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Legislative Assembly of British Columbia

BILL 12

MOTOR VEHICLE AMENDMENT ACT, 2025

Honourable Garry Begg
Minister of Public Safety and Solicitor General

Explanatory Notes

CLAUSE 1: *[Motor Vehicle Act, section 21]* makes a housekeeping amendment.

CLAUSE 2: *[Motor Vehicle Act, section 23]* adds regulation-making authority to prescribe different amounts of driving experience for different classes of persons.

CLAUSE 3: *[Motor Vehicle Act, section 25]*

- clarifies that a test may not be required;
- adds regulation-making authority respecting the issuance of licences to novice drivers, including the power to prescribe a minimum waiting period;
- adds regulation-making authority to establish the duration of a condition imposed under subsection (10), (10.1), (10.101) or (10.11) of the Act;
- provides that a condition under section 25 of the Act can be imposed on a class of persons;
- adds the power to make regulations regarding driver education courses that shorten the duration of certain conditions imposed under section 25 of the Act.

BILL 12 – 2025

MOTOR VEHICLE AMENDMENT ACT, 2025

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

1 *Section 21 (7) (a) of the Motor Vehicle Act, R.S.B.C. 1996, c. 318, is amended by adding “or” at the end of subparagraph (i).*

2 *Section 23 is amended by adding the following subsection:*

(2.11) For the purposes of a regulation under subsection (1) (a), the Lieutenant Governor in Council may prescribe different amounts of driving experience for different classes of persons.

3 *Section 25 is amended*

(a) by repealing subsection (3) (a) and (b) and substituting the following:

(a) if required by the Insurance Corporation of British Columbia, submit to one or more of the following:

- (i) a knowledge test;
- (ii) a road test;
- (iii) a road signs and signals test,

(b) if required by the superintendent, submit to one or more of the following:

- (i) a vision test;
- (ii) a medical examination;
- (iii) other examinations or tests, other than as set out in paragraph (a), ,

(b) by adding the following subsection:

(8.01) The Lieutenant Governor in Council may make regulations respecting the issuance of a driver’s licence to a person who is a novice driver of one or more categories of motor vehicles, including regulations prescribing a minimum waiting period before the person to whom the licence is issued may

- (a) submit to an examination under this section, if required by the Insurance Corporation of British Columbia, with respect to the person’s ability to drive or operate a motor vehicle, or

CLAUSE 3: *[Motor Vehicle Act, section 25 – continued]*

- (b) if an examination is not required, apply under this section for another class of driver's licence. ,

(c) by repealing subsection (8.1) and substituting the following:

- (8.1) For the purposes of subsections (8) (d) and (8.01), the Insurance Corporation of British Columbia may
 - (a) approve driver education courses given by a driver training school licensed under the regulations, and
 - (b) reduce the minimum waiting period prescribed under those subsections for persons who have successfully completed a driver education course approved under paragraph (a). ,

(d) by repealing subsection (10) (f) and substituting the following:

- (f) establish the period of time during which a requirement, restriction or condition, imposed under this subsection or under subsection (10.1), (10.101) or (10.11), is to apply, and ,

(e) in subsections (10.1), (10.101) and (10.11) (a) by striking out “on a class of driver's licence, or on the drivers' licences of persons who hold a licence to drive a motor vehicle of a specified category,” and substituting “on a class of driver's licence, or on the driver's licences of any class of persons,” and

(f) by adding the following subsections:

- (10.12) For the purposes of subsection (10) (f), the Insurance Corporation of British Columbia may
 - (a) approve driver education courses given by a driver training school licensed under the regulations, and
 - (b) reduce the period of time prescribed under that provision for persons who have successfully completed a driver education course approved under paragraph (a).
- (10.13) The period of time referred to in subsection (10) (f) may be determined by reference to one or more of the following:
 - (a) the length of time a person has held a valid driver's licence issued under this Act or in another jurisdiction;
 - (b) a person's driving record, if any, from this or any other jurisdiction;
 - (c) other prescribed considerations.
- (10.14) For the purposes of a regulation under subsection (10) (f), the Lieutenant Governor in Council may do one or more of the following:
 - (a) delegate to the Insurance Corporation of British Columbia the power to determine whether a class of driver's licence issued by another jurisdiction is similar to a class of driver's licence prescribed under this Act;

CLAUSE 3: *[Motor Vehicle Act, section 25 – continued]*

CLAUSE 4: *[Motor Vehicle Act, section 32]* changes the age at which individuals can apply for a driver's licence for themselves from 19 years old to 18 years old.

CLAUSE 5: *[Motor Vehicle Act, section 194]* requires prescribed classes of persons to wear prescribed protective clothing, footwear and equipment when operating or riding as a passenger on a motorcycle.

CLAUSE 6: *[Motor Vehicle Act, section 214.41]* provides that a person learning to drive a motorcycle, and who holds a Class 6L, Class 8L or Class 8 licence, cannot use an electronic device while driving.

- (b) delegate to the Insurance Corporation of British Columbia the power to determine whether an offence under a law of another jurisdiction is similar to
 - (i) an offence under this Act, or
 - (ii) a motor vehicle related *Criminal Code* offence;
- (c) confer a discretion on the Insurance Corporation of British Columbia with respect to a matter described in paragraph (a) or (b).

4 *Section 32 is amended by striking out “under 19 years of age” and substituting “under 18 years of age”.*

5 *Section 194 is amended*

(a) by adding the following subsection:

- (3.1) A person who is in a prescribed class of persons, or who holds a prescribed class of licence, must not operate or ride as a passenger on a motorcycle on a highway unless the person is wearing the protective clothing, footwear and other protective equipment prescribed under subsection (6) (b.1). ,

(b) in subsection (4) by striking out “or” at the end of paragraph (a), by adding “, or” at the end of paragraph (b) and by adding the following paragraph:

- (c) subsection (3.1). ,

(c) by repealing subsection (5) and substituting the following:

- (5) Despite subsections (2), (3) and (3.1), a person under the age of 16 who contravenes subsection (2), (3) or (3.1) does not commit an offence. ,

(d) in subsection (6) by adding the following paragraph:

- (b.1) prescribing protective clothing, footwear and other protective equipment for the purposes of this section; , ***and***

(e) in subsection (6) (c) by striking out “subsection (3)” and substituting “subsection (3) or (3.1)”.

6 *Section 214.41 (2) is repealed and the following substituted:*

- (2) The exception in subsection (1) does not apply to a person driving or operating a motor vehicle under a licence of any of the following classes:
 - (a) Class 6L;
 - (b) Class 7;
 - (c) Class 7L;
 - (d) Class 8;
 - (e) Class 8L.

- CLAUSE 7: *[Motor Vehicle Act, section 261]* makes a housekeeping amendment.
- CLAUSE 8: *[Transition – prohibition against use of electronic device while driving]* provides a transition rule relating to the amendment by this Bill to section 214.41 of the *Motor Vehicle Act*.
- CLAUSE 9: *[Transition – Class 7 and Class 8 licences]* provides a transition rule for deeming Class 7 and Class 8 licences to be Class 5 and Class 6 licences, respectively.
- CLAUSE 10: *[Transition – regulations]* provides for a general power to make regulations for the purposes of implementing the amendments by this Bill to the *Motor Vehicle Act*.
- CLAUSE 11: *[Motor Vehicle Amendment Act, 2010, section 1]* repeals a not-in-force provision that amends section 25 of the *Motor Vehicle Act*, consequential to amendments made by this Bill to that Act.

- 7 *Section 261 (e) is amended by striking out “this subsection” and substituting “this section”.*

Transitional Provisions

Transition – prohibition against use of electronic device while driving

- 8 Section 214.41 (2) of the *Motor Vehicle Act*, as amended by section 6 of this Act, does not apply to a person driving or operating a motor vehicle under a licence
- (a) that is not a Class 7 or Class 7L licence, and
 - (b) that was issued before the date that section 6 of this Act comes into force.

Transition – Class 7 and Class 8 licences

- 9 For the purposes of transition, the Lieutenant Governor in Council may make regulations respecting the deeming of
- (a) prescribed Class 7 licences held on the date this section comes into force to be Class 5 licences, and
 - (b) prescribed Class 8 licences held on the date this section comes into force to be Class 6 licences.

Transition – regulations

- 10 The Lieutenant Governor in Council may make regulations for the purposes of implementing this Act, including, without limiting this, to remedy any transitional difficulties encountered in doing so.

Consequential Amendment

Motor Vehicle Amendment Act, 2010

- 11 *Section 1 of the Motor Vehicle Amendment Act, 2010, S.B.C. 2010, c. 14, is repealed.*

Commencement

- 12 This Act comes into force by regulation of the Lieutenant Governor in Council.