Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the Passenger Transportation Regulation, B.C. Reg. 266/2004, is amended,

(a) effective September 3, 2019, as set out in the attached Schedule 1, and

(b) effective September 16, 2019, as set out in the attached Schedule 2.

Minister of Transportation and Infrastructure

Presiding Member of the Executive Council

Authority under which Order is made:

Act and section: Passenger Transportation Amendment Act, 2018, S.B.C. 2018, c. 53, s. 51;
Passenger Transportation Act, S.B.C. 2004, c. 39, ss. 59 to 59.6

Other: OIC 578/2004
SCHEDULE 1

1 The Passenger Transportation Regulation, B.C. Reg. 266/2004, is amended by adding the following section:

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

2 Section 2 is amended

(a) in subsection (1) by striking out “A commercial passenger vehicle is excluded from the definition of “inter-city bus” “ and substituting “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”,

(b) in subsection (1) (b) by striking out “paragraph (a) (i)” and substituting “paragraph (a) (i) of this subsection”,

(c) in subsection (1) (c) by striking out “paragraph (a) (i)” and substituting “paragraph (a) (i) of this subsection” and by striking out “paragraph (a) (ii)” and substituting “paragraph (a) (ii) of this subsection”,

(d) in subsection (2) by striking out “from the definition of “inter-city bus” ” and substituting “for the purposes of paragraph (a) of the definition of “inter-city bus” in section 1 of the Act”,

(e) by adding the following subsection:

(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.

(f) in subsection (3) by striking out “paragraph (a) of the definition of “inter-city bus” in the A c t” and substituting “paragraph (a) (i) (A) of the definition of “inter-city bus” in section 1 of the A c t” and by striking out “in the Greater Vancouver Regional District or in the Capital Regional District” and substituting “in the Capital Regional District or in the Metro Vancouver Regional District”,

(g) in subsection (4) by striking out “paragraph (a) of the definition of “inter-city bus” in the A c t” and substituting “paragraph (a) (i) (B) of the definition of “inter-city bus” in section 1 of the A c t” and by striking out “Greater Vancouver Regional District” and substituting “Metro Vancouver Regional District”, and

(h) by repealing subsection (5) and substituting the following:

(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 A c t 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

(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.

3 Section 3 is amended

(a) by repealing subsection (1) and substituting the following:

(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 A c t is 11.

(b) in subsection (2) by striking out “The following commercial passenger vehicles are excluded from the definition of “passenger directed vehicle”:“ and substituting “For the purposes of paragraph (a) (ii) of the definition of “passenger directed vehicle” in section 1 of the A c t, the following are excluded:”,

(c) in subsection (2) (b) (ii) and (d) (iii) by striking out “subparagraph (i)” and substituting “subparagraph (i) of this paragraph”, and

(d) in subsection (3) by striking out “is included in the definition of “passenger directed vehicle”:“ and substituting “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 A c t.”

Schedule 2

1 Section 1 (1) of the Passenger Transportation Regulation is amended
(a) in the definition of “charitable association” by striking out “Canada Customs and Revenue Agency” and substituting “Canada Revenue Agency”, and

(b) in the definition of “school bus” by striking out “to convey students” and substituting “to transport students”.

2 Section 4 is amended by striking out “as motor carrier inspectors or as passenger transportation inspectors” and substituting “as passenger transportation inspectors”.

3 Section 5 is amended

(a) in paragraph (c) by striking out “Greater Vancouver Transportation Authority” and substituting “South Coast British Columbia Transportation Authority” and by striking out “Greater Vancouver Transportation Authority Act” and substituting “South Coast British Columbia Transportation Authority Act”,

(b) in paragraph (l) (i) by striking out “from the facility,” and substituting “from the facility, or”, and

(c) by repealing paragraph (n) and substituting the following:

(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.

4 Section 6 is amended

(a) by striking out “must retain the care and control of every commercial passenger vehicle that is operated under the licence and”, and

(b) by repealing subsection (2).

5 Section 7 is amended

(a) by renumbering the section as section 7 (1), and

(b) by adding the following subsection:

(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.

6 Section 12.1 is amended

(a) in subsection (1) by striking out “to convey passengers” and substituting “to transport passengers”, by striking out “or flag” and by striking out “or flagged”, and

(b) in subsection (2) by striking out “for the conveyance of passengers” and substituting “to transport passengers”.

7 The following section is added to Part 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 12.5 (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.

8 The following Part is added:

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:

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

“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;

**prescribed matter** means a matter prescribed by

(a) section 12.63 [prescribed matters respecting criminal 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 section 42.2 (3) [prescribed record checks required for drivers of passenger directed vehicles] 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.

**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 criminal 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.

**Requirements for carrying out record checks**

12.62 (1) A criminal 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 criminal 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 criminal 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.

Prescribed matters respecting criminal record

12.63 For the purposes of section 42.2 (2) (a) and (b) [person with record that includes prescribed matter must not drive passenger directed vehicle] of the Act, the prescribed matters respecting a person’s criminal 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);

(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.

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 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.

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.

Prescribed matters respecting driving record

12.66 (1) For the purposes of section 42.2 (2) (a) and (b) [person with record that includes prescribed matter must not drive passenger directed vehicle] 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 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.

**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 superintendency];
(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].

**Prescribed information respecting record check certificates**

**12.68** For the purposes of section 42.2 (3) [requirement to issue record check certificate if
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 criminal 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.

**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 criminal record check was conducted, and
(b) the date on which the driving record check was conducted.
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.

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.

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.

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

Review of criminal record or driving record by registrar

12.74 (1) A person to whom notice is given by a licensee under section 12.7 [licensee must notify driver if record check certificate cannot be issued] of this regulation, or who gives notice to a licensee under section 42.2 (4) (a) [driver must notify licensee if record acquired between record checks] of the Act, may request that the registrar review the person’s criminal record or driving record if

(a) it is uncertain whether the person has a record that includes a prescribed matter, or

(b) the person has a record that includes a prescribed matter but the person believes that the matter is unrelated to the person’s work or intended work as a driver of a passenger directed vehicle.

(2) A request under subsection (1)

(a) must be made, in writing, within 30 days after the notice referred to in that subsection is given, and

(b) must include the information required by the registrar.

(3) After reviewing a request made under subsection (1), the registrar must determine the following:

(a) whether the person has a record that includes a prescribed matter;

(b) if the person has a record that includes a prescribed matter, whether the matter is unrelated to the driver’s work or intended work as a driver of a passenger directed vehicle and, for this purpose, the registrar must take into account public safety.

(4) The registrar must notify the person and the licensee, in writing, of a determination made under subsection (3).

(5) A licensee may issue a record check certificate to a person under section 42.2 (3) [record check certificate required if driver does not have record that includes a prescribed matter] of the Act if the registrar determines under subsection (3) of this section that

(a) the person does not have a record that includes a prescribed matter, or

(b) the person has a record that includes a prescribed matter but the prescribed matter is unrelated to the person’s work or intended work as a driver of a passenger directed vehicle.

(6) This section is repealed on September 16, 2022.

9 The following section is added:
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.

10 Section 18 is repealed.

11 Section 19 is repealed and the following substituted:

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].

12 The following sections are added to Part 5:

Temporary operating permits to increase fleet size

21.1 (1) It is a term and condition of every temporary operating permit issued to licensees under section 38 [applications considered by board] of the Act that if a person is prohibited under the Act from operating a motor vehicle as a passenger directed vehicle under a licence, the person must not operate a motor vehicle as a passenger directed vehicle under the temporary operating permit.

(2) This section is repealed on September 16, 2022.

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) [effect of temporary operating permit] and 56 (2) (a.1) [licence or evidence of authority to operate must be carried in 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 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.

(4) This section is repealed on September 16, 2022.

13 Part 7 is repealed and the following substituted:

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:

<table>
<thead>
<tr>
<th>Item</th>
<th>Column 1 Provision of Act</th>
<th>Column 2 Description of Application</th>
<th>Column 3 Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>s. 24</td>
<td>Application for licence</td>
<td>$200</td>
</tr>
<tr>
<td>2</td>
<td>s. 30</td>
<td>Application to transfer licence</td>
<td>$200</td>
</tr>
<tr>
<td>3</td>
<td>s. 31</td>
<td>Application to amend licence</td>
<td>$200</td>
</tr>
<tr>
<td>4</td>
<td>s. 33 (2)</td>
<td>Application to replace worn out, defaced, lost or destroyed licence or vehicle identifier issued by registrar</td>
<td>$50</td>
</tr>
<tr>
<td>5</td>
<td>s. 34</td>
<td>Application to renew licence</td>
<td>$200</td>
</tr>
<tr>
<td>6</td>
<td>s. 35</td>
<td>Application to change rates under passenger directed vehicle authorization or transportation network services authorization</td>
<td>$200</td>
</tr>
<tr>
<td>7</td>
<td>s. 36 or 36.1</td>
<td>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</td>
<td>$25, $50, $75, $100</td>
</tr>
</tbody>
</table>

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.
(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:

<table>
<thead>
<tr>
<th>Item</th>
<th>Column 1 Provision of Act</th>
<th>Column 2 Description of Licence</th>
<th>Column 3 Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>s. 29 (1) (e) (i)</td>
<td>Licence that includes inter-city bus authorization or passenger directed vehicle authorization</td>
<td>$100 for each motor vehicle operated under authority of passenger directed vehicle authorization</td>
</tr>
<tr>
<td>2</td>
<td>s. 29 (1) (e) (i)</td>
<td>Licence that includes transportation network services authorization</td>
<td>Flat fee of $5 000 + additional per-trip fee of $0.30 for trips taken in non-accessible passenger directed vehicles operated under transportation network services authorization</td>
</tr>
</tbody>
</table>

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

**24.2**

(1) The amount payable for a licence 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.

**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 hauled 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.

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.

25  (2) The fee for filing a notice of appeal under section 50 [initiating appeals] of the Act is $150.

14 The following Part is added:

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.

31  (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.

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.

Transition – exemption from section 23.1 of Act

33 (1) In this section, “exempted licence” means a licence to which both of the following apply on July 1, 2019:
(a) one or more motor vehicles are authorized to be operated as passenger directed vehicles under the licence;
(b) one or more passenger directed vehicles operated under the licence are hailed through the use of transportation network services provided by or for the licensee.

(2) Section 23.1 (1) and (3) [licence required to provide transportation network services] of the Act does not apply to a person if
(a) the person holds an exempted licence, and
(b) the person applies, on or before January 2, 2020, for
   (i) an amendment to the exempted licence for the purposes of including in that licence a transportation network services authorization, or
   (ii) a new licence that includes a transportation network services authorization.

(3) Section 23.1 (2) of the Act does not apply to a person who drives a motor vehicle under an exempted licence held by a person to whom subsection (2) of this section applies.

(4) This section is repealed on June 30, 2020.

Transition – exemption for drivers in municipalities with no chauffeur permit regulations

34 (1) In this section, “exempted driver” means a person who, on September 15, 2019, is a driver of a passenger directed vehicle under a licence to which both of the following apply:
(a) the licence authorizes one or more motor vehicles to be operated as passenger directed vehicles;
(b) the municipalities in which the motor vehicles are authorized to be operated under the licence do not include any municipalities in which chauffeurs are regulated by bylaws made under section 36 [municipal chauffeur permits] of the Motor Vehicle Act.

(2) The following provisions do not apply in respect of an exempted driver:
(a) section 39 (c) (ii) (B) [evidence of authority to operate passenger directed vehicle under temporary operating permit] of the Act;
(b) section 42.2 [prescribed record checks required for drivers of passenger directed vehicles] of the Act;
(c) section 42.3 [record check certificate must be displayed in passenger directed vehicle] of the Act;
(d) section 43 (2) (b) [evidence of authority to operate passenger directed vehicle under licence] of the Act;
(e) Part 2.1 [Record Check Requirements for Drivers of Passenger Directed Vehicles] of this regulation.

(3) This section is repealed on January 2, 2020.