

**COMPLIANCE CIRCULAR**

**NO. 05/10**

**August 27, 2010**

**SUBJECT: New Motor Vehicle Act Legislative Authorities, Repeal of Motor Vehicle Act Regulation Division 25.17 and release of the new Vehicle Inspection Manual**

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Managers, Victoria	Carrier Safety Inspectors	Driver Services Centres
Motor Vehicle Inspectors	Government Agents	MOT (Director, Chair
Passenger Transportation Board	Trucking Industry	Transportation Policy)
Deputy Director, CVSE	Law Enforcement Agencies	Supt of Motor Vehicles
Regional CVSE Managers	Commercial Transport Insp.	
Managers, Licensing	(Inspection Stations)	
ADM (Compliance and Consumer Services)		
Passenger Transportation Branch		

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**PURPOSE OF CIRCULAR**

To advise that as of June 25, 2010, several significant changes to the *Motor Vehicle Act* (MVA) and the Motor Vehicle Act Regulations (MVAR) came into force. Revisions to MVA sections 216 and 217 now provide enhanced authorities for Commercial Vehicle Safety & Enforcement (CVSE) inspectors and improved authority for the Director to impose conditions and set terms for Designated Inspection Facilities (DIF) licenses and to cancel the authorization for Authorized Inspectors (AI) who are found to be in contravention of vehicle inspection program policies or MVAR requirements. MVA amendments also provided for the enactment of the new Vehicle Inspection Manual by Minister's Regulation. Additionally, the offence set out in MVAR Division 25.17 has been repealed.

**APPLICATION**

**MVA s. 216 (5)** – Provides authority for CVSE inspectors to inspect vehicles to determine compliance with standards, inspection program requirements and applicable regulations on the premises of Designated Inspection Facilities.

**MVA s. 217 (1.1)** – Specific authority for the Director, CVSE, to cancel, impose conditions and / or set specific terms for DIF's and AI's.

**MVA s. 217 (2), (2.1), (3)** – Provides authority for the Minister to enact the Vehicle Inspection Manual by regulation and revises offence sections.

**MVAR Division 25.32** – New regulation defining grounds for the Director, CVSE, to cancel the authorization of an AI.

**MVAR Division 25.17 – REPEALED** – this specific regulation was determined to be redundant as an offence. Charges can no longer be laid under this section.

**Vehicle Inspection Manual** – New manual comes into force August 30, 2010, containing up to date inspection criterion that outlines the minimum mechanical standards for vehicles to operate on highway in BC. Other associated policy documents to the Vehicle Inspection Manual include the Vehicle Inspection Guide and the Inspection & Approval Protocol for Vehicle Lights, Lamps and Reflectors.

CVSE will provide a 45 day transitional period to October 15, 2010, to ensure an ample opportunity for all facility operators and authorized inspectors to obtain and familiarize themselves with the new requirements and inspection criteria. Following this transition period, enforcement under applicable MVAR will commence for any violations.

The Vehicle Inspection Manual and the associated documents are available through the Queen's Printer of BC at <http://www.vsis.qp.gov.bc.ca/default.htm>. Additional information and bulletins are available from the CVSE website at [www.cvse.ca](http://www.cvse.ca).

A handwritten signature in black ink, appearing to read 'Perry Dennis', with a stylized flourish extending to the right.

Perry Dennis  
A/Director, Commercial Vehicle Safety and Enforcement Branch  
Ministry of Transportation and Infrastructure