
II. Jurisdiction and Proceedings

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

Under the Act, the Passenger Transportation Board (the “Board”) makes decisions on applications for taxis, limousines and other small shuttle and tour vehicle licences. These are known as “passenger directed vehicles”. The Board has the authority to consider and approve applications for new licenses as well as applications from existing licensees to add vehicles to their fleets, change terms or conditions of their licences or request Temporary Operating Permits (“TOPs”).

The Board’s mandate is stated in section 28 of the Act, which requires it to consider public need, applicant fitness and the economic conditions of the passenger transportation industry when assessing applications. If the Board approves an application, it will set terms and conditions that apply to licenses.

The 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 Act requires the Board to publish the fact and nature of applications and section 27(3) requires the Board to consider the 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.

(a) Procedural Matters

I am conducting this application by way of a written hearing.

III. Background

Reg Norman Trucking Ltd. was incorporated April 2014 as a result of an amalgamation with two directors.

The applicant submitted requisite forms.

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

V. Applicant's Rationale and Submissions

(a) Rationale

The applicant seeks this application to enable it to service its clients better in moving camp crew from one camp to another. It is asking to reduce the seating capacity of its third vehicle so that all vehicles will accommodate a driver and not less than 4 and not more than 5 passengers. It is also seeking an expanded operating area.

(b) Submissions

The Board did not receive any submissions on this application.

VI. Reasons for the Board's Decision

- (a) *Is there a public need for the service that the applicant proposes to provide under special authorization?*

Applicants should supply information that is factual and objective to demonstrate public need. They should demonstrate that there are people who would use the service. Applicants should explain why they are applying for a specific number of vehicles. The Board wants to be satisfied that there is a reasonable connection between the number and types of vehicles requested and public need.

Passenger transportation companies that want to expand to new areas are expected to prove to the Board that there is a public need for the expanded service.

The applicant identifies that they have only one client for which it provides passenger transportation services. This client seeks additional capacity to help them transport camp crews from one camp to another within Dawson Creek and Fort St. John area. The client is also seeking to expand its operations by bidding on further projects.

The applicant has included a letter of support from its client.

Board Analysis and Findings

The applicant has one client who has requested additional capacity to meet the need for crew transportation between their camps and to add additional Northern Regional Districts to their Service Area 1 because of LNG Canada's Project. The applicant has provided a letter of support from their client. The applicant has demonstrated sufficient evidence of public need for the amendments to its licence. This application is approved in whole and is limited for the purpose of providing passenger transportation services under contract to its client.

- (b) *Is the applicant a fit and proper person to provide that service and is the applicant capable of providing that service?*

The Board looks at fitness in two parts:

- (i) is the applicant a "fit and proper person" to provide the proposed service; and
- (ii) is the applicant capable of providing that service?

The applicant has been in the passenger transportation business since 2014.

Financial information includes a sales summary for the past 10 years, statement of income and retained earnings for 2016, 2017 and 2018 as well as cash flow forecast for the next 3 years.

The required disclosure forms were completed to my satisfaction.

Based on the information provided, I find that the applicant is fit, proper and capable of providing a limousine service as approved in this decision.

(c) *Would the application, if granted, promote sound economic conditions in the passenger transportation business in British Columbia?*

The Board looks at the “sound economic conditions” issue from a wide-ranging view. 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. The Board discourages competition that could unduly harm existing service providers.

The applicant provides a specialized contract service and has only one customer. The applicant is requesting an amendment to its licence to accommodate the need of their client. There are no submitters to this application.

I find that approving an amendment to their licence would promote sound economic conditions in the industry.

VII. Conclusion

For the reasons above, this application is approved as set out in this decision.

I establish the activation requirements and the terms and conditions of licence that are attached to this decision as Appendix I. These form an integral part of the decision.

Reg Norman Trucking Ltd.
Appendix I

Licence Required to Operate	The Registrar of Passenger Transportation must issue the applicant a licence before the applicant may implement amendments approved in this decision.
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Special Authorization	Passenger Directed Vehicle (PDV)
Terms & Conditions of Licence	
Vehicles	
Maximum Fleet Size:	3 vehicles
Vehicle Capacity:	Vehicles may accommodate a driver and not less than 4 and not more than 5 passengers and must be four wheel or all-wheel drive vehicles
Service 1:	
Originating Area:	Transportation of passengers may only originate from any point in: <ul style="list-style-type: none"> • Peace Regional District • Fraser Fort George Regional District • Kitimat Stikine Regional District • Northern Rockies Regional District • Skeena Queen Charlotte Regional District • Bulkley Nechako Regional District
Destination Area:	Transportation of passengers may terminate at any point in British Columbia
Reverse Trips:	Transportation of passengers may only originate in the <i>destination area</i> if the transportation terminates in the <i>originating area</i> and the cost of the trip is billed to an active account held by the licence holder that was established before the trip was arranged.
Return Trips:	The same passengers may be returned from where their <i>return trip</i> terminates in the <i>destination area</i> to any point within the <i>originating area</i> when the <i>return trip</i> is arranged by the time the originating trip terminates
Service Limitation:	Service may be provided only to oil & gas crew and service members for transportation to and from oil & gas related sites as long as written agreements exist with oil & gas companies for transport of their crews.
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 <i>Passenger Transportation Act</i>.