



## INDUSTRY NOTICE

### Licensees' Obligations When Modifying or Purchasing Previously Modified Commercial Passenger Vehicles

Posted July 31, 2014

The Registrar of Passenger Transportation must be satisfied that a vehicle has met safety requirements before it can be operated as a commercial passenger vehicle. In British Columbia, commercial passenger vehicles must be in compliance with provincial regulations. In particular, this requirement is specified under Section 25 (General Authorization) and Section 29 (Special Authorization) of the [Passenger Transportation Act](#).

The prescribed requirements for commercial passenger vehicles are laid out in Division 10, Section 10.051, of the [Motor Vehicle Act Regulation](#) (MVAR) and require compliance with [Canada Motor Vehicle Safety Standards](#) (CMVSS).

Licensees operating vehicles that do not comply with motor vehicle safety standards are instructed to CEASE and DESIST from operating such vehicles.

In British Columbia, commercial passenger vehicles must be in compliance with the following federal and provincial safety standards:

- ✓ Passenger seat location, position and seating capacity must be in compliance with the [Motor Vehicle Safety Act \(Canada\)](#) or the United States Department of Transportation [Federal Motor Vehicle Safety Standards](#) (FMVSS).
- ✓ Vehicle seating capacity must not exceed the maximum number indicated by the original (primary) or secondary vehicle manufacturer.
- ✓ Vehicles that have been altered from the original manufacturer's specifications require federal certification. Secondary manufacturers must be authorized under the [Motor Vehicle Safety Act \(Canada\)](#).

If the Registrar becomes aware of non-compliance with motor vehicle safety standards he/she may refuse to issue a licence or cancel an existing licence if the applicant or licensee is not considered to be a fit and proper person to provide commercial passenger vehicle service.

If you have any questions or concerns regarding this notification please contact the Passenger Transportation Branch Duty Inspector:

Telephone: 604 527-2198 or toll free through Enquiry B.C. 1-800-663-7867.

Email: [passengertransportationbr@gov.bc.ca](mailto:passengertransportationbr@gov.bc.ca)

Reference material is attached.

Yours truly,



Kristin Vanderkuip  
Registrar and Director  
Passenger Transportation Branch

**Reference Material can be viewed at the following links:**

- (1) Motor Vehicle Safety Regulations (C.R.C., c. 1038) Canada Motor Vehicle Safety Standards (CMVSS) at:

<https://www.tc.gc.ca/eng/acts-regulations/regulations-crc-c1038.htm>

- (2) United States Department of Transportation Federal Motor Vehicle Safety Standards (FMVSS) regarding national safety marks (certification) at:

<http://www.nhtsa.gov/cars/rules/import/FMVSS/>

Part 566 – Manufacturer Identification

Part 567 – Certification Regulation

Part 568 – Vehicles Manufactured In Two or More Stages

- (3) Vehicle modifier or manufacturer - Transport Canada's website at:

<http://wwwapps.tc.gc.ca/saf-sec-sur/7/vmrtc-cvaetc/Search-Recherche.aspx?lang=eng>

- (4) *Passenger Transportation Act*

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/00\\_04039\\_01](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_04039_01)

Section 25 – Application for general commercial vehicles

Section 29 – Role of registrar if application approved

Section 46 (1) – Penalties relating to licences

- (5) Administrative Penalty Framework information at:

<http://www.th.gov.bc.ca/rpt/compliance.htm>

- (6) Information on Motor Vehicle Act Regulations – Division 10 at:

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/26\\_58\\_00](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/26_58_00)

- (7) *Motor Vehicle Safety Act (Canada)* at:

<https://www.tc.gc.ca/eng/acts-regulations/acts-1993c16.htm>

**Questions regarding motor vehicle safety standards can be directed to the Commercial Vehicle Safety & Enforcement (CVSE) Branch at:**

Phone: 250-952-0577

Fax: 250-952-0578

Email: [Vehicle.Safety.Standards@gov.bc.ca](mailto:Vehicle.Safety.Standards@gov.bc.ca)

CVSE website information: <http://www.th.gov.bc.ca/cvse/index.htm>