



**SUBJECT: Fender-less Vehicle Regulation**

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### **PURPOSE OF CIRCULAR**

To advise that on ***July 4, 2016***, by Order in Council (OIC) 1004/58, amendments to Motor Vehicle Act Regulation (MVAR) Division 7.01 were enacted to allow for 1940 and earlier model year vehicles to operate on highway without fenders, mudguards or mudflaps as required by MVAR Division 7.06 under specific conditions.

### **APPLICATION**

MVAR Division 7.01 was amended, in part, to include the following subsections:

*(4) A person may drive or operate on a highway a motor vehicle that is not equipped as required by section 7.06 if*

*(a) the motor vehicle is*

*(i) a collector motor vehicle that*

*(A) has a licence and distinctive number plate issued for a collector motor vehicle under Division 22A for the current year,*

*(B) was manufactured in 1940 or earlier, and*

*(C) is described in Item 3 of the table in section 22A.01 (1) (c),*

*(ii) a motor vehicle*

*(A) that is duly registered outside British Columbia,*

*(B) for which the licensing requirements of the jurisdiction in which it is registered are fulfilled,*

*(C) that has displayed on it the registration number plates of that jurisdiction for the current year;*

*(D) that was manufactured in 1940 or earlier, and*

*(E) that is described in Item 3 (b) of the table in section 22A.01 (1) (c), or*

*(iii) a replicar or replikit*

*(A) that is duly registered inside or outside British Columbia,*

*(B) for which the licensing requirements of the jurisdiction in which it is registered are fulfilled,*

*(C) that has displayed on it the registration number plates of that jurisdiction for the current year, and*

*(D) that was manufactured, as in the case of a replicar, or was designed, as in the case of a replikit, to resemble the make and model of a motor vehicle manufactured in 1940 or earlier, and*

*(b) the highway is dry and paved.*

(5) In this section:

(a) "replicar" means a motor vehicle that is

(i) manufactured to resemble the make and model of a motor vehicle which is no longer manufactured, and

(ii) constructed entirely of new components;

(b) "Replikit" means a motor vehicle that is

(i) designed to resemble the make and model of a motor vehicle which is no longer manufactured, and

(ii) Constructed of new or refurbished components.

Vehicles that meet the specified conditions of the amended regulation may operate on paved and dry highways without vehicle fenders, mud flaps or mudguards.

Any vehicle that operates contrary to MVAR 7.01 is subject to enforcement and violation ticket fine amounts under the indicated offence provision.

Provision	Contravention	Fine (>30 days)	Reduced Fine (<=30 days)	Victim Surcharge Levy	Ticketed Amount (>30 days)	Reduced Ticketed Amount (<=30 days)
Every provision of the regulations made under the Motor Vehicle Act, the contravention of which constitutes an offence, other than the sections or Divisions specifically enumerated in this Schedule		\$95	\$70	\$14	\$109	\$84

Specific information regarding vehicle inspections for vehicles operating under MVAR 7.01 is available from the CVSE website at [www.cvse.ca](http://www.cvse.ca) – under "Vehicle Inspections & Standards". For questions concerning vehicle inspections, please contact Geoff Ford, Vehicle Inspection Program Advisor, at [Geoff.Ford@gov.bc.ca](mailto:Geoff.Ford@gov.bc.ca) or (250) 953-4039.

The complete regulation amendment is attached as an appendix to this compliance circular.

Regards,



Brian Kangas, Manager, Vehicle Inspections & Standards Program  
Commercial Vehicle Safety & Enforcement Branch  
Ministry of Transportation & Infrastructure

APPENDIX

DEPOSITED July 4, 2016 B.C. REG. 164/2016  
OIC 1004/58

- 1 Section 7.01 of the Motor Vehicle Act Regulations, B.C. Reg. 26/58, is amended
- (a) in subsection (1) by striking out "(3)," and substituting "(4),",
  - (b) by repealing subsection (2) and substituting the following:
    - (2) An antique motor vehicle or a collector motor vehicle not originally designed and manufactured to be in compliance with section 7.02 to 7.04, 7.05 (3), (4) or (7), 7.06; 7.09, 7.16, 7.16 J (4) or 7.19 need not be equipped as required by that section. , and
  - (c) by adding the following subsections:
    - (4) A person may drive or operate on a highway a motor vehicle that is not equipped as required by section 7.06 if
      - (a) the motor vehicle is
        - (i) a collector motor vehicle that
          - (A) has a licence and distinctive number plate issued for a collector motor vehicle under Division 22A for the current year,
          - (B) was manufactured in 1940 or earlier, and
          - (C) is described in Item 3 of the table in section 22A.01 (1) (c),
        - (ii) a motor vehicle
          - (A) that is duly registered outside British Columbia,
          - (B) for which the licensing requirements of the jurisdiction in which it is registered are fulfilled,
          - (C) that has displayed on it the registration number plates of that jurisdiction for the current year;
          - (D) that was manufactured in 1940 or earlier, and
          - (E) that is described in Item 3 (b) of the table in section 22A.01 (1) (c), or
        - (iii) a replicar or replikit
          - (A) that is duly registered inside or outside British Columbia,
          - (B) for which the licensing requirements of the jurisdiction in which it is registered are fulfilled,
          - (C) that has displayed on it the registration number plates of that jurisdiction for the current year, and
          - (D) that was manufactured, as in the case of a replicar, or was designed, as in the case of a replikit, to resemble the make and model of a motor vehicle manufactured in 1940 or earlier, and
      - (b) the highway is dry and paved.
  - (5) In this section:
    - (a) "replicar" means a motor vehicle that is
      - (i) manufactured to resemble the make and model of a motor vehicle which is no longer manufactured, and
      - (ii) constructed entirely of new components;
    - (b) "replikit" means a motor vehicle that is
      - (i) designed to resemble the make and model of a motor vehicle which is no longer manufactured, and
      - (ii) constructed of new or refurbished components.
- 2 Section 40.01 (1) is amended by repealing the definitions of "replicar" and "replikit" and substituting the following:
- "replicar" means a motor vehicle as defined in section 7.01 (5) (a);
  - "replikit" means a motor vehicle as defined in section 7.01 (5) (b);.