

# Licence Application Decision

## ICB –Simplified Process

<b>Application #</b>	2712-18	<b>Applicant</b>	Rider Express Transportation Corporation
<b>Trade Name (s)</b>	Rider Express Transportation		
<b>Principals</b>	URAY, Firat		
<b>Address</b>	1517 11 <sup>th</sup> Avenue, Regina SK S6P 0H3		
<b>Current Licence</b>	None		
<b>Application Summary</b>	<p><b>New Special Authorization—ICB</b></p> <p>New Special Authorization to operate ICBs on the following route:</p> <ol style="list-style-type: none"> <li>1. Alberta Border &amp; HWY 1 – Vancouver</li> </ol>		
<b>Publication Date</b>	August 29, 2018		
<b>Submissions Received</b>	None		
<b>Board Decision</b>	<p><b>The special authorization is approved.</b></p> <p><b>Terms and conditions of licence are approved as set out in this decision.</b></p>		
<b>Decision Date</b>	October 12, 2018		
<b>Panel Chair</b>	Spencer Mikituk	<b>Panel Member</b>	William H. Bell

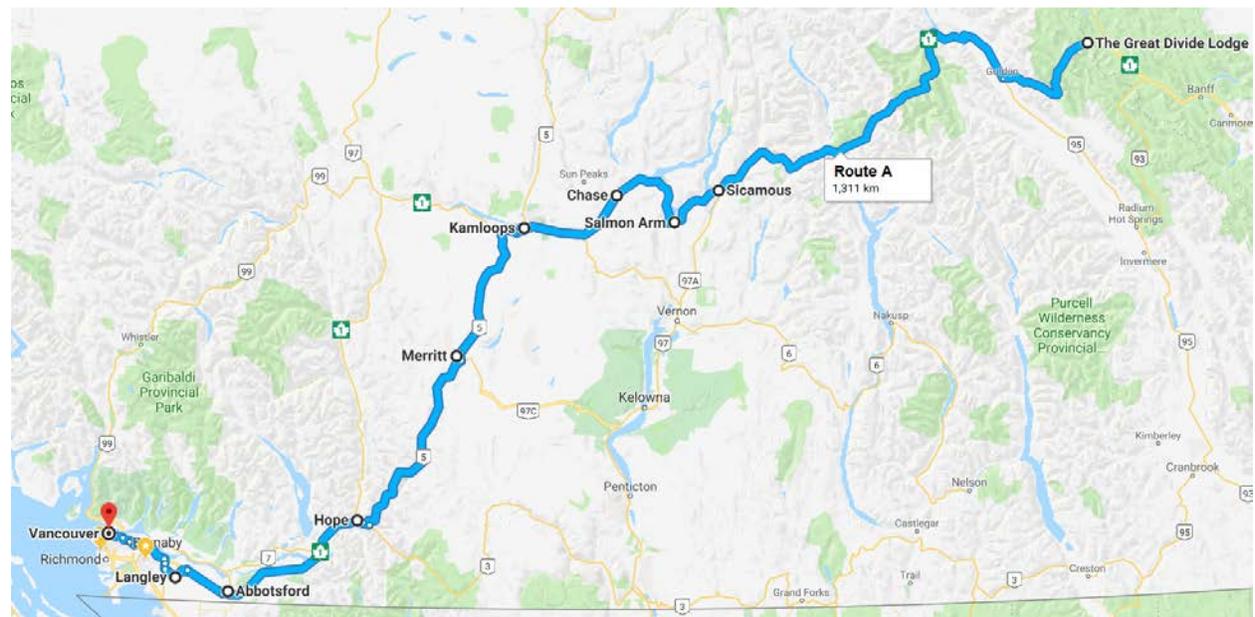
### I. Introduction

Rider Express Transportation Corporation (Rider Express) is applying under the Board’s simplified ICB process to operate a new bus service with one route from the Alberta border to Vancouver via Highway 1 and 5, with the following 14 route points:

- |                      |                    |                             |
|----------------------|--------------------|-----------------------------|
| Town of Golden       | Village of Chase   | City of Abbotsford          |
| City of Revelstoke   | City of Kamloops   | City or Township of Langley |
| District of Sicamous | City of Merritt    | City of Coquitlam           |
| City of Salmon Arm   | District of Hope   | City of Vancouver           |
| Sorrento             | City of Chilliwack |                             |

The map below depicts the proposed route and route points.

## Route A: Vancouver – Alberta Border



### Notes:

1. The map does not label all route points.
2. The Great Divide Lodge is located near the BC-Alberta border on Highway 1. It is shown for map-generation purposes, and is not a route point.

The service would operate as a reservation-based service, seven days a week, with two departure times a day. The applicant states that it intends to purchase four 55-passenger wheelchair accessible buses to service this route.

Rider Express states that it will start with eight buses, of which four buses will work between Calgary and Vancouver, and four buses will work between Calgary and Winnipeg.

## II. Jurisdiction and Proceedings

This application is made under the *Passenger Transportation Act* (the “PT Act”). The PT Act regulates the licensing and operation of commercial passenger transportation vehicles in B.C.

Under the PT Act, the Passenger Transportation Board (the “Board”) makes decisions on applications respecting inter-city buses. The Board has the authority to consider and approve applications for new licences as well as applications from existing licensees to change routes and decrease service levels.

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In July 2018, Greyhound Transportation Canada ULC issued a news release stating that as of October 31, 2018, it will stop providing bus service in British Columbia. Greyhound's departure from B.C. will leave many areas of the province without inter-city bus service and access to essential services, such as work and education, and safe transportation.

To encourage other operators to fill the gap left by Greyhound's exit, the Board is "fast-tracking" applications and using a simplified application process. This package is available for operators applying to operate inter-city buses (ICBs) on corridors in B.C. that:

1. have no commercial ICB service, or
2. will not have a commercial ICB service when Greyhound Canada withdraws its bus service from B.C. on October 31, 2018.

The PT Act requires the Board to consider public need, applicant fitness and sound economic conditions in the passenger transportation industry before deciding whether to approve an application, in whole or in part, or to refuse an application. For applications proceeding through the simplified ICB process, much of the Board's focus is on applicant fitness.

The PT Act also allows the Board to, among other things:

- accept evidence and information that it considers relevant, necessary, and appropriate, whether or not the information would be admissible in a court of law [Section 15]
- conduct written, electronic or oral hearings, or any combination of them, as the Board, in its sole discretion, considers appropriate [Section 17]
- require further information from an applicant [Section 27(1)(b)]
- conduct an investigation into any matter related to an application [(Section 27(3)(b)]

Section 26(2) of the PT Act requires the Board to publish the fact and nature of applications and section 27(3) requires the Board to consider applications and any written submissions it receives as result of publication. Section 27(5) says that people who make submissions are not entitled to disclosure of further information, unless the Board orders otherwise.

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## *Procedural Matters*

We are conducting this application by way of a written hearing.

On September 25, 2018 and September 26, 2018, the Board sent Rider Express two letters requesting further information. The results of these inquiries will be outlined below in our decision.

### **III. Background**

Rider Express is located in Regina, Saskatchewan and has been owned and operated by Firat Uray from October 19, 2017 to present. Rider Express has been operating in Saskatchewan under operating certificate 7979.

The applicant submitted the requisite forms and material.

### **IV. Applicant's Rationale, Submissions and Responses**

#### **(a) Applicant's Rationale**

Rider Express is planning on providing passenger service between BC, Alberta, Manitoba and Ontario. This service is in high demand with Greyhound closing.

#### **(b) Submissions & Applicant's Response**

The Board did not receive any submissions on this application.

### **V. Board Mandate**

Section 28(1) of the *Passenger Transportation Act* says that the Board may approve the application, if the Board considers that:

- (a) there is a public need for the service the applicant proposed to provide under any special authorization,
- (b) the applicant is a fit and proper person to provide that service and is capable of providing that service, and

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- (c) the application, if granted, would promote sound economic conditions in the passenger transportation business in British Columbia.

## **VI. Reasons for the Board's Decision**

Rider Express was incorporated in Saskatchewan on October 19, 2017 and registered as an Extra-provincial Company in British Columbia on August 8, 2018. The principal, Firat Uray, has 25 years of work experience managing his family-owned bus company in Turkey. The fleet of this company was comprised of six 55-passenger buses and six 46-passenger owner/operator contract buses. Rider Express currently operates four 14-passenger buses.

The disclosure forms of Unlawful Activity and Bankruptcy indicates no negative concerns about the principal. There has not been any information brought to our attention to prove the applicant is not fit and proper.

Rider Express' National Safety Code rating is satisfactory unaudited. Rider Express' driver qualifications are: Class 1A or Class 2 licence, two or more years of experience, a clean driver abstract, first aid and CPR trained, and a clean criminal record.

The applicant signed the Board's Declarations declaring, among other things, that it will operate its vehicles in accordance with the Passenger Transportation Act and the Liquor Control and Licensing Act.

The financial information included a three-year financial projection and startup costs and a report of the company's assets and liabilities. Financing has been approved for acquisition of the buses.

It would appear that Rider Express has the experience, operational knowledge, and has the financing in place to acquire the required capacity to service its proposed new route safely and effectively.

We find the applicant to be a fit and proper person who has the necessary skills and infrastructure in place that would indicate that they are capable of managing and providing the additional service.

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The applicant is to operate from the Alberta border to Vancouver across B.C. The proposed service will be of benefit to the travelling public as Rider Express will be offering multiple stops linking various communities along the Highway 1 and 5 corridor with wheelchair accessible buses. The service with 14 route points replaces 14 of Greyhound's 23 route points currently on its Route A (Alberta Border and Highway 1 - Vancouver), and replaces route points on some other Greyhound routes including its current Route N (the segment between Vancouver and Kamloops) and Route P (the segment between Vancouver and Merritt).

Rider Express also states that it is planning on providing passenger service between British Columbia and Ontario which will allow for even more travelling options. As of October 31, 2018, this route will be without inter-city bus service. Therefore, we find that there is a public need for the service the applicant proposes and approving the application would promote sound economic conditions in the transportation industry in BC.

The terms and conditions of licence specify required stops and minimum frequencies. The applicant may, however, at some point want to expand its service to other communities along its routes or highway corridors. We have, therefore, included a term and condition of licence to provide this flexibility.

## **VII. Conclusion**

For the reasons above, the Special Authorization is approved with terms and conditions as set out in this decision, of which the Appendices are an integral part.

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Rider Express Transportation Corporation  
dba Rider Express Transportation

### **Appendix I: Public Notice Requirements**

A Passenger Transportation Licence must be issued by the Registrar of Passenger Transportation under section 29 or renewed under section 34 of the Passenger Transportation Act before the special authorization approved in this decision may be exercised.

#### **A. Direction to the Applicant Regarding Notice and Implementation**

Unless otherwise ordered by the Passenger Transportation Board, Rider Express Transportation Corporation must post time schedules on line and make available to the public on line its reservation system no later than **October 31, 2018** to enable advance bookings.

#### **B. Direction to the Registrar of Passenger Transportation Regarding Issuance**

The Registrar of Passenger Transportation (Registrar) may only issue a licence to Rider Express Transportation Corporation that reflects the amendments approved in this decision and set out in Appendix 2 after the Registrar is satisfied that Rider Express Transportation Corporation has posted time schedules on line and made available to the public on line its reservation

### Appendix II: Terms and Conditions of Licence

<b>Licence Required to Operate Vehicles</b>	The Registrar of Passenger Transportation must issue the applicant a licence before the applicant can operate any vehicles approved in this decision.
<b>Approval of application may expire</b>	<ol style="list-style-type: none"><li>1. The applicant must activate at least 2 vehicles by <b>November 15, 2018</b>.</li><li>2. If the applicant does not meet the requirements set out in 1 above, this Special Authorization expires.</li><li>3. The Passenger Transportation Board may vary the requirements set out in 1 above, if circumstances warrant it.</li><li>4. If an applicant needs more time to activate its vehicles, then the applicant must make a request to the Board before <b>October 31, 2018</b>.</li></ol> <p>(Note: “activate” means that the applicant has submitted the documents required to obtain a Special Authorization Vehicle Identifier to the Registrar of Passenger Transportation.)</p>
<b>Notice to Registrar</b>	<p>The Registrar must not, without direction from the Board, issue the applicant a licence or any Special Authorization Vehicle Identifiers if the applicant has not activated at least 2 vehicles <b>by November 15, 2018</b>.</p> <p>(Note: activated means that the applicant has submitted to the Registrar of Passenger Transportation the documents required to obtain a Special Authorization Vehicle Identifier.)</p>

<b>Special Authorization</b>	<b>Inter-City Bus (ICB)</b>	
<b>Terms &amp; Conditions</b>		
<b>Vehicles</b>	All buses must be accessible to persons with mobility aids.	
<b>Services</b>		
Service	Transportation of passengers must be provided: a) on a scheduled basis, and b) in accordance with minimum frequencies and other terms and conditions of licence that apply to the routes and route points.	
Schedule	The licence holder must publish, in a manner accessible to the general public, a schedule for each route with the time and location of each stop, and must carry in each vehicle a copy of the schedule that the vehicle is following.	
Service Exception	<p>Routes may be operated on a “pre-booked” or “reservation required” basis provided that:</p> <p>a) applicable routes are identified as a “pre-booked” or “reservation required” service in all current, published schedule information, and</p> <p>b) these routes are available at all times for pre-booking or reservation on the licensee’s website.</p> <p>When these conditions are met and when no reservations have been received for pickup or dropoff at one or more points on the route by the time service is scheduled to be provided, the licence holder has the option of not providing service to those points that would otherwise be required.</p>	
<b>Route A</b>		
<b>Terminating Point 1:</b>	Alberta Border & HWY 1	
<b>Terminating Point 2:</b>	City of Vancouver	
<b>Corridor:</b>	Highways 1 & 5	
<b>Route Points</b>	<b>Daily Minimum (round trips)</b>	
Alberta Border & HWY 1	1	
Town of Golden	1	
City of Revelstoke	1	
District of Sicamous	1	
City of Salmon Arm	1	
Sorrento	1	
Village of Chase	1	

City of Kamloops	1
City of Merritt	1
District of Hope	1
City of Chilliwack	1
City of Abbotsford	1
City or Township of Langley	1
City of Coquitlam	1
City of Vancouver	1
Alternative Points:	The licence holder may pick up or drop off passengers at any location, municipality or unincorporated area that is between the terminating points and on highway corridors approved for this route.
<b>Transfer of a licence</b>	This special authorization may not be assigned or transferred except with the approval of the Board pursuant to section 30 of the <i>Passenger Transportation Act</i> .