



Passenger Transportation Act
**PASSENGER TRANSPORTATION
REGULATION
B.C. Reg. 266/2004**

Deposited and effective June 11, 2004, except
sections 6 to 23 and 25 effective June 28, 2004
Last amended January 1, 2023 by B.C. Reg. 195/2022

Consolidated Regulations of British Columbia

This is an unofficial consolidation.

B.C. Reg. 266/2004 (O.C. 578/2004), deposited and effective June 11, 2004, except sections 6 to 23 and 25 effective June 28, 2004, is made under the *Passenger Transportation Act*, S.B.C. 2004, c. 39, s. 59, 59.3, 59.4 and 59.5.

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This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at www.bclaws.ca.

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Passenger Transportation Act

PASSENGER TRANSPORTATION REGULATION

B.C. Reg. 266/2004

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PART 1 – INTERPRETATION AND APPLICATION

Definitions for regulation

1 (1) In this regulation:

“**Act**” means the *Passenger Transportation Act*;

“**ambulance**” has the same meaning as in the *Emergency Health Services Act*;

“**assisted living residence**” means an assisted living facility as defined in the *Community Care and Assisted Living Act*;

“**auxiliary passenger vehicle**” means a commercial passenger vehicle when it is being operated for the transportation of persons if

- (a) the operator of the commercial passenger vehicle is a business enterprise,
- (b) the arrangement or provision of that transportation is not a primary business of that enterprise, and
- (c) no compensation is directly charged or collected for the provision of the transportation;

“**car pool vehicle**” means a car pool vehicle within the meaning of subsection (2);

“**charitable association**” means an entity registered as a charity with the Canada Revenue Agency;

“**community care facility**” has the same meaning as in the *Community Care and Assisted Living Act*;

“**connector bus**” means a commercial passenger vehicle when it is operated exclusively between one fixed terminating point (the “base”) and another fixed terminating point (the “facility”) that is a port, as that word is defined in section 5 of the *Canada Marine Act*, an airport or a terminal operated by a ferry operator, as that term is defined in the *Coastal Ferry Act*, if

- (a) in travelling from the base to the facility, all passengers picked up at or after the base are dropped off only at the facility,
- (b) in travelling from the facility to the base, the commercial passenger vehicle carries as passengers only those passengers who were picked up at the facility and drops off those passengers at or before the base, and
- (c) the licensee operating the commercial passenger vehicle has written authorization from the operator of the facility to pick up passengers at that facility;

“**operating costs**” means the costs for

- (a) gasoline,
- (b) tolls,
- (c) ferry fares,

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- (d) insurance, and
 - (e) maintenance,
- but does not include depreciation;

“passenger transportation pool vehicle” means a passenger transportation pool vehicle within the meaning of subsection (3);

“perimeter seating”, with respect to a commercial passenger vehicle, means seats provided for passengers in the vehicle that are primarily located along the sides or at the rear of the commercial passenger vehicle;

“perimeter seating bus” means a passenger directed vehicle that provides perimeter seating for at least 12 passengers;

“person in care” has the same meaning as in the *Community Care and Assisted Living Act*;

“resident” has the same meaning as in the *Community Care and Assisted Living Act*;

“school” means

- (a) a public school as defined in the *School Act*,
- (b) a Provincial school as defined in that Act, or
- (c) an independent school as defined in the *Independent School Act*;

“school bus” means a commercial passenger vehicle used by, on behalf of, at the request of or under a contract with the authority in charge of a school to transport students

- (a) to or from the school, or
- (b) to or from a school sponsored event;

“society” has the same meaning as in the *Societies Act*;

“unaccompanied minor” means a minor who is not accompanied, while receiving service in a perimeter seating bus, by the minor’s legal guardian;

“volunteer driver” means a person who

- (a) drives a commercial passenger vehicle for a charitable association, and
- (b) receives no compensation for the services described in paragraph (a) other than reimbursement for the operating costs attributable to the provision of that service.

(2) A motor vehicle that can accommodate a driver and not more than 11 passengers is a car pool vehicle on any day if

- (a) on that day, the motor vehicle is used for no purpose other than to transport passengers on one return trip between
 - (i) the residences of any or all of the driver and the passengers, and
 - (ii) the respective places of employment of the driver and passengers, or a common destination, and

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- (b) neither the driver nor the operator receives any compensation for that transportation other than contributions for operating costs, which contributions do not, in the aggregate, exceed the operating costs that are attributable to the return trip referred to in paragraph (a).
- (3) A motor vehicle is a passenger transportation pool vehicle on any day if
 - (a) on that day, the motor vehicle is operated on a highway to transport passengers and
 - (i) the transportation of passengers is from the residences of any or all of the driver and the passengers to a place of employment or to a common destination, or
 - (ii) the passengers are the employees of the owner or operator of the motor vehicle and the transportation is to and from a place of employment,
 - (b) on that day, the motor vehicle is operated under a transportation pooling arrangement sponsored and coordinated by an organization working with the government of Canada, the government of British Columbia, a local government body or any combination of these government bodies, and
 - (c) the fees charged to the passengers do not, in the aggregate, exceed the amount that the driver or operator requires for the operating costs attributable to the transportation referred to in paragraph (a) and for the capital costs of the motor vehicle.
- (4) Repealed. [B.C. Reg. 163/2007.]
[am. B.C. Regs. 414/2004; 163/2007; 145/2013, App. 2, s. 12; 211/2015, s. 28; 249/2018, s. 1; 164/2019, Sch. 2, s. 1.]

Definition of “fleet size” for Act

- 1.1** (1) In the Act, “**fleet size**” means the maximum number of passenger directed vehicles authorized to be actively operating, at any given time, under a licence that includes a passenger directed vehicle authorization or transportation network services authorization.
- (2) For the purposes of subsection (1), a passenger directed vehicle is actively operating under a passenger directed vehicle authorization if either of the following applies:
- (a) the motor vehicle is available to be hailed by or for a passenger;
 - (b) the motor vehicle is being operated for the purposes of picking up, transporting or dropping off a passenger by or for whom the motor vehicle has been hailed.
- (3) For the purposes of subsection (1), a passenger directed vehicle is actively operating under a transportation network services authorization if the motor vehicle is being operated for the purposes of picking up, transporting or dropping

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off a passenger by or for whom the motor vehicle has been hailed through the use of the licensee's online platform.

[en. B.C. Reg. 164/2019, Sch. 1, s. 1.]

Inter-city buses

- 2** (1) A commercial passenger vehicle is excluded for the purposes of paragraph (a) of the definition of “inter-city bus” in section 1 of the Act when it is operated in accordance with the following:
- (a) the commercial passenger vehicle
 - (i) picks up passengers from one or more locations in a municipality,
 - (ii) transports those passengers to a location outside of the originating municipality, and
 - (iii) returns those passengers to the originating municipality;
 - (b) no passengers board the bus other than those passengers referred to in paragraph (a) (i) of this subsection;
 - (c) none of the passengers referred to in paragraph (a) (i) of this subsection disembark in the originating municipality without having first gone to the location referred to in paragraph (a) (ii) of this subsection.
- (2) A connector bus is excluded for the purposes of paragraph (a) of the definition of “inter-city bus” in section 1 of the Act.
- (2.1) A commercial passenger vehicle is excluded for the purposes of paragraph (a) of the definition of “inter-city bus” in section 1 of the Act when the commercial passenger vehicle is operated on a set time schedule
- (a) between a location in the Capital Regional District and another location inside the Capital Regional District, or
 - (b) between a location in the Metro Vancouver Regional District and another location inside the Metro Vancouver Regional District.
- (3) The municipalities prescribed for the purposes of paragraph (a) (i) (A) of the definition of “inter-city bus” in section 1 of the Act are the municipalities incorporated under the *Local Government Act* other than the municipalities located in the Capital Regional District or in the Metro Vancouver Regional District.
- (4) The regional districts prescribed for the purposes of paragraph (a) (i) (B) of the definition of “inter-city bus” in section 1 of the Act are the regional districts incorporated under the *Local Government Act* other than the Capital Regional District and the Metro Vancouver Regional District.
- (5) A commercial passenger vehicle is prescribed as an inter-city bus for the purposes of paragraph (b) of the definition of “inter-city bus” in section 1 of the Act when it is operated on a set time schedule
- (a) between a location in the Capital Regional District and another location outside the Capital Regional District, whether in British Columbia or not, or

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- (b) between a location in the Metro Vancouver Regional District and another location outside the Metro Vancouver Regional District, whether in British Columbia or not.

[am. B.C. Regs. 247/2010, Sch., s. 1 (a); 164/2019, Sch. 1, s. 2.]

Passenger directed vehicles

- 3 (1) Subject to subsection (3), the number of persons prescribed for the purposes of paragraph (a) (i) of the definition of “passenger directed vehicle” in section 1 of the Act is 11.
- (2) For the purposes of paragraph (a) (ii) of the definition of “passenger directed vehicle” in section 1 of the Act, the following are excluded:
 - (a) Repealed. [B.C. Reg. 168/2006, s. (a).]
 - (b) a commercial passenger vehicle that is used only to transfer
 - (i) persons who have a disability, either permanent or temporary, confirmed by a medical practitioner, that is sufficiently severe that the person is physically unable without assistance to use conventional transit service, and
 - (ii) any person accompanying a person referred to in subparagraph (i) of this paragraph;
 - (c) a commercial passenger vehicle when it is being operated for the transportation of passengers if the transportation is arranged or brokered on behalf of all of the passengers by a travel agent or travel wholesaler, as those terms are defined in the *Business Practices and Consumer Protection Act*, as part of a tour package that includes at least one night’s accommodation for all of the passengers at a place other than their respective residences;
 - (d) a commercial passenger vehicle when it is being operated for the transportation of passengers in the following circumstances:
 - (i) the transportation begins outside British Columbia and the passengers that are transported by the commercial passenger vehicle board the commercial passenger vehicle outside British Columbia;
 - (ii) a portion of the transportation is within British Columbia, whether or not the passengers leave the commercial passenger vehicle during that time;
 - (iii) no passengers, other than those referred to in subparagraph (i) of this paragraph, are picked up or transported by the commercial passenger vehicle in British Columbia.
- (3) A commercial passenger vehicle with perimeter seating, regardless of how many passengers the commercial passenger vehicle can accommodate, is prescribed as a passenger directed vehicle for the purposes of paragraph (b) of the definition of “passenger directed vehicle” in section 1 of the Act.

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(4) and (5) Repealed. [B.C. Reg. 249/2018, s. 2.]

[am. B.C. Regs. 66/2005, s. 1; 168/2006, s. (a); 29/2015; 249/2018, s. 2; 164/2019, Sch. 1, s. 3.]

Constables or peace officers

- 4** Persons employed by the minister's ministry as commercial transport inspectors are authorized to exercise the powers conferred on, and perform the duties of, constables or peace officers for the purposes of enforcing the Act and this regulation.

[am. B.C. Regs. 4/2010, s. 3; 164/2019, Sch. 2, s. 2; 203/2019, s. 1.]

Exemptions from Act and regulation

- 5** The provisions of the Act and this regulation do not apply to the following:
- (a) a commercial passenger vehicle operated by
 - (i) the government,
 - (ii) the government of any other province or territory of Canada,
 - (iii) the federal government, or
 - (iv) the government of the United States of America or of any state of that country;
 - (b) a commercial passenger vehicle operated solely by a municipality or regional district, when that vehicle is being operated within the boundaries of the municipality or regional district;
 - (c) a commercial passenger vehicle when it is being operated by or on behalf of British Columbia Transit, continued under the *British Columbia Transit Act*, or the South Coast British Columbia Transportation Authority, established under the *South Coast British Columbia Transportation Authority Act*;
 - (d) an ambulance;
 - (e) a hearse or funeral coach or other commercial passenger vehicle when it is being operated for the purpose of a funeral;
 - (f) a commercial passenger vehicle when it is being operated in Yoho National Park or Kootenay National Park;
 - (g) a car pool vehicle;
 - (h) a passenger transportation pool vehicle;
 - (i) a commercial passenger vehicle when it is operated by a society for a primary purpose of the society, or by a charitable association for a primary purpose of the charitable association, if passenger transportation is not a primary purpose of the society or charitable association;
 - (j) a commercial passenger vehicle when it is being operated by a volunteer driver for the transportation of a passenger to and from a place at which the passenger seeks health care treatment;
 - (k) a school bus;
 - (l) a commercial passenger vehicle when it is being operated

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- (i) by or on behalf of a community care facility to transport persons in care in the facility to or from the facility, or
 - (ii) by or on behalf of an assisted living residence to transport residents of the residence to or from the residence;
- (m) a commercial passenger vehicle when it is being operated by a motor dealer within the meaning of the *Motor Dealer Act*;
- (n) a commercial passenger vehicle when it is being operated by a person who is authorized to provide real estate services under the *Real Estate Services Act*;
- (o) a commercial passenger vehicle when
 - (i) the operator of the commercial passenger vehicle is operating the vehicle in the course of providing care, including hygiene, meal preparation, light housecleaning or shopping, to clients who require personal assistance with activities of daily living,
 - (ii) the arrangement or provision of that transportation is not a primary business of that operator, and
 - (iii) no compensation is directly charged or collected for the provision of the transportation portion of the service being provided to that client by the operator;
- (p) an auxiliary passenger vehicle.

[am. B.C. Regs. 66/2005, s. 2; 168/2006, s. (b); 164/2019, Sch. 2, s. 3.]

Expiry of licence under section 34 (6.2) of the Act

5.1 For the purposes of section 34 (6.2) (a) of the Act, the prescribed number of days is 60.

[en. B.C. Reg. 247/2010, Sch., s. 1 (b).]

PART 2 – OPERATION OF COMMERCIAL PASSENGER VEHICLES**Licensee must ensure compliance with licence**

- 6** (1) A licensee must do all things necessary to
- (a) ensure that the Act and this regulation are complied with, including, without limitation, to ensure that each commercial passenger vehicle that is operated under a licence is operated in compliance with the terms and conditions of the licence and in compliance with any rates approved or set by the board under section 7 (1) (f) of the Act and any rules made in relation to those rates under section 7 (1) (g) of the Act, and
 - (b) secure observance of the Act and of this regulation by
 - (i) every driver of each commercial passenger vehicle that is operated under the licence,
 - (ii) every operator of each commercial passenger vehicle that is operated under the licence, and

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(iii) every other officer, agent and employee of the licensee.

(2) Repealed. [B.C. Reg. 164/2019, Sch. 2, s. 4 (b).]

[am. B.C. Reg. 164/2019, Sch. 2, s. 4.]

Drivers

- 7** (1) A licensee or permit holder must ensure that the driver of a commercial passenger vehicle operated under the licence or permit
- (a) is licensed to drive a motor vehicle of that type,
 - (b) is not, at any time while operating the commercial passenger vehicle, under the influence of any intoxicating liquor or drugs, and
 - (c) does not, at any time while operating the commercial passenger vehicle, smoke any substance.
- (2) A person must not operate a passenger directed vehicle under a licence or a temporary operating permit issued under section 38 [*applications considered by board*] of the Act unless a driver's licence of the class required for that operation has been issued to the person under the *Motor Vehicle Act*.

[am. B.C. Regs. 164/2019, Sch. 2, s. 5; 203/2019, s. 2.]

Driver training for drivers of passenger directed vehicles

- 7.1** (1) The registrar may require persons who are or may be driving passenger directed vehicles to complete specified training programs, within specified timelines, in relation to one or more of the following:
- (a) driver safety;
 - (b) passenger safety;
 - (c) safe driving;
 - (d) accessibility of passenger directed vehicles by persons who use mobility aids;
 - (e) the passenger directed vehicle industry or transportation network services industry.
- (2) For the purposes of specifying training programs under subsection (1), the registrar must consider the following:
- (a) the cost of the program;
 - (b) the geographic location at which the program is offered;
 - (c) requirements for admission to and completion of the program;
 - (d) whether the program meets the needs and expectations of relevant stakeholders.
- (3) Training programs specified under subsection (1) may be different for any of the following:
- (a) persons who are or may be driving passenger directed vehicles under passenger directed vehicle authorizations;

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- (b) persons who are or may be driving passenger directed vehicles under transportation network services authorizations;
 - (c) different geographic areas.
- (4) The registrar may require persons who are or may be driving passenger directed vehicles to complete specified training programs only if the programs can be completed in or near the geographic area in which the persons drive or intend to drive passenger directed vehicles.

[en. B.C. Reg. 203/2019, s. 3.]

Prohibition if specified training not completed

- 7.2** A person must not drive a passenger directed vehicle unless the person has completed the applicable training programs as specified by the registrar under section 7.1.

[en. B.C. Reg. 203/2019, s. 3.]

Limitation on number of passengers

- 8** At no time during its operation may a commercial passenger vehicle contain more persons than the carrying capacity of the commercial passenger vehicle.

When passengers may stand

- 9** (1) Passengers in a commercial passenger vehicle must not stand while that commercial passenger vehicle is in motion unless
- (a) the number of passengers standing does not exceed the lesser of
 - (i) the number determined in accordance with the calculations set out in section 10.03 (2) and (3) of the Motor Vehicle Act Regulations, and
 - (ii) the number of handholds, straps, rails or other pieces of equipment available in the commercial passenger vehicle to provide support for standing passengers,
 - (b) the vision or movement of the driver is not impaired in any way by the persons standing, and
 - (c) one of the following applies:
 - (i) the commercial passenger vehicle is a general passenger vehicle and the commercial passenger vehicle is being operated
 - (A) during the months of May to October in any year,
 - (B) within a park under contract with the parks board having responsibility for that park, and
 - (C) at a speed that does not exceed 30 kilometres per hour;
 - (ii) the commercial passenger vehicle is an inter-city bus and the licence that authorizes the commercial passenger vehicle to be operated as an inter-city bus expressly authorizes passengers to stand while the commercial passenger vehicle is in motion;
 - (iii) and (iv) Repealed. [B.C. Reg. 33/2010, s. 2.]

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- (v) the commercial passenger vehicle is a general passenger vehicle and the commercial passenger vehicle is being operated
 - (A) to transport passengers over a route that includes an airport or a cruise ship terminal and that does not exceed a distance of 5 kilometres, and
 - (B) at a speed that does not exceed 50 kilometres per hour.
- (2) While a commercial passenger vehicle is in motion, passengers, other than those who are standing in accordance with subsection (1), must be seated in the seats provided for passengers in the commercial passenger vehicle.

[am. B.C. Regs. 230/2005; 33/2010, ss. 1 and 2; 44/2015.]

Restrictions on entering or leaving a commercial passenger vehicle

- 10** (1) Passengers must not enter or leave a commercial passenger vehicle unless
- (a) a clear and unobstructed segment of the traveled portion of the highway is left free for the passage of other motor vehicles, or
 - (b) the commercial passenger vehicle may be seen clearly from a distance of 85 metres in either direction on the highway on which the commercial passenger vehicle is traveling.
- (2) Passengers must not enter or leave a commercial passenger vehicle while the commercial passenger vehicle is in motion.

Restriction on collecting fares while commercial passenger vehicle is in motion

- 11** Fares must not be collected while the commercial passenger vehicle is in motion.

Driver or operator may refuse to transport passengers

- 12** (1) The driver of a commercial passenger vehicle may refuse transportation to persons who are smoking, conducting themselves in a disorderly manner, using profane or offensive language or are acting in such a manner as to be offensive to the driver or other passengers.
- (2) If a driver requires a person to disembark for the reasons described in subsection (1), the driver must ensure that the person is not discharged from the commercial passenger vehicle unless the person can disembark safely and in a location where the person can reasonably be expected to find alternative transportation.

[am. B.C. Reg. 14/2008, Sch., s. 1.]

Restrictions on refusal of passengers by taxi drivers

- 12.1** (1) In this section, “taxi driver” means the driver of a passenger directed vehicle that is operated under a licence that expressly authorizes the driver to transport passengers who hail the passenger directed vehicle from the street, or who cause the passenger directed vehicle to be hailed from the street.

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- (2) A taxi driver who is available to transport passengers must not refuse to transport a passenger who hails the taxi driver or requests transportation in any manner unless the taxi driver has reasonable grounds to believe that any of the following circumstances apply:
- (a) transporting the passenger would violate
 - (i) a provision of an enactment, or
 - (ii) a term or condition of the licence under which the vehicle is operated;
 - (b) transporting the passenger would endanger the health or safety of the driver or any passenger;
 - (c) the passenger refuses to pay, on request of the taxi driver, a deposit
 - (i) in an amount up to the estimated amount of compensation that would reasonably be owing at the end of the trip, and
 - (ii) in any form that is normally accepted as compensation by the licensee;
 - (d) any of the circumstances described in section 12 (1).
- [en. B.C. Reg. 14/2008, Sch., s. 2; am. B.C. Reg. 164/2019, Sch. 2, s. 6.]

Consent required if unaccompanied minor in perimeter seating bus

- 12.2** (1) In this section, “**consent**” means written consent given in accordance with subsection (5) for an unaccompanied minor to receive service in a perimeter seating bus.
- (2) If a perimeter seating bus provides service to a passenger who is an unaccompanied minor, a licensee must
- (a) ensure that consent is given in respect of the minor before the service is provided, and
 - (b) keep a copy of the consent for at least one year after the service date.
- (3) Before providing service in a perimeter seating bus, the driver must
- (a) require each passenger to provide government-issued identification showing the passenger’s photograph and date of birth,
 - (b) examine the identification, and
 - (c) refuse to provide service to the following:
 - (i) an unaccompanied minor for whom there is no consent;
 - (ii) a person who fails to provide identification as described in paragraph (a);
 - (iii) a person who provides identification that the driver reasonably believes is not the person’s own or has been altered or otherwise falsified.
- (4) The driver of a perimeter seating bus in which an unaccompanied minor is a passenger must have in the driver’s possession, at all times while the service is being provided, the consent given in respect of the minor.

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(5) For the purposes of this section, the consent must be

- (a) in the form required by the registrar, and
- (b) signed by the minor's legal guardian.

[en. B.C. Reg. 249/2018, s. 3.]

**Safety monitor required if unaccompanied
minor in perimeter seating bus**

12.3 (1) If a perimeter seating bus provides service to one or more unaccompanied minors, a licensee must ensure that safety monitors meeting the requirements of subsection (3) are present as required under subsection (2) in the perimeter seating bus at all times while the service is being provided.

(2) For the purposes of subsection (1),

- (a) if there are 15 or fewer unaccompanied minor passengers, there must be at least one safety monitor,
- (b) if there are 16 to 30 unaccompanied minor passengers, there must be at least 2 safety monitors,
- (c) if there are 31 to 45 unaccompanied minor passengers, there must be at least 3 safety monitors, and
- (d) if there are more than 45 unaccompanied minor passengers, there must be at least 4 safety monitors.

(3) For the purposes of subsection (1), a safety monitor

- (a) must be at least 25 years of age,
- (b) must have the training and have undergone a background check as specified by the board,
- (c) must be employed or retained by the licensee, and
- (d) must not be the driver of the perimeter seating bus.

(4) A safety monitor must do all of the following:

- (a) before service is provided, inform all passengers of
 - (i) the safety monitor's name and duties under this section, and
 - (ii) all restrictions and requirements respecting standing in and exiting the perimeter seating bus;
- (b) at all times while the service is being provided,
 - (i) monitor compliance with those safety requirements of the Act and regulations relevant to passenger conduct, and
 - (ii) monitor the conduct of all passengers, whether minors or adults;
- (c) if the safety monitor believes that the conduct of a passenger contravenes passenger safety requirements of the Act or regulations or may adversely affect the safety of any passenger, the safety monitor must immediately

PASSENGER TRANSPORTATION REGULATIONPart 2.1 – Record Check Requirements for Drivers of Passenger Directed Vehicles

- (i) request the passenger to cease or not repeat the conduct, unless it would be unsafe for the safety monitor to do so, and
- (ii) report the conduct to the driver.

[en. B.C. Reg. 249/2018, s. 3.]

12.4 Repealed. [B.C. Reg. 266/2004, s. 12.4 (2).]

**Evidence of authority to operate
passenger directed vehicle under licence**

12.5 (1) In this section, “**valid record check certificate**” has the same meaning as in section 12.6 (2).

(2) For the purposes of sections 43 (2) (b) [*licence or evidence of authority to operate must be carried in motor vehicle*] and 56 (2) (a.1) [*licence or evidence of authority to operate must be carried in motor vehicle*] of the Act, evidence of authority to operate a motor vehicle as a passenger directed vehicle under a licence must be capable of being produced, immediately on request,

- (a) in the case of a motor vehicle being operated under a passenger directed vehicle authorization, in the form of a printed copy of the driver’s valid record check certificate and, for this purpose, the printed copy must comply with the standards, if any, specified by the registrar, and
- (b) in the case of a motor vehicle being operated under a transportation network services authorization, in the form of a record that
 - (i) is on the licensee’s online platform,
 - (ii) is accessed from a device in the driver’s personal possession, and
 - (iii) includes
 - (A) the driver’s valid record check certificate,
 - (B) the make, model and number on the number plate issued in respect of the motor vehicle,
 - (C) the vehicle year of the motor vehicle, as indicated on the vehicle registration issued by the Insurance Corporation of British Columbia in respect of that motor vehicle, and
 - (D) the certificate number of the licensee’s safety certificate referred to in section 23.1 (1) (b) [*licence required to provide transportation network services*] of the Act.

[en. B.C. Reg. 164/2019, Sch. 2, s. 7.]

**PART 2.1 – RECORD CHECK REQUIREMENTS
FOR DRIVERS OF PASSENGER DIRECTED VEHICLES****Definitions and interpretation for Part 2.1**

12.6 (1) In this Part:

PASSENGER TRANSPORTATION REGULATIONPart 2.1 – Record Check Requirements for Drivers of Passenger Directed Vehicles

“**driving record check**” means a record check required under section 12.61 (b);

“**finding of guilt**” includes the following:

- (a) a conviction that is or may be subject to appeal or further appeal;
- (b) a finding of guilt, whether or not
 - (i) the court orders an absolute or conditional discharge under section 730 [*absolute and conditional discharges*] of the *Criminal Code*, or
 - (ii) the finding is or may be subject to appeal or further appeal;

“**police record check**” means a record check required under section 12.61 (a);

“**prescribed matter**” means a matter prescribed by

- (a) section 12.63 [*prescribed matters respecting police record*], or
- (b) section 12.66 [*prescribed matters respecting driving record*].

(2) For the purposes of this Part, a person has a valid record check certificate if

- (a) the certificate has been issued to the person in accordance with sections 42.2 (3) [*requirement to issue record check certificate if driver’s records acceptable*] or 42.21 (4) [*licensee may issue record check certificate if registrar determines driver’s records acceptable*] of the Act,
- (b) the certificate has not expired under section 12.69 [*expiry date of record check certificate*] of this regulation, and
- (c) the certificate is not required to be, as applicable,
 - (i) returned to the licensee under section 42.2 (4) (b) of the Act, or
 - (ii) removed from the licensee’s online platform under section 12.73 (1) (b) [*requirements if driver under transportation network services authorization acquires record*] of this regulation.

[en. B.C. Reg. 164/2019, Sch. 2, s. 8; am. B.C. Regs. 203/2019, s. 4; 168/2022, Sch., s. 1.]

Prescribed record checks

12.61 For the purposes of section 42.2 (1) (a) [*prescribed record checks required for drivers of passenger directed vehicles*] of the Act, a person must not drive a passenger directed vehicle under a licence unless the person has undergone both of the following within the previous 12 months:

- (a) a police record check in the form of a police information check, with vulnerable sector screening, obtained in accordance with section 12.62 (1) to (3) of this regulation;
- (b) a driving record check obtained in accordance with section 12.62 (1), (4) and (5) of this regulation.

[en. B.C. Reg. 164/2019, Sch. 2, s. 8; am. B.C. Reg. 203/2019, s. 5.]

PASSENGER TRANSPORTATION REGULATIONPart 2.1 – Record Check Requirements for Drivers of Passenger Directed Vehicles

Requirements for carrying out record checks

- 12.62** (1) A police record check or driving record check for a person who is or may be driving a passenger directed vehicle may be obtained, on the person's behalf, by an agency or entity approved by the registrar.
- (2) A police record check for a person who is or may be driving a passenger directed vehicle must be obtained from the police force responsible for law enforcement and policing in the area of British Columbia in which the person resides.
- (3) Subsection (2) does not apply in respect of a police record check obtained by an agency or entity approved by the registrar under subsection (1).
- (4) A driving record check for a person who is or may be driving a passenger directed vehicle
- (a) must be obtained from the Insurance Corporation of British Columbia, and
 - (b) if the person was, within the previous 3 years, issued a driver's licence by a jurisdiction other than British Columbia, must include a driving record check obtained from the agency or entity that issued the driver's licence in that jurisdiction.
- (5) The results of a driving record check obtained in accordance with subsection (4) must be provided,
- (a) in the case of a driving record check obtained from the Insurance Corporation of British Columbia, in the form of a driver's abstract, or
 - (b) in the case of a driving record check obtained from a jurisdiction other than British Columbia, in a form similar to a driver's abstract provided by the Insurance Corporation of British Columbia.

[en. B.C. Reg. 164/2019, Sch. 2, s. 8; am. B.C. Reg. 203/2019, s. 5.]

Prescribed matters respecting police record

- 12.63** For the purposes of sections 42.2 [*prescribed record checks required for drivers of passenger directed vehicles*] and 42.21 [*review of acquired record or results of prescribed record checks*] of the Act, the prescribed matters respecting a person's police record are as follows:

- (a) a finding of guilt, whenever made, for any offence of a sexual nature under the *Criminal Code*, including, without limitation, an offence under any of the provisions referred to in section 12.64 of this regulation;
- (b) a finding of guilt, whenever made, for any offence under the provisions of the *Criminal Code* referred to in section 12.65 [*other Criminal Code provisions*] of this regulation;
- (c) a finding of guilt, within the previous 10 years, for any offence under the *Criminal Code*, other than an offence referred to in paragraph (a) or (b) of this section;
- (d) a finding of guilt, within the previous 10 years, for any offence under the *Controlled Drugs and Substances Act* (Canada);

PASSENGER TRANSPORTATION REGULATIONPart 2.1 – Record Check Requirements for Drivers of Passenger Directed Vehicles

- (e) a charge in respect of an offence under the *Criminal Code* or the *Controlled Drugs and Substances Act* (Canada) that has not yet been disposed of.

[en. B.C. Reg. 164/2019, Sch. 2, s. 8; am. B.C. Regs. 203/2019, s. 6; 168/2022, Sch., s. 2.]

Sexual offence provisions

12.64 For the purposes of section 12.63 (a), the provisions of the *Criminal Code* are as follows:

- (a) sections 151 to 153.1 [*sexual interference, sexual touching, sexual exploitation*];
- (b) section 163.1 [*child pornography*];
- (c) sections 271 to 273 [*sexual assault*];
- (d) section 273.3 [*removal of child from Canada for sexual purposes*];
- (e) sections 286.1 (2) to 286.4 [*obtaining, procuring or advertising sexual services*];
- (f) a provision that is a predecessor to any of the provisions referred to in paragraphs (a) to (e) of this section.

[en. B.C. Reg. 164/2019, Sch. 2, s. 8; am. B.C. Reg. 203/2019, s. 7.]

Other Criminal Code provisions

12.65 For the purposes of section 12.63 (b), the provisions of the *Criminal Code* are as follows:

- (a) sections 76 to 78 [*air or maritime safety offences*];
- (b) sections 79 to 82.6 [*offences involving explosives*];
- (c) Part II.1 [*Terrorism*];
- (d) section 85 [*use of firearm in commission of offence*];
- (e) section 88 [*possession of weapon for dangerous purpose*];
- (f) section 98.1 [*robbery to steal firearm*];
- (g) sections 219 to 248 [*criminal negligence, murder, infanticide, bodily harm*];
- (h) sections 267 to 269.1 [*assault offences*];
- (i) sections 270.01 and 270.02 [*assaulting peace officer*];
- (j) sections 279 to 281 [*kidnapping, trafficking in persons, hostage taking*];
- (k) sections 318 and 319 [*hate crimes*];
- (l) sections 343 to 346 [*robbery and extortion*];
- (m) sections 348 to 351 [*breaking and entering offences*];
- (n) section 430 (2) [*mischief causing actual danger to life*];
- (o) section 433 [*arson – disregard for human life*];
- (p) a provision that is a predecessor to any of the provisions referred to in paragraphs (a) to (o) of this section.

[en. B.C. Reg. 164/2019, Sch. 2, s. 8.]

PASSENGER TRANSPORTATION REGULATIONPart 2.1 – Record Check Requirements for Drivers of Passenger Directed Vehicles

Prescribed matters respecting driving record

- 12.66** (1) For the purposes of sections 42.2 [*prescribed record checks required for drivers of passenger directed vehicles*] and 42.21 [*review of acquired record or results of prescribed record checks*] of the Act, the prescribed matters respecting a person's driving record are as follows:
- (a) 4 or more findings of guilt, within the previous 2 years, for offences under the *Motor Vehicle Act* or the Motor Vehicle Act Regulations listed in the Schedule to Division 28 [*Point System*] of the Motor Vehicle Act Regulations;
 - (b) a driving prohibition, within the previous 3 years, under a provision of the *Motor Vehicle Act* referred to in section 12.67 of this regulation;
 - (c) 2 or more driving suspensions, within the previous 3 years, under section 90.3 (5) [*12 hour suspension*] of the *Motor Vehicle Act*;
 - (d) a driving suspension, within the previous 3 years, under section 90.3 (5) of the *Motor Vehicle Act* and a driving prohibition, within the previous 3 years, under section 215 (5) [*24 hour prohibition*] of that Act;
 - (e) a driving prohibition, within the previous 3 years, under section 215.43 (1) (a) [*3 day immediate roadside driving prohibition*] of the *Motor Vehicle Act* and
 - (i) a driving suspension, within the previous 3 years, under section 90.3 (5) of that Act, or
 - (ii) a driving prohibition, within the previous 3 years, under section 215 (5) of that Act;
 - (f) 2 or more driving prohibitions, within the previous 3 years, under section 215 (5) of the *Motor Vehicle Act*;
 - (g) a matter under a law of a jurisdiction other than British Columbia that is similar to a matter referred to in any of paragraphs (a) to (f) of this subsection.
- (2) A finding of guilt, prohibition or suspension under a provision referred to in this section includes a finding of guilt, prohibition or suspension under a predecessor to the provision.

[en. B.C. Reg. 164/2019, Sch. 2, s. 8; am. B.C. Regs. 203/2019, s. 8; 168/2022, Sch., s. 2.]

Motor Vehicle Act driving prohibitions

- 12.67** For the purposes of section 12.66 (1) (b), the provisions of the *Motor Vehicle Act* are as follows:
- (a) section 91 (1) [*prohibition against driving if there is an unsatisfied judgment*];
 - (b) section 92 [*prohibition against driving relating to fitness or ability to drive*];
 - (c) section 93 (1) [*prohibition against driving by superintendent*];

PASSENGER TRANSPORTATION REGULATIONPart 2.1 – Record Check Requirements for Drivers of Passenger Directed Vehicles

- (d) section 94.2 [*effect of notice of driving prohibition*];
- (e) section 98 (2) [*court prohibition against driving*];
- (f) section 99 (2) [*automatic prohibition against driving on conviction*];
- (g) section 100 (3) [*prohibition against driving for failing to stop*];
- (h) section 215.43 (1) (b) or (c), (2) or (2.1) [*effect of immediate roadside driving prohibition*];
- (i) section 251 (4) [*unlicensed driver prohibition*].

[en. B.C. Reg. 164/2019, Sch. 2, s. 8.]

Prescribed information respecting record check certificates

12.68 For the purposes of sections 42.2 (3) [*requirement to issue record check certificate if driver's records acceptable*] and 42.21 (4) [*licensee may issue record check certificate if registrar determines driver's records acceptable*] of the Act, the prescribed information that must be set out in a driver's record check certificate is as follows:

- (a) the driver's name;
- (b) a photograph of the driver in a form similar to the photograph required on a photo BC services card under the *Motor Vehicle Act*;
- (c) the name of the licensee who issued the record check certificate;
- (d) a statement indicating that the driver
 - (i) has undergone both a police record check and a driving record check, and
 - (ii) meets the record check requirements under the Act;
- (e) the expiry date of the record check certificate.

[en. B.C. Reg. 164/2019, Sch. 2, s. 8; am. B.C. Regs. 203/2019, s. 5; 168/2022, Sch., s. 3.]

Expiry date of record check certificate

12.69 A record check certificate expires on the date that is 12 months after the later of

- (a) the date on which the police record check was conducted, and
- (b) the date on which the driving record check was conducted.

[en. B.C. Reg. 164/2019, Sch. 2, s. 8; am. B.C. Reg. 203/2019, s. 5.]

Licensee must notify driver if record check certificate cannot be issued

12.7 A licensee must notify a person, in writing, if the licensee does not issue a record check certificate to the person under section 42.2 (3) [*record check certificate required if driver does not have record that includes a prescribed matter*] of the Act because the results of a prescribed record check indicate that the person has a record that includes a prescribed matter.

[en. B.C. Reg. 164/2019, Sch. 2, s. 8.]

PASSENGER TRANSPORTATION REGULATIONPart 2.1 – Record Check Requirements for Drivers of Passenger Directed Vehicles

**Driver of passenger directed vehicle
must have valid record check certificate**

- 12.71** A person must not drive a passenger directed vehicle under a passenger directed vehicle authorization or transportation network services authorization unless the person has a valid record check certificate.

[en. B.C. Reg. 164/2019, Sch. 2, s. 8.]

**Mandatory terms and conditions respecting
display of record check certificate**

- 12.72** (1) The following are terms and conditions of every licence that includes a passenger directed vehicle authorization:
- (a) when a person is driving a motor vehicle as a passenger directed vehicle under the authorization, the person must display, in a clearly visible place in the motor vehicle, a printed copy of the person's valid record check certificate;
 - (b) the printed copy required under paragraph (a) must comply with the standards, if any, specified by the registrar.
- (2) The following are terms and conditions of every licence that includes a transportation network services authorization:
- (a) the licensee must include on the licensee's online platform the valid record check certificate issued to each person who drives a passenger directed vehicle under the authorization;
 - (b) the licensee must not include on the licensee's online platform a record check certificate that is no longer valid;
 - (c) when a person is driving a motor vehicle under the authorization, the person must have a device in the person's personal possession from which the person can display, on the licensee's online platform, the person's valid record check certificate.

[en. B.C. Reg. 164/2019, Sch. 2, s. 8.]

**Requirements if driver under transportation
network services authorization acquires record**

- 12.73** (1) If a person who drives a passenger directed vehicle under a transportation network services authorization has given notice to a licensee under section 42.2 (4) (a) [*driver must notify licensee if record acquired between record checks*] of the Act, the licensee must immediately do both of the following:
- (a) ensure that the person has no access, in the person's capacity as a driver, to the licensee's online platform;
 - (b) remove the person's record check certificate from the licensee's online platform.
- (2) Section 42.2 (4) (b) [*driver must return record check certificate if record acquired between record checks*] of the Act does not apply to a person who drives

PASSENGER TRANSPORTATION REGULATIONPart 3 – Condition of Commercial Passenger Vehicle

a passenger directed vehicle under a transportation network services authorization only.

[en. B.C. Reg. 164/2019, Sch. 2, s. 8.]

Review of acquired record or results of prescribed records checks

- 12.74** (1) A request by a person under section 42.21 (1) of the Act for the review of an acquired record or the results of a prescribed record check must be made to the registrar, in writing,
- (a) in the case of a request for the review of an acquired record, within 30 days after the person gives notice of the acquired record in accordance with section 42.2 (4) *[driver must notify licensee of record acquired between record checks]* of the Act, or
 - (b) in the case of a request for the review of the results of a prescribed record check, within 30 days after the person receives notice under section 12.7 *[licensee must notify driver if record check certificate cannot be issued]* of this regulation.
- (2) The registrar must notify the person and the licensee, in writing, of a determination made under section 42.21 (3) of the Act.

[en. B.C. Reg. 168/2022, Sch., s. 4.]

PART 3 – CONDITION OF COMMERCIAL PASSENGER VEHICLE**Commercial passenger vehicles must be in safe operating condition**

- 13** Commercial passenger vehicles must not be operated under a licence or temporary operating permit unless they are in a safe operating condition.

[am. B.C. Reg. 192/2008, s. 1.]

Age of motor vehicles operating under transportation network services authorization

- 13.1** (1) A motor vehicle must not be operated as a passenger directed vehicle under a transportation network services authorization if the motor vehicle is 10 or more years old.
- (2) For the purposes of subsection (1), the age of a motor vehicle must be determined by referring to the vehicle year indicated on the vehicle registration issued by the Insurance Corporation of British Columbia in respect of that motor vehicle.
- (3) Despite subsection (1), a motor vehicle may be operated as a passenger directed vehicle under a transportation network services authorization for a period of 30 days after the motor vehicle becomes 10 years old.

[en. B.C. Reg. 164/2019, Sch. 2, s. 9.]

Defective vehicle must not proceed

- 14** (1) If any part of a commercial passenger vehicle is or becomes defective so that continuing the operation of the commercial passenger vehicle could reasonably

PASSENGER TRANSPORTATION REGULATIONPart 3 – Condition of Commercial Passenger Vehicle

be expected to endanger the safety of a passenger, the commercial passenger vehicle must be brought to a stop and must not proceed to carry passengers until the defect is remedied or the danger is removed.

- (2) Subject to subsection (3), if a defect referred to in subsection (1) occurs to, or is discovered in, a commercial passenger vehicle that is carrying passengers, the licensee must promptly
- (a) transport those passengers, or
 - (b) arrange for those passengers to be transported
- in a commercial passenger vehicle in respect of which a licence or temporary operating permit has been issued under the Act, to
- (c) the intended destination, or
 - (d) a place where they can obtain accommodation or alternative transportation.
- (3) If the licensee intends to transport passengers under subsection (2) (d) and determines that it is not possible to promptly provide or arrange transportation by means of a commercial passenger vehicle in respect of which a licence or temporary operating permit has been issued under the Act, the transportation may be provided by means of a motor vehicle in respect of which
- (a) a motor vehicle liability policy has been issued, or
 - (b) proof of financial responsibility has been given under section 106 of the *Motor Vehicle Act*.

[am. B.C. Reg. 192/2008, s. 2.]

Obligation to report safety concerns

- 15** (1) A licensee must require persons who drive a commercial passenger vehicle operated under the licence to provide promptly to the licensee, or to any person designated by the licensee for that purpose, a written report of any defect or deficiency in the commercial passenger vehicle that could affect the safe operation of the commercial passenger vehicle.
- (2) A licensee who receives a report referred to in subsection (1) must
- (a) inspect the commercial passenger vehicle, or have the commercial passenger vehicle inspected, to determine if there is a safety concern, and prepare or obtain a written report of the inspection, and
 - (b) if the inspection reveals a defect or deficiency in the commercial passenger vehicle that could affect the safe operation of the commercial passenger vehicle,
 - (i) have the commercial passenger vehicle repaired before it is used to transport passengers, and
 - (ii) prepare or obtain a written report of the repairs.
- (3) A licensee must keep each report referred to in subsection (1), each report referred to in subsection (2) (a) and each report referred to in subsection (2) (b)

PASSENGER TRANSPORTATION REGULATIONPart 4 – Identifiers and Vehicle Identification Certificates

for at least 2 years from date the report is prepared or received by the licensee, as the case may be.

Commercial passenger vehicle must have curbside exit

- 16** There must be, on or in a commercial passenger vehicle, at least one door or other opening by which passengers may enter or leave the commercial passenger vehicle on the curb side of the commercial passenger vehicle.

Inspection required

- 17** A commercial passenger vehicle for which a motor vehicle liability policy has been issued must be inspected in accordance with the requirements of Division 25 of the Motor Vehicle Act Regulations before
- (a) any identifier, vehicle identification certificate, temporary operating permit or licence is issued or renewed for or in relation to the commercial passenger vehicle, or
 - (b) the transfer of any licence that is, after the transfer, to apply to the commercial passenger vehicle.

[am. B.C. Reg. 192/2008, s. 3.]

PART 4 – IDENTIFIERS AND VEHICLE IDENTIFICATION CERTIFICATES

- 18** Repealed. [B.C. Reg. 164/2019, Sch. 2, s. 10.]

How vehicle identifiers must be returned

- 19** Vehicle identifiers must be returned to the registrar, for the purposes of the following provisions of the Act, by personal delivery or registered mail:
- (a) section 30 (3) (c) [*return required on transfer of licence*];
 - (b) section 45 (1) (c) [*return required on voluntary cessation under licence*];
 - (c) section 46 (1) (c) (v) [*return required under administrative penalty*];
 - (d) section 47 (4) (c) [*return required on suspension or cancellation of licence without notice*].

[en. B.C. Reg. 164/2019, Sch. 2, s. 11.]

PART 5 – TEMPORARY OPERATING PERMITS**Maximum period for temporary operating permits**

- 20**
- (1) The maximum period for which a temporary operating permit may be issued to a licensee is 92 days.
 - (2) The maximum period for which a temporary operating permit may be issued to a person who is not a licensee is 7 consecutive days.

PASSENGER TRANSPORTATION REGULATIONPart 6 – Administration

**Restriction on temporary operating permits
issued to persons who are not licensees**

- 21** It is a term and condition of a temporary operating permit issued to persons who are not licensees that the holder of the temporary operating permit must not pick up passengers in British Columbia.

21.1 Repealed. [B.C. Reg. 168/2022, Sch., s. 5.]

**Evidence of authority to operate passenger directed
vehicle under temporary operating permit**

- 21.2** (1) In this section, “**valid record check certificate**” has the same meaning as in section 12.6 (2) *[definitions and interpretation for Part 2.1]*.
- (2) For the purposes of sections 39 (c) (ii) (B) *[requirement to carry evidence of authority in vehicle]* and 56 (2) (a.1) *[power to require evidence of authority to operate motor vehicle]* of the Act, evidence of a person’s authority to operate a motor vehicle as a passenger directed vehicle under a temporary operating permit issued under section 38 *[applications considered by the board]* of the Act must be capable of being produced, immediately on request, in the form of a printed copy of the driver’s valid record check certificate.
- (3) The printed copy required under subsection (2) must comply with the standards, if any, specified by the registrar.
[en. B.C. Reg. 168/2022, Sch., s. 6.]

PART 6 – ADMINISTRATION**Index**

- 22** The following information must be maintained, in the index referred to in section 4 (1) (a) of the Act, for each licensee:
- (a) the name and, if different, the business name, if any, of the licensee;
 - (b) the licensee’s business address and business telephone number;
 - (c) the authorizations provided by the licensee’s licence;
 - (d) the status of the licensee’s licence;
 - (e) if the licence contains an authorization to operate one or more commercial passenger vehicles as passenger directed vehicles, the number of commercial passenger vehicles so authorized under the licence;
 - (f) the terms and conditions of the licensee’s licence;
 - (g) any orders made under Part 6 of the Act in relation to the licensee or the licensee’s licence.

Licence consolidation

- 23** If a licence is required under the *Motor Vehicle Transport Act* (Canada) and the registrar, pursuant to powers granted to the registrar in that Act, has decided to issue

PASSENGER TRANSPORTATION REGULATION

Part 7 – Fees

such a licence, the registrar may consolidate with it a licence issued under the *Passenger Transportation Act*.

PART 7 – FEES**Application fees**

- 24** The fee, under a provision of the Act set out in column 1 of the following table, for an application referred to opposite in column 2 is the amount set out opposite in column 3:

Item	Column 1 Provision of Act	Column 2 Description of Application	Column 3 Fee
1	s. 24	Application for licence	\$200
2	s. 30	Application to transfer licence	\$200
3	s. 31	Application to amend licence	\$200
4	s. 33 (2)	Application to replace worn out, defaced, lost or destroyed licence or vehicle identifier issued by registrar	\$50
5	s. 34	Application to renew licence that includes a general authorization	\$100
6	s. 35	Application to change rates under passenger directed vehicle authorization or transportation network services authorization	\$200
7	s. 36 or 36.1	Application for temporary operating permit for proposed period of (a) not more than 14 days, (b) more than 14 days but not more than 30 days, (c) more than 30 days but not more than 60 days, (d) more than 60 days but not more than 92 days	\$25 \$50 \$75 \$100

[en. B.C. Reg. 164/2019, Sch. 2, s. 13; am. B.C. Reg. 203/2019, s. 9.]

Licence fees

- 24.1** (1) In this section, “**licence**” includes the following:
- (a) an amended licence issued as a result of an application made under section 31 [*amendment of licences*] of the Act;
 - (b) a renewed licence issued under section 34 [*expiry and renewal of licences*] of the Act.

PASSENGER TRANSPORTATION REGULATION

Part 7 – Fees

- (2) The fee, under a provision of the Act set out in column 1 of the following table, for a licence referred to opposite in column 2 is the amount set out opposite in column 3:

Item	Column 1 Provision of Act	Column 2 Description of Licence	Column 3 Fee
1	s. 29 (1) (e) (i)	Licence that includes inter-city bus authorization	\$100 for each motor vehicle operated under authority of inter-city bus authorization
2	s. 29 (1) (e) (i)	Licence that includes passenger directed vehicle authorization	The lesser of the following: (a) \$50 for each motor vehicle operated under authority of passenger directed vehicle authorization; (b) \$5 000
3	s. 29 (1) (e) (i)	Licence that includes transportation network services authorization	Flat fee of \$5 000 + additional per-trip fee of \$0.90 for trips taken in non-accessible passenger directed vehicles operated under transportation network services authorization

[en. B.C. Reg. 164/2019, Sch. 2, s. 13; am. B.C. Regs. 203/2019, s. 10; 145/2020; 195/2022.]

**Licence fee for inter-city bus authorization
or passenger directed vehicle authorization**

- 24.2** (1) The amount payable for a licence fee referred to in item 1 of the table in section 24.1 (2) must be determined based on the number of vehicle identifiers issued under the licence by the registrar or licensee, as applicable.
- (2) The portion of a licence fee that is payable based on the number of vehicle identifiers that are or will be issued before or when the licence is issued must be paid before the licence is issued.
- (3) The portion of a licence fee that is payable based on the number of vehicle identifiers that are issued after the licence is issued must be paid before those vehicle identifiers are issued.

[en. B.C. Reg. 164/2019, Sch. 2, s. 13.]

**Licence fee for transportation
network services authorization**

- 24.3** (1) The amount payable for the flat fee for a licence referred to in item 2 of the table in section 24.1 (2) [*licence fees*] must be paid before the licence is issued.
- (2) The amount payable for the additional per-trip fee referred to in item 2 of the table in section 24.1 (2) must be determined based on the number of trips taken, during each instalment period, in motor vehicles that are not accessible passenger directed vehicles.
- (3) For the purposes of subsection (2), the instalment periods and due dates for payment are as follows:
- (a) the first instalment period starts January 1 and ends March 31 and the due date for payment, in respect of that period, is April 30;
 - (b) the second instalment period starts April 1 and ends June 30 and the due date for payment, in respect of that period, is July 31;
 - (c) the third instalment period starts July 1 and ends September 30 and the due date for payment, in respect of that period, is October 31;
 - (d) the fourth instalment period starts October 1 and ends December 31 and the due date for payment, in respect of that period, is January 31.
- (4) For the purposes of subsection (2),
- (a) the number of trips taken must be determined based on the number of rides hailed and taken, as a result of requests made through the use of the licensee's online platform, in passenger directed vehicles that are not accessible passenger directed vehicles, and
 - (b) if the licence is renewed during an instalment period, the fee payable must be determined based on the number of trips taken during the whole of the instalment period, regardless of whether the trips were taken before or after the renewal of the licence.
- (5) If the registrar determines that a licensee has not paid an amount payable under subsection (2) in respect of an instalment period, the registrar may, by written request, require the licensee to pay to the government the amount specified in the written request.

[en. B.C. Reg. 164/2019, Sch. 2, s. 13.]

Submission and filing fees

- 25** (1) The fee for making a submission under section 27 (2) or (4) [*submissions respecting application for special authorization*] of the Act is \$50.
- (2) The fee for filing a notice of appeal under section 50 [*initiating appeals*] of the Act is \$150.

[en. B.C. Reg. 164/2019, Sch. 2, s. 13.]

PASSENGER TRANSPORTATION REGULATIONPart 9 – Transitional Provisions and Exemptions

PART 8

26 Repealed. [B.C. Reg. 247/2010, Sch., s. 1 (c).]

PART 8.1

27 to 30 Repealed. [B.C. Reg. 217/2009, s. 2.]

PART 9 – TRANSITIONAL PROVISIONS AND EXEMPTIONS**Transition – terms and conditions respecting vehicle identifiers**

- 31** (1) In this section, “**pre-existing licence**” means a valid licence that, on September 15, 2019, authorizes one or more motor vehicles to be operated as general passenger vehicles, inter-city buses or passenger directed vehicles.
- (2) It is a term and condition of every pre-existing licence that vehicle identifiers issued on or after September 16, 2019 under the pre-existing licence must be displayed at the times and in the form and manner required by the registrar.
- [en. B.C. Reg. 164/2019, Sch. 2, s. 14.]

Transition – terms and conditions respecting information about passenger directed vehicles

- 32** (1) In this section:
- “**amending Act**” means the *Passenger Transportation Amendment Act, 2018*, S.B.C. 2018, c. 53;
- “**pre-existing licence**” means a valid licence that, on September 15, 2019, authorizes one or more motor vehicles to be operated as passenger directed vehicles.
- (2) It is a term and condition of every pre-existing licence that the licensee must provide to the registrar any information, including personal information, and data that the registrar or board may require for the purposes of
- (a) more effectively bringing the amending Act into operation, or
- (b) addressing transitional difficulties encountered in bringing the amending Act into effect.
- [en. B.C. Reg. 164/2019, Sch. 2, s. 14.]

33 Repealed. [B.C. Reg. 266/2004, s. 33 (4).]

34 Repealed. [B.C. Reg. 266/2004, s. 34 (3).]