

**Ministry of Public Safety and Solicitor General
ISSUE NOTE**

Issue:

- Transportation Network Companies (TNC) services in British Columbia.

Background:

- In March 2017, the government announced its intention to bring TNC (ride-sharing) services to B.C. by the holiday season.
- The primary legislative framework to allow TNC services to operate in the province resides with the Ministry of Transportation and Infrastructure under the Passenger Transportation Act.
- However, the licensing of drivers (including those driving taxis and potentially other ride-sharing services) are included in the Motor Vehicle Act (MVA) under the responsibility of the Ministry of Public Safety and Solicitor General.
- One of the primary principles in moving forward with this initiative was to create a harmonized environment whereby taxi companies as well as other TNC companies would operate on a level playing field.
- From a licensing perspective, it was recommended that taxis, as well as all TNC services, would have their drivers operate under a Class 5 license instead of a Class 4 license as currently required. This change results in less “red tape” for taxi drivers as under this classification, they would no longer be required to complete a driver medical examination (DMER).
- Other recommendations included:
 - s.13
 - All drivers will possess an unrestricted B.C. driver’s licence (no graduated licences);
 - All drivers must be at least 19 years of age;
 - All drivers need to have passed a criminal record check for past convictions of violent or sexual offenses as well as other offenses; and
 - All drivers need to have passed a safe driving record check.
- s.13

s.13

- Regulatory amendments will be required in order to implement some of these recommendations and it is anticipated these will proceed alongside any legislative or regulatory changes proposed by the Ministry of Transportation and Infrastructure.

Decision required:

- **60 Day Issue: Information Only.**

**Ministry of Public Safety and Solicitor General
ISSUE NOTE**

Issue:

- Transportation Network Companies (TNC) services in British Columbia

Background:

- The primary legislative framework to allow TNC services to operate in the province resides with the Ministry of Transportation and Infrastructure under the Passenger Transportation Act.
- However, the licensing of drivers (including those driving taxis and potentially other ride-sharing services) are included in the Motor Vehicle Act (MVA) under the responsibility of the Ministry of Public Safety and Solicitor General (RoadSafetyBC).
- The Motor Vehicle Act also authorizes local governments to require municipal chauffeur permits for taxis, limousines and potentially others TNC services.
- A key consideration in moving forward is the creation of a harmonized environment whereby taxi companies as well as other TNC companies would operate on a level playing field.
- This would also include the opportunity to enhance standards across the province to ensure continued road and public safety for British Columbians around issues such as accessible services and drivers subject to appropriate criminal records checks.
- Currently, all taxi drivers must possess a Class 4 driver's licence. In order to possess a class 4 licence an applicant must have a driving record that shows:
 - Fewer than four convictions for offences listed in the Schedule to Division 28 of the Motor Vehicle Act Regulations or convictions for similar offences in another jurisdiction, in the two years prior to their application;
 - No convictions for the Criminal Code offences listed in the Schedule to Division 28 or convictions for similar offences in another jurisdictions, for the three years prior to their application;
 - Must hold, or have held, a BC Class 1, 2, 3, 4, 5 or 6 licence, or a similar Class of licence from another jurisdiction and at least two years of non-learner driving experience; and
 - Be at least 19 years of age.
- Class 4 drivers are also subject to Driver Medical Examination Reports (DMERs), in accordance with the requirements under the National Safety Code.

- All non-commercial drivers possess a Class 5 licence.
- Those applying for Class 5 licence are not subject to the same conviction restrictions for offences committed under the Motor Vehicle Act or the Criminal Code.
 - An applicant for a Class 5 licence can be 18.5 years of age and need only have at least 24 months of non-learner driving experience that is uninterrupted by a prohibition or a suspension.
 - These drivers are also not subject to the same DMER requirements under the National Safety Code. Class 5 drivers are only subject to DMERs under the National Safety Code if they have certain medical conditions or are above 80 years of age.
- The only other provinces in Canada which permit the operation of TNCs are: Alberta, Ontario and Quebec. In Alberta and Quebec, drivers wishing to operate a TNC must have the equivalent of a B.C. Class 4 licence in that respective jurisdiction. Ontario allows drivers to operate a TNC with the equivalent of a B.C. Class 5 licence.

Decision required:

- **90 Day Issue: Information Only.**

2017 BC NDP Party Platform
Ministry of Public Safety and Solicitor General

Platform Commitment	Policy Considerations	Fiscal Considerations (TB approval required for any new funding)	Legislation
Public Safety Tackle the backlogs in our courts and invest in programs to end gang violence. [p V]	Requires Cabinet Committee direction on specific priorities.	In addition to the \$23M enhanced Guns and Gangs Strategy, BC invests approximately \$64M annually to support the Combined Forces Special Enforcement Unit -BC. There are likely cost impacts, but insufficient information to cost.	No
Taking action on gang violence			
Implement the Surrey Accord and bring together all levels of government to create a safer, healthier community. We will implement the Surrey Accord by addressing challenges facing Surrey neighbourhoods including, crime, mental health, addiction and homelessness. [p 26]	A plan consistent with this commitment is being implemented. Additional police costs to implement the Surrey Accord will be the responsibility of the municipality. Requires Cabinet Committee direction on specific priorities.	Fiscal commitment is not stated. Dedicated resources from Canada of \$59M/year by 2019/20 are budgeted to support its implementation. There may be provincial fiscal impacts, but insufficient information to cost. Unclear on funding responsibilities for each level of government.	TBD
As part of our plan to address gangs and gun violence we will give the Surrey Wraparound (WRAP) program stable, secure funding and increase support for it by \$500,000 a year. [p 27]	Potential request for stable funding of similar programs elsewhere in province.	Current funding for the Surrey WRAP program is provided by a variety of sources, including both federal and provincial government (PSSG and Education). Potential future funding from Civil Forfeiture grants. The platform notes an increase to WRAP program budget of \$0.5M/year.	No

Platform Commitment	Policy Considerations	Fiscal Considerations (TB approval required for any new funding)	Legislation
Preventing Crime, ending discrimination and helping people heal			
We will increase support for initiatives that are proven to prevent and reduce crime, and increase the use of restorative justice programs. [p 27]	Requires Cabinet Committee policy direction on scope and extent of initiatives to support the commitment.	Fiscal commitment is not stated. There are likely cost impacts, but insufficient information to cost.	No
Work with First Nations to set targets and take action to reduce the number of Aboriginal people facing our justice system and to reduce incarceration rates. [p 27]	Requires engagement with Aboriginal leadership and organizations, as well as cross-ministry involvement. BC Corrections to engage with First Nations leadership in collaboration with the MoJ and MARR.	Potentially significant fiscal implications. Fiscal impacts linked to outcomes of engagement and cross-ministry work. There are likely cost impacts, but insufficient information to cost.	No
Recognize culture for its role in rehabilitation and recovery and will provide culturally diverse and appropriate programming in prisons, particularly for Aboriginal people. [p 27]	BC Corrections is currently considering how to strengthen the culturally appropriate programming that is currently delivered at all provincial custody centres. In collaboration with First Nations leadership, BC Corrections to review existing programming.	Cost impacts are not anticipated with this commitment (tbd).	No
Increase funding to support women who experience domestic violence, sexual assault and other crimes by \$8 million a year. [p 27]	Requires Cabinet Committee policy direction. A range of programs to support women experiencing domestic violence, sexual assault and other crimes to be identified. There is potentially further opportunity for strengthening service and supports while also identifying linkages to related fields such as police training.	Funding commitment of \$8 million.	No

Platform Commitment	Policy Considerations	Fiscal Considerations (TB approval required for any new funding)	Legislation
Tackle the Overdose Crisis			
We will provide more support to police efforts to disrupt the supply chain through measures to break up the major drug rings and send the perpetrators to trial. [p 14]	<p>Priorities for additional support to police will need to be identified by the police.</p> <p>Priorities for additional support for the police will require consultation with the various police forces. Additional police resources could result in the need for additional support for BC Corrections and others in justice sector (e.g., courts, sheriffs).</p>	<p>There are likely cost impacts, but insufficient information to cost.</p> <p>\$23M was dedicated in 2016 for new or expanded measures under the Guns and Gangs Strategy. BC invested an additional \$64M/year to support the Combined Forces Special Enforcement Unit-BC.</p>	No
Push for increased penalties for drug dealers who knowingly distribute death-dealing drugs like fentanyl and carfentanil. [p 14]	Criminal law is a federal responsibility and increased penalties for drug dealers can be advanced at federal/provincial/territorial meetings as well as bi-laterally with Canada. Engagement with the federal government is ongoing. Increases in penalties will require consultation between PSSG and MoJ, and will have a consequential impact to the administration of justice, specifically correction centre costs.	<p>Potential downstream cost implications for courts and BC Corrections.</p> <p>There are likely cost impacts, but insufficient information to cost.</p>	No
We will establish a special initiative with First Nations leaders and their communities to provide additional assistance where the impact of the crisis is the greatest. [p 14]	Requires engagement with Aboriginal leadership and organizations to determine scope and appropriate support mechanisms. Implementation will require consultation with Ministry of Health in order to develop options.	Fiscal commitment is not stated. There are likely cost impacts, but insufficient information to cost.	No
And we will increase support for first responders, including counselling for PTSD and work-related stress. [p 14]	JTST lead. Support for first responders suffering from PTSD is the responsibility of WorkSafe BC. Implementation of this commitment will	Fiscal commitment is not stated. There are likely cost impacts, but insufficient information to cost.	TBD

Platform Commitment	Policy Considerations	Fiscal Considerations (TB approval required for any new funding)	Legislation
	require discussion with JTST in order to develop options to strengthen existing regulations. As of May 31, 2017, Health Emergency Management BC established a new Mobile Response Team to provide psychosocial support for frontline workers, emergency responders, volunteers and staff from community-based organizations impacted by the overdose crisis.		
Cannabis Legalization Want to keep marijuana away from children and make sure regulations are rigid. Support using public liquor stores to dispense cannabis and see a role for pharmacies as a comfortable option for older people using medicinal cannabis. If prices are too high, the black market will remain so will make no decisions on what to do with tax revenue until the federal government's legalization process and any amendments to its legislation have concluded. [public statements]	Requires Cabinet Committee direction on development of the provincial regulatory regime to align with the federal regulatory regime.	Fiscal implications tied to government directions on provincial regulatory scheme. There are likely cost impacts, but insufficient information to cost.	Yes Major and multiple Acts
Ride Sharing We need to "level up" standards across the province to ensure we don't lose low-cost, predictable fares, accessible services, safe cars and drivers subject to appropriate criminal record checks. We will create a level playing field for all providers. [p 31]	PSSG and MoTI share responsibilities for driver licensing and road safety. PSSG to collaborate with partner ministries to ensure appropriate safety checks and criminal record checks support low-cost and safe ride service industries with predictable fares.	There are likely cost impacts, but insufficient information to cost.	Yes Major
Mental Health and Public Safety We will create a Ministry of Mental Health and Addictions. This new ministry will work with the Ministry of Children and Families,	Requires Cabinet Committee policy direction and cross ministry collaboration.	There are likely cost impacts, which could be significant, but insufficient information to cost.	No

Platform Commitment	Policy Considerations	Fiscal Considerations (TB approval required for any new funding)	Legislation
the Ministry of Health, local governments, First Nations and the education and justice systems so patients get treatment early and effectively. [p 9-10]			
Working with Indigenous Peoples In Ministers' mandate letters, we will include a requirement that they review policies, programs and legislation to determine how to bring the principles of the UN Declaration on the Rights of Indigenous Peoples to action in BC. [p 83]	Require significant staff effort in reviewing existing programs and legislation.	Existing resources rather than new funding required.	TBD