NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE MOTOR CARRIER ACT

- and -

IN THE MATTER OF THE APPLICATION of TJ’s VAN & CAR POOL SERVICES INC. o/a TJ’s DRIVING SERVICE for the issue of a Motor Carrier License under the provisions of the said Act

BEFORE: Roland A. Deveau, Q.C., Vice Chair

DECISION AND ORDER

WHEREAS TJ’s VAN & CAR POOL SERVICES INC. o/a TJ’s DRIVING SERVICE filed an Application for the issue of a Motor Carrier License, and the Application was received by the Clerk of the Board on June 4, 2018, requesting to operate the following public passenger vehicles for these services, routes and areas:

OPERATING AUTHORITY – Schedule F:

F(1) SPECIALTY IRREGULAR RESTRICTED AREA PUBLIC PASSENGER CHARTER SERVICE

The transportation, including accessible transportation, of any individual, group or organization, in particular seniors’ groups (including residents of White Hills Long Term Care Facility), student groups and non-profit organizations, from any point within the Designated Area (as described below) to any point in Nova Scotia, one way, return or the reverse thereof.

The Designated Area shall include Hammonds Plains Road from Bedford Highway to St. Margaret’s Bay Road; Highway 103 from Exit 3 Timberlea to Bonnie Lea Farms on Cullicutt Road at Exit 8; Highway 333 from Head of St. Margaret’s Bay to Peggy’s Cove; Highway 3 from Head of St. Margaret’s Bay Road to the Village of Chester.
F(2) SPECIALITY IRREGULAR RESTRICTED AREA PUBLIC PASSENGER SERVICE
The transportation, including accessible transportation, of any individual, group or organization, in particular seniors’ groups, student groups and non-profit organizations, from any point in Nova Scotia to any point in Nova Scotia, one way, return or the reverse thereof.

VEHICLES – Schedule E:
One (1) 2011 Ford E450 Goshen Coach – holds 14 ambulatory passengers + 2 wheelchairs (to a maximum of 8 wheelchairs).

RATES, TOLLS AND CHARGES – Schedule D:

D(1) RATES:
Per Person Within Designated Area $35.00 one way/$45.00 return
(Minimum of four passengers required)

Outside Designated Area:
Hourly Rate (1-6 hours) $100.00
Minimum 3 hour booking $300.00
Daily Rate (over 6 hours) $650.00
Wait Time (per hour) $25.00
Layover (per night) $125.00
Deadhead (per km) $1.25

D(2) RATES:
Minimum Charge (less than 1 hour) $140.00
Hourly Rate (1-6 hours) $105.00
Minimum 3 hour booking $315.00
Daily Rate (over 6 hours) $725.00
Wait Time (per hour) $30.00
Layover (per night) $150.00
Deadhead (per km) $1.25

Additional Charges:
1. All taxes, fees, tolls, parking, admissions, gratuities, etc., if not paid for directly by the charter group.
2. Driver’s meals and accommodations of $150.00 per day, if not paid directly by the charter group.
3. On multi-day charters, driver’s meals of $45.00 per day, if accommodations only are paid by the charter group.
4. Additional driver’s costs if required.
Terms and Conditions:

1. All prices listed are in $CAD and are exclusive of HST.
2. A 50% deposit for charters is required on booking.

Cancellation Policy:

If notice of cancellation is received less than three days in advance of the scheduled start time, there will be no refund of deposit.

4-28 days prior to charter date – 50% non-refundable

More than 29 days - $100.00 non-refundable

Definitions for use of the vehicle:

Daily: On a single-day charter applies for the 10th hour. On multi-day charters, “Daily” means any part of a calendar day.

Deadhead KM: Any kilometre traveled without passengers. All trips begin and end at the equipment point.

Equipment Point: The carrier’s place of business, currently 10 Sylvania Terrace, Hammonds Plains, Nova Scotia, B3Z 1J1.

Hour: Any portion of an hour rounded up to the next hour.

Hourly: On a single-day charter, applies to any hour from the Minimum Charge to 9 hours.

Layover Day: Replaces the Daily rate on a multi-day trip when the vehicle travels 50 kilometres or less and the group remains at their location/hotel for the day.

Minimum Charge: Minimum amount charged to a customer.

Overtime Hourly: Applies to any hour after 10 hours.

AND WHEREAS under the Board’s direction, the Notice of Application was published in the Royal Gazette on June 27, 2018, posted on the Board’s website and forwarded to local carriers by email, fax or letter;
AND WHEREAS an objection to the granting of the Application was received by the Board by the stated deadline of July 4, 2018, namely from Thariq Ali o/a Prestige Limousine;

AND WHEREAS Thariq Ali o/a Prestige Limousine withdrew his objection, in writing, on July 19, 2018;

AND WHEREAS the Board considered the Application and the filed information by way of a paper hearing on July 23, 2018;

AND WHEREAS the Board finds that TJ’s VAN & CAR POOL SERVICES INC. o/a TJ’s DRIVING SERVICE has met the requirements of the Act upon completing the conditions set out below;

IT IS ORDERED THAT:

1. The Application for issue of a Motor Carrier License is granted;

2. The License shall read as follows:

OPERATING AUTHORITY – Schedule F:

F(1) SPECIALTY IRREGULAR RESTRICTED AREA PUBLIC PASSENGER CHARTER SERVICE
The transportation, including accessible transportation, of any individual, group or organization, in particular seniors’ groups (including residents of White Hills Long Term Care Facility), student groups and non-profit organizations, from any point within the Designated Area (as described below) to any point in Nova Scotia, one way, return or the reverse thereof.

The Designated Area shall include Hammonds Plains Road from Bedford Highway to St. Margaret’s Bay Road; Highway 103 from Exit 3 Timberlea to Bonnie Lea Farms on Cullicutt Road at Exit 8; Highway 333 from Head of St. Margaret’s Bay to Peggy’s Cove; Highway 3 from Head of St. Margaret’s Bay Road to the Village of Chester.
F(2) SPECIALITY IRREGULAR RESTRICTED AREA PUBLIC PASSENGER SERVICE

The transportation, including accessible transportation, of any individual, group or organization, in particular seniors’ groups, student groups and non-profit organizations, from any point in Nova Scotia to any point in Nova Scotia, one way, return or the reverse thereof.

VEHICLES – Schedule E:

One (1) 2011 Ford E450 Goshen Coach – holds 14 ambulatory passengers + 2 wheelchairs (to a maximum of 8 wheelchairs).

RATES, TOLLS AND CHARGES – Schedule D:

D(1) RATES:

Per Person Within Designated Area $35.00 one way/$45.00 return
(Minimum of four passengers required)

Outside Designated Area:
Hourly Rate (1-6 hours) $100.00
Minimum 3 hour booking $300.00
Daily Rate (over 6 hours) $650.00
Wait Time (per hour) $25.00
Layover (per night) $125.00
Deadhead (per km) $1.25

D(2) RATES:

Minimum Charge (less than 1 hour) $140.00
Hourly Rate (1-6 hours) $105.00
Minimum 3 hour booking $315.00
Daily Rate (over 6 hours) $725.00
Wait Time (per hour) $30.00
Layover (per night) $150.00
Deadhead (per km) $1.25

Additional Charges:

1. All taxes, fees, tolls, parking, admissions, gratuities, etc., if not paid for directly by the charter group.
2. Driver’s meals and accommodations of $150.00 per day, if not paid directly by the charter group.
3. On multi-day charters, driver’s meals of $45.00 per day, if accommodations only are paid by the charter group.
4. Additional driver’s costs if required.
Terms and Conditions:

1. All prices listed are in $CAD and are exclusive of HST.
2. A 50% deposit for charters is required on booking.

Cancellation Policy:

If notice of cancellation is received less than three days in advance of the scheduled start time, there will be no refund of deposit.

4-28 days prior to charter date – 50% non-refundable

More than 29 days - $100.00 non-refundable

Definitions for use of the vehicle:

Daily: On a single-day charter applies for the 10th hour. On multi-day charters, “Daily” means any part of a calendar day.

Deadhead KM: Any kilometre traveled without passengers. All trips begin and end at the equipment point.

Equipment Point: The carrier’s place of business, currently 10 Sylvania Terrace, Hammonds Plains, Nova Scotia, B3Z 1J1.

Hour: Any portion of an hour rounded up to the next hour.

Hourly: On a single-day charter, applies to any hour from the Minimum Charge to 9 hours.

Layover Day: Replaces the Daily rate on a multi-day trip when the vehicle travels 50 kilometres or less and the group remains at their location/hotel for the day.

Minimum Charge: Minimum amount charged to a customer.

Overtime Hourly: Applies to any hour after 10 hours.

3. The License shall be issued after the Applicant completes the requirements of the Motor Carrier Act and Regulations.

4. TJ's VAN & CAR POOL SERVICES INC. o/a TJ's DRIVING SERVICE must commence operating the service within 60 days of the License being issued or the License shall be automatically rescinded, unless TJ's VAN & CAR POOL SERVICES INC. o/a TJ's DRIVING
SERVICE has requested and received a prior extension of time from the Board.

DATED at Halifax, Nova Scotia this 23rd day of July 2018.

[Signature]

Clerk of the Board