


PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. **312** , Approved and Ordered **MAY 25 2007**



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 the Emergency Vehicle Driving Regulation, B.C. Reg. 133/98, is 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, R.S.B.C. 1996, c. 318, s. 210 (3) (q)

Other (specify): OIC 522/98

SCHEDULE

- 1 **Section 1 of the Emergency Vehicle Driving Regulation, B.C. Reg. 133/98, is amended**
 - (a) **by repealing the definition of “emergency equipment”, and**
 - (b) **by adding the following definitions:**
 - “**emergency light**” means a flashing red or blue light;
 - “**emergency siren**” means an audible siren, signal bell or exhaust whistle; .
- 2 **Section 3 (1) (a) is amended by striking out “emergency equipment” and substituting “an emergency light and siren”.**
- 3 **Section 4 is amended**
 - (a) **by repealing subsection (1) (b) and substituting the following:**
 - (b) the peace officer operates the following emergency equipment, as applicable:
 - (i) in the exercise of privileges described in section 122 (1) (a) to (c) of the *Motor Vehicle Act*, an emergency light and siren;
 - (ii) in the exercise of privileges described in section 122 (1) (d) of the *Motor Vehicle Act*, an emergency light or an emergency light and siren. ,
 - (b) **by repealing subsection (2) and substituting the following:**
 - (2) Having determined that there are reasonable grounds referred to in subsection (1) (a), the peace officer referred to in subsection (1) may, in the following circumstances, exercise any of the privileges granted by section 122 (1) of the *Motor Vehicle Act* without operating an emergency light and siren or by operating an emergency light alone:
 - (a) the peace officer is responding to an incident and has reasonable grounds to believe that an offence has been, is being or is about to be committed and that the risk of harm to members of the public entailed in operating an emergency siren or an emergency light and siren, as the case may be, outweighs the risk of harm to members of the public entailed in not operating them;
 - (b) the peace officer is engaged in the lawful execution of his or her duty other than as described in paragraph (a) or section 3 and has reasonable grounds to believe that it is safe to operate the emergency vehicle without operating an emergency siren or an emergency light and siren, as the case may be. ,
and
 - (c) **in subsection (5) by inserting “relevant” before “emergency equipment.”**

4 ***Section 5 (1) is repealed and the following substituted:***

- (1) When a person other than a peace officer operates an emergency vehicle, the person may exercise the privileges granted by section 122 (1) of the *Motor Vehicle Act* if the person operates the following emergency equipment, as applicable:
 - (i) in the exercise of privileges described in section 122 (1) (a) to (c) of the *Motor Vehicle Act*, an emergency light and siren;
 - (ii) in the exercise of privileges described in section 122 (1) (d) of the *Motor Vehicle Act*, an emergency light or an emergency light and siren.