

# Application Decision - Amendment

<b>Application:</b>	<b>0297-09</b>
<b>Applicant:</b>	<b>Tofino Bus Services Inc.</b>
<b>Trade Names:</b>	Tofino Bus
<b>Address:</b>	PO Box 207, Tofino, BC, V0R 2Z0 364D Campbell Street, Tofino, BC, V0R 2Z0
<b>Principals:</b>	GREEN, Dylan Douglas
<b>Current Authorization:</b>	Passenger Transportation Licence 71008. The special authorization of Tofino Bus Services Inc. ("TBSI") can be viewed in the PT Board Bulletin of September 29, 2004 at <a href="http://www.th.gov.bc.ca/ptb/bulletins.htm">www.th.gov.bc.ca/ptb/bulletins.htm</a> .
<b>Type of Application:</b>	Amendment of Licence (ICB) (Section 31 of the Passenger Transportation Act)
<b>Reason for Amendment:</b>	Due to a clerical error, the Engaged Carrier Authorization was not included in the terms and conditions of licence. This amendment is to correct that error. The decision is unchanged.
<b>Special Authorization:</b>	<b>Inter-City Bus (ICB)</b>
<b>Terms &amp; Conditions:</b>	
Service:	Transportation of passengers must be provided to and from each <i>route point</i> on a scheduled basis according to the minimum frequency that is set for the <i>authorized route</i> .
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.
Engaged Carrier Authorization:	The holder of this licence may only operate as an inter-city bus when engaged by another licensed operator in the following limited circumstances: <ol style="list-style-type: none"><li>1. The other licensed operator must have a special authorization to operate an inter-city bus under a licence issued pursuant to the <i>Passenger Transportation Act</i> (British Columbia) or the <i>Motor Vehicle Transport Act</i> (Canada),</li><li>2. The holder of this licence must have signed written authorization from the other licensed operator specifying the terms by which the licence holder is engaged including the time period for which the written authorization is valid,</li><li>3. The holder of this licence must operate its vehicles in accordance with all the applicable terms and conditions of the other licensed operator's licence, and</li><li>4. The holder of this licence must carry in its vehicles a copy of the written authorization referred to in paragraph 2 and a copy of the terms and conditions of the other licensed operator's licence when operating under this <i>engaged carrier authorization</i>.</li></ol>

Express Authorization: Transportation of standees is authorized only when all of the following conditions are met:

1. The licence holder has current and proper insurance coverage for the transportation of standees,
2. Passengers are not permitted to stand for a period that is longer than 30 minutes or for a distance that exceeds 30 road kilometres, and
3. Freight and passenger baggage is not carried in the passenger compartment when standees are being transported.

Route Overlap: The licence holder may publish schedules and operate vehicles in a way that consolidates the District of Tofino – City of Nanaimo portion of Routes 1 and 2 on the condition that:

- (a) passengers traveling northbound via the consolidation point of Nanaimo are able to continue their trip to their destination north and west of Nanaimo, and
- (b) the scheduled wait time at the consolidation point of Nanaimo does not exceed 30 minutes.

When inter-city bus routes are consolidated and the above “route overlap” conditions are met, the operation of one vehicle on the District of Tofino – City of Nanaimo corridor is deemed, with respect to route frequency determinations, to be a vehicle operating on both routes.

**Activation:** *Direction to the Registrar of Passenger Transportation:*

The Registrar may amend the TBSI licence to incorporate the changes in minimum route frequency as set out in the terms and conditions below. An amended licence may only be issued after TBSI has given the Registrar copies of newspaper notices that were published in affected communities. The newspaper notices must meet the requirements set out under “Direction to the Applicant.”

**Route Number:** 1 of 3

Terminating Point 1: City of Nanaimo

Terminating Point 2: District of Tofino

Authorized Route:

<b>Route Points</b>	<b>Daily Minimum (each direction)</b>	<b>Total Weekly Minimum</b>
City of Nanaimo	2	32
Wellington	1 fd	28 fd
Nanoose	1 fd	28 fd
Craig's Crossing	1 fd	28 fd
City of Parksville	2	32
Coombs	2 fd	32 fd
Hilliers	2 fd	32 fd
Cameron Lake	2 fd	32 fd
City of Port Alberni	2	32
District of Ucluelet	1	14
District of Tofino	1	14

**Route Number: 2 of 3**

Terminating Point 1: City of Victoria

Terminating Point 2: District of Tofino

Authorized Route:	<u>Route Points</u>	<u>Daily Minimum (each direction)</u>	<u>Total Weekly Minimum</u>
	City of Victoria	1	2
	District of Saanich	1	2
	City of Nanaimo	1	2
	City of Port Alberni	1	2
	Ucluelet / Tofino Junction	1	2
	Pacific Rim National Park	1	2
	Tofino Airport / Golf Course	1	2
	District of Tofino	1	2

Seasonal Minimums: A. The Daily Minimum is in effect from March 1 through until October 31 each year.

B. The Weekly Minimum is in effect from November 1 through until the last day of February each year.

Limited Pick Up & Drop Off: Northbound (City of Victoria to District of Tofino):

After leaving the Capital Regional District, passengers may not be picked up until reaching the City of Nanaimo. Passengers originating in the Capital Regional District may not be dropped off in the Cities of Nanaimo and Parksville, or at the route points of Wellington, Craig's Crossing, Hilliers and Cameron Lake.

Southbound (District of Tofino to City of Victoria):

After leaving the City of Port Alberni, no passengers destined for the Capital Regional District may be picked up or dropped off except for passengers that boarded at the City of Port Alberni or points west thereof.

**Route Number: 3 of 3**

Terminating Point 1: District of Tofino

Terminating Point 2: District of Ucluelet

Seasonal Operation: Service must begin each year on March 1 and then cease on October 31.

Authorized Route:	<u>Route Points</u>	<u>Daily Minimum (each direction)</u>
	District of Tofino	1
	Pacific Rim National Park	1
	District of Ucluelet	1

Transfer of a licence: **This special authorization may not be assigned or transferred except with the approval of the Board pursuant to section 30 of the Passenger Transportation Act.**

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**Board Panel Chair:**

William Bell

**Determination Date:**

January 14, 2010