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May 2019

Online at <https://mpra.ub.uni-muenchen.de/107132/>  
MPRA Paper No. 107132, posted 11 Apr 2021 16:57 UTC

## REGULATION AND COMPETITION IN THE TAXI INDUSTRY IN VANCOUVER

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### I. Introduction

Licensing of hackneys existed as early as 1600 in London and from 1620 in Paris. Over time, similar licenses have been instituted everywhere, but the policy rationale for regulation has changed as technology and competition evolved. This paper examines the regulation of the motorized taxi industry in Vancouver. This city is one of the holdouts against the tidal wave of Transportation Network Companies (TNCs), like UBER, but this is set to change in the fall of 2019, if the Government of British Columbia follows through on its proposed legislation. The analysis of the Vancouver taxi industry begins with a description of its competitive environment that has evolved since the introduction of the automobile. This is followed by a review of the regulatory changes up to 2019. The discussion then turns to the economic arguments for maintaining the status quo and competition policy. The paper concludes that jury is still out on when or how the TNCs will be allowed to compete in the City of Vancouver.

### II. Evolution of the Vancouver Taxi Industry

Horse-drawn carriages provided the first non-motorized taxi business in Vancouver. One example is Stanley Park Stables which was reported to have 86 horses, 40 rigs, seven hacks and two tallyhos in 1899. The first motorized taxi, a two-cylinder Ford Model A, was driven in Vancouver by Charles Henry Hooper in 1903. A close contender for this title is William Hayward, who owned a White Steamer manufactured in Cleveland, which could be hired.

The oldest motorized taxi company, MacLure's, was formed in 1911. Other companies sprang up between 1911 and 1921 such as Terminal City Motor and Taxi Company, Gray Cabs, Belt Line, Central Taxi Co., Star Cabs, Terminal City Cabs, Rainier taxi cabs, Yellow Cab Company Ltd., Royal Blue Cabs, etc. Later, in the mid-1920s, the Canadian tram companies entered the taxi business. The British Columbia Electric Railway (BCER) acquired Yellow Cab Company Ltd. of Vancouver in 1925 and a subsidiary acquired Gray Cabs that was the dominant taxi company at this time. Tram competition with taxis and hackneys came to a head in the price wars of the mid-1920s. "Those willing to share the ride, and fortunate enough to live along an arterial route close to the business district could get home for a nickel or a dime in Vancouver, ... — in other words, for the price of a streetcar ride."<sup>1</sup> Fierce competition produced fares as little as three cents each for those who prearranged to travel as a group. As one alderman before the 1934 By-law was passed alleged that "Some of the cabs were undoubtedly operating "as jitneys, picking up groups of people every morning and taking them downtown for five or six cents apiece."<sup>2</sup>

The 200 cabs that operated in Vancouver in 1936, increased to 283 by 1943 when a central dispatch office was opened. During the Second World War, the number of cabs decreased due to enlistments and men being employed in war industries. Immediately after the war, applications for taxi licenses increased considerably. Concern about this and pressure from the Vancouver Taxi Owners Association led the City Council to set a limit in 1946 of one cab per thousand people. A year remembered, for its start of entry control in the taxi industry in Vancouver.<sup>3</sup>

By the late 1940s, over 40 individual taxicab companies were operating. Most had only 1 to 6 cabs, but consolidation accelerated in the early 1950s when these small taxi operators joined in co-op companies

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<sup>1</sup> Presented at the 54<sup>th</sup> Annual Meetings of the *Canadian Transportation Research Forum*, May 26-29, 2019 at Vancouver, British Columbia.

(eg. Yellow, Black Top).<sup>4</sup> 4] The process continued with Black Top purchasing Blue Cab in April 1960 to become the largest cab company and Yellow Cab purchasing the last of the smallest cab companies, Forum Empress Taxi Co. in August 1977. This resulted in a taxi industry with four major companies (Yellow Cab, Black Top, Vancouver Taxis and MacClure's). Though the ranking of these companies may have changed, the industry in Vancouver continues to be dominated by these companies.

The 363 taxi licences issued by 1950 remained the same until 1980 when the number was increased to 388 and then to 448 ten years later. By 2005, the number of taxi licences edged up to 477 and continued pressure for an increase resulted in it rising to 882 in 2018. These taxi licences were held by the four largest companies: Yellow Cab with 355, Black Top with 286, Vancouver Taxis with 128 and MacClure's with 113.<sup>5</sup> During this period, the capital value of the licences began to increase and then skyrocketed. In 1980, the capital value of a licence was \$70,000, twenty years later it was \$350,000 and in 2014 it was reported to be as high as \$800,000 with one source indicating it was \$1million.

By 2018 the taxi industry had grown to be a \$400+ million industry with an employment of 5,686. Driving a cab was no longer considered a haven for the unemployed with the taxi driver's salary estimated to be \$47,588 per year 1.5 times more than the median wage of the country. Concerns about taxis shortages and public demand for TNCs to provide more service options has led to reviews of the industry. Ultimately, the Government of British Columbia has introduced Bill 55 — Passenger Transportation Amendment Act, 2018. The need for Bill 55 was expressed by the Hon. Claire Trevena, B.C. Minister of Transportation and Infrastructure, on the second reading of the Amendment.

Many people have the experience of waiting for a cab, either at a stand or on the corner in the rain or at home, hoping it'll be there in time to get to the flight you want to catch. For the last six years or so, many have looked to their smartphone apps as providing a solution. In this, our first year of government, I have heard from many who want such a solution. Some see that the app will replace cabs. Others feel it will allow for transportation in rural communities unserved by public transportation.

The legislation before us today does two things. It modernizes the taxi sector, and it does pave the way for app-based ride-hailing. We know that people want new, convenient and safe options to get around, and this legislation opens that door.<sup>6</sup>

For-hire transportation of people within the City of Vancouver has evolved from the days of the hackney and continues to change. The arrival of motorized vehicles, led to competition between the taxis, informal ride-sharing (jitneys) and trams. The price wars of the 1920s and 1930s led to pressure from the taxi association to limit the issue of taxi licences. The policy of limiting taxis (after 1946) has resulted in rising taxi licence values and industry concentration. Of the 40 companies operating in the 1940s, four remain that control the provision of taxi services in the city; all members of the Vancouver Taxi Owners Association. The advent of TNCs' more competitive services is leading toward another milestone in this city's taxi industry.

### **III. Regulation of the Taxi Industry in Vancouver**

Section 32 of the 1886 Statutes of British Columbia empowered the Council to pass bylaws "for regulating and licensing . . . **the owners and drivers of** . . . cabs, carriages, omnibuses, and other conveyances or vehicles used for hire." It was not until 1921, that the section in this statute was amended by adding the word automobiles (after omnibuses). The following decade in 1930 and 1933, the statute was again amended: "For regulating, limiting, and licensing . . . the owners and drivers of... cabs, carriages, omnibuses, automobiles, and other conveyances or vehicles used for hire... "<sup>7</sup> It was intended primarily to allow the city to define and classify the differing sorts of vehicles for hire, and to allow

different regulations for them. But the Act soon found use as competition increased during the economic depression.

The need to induce owners and drivers to co-operate voluntarily to alleviate the problems associated with taxi stands, led the council to form the "Taxi Control Board" in 1936, but with no formal powers. The next year (1937), the Act was amended again to provide for the "Official Traffic Commission" to advise council concerning the regulation of taxis and other commercial vehicles. The following year a commission was established (in 1938), and in 1939 the council passed a new bylaw (*Cab and Commercial Vehicles By-Law* – No. 2612), a by-law for licensing and regulating the owners and drivers of vehicles for hire and commercial vehicles in the City of Vancouver. The bylaw did not specifically deal with control of licences an issue that was hotly debated.<sup>8</sup>

Although the Act did not specifically provide for entry control or limitation of entry, it was decided by Justice Manson (*Theodore Flint v. The City of Vancouver Council [1946]* S.G.B.G. 227. Manson, J.) that the amendment of 1933 did indeed grant the limitation power, even though "horribly drawn." From then onward, the council used its new-found power on 25 November 1946 to enact By-Law No. 2959 (an amendment to By-Law 2612) to restrict the number of taxicabs to one cab for each 1,000 persons in the civic population. A year cited in most publications as the beginning of entry control.<sup>9</sup> In 1953, the Act was amended again (now section 317) to unambiguously empower the council to limit the number of taxis and to delegate this power (subject to appeal to the council) to a board appointed by the council. Eventually the Vehicles-for Hire Board was created to enforce the limit. Regulation of the industry until 2003 was done under the BC Motor Carrier Act (MCA) first enacted in 1940 and the BC Motor Vehicle Act (MVA) enacted in 1957.

The impetus for the current changes began at the turn of the century. A series of reports, hearings and amendments document the evolution of thinking on this topic.

**1999 Study of the Taxi Review Panel (Lanyon Report):** On June 15, 1999, the Taxi Review Panel released its report containing fifty-six recommendations. The report reviewed the arguments for and against deregulating the taxi industry in other jurisdictions. It stated that "An objective assessment of the evidence forces one to conclude that the cost of taxi deregulation outweighs its benefits." However, it did not make any recommendations on this issue. It also refrained from making any specific recommendations on the question of taxi supply. It said: "There are two issues of primary importance to the industry that we do not directly address within the framework of this study – that of taxi supply and territorial boundaries."<sup>10</sup> As a result of the recommendations of the Lanyon Report, the Province passed legislation that eliminated the issuing of municipal taxi licences to companies lacking Motor Carrier Commission (MCC) licences. The MCC in September 1999 continued its October 1998 moratorium as it applied to "taxicabs" as defined by the Commission.

**2004, Passenger Transportation Act (PTA):** The MCA and its regulations were replaced by the Passenger Transportation Act (PTA) and the Passenger Transportation Regulations<sup>11</sup>. The PTA sets out three types of commercial passenger vehicles in BC and sets out two types of license authorizations (special and general). It determines access and affordability (number of taxis, tariff rates, boundaries and hours, fleet make-up, licences, penalties, etc). The criteria used by the Board in evaluating licences are: a public need for the service; the applicant is fit and capable; and the application, if granted, would promote sound economic conditions. The City determines the number of taxis, driver training/credential, permits to operate, conditions of vehicles, licences, permits, penalties, etc.

**2007 Additional Taxicab and Dual Taxicab Licenses:** On March 21, 2007, a report by the City of Vancouver staff made six recommendations to Council. Regarding issuance of licences, it recommended

the issuance of 57 taxicab and 54 dual taxicab licenses for 2007, and for their issuance in such a manner that, by the end of 2007, each taxicab fleet will consist of at least 15% dual taxicabs. It also recommended a program of taxicab licence expansion to 2010. Interestingly, the report noted that “it is very difficult for individuals or new companies to obtain new taxi licenses due to the start up expenses and the approval process. ... Staff further recommends that it review options for allocations of licenses in 2008 to 2010 to provide further opportunities for others to compete for future new licenses and also to provide consideration for other innovative service methods (e.g. peak-hour license only).”<sup>12</sup>

**2015 Taxi Service Review and Report Back:** On October 19, 2015 a report, by the Vancouver city staff made twenty-one recommendations. Regarding control of licences, it recommended: lifting the temporary moratorium on new taxi licences; issuing permanent licences to the local taxi companies for 99 peak-period, part-time licences; and issuing permanent licences to the 38 suburban taxis to pick up in Vancouver’s Downtown Entertainment Area during weekend peak times, subject to regulations (B7-B9). Regarding ridesharing, it recommended examining the issues and opportunities for rideshare in Metro Vancouver and reporting back to Council with findings (B19). The report stated “The rideshare model poses both opportunities and concerns for regulators. On one hand rideshare companies represent a leap forward in taxi supply and service. The public has responded positively to enhancements such as app-based requests, cashless payment and online driver reviews ... most ... were in favour of ridesharing, ... In markets that Uber is operational, there is evidence that the significant increase in supply has resulted in shorter wait times, lower fares, and higher customer satisfaction.”<sup>13</sup> It also indicated that ridesharing increases opportunities for significant advances in transportation such as: universal app-based service; rideshare carpooling; and “driverless” technology.

**2018 Transportation Network Companies in British Columbia:** In February 2018, a Select Standing Committee on Crown Corporations made thirty-two recommendations to help pave the way toward introducing and regulating ride-hailing in B.C. While unanimously supporting a plan for ridesharing services throughout the province and recognizing the need to develop regulations that encompass fairness, consumer protection and worker rights in a constantly changing economy, it made the following recommendations: 1. Requiring drivers to get a criminal record and vulnerable sector check from a third party on an annual basis; 2. Tracking data on every trip and providing the data to the government, so appropriate regulations can be made around pricing and accessibility; and 3. Requiring Insurance Corporation of BC to create a separate, mandatory insurance product for drivers, to reflect different risks associated for personal and commercial use.<sup>14</sup>

**2018 Modernizing Taxi Regulation (Hara Report):** The July 2018 Hara Report contained immediate and long-term suggestions for the Passenger Transportation Board (PTB) to consider. The immediate suggestions are: allow existing licences a one-time opportunity to increase the number of taxis by 15%; allow discounting from meter rate for app-booked trips; and allow separate day and night vehicles for each licence. The long-term suggestions are legislative for ministry and cabinet to consider.

The PTB held hearings and in September 2018 made its recommendations (see: *Taxi Modernization: Short-Term Actions: Results of Consultations & Recommendations*, PT Board September, 2018). The three recommendations were: 1. Increase Taxi Plates (i.e. allow fleet expansion up to 15%); 2. Improve Taxi Availability at Shift Change (i.e. allow 2 vehicles that are paired to operate 24/7, rather than a single vehicle operating 24/7); and 3. Enable Taxi Rate Competitiveness (i.e. allow taxis to reduce fares for app-hailed trips at off-peak hours from September 2019).

Two months later, on November 19, 2018, the B.C. government introduced legislation to allow ride-hailing companies to enter the market by fall of 2019, while putting priority on safety for passengers. If passed, the *Passenger Transportation Amendment Act* will enable: 1. The ICBC to develop a modern insurance product for ride-hailing for fall of 2019; 2. A new, data-driven approach to improve taxi service

and ride-hailing opportunities; 3. The development of measures to make sure people are not left stranded when traveling from one municipality to another; 4. The inclusion of a per-trip fee to fund more accessibility options for people with disabilities; 5. An increased enforcement of the rules with stiffer penalties for taxi and ride-hailing companies for working outside the law.

The devil is always in the detail and concerns exist that the new regulations may still be too restrictive. The B.C. government introduced legislation to amend the Passenger Transportation Act for effect in the fall of 2018. BC Liberal Leader Andrew Wilkinson says the new ridesharing legislation has had a ‘bungled introduction’. Wilkinson says the rules and regulations introduced will make it almost impossible for ridesharing to exist in British Columbia. “What they have set up is a cumbersome, government run bureaucracy for something that should be determined by public demand.”<sup>15</sup>

The PTA allows the PTB to place: 1. A cap on the number of ride-hailing drivers; 2. The boundaries where ride-sharing cabs can operate; 3. The fares that ride-hailing companies can charge; and 4. A class 4 licence requirement (which is more restrictive than a Class 5 recommended). As one source writes “The real problem is a government so politically obedient to the taxi industry that they’re willing to bring in a regulatory system that makes it difficult or impossible for Uber and Lyft to operate like they do in every other major city in North America.”<sup>16</sup>

Regulation of the motorized taxi industry has changed from laissez faire in the early 1900 to a tightly control taxi cartel. It now appears ready to embrace more competition once again. Like every other city where the TNCs have threatened to enter, the established taxi industry tries to invoke arguments arising from externalities to urge the maintenance of the status quo. The next section considers these points.

#### **IV. Externalities vs. Competition**

Market failures caused by information asymmetries and congestion are often raised as rationales for the regulation of taxi industries. An asymmetry of information is common in many markets. For example, the seller knows the cost of providing the good or service they offer, while the buyer only knows the price they are seeking. The only means that the buyer has to ascertain whether or not they are obtaining a reasonable market price is to search out the offers of other sellers.

The asymmetry of information between the taxi driver and the rider may be exaggerated if the rider is not a local citizen who has some experience with the normal level of fares. Tourists are often confronted with this situation and subjected to over-charging by taxis when they arrive at the airport of a foreign country. The second type of abuse is the longer than necessary routing by the taxi driver. If the rider is unfamiliar with the traffic patterns or the geographical area, the driver can choose a route that inflates the fare.

Other types of information asymmetry are more personal. The rider does not know the taxi driver’s history and could be robbed or suffer from some other criminal behaviour. Finally, the rider cannot ascertain in advance whether the vehicle is safe, or the driver is a qualified to operate the car. Most of these issues are dealt with by regulating the drivers (e.g. criminal background checks) and the vehicles (e.g. model age, insurance and periodic inspections). An argument for taxi regulation is that public can report abuses of circuitous routing and over-charging.

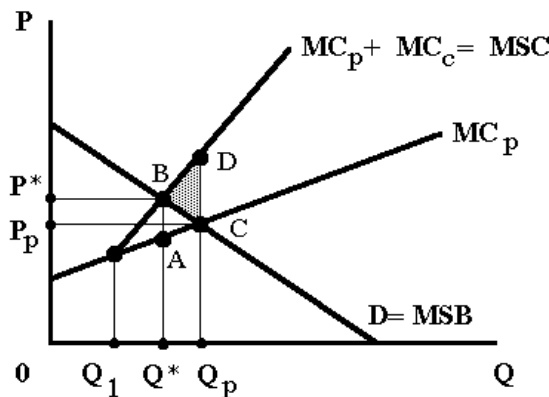
The negative externality cited in the 1936 regulation of taxi stands, as mentioned earlier, is referred to as “congestion at the ranks”. Where the demand for cabs is high, more taxis are likely to congregate and thereby cause congestion, perhaps even blocking other vehicles trying to pass. An example would be the front doors of an arena where the cabs jockey to pick up riders after a large sporting event. These sorts of problems are generally dealt with by designating specific waiting areas for taxis, or by-laws to limit parked vehicles. However, “congestion at the ranks” is a weak argument to justify entry restrictions.

Regulations that prevent consumers from being mistreated because of asymmetric information and to create order and safety are justified, only if they are needed. Ironically, for the taxi licence holders, the TNCs automatically deal with market failures associated with information asymmetries through wireless communication technology. The TNCs can provide price quotes, identify the driver and passenger in advance, track trips to guarantee the route taken is the shortest, and eliminate the risk of robbery through Internet payment. The problem with crowding at the ranks never occurs because each ride is assigned before the car arrives. Typically, this is a designated location at the airport, or other destination.

Having no arguments against the TNCs based on traditional externalities, the taxi industry has raised concerns about general congestion. Like the jitneys of the past, if passengers abandon public transit in favour of the TNCs, they could create more congestion in the urban areas. Presumably any competition to the buses is undesirable. The remedy offered by the taxi licence owners to reduce congestion is to limit the entry of the TNCs. The economics behind this idea are not supported by the theory.

Congestion can be a real or a pecuniary externality. As more vehicles enter into a system and interact with each other traffic slows down. If all the vehicles are considered to belong to the same group, then it is only a pecuniary externality. Each driver is imposing a congestion cost on the others. Moreover, they are aware that congestion is going to cost them in lost time before they enter the system. If taxis, TNCs, private cars and buses are all considered to be one market for road space, then all are equally responsible for congestion. This is a pecuniary externality rather than a real externality. Just because the externality is pecuniary does not mean that government cannot reduce the impact of the market failure. But limiting one participant, the TNC car, is unfair and ineffective unless other modes of transport are equally constrained. The only practical solution to congestion is road pricing, via a toll charge on vehicles.

Figure 1 presents the congestion model. Until point  $Q_1$ , there is no congestion. As the quantity of traffic increases, congestion leads to a divergence between private cost  $MC_p$  and the social cost  $MSC$  that includes the marginal congestion cost  $MC_c$ . In an unregulated market, traffic increases to point  $Q_p$ , because each motorist ignores the effect of their addition to traffic congestion. The social optimum would require traffic to be reduced to  $Q^*$ , where the marginal social cost (MSC) equals the marginal social benefit (MSB). Setting a toll of  $BA$ , raise prices to  $P^*$  and eliminates the deadweight loss  $BDC$ .



Any increase in vehicle numbers can increase congestion after some point, but the magnitude matters. Testimony (provided to the 2018, Select Standing Committee) points to the study by Mr. Schaller which indicates that "TNC growth had added nearly 50,000 vehicles and over a half a billion miles of driving to the city's [NY] streets in three years." In other words, one vehicle for 171 people based on a population in New York of 8,538 million. If one uses this statistic it would mean an increase of 3,792 vehicles on the road in Vancouver. Every year nearly an equal amount of new driver licences for private cars are issued.

The emergence of new TNCs should not be treated differently. In fact, many TNCs are only part-time drivers and operate in private carriage much of the time.

The easiest solution to congestion for regulators may be to limit the number of new entrants, to X number of cars. A solution used long ago when there were too many hackneys and lack of stands on the road. As noted above only by imposing a congestion charges on all motorists can optimal level of congestion be achieved. Singling out the new innovative entrant for restraint, is just a restraint on competition, disguised as a congestion control. Moreover, such regulations ignore the convenience afforded to the travelling public through the use of apps and technology e.g. payments, estimation of rates, etc.

While the licenced taxi owners may point out perceived shortcomings of the TNCs, there are two negative externalities that they would like to disregard. In other jurisdictions taxi deregulation has been associated with a reduction of impaired driving. Morrison observes that following the relaxation of taxi entry restrictions in New Zealand, the number of drunken driver incidents fell<sup>17</sup>. Clearly, if taxis are convenient and affordable, drivers with too much to drink will be more likely to leave their cars at home. The reduction of impaired driving was explicitly recognized in Saskatchewan as the reason to open up their market to the TNCs.<sup>18</sup>

The second externality is the negative impact on the tourist industry's reputation. This is referred to in the debate of the BC legislation by MLA Jordan Sturdy (West Vancouver-Sea to Sky).<sup>19</sup>

The owner of Harbour Air just blocks from here has called time and time again for ride-sharing because his customers are astonished when they land in Vancouver or Victoria and can't order an Uber or other ride-share. In my own riding, we see countless tourists coming to Squamish, Whistler and Pemberton and finding out they're forced to use an overtaxed taxi industry rather than any ride-sharing apps that they have on their phone already, either at home or to use it in other countries or other tourist destinations around the world.

## **V. Competition Policy in the Vancouver Taxi Market**

The philosophy embedded in competition law is “for the protection of the public interest in free competition”. This was emphasized in three recent documents by the Competition Bureau.<sup>20</sup> The theme in these documents is that control of entry in the taxi industry has not kept pace with demand resulting in high plate values, rents and a vehicle for investment for plate owners. Further, the emergence of new technology has permitted the rise of new services and providers (known as TNCs), a meaningful source of competition and benefits to consumers. Any regulations to new services should be designed to allow entry and competition, be limited and no broader than necessary. The Bureau went even further to describe the principles that should be used in regulated industry, and how the overregulation in the taxi industry could be balanced and where unneeded or less intrusive regulations can be made.

The opposition to competition in the Vancouver taxi market goes back to the 1940s, then through limiting entry and now through preventing entry. When TNCs first began service in Vancouver in September 2012 they were met with strong opposition – city denials, strong enforcement, taxi company lawsuits and threats to fight new TNCs, etc. But a service or good that the public wants is not so easily suppressed, especially once the “technological genie” is out of the bottle. Five illegal ride-sharing services have been operating in the Asian-language market of Richmond (Little, 2018). Given that only four enforcement officers police the industry for the Province, fines are few in number and treated as just a cost of doing business. Most recently, Vancouver City Council has passed a motion expressing support for TNCs, a complete reversal from their earlier stand (Campbell, 2018).

The emergence of new technologies permits the rise of TNC ride service providers. TNCs offer meaningful competitive benefits to consumers and eliminate many negative externalities that may have



justified regulation in the past. The incumbents in the taxi industry have strenuously opposed the entry of the TNCs. When new competitors enter the market, they change the status quo and challenge the incumbents for market share. As Judge Posner eloquently stated in a taxi cartel case in the US:

“When new technologies or new business methods appear, a common result is the decline or even disappearance of the old. Were the old deemed to have a constitutional right to preclude the entry of the new into the markets of the old, economic progress might grind to a halt. Instead of taxis we might have horse and buggies; instead of the telephone, the telegraph; instead of computers, slide rules. [It would also mean that] obsolescence would mean entitlement.”<sup>21</sup>

Adjustments are often painful for incumbents and the regulatory process has not made it any easier. Nevertheless, the wishes of the travelling public for more competition have been made clear. In the case of the travelling public having one view, and the vested interests of a regulated industry holding another, the policy outcome is inevitably in favour of consumers.

## VI. Conclusion

The history of the Vancouver taxi industry and its regulatory policy is well-documented. Whether or not the old philosophy of restricted competition will continue remains to be seen. The public has embraced and demanded TNC services in all the major Canadian cities. Vancouver is an island of regulated taxis in rising competitive seas. Ultimately, the TNCs will be available in Vancouver because they offer lower prices and increased convenience. Only question is when. If the new regulations are too onerous the TNCs may not enter the market quickly<sup>22</sup>.

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<sup>1</sup> Donald F. Davis, *Urban History Review*, Volume 27, No. October 1, 1998.

<sup>2</sup> *Id.*

<sup>3</sup> *The Origins of Taxicab Limitation in Vancouver City* (or “Good Try Anyway, Stanley Anderson), Emmett Sinnott and Paul, Tennant, *BG STUDIES*, No. 49, Spring 1981, pp.41-53; *The Canadian Taxi Wars, 1925–1950*, Donald F. Davis, *Urban History Review*, Volume 27, No. October 1, 1998, p.17; *Assessing and Reforming Vancouver’s Taxi Regulations*, Benn Proctor (2014); and *Transportation network companies and the ridesourcing industry, A Review of Impacts and Emerging Regulatory Frameworks for Uber*, Victor Ngo, October 2015.

<sup>4</sup> *Additional Taxicab and Dual Taxicab Licenses*, City of Vancouver, March 21, 2007.

<sup>5</sup> *BC Taxi Companies by Regional District*, [www.ptboard.bc.ca](http://www.ptboard.bc.ca)

<sup>6</sup> B.C. Hansard, November 20, 2018

<sup>7</sup> See Emmett Sinnott and Paul, Tennant, in endnote 3.

<sup>8</sup> Donald F. Davis, *Urban History Review*, Volume 27, No. October 1, 1998.

<sup>9</sup> *Id.*

<sup>10</sup> *A Study of the Taxi Industry in British Columbia*, Stan Lanyon, the Taxi Review Panel, June 15, 1999, pp.82-83.

<sup>11</sup> In Vancouver, the taxi industry is regulated under the PTA and the Vehicles for Hire By-Law (No. 6066) made pursuant to the Vancouver Charter (s. 272(1) and s. 317(1)(m) (same as that in the 1953 statute). Thus, regulation is a dual process. Approval from both the Passenger Transport Board and City is required before a taxi is allowed to provide passenger transportation services in Vancouver. Both have concurrent jurisdiction (Confirmed by the BC Supreme Court in *Delta Sunshine Taxi (1972) Ltd. v. City of Vancouver*, 2015).

<sup>12</sup> *Additional Taxicab and Dual Taxicab Licenses*, City of Vancouver, March 21, 2007, p.12.

<sup>13</sup> *2015 Taxi Service Review and Report Back*, City of Vancouver, October 20, 2015, p.20.

<sup>14</sup> *Transportation Network Companies in British Columbia, 2018*, Select Standing Committee on Crown Corporations Transportation Network Companies in British Columbia, February 2018, [www.leg.bc.ca](http://www.leg.bc.ca)

<sup>15</sup> B.C. government introduces legislation that will allow ridesharing by fall 2019, Nov 19, 2018, Richard Zussman, [www.globalnews.ca](http://www.globalnews.ca)

<sup>16</sup> Mike Smyth: Not an encouraging start to ride-hailing in B.C. November 19, 2018, [www.theprovince.com](http://www.theprovince.com)

<sup>17</sup> Morrison, Philip S. “Restructuring Effects of Deregulation: The Case of the New Zealand Taxi Industry.” *Environment and Planning A*, Volume 29, 1997: 013-928.

<sup>18</sup> “Sask. introduces legislation for ride-booking services” CBC News, November 30, 2017 <https://www.cbc.ca/news>

<sup>19</sup> Bill 55 — Passenger Transportation Amendment Act, 2018, (Sturdy) [187B:1420-1440](https://www.leg.bc.ca), November 20, 2018, [www.leg.bc.ca](http://www.leg.bc.ca)

<sup>20</sup> *Submission to the City of Toronto Taxicab Industry Review* (Feb. 18, 2014); *Taxi industry’s emerging digital dispatch services* (Nov. 25, 2014); *Modernizing Regulation in the Canadian taxi industry* (Nov. 26, 2015).

<sup>21</sup> *Court Upholds Freedom and the Fifth Amend. in Taxi Cartel Case*, Adelman, 10/10/2016, [www.thenewamerican.com](http://www.thenewamerican.com)

<sup>22</sup> Despite provincial legislation to open up the Manitoba market to TNC competition, neither UBER, nor LIFT is providing service in Winnipeg because Manitoba Public Insurance refuses to provide a blanket insurance coverage to the TNCs similar to their insurance in other jurisdictions.