

OFF ROAD VEHICLE ACT

What it Means to Local Governments



Source: UBCM
The Compass
March 23, 2016

ORV Act: Where does it apply?

- * The *Off Road Vehicle Act* applies on provincial Crown land and prescribed private lands.
- * Crown land includes resource roads and leased lands.
- * There are no prescribed classes of private land at this time.

ORV Act & Prescribed Private Lands

- * Many elected officials and staff participating in UBCM's ORV Local Government Working Group have expressed a strong interest in adding private lands owned by local governments to the ORV Act.

ORV Act: Benefits of including private land owned by local governments

- * A modern vehicle registration scheme will:
 - * support search and rescue efforts to find lost or injured riders, in cases where an abandoned ORV is found first,
 - * assist officers to identify irresponsible ORV riders that endanger others, harm animals or damage sensitive areas,
 - * improve tracking of stolen ORVs.
- * 64,735 ORVs registered under the *Off Road Vehicle Act* between November 17, 2014 and February 29, 2016.

ORV Act: Benefits cont.

- * Standard baseline ORV use and safety laws will apply to the ORV riding public, whether they ride on lands owned by the Province or by a local government.

ORV Act: Benefits cont.

- * Improved enforcement tools under the ORV Act include:
 - * Officers will be authorized to stop, inspect and, where appropriate, seize ORVs for safety or evidence purposes.
 - * Upon conviction, the maximum fine for each offence has increased from \$500 to \$5,000, and certain offences (i.e. careless operation) include up to six months in jail.

ORV Act: Benefits cont.

- * Previously, under the Trespass Act, enforcement was only achievable by taking an irresponsible ORV rider to court.
- * Under the ORV Act, officers may issue violation tickets directly (i.e. for riding on private land without the owner's consent).

ORV Act: Benefits cont.

- * Fine amounts for violation tickets have increased
 - for example:
 - * \$86 to \$288 for using or operating an ORV in such a manner as to harass, run over, injure or kill wildlife, livestock or a domestic animal,
 - * \$115 to \$368 for using or operating an ORV in a careless, reckless or negligent manner that may endanger or cause injury to persons or damage to property,
 - * \$58 to \$230 for using or operating an unregistered ORV.

ORV Act: Benefits cont.

- * Under Section 26 of the *Motor Vehicle Act*, ICBC may, without a hearing, refuse to issue a driver's licence or vehicle licence to a person convicted under the *Off Road Vehicle Act* who has failed to pay the associated fine.

Next Steps

- * **UBCM is seeking local government feedback on whether private lands owned by BC local governments should be included by regulation under the Off Road Vehicle Act.**
- * Feedback regarding private lands owned by BC local governments, as well as, any questions about the UBCM ORV Local Government Working Group, may be directed to:
 - * Marie Crawford, Associate Executive Director, UBCM, or
 - * Art Kaehn, Chair, Electoral Area Representatives.

Questions?

- * Questions about the *Off Road Vehicle Act* and its implementation may be directed to:
 - Vera Vukelich
 - Manager responsible for ORVs
 - Ministry of Forests, Lands and Natural Resource Operations
 - Email: Vera.Vukelich@gov.bc.ca or Phone: 250 356-7040
- * Also check out the ORV Management Framework website: <https://www.for.gov.bc.ca/mof/orv/>