

DISTRICT OF CAMPBELL RIVER
PROVINCE OF BRITISH COLUMBIA

BYLAW NO. 2886

A BYLAW OF THE DISTRICT OF CAMPBELL RIVER TO PROVIDE FOR THE LICENSING OF COMMERCIAL VEHICLES.

The Council of the District of Campbell River, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as "Commercial Vehicle Licensing Bylaw No. 2886,2001".

2. In this Bylaw, unless the context otherwise requires:

"Gross Vehicle Weight" means the combined weight of the commercial vehicle and its load;

"Highway" means a highway as defined by the Local Government Act but does not include an arterial highway as defined by the Highway Act;

"Licence-year" means the period from March 1st to the last day of February of the following year;

"Motor vehicle" means a vehicle designed to be self-propelled, except a vehicle operating wholly on fixed rails or tracks and except an electric trolley bus;

"Motor vehicle liability policy" means a certificate of insurance issued by the Insurance Corporation of British Columbia in the form, and providing insurance against perils and for such amounts, as is prescribed by the Insurance (Motor Vehicle) Act and the regulations under that Act;

"Municipality" means the District of Campbell River;

"Owner" means, when used in reference to a vehicle, the person or persons duly registered from time to time under the Motor Vehicle Act or the Commercial Transport Act as the owner or owners of the vehicles;

"Participating Municipality" means a Municipality in which a Bylaw is in force declaring that Division (3) of Part (20) of the Municipal Act applies in that Municipality;

"Semi-trailer" includes a vehicle without motive power designed to be drawn by a motor vehicle or truck tractor and so constructed that an appreciable part of its weight and that of its load rests on and is carried by the motor vehicle or truck tractor, and includes a pole trailer but does not include a vehicle having a gross vehicle weight of less than 700 kg which is licenced pursuant to the Motor Vehicle Act;

"Finance Services Manager" means the Finance Services Manager of the District of Campbell River;

"Truck tractor" means a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle drawn and the load of the other vehicle;

"Vehicle" means a vehicle used by a person on a highway in a participating Municipality which is a commercial vehicle defined as such by and licenced under the Commercial Transport Act, and a vehicle not so licenced which is used for the collection or delivery, or both, of merchandise or other commodity in the ordinary course of a business undertaking.

3. Division (3) of part (20) of the Local Government Act is hereby declared to apply to the Municipality from and after the commencement of the licence-year.
4.
 - (1) Except as otherwise provided in this Bylaw and in the Local Government Act, but subject to the Motor Carrier Act, no vehicle shall be used or operated on any highway in the Municipality unless there is displayed upon the vehicle a valid and subsisting licence-plate issued for the vehicle in accordance with the Local Government Act and this Bylaw.
 - (2) A valid and subsisting licence-plate issued for the current licence-year by any other participating Municipality is valid in the Municipality for such licence year.
5. Except as may be otherwise lawfully provided, the owner of every vehicle shall, before it is used or operated on any highway in the Municipality, cause the vehicle to be licenced with a licence-plate obtained pursuant to the Local Government Act and this Bylaw.
6. The application for a licence-plate shall be in the form as shown in Appendix "A", hereto attached and forming part of this Bylaw, and shall be signed by the owner or his duly authorized agent, provided that, in the case of partnerships or multiple owners, any one of such owners may apply and such owner applying shall be deemed to be the duly authorized agent of all the owners.
7. Where the applicant for a licence is an agent or co-owner, the owner of owners shall be deemed to have authorized all statements set forth in the application and shall be deemed to have made such statements on his own or their behalf and as his own or their statements.
8. The signed application form, together with the motor vehicle liability policy for the vehicle, shall be delivered to the Finance Services Manager at the Municipal Hall of the Municipality and shall be accompanied by the fee prescribed in the Local Government Act and set out in Appendix "B" hereto attached and forming part of this Bylaw.
9. The owner of any vehicle enumerated and described in Appendix "C", hereto attached and forming part of this Bylaw, is exempt from payment of a licence fee.
10. Upon receipt of an application for a licence, and upon being satisfied of the truth of the statements contained therein and that the prescribed fee has been paid, the Municipality shall cause to be issued and delivered, a numbered licence plate.
11. The licence plate shall at all times be affixed on the inside of the windshield.

12. (1) Where a person ceases to be the owner of a vehicle licenced and authorized to carry a licence plate, the registration thereof and the licence plate are deemed to be cancelled and the new owner of such vehicle shall make application forthwith to the Municipality for:
 - (a) a transfer of the registration and plate to his name; or
 - (b) cancellation of the licence and the surrender of the plate.
 - (2) The fee for the transfer of a licence and licence plate is Five dollars (\$5.00) and shall be paid by the applicant to the Treasurer of the Municipality.
 - (3) Notwithstanding subsections (1) and (2), the purchase of a vehicle, by a dealer in vehicles for resale, shall not require the licence plate to be cancelled or transferred until the dealer sells the vehicle to a person other than another such dealer for resale; provided, however, that the vehicle shall not be operated upon any highway in the Municipality except for the purpose of transporting the vehicle to such other dealer or except for demonstration purposes for a prospective purchaser.
13. Where a licence plate is lost, stolen, destroyed or becomes illegible or mutilated, the owner of the vehicle, in respect of which the plate was issued, or his agent, may apply to the Municipality for a replacement thereof for a fee of five dollars (\$5.00) upon the surrender of such plate, if still in possession of the owner, and the Municipality, if satisfied of the truth of the facts in support of the application, may cause a new licence plate to be issued in replacement and shall endorse the record of its issuance on the motor vehicle liability policy.
14. Notwithstanding anything in this Bylaw contained, where the vehicle, in respect of which an application for a licence plate is made, is a vehicle operated by the owner under an agreement under Section 13 of the Commercial Transport Act, such licence plate shall be valid for display on any vehicle operated under the agreement.
15. The fees collected under Sections 12 and 13 are revenues of the Municipality and are deemed not to be part of the fees mentioned in Appendix "B" of this Bylaw.
16. Except as provided by Section 14, it is unlawful to operate a vehicle having affixed to it a licence plate not authorized or issued for that vehicle.
17. (1) Except as otherwise provided in this Bylaw, any person who violates any provision of this Bylaw or who suffers or permits any act or thing to be done in contravention of the Bylaw, or who refuses, or omits or neglects to fulfill, observe, carry-out or perform any duty or obligation imposed by this Bylaw shall be liable on summary conviction to a fine not exceeding Two Thousand Dollars (\$2,000.00). For each day that a violation is permitted to exist, it shall constitute a separate offence.
- (2) A person who displays or causes to be displayed a licence plate on a vehicle not authorized to have it displayed on the vehicle is liable, on conviction, to a fine not exceeding \$200.00 and the confiscation of the licence plate;

(3) No fine imposed under this section removes any liability for a prescribed licence fee under this Bylaw.

18. Commercial Vehicle Licensing Bylaw No. 1702, 1987 is hereby repealed.

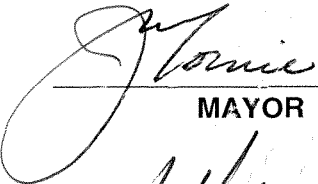
19. This Bylaw shall come into force and effect upon adoption.

Read a first time on the 22nd day of May, 2001.


Read a second time on the 22nd day of May, 2001.

Read a third time on the 22nd day of May, 2001.

Adopted on the 12th day of June, 2001.



MAYOR



Clerk

APPENDIX "A"

DISTRICT OF CAMPBELL RIVER

LICENSING OF COMMERCIAL VEHICLES

MUNICIPAL PLATE NO. _____

I, _____, owner (agent of
_____, who is the owner)
of a _____, with gross vehicle
weight of _____ Kilograms, Motor Vehicle Registration Number _____,
apply to the District of Campbell River for a Municipal Licence Plate for the above
vehicle for the licence year _____ for which is hereby tendered the fee of \$_____.

SIGNED: _____ Owner/Agent

ADDRESS: _____

APPENDIX "B"

DISTRICT OF CAMPBELL RIVER

LICENSING OF COMMERCIAL VEHICLES

FEE SCHEDULE

The fees for licences applied for under the provisions of this Bylaw for each licence year are as follows:

	<u>Gross Vehicle Weight</u>	<u>Fee</u>
1.	Up to 2,800 kgs.	\$20.00
	2,801 kgs to 11,800 kgs.	\$25.00
	11,801 kgs to 20,000 kgs	\$30.00
	20,001 kgs and over	\$35.00
2.	For an application under section 14 hereof	\$25.

APPENDIX "C"

DISTRICT OF CAMPBELL RIVER

LICENSING OF COMMERCIAL VEHICLES

EXEMPT VEHICLES

1. Any motor vehicle known or described as a tractor that is owned by a bona fide farmer and used for towing a trailer for the purpose of transporting thereon the produce of his own farm to market and of transporting supplies for his own farm from market, or for towing any implement of husbandry used by or on behalf of the farmer;
2. Any commercial vehicle owned or leased exclusively by any Municipality, Regional District or School District as defined in the Public Schools Act, or by an organization comprised of Municipalities, Regional Districts or School Districts;
3. Any Government of Canada commercial vehicle;
4. Any school bus, mission bus or truck the sole property of a religious organization and used solely for religious purposes;
5. Any commercial vehicle used exclusively for fire-protection purposes;
6. any vehicle licenced as a farm vehicle under the Commercial Transport Act, except when used for the collection or delivery, or both, of goods, wares, merchandise or other commodity not required in the ordinary course of the farm undertaking of the owner of the vehicle;
7. Any vehicle owned and operated by an improvement district;
8. Any motor vehicle or trailer owned or used by any person who, through active service in the Armed Forces of the Crown in any war, has lost a limb or is in receipt of a one-hundred-per-centum disability pension, but this exemption does not extend to the concurrent registration or licencing of more than one motor-vehicle and one trailer for the same person;
9. Any vehicle licenced under the Commercial Transport Act, owned by a farmer and used only to transport the produce of his farm to market and to transport supplies required by his farm;
10. Any vehicle licenced under the Commercial Transport Act not being used by a person for the purpose of his business, or by an organization for profit;
11. Any vehicle owned by the Crown in right of the Province.