



May 20, 2011

INDUSTRY NOTICE

Interested in Purchasing or Leasing a Party Bus or Specialty Vehicle?

The purpose of the Industry Notice is to inform you of the following information if you are interested in purchasing or leasing a party bus or specialty vehicle.

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*.

Division 10, Section 10.051, of the Motor Vehicle Act Regulation (MVAR) requires compliance with Canada Motor Vehicle Safety Standards (CMVSS).

MVAR Division 10 can be viewed in full on the CVSE web site:
http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/26_58_00

Points to be considered:

- The Passenger Transportation (PT) Branch does not endorse, or become involved with, the purchase or lease of a vehicle. The decision to purchase or lease a vehicle is the sole responsibility of the applicant (licensee).
- When operating a vehicle under a PT licence it is the owner's responsibility to ensure that it meets CMVSS requirements. This is an ongoing obligation.
- A CMVSS or Registrar of Imported Vehicles (RIV) decal is a starting point. A CMVSS or RIV decal shows that a vehicle is in compliance with CMVSS standards at the time specified on the decal.
- If the PT Branch has reason to believe a vehicle was modified after manufacture (CMVSS decal) or after importation (RIV decal) then its owner may be required to prove current compliance with CMVSS.

May 20, 2011

INDUSTRY NOTICE

Interested in Purchasing or Leasing a Party Bus or Specialty Vehicle?

- The Commercial Vehicle Safety Enforcement Branch (CVSE) inspects vehicles solely to determine if they are in compliance with MVAR Division 10; if any modifications or alterations have occurred; and verify that they display the correct compliance markings for the indicated vehicle use or type. Modified vehicles (e.g. buses, stretch SUV's, wheelchair accessible vehicles) must comply with MVAR Division 10, Section 10.051.
- The PT Branch and CVSE are not under the mandate of Transport Canada and cannot conduct CMVSS testing for applicants or licensees.

For ease of reference an excerpt from the Motor Vehicle Act Regulations Division 10 is being provided regarding compliance requirements for commercial passenger vehicles:

Specifically, Section 10.051 states:

- 10.051** (1) In this section, "**date of manufacture**" means the latest of the dates on which a vehicle was
- (a) first constructed by the original manufacturer, or
 - (b) altered by a manufacturer authorized under the *Motor Vehicle Safety Act* (Canada).
- (2) Subject to subsections (3) and (4), a person must not operate, or cause to be operated, a bus, passenger car or multipurpose passenger vehicle, as those terms are defined in the Motor Vehicle Safety Regulations (Canada), C.R.C. 1038, that was manufactured after January 1, 1971, unless the vehicle
- (a) conforms to the safety standards under that Act that applied to that class of vehicle on the date of manufacture, and
 - (b) bears a national safety mark, as that term is defined in the *Motor Vehicle Safety Act* (Canada), indicating compliance with the Canadian Motor Vehicle Safety Standards.
- (3) Subsection (2) does not apply to a person who operates, or causes to be operated, an antique motor vehicle or a special sightseeing bus if the vehicle
- (a) is operated as a commercial passenger vehicle, and
 - (b) has not been altered from the original manufacturer's specifications, other than to bring it into compliance with the requirements of this regulation respecting mechanical standards.

May 20, 2011

INDUSTRY NOTICE

Interested in Purchasing or Leasing a Party Bus or Specialty Vehicle?

When considering the purchase or lease of vehicle(s) it is important to note that:

- A Commercial Vehicle Inspection Program (CVIP) “sticker” from a provincial designated inspection facility (DIF) is not acceptable proof of CMVSS compliance with respect to party buses or specialty vehicles because this facility is not Transport Canada certified.
- Before purchasing or leasing a party bus or specialty vehicle, the PT Branch strongly recommends that a person obtain approval for their application or, in the case of a licensee; contact the Branch about the addition/replacement of vehicle to be operated under a PT licence.
- Before purchasing or leasing a party bus or specialty vehicle that may have previously been operated under a PT licence it is strongly recommended that you contact the PT Branch with vehicle information (i.e. year, make, and model; vehicle identification number (VIN) and vehicle registration number). PT Branch staff can confirm if a vehicle was previously licensed for commercial use in BC and if it was weighed to determine its maximum legal seating capacity. If you purchase a vehicle that was previously operated under a PT licence, the Registrar may require proof of compliance with CMVSS and may also require that it be weighed again (if applicable).

If there are any questions regarding CMVSS standards please contact the **Commercial Vehicle Safety & Enforcement Branch** at:

Phone: (250) 952-0577

Fax: (250) 952-0578

Email: Vehicle.Safety.Standards@gov.bc.ca

A listing of **Transport Canada** registered vehicle manufactures is available at: <http://www.tc.gc.ca/eng/roadsafety/safevehicles-manufacturing-index-453.htm>.

If you require further information on passenger transportation application processes, please visit our website at <http://www.th.gov.bc.ca/rpt/> or call the PT Branch at 604.453.4250 to speak with a Registration Officer.

(BC residents can contact us toll free through Enquiry BC at <http://www.gov.bc.ca/contacts/index.htm>.)

Thank you.