

Passenger Transportation Bulletin

December 15, 2004

The *Passenger Transportation Bulletin* is published weekly on the web site of the Passenger Transportation Board. Printed copies are available directly from the Passenger Transportation Board at the address above.

The *PT Bulletin* gives notice of the applications for special authorization that have been received by the Board, the determinations the Board makes on those applications, as well as appeals from enforcement orders of the Registrar of Passenger Transportation. Board Advisories may also be published in the *PT Bulletin* to update the public and commercial passenger transportation industry of Board initiatives and rules.



NOTICE

The Passenger Transportation Board Bulletin will not be published on
December 29, 2004.

The staff of the Passenger Transportation Board and Passenger Transportation Branch
wish you all best for the holiday season and a very happy and prosperous
New Year.



Part 1: Applications Received

Applications in which special authorization is sought are published in Part 1 of the *PT Bulletin*. To see a more detailed summary of the application, click on the application number.

Application	Applicant	Brief Summary of Application	Deadline for Submissions
1865-04	HENDERSON, Thomas Lance Sicamous BC	Transfer of Licence from WHITLAM, Eric to HENDERSON, Thomas Lance to operate a passenger directed vehicle (taxi) in Sicamous BC to any point in BC to any boundary thereof while engaged in an extra provincial undertaking	December 30, 2004
1890-04	THOMPSON, Trevor Lumby BC	Application for a new Special Authorization to operate a taxi with service originating in Lumby and within 20 kilometres of the Village of Lumby with a fleet of 1 vehicle that can accommodate a driver and not more than 7 passengers	December 30, 2004
T1615-04	AIRPORTER SHUTTLE SERVICE LTD. Prince George BC	Application for change of rates	December 30, 2004
T2319-04	MELO, Januario Kitimat BC	Application for change of rates	December 30, 2004
	dba Kitimat Limousine Service		
1986-04	PERRAN, William Rae Kamloops BC	Application for a new Special Authorization to operate a taxi with service originating in the City of Kamloops with destination area to any point in British Columbia	December 30, 2004
	dba Kamloops City Cabs		
365-04	KEIM, Doreetha Jay Quadra Island BC	Transfer of Licence from DOAK, Melvin George to operate passenger directed vehicles on Quadra Island	December 30, 2004
T1138-04	Dba Quadra Island Taxi & Tours	Application for change of rates	

Submissions:

Any person may make a submission on an application to the Passenger Transportation Board. All submissions must be:

- in writing
- accompanied by a \$50 fee (cheques payable to the Minister of Finance)
- received at the Passenger Transportation Board office in Victoria by 4:30 p.m. within 15 days of the date the application is published.

The Passenger Transportation Act requires the Board to consider applications in light of the following considerations:

- (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 Board will give more weight to submissions that relate to the above considerations. Submissions considered by the Board are forwarded to the applicant who may, within 10 days of the date sent by the Board, reply by providing comments to the Board.

Part 2: Application Decisions

Board decisions on applications for special authorization are published in Part 2 of the *PT Bulletin*. To see a more detailed summary of the application, click on the application number.

Application	Applicant	Brief Summary of Application	Decision
1848-04	WHITLAM, Eric Sicamous BC	Expedited Decision	Approved
	dba Eagle Valley Taxi		
1936-04	MARTIN, Robert Prince George BC	Expedited Decision	Approved
	dba Prince George Taxi Assn.		
1955-04	CHILLIWACK TAXI LTD. Chilliwack BC	Expedited Decision	Approved
1987-04	NORTH SHORE TAXI (1966) LTD. North Vancouver BC	Expedited Decision	Approved
	dba North Shore Taxi & Cadillac Cabs		
2037-04	MIHALJEVIC, Djuro Milana Prince George BC	Expedited Decision	Approved
	dba Prince George Taxi Holding Co.		
2112-04	GORDAYA, Ajit Singh Victoria BC	Expedited Decision	Approved
	dba Bluebird Cabs		
2145-04	ALOUETTE TRANSIT SYSTEMS LTD. Maple Ridge BC	Expedited Decision	Approved
	dba Alouette Taxi		
2146-04	5 STAR LIMOUSINE SERVICE LTD. Victoria BC	Expedited Decision	Approved
2167-04	612581 BC LTD. Kelowna BC	Expedited Decision	Approved
	dba Okanagan Gold Limousine		
2187-04	O'CONNELL ENTERPRISES INC Deroche BC	Expedited Decision	Approved
	dba O'Connell Limousine Service		
AV1358-04	KIMBER CABS LTD Richmond BC	Amendment to increase fleet size from 14 to 18 vehicles	Approved

Part 3: Hearing Notices

None

Part 4: Appeal Determinations

None

Part 5: Decisions Whether Application for General Authorization Requires Special Authorization

Part 5 of the *PT Bulletin* provides a summary of Board determinations under section 25(5) of the Passenger Transportation Act on whether a service proposed in an application for general authorization requires special authorization.

Application	Applicant	Summary of Board Determination
1298-04	SCHENDEL, Gary Charles Nanaimo BC dba Care-One Transportation Services	Application for a new Special Authorization to operate a non-emergency stretcher wheelchair transportation service, operating mainly in Nanaimo, with the ability to take people to locations on southern Vancouver Island and the Lower Mainland The Board has determined that the service proposed by the applicant comes under the "disability transfer vehicle" exclusion to the "passenger directed vehicle" definition, and does not require special authorization.

Legislation:

Section 25 of the Passenger Transportation Act sets out the process for Board determinations in cases where the Registrar, Passenger Transportation, believes that an application for general authorization requires special authorization:

25(4) If the registrar receives an application referred to in subsection (1) but the registrar believes that the operation intended by the applicant requires special authorization, the registrar must forward the application to the board.

25 (5) After receiving an application under subsection (4), the board must determine whether a special authorization is required to authorize the operations intended by the applicant and,

(a) if the board determines that a special authorization is not required, the board must notify the registrar and the applicant of that determination and the registrar must treat the application as an application to which subsection (1) applies, or

(b) if the board determines that a special authorization is required, the board must notify the registrar and the applicant of that determination and the applicant must, if the applicant wishes to proceed with the application, amend the application to seek the necessary special authorizations.