



*Off-Road Vehicle Act*

# OFF-ROAD VEHICLE REGULATION

**B.C. Reg. 193/2015**

Deposited October 15, 2015 and effective November 1, 2015

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## **Consolidated Regulations of British Columbia**

*This is an unofficial consolidation.*

B.C. Reg. 193/2015 (O.C. 598/2015), deposited October 15, 2015 and effective November 1, 2015, is made under the *Off-Road Vehicle Act*, S.B.C. 2014, c. 5, ss. 30, 31, 33 and 35.

This is an unofficial consolidation provided for convenience only. This is not a copy prepared for the purposes of the *Evidence Act*.

This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at [www.bclaws.ca](http://www.bclaws.ca).

See the User Guide for more information about the *Consolidated Regulations of British Columbia*. The User Guide and the *Consolidated Regulations of British Columbia* are available online at [www.bclaws.ca](http://www.bclaws.ca).

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# *Off-Road Vehicle Act*

## **OFF-ROAD VEHICLE REGULATION**

**B.C. Reg. 193/2015**

### *Contents*

#### **PART 1 – DEFINITIONS AND APPLICATION**

1	Definitions	1
2	Prescribed classes of off-road vehicles	2

#### **PART 2 – REGISTRATION, TRANSFERS AND VEHICLE IDENTIFICATION**

3	Exemptions from registration provisions of Act	2
4	Display of number plate or sticker	3
5	Vehicles registered or licensed under the <i>Motor Vehicle Act</i> or <i>Commercial Transport Act</i>	3
6	Vehicles registered or licensed outside BC	3
7	Vehicles from jurisdictions without registration	4
8	Refusal to register for failure to pay tax	4
9	Removal of number plate or sticker on transfer	4
10	Transfer by operation of law	5
11	Where owner does not have possession or cannot be located	5
12	Disposal of number plates or stickers	6
13	Replacement of certificate of registration	6
14	Replacement of number plate or sticker	7
15	Carrying certificate of registration	7

#### **PART 3 – CHILDREN**

16	When children must not operate off-road vehicles	7
17	Children must not use or operate off-road vehicles without supervising adult	7
18	When children may use or operate off-road vehicles unsupervised	8
19	Passengers	8

#### **PART 4 – HELMETS, SEAT BELTS AND LIGHTS**

20	Definition and application	9
21	Helmets required for all-terrain vehicles, motorcycles and snowmobiles	9
22	Standards for off-road vehicle helmets	9
23	Seat belts	10
24	Lights	10

#### **PART 5 – IDENTIFICATION, MANUFACTURERS' STICKERS AND LABELS**

25	Identification required	11
26	Stickers and labels	11

#### **PART 6 – FEES**

27	Fees	11
----	------	----

#### **SCHEDULE**

28	Transition	12
----	------------	----



## *Off-Road Vehicle Act*

# OFF-ROAD VEHICLE REGULATION

B.C. Reg. 193/2015

## PART 1 – DEFINITIONS AND APPLICATION

### Definitions

- 1** (1) In this regulation:
- “**Act**” means the *Off-Road Vehicle Act*;
- “**adult**” means an individual who is 19 years of age or older;
- “**agricultural or industrial vehicle**” means a vehicle designed or adapted exclusively for use for an agricultural or industrial purpose and includes a farm tractor, grader, loader, backhoe, skidder, spar or crane;
- “**all-terrain vehicle**” means a vehicle that
- (a) runs on 4 or more wheels or is self-propelled by means of 2 or more endless belts driven in contact with the ground,
  - (b) has a seat designed for the driver to sit astride, and
  - (c) at the time the vehicle was manufactured, was not designed to conform to the standards prescribed under the *Motor Vehicle Safety Act* (Canada) for motor vehicles designed for use on a highway,
- but does not include an agricultural or industrial vehicle;
- “**child**” means an individual who is 15 years of age or younger;
- “**driver’s licence**” means one of the following:
- (a) a licence under Division 30 [*Drivers’ Licences*] of the Motor Vehicle Act Regulations, other than a learner’s licence under that Division;
  - (b) a licence issued by another jurisdiction and accepted by the Insurance Corporation of British Columbia as equivalent to a licence under Division 30 of the Motor Vehicle Act Regulations, other than a licence only accepted by the Insurance Corporation of British Columbia as equivalent to a learner’s licence;
- “**gross vehicle weight rating**” has the same meaning as in section 1 of the *Motor Vehicle Act*;
- “**learner’s licence**” has the same meaning as in Division 30 of the Motor Vehicle Act Regulations;
- “**motorcycle**” means a vehicle that runs on 2 or 3 wheels or is self-propelled by means of an endless belt driven in contact with the ground and is designed to have the driver ride astride the vehicle;
- “**number plate**” means a plate issued under section 4 (4) (b) of the Act;
- “**number sticker**” means a sticker issued under section 4 (4) (b) of the Act;
- “**off-road side-by-side vehicle**” means a vehicle that

- (a) runs on 3 or more wheels or is self-propelled by means of 2 or more endless belts driven in contact with the ground,
  - (b) does not have a seat designed for the driver to sit astride, and
  - (c) at the time the vehicle was manufactured was not designed to conform to the standards prescribed under the *Motor Vehicle Safety Act* (Canada) for motor vehicles designed for use on a highway,
- but does not include an agricultural or industrial vehicle;

**“on-highway motor vehicle”** means a vehicle other than a motorcycle designed to conform to the standards prescribed under the *Motor Vehicle Safety Act* (Canada) for motor vehicles designed for use on a highway;

**“snowmobile”** means a vehicle other than an all-terrain vehicle or a motorcycle that

- (a) is designed for travel on snow or ice,
- (b) has one or more steering skis,
- (c) is self-propelled by means of one or more endless belts driven in contact with the ground, and
- (d) has a seat designed for the driver to sit astride.

- (2) In the Act and this regulation, **“owner”** includes a person in possession of an off-road vehicle under a contract by which the person may become its owner on full compliance with the contract.

[am. B.C. Regs. 76/2022, s. 3; 291/2023, App. 3, s. 2.]

### Prescribed classes of off-road vehicles

- 2 For the purposes of paragraph (b) of the definition of “off-road vehicle” in section 1 of the Act, the following vehicles, other than vehicles with a gross vehicle weight rating of 4 536 kg or more, are prescribed:
- (a) all-terrain vehicles;
  - (b) motorcycles;
  - (c) off-road side-by-side vehicles;
  - (d) snowmobiles;
  - (e) on-highway motor vehicles.

## PART 2 – REGISTRATION, TRANSFERS AND VEHICLE IDENTIFICATION

### Exemptions from registration provisions of Act

- 3 (1) Part 2 [*Registration*] and Division 1 [*Registration or Permit Required*] of Part 3 [*Operation of Off-Road Vehicles*] of the Act do not apply to
- (a) an on-highway motor vehicle, or
  - (b) an off-road vehicle owned by a person who is a resident of a jurisdiction in which the off-road vehicle cannot be registered or licensed.

**OFF-ROAD VEHICLE REGULATION**Part 2 – Registration, Transfers and Vehicle Identification

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- (2) Division 1 of Part 3 of the Act does not apply to
- (a) an off-road vehicle if the manufacturer states in a manufacturer's recommendation that the off-road vehicle is designed to be operated by a child 11 years of age or younger,
  - (b) a golf cart used only on a golf course or to cross a road or parking lot from a part of a golf course to another part of the same golf course, or
  - (c) an off-road vehicle used or operated in a sporting or competitive event or motorsport dealer demonstration, if the event or demonstration is temporarily authorized by a permit under an enactment.

**Display of number plate or sticker**

- 4** (1) A person must not use or operate, or authorize or permit another person to use or operate, an off-road vehicle registered with the Insurance Corporation of British Columbia on Crown land or prescribed private land unless
- (a) a number plate or number sticker is clearly visible on the front, back or left exterior of the off-road vehicle,
  - (b) the number plate or number sticker is securely fastened in a horizontal position, and
  - (c) the number plate or number sticker is entirely unobstructed, free from dirt or foreign material and maintained in a condition such that the numbers and letters on it can be easily read.
- (2) Despite subsection (1) (b), a number sticker may be attached in a vertical position on the left front fork of a motorcycle with the first number or letter at the bottom of the fork.

**Vehicles registered or licensed under the *Motor Vehicle Act* or *Commercial Transport Act***

- 5** A person must not use or operate, or authorize or permit another person to use or operate, an off-road vehicle licensed under the *Motor Vehicle Act* or the *Commercial Transport Act* on Crown land or prescribed private land unless the off-road vehicle displays the number plate issued under the *Motor Vehicle Act* or the *Commercial Transport Act* in accordance with the Motor Vehicle Act Regulations.

**Vehicles registered or licensed outside BC**

- 6** A person must not use or operate, or authorize or permit another person to use or operate, an off-road vehicle on Crown land or prescribed private land under section 14 (c) of the Act unless a plate, decal or sticker issued by a jurisdiction in which the off-road vehicle is registered or licensed, and setting out a registration or licence number, is securely fastened to the off-road vehicle in accordance with the rules of the jurisdiction.

**Vehicles from jurisdictions without registration**

- 7 (1) A person must not use or operate an off-road vehicle to which section 3 (1) (b) *[vehicles from jurisdictions without registration]* applies on Crown land or prescribed private land unless the person carries a copy of one of the following documents:
- (a) a bill of sale to the current owner;
  - (b) a form transferring ownership of the off-road vehicle to the current owner;
  - (c) a signed statement, in a form satisfactory to the minister, of a person stating the person is the current owner of the off-road vehicle.
- (2) A person must not use or operate an off-road vehicle to which section 3 (1) (b) applies on Crown land or prescribed private land unless the person carries a copy of photo identification, stating the current address of the owner of the off-road vehicle, issued to the owner by one of the following:
- (a) the government of Canada;
  - (b) the government of a province or territory, or an agent of the government of a province or territory, in which the person has a current address;
  - (c) a foreign jurisdiction in which the person has a current address.
- (3) Photo identification issued by a foreign jurisdiction under subsection (2) (c) must be a valid passport or a driver's licence valid in the jurisdiction in which it is issued.
- (4) A person must not operate an off-road vehicle to which section 3 (1) (b) applies unless a vehicle identification number is displayed on the off-road vehicle.
- (5) An operator of an off-road vehicle to which section 3 (1) (b) applies must produce the documents referred to in subsections (1) and (2) of this section on request of an officer.

[am. B.C. Reg. 50/2016, s. 6.]

**Refusal to register for failure to pay tax**

- 8 The Insurance Corporation of British Columbia may refuse to register an off-road vehicle under section 4 (4) of the Act, or to replace or transfer a certificate of registration under section 8 (6) or 9 (1) of the Act, if any amount owing in respect of the off-road vehicle under the *Consumption Tax Rebate and Transition Act*, section 165 (2), 212.1 or 218.1 or Division IV.1 of Part IX of the *Excise Tax Act* (Canada) or the *Provincial Sales Tax Act* is not paid to the Insurance Corporation of British Columbia.

**Removal of number plate or sticker on transfer**

- 9 If the title or interest of a person in an off-road vehicle registered with the Insurance Corporation of British Columbia is transferred in the circumstances referred to in section 8 (1) or (2) *[transfer of ownership]* of the Act, the person must, before giving up possession of the off-road vehicle, remove the number plate or number sticker and



**OFF-ROAD VEHICLE REGULATION**Part 2 – Registration, Transfers and Vehicle Identification

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dispose of it as provided in section 12 [*disposal of number plates or stickers*] of this regulation.

**Transfer by operation of law**

- 10** (1) In this section, “**spouse**” means a person who was married to another person at the relevant time or who was living with another person in a marriage-like relationship for a continuous period of at least 2 years immediately before the relevant time.
- (2) Despite section 9,
- (a) if the title or interest of an owner of an off-road vehicle is transferred by operation of law under section 8 (2) of the Act as a result of the owner’s death, subject to subsection (3) of this section, the owner’s executor, administrator or trustee must remove the number plate or number sticker and dispose of it as provided in section 12 of this regulation, or
  - (b) if the title or interest of an owner of an off-road vehicle is transferred by operation of law under section 8 (2) of the Act for any reason other than as a result of the owner’s death, the owner must remove the number plate or number sticker and dispose of it as provided in section 12 of this regulation.
- (3) If the ownership of the off-road vehicle referred to in subsection (2) (a) passes to the deceased owner’s spouse, the spouse may, on application in a form satisfactory to the Insurance Corporation of British Columbia and on payment of the fee set out in item 2 of the Schedule, have the off-road vehicle registered in the spouse’s name and retain the number plate or number sticker on the off-road vehicle.

[am. B.C. Reg. 76/2022, s. 4.]

**Where owner does not have possession or cannot be located**

- 11** (1) If the owner referred to in section 10 (2) (b) does not have possession of the off-road vehicle at the time of its transfer by operation of law, the person who has possession of the off-road vehicle must remove the number plate or number sticker and deliver it to the owner.
- (2) The owner must, on receipt of the number plate or number sticker, dispose of it as provided in section 12.
- (3) As an exception, if the person who has possession of the off-road vehicle is unable to locate the owner of that off-road vehicle within 7 days of the transfer referred to in subsection (1), the person must, at the expiration of the 7 days, deliver the number plate or number sticker to the Insurance Corporation of British Columbia.

**Disposal of number plates or stickers**

- 12** (1) A person who removes a number plate or number sticker from an off-road vehicle in accordance with section 9 or 10 (2) (a) or (b) or an owner who receives a number plate or number sticker under section 11
- (a) must not attach the number plate or number sticker to or display the number plate or number sticker on any other off-road vehicle, and
  - (b) may retain, destroy or otherwise dispose of the number plate or number sticker or deliver the number plate or number sticker to the Insurance Corporation of British Columbia.
- (2) If a person who removes a number plate or number sticker from an off-road vehicle in accordance with section 9 or an owner who receives a number plate or number sticker under section 11
- (a) retains the number plate or number sticker, and
  - (b) applies to register another off-road vehicle with the Insurance Corporation of British Columbia as an owner under section 4 of the Act or as a transferee under section 8 of the Act,
- the Insurance Corporation of British Columbia may, instead of issuing a new number plate or number sticker for the other off-road vehicle, record the number plate or number sticker retained by the person or owner on the certificate of registration issued in respect of the other off-road vehicle.
- (3) Despite subsection (1) (a), if the Insurance Corporation of British Columbia, under subsection (2), records the number plate or number sticker retained by the person or owner on the certificate of registration issued in respect of an off-road vehicle, the owner of the off-road vehicle may attach the number plate or number sticker to or display the number plate or number sticker on that off-road vehicle.

**Replacement of certificate of registration**

- 13** (1) The owner of an off-road vehicle may apply for a replacement of a certificate of registration issued under the Act for the off-road vehicle by submitting to the Insurance Corporation of British Columbia
- (a) a written application in a form satisfactory to the Insurance Corporation of British Columbia,
  - (b) any information or document required by the Insurance Corporation of British Columbia, and
  - (c) the fee set out in the Schedule.
- (2) On receiving an application and payment of the fee, the Insurance Corporation of British Columbia may issue to the owner a replacement certificate of registration for the off-road vehicle.

**OFF-ROAD VEHICLE REGULATION**Part 3 – Children

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**Replacement of number plate or sticker**

- 14** (1) If a number plate or number sticker issued under the Act for an off-road vehicle is lost, stolen, mutilated or destroyed, the owner of the off-road vehicle may apply for a replacement number plate or number sticker by submitting to the Insurance Corporation of British Columbia
- (a) a written application in a form satisfactory to the Insurance Corporation of British Columbia,
  - (b) any information or document required by the Insurance Corporation of British Columbia, and
  - (c) the fee set out in the Schedule.
- (2) On receiving an application and payment of the fee, the Insurance Corporation of British Columbia may issue to the owner a replacement number plate or number sticker for the off-road vehicle.

**Carrying certificate of registration**

- 15** (1) A person must not use or operate an off-road vehicle registered with the Insurance Corporation of British Columbia on Crown land or prescribed private land unless a copy of the numbered certificate of registration issued under section 4 (4) (a) of the Act is carried in the off-road vehicle or by the driver.
- (2) A person who uses or operates an off-road vehicle to which subsection (1) applies must produce the copy of the numbered certificate of registration on request of an officer.

**PART 3 – CHILDREN****When children must not operate off-road vehicles**

- 16** (1) A child must not use or operate an off-road vehicle on Crown land or prescribed private land unless
- (a) the child is of an age that meets the manufacturer's recommended minimum age for that off-road vehicle, and
  - (b) the child is of a height and weight that meets the manufacturer's recommended minimum height and weight for that off-road vehicle.
- (2) A child must not use or operate an on-highway motor vehicle on Crown land or prescribed private land.

**Children must not use or operate off-road vehicles without supervising adult**

- 17** (1) Subject to section 18 [*when children may use or operate off-road vehicles unsupervised*], a child must not use or operate an off-road vehicle on Crown land or prescribed private land unless supervised by an adult.

- (2) An adult supervises a child under subsection (1) if the adult authorizes and permits the child to use or operate an off-road vehicle and agrees to accompany the child for that purpose.
- (3) An adult who supervises a child must
  - (a) have a valid driver's licence, or be certified by the Canada Safety Council, the Canadian All-Terrain Quad Council of Canada Safety Institute or the Motorcycle Safety Foundation as having completed a training course for the class of off-road vehicle,
  - (b) carry proof of compliance with paragraph (a) and produce it on request of an officer,
  - (c) see, and be able to be seen by, the child at all times the child uses or operates the off-road vehicle, and
  - (d) be able to provide immediate direction to the child, either verbally or visually, at all times the child uses or operates the off-road vehicle.

**When children may use or operate off-road vehicles unsupervised**

- 18** (1) A child may use or operate an off-road vehicle on Crown land or prescribed private land without being supervised by an adult if
- (a) the child is 14 or 15 years of age, and
  - (b) a parent or guardian of the child states, in writing and in a form satisfactory to the minister, that
    - (i) the child has appropriate training to use or operate the class of off-road vehicle, and
    - (ii) the parent or guardian consents to the child using or operating the off-road vehicle without adult supervision.
- (2) A child to whom this section applies must not use or operate an off-road vehicle on Crown land or prescribed private land unless the child carries a copy of the written form referred to in subsection (1) (b) on the child's person and produces the copy on request of an officer.
- (3) The minister may designate a person appointed under the *Public Service Act* as a manager responsible for off-road vehicles.
- (4) A manager responsible for off-road vehicles may exempt any child participating in a sporting event from the requirements of section 17 if satisfied that a person responsible for the sporting event has adequately planned for and addressed risks of injury to any participants.

**Passengers**

- 19** (1) A person must not use or operate an off-road vehicle with a child as a passenger, on Crown land or prescribed private land, unless the off-road vehicle is designed to carry a passenger and the child is

**OFF-ROAD VEHICLE REGULATION**Part 4 – Helmets, Seat Belts and Lights

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- (a) of an age that meets the manufacturer's recommended minimum age for that off-road vehicle, and
  - (b) of a height and weight that meets the manufacturer's recommended minimum height and weight for that off-road vehicle.
- (2) A child must not use or operate an off-road vehicle on Crown land or prescribed private land with a passenger.
- (3) Despite subsection (2), a child may use or operate an off-road vehicle on Crown land or prescribed private land with one adult as a passenger if the adult is supervising the child in accordance with section 17 [*children must not use or operate off-road vehicles without supervising adult*] and the off-road vehicle is designed to carry a passenger.

**PART 4 – HELMETS, SEAT BELTS AND LIGHTS****Definition and application**

- 20** In this Part, “**off-road vehicle safety helmet**” means a helmet to which section 22 [*standards for off-road vehicle helmets*] applies.

**Helmets required for all-terrain vehicles, motorcycles and snowmobiles**

- 21** (1) Subject to subsection (3), a person must not use, operate or be a passenger on an all-terrain vehicle, motorcycle or snowmobile on Crown land or prescribed private land, unless the person wears an off-road vehicle safety helmet.
- (2) A person must not use or operate an all-terrain vehicle, motorcycle or snowmobile on Crown land or prescribed private land with a child as a passenger, unless the child wears an off-road vehicle safety helmet.
- (3) This section does not apply to a person who
- (a) practises the Sikh religion, and
  - (b) has unshorn hair and habitually wears a turban composed of 5 or more square metres of cloth.

**Standards for off-road vehicle helmets**

- 22** An off-road vehicle safety helmet must meet one or more of the following requirements, as amended from time to time before or after the making of this regulation:
- (a) certification in accordance with the Snell Memorial Foundation 2005 Standard for Protective Headgear For Use with Motorcycles and Other Motorized Vehicles;
  - (b) certification in accordance with the Snell Memorial Foundation 2010 Standard for Protective Headgear For Use with Motorcycles and Other Motorized Vehicles;

**OFF-ROAD VEHICLE REGULATION**Part 4 – Helmets, Seat Belts and Lights

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- (c) conformance with the Federal Motor Vehicle Safety Standard No. 218; Motorcycle helmets (United States of America), also known as FMVSS 218 (49 CFR 571.218);
- (d) approval in accordance with the United Nations Economic Commission for Europe (ECE) ECE Regulation No. 22 – Uniform provisions concerning the approval of protective helmets and of their visors for drivers and passengers of motor cycles and mopeds.

**Seat belts**

- 23** (1) This section applies to an off-road side-by-side vehicle and to an on-highway motor vehicle on Crown land or prescribed private land, if a seat belt is installed by the manufacturer.
- (2) A person must not remove, render partially or wholly inoperative or modify a seat belt installed in a vehicle to which this section applies, unless the modification is approved by the manufacturer as a replacement seat belt.
- (3) A person must not use, operate or be a passenger on a vehicle to which this section applies unless the person wears a seat belt.
- (4) A person must not use or operate a vehicle to which this section applies on which there is a passenger who is a child and who occupies a seating position for which a seat belt assembly is installed by a manufacturer, unless the passenger is wearing the complete seat belt assembly in a properly adjusted and securely fastened manner.

**Lights**

- 24** A person must not use or operate an off-road vehicle on Crown land or prescribed private land between one 1/2 hour after sunset and one 1/2 hour before sunrise, or at any other time when visibility is impaired by the weather, unless
- (a) the off-road vehicle's headlights are illuminated or, if the vehicle does not have installed headlights, detachable white lights are temporarily affixed to the vehicle, illuminated and visible from the front,
  - (b) the off-road vehicle's tail lights are illuminated or, if the vehicle does not have installed tail lights, detachable red lights are temporarily affixed to the vehicle, illuminated and visible from the back, and
  - (c) if the off-road vehicle is manufactured with brake or stop lights, the brake or stop lights are illuminated in the manner recommended by the manufacturer.

**OFF-ROAD VEHICLE REGULATION**

## Part 5 – Identification, Manufacturers' Stickers and Labels

**PART 5 – IDENTIFICATION, MANUFACTURERS' STICKERS AND LABELS****Identification required**

- 25** (1) A person, other than a child under the age of 12 years, must not use or operate an off-road vehicle on Crown land or prescribed private land unless the person carries photo identification.
- (2) Photo identification under subsection (1) must state the birthdate of the person carrying it, and be issued by one of the following:
- (a) the government;
  - (b) the government of Canada;
  - (c) the Insurance Corporation of British Columbia;
  - (d) the government of a province or territory, or an agent of the government of a province or territory;
  - (e) a foreign jurisdiction.
- (3) Photo identification issued by a foreign jurisdiction under subsection (2) (e) must be a valid passport or a driver's licence valid in the jurisdiction in which it is issued.
- (4) A person required to carry photo identification under this section must produce it on request of an officer.

**Stickers and labels**

- 26** A person must not tamper with, remove or replace a manufacturer's safety or certification sticker or label attached to an off-road vehicle, a helmet or any other equipment used by a person using or operating an off-road vehicle.

**PART 6 – FEES****Fees**

- 27** The fees set out in the Schedule are prescribed for the purposes of the Act and this regulation.

**SCHEDULE**

[am B.C. Reg. 2/2024.]

<b>Item</b>	<b>Column 1 Description</b>	<b>Column 2 Fee Amount</b>
1	Registration fee for the purposes of section 4 (2) (c) and (4) of the Act.	\$30
2	Transfer of ownership fee for the purposes of sections 8 (1) (b) and (6) and 9 (1) of the Act.	\$28

Item	Column 1 Description	Column 2 Fee Amount
3	Fee for a number plate issued under section 4 (4) or 8 (6) of the Act.	\$18
4	Repealed. [B.C. Reg. 2/2024.]	
5	Fee for a replacement number plate issued under section 14 (2) of this regulation.	\$18
6	Fee for a vehicle identification number assigned under section 11 (2) of the Act.	\$25
7	Fee for a number sticker issued under section 4 (4) or 8 (6) of the Act.	\$18
8	Fee for a replacement number sticker issued under section 14 (2) of this regulation.	\$18

**Transition**

- 28** (1) For the purposes of section 39 (3) of the Act,
- (a) if the owner of the designated off-road vehicle registered the off-road vehicle under section 12 or 13 of the Snowmobile Regulation, B.C. Reg. 65/72, before the repeal of those sections, the amount of the refund is \$5, and
  - (b) in any other case, the amount of the refund is \$10.
- (2) Despite section 27 *[fees]*, the registration fee for a number sticker is \$0 if
- (a) the Insurance Corporation of British Columbia issued a number plate under the Act for the off-road vehicle between November 17, 2014 and October 31, 2015, and
  - (b) the owner of the off-road vehicle returns the number plate to the Insurance Corporation of British Columbia between November 1, 2015 and December 31, 2015.