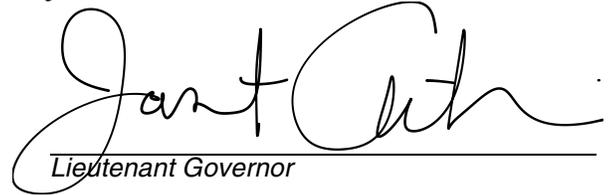


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 418

, Approved and Ordered July 11, 2022



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 September 1, 2022,

- (a) the *Passenger Transportation Amendment Act, 2022*, S.B.C. 2022, c. 10, is brought into force, and
- (b) the *Passenger Transportation Regulation*, B.C. Reg. 266/2004, is amended as set out in the attached schedule.



Minister of Transportation and Infrastructure



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: *Passenger Transportation Amendment Act, 2022*, S.B.C. 2022, c. 10, s. 5
Passenger Transportation Act, S.B.C. 2004, c. 39, ss. 59, 59.3 and 59.4

Other: OIC 578/2004

R10584351

SCHEDULE

- 1** *Section 12.6 (2) (a) of the Passenger Transportation Regulation, B.C. Reg. 266/2004, is amended by striking out “in accordance with section 42.2 (3) [prescribed record checks required for drivers of passenger directed vehicles] of the Act” and substituting “in accordance with sections 42.2 (3) [requirement to issue record check certificate if driver's records acceptable] or 42.21 (4) [licensee may issue record check certificate if registrar determines driver's records acceptable] of the Act”.*
- 2** *Sections 12.63 and 12.66 (1) are amended by striking out “For the purposes of section 42.2 (2) (a) and (b) [person with record that includes prescribed matter must not drive passenger directed vehicle] of the Act” and substituting “For the purposes of sections 42.2 [prescribed record checks required for drivers of passenger directed vehicles] and 42.21 [review of acquired record or results of prescribed record checks] of the Act”.*
- 3** *Section 12.68 is amended by striking out “For the purposes of section 42.2 (3) [requirement to issue record check certificate if driver's records acceptable] of the Act” and substituting “For the purposes of sections 42.2 (3) [requirement to issue record check certificate if driver's records acceptable] and 42.21 (4) [licensee may issue record check certificate if registrar determines driver's records acceptable] of the Act”.*
- 4** *Section 12.74 is repealed and the following substituted:*

Review of acquired record or results of prescribed records checks

- 12.74** (1) A request by a person under section 42.21 (1) of the Act for the review of an acquired record or the results of a prescribed record check must be made to the registrar, in writing,
- (a) in the case of a request for the review of an acquired record, within 30 days after the person gives notice of the acquired record in accordance with section 42.2 (4) *[driver must notify licensee of record acquired between record checks]* of the Act, or
 - (b) in the case of a request for the review of the results of a prescribed record check, within 30 days after the person receives notice under section 12.7 *[licensee must notify driver if record check certificate cannot be issued]* of this regulation.
- (2) The registrar must notify the person and the licensee, in writing, of a determination made under section 42.21 (3) of the Act.

- 5** *Section 21.1 is repealed.*

- 6** *Section 21.2 is repealed and the following substituted:*

Evidence of authority to operate passenger directed vehicle under temporary operating permit

- 21.2** (1) In this section, “**valid record check certificate**” has the same meaning as in section 12.6 (2) *[definitions and interpretation for Part 2.1]*.

- (2) For the purposes of sections 39 (c) (ii) (B) [*requirement to carry evidence of authority in vehicle*] and 56 (2) (a.1) [*power to require evidence of authority to operate motor vehicle*] of the Act, evidence of a person's authority to operate a motor vehicle as a passenger directed vehicle under a temporary operating permit issued under section 38 [*applications considered by the board*] of the Act must be capable of being produced, immediately on request, in the form of a printed copy of the driver's valid record check certificate.
- (3) The printed copy required under subsection (2) must comply with the standards, if any, specified by the registrar.