

# **RIDE-HAILING**

## **What Can Local Governments Expect?**



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# PRESENTATION OVERVIEW

- **Context**
- **What's not changing?**
- **What's changing?**
- **Municipal Government Working Groups**
- **Future Review**



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# CONTEXT



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# CONTEXT

- **Select Standing Committee on Crown Corporations**
  - Examine, inquire into and make recommendations regarding commercial ride-hailing (TNS)
  - Broad call out for input
    - 67 witnesses, 26 presentations, 13 submissions (Jan. 2018)
    - 32 witnesses, 15 presentations, 47 submissions (Jan. 2019)
  - 2 reports released: Feb. 2018 and Mar. 2019
    - March 2019 report: 11 recommendations related to fleet supply, boundaries, fares, and safety



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# CONTEXT

- **Dr. Hara & Associates: Modernizing Taxi Regulations**
- **July 2018**
  - Consultations: taxi industry, local governments, and consumer and business interest groups
    - A one-time opportunity in the near-term to increase the number of taxi vehicles by up to 15%
    - Giving industry the flexibility to lower metered taxi fares in off-peak hours for app hailed trips
    - Increasing efficiencies at shift change with separate day and night vehicles



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# CONTEXT

## ■ Passenger Transportation Regulations

### ■ Consultations:

- Local governments (Vancouver, Victoria, Surrey, Richmond, Kelowna, Prince George, Fort St. John, CORD), UBCM
- Taxi associations, ride-hail companies
- BC Chiefs of Police, Information and Privacy Commissioner, BC Civil Liberties Association
- Accessibility/seniors/injury representatives
- BC Transit, TransLink, YVR



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# CONTEXT

- **Foundation for Modernization:**
  - Safety of Passengers and Drivers
  - Protection of Accessibility Services
  - Consistency and Fairness
  - Reduce Regulatory Overlap
  - Data-driven Decisions



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# CONTEXT

- Bill 55 received royal assent November 28, 2018
- Regulations supporting Bill 55 were deposited July 8, 2019
- Act/Regulations in effect September 16, 2019
- Expectation: commercial ride-hailing operational this year



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# OVERVIEW

## What's changing & What's not

Province (Ministry)	PT Board	Municipalities
<b>Provincial Safety Requirements</b> <ul style="list-style-type: none"> <li>Class of driver licence</li> <li>Record checks</li> <li>Driver training</li> <li>National Safety Code</li> <li>Vehicle inspections</li> <li>Vehicle requirements</li> <li>Removal of seat belt exemption</li> </ul>	<b>Role confirmed</b> <ul style="list-style-type: none"> <li>Ride-hailing applications to be considered in manner as taxi applications</li> <li>Set terms and conditions of licensing</li> </ul>	<b>Supply &amp; Operating Areas</b> <ul style="list-style-type: none"> <li>Exclusive jurisdiction of the Board</li> </ul> <b>Municipal Chauffeur Permits</b> <ul style="list-style-type: none"> <li>Authority repealed in respect of drivers of taxis, limos</li> <li>New provincial requirements</li> </ul>
<b>Supporting Accessibility</b> <ul style="list-style-type: none"> <li>Fee per trip</li> <li>Side entry vehicles</li> </ul>	<b>Role Strengthened</b> <ul style="list-style-type: none"> <li>Exclusive jurisdiction</li> <li>Supply &amp; Boundaries for ride-hailing</li> </ul>	<b>Business Licences</b> <ul style="list-style-type: none"> <li>For ride-hailing</li> <li>No changes to municipal business licence authority</li> </ul>
<b>Data Requirements</b> <ul style="list-style-type: none"> <li>Enforcement</li> </ul>	<b>Data Requirements</b> <ul style="list-style-type: none"> <li>Data driven decisions</li> </ul>	<b>Regulation of Streets &amp; Traffic</b> <ul style="list-style-type: none"> <li>For taxis, limos and ride-hailing</li> <li>No changes to curbside management or other authority to regulate traffic</li> </ul>



Changes



Status Quo



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# WHAT'S NOT CHANGING?



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# WHAT'S NOT CHANGING?

- **1. Municipal authority: Issue business licences**
  - To both taxi and ride-hail operators
  - Important considerations:
    - treat industries similarly
    - reduce administrative burdens where possible
  - Inter-community business licences
  - Licensing by company or driver



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# WHAT'S NOT CHANGING?

- **2. Municipal authority: Business licence requirements**
  - **Age of taxi fleets**
    - Provincial requirements for ride-hail is 10 years + 1 month
  - **Standards of fleets**
    - Identifiers/trade dress
    - Provincial requirements to be determined by Registrar
      - » Likely to include company-provided identification that meets Registrar requirements for size and placement



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# WHAT'S NOT CHANGING

- **3. Municipal authority: Streets & traffic**
  - **Bylaw making authority respecting, for example:**
    - Curbside management and parking
    - Taxi stand locations



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# WHAT'S CHANGING?



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# WHAT'S CHANGING?

- **1. Provincial Requirements:**
  - Replacing Municipal Chauffeur Permits
  - New responsibilities for companies & drivers
  - New provincial audits & increased penalties
- **2. Supply, Operating Areas, and Fares:**
  - Exclusive jurisdiction of the Passenger Transportation Board



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# WHAT'S CHANGING?

- **Provincial Requirements**
  - **Municipal Chauffeur Permits can no longer be issued for taxi, limousine, and ride-hail drivers**
    - Replaced with provincial requirements that cover driver licensing, criminal record checks, driver record checks, and driver training



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# WHAT'S CHANGING?

## ■ Provincial Requirements

### **Drivers must:**

- Hold a BC issued Class 1, 2, or 4 Driver License
  - Pass a Criminal Record Check (Vulnerable sector check)
    - Based on outstanding charges and convictions
  - Pass a driver history check
    - Based on 3 year driving history
- ## ■ Drivers can appeal decisions to the Registrar
- ## ■ Registrar has authority to require driver training



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# WHAT'S CHANGING?

## ■ Provincial Requirements

- **Current Municipal Chauffeur Permits remain valid**
  - Until the expiry or September 16, 2021 (whichever comes first)
  - Company must still issue new record check certificate
- **Drivers in municipalities that do not have a Permit regime:**
  - Need to comply with provincial requirements by Jan 2, 2020



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# WHAT'S CHANGING?

- **Licensee's Duties – Record Checks**
  - **Ensure drivers meet prescribed requirements**
    - Issue letter to those who they deem ineligible
    - Driver deemed ineligible may apply to the Registrar for a review
  - **Issue record check certificate to drivers they deem eligible**
    - Must meet standards specified by the Registrar
  - **Maintain records for six years**
    - Support audits of record check results



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# WHAT'S CHANGING?

- **Licensee's Duties – National Safety Code**
  - **Hiring and monitoring drivers**
    - Ensure drivers are properly licenced and operating safely on the road
  - **Monitoring hours of service**
    - Ensure drivers are not driving while fatigued and in compliance with hours of service requirements
  - **Maintaining vehicles preventatively**
    - Ensure vehicles are mechanically sound and safe to operate



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# WHAT'S CHANGING?

- **Inspection Interval for Vehicles**
  - Annual Inspection
    - If less than 40,000 km in the previous year
  - Semi-annual Inspection
    - If 40,000 or more km in the previous year



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# WHAT'S CHANGING?

- **Supply, Operating Areas and Fares**
  - **Municipalities:**
    - No longer have a role in determining operating areas of passenger directed vehicles or supply of vehicles
  - **Passenger Transportation Board:**
    - Sole authority for determining operating areas, supply of vehicles, and fares.



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# WHAT'S CHANGING?

- **Role of the PT Board**

- **The Board makes determinations based on:**

- Applicant is fit and proper
    - Application promotes sound economic conditions in the industry
    - Public need for the service

- **Applications to the Board are posted publicly for interested parties to make submissions**

- Fees are waived for municipal submissions



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# WHAT'S CHANGING?

- **Passenger Transportation Board Policy**
  - In August, the Board published ride-hail policies as follows:
    - Regional boundaries as opposed to municipal-based
    - No initial supply limits as opposed to a cap
    - Minimum fare equal to taxi flag rate fare as opposed to specific fares for time/distance—surge pricing permitted in peak periods



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# WHAT'S CHANGING?

## ■ PT Board: Operating Areas for ride-hailing

### Region 1: Lower Mainland, Whistler

- Fraser Valley, Metro Vancouver,\* Squamish-Lillooet *\*No pick-ups at Canada Place on cruise ship days.*

### Region 2: Capital

- Capital Regional District

### Region 3: Vancouver Island, Excluding CRD

- Alberni-Clayoquot, Comox Valley, Cowichan Valley, Mt. Waddington, Nanaimo, Qathet (Powell River), Strathcona

### Region 4: Okanagan-Kootenay-Boundary-Cariboo

- Central Okanagan, Columbia, Kootenay Boundary, North Okanagan, Okanagan-Similkameen, Shuswap Cariboo, Thompson-Nicola

### Region 5: North Central & Other Regions

- Bulkley Nechako, Fraser-Fort George, Islands Trust, Kitimat-Stikine, Northern Rockies, North Coast, Peace River, Sunshine Coast



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# WHAT'S CHANGING?

## ■ 17 Applications to date (as of Oct. 8, 2019)

Each application identifies region(s) ride-hailing company seeks to operate in

### Region 1: Lower Mainland, Whistler

- 12 applications

### Region 2: Capital Regional District

- 9 applications

### Region 3: Vancouver Island, Excluding CRD

- 10 applications

### Region 4: Okanagan-Kootenay-Boundary-Cariboo

- 10 applications

### Region 5: North Central & Other Regions

- 5 applications



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# WHAT'S CHANGING?

- **Data-Driven Decisions**

- **Bill 55 authorizes the Board and Registrar to collect data from licensees (companies)**
  - Increased evidence to support Board decisions
  - Compliance and Enforcement monitoring
  - Fee collection
    - Monitoring number of trips for \$0.30 per trip licensing fee



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# WHAT'S CHANGING?

## ■ Data-Driven Decisions

### ■ Data collected from taxi and ride-hail:

- Category of trip (taxi, ride-hail, limousine)
- Driver shift information (driver license number, vehicle registration number, shift start time, shift end time)
- Trip type (vehicle type used, hail type)
- Trip metrics (wait times, GPS coordinates for pick up and drop off locations, date and time, distance to pickup from hail location, number of passengers, trip duration, trip distance, total fare)



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# WHAT'S CHANGING?

- **Data-Driven Decisions**
  - **Sharing of non-personal data with municipalities**
    - Assist in curbside management planning
    - Transit and infrastructure planning



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# WHAT'S CHANGING?

## ■ Enforcement

- Enhanced Branch authorities for investigations and audits
- Staffing increases
- Partnerships with CVSE, police, bylaw enforcement
- Increased penalties
- Education



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# WHAT'S CHANGING?

## ■ Offences/Fines

### ■ New Offences:

- \$100,000 fine (per day) for a corporation or limited liability company
- Seven new record check-related offences

### ■ Administrative Penalty:

- Registrar's decision
- Maximum changed from \$1,500 to \$50,000

### ■ Existing Offences:

- 11 carried over (same fine amounts)
- Two eliminated, one has two variations



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# WHAT'S CHANGING?

## ■ Accessibility

- **\$.30 per trip licence fee applied to non-accessible trips in ride-hail (to be paid by ride-hail companies):**
  - Fee to cover increased administrative costs and support access to accessible services
- **Regulations amended to allow for both rear entry and side entry accessible taxis**



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# ONGOING CONSULTATIONS



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# MUNICIPAL WORKING GROUPS

- **Provincial Working Group**
  - **Established to address pre- and post-implementation challenges**
    - (Pre-implementation) information sharing, coordination
    - (Post-implementation) data sharing, accessibility, refinements
  - **Membership:**
    - Fort St. John, Surrey, Kamloops, Vancouver, Kelowna, Victoria, Prince George, Richmond, TransLink, BC Transit



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# MUNICIPAL WORKING GROUPS

- **Regional working groups**
  - Alignment of business licence requirements and fees
  - Explore efficiencies and reduce administrative burdens
- **Greater Victoria**
- **Okanagan-Similkameen**
- **Lower Mainland**



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# SPECIAL COMMITTEE REVIEW

- **Special Committee Review**
  - **Committee to be appointed on or before January 1, 2022 to review:**
    - Adequacy of supply (including accessible vehicles)
      - » Including small, rural and remote communities
    - Passenger and driver safety
    - Effectiveness of the Board's test
    - Employment in the industry
    - Impacts on public transportation, traffic congestion, environment



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# PT BRANCH CONTACT INFORMATION

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# QUESTIONS?



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