

# COMMERCIAL VEHICLE LICENSING

## SECTION 28

### General Licensing Authority

Under the *Community Charter*, councils are given a broad power, subject to limitations, to licence. However, the specific regulation of carriers and licensing of commercial vehicles is found in the *Local Government Act*, Part 16 Division 2 (see Fact Sheet #27 for information on general licensing provisions).

### Origin and Usage

The Commercial Vehicle Licensing Program was established by provincial statute (currently the *Local Government Act*) to provide a source of revenue to participating municipalities to offset expenses related to the use of local government roads and highways as a result of commercial vehicle traffic. Expenses would include the cost of maintenance of municipal roadways, road signage, snow removal, parking control, etc.

### Program Participation [s. 628–636 LGA]

Municipalities (but not regional districts) may participate in the Commercial Vehicle Licensing Program. To become a participating municipality within the program, a municipality must adopt a bylaw [LGA s. 630].

There were 99 municipalities participating in this program in 2018.

### Program Application

In December 1987, UBCM assumed the administration of the Commercial Vehicle Licensing Program from the provincial government. Participating municipalities receive decals from UBCM for the upcoming license year. The decals are then issued, by municipalities, to owners of commercial vehicles defined as such and licenced under the *Commercial Transport Act* (CTA) and used on a highway within a municipality. They may also be issued to a vehicle not so licensed but which is used for the collection or delivery of merchandise or another commodity in the ordinary course of a business. LGA s. 631 sets out which vehicles are exempt under this program.

Owners may purchase decals from any participating municipality beginning November 1 for the upcoming year.

The single decal is recognized province-wide and replaced the requirement for individual plates from each community, for those vehicles engaged in inter-municipal business.

**Fees**

The licence year is defined as the calendar year [LGA s. 628]. Annual licence fees are set out in the *Local Government Act* regulations; in 2018 under BC Reg. 405/93 fees were as follows:

Vehicle license fees for each license year, for a vehicle of gross vehicle weight:	
- not exceeding 2,800 kg .....	\$25.00
- over 2,800 kg but not over 11,800 kg .....	30.00
- over 11,800 kg but not over 20,000 kg .....	35.00
- over 20,000 kg .....	40.00
- licensed under CTA agreement .....	30.00
Vehicle licence transfer fee .....	6.25

The municipality retains administration fees of \$6.25 and any transfer fees. The balance of the fee is remitted to UBCM and deposited into a Commercial Vehicle Licence trust account. The proceeds are then distributed to the participating members on a per capita basis at the end of the licensing year (\$0.94 million for the 2017 licensing year).

**Enforcement and Penalties**

Failure by an owner or operator of a commercial vehicle to hold and display a licence decal is punishable upon conviction by a fine of up to \$50. A person who displays a decal, but is not authorized to do so, is liable upon conviction to a fine of up to \$200.

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