

A. OPERATING AUTHORITY APPLICATION INFORMATION

Definitions

Charter service means prearranged passenger service from a common point to a common destination on a non-recurring basis.

Publicly Funded Operations is passenger service provided by a person(s) that receives public funding.

- (a) from a level of government or
- (b) directly or indirectly from the public through contributions, solicitations or other fund-raising services.

Scheduled service is passenger transportation over a specified route or routes with minimum frequency rates.

Private bus is the transportation of passengers who are employees or contract workers of the registered owner or who are members of the registered owner or other persons satisfactory to the Registrar, and who are transported with or without compensation

Industrial bus is the transportation of another company's employees under a contractual agreement in excess of thirty days.

Resident carrier is an operator, who maintains Alberta base plated vehicles, a year round office where they maintain records required by national safety code and day to day operation is conducted out of.

Carrier means an owner of a commercial vehicle in respect of which a certificate is issued or who holds a certificate or is required to hold a certificate.

Applicant means a person who files a complete application and will be the registered owner of the vehicle.

Intra-Provincial authority is the transportation of passengers solely within the boundaries of Alberta.

Extra-Provincial authority is the transportation of passengers from a point in Alberta to another province/state/territory or from another province/state/territory to a point in Alberta and return.

Intervention means a document or material filed with the Registrar and in the form prescribed by the Registrar, where a person:

- (a) who does not hold a similar operating authority, and
- (b) who wishes to make representation to the Registrar as to the effect of the application or the granting of the operating authority certificate on the public interest.

Objection means a document or material filed with the Registrar and in the form prescribed by the Registrar, where a person:

- (a) who holds an operating authority certificate that authorizes the operations for the same purposes in whole or in part as those for which the application has been filed, and
- (c) whose interest may be affected by the granting of the application.

Public Need and Necessity Criteria is the information submitted prior to and during the course of the application process and that information will be evaluated in the context of whether or not the granting of the application, in whole or in part, is in the public interest. The applicant must satisfy to the Executive Director that it is in the public interest to grant the application. Public interest will be successfully demonstrated if:

- (a) There is sufficient public demand or need for the service proposed in the application.
- (b) If applicable, the proposed service will compliment any existing service in respect of which an operating authority certificate has been issued, and
- (c) The applicant has the ability to provide the satisfactory service from both a business and safety point of view.

Operating Authority Certificate Exemptions

An operating authority certificate is not required to provide passenger services for:

- (a) funeral service.
- (b) transportation of students to and from a school with a school bus.
- (c) transit bus service operated by or on behalf of a municipality as a municipal passenger transportation service with a vehicle defined as a “transit bus” in regulation.
- (d) airport passenger service:
 - with a vehicle originally designed for 11 or more passengers, including the driver, or
 - with a vehicle that is originally designed for 10 or fewer passengers including the driver, **and that** provides scheduled service and the scheduled service is approved by the airport authority managing the airport.

All passengers, under airport passenger service must be transported from one or more pick-up points and the only drop off point is the airport or from an airport to one or more drop-off points and the only pick-up point is the airport.

- (e) a commercial vehicle with a manufactured seating capacity of 15 passengers or fewer (including the driver) operated as a taxi that provides “on-demand” service to transport passengers and their luggage.
- (f) a commercial vehicle that is used to transport passengers that has a manufactured seating capacity of **10 passengers or fewer** (including the driver), who are employees or contract workers of the registered owner or who are members of the registered owner or other persons satisfactory to the Registrar at no compensation.

B. SINGLE TRIP OPERATING AUTHORITY PERMITS

A carrier wishing to apply for a single trip permit may contact 403-340-5444 during normal business hours. After hours, contact 1-800-662-7138.

Single Trip Permit Policy

In the interest of providing a degree of flexibility, a resident or non-resident carrier may obtain twelve (12) single trip permits per calendar year to provide passenger transportation.

1. A Non-resident carrier entering Alberta with a part load, may “top-off” the load in Alberta for continuation of the charter trip:
 - (i) up to 12 passengers per trip or a maximum of 25% of the total number of passengers traveling on each vehicle.
2. Application for a single trip operating authority permit from a **non-resident carrier** (a person who has the vehicle registered in another province/state/territory) that involves pick-up of passengers in Alberta (other than 1(i) above), requires approval from the Director, Carrier Services **prior** to the trip taking place. Where approval is required applicants must contact three (3) authorized Alberta carriers to determine if they are able to provide the service and whether they oppose or not oppose the permit being issued. The names, dates, telephone numbers of those contacted must be provided with the submission. The submission may be faxed to 403-340-4806.

An application for single trip operating authority permit outlined in 2 above must:

- (a) Be submitted to Carrier Services at least **fourteen days** prior to the scheduled departure of the trip.
- (b) Specify the date, time and place of pick-up and drop-off of passengers.

- (c) Provide copies of correspondence from the three authorized Alberta carriers indicating whether they oppose or not oppose the permit(s) being issued.
- (d) Filing Fee of \$55.00 for each permit is required.

The permit must be approved and issued prior to the scheduled departure of the trip.

- 3. Sections 1 and 2 do not apply to resident carriers where vehicles are licensed and insured in Alberta.

C. PROCEDURES FOR ISSUANCE OF SINGLE TRIP PERMITS RESIDENT CARRIERS AND SCHOOL BUS OPERATIONS

Prior to the issuance of a single trip permit, the carrier must maintain an acceptable Safety Rating, a current commercial vehicle inspection certificate and appropriate passenger hazard insurance levels. The following information is required for a permit to be issued:

- 1. Legal corporate/individual name and MVID (motor vehicle identification number) of registered owner (operating as or trade names not acceptable).
- 2. License plate number of the vehicle(s) being used.
- 3. Origin/Destination of the trip.
- 4. Start and end date for which the permit is required.
- 5. Filing fee of \$55.00 for each permit required.

Contact 403-340-5444 during normal working hours, after hours at 1-800-662-7138.

D. INTRA-PROVINCIAL OPERATING AUTHORITY CERTIFICATE - CHARTER

An application for Intra-Provincial Charter Service (**where no public funds are received**) will be considered complete when it consists of:

1. Application/Amendment for Operating Authority.
2. Certificate of Registration from Alberta Corporate Registry.
3. Insurance Verification Form.
4. Copy of commercial vehicle inspection certificate(s) for all vehicles that are to be operated under the certificate. For information on inspection facilities in your area, contact Transtrue at 1-866-756-3400 or at Alberta Transportation's website at www.transportation.alberta.ca Select "Driver and Vehicles", then select, "Vehicle Inspection Program" and then select "Locating a Vehicle Inspection Facility".
5. Application for Safety Fitness Certificate for Alberta based plated vehicles with a manufacturer's designed seating capacity of 11 or more (including the driver).
6. Applicant provides the Alberta business office from where year round and day-to-day operations are conducted out of and all records relating to the National Safety Code program are retained. (resident carrier).
7. Filing fee.
5. Shipper support Forms (non-resident where required) (minimum four).
6. Copy of Home Jurisdiction National Safety Code/Safety Fitness Certificate and Operating Authority. (non-resident).

Where a non-resident carrier applies for intra-provincial authority and the application is considered complete, the Registrar may direct the application to be advertised for a period of thirty days. The advertisement will specify a date by which completed objections/interventions must be filed with the Registrar. No additional certificates of support shall be accepted after the application has been posted for advertising. If the applicant wishes to submit additional support, the application must be re-advertised.

Should objections/interventions be filed, a Hearing may be held.

E. EXTRA-PROVINCIAL OPERATING AUTHORITY CERTIFICATE - CHARTER

1. Non-Resident Carrier:

An application where no pick-up of passengers in Alberta occur, will be considered complete when it consists of:

- (a) Application/Amendment for Operating Authority.
- (b) Copy of home jurisdiction Operating Authority and National Safety Code/Safety Fitness certificate.
- (c) Insurance Verification Form.
- (d) Filing fee.

An application for intermodal (back-to-back one way charter service) **or pick-up** of passengers in Alberta may be advertised and processed under the criteria of “public need and necessity”. Such applications will be considered complete when it consists of:

- (a) Application/Amendment for Operating Authority.
- (b) Shipper Support Form (minimum four where required).
- (c) Copy of home jurisdiction Operating Authority and National Safety Code/Safety Fitness certificate.
- (d) Filing fee.

Once an application is considered complete the Registrar may direct the application to be advertised for a period of thirty days. The advertisement will specify a date by which completed objections /interventions must be filed with the Registrar. No additional certificates of support shall be accepted after the application has been posted for advertising. If the applicant wishes to submit additional support, the application must be re-advertised

Should objections/interventions be filed, a Hearing may be held. Should the application be approved, carriers must provide a copy of the Certificate of Alberta Corporate Registry and Insurance Verification Form.

2. Resident Carriers

An application for extra-provincial (no public funding) operating authority by a resident carrier will be considered complete when it consists of:

- (a) Application/Amendment for Operating Authority.
- (b) Certificate of Registration from Alberta Corporate Registry.
- (c) Insurance Verification Form.
- (d) Copy of commercial vehicle inspection certificate(s) for all vehicles to be operated under the certificate. For information on inspection stations in your area, contact Transtrue at 1-866-756-3400 or at Alberta Transportation website at www.transportation.alberta.ca Select “Driver and Vehicles”, then select, “Vehicle Inspection Program” and then select “Locating a Vehicle Inspection Facility”.
- (e) Application for Safety Fitness Certificate (where applicable).
- (f) Filing fees.

These applications do not require advertisement.

F. INTRA/EXTRA-PROVINCIAL OPERATING AUTHORITY CERTIFICATE - CHARTER/SCHEDULE (public need and necessity)

An application/amendment to Intra/Extra-Provincial for publicly funded operators for charter/scheduled service or non-publicly funded scheduled service will be considered complete when it consists of:

1. Application/Amendment for Operating Authority.
2. Shipper Support Form (minimum four).
3. Proposed timetable/schedule providing number of trips daily/weekly for scheduled service. (These certificates are condition to minimum frequency rate.)
4. Filing fees.

Once an application is considered complete the Registrar may direct the application to be advertised for a period of thirty days. The advertisement will specify a date by which completed objections /interventions must be filed with the Registrar. No additional certificates of support shall be accepted after the application has been posted for advertisement. If the applicant wishes to submit additional support, the application must be re-advertised.

The Registrar may require the submission of a business plan providing information such as projected incomes, ridership and safety plans as part of the consideration of an application.

Should objections/interventions be filed, a Hearing may be held. Should the application be approved, the Registrar may ask for additional information such as insurance confirmation, commercial vehicle inspections and Corporate Registry documents.

G. INTRA/EXTRA-PROVINCIAL PRIVATE BUS

An application for intra/extra-provincial (no public funding) operating authority by a resident carrier will be considered complete when it consists of:

1. Application/Amendment for Operating Authority.
2. Certificate of Registration from Alberta Corporate Registry.
3. Insurance Verification Form.
4. Copy of commercial vehicle inspection certificate(s) for all vehicles to be operated under the certificate. For information on inspection stations in your area, contact Transtrue at 1-866-756-3400 or at Alberta Transportation website at www.transportation.alberta.ca Select "Driver and Vehicles", then select, "Vehicle Inspection Program" and then select "Locating a Vehicle Inspection Facility". (resident carriers only).
5. Application for Safety Fitness Certificate (where applicable).
6. Copy of operating authority and safety fitness certificate from home province/state/territory (non-resident only).
7. Filing fees.

These applications do not require advertisement.

H. INTRA/EXTRA-PROVINCIAL INDUSTRIAL BUS

An application for intra/extra-provincial industrial bus will be considered complete with in consists of:

1. Application for Industrial Bus Operating Authority.
2. Certificate of Registration from Alberta Corporate Registry.
3. Insurance Verification Form.
4. Copy of commercial vehicle inspection certificate(s) for all vehicles to be operated under the certificate. For information on inspection stations in your area, contact Transtrue at 1-866-756-3400 or at Alberta Transportation website at www.transportation.alberta.ca Select "Driver and Vehicles", then select, "Vehicle Inspection Program" and then select "Locating a Vehicle Inspection Facility". (resident carriers only).
5. Application for Safety Fitness Certificate (where applicable).
6. Copy of contract/purchase order.
7. Copy of operating authority and safety fitness certificate from home province/state/territory (non-resident only).
8. Filing fees.

I. CONSIDERATION OF AN APPLICATION

In the event that a valid objection/intervention is received to an application required to be advertised, a public hearing may be set.

Objection

Where an application filed and is processed under public need and necessity criteria, an objection may be filed. An objection shall include:

1. Objector's Statement of Objection to an application.
2. Name and address of the objector and address for service on the objector in Alberta.
3. Copy of the Alberta operating authority certificate held by the objector.
4. Proof that the objector has provided the applicant with a copy of the objection.
5. All supporting documents requested.
6. Filing fee.

All objections are to be filed with the Registrar and the applicant on or before the date specified in the advertisement. An objection may be obtained on our website at www.transportation.alberta.ca Select "Commercial Transportation", then select "Bus/Trucks Certificates and Monitoring".

Intervention

An intervention shall include:

1. Name and address.
2. A clear and concise statement of the nature and purpose of the intervention and how the granting of the application would potentially be detrimental to the public interest.
3. Proof that the applicant has been served with a copy of the intervention.
4. Filing fee.

All interventions are to be filed with the Registrar and the applicant on or before the date specified in the advertisement.

Withdrawal of Objection/Intervention/Application

If an application, objection or intervention is withdrawn prior to the commencement of a public hearing, the applicant, objector or intervener shall:

- (a) serve the Registrar and the other interested parties with a notice of withdrawal no later than seven (7) days, excluding Saturdays, Sundays and holidays, prior to the commencement date of the hearing, and
- (b) forthwith file with the Registrar, proof of service on the other parties to the matter of the notice of withdrawal.

Notice of Decision

The Registrar must give written notice of the decision about an application for an operating authority certificate, or any amendment to or renewal of it, as soon as practicable after the decision is made to the following:

- (a) the applicant;
- (b) every person who objected to or intervened in the application.

The Registrar must notify the applicant of the reasons for refusal and of the applicant's right to appeal to the Board under section 43 of the Act

- (a) a refusal of the application, or
- (b) any terms or conditions imposed

Operating authority certificates do not give exclusive rights

An operating authority certificate does not confer exclusive rights on the holder of it and it does not prevent the Registrar from issuing or amending any other operating authority certificate with respect to the same or similar matters.