

COMPLIANCE CIRCULAR**NO. 04/05**

April 5, 2005

SUBJECT: Amendments to Division 10 of the *Motor Vehicle Act Regulations*

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 Inspectors	
ADM (Compliance and Consumer	(Weigh Scales)	
Services)	Passenger Transportation Branch	

PURPOSE OF CIRCULAR

The purpose of this circular is to advise of recent changes to Division 10 of the *Motor Vehicle Act Regulations* that permit the operation of large capacity limousines. The regulatory amendments are provided in the attached Order in Council 392.

BACKGROUND

The limousine industry has begun operating large capacity limousines in British Columbia which are capable of carrying up to 24 passengers. Recently, manufacturers of these limousines have obtained National Safety Marks, indicating compliance with the *Canadian Motor Vehicle Safety Standards* (CMVSS). While these newer vehicles meet federal requirements, they do not meet existing British Columbia regulation as Division 10 of the *Motor Vehicle Act Regulations* was enacted at a time when large capacity passenger limousines were not envisioned.

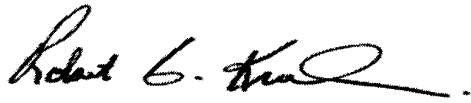
Amendments to Division 10 were required to eliminate the conflict between provincial and federal regulations governing the use of these vehicles. The amendments to Division 10 mean that:

- (a) the Division 10 standards which conflicted with CMVSS (e.g. interior clearance heights and emergency exits) have been eliminated for those vehicles which meet CMVSS; and
- (b) new limo conversions or new imported modified vehicles must meet CMVSS.

An exception for operators of unmodified antique limousines allows the continued operation of specialty limousines not currently meeting CMVSS. However, these vehicles must meet BC mechanical standards and equipment requirements found in the *Motor Vehicle Act Regulations*.

In addition, the director may grant an exemption for a vehicle, manufactured before January 1, 2005 that does not comply with CMVSS; is not an antique motor vehicle; was in operation as a commercial passenger vehicle before March 29, 2005; and is otherwise in compliance with the *Motor Vehicle Act Regulations*. This exemption authority permits the "grandfathering" of commercial passenger vehicles currently in service.

Inquiries can be directed to Mike Woods, Manager, Vehicle Inspection and Standards,
Commercial Vehicle Safety and Enforcement, at (250) 953-4040.

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