousine licensees operate in the Greater Vancouver and Squamish Lillooet Regional Districts. Collectively, the licensees may operate more than 380 vehicles, including over 150 sedan limousines. The actual number of vehicles on the road at any time may be less than the maximum authorized fleet sizes.

About 18 of the 70 licensees, operating over 115 vehicles collectively, may originate passengers in the Squamish-Lillooet Regional District. Two companies have a Whistler business address and three have a Squamish business address.

B. DEVELOPMENT OF THE REGULATORY FRAMEWORK FOR THE 2010 OLYMPIC AND PARALYMPIC GAMES

The Passenger Transportation Board, an independent tribunal, and the Passenger Transportation Branch of the Ministry of Transportation and Infrastructure consulted with taxi and limousine industry companies, municipal representatives and members of VANOC about anticipated taxi and limousine supply requirements during the 2010 Winter Games.

The measures proposed by the Passenger Transportation Board in this document recognize that extra capacity should be introduced in a managed manner and that they must be time limited. It is important that visitors and residents receive transportation services and that taxi and limousine operators have positive experiences during the Games.

The measures outlined reflect Board direction. They may be modified as implementation draws near depending on environmental factors and/or emerging supply requirements.

C. PASSENGER TRANSPORTATION BOARD 2010 MEASURES

I. Overview of Measures to Enhance Supply of Vehicles

The Board is implementing three regulatory measures to temporarily increase the supply of taxis and limousines in the GVRD and the SLRD during the Olympics.

Note: The measures described in this Framework are Passenger Transportation Board policies. Municipalities and other agencies or organizations may have additional requirements with which taxis and limousine companies must comply.

An overview of each measure is provided below. Subsequent sections outline Operational Policies for each measure and their application to taxis and/or limousines.

1. 2010 Temporary Operating Permits (2010 TOPs)

2010 TOPs will allow taxi companies to add vehicles on a temporary basis to their fleets.

The 2010 Winter Games constitute *prima facie* evidence of a "temporary and urgent" need for increased commercial passenger transportation capacity during the Games. The process for obtaining a 60 day, 2010 TOP will be streamlined. Evidence of extra bookings or increased capacity requirements will not be required for the 60 day TOP.

2. Temporary Amendments to Terms & Conditions of Licence (2010 Temporary Service Clauses)

Under this option, taxi or limousine operators throughout the province may obtain authority to operate a portion of their fleet in Vancouver or Whistler during the Olympics and Paralympics. This is a short-term spike in supply with no long-term impacts.

The Board must consider applications in accordance with section 28(1)(a-c) of the *Passenger Transportation Act*. However, the Board will revise its current policies as follows:

- Public Need: The Board accepts that the Olympic and Paralympic Games will create a public need for additional passenger directed services in the GVRD and SLRD. Applicants must show that they have a demonstrated alliance with an existing GVRD or SLRD taxi or limousine company and have a plan for securing drivers and accommodation for drivers and vehicles. (*Exception:* limousine

operators applying for an unlimited reverse clause only do not need to establish an alliance.)

- Applicant Fitness: The Board will request from the Registrar a list of complaints received and administrative penalties issued in the past 2 years (i.e. from December 2007 to date of application.) The Board will also require that any licensee provide evidence that it is a company in good standing with the B.C. Corporate Registry.
- Sound Economic Conditions- Unless a case can be made to the contrary, the Board anticipates that temporarily increasing the supply of vehicles during the 2010 Winter Games will contribute to sound economic conditions in the transportation industry. Applicants must demonstrate that they have retained adequate service levels in their home originating areas.

3. Relaxation of Taxi Boundaries (2010 Temporary Boundary Relaxation for Taxis)

The Board will amend terms and conditions of taxis operating in the GVRD¹ to enable 35% of their current fleet to operate anywhere in the GVRD, at any time of day, for a 60 day period.

Taxis licensed to pick up in the SLRD will be given authority to pick passengers up anywhere in the SLRD or the GVRD and transport them to the licensees' home originating area.

Taxis licensed to pick up passengers in the GVRD will be given authority to pick up passengers in the SLRD and transport them back to the GVRD.

¹ Note: For the purposes of this Framework, references to taxis licensed or operating in the GVRD means licensees with authority to originate passengers in one or more municipalities in the GVRD and whose meter rates are set by the "Board Rule Respecting Lower Mainland Taxicab Rates".

II. Operational Policies for Taxis

1. 2010 Temporary Operating Permit (2010 TOP)

Target Licensees

- Taxi licensees currently operating in the GVRD or the SLRD

Term

60 days (Jan. 24- Mar. 24)

Exception

92 days (Dec. 23 – Mar. 24)

Available for use on vehicles that are being retired from a taxi fleet

Policies

- Taxi operators in the GVRD and SLRD may apply for 60 day, 2010 permits.
- If a licensee in the GVRD or SLRD replaces a vehicle in the fleet at any time prior to January 23, 2010, it may apply for a 92 day permit for the retired vehicle. Such permits may have an activation date of December 22, 2009.
- Permits for vehicles for service in the GVRD will have an originating area of the GVRD as well as unlimited reverse trip authority for the SLRD.
- Permits for taxis in the SLRD will have an originating area that is the same as the originating area on the licensee's conditions of licence. As well, the permits will have unlimited reverse trip authority for anywhere in the GVRD or SLRD.
- All taxis must have a top light and meter.
- All taxis in the GVRD must have a Taxi Bill of Rights posted in each vehicle, and a taxi camera (note: first generation cameras may be installed in vehicles with a TOP).
- Vehicles must not be older than a 2001 model year. Vehicles do not need to be hybrids.
- GPS is highly recommended, but not required.

2. 2010 Temporary Service Clause (2010 TSC for Taxis)

Term

60 days (Jan. 24- Mar. 24)

Target Licensees

- Licensees with authorization to operate taxis outside the GVRD or the SLRD.

Note: Operators without an SA authorization, who want a short term SA licence to operate passenger directed vehicles during the 2010 Winter Games, would need to make application through the regular application process.

Policies

- Taxi companies operating outside the GVRD and SLRD may apply for a 60 day, 2010 TSC.
- Taxi companies applying for a 2010 TSC must have an alliance, for the purpose of dispatch and driver training, with a taxi company licensed to operate in the Regional District (RD) for which they are applying (i.e GVRD and/or SLRD).
- This alliance must be a signed agreement that specifies such things as:
 - Driver training/experience
 - Dispatch arrangements
 - Company policies
 - Lease and/or dispatch fees (Note: dispatch fees must be consistent with established rates)
- Applicants may only have an alliance with one taxi company in each Regional District.
- The maximum number of vehicles that the Board may approve for use under a 2010 TSC is 35% of a licensee's fleet. A minimum of 65% of a licensee's fleet must remain the licensee's home service area. Taxi companies applying for a 2010 TSC must demonstrate that reasonable taxi service, including accessible taxi service, will be maintained in their home service area. Taxi operators must notify municipalities in their home service area that they are applying for a 2010 TSC.
- 2010 TSCs for the GVRD will have an originating area of the GVRD.
- 2010 TSCs for the SLRD will have an originating area equal to that of the company with which there is an alliance as well as unlimited reverse trip authority for anywhere in the GVRD or SLRD.

- All taxis must have a top light and meter. Meters must be set to the same meter rate formula that is approved for the company with which there is an alliance.
- All taxis in the GVRD must have a Taxi Bill of Rights posted in each vehicle.
- Vehicles must not be older than a 2001 model year. Vehicles do not need to be hybrids.
- GPS and taxi cameras are highly recommended, but not required.
- To obtain a TSC, a licensee must make an amendment of licence application.
- Applications will be published for 10 days and submissions accepted.

3. 2010 Temporary Boundary Relaxations for Taxis (2010 TBRT)

Term

60 days (Jan. 24- Mar. 24)

Target Licensee

- Taxi licensees currently operating in the GVRD or the SLRD

Policies

- Licensees operating in the GVRD may allocate 35% of their fleet to operate throughout the Regional District. Any additional vehicles obtained through a 2010 TOP are over and above the 35%.
- The Board will direct the Registrar to amend licences in accordance with these policies.
- Licensees in the GVRD must notify the Registrar of the number of vehicles that it wishes to operate under TBRT. (It can be less than 35% of their fleet.)
- Taxis licensed to pick up in the SLRD will be given an unlimited reverse trip authority to pick passengers up anywhere in the SLRD or the GVRD as long as the passengers are going to the licensees' home originating area.
- Taxis licensed to pick up passengers in the GVRD will be given an unlimited reverse trip authority, which will allow them to pick up passengers in the SLRD as long as the passengers are going to the licensees' home jurisdiction.

4. Rates for Taxis During the Olympics & Paralympics

- Board approved metered rates will apply.
 - Taxi meters for vehicles operating in the GVRD must be set to the Board approved meter rate as set out in the "Board Rule Respecting Lower Mainland Taxicab Rates", effective June 20, 2009. (Note: Vehicles operating under a 2010 TSC will set their meter according to the rates specified in the Rule for the company with which they have an alliance.)
 - Meters in the SLRD must be set to the Board approved meter rate formula for a particular licensee. (Note: Meters in vehicles of licensees operating under a 2010 TSC will be set according the approved meter rate formula for the local taxi operator with which there is an alliance.)
- If a taxi company wants to charge a different rate during the Olympics or Paralympics, it must submit a change of rate application, with appropriate supporting rationale, documents and prescribed fee.

III. Operational Policies for Limousines

1. 2010 Temporary Operating Permit (2010 TOP)

Term

60 days (Jan. 24- Mar. 24)

Exception

92 days (Dec. 23 – Mar. 24)

Limousine companies that provide evidence of planned bookings which exceed capacity may receive a 92 day permit.

Target Licensees

- Limousine licensees currently operating in the GVRD or the SLRD

Policies

- Limousine operators in the GVRD and the SLRD may apply for 60 day, 2010 permits.
- Licensees will be eligible for 1 additional vehicle for every 2 vehicles they are authorized to operate.

For example:

Maximum PDV Fleet Size	# of Additional Vehicles under a 2010 TOP
1-2	1
3-4	2
5-6	3
9-10	5
23-24	12

- Licensees may apply for permits for sedans, SUVs or other limousines regardless of current fleet authority. Sedan vehicles must meet the requirements of the Board's sedan limousine policy.
- Licensees who request a greater number of vehicles than outlined above or a 92 day permit must provide evidence of planned or anticipated bookings that exceed current fleet capacity.
- Permits will have the same originating area that licensee's have on their conditions of licence.

- GPS is highly recommended, but not required.

2. 2010 Temporary Service Clause (2010 TSC for Limousines)

60 days (Jan. 24- Mar. 24)

Target Licensees

- Licensees with authorization to operate limousines in BC but who do not have authority to pick up passengers in the GVRD or the SLRD. This includes licensees who want to operate in either Regional District as well as licensees seeking an unlimited reverse clause to pick up passengers in either Regional District and take them to the licensee's base jurisdiction.

Note: Operators without an Special Authorization licence who seek to operate passenger directed vehicles during the 2010 Winter Games must make application through the regular application process.

Term

60 days (Jan. 24- Mar. 24)

Policies

- Limousine operators outside the GVRD and SLRD may apply for 60 day, 2010 TSC.
- All applicants must have an alliance with a limousine company licensed to operate in the Regional District (RD) for which they are applying (i.e. GVRD and/or SLRD).
- This alliance must be a signed agreement that specifies such things as:
 - Driver training and/or requirements
 - Booking arrangements
 - Company policies
 - Rates to be charged to passengers
 - Dispatch/booking fees (Note: fees must be consistent with established rates)
- Applicants may have an alliance with only one limousine company.
- 2010 TSCs will have an originating area equal to that of the company with which there is an alliance.
- Limousine operators who apply for an unlimited reverse clause through a 2010 TSC do not need to establish an alliance with a GVRD or an SLRD licensee.

- Limousine operators who apply for an unlimited reverse clause must provide evidence of planned or anticipated bookings for trips from the GVRD or SLRD to their base area of operations.
- Vehicles may be sedans, SUVs or other limousines. Sedan vehicles must meet the requirements of the Board's sedan limousine policy.
- A GPS device is not required, but highly recommended.
- To obtain a TSC, a licensee must make an amendment of licence application.
- Applications will be published for 10 days and submissions accepted.

3. Rates and Rules for Limousines During the Olympics & Paralympics

Term

60 days (Jan. 24- Mar. 24)

Target Licensee

- All limousine companies with authority to originate passengers in licence districts #9, 9A, 14, 14A & 15.

Minimum and Maximum Rates

- From January 23, 2010 to March 24, 2010, all Board approved limousine rates for licensees operating in Licence Districts #9,9A, 14, 14A & 15 will be rescinded and replaced with the minimum and maximum rates outlined in the chart below and common rules set out on pages 17 & 18.
- Licensees may make a request to the Board for an exception from these maximum/minimum rates. Any request must be accompanied by a rationale, back up documentation and specifics of the exemption request.

Vehicle Type	Minimum Hourly Rate that may be charged (\$)	Maximum Hourly Rate that may be charged (\$)	Maximum Discount/ Commission
Sedan Limousine	75	145	20%
6-11 Passenger Limousines	75	185	20%
6-11 Passenger Sport Utility Vehicles	100	185	20%
6-11 Passenger Vans Vehicles	80	170	20%

- Deadhead rates, i.e. rates when there are no passengers in the vehicle, may be charged at a rate of \$1.75 per kilometre.
- The above rates exclude GST and other applicable taxes.
- The above rates do not apply to zone rates approved by the Board for limousine service provided pursuant to a contract between a company and the Vancouver International Airport Authority.

Common Rules for Limousines

Application of Rates

- Licensees may start charges from the time that the licensee leaves its dispatch terminal or equipment storage place, whichever is nearer to the designated starting point of the passenger.
- Licensees may end charges when the vehicle returns to the dispatch terminal or equipment storage place, whichever is nearer to the designated starting point of the passenger.

Minimum charge

- The minimum charge is one hour of service.
- Additional charges may be in 30 minute increments as long as the rates, if totalled, would not be below the minimum allowable charge or exceed the maximum allowable charge, including applicable discounts.

Maximum Charges

- Licensees may require that a limousine be booked for a minimum of 1,2 or 3 hours for an Olympic or Paralympic Games related event or service.
- Licensees may require that a limousine be booked for a minimum of up to 8 hours if the limousine is booked for a wedding, anniversary or other special event that is not related to the Olympic or Paralympic Games.

Waiting Time

- Licensees may establish a waiting time rate. Any rate established must not, if totalled, be below the minimum allowable charge or exceed the maximum allowable charge.

Deposits

- Licensees may require deposits as long as the licensee (a) has a written policy and (b) supplies this written policy to the customer at the time the service is booked.

Cancellations & Refunds

- Licensees may establish cancellation & refund policies as long as the licensee (a) puts any such policy in writing and (b) supplies this written policy to the customer at the time the service is confirmed by the licensee.

Additional Charges

- The rates established by the Passenger Transportation Board are for transportation-related services only.
- Licensees may charge extra for such non-transportation related charges such as vehicle decoration; accommodation/meals for drivers; damage; cleaning; ferry, tolls, parking, etc. as long as all extra charges are put in writing and are supplied to the customer at the time the service is confirmed by the licensee.

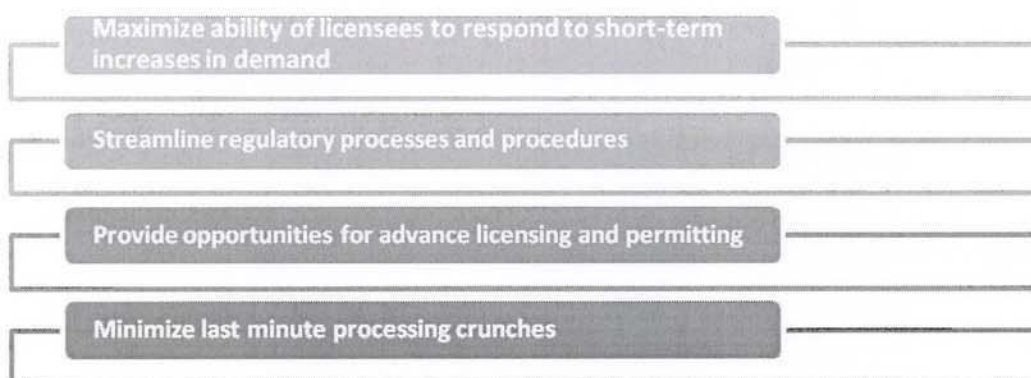
Alternate Vehicles

- If a licensee is unable to supply the vehicle requested, it may supply an alternate vehicle with a greater or equal seating capacity to that ordered.
- If an alternate vehicle is supplied, then the rate charged must be that of the original vehicle requested unless the greater seating capacity is used. If the greater seating capacity is used the licensee may charge a higher rate as long as the client is notified of this before the trip.

D. IMPLEMENTATION

I. Operational Objectives

The following operational objectives will guide the implementation of the Board's regulatory measures.



II. Implementation Date

Application forms and requirements will be posted on the Passenger Transportation Branch and Passenger Transportation Board websites and will be available from the respective offices in **September 2009**.