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MOTOR VEHICLE ACT

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PART 3

-- Sections 119 - 124 of Part 3 --

Definitions

119. (1.) In this Part:

"boulevard" means the area between the curb lines, the lateral lines or the shoulder of a roadway and the adjacent property line;

"bus lane" means a lane of a laned roadway in respect of which prescribed signs or markings indicate that the lane is reserved for the exclusive use of buses or other prescribed motor vehicles and devices;

"business district" means the territory contiguous to a portion of a highway having a length of 200 m along which there are buildings used for business, industrial or public purposes occupying

- (a) at least 100 m of frontage on one side of that portion, or
- (b) at least 100 m collectively on both sides of that portion,

and includes that portion of the highway;

"combination of vehicles" means a combination of motor vehicle and trailer or motor vehicle and trailers;

"controlled access highway" means a highway designated as such under Part 6 of the Highway Act;

"crosswalk" means

- (a) a portion of the roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface, or
- (b) the portion of a highway at an intersection that is included within the connection of the lateral lines of the sidewalks on the opposite sides of the highway, or within the extension of the lateral lines of the sidewalk on one side of the highway, measured from the curbs, or in the absence of curbs, from the edges of the roadway;

"cycle" means a device having any number of wheels that is propelled by human power and on which a person may ride and includes a motor assisted cycle, but does not include a skate board, roller skates or in-line roller skates;

"driver" means a person who drives or is in actual physical control of a vehicle;

"high occupancy vehicle lane" means a lane of a laned roadway in respect of which prescribed signs or markings indicate that the lane is reserved for the exclusive use of buses, motor vehicles that meet prescribed occupancy requirements and other prescribed motor vehicles and devices;

"intersection" means the area embraced within the prolongation or connection of the lateral

curb lines, or if none, then the lateral boundary lines of the roadways of the 2 highways that join one another at or approximately at right angles, or the area within which vehicles travelling on different highways joining at any other angle may come in conflict;

"laned roadway" means a roadway or the part of a roadway that is divided into 2 or more marked lanes for the movement of vehicular traffic in the same direction;

"owner", with respect to a vehicle, means

- (a) the person who holds the legal title to the vehicle,
- (b) a person who is a conditional purchaser, a lessee or a mortgagor, and is entitled to be and is in possession of the vehicle, or
- (c) the person in whose name the vehicle is registered;

"park", when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading;

"pedestrian" means a person afoot, or an invalid or child in a wheelchair or carriage;

"residence district" means the territory continuous to a portion of a highway having a length of 100 m along which there are buildings used for residence purposes only or for residence and business purposes occupying

- (a) at least 50 m of frontage on one side of that portion, or
- (b) at least 50 m collectively on both sides of that portion,

and includes that portion of the highway;

"roadway" means the portion of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and if a highway includes 2 or more separate roadways, the term **"roadway"** refers to any one roadway separately and not to all of them collectively;

"sidewalk" means the area between the curb lines or lateral lines of a roadway and the adjacent property lines improved for the use of pedestrians;

"stop" or **"stand"** means,

- (a) when required, a complete cessation from movement, and
- (b) when prohibited, the stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with the directions of a peace officer or traffic control device;

"through highway" means a highway or part of a highway at the entrances to which stop signs are erected under this Act;

"traffic" includes pedestrians, ridden or herded animals, vehicles, cycles and other conveyances, either singly or together, while using a highway to travel;

"traffic control device" means a sign, signal, line, meter, marking, space, barrier or device, not

inconsistent with this Part, placed or erected by authority of the Minister of Transportation and Highways or the council of a municipality or a person authorized by either of them to exercise that authority;

"traffic control signal" means a traffic control device, whether manually, electrically or mechanically operated, by which traffic is directed to stop and to proceed.

- (2.) For the purpose of the definition of **"intersection"** in subsection (1), **"highway"** does not include a lane or way less than 5 m in width separating the rear property lines of parcels of land fronting on highways running more or less parallel to and on each side of the lane or way.

RS1979-288-115; 1983-21-3; 1995-43-9; 2000-16-2 (B.C.Reg. 150/2002).

Application

- 120. Unless the context otherwise requires,
 - (a) the provisions of this Part relating to pedestrians and to the operation of vehicles refer to pedestrians and to the operation of vehicles on a highway,
 - (b) the provisions of this Part do not apply to persons, vehicles and other equipment while actually engaged in highway or public utility, construction or maintenance work on, under or over the surface of a highway while at the site of the work, but do apply to them when travelling to or from that site, and
 - (c) a person riding an animal or driving an animal driven vehicle on a highway has the rights and is subject to the duties of the driver of a vehicle under this Part.

RS1979-288-116.

Construction and maintenance vehicles

- 121. Despite section 120 (b), the driver of a vehicle referred to in that section must drive with due regard for safety, having regard to all the circumstances, including the nature, condition and use of the highway and the amount of traffic that is, or might reasonably be expected to be, on it.

RS1979-288-117.

Exemption for emergency vehicles

- 122. (1.) Despite anything in this Part, but subject to subsections (2) and (4), a driver of an emergency vehicle may do the following:
 - (a) exceed the speed limit;
 - (b) proceed past a red traffic control signal or stop sign without stopping;
 - (c) disregard rules and traffic control devices governing direction of movement or turning in specified directions;
 - (d) stop or stand.
- (2.) The driver of an emergency vehicle must not exercise the privileges granted by subsection (1) except in accordance with the regulations.
- (3.) *Repealed. [1997-30-2]*
- (4.) The driver of an emergency vehicle exercising a privilege granted by subsection (1) must drive with due regard for safety, having regard to all the circumstances of the case, including the following:
 - (a) the nature, condition and use of the highway;

- (b) the amount of traffic that is on, or might reasonably be expected to be on, the highway;
- (c) the nature of the use being made of the emergency vehicle at the time.

RS1979-288-118; 1995-43-10; 1997-30-2.

Police traffic direction

123. If a peace officer reasonably considers it necessary to
- (a) ensure orderly movement of traffic,
 - (b) prevent injury or damage to persons or property, or
 - (c) permit proper action in an emergency,
- the peace officer may direct traffic according to his or her discretion, despite anything in this Part, and everyone must obey his or her directions.

RS1979-288-119.

Municipal powers

124. (1.) The council of a municipality may, by bylaw not inconsistent with or derogatory to this Part, provide for the following:
- (a) the placing or erection of traffic control devices to give effect to this Act or a bylaw adopted under this section;
 - (b) the regulation, control or prohibition of pedestrian traffic, ridden or herded animals, vehicular traffic and traffic by other conveyances, either singly or together, on sidewalks, walkways or boulevards, or in or on lanes or ways separating the rear property lines of parcels of land fronting on highways running more or less parallel to and on each side of the lanes or ways, and at intersections of the lanes or ways with each other or with highways;
 - (c) the regulation, control or prohibition of the stopping, standing or parking of vehicles in the municipality;
 - (d) in accordance with any regulation made under section 209 (2) (h), for parking zones for persons with disabilities, on highways that are not arterial highways, including providing for a system of permits for those parking zones;
 - (e) the setting apart and allotting of portions of highways adjacent to federal, Provincial or municipal public buildings for the exclusive use of officials and officers engaged in them for the parking of vehicles, and the regulation of that parking;
 - (f) the erection, maintenance and operation on a highway or portion of it of automatic or other mechanical meters, for the purpose of allotting and controlling parking spaces for vehicles, and measuring and recording the duration of parking, and requiring the driver of every vehicle parked in a parking space to deposit in the appropriate meter a fee for parking in the manner and at the rate prescribed and as measured by the meter;
 - (g) the removal, detention or impounding of vehicles unlawfully occupying a portion of a highway or public place, and a scale of fees, costs and expenses for that purpose;
 - (h) the recovery of the fees, costs and expenses from the owner or by sale of the vehicle referred to in paragraph (g) at public auction or by action in a court of competent jurisdiction;
 - (i) the establishment and use of loading, commercial and passenger zones in the

- municipality and their designation;
- (j) in respect of a highway in a municipality, except an arterial highway, the regulation of the width, length and height of vehicles and the width, length, height, fastenings and distribution of loads on vehicles driven or operated on them;
 - (k) that on a highway where construction, reconstruction, widening, repair, marking or other work is being carried out, traffic control devices must be erected or placed indicating that people or equipment are working on the highway;
 - (l) that on a highway where construction, reconstruction, widening, repair, marking or other work is being carried out, traffic control devices must be erected or placed to regulate or prohibit traffic in the vicinity of the work;
 - (m) the regulation, control and prohibition of erection or maintenance, or both, of signs, advertisements or guide posts on or over highways other than arterial highways in the municipality, and their alteration, repainting, tearing down or removal without compensation to any person for the loss or damage that results;
 - (n) the regulation or prohibition of pedestrian traffic on highways other than at crosswalks;
 - (o) the prohibition of pedestrian traffic in an unmarked crosswalk designated by a traffic control device;
 - (p) the establishment of school crossings in the municipality and the regulation and control of pedestrian and vehicular traffic with respect to them;
 - (q) the regulation of traffic passing by or in the vicinity of schools through the use of traffic patrols, and for that purpose vesting in the school children or other persons employed in traffic patrols power to require vehicles to stop at school crossings or other designated places on a highway;
 - (r) the establishment and use of taxi stands in the municipality and their designation;
 - (s) the regulation and control of processions on highways in the municipality;
 - (t) the regulation and control of persons using roller skates, sleighs, skates, skis or other similar means of conveyance on highways in the municipality and the closing of a highway or highways or part of them to permit the use of roller skates, sleighs, skates, skis or other similar means of conveyance;
 - (u) the enforcement of bylaws adopted under this section by fine or imprisonment, or both, and imposing fines, penalties and costs;
 - (v) the use, in places, under conditions and in circumstances specified by the bylaw, of sidewalks and crosswalks by persons riding cycles;
 - (w) that a person operating or riding as a passenger on a cycle on a path or way designated under paragraph (y) must properly wear a bicycle safety helmet that
 - (i) is designated as an approved bicycle safety helmet under section 184 (4) (a), or
 - (ii) meets the standards and specifications prescribed under section 184 (4) (b);
 - (x) that a parent or guardian of a person under the age of 16 years must not authorize or knowingly permit the person to operate or ride as a passenger on a cycle on a path or way designated under paragraph (y) if that person is not properly wearing a bicycle safety helmet that
 - (i) is designated as an approved bicycle safety helmet under section 184

- (4) (a), or
 - (ii) meets the standards and specifications prescribed under section 184 (4) (b);
 - (x.1) that a parent or guardian of a person under the age of 16 years must not authorize or knowingly permit the person to operate a motor assisted cycle on a path or way designated under paragraph (y);
 - (y) the designation of paths or ways within the municipality, other than paths or ways that are highways or are located on private property, for the purposes of a bylaw made under paragraph (w), (x) or (x.1);
 - (@) the exemption of any person or class of persons from a bylaw made under paragraph (w) or (x) and prescribing conditions for those exemptions.
- (2.) Despite subsection (1), if a municipality adopts a bylaw under that subsection that contains a provision directing the rate of speed at which a person may drive or operate a motor vehicle on a highway in the municipality, a person who contravenes that provision does not commit an offence against the bylaw.
- (3.) Despite subsection (1) (u), a municipality may not impose imprisonment or a fine of more than \$100 for the contravention of a bylaw made under subsection (1) (w) or (x).
- (4.) The powers conferred on the council of a municipality by this section include the power exercisable by bylaw to do the following:
- (a) to authorize an officer or employee of the municipality to make orders in respect of the matters comprised in a bylaw adopted under subsection (1) and by those orders to exercise the powers of the municipality under that bylaw, subject to the terms and conditions prescribed in the bylaw;
 - (b) to authorize that officer or employee to rescind, revoke, amend or vary an order made by him or her, subject to the terms and conditions prescribed in the bylaw;
 - (c) to adopt, repeal and amend bylaws under this section even though authority has been given or delegated under this subsection to an officer or employee of the municipality.
- (5.) Except as otherwise provided by or under another statutory provision, the council of a municipality, in addition to the powers and rights conferred by subsection (1), has the same powers and rights with respect to highways, other than arterial highways, in the municipality, and their use by vehicles and persons, as are exercisable by the Lieutenant Governor in Council and the Minister of Transportation and Highways and not mentioned in subsection (1).
- (6.) The council of a municipality may exercise the powers and rights referred to in subsection (5) by resolution or bylaw.
- (7.) Without limiting the scope of subsections (5) and (6), the powers and rights referred to in those subsections include the powers and rights of
- (a) the Lieutenant Governor in Council and the Minister of Transportation and Highways under section 209, and
 - (b) the Minister of Transportation and Highways under sections 208 and 214.
- (8.) For certainty, the powers and rights referred to in subsections (5), (6) and (7) do not include the power or right to direct the rate of speed at which a person may drive or operate a motor vehicle on a highway in the municipality, except the power to regulate the speed of vehicles
- (a) for the protection of the highway under section 209 (1) (a), and
 - (b) for the time of the year and the physical condition of the highway under section

- 209 (1) (d).
- (9.) Despite subsections (5) and (6), if a municipality adopts a resolution or bylaw under those subsections that contains a provision regulating the speed of vehicles
- (a) for the protection of the highway under section 209 (1) (a), or
 - (b) for the time of the year and the physical condition of the highway under section 209 (1) (d),
- a person who contravenes that provision does not commit an offence against the bylaw.
- (10.) A copy of an order made under a bylaw adopted under subsection (4) that purports to be certified a true copy by the municipal corporate officer must be received in all courts as evidence of the order without further proof of the order or the signature or official character of the person by whom it is certified.
- (11.) A bylaw adopted under this section must not be quashed, set aside or declared ineffectual or void merely because of an informality or want of declaration of the power under and by which it was passed, or on the grounds of discriminatory exercise of the powers conferred by this Act.
- (12.) In a bylaw or order adopted or made under this section,
- (a) vehicles may be classified according to their nature, type, character, weight, equipment, accessories or otherwise, and different provisions may be made for different classes,
 - (b) highways or portions of highways, including sidewalks and boulevards, may be classified according to widths, amount of traffic or otherwise, and different provisions may be made for different classes, and
 - (c) different provisions may be made applicable to different seasons of the year or to different conditions of the highway.
- (13.) A municipal bylaw does not apply to the regulation, control or prohibition of traffic on an arterial highway as defined in the *Highway Act* unless its application to arterial highways has been approved by the Minister of Transportation and Highways.

RS1979-288-120; 1985-78-12; 1995-53-27; 1995-43-11; 1996-15-8; 1998-34-284; 2000-7-191, Sch; 2000-16-3; 2003-52-448.

-- Sections 125 - 130 of Part 3 --

Obeying traffic controls

125. Unless otherwise directed by a peace officer or a person authorized by a peace officer to direct traffic, every driver of a vehicle and every pedestrian must obey the instructions of an applicable traffic control device.

RS1979-288-130.

Traffic control signals inoperative

- 125.1 (1.) The driver of a vehicle approaching an intersection that has traffic control signals that are inoperative must stop before entering the intersection.
- (2.) If 2 vehicles have come to a stop at an intersection described in subsection (1) from different highways at approximately the same time, the driver of a vehicle must yield the right of way to the vehicle that is on the right of the vehicle that he or she is driving, but if one of the vehicles is already entering the intersection, the driver of the other vehicle must stop and yield the right of way to the entering vehicle while it is proceeding into or across the intersection.

1999-40-26.

Traffic control signals

126. If traffic is controlled by traffic control signals exhibiting coloured lights or arrows, only the colours mentioned in sections 127 to 134 may be used.

RS1979-288-131.

Green light

127. (1.) When a green light alone is exhibited at an intersection by a traffic control signal,
- (a) the driver of a vehicle facing the green light
 - (i) may cause the vehicle to proceed straight through the intersection, or to turn left or right, subject to a sign or signal prohibiting a left or right turn, or both, or designating the turning movement permitted,
 - (ii) must yield the right of way to pedestrians lawfully in the intersection or in an adjacent crosswalk at the time the green light is exhibited, and
 - (iii) must yield the right of way to vehicles lawfully in the intersection at the time the green light became exhibited, and
 - (b) a pedestrian facing the green light may proceed across the roadway in a marked or unmarked crosswalk, subject to special pedestrian traffic control signals directing him or her otherwise, and has the right of way for that purpose over all vehicles.
- (2.) When a green light alone is exhibited at a place other than an intersection by a traffic control signal,
- (a) the driver of a vehicle
 - (i) may cause the vehicle to pass the signal, and
 - (ii) must yield the right of way to a pedestrian still in the roadway or on a crosswalk in the vicinity of the signal when the green light is exhibited,
 - (b) a pedestrian still in the roadway or on a crosswalk in the vicinity of the signal

when the green light is exhibited must proceed as quickly as possible from the roadway, and

- (c) a pedestrian must not enter the roadway in the vicinity of the signal until either
 - (i) the traffic control signal facing the vehicular traffic exhibits a red light, or
 - (ii) a traffic control signal instructs the pedestrian that he or she may cross the roadway.

RS1979-288-132.

Yellow light

128. (1.) When a yellow light alone is exhibited at an intersection by a traffic control signal, following the exhibition of a green light,

- (a) the driver of a vehicle approaching the intersection and facing the yellow light must cause it to stop before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, before entering the intersection, unless the stop cannot be made in safety,
- (b) a pedestrian facing the yellow light must not enter the roadway, and
- (c) a pedestrian proceeding across the roadway and facing the yellow light exhibited after he or she entered the roadway
 - (i) must proceed to the sidewalk as quickly as possible, and
 - (ii) has the right of way for that purpose over all vehicles.

(2.) When a yellow light alone is exhibited at a place other than an intersection by a traffic control signal,

- (a) the driver of a vehicle approaching the signal must cause it to stop before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no marked crosswalk, before reaching the signal, unless the stop cannot be made in safety, and
- (b) a pedestrian must not enter the roadway in the vicinity of the signal until either
 - (i) the traffic control signal facing the vehicular traffic exhibits a red light, or
 - (ii) a traffic control signal instructs the pedestrian that he or she may cross the roadway.

RS1979-288-133.

Red light

129. (1.) Subject to subsection (2), when a red light alone is exhibited at an intersection by a traffic control signal, the driver of a vehicle approaching the intersection and facing the red light must cause it to stop before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, before entering the intersection, and subject to the provisions of subsection (3), must not cause the vehicle to proceed until a traffic control signal instructs the driver that he or she is permitted to do so.

(2.) The driver of a bus approaching an intersection and facing a red light and a prescribed white rectangular indicator may cause the bus to proceed through the intersection.

(3.) Despite subsection (1), and except when a right turn permitted by this subsection is prohibited by a sign at an intersection, the driver of a vehicle facing the red light, and which in obedience to it is stopped as closely as practicable to a marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, as closely as practicable to the intersection, may cause the vehicle to make a right turn, but the driver must yield the right of way to all pedestrians and vehicles lawfully proceeding as directed

- by the signal at the intersection.
- (4.) When a red light alone is exhibited at an intersection by a traffic control signal,
 - (a) a pedestrian facing the red light must not enter the roadway unless instructed that he or she may do so by a pedestrian traffic control signal,
 - (b) except when a left turn permitted by this paragraph is prohibited by a sign at the intersection, the driver of a vehicle facing the red light at the intersection of not more than 2 highways, and which in obedience to it is stopped as closely as practicable to a marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, as closely as practicable to the intersection, may cause the vehicle to make a left turn into a highway on which traffic is restricted to the direction in which he or she causes the vehicle to turn, but the driver must yield the right of way to all pedestrians and vehicles lawfully proceeding as directed by the signal at the intersection, and
 - (c) a pedestrian proceeding across the roadway and facing the red light exhibited after he or she entered the roadway
 - (i) must proceed to the sidewalk as quickly as possible, and
 - (ii) has the right of way for that purpose over all vehicles.
 - (5.) When a red light is exhibited at a place other than an intersection by a traffic control signal,
 - (a) the driver of a vehicle approaching the signal must cause it to stop before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no marked crosswalk, before reaching the signal, and
 - (b) a pedestrian may proceed across the roadway.

RS1979-288-134; 1995-43-12.

Green arrow

- 130. (1.) When a green arrow is exhibited at an intersection by a traffic control signal,
 - (a) the driver of a vehicle facing the green arrow may cause it to enter the intersection and to make only the movement indicated by the green arrow, but must yield the right of way to pedestrians lawfully in the intersection or in an adjacent crosswalk and to other vehicles lawfully in the intersection, and
 - (b) a pedestrian facing the green arrow must not enter the roadway unless a pedestrian traffic control signal or the exhibition of a green light by a traffic control signal instructs the pedestrian that he or she is permitted to do so.
- (2.) When a yellow arrow is exhibited at an intersection by a traffic control signal,
 - (a) the driver of a vehicle approaching the intersection and facing a yellow arrow must cause the vehicle to stop
 - (i) before entering the marked crosswalk on the near side of the intersection, or
 - (ii) before entering the intersection, if there is no marked crosswalk, unless the stop cannot be made in safety,
 - (b) the driver of a motor vehicle approaching the intersection and facing the yellow arrow may, when a stop cannot be made in safety, proceed with caution to make the only movement indicated by the arrow but must yield the right of way to pedestrians lawfully in the intersection or in an adjacent crosswalk, and to other vehicles lawfully in the intersection,
 - (c) a pedestrian facing the yellow arrow must not enter the roadway, and

- (d) a pedestrian proceeding across the roadway and facing the yellow arrow exhibited after he or she entered the roadway
 - (i) must proceed to the sidewalk as quickly as possible, and
 - (ii) has the right of way for that purpose over all vehicles.

RS1979-288-135; 1987-46-7.

-- Sections 131 - 140 of Part 3 --

Flashing lights

131. (1.) When rapid intermittent flashes of red light are exhibited at an intersection by a traffic control signal,
- (a) the driver of a vehicle approaching the intersection and facing the flashes of red light must cause the vehicle to stop before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk then before entering the intersection, and must not cause the vehicle to proceed until it is safe to do so, and
 - (b) a pedestrian facing the flashes of red light may proceed with caution across the roadway, in a marked or unmarked crosswalk.
- (2.) When rapid intermittent flashes of red light are exhibited at a place other than an intersection by a traffic control signal,
- (a) the driver of a vehicle approaching the signal
 - (i) must cause it to stop before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no marked crosswalk then before reaching the signal, and
 - (ii) may, after having caused the vehicle to stop, cause it to pass the signal and any crosswalk only if conditions of pedestrian traffic in the roadway or any crosswalk in the vicinity of the signal permit it to do so with safety, and
 - (b) a pedestrian may proceed across the roadway.
- (3.) When rapid intermittent flashes of yellow light are exhibited at an intersection by a traffic control signal,
- (a) the driver of a vehicle facing the flashes of yellow light may cause it to enter the intersection and proceed only with caution, but must yield the right of way to pedestrians lawfully in the intersection or an adjacent crosswalk, and
 - (b) a pedestrian facing the flashes of yellow light may proceed with caution across the roadway, in a marked or unmarked crosswalk.
- (4.) When rapid intermittent flashes of yellow light are exhibited at a place other than an intersection by a traffic control signal,
- (a) the driver of a vehicle approaching the signal may cause the vehicle to pass the signal only with caution, and must yield the right of way to pedestrians in the roadway or on any crosswalk in the vicinity of the signal, and
 - (b) a pedestrian may proceed across the roadway with caution.
- (5.) When rapid intermittent flashes of green light are exhibited at an intersection or at a place other than an intersection by a traffic control signal,
- (a) the driver of a vehicle approaching the intersection or signal and facing the signal must cause it to approach the intersection or signal in such a manner that he or she is able to cause the vehicle to stop before reaching the signal or any crosswalk in the vicinity of the signal if a stop should become necessary, and must yield the right of way to pedestrians lawfully in a crosswalk in the vicinity of the signal or in the intersection, and
 - (b) a pedestrian may proceed across the roadway with caution and at an

intersection only in a marked or unmarked crosswalk.

RS1979-288-136.

Pedestrian controls

- 132. (1.) When the word “walk” or an outline of a walking person is exhibited at an intersection by a pedestrian traffic control signal, a pedestrian may proceed across the roadway in the direction of the signal in a marked or unmarked crosswalk and has the right of way over all vehicles in the intersection or any adjacent crosswalk.
- (2.) When the word “walk” or an outline of a walking person is exhibited at a place other than an intersection by a pedestrian traffic control signal, a pedestrian may proceed across the roadway in the direction of the signal and has the right of way over all vehicles.
- (3.) When the word “wait”, the words “don’t walk” or an outline of a raised hand are exhibited at an intersection or at a place other than an intersection by a pedestrian traffic control signal,
 - (a) a pedestrian must not enter the roadway, and
 - (b) a pedestrian proceeding across the roadway and facing the word “wait”, the words “don’t walk”, or an outline of a raised hand exhibited after he or she entered the roadway
 - (i) must proceed to the sidewalk as quickly as possible, and
 - (ii) has the right of way for that purpose over all vehicles.

RS1979-288-137.

Pedestrian controlled signal

- 133. Where a pedestrian is instructed or permitted by a traffic control signal to enter or to proceed across a roadway, he or she must do so
 - (a) at an intersection, only in a marked or unmarked crosswalk, and
 - (b) at a place other than an intersection, in the vicinity of which there is a marked crosswalk, only in the crosswalk.

RS1979-288-138.

Lane direction control signals

- 134. Where lane direction control signals are placed over individual lanes of a highway, vehicular traffic may travel in a lane over which a green signal is shown, but must not enter or travel on a lane over which a red signal is shown.

RS1979-288-139.

Obstruction of signal prohibited

- 135. (1.) A person must not erect or maintain on or in view of a highway a device that purports to be, resembles or interferes with the effectiveness of a traffic control device, unless the person is authorized to do so by the Minister of Transportation and Highways, the council of a municipality in which the device is placed, erected or maintained or by a person duly authorized by either of them.
- (2.) A person, other than the Minister of Transportation and Highways, the council of a municipality or a person authorized by either of them, must not place, erect or cause to be placed or erected a traffic control device on a highway.
- (3.) A person must not permit or allow the erection or maintenance of a light, lighting fixture or object reflecting light that, because of the emission or reflection of light, may affect the

visibility of the highway or anything on it to the driver of a vehicle.

RS1979-288-140.

Prohibition against obstruction of traffic light safety devices

135.1 A person commits an offence who, without lawful excuse, intentionally obstructs or otherwise interferes with the operation of a traffic light safety device, as defined in section 83.1 (1).

2001-32-23.

Commercial advertising

136. A person must not place or maintain commercial advertising on a traffic control device.

RS1979-288-141.

Altering signal

137. Except with lawful authority, a person must not alter, injure or remove, or attempt to alter, injure or remove a traffic control device or any part of it.

RS1979-288-142.

Work in progress

138. On a highway where new construction, reconstruction, widening, repair, marking or other work is being carried out, traffic control devices must be erected indicating that persons or equipment are working on the highway.

RS1979-288-143.

Erection of speed sign

139. On a highway where new construction, reconstruction, widening, repair, marking or other work is being carried out, traffic control devices must be erected to limit the rate of speed of vehicles or to restrict the manner in which the vehicles are to proceed on the highway.

RS1979-288-144.

Obedience to speed signs

140. Where traffic control devices as indicated in section 138 or 139 are erected or placed on the highway, a person must not drive or operate a vehicle at a greater rate of speed than, or in a manner different from, that indicated on the signs.

RS1979-288-145.

-- Sections 141 - 150 of Part 3 --

Obeying flagger

- 141. If a flagger is controlling the movements of traffic around the section of highway being worked on, a person must not drive or operate a vehicle other than as directed by the flagger.

RS1979-288-146.

Removal of temporary sign

- 142. A person must not leave temporary traffic control devices in place on a highway after the reason for them being there no longer exists.

RS1979-288-147.

Newly painted lines

- 143. A person must not drive on or over a newly painted line or marking on a highway when the line is indicated by a traffic control device.

RS1979-288-148.

Careless driving prohibited

- 144. (1.) A person must not drive a motor vehicle on a highway
 - (a) without due care and attention,
 - (b) without reasonable consideration for other persons using the highway, or
 - (c) at a speed that is excessive relative to the road, traffic, visibility or weather conditions.
- (2.) A person who contravenes subsection (1) (a) or (b) is liable on conviction to a fine of not less than \$100 and, subject to this minimum fine, section 4 of the *Offence Act* applies.

RS1979-288-149; 1987-43-55.

Slow driving

- 145. (1.) A person must not drive a motor vehicle at so slow a speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with law.
- (2.) If the driver of a motor vehicle is driving at so slow a speed as to impede or block the normal and reasonable movement of traffic, a peace officer may require the driver to increase his or her speed, or to remove the motor vehicle from the roadway to the nearest suitable place and to refrain from causing or allowing the motor vehicle to move from that place until directed to do so by a peace officer.

RS1979-288-150.

Speed limits

- 146. (1.) Subject to this section, a person must not drive or operate a motor vehicle on a highway in a municipality at a greater rate of speed than 50 km/h, and a person must not drive or operate a motor vehicle on a highway outside a municipality at a greater rate of speed than 80 km/h.
- (2.) The Minister of Transportation and Highways may, by causing a sign to be erected or

- placed on a highway limiting the rate of speed of motor vehicles or a category of motor vehicles driven or operated on that portion of the highway, increase or decrease the rate of speed at which a person may drive or operate a motor vehicle or a category of motor vehicle on that portion of the highway.
- (3.) If the Minister of Transportation and Highways has caused a sign to be erected or placed on a highway limiting the rate of speed of motor vehicles or a category of motor vehicles driven or operated on that portion of the highway, a person must not, when the sign is in place on the highway, drive or operate a vehicle on that portion of the highway at a greater rate of speed than that indicated on the sign for that category of motor vehicle.
 - (4.) The Minister of Transportation and Highways may, by notice in the Gazette, define areas in the unorganized area of British Columbia, and may by causing signs to be erected at the entrance to an area so defined direct the rate of speed at which a person may drive or operate a motor vehicle or a category of motor vehicle in that area, but the rate of speed must not be greater than 60 km/h.
 - (5.) If the Minister of Transportation and Highways has caused signs to be erected or placed on a highway in accordance with subsection (4), a person must not, when the sign is in place on the highway, drive or operate a vehicle on a highway at a greater rate of speed than that indicated on the sign for that category of motor vehicle, unless another sign on a specific highway in the defined area so indicates.
 - (6.) Subject to subsections (2) and (3), a municipality may by bylaw direct the rate of speed at which a person may drive or operate a motor vehicle on a highway in the municipality.
 - (7.) If, under a bylaw adopted by a municipality, signs have been erected or placed on a highway limiting the rate of speed of motor vehicles driven or operated on a designated portion of the highway, a person must not, when the sign is in place on the highway, drive or operate a motor vehicle on that portion of the highway at a greater rate of speed than that indicated on the sign.
 - (8.) A municipality may by bylaw direct that the rate of speed at which a person may drive or operate a motor vehicle in the municipality on a lane not exceeding 8 m in width must not be in excess of 20 km/h.
 - (9.) Despite section 260 (3) *[enforcement powers] of the Community Charter, a person who contravenes a bylaw made under subsection (6) or (8) does not commit an offence against the bylaw.*
 - (10.) A municipality that has enacted a bylaw under subsection (8) is not required to erect signs designating the rate of speed at which motor vehicles may be driven or operated.
 - (11.) A person must not drive or operate a motor vehicle on a lane in a municipality that has enacted a bylaw under subsection (8) at a greater rate of speed than 20 km/h.

RS1979-288-151; 1995-53-28; 1999-40-27; 2000-7-191, Sch.; 2003-52-449.

Schools and playgrounds

147. (1.) A person driving a vehicle on a regular school day and on a highway where signs are displayed stating a speed limit of 30 km/h, or on which the numerals "30" are prominently shown, must drive at a rate of speed not exceeding 30 km/h while approaching or passing the school building and school grounds to which the signs relate, between 8 a.m. and 5 p.m., or subject to subsection (1.1), between any extended times that are stated on the signs.
 - (1.1) Extended times under subsection (1) may not begin later than 8 a.m. or end earlier than 5 p.m.

- (2.) A person driving a vehicle on a highway must drive the vehicle at a rate of speed not exceeding 30 km/h when approaching or passing, between dawn and dusk, a public playground for children where signs are displayed stating a speed limit of 30 km/h, or on which the numerals "30" are prominently shown.

RS1979-288-152; 2003-7-43.

Excessive speeding

148. (1.) A person who drives a motor vehicle on a highway at a speed greater than 40 km/h over the applicable speed limit set under the authority of an enactment commits an offence and is liable on conviction to not less than the aggregate of the fine amount and the applicable supplemental fine amount, if any, prescribed under section 148.1 for this offence and, subject to those amounts, section 4 of the *Offence Act* applies.
- (2.) If a person is charged with an offence under subsection (1) and the evidence does not prove the offence but does prove a contravention of section 140, 146 or 147, the person may be convicted of contravening section 140, 146 or 147, as the case may be, and the person is liable on that conviction to not less than the aggregate of the fine amount and the applicable supplemental fine amount, if any, prescribed under section 148.1 for that offence.

1997-43-28.

Fines for speeding offences

- 148.1 (1.) In relation to a contravention of section 140, 146 (1), (3), (5) or (7), 147 or 148 (1), the Lieutenant Governor in Council may prescribe
- (a) a fine amount, and
 - (b) a supplemental fine amount.
- (2.) Without limiting subsection (1), the Lieutenant Governor in Council may prescribe
- (a) different fine amounts for the different contraventions referred to in subsection (1), and
 - (b) supplemental fine amounts that vary in relation to the degree by which a person, in committing the offence, exceeds, by a prescribed rate of speed, the applicable speed limit established under section 140, 146 (1), (3), (5) or (7), 147 or 148 (1), as the case may be.
- (3.) A person who contravenes section 140, 146 (1), (3), (5) or (7), 147 or 148 (1) is liable on conviction to a minimum fine of not less than the aggregate of
- (a) the fine amount prescribed in relation to the contravention, and
 - (b) the supplemental fine amount, if any, prescribed in relation to, and applicable to the degree of, the contravention.
- (4.) If, by means of a violation ticket defined in section 1 of the *Offence Act*, a person is charged with an offence under section 140, 146 (1), (3), (5) or (7), 147 or 148 (1) of this Act and the evidence proves the offence but to a different degree than that reflected by the supplemental fine amount included in the ticketed amount, as that term is defined in section 1 of the *Offence Act*,
- (a) the person may be convicted of the offence, and
 - (b) the supplemental fine amount may be varied in accordance with the amount prescribed under subsection (2) (b) to reflect the degree by which the person exceeded the applicable speed limit.
- (5.) The owner of a motor vehicle who is liable under section 83.1 (2) for a contravention

referred to in subsection (1) of this section is liable on conviction to a minimum fine of not less than the aggregate of

- (a) the fine amount prescribed in relation to the contravention, and
 - (b) the supplemental fine amount, if any, prescribed in relation to, and applicable to the degree of, the contravention.
- (6.) If a violation ticket, defined in section 1 of the *Offence Act*, is issued to an owner of a motor vehicle in respect of an offence under section 83.1 (2) of this Act and the evidence proves the contravention of section 140, 146 (1), (3), (5) or (7), 147 or 148 (1), as the case may be, but to a different degree than that reflected by the supplemental fine amount included in the ticketed amount, as that term is defined in section 1 of the *Offence Act*,
- (a) the owner may be convicted, and
 - (b) the supplemental fine amount may be varied in accordance with the amount prescribed under subsection (2) (b) to reflect the degree by which the applicable speed limit was exceeded.

1997-43-29.

Meeting school bus

149. The driver of a vehicle on a highway, on meeting or overtaking a school bus
- (a) that is designated as a school bus,
 - (b) that is stopped on a highway, and
 - (c) on or near which a sign or signal is displayed indicating the school bus is receiving or discharging school children,
- must stop the vehicle before reaching the bus and not proceed until the bus resumes motion or the driver of the bus signals to other drivers that it is safe to proceed.

RS1979-288-153.

Driver on right

150. (1.) The driver of a vehicle must confine the course of the vehicle to the right hand half of the roadway if the roadway is of sufficient width and it is practicable to do so, except
- (a) when overtaking and passing a vehicle proceeding in the same direction,
 - (b) when the right hand half of the roadway is closed to traffic while under construction or repair,
 - (c) on a highway designated and marked by signs for one way traffic,
 - (d) if necessary when operating snow removing equipment, or
 - (e) if
 - (i) the movement of a vehicle, or combination of vehicles, is permitted by and is done in conformity with the terms of the oversize permit issued under the *Commercial Transport Act*, and
 - (ii) the width of a vehicle, or combination of vehicles, or the width of a load on the vehicle makes the operation of the vehicle or combination of vehicles on the right hand half of the roadway unsafe.
- (2.) The driver of a vehicle proceeding at less than normal speed of traffic at the time and place and under the conditions then existing must drive the vehicle in the right hand lane then available for traffic, or as closely as practicable to the right hand curb or edge of the roadway, except when overtaking and passing a vehicle proceeding in the same direction, or when preparing for a left hand turn at an intersection or into a private road or

driveway.

- (3.) The driver of a vehicle passing around a rotary traffic island must drive the vehicle to the right of the island.

RS1979-288-154; 1987-46-8.

-- Sections 151 - 160 of Part 3 --

Driving on laned roadway

151. A driver who is driving a vehicle on a laned roadway
- (a) must not drive it from one lane to another when a broken line only exists between the lanes, unless the driver has ascertained that movement can be made with safety and will in no way affect the travel of another vehicle,
 - (b) must not drive it from one lane to another if that action necessitates crossing a solid line,
 - (c) must not drive it from one lane to another without first signalling his or her intention to do so by hand and arm or approved mechanical device in the manner prescribed by sections 171 and 172,
 - (d) when approaching an intersection intending to turn left must drive the vehicle in the centre lane or in the lane nearest the centre of the roadway on the right hand half of the highway,
 - (e) when approaching an intersection intending to turn right must drive the vehicle in the lane nearest to the right hand side of the roadway,
 - (f) must not pass a vehicle on the left if that action necessitates driving on that part of the highway designated for travel in the opposite direction, and
 - (g) if a traffic control device directs slow moving traffic to use a designated lane, must when driving slowly drive the vehicle in that lane only.

RS1979-288-155; 1985-78-13; 1986-19-9.

High occupancy vehicle lane

152. If a laned roadway has a high occupancy vehicle lane, a person must not drive a motor vehicle or other device in that lane unless permitted by the regulations.

RS1979-288-155.1; 1995-43-13.

Bus lane

153. If a laned roadway has a bus lane, a person must not drive a motor vehicle or other device in that lane unless permitted by the regulations.

RS1979-288-155.2; 1995-43-13.

Passing when meeting vehicle

154. (1.) The driver of a vehicle must drive the vehicle on the right hand side of the roadway when meeting another vehicle that is moving.
- (2.) The driver of a vehicle on a highway that has a width for only one line of traffic in each direction must, when meeting another vehicle that is moving, drive the vehicle so that the other vehicle is able to travel in at least 1/2 of the main travelled portion of the highway as nearly as possible.

RS1979-288-156.

Highway lines

155. (1.) Despite anything in this Part, if a highway is marked with
- (a) a solid double line, the driver of a vehicle must drive it to the right of the line only,

- (b) a double line consisting of a broken line and a solid line,
 - (i) the driver of a vehicle proceeding along the highway on the side of the broken line must drive the vehicle to the right of the double line, except when passing an overtaken vehicle, and
 - (ii) the driver of a vehicle proceeding along the highway on the side of the solid line must drive the vehicle to the right of the double line, except only when finishing the passing of an overtaken vehicle, and
 - (c) one single line, broken or solid, the driver of a vehicle must drive the vehicle to the right of the line, except only when passing an overtaken vehicle.
- (2.) Subsection (1) (b) (i) and (c) do not apply if a driver is avoiding an obstruction on the highway and first ascertains that the movement can be made with safety and without affecting the travel of any other vehicle.

RS1979-288-157.

Suspension of sections 151 and 155

156. If the driver of a vehicle is causing the vehicle to enter or leave a highway and the driver has ascertained that he or she might do so with safety and does so without unreasonably affecting the travel of another vehicle, the provisions of sections 151 and 155 are suspended with respect to the driver while the vehicle is entering or leaving the highway.

RS1979-288-158; 1980-37-30; 1987-46-9.

Duty when overtaking

157. (1.) Except as provided in section 158, the driver of a vehicle overtaking another vehicle
- (a) must cause the vehicle to pass to the left of the other vehicle at a safe distance, and
 - (b) must not cause or permit the vehicle to return to the right side of the highway until safely clear of the overtaken vehicle.
- (2.) Except when overtaking and passing on the right is permitted, a driver of an overtaken vehicle,
- (a) on hearing an audible signal given by the driver of the overtaking vehicle, must cause the vehicle to give way to the right in favour of the overtaking vehicle, and
 - (b) must not increase the speed of the vehicle until completely passed by the overtaking vehicle.

RS1979-288-159.

Passing on right

158. (1.) The driver of a vehicle must not cause or permit the vehicle to overtake and pass on the right of another vehicle, except
- (a) when the vehicle overtaken is making a left turn or its driver has signalled his or her intention to make a left turn,
 - (b) when on a laned roadway there is one or more than one unobstructed lane on the side of the roadway on which the driver is permitted to drive, or
 - (c) on a one way street or a highway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and is of sufficient width for 2 or more lanes of moving vehicles.
- (2.) Despite subsection (1), a driver of a vehicle must not cause the vehicle to overtake and pass another vehicle on the right

- (a) when the movement cannot be made safely, or
- (b) by driving the vehicle off the roadway.

RS1979-288-160.

Passing on left

159. A driver of a vehicle must not drive to the left side of the roadway in overtaking and passing another vehicle unless the driver can do so in safety.

RS1979-288-161.

Clear view on passing

160. A driver of a vehicle must not drive to or on the left side of the roadway, other than on a one way highway, unless the driver has a clear view of the roadway for a safe distance, having regard for all the circumstances.

RS1979-288-162.

-- Sections 161 - 170 of Part 3 --

Obedience to traffic signals

161. Despite anything in this Act, if on or over a highway there is
- (a) one or more traffic control devices indicating the direction vehicles must proceed, a person must not drive a vehicle other than in the direction indicated,
 - (b) a traffic control device indicating that a certain vehicle movement is prohibited, a person must not drive a vehicle in a movement prohibited by the sign.

RS1979-288-163.

Following too closely

162. (1.) A driver of a vehicle must not cause or permit the vehicle to follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the vehicles and the amount and nature of traffic on and the condition of the highway.
- (2.) The driver of a commercial motor vehicle or a combination of vehicles, when driving on a roadway outside a business or residence district, must not follow within 60 m of another commercial motor vehicle or a combination of vehicles, but this must not be construed to prevent one commercial motor vehicle or a combination of vehicles overtaking and passing another.
- (3.) The driver of a motor vehicle in a caravan or motorcade, other than a funeral procession, outside a business or residence district, must leave sufficient space between his or her vehicle and another vehicle or combination of vehicles to enable a vehicle to enter and occupy that space without danger.

RS1979-288-164.

Divided highways

163. If a highway has been divided into 2 roadways by a physical barrier or clearly indicated dividing section constructed so that it impedes vehicular traffic, a driver must not
- (a) drive a vehicle over, across or within a barrier or dividing section, except at a crossover or intersection, or
 - (b) drive a vehicle on the left hand roadway unless directed or permitted to do so by a peace officer or a traffic control device.

RS1979-288-165.

Entering controlled access highway

164. (1.) If on a controlled access highway there is a sign indicating a location at which vehicles are permitted to enter, a person must not drive a vehicle on to the highway except at that location.
- (2.) If on a controlled access highway there is a sign indicating a location at which vehicles are permitted to leave, a person must not drive a vehicle from the highway except at that location.

RS1979-288-166.

Turning at intersections

165. (1.) If the driver of a vehicle intends to turn it to the right at an intersection, the driver must

- cause it to approach the intersection and then make the turn as close as practicable to the right hand curb or edge of the roadway.
- (2.) When the driver of a vehicle intends to turn it to the left at an intersection where traffic is permitted to move in both directions on each highway entering the intersection, the driver must
 - (a) cause the vehicle to approach the intersection in the portion of the right side of the roadway that is nearest the marked centre line, or if there is no marked centre line, then as far as practicable in the portion of the right half of the roadway that is nearest the centre line,
 - (b) keep the vehicle to the right of the marked centre line or centre line of the roadway, as the case may be, at the place the highway enters the intersection,
 - (c) after entering the intersection, turn the vehicle to the left so that it leaves the intersection to the right of the marked centre line of the roadway being entered, or if there is no marked centre line then to the right of the centre line of the roadway being entered, and,
 - (d) when practicable, turn the vehicle in the portion of the intersection to the left of the centre of the intersection.
 - (3.) When the driver of a vehicle intends to turn the vehicle left at an intersection where traffic is restricted to one direction on one or more of the highways, the driver must cause the vehicle to approach the intersection in the extreme left hand lane available to traffic moving in the direction of travel of the vehicle, and after entering the intersection turn the vehicle to the left so as to leave the intersection as nearly as practicable in the left hand lane available to traffic moving in the direction of travel of the vehicle on the highway being entered.
 - (4.) If at an intersection there is a traffic control device indicating the course to be travelled by vehicles turning at the intersection, a driver must turn a vehicle at the intersection in the manner directed by the traffic control device.
 - (5.) A person must not turn a vehicle at an intersection unless it is in the position on the highway required by this section.

RS1979-288-167.

Turning left other than at intersection

- 166. A driver of a vehicle must not turn the vehicle to the left from a highway at a place other than an intersection unless
 - (a) the driver causes the vehicle to approach the place on the portion of the right hand side of the roadway that is nearest the marked centre line, or if there is no marked centre line, then as far as practicable in the portion of the right half of the roadway that is nearest the centre line,
 - (b) the vehicle is in the position on the highway required by paragraph (a), and
 - (c) the driver has ascertained that the movement can be made in safety, having regard to the nature, condition and use of the highway and the traffic that actually is at the time or might reasonably be expected to be on the highway.

RS1979-288-168.

Turning right other than at intersection

167. A driver of a vehicle must not turn the vehicle to the right from a highway at a place other than an intersection unless
- (a) the driver causes the vehicle to approach the place as closely as practicable to the right hand curb or edge of the roadway, and
 - (b) the vehicle is in the position on the highway required by paragraph (a).

RS1979-288-169.

Reverse turn

168. Except as provided by the bylaws of a municipality, a driver must not turn a vehicle so as to proceed in the opposite direction
- (a) unless the driver can do so without interfering with other traffic, or,
 - (b) when he or she is driving
 - (i) on a curve,
 - (ii) on an approach to or near the crest of a grade where the vehicle cannot be seen by the driver of another vehicle approaching from either direction within 150 m,
 - (iii) at a place where a sign prohibits making a U-turn,
 - (iv) at an intersection where a traffic control signal has been erected, or
 - (v) in a business district, except at an intersection where no traffic control signal has been erected.

RS1979-288-170.

Starting vehicle

169. A person must not move a vehicle that is stopped, standing or parked unless the movement can be made with reasonable safety and he or she first gives the appropriate signal under section 171 or 172.

RS1979-288-171.

Yielding to bus

- 169.1 (1.) Subject to subsection (2), the driver of a vehicle on a highway, on overtaking a bus that is stopped, standing or parked, must yield the right of way to the bus if
- (a) the bus displays a sign or other signal device requiring the driver of the vehicle to yield to the bus, and
 - (b) the bus driver has signalled an intention to move into the travelled portion of the highway.
- (2.) Subsection (1) applies if, at the point on the highway where the driver overtakes the bus, the applicable speed limit is not more than 60 km/h.
- (3.) Despite subsection (1), a bus driver must not move a bus into the travelled portion of the highway unless it is safe to do so.
- (4.) A sign or signal device referred to in subsection (1) (a) must not be displayed on any vehicle other than a bus that is
- (a) operated by or on behalf of
 - (i) British Columbia Transit under the *British Columbia Transit Act*, or
 - (ii) the *Greater Vancouver Transportation Authority* under the *Greater Vancouver Transportation Authority Act*, or
 - (b) operated by or on behalf of a person or municipality as part of an independent transit service approved by the *Greater Vancouver Transportation Authority*

under section 5 of the Greater Vancouver Transportation Authority Act.

1998-30-111.

Signals on turning

170. (1.) If traffic may be affected by turning a vehicle, a person must not turn it without giving the appropriate signal under sections 171 and 172.
- (2.) If a signal of intention to turn right or left is required, a driver must give it continuously for sufficient distance before making the turn to warn traffic.
- (3.) If there is an opportunity to give a signal, a driver must not stop or suddenly decrease the speed of a vehicle without first giving the appropriate signal under sections 171 and 172.

RS1979-288-172.

-- Sections 171 - 180 of Part 3 --

Means of signalling

171. (1.) Subject to subsection (2), if a signal is required a driver must give it by means of
- (a) his or her hand and arm,
 - (b) a signal lamp of a type approved by the director, or
 - (c) a mechanical device of a type approved by the director.
- (2.) When a vehicle is constructed or loaded in a manner that makes a signal by hand and arm not visible both to its front and rear, or a body or load extends more than 60 cm to the left of the centre of the steering wheel, a driver must give signals as provided by paragraph (1) (a) or (b), and a person must not drive the motor vehicle on a highway unless it is so equipped.

RS1979-288-173; 1997-31-8; 2003-11-12 (B.C.Reg. 139/2003).

Left hand drive signals

172. (1.) When a driver of a left hand drive vehicle gives a signal by hand and arm, the driver must do so from the left side, and must signify
- (a) a left turn by extending his or her left hand and arm horizontally from the vehicle,
 - (b) a right turn by extending his or her left hand and arm out and upward from the vehicle, and
 - (c) a stop or decrease in speed by extending his or her left hand and arm out and downward from the vehicle.
- (2.) A person must not drive a right hand drive vehicle on a highway unless it is equipped with a mechanical or electrical signalling device approved by the Lieutenant Governor in Council.

RS1979-288-174.

Yield signs

173. (1.) Except as provided in section 175, if 2 vehicles approach or enter an intersection from different highways at approximately the same time and there are no yield signs, the driver of a vehicle must yield the right of way to the vehicle that is on the right of the vehicle that he or she is driving.
- (2.) Except as provided in section 175, if 2 vehicles approach or enter an intersection from different highways at approximately the same time and there is a yield sign, the driver of a vehicle facing the sign must yield the right of way to all other traffic.

RS1979-288-175.

Yielding right of way on left turn

174. When a vehicle is in an intersection and its driver intends to turn left, the driver must yield the right of way to traffic approaching from the opposite direction that is in the intersection or so close as to constitute an immediate hazard, but having yielded and given a signal as required by sections 171 and 172, the driver may turn the vehicle to the left, and traffic approaching the intersection from the opposite direction must yield the right of way to the vehicle making the left turn.

RS1979-288-176.

Entering through highway

- 175. (1.) If a vehicle that is about to enter a through highway has stopped in compliance with section 186,
 - (a) the driver of the vehicle must yield the right of way to traffic that has entered the intersection on the through highway or is approaching so closely on it that it constitutes an immediate hazard, and
 - (b) having yielded, the driver may proceed with caution.
- (2.) If a vehicle is entering a through highway in compliance with subsection (1), traffic approaching the intersection on the highway must yield the right of way to the entering vehicle while it is proceeding into or across the highway.

RS1979-288-177.

Emerging from alleys

- 176. (1.) The driver of a vehicle in a business or residence district and emerging from an alley, driveway, building or private road must stop the vehicle immediately before driving onto the sidewalk or the sidewalk area extending across an alleyway or private driveway, and must yield the right of way to a pedestrian on the sidewalk or sidewalk area.
- (2.) The driver of a vehicle about to enter or cross a highway from an alley, lane, driveway, building or private road must yield the right of way to traffic approaching on the highway so closely that it constitutes an immediate hazard.

RS1979-288-178.

Approach of emergency vehicle

- 177. On the immediate approach of an emergency vehicle giving an audible signal by a bell, siren or exhaust whistle, and showing a visible flashing red light, except when otherwise directed by a peace officer, a driver must yield the right of way, and immediately drive to a position parallel to and as close as possible to the nearest edge or curb of the roadway, clear of an intersection, and stop and remain in that position until the emergency vehicle has passed.

RS1979-288-179.

Repealed

- 178. *Repealed. [2003-96-54]*

Rights of way between vehicle and pedestrian

- 179. (1.) Subject to section 180, the driver of a vehicle must yield the right of way to a pedestrian where traffic control signals are not in place or not in operation when the pedestrian is crossing the highway in a crosswalk and the pedestrian is on the half of the highway on which the vehicle is travelling, or is approaching so closely from the other half of the highway that he or she is in danger.
- (2.) A pedestrian must not leave a curb or other place of safety and walk or run into the path of a vehicle that is so close it is impracticable for the driver to yield the right of way.
- (3.) If a vehicle is slowing down or stopped at a crosswalk or at an intersection to permit a pedestrian to cross the highway, the driver of a vehicle approaching from the rear must not overtake and pass the vehicle that is slowing down or stopped.

- (4.) A pedestrian, cyclist or the driver of a motor vehicle must obey the instructions of an adult school crossing guard and of a school student acting as a member of a traffic patrol where the guards or students are
 - (a) provided under the *School Act*, or
 - (b) *authorized by the chief of police of the municipality as defined in section 36 (1)*.

RS1979-288-181; 1989-61-207.

Crossing at other than crosswalk

- 180. When a pedestrian is crossing a highway at a point not in a crosswalk, the pedestrian must yield the right of way to a vehicle.

RS1979-288-182.

-- Sections 181 - 190 of Part 3 --

Duty of driver

181. Despite sections 178, 179 and 180, a driver of a vehicle must
- (a) exercise due care to avoid colliding with a pedestrian who is on the highway,
 - (b) give warning by sounding the horn of the vehicle when necessary, and
 - (c) observe proper precaution on observing a child or apparently confused or incapacitated person on the highway.

RS1979-288-183.

Pedestrian walking along highway

182. (1.) If there is a sidewalk that is reasonably passable on either or both sides of a highway, a pedestrian must not walk on a roadway.
- (2.) If there is no sidewalk, a pedestrian walking along or on a highway must walk only on the extreme left side of the roadway or the shoulder of the highway, facing traffic approaching from the opposite direction.
- (3.) A person must not be on a roadway to solicit a ride, employment or business from an occupant of a vehicle.

RS1979-288-184.

Motor assisted cycles

- 182.1 (1.) A person who is under the age of 16 years commits an offence if that person operates a motor assisted cycle on a highway.
- (2.) A parent or guardian of a person under the age of 16 years commits an offence if the parent or guardian authorizes or knowingly permits the person to operate a motor assisted cycle on a highway.
- (3.) The Insurance Corporation of British Columbia may make regulations respecting motor assisted cycles including, without limitation, regulations prescribing
- (a) the criteria that must be met by a device in order for it to qualify as a motor assisted cycle for the purposes of this Act,
 - (b) the requirements that must be met in relation to operators of, and equipment attached to, motor assisted cycles, and
 - (c) restrictions on what may be attached to or carried on a motor assisted cycle.

2000-16-4 (B.C.Reg. 150/2002).

Rights and duties of operator of cycle

183. (1.) In addition to the duties imposed by this section, a person operating a cycle on a highway has the same rights and duties as a driver of a vehicle.
- (2.) A person operating a cycle
- (a) must not ride on a sidewalk unless authorized by a bylaw made under section 124 or unless otherwise directed by a sign,
 - (b) must not, for the purpose of crossing a highway, ride on a crosswalk unless authorized to do so by a bylaw made under section 124 or unless otherwise directed by a sign,
 - (c) must, subject to paragraph (a), ride as near as practicable to the right side of the

- highway,
- (d) must not ride abreast of another person operating a cycle on the roadway,
 - (e) must keep at least one hand on the handlebars,
 - (f) must not ride other than on or astride a regular seat of the cycle,
 - (g) must not use the cycle to carry more persons at one time than the number for which it is designed and equipped, and
 - (h) must not ride a cycle on a highway where signs prohibit their use.
- (3.) Nothing in subsection (2) (c) requires a person to ride a cycle on any part of a highway that is not paved.
- (4.) Despite section 165, a person operating a cycle who intends to turn it to the left at an intersection where there is more than one lane from which left turns are permitted must
- (a) cause the cycle to approach the intersection in the lane closest to the right side of the highway from which a left turn is permitted,
 - (b) keep the cycle to the right of the line that divides the lane referred to in paragraph (a) from the lane immediately to the left of that lane,
 - (c) after entering the intersection, turn the cycle to the left so that it will leave the intersection to the right of the line referred to in paragraph (b), and
 - (d) when practicable, turn the cycle in the portion of the intersection to the left of the centre of the intersection.
- (5.) A person must not ride a cycle, skate board, roller skates, in-line roller skates, sled, play vehicle or other similar means of conveyance when it is attached by the arm and hand of the rider or otherwise to a vehicle on a highway.
- (6.) A cycle operated on a highway between 1/2 hour after sunset and 1/2 hour before sunrise must have the following equipment:
- (a) a lighted lamp mounted on the front and under normal atmospheric conditions capable of displaying a white light visible at least 150 m in the direction the cycle is pointed;
 - (b) a red reflector of a make or design approved by the Insurance Corporation of British Columbia for the purposes of this section;
 - (c) a lighted lamp, mounted and visible to the rear, displaying a red light.
- (7.) Despite any other provision of this Act or the regulations, a cycle may be equipped with a flashing red light that is of a make or design approved by the Insurance Corporation of British Columbia for the purposes of this section.
- (8.) A cycle operated on a highway must be equipped with a brake that will enable the person operating the cycle to make the braked wheels skid on dry, level and clean pavement.
- (9.) If an accident occurs by which a person or property is injured, directly or indirectly, owing to the presence or operation of a cycle on a highway or a sidewalk, the person in charge of the cycle must
- (a) remain at or immediately return to the scene of the accident,
 - (b) render all possible assistance, and
 - (c) give to anyone sustaining loss or injury, and to any peace officer who is present, his or her name and address and the name and address of the owner of the cycle, and if the cycle has been licensed and registered, the licence or registration number of the cycle.
- (10.) If an accident involving the presence or operation of a cycle on a highway or a sidewalk, either directly or indirectly causes death or injury to a person or damage to property

- causing aggregate damage apparently exceeding \$100, the person in charge of the cycle must immediately report the matter to a police officer or a person designated by the Insurance Corporation of British Columbia to receive those reports, and must furnish information, including that referred to in section 67 (8), respecting the accident as may be required by the police officer or person designated.
- (11.) A report made under this section is without prejudice and is for the information of the Provincial or municipal police, and must not be open to public inspection.
- (12.) The fact the report has been made is admissible in evidence solely to prove compliance with this section, and the report is admissible in evidence on the prosecution of any person for the offence of making a false statement in it.
- (13.) Despite subsections (11) and (12), a peace officer may, when giving evidence in a proceeding, refer to a report prepared by him or her under subsection (9) or (10) to refresh his or her memory.
- (14.) A person must not operate a cycle
- (a) on a highway without due care and attention or without reasonable consideration for other persons using the highway, or
 - (b) on a sidewalk without due care and attention or without reasonable consideration for other persons using the sidewalk.
- (15.) If a person is convicted of an offence under this Act in respect of his or her riding or operating a cycle, the court may, in addition to or in place of any penalty otherwise prescribed, order the cycle seized, and on the expiry of that period the person entitled to it may again have possession of the cycle.
- (16.) For the purpose of seizing and impounding a cycle under an order made under subsection (15), a peace officer may enter any place or building in which the cycle is located.
- (17.) A person operating a cycle on a highway must signify
- (a) a left turn by extending the person's left hand and arm horizontally from the cycle,
 - (b) a right turn by doing either of the following:
 - (i) extending the person's left hand and arm out and upward from the cycle so that the upper and lower parts of the arm are at right angles;
 - (ii) extending the person's right hand and arm horizontally from the cycle, and
 - (c) a stop or decrease in speed by extending the person's left hand and arm out and down from the cycle.

RS1979-288-185; 1985-78-15; 1986-19-2; 1987-46-10; 1995-43-14 to 21; 1997-31-8.

Bicycle safety helmets

184. (1.) A person commits an offence if that person operates or rides as a passenger on a cycle on a highway and is not properly wearing a bicycle safety helmet that
- (a) is designated as an approved bicycle safety helmet under subsection (4) (a), or
 - (b) meets the standards and specifications prescribed under subsection (4) (b).
- (2.) A parent or guardian of a person under the age of 16 years commits an offence if the parent or guardian authorizes or knowingly permits the person to operate or ride as a passenger on a cycle on a highway if that person is not properly wearing a bicycle safety helmet that
- (a) is designated as an approved bicycle safety helmet under subsection (4) (a), or

- (b) meets the standards and specifications prescribed under subsection (4) (b).
- (3.) A person who is convicted of an offence under subsection (1) or (2) is liable to a fine of not more than \$100.
- (4.) The Lieutenant Governor in Council may make regulations as follows:
 - (a) designating a helmet as an approved bicycle safety helmet for the purposes of this section;
 - (b) prescribing standards and specifications for bicycle safety helmets.
- (5.) Regulations made under subsection (4) (b) may adopt by reference, in whole or in part, standards or specifications published by a national or international standards association, as amended from time to time.
- (6.) The Lieutenant Governor in Council may make regulations as follows:
 - (a) providing for and requiring the identification and marking of bicycle safety helmets;
 - (b) exempting any person or class of persons from the requirements of this section and prescribing conditions for those exemptions.

RS1979-288-185.1; 1995-43-22; 1997-31-25.

Railway crossings

185. (1.) When a driver is approaching a railway crossing at a time when
- (a) a clearly visible electrical or mechanical signal device gives warning of the approach of a railway train,
 - (b) a crossing gate is lowered or a flagger is giving a signal of the approach or passage of a railway train, or
 - (c) a railway train is approaching and is within approximately 500 m of a crossing or by reason of its speed or nearness to the crossing is an immediate hazard and emits an audible signal or is visible,
- the driver must stop the vehicle within 15 m but not less than 5 m from the nearest rail of the railway, and must not cause or permit the vehicle to proceed until he or she can do so safely.
- (2.) A person must not drive a vehicle through, around or under a crossing gate or barrier at a railway crossing while the gate or barrier is closed or is being opened or closed.
 - (3.) If a stop sign is erected at a railway crossing, a driver approaching the railway crossing
 - (a) must stop his or her vehicle
 - (i) no closer than 5 m, and
 - (ii) no farther than 15 m from the nearest rail of the railway, and
 - (b) must not proceed until he or she can do so safely.
 - (4.) Except at a railway spur line or an industrial track in a business or residence district, the driver of
 - (a) a bus carrying passengers for compensation,
 - (b) a school bus carrying a child,
 - (c) a vehicle carrying explosive substances or any poisonous or flammable substance as cargo, or
 - (d) a vehicle used to carry flammable liquids or gas, whether or not it is then empty,

approaching a railway crossing that is not protected by gates or railway crossing signal lights, unless otherwise directed by a flagger, must

- (e) stop his or her vehicle
 - (i) no closer than 5 m, and
 - (ii) no farther than 15 m from the nearest rail of the railway,
 - (f) remaining stopped, must listen and look in both directions along the railway for an approaching train, and for signals indicating the approach of a train, and
 - (g) must not proceed until he or she can do so safely.
- (5.) When a driver has stopped in accordance with this section, the driver must
- (a) cross the railway tracks in a gear that he or she will not need to change while crossing the tracks,
 - (b) not shift gears while so crossing, and
 - (c) not stop with a part of the vehicle on or over the tracks.
- (6.) Despite this Act, the driver of a vehicle approaching the track of a railway must proceed with caution to avoid a collision between the vehicle and an approaching train.

RS1979-288-186; 1983-21-4.

Stopping at intersections

186. Except when a peace officer directs otherwise, if there is a stop sign at an intersection, a driver of a vehicle must stop
- (a) at the marked stop line, if any,
 - (b) before entering the marked crosswalk on the near side of the intersection, or
 - (c) when there is neither a marked crosswalk nor a stop line, before entering the intersection, at the point nearest the intersecting highway from which the driver has a view of approaching traffic on the intersecting highway.

RS1979-288-187.

Where parking prohibited

187. (1.) Subject to subsection (3), if outside of a business or residence district it is practicable to stop, park or leave a vehicle off the roadway, a person must not stop, park or leave the vehicle either unattended or attended on the roadway.
- (2.) Subject to subsection (3), a person must not park a vehicle so as to obstruct the free passage of traffic on the highway.
- (3.) Subsections (1) and (2) do not apply when a vehicle is so disabled that it is not practicable to avoid stopping and temporarily leaving it on a highway.

RS1979-288-188.

Police may move parked vehicle

188. (1.) If a vehicle is standing or parked
- (a) in contravention of section 190,
 - (b) in a position that causes it to interfere with removal of snow from a highway by a person authorized to do so by the Minister of Transportation and Highways or a municipality,
 - (c) in a position that causes it to interfere with fire fighting,
 - (d) in a position that causes it to interfere with the normal flow of traffic on the highway, or
 - (e) in a position that causes it to interfere with the construction, improvement, alteration, extension, widening, marking or repair of a highway,

a peace officer may

- (f) move the vehicle, or require the driver or person in charge of the vehicle to move it, to a position determined by the peace officer, or
 - (g) move the vehicle or take the vehicle into his or her custody and cause it to be taken to and stored in a safe and otherwise suitable place.
- (2.) When an unattended vehicle is
- (a) parked in contravention of section 187, 189 or 190,
 - (b) apparently abandoned on or near a highway, or
 - (c) without proper or valid number plates,
- a peace officer may take it into his or her custody and cause it to be taken to and stored in a safe and otherwise suitable place.
- (3.) If a vehicle is standing or parked in a position that causes it to interfere with the removal of snow from a highway by a person authorized to do so by the Minister of Transportation and Highways or a municipality, the person so authorized or a peace officer may
- (a) move the vehicle, or
 - (b) cause it to be moved.
- (4.) All costs and charges for the removal, care or storage of a motor vehicle removed under this section must be paid by the owner of the motor vehicle, and constitute a lien on it in favour of the keeper of any repair shop, garage or storage place in which that motor vehicle is stored.
- (5.) A lien under subsection (4) may be enforced by a person entitled to the lien in the manner provided by the *Repairers Lien Act* or the *Warehouse Lien Act*.

RS1979-288-189.

When vehicle stopping prohibited

189. (1.) Except when necessary to avoid conflict with traffic or to comply with the law or the directions of a peace officer or traffic control device, a person must not stop, stand or park a vehicle as follows:
- (a) on a sidewalk or boulevard;
 - (b) in front of a public or private driveway;
 - (c) in an intersection, except as permitted by a sign;
 - (d) within 5 m of a fire hydrant measured from a point in the curb or edge of the roadway that is closest to the fire hydrant;
 - (e) on a crosswalk;
 - (f) within 6 m of the approach side of a crosswalk;
 - (g) within 6 m on the approach to a flashing beacon, stop sign or traffic control signal located at the side of a roadway;
 - (h) within 6 m either side of the entrance to or exit from a hotel, theatre, public meeting place, dance hall, fire hall or playground in rural area;
 - (i) within 15 m of the nearest rail of a railway crossing;
 - (j) subject to subsection (4), on a highway for the principal purpose of
 - (i) displaying a vehicle for sale,
 - (ii) advertising, greasing, painting, wrecking, storing or repairing a vehicle,

- unless repairs are necessitated by an emergency,
- (iii) displaying signs, or
 - (iv) selling flowers, fruit, vegetables, sea foods or other commodities or articles;
- (k) alongside or opposite a street excavation or obstruction when stopping, standing or parking obstructs traffic;
 - (l) on the roadway side of a vehicle stopped or parked at the edge or curb of a roadway;
 - (m) on a bridge or other elevated structure on a highway, or in a highway tunnel, except as permitted by a traffic control device;
 - (n) in a place in contravention of a traffic control device that gives notice that stopping, standing or parking there is prohibited or restricted;
 - (o) in a manner that obstructs the visibility of a standard traffic sign erected by or with the authority of the Minister of Transportation and Highways or a municipality.
- (2.) A person must not move a vehicle that is not lawfully under his or her control into a place mentioned in subsection (1).
- (3.) Despite subsection (1) (f), a municipality may provide by bylaw that a person may, if authorized by a sign posted by the municipality, within 6 m of the approach side of a crosswalk, park cycles or motorcycles of a size and in a manner that does not obstruct a motorist's view of the crosswalk or of an intersection, and, if the municipality does so provide, a person may park a cycle or motorcycle in accordance with the bylaw.
- (4.) Subsection (1) (j) does not apply to a person acting under and in accordance with an authorization given under section 13.2 of the *Highway Act*.

RS1979-288-190; 1980-37-31; 2002-48-58.

Manner of parking

190. Except when a municipality or the Minister of Transportation and Highways permits, a driver must not stop, stand or park a vehicle on a roadway other than on the right side of the roadway and with the right hand wheels parallel to that side, and where there is a curb, within 30 cm of the curb.

RS1979-288-191.

-- Sections 191 - 200 of Part 3 --

Leaving parked vehicle

191. (1.) A motor vehicle must be equipped with a lock or other device to prevent the unauthorized use of the motor vehicle.
- (2.) A driver must not permit a motor vehicle to stand unattended or parked unless the driver has
- (a) locked it or made it secure in a manner that prevents its unauthorized use, and
 - (b) if the motor vehicle is standing on a grade, turned the front wheels of the vehicle to the curb or side of the highway.

RS1979-288-192.

Parking on private property

192. (1.) If a motor vehicle or trailer is left without the occupier's consent on private property in a municipality or for a period exceeding 72 hours on private property not in a municipality, the owner of the motor vehicle or trailer is deemed to have authorized and empowered the occupier to be the owner's agent for the purpose of towing it to a place of storage and of storing it.
- (2.) The agent has a lien against the motor vehicle or trailer for all reasonable advances made or charges incurred in connection with the towing and storing of it in the course of the agency.
- (3.) The procedure respecting enforcement of the lien must be governed by the *Warehouse Lien Act*.

RS1979-288-193.

Caution in backing vehicle

193. The driver of a vehicle must not cause the vehicle to move backwards into an intersection or over a crosswalk, and must not in any event or at any place cause a vehicle to move backwards unless the movement can be made in safety.

RS1979-288-194.

Motorcycles

194. (1.) A person operating a motorcycle must ride only astride the regular seat attached to it.
- (2.) A person, other than the operator, must not ride on a motorcycle unless
- (a) it is designed and equipped to carry more than one person, and
 - (b) the other person rides
 - (i) astride the permanent and regular seat if designed for 2 persons,
 - (ii) astride another seat firmly attached to the motorcycle behind the seat occupied by the operator, or
 - (iii) on or in another seat firmly attached to one side of the motorcycle.
- (3.) A person who is operating a motorcycle must not permit another person to ride on it in contravention of subsection (2).
- (4.) Except when overtaking and passing other motorcycles, more than 2 operators of motorcycles must not operate their motorcycles side by side in the same direction in the same traffic lane.

RS1979-288-195.

Requirements for moving vehicle

195. (1.) A person must not cause a vehicle to move on a highway if
- (a) the control of the driver over the driving mechanism of the vehicle, or
 - (b) the view of the driver to the front or sides of the vehicle
- is obstructed.
- (2.) A passenger in a vehicle must not occupy a position in it that interferes with the driver's view ahead or with his or her control over the driving mechanisms of the vehicle.

RS1979-288-196.

Travelling through canyons

196. When travelling through defiles or canyons or on mountain highways, the driver of a motor vehicle must hold the motor vehicle under control and as near the right hand edge of the highway as reasonably possible, and on approaching a curve where the view is obstructed within a distance of 60 m along the highway, must give audible warning with the horn of the motor vehicle.

RS1979-288-197.

Coasting down grade

197. When travelling down grade a driver must not coast with the gears of the vehicle in neutral or the clutch disengaged.

RS1979-288-198.

Following fire vehicle

198. A driver other than that of an emergency vehicle must not follow fire apparatus closer than 150 m or drive or park within 150 m of the place on the same highway on which fire apparatus has stopped in answer to a fire alarm.

RS1979-288-199.

Driving over fire hose

199. Unless he or she has received consent of the fire department official in command or a peace officer, a person must not drive a vehicle over an unprotected hose of a fire department when laid down on a highway or private driveway at a fire or an alarm of fire.

RS1979-288-200.

Driving on sidewalk

200. A driver must not drive on a sidewalk, walkway or boulevard, except when entering or leaving a driveway or lane or when entering or leaving land adjacent to a highway, or by permission granted under a bylaw made under section 124.

RS1979-288-201.

-- Sections 201 - 210 of Part 3 --

Sign as evidence

- 201. The existence of a sign permitted by this Act and purporting to regulate the use of the highway in any manner is evidence the sign was duly erected and maintained by the proper authority under this Act or the regulations and in accordance with them.

RS1979-288-202.

Repealed

- 202. *Repealed. [2003-96-55]*

When opening door prohibited

- 203. (1.) A person must not open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so.
- (2.) A person must not leave a door open on the side of a vehicle available to moving traffic for longer than is necessary to load or unload passengers.

RS1979-288-204.

Depositing articles on highway

- 204. (1.) A person must not throw, deposit, drop or leave on a highway a glass bottle, glass, nail, tack, wire, can or other thing or substance likely to injure a person, animal or vehicle on the highway.
- (2.) A person must not place, deposit or dump, or cause to be placed, deposited or dumped, garbage, swill, cans, bottles, papers, ashes, refuse, the carcass of a dead animal, offal, trash, rubbish or a noisome, nauseous or offensive matter in or on a highway, including a portion of the right of way of it.
- (3.) A person must not place, deposit or dump, or cause to be placed, deposited or dumped, rocks or dirt in or on a highway, including a portion of the right of way of it, without the consent of the party with jurisdiction over the highway at issue, which may be either the Minister of Transportation and Highways or the council of a municipality, or a person authorized by one of them to exercise the jurisdiction.

RS1979-288-205.

Clearance of motor vehicles

- 205. A person must not operate on a highway a motor vehicle designed or modified so that a portion of it, other than the wheels in contact with the roadway, has less clearance from the surface of a level roadway than the lowest point on the rim of any wheel in contact with the roadway.

RS1979-288-206.

Transporting explosives

- 206. (1.) A person operating a vehicle transporting explosive cargo on a highway must at all times comply with this section.
- (2.) *Repealed. [2000-9-36 (b)]*

- (3.) Every vehicle transporting explosives must be equipped with not less than 2 fire extinguishers, filled and ready for immediate use, and placed at a convenient point on the vehicle.
- (4.) The Lieutenant Governor in Council may make regulations governing the transportation of explosives and other dangerous articles by vehicles on the highways.

RS1979-288-208; 1997-31-26; 2000-9-36(b).

Warning devices

207. (1.) For the purpose of this section, **“darkness”** means the period from 1/2 hour after sunset to 1/2 hour before sunrise and any other occasion when there is not sufficient light to render clearly discernible a substantial object on the highway at a distance of 60 m, and **“daylight”** means the balance of the 24 hour day.
- (2.) A person must not drive or operate on a highway a motor home licensed under this Act, or a commercial vehicle or combination of vehicles licensed under the *Commercial Transport Act*, that has a seating capacity of more than 10 passengers or where the overall width of the vehicle and the vehicle’s load or the combination of vehicles’ and the vehicle’s load exceeds 2.3 m, unless there is carried in the driver’s compartment of the vehicle, in a readily accessible location, warning devices
- (a) of a type approved by the director to warn the travelling public of an emergency breakdown during darkness, and
 - (b) at least 2 red flags, of a minimum size of 30 x 30 cm, or 2 warning devices of a type approved by the director, for a warning during daylight.
- (3.) Every operator of a vehicle of a type referred to in subsection (2), when the vehicle becomes and so long as it remains disabled on a public highway
- (a) during daylight, must place and retain 2 red flags or 2 warning devices of a type approved by the director on the highway, one at a distance of approximately 30 m in front of the vehicle and one at a distance of approximately 30 m behind the vehicle, and
 - (b) during darkness, must place and retain 2 approved warning devices appropriate for use during darkness, as provided in subsection (2), on the highway at the same distance in front and behind the vehicle as under paragraph (a).

RS1979-288-209; 1997-31-8; 2003-11-13 (B.C.Reg. 139/2003).

Safety equipment

208. (1.) For the purpose of this section, **“winter tire”** means a tire that is
- (a) advertised or represented by its manufacturer or a person in the business of selling tires to be a tire intended principally for winter use, and that provides, or is designed to provide, adequate traction in snow or mud; and
 - (b) in the condition respecting tread wear and other particulars the regulations prescribe.
- (2.) The Minister of Transportation and Highways may, by public notice or by placing signs, prohibit vehicles from being driven or operated on a highway that are not equipped with chains, winter tires or sanding devices, or a combination of these the minister considers adequate and necessary in view of prevailing road conditions.
- (3.) For the purposes of a prosecution under this section, the onus is on the defendant to prove that a tire alleged not to be a winter tire is in fact a winter tire.

RS1979-288-210.

**Regulations respecting highways
in municipalities**

209. (1.) The Lieutenant Governor in Council, on the recommendation of the Minister of Transportation and Highways, may make regulations in respect of vehicles driven, used or operated on, and pedestrians using, highways in rural area or arterial highways, within the meaning of section 27 of the *Highway Act*, in a municipality, deemed necessary or advisable for
- (a) *regulating, in respect of a highway or class of highways, the speed of vehicles for the protection of the highway; the gross weight of vehicle or loads; the weight on an axle, tire or wheel; the number of axles or wheels; the wheel base, width, length and height of vehicles; the width, length, height and distribution of loads; the kind, width, size and inflation of tire; and the system of load suspension, either separately or in relation to any or all of the other matters enumerated in this paragraph, and either generally or in respect of the time of the year and the physical condition of the highway;*
 - (b) *regulating the use of chains, cleats, ribs, clamps, flanges or other devices on the tires of vehicles;*
 - (c) *prescribing the lights to be carried and displayed on vehicles other than motor vehicles and trailers;*
 - (d) *regulating, for a designated highway or class of highway, the speed of vehicles for the time of the year and the physical condition of the highway;*
 - (e) *regulating the gauge or width of vehicles from centre to centre of runners or wheels;*
 - (f) *regulating or prohibiting the parking or standing of vehicles on a highway, and providing for the display of additional warning signs or lights in defined cases in respect of vehicles on a highway;*
 - (g) *providing for the marking on a portion of a highway distinguishing lines to guide traffic, and prescribing the type of marking and the rule of the road with respect to it;*
 - (h) *providing for the designation of highways on which vehicles must, during all or certain named hours of the day, proceed in one direction, and for making those highways with conspicuous signs or signals to indicate the rule and the direction the vehicles must proceed;*
 - (i) *providing for and compelling the weighing of vehicles and their loads and the furnishing of satisfactory evidence of their weight, and the removal from a vehicle of a load or part of it that is found to be in excess of the weight prescribed by the regulations and for the redistribution of the load;*
 - (j) *establishing, for a designated highway, pedestrian crossings for the use of pedestrians;*
 - (k) *prescribing the manner in which a pedestrian crossing must be marked on a highway and in which signs or notices must be erected on a highway to indicate to the drivers of motor vehicles that they are approaching a pedestrian crossing;*
 - (l) *prescribing the use of a pedestrian crossing by pedestrians, and regulating pedestrian traffic on a crossing;*
 - (m) *prohibiting pedestrians from crossing designated portions of a highway except at a pedestrian crossing;*
 - (n) *prescribing penalties for the enforcement of a regulation made under this*

- section;*
- (o) *prohibiting the use of or presence on a designated highway, or part of it, by or of a designated animal or vehicle, or species or type of them, or by or of pedestrians, either at all times or at designated times;*
 - (p) *providing for the use of traffic control devices on a highway where the highway is intersected by a private road as defined in section 2 (1);*
 - (q) *providing for high occupancy vehicle lanes and bus lanes and the use and occupation of those lanes by prescribed motor vehicles or classes of motor vehicles or by prescribed devices or classes of devices, and allowing, prohibiting or restricting the use of high occupancy vehicle lanes and bus lanes in prescribed circumstances.*
- (2.) The Lieutenant Governor in Council, on the recommendation of the Minister of Transportation and Highways, may make regulations providing for
- (a) the erection and maintenance on highways of signs and guide posts approved by the Minister of Transportation and Highways;
 - (b) the preservation of signs and guide posts erected on highways;
 - (c) the granting of permits by the Minister of Transportation and Highways, in the minister's discretion subject to the conditions the minister prescribes, for the erection and maintenance of cattle guards, fences and gates across highways;
 - (d) the granting of permits by the Minister of Transportation and Highways, in the minister's discretion, or subject to conditions that may be prescribed, for the doing of anything that is by or under the *Commercial Transport Act, the Highway Act or this Act prohibited or made unlawful without a permit;*
 - (e) *forms, including forms in electronic format;*
 - (f) *fees for anything done or permitted to be done under the regulations;*
 - (g) *the designing, manufacture and location of traffic control devices and determining the instructions given by them;*
 - (h) *parking zones for persons with disabilities, including providing for a system of permits for those parking zones.*
 - (i) *Repealed. [2003-11-14 (B.C. Reg. 139/2003)]*
- (3.) The Lieutenant Governor in Council may make regulations prohibiting or restricting the use of television sets and equipment in vehicles being operated on highways.

RS1979-288-211; 1980-37-32; 1985-78-17; 1988-62-11; 1990-71-10; 1995-43-23; 1996-15-9; 2003-11-14 (B.C.Reg. 139/2003).

Power to make regulations

210. (1.) The Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.
- (2.) Without limiting any provision of this Act, the Lieutenant Governor in Council may make regulations as follows:
- (a) prescribing the equipment required for vehicles and providing for the inspection, testing, adjustment, display and use of that equipment;
 - (b) regulating or prohibiting the use on a highway of a vehicle or class of vehicles that may be a hazard to other users by reason of unusual size, weight or operating characteristics;
 - (c) regulating the training of drivers of motor vehicles and persons and firms engaged in the training;
 - (d) preventing the making of excessive noise by motor vehicles, setting maximum

- noise levels and preventing the sale, distribution or use in British Columbia of a vehicle or vehicle engine not designed, manufactured or equipped so that those levels will not be exceeded;
- (e) classifying motor vehicles according to their estimated safe carrying capacity, prescribing the maximum load of goods or passengers that may be carried by the respective classes and prescribing safety standards for the carriage of passengers on certain classes of commercial motor vehicles;
 - (f) regulating the repairing of motor vehicles on highways;
 - (g) providing for the carrying of licences on motor vehicles;
 - (h) prohibiting the operation of a motor vehicle or trailer where a peace officer has reasonable and probable grounds to believe that, because of a mechanical, structural or other defect, it is unsafe for use on a highway;
 - (i) providing for the transfer of licences from one holder to another and from one motor vehicle or trailer to another;
 - (j) providing for the grant of a permit for the temporary operation on a highway of a motor vehicle or trailer, with or without load, without the necessity of its being registered or licensed under this Act;
 - (k) prescribing
 - (i) classes of vehicles for which a licence may be issued for a term of less than 12 months, and
 - (ii) the duration of licences for particular classes of those vehicles;
 - (l) prescribing surcharges payable for licences issued under section 60 (3) or classes of those licences and, for the purpose of section 62 (2) (b), determining the amount of the licence fees;
 - (m) prescribing fees and remission of fees for anything done or permitted to be done under the regulations;
 - (n) prescribing the method of determining any fact necessary to compute any fee payable under this Act or the regulations, and the person or official by whom the fact must be determined;
 - (o) providing for the keeping of a record in all motor vehicle repair shops and garages of repairs made to the body, hood, radiator, fenders, running board or wheels of any motor vehicle, and for the giving of notices and the supplying of information to any police officer or constable respecting those repairs so made, including notices of motor vehicles on which marks are found that in any way resemble bullet marks or blood stains;
 - (p) prescribing with respect to motor vehicles or a class of motor vehicles that are let for hire without drivers that the motor vehicles must be equipped with approved automatic speed controls or governors that will prevent them from being driven or operated at a greater rate of speed than 60 km/h;
 - (q) regulating the construction, equipment and operation on a highway of buses, school buses and taxis and authorizing the director
 - (i) to grant, on conditions required by the director, a permit for the operation of a motor vehicle as a bus, school bus or taxi, and
 - (ii) to cancel or suspend a permit for the operation of a motor vehicle as a bus, school bus or taxi;
 - (r) respecting the manner in which records or their contents may be kept by the corporation, the director or the superintendent;

- (s) regulating, in respect of a highway or class of highways, the fastening of loads and every aspect of the capability of a vehicle to retain or contain its load.
- (3.) Without limiting any provision of this Act, the Lieutenant Governor in Council may make regulations as follows:
- (a) providing that, despite this Act, the Insurance Corporation of British Columbia must issue only one distinctive number plate for a motor vehicle for which a licence is issued under section 3, and the display of that single number plate in the manner prescribed by the regulations is sufficient compliance for all purposes with every provision of this Act requiring the display of 2 number plates, and every reference in this Act to the 2 number plates mentioned in section 3 is deemed to be a reference to one number plate, and making similar provisions in respect of demonstration number plates referred to in section 38, and making incidental provisions necessitated by the substitution of one number plate for 2;
 - (b) requiring that the name and address of the owner or operator, the type of vehicle licence and the capacity or licensed gross vehicle weight be identified on a motor vehicle in the prescribed manner or that any other means of identification be used in conjunction with number plates;
 - (c) providing for issuing duplicate and interim vehicle licences;
 - (d) providing that, despite section 2 of the *Document Disposal Act*, the superintendent may, subject to the requirements and approvals required by that Act, dispose by destruction or otherwise of the documents deposited in connection with the records and administration of the Motor Vehicle Act that are not considered of sufficient value to justify their preservation and have been on deposit for 5 years or longer;
 - (e) providing for the furnishing of security by dealers in amounts, in a form and on conditions that are considered necessary to secure the honest and lawful conduct by dealers and their salespersons of the business of dealers in motor vehicles and trailers;
 - (f) the licensing of the drivers of taxis kept or operated in rural area;
 - (g) the establishment and administration of a point system in respect of the driving record of drivers committing
 - (i) prescribed offences, or
 - (ii) contraventions of traffic rules under this Act;
 - (h) prescribing penalties for unsatisfactory driving records or in relation to the number of point penalties recorded against the driving record;
 - (i) prescribing the standards required for safety helmets that are sold, offered for sale, exposed or displayed for sale, or delivered to a purchaser for use;
 - (j) providing for the safety, protection, comfort and convenience of persons travelling in buses and taxis;
 - (k) providing for the conduct of drivers and passengers travelling on buses;
 - (l) providing for
 - (i) grants to be paid to a class of driver or owner of a vehicle to encourage and reward the safe operation of vehicles on the highway, and
 - (ii) the amount and conditions of payment, class of drivers or vehicles and any other matter relating to fair and orderly payment;
 - (m) prescribing fees for registration, licences, number plates, decals, permits,

- certificates, identification cards and other documents and things required or authorized under this Act;*
- (n) *empowering a person employed by a prescribed ministry, designated by name or position, to exercise the powers and perform the duties of a constable or peace officer for the purpose of enforcing prescribed provisions of this Act, the Commercial Transport Act, the Highway Act, the Passenger Transportation Act, the Motor Fuel Tax Act and the Transport of Dangerous Goods Act, and regulations made under any of them;*
 - (o) *empowering the Insurance Corporation of British Columbia or the director in prescribed circumstances or for prescribed purposes to*
 - (i) *exempt unconditionally, or on conditions the corporation or the director considers desirable, persons, vehicles and equipment that the corporation or the director identifies and specifies from any requirement of this Act or the regulations respecting the construction or operation of motor vehicles, or the equipment used on motor vehicles, and*
 - (ii) *substitute, if the corporation or the director considers it desirable for the purpose of more effectively promoting and securing road safety, other requirements in a case in which the corporation or the director grants an exemption under subparagraph (i);*
 - (p) *respecting the issue of identification cards to persons, whether or not they hold licences under this Act;*
 - (q) *respecting the circumstances in which and the conditions on which a driver of an emergency vehicle may exercise the privileges granted by section 122 (1);*
 - (r) *prescribing records that the director must keep and of which the director has custody and control for the purposes of section 82 (10.1);*
 - (s) *prescribing records kept by the Insurance Corporation of British Columbia that are needed by the director to compile information and profiles for the purposes of section 116.1 (3) (b);*
 - (t) *permitting the director to share information and profiles compiled under section 212 with prescribed governments or agencies for the purposes of road safety.*
- (3.1) Without limiting any provision of this Act, the Lieutenant Governor in Council may make regulations as follows:
- (a) *prescribing the form and content of the notice of driving prohibition for the purpose of section 94.1;*
 - (b) *Repealed. [2002-25-60(a)]*
 - (c) *Repealed. [2002-25-60(a)]*
 - (d) *prescribing application and hearing fees for the purposes of sections 94.4, 105.5, 105.8 and 105.9;*
 - (e) *Repealed. [2002-25-60(a)]*
 - (f) *Repealed. [2002-25-60(a)]*
 - (g) *prescribing the costs and charges for the purpose of section 105.4 (2);*
 - (h) *prescribing the vehicle release fee for the purpose of section 105.9 (4);*
 - (i) *Repealed. [2002-25-60(a)]*
 - (j) *[not yet in force]*
 - (k) *Repealed. [2002-25-60(a)]*
 - (l) *Repealed. [2002-25-60(a)]*
 - (m) *prescribing the costs and charges for the purpose of section 104.5 (2);*

- (n) *prescribing application and hearing fees for the purposes of sections 104.6, 104.9 and 104.91;*
 - (o) *prescribing the vehicle release fee for the purpose of section 104.91 (4);*
 - (p) *prescribing the application fee for the purpose of section 105.95 (2) (c);*
 - (q) *prescribing the impound release fee for the purpose of section 105.95 (3) (b).*
- (4.) A regulation under subsection (3) (o) may be general or particular in its application.
- (5.) An exemption or a requirement under subsection (3) (o) is not a regulation under the *Regulations Act*.
- (6.) A regulation under subsection (1), (2) or (3) may
- (a) establish licences for antique motor vehicles, collectors' motor vehicles or motor vehicles in any other class of motor vehicle defined in the regulation,
 - (b) specify the term of a licence established under paragraph (a),
 - (c) provide that a licence established under paragraph (a) and issued for a motor vehicle may, with the prior approval of the Insurance Corporation of British Columbia, be used for other motor vehicles of the same class owned by the holder of the licence, and
 - (d) provide that different licences under paragraph (a) and different terms under paragraph (b) apply to different classes of motor vehicle.
- (6.1) A regulation under subsection (3.1) (d) or (n) may prescribe different hearing fees for different types of hearings.
- (7.) The Lieutenant Governor in Council, in making a regulation under this Act, may incorporate in it by reference any code, standard, rule or part of them, relating to the subject matter of the Act, as they may be amended from time to time before or after the making of the regulation, that the Lieutenant Governor in Council may consider applicable, and the Lieutenant Governor in Council by regulation may exempt any person or motor vehicle in British Columbia from the regulation.
- (8.) If a code, standard, rule or part of it is adopted by regulation, publication in the Gazette of a notice of the adoption that refers to the code, standard or rule states the extent of its adoption and sets out the variations to which the adoption is subject, is sufficient publication without publishing in the Gazette the text of the code, standard, rule or part adopted.
- (9.) A regulation or approval made under subsections (1), (2) or (3) or section 216, 217 or 218 may
- (a) classify vehicles according to their use, ownership, nature, type, character, size, weight, equipment, accessories or otherwise,
 - (b) provide differently for different cases or classes of cases, different vehicles, persons or organizations or different classes of vehicles, persons or organizations, and
 - (c) exempt from its application, in whole or in part, vehicles, persons or organizations, or classes of vehicles, persons or organizations.
- (10.) A person empowered under subsection (3) (n) has, in connection with the powers and duties conferred on him or her, the immunities of a constable.

RS1979-288-211.1; 1980-37-27; 1980-50-60; 1982-36-18; 1983-21-5 to 7; 1984-26-73; 1985-52-63; 1986-19-10; 1987-43-57; 1987-61-6; 1988-62-12; 1990-71-11, 12; 1992-65-6(a),(c),(d); RS1996(Supp)-318-46(b)(part), (c); 1995-28-11; 1996-14-1; 1997-29-33; 1997-31-8, 27(c); 1997-30-3; 2002-25-60; 2003-11-15, 16; 2004-39-77(d).

-- Sections 211 - 214 of Part 3 --

Power to establish forms

211. The Insurance Corporation of British Columbia, the director and the superintendent may establish forms, including forms in an electronic format, to be used for the purposes of carrying out the powers, duties and functions under this Act or any other enactment.

2003-11-17 (B.C.Reg. 139/2003).

Power to prescribe for electronic information

- 211.1 The Lieutenant Governor in Council may make regulations respecting the electronic reception, creation, completion, signing, identifying, transmission, storage or reproduction of a certificate under section 83.2 or for the conversion of a certificate from either paper or electronic format to the other format.

RS1996(Supp)-318-47; 1995-15-11.

Regulations respecting safety

212. (1.) In this section and in sections 212.1 and 212.2, **“operator”** means, in relation to a motor vehicle,
- (a) *the owner of the motor vehicle as “owner” is defined in section 1,*
 - (b) *any other person having management of the motor vehicle or determination of the uses to which it is put, and*
 - (c) *the lessee of the motor vehicle if the lease for the motor vehicle has a term of at least one month,*
- but a person is not an operator merely because of the fact that he or she is the driver of the motor vehicle.*
- (2.) Nothing in this section limits or is limited by any other provision of this Act.
- (3.) The Lieutenant Governor in Council may make regulations considered necessary or desirable for the purpose of promoting and securing road safety.
- (4.) Without limiting subsection (3), it is declared that the powers under that subsection include the power to make regulations as follows:
- (a) adopting with or without modification any or all of the provisions of any code or regulation respecting road safety including, without limiting this, any National Safety Code for motor carriers promulgated or recommended by the Canadian Council of Motor Transport Administrators;
 - (b) prohibiting the use on highways of any motor vehicle falling within a prescribed class of motor vehicle unless the owner or other prescribed person having use or possession of the vehicle holds in respect of it a subsisting safety certificate issued by the director;
 - (c) respecting safety certificates and authorizing and empowering the director to issue them subject to conditions that may include requirements for entry on property by the director and inspection by the director of records respecting motor vehicles;
 - (d) authorizing and empowering the director to monitor the safety records of motor vehicles and of drivers and operators of motor vehicles, including monitoring the

- frequency and kinds of warnings or notices given to operators and to drivers by the director, the superintendent, police officers and other officials having duties respecting road safety;
- (e) authorizing and empowering the director to compile information and profiles of drivers and of motor vehicles and their operators, including information and profiles respecting their compliance with the requirements of this Act and the regulations, with the requirements of other enactments of British Columbia respecting motor vehicles or road safety, and with the requirements of enactments of other jurisdictions both in Canada and elsewhere;
- (f) for the purpose of assisting the director to carry out the director's duties and exercise the director's powers under this section, requiring the operators and drivers of motor vehicles and other prescribed persons having use or possession of motor vehicles
- (i) to keep prescribed records, including records respecting the use, condition, safety records and maintenance of those motor vehicles, including records respecting the use, condition, safety records and maintenance of those vehicles while they are outside British Columbia, and
- (ii) to produce or deliver those records to the director on demand and in the manner and time and to the location specified by the director;
- (f.1) providing for inspection and audit of the records referred to in paragraph (f);
- (g) requiring the inspection of motor vehicles before, during and after prescribed journeys or at prescribed intervals or in prescribed circumstances;
- (h) restricting the number of hours during which a driver may operate a motor vehicle in any one day or in any consecutive 7-day period, and prescribing minimum rest periods during which a driver may not operate a motor vehicle, including different requirements respecting different classes of motor vehicle;
- (i) authorizing the minister to enter into agreements and arrangements with any other government in or outside Canada on matters respecting road safety, including agreements and arrangements providing for cooperation with respect to any matter within this section, and providing for mutual reliance, for the purposes of prohibiting the use of motor vehicles, restricting the use of motor vehicles, revoking safety certificates, imposing restrictions on drivers and operators of motor vehicles, refusing to license persons as drivers or operators and prohibiting persons from driving, on information or profiles made available by one government to the other.
- (j) *Repealed. [2003-11-18 (B.C. Reg. 139/2003)]*
- (5.) If any or all of the provisions of a code or regulation are adopted under this section, publication in the Gazette of a notice of adoption identifying the code or regulation, stating where copies of the code or regulation can be obtained, the extent of its adoption and setting out any modifications subject to which it is adopted, for the purposes of the *Regulations Act*, is deemed sufficient publication without publishing in the Gazette the text of the code or regulation or part adopted.
- (6.) A regulation made under this section may be general or particular in its application.

RS1979-288-211.3; 1987-61-7; 1996-14-49; 1997-31-8,28; 1999-40-28; 2003-11-18 (B.C.Reg. 139/2003).

Operator's duty to provide information

- 212.1 (1.) An operator must, in the manner prescribed, provide to the Insurance Corporation of British Columbia all information it requires relevant to insurance issues, including specific answers to all questions it submits.
- (1.1) An operator must, in the manner prescribed, provide to the director all information the director requires relevant to safety issues, including specific answers to all questions the director submits.
- (2.) An operator who receives from the Insurance Corporation of British Columbia or the director any form of return with directions to fill it out must properly fill it out and answer fully and correctly each question contained in it, and must deliver it to the corporation or the director within the time, in the manner and to the location prescribed.
- (3.) When required by the Insurance Corporation of British Columbia or the director, an operator must deliver to the corporation or the director, within the time, in the manner and to the location prescribed, all records in his or her possession or control in any way relating to the operator's property or service or affecting his or her business, or copies of those records.

1999-40-29; 2003-11-19 (B.C.Reg. 139/2003).

Regulations respecting vehicles having safety certificates

- 212.2 (1.) Without limiting sections 210 and 212, the Lieutenant Governor in Council may make regulations for promoting and securing the safety of motor vehicles for which safety certificates are required under this Act and the safety and protection of the passengers, animals and cargo carried in or on those vehicles.
- (2.) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations respecting the following:
- (a) the filing with the director of prescribed records and information in the manner and time prescribed;
 - (b) fees to be paid for any filing required under this Act;
 - (c) the maximum number of passengers or the maximum weight of freight, or both, that may be carried by motor vehicles;
 - (d) the conditions to be contained in and to become part of all agreements entered into by operators in respect of their services or in respect of any class of service;
 - (e) the conduct of drivers and passengers;
 - (f) the inspection of motor vehicles and of their operation;
 - (g) bills of lading;
 - (h) restrictions as to use of motor vehicles;
 - (i) the carrying of passengers and freight in or on motor vehicles;
 - (j) the equipment of motor vehicles.

1999-40-29; 2003-11-20 (B.C.Reg. 139/2003).

Evidence of weight of vehicle or load

213. (1.) On the prosecution of a person charged with contravention of the regulations in operating or using on a highway a vehicle the weight of which or the weight of the load carried on which was in excess of the weight prescribed by the regulations, it is sufficient evidence for a credible witness to state on oath that, to the best of his or her judgment and opinion, the weight of the vehicle or of the load carried on it at the time of the alleged

contravention was in excess of the weight so prescribed.

- (2.) On the evidence described in subsection (1) being given, the person charged may be convicted, unless that person proves that the weight at issue was not in excess of the weight prescribed.

RS1979-288-212.

Signs

214. (1.) Subject to this section, a person must not erect or maintain, or cause to be erected or maintained, a sign, advertisement or guide post on or over
- (a) an arterial highway or a highway in rural area, except with the approval of the Minister of Transportation and Highways, or
 - (b) a highway, other than an arterial highway in a municipality, except in accordance with the bylaws of the municipality.
- (2.) The Minister of Transportation and Highways may cause a sign, advertisement or guide post erected or found on or over a highway, whether erected with or without the minister's approval, to be altered, repainted, torn down or removed from the highway without compensation to any person for loss or damage resulting from the alteration, removal or destruction.
- (3.) Except as provided in subsection (2), a person must not tear down, remove, displace, deface or in any way interfere with a traffic control device or guide post erected on a highway by or with the approval of the Ministry of Transportation and Highways.
- (4.) A person must not erect or replace signs or sign boards, and must not paste or paint signs, notices or advertising devices, within a distance of 300 m from the boundary line of a highway in the rural area of British Columbia.
- (5.) A person, who is the owner, occupier or lessee of land, must not permit or allow the erection or maintenance of a sign, sign board or advertising device on the land owned, occupied or leased by the person if the sign, sign board or advertising device is erected or maintained within a distance of 300 m from the boundary line of a highway in the rural area of British Columbia, except with the approval of the Minister of Transportation and Highways or a person authorized by the minister in writing.

RS1979-288-213.