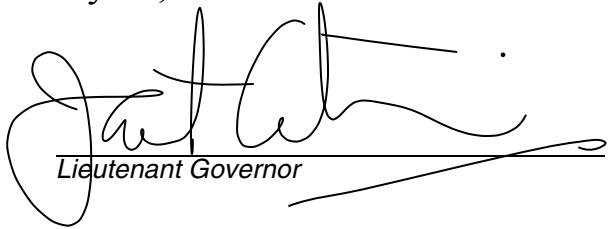


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 273

, Approved and Ordered May 23, 2024



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective January 6, 2025,

- (a) sections 1 (b) and (c), 2 to 4, 6 to 10, 13 to 17, 19 to 30, 32 to 36, 38 to 41, 43 to 45, 47, 49, 51 to 66, 68 (d) to (g), 69 and 71 to 73 of the *Motor Vehicle Amendment Act (No. 2), 2023*, S.B.C. 2023, c. 35, are brought into force,
- (b) the Motor Vehicle Act Regulations, B.C. Reg. 26/58, are amended as set out in the attached Appendix 1,
- (c) the Motor Vehicle Fees Regulation, B.C. Reg. 334/91, is amended as set out in the attached Appendix 2, and
- (d) the Director's Records and Access to Records Regulation, B.C. Reg. 137/2003, is amended as set out in the attached Appendix 3.



Minister of Transportation and Infrastructure



Minister of Public Safety and Solicitor General and Deputy Premier



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Motor Vehicle Amendment Act (No. 2), 2023*, S.B.C. 2023, c. 35, s. 75;
Motor Vehicle Act, R.S.B.C. 1996, c. 318, ss. 209, 210, 212 and 216

Other: OIC 1004/58; OIC 1573/91; OIC 314/2003

R10716543

APPENDIX 1

1 *The following provisions of the Motor Vehicle Act Regulations, B.C. Reg. 26/58, are amended by striking out “zero emission” wherever it appears and substituting “zero-emission”:*

- (a) the definition of “neighbourhood zero emission vehicle” in section 1;*
- (b) section 24.02 (1) (c);*
- (c) section 24.06 (1) to (3);*
- (d) section 24.07 (1) to (3) and (4) (a);*
- (e) section 24.08 (1);*
- (f) section 24.11 (1) and (2);*
- (g) section 24.12 (2);*
- (h) section 24.22 (g);*
- (i) section 1 (e) of Schedule 2 to Division 25.*

2 *The following section is added:*

Application of Motor Vehicle Act definitions

- 1.011** (1) The definitions in sections 1 and 119 of the Act apply to these regulations but, subject to subsection (2) of this section, if there is any conflict between a definition in section 1 of the Act and a definition in section 119 of the Act, the definition in section 119 prevails.
- (2) The definition of “owner” in section 1 of the Act applies to these regulations.

3 *Section 2.01 is repealed.*

4 *The following section is added:*

Transfer of number plates between same person’s vehicles

- 3.031** (1) If a person who is the registered owner or lessee of more than one motor vehicle or trailer removes number plates from one vehicle and wishes to display them on one of the other vehicles, the person must, before doing so and operating the other vehicle,
- (a) ensure that the requirements for licensing the other vehicle, including payment of the fee prescribed in the Motor Vehicle Fees Regulation, are complied with, and
 - (b) deal with the number plates as directed by the Insurance Corporation of British Columbia.
- (2) Subsection (1) does not apply if the number plates are removed as a result of a transfer of title or interest in the vehicle under section 17 of the Act.

5 *The following section is added:*

Application of sections 3.05 to 3.09

- 3.041** (1) Sections 3.05 to 3.09 do not apply in respect of a vehicle that is, immediately before a transfer of title or interest in the vehicle under section 17 of the Act, a leased vehicle that has a lessee.
- (2) Section 3.08 does not apply if the substitute vehicle referred to in that section is a leased vehicle.

6 *Sections 3.05 and 3.06 (2) (a) and (b) are amended by striking out “shall” and substituting “must” and by striking out “dispose of” and substituting “deal with”.*

7 *Section 3.06 (2) is amended by striking out “Notwithstanding” and substituting “Despite”.*

8 *Section 3.07 is repealed and the following substituted:*

Owner not in possession of transferred vehicle

- 3.07** (1) If the owner referred to in section 3.06 (2) (b) does not have possession of the vehicle at the time of its transfer, the person who has possession of the vehicle must remove the number plates and, subject to subsection (2), immediately deliver them to the owner who must deal with them as provided in section 3.08 or 3.09.
- (2) If the owner cannot be located within 7 days of the transfer, the person who removed the number plates must, at the expiry of the 7 days, immediately deliver the number plates to an office of the Insurance Corporation of British Columbia.

9 *Section 3.08 is amended*

(a) by repealing subsection (1) and substituting the following:

- (1) Subject to subsection (1.1), if a person has removed number plates under section 3.05, the owner has retained possession of them as provided in section 3.09 and the owner acquires another motor vehicle or trailer of the same class, the owner may display the number plates on the substitute vehicle for a period not exceeding 10 days from the time of acquisition of the substitute vehicle and must within that period comply with the requirements for licensing the substitute vehicle in the owner’s name.

- (1.1) If the removed number plates are personalized number plates issued under Division 34, subsection (1) of this section applies whether or not the substitute vehicle is of the same class as the vehicle for which it is substituted, but only if the substitute vehicle is not a vehicle referred to in any paragraph of section 34.05 (1). ,

(b) in subsection (2) by striking out “Where” and substituting “If”, by striking out “shall” and substituting “must” and by striking out “person’s name” and substituting “owner’s name”,

(c) by adding the following subsection:

(2.1) Subsection (3) applies in any of the following circumstances:

- (a) the removed number plates are not personalized number plates issued under Division 34 and the substitute vehicle is not of the same class as the vehicle for which it is substituted;
- (b) the removed number plates are personalized number plates issued under Division 34 and the substitute vehicle is a vehicle referred to in any paragraph of section 34.05 (1). ,

(d) by repealing subsection (3) and substituting the following:

(3) In any of the circumstances set out in subsection (2.1), the owner must

- (a) ensure that the requirements for licensing the substitute vehicle in the owner's name, including payment of the fee prescribed in the Motor Vehicle Fees Regulation, are complied with before the substitute vehicle is operated, and
- (b) deal with the number plates as directed by the Insurance Corporation of British Columbia. , ***and***

(e) by repealing subsection (4).

10 The following sections are added:

Removal of number plates on transfer – leased vehicle

3.091 If title or interest in a leased vehicle that has a lessee is transferred under section 17 of the Act, the lessee must, before giving up possession of the vehicle pursuant to the transfer, remove the number plates and deal with them as provided in section 3.093.

Lessee not in possession of transferred vehicle

3.092 (1) If the lessee referred to in section 3.091 does not have possession of the vehicle at the time of its transfer, the person who has possession of the vehicle must remove the number plates and, subject to subsection (2), immediately deliver them to the lessee who must deal with them as provided in section 3.093.

(2) If the lessee cannot be located within 7 days of the transfer, the person who removed the number plates must, at the expiry of the 7 days, immediately deliver the number plates to an office of the Insurance Corporation of British Columbia.

Number plates from leased vehicle

3.093 (1) If number plates are removed under section 3.091 or 3.092 (1) and the person who was the lessee of the transferred vehicle wishes to display the number plates on a substitute vehicle, the person must, before doing so and before the substitute vehicle is operated, ensure that the requirements for licensing the substitute vehicle, including payment of the fee prescribed in the Motor Vehicle Fees Regulation, are complied with.

(2) If number plates are removed under section 3.091 or 3.092 (1) and are not attached on a substitute vehicle under subsection (1) of this section, a person must not attach or display those number plates on any other vehicle.

- (3) If the person referred to in subsection (1) does not attach the number plates on a substitute vehicle and applies for a remission of fees, the person must
- (a) file with the Insurance Corporation of British Columbia an application in the form required by the corporation, and
 - (b) deal with the number plates as directed by the corporation.

11 *Section 3.10 (1) is amended by adding “or 3.093 (3)” after “section 3.09 (2)”, by striking out “surrendering the number plates” and by adding “and” at the end of paragraph (a).*

12 *Section 3.11 is amended by striking out “section 3.08” and substituting “section 3.031 (1), 3.08 or 3.093 (1)”.*

13 *Section 3.12 is repealed.*

14 *Section 3.13 is amended by striking out “section 3.12 and 3.121” and substituting “sections 3.08 (3) and 3.121”.*

15 *The following sections are added to Division 3:*

Section 13.1 of the Act – death of licensee

- 3.14** If all of the conditions set out in section 13.1 (1) of the Act are met as a result of the licensee’s death, the deceased person’s executor, administrator or trustee must comply with section 13.1 (2) (b) of the Act.

Section 13.1 of the Act – licensee not in possession of vehicle

- 3.15** (1) If all of the conditions set out in section 13.1 (1) of the Act are met but the licensee does not have possession of the vehicle at that time, the person who has possession of the vehicle must remove the number plates and, subject to subsection (2) of this section, immediately deliver them to the licensee so that the licensee may comply with section 13.1 (2) (b) of the Act.
- (2) If the licensee cannot be located within 7 days after the person who removed the number plates took possession of the vehicle, that person must, at the expiry of the 7 days, immediately deliver the number plates to an office of the Insurance Corporation of British Columbia.

16 *Section 4.28 (2) (b) and (8) (c) is amended by striking out “Her Majesty’s Armed Forces” and substituting “the Canadian Forces”.*

17 *Section 7.08 is amended by striking out “owner” and substituting “owner, lessee, out-of-province lessee” and by striking out “forthwith” and substituting “immediately”.*

18 *Section 10.04 (2) (c) (iii) is amended by striking out “registered owner’s regular trade or business” and substituting “regular trade or business of the owner, lessee or out-of-province lessee of the vehicle”.*

19 *Section 10.23 is amended*

- (a) *in subsection (1) by striking out “a licence or permit issued by the Motor Carrier Commission or” and by striking out “owned or operated” and substituting “owned, leased or operated”, and*
- (b) *in subsection (2) by striking out “owned or operated” and substituting “owned, leased or operated”.*
- 20 *Section 11.02 (1) (a) is amended by striking out “registered owner or lessee” and substituting “owner, lessee or out-of-province lessee”.*
- 21 *Section 11.03 is amended*
- (a) *in subsection (1) by striking out “registered owner or lessee” and substituting “owner, lessee or out-of-province lessee”,*
- (b) *in subsection (2) by striking out “forthwith” and substituting “immediately”, and*
- (c) *in subsection (3) by striking out “owner or lessee” and substituting “owner, lessee or out-of-province lessee”.*
- 22 *Section 11.17 is amended by striking out “owner or operator” and substituting “owner, lessee, out-of-province lessee or operator”.*
- 23 *Section 14.04 (1) is amended by striking out “from the place of residence of the owner or a garage or other place of repair to a designated inspection facility” and substituting “from the place of residence or business in British Columbia of the owner, lessee or out-of-province lessee of the motor vehicle or trailer, or from a garage or other place of repair in British Columbia, to a designated inspection facility, as defined in section 25.01 (1),”.*
- 24 *Section 19.06 (3) is amended by striking out “operator or owner” and substituting “operator, owner, lessee or out-of-province lessee”.*
- 25 *Section 19.07 (1) (e) is amended by striking out “owned or hired” and substituting “owned, leased or hired”.*
- 26 *Section 19.14 is amended by striking out “non-individual vehicle owners” and substituting “classes of entities”.*
- 27 *Section 22A.04 is amended*
- (a) *by renumbering the section as section 22A.04 (1),*
- (b) *in subsection (1) by striking out “for other collector motor vehicles owned by the holder of the licence” and substituting “on any of the collector motor vehicles in respect of which the licence was issued”, and*
- (c) *by adding the following subsection:*
- (2) If the corporation gives an approval under subsection (1), the corporation must issue only one distinctive number plate.

- 28 **Section 24.02 is amended**
- (a) **in subsection (3) by striking out** “the owner of the vehicle has”,
 - (b) **in subsection (3) (a) by striking out** “registered and licensed the vehicle” **and substituting** “the vehicle is registered and licensed”,
 - (c) **in subsection (3) (b) by striking out** “obtained for the vehicle an owner’s certificate” **and substituting** “an owner’s certificate has been obtained for the vehicle”, **and**
 - (d) **by adding the following subsection:**
 - (3.2) The Insurance Corporation of British Columbia must issue only one distinctive number plate for a motor vehicle
 - (a) that is described in subsection (1), other than a neighbourhood zero-emission vehicle, and
 - (b) for which a licence is issued under section 3 of the Act.
- 29 **Section 24.02.01 (2) is amended by striking out** “The owner or lessee of” **and substituting** “The person who owns or leases”.
- 30 **Section 24.09.02 (2) (c) is repealed and the following substituted:**
- (c) give the following to anyone sustaining loss or injury:
 - (i) the person’s name and address;
 - (ii) the name and address of the owner of the equipment;
 - (iii) the name and address of any person who is leasing or renting the equipment under a written agreement for a period of not less than one month.
- 31 **Section 24.21 (3) is amended by striking out** “owner or operator of” **and substituting** “person who owns, leases or operates”.
- 32 **Section 24.216 is amended**
- (a) **in subsection (1) by striking out** “an owner of a motor vehicle” **and substituting** “a registered owner or lessee of a motor vehicle”,
 - (b) **in subsection (1) (b) by striking out** “the owner” **and substituting** “the registered owner or lessee, as the case may be,”,
 - (c) **in subsection (2) by adding the following paragraph:**
 - (b.1) if the neighbourhood golf cart is a leased vehicle that has a lessee, the date that it
 - (i) is leased to a person other than the lessee, or
 - (ii) ceases to be a leased vehicle; , **and**
 - (d) **in subsection (3) (b) by striking out** “the owner or a person operating the owner’s neighbourhood golf cart” **and substituting** “the registered owner, the lessee or an operator of the neighbourhood golf cart”.

- 33 **Section 25.01 (2) is amended**
- (a) **in paragraph (e) by striking out “owned or leased” and substituting “owned, leased or rented”, and**
 - (b) **in paragraph (i) by striking out “the Queen in Right of Canada” and substituting “His Majesty the King in right of Canada”.**
- 34 **Section 25.08 (1) to (3) and (5) is amended by striking out “owner or operator” and substituting “owner, lessee, out-of-province lessee or operator”.**
- 35 **Section 25.11 (e) is amended by striking out “owner/operator” and substituting “owner or operator”.**
- 36 **Section 25.14 (3) (f) is amended by striking out “owned or leased” and substituting “owned, leased or rented”.**
- 37 **Section 25.16 (f) is amended by striking out “the Queen in Right of Canada” and substituting “His Majesty the King in right of Canada”.**
- 38 **Section 25.30 (1), (2), (4) and (5) is amended by striking out “owner or operator” and substituting “owner, lessee, out-of-province lessee or operator”.**
- 39 **Section 27.09 (2) is amended by striking out “owned or leased” and substituting “owned, leased or rented”.**
- 40 **Section 33.01 is amended**
- (a) **by striking out “where” wherever it appears and substituting “if”,**
 - (b) **in paragraph (c) by striking out “owns more than one vehicle” and substituting “is the licensee of more than one vehicle”, and**
 - (c) **by striking out “shall expire” and substituting “expires”.**
- 41 **Section 34.01 (3) is repealed and the following substituted:**
- (3) A licensee’s right to display a personalized number plate expires on the date the licence for the motor vehicle expires or is revoked, cancelled or surrendered.
- 42 **Section 34.02 (1) is amended by striking out “Notwithstanding section 3.09 or 3.10” and substituting “Despite section 3.09, 3.093 or 3.10”.**
- 43 **Section 34.05 (1) is amended**
- (a) **in paragraph (b) by striking out “assigned” and substituting “issued”,**
 - (b) **by adding the following paragraphs:**
 - (b.1) collector motor vehicles that have been issued collector number plates,
 - (c.1) motor vehicles to which Division 24 of these regulations applies other than neighbourhood zero-emission vehicles, , **and**

(c) in paragraph (d) by striking out “licensed under section 2 (e) of the” and substituting “referred to in item 2 (e) of the Schedule to the” and by striking out “section 3 (b) of the” and substituting “item 3 (b) of the Schedule to the”.

44 *Section 34.06 is repealed and the following substituted:*

Character combination not transferable to another licensee

34.06 A combination of characters that has been issued under this Division to a licensee is not transferable to any other licensee except in the circumstances set out in sections 3.06 (2) (a) and 34.09 to 34.11 or as otherwise determined by the Insurance Corporation of British Columbia.

45 *Section 34.07 is repealed.*

46 *Sections 34.09 to 34.11 are repealed and the following substituted:*

Surrender of plates – reservation of character combination

34.09 If a licensee surrenders the licensee’s personalized number plates to the Insurance Corporation of British Columbia, the corporation may reserve that combination of characters for the remainder of the term of the motor vehicle licence and for up to one year after that term, unless a remission has been granted in accordance with section 34.02 (1).

Surrender of plates – no reservation of character combination

34.10 If the licensee surrenders the licensee’s personalized number plates and notifies the Insurance Corporation of British Columbia in the form required by the corporation that the licensee does not wish to have the licensee’s approved combination of characters reserved, the corporation may issue that combination of characters to the first licensee making appropriate application.

Reissuance if no surrender

34.11 If personalized number plates are not surrendered, and are not renewed within one year after the expiry of the term of the motor vehicle licence, the Insurance Corporation of British Columbia may issue that combination of characters to the first licensee making appropriate application.

47 *Section 37.01 is amended*

(a) in paragraph (c) of the definition of “carrier” by striking out “lessee” and substituting “lessee or out-of-province lessee”, and

(b) in paragraph (e) of the definition of “supporting records” by striking out “inspection or rental” and substituting “inspection, leasing or rental”.

48 *Section 37.15 (a) to (c) is amended by striking out “owner” wherever it appears and substituting “owner, lessee or out-of-province lessee”.*

49 *Section 39.021 is amended by striking out “owner” and substituting “owner, lessee or out-of-province lessee”.*

- 50 *Section 40A.01 is amended in paragraph (c) of the definition of “vehicle” by striking out “Her Majesty’s Forces as defined in the National Defence Act (Canada)” and substituting “the Canadian Forces”.*
- 51 *Section 40A.03 (4) (a) and (b) is amended by striking out “driver or owner” and substituting “driver, owner, lessee or out-of-province lessee”.*
- 52 *Section 40B.01 (1) is amended in paragraph (c) (iii) of the definition of “vehicle” by striking out “Her Majesty the Queen in Right of Canada” and substituting “His Majesty the King in right of Canada”.*
- 53 *Section 42.01 is amended in paragraph (a) of the definition of “blood delivery vehicle” by striking out “owned or operated” and substituting “owned, leased or operated”.*

APPENDIX 2

- 1 *Item 2 of the Schedule to the Motor Vehicle Fees Regulation, B.C. Reg. 334/91, is amended in paragraph (h) by striking out “ZERO EMISSION” and substituting “ZERO-EMISSION”.*
- 2 *Item 6 of the Schedule is amended*
- (a) *in paragraph (a) (i) to (v), (ix) and (x) by striking out “ownership” and substituting “registered owner and lessee”, and*
- (b) *in paragraph (a) (vi) by striking out “owners” and substituting “registered owners and lessees” and by striking out “owner” and substituting “registered owner and lessee”.*

APPENDIX 3

- 1 *Section 3 of the Director’s Records and Access to Records Regulation, B.C. Reg. 137/2003, is amended by striking out “owners of vehicles” and substituting “owners, lessees and out-of-province lessees of vehicles”.*