

INDUSTRY ADVISORY

August 11, 2021

Board to Stay Other Applications as Part of the Ongoing Investigation on the Impact of the COVID-19 Pandemic on the BC Passenger Transportation Industry.

On April 20, 2021, the Board exercised its discretion pursuant to section 27(3)(b) of the *Passenger Transportation Act*, to initiate an investigation on the effects of the COVID-19 pandemic on the passenger transportation industry (the “COVID-19 Board Investigation”), under the Uber Canada Inc. and Facedrive Inc. applications (collectively referred to as the “Main Applications”).

The Board initiated this Investigation on the Main Applications because it is concerned that it does not have sufficient empirical data to properly consider whether there is a public need for the services applied for and whether granting the applications would promote sound economic conditions, given the impact of the pandemic. The outcome of the COVID-19 Board Investigation will assist the Board in determining public need and promotion of sound economic conditions in light of the current economic situation.

The Board reviewed other applications which involve similar questions of fact, law or policy that may be impacted by the ongoing COVID-19 Board Investigation. Pursuant to Section 14(d) of the Act, the Board has decided to Stay the Swiftsure Taxi Co. Ltd.; Duncan Taxi Ltd.; Comox Taxi Ltd.; Oceanside Taxi Ltd. (#10336-20TNS) application pending the completion of the Investigation to allow for sound, evidence-based decisions.

The COVID-19 Board Investigation is being undertaken on behalf of the Board by Hara Associates (Dr. Dan Hara). Hara Associates is obtaining relevant data and information from passenger transportation businesses and the Ministry’s data warehouse. Hara Associates possess the requisite expertise in economics and in the BC passenger transportation industry to render a valuable report.

With the information from the investigation, the Board will have the objective data decision-makers need when applying the three factors outlined in section 28 of the Act: there is a public need for service the applicant proposes to provide; that applicant is fit, proper and capable of providing the service; and the application would promote sound economic conditions in the passenger transportation business in BC.

The Board is committed to completing the investigation without delay so Board members can render decisions on affected applications as soon as possible. The investigation is expected to take 3-6 months from when the Preliminary Decisions on the Main Applications were issued on April 20, 2021, barring any unforeseen circumstances.

The Board encourages the passenger transportation organizations contacted by Hara Associates to cooperate by providing relevant data and information. Getting a clear picture of current economic conditions is in the best interests of the industry as a whole.

We encourage the public and members of the industry to continue to consult the Board's website for any updates.