



# MOTOR CARRIER ACT AND REGULATIONS

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(Including All Amendments up to March 31, 1967)

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PUBLIC UTILITIES COMMISSION  
PROVINCE OF BRITISH COLUMBIA

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PUBLIC UTILITIES COMMISSION  
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**MOTOR CARRIER ACT**

(R.S.B.C. 1960, Chapter 252; 1961, Chapter 41)

- Title. 1. This Act may be cited as the *Motor Carrier Act*. R.S. 1948, c. 226, s. 1.
- tation. Interpretation. 2. In this Act, unless the context otherwise requires,  
Interpre- "arterial highway" means any arterial highway as classified under the *Highway Act*;  
"Commission" means the Public Utilities Commission constituted under the *Public Utilities Act*;  
"Commissioner of Provincial Police" means the senior officer in British Columbia of the Royal Canadian Mounted Police during such time as police duties are carried out for the Province by the Royal Canadian Mounted Police;  
"compensation" includes any rate, remuneration, or reward of any kind paid, payable, or promised, or received or demanded, directly or indirectly;  
"freight" includes personal property of every description that may be conveyed upon a motor-vehicle or trailer, except a passenger's personal baggage;  
"highway" includes all public streets, roads, ways, trails, lanes, bridges, trestles, ferry landings and approaches, and any other public way;  
"licence" means a licence issued under the provisions of this Act;  
"licensee" means the holder of a licence;  
"limited freight-vehicle" means any motor-vehicle that is operated at any time or from time to time on a highway by, for, or on behalf of any person who charges or collects compensation for the transportation of freight in or upon the motor-vehicle, where the operation is carried on solely under a limited number of special or individual contracts or agreements and where the motor-vehicle is not available for use by the general public;  
"limited passenger-vehicle" means a motor-vehicle, other than a public vehicle, which motor-vehicle, whether available or not for use by the public, is operated at any time or from time to time on a highway by, for, or on behalf of any person who charges or collects compensation for the transportation of passengers in or upon the motor-vehicle, but does not include a taxicab operating exclusively in one municipality;  
"limited vehicle" includes a limited passenger-vehicle and a limited freight-vehicle;  
"motor carrier" means any person operating a public vehicle or a limited vehicle, and includes any person who is the holder of a licence;

- “motor-vehicle” means any vehicle propelled otherwise than by muscular power, excepting aeroplanes and the cars of electric and steam railways and other vehicles running only upon rails or tracks, and includes any attached trailer;
- “municipality” includes an incorporated village municipality;
- “operate,” in respect of a motor-vehicle, includes the driving or managing of the motor-vehicle;
- “passenger” includes a passenger’s personal baggage;
- “private freight-vehicle” means a motor-vehicle, other than a public vehicle or a limited vehicle, that is operated at any time or from time to time on a highway for the transportation of freight, and includes any motor-vehicle which is so operated for any of the following purposes, namely:
- (a) The transportation of freight bona fide the property of the owner of the motor-vehicle;
- (b) The transportation of freight used or subjected to a process or treatment by the owner of the motor-vehicle in the course of a regular trade or occupation or established business of such owner, when the transportation is incidental to such trade, occupation, or business;
- (c) The delivery or collection of freight sold or purchased, or agreed to be sold or purchased, or let on hire by the owner of the motor-vehicle, otherwise than as agent, in the course of a regular trade or established business of such owner;
- “Provincial police force” means the Royal Canadian Mounted Police during such time as the police duties are carried out for the Province by the Royal Canadian Mounted Police;
- “public freight-vehicle” means a motor-vehicle, other than a limited freight-vehicle, that is operated at any time or from time to time on a highway by, for, or on behalf of any person who charges or collects compensation for the transportation of freight in or upon the motor-vehicle;
- “public passenger-vehicle” means a motor-vehicle that is available for use by the public and is operated at any time or from time to time on a highway over a regular route or between fixed termini and on a regular time schedule by, for, or on behalf of any person who charges or collects compensation for the transportation of passengers in or upon the motor-vehicle;
- “public vehicle” includes a public passenger-vehicle and a public freight-vehicle;
- “rate” includes any toll, rate, fare, charge, rental, or other compensation charged or made by a motor carrier or by any person on his behalf or with his consent or authority in connection with the carriage and transportation of passengers, or the car-

riage, shipment, transportation, care, handling, or delivery of goods, or for any service incidental to the business of the motor carrier, and includes any general, individual, or joint toll, rate, fare, charge, rental, or other compensation of any motor carrier, and any rule, regulation, practice, classification, or contract of the motor carrier relating thereto, and any schedule or tariff thereof;

“regular route” and “fixed termini” mean respectively the route over which and the termini between which a motor-vehicle is usually operated and, when licensed, is authorized to be operated;

“service” includes the use and accommodation afforded by, and the equipment, property, and facilities employed by, any motor carrier in connection with the operation of a motor-vehicle as a public vehicle or a limited vehicle;

“trailer” means any vehicle that is attached to a motor-vehicle for the purpose of being drawn or propelled by the motor-vehicle;

“transportation,” with respect to freight, includes the shipment, care, handling, storage, and delivery thereof. R.S. 1948, c. 226, s. 2; 1957, c. 38, s. 2.

Exemptions.

3. (1) This Act does not apply to a motor-vehicle operated for hire while used exclusively in carrying pupils or teachers to or from a school, except as otherwise expressly provided in section 22.

(2) The Commission may by regulation or order, with the approval of the Lieutenant-Governor in Council, exempt any person or motor-vehicle or class of person or motor-vehicle from the application thereto of any provision of this Act, or may limit or vary the application thereof in any designated manner, and such exemption, limitation, or variation shall be of the same force and effect as if set out in this Act. R.S. 1948, c. 226, s. 3.

Division of Act into parts.

4. This Act is divided into six parts, relating to the following subjects:—

PART	SECTION
I.—Licences .....	5-17
II.—Duties and Restrictions Imposed on Motor Carriers....	18-22
III.—Rates .....	23-31
IV.—Administration of Act .....	32-54
V.—Offences and Penalties .....	55-59
VI.—Miscellaneous .....	60-66

R.S. 1948, c. 226, s. 4.

PART I

LICENCES

Licence required.

5. Except as exempted under this Act, no person shall operate or cause or permit to be operated a motor-vehicle on any highway in the Province as a public passenger-vehicle, a public freight-vehicle, a limited passenger-vehicle, or a limited freight-vehicle unless he or the person for or on whose behalf the motor-vehicle is operated holds a subsisting licence authorizing the operation of that motor-vehicle in the manner and for the purposes in or for which it is operated. R.S. 1948, c. 226, s. 5; 1957, c. 38, s. 3.

Application for licence.

6. Every application for a licence shall be made to the Commission on a form approved by the Commission, and shall be accompanied by such information as the Commission may require and by the fees prescribed by the regulations. R.S. 1948, c. 226, s. 6.

Granting of licence.

7. (1) Upon receipt of an application for a licence and of the required information and the proper fees, and after such investigation as the Commission deems proper, the Commission may grant the licence, in whole or in part, or may refuse the licence.

Public convenience and necessity.

(2) Upon any application for a licence, the Commission may take into consideration, amongst other matters,

- (a) any objection to the application for the licence made by any person already providing transport facilities, whether by highway, water, air, or rail, on the routes or between the places which the applicant intends to serve on the ground that suitable facilities are or, if the licence were issued, would be in excess of requirements, or on the ground that any of the conditions of any other licence held by the applicant have not been complied with;
- (b) the general effect on other transport services and any public interest which may be affected by the issue of such licence;
- (c) the quality and permanence of the service to be offered by the applicant, and the fitness, willingness, and ability of the applicant to provide proper service.

Conditions of licence.

(3) In granting any licence, the Commission may attach to the licence such terms and conditions as it deems proper, including

- (a) with respect to public vehicles, a statement of the area, district, or territory that may be served; the points at which or the area, district, or territory within which passengers or freight may be taken on or discharged; the route or routes over which and the termini between which the public vehicle may be operated and the intermediate and off-route points that may be served thereby; and, with respect to public freight-vehicles, the kind or class of freight that may be transported, and the person or persons for whom freight may be transported;

- (b) with respect to limited passenger-vehicles, the class or classes of transportation service that may be given; a provision that individual fares shall not be charged; the terminal point or points from which the motor-vehicle may be operated; the routes which may be followed; the area, district, or territory which may be served; and the points at which or the area, district, or territory within which passengers may be taken on or discharged;

- (c) with respect to limited freight-vehicles, the kind of freight that may be transported; the person or persons for whom freight may be transported; and the route or routes that may be followed or the area, district, or territory that may be served.

Classification.

(4) The Commission has power to determine as a question of fact whether any motor-vehicle is being or is to be operated as a public passenger-vehicle, limited passenger-vehicle, public freight-vehicle, limited freight-vehicle, or private freight-vehicle.

Issue of licence-plates.

(5) When the Commission grants a licence for a motor-vehicle it may issue to the licensee licence-plates to be affixed to and displayed upon the motor-vehicle. Licence-plates shall be of the design prescribed by the regulations. Licence-plates shall remain the property of the Crown. R.S. 1948, c. 226, s. 7.

Term of licence.

8. (1) Every licence shall, unless cancelled or unless an earlier date is fixed by the Commission and stated in the licence, expire on the last day of February next following the date on which it is expressed to take effect or from which it is renewed.

Renewal of licences.

(2) A licence may, with the approval of the Commission, be renewed in such manner and on payment of such fees as may be prescribed by the regulations. R.S. 1948, c. 226, s. 8.

Transfer of licences.

9. No licence shall be assigned or transferred except with the approval of the Commission, and subject to payment of the prescribed fee and to such conditions as the Commission may impose. R.S. 1948, c. 226, s. 9.

Exclusive rights.

10. No licence shall be deemed to confer any perpetual or exclusive right. R.S. 1948, c. 226, s. 10.

Amendment, suspension, and cancellation of licences.

11. (1) The Commission may at any time and from time to time amend or suspend any licence, and may, after a hearing, cancel any licence.

(2) Without thereby limiting the generality of the provisions contained in subsection (1), the Commission may amend, suspend, or cancel any licence on any of the following grounds:—

- (a) Non-compliance by the licensee with any of the terms of the licence, or with any of the provisions of this Act or the regulations made hereunder, or any order of the Commission:

(b) Failure of the licensee to exercise any of the rights and privileges granted in the licence or to provide adequate and efficient service:

(c) Conviction of the licensee in any Court for any offence against this Act or the Criminal Code of Canada.

Pecuniary penalty.

(3) If, under this section, the licence of a motor carrier is suspended for a period not exceeding ten days, the Commission may, after considering the possible effect of the suspension on innocent third parties and the financial burden on the carrier, fix as an alternative to the suspension a pecuniary penalty in the sum of one hundred dollars for each day during which, but for this alternative, the suspension would be in effect. R.S. 1948, c. 226, s. 11; 1961, c. 41, s. 2.

Display of licence.

12. (1) Every licensee shall cause the licence issued in respect of any vehicle to be carefully preserved and displayed upon the vehicle in such a manner as to be conveniently seen by the public in the case of a public passenger-vehicle and a limited passenger-vehicle, and by any person authorized by or under the provisions of section 64 in the case of any other licensed vehicle.

(2) Where conditions are attached to any licence, the licensee shall cause them to be carefully preserved and carried on the vehicle and to be available at all times for the inspection of any person authorized by or under the provisions of this Act. R.S. 1948, c. 226, s. 12.

Display of licence-plates.

13. (1) Every holder of a licence for a motor-vehicle shall, in the manner prescribed by the regulations, cause to be affixed to and displayed on the motor-vehicle throughout the term of the licence, the licence-plates (if any) issued under subsection (5) of section 7.

(2) When any licensee withdraws from service, sells or otherwise disposes of a motor-vehicle for which he holds a subsisting licence, he shall forthwith report such fact to the Commission in writing and, unless he has previously obtained other directions from the Commission, he shall forthwith remove the licence-plates from the motor-vehicle and return them to the Commission or to an officer or constable of the Provincial police force.

(3) Every officer or constable of the Provincial police force or of the police force of any municipality may seize any licence-plate if he finds the same detached from a motor-vehicle or trailer, or displayed on a motor-vehicle or trailer other than the one in respect of which it was issued, or if the Commission has suspended or cancelled the licence, or if the title or interest of the licensee in the licensed vehicle has been transferred, and may hold the same pending the receipt of instructions from the Commissioner of Provincial Police as to its disposal. This subsection applies in respect of licence-plates and motor-vehicles whether on a highway or elsewhere, and for the purposes of this subsection any such

officer or constable may enter without warrant the lands or premises of any person on or in which there is any motor-vehicle. R.S. 1948, c. 226, s. 13.

Capacity markers.

14. Every holder of a licence for a passenger-vehicle shall cause to be clearly marked in a conspicuous place on both sides of the vehicle in figures or letters not less than one inch in height the maximum number of passengers that may be carried under the terms of the licence; and no person shall operate on a highway a passenger-vehicle for which a licence is required unless it is marked as required by this section. R.S. 1948, c. 226, s. 14; 1961, c. 41, s. 3.

Operation in conformity with law.

15. Every licensee shall operate his licensed vehicle and conduct his business in conformity with the licence and the conditions of the licence, and with the provisions of this Act and the regulations and orders of the Commission. R.S. 1948, c. 226, s. 15.

Operation of licensed vehicle as private freight-vehicle.

16. Unless otherwise provided in the conditions of licence, a licence for the operation of a public freight-vehicle or a limited freight-vehicle entitles the holder thereof to operate or cause or permit to be operated on his behalf the licensed vehicle as a private freight-vehicle, if the public service is not adversely affected by such operation. R.S. 1948, c. 226, s. 16.

Municipal licences.

17. (1) Notwithstanding the provisions of any public or private Act, no person who operates a private vehicle in a municipality upon arterial highways only is required to hold a licence in respect of that vehicle under the provisions of any by-law of the municipality.

(2) Notwithstanding the provisions of any public or private Act, no person who operates a public vehicle or limited vehicle in a municipality upon arterial highways only is required to hold a licence in respect of that vehicle under the provisions of any by-law of the municipality if the vehicle is licensed under this Act and is operated in the municipality in accordance with the licence under this Act. R.S. 1948, c. 226, s. 17; 1957, c. 38, s. 4.

## PART II

### DUTIES AND RESTRICTIONS IMPOSED ON MOTOR CARRIERS

Duty to furnish information.

18. (1) Every motor carrier and every person who owns or operates a private freight-vehicle shall furnish to the Commission all information required by it and shall make specific answers to all questions submitted by the Commission. Every motor carrier and every person who owns or operates a private freight-vehicle who receives from the Commission any form of return with directions to fill it out shall cause the return to be properly filled out so as to answer fully and correctly each question

therein propounded, and shall deliver it to the Commission within the time prescribed.

Delivery of documents.

(2) Whenever required by the Commission, every motor carrier shall deliver to the Commission all documents, books, accounts, papers, and records in his possession or control in any way relating to his property or service or affecting his business, or verified copies of the same; and shall deliver to the Commission complete inventories of his property in such form as the Commission may direct. R.S. 1948, c. 226, s. 18; 1957, c. 38, s. 5.

Duty to furnish adequate service.

19. Every motor carrier shall maintain his property and equipment in such condition as to enable him to furnish, and shall furnish, according to his powers and within the limits of the capacity of his vehicles, service to all persons in all respects adequate, safe, efficient, just, and reasonable. R.S. 1948, c. 226, s. 19.

Extensions of service.

20. Whenever after a hearing the Commission finds that an extension by any motor carrier of his existing service would be in the public interest and would, in the judgment of the Commission, furnish sufficient business to justify the making of the extension, and, in the opinion of the Commission, the financial condition of the motor carrier reasonably warrants the capital expenditure required in making the extension, the Commission may order the motor carrier to make such extension of his service as the Commission may deem reasonable and expedient. R.S. 1948, c. 226, s. 20.

Employees to be notified of regulations and orders.

21. (1) Upon the receipt by a motor carrier of any regulation or order of the Commission, he shall forthwith communicate the same to each of his officers and servants affected thereby by delivering to such officer or servant a copy thereof, or by posting up a copy in a conspicuous position in a place where the duties of such officer or servant, or some of them, are performed.

(2) Every motor carrier shall do all things necessary to secure observance by his officers, agents, and employees of the provisions of this Act and of the regulations and orders of the Commission. R.S. 1948, c. 226, s. 21.

Stopping of motor-vehicle at railway crossings.

22. (1) If upon any highway at a grade crossing of an intersecting railway there is a sign displaying the word "stop," either alone or accompanied by other words; the driver of every motor-vehicle operated as a public vehicle, limited vehicle, or private freight-vehicle upon that highway shall, before proceeding to cross such railway and while at a distance of not more than twenty feet therefrom, bring the motor-vehicle to a full stop.

(2) Subsection (1) shall apply, mutatis mutandis, in respect of every motor-vehicle operated for hire and used in carrying pupils or teachers to or from school. R.S. 1948, c. 226, s. 22.

PART III

RATES

Application of Part.

23. This Part applies to every motor carrier operating a public vehicle or limited vehicle and to every applicant for a licence authorizing the operation of a public vehicle or limited vehicle; and, for the purposes of this Part, the term "motor carrier" includes all of the said classes of persons. R.S. 1948, c. 226, s. 24.

Schedules of rates to be filed.

24. Every motor carrier shall file with the Commission, in accordance with the provisions of this Act and the orders and regulations of the Commission, schedules showing all rates charged, collected, or enforced, or to be charged, collected, or enforced by him, except where such rates have been fixed by the Commission. R.S. 1948, c. 226, s. 25.

Adherence to schedules.

25. (1) No motor carrier, nor any person acting on his behalf, shall charge, demand, collect, or receive any rate for any service except under and in accordance with the provisions of this Act and the regulations and orders of the Commission; nor shall any person charge, demand, collect, or receive any rate under any schedule or portion thereof disallowed by the Commission.

(2) No motor carrier, nor any person acting on his behalf, shall, without the consent of the Commission, directly or indirectly, by any device whatsoever, or in any way charge, demand, collect, or receive from any person a greater, less, or different compensation for any service rendered or to be rendered by the motor carrier than that set out in the rates prescribed by the Commission, or, if no rates have been prescribed by the Commission, in the schedules of the motor carrier applicable thereto and filed in the manner provided in this Act, nor shall any person without the consent of the Commission receive or accept from any motor carrier, or any person acting on behalf of a motor carrier, any service for a compensation greater or less than, or different from, that prescribed as aforesaid. R.S. 1948, c. 226, s. 26.

Amendment of schedules.

26. No time or rate schedule in force may be amended, supplemented, or superseded by a new schedule without the consent of the Commission, and in granting any consent under this section the Commission may attach thereto such terms as it deems proper. R.S. 1948, c. 226, s. 27.

Disallowance and suspension of rates.

27. The Commission may disallow or suspend any schedule of rates or any portion thereof that it considers to be unjust or unreasonable or contrary to any provisions of this Act or the regulations, and may require the motor carrier within a prescribed time to substitute rates satisfactory to the Commission in lieu thereof or may prescribe other rates in lieu of the rates so disallowed. R.S. 1948, c. 226, s. 28.

Commission may prescribe rates.

**28.** For the purpose of establishing just and uniform charges, the Commission may at any time and from time to time prescribe the rates to be charged by any motor carrier, and such rates thereupon supersede the rates contained in any schedule filed by such motor carrier. R.S. 1948, c. 226, s. 29.

Discrimination prohibited.

**29.** No motor carrier shall make, demand, or receive any undue discriminatory or undue preferential rate for any service furnished by him within the Province, or any rate otherwise in violation of law; and no motor carrier shall, as to rates or service, subject any person or locality, or any particular description of traffic, to any undue prejudice or disadvantage, or extend to any person any form of agreement or any facility or privilege, except such as are regularly and uniformly extended to all persons in accordance with the powers of the motor carrier and within the limits of the capacity of his vehicles, under substantially similar circumstances and conditions. R.S. 1948, c. 226, s. 30.

Commission may determine question of discrimination.

**30.** The Commission may determine as questions of fact whether or not traffic is or has been carried under substantially similar circumstances and conditions and whether there has in any case been unjust discrimination or undue or unreasonable preference or advantage or prejudice or disadvantage within the meaning of this Act, and the Commission shall be the sole judge of such questions. R.S. 1948, c. 226, s. 31.

Burden of proof.

**31.** Whenever it is shown that any motor carrier charges one person or class of persons, or the persons in any district, lower rates for the same or similar service than he charges to other persons or classes of persons, or to the persons in another district, or makes any difference in treatment in respect of such persons, the burden of proving that such lower rate or difference in treatment does not amount to an undue preference or an unjust discrimination lies upon the motor carrier. R.S. 1948, c. 226, s. 32.

PART IV

ADMINISTRATION OF ACT

Administration of Act.

**32.** (1) The administration of this Act is hereby vested in the Public Utilities Commission constituted under the *Public Utilities Act*.

General powers of Commission.

(2) Without limiting any powers, authorities, or jurisdiction conferred by this Act, all powers, authority, and jurisdiction that are vested in the Commission by the *Public Utilities Act* in respect of public utilities are hereby vested in the Commission in respect of motor carriers, except as otherwise provided in this Act. R.S. 1948, c. 226, s. 33.

Offices of Commission.

**33.** The Commission may maintain offices at the City of Vancouver and at such other places in the Province as it deems necessary for the proper administration of this Act. R.S. 1948, c. 226, s. 34.

Appropriation.

**34.** (1) All moneys necessary to pay the salaries of the officers and employees of the Commission and to meet the expenses necessarily incurred in the administration of this Act shall, in the absence of a vote of the Legislature for that purpose, be paid from the Consolidated Revenue Fund.

Fees and costs to be paid into Provincial Treasury.

(2) All fees and costs paid to the Commission shall, when received, be paid by the Commission into the Provincial Treasury. R.S. 1948, c. 226, s. 35.

Annual report.

**35.** The Commission shall, on or before the first day of July in each year, make a report for the preceding licence-year to the Lieutenant-Governor in Council, showing

- (a) the number of the licences of the various classes issued during the year and the revenue derived therefrom;
- (b) summaries of the more important findings, decisions, and orders of the Commission;
- (c) such other matters as appear to the Commission to be of public interest in connection with the administration of this Act;
- (d) such matters as the Lieutenant-Governor in Council directs. R.S. 1948, c. 226, s. 36.

Information not to be divulged.

**36.** Every officer and every employee of the Commission shall keep secret all information coming to his knowledge during the course of any inspection, examination, or investigation of any return, account, record, memorandum, book, or paper of any motor carrier, except in so far as his public duty requires him to report upon or take official action regarding the affairs of the motor carrier, or except in so far as he may be authorized by the Commission to publish or make known the information. R.S. 1948, c. 226, s. 37.

General supervision of motor carriers.

**37.** (1) It is the duty of the Commission to regulate motor carriers with the objects of promoting adequate and efficient service and reasonable and just charges therefor, and of promoting safety on the public highways, and of fostering sound economic conditions in the transportation business in the Province, and the Commission may make such investigations and inquiries and such regulations and orders as it deems to be necessary for the carrying-out of such objects. Where the object is to promote safety on the public highways, the Commission may include the owners and operators of private freight-vehicles within the scope of investigations, inquiries, regulations, and orders made under this section.

Regulations and orders.

- (2) Without limiting the generality of the provisions contained in subsection (1), the Commission may make regulations and orders governing
- (a) procedure on all applications, proceedings, and matters coming before the Commission;
  - (b) the classification of motor-vehicles operated by motor carriers;



- (c) the maximum number of passengers or the maximum weight of freight, or both, which may be carried by public vehicles and limited vehicles;
- (d) the classification and form of licences, the terms upon which and the manner in which they shall be issued and renewed, the conditions and restrictions to which they shall be subject, and the issue of duplicates of such licences in the event of loss or destruction of the originals;
- (e) the transfer, renewal, or assignment of licences;
- (f) licence-plates;
- (g) the conditions to be contained in and to become part of all agreements entered into by licensees in respect of their services or in respect of any class of service;
- (h) the safety, protection, comfort, and convenience of the persons availing themselves of the services of motor carriers;
- (i) the conduct of drivers and passengers;
- (j) the obligations of motor carriers to the public in respect of the acceptance and carriage of passengers or freight;
- (k) the classification of freight;
- (l) the financial responsibility of motor carriers;
- (m) the time schedules of motor carriers;
- (n) the routes over which and the area within which motor carriers may operate;
- (o) the rates to be charged by motor carriers and publication thereof and the prohibition of the carrying of passengers or freight on licensed vehicles without charge therefor;
- (p) the hours of work of drivers of motor-vehicles operated as public or limited vehicles;
- (q) inspection of public vehicles, limited vehicles, and private freight-vehicles, and of their operation;
- (r) bills of lading;
- (s) restrictions as to use of public vehicles and limited vehicles;
- (t) the carrying of passengers on freight-vehicles and the carrying of freight on passenger-vehicles;
- (u) the speed and equipment of public vehicles and limited vehicles;
- (v) the methods of accounting and the keeping of records of the operations of motor carriers;
- (w) the furnishing to the Commission by motor carriers of reports of finances, accidents, and operations generally;
- (x) temporary permits authorizing seasonal or emergency or occasional operation of motor-vehicles as public vehicles or limited vehicles;
- (y) the solicitation of business by or on behalf of motor carriers by advertising or otherwise;
- (z) the conduct of the business of transportation agents and transportation brokers in relation to motor-vehicles;

- Proviso. (aa) the delegation by the Commission of any of its powers and duties to any member or officer of the Commission.
- (3) This section shall not be deemed to authorize the Commission to fix the speed at which any motor-vehicle may be driven at a rate higher than that fixed by any other Act of the Legislature or any by-law of a municipality.
- (4) No regulation made under this section is valid or has any force or effect until it has been approved by the Lieutenant-Governor in Council. R.S. 1948, c. 226, s. 38; 1957, c. 38, s. 7.
- Fees. 38. For the purposes of this Act, the Commission may by regulation fix the fees to be taken for the use of Her Majesty for licences or in respect of any other matter within the jurisdiction of the Commission, but no such regulation is valid or has any force or effect until it has been approved by the Lieutenant-Governor in Council. R.S. 1948, c. 226, s. 39.
- Use of streets in municipalities. 39. Where any dispute arises between a motor carrier and a municipality as to the use by the motor carrier of any highway, or where any by-law of a municipality interferes with the operation of any licensed vehicle of a motor carrier on any highway in a municipality, the dispute may be referred to the Commission by either the motor carrier or the municipality, and the Commission may by order, after a hearing, permit the use of such highway by the motor carrier, upon such terms and conditions as it deems proper. R.S. 1948, c. 226, s. 40.
- Hearing of complaints. 40. The Commission has full jurisdiction to inquire into, hear, and determine any application by or on behalf of any person complaining that any motor carrier or other person
  - (a) has failed to do any act, matter, or thing required to be done by this Act or by any regulation, order, or direction made hereunder; or
  - (b) has done or is doing any act, matter, or thing contrary to this Act or to any regulation, order, or direction made thereunder. R.S. 1948, c. 226, s. 41.
- Findings of Commission conclusive in certain cases. 41. The finding or determination of the Commission upon any question of fact within its jurisdiction is in all matters or proceedings arising under this Act binding and conclusive upon all persons and in all Courts. R.S. 1948, c. 226, s. 42.
- Power of Commission to act on its own motion. 42. Of its own motion the Commission may inquire into, hear, and determine any matter or thing which under this Act it may inquire into, hear, or determine upon application or complaint, and with respect thereto the Commission has the same powers as upon application or complaint are vested in it by this Act. R.S. 1948, c. 226, s. 43.
- Hearing. 43. Where an application is made to the Commission pursuant to the provisions of this Act, the Commission has, unless it is expressly pro-

vided in this Act that there shall be a hearing, power to determine whether a hearing or inquiry shall or shall not be had, and generally whether any action on the part of the Commission shall or shall not be taken on that application. R.S. 1948, c. 226, s. 44.

Notice of hearing.

44. (1) Where a hearing is to be held, the Commission shall give notice of the hearing in such manner and to such persons as it thinks proper; and, except as provided in subsection (2), no act of the Commission shall be questioned or held invalid on the ground that insufficient notice has been given or that notice has not been given to any person.

(2) Where a hearing is held in respect of the cancellation of any licence, notice of the time and place of the hearing shall be given to the licensee, either by personal delivery or by a registered letter addressed to the licensee at his last-known address, according to the records of the Commission. R.S. 1948, c. 226, s. 45.

Continuing jurisdiction.

45. Where any power or authority is vested in the Commission under this Act, the Commission may exercise that power or authority from time to time, or at any time, as occasion requires; and may at any time alter, suspend, or revoke any regulation, order, decision, or direction made by it, and make others; but where by sections 3, 37, and 38 the exercise of any power or authority is subject to the approval of the Lieutenant-Governor in Council, the like approval is required in respect of the exercise of such power or authority under this section. R.S. 1948, c. 226, s. 46.

General powers not limited by specific enumeration.

46. The enumeration in any provision of this Act of any specific power or authority given to the Commission shall not be held to exclude or limit any power or authority otherwise conferred on the Commission in this or any other Act. R.S. 1948, c. 226, s. 47.

Application of powers of Commission.

47. The powers vested in the Commission by this Act apply notwithstanding that the subject-matter in respect of which the powers are exercisable is the subject-matter of any agreement or Statute; and apply in respect of service and rates whether fixed by or the subject of any agreement or Statute or otherwise; and where the service or rates are fixed by or are the subject of an agreement, apply whether the agreement is incorporated in or ratified or made binding by any general or special Act or otherwise. R.S. 1948, c. 226, s. 48.

Substantial compliance with Act sufficient.

48. A substantial compliance with the requirements of this Act is sufficient to give effect to all the orders, rules, regulations, and acts of the Commission, and none of them shall be declared inoperative, illegal, or void for want of form or for any error or omission of a technical or clerical nature. R.S. 1948, c. 226, s. 49.

Application of orders.

49. The Commission, in making any regulation or order under this Act, may make it apply to all cases, or to any particular case or class of case, or to any particular district, or to any person or service. The Com-

mission may exempt any person or service from the operation of any regulation or order made under this Act for such time as the Commission deems expedient. R.S. 1948, c. 226, s. 50.

Partial and other relief.

50. Upon any application under this Act, the Commission may make an order granting the whole or part only of the relief applied for, or may grant such further or other relief in addition to or in substitution for that applied for, as to the Commission may seem just and proper, as fully in all respects as if the application had been for such partial, further, or other relief. R.S. 1948, c. 226, s. 51.

Commencement of orders.

51. Every regulation of general application made under this Act shall be published in the Gazette and shall come into operation one week after the date of publication, unless otherwise provided in the regulation. Every other regulation and every order made under the provisions of this Act shall come into operation on the date thereof, unless the Commission, in its discretion, otherwise provides. R.S. 1948, c. 226, s. 52.

Terms and conditions of orders.

52. The Commission may attach to any order such terms and conditions as to duration or otherwise as it deems proper. R.S. 1948, c. 226, s. 53.

Non-application of Public Utilities Act.

53. The provisions of sections 86, 88, and 130 of the *Public Utilities Act* shall not apply in the administration of this Act. R.S. 1948, c. 226, s. 54.

Appeals.

54. (1) Any person who thinks himself aggrieved by
- (a) any regulation or order made by the Commission, whether the regulation be general in its application or applicable only to a particular class or to an individual;
  - (b) the granting of a licence or the refusal to grant a licence pursuant to this Act;
  - (c) the attachment of terms or conditions to any licence issued pursuant to this Act;
  - (d) the amendment, suspension, or cancellation of any licence issued pursuant to this Act;
  - (e) the fixing of any rate or schedule of rates pursuant to this Act;
  - (f) the determination of any question of fact made by the Commission

has a right of appeal to the Lieutenant-Governor in Council. The appeal lies notwithstanding that the matter in respect of which the appeal is taken has been approved by the Lieutenant-Governor in Council. No appeal shall be brought after thirty days from the date of the matter in respect of which the appeal is taken; that is to say, from the date of the making of the regulation or order; or from the date of the granting of or refusal to grant the licence; or from the date when terms or conditions are attached to the licence; or from the date when the licence is amended, suspended, or cancelled; or from the date when the rate or schedule of

rates is fixed; or from the date on which the question of fact is determined by the Commission, as the case may be. The person appealing shall give notice of his intention to appeal to the Lieutenant-Governor in Council by serving a copy on the Provincial Secretary. He shall also serve a copy on the Commission, and in each case service shall be made before the expiry of the period of thirty days aforesaid. The Lieutenant-Governor in Council may determine the procedure to be followed in any appeal and may determine what persons (if any) are to be notified of the appeal and all persons notified shall be entitled to be heard. On the hearing of an appeal the Lieutenant-Governor in Council may confirm the decision, order, rule, or regulation appealed from or may reverse, alter, or vary the same, or may make such order as to him seems just.

(2) Except as provided in this section, the provisions of the *Public Utilities Act* as to appeals on questions of jurisdiction and law shall apply to regulations, orders, and decisions made by the Commission under this Act. R.S. 1948, c. 226, s. 55.

## PART V

### OFFENCES AND PENALTIES

Penalty.

55. Every person who is guilty of an offence against this Act or who violates any provision of this Act or of any regulation or order of the Commission, or who refuses or neglects to observe or perform any duty or obligation created or imposed by this Act or by any regulation or order of the Commission, is liable, on summary conviction, for a first offence, to a penalty of not less than ten dollars and not more than two hundred and fifty dollars, and for a subsequent offence to a penalty of not less than thirty dollars and not more than five hundred dollars; and each day's continuance of any such violation, refusal, or neglect constitutes a new and distinct offence. R.S. 1948, c. 226, s. 56.

Specific offences.

56. Every person is guilty of an offence against this Act who

- makes any return or furnishes any information to the Commission which is false in any particular; or
- fails or refuses to prepare and furnish to the Commission, within the time and in the manner and form required by the Commission, any information in his possession or under his control required by the Commission under this Act or the regulations; or
- upon demand, fails or refuses to exhibit to the Commission or any person authorized to examine the same, any book, paper, account, record, or memorandum in his possession or under his control; or

- wilfully obstructs or interferes with any member, officer, or employee of the Commission, or any other person in the exercise of the rights conferred or duties imposed by or under this Act or the regulations or orders of the Commission; or
- knowingly solicits, accepts, or receives, directly or indirectly, any rebate, concession, or discrimination in respect of any service whereby that service is furnished or received in violation of any provision of this Act or the regulations or orders of the Commission; or
- being an officer or employee of the Commission, or a person having access to or knowledge of any return made to the Commission, or of any information procured or evidence taken pursuant to this Act other than at a public inquiry or hearing, and who, without the authority of the Commission first obtained, publishes or makes known any information, having obtained the information or knowing it to have been derived from that return, information, or evidence; or
- being the holder of a licence in respect of a motor-vehicle, operates the motor-vehicle in contravention of the licence or any of the conditions attached thereto. R.S. 1948, c. 226, s. 57.

Liability for act or omission of employee.

57. In construing and enforcing this Act, or any regulation, order, or direction of the Commission, the act, omission, or failure of any officer, agent, or person acting for or employed by any motor carrier shall, if within the scope of his employment, be also deemed in every case to be the act, omission, or failure of the motor carrier. R.S. 1948, c. 226, s. 58.

Other liabilities not affected.

58. Nothing in this Act shall have the effect to release or waive any right of action by the Commission or by any person for any right, penalty, or forfeiture which has arisen, or which arises, under any law of the Province; and no penalty enforceable under this Act is a bar to or shall affect the recovery for any right, or shall affect or bar any action at law or prosecution against any motor carrier or against the directors, officers, agents, or employees of any motor carrier. R.S. 1948, c. 226, s. 59.

Burden of proof.

59. In any prosecution under this Act in respect of the operation of a motor-vehicle in the transportation of any passenger or freight, proof of the fact that any passenger or freight was being transported by the motor-vehicle on a highway is prima facie evidence that the passenger or freight was being so transported for compensation; and the burden is on the accused in all cases of proving that the motor-vehicle so operated is of a class or was being operated in a manner different from that alleged in the prosecution. R.S. 1948, c. 226, s. 60.

## PART VI

## MISCELLANEOUS

Approval of franchise.

**60.** No privilege, concession, or franchise hereafter granted by any municipality to any person in respect of his operation of a public passenger-vehicle other than a municipal licence for one year or less is valid unless approved by the Commission. The Commission shall not give its approval unless, after a hearing, it determines that the privilege, concession, or franchise proposed to be granted is necessary for the public convenience and properly conserves the public interest. The Commission, in giving its approval, may impose such conditions as to the duration and termination of the privilege, concession, or franchise, or as to equipment, maintenance, rates, or service, as the public convenience and interest reasonably require. R.S. 1948, c. 226, s. 61.

Recovery under guarantee bond.

**61.** Any consignor who is entitled to recover from any motor carrier any sum the payment whereof is guaranteed by virtue of any guarantee bond required to be taken out by such motor carrier under the provisions of this Act or regulations thereunder is, notwithstanding that he is not a party to such bond, entitled to recover under it the part thereof to which he may be entitled, to be determined as provided in section 62, and such right shall not be prejudiced by reason of

- (a) any assignment, waiver, surrender, or cancellation of the bond, or of any interest therein, made, caused, or suffered by a motor carrier after the happening of the event giving rise to any claim under the bond;
- (b) any violation of the Criminal Code or of any law of any Province, State, or country by the motor carrier or his employee or agent. 1957, c. 38, s. 8.

Payment into Court under bond.

**62.** (1) In the event that any consignor becomes entitled under the bond and notifies the guarantor party of his claim, the guarantor party shall notify the Commission and shall pay the face value of the bond into Court to abide the direction of the Court, and Order LVII of the Supreme Court Rules, 1943, shall apply, mutatis mutandis, subject as hereinafter provided, and the guarantor party shall with such payment file with the Court particulars of all claims under the bond of which it has had notice and of any defence against liability which it may have, and upon such payment into Court stands discharged from further liability thereunder and is entitled to be paid such sum as may remain after all proper claims have been paid in accordance with the direction of the Court.

(2) Where new bonds have been issued from time to time by the same guarantor party on the expiry of previous bonds, all such bonds shall be deemed to be one continuing bond, and the maximum amount for which the guarantor party is liable is the face value of the bond last issued upon the expiry of a previous bond. 1957, c. 38, s. 8.

Soliciting of business by unlicensed persons.

**63.** (1) No person other than the holder of a licence for the operation of a public or limited vehicle, or his agent duly authorized in writing, shall without the consent of the Commission

- (a) sell or offer to sell transportation of persons or tickets therefor, or sell or offer to sell transportation of freight; or
- (b) by advertising or otherwise solicit the transportation of passengers or freight; or
- (c) operate, control, or manage a travel bureau or place for the sale of tickets or for soliciting or advertising the transportation of passengers or freight,

where such transportation is within British Columbia and is to be in whole or in part by means of a motor-vehicle.

Advertising in newspapers.

(2) No person having the control or management of any newspaper shall permit to be published in such newspaper any advertisement soliciting or requesting the transportation of passengers or freight by motor-vehicle for compensation, unless such transportation is to be by means of a public or limited vehicle that is either exempted from the licensing provisions of this Act or is operated by the holder of a licence. R.S. 1948, c. 226, s. 62.

Power to search motor-vehicles.

**64.** (1) Any officer or constable of the Provincial police force, or any person authorized by the Commission, may at any time without any warrant search any motor-vehicle on a highway for the purpose of ascertaining whether or not the provisions of this Act and the regulations and orders of the Commission are being complied with in the operation of that motor-vehicle, and for that purpose may require the driver of the motor-vehicle to stop the same and to permit of the search being made.

Duty to allow search.

(2) Every driver or other person in charge of a motor-vehicle on a highway who is required by an officer or constable of the Provincial police force, or by any person authorized by the Commission, by signals or otherwise, to stop the motor-vehicle or to permit it to be searched for the purposes of this section, and who refuses or fails to stop the motor-vehicle or to permit it to be searched, is guilty of an offence against this Act. R.S. 1948, c. 226, s. 63.

This Act in addition to other Acts.

**65.** The provisions, regulations, and orders made by or under this Act shall be in addition to those made by or under the *Highway Act* or the *Motor-vehicle Act*, and nothing in this Act shall be deemed to exempt any person or motor-vehicle from any of the provisions of the *Highway Act* or the *Motor-vehicle Act*, or of the regulations made under either of the said Acts. R.S. 1948, c. 226, s. 64.

Application of Act.

**66.** (1) This Act applies only to motor carriers and other persons who are subject to the legislative authority of the Province; except that in the case of a motor carrier who furnishes a class of service in respect of which he is not subject to the legislative authority of the Province, nothing in this section shall operate to make this Act inapplicable to him

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in respect of another class of service furnished, in respect of which he is subject to the legislative authority of the Province.

(2) The purpose and intent of the Legislature is to confine the provisions of this Act within the competence of the Legislature, and all the provisions thereof shall be construed so as to give effect to this purpose and intent. If any clause, sentence, paragraph, subsection, section, or part of this Act is for any reason held or found to be beyond the powers of the Province, such clause, sentence, paragraph, subsection, section, or part shall be read distributively, and all other clauses, sentences, paragraphs, subsections, sections, and parts of this Act shall stand and be valid and operative, and shall have the same effect as if the clause, sentence, paragraph, subsection, section, or part of this Act had dealt with such matters exclusively; and the remaining provisions and sections of this Act shall not be deemed to be inoperative or ultra vires, but shall stand and be valid and operative, and shall have the same effect as if they had been originally enacted as separate and independent enactments and as the only provisions of the Act. R.S. 1948, c. 226, s. 65.

## REGULATIONS RESPECTING MOTOR CARRIERS

(Pursuant to the Motor Carrier Act)

(Made on the 4th day of January, 1940, by the Public Utilities Commission and approved on the 6th day of January, 1940, by Order in Council No. 8, as amended from time to time to March 31, 1967.)

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### INTERPRETATION

In these regulations, unless the context otherwise requires,

“carrying capacity” means the total weight of freight or the total number of passengers, or both, which a vehicle is designed and equipped to carry or is authorized under a licence to carry, as the context may require;

“express” means (a) freight transported in or on a passenger-vehicle and (b) freight transported in or on any vehicle other than a passenger-vehicle in cases where the Commission has so ordered in writing specifically with respect to that vehicle;

“freight-vehicle” includes a public freight-vehicle, a limited freight-vehicle, and a private freight-vehicle;

“gross weight” means, with respect to a freight-vehicle, the combined weight of the vehicle and the maximum load which the vehicle will carry, as a whole;

“licence” includes the Conditions of Licence attached to or incorporated in the licence;

“licence-year” means the period of one year from and including the first day of March in any year;

“licensed” means licensed under the *Motor Carrier Act*;

“net weight,” with respect to a motor-vehicle, means the weight of the motor-vehicle unloaded;

“passenger-vehicle” means a public passenger-vehicle or a limited passenger-vehicle;

“short-term licence” means a licence which will expire on a date prior to the end of the current licence-year;

“sightseeing route” means a route prescribed by the Commission and named as a sightseeing route in a notice published in *The British Columbia Gazette*;

“tariff” means a schedule of rates, including rules and regulations governing same;

“unlicensed” means not licensed under the *Motor Carrier Act*;

“vehicle” means a freight-vehicle or a passenger-vehicle and includes a licensed vehicle or an unlicensed vehicle, as the context may require.

These regulations are divided into parts, and each part is divided into paragraphs numbered in accordance with the decimal system. Each paragraph may be referred to as a regulation.

### PART 1

#### EXEMPTIONS

##### 1.1 Total Exemptions

The provisions of the *Motor Carrier Act* and these regulations shall not apply to

(a) any vehicle owned and operated by the Dominion Government, any vehicle employed by or under contract with the Dominion Government while operated for the purpose of carrying mail only, or any vehicle owned and operated by the Provincial Government or the Government of the United States;

(b) any public or limited vehicle owned and operated by any British Columbia municipality while operated within its municipal area, otherwise than on a regular route which extends beyond the said area;

(c) [Revoked, August 16th, 1960.]

(d) [Revoked, June 15th, 1964.]

(e) any vehicle when operated as an ambulance;

(f) a hearse, funeral-coach, or other vehicle when operated for the purpose of a funeral;

(g) any vehicle used solely for towing, repairing, or salvaging disabled motor-vehicles;

(h) any vehicle owned, possessed, or controlled by a dealer in motor-vehicles, who is the holder of a dealer's licence issued pursuant to the provisions of the *Motor-vehicle Act*, while such vehicle is operated by or on behalf of such dealer solely for the purpose of demonstration or sale or of being conditioned or tested; provided that the vehicle has displayed thereon the demonstration number-plates corresponding to the dealer's licence; and this exemption shall apply to such vehicle while operated by a prospective purchaser thereof who is entrusted with a motor-vehicle by a dealer bona fide for the sole purpose of demonstration;

- (i) the transportation of persons or property by motor-vehicle to the order of the Dominion Government, the Provincial Government, the Government of the United States, or any board, commission, or corporate agency of such Governments; provided that direct payment is made or is to be made for such transportation by such Government or Governmental agency, and provided further that nothing in this clause shall exempt transportation of persons or property where that transportation was initially undertaken for the public for compensation;
- (j) any vehicle while operated pursuant to a permit issued under the provisions of section 11, subsection (4), of the *Department of Commercial Transport Act*;
- (k) the transportation of persons or property by motor-vehicles for the public for compensation, when such transportation is subject to regulation under the *Public Utilities Act* and is provided on an urban transit system that has not at any time been subject to regulation under the *Motor Carrier Act*;
- (l) the transportation of freight within one of the following areas unless the motor-vehicle, trailer, or semi-trailer on which the freight is being transported crosses any boundary of the area:—
  - (i) The area comprising the municipalities of the City of Victoria, the District of Oak Bay, and the Township of Esquimalt, and that portion of the Municipality of the District of Saanich which lies within a radius of 5 miles from the City Hall, Victoria;
  - (ii) The area comprising the City of Vancouver and the University Endowment Lands;
  - (iii) The area comprising the Municipality of the City of New Westminster and that portion of the Municipality of the District of Burnaby which lies within one-quarter mile from the boundaries of the City of New Westminster, together with District Lot 172, Group 1, New Westminster District;
  - (iv) The municipal area of any single incorporated municipality;
  - (v) The area comprising the municipalities of the City of Armstrong and the Township of Spallumcheen;
  - (vi) The area comprising the municipalities of the City of Chilliwack and the Township of Chilliwack;
  - (vii) The area comprising the municipalities of the Village of Salmon Arm and the District of Salmon Arm;
  - (viii) The area comprising the municipalities of the District of Fraser Mills, the City of Port Coquitlam, and the District of Coquitlam;
  - (ix) The area comprising the municipalities of the Village of Mission and the District of Mission;
  - (x) The area comprising the Village of Abbotsford and the District of Matsqui;
  - (xi) The area comprising the municipalities of the Village of Abbotsford and the District of Sumas, and that portion of Section 2, Township 16, E.C.M., lying outside the boundaries of the Municipality of the District of Sumas;
  - (xii) The area comprising the municipalities of the City of Duncan and the District of North Cowichan;

- (xiii) The area comprising the municipalities of the City of North Vancouver and the District of North Vancouver;
- (xiv) The area comprising the municipality of the City of Vernon, together with the East Half of Section 28 and the West Half and the North-east Quarter of Section 27 of Township 9, Osoyoos Division of Yale Land District;
- (xv) The area comprising the municipalities of the City of Langley and the Township of Langley;
- (xvi) The area comprising the City of Prince George and the contiguous area of the South Fort George Water Improvement District, as constituted under the *Water Act*;
- (m) the transportation of passengers by a limited passenger-vehicle within one of the areas described in items (ii) and (iii) of clause (l) if the passengers are not transported across any boundary of the area;
- (n) the transportation of passengers within the area described in item (i) of clause (l) by a limited passenger-vehicle having a seating capacity of not more than seven persons, excluding the driver, if the vehicle is not operated over any portion of a sightseeing route primarily for the purpose of sightseeing when individual fares are charged and collected, and if the passengers are not transported across any boundary of the area;
- (o) any vehicle while operated in any of the following mining divisions, namely, Atlin, Stikine, or Queen Charlotte, as described in The British Columbia Gazette on October 19th, 1936, or in Portland Canal Mining Division, as described in The British Columbia Gazette on April 22nd, 1937, or in any of the following areas:—
  - (i) Porcher Island;
  - (ii) The area comprising the watershed of the Bella Coola River and its tributaries and, in addition, the adjoining area which lies within 15 road miles from Anahim Lake Post Office;
  - (iii) An area at and adjacent to the community of Ocean Falls, more particularly described as the area within a radius of 10 miles from the south-west corner of Lot 1170, Range 3, Coast Land District;
  - (iv) The area comprising Yoho and Kootenay National Parks;
- (p) [Revoked, August 16th, 1960.]
- (q) any vehicle while operated on any of the islands lying between Vancouver Island and the Mainland, with the exception of Saltspring Island, Gabriola Island, Denman Island, and Bowen Island;
- (r) [Revoked, August 16th, 1960.]
- (s) [Revoked, August 16th, 1960.]
- (t) any vehicle which has not been registered or licensed under the *Motor-vehicle Act*, when operated in accordance with and under the authority of a permit issued under the provisions of Regulations 14.01 and 14.02 of the regulations made pursuant to the *Motor-vehicle Act*, for the purpose only of its transportation, with or without load, from one place in the Province to another;
- (u) [Revoked March 21, 1967.]
- (v) any vehicle when operated under the authority of and in accordance with the terms of a licence issued pursuant to the provisions of section 7 of the *Motor-vehicle Act*;

- (w) subject to payment of the usual licence fees, any freight-vehicle owned by the Pacific Great Eastern Railway Company when operated by the company as a local pick-up and delivery truck only for the transportation of rail freight and express between any rail depot of the company and points within 25 miles therefrom, provided that the name of the company is prominently displayed on the vehicle;
- (x) subject to payment of the usual licence fees, any freight-vehicle owned by the Pacific Great Eastern Railway Company when operated by the company on a highway for the movement to or from any point on the company's railway of a trailer and contents which have been or are to be transported on flat cars on the company's railway under so-called "piggy-back" arrangements, provided that the name of the company is prominently displayed on the vehicle;
- (y) the operation of a school bus (as defined in the regulations made pursuant to the *Motor-vehicle Act*) for the purpose of transporting school pupils who attend any school in the school district in which the school bus is ordinarily operated, and any adults who accompany the pupils, to or from a function, when the attendance of the pupils and adults at the function and the use of the school bus for such transportation has been sanctioned in writing by the Board of School Trustees or the person in charge of the school.

### 1.2 Part Exemption

The holder of or applicant for a licence in respect of the operation of a vehicle while used exclusively for the transportation to and from their work of industrial workers employed in the field or forest, or in mines, mills, or factories, or in such other occupations as the Commission may determine, where the only compensation for the transportation is the individual fares paid by the workers, shall not be required to pay any of the fees prescribed in these regulations.

**1.21** The provisions of the *Motor Carrier Act* and these regulations which govern the authorized maximum carrying capacity and gross weight of a licensed freight-vehicle shall not apply to

- (a) a freight-vehicle while being operated in accordance with the terms of a permit issued pursuant to the *Department of Commercial Transport Act* or the *Motor-vehicle Act* or regulations made pursuant to said Acts, where such permit authorizes a greater gross weight than that specified in the licence or permit issued with respect to such vehicle under the *Motor Carrier Act*;
- (b) a freight-vehicle while engaged in highway construction and being operated within the limits of a highway-construction project, excluding a paving project, as established or as posted by the Department of Highways.

**1.22** The provisions of the *Motor Carrier Act* and these regulations which govern the issue and display of licence-plates shall not apply to vehicles described as trolley coaches which are operated with electricity as the motive power through contact with overhead or underground wires.

## PART 2

### CLASSIFICATION OF VEHICLES USED BY MOTOR CARRIERS

**2.1** Public freight-vehicles shall be classified as follows:—

- (a) Class I public freight-vehicles, comprising vehicles which are operated as public freight-vehicles at certain times on a regular time schedule and regular route, or on a regular time schedule between fixed termini, and at other times as public freight-vehicles otherwise than in the foregoing manner;
- (b) Class II public freight-vehicles, comprising public freight-vehicles which are operated only on a regular time schedule and regular route or on a regular time schedule between fixed termini;
- (c) Class III public freight-vehicles, comprising public freight-vehicles which are neither operated on a regular time schedule and regular route nor on a regular time schedule between fixed termini.

**2.2** [*Revoked, August 16th, 1960.*]

## PART 3

### 3.01 Fees Prescribed FEES

The fees payable with respect to licences and other matters pertaining thereto shall be those set forth in the table of fees contained in the Schedule and shall be determined and be payable in the manner set forth in these regulations.

### 3.02 Licence Fee

"Licence fee" means the fee to be paid by the applicant for a licence or for renewal of a licence. The licence fee for a passenger-vehicle shall be determined on the basis of the carrying capacity for seated passengers and for express, and the number of calendar months, or fractions thereof, for which the licence is to be in effect. The licence fee for a freight-vehicle shall be determined on the basis of the gross weight of the vehicle and the number of calendar months or fractions thereof for which the licence is to be in effect.

### 3.03 Determination of Maximum Carrying Capacity and Gross Weight

For the purpose of paragraph 3.02, the Commission may determine the maximum carrying capacity of passengers and express to be authorized for any passenger-vehicle, and may also determine the maximum gross weight to be authorized for any freight-vehicle. In determining the maximum gross weight to be authorized for any freight-vehicle, the Commission may adopt the rating used in the assessment of fees under the *Department of Commercial Transport Act*.

### 3.04 First Renewal

For the purposes of these regulations, the term "first renewal of licence" means the renewal during any licence-year of a licence which has not previously been in effect during that licence-year.

### 3.05 Full-year Licence Fee

The licence fee prescribed in the Schedule is the fee payable for the full licence-year for a licence issued or renewed in March of any licence-year, to be



effective for the remainder of the licence-year and is referred to in these regulations as the "full-year licence fee."

### 3.06 Licence Fees for Less than Full Year

When application is made on a date subsequent to March 31st during any licence-year for the issue or first renewal of a licence for a public vehicle or a limited vehicle, to be effective for the remainder of the licence-year, the licence fee payable shall be calculated at the rate of one-twelfth ( $\frac{1}{12}$ ) of the full-year licence fee for each calendar month or fraction of a calendar month between the date on which the licence is to take effect (as stated in the application), or such later date as may be determined by the Commission, and the end of the licence-year, but in no case shall the licence fee be less than the prescribed minimum fee.

### 3.07 Licence Fees for Short-term Licences

In the case of licences for public vehicles and limited vehicles only, when application is made for issue or first renewal of a licence to expire on a date prior to the first day of February in any licence-year, the licence fee payable for such short-term licence shall be calculated at the rate of one-twelfth ( $\frac{1}{12}$ ) of the full-year licence fee for each calendar month or fraction of a calendar month between the date on which the licence is to take effect (as stated in the application), or such later date as may be determined by the Commission, and the date on which the licence is to expire, but in no case shall the licence fee be less than the prescribed minimum fee, and the applicant shall, unless otherwise required by the Commission, also deposit with the Commission an amount being the difference between the licence fee which would be payable if the licence were to expire at the end of the licence-year and the licence fee paid according to the provisions of this paragraph, and the amount so deposited shall be retained by the Commission as security for surrender of the licence and corresponding licence-plates on expiry of the licence; and if the licensee fails to surrender the said licence and licence-plates within ten (10) days after the date of expiry of the licence, the amount so deposited, or a portion thereof in the discretion of the Commission, shall be forfeited and shall be accounted for as part of the licence fee in respect of the licence.

### 3.08 Renewal of Short-term Licence

Where a licence for a public vehicle or a limited vehicle has expired, or is due to expire, on a date prior to the end of the licence-year, the licence fee payable on an application for renewal thereof shall be calculated at the rate of one-twelfth ( $\frac{1}{12}$ ) of the full-year licence fee for each additional calendar month or fraction thereof during which the renewed licence is to be in effect.

3.09 [Revoked (effective March 1st, 1960), December 21st, 1959.]

### 3.10 Transfer Fee

"Transfer fee" means the fee which shall accompany every application for transfer of a licence from one person to another person.

### 3.20 Replacement Fee

"Replacement fee" means the fee which shall accompany every application in respect of a replacement vehicle to be operated as a public or limited vehicle under substantially the same conditions as and in place of a licensed vehicle of the same class, the licence for which is to be surrendered; provided that a replacement

fee shall not be payable if the application is made at the time that application is made for first renewal of a licence as defined in Regulation 3.04. In case the replacement vehicle is to have a greater authorized carrying capacity of passengers or express, in the case of a passenger-vehicle, or a greater authorized gross weight, in the case of a freight-vehicle, than the authorized carrying capacity or gross weight of the licensed vehicle, there shall also be paid an additional licence fee proportionate to the additional carrying capacity or gross weight.

### 3.30 Fee for Alteration of Licence

"Fee for alteration of licence" means the fee which shall accompany every application involving alteration of or extension of or addition to the privileges conferred by an existing licence. In cases where the alteration applied for includes an increase in carrying capacity of passengers or express, in the case of a passenger-vehicle, or a greater gross weight, in the case of a freight-vehicle, and the licence fee payable for such increase is equal to or exceeds the prescribed fee for alteration of licence, the latter fee shall not be charged; and when the licence fee is less than the fee for alteration of licence, the latter fee only shall be charged. No fee shall be charged for making minor alterations in a licence such as a change of address, rectification of an error, change in tire equipment, change in weight or dimensions of vehicle, or other minor alterations where the privileges conferred by the licence remain substantially the same, or where the licence is altered by the Commission on its own motion.

### 3.40 Duplicate Licence and Substitute Licence-plate

In the case of loss, mutilation, or destruction of any licence issued under the provisions of the *Motor Carrier Act*, or of a licence-plate corresponding thereto, if the licensee furnishes to the Commission an application in writing accompanied by satisfactory proof of such loss or mutilation or destruction (which proof shall, if so required by the Commission, comprise a statutory declaration of the licensee) and surrenders to the Commission, if possible, the licence or licence-plate, as the case may be, and pays a fee of one dollar (\$1), the Commission may issue to the licensee a duplicate of the licence, including a duplicate of the conditions of licence attached thereto, or may furnish to him a substitute licence-plate, provided that where any licence-plate issued proves defective and the manufacturer produces a substitute plate free of charge, no fee shall be assessed to a licensee for a substitute plate.

### 3.401 Fee for Copy of Conditions of Licence

Upon the request of any licensee, and on payment of a fee of fifty cents (50¢), the Commission may furnish any licensee a copy of the Conditions of Licence attached to the licence; provided that where more than two years have elapsed since the Conditions of Licence were issued, the Commission may, in its discretion, supply a copy of the Conditions of Licence without payment of any fee by the licensee.

### 3.50 Permit Fee

"Permit fee" means the fee payable respecting any class of permit as provided for in Part 10 of these regulations.

### 3.60 Fees Payable in Advance

All fees shall be payable in advance and shall accompany the application in each case.

**3.61 Fees, How Payable**

Fees forwarded by mail shall be in the form of a certified cheque, bank draft, postal note, or money-order; the Commission will not be responsible for coin or currency unless paid in person and receipt or licence issued at time of payment.

**3.62 Fee for Increased Carrying Capacity or Gross Weight**

In case application is made at any time for an increase in carrying capacity of passengers or express, respecting a passenger-vehicle, or for an increase in gross weight, respecting a freight-vehicle, such application shall be accompanied by an additional licence fee proportionate to the additional carrying capacity or the additional gross weight, as the case may be, having regard to the number of months remaining before the expiry of the licence; provided, however, that the minimum fee for such an application shall be two dollars (\$2).

**3.70 Fees for Combined Licences**

Where a combination of licences is permitted and the fee for the combined licence is not set out in the Schedule of Fees, the fee therefor shall be equivalent to the sum of the fees prescribed for the separate kinds or classes of licences which are to be embodied in the combined licence, except that the minimum fee for the combined licence shall be the same as the highest of the minimum fees payable for the said kinds or classes of licences.

**3.71 Fee for Express for Passenger-vehicles**

A licence fee of three dollars (\$3) shall be paid for each 400 pounds of express or fraction thereof authorized to be carried on a passenger-vehicle, subject to a maximum fee for the vehicle, in respect of passengers and express, of seventy-five dollars (\$75).

**3.72 Fees for Certain Passenger-vehicles**

The licence and renewal fees for a licence authorizing the operation of a vehicle as a public passenger-vehicle, a limited passenger-vehicle, or a public and limited passenger-vehicle exclusively within any one of the following described areas, namely,

- (a) the area comprising the municipalities of the City of Victoria, the District of Oak Bay, and the Township of Esquimalt, that portion of the Municipality of the District of Saanich which lies within a radius of 5 miles from the City Hall, Victoria, and that portion of Esquimalt Land District which lies east of the west boundaries of Helmcken Road and Burnside Road;
- (b) the area comprising the Municipality of the City of Vancouver, the University Endowment Lands, and that portion of the Municipality of the District of Burnaby which lies to the west of the following described line, namely: The easterly limit of Willingdon Avenue from Burrard Inlet to Kingsway; the northerly limit of Kingsway from Willingdon Avenue to McKay Avenue; the easterly limit of McKay Avenue from Kingsway to Trafalgar Street; the northerly limit of Trafalgar Street from McKay Avenue to Imperial Street (junction with Sussex Avenue); the easterly limit of Sussex Avenue from Imperial Street to Fraser River;
- (c) the municipal area of any one incorporated municipality;
- (d) the area comprising the Municipalities of the City of Trail and District of Tadanac, and certain adjacent areas, including Shaver's Bench, Annable, and Warfield, which adjacent areas are more particularly

described as those parts of Sub-lots 2 and 3 of Lot 4598 which are subdivided by Registered Plans 1684 and 1336 deposited in the Land Registry Office, Nelson; Sub-lots 1, 3, 4, 5, 7, 8, 9, 10, and that part of Sub-lot 2 not included in the District of Tadanac of Lot 4597; Lots 3391, 6058, 6062, 6063, 6070, and 7189; and that part of Lot 5639 which lies between the westerly boundary of the City of Trail and the easterly production of the southerly boundary of Lot 639; together with that part of said Lot 639 which lies to the east of a line due south from the most westerly corner of the aforesaid Sub-lot 3 of Lot 4597, all situated in Kootenay Land District;

- (e) the area comprising the Municipalities of the City of Kimberley and the Village of Chapman Camp, shall be five dollars (\$5) for each licence-year or portion thereof, instead of the licence and renewal fees set out in the Schedule of Fees.

**3.80 Fee for Reclassification of Licence**

The fee payable on reclassification of licence where the holder of a subsisting licence, agreeing to surrender such licence, makes application for a licence of a different class or kind, or where such a licence is reclassified by the Commission on its own motion, shall be not less than two dollars (\$2) and, subject to this minimum, shall be the amount arrived at by multiplying the number of calendar months or fractions thereof remaining in the licence-year by one-twelfth ( $\frac{1}{12}$ ) of the appropriate prescribed annual licence fee, and subtracting therefrom that part of the licence fee paid for the subsisting licence which is proportionate to the number of months of such subsisting licence which remain unexpired at the date on which the reclassification is effected, including the month during which the change is made.

**3.805** [Revoked (effective March 1st, 1960), December 21st, 1959.]

**3.81 Fees for Copies of and Certification of Documents**

Except where other provision is made by these regulations, the following fees shall be payable:—

- (a) For copies of transcripts or minutes of hearings or meetings: 75 cents per foolscap page for one copy and 15 cents per page for each additional copy;
- (b) For copies of Orders, Judgments, or other original documents furnished to persons not directly affected thereby: 10 cents for every 100 words or fractional part thereof, with a minimum fee of 50 cents;
- (c) For certificate of true copy or extract, \$1.

Where a tariff is prescribed by the Commission pursuant to section 29 of the *Motor Carrier Act*, one copy may be furnished free to each motor carrier to whom the tariff applies for each licensed vehicle affected. To other persons, or for additional copies, the following charges will be made, namely, 10 cents per copy for tariffs of five pages or less and 25 cents per copy for tariffs of more than five pages. In this paragraph "tariff" shall include an amendment or supplement to a tariff.

**3.90 Return of Fees if Application Refused**

In cases where any application for licence or alteration of licence or other privilege or for a permit is refused, the fees submitted with and pertaining to such application shall forthwith be repaid to the applicant at the time he is advised of

such refusal, but this provision shall not necessarily apply in cases where the applicant is to be given an opportunity to amend his application.

SCHEDULE OF FEES

Type of Vehicle	Full-year Licence Fee	Minimum Fee	Replacement and Alteration Fee	Transfer Fee
<i>Passenger-vehicles</i>				
Authorized carrying capacity (excluding driver)—				
Up to 5 passengers.....	\$21.00	\$15.00	\$2.00	\$5.00
6-10 passengers.....	27.00	15.00	2.00	5.00
11-20 passengers.....	42.00	15.00	2.00	5.00
21 passengers and over.....	48.00	15.00	2.00	5.00
<i>Public Freight-vehicles</i>				
Gross weight—				
Up to 6,000 lb.....	12.00	12.00	2.00	5.00
6,001- 8,000 lb.....	15.00	12.00	2.00	5.00
8,001-10,000 lb.....	21.00	12.00	2.00	5.00
10,001-12,000 lb.....	27.00	12.00	2.00	5.00
12,001-14,000 lb.....	33.00	12.00	2.00	5.00
14,001-18,000 lb.....	39.00	12.00	2.00	5.00
18,001 lb. and over.....	42.00	12.00	2.00	5.00
<i>Limited Freight-vehicles</i>				
Gross weight—				
Up to 6,000 lb.....	9.00	9.00	2.00	5.00
6,001- 8,000 lb.....	12.00	9.00	2.00	5.00
8,001-10,000 lb.....	16.50	9.00	2.00	5.00
10,001-12,000 lb.....	21.00	9.00	2.00	5.00
12,001-14,000 lb.....	24.00	9.00	2.00	5.00
14,001-18,000 lb.....	28.50	9.00	2.00	5.00
18,001 lb. and over.....	33.00	9.00	2.00	5.00

As to fees for periods less than full year, see paragraphs 3.06 to 3.08, inclusive.  
 Fee for copy of Conditions of Licence, see paragraph 3.401.  
 Fee for duplicate licence and (or) substitute licence-plates, see paragraph 3.40.  
 For permit fee, see Part 10 of regulations.  
 For fees for copies, etc., of documents, see paragraph 3.81.

## PART 4

### APPLICATIONS AND PROOF OF FINANCIAL RESPONSIBILITY

#### 4.01 Application to Be in Duplicate

Every application for a licence, transfer of licence, or licence for replacement vehicle shall be made in duplicate on forms approved by and supplied free of cost by the Commission.

#### 4.02 Applications to Be Complete

To be acceptable, applications shall be filled in legibly and completely so as to supply all the information required, in so far as applicable in each case; shall be signed by the applicant or, in the case of a partnership, by all of the partners (unless otherwise ordered by the Commission) or, in the case of a registered company, by an authorized official of the company; shall be accompanied by such tariffs and time schedules, copies of contracts and agreements or other documents as may be required, as stated in the forms and as prescribed by these regulations, and shall also be accompanied by the prescribed fee; provided that, where any person wishes

to make application for a licence before obtaining the vehicle which he proposes to operate and if permission is first obtained from the Commission, an application which only describes the type and carrying capacity of the vehicle, or which only states approximately the amount of service to be given, or which is not accompanied by the prescribed fees, may be accepted as a tentative application for consideration of the Commission; but licence shall not be granted unless the application has been completed in all respects and the prescribed fees paid.

#### 4.03 Applications, Where to Be Mailed or Delivered

Completed applications shall, unless other directions are given by the Commission, be mailed or delivered to the Superintendent of Motor Carriers, Public Utilities Commission, Motor-vehicle Building, West Georgia Street, Vancouver 5, B.C.

#### 4.04 Return of Application if Incomplete

The Commission shall have the right to return to the applicant any application which is incomplete or illegible, or which does not comply with these regulations.

#### 4.05 Filing of Application Confers No Right to Operate

The filing of an application shall not confer on the applicant any right to operate the vehicle referred to therein or any vehicle under the provisions of the *Motor Carrier Act*.

#### 4.06 Commission May Require Additional Information

The Commission may, with respect to any application, require the applicant to furnish additional information regarding the vehicle and its proposed operation and all matters relative thereto, including a detailed statement as to the financial standing of the applicant; and failure of the applicant to furnish such information to the Commission shall be sufficient cause for refusal to grant the licence or privilege applied for.

#### 4.10 Hearing Procedural Regulation, Definition

For the purpose of Regulations 4.10 to 4.19, inclusive, an application means an application for a licence, and if the Commission so directs, an application to vary or alter an existing licence.

#### 4.11 Notice of Application

(a) Where an application has been made, the Commission shall give notice by a posting on the public notice-board in the Motor Carrier Branch office in Vancouver, and by such other means as seem desirable to the Commission.

(b) The application may be granted after investigation by the Commission, but where the posted or published notice indicates a time within which objections will be considered, the application will not be disposed of until the objections filed within such time are considered.

#### 4.12 Copies of Applications

(a) Where persons already providing transportation services on the routes or between the places which the applicant proposes to serve object to an application on either of the grounds specified in section 7 (2) (a) of the *Motor Carrier Act*, the Commission shall, on request, furnish to such objectors a copy of the application and any time schedules, route schedules, schedules of rates, or contracts filed by the applicant in connection with the application.

(b) On request, the Commission may furnish the information specified in subsection (a) to any parties who in the Commission's opinion have a legitimate interest in the application under section 7 (2) (b) and (c) of the *Motor Carrier Act*.

#### 4.13 Competing Applicants

Where two or more applications are for the same or similar operating rights and are considered together by the Commission, each applicant shall be considered by the Commission as an objector in respect of the other applicants entitled to all rights and privileges, and subject to all obligations.

#### 4.14 Hearing—Notice of

Where, in making an investigation of any application, the Commission has decided that such investigation should include a hearing, the Commission shall cause notice of the date, time, and place of the hearing, together with particulars of the application, to be given by post to the applicant and objectors as of record and to any other persons it may think desirable to notify, and shall give notice by a posting on the public notice-board in the Motor Carrier Branch office in Vancouver and by such other means as seem desirable to the Commission.

#### 4.15 Hearing Deposit by Applicant

Where the Commission requires a hearing, the applicant, upon being so advised, shall, if he wishes to proceed with his application forthwith, deposit with the Commission the sum of fifty dollars (\$50) as security for costs. Notwithstanding Regulation 3.90,

- (a) if the applicant fails to appear at the hearing or to be represented, the full amount of the security deposit shall be forfeited;
- (b) if the applicant appears, the security deposit shall be retained until the Commission makes any order as to the costs of the hearing;
- (c) if the costs charged to the applicant are less than fifty dollars (\$50), they shall be taken from the deposit and the balance shall be returned to the applicant;
- (d) if they exceed fifty dollars (\$50), the whole of the deposit shall be taken as a payment on account.

#### 4.16 Filing of Objections and Deposit by Objector

Every objector who wishes to be heard at the hearing of an application shall, at least ten (10) calendar days prior to the date set for the hearing by the notice of hearing,

- (1) (a) file with the Commission a written statement of his objections to the application under section 7 (2) (a) of the *Motor Carrier Act*; and  
(b) mail to the applicant a copy of the statement of his objections to the application which he has filed with the Commission;
- (2) give security for costs by depositing with the Commission the sum of \$50, which deposit shall be subject to the same conditions of forfeiture or set off against costs as if the objector were an applicant.

#### 4.17 Certain Documents to Be Produced at a Hearing

At the hearing of an application, the presiding officer may, and at the request of an applicant or objector shall, make available as part of the hearing record all written representations which have been received by the Commission or its officers, prior to the date of the hearing, from persons supporting or opposing the application.

#### 4.18 Hearing—Order of Procedure

In any hearing of an application the following order of procedure will generally be observed:—

- (a) Applicant will be afforded the opportunity to make representations and call witnesses. Cross-examination by any qualified objector will be allowed, subject to the usual powers of the presiding officer to control the cross-examination;
- (b) Objectors will be afforded the opportunity to make representations and call witnesses. Cross-examination by the applicant will then be allowed, subject to the usual powers of the presiding officer to control the cross-examination;
- (c) Objectors will be afforded the opportunity to summarize their submissions;
- (d) The applicant will be afforded the opportunity to summarize the case in support of his application.

#### 4.19 Costs of Hearing

Costs of a hearing that may be awarded against an applicant or an objector shall be disposed of in accordance with section 127 of the *Public Utilities Act*.

#### 4.20 Application for Alteration of Licence

Every application involving alteration to or extension of or addition to the privileges conferred by an existing licence shall be in writing and shall be accompanied by the prescribed fee for alteration of licence, except where no fee is prescribed.

#### 4.30 Proof of Financial Responsibility—Public Liability and Property Damage

No licence respecting a public passenger-vehicle, or a limited passenger-vehicle shall be issued, renewed, or transferred unless the applicant has furnished to the Commission satisfactory evidence that the owner of the vehicle has given to the Superintendent of Motor-vehicles in respect of its proposed operation under the licence, or renewal or transfer of licence applied for, proof of financial responsibility in the manner provided in the *Motor-vehicle Act* for the giving of proof of financial responsibility, but for the respective amounts prescribed by paragraph 4.31 hereof.

Where the Commission, pursuant to Regulation 5.01, has approved of the granting of a public passenger-vehicle licence or a limited passenger-vehicle licence to a person other than the registered owner of the vehicle, proof of financial responsibility shall be given jointly by the owner of the vehicle and by the applicant.

#### 4.31 Minimum Coverage—Public Liability and Property Damage

Proof of financial responsibility, as required by Regulation 4.30, shall be for not less than the following amounts:—

- (i) Fifty thousand dollars in respect of damage to property; and
- (ii) Fifty thousand dollars in respect of loss or damage resulting from bodily injury to or death of any one person in one accident and, subject to such limit of fifty thousand dollars for any one person so injured or killed, the following amounts in respect of loss or damage resulting from

bodily injury to or death of more than one person in one accident, namely:—

Maximum Authorized Carrying Capacity, Including Standing Passengers	Amount
7 or less .....	\$50,000
8 to 12 inclusive .....	65,000
13 to 20, inclusive .....	75,000
21 to 30, inclusive .....	100,000
31 to 40, inclusive .....	125,000
41 to 50, inclusive .....	150,000
51 to 60, inclusive .....	175,000
Over 60 .....	200,000

#### 4.32 Evidence of Proof of Financial Responsibility—Public Liability, Property Damage

Evidence of having given proof of financial responsibility as required by Regulation 4.30 may be furnished to the Commission by the certificate of the Superintendent of Motor-vehicles or any person designated by the Superintendent showing the giving of such proof, and the nature and extent thereof.

##### 4.321 Proof of Financial Responsibility—C.O.D. Shipments

Except as exempted by these regulations, every holder of a licence to operate a public or limited freight-vehicle or a public or limited passenger-vehicle duly authorized to transport express, who is duly authorized to engage or engages in the collection of moneys for or on behalf of consignors on a C.O.D. (cash on delivery) basis, shall, in proof of financial responsibility, take out and maintain in force a guarantee bond, issued by an insurance company duly licensed to carry on business in British Columbia, covering the payment to such consignors of all sums collected by the licensee for or on behalf of such consignors, which shall

- (1) be in a form approved by the Public Utilities Commission;
- (2) be filed with the Superintendent of Motor Carriers;
- (3) be conditioned for the payment of the amounts prescribed by Regulation 4.322;
- (4) provide that it may not be cancelled or expire except on fifteen (15) days' prior written notice to the Superintendent of Motor Carriers.

##### 4.322 Minimum Amount of C.O.D. Bond

The guarantee bond required by Regulation 4.321 shall be for not less than the amount specified hereunder:—

Number of Vehicles (and (or) Combinations of Vehicles) Licensed	Amount of Guarantee Bond
One to two vehicles .....	\$2,000
Three to five vehicles .....	3,000
Six to ten vehicles .....	6,000
Over ten vehicles .....	10,000

##### 4.323 Proof of Financial Responsibility—Cargo

Unless otherwise exempted by these regulations, every holder of a licence to operate a public or a limited freight-vehicle, or a public or limited passenger-vehicle

duly authorized to transport express, shall, in proof of financial responsibility, take out and maintain in force a policy of inland transportation insurance against loss or damage to shipments of freight, which shall

- (1) be in a form approved by the Public Utilities Commission;
- (2) be filed with the Superintendent of Motor Carriers;
- (3) be conditioned for the payment of the amount prescribed by Regulation 4.324;
- (4) provide that it may not be cancelled or expire except on fifteen (15) days' prior written notice to the Superintendent of Motor Carriers.

##### 4.324 Minimum Amount of Cargo Insurance

The inland transportation insurance required by Regulation 4.323 shall be in not less than the amount specified hereunder, for each vehicle or combination of vehicles licensed:—

Carrying Capacity of Freight and (or) Express	Amount of Insurance
Maximum authorized carrying capacity not over 5,000 lb.....	\$1,000
Maximum authorized carrying capacity 5,001 lb. to 15,000 lb....	3,000
Maximum authorized carrying capacity 15,001 lb. to 30,000 lb....	6,000
Maximum authorized carrying capacity 30,001 lb. to 40,000 lb....	8,000
Maximum authorized carrying capacity 40,001 lb. to 50,000 lb....	10,000
Maximum authorized carrying capacity over 50,000 lb.....	12,000

##### 4.325 Total Exemptions—Cargo Insurance

The requirements of Regulation 4.323 shall not apply in respect of the operation of vehicles licensed and operated exclusively for the transportation of the commodities specified hereunder:—

Water, snow:

Milk (raw or pasteurized), cream (fresh), or containers on regular milk routes from farms to creamery or market, or return of empty containers from creamery or market:

Petroleum products in bulk, or bituminous construction materials in bulk:

Logs, poles, piles, ties, shingle-bolts, mine-props, rough-sawn lumber, and fence-posts:

Fuel-wood or sawdust, pulp-chips, and Christmas trees:

Coal, ore, or ore concentrates in bulk:

Earth, rock, gravel, or sand in bulk; unset cement mix:

Grain in bulk from farms to elevators and warehouses; grain screenings:

Hay (baled or unbaled) or vegetables and fruit in bulk; turf and peat moss:

Fertilizers or animal manure or refuse:

Stumps and debris from demolished buildings.

##### 4.326 Conditional Exemptions—C.O.D. Bonds and Cargo Insurance

The Commission may, in its discretion, waive the requirements of Regulation 4.321 or 4.323 with respect to the holder of a limited freight-vehicle licence or passenger-vehicle licence if all the persons for whom he is authorized to collect C.O.D. funds or all the persons for whom he is authorized to transport freight or express request in writing that such waiver be granted. The Commission may waive the requirements of Regulation 4.323 in any case where it is satisfied that equivalent financial responsibility is established by an adequate system of self-insurance and reinsurance.

**4.327 Exemption—British Columbia Hydro and Power Authority**

Regulations 4.30 to 4.324, inclusive, do not apply to motor-vehicles operated by the British Columbia Hydro and Power Authority.

**4.33 Failure to Maintain Proof of Financial Responsibility**

Failure of the licensee in any respect to maintain proof of financial responsibility for the full amounts prescribed by these regulations shall constitute sufficient cause for the suspension or cancellation of his licence.

**PART 5****GENERAL LICENSING PROVISIONS****5.00 ISSUE OF LICENCES****5.01 Licensee to Be Registered Owner**

Except with the approval of the Commission, no licence respecting any vehicle shall be granted to any person other than to the registered owner of the vehicle, pursuant to the *Motor-vehicle Act*, except in the case of a licence issued in a "trade-name" when the Commission is satisfied that the owner or manager of the business is the registered owner of the vehicle, provided that the registered owner's name shall also appear in the licence.

**5.03 Form of Licences**

Licences shall be in a form prescribed by the Commission from year to year; shall describe the licensed vehicle; shall be stamped or marked to show date of issue or renewal; and shall show date of expiry of licence.

**5.04 Terms and Conditions of Licence**

Every licence issued shall be subject to the terms and conditions of the *Motor Carrier Act* and these regulations, and shall, further, be subject to such terms and conditions as may be attached to or included in the licence under the provisions of the said Act.

**5.05 Licence, Identification of**

Every licence when issued or renewed shall be identified with a letter and number corresponding to the letter and number of the prescribed licence-plate, which plate shall accompany the licence.

**5.06 Combinations of Licences**

The following combinations of licences may be issued, subject to payment of the prescribed fees:—

Public and Limited Passenger-vehicle:

Limited Passenger and Freight Vehicle:

Such other combinations as the Commission may approve; provided that, in the case of a combination passenger and freight vehicle, when passengers and freight are carried at the same time, the freight shall be carried in a separate compartment

**5.07 Two Licences on One Vehicle Prohibited**

Except on written approval of the Commission in any specific case, not more than one licence shall be in effect at any one time with respect to any vehicle.

**5.10 RENEWAL OF LICENCES****5.11 Application for Renewal**

Application for renewal of any licence on expiry thereof may be made to the Commission on a form provided by the Commission, or otherwise in writing, and shall be accompanied by the prescribed fee. Every application for renewal shall be signed by the person named therein as licensee, who shall state thereon the date on which he requires the renewed licence to take effect and, in the case of a public or limited vehicle, the period of time for which the renewed licence is required. Unless such date and period of time are so stated, the Commission shall have the right to assume that licence is required from date of receipt of application and for the remainder of the licence-year and may assess the fee and renew the licence accordingly.

**5.12 Only Certain Licences May Be Renewed**

A licence shall only be renewed if the licence was in effect either during the same licence-year as or during the licence-year immediately preceding the licence-year during which the renewal is to take effect. In other cases a new application shall be made.

**5.13 Renewal Fee**

The licence fee payable with respect to an application for renewal of a licence shall be the same as the licence fee payable with respect to a new application for a licence of the same class, carrying capacity, and period.

**5.14 Renewed Licence Subject to Same Terms and Conditions**

Every licence so renewed shall continue to be held subject to the terms and conditions set out or referred to in the licence.

**5.15 May Refuse to Renew Licence**

The Commission may refuse to renew any licence.

**5.20 TRANSFER OF LICENCES****5.21 Application for Transfer**

Every application for transfer of a subsisting licence from one person to another shall be made on a form prescribed by the Commission and shall be signed by the licensee (whose signature thereon must be witnessed) and by the applicant, and must be accompanied by the prescribed transfer fee.

**5.22 Transferred Licence Subject to Same Terms and Conditions**

Every licence transferred shall continue to be held subject to the terms and conditions set out or referred to in the licence, unless otherwise ordered by the Commission and stated in the licence.

**5.23 May Refuse to Transfer Licence**

The Commission may refuse to approve of the transfer of any licence.

**5.24 Surrender of Licence by Transferor**

If transfer is approved by the Commission, the transferor shall deliver the licence to the Commission and a new licence shall be issued to the transferee in place thereof.

5.25 [Revoked, August 16th, 1960.]

**5.30 LICENCE-PLATES****5.31 Licence-plate to Be Displayed**

Every licensed vehicle shall, while being operated on a highway, have attached thereto and displayed thereon in a conspicuous position on the front of the vehicle the prescribed licence-plate for the current licence-year, as issued by the Commission with the licence or renewal thereof.

**5.32 Design of Licence-plate**

Licence-plates shall be of a shape and size approved by the Commission, shall display the letters "B.C.C.L.," and shall be marked to show the licence-year for which they are issued—thus "1964" for the licence-year 1964-65. Licence-plates shall be issued singly, shall be serially numbered in separate groups, and each group shall bear a distinctive letter to denote the classification of the licence, as follows:—

Group Letter	Classification
A.....	Public Passenger-vehicle.
B.....	Limited Passenger-vehicle, over 7 passengers.
C.....	Limited Passenger-vehicle, 7 passengers or less.
D.....	Public and Limited Passenger-vehicle.
E.....	Limited Freight-vehicle.
F.....	Limited Passenger and Freight Vehicle and such other combinations of licences, not otherwise specified herein, as the Commission may approve.
G.....	Public Freight-vehicle, Class II.
H.....	Public Freight-vehicle, Class III.
J.....	Public Freight-vehicle, Class I.

**5.33 Licence-plates Not Transferable to Other Vehicle**

No person shall display any licence-plate issued by the Commission on a vehicle other than the vehicle referred to in the licence corresponding to the licence-plate or referred to in the permit.

**5.34 Loss of Licence-plates to Be Reported**

In the event of any licence-plate being lost, the licensee shall immediately report the fact in writing to the Commission.

**5.35 Unauthorized Possession of Licence-plates**

In the event of any person purchasing or otherwise coming into possession of a vehicle to which is affixed any current licence-plate, he shall immediately remove such licence-plate and deliver same to an officer or constable of the Provincial police force, or to the Commission, except in cases where the licence corresponding to the licence-plate has been transferred to him under the provisions of the *Motor Carrier Act* and these regulations.

**5.36 Advance Display of Licence-plate**

In the case of a vehicle which is required to be licensed pursuant to the *Motor Carrier Act*, the displaying on that vehicle during the months of January or February of any year of the licence-plate issued pursuant to the *Motor Carrier Act* for the next succeeding licence-year shall, if the current licence or a valid and subsisting permit issued pursuant to the *Motor Carrier Act* be carried on that vehicle, be deemed sufficient compliance with the *Motor Carrier Act* and these regulations in respect of the displaying at any time during these months of motor-carrier licence-plate on that vehicle.

**5.40 LICENCES**

5.42 [Revoked (effective March 1st, 1960), December 21st, 1959.]

5.43 [Revoked (effective March 1st, 1960), December 21st, 1959.]

**5.44 Change of Address of Licensee**

In case the address of the licensee, as shown in the licence, is changed or is in error, the licensee shall notify the Commission in writing stating the licence number and the new or correct address of the licensee.

**5.50 Alterations to Vehicles and Tires**

No licensee shall, without first obtaining the approval of the Commission and, where necessary, an altered licence embodying the changes,

- (a) change, reconstruct, materially alter, modify, or add to the seating capacity, body or equipment of any licensed passenger-vehicle;
- (b) change, reconstruct, materially alter the body, or add to the freight-carrying capacity of any licensed freight-vehicle;
- (c) operate a licensed vehicle with a trailer attached thereto unless the use of a trailer is specified in the licence;
- (d) use a trailer having a greater net weight or having a shorter wheel-base or tires of less carrying capacity than is stated in the licensee's application for licence or in the licence.

5.51 If any alteration is made in the size, number, or type of tires used on any licensed vehicle, or on any trailer authorized to be attached thereto, the licensee shall promptly report such alteration to the Commission and, where such change will affect the carrying capacity of the vehicle or trailer, shall apply for an altered licence accordingly.

**5.60 MARKINGS ON VEHICLES****5.61 Abbreviations to Be Used**

It shall constitute sufficient compliance with section 14 of the *Motor Carrier Act* if the following abbreviation is used for marking a vehicle to show the maximum number of passengers that may be carried, namely:—

MAX. C. CAP.....PASS.

**5.62 Seven-passenger Vehicles to Carry Notice in Lieu of Markings**

If there is clearly displayed within the vehicle, in full view of the passengers, a legible notice in letters not less than three-quarters ( $\frac{3}{4}$ ) of an inch in height, stating the maximum number of passengers that may be carried under the terms

of the licence, it shall not be necessary for any licensed passenger-vehicle having a seating capacity of seven (7) passengers, excluding the driver, or less, to be marked on the sides in the manner prescribed by section 14 of the *Motor Carrier Act*. Such notice shall be in the following form, namely:—

LICENSED TO CARRY \_\_\_\_\_ PERSONS AND DRIVER.

### 5.63 Route-marker—Public Passenger-vehicles

Every public passenger-vehicle shall have firmly attached thereto on the front thereof a sign with letters not less than three (3) inches in height designating the route over which or the destination to which the vehicle is being operated. This sign shall be illuminated at night.

### 5.64 Name and Address of Owner to Be Marked on Freight-vehicle

Unless otherwise ordered by the Commission in writing with respect to any vehicle, every licensed freight-vehicle shall, while being operated on a highway, have displayed on both sides thereof, so as to be clearly visible to the public, in letters and figures not less than two (2) inches high, the name and address of the licensee of the motor-vehicle under the *Motor Carrier Act*, or the registered trade-name and address of the licensee of the motor-vehicle under the said Act.

### 5.645 Identification

Where a vehicle operated by any person or company as a public vehicle or a limited vehicle is marked with a name generally associated with another person or company, the name generally used by the motor carrier operating the vehicle shall also be prominently displayed on the vehicle.

## 5.70 SUSPENSION OF LICENCES

### 5.71 Suspension without Specific Order

(a) In cases where, during any licence-year, a licence issued with respect to a motor-vehicle under the provisions of the *Motor-vehicle Act* has been relinquished or surrendered, if a carrier's licence issued pursuant to the *Motor Carrier Act* is in effect with respect to the said motor-vehicle at the time of said relinquishment or surrender, the carrier's licence shall, *ipso facto*, be suspended without further order of the Commission, from the date of relinquishment or surrender until expiry of the licence, or until another motor-vehicle licence has been issued to the same licensee with respect to the motor-vehicle during the same licence-year, whichever date is the sooner.

(b) In cases where, during any licence-year, a licence issued with respect to a motor-vehicle under the provisions of the *Motor-vehicle Act* has been suspended or cancelled pursuant to the provisions of the *Motor-vehicle Act* or cancelled pursuant to the provisions of the *Licence Forfeiture and Cancellation Act*, if a carrier's licence issued pursuant to the *Motor Carrier Act* is in effect with respect to the said motor-vehicle at the time of said suspension or cancellation, the carrier's licence shall, *ipso facto*, be suspended without further order of the Commission during the period that the suspension or cancellation of the motor-vehicle licence is in effect.

## PART 6

### OPERATION

#### 6.00 SERVICE

6.01 [Revoked, August 16th, 1960.]

#### 6.02 Failure to Commence Service

A licence may be cancelled if the licensee fails to begin service within thirty (30) days after the date upon which the licence was granted.

#### 6.03 Failure to Apply for Renewal of Licence

Failure of any person who was the holder of a licence to apply within reasonable time for renewal of his licence after expiry thereof shall be prima facie evidence that he is not furnishing service or that there is no public need for the service authorized by such licence.

#### 6.04 Increase, Reduction, or Discontinuance of Scheduled Service

No licensee shall increase, reduce, discontinue, or otherwise modify any authorized scheduled public passenger-vehicle or public freight-vehicle service without first obtaining the approval of the Commission in the manner provided in Part 7 of these regulations.

#### 6.05 Unavoidable Interruption of Scheduled Service

Every unavoidable interruption of authorized scheduled public passenger-vehicle or public freight-vehicle service, where such interruption is likely to continue for more than twenty-four (24) hours, shall forthwith be reported by the licensee in writing to the Commission, with an explanation as to the cause of interruption and its probable duration, and public notice of the interruption and its duration shall be given by the licensee with such promptness and in such a manner as to reduce to a reasonable minimum the public inconvenience resulting from the interruption of service. If the interruption is due to failure or breakdown of any licensed vehicle, the licensee shall immediately make arrangements, as far as possible, to obtain a substitute vehicle and shall apply for the necessary permit to operate same.

6.051 Failure of the licensee to comply with the provisions of paragraphs 6.04 and 6.05 shall be sufficient cause for amendment, suspension, or cancellation by the Commission of the licence or licences affected.

#### 6.06 Public Freight Service to Be Given at All Points on Route

Every motor carrier licensed to operate a Class I or Class II public freight-vehicle shall give reasonable service to the public at all points along his route, in so far as permitted by his licence; and the Commission may require any such carrier to establish depots or stopping-places at points along the route served by him at which the licensed vehicle shall be regularly stopped for the purpose of receiving and delivering shipments, and to make known to the public affected the location of such depots or stopping-places.



**6.08 Charter Trips with Freight-vehicles Defined**

Where the term "charter trip" is used in the licence of a freight-vehicle or in a tariff stating the charges for its operation, it shall mean the operation of the vehicle for the sole and exclusive use of one person.

**6.10 OPERATION IN ACCORDANCE WITH LICENCE****6.11 Maximum Capacities and Gross Weights Not to Be Exceeded**

No person shall carry or cause or permit to be carried on any licensed vehicle a greater number of passengers nor a greater weight of freight than the maximum number or weight authorized to be carried as stated in the licence, and no person shall operate or cause or permit to be operated any licensed vehicle having a gross weight in excess of the maximum gross weight for that vehicle as authorized by the licence.

**6.12 Conditions of Licence to Be Observed**

Subject to the provisions of section 16 of the *Motor Carrier Act*, no person shall operate, or cause or permit to be operated, any licensed vehicle on a highway or along a route or within an area or territory other than is stated in the licence, or for the transportation of freight or commodities other than are permitted under the licence, nor, in cases where the persons for whom commodities may be transported are stated in a licence, transport such commodities for some other person, unless under authority of a permit issued pursuant to these regulations. The limitations as to area, district, territory, or route to be served as set out in the Conditions of Licence of a public freight-vehicle or limited freight-vehicle shall not apply to the operation of the vehicle as a private freight-vehicle unless so stated in express terms.

**6.20 CARRYING PASSENGERS ON FREIGHT-VEHICLES****6.21 Passengers Not to Be Transported on Loaded Freight-vehicles**

Unless otherwise authorized under a licence or by a permit issued in the manner provided by Part 10 of these regulations, no person shall transport any passenger on a freight-vehicle when such vehicle is transporting freight, except on the front seat of the vehicle beside the driver, and not more than two (2) persons in addition to the driver may be carried on the front seat; provided that this paragraph shall not apply to the transportation of employees of the licensee, or the owner or employees of the owner of the goods carried, where the transportation of such persons is necessary,

- (a) when live stock is being transported;
- (b) for loading or unloading the vehicle;
- (c) for the use or treatment of tools, equipment, or materials transported in the course of the licensee's or owner's regular trade, occupation, or business;

but in no case shall more than two (2) persons, in addition to the driver, be carried on the front seat.

**6.22 Conditions under Which Passengers May Be Carried**

The transportation of passengers on any freight-vehicle, except as set out in clauses (a), (b), and (c) of paragraph 6.21, shall be subject to the following conditions:—

- (a) Firmly fixed seats for all passengers shall be provided, together with side and end boards not less than three (3) feet high, and no person shall be allowed to stand while the vehicle is in operation; save that this clause shall apply to farm employees being transported to and from work only in so far as the height of side and end boards is concerned;
- (b) If children are transported, at least one adult person shall ride in the rear portion of the vehicle and be responsible for discipline;
- (c) The vehicle shall be brought to a complete stop before crossing any level railway crossing;
- (d) No freight shall be carried when passengers are riding in the rear of the vehicle.

NOTE.—*For information of motor carriers: Transportation of passengers on a motor-vehicle for compensation is contrary to the law, except under a public passenger or limited passenger-vehicle licence or under permit, unless the motor-vehicle is exempted from the provisions of the Motor Carrier Act by that Act or by these regulations.*

**6.23 CONDITIONS UNDER WHICH LIVE STOCK MAY BE CARRIED**

**6.231** Every licensee engaged in the transportation of live stock by motor-vehicle on a highway shall refuse to accept animals for transport which, in his opinion, are in such condition as to render them unfit for transport.

**6.232** Every licensee engaged in the transportation of live stock by motor-vehicle on a highway when outside temperature is below zero degrees Fahrenheit shall either use closed vans with reasonable provision for ventilation or provide for protection of the live stock from the weather by enclosing sides and ends and a portion of the roof of the body of the vehicle with canvas or other suitable material.

**6.233** Every licensee engaged in the transportation of live stock or poultry by motor-vehicle on a highway shall provide adequate accommodation to ensure that suffocation, injury, or overcrowding will not occur. Furthermore, the body of the vehicle shall be so constructed that it will prevent animals from escaping or being thrown therefrom in normal highway operation.

**6.234** Every licensee shall, when transporting different species of live stock on a motor-vehicle on a highway, separate them, and shall also separate calves and cattle by suitable partitioning. For the purpose of this regulation, an animal weighing more than 300 pounds will not be considered as a calf.

**6.235** No licensee shall confine, or cause or permit to be confined, any live stock or poultry while being transported by motor-vehicle on a highway for a period of more than twenty-four (24) hours without unloading such live stock or poultry for rest, water, and feeding, in compliance with the *Stock Brands Act*, where applicable, except in so far as compliance with such time limitation is impossible or entirely impracticable.

**6.236** No licensee shall transport, or cause or permit to be transported, on any motor-vehicle on a highway, foodstuffs for human consumption along with live stock or other freight which could contaminate such foodstuffs.

**6.237** No licensee shall operate, or cause or permit to be operated, any motor-vehicle on a highway for the transportation of foodstuffs for human consumption when such vehicle has been used previously for the transportation of live stock or poultry, or for any offensive or putrefiable freight of any kind whatsoever, until such vehicle has been thoroughly cleaned and disinfected and placed in a satisfactory sanitary condition.

### 6.25 INSPECTION OF VEHICLES

#### 6.251 Definition

For the purpose of paragraphs 6.252 to 6.254, inclusive, of these regulations, "Inspector of Motor Carriers" means any person authorized in writing by the Commission to inspect vehicles for the purpose of determining their mechanical condition.

#### 6.252 Vehicles to Be Submitted for Inspection

Every motor carrier and every applicant for a licence shall, on demand of an Inspector of Motor Carriers, submit to such Inspector for inspection and testing any vehicle under his control which is licensed or for which an application for licence has been made.

#### 6.253 Deficiencies and Defects to Be Remedied

If, on inspection, a licensed vehicle is found to be in any way deficient or defective, the licensee shall take immediate steps to remedy all deficiencies and defects within the time specified by the Inspector of Motor Carriers who made the inspection.

#### 6.254 Order to Cease Operating Vehicle

If, in the opinion of an Inspector of Motor Carriers, the condition of any licensed vehicle is such that its continued operation in such condition would endanger the public safety, the Inspector of Motor Carriers may make an order that the vehicle is not to be operated. The Inspector shall deliver a copy of such order to the licensee or the person in charge of the vehicle, and thereafter no person shall operate the said vehicle until permission to operate it is given in writing by the Inspector or the Commission; provided that the vehicle may, with the permission of the Inspector, be moved under its own power from the place of inspection to a garage or storage-place.

### 6.30 GENERAL REGULATIONS

#### 6.31 Unsafe Operation of Vehicle Prohibited

No person shall drive or operate a licensed vehicle in an unsafe manner or in disregard of these regulations.

#### 6.32 Chauffeurs, Employment Of

No motor carrier shall employ any person as a chauffeur of a licensed vehicle who is intemperate, incompetent, or otherwise unfit to be so employed. If in the opinion of the Commission, any person so employed is unfit to operate a licensed vehicle, the Commission may by order instruct the motor carrier that the employment of such person in such capacity shall cease. Failure to comply with this paragraph shall be sufficient cause for cancellation of all licences held by the motor carrier.

### 6.33 Maintenance of Vehicles

It shall be the duty of every licensee to maintain his licensed vehicle or vehicles in a safe operating condition and, for this purpose, to arrange for inspection of same by a competent inspector or mechanic at sufficiently frequent intervals.

#### 6.331 Inspection after Damage

No licensed vehicle, any part of which has been damaged by accident, failure, or other cause, shall thereafter be continued in or returned to service until competent inspection has been made to ascertain the nature and extent of damage.

#### 6.332 Report of Defects or Deficiency

Every chauffeur or driver employed by a motor carrier shall, at the end of his day's work or time of duty, report to his employer in writing any defect or deficiency in the licensed vehicle discovered by him during such day's work or time of duty as would be likely to affect the safety of operation of that vehicle.

#### 6.333 Remedy or Repair of Defects

It shall be the duty of every motor carrier to remedy or repair any defect or deficiency in any licensed vehicle as reported to him or as revealed by inspection or otherwise which is likely to cause hazard to persons or property by the operation of the vehicle, before the vehicle is again operated on a highway.

#### 6.34 Fuelling

No chauffeur or driver of a licensed vehicle or other person shall fuel or permit to be fuelled any licensed vehicle while the engine is running or in the presence of any open flame, and when such vehicle is being fuelled the nozzle of the fuel-hose shall be kept in contact with the intake of the fuel-tank throughout the fuelling process. The opening through which the tank of a passenger-vehicle is filled shall be outside the body of the vehicle and shall be ventilated.

#### 6.35 Explosives

The carrying of explosives on any vehicle shall be in accordance with the Dominion *Explosives Act* and the regulations pursuant to that Act.

#### 6.36 Safe Operation of Freight-vehicles

(a) No person shall operate, or cause or permit to be operated, any freight-vehicle on a highway for the transportation of any freight unless the construction and equipment of the vehicle and the manner in which the freight is loaded and secured are such that the vehicle can be operated safely and without danger of overturning, and such as to prevent the load or any portion thereof shifting or swaying dangerously, falling off, leaking, or otherwise escaping from the vehicle.

(b) Without limiting the generality of the foregoing, it shall be prima facie evidence that a vehicle is being operated in contravention of paragraph (a) of this regulation if such vehicle is being operated on a highway

- (i) for the transportation of a load of more than one tier of logs, poles, or piling unless the vehicle is equipped with fixed bunks, or revolving bunks where a combination of vehicles is used, which are equipped with proper chock blocks with or without stake extension;
- (ii) for the transportation of lumber, logs, poles, piling, or pipe when these are longitudinally loaded in single lengths on a flat-decked vehicle or on

bunks unless the load is secured by at least two chains or cables or equivalent fastenings where it is of a height from the ground of 10 feet 6 inches or less, or by at least three chains, cables, or equivalent fastenings in other cases, which with attachments shall have a breaking strength of at least 6,800 pounds and shall be fastened in such a manner as to stabilize the load under all operating conditions that may be reasonably anticipated. Where the load comprises two or more separate sections, each section shall be fastened as herein provided as though it were a single-length load.

#### 6.37 Duties of Motor Carrier and Driver as to Provision and Use of Equipment

Every motor carrier, with respect to each freight-vehicle licensed in his name, shall furnish the vehicle with the equipment necessary to ensure compliance with these regulations, and the driver or chauffeur of the vehicle shall ensure that all such equipment is in place and properly secured.

#### 6.38 Driver's Vision or Free Movements Not to Be Obstructed

No licensed vehicle shall be so loaded as to obscure the driver's view ahead or to the right- or left-hand sides, or to interfere with the free movement of his arms or legs, or with the safe operation of the vehicle or access to emergency equipment.

### REGULATIONS RESPECTING STANDARDS FOR PASSENGER-VEHICLE CONSTRUCTION

#### 6.40 Applicability

The standards for passenger-vehicle construction as contained herein apply only to vehicles designed to carry more than twelve persons.

#### 6.401 Chassis

The gross weight of a fully loaded bus must not exceed the manufacturer's gross allowable weight as fixed by the official in charge of the engineering department of the manufacturer of the chassis. This shall be interpreted as the advertised maximum gross vehicle weight as shown in the manufacturer's regular advertising literature describing such chassis. Gross vehicle weight shall mean the actual weight of the chassis complete, plus the weight of the body, plus the weight of the driver and the weight of the passengers at 150 pounds each, and any other load. The wheel-base of any chassis as originally supplied by the manufacturer must not be altered in any manner.

#### 6.402 Load Distribution

The chassis shall be of the proper wheel-base to accommodate the body and load with the proper and accepted weight distribution to provide complete and safe control of the vehicle under all road conditions.

#### 6.403 Exhaust

The motor exhaust shall be carried to a point beyond the rear of the body skirt in an air-tight metal tube and muffler, and not beyond the rear bumper, except that where this is not feasible such exhaust shall be approved by the Commission. Where motor-vehicles are to be used in continuous urban service, stack-type exhaust shall be used whenever practical.

#### 6.404 Bodies

The passenger-carrying compartment of a passenger-vehicle shall be of sturdy construction and be sufficiently strong to withstand heavy impact through accident or collision and give adequate protection to passengers.

##### Seating and Aisles

- (a) Seating: All passenger-carrying vehicles shall be so constructed as to afford normal and comfortable seating accommodation for the seated passengers and all such seats shall be fully upholstered. The minimum requirements for seat centres (forward facing seats) shall be not less than 26 inches. This measurement to be taken on a horizontal line on top of seat-cushion from back of front seat to undepressed face of seat behind. The seating arrangement of every passenger-vehicle shall be such that, when all seats are fully occupied, the driver's view ahead or to the right- or left-hand sides is not obscured in any way, and that the driver at all times has free movement of his arms and legs and ready access to emergency equipment. Under no circumstances shall a passenger be permitted to ride on the left-hand side of the chauffeur:
- (b) Movable Seats: No movable, "let-down," or "jump" seats shall be installed without first obtaining the approval of the Public Utilities Commission:
- (c) Centre Aisle: Shall not be less than 11 inches as measured at seat baseline and not less than 16 inches as measured at hip-level. "Seat baseline" means a horizontal line taken on top of seat-cushion:
- (d) Emergency Door Aisle: An unobstructed aisle of at least 10 inches shall lead to the emergency door when the vehicle is equipped with an emergency door. This measurement to be taken at the seat base-line.

#### 6.405 Interior Height

Interior clearance height shall not be less than 68 inches as measured at longitudinal centre line at the entrance door. Buses designed for standing passengers shall have a minimum interior clearance height of 74 inches in that portion to be occupied by standing passengers. Suitable hand-holds, straps, rails, etc., shall be provided in order to afford adequate support for standing passengers.

NOTE.—The regulations pursuant to the *Motor Carrier Act* provide that no standing passengers shall be carried unless the carrying of standing passengers is specifically permitted by the Public Utilities Commission with respect to the vehicle, as stated in the licence therefor, and then only to the number and to the extent and in the manner stated in the licence.

#### 6.406 Floor

Shall be of metal or wood and so constructed that exhaust gases, moisture, etc., cannot enter the bus through the same. Slip-proof floor covering shall be provided where necessary. All closures between the bus body and the engine compartment shall be fitted with gas-tight gaskets, and pedal openings, etc., shall be closed by bellows-type gas-tight boots or the equivalent.

#### 6.407 Doors and Emergency Exits

The vehicle shall be equipped with an entrance door and either an emergency exit door or emergency exit windows of the push-out type.

**6.4071 Entrance Door**

(a) The entrance door shall be located on the right side near the front of the vehicle. It shall have a minimum unrestricted horizontal clearance measuring 24 inches, and shall be controlled by either manual or power apparatus. When controlled by power apparatus, auxiliary equipment shall be installed to hold the door in a closed position and also permit manual control should the power apparatus fail.

(b) A stanchion shall be provided at the rear of the entrance-step well from floor to roof, and a safety bar installed from the stanchion to the body wall of the vehicle at a height of approximately 30 inches.

(c) A suitable lamp shall be installed to adequately illuminate the entrance step or steps of the vehicle.

**6.4072 Emergency Door**

(a) When vehicle is equipped with an emergency exit door, it shall be located on the left side near the rear of the vehicle. It shall be hinged on its forward vertical edge, and shall afford a minimum horizontal clearance of 24 inches and the maximum vertical clearance permitted by body construction of the vehicle.

(b) The emergency door shall be equipped with an opening and fastening device which affords instant and easy release from both within and without the vehicle but is safeguarded against accidental release. Control of opening and fastening from the driver's seat is not permitted.

(c) The emergency door shall be identified by an interior sign reading "EMERGENCY DOOR" in letters not less than 1½ inches in height.

**6.4073 Emergency Exit Windows**

Emergency exit windows of the push-out type may, if considered adequate by the Commission, be approved for use in a vehicle in lieu of an emergency exit door, providing that

- (i) the emergency exit windows can be unlatched, opened, or removed by the application of reasonable manual force from within;
- (ii) the emergency exit windows are sufficient in number and adequate in size to facilitate the speedy exit of all passengers;
- (iii) the emergency exit windows are identified by an appropriate interior sign with directions as to use in case of emergency.

**6.408 Baggage and Express**

If vehicle is to be used for transportation of baggage or express, adequate space must be provided to accommodate same. This space not to interfere with the free and ready entering or leaving such bus and shall be so constructed as to prevent baggage falling onto or against any passenger. All passenger baggage shall be protected from dust and moisture.

**6.409 Signs**

(a) *Route*.—Every public passenger-vehicle shall have firmly attached thereto on the front thereof a sign with letters not less than three (3) inches in height designating the route over which or the destination to which the vehicle is being operated. This sign shall be illuminated at night.

(b) *Special Trips*.—Every licensed passenger-vehicle having a carrying capacity of more than seven (7) passengers, exclusive of the driver, while it is being operated for a charter trip shall have displayed in a conspicuous position on the front thereof a sign in plain letters not less than three (3) inches in height, reading "CHARTERED" or "SPECIAL."

(c) *Emergency Door*.—Every emergency door shall be provided with a sign, inside the vehicle, located on or adjacent to the said door, on which sign shall be printed in letters clearly visible and not less than one and one-half (1½) inches in height, the words "EMERGENCY DOOR."

(d) *Number of Passengers to Be Carried*.—Every holder of a licence for a motor-vehicle shall cause to be clearly marked in a conspicuous place on both sides of the vehicle in figures or letters not less than one (1) inch in height, the maximum number of passengers that may be carried under the terms of the licence; and no person shall operate on a highway a motor-vehicle for which a licence is required unless it is marked as required by this section.

(e) *Abbreviation*.—It shall constitute sufficient compliance with section 14 of the *Motor Carrier Act* if the following abbreviations are used for marking a vehicle to show the maximum number of passengers that may be carried, as required by that section, namely:—

MAX. C. CAP. .... PASS.

**6.410 Ventilation**

All bodies shall be equipped with a suitably controlled ventilating system of sufficient capacity to maintain the proper quantity of air under operating conditions without the opening of windows, except in extremely warm weather. Toe-boards, dash-panels, and the engine-covers must exclude all motor fumes and gases.

**6.411 Interior Lights**

Every passenger-vehicle having a placed top, or its top up, shall have maintained a light or lights within the vehicle so arranged as to light up the whole of the interior of the vehicle, except that portion occupied by the chauffeur. Such light or lights shall be kept sufficiently lighted between the hours of sunset and sunrise at all times when the vehicle is occupied by passengers.

**6.412 Glass**

All glass in windows and doors, etc., shall be of safety type. No unpolished or unground edges shall be accessible to passengers. Glass of wire-mesh type shall not be used in any part of the body. The windshield shall be of laminated safety plate glass and shall be sloped slightly to prevent glare from other lights and large enough to permit the driver to have a clear view of the road. The glass must be of sufficient quality to prevent distortion of view from any direction.

**6.413 Fuel-containers**

No part of any fuel tank or container or intake pipe shall project beyond the sides of the motor-vehicle. The intake pipe of any fuel tank or container or any such container itself shall not be located within or above the passenger-carrying portion of any bus.

**6.414 Tool Compartment**

All equipment such as tools, tire chains, etc., shall be contained in a compartment provided for such equipment.

6.415 [Revoked, March 6th, 1961.]

#### 6.416 Signal Devices

Every bus shall be equipped with an adequate mechanical or electrical signaling device approved by the Lieutenant-Governor in Council pursuant to the regulations under the *Motor-vehicle Act*, which device shall be affixed to the bus in such a manner that, when in use, it will clearly indicate to operators of other vehicles the intention of the operator of the bus to turn or stop the bus.

#### 6.417 Stop Signal

The vehicle shall be equipped with at least one stop-signal light, which shall be at least 3 inches in diameter.

#### 6.418 Reflex Reflectors

There shall be two reflex reflectors mounted on the right and left corners of the rear of the bus not more than 36 inches from road surface, so located as to reflect the rays of light from lights of overtaking vehicles. These reflectors must be of a type approved by the Superintendent of Motor-vehicles, pursuant to the provisions of the *Motor-vehicle Act* and regulations thereunder, and shall not be less than 4 inches in diameter.

#### 6.419 Windshield Wipers

The bus shall be equipped with two complete units of the electric, vacuum, or pressure operated type.

#### 6.420 Rear-vision Mirrors

The bus shall be equipped with one interior mirror, located so that a complete view of the interior of the bus as well as a view through the rear windows can be had by the driver.

An exterior rear mirror of ample size shall be installed on the left front corner of the bus to afford the driver a view of the highway along the left side and to the rear of the bus.

Every public passenger-vehicle of the type equipped with an exit door at the centre or rear of the vehicle shall be equipped with interior mirrors, which shall be so mounted and adjusted that they will reflect to the driver, while seated in the driver's seat, a clear and unobstructed view of the exit door and the step or steps leading to it.

#### 6.421 Defrosting Device

If the bus is to be operated under conditions such that ice or frost would be likely to collect on the windshield, it shall be equipped with a device or other means for preventing or removing such ice or frost.

#### 6.422 Speedometer

The bus shall be equipped with one speedometer which shall be maintained in effective working-order and located at a convenient place on the instrument-board of the bus.

#### 6.423 Gross Weight; Tire and Axle Loads; Dimensions

The total gross weight, axle loads and tire loads, and the over-all length, height, and width of the vehicle shall not exceed the limits allowable under the

*Motor-vehicle Act*, the *Department of Commercial Transport Act*, or regulations made under either Act. (Note that special regulations are in effect respecting vehicles operated over the Cariboo Highway between Yale and Lytton.)

#### 6.424 Brakes, Head-lights, etc.

The vehicle and its equipment shall comply in all respects with the provisions of the regulations pursuant to the *Motor-vehicle Act*.

6.425 [Revoked, March 6th, 1961.]

6.426 No passenger-vehicle of a capacity of more than twelve (12) passengers which does not comply with these standards of construction will be licensed without the written consent of the Public Utilities Commission.

### 6.50 CHARTER TRIPS AND SIGHTSEEING TOURS

#### 6.51 Charter Trips Defined

A "charter trip," with respect to the conveyance of passengers, shall mean the operation of a vehicle licensed as a limited passenger-vehicle or as a public and limited passenger-vehicle for the exclusive conveyance of a person or a group of persons to whom or for whose use the vehicle is chartered at a fixed price for use of the whole vehicle.

#### 6.511 Charter Trips on Sightseeing Routes

No licensee shall, without the consent of the Commission, make any charter trip over any sightseeing route or portion thereof unless such charter trip is bona fide for the transportation of a person or persons to a point not on such route or a person or persons resident or engaged in regular business along such route.

#### 6.52 Individual Fares—Charter Trips

When a passenger-vehicle is being operated for a charter trip, individual fares may not be charged by the licensee and no licensee shall quote on a charter trip at a rate per passenger.

#### 6.53 Individual Fares—Limited Passenger-vehicles

Unless otherwise expressly stated in his licence or in the tariff in effect respecting the operation of his passenger-vehicle, no licensee shall charge individual fares for the transportation of passengers on a limited passenger-vehicle.

#### 6.54 Sign "Chartered" or "Special"

Every licensed passenger-vehicle having a carrying capacity of more than seven (7) passengers, exclusive of the driver, while it is being operated for a charter trip shall have displayed in a conspicuous position on the front thereof a sign in plain letters not less than (3) inches in height, reading "CHARTERED" or "SPECIAL."

### 6.6 ADDITIONAL REGULATIONS RESPECTING OPERATION OF PASSENGER-VEHICLES

#### 6.601 Passengers Entering and Leaving

Passengers shall leave or enter a passenger-vehicle at the right-hand side of the vehicle only, and only after the vehicle has been brought to a full stop.

**6.602 Stopping to Take on or Discharge Passengers**

The chauffeur of a passenger-vehicle shall not take on or discharge any passenger unless a clear and unobstructed width of at least ten (10) feet of the travelled portion of the highway is left free for passage of other vehicles thereon, nor unless a clear view of the licensed vehicle may be had from a distance of two hundred (200) feet in either direction upon the highway on which the vehicle is travelling, and shall, where possible, before taking on or discharging a passenger, bring his vehicle to a stop clear of the main travelled portion of the highway.

**6.603 Safety Provisions to Be Observed when Vehicle Is in Motion**

The chauffeur of a passenger-vehicle shall not collect fares, make change, or take on or discharge any passenger while the vehicle is in motion, nor shall he engage in unnecessary conversation with a passenger while he is driving the vehicle. Passengers riding on a passenger-vehicle shall not talk to or converse with the chauffeur, except when it is necessary to do so.

**6.61 Chauffeur's Vision and Movements Must Not Be Obstructed**

The seating arrangement of every passenger-vehicle shall be such that, when all seats are fully occupied, the driver's view ahead or to the right- or left-hand sides is not obscured in any way, and that the driver at all times has free movement of his arms and legs and ready access to emergency equipment. Under no circumstances shall a passenger be permitted to ride on the left-hand side of the chauffeur. In the case of a passenger-vehicle of the sedan type having a front transverse seat for the full width of the vehicle, two passengers, in addition to the driver, shall not be carried on such seat unless, having regard to the seating space occupied by the passengers, there remains adequate room for the driver to operate the vehicle safely, and under no circumstances shall more than two passengers be carried on such seat.

**6.611 Standing Passengers**

The chauffeur of a passenger-vehicle shall not permit any person to ride on the running-boards, fenders, or any part of the vehicle other than the seats provided for passengers, nor permit any passenger to stand while the vehicle is in motion, unless the carrying of standing passengers is specifically permitted by the Commission with respect to the vehicle, as stated in the licence therefor, and then only to the number and to the extent and in the manner stated in the licence; provided that no passenger shall be permitted to stand in a passenger-vehicle in such a position that the driver's vision or movements are hampered in any way.

**6.62 Baggage**

It shall be the duty of the chauffeur to see that all baggage or express carried in or on any passenger-vehicle shall be so loaded as not to interfere with the free and ready entrance or exit of passengers and that it is stowed in such a manner as to prevent its falling on or against any passenger. The chauffeur shall not permit such baggage or express to extend beyond the normal width of the vehicle. All passenger baggage shall be protected from dust and moisture.

**6.621** No passenger-vehicle shall be equipped with a baggage-carrier over the engine-hood nor shall any baggage or express be carried there or in any manner so as to obstruct the driver's vision.

**6.622 Explosives, Chemicals, Inflammables**

No motor carrier shall carry or permit to be carried on any passenger-vehicle on which passengers are being transported any explosives, inflammables, chemicals, or other materials subject to ignition or explosion by a temperature of less than 120 degrees Fahrenheit, or by exposure to air, or by concussion, or by mixture with any other material, or any commodity or article which is liable to cause any discomfort to such passengers.

**6.63 Refusal to Transport Passengers**

No chauffeur of any public passenger-vehicle shall refuse to carry any person offering himself at any regular scheduled stopping-place for that vehicle who tenders the legal fare to any regular stopping-place on the route of the vehicle between the termini thereof, unless at the time the vehicle is carrying the maximum authorized number of passengers; but the chauffeur of a public passenger-vehicle may refuse transportation to any person who is sick, in an intoxicated condition, is conducting himself in a boisterous or disorderly manner, is using profane language, or who, in the opinion of the chauffeur, may be offensive or dangerous to the persons or property of the other passengers.

**6.631 Smoking by Passengers Prohibited**

No passenger shall smoke tobacco or any other substance in any passenger-vehicle if there is posted up therein, in a conspicuous place in letters not less than one and one-half (1½) inches in height, the words "NO SMOKING" or other words indicating that smoking is not permitted therein.

**6.632 Smoking in Certain Parts of Vehicle Only**

If in any passenger-vehicle there is posted up in a conspicuous place a sign or notice in letters of not less than one (1) inch in height, indicating that smoking is permitted in a certain part only of the vehicle, no passenger shall smoke tobacco or any other substance in any other part of that vehicle.

**6.633 Passenger—Breach of Smoking Prohibition**

The chauffeur in charge of any passenger-vehicle may require any passenger to leave the vehicle who persists in smoking therein in breach of the provisions of Regulations 6.631 and 6.632 after being requested by the chauffeur to desist.

**6.64 Regular Vehicle Inspection**

Every motor carrier who is licensed to operate a passenger-vehicle shall institute a system of frequent and regular inspection of his licensed vehicle by a competent inspector employed by the licensee and shall keep his equipment in proper repair at all times. Any defective mechanical or other condition shall be promptly corrected before vehicle is operated for the public service.

**6.641 Cleanliness of Vehicles**

It shall be the duty of every licensee of a public or limited passenger-vehicle to maintain the same in a clean and sanitary condition.

**6.65 When Vehicle Is Left Standing on Grade**

When it is necessary to leave a passenger-vehicle on a grade, it must be placed "in gear" when this is possible.

**6.66 Chauffeur—Smoking and Use of Alcoholic Liquor Prohibited**

No chauffeur of a passenger-vehicle shall

- (a) go on duty while under the influence of an intoxicant; or
- (b) drink any intoxicating liquor while on duty; or
- (c) smoke tobacco or anything else in a vehicle in which there is a passenger, except at a route terminus while the vehicle is stopped.

6.67 [Revoked, March 6th, 1961.]

**6.671 Inside Lights Required**

Every passenger-vehicle having a placed top, or its top up, shall have maintained a light or lights within the vehicle so arranged as to light up the whole of the interior of the vehicle, except that portion occupied by the chauffeur. Such light or lights shall be kept sufficiently lighted between the hours of sunset and sunrise at all times when the vehicle is occupied by passengers.

**6.672 Exhaust Heaters Prohibited**

No passenger-vehicle shall be equipped with an "engine-exhaust heater."

**6.673 Movable Seats**

No licensee shall add to a licensed vehicle any movable, "let-down," or "jump" seats without first obtaining the approval of the Commission. The use of movable, "let-down," or "jump" seats in a sedan car shall be permitted only in the rear portion of such a car and only if the body of the car was constructed by the manufacturer for the inclusion of such seats.

**6.68 Emergency and Spare Equipment**

Every person who is licensed to operate a passenger-vehicle shall carry, or cause to be carried, on the licensed vehicle such emergency and spare equipment and tools as are likely to be required for replacement or use on any trip, and, unless otherwise ordered by the Commission in writing, with respect to any specified vehicle or vehicles, shall also carry, or cause to be carried, the following:—

- (a) On every limited passenger-vehicle having an authorized seating capacity of more than eight passengers, excluding the driver, and on every public passenger-vehicle, at least one fire-extinguisher either of the liquid pump or pressure non-freezing type of at least 1 quart capacity or the dry chemical type with a capacity of at least 5 pounds of chemical, which may be controlled to prevent the escape of the entire contents on single use and be effective for reuse within at least one hour after the first application. Such fire-extinguisher shall be securely mounted in the forward end of the vehicle, easily accessible to the driver:

- (b) On every passenger-vehicle having a seating capacity of more than eight passengers, excluding the driver, the equipment specified in clause (a) hereof and, in addition, one long-handled axe, located and secured within the vehicle so as to be readily accessible for use in an emergency, and one first-aid kit with contents equivalent to those specified by the Workmen's Compensation Board of British Columbia for a No. 2 First-aid Kit.

The Commission may by order in writing specify the emergency and spare equipment and tools to be carried on any particular vehicle or vehicles, or on vehi-

cles operated in any particular district or on any particular routes or under any particular circumstances, and every licensee affected by such order shall forthwith comply with same.

**6.681 Defects and Breakdowns**

If during any trip any part of a public or limited passenger-vehicle, whether the same be an automotive part or vehicular part, becomes so defective or inefficient that continuing the trip would in the least endanger the safety or comfort of any passenger, the vehicle shall be brought to a stop at a point off the line of travel and shall not proceed with passengers until the defect is remedied or the danger removed. In case a public or limited passenger-vehicle is stopped pursuant to this regulation or is, by reason of accident, disablement, or breakdown, unable to proceed, the licensee shall make immediate arrangements so that the passengers who are being carried by the public or limited passenger-vehicle can be transported to their destination with as little delay as possible.

**PART 7****TIME SCHEDULES AND DISCONTINUANCE OF SERVICE****7.0 GENERAL PROVISIONS****7.1 Time Schedules to Be Published**

Every motor carrier licensed to operate a public passenger-vehicle or a Class I or Class II public freight-vehicle shall publish and keep open for inspection of the public at his principal office, and shall post in a conspicuous place easily accessible for public inspection at each terminus, station, or regular stopping-place on the line or route served by him, copies of all time schedules in effect with respect to his operations under his licence, as filed with the Commission.

**7.2 Size and Arrangement of Time Schedules**

Time schedules shall be printed or typewritten on good quality paper; shall be of a size not less than 8 by 11 inches; shall consist of as many pages as necessary; and shall be arranged substantially in accordance with a sample time schedule to be prescribed by the Commission. All time schedules shall be serially numbered.

**7.3 Information to Be Given**

The first page of the schedule (or the top portion, if only one page is necessary) shall show and contain the following matters:—

- (a) Name of licensee (or applicant for licence):
- (b) Operating name (if different from name of licensee or applicant):
- (c) Serial number of schedule (showing also number of schedule which it cancels (if any) thus: "Time Schedule No. .... cancels Time Schedule No. ...."):
- (d) Whether "Passenger" or "Freight" time schedule:
- (e) Termini between which time schedule applies:
- (f) Route traversed:
- (g) Date issued and by whom issued and his title and address:
- (h) Effective date:

- (i) The time of departure from and arrival at all termini:
- (j) The time of departure from intermediate points between termini:
- (k) The distance from terminus to all points shown in schedule:
- (l) Days of the week on which service is rendered.

#### 7.4 Filing of Time Schedules

Four (4) copies of the proposed time schedule governing the proposed transportation service under the licence or privilege applied for shall accompany every application

- (a) for a public passenger-vehicle licence or a Class I or Class II public freight-vehicle licence;
- (b) for alteration of a public passenger-vehicle licence or of a Class I or Class II public freight-vehicle licence where the application is for extension or reduction of service or for a new or different service,

unless the applicant already has such time schedule on file with the Commission and if such time schedule has the consent of the Commission, in which case the applicant shall state the fact in his application. Unless the Commission orders any time schedule accompanying any application for licence or alteration of licence to be withdrawn or modified, if the licence or privilege applied for is granted by the Commission, the time schedule shall then be considered to be in full force and effect as from the effective date of the licence or privilege granted.

### 7.5 CHANGES IN TIME SCHEDULES

#### 7.51 Preparation of New Time Schedule

When any licensee wishes to change his time schedule, either by altering a time of arrival or departure or by increasing or reducing the amount of service, he shall first prepare a new time schedule in accordance with paragraphs 7.2 and 7.3. The effective date to be stated shall be a date at least thirty days after the posting, at the licensee's office and at any other places required by these regulations, of public notice of the application to the Commission for its consent to the change.

#### 7.52 Application to Commission

An application to the Commission for its consent to a proposed revision of any time schedule shall be in a form prescribed for that purpose by the Commission and shall in other respects be made and dealt with in the same manner, as nearly as may be, as is provided in paragraphs 8.372 to 8.378, inclusive, for a revision of a tariff; provided that notice to a municipality is not required in the case of a revision of a freight time schedule.

#### 7.54 Withdrawal, Modification, or Suspension

Either on its own motion or on the filing of a protest by any person affected, the Commission may at any time order any time schedule to be withdrawn, modified, or suspended.

#### 7.6 Adherence to Time Schedules

It shall be the duty of every motor carrier to adhere to the time schedules as filed with the Commission and posted for the information of the public in the operation of the public vehicles to which they relate.

7.61 The licensee of a public passenger-vehicle shall not permit the licensed vehicle to leave the point or place from which it is scheduled to start until the time fixed by the time schedule, nor to pass any intermediate point before the scheduled time.

### 7.7 REDUCTION OR DISCONTINUANCE OF SERVICE

#### 7.71 Proposals for Reduction or Discontinuance of Service

When any licensee wishes to discontinue his service or make a major reduction in the amount of service, he shall submit his plans in accordance with paragraphs 7.72 to 7.78, inclusive.

7.72 The application to the Commission for its consent to a proposed discontinuance of a service or a proposed major reduction in a service shall be in a form prescribed by the Commission.

7.73 After the filing of the application, the licensee shall, when directed by the Commission, and within five (5) days of receipt of such direction, give thirty (30) days' public notice in such manner as the Commission may prescribe. The notice shall in any case be posted in a conspicuous place in the licensee's office and, in the case of a public passenger-vehicle service, at the termini of and the depots on each route affected. It shall state the general effect of the change proposed and the proposed effective date, and shall also state that the proposed discontinuance or modification of service is subject to the consent of the Public Utilities Commission. In addition, the notice shall set forth the requirements of paragraph 7.75 governing the filing of protests.

#### 7.74 Notice to Municipalities

Where the proposed discontinuance or modification of schedules affects local passenger service within a municipality, notice shall also be sent by applicant licensee to the Clerk of that municipality.

#### 7.75 Filing of Protests

Persons wishing to protest a discontinuance or modification of a scheduled service on the grounds that they will be seriously affected thereby shall file written protest, indicating how frequently they used the service in question, whether in fact the service was considered by them mainly as a stand-by service to be used only occasionally, and what alternative means of transportation are available to them should the service be discontinued. Such protest shall be filed with the Superintendent of Motor Carriers within the time-limit stated in the notice of application, as posted by the licensee, or as otherwise communicated by the licensee to affected parties, in accordance with the requirements of these regulations.

7.76 Where it may be expedient to defer a decision so that any interested party may make representations, the Commission may order continuance of existing service, or of any interim service, for such period of time or times as it deems fit.

7.77 The Commission may grant its consent to a discontinuance or reduction of an authorized scheduled public passenger-vehicle or public freight-vehicle service or to the suspension of such a service when the Commission considers that such a course is justified, notwithstanding the fact that the applicant has not complied with the preceding regulations governing form, effective date, or procedure.

7.78 When the consent of the Commission has been given, the time schedules shall be cancelled or amended accordingly.



## PART 8

## RATES AND TARIFFS

## 8.1 General

No motor carrier shall file any tariff showing a rate, toll, or fare for transporting the like description and quantity of freight or express, or for transporting passengers under substantially similar circumstances and conditions, in the same direction over the same route, which is greater for a shorter than for a longer distance within which such shorter distance is included.

## 8.11 Free Passes

No motor carrier who is the holder of a licence for the operation of a passenger-vehicle shall, except with the specific approval of the Commission or for charitable or patriotic purposes, carry on his licensed vehicle any passenger or express without charge, or in any manner remit all or any portion of the charges therefor, or issue or tender to any person or honour any free pass, free ticket, or reduced-rate ticket for transportation of any passenger on his licensed vehicle, except to his officers or employees; provided that any police officer or constable in uniform and any inspector of motor carriers employed by the Commission may, while on duty, be carried free of charge.

8.12 No motor carrier who is the holder of a licence for the operation of a public or limited freight-vehicle shall carry on his licensed vehicle any freight without charge, or in any manner remit all or any portion of the charges therefor, except

- (a) for charitable or patriotic purposes;
- (b) for the transportation of freight the property of the licensee or his officer or employee;
- (c) under specific approval of the Commission.

## 8.13 C.O.D. Service

No motor carrier shall accept a shipment of freight or express for delivery on a "C.O.D." (cash on delivery) basis unless the tariff governing his operations under the *Motor Carrier Act* which is filed with or prescribed by the Commission provides for such acceptance and specifies the charges to be made by him for such "C.O.D." service and the rules governing such service, which rules shall include a statement of the specific period of time within which the motor carrier shall remit to the shipper or his order all money received by the carrier on behalf of the shipper.

## 8.131 C.O.D. Service by Connecting Carriers

No motor carrier shall accept as an originating carrier a shipment of freight or express for delivery on a "C.O.D." (cash on delivery) basis after transportation by such carrier together with one or more connecting carriers unless a joint tariff consistent with paragraph 8.13 has been filed by all the carriers who are to participate in the transportation of the shipment or unless such a tariff has been prescribed by the Commission.

## 8.132 Remittance of C.O.D. Money

No motor carrier who accepts a shipment of freight or express for delivery on a "C.O.D." (cash on delivery) basis or who participates in the transportation or delivery of such a shipment shall delay the remittance of any money received by him in respect of it beyond the time specified in the tariff applicable to such shipment and "C.O.D." service and filed or prescribed under the *Motor Carrier Act*.

## 8.133 Statement on Shipping Documents of Person Entitled to C.O.D. Funds

Every motor carrier accepting a C.O.D. shipment shall clearly indicate, on the shipping documents accompanying it, the name and address of the shipper or other person designated as payee to whom the delivering carrier shall remit C.O.D. funds collected upon delivery of such shipment. Where the shipment is transported jointly by more than one carrier, the originating carrier may, unless otherwise instructed by the shipper, direct that the C.O.D. funds be remitted by the delivering carrier to himself for remittance to the shipper. In any case of a joint shipment where the delivering carrier remits direct to the shipper, he shall at the same time notify the originating carrier that he has done so.

## 8.134 Segregation of C.O.D. Funds

Every motor carrier receiving any C.O.D. funds shall segregate them from other funds and, except as herein provided, shall deposit them in a separate trust fund in a bank from which withdrawal shall be made only for remittance to the shipper or other person designated as payee, or to the originating carrier for remittance by him, when this alternative is permissible under paragraph 8.133. The foregoing provisions as to bank deposits and withdrawals shall not apply to a motor carrier in respect of C.O.D. funds in his hands which are not negotiable by him, and shall not apply in any case where remittance of the C.O.D. funds is made direct to the shipper on the day of delivery of the shipment or on the following business day. The provisions of this paragraph shall not restrict the right of a motor carrier to deduct his lawful charges against a shipper from C.O.D. remittances due to that shipper.

## 8.135 Non-delivery of C.O.D. Shipment

In the event of non-delivery of a C.O.D. shipment within ten days of arrival at destination, the originating carrier shall, without delay, notify the shipper in writing, giving reasons for the non-delivery, and obtain disposal instructions in writing. In case of non-delivery within ten days of a C.O.D. shipment transported jointly by more than one carrier, the carrier at destination shall, without delay, notify the originating carrier in writing, with reasons for non-delivery, so as to enable the originating carrier to notify the shipper and obtain his instructions as required by these regulations.

## 8.136 Record of C.O.D. Shipments

Every motor carrier transporting any C.O.D. shipments shall maintain a separate record of such shipments and of the collections and remittances related thereto, and shall produce such record for inspection whenever required to do so by an Inspector of Motor Carriers or other officer of the Public Utilities Commission.

## 8.2 JOINT TARIFFS

## 8.21 Participating Carriers to Publish and File Joint Tariffs

When passengers, freight, or express are transported jointly by two or more motor carriers in British Columbia, all motor carriers participating in such transportation shall publish and file with the Commission a joint tariff with respect to such transportation.

**8.22 Filing and Publication of Joint Tariffs**

Joint tariffs and changes to joint tariffs shall, as to the filing and publication thereof, be subject to the same provisions in these regulations as are applicable to the filing and publication of other tariffs of a similar kind, and all participating carriers shall signify their concurrence thereto; and, upon any such joint tariff being so duly filed with the Commission, the carrier or carriers shall, until such tariff is superseded by another tariff or disallowed or suspended by the Commission, charge the rate or rates as specified therein.

**8.23 Proportion of Rates Received by Any Carrier**

The Commission may require to be informed by any carrier of the proportion of the rate or rates in any joint tariff filed, which it or any other carrier is to receive or has received.

**8.24 Withdrawal from Joint Tariff**

In the event that any carrier who is a participant in a joint tariff wishes to withdraw from participation in same, he shall so notify the Commission and the other participating carriers in writing at least thirty days prior to the effective date of such proposed withdrawal, stating his reasons for same, and on effective date of such withdrawal the joint tariff shall be void unless otherwise ordered by the Commission.

**8.3 PASSENGER TARIFFS****8.31 Passenger Tariffs to Be Open for Public Inspection**

Every motor carrier licensed to operate a public passenger-vehicle or a limited passenger-vehicle shall keep open for inspection of the public at his principal office and, in the case of a public passenger-vehicle, at the termini of each route, a copy of the passenger tariff or tariffs in effect with respect to his operations under his licence, as filed with or prescribed by the Commission.

**8.32 Passenger Tariffs to Be Explicit**

Passenger tariffs shall state clearly and explicitly, so as to leave no doubt whatever as to their application, the fares to be charged in cents or dollars and cents for transporting passengers, together with rules and regulations which govern or in any way affect the fares or the value of the service to be rendered by the carrier.

**8.33 Size, Arrangement, Information to Be Given**

All tariffs for passenger-vehicles shall be printed or typewritten on good quality paper; shall be of a size not less than 8 by 11 inches; shall be serially numbered; and shall show and contain the following matters:—

- (a) Name of licensee (or applicant for licence):
- (b) Operating name (if different from name of licensee or applicant):
- (c) Serial number of tariff (showing also number of tariff it cancels, if any, thus: "Passenger Tariff No. \_\_\_\_\_ cancels Passenger Tariff No. \_\_\_\_\_"):
- (d) Whether public passenger tariff, or charter tariff, or sightseeing tariff:
- (e) Date of issue and by whom issued, and his title and address:
- (f) Effective date:
- (g) Explanation of abbreviations, if any, which shall be in accordance with the abbreviations prescribed by these regulations.

**8.34 Further Information to Be Given in Public Passenger Tariffs**

In the case of a public passenger service, tariffs shall be arranged substantially in accordance with a sample tariff, to be prescribed by the Commission, and shall show and contain the following matters:—

- (h) Rules and regulations which govern the fares in clear and explicit terms, setting forth all privileges, stop-overs, extensions of time-limit, refund for unused and partly used tickets, children's fares, baggage rules, excess-baggage rates, and similar matters:
- (i) Termini between which each section of the tariff applies and route traversed:
- (j) List of depots and local agents:
- (k) Names of stations to which the respective rates apply, the distance in miles from terminus to each station, the one-way and return adult fares definitely stated in cents or dollars and cents per passenger from terminus to each station and the intermediate fares between stations, arranged in a simple systematic manner:
- (l) A clause substantially as follows: "Rates from or to intermediate points not named herein will be the same as the rates from or to the next more distant point named."

**8.35 Further Information to Be Given in Charter Tariffs**

Passenger tariffs for charter trips shall state clearly and explicitly the total amount which is to be charged for the use of the whole vehicle for the exclusive conveyance of one person or group or party of persons to whom the vehicle is chartered, according to the seating capacity of the vehicle and class of accommodation provided, and may be stated at a rate per mile, per hour or day, or at a fixed rate between stated points or over stated routes. A minimum charge shall be specified.

**8.351** In the case of mileage rates, the charter tariff shall state clearly whether such rates are for total mileage travelled while passengers are riding in the vehicle ("live mileage") or whether any "dead-head" mileage is also charged and at what rate, or whether it is for total mileage travelled by the vehicle from the time when the vehicle leaves a specified point until it returns to that point. If any waiting-time is charged, the rate and minimum charge for same shall be stated.

**8.352** In the case of a fixed rate between stated points, the charter tariff shall specify whether or not such rate includes the return trip.

**8.353 Charter Rates**

All rates stated in a charter tariff shall cover the operation of the vehicle and all incidental expenses connected therewith, including the provision of the necessary driver or drivers, garage charges, and payment of road and bridge tolls (unless otherwise stated), and no extras such as board and accommodation for drivers may be charged, unless specified in the tariff.

**8.36 FILING OF PASSENGER TARIFFS**

Four (4) copies of proposed passenger tariff arranged in accordance with and containing the information prescribed by paragraphs 8.32 to 8.353, inclusive, showing rates to be charged, collected, or enforced in connection with the proposed

transportation service under the licence or privilege applied for shall accompany every application

- (a) for a public passenger-vehicle licence or a limited passenger-vehicle licence;
- (b) for alteration of public passenger-vehicle licence or limited passenger-vehicle licence in cases where the application is for extension of service or new or different service,

unless the applicant already has such tariff on file with the Commission, or unless the rates for the class of service proposed in the application have been prescribed by the Commission, in either of which cases the applicant shall state the fact in his application.

#### 8.361 Effective Date

Unless the Commission orders any tariff accompanying or referred to in any application for licence or alteration of licence to be withdrawn or modified, if the licence or privilege applied for is granted by the Commission, the tariff shall then be considered to be in full force and effect as from the effective date of the licence or privilege granted.

### 8.37 CHANGES IN PASSENGER TARIFFS

#### 8.371 Preparation of Supplement or New Tariff

When any licensee wishes to change his passenger tariff or any rule or regulation in connection therewith, he shall first prepare either a supplement or a new tariff, in accordance with the requirements of paragraphs 8.32 to 8.353, inclusive. The effective date to be stated shall be at least thirty days after the date of giving notice in accordance with paragraph 8.372. In the case of supplements, clause (c) of paragraph 8.33 shall not apply. A supplement shall be serially numbered and shall also show the number of supplements in effect thus:—

- Supplement No. 6 to
- Passenger Tariff No. 2.
- Cancels Supplement No. 5.
- Supplements Nos. 2, 4, and 6 in effect.

The copies of a supplement or new tariff filed with the Commission and posted for information of the public shall indicate increases, reductions, or other changes proposed to be made in existing rates or fares by prefixing same with uniform symbols, a clear explanation of which shall be shown. The following symbols may be used:—

- A—to indicate advance or increase.
- R—to indicate reduction.
- N—to indicate new item.

#### 8.372 Notice of Application

The licensee shall give public notice, at least thirty days prior to the proposed effective date, of his intention to apply to the Commission for its consent to a tariff change. The notice shall state the general effect of the change and the proposed effective date, and either shall have attached to it a copy of the new tariff or supplement or shall state clearly where the new tariff or supplement may be conveniently seen by the public. The notice shall state that the application is subject to the consent of the Public Utilities Commission and that any objection may be filed with

the Superintendent of Motor Carriers, Public Utilities Commission, Vancouver, B.C., up to a date specified in the notice, which shall be at least two weeks after the date on which the notice is posted and at least ten days prior to the proposed effective date. The notice shall be posted in a conspicuous place at the licensee's office and, in the case of a public passenger-vehicle licensee, at the termini of and depots on each route affected.

#### 8.373 Notice to Municipalities

Where the proposed tariff changes include any change of local passenger fares from one point to another within any municipality, a copy of the notice of application, as posted, shall be sent by the licensee to the Clerk of the municipality at least thirty days prior to the proposed effective date.

#### 8.374 Additional Notice

Additional notice, by newspaper advertising or otherwise, may be given by the licensee, and shall be given when so required by the Commission. The requirements of paragraph 8.372 shall be complied with, so far as applicable, with respect to additional notice.

#### 8.375 Application for Consent of Commission

The licensee shall, not later than seven days after posting notice in accordance with paragraph 8.372, file with the Superintendent of Motor Carriers an application for the consent of the Commission to the proposed tariff revision, which application shall be in a form prescribed by the Commission, shall be accompanied by four (4) copies of the proposed new tariff or supplement, and shall show complete and correct details of the nature and effect of the changes, the reasons therefor, the proposed effective date, and the notices which have been given. A copy of the notice shall be attached to the application and, if the notice has been published in any newspaper, a clipping from each newspaper in which it appeared shall be attached, marked with the name of the newspaper and the date of publication.

#### 8.376 Special Cases

The Commission may grant its consent to a tariff revision notwithstanding non-compliance by the applicant with any of the regulations governing form, effective date, notice, or procedure.

#### 8.377 Effective Date

No licensee shall put any tariff change into effect until he has been notified of the consent of the Commission.

#### 8.378 Reissue of Tariff

When a passenger tariff has been subjected to numerous changes by supplements, the licensee may, on his own motion, issue a new tariff, and he shall do so if so ordered by the Commission.

### 8.4 FREIGHT TARIFFS

#### 8.41 Freight Tariffs to Be Kept Open for Public Inspection

Every motor carrier licensed to operate a public freight-vehicle shall keep open for inspection of the public at his principal office and, in the case of Class I or

Class II public freight-vehicle, at the termini of each route, a copy of the freight tariff or tariffs in effect with respect to his operations under his licence, as filed with or prescribed by the Commission.

#### 8.42 Freight Tariffs to Be Explicit

Freight tariffs shall state clearly and explicitly, so as to leave no doubt whatever as to their application, the rates to be charged in cents per 100 pounds, per ton, or other approved unit, for transporting the various articles and commodities named in the tariff, and for all services in connection with such transportation, between the points named in the tariff, or within a clearly defined district or districts, or on a mileage basis, or at a rate per hour, per day, or other period of time, according to the class or classes of service to be rendered, and shall include a minimum charge for each of the various classes of transportation service.

#### 8.43 Rules Governing Rates and Charges

Every freight tariff shall include clear and explicit rules which govern or in any way affect the rates and charges or the value of the service to be rendered by the carrier. Where rates are based on weight, they shall apply to the gross weight of shipments, unless otherwise specifically provided in the tariff, subject to minimum charges specified. Unless otherwise stated in the tariff, the rates filed therein shall include loading the freight on the vehicle and unloading same, and the tariff shall state additional charges, at a rate per hour, with rules governing such charges for extra labour for loading and unloading or for any other purpose when the nature of the shipment or other conditions require same.

#### 8.431 List of Articles

Where any general heading is used to cover a variety of commodities, the tariff shall either contain a complete list of the articles included under such heading, or contain a reference to some published classification or other list approved by or acceptable to the Commission, wherein these articles are so listed.

#### 8.44 Size, Arrangement, Information to Be Given

Freight tariffs shall be printed or typewritten on good quality paper; shall be of a size not less than 8 by 11 inches; shall be serially numbered; and shall show and contain the following matters, in so far as applicable to the class or classes of service to be rendered:—

- (a) Name of licensee (or of applicant for licence):
- (b) Operating name (if different from name of licensee or applicant):
- (c) Serial number of tariff (showing also number of tariff which it cancels, if any, thus: "Freight Tariff No. \_\_\_\_\_ cancels Freight Tariff No. \_\_\_\_\_"):
- (d) Whether tariff is for class rates or commodity rates, or both, or for hourly or daily rates, etc.:
- (e) Route or district:
- (f) Date of issue and by whom issued and his title and address:
- (g) Effective date:
- (h) Table of contents and index of commodities (when size of tariff warrants):
- (i) Explanation of abbreviations, if any, which shall be in accordance with the abbreviations prescribed by these regulations:
- (j) Rules and conditions governing the charges, in clear and explicit terms, including any storage, pick up or delivery and other charges:

- (k) A separate section covering class rates, if such rates are to be charged, naming the points between which the rates apply and stating the various classes and the respective rates for each class. If the class rates are based on mileage, the tariff shall include a mileage table on which such charges are to be based:
- (l) A separate section covering commodity rates, if such rates are to be charged, stating the commodities (*see* paragraph 8.431) and the points from and to which or between which the respective rates apply:
- (m) A separate section covering rates per hour or per day or other unit of time to be charged, for supplying vehicle and driver within the district or territory authorized under the licence, or applied for in application for licence.

#### 8.441 Units of Measure

Freight rates shall be stated in cents per 100 pounds or per ton of 2,000 pounds, except where it is not possible or practical to ascertain weights due to lack of weighing facilities or the nature of any commodity, in which case the following units of measure may be used:—

Commodity	Unit of Measure
Lumber, sawlogs	F.B.M.
Poles, piling, gutter stock	F.B.M. or lin. ft.
Post, props	Each or cord.
Ties	Each.
Shingles	1,000.
Shingle-bolts, stave-bolts, fuel-wood	Cord.
Sawdust	Unit (200 cu. ft.)
Bricks; building-tile or drainage-tile	1,000.
Gravel, rock, sand, or earth; cinders or ashes; animal manure	Cubic yard.
Garbage	Cubic yard or can.
Petroleum products, asphalt and by-products	Gallon.
Fresh milk or cream	Gallon.
Milk-cans, empty returned	Each.
Oil-drums, empty returned	Each.
Live stock, race-horses	Animal.
Household goods	Cubic foot.
Pianos and organs	Each.
Christmas trees	Bundle.

#### 8.45 FILING OF FREIGHT TARIFFS

Four (4) copies of proposed freight tariff arranged in accordance with and containing the information prescribed by paragraphs 8.42 to 8.441, inclusive, showing rates to be charged, collected, or enforced in connection with the proposed transportation service under the licence or privilege applied for shall accompany every application

- (a) for a public freight-vehicle licence;
  - (b) for alteration of public freight-vehicle licence in cases where the application is for extension of service or for a new or different service;
  - (c) for limited freight-vehicle licence where contract or agreement does not specify the charges made for transporting freight,
- unless the applicant already has such tariff on file with the Commission, or unless

the rates for the class of service proposed in the application have been prescribed by the Commission, in either of which cases the applicant shall state the fact in his application.

#### 8.451 Effective Date

Unless the Commission orders any tariff accompanying or referred to in any application for licence or alteration of licence to be withdrawn or modified, if the licence or privilege applied for is granted by the Commission, the tariff shall then be considered to be in full force and effect as from the effective date of the licence or privilege granted.

### 8.46 CHANGES IN FREIGHT TARIFFS

#### 8.461 Preparation of Supplement or New Tariff

When any licensee wishes to change his freight tariff or any rule or regulation in connection therewith, he shall first prepare either a supplement or a new tariff, in accordance with the requirements of paragraphs 8.42 to 8.441, inclusive. The effective date to be stated shall be at least thirty days after the date on which the licensee gives public notice of his intention to apply for a change in his tariff. In the case of supplements, clause (c) of paragraph 8.44 shall not apply. Supplements shall be serially numbered and changes made by supplements or new tariffs shall be indicated therein by symbols in general accordance with paragraph 8.371 of these regulations.

#### 8.462 Application to Commission

An application to the Commission for its consent to a proposed revision of a freight tariff shall be made and dealt with in accordance with paragraphs 8.372 and 8.374 to 8.378, inclusive, of these regulations.

### 8.5 EXPRESS TARIFFS

#### 8.51 Express Tariffs to Be Kept Open for Public Inspection

Every motor carrier whose licence authorizes him to transport express shall keep open for inspection of the public at his principal office and at the termini of each route a copy of the express tariff or tariffs in effect with respect to his operations under his licence, as filed with or prescribed by the Commission.

#### 8.52 Express Tariffs to Be Explicit

Express tariffs shall state clearly and explicitly, so as to leave no doubt whatever as to their application, the rates to be charged in cents or dollars and cents per pound or cubic foot for transporting the various articles and commodities named in tariff, and for all services in connection with such transportation, between the points named in the tariff, or on a mileage basis. The rate per cubic foot shall not be more than ten times the rate per pound in cases where both rates are stated in the tariff.

#### 8.53 Rules Governing Rates and Charges

Every express tariff shall include clear and explicit rules which govern or in any way affect the rates and charges or the value of the service to be rendered by

the carrier. Where rates are based on weight, they shall apply to the gross weight of shipments, unless otherwise specifically provided in the tariff.

#### 8.54 List of Articles

Where any general heading is used to cover a variety of commodities, the tariff shall either contain a complete list of the articles included under such heading, or contain a reference to some published classification or other list approved by or acceptable to the Commission, wherein these articles are so listed.

#### 8.55 Size, Arrangement, Information to Be Given

Express tariffs shall be printed or typewritten on good-quality paper; shall be of a size not less than 8 by 11 inches; shall be serially numbered; and shall show and contain the following matters, in so far as applicable to the class or classes of service to be rendered:—

- (a) Name of licensee (or of applicant for licence):
- (b) Operating name (if different from name of licensee or applicant):
- (c) Serial number of tariff (showing also number of tariff which it cancels, if any, thus: "Express Tariff No. .... Cancels Express Tariff No. ...."):
- (d) Route:
- (e) Date of issue and by whom issued and his title and address:
- (f) Effective date:
- (g) Rules and conditions governing the charges, in clear and explicit terms, including C.O.D., valuation, pick up or delivery and other charges:
- (h) Express rates between points named or on a mileage basis, or both, with mileage table if required, and express commodity rates (if any) arranged in a systematic manner.

#### 8.56 Incorporation of Express Tariff with Passenger Tariff

An express tariff may be incorporated with the licensee's passenger tariff covering the same route, but under a separate section thereof and with a distinctive heading.

#### 8.57 Filing of Express Tariffs

The filing of express tariffs, to be arranged in accordance with paragraph 8.55, shall be generally in accordance with the provisions of paragraphs 8.36 and 8.361 governing the filing of passenger tariffs in cases where the express is to be carried on a public passenger-vehicle, and in accordance with the provisions of paragraphs 8.45 and 8.451 governing the filing of freight tariffs in cases where the express is to be carried on a vehicle other than a public passenger-vehicle.

#### 8.58 Changes in and Supplements to Express Tariffs

An application to the Commission for its consent to a proposed revision of an express tariff shall be made and dealt with in accordance with paragraphs 8.372 and 8.374 to 8.378, inclusive, of these regulations. The provisions of paragraph 8.371 respecting numbers of supplements and symbols to be used in tariffs and supplements shall apply to express tariffs.

### 8.6 ABBREVIATIONS—TARIFFS AND TIME SCHEDULES

8.61 The following abbreviations, symbols, and characters are hereby adopted to be used as may be necessary in compiling any tariff or time schedule for filing and publishing, as prescribed by these regulations:—

## 8.62 Abbreviations

Ave. .... Avenue.	Nstd. .... Nested.
Bbl. .... Barrel.	O.R.B. .... Owner's risk of breakage.
F.B.M. .... Foot board measure.	O.R.D. .... Owner's risk of damage.
Bdl. .... Bundle.	O.R.Det. .... Owner's risk of deterioration.
Bx. .... Box or boxes.	O.R.W. .... Owner's risk of weather.
Cap. .... Capacity.	Pkgs. .... Packages.
Chg. .... Charge.	Reg'n .... Regulation.
Class'n .... Classification.	Ret'd .... Returned.
Co. .... Company.	S. .... South.
C.O.D. .... Cash on delivery.	Sec. .... Section.
Cont'd .... Continued.	St. .... Street.
Cu. Ft. .... Cubic feet or cubic foot.	S.U. .... Set up.
d/b/a .... Doing business as.	Viz. .... Namely.
Doz. .... Dozen.	W. .... West.
E. .... East.	B.C. .... British Columbia.
Ea. .... Each.	M.C. Act .... <i>Motor Carrier Act.</i>
Est. .... Estimated.	Wt. .... Weight.
Etc. .... Et cetera.	OW. .... One-way.
Exc. .... Excursion.	RT. .... Round trip.
Ft. .... Feet or foot.	WKD. .... Week-end.
Gal. .... Gallon.	Lv. .... Leave.
Hr. .... Hour.	Ar. .... Arrive.
Hts. .... Heights.	A.M. .... Before noon.
Incl. .... Inclusive.	P.M. .... After noon.
Jct. .... Junction.	Dly. .... Daily.
K.D. .... Knocked down.	ESu. .... Except Sunday.
Lb. .... Pounds.	SuO. .... Sunday only.
M. .... Thousand.	SSO. .... Saturday and Sunday only.
Mi. .... Mile or miles.	O. .... Only.
Min. .... Minimum.	Su. .... Sunday.
N. .... North.	M. .... Monday.
No. .... Number.	T. .... Tuesday.
N.O.I.B.N. .... Not otherwise indexed by name in current classification.	W. .... Wednesday.
N.O.S. .... Not otherwise specified in the same section of tariff.	Th. .... Thursday.
	F. .... Friday.
	Sa. .... Saturday.

## 8.63 Symbols

(May be used only as indicated.)

¢ ..... Cents.	◆ or "A" .... Increase.
\$ ..... Dollars.	★ or "N" .... New or added matter.
% ..... Per centum.	▲ ..... Change, neither increase nor reduction.
♯ or "R" .... Reduction.	*** ..... Cancel or eliminate.
# ..... Number.	
* ..... See note below.	

## 8.64 CHARACTERS APPEARING IN RATING COLUMNS

1 .....	First Class.
2 .....	Second Class.
3 .....	Third Class.
4 .....	Fourth Class.
1¼ .....	One and one-fourth times First Class.
1½ .....	One and one-half times First Class.
1¾ .....	One and three-fourths times First Class.
D1 .....	Double First Class.
2¼ .....	Two and one-fourth times First Class.
2½ .....	Two and one-half times First Class.
3t1 .....	Three times First Class.
3½ .....	Three and one-half times First Class.
4t1 .....	Four times First Class.
5t1 .....	Five times First Class.

## PART 9

## EXPRESS RECEIPTS, BILLS OF LADING, DOCUMENTS TO BE CARRIED ON VEHICLES, RECORDS, AND RECEIPTS FOR CHARGES

## 9.1 EXPRESS RECEIPTS

## 9.11 Express Receipts to Be Issued

Every motor carrier shall, at the time of acceptance by him or on his behalf of a shipment of express for transportation on a public passenger-vehicle, issue or cause to be issued an express receipt in accordance with paragraphs 9.12 to 9.15, inclusive, of these regulations.

## 9.12 Information to Be Shown

Express receipts shall show the name of the shipper, originating point of shipment, date of shipment, name of consignee, and delivery point of shipment, itemized statement of shipment, giving number of pieces or quantity of articles, contents of packages or particulars of articles, value and gross weight of each commodity or article, and shall contain or incorporate by reference, all the conditions of carriage hereinafter specified.

*Conditions of Carriage*

Express shipments shall be governed by the following terms and conditions:—

(a) Every agreement entered into between the shipper and the carrier shall extend to and be binding upon the shipper and all persons in privity with him claiming or asserting any right to the ownership or possession of the shipment, and the benefit of every such agreement shall inure to every person or carrier to whom the shipment may be delivered for the performance of any act or duty in respect thereof, or in whose custody or charge the same may lawfully be, or on whose vehicles the same is being carried under the agreement, and shall apply to any reconsignment or return thereof.

(b) The carrier of any of the goods herein described shall be liable for any loss thereof or damage thereto, except as hereinafter provided.

(c) The liability of the carrier upon any shipment is limited to the value declared by the shipper and embodied in the agreement, but in no case shall the liability exceed the actual value of the shipment at the time of the receipt thereof by the carrier, including express and other charges, if paid, and duty if payable or paid and not refunded. The liability of the carrier in respect of any one shipment shall not exceed \$50, unless a greater value is declared by the shipper and paid for at the time of shipping, but in no case shall the liability exceed the actual value of the shipment.

(d) Money, specie, completely signed and executed bonds, coupons, bank notes, and negotiable paper or incompletely executed legal tender and bank notes, jewellery and precious stones shall not be included with shipments of ordinary freight, and, if so packed, the carrier shall not be responsible for loss or damage to such goods.

(e) The carrier shall not be liable

- (1) for differences in weight or quantity caused by shrinkage, leakage, or evaporation, or for loss or damage occurring after forty-eight hours (exclusive of legal holidays) after notice of the arrival of the shipment at destination, or at point of delivery, has been mailed to the address of the consignee, unless in either case such loss or damage is caused by the negligence of the carrier;
- (2) for any loss, damage, or delay caused by an act of God, the Queen's enemies, the authority of the law, quarantine, riots, strikes, defect, or inherent vice in the goods, or the act or default of the shipper or owner;
- (3) for any loss or damage caused by delay or by injury to or loss or destruction of the shipment, or any part thereof, from conditions beyond the control of the carrier, unless such loss or damage is caused by the negligence of the carrier upon whose motor-vehicle or property the shipment was at the time such loss or damage occurred;
- (4) for any loss or damage occurring in customs warehouse;
- (5) for any loss, damage, or delay resulting from improper or insufficient packing, securing, or addressing, or from chafing when packed in bales;
- (6) for any loss or damage, if the provisions of clause (d) be violated in whole or in part;
- (7) for any damage to or loss of any fragile articles or to shipments consisting wholly or in part of or contained in glass, unless so described upon the package containing the same, unless such damage or loss is due to the negligence of the carrier, his agents or employees;
- (8) for any loss or damage from delays beyond his control, or caused by the refusal of any railway, stage, or other transportation line to receive or forward the said property owing to any unusual or unforeseen movement of or interference with traffic;
- (9) for any loss or damage in any way arising out of the examination by or partial delivery to the consignee of C.O.D. shipments;
- (10) for any loss or damage to shipments arising from the conditions of such, or from their nature, or propensities, or for delay, injury to, or loss of such, unless such delay, injury, or loss is caused by the negligence of the carrier;

- (11) for any loss or damage occurring to shipments addressed to points where there is no agent of the carrier after such shipments have been left at such places;
  - (12) for non-delivery or loss or destruction of the shipment, unless written notice thereof is given at any office of the carrier within thirty days after the time delivery should, in the ordinary course of transit, have been made;
  - (13) for any damage, partial loss, or shortage, unless written notice thereof is given at any office of the carrier within thirty days after delivery.
- (f) Duty and customs-house expenses shall be guaranteed by the shipper.
- (g) Conditions as to delivery:—
- (1) At points where the carrier has delivery services, tender of the shipment for delivery to the consignee shall be made at the address given, if within such delivery limits.
  - (2) Where there is no delivery service, the carrier shall forthwith notify the consignee at the address given of the arrival of the shipment.
  - (3) The carrier shall not be held liable to delivery to addresses outside delivery limits.
  - (4) If a carrier has not an office at the place to which the shipment is addressed, then, unless otherwise routed, the carrier only agrees to carry the same and deliver the shipment to any connecting carrier for furtherance to destination.

(h) If any sum of money, other than the charges for transportation, is to be collected from the consignee upon the delivery of the shipment, and the same is not paid within ten days, the carrier may return the same and collect the charges for transportation both ways, and the liability of the carrier shall be that of warehouseman only while the shipment remains in his possession for the purpose of making collection.

(i) Any alteration, addition, or erasure in this express receipt shall be signed or initialled in the margin by an agent of the carrier issuing the same and, if not so signed or initialled, shall be without effect, and this express receipt shall be enforceable according to its original tenor.

### 9.13 To Be Issued in Duplicate or More

Express receipt shall be delivered to the shipper. Copy of the receipt (shipping order) or in lieu thereof an expense bill or way-bill must be retained by the carrier and shall be filed at the main office of the carrier for a period of three years, subject to the inspection of the Commission or its duly authorized representative.

### 9.14 Express Receipts to Be Signed

Every express receipt shall be signed by the carrier as being a correct itemized list of packages or goods in the shipment.

### 9.15 General Provisions as to Express Receipts

An express receipt shall be issued on each shipment transported. The express covered by an express receipt shall be in possession or control of the carrier at the time such receipt is issued. An express receipt shall cover only goods received from one shipper, picked up at one place, and consigned to one consignee at one destination and delivered at one place.

## 9.2 BILLS OF LADING, WAY-BILLS, EXPENSE BILLS (PUBLIC FREIGHT VEHICLES)

### 9.21 Bills of Lading to Be Issued

Except as otherwise exempted by paragraph 9.25 of these regulations, or by the Conditions of Licence respecting any licensed vehicle, every motor carrier shall, at the time of acceptance by him or on his behalf of a shipment of freight for transportation on a public freight-vehicle, issue or cause to be issued a bill of lading in accordance with these regulations.

### 9.22 Bills of Lading—Requirements

Bills of lading shall show name of shipper, originating point of shipment, date of shipment, name of consignee, and delivery point of shipment, connecting carriers (if any), itemized statement of shipment giving number of pieces or quantity of articles, contents of packages, or particulars of articles, gross weight (including packing and containers) of each commodity or article, and shall contain, or incorporate by reference, all the conditions of carriage hereinafter specified.

#### *Specified Conditions of Carriage*

*Section 1.*—The carrier of any of the goods hereinafter described shall be liable for any loss thereof or damage thereto, except as hereinafter provided.

*Section 2.*—In the case of shipments from one point in British Columbia to another point in British Columbia, handled by two or more carriers, the carrier issuing this bill of lading, in addition to its other liability hereunder, shall be liable for any loss, damage, or injury to such goods from which the other carrier is not by the terms of this bill of lading relieved, caused by or resulting from the act, neglect, or default of any other carrier to which such goods may be delivered in British Columbia, or over whose motor-vehicle route or routes such goods may pass in British Columbia, the onus of proving that such loss was not so caused or did not so result being upon the carrier issuing this bill of lading. The carrier issuing this bill of lading shall be entitled to recover from the other carrier on whose motor-vehicle route or routes the loss, damage, or injury to the said goods shall have been sustained the amount of such loss, damage, or injury, as it may be required to pay hereunder as may be evidenced by any receipt, judgment, or transcript thereof. Nothing in this section shall deprive the holder of this bill of lading or party entitled to the goods of any remedy or right of action which he may have against the carrier issuing this bill of lading or any other carrier.

*Section 3.*—The carrier shall not be liable for loss, damage, or delay to any of the goods herein described caused by the act of God, the Queen's or public enemies, riots, strikes, defect or inherent vice in the goods, or the act or default of the shipper or owner; for differences in weights of grain, seed, or other commodities caused by natural shrinkage; the authority of law; or by quarantine; for loss, damage, or delay, except where cartage is to be performed by the carrier or its agents, caused by fire occurring after forty-eight hours (exclusive of legal holidays) or, in the case of bonded goods, seventy-two hours (exclusive of legal holidays), after written notice of the arrival of said goods at destination has been sent or given, the carrier's liability shall be that of warehouseman only. Except in case of negligence of the

carrier (and the burden of proving freedom from such negligence shall be on the carrier), the carrier shall not be liable for loss, damage, or delay occurring while the goods are stopped and held in transit upon the request of the party entitled to make such request.

*Section 4.*—No carrier is bound to transport said goods by any particular motor-vehicle or vessel, or in time for any particular market, or otherwise than with due dispatch, unless by specific agreement endorsed hereon. Every carrier, in case of physical necessity, shall have the right to forward said goods by any conveyance or route between the point of shipment and the point of destination; but if such diversion be from a highway to any water route, the liability of the carrier shall be the same as though the entire carriage were by highway.

The amount of any loss or damage for which any carrier is liable shall be computed on the basis of the value of the goods at the place and time of shipment under this bill of lading (including the freight and other charges, if paid, and the duty, if paid or payable and not refunded), unless a lower value has been represented in writing by the shipper or has been agreed upon or is determined by the classification or tariff upon which the rate is based, in any of which events such lower value shall be the amount to govern such computation, whether or not such loss or damage occurs from negligence.

When the goods are carried at owner's risk, such conditions are intended to cover only such risks as are necessarily incidental to transportation, and shall not relieve the carrier from liability for any loss, damage, or delay which may result from any negligence or omission of the carrier or his agent or employees, and the burden of proving freedom from such negligence or omission shall be on the carrier.

Notice of loss, damage, or delay must be made in writing to the carrier at the point of delivery or to the carrier at the point of origin within two months after delivery of the goods, or, in case of failure to make delivery, within two months after reasonable time for delivery has elapsed. Unless notice is so given, the carrier shall not be liable.

*Section 5.*—Goods not removed by the party entitled to receive them within forty-eight hours (exclusive of legal holidays) or, in the case of bonded goods, within seventy-two hours (exclusive of legal holidays), after written notice has been sent or given, may be kept in the warehouse of the carrier, subject to a reasonable charge for storage and to the carrier's responsibility as warehouseman only, or may, at the option of the carrier (after written notice of the carrier's intention to do so has been sent or given), be removed to and stored in a public or licensed warehouse at the cost of the owner and there held at the risk of the owner and without liability on the part of the carrier, and subject to a lien for all freight and other lawful charges, including a reasonable charge for storage.

*Section 6.*—No carrier shall be bound to carry any documents, specie, or any articles of extraordinary value not specifically rated in the published classification or tariffs, unless a special agreement to do so (the duty of obtaining such special agreement to be on the carrier when the nature of such goods is discussed herein) and a stipulated value of the articles are endorsed hereon. If such goods are carried without a special agreement and the nature of the goods is not disclosed hereon, the carrier shall not be liable for any loss or damage thereto.

*Section 7.*—The owner or consignee shall pay the freight and all other lawful charges accruing on said goods, and, if required, shall pay the same before delivery.



If upon inspection it is ascertained that the goods shipped are not those described in this bill of lading, the freight charges must be paid upon the goods actually shipped, with any additional penalties lawfully payable thereon.

*Section 8.*—Except in case of diversion from highway to water route, which is provided for in section 4 hereof, and except as provided hereafter, if all or any part of said goods is carried by water over any part of said route, such water carriage shall be performed subject to the liabilities, limitations, and exemptions provided by Statute and to the conditions contained in this bill of lading not inconsistent with such Statute or this section, and subject also to the condition that no carrier or party in possession shall be liable for any loss or damage resulting from the perils of the lake, sea, or other waters; or from explosion, bursting of boilers, or breakage of shafts not arising from the negligence of the carrier; or from any latent defect in hull, machinery, or appurtenances; or from collision, stranding, or other accidents of navigation; or from prolongation of the voyage. And any vessel carrying any or all of the goods herein described shall be at liberty to call at intermediate ports, to tow and be towed, and assist vessels in distress, and to deviate for the purpose of saving life or goods.

The term "water carriage" in this section shall not be construed as including vehicle ferriage across rivers, or in lake or other harbours, and the liability for such vehicle ferriage shall be governed by the other sections hereof.

*Section 9.*—Every party, whether principal or agent, shipping explosives or dangerous articles without previous full written disclosure to the carrier or its agent of their nature, shall be liable for all loss or damage caused thereby, and such goods may be warehoused at owner's risk and expense or destroyed without compensation.

*Section 10.*—Any alteration, addition, or erasure in this bill of lading shall be signed or initialled in the margin by an agent of the carrier issuing the same, and if not so signed or initialled shall be without effect, and this bill of lading shall be enforceable according to its original tenor.

### 9.23 Bills of Lading to Be Issued in Triplicate or More

Bills of lading shall be issued in triplicate or more. One copy shall be delivered to the shipper and one copy must be retained by the carrier, and shall be filed at the main office of the carrier for a period of three years subject to the inspection of the Commission or its duly authorized representative, and a third copy shall be delivered to the shipper upon demand.

### 9.24 Bills of Lading to Be Signed

The bill of lading shall be signed both by the shipper and by the carrier as being a correct itemized list of goods in the shipment and as an acceptance of all terms and conditions contained therein.

### 9.25 Records in Lieu of Bills of Lading for Certain Commodities

A motor carrier shall be relieved of the necessity of issuing a bill of lading respecting transportation of commodities enumerated in this paragraph; provided that, in all such cases, he shall keep a daily record with respect to each licensed vehicle of freight transported therein, showing name of shipper and consignee, description and quantity of freight, distance transported, number of hours worked, rate and total amount charged for the transportation, number of trips, which record

shall be filed by him in lieu of issuing bill of lading and filing of shipping order, and shall be preserved in the main office of the licensee for not less than three years and be available for the inspection of the Commission or its duly authorized representative:—

Her Majesty's mail (not necessary to keep records):

Milk (raw or pasteurized), cream (fresh), or containers on regular milk routes from farms to creamery or market; or return of empty containers from creamery or market:

Petroleum products in bulk or bituminous construction materials in bulk:

Logs, poles, piles, ties, shingle-bolts, mine-props, and fence-posts:

Fuel-wood or sawdust:

Coal or ore in bulk:

Earth, rock, gravel, or sand in bulk:

Grain in bulk from farms to elevators and warehouses:

Hay (unbaled) or vegetables and fruit in bulk:

Fertilizer or animal manure in bulk.

### 9.26 General Provisions as to Bills of Lading

A bill of lading shall be issued on each shipment transported. The freight covered by a bill of lading shall be in possession or control of the carrier at the time such bill of lading is issued. A bill of lading shall cover only goods received from one shipper, picked up at one place, and consigned to one consignee at one destination and delivered at one place.

### 9.27 Part-lot Shipments

Shipments in excess of 10,000 pounds gross weight, or which are greater than the capacity of the available licensed equipment of the carrier, may be accepted on one bill of lading, providing the entire shipment is in possession or control of the carrier. In such cases at least 10,000 pounds shall be transported on the vehicle which takes the first load, provided that, in the event of 10,000 pounds being in excess of the licensed carrying capacity of such vehicle, the vehicle shall only be loaded to full carrying capacity; the remainder of the shipment shall be moved on a vehicle licensed in the name of the carrier moving the first portion of the shipment. In no case may such a shipment be divided into more than two parts. The revenue billing shall cover the entire shipment, and shall show the weight, the rate assessed, and the freight charges. A separate way-bill shall be issued and in possession of the driver of the vehicle carrying second part of the shipment, such way-bill making reference to revenue billing and giving weight and description of the second load.

## 9.3 DOCUMENTS TO BE CARRIED ON CERTAIN VEHICLES

### 9.31 Documents to Be Carried on Public Freight-vehicle

The shipping order or, in lieu thereof, an expense bill or way-bill showing shipper's name, point of origin, date of shipment, name of consignee, destination, connecting carriers (if any), and itemized statement of shipment must be in possession of the driver of a public freight-vehicle while the freight is being carried thereon, and shall be subject to inspection of any police officer or constable or duly authorized representative of the Commission while the freight is being transported; provided that the provisions of this paragraph shall not apply to the transportation of commodities enumerated in paragraph 9.25.

**9.32 Documents to Be Carried on Public Passenger-vehicle when Express Is Carried**

The shipping order or, in lieu thereof, an expense bill or way-bill showing shipper's name, point of origin, date of shipment, name of consignee, destination, connecting carriers (if any), and itemized statement of shipment must be in possession of the driver of a public passenger-vehicle while the express is being carried thereon, and shall be subject to inspection of any police officer or constable or duly authorized representative of the Commission while the express is being transported.

**9.4 RECORDS OF FREIGHT CARRIED (LIMITED FREIGHT-VEHICLES)**

Unless otherwise exempted by the Conditions of Licence respecting any licensed vehicle, every motor carrier shall, with respect to the operation of limited freight-vehicles, keep or cause to be kept a complete daily record of all freight transported for compensation in or on every limited freight-vehicle operated by him; this record shall contain the following particulars with respect to such freight, and the record shall be filed by the licensee at his main office or place of business and preserved by him for a period of not less than three years and shall be available for the inspection of the Commission or its duly authorized representative:—

- Name of shipper and consignee:
- Description and quantity of freight:
- Distance transported; number of trips; rate and total amount charged for the transportation:

Provided that the motor carrier may, and if so required by the Condition of Licence or by the consignor shall, issue a bill of lading in the manner provided by paragraph 9.21 in respect of any shipment of freight accepted by him or on his behalf, and the filing and preservation by the licensee of a copy of such bill of lading as so provided shall relieve him of the necessity of keeping any other record with respect to such shipment.

**9.5 RECEIPTS FOR CHARGES PREPAID OR COLLECTED—FREIGHT AND EXPRESS**

Every motor carrier shall issue a receipt to shipper for all charges prepaid, which receipt may be original bill of lading (or express receipt) or an expense bill, and shall issue a receipt to consignee for all charges collected, which receipt may be memorandum of bill of lading (or express receipt), copy of way-bill or expense bill. The receipt issued to shipper or consignee for charges prepaid or collected must show the name of shipper, point of origin, date of shipment, name of consignee, destination, connecting carriers (if any), itemized statement of shipment—giving number of pieces or quantity of articles, contents of packages or particulars of articles, gross weight (including packing and containers) of each commodity or article, the value in case of express, rate charged, amount of transportation charges, together with any advanced charges, storage, C.O.D. collections, pick-up or delivery charges, valuation charge, or any other charges which may accrue in the handling of or transportation of shipment. A copy of such receipt must be kept on file at the main office of the carrier for a period of three years, subject to the inspection of the Commission or its duly authorized representative.

**PART 10****TEMPORARY PERMITS****10.01 Permits Subject to Cancellation**

Every permit issued under these regulations shall be in writing, on a form prescribed by the Commission, and shall be subject to cancellation or amendment by the Commission at any time. Failure on the part of the permittee or his agent to comply with the terms and conditions of any permit issued to him shall be sufficient cause for immediate cancellation of the permit.

**10.02 Issue of Permits Is in Discretion of Commission**

The issue of permits shall be in the discretion of the Commission; the Commission and any person authorized to issue such permits may refuse to issue any permit applied for.

The Commission may, in any case when in its opinion the circumstances so require, extend the duration of a Class II permit beyond ninety-two days, in which case the fee payable for the permit shall be that provided for in the schedule of fees set forth in these regulations for a licence of the same duration as the permit.

**10.03 Forwarding of Permit Fees**

A carbon copy of every permit issued together with the permit fee (if any) shall be forwarded without delay to the Superintendent of Motor Carriers.

**10.031 Permit Fees Payable in Advance**

All permit fees shall be paid in advance, before permit is issued.

**10.04 Effect of Permit**

The holder of a permit issued under authority of these regulations shall be exempted from the necessity of obtaining a licence or alteration of licence, as the case may be, with respect to the operation of the vehicle referred to in the permit, in the manner stated therein. Such holder shall be subject to the safety provisions of the *Motor Carrier Act* and these regulations to the same extent as if he were operating a licensed vehicle.

**10.05 Permit to Be Carried on Vehicle**

Every permit issued under these regulations shall be carried on the vehicle while the vehicle is being operated under the permit and shall be made available for inspection by any authorized person.

**10.06 Power to Issue Permits**

The Commission may, either by general regulation or specifically in writing, delegate to any designated person the power to issue any specified class or classes of permit.

**10.07 Classes of Permits**

Permits shall be classified and, subject to these regulations, may be issued in the manner and for the purposes and subject to the conditions set out in paragraphs 10.1 to 10.62, inclusive.

**10.1 [Revoked, August 16th, 1960.]**

**10.2 Class II Permit for Public or Limited Vehicle**

To authorize the temporary operation of a vehicle as a public or limited vehicle for a period of not more than ninety-two days. The fee for a Class II permit shall be as follows:—

Period	Fee	Minimum Fee
7 days or less	\$2.00	
8 days to 31 days	$\frac{1}{12}$ of annual fee for equivalent licence	\$2.00
32 days to 62 days	$\frac{1}{6}$ of annual fee for equivalent licence	
63 days to 92 days	$\frac{1}{4}$ of annual fee for equivalent licence	

**10.3 Class III Permit for Special Cases**

To authorize any of the following operations for a period of not more than thirty-one days:—

- (a) The temporary operation of a vehicle pending consideration of or dealing with an application for
- [Revoked, August 16th, 1960.]
  - a licence coming within the provisions of paragraph 1.2 of these regulations;
  - transfer of licence;
  - a licence on replacement vehicle to be operated under substantially the same conditions as and in place of a licensed vehicle of the same class, the licence for which has been surrendered;
  - increase in maximum authorized carrying capacity;
  - alteration of a licence or reclassification of a licence respecting a public or limited vehicle;
  - renewal of a licence:
- (b) The temporary operation of a vehicle licensed as a public or limited vehicle in a manner or for a purpose otherwise than is authorized by the licence or stated in the conditions attached to the licence of that vehicle:
- (c) The temporary operation of a vehicle to undertake transportation for a charitable or patriotic purpose or on behalf of a religious or educational organization, provided that no compensation is to be charged beyond the actual cost of gasoline and oil consumed:
- (d) The temporary operation of a vehicle for transportation of freight or passengers in any case where, in the opinion of the Commission, the charging of a permit fee is not justified:
- (e) The operation of a vehicle when such operation comes within the exemption from payment of licence fees provided for by Regulation 1.2.

There shall be no fee payable for a Class III permit.

The Commission may in any case when in its opinion the circumstances so require extend the duration of a Class III permit beyond thirty-one days.

**10.4 Class IV Permit for Substitute Vehicle when Licensed Vehicle Is Disabled**

To authorize the temporary operation of another vehicle in place of a licensed vehicle which is temporarily disabled or undergoing repair or overhaul so that it cannot be used. The issue of such permits in the case of a public passenger-vehicle or limited passenger-vehicle shall be subject to the furnishing, in so far as is required by these regulations, of satisfactory evidence that proof of financial responsibility with respect to the substitute vehicle has been filed in the manner prescribed by

these regulations. Such permits may be granted with respect to any vehicle entrusted to the licensee by a dealer bona fide for the sole purpose of use pending completion of repairs or overhaul to the licensed vehicle in the repair-shop of the dealer; provided that the licensee also has in his possession a written consent given to him by the Superintendent of Motor-vehicles or any officer or constable of the Provincial police force for the operation of the vehicle in such manner, pursuant to the provisions of the *Motor-vehicle Act*. There shall be no fee payable for a Class IV permit.

**PART 11**

[Revoked, August 16th, 1960.]

**PART 12****ACCOUNTING METHODS AND ANNUAL REPORTS**

**12.1** [Revoked, March 29th, 1960.]

**12.2 Retaining Original Records**

Every motor carrier shall retain for three years all the original records of his business, including receipts and cheque stubs, and shall, on request, produce them for inspection by the Commission or any authorized officer or employee thereof.

**12.3 Daily Record**

Every motor carrier shall, commencing January 1st, 1946, maintain a daily record of revenue and expense. In the case of freight-vehicles, such records may be kept separately for each vehicle in the form set out in Schedule A.

**12.4 Annual Reports**

Every motor carrier shall make an annual report to the Commission in accordance with the requirements of a form supplied by the Commission for the purpose. The Commission may arrange with the Dominion Bureau of Statistics for a report form to be used jointly.

**12.5** [Revoked, March 29th, 1960.]

**SCHEDULE A**

(Referred to in paragraph 12.3 of the Regulations Respecting Motor Carriers.)

DAILY OPERATING SHEET			
Date	JOHN DOE		Langley Prairie, B.C.
Truck No.	Speedometer: In	Out	
	Travelled: Miles		
	Revenue (Bills of Lading Attached)		
Consignee	Unit	Rate	Total
			\$
Total			\$
Total to yesterday			
Total to date			

		<i>Expense</i>	
Gasoline	_____ gals. at _____		\$ _____
Oil	_____ qts. at _____		
Mechanical repair (name of garage)	_____		
Tire repair	_____		
Meals and room	_____		
Tolls	_____		
Miscellaneous	_____		
Wages:			
	_____ hours worked at \$ _____		
	_____ hours overtime worked at \$ _____		
Total	_____		\$ _____
Total to yesterday	_____		
Total to date	_____		

NOTE.—In the "Unit" column, fill in number of pounds, hours, gallons, etc., as "500 lb.," "1½ hr.," "75 gal.," etc., as the case may be, according to whether the rate is per pound, per hour, per gallon, etc.

PART 13

EXTRA-PROVINCIAL UNDERTAKINGS

13.1 Application of Act in Respect of Extra-provincial Undertakings

(a) Where a motor-vehicle is operated on a highway in the Province as a public passenger-vehicle, a public freight-vehicle, a limited passenger-vehicle, a limited freight-vehicle, or a private freight-vehicle in pursuance of an extra-provincial undertaking which comes within the legislative jurisdiction of Canada, the vehicle is exempt from the provisions of the Act other than those relating to the collection of revenue by way of licence fees and otherwise, the promotion of safety on the highway, and the regulation of traffic over the highway.

(b) Where a licence is required under the *Motor Vehicle Transport Act* of the Parliament of Canada and the Commission, pursuant to powers granted to it in that Act, has decided to issue such a licence, it may consolidate with it the licence issued under the *Motor Carrier Act* for Provincial purposes.

DEFINITION OF LICENCE DISTRICTS

MOTOR CARRIER ACT

The following is a copy of an order made by the Public Utilities Commission, pursuant to the provisions of the *Motor Carrier Act*, on the 8th day of April, 1940, as amended on the 29th day of April, 1940, on the 17th day of July, 1945, and on the 12th day of October, 1945:—

IN THE MATTER OF THE MOTOR CARRIER ACT, AND IN THE MATTER OF LICENCE DISTRICTS UNDER THE SAID ACT

W. A. CARROTHERS, D.F.C., Ph.D., *Chairman.*  
 L. W. PATMORE, LL.B., K.C., *Commissioner.*  
 J. C. MACDONALD, B.A., B.E., *Commissioner.*

The 8th day of April, 1940.

Whereas it is desirable that licence districts be established as a means of convenient reference in describing the areas within which motor carriers may operate:

It is ordered that licence districts be prescribed and established under the *Motor Carrier Act* in accordance with the Schedule attached hereto; and that where any licence district is referred to in any order, regulation, resolution, licence, conditions of licence, or other document in use under the said Act the licence district shall be that prescribed in the said Schedule.

PUBLIC UTILITIES COMMISSION.

[SEAL.]

W. A. CARROTHERS,  
*Chairman.*

SCHEDULE

PUBLIC UTILITIES COMMISSION (MOTOR CARRIER BRANCH)

DEFINITION OF LICENCE DISTRICTS

(The boundaries of Mining Divisions referred to are those in effect on the 18th day of June, 1945.)

*Motor Carrier Act*

LICENCE DISTRICT No. 1.—Golden and Fort Steele Mining Divisions; and those parts of Ainsworth and Nelson Mining Divisions east of Kootenay Lake and Kootenay River flowing thereinto and south of an east-and-west line passing through Riondel.

This district includes, as to main highways, the Southern Trans-Provincial Highway between and including Crowsnest and Gray Creek and all connecting roads south to the International Boundary; the Kootenay-Columbia Highway from Cranbrook to Golden and tributary roads; the Big Bend Road between Golden and Boat Encampment; the Golden-Yoho Road.

LICENCE DISTRICT No. 2.—Lardeau, Slocan, and Trail Creek Mining Divisions; and Ainsworth and Nelson Mining Divisions, except those parts included in District No. 1.

This district includes, as to main highways, the Southern Trans-Provincial Highway between Balfour and the summit west of Big Sheep Creek and all connecting roads south to the International Boundary; the Balfour-Kaslo-New Denver-Slocan-South Slocan Road; the New Denver-Nakusp-Edgewood Road; and the road from Edgewood to Monashee Divide.

LICENCE DISTRICT No. 3.—Greenwood Mining Division; and that portion of Osoyoos Mining Division south of an east-and-west line through the northerly end of Osoyoos Lake and east of the westerly boundary of the watershed of said lake.

This district includes, as to main highways, the Southern Trans-Provincial Highway between and including the summit west of Big Sheep Creek and Osoyoos and all connecting roads south to the International Boundary; also the road northerly from Rock Creek to Carmi and McCulloch.

LICENCE DISTRICT No. 4.—Osoyoos Mining Division, except that portion east of the easterly shore-line of Osoyoos Lake and that part west of Okanagan Lake north of an east-and-west line through the most northerly limit of the District Municipality of Peachland.

This district includes, as to main highways, the Southern Trans-Provincial Highway between and including Osoyoos and Hedley and all connecting roads south to the International Boundary; the Okanagan Highway south of the north boundary of the Municipality of Peachland.

LICENCE DISTRICT No. 5.—That portion of Osoyoos Mining Division west of Okanagan Lake, north of the south boundary of the District Municipality of Summerland and of a line due west from the most southerly point thereon; also that portion of Vernon Mining Division within the drainage-basin of Okanagan Lake south of an east-and-west line through Rattlesnake Point (Long Lake).

This district includes, as to main highways, the Okanagan Highway between and including the Municipality of Summerland and a point 25 road-miles north of Kelowna.

LICENCE DISTRICT No. 6.—Revelstoke Mining Division; that portion of Lardeau Mining Division in the drainage-basin of the Columbia River above its junction with Upper Arrow Lake; that portion of Kamloops Mining Division within the drainage-basin of South Thompson River east of a north-and-south line through the westerly limit of the town of Monte Lake; and Vernon Mining Division, except that portion within the watershed of Okanagan Lake south of an east-and-west line through the southerly end of Ellison Lake.

This district includes, as to main highways, the Trans-Canada Highway between and including Pritchard and Revelstoke and also the Big Bend section between Revelstoke and Boat Encampment; the Revelstoke-Arrowhead Road; the Vernon-Kamloops Road between and including Vernon and Monte Lake; the road between Vernon and Salmon Arm; the Okanagan Highway from Vernon southerly a road distance of 25 miles; the road easterly from Vernon to Monashee Divide and roads tributary thereto.

LICENCE DISTRICT No. 7.—Kamloops Mining Division, except that portion within the drainage-basin of South Thompson River, east of a north-and-south line through the easterly limit of the town of Notch Hill; that portion of Ashcroft Mining Division east of the westerly boundary of Range 23, west of the 6th meridian, north of the southerly boundary of the watershed of Inkikuh Creek; together with that portion of Clinton Mining Division within the watershed of Deadman River.

This district includes, as to main highways, the Trans-Canada Highway between and including a point 6 road-miles east of Cache Creek on the west and Notch Hill on the east; the North Thompson Highway south of Albreda; the Kamloops-Vernon Road between Kamloops and a point 20 road-miles north-west of Vernon; the Kamloops-Merritt Road between and including Kamloops and Stump Lake.

LICENCE DISTRICT No. 8.—Nicola and Similkameen Mining Divisions and that portion of New Westminster Mining Division which lies to the east of the Cascade Mountains, as defined by the *Interpretation Act*, and the main highway in Osoyoos Mining Division west of and including the town of Hedley; that portion of Ashcroft Mining Division south of the southerly boundary of the watershed of Inkikuh Creek, the northerly boundaries of Township 17, Ranges 24, 25, and 26, west of the 6th meridian, east of the westerly boundary of the watershed of Thompson River, and to the south of the northerly boundary of Township 15, Range 27, west of the 6th meridian, and the northerly boundary of the watershed of Stein River.

This district includes, as to main highways, the Southern Trans-Provincial Highway between and including Hedley, Princeton, and Hope; the Trans-Canada Highway from Silver Creek west of Hope to a point 6 road-miles north of Spences Bridge; the Spences Bridge-Merritt-Princeton Road; the Merritt-Kamloops Road from Merritt northerly to and including Stump Lake.

LICENCE DISTRICT No. 9.—Ashcroft and Lillooet Mining Divisions, and the south-east part of Clinton Mining Division south of an east-and-west line through the northerly limit of the town of Clinton, excepting area contained in District No. 10.

This district includes, as to main highways, the Trans-Canada Highway from a point 15 road-miles south of Lytton, northerly to Cache Creek and easterly to the west end of Kamloops Lake; the Ashcroft cut-off road and the road into Ashcroft; the road between and including Lytton and Clinton and road to and including Lillooet; Cariboo Road between and including Cache Creek and Clinton; Pavilion Mountain Road.

LICENCE DISTRICT No. 9A.—That portion of Vancouver Mining Division within the watershed of Squamish River and the area east of Howe Sound north of the southerly boundary of the watershed of Furry Creek.

This district includes roads in the Squamish and Cheakamus River valleys.

LICENCE DISTRICT No. 10.—The northerly watershed of Seton and Anderson Lakes between Puck and Connel Creeks and the drainage-basin of Bridge River above the mouth of Yalakom River.

This district includes the road from Bridge River to Pioneer Mine.

LICENCE DISTRICT No. 11.—Clinton Mining Division, except south-east part, south of an east-and-west line through the southerly limit of the town of Clinton; and that portion of Quesnel Mining Division west of the easterly boundary of watershed of Chilcotin River, together with that portion south of an east-and-west line through the northerly limit of the Village Municipality of Williams Lake.

This district includes, as to main highways, the Cariboo Road between and including Clinton and 150 Mile House, also Williams Lake; the road from Williams Lake to Tatla Lake and Kleena Kleene; and all tributary roads in this area.

LICENCE DISTRICT No. 12.—Quesnel Land Recording District, except that portion west of the Fraser River, south of a line westward from the mouth of Meldrum Creek and south of the northerly boundary of the watershed of Chilcotin River.

This district includes, as to main highways, the Cariboo Road between and including a point 10 road-miles south of 150 Mile House and a point 1 road-mile south of Woodpecker; the Quesnel-Barkerville Road; road between and including Williams Lake and Soda Creek; the Quesnel-Nazko Road; and all tributary roads in this area east and west of the Cariboo Road.

LICENCE DISTRICT No. 13.—That portion of Vancouver Mining Division south of the 50th parallel, west of the drainage-basin of Squamish River and west of the westerly shore-line of Howe Sound.

This district includes, as to main highways, roads from Sechelt to Hopkins Landing and to Pender Harbour; and roads from and including Lund to Powell River and to Stillwater.

LICENCE DISTRICT No. 14.—City of Vancouver; the University Endowment Lands; District Municipality of Burnaby; Lot 172, Group 1, New Westminster Land District; and that portion of New Westminster Mining Division north of Fraser River which lies to the west of the Cascade Mountains, as defined by the *Interpretation Act*, including the City of New Westminster.

This district includes all roads in the Lower Fraser Valley on the north side of the Fraser River west of a point 6 miles east of Ruby Creek.

LICENCE DISTRICT No. 14A.—That part of Vancouver Mining Division north of Burrard Inlet and south of the southerly boundary of the watershed of Furry Creek and Squamish River, excluding the islands in Howe Sound.

This district includes all roads on north shore of Burrard Inlet west of the North Arm of Burrard Inlet.

LICENCE DISTRICT No. 15.—That portion of New Westminster Mining Division south of Fraser River which lies to the west of the Cascade Mountains, as defined by the *Interpretation Act*; City of New Westminster, and that portion of Vancouver Mining Division south of the North Arm of Fraser River.

This district includes all roads in the Lower Fraser Valley on the south side of the Fraser River westerly of Silver Creek, near Hope, including roads on Lulu Island; and includes the Pattullo Bridge.

LICENCE DISTRICT No. 16.—Cariboo Mining Division, except that portion within the Quesnel Land Recording District.

This district includes, as to main highways, the Cariboo Road from a point 1 road-mile south of Woodpecker to Prince George; the Trans-Provincial Highway west from Prince George to Sinkut River, and east of Prince George.

DEFINITION OF LICENCE DISTRICTS

LICENCE DISTRICT No. 17.—That portion of Omineca Mining Division east of the 125th meridian, together with that part of the drainage-basin of Endako River east of a meridian through the westerly end of Tatin Lake; that portion of Cariboo Mining Division within the drainage-basin of Nechako River above the mouth of Chilako River.

This district includes, as to main highways, the Trans-Provincial Highway from the Chilako River to a point 4 road-miles west of Endako; the road from Vanderhoof north to Germansen.

LICENCE DISTRICT No. 18.—That portion of Omineca Mining Division west of the 125th meridian, the southerly boundary of the watershed of Sutherland River and the meridian 124° 30', and east of the 127th meridian, the watershed of Fulton River, and the watershed of Bulkley River below the mouth of Morice River.

This district includes, as to main highways, the Trans-Provincial Highway from a point 3 road-miles east of Fort Fraser to Barrett Lake; and roads from Burns Lake and Houston to Francois and Ootsa Lakes.

LICENCE DISTRICT No. 19.—That portion of Omineca Mining Division which lies to the west of the 127th meridian, together with the drainage-basins of Fulton River, Bulkley River below the mouth of McKilligan Creek, Parrott Creek, and Nadina River, and to the east of the boundary of the drainage-basin of Skeena River above the mouth of Insect Creek.

This district includes, as to main highways, the Trans-Provincial Highway westerly from a point 3 road-miles east of Houston to a point 2 miles south of Cedarvale and roads from Houston to Francois Lake.

LICENCE DISTRICT No. 20.—That portion of Skeena Mining Division which lies to the north of the 54th parallel and east of the middle line of Hecate Strait and the production northerly thereof, save and excepting Porcher Island; that portion of Omineca Mining Division within the drainage-basin of Skeena River below a point on the Skeena River, 1 mile above the mouth of Kitseguecla Creek.

This district includes, as to main highways, the Trans-Provincial Highway westerly from a point 1 mile easterly of Skeena Crossing to Prince Rupert; roads from Terrace; roads in the vicinity of Prince Rupert.

LICENCE DISTRICT No. 21.—Peace River Mining Division.

AMENDMENTS TO THE REGULATIONS

Council Order in No.	Date Approved	Subject
75	January 23rd, 1940	Amending item (i) of clause (l) of Regulation 1.1 and Regulation 3.72 (a).
159	February 13th, 1940	Amending Regulations 3.70 and 5.32.
329	March 20th, 1940	Adding clause (o) to Regulation 1.1 (superseded by Order in Council No. 580).
343	March 29th, 1940	Adding Part 11 of the Regulations.
566	May 14th, 1940	Amending Regulations 4.31 and 6.68.
580	May 17th, 1940	Amending clause (o) of Regulation 1.1.
710	June 14th, 1940	Amending Regulations 10.11 and 10.3.
883	July 23rd, 1940	Amending clauses (l), (m), and (n) of Regulation 1.1.
884	July 23rd, 1940	Adding Regulations 3.81 and 3.91.
1058	August 20th, 1940	Further amending Regulation 6.68.
1211	September 20th, 1940	Amending Regulations 9.12 and 9.13.
1255	September 27th, 1940	Further amending clause (l) of Regulation 1.1 by adding item (xiii).
1345	October 17th, 1940	Amending Regulation 6.01 and adding Regulation 6.07.
1388	October 22nd, 1940	Adding clause (c) to Regulation 1.2.
1521	November 22nd, 1940	Adding item (v) to clause (o) of Regulation 1.1.
119	January 31st, 1941	Amending interpretation section (last paragraph); adding clause (d) to Regulation 3.72; amending Regulations 8.373 and 8.463.
381	March 24th, 1941	Adding Regulation 5.71.
397	March 28th, 1941	Adding Regulation 3.805.
744	June 2nd, 1941	Amending interpretation section re "Express"; amending Regulation 10.12; adding Regulation 10.21.
861	June 20th, 1941	Adding Regulation 5.64; amending Regulation 6.12.
1267	September 10th, 1941	Amending Regulation 3.81.
1576	November 18th, 1941	Amending Regulation 10.61.
1733	December 29th, 1941	Amending clause (a) of Regulation 3.72.
32	January 10th, 1942	Amending Regulations 5.321, 5.31, and 5.32.
788	June 10th, 1942	Amending Regulations 8.51 and 8.57.
897	July 3rd, 1942	Amending clause (a) of Regulation 6.22.
951	July 13th, 1942	Amending clauses (a) and (i) of Regulation 1.1.
1268	September 23rd, 1942	Amending Regulation 3.91.
1269	September 23rd, 1942	Adding item (xiv) to clause (l) of Regulation 1.1.
167	February 10th, 1943	Adding clause (p) to Regulation 1.1.
1349	October 5th, 1943	Amending Regulations 7.3, 7.4, 7.51, 7.52, and 7.53.
1689	December 15th, 1943	Amending Regulations 6.04, 6.05, and 6.051.
769	May 25th, 1944	Adding Regulations 6.40 to 6.426 re Standards for Passenger-vehicle Construction.
770	May 25th, 1944	Adding clause (g) to Regulation 1.1.
1006	July 5th, 1944	Amending Regulation 1.1 (e).
1057	July 13th, 1944	Amending Regulation 1.1 (o).
257	February 15th, 1945	Amending Regulations 10.1 to 10.3, inclusive.
698	April 27th, 1945	Amending Regulations 4.30, 4.32, 6.418, and 10.4.
1728	October 9th, 1945	Amending clauses (k), (o), and (p) of Regulation 1.1; adding clause (e) to Regulation 3.72.
1954	November 16th, 1945	Adding Part 12 of the Regulations and Schedules A and B thereto.
2177	December 12th, 1945	Adding new Regulation 5.64 and renumbering the present Regulation 5.64 as 5.645.
759	April 16th, 1946	Amending item (ii) of clause (l) and deleting item (iii) of clause (o) of Regulation 1.1; and amending paragraph 6.07.
942	May 8th, 1946	Amending Regulation 6.420.
2362	October 4th, 1946	Amending Regulation 12.4.
2825	November 30th, 1946	Amending Regulations 3.06, 3.07, 3.72, 3.80, 4.30, 4.31, 10.2, and the Schedule of Fees.
43	January 10th, 1947	Further amending Regulation 4.31.
1466	July 28th, 1947	Adding Regulations 6.251, 6.252, 6.253, and 6.254.
2034	October 8th, 1947	Amending Regulations 5.31, 5.32, and 5.321.
2294	November 15th, 1947	Amending Regulation 3.71; also the interpretation section re "Express."
107	January 13th, 1948	Amending Part 3 of the Regulations and amending the Schedule of Fees thereto, effective March 1st, 1948.

AMENDMENTS TO THE REGULATIONS—Continued

Order in Council No.	Date Approved	Subject
371	February 23rd, 1948	Amending clause (c) and clause (i) of Regulation 1.1; clause (a) of Regulation 3.72; Regulation 3.80; item (i) and item (ii) of Regulation 4.31; adding Regulation 6.08; amending Regulations 10.1, 10.2, and 10.3.
2088	September 8th, 1948	Amending Regulation 10.3.
2525	November 3rd, 1948	Amending clause (d) of Regulation 3.72; deleting Regulations 4.10 and 4.11 and the proviso in Regulation 5.13; amending Regulations 6.04, 6.05, 7.3, 8.33, 8.44, and 8.55; deleting Regulations 7.51 to 7.53, inclusive, and substituting new Regulations 7.51 and 7.52; amending Regulations 8.353, 8.36, and 8.45; deleting Regulations 8.371 to 8.374, inclusive, and substituting new Regulations 8.371 to 8.378, inclusive; deleting Regulations 8.461 to 8.464, inclusive, and substituting new Regulations 8.461 and 8.462; amending Regulation 8.58.
2547	November 6th, 1948	Adding Regulations 8.13, 8.131, and 8.132 respecting C.O.D. services.
10	January 5th, 1949	Amending clause (k) of Regulation 1.1.
838	April 16th, 1949	Amending clauses (h), (j), (o), and (q) of Regulation 1.1; clause (a) of Regulation 1.2; and Regulations 5.71 and 6.423.
1112	May 18th, 1949	Deleting Regulation 6.07.
852	April 29th, 1950	Adding clause (r) to Regulation 1.1; amending Regulations 6.35, 6.416, 9.13, 9.23, 9.25, and 12.4; and deleting Schedule B from Part 12 of the regulations.
1659	July 13th, 1951	Amending clause (b) of Regulation 2.2, clause (b) of Regulation 3.72, clause (a) of Regulation 3.81, Regulation 8.62, and Regulations 9.4 and 9.5.
352	February 12th, 1952	Amending clause (n) of Regulation 1.1; adding clause (d) to Regulation 1.2; amending Regulation 3.20; amending clause (b) of Regulation 6.425 and clause (b) of Regulation 6.68.
329	February 7th, 1953	Amending clause (o) of Regulation 1.1.
2515	November 10th, 1953	Amending Regulations 1.2, 10.1, 10.2, and 10.3.
610	March 23rd, 1954	Deleting Regulations 6.36, 6.37, and 6.371, and substituting amended Regulations 6.36 and 6.37.
1129	May 25th, 1954	Adding Regulations 8.133, 8.134, 8.135, and 8.136 (effective July 1st, 1954).
2438	October 30th, 1954	Amending Regulation 10.2.
2572	November 12th, 1954	Adding clause (s) to Regulation 1.1 and adding clause (e) to Regulation 1.2.
2620	November 22nd, 1954	Adding Part 13 to the Regulations.
2104	August 19th, 1955	Adding item (xv) and deleting item (ii) of clause (l) and adding clause (t) to Regulation 1.1 and adding paragraph 1.21; adding to Regulation 4.30.
2515	October 26th, 1955	Amending Regulation 1.1.
123	January 17th, 1956	Amending Regulation 5.36.
1113	May 7th, 1956	Deleting Regulations 9.22 and 9.221, and substituting Regulation 9.22.
1180	May 14th, 1956	Amending clause (a) of Regulation 1.1 and amending Regulation 1.2.
1415	June 5th, 1956	Amending clause (k) of Regulation 1.1.
2003	August 7th, 1956	Deleting Regulation 9.12 and substituting amended Regulation 9.12.
770	March 29th, 1957	Deleting clause (i) of Regulation 1.1 and substituting amended clause (i); deleting item (viii) of clause (l) of Regulation 1.1 and substituting amended item (viii).
1841	July 29th, 1957	Deleting clause (i) of Regulation 1.1 (as amended) and substituting amended clause (i); adding to Regulation 1.1 clause (u).
1843	July 29th, 1957	Adding to Regulation 1.1 clause (y).
2754	November 16th, 1957	Adding to the heading of Regulation 4.30; deleting Regulation 4.31 and substituting amended Regulation 4.31; deleting Regulation 4.32 and substituting amended Regulation 4.32; adding, after Regulation 4.32, Regulations 4.321, 4.322, 4.323, 4.324, 4.325, and 4.326.

AMENDMENTS TO THE REGULATIONS—Continued

Order in Council No.	Date Approved	Subject
3031	December 6th, 1957	Amending Regulation 4.31.
215	January 31st, 1958	Amending Regulation 4.326.
354	February 24th, 1958	Amending Regulation 4.325.
84	January 16th, 1959	Amending clause (l) of Regulation 1.1.
1644	July 17th, 1959	Amending clause (j) of Regulation 1.1.
1799	August 7th, 1959	Amending Regulation 1.1 by adding clauses (w) and (x).
2176	September 29th, 1959	Deleting clauses (h) and (i) of Regulation 1.1 and substituting amended clauses (h) and (i); amending item (vii) of clause (l) of Regulation 1.1; and deleting Regulation 5.71 and substituting amended Regulation 5.71.
2926	December 21st, 1959	Amending (effective March 1st, 1960) Regulations 3.02, 3.03, 3.20, 3.30, 3.40, 3.401, 3.62, 3.71, 3.80, and the Schedule of Fees by deleting the said regulations and Schedule and substituting amended regulations and Fee Schedule; deleting entirely Regulations 3.09, 3.805, 5.42, and 5.43; adding to the Interpretation section of the regulations a definition of "gross weight."
657	March 18th, 1960	Amending Regulation 10.2.
658	March 18th, 1960	Adding to the regulations as 6.23 a new heading and thereafter adding new Regulations 6.231 to 6.237.
761	March 29th, 1960	Deleting Regulation 1.21 and substituting amended Regulation 1.21; deleting entirely Regulations 12.1 and 12.5.
1315	June 6th, 1960	Amending Regulations 3.81, 5.42, and 10.2.
1925	August 16th, 1960	Deleting entirely Part 11 of the regulations and Regulations 1.1 (c), 1.1 (p), 1.1 (r), 1.1 (s), 1.2 (b), 1.2 (c), 1.2 (d), 2.2, 5.25, 6.01, 10.1, and 10.3 (a) (i), and amending Regulations 4.325, 5.32, 5.64, and 10.51.
22	January 5th, 1961	Deleting Schedule of Fees and substituting a new Schedule.
526	March 6th, 1961	Deleting Regulation 1.21 and substituting a new Regulation 1.21; deleting and replacing the heading which appears directly before Regulation 6.40; amending Regulations 6.403 and 6.404; deleting Regulation 6.407 and substituting therefor new Regulations 6.407, 6.4071, 6.4072, and 6.4073; deleting Regulation 6.415; deleting Regulation 6.417 and substituting a new Regulation 6.417; amending Regulations 6.418 and 6.423; deleting Regulations 6.425 and 6.67; deleting Regulation 6.68 and substituting a new Regulation 6.68.
1340	May 18th, 1961	Deleting Regulation 5.61 and substituting amended Regulation 5.61.
1765	July 11th, 1961	Deleting Regulation 9.23 and substituting amended Regulation 9.23.
3161	December 19th, 1961	Deleting Regulation 4.31 and substituting new Regulation 4.31.
1500	June 7th, 1962	Adding new paragraph (xvi) to clause (l) of Regulation 1.1; adding a new paragraph (iv) to clause (o) of Regulation 1.1; adding a new Regulation 4.327.
2334	September 27th, 1962	Deleting Regulation 4.31 and substituting a new Regulation 4.31; deleting clause (a) of Regulation 3.81 and substituting a new clause; adding to the list of commodities in Regulation 4.325 snow, stumps, and debris from demolished buildings; deleting from clause (c) of Regulation 6.22 the words "shall not be operated at a speed in excess of twenty-five (25) miles per hour and"; amending Regulation 9.25 by inserting the phrase "number of hours worked" before the phrase "rate and total amount."
1887	July 22nd, 1963	Adding new Regulation 1.22.
2573	October 8th, 1963	Adding new Regulations 4.10 to 4.19, inclusive.
2574	October 8th, 1963	Adding new Regulations 6.631, 6.632, 6.633, and 6.66.
685	March 16th, 1964	Adding a new heading to Part 7, a new subheading 7.7, and new Regulations 7.71 to 7.78, inclusive.
755	March 20th, 1964	Adding a new clause (y) to Regulation 1.1; deleting clause (a) of Regulation 3.81 and substituting a new clause; adding to the list of commodities in Regulation 4.325 unset cement mix, grain screenings, turf, and peat moss; deleting the first paragraph of Regulation 6.404 and substituting a new paragraph; deleting Regulations 10.5 to 10.56, inclusive, and 10.6 to 10.62, inclusive.

AMENDMENTS TO THE REGULATIONS—Continued

Order in Council No.	Date Approved	Subject
1682	June 15th, 1964.....	Deleting the last portion of Regulation 1.1 ( <i>a</i> ) following the phrase "of the United States"; deleting clause ( <i>d</i> ) of Regulation 1.1; deleting Regulation 1.2 and substituting a new Regulation 1.2; deleting, <i>effective January 1st, 1965</i> , Regulations 3.40, 5.05, 5.31, 5.32, 5.35, and 5.36, and substituting new Regulations 3.40, 5.05, 5.31, 5.32, 5.35, and 5.36; deleting, <i>effective January 1st, 1965</i> , Regulation 5.321; deleting Regulation 6.36 and substituting new Regulation 6.36.
3546	December 21st, 1965..	Deleting Regulation 4.31 and substituting new Regulation 4.31 <i>re</i> minimum coverage, public liability and property damage; adding paragraph to Regulation 10.2; and adding clause ( <i>e</i> ) to Regulation 10.3.
3060	October 24th, 1966....	Deleting Regulations 4.16 and 4.17 and substituting new Regulations 4.16 and 4.17.
933	March 21st, 1967.....	Deleting paragraph ( <i>u</i> ) from Regulation 1.1—exemption for towing house-trailer.

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