



Taxi Regulation in British Columbia

Presentation to the City of Kelowna
December 13, 2010

Introduction

The City of Kelowna asked the Board to address two questions about taxi licensing:

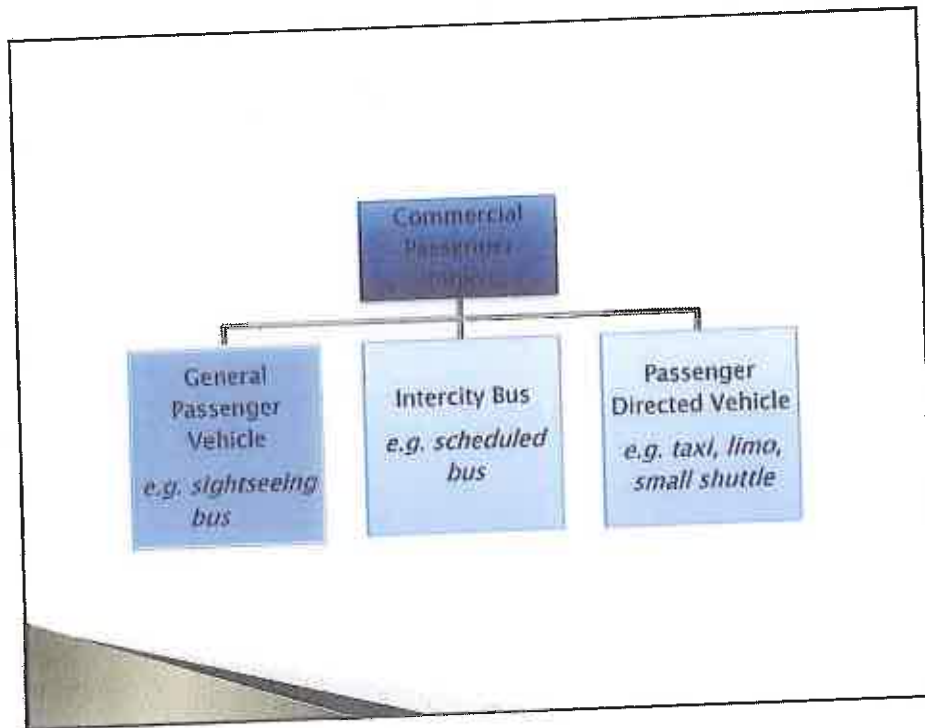
1. Process & Decision Making
2. How to encourage additional taxi licences in Kelowna

Overview of Presentation

1. Overview of licensing under the Passenger Transportation Act
2. Board Decision-Making Criteria
3. Board Processes
4. Taxis in Kelowna
5. Conclusion
6. Questions/Discussion

Passenger Transportation Act

- Taxi licensing is regulated under the *Passenger Transportation Act*
- The Act sets out two licensing streams:
 - General Authorizations
 - General Passenger Vehicles
 - Special Authorization
 - Passenger Directed Vehicles (includes taxis)
 - Inter-city buses



Passenger Transportation Board

- ▶ Makes decisions on applications for
 - a) New taxi licences
 - b) Additional Vehicles for existing companies
 - c) Changes to operating areas or other aspects of terms and conditions of licence

Board Mandate

- ▶ The Board receives its mandate from the Act.
- ▶ The Board approves applications if it considers:
 1. There is a public need for the service;
 2. The applicant is fit & proper and capable of providing the service; and
 3. The application promotes sound economic conditions in the transportation business

Public Need

- ▶ Applicants must prove to the Board that there is a public need for a new or increased taxi service within an operating area.
- ▶ Applicants should give the Board information that is factual and objective. The information should show that there are people who would *use* the service.
- ▶ Applicants should not rely on their opinion or general statements to show public need.

Public Need Indicators

- ▶ User Support Statements
- ▶ Signed Contracts
- ▶ Information about other taxi services
- ▶ Surveys

Public Need Indicators (continued)

- ▶ Customer Service Response Trends
- ▶ Fleet Utilization
- ▶ Information on Population Trends, Community Plans and the Economy
- ▶ Letters from third parties such as police, city councils, tourism boards

Applicant Fitness

- › The Board considers whether an applicant is:
 - a "fit and proper person" to provide the proposed service; and
 - capable of providing that service

Sound Economic Conditions

- › Concern is with the viability of taxi industry as a whole:
 - How would more taxis affect overall service?
 - Could the market absorb more taxis?
 - Are there real issues with the quality of service in an area?

Process

- Application Driven
- Applications are published
- Submissions/objections received & considered
- Board decisions may be made after a
 - File review
 - Investigation
 - Public Hearing
- If an application is approved, the Board sets terms and conditions of licence.

Taxis in Kelowna

Company	Vehicles (Total)	Wheelchair Accessible Taxis	Additional Vehicles Approved
Apple Cabs	4	0	1 (Feb. 09)
Checkmate	22	2	4 (Oct. 08)
Comfort Taxi	1	0	
Kelowna Cabs	49	3	2 (Apr. 08)
Star	11	0	
Total	87	5	7

Additional Taxi Licences in Kelowna

- ▶ An application must be submitted
- ▶ Applicants must meet the 3 part test set out in the Act
- ▶ Materials that may help with decision-making:
 - Letters from Councils that detail problems
 - Letters/observations from police
 - Community reports/studies

Taxis at Peak Periods

Recent observations by Ministry of Transportation staff (CVSE) in downtown Kelowna on Friday and Saturday nights:

- ▶ Multiple taxis were competing for a relatively small market of business
- ▶ Input from taxi drivers and members of the public focussed on taxi shortages during the Christmas and New Years periods, as well as during the summer tourist season

C) A Coordinated Late-Night Economy

Kelowna's entertainment areas should maintain a positive reputation as safe and welcoming places, with a diverse range of evening and late-night entertainment opportunities. With many stakeholders, the coordination of enforcement, transportation and promotion is key to ensuring that Kelowna's nightlife experience can thrive.

Key findings & feedback:

Police/enforcement practices determine late-night 'climate'.
Taxi service is lacking during bar/flush hours.
A lack of late-night bus service increases bar/flush problems.
Lack of private, alternative transportation options.
Greater public awareness of safe, fun evening and late-night entertainment is required.

1. Compliance & Enforcement

Ambassador Policing

Policing is a key component in the development of a safe, yet fun entertainment district. Successful entertainment districts in North America have moved away from the heavy-handed, "strength-in-numbers" style of policing to one more appropriate for a hospitality zones. In recent years, the RCMP's Downtown Enforcement Unit has collaborated with the liquor industry in improving police strategies and presence in entertainment areas, including strong working relationships with private industry security staff. This cooperation is particularly beneficial, as the RCMP must continually deal with constrained policing resources. RHI gives the following guiding principles for community policing within hospitality zones:

- Visible uniform presence in hospitality zone.
- Consistent/fair enforcement of laws.
- Effective relations with all relevant stakeholders.
- Develop and build new partnerships.
- Effective utilization of all resources afforded within the community.
- Facilitate an atmosphere conducive with maintaining downtown vitality.

- Maintaining a livable quality of life for residents.⁵

Inter-agency coordination is also required for this approach, as RCMP, Bylaw Enforcement, liquor inspectors and security staff must all work together to meeting the above goals. On-going discussion and information sharing leads to mutual benefit and education.

Staff recommend a continued commitment to "hospitality zone policing" in the interests of balancing public safety and enjoyment. This proactive cooperation can be supported through the future Bar Owner's Association and BarWatch program and enhanced Good Neighbour Agreements.

Public Safety Compliance Team

The liquor industry must comply with a number of Municipal and Provincial regulations in the operation of their establishments. In order to educate staff on current legislation in a proactive manner, the RCMP has led the development of the Public Safety Compliance Team (PSCT). This team is comprised of members of the RCMP, Bylaw Enforcement, Fire Department and local liquor inspectors with the intention of achieving compliance, rather than punishing establishments. The PSCT conducts semi-regular inspections of establishments during key operating hours to ensure conformance to City Bylaws, Fire Code and

⁵ Responsible Hospitality Institute, 2006.

the Liquor Licensing act. These inspections protect public safety while helping operators avoid expensive fines and/or license suspensions. While equity is encouraged, targeted enforcement for problematic establishment types is required to best manage limited resources and ensure public safety.

Staff recommend continued support for the Public Safety Compliance Team, including a on-going reporting mechanism to Council.

2. Late Night Transportation

Improving transportation options for entertainment areas is vital to a healthy night life - particularly on weekends. Patrons would likely be more inclined to participate in the late night economy with the assurance of a safe ride home, which in turn improves business for the industry. Late night transportation problems may be magnified with recently enhanced impaired driving laws in BC.

Taxi Cabs

A prominent topic of discussion during public input meetings was the limited taxi cab service available at night. Concerns were raised about the difficulty in obtaining a taxi, problems associated with taxi-stand locations, as well as the limited number of cabs working during late-night hours.

The Passenger Transportation Board (PTB) is in charge of taxi licensing in BC. In the past few years, the Board has denied applications for additional taxi licenses as the Board was not convinced that public need exceeded taxi capacity. Further, adding vehicles to the taxi fleet would not necessarily increase availability, as companies cannot force drivers to operate during the late-night hours.

Recent correspondence from City of Kelowna Mayor Shepherd to the PTB has provided further justification for additional taxi service, including new impaired driving laws and post-secondary student population growth. It is hoped that this on-going discussion will produce positive results.

In support of increased taxi availability, the City of Victoria's Downtown Late Night Task Force (2009) suggested a late-night taxi surcharge, which could incentivize existing taxi licensees to operate during barflush periods. Extended dispersal periods for liquor primary operations may also create incentive, as it could allow cab operators to make multiple trips after the end of liquor sales. Temporary permits could also be pursued for weekends/summer months.

Staff recommends continuing Council support for options to increase taxi cab service during late-night hours, particularly on weekends.

Taxi Stands

In concert with the City, the RCMP, and taxi cab companies, taxi stands were implemented in the summer of 2008 to help disperse crowds on Leon and Lawrence avenues after 2:00am. Problems were noted during public meetings with regards to noise impacts on property owners adjacent to taxi stands, customer complaints to liquor establishment operators that the taxi stands were too far away, and the safety of those waiting for cabs in these areas.

The use of taxi stands increases pedestrian safety, limits traffic congestion, and helps to encourage patrons to move out of the "barflush" area at 2:00am onwards. Problems arising from taxi cabs could be alleviated by ensuring taxi stands are easily identified, well-lit, and are promoted by liquor establishments.

Staff recommend that taxi stand locations continue to be reviewed to ensure optimal location, with continued cooperation between taxi cab companies, the RCMP and the City.

Public Transit

Transit service within the City currently ends by 12:30am. Persons who take transit to get to the downtown early in the evening are forced to find alternative methods of transportation home after midnight. BC Transit has concerns with extended service hours for the entertainment district, including operation costs and driver safety.

Kelowna has yet to reach a ridership threshold that could warrant on-going late-night service for the general public.

However, as with taxi cabs, public transportation should be a key component of an integrated nightlife transportation approach. In particular, service for student residents at UBC Okanagan may create demand for an extension of service along Highway 97, as the Bus Rapid Transit service has helped to increase ridership and transit awareness in the City. Extended weekend service could be pursued on a trial basis to alleviate the transportation shortfall - perhaps in conjunction with industry stakeholders (i.e. chartered service).

An opportunity may also exist for a private shuttle service, given that the PTB does not regulate vehicles with a capacity greater than 12 persons. Given the difficulties presented for increased taxi and public transit service, alternative transportation methods should be encouraged.

Staff encourage continued consultation with BC Transit to implement public transportation options to service later hours, particularly between Downtown and UBC Okanagan.

Parking Services

While on-street parking between 3am and 6am is not permitted, parkade and off-street surface lots are available for over-night parking, with most City lots being free on evenings and weekends. This allows entertainment district users the option of leaving their vehicle over-night to receive a safe ride home through other means. Promotion and signage of available parking services would enhance the viability of the alternative transportation options listed above.

3. Public Awareness

Public awareness campaigns could help bring together the positive work already being completed by the industry, as well as suggested options for improvement. In this way, Kelowna's evening and late-night economy can be promoted in a positive fashion for businesses, residents and tourist alike. Areas of promotion could include public safety/accountability programs, leveraging new industry programs such as BarWatch, and respecting residential/business neighbours.

Ideas for promotional activities that could be developed by industry stakeholders are:

- An integrated "late-night map", which could include entertainment venues, transportation options, taxi stands, parking, emergency contacts, etc.
- Annual award/recognition programs through Bar Owner Association or Business Improvement Area (i.e. Downtown Kelowna Association) for exceptional bar operation, similar to "Best Bar None" program in Edmonton.
- Partner with post-secondary institutions, Interior Health Authority, BIA's, etc.
- Promoting public safety aspects of BarWatch program.

Staff recommend that key stakeholders work together to create a positive public awareness of Kelowna's evening and late-night economy.

Fleet Utilization - Kelowna Taxi Companies (Night Service - 10 p.m. to 3 a.m.)

Date	Company		Max Ft Size	Notes	Company		Max Ft Size	Notes	Company		Max Ft Size	Notes	Company		Max Ft Size	Notes
	Kelowna Cabs (1981) Ltd Classy Cab Corp. Westside Taxi 1988 Inc	KROLAK, Paul dba Comfort Taxi			Checkmate Cabs Ltd	Trendtham Group Enterprises Inc dba Star Taxi			BHATTI, Resham Lal dba Apple Cabs							
	Ft Utilized	Ft Utilized			Ft Utilized	Ft Utilized			Ft Utilized	Ft Utilized			Ft Utilized	Ft Utilized		
01-Oct-10	49	0	4	Westbank area no night driving	0	19	22	1 off 2:45	11	3	4		3			
02-Oct-10	49	0	5	Westbank area no night driving	0	17	2 on 10/1 off 12		11	3			3			
08-Oct-10	49	0	4	Westbank area no night driving	0	19	1 off 2:15/1 off 2:55		10	3			3			
09-Oct-10	49	0	5	Westbank area no night driving	0	19	1 off 1:08		11	3			3			
15-Oct-10	49	0	4	Westbank area no night driving	0	19			11	3			3			
16-Oct-10	49	0	5	Westbank area no night driving	0	20			11	3			3			
22-Oct-10	49	0	4	Westbank area no night driving	0	19			11	3			3			
23-Oct-10	49	0	5	Westbank area no night driving	0	19			11	3			3			
29-Oct-10	49	0	4	Westbank area no night driving	0	20	1 off 11:19		11	3			3			
30-Oct-10	49	0	5	Westbank area no night driving	0	20	1 off 2:40		11	3			3			
05-Nov-10	49	0	4	Westbank area no night driving	0	18	6 off 2:50		11	3			3			
06-Nov-10	49	0	5	Westbank area no night driving	0	20			11	3			3			
12-Nov-10	49	0	4	Westbank area no night driving	0	20	1 on 10:40		11	3			3			
13-Nov-10	49	0	5	Westbank area no night driving	0	20	2 off 2:50		9	3			3			
19-Nov-10	49	0	4	Westbank area no night driving	0	19	1 on 11/1 off 1		11	3			3			
20-Nov-10	49	0	5	Westbank area no night driving	0	17	1 on 10:50		11	3			3			
26-Nov-10	49	0	4	Westbank area no night driving	0	17			11	3			3			
27-Nov-10	49	0	5	Westbank area no night driving	0	19	1 off 2:20		10	3			3			
03-Dec-10	49	0	4	Westbank area no night driving	0	19			11	3			3			
10-Dec-10	49	0	4	Westbank area no night driving	0	19			11	3			3			
11-Dec-10	49	0	5	Westbank area no night driving	0	18			11	3			3			
17-Dec-10	49	0	4	Westbank area no night driving	0	19			11	3			3			
18-Dec-10	49	0	5	Westbank area no night driving	0	19			11	3			3			

Notes - Fleet Utilization means the total number of taxis available for hire during the whole time period (10:00 pm to 3:00 am). The "Notes" column may indicate the number of taxis that were available for part of this time period. Please note the hours those cabs were available.