

REGULATION # 513/2004  
Effective: Dec. 31/04

**PROVINCE OF BRITISH COLUMBIA**

Ministerial Order No. M 398

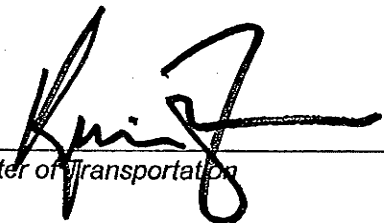
**REGULATION OF THE MINISTER OF TRANSPORTATION**

*Transportation Act*

I, Kevin Falcon, Minister of Transportation, order that, effective December 31, 2004, the attached Provincial Public Undertakings Regulation is made.

DEPOSITED  
NOV 24 2004  
B.C. REG. 513/2004

November 24, 2004  
Date

  
Minister of Transportation

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

Authority under which Order is made:

Act and section:- Transportation Act, S.B.C. 2004, c. 44, section 90

Other (specify):- \_\_\_\_\_

November 10, 2004

1403 /2004/7

# PROVINCIAL PUBLIC UNDERTAKINGS REGULATION

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## **PART 1 – INTERPRETATION**

### **Interpretation**

- 1 In this regulation:

“Act” means the *Transportation Act*;

“authorized traffic officer” means the minister, an enforcement officer or a flagger;

“bus lane” means a section of highway that is reserved for the exclusive use of buses by the placement of traffic control devices;

“enforcement officer” means any person who, under section 132 of the *Offence Act*, is

- (a) designated as an enforcement officer in respect of the Act, or
- (b) is a member of a class of persons designated as enforcement officers in respect of the Act;

“ministry” means the Ministry of Transportation;

“slow moving vehicle” means a vehicle that is incapable of maintaining a minimum speed of 60 km/h on level highway;

“structure” means any of the following:

- (a) the Nelson Bridge, being the structure that spans the West Arm of Kootenay Lake at Nelson;

- (b) the Okanagan Lake Bridge, being the structure that spans the Okanagan Lake at Kelowna;
- (c) the Agassiz-Rosedale Bridge, being the structure that spans the Fraser River between Agassiz and Rosedale;
- (d) the Pattullo Bridge, being the structure that spans the Fraser River and connects the City of New Westminster with the Municipality of Surrey;
- (e) the First Narrows Bridge, being the structure that spans Burrard Inlet at its first narrows and connects the City of Vancouver with the Municipality of West Vancouver and the District of North Vancouver;
- (f) the Ironworkers Memorial Second Narrows Bridge, being the structure that spans Burrard Inlet at its second narrows and connects the City of Vancouver with the District of North Vancouver;
- (g) the Oak Street Bridge, being the structure that spans the North Arm of the Fraser River and connects the City of Vancouver with the Municipality of Richmond;
- (h) the Knight Street Bridge, being the structure that spans the North Arm of the Fraser River in the vicinity of Mitchell Island and connects the City of Vancouver with the Municipality of Richmond;
- (i) the Port Mann Bridge, being the structure that spans the Fraser River and connects the Municipality of Coquitlam with the Municipality of Surrey;
- (j) both tubes of the George Massey Tunnel, being the structure that passes under the South Arm of the Fraser River and connects the Municipality of Richmond with the Municipality of Delta;
- (k) the Annacis Bridge, being the structure that spans the main channel of the Fraser River in the vicinity of Annacis Island in the Municipality of Delta;
- (l) the East Channel Bridge, being the structure that spans the Annacis Channel of the Fraser River and connects the municipality of Delta with the City of New Westminster and the Municipality of Richmond;
- (m) the Queensborough Bridge, being the structure that spans the North Arm of the Fraser River in the City of New Westminster;
- (n) both tubes of the Cassiar Connector Tunnel, being the structure that passes underground from Adanac Street to Triumph Street and connects the Trans Canada Highway from First Avenue to the Ironworkers Memorial Second Narrows Bridge in the City of Vancouver.

## PART 2 – TRAFFIC REGULATIONS

### Restrictions on structures

- 2 (1) The following apply to and in respect of all structures:
  - (a) the driver of a vehicle on or within a structure must obey the instructions of an applicable traffic control device, except when otherwise directed by an authorized traffic officer;
  - (b) the driver of a vehicle on or within a structure must, on request by an authorized traffic officer, produce any licence or permit issued under the

*Motor Vehicle Act* or the *Commercial Transport Act*, and allow the licence or permit to be taken in hand by the authorized traffic officer for the purpose of inspection;

- (c) the driver of a vehicle, while driving or operating the vehicle on or within a structure, must not make a 'U' turn, or otherwise reverse the direction in which the vehicle is proceeding, unless otherwise directed by an authorized traffic officer;
- (d) a person must not stop, stand or park a vehicle on or within a structure except when it is necessary to do so to comply with
  - (i) a traffic control device, or
  - (ii) the direction of an authorized traffic officer;
- (e) without limiting any other right or power a person has under the Act to remove vehicles from a highway, if a vehicle breaks down or otherwise becomes disabled on or within a structure, any authorized traffic officer may arrange for
  - (i) the necessary towing of the vehicle,
  - (ii) the supply of gasoline to the vehicle, or
  - (iii) such other assistance as may be necessary,and all charges in connection with that arrangement must be paid for by the driver or operator when the vehicle is removed from the structure;
- (f) without limiting any other right or power a person has under the Act to remove vehicles from a highway, if a vehicle is unlawfully stopped, parked or left standing on or within a structure, any authorized traffic officer may remove that vehicle or cause that vehicle to be removed, whether attended or unattended, from the place where it is found, and all charges and costs in connection with that removal and any storage of the vehicle must be paid by the owner or operator of the vehicle before it is returned to the owner or operator;
- (g) if a vehicle, with its load, is overload or oversize, as those terms are defined in the *Commercial Transport Act*,
  - (i) the operator of the vehicle must not cause or allow the vehicle to be on or within a structure unless the operator is authorized to do so under the Act and the vehicle is on or within the structure at a time and on a day specified in the authorization, and
  - (ii) even if the operator holds an authorization for the vehicle to be on or within a structure and even if the vehicle is or is to be on or within the structure at a time and on a day specified in the authorization, the operator of the vehicle must not cause or allow the vehicle to be on or within the structure if the vehicle is directed to an alternate route by an authorized traffic officer;
- (h) subject to subsection (2), when approaching a structure, the driver of a slow moving vehicle must, if directed to do so by an authorized traffic officer, park the vehicle at a location indicated by the authorized traffic officer and must not proceed out of that parking location until authorized to do so by an authorized traffic officer;

- (i) a person must not do any of the following on or within a structure unless he or she does so in accordance with an authorization issued to the person under the Act:
  - (i) lead, ride or drive any animal;
  - (ii) operate a vehicle drawn by any animal;
  - (iii) push, pull or operate any cart, wheelbarrow or similar device;
  - (iv) operate any vehicle or transport any load that, in the opinion of an authorized traffic officer, does or might pose a danger to the structure or to any person on, within or near it.
- (2) Subsection (1) (h) does not apply to construction or maintenance equipment that is
  - (a) owned or hired by the minister, and
  - (b) working on, or travelling to or from, a worksite.

#### **Farm vehicles, bicycles and pedestrians**

- 3 The following apply to and in respect of the Port Mann Bridge, the George Massey Tunnel and the Cassiar Connector Tunnel only:
  - (a) unless authorized by the minister under the Act, a person must not operate the following vehicles on or within a structure:
    - (i) a farm implement or farm machine, whether self-propelled or towed;
    - (ii) any vehicle incapable of maintaining a speed of 60 km/h on level highway;
  - (b) a person must not operate a bicycle on or within any part of a structure;
  - (c) a person must not be on or within any part of a structure as a pedestrian.

#### **Slow vehicles and bicycles**

- 4 The following apply to and in respect of the Ironworkers Memorial Second Narrows Bridge, the Oak Street Bridge, the Knight Street Bridge, the Okanagan Lake Bridge, the Annacis Bridge, the East Channel Bridge, the Queensborough Bridge and the Pattullo Bridge only:
  - (a) a person must not, between the hours of 7 a.m. and 9 a.m. and 3 p.m. and 6 p.m., Monday to Friday inclusive, operate a vehicle that is incapable of maintaining the normal speed of traffic on the structure or its approaches, unless the vehicle is engaged in emergency maintenance work;
  - (b) a person must not operate a bicycle on or within the roadway of the structure or its approaches.

#### **Explosives**

- 5 A person driving a vehicle that is transporting explosives of a quantity that, under the Transportation of Dangerous Goods Regulations, SOR/DORS/200-286, requires the person to hold an Explosives Vehicle Certificate, must not enter on or within, or attempt to cross over, any of the First Narrows Bridge, the Ironworkers Memorial Second Narrows Bridge, the Oak Street Bridge, the Knight Street Bridge, the

Queensborough Bridge, the Port Mann Bridge or the Pattullo Bridge without first having obtained a police or ministry escort.

#### **Explosives, flammables and corrosives**

- 6 (1) In this section, "contaminated vehicle" means a vehicle that
- (a) is transporting any of the following:
    - (i) gasoline, distillate or kerosene in tanks, drums, barrels or cans;
    - (ii) oxygen, acetylene or butane;
    - (iii) fuel oil, road oil, hot roadmix, lubricating oil or grease or solid or liquid asphaltum;
    - (iv) explosives or corrosive liquids, or
  - (b) is transporting empty tanks if those tanks
    - (i) had contained gasoline, distillate or kerosene, and
    - (ii) have not been thoroughly cleaned with steam or filled with water.
- (2) A person must not operate a contaminated vehicle on or within any of the Agassiz-Rosedale Bridge, the Okanagan Lake Bridge, the Nelson Bridge, the Pattullo Bridge, the First Narrows Bridge, the Ironworkers Memorial Second Narrows Bridge, the Oak Street Bridge, the Knight Street Bridge, the Queensborough Bridge or the Port Mann Bridge other than during the time or times specified for that operation on signs posted by the minister on the approaches to the structure.

#### **Pedestrians**

- 7 The following apply to and in respect of the Agassiz-Rosedale Bridge, the Okanagan Lake Bridge, the Nelson Bridge, the Pattullo Bridge, the First Narrows Bridge, the Ironworkers Memorial Second Narrows Bridge, the Knight Street Bridge, the Annacis Bridge, the East Channel Bridge, the Queensborough Bridge and the Oak Street Bridge only:
- (a) a pedestrian must not use the roadway of the structure or its approaches, but must proceed on the sidewalk if one is provided for that purpose;
  - (b) a pedestrian must not loiter on or within the structure;
  - (c) a pedestrian must not climb on or enter on or within any part of the structure not intended for use by pedestrians.

#### **Tire repair**

- 8 A person must not stop, stand or park a vehicle on or within any of the First Narrows Bridge, the Ironworkers Memorial Second Narrows Bridge, the Oak Street Bridge, the Knight Street Bridge, the Queensborough Bridge, the Port Mann Bridge, the Pattullo Bridge, the George Massey Tunnel or the Cassiar Connector Tunnel for any purpose, including, without limitation, for the purpose of replacing a flat tire.

#### **Prohibited vehicles, bicycles and tire chains**

- 9 The following apply to and in respect of the First Narrows Bridge only:

- (a) a person must not operate, on any part of the structure or its approaches, a vehicle having a gross weight in excess of 13 000 kg unless the vehicle is a bus as defined in the *Motor Vehicle Act*;
- (b) a person must not operate a bicycle on the roadway of the structure or its approaches;
- (c) a person must not operate, on any part of the structure or its approaches, a vehicle equipped with a tire chain or chains.

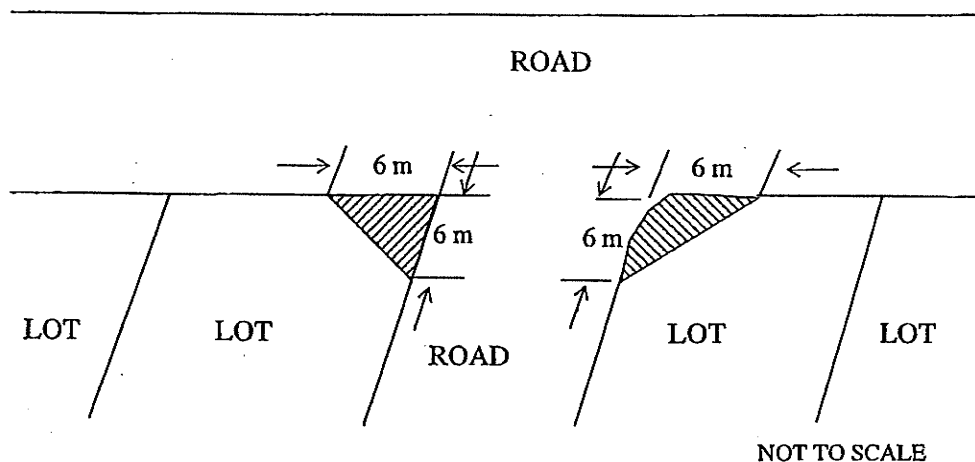
#### Emergency vehicles

- 10 Despite any traffic control devices in place, marked emergency vehicles, as defined in the *Motor Vehicle Act*, may enter, use and leave a bus lane without the necessity of sounding sirens or displaying flashing lights.

### PART 3 - BUILDING RESTRICTIONS

#### Sight triangle

- 11 In this Part, "sight triangle" means the area formed by a triangle in the angle formed by the right of way boundaries or boundaries produced and 2 points on those boundaries 6 m from the point of intersection, as shown crosshatched in the diagram following:



#### Restriction on placement of buildings or other structures

- 12 An owner, occupier or lessee of land must not, without the consent of the minister, place or cause or allow to be placed any building, trailer, mobile home or other structure within the following distance from the property line fronting on any arterial highway within a municipality or on any highway in unorganized territory:
- (a) if a public lane or alley provides secondary access to the property, 3 m;
  - (b) in any other case, 4.5 m.

#### Restriction on placement of signs, structures and plants

- 13 An owner, occupier or lessee of land at the intersection of

(a) an arterial highway in a municipality or any highway in unorganized territory, and

(b) any other highway,

must not grow or place, or cause or allow to be grown or placed, within the sight triangle on that land, any signs or structures or trees or other plants, with horizontal dimension exceeding 0.6 m, unless

(c) the person has the consent of the minister to do so, or

(d) an eye 0.9 m above the surface elevation of one highway can, by looking directly over the sign or structure or tree or other plant, see an object 0.9 m above the surface elevation of the other highway.