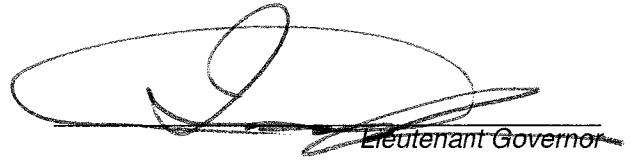


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

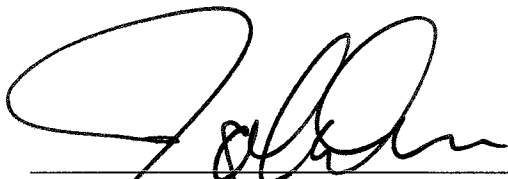
Order in Council No. **371**

, Approved and Ordered **MAY 17 2006**

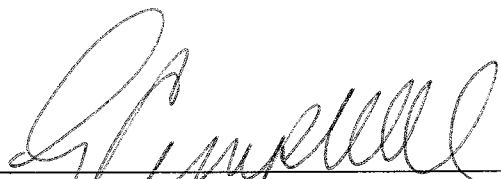
  
Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective June 19, 2006, the Motor Vehicle Act Regulations, B.C. Reg. 26/58, are amended as set out in the attached Schedule.



Minister of Public Safety and Solicitor General



Presiding Member of the Executive Council

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

Authority under which Order is made:

Act and section:- *Motor Vehicle Act*, ss. 210 (2) (b) and (j)

Other (specify): oic 1004/58

April 19, 2006

377/2006/48

## SCHEDULE

**1     *Section 24.02 of the Motor Vehicle Act Regulations, B.C. Reg. 26/58, is amended***

***(a) by repealing subsection (4) and substituting the following:***

- (4) A person must not operate a golf cart on a highway unless the golf cart
  - (a) is registered, insured and licensed,
  - (b) weighs less than 815 kg GVW,
  - (c) is equipped with
    - (i) at least 3 wheels, and
    - (ii) reflectors, a horn and a rear view mirror as required by sections 4.08, 7.02 (1) and 10.17 of this regulation, and turn signals as required by section 171 (1) (b) or (c) of the Act,
  - (d) has no more than 4 persons in the vehicle, including the operator,
  - (e) complies with the stopping distance requirements described in section 5.04 (2) for an implement of husbandry or a special mobile vehicle, and
  - (f) is either
    - (i) operated on a highway that
      - (A) is located on an island that is not accessible by scheduled vehicle ferry service or by bridge, and
      - (B) has a posted speed limit of 20 km per hour or less, or
    - (ii) operated, in accordance with a permit issued under subsection (6), on a highway that
      - (A) is located on an island that is not accessible by scheduled vehicle ferry service or by bridge, and
      - (B) has a posted speed limit of more than 20 km per hour. ,

***(b) in subsection (5) by striking out “Despite subsection (4) (f),” and substituting “Despite subsection (4),”, and***

***(c) by adding the following subsection:***

- (6) For the purpose of subsection (4) (f) (ii), a member of the R.C.M.P. detachment stationed nearest to the place where the golf cart is to be operated or, if the golf cart is to be operated in a place that is policed by a municipal police force, a constable of that force, may
  - (a) issue an operation permit, in a form established by the Insurance Corporation of British Columbia, and
  - (b) specify limitations and conditions in the operation permit for the operation of the golf cart.

**2     *Section 24.03 (1) and (2) is amended by striking out “unless he is the holder of a permit” and substituting “unless the person is the holder of a permit”.***

**3      *Section 24.04 is amended***

***(a) by repealing subsection (2) and substituting the following:***

- (2) Subject to subsection (2.1), a person must not operate an all terrain vehicle on a highway unless
  - (a) in addition to a licence issued for the vehicle under section 3 of the Act, the person holds an operation permit issued under subsection (4) or (4.1), and
  - (b) the vehicle is operated in accordance with the restrictions specified in the operation permit.
- (2.1) A person may operate an all terrain vehicle, other than a type designed to be ridden astride, for which a licence has been issued under section 3 of the Act, on a highway that
  - (a) is located on an island that is not accessible by scheduled vehicle ferry service or by bridge, and
  - (b) has a posted speed limit of 20 km per hour or less. ,

***(b) by repealing subsections (4) and (5) and substituting the following:***

- (4) On application under subsection (3) by the owner or lessee of an all terrain vehicle that is used primarily for
  - (a) farming,
  - (b) industrial purposes, or
  - (c) law enforcement purposes, by a person exercising powers or performing duties under an enactment,the constable or member of the R.C.M.P. may issue an operation permit, in a form established by the Insurance Corporation of British Columbia, authorizing the operation of the vehicle across a highway or on the untravelled portion of a highway, or both, while the vehicle is being used for the purposes referred to in paragraphs (a) to (c).
- (4.1) On application under subsection (3), the constable or member of the R.C.M.P. may, in respect of an all terrain vehicle, other than a type designed to be ridden astride, issue an operation permit, in a form established by the Insurance Corporation of British Columbia, authorizing the operation of the vehicle on a highway that
  - (a) is located on an island that is not accessible by scheduled vehicle ferry service or by bridge, and
  - (b) has a posted speed limit of more than 20 km per hour.
- (5) After consultation with the person responsible for highway maintenance in the municipality or district in which the vehicle is to be operated, the person to whom application is made under subsection (3) may specify limitations and conditions for the operation of the vehicle in the operation permit issued under subsection (4).
- (5.1) The person to whom application is made under subsection (3) may specify limitations and conditions for the operation of the vehicle in the operation permit issued under subsection (4.1). , ***and***

*(c) in subsection (7) by striking out “No person shall operate” and substituting “A person must not operate”.*