

SUBJECT: ENFORCEMENT OF *PASSENGER TRANSPORTATION ACT*

Managers, Victoria	Carrier Safety Inspectors	Driver Services Centres
Motor Vehicle Inspectors	Government Agents	MOT (Director, Chair
Passenger Transportation Board	Appointed Agents	Transportation Policy)
Deputy Director, CVSE	Trucking Industry	Supt of Motor Vehicles
Regional CVSE Managers	Law Enforcement Agencies	
Managers, Licensing	Commercial Transport Insp.	
ADM (Compliance and Consumer	(Weigh Scales)	
Services)	Passenger Transportation Branch	

PURPOSE OF CIRCULAR

To advise that the authority to enforce the provisions of the *Passenger Transportation Act* and regulations has been granted under the Inspectors Authorization Regulation (B.C. Reg. 372/92), of the *Motor Vehicle Act* Regulation. In addition, Police Officers have been extended the authority to issue Violation Tickets under the *Passenger Transportation Act*.

Under Regulation 372/92, "Persons employed by the Ministry of Transportation or the Ministry of Public Safety and Solicitor General as Carrier Safety, Commercial Transport, Dangerous Goods or Motor Vehicle Inspectors are authorized to exercise the powers conferred on and the duties of a constable or peace officer for the purpose of enforcing the provisions of

- (a) the *Commercial Transport Act* and regulations,
- (b) the *Highway Act* and regulations,
- (c) the *Motor Carrier Act* and regulations,
- (c.1) the *Passenger Transportation Act* and regulations,**
- (d) the *Motor Fuel Tax Act* and regulations,
- (e) the *Motor Vehicle Act* and regulations, and
- (f) the *Transport of Dangerous Goods Act* and regulations".

Further to this, the Violation Ticket Administration and Fines Regulation, B.C. Reg. 89/97, of the *Offence Act* has been amended to include the violations and fines under the *Passenger Transportation Act*, as follows:

Provision	Contravention	Fine	Victim Surcharge Levy	Ticketed Amount
<i>Passenger Transportation Act</i> section 56(3)	Failure to comply with directions of a peace officer	\$250	\$38	\$288
section 57(2)(a)	Operate without licence or permit	\$1 000	\$150	\$1 150
section 57(2)(b)	Fail to carry licence or permit	\$250	\$38	\$288
section 57(2)(c)	Fail to display identifier or carry permit	\$250	\$38	\$288
section 57(2)(d)	Fail to display identifier properly	\$250	\$38	\$288
section 57(2)(e)	Fail to carry certificate or permit	\$250	\$38	\$288
section 57(2)(f)	Operate with more than one certificate	\$250	\$38	\$288
section 57(2)(g)	Offering to provide a service for which no licence makes provision	\$1 000	\$150	\$1 150
section 57(2)(h)	Providing false information	\$250	\$38	\$288
section 57(2)(j)	Obstructs an inspector or interferes with production of information to an inspector	\$250	\$38	\$288

BACKGROUND

The *Passenger Transportation Act* and regulations came into effect on June 28, 2004, replacing the *Motor Carrier Act* and regulations.

The Commercial Vehicle Safety and Enforcement Division sent out Compliance Circular No. 6, effective June 29, 2004 to outline the interim enforcement procedures until the new Act and regulations came into force, and authority was granted to enforce the new Act.

As outlined in Compliance Circular 6, licensees authorized to provide passenger transportation services under the *Motor Carrier Act* have until February 28, 2005 to convert their licences to those under the *Passenger Transportation Act*. In order to convert their licences, they must apply through an expedited application process to the Passenger Transportation Branch (formerly the Motor Carrier Branch).

During this transition period to February 28, any valid Motor Carrier Licence not yet converted to the new PTA model remains in full force and within the provisions of the former MCA and regulations until whichever of the following occurs first: the licensee withdraws from service, the licensee obtains a new licence under the PTA, or February 28, 2005.

During this interim period, Motor Carrier licensees will continue to display a Motor Carrier Licence plate and decal and be required to carry an accompanying certificate (cab card) and its Conditions of Licence in the vehicle. Licensees' filed rates, time and route schedules (where applicable) will also remain in full force to February 28, 2005.

Refer to Compliance Circular No. 6, June 29, 2004 for additional details concerning enforcement and documentation.

Inquiries should be directed to the Passenger Transportation Branch at (604) 453-4250.

A handwritten signature in black ink, appearing to read "Robert G. Kroeker". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert G. Kroeker
Director, Commercial Vehicle Safety & Enforcement
Ministry of Public Safety and Solicitor General