



CITY OF RICHMOND

## **COMMERCIAL VEHICLE LICENCING**

### **BYLAW NO. 4716**

EFFECTIVE DATE – FEBRUARY 9, 1987

#### **CONSOLIDATED FOR CONVENIENCE ONLY**

This is a consolidation of the bylaws listed below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

<u>AMENDMENT BYLAW</u>	<u>EFFECTIVE DATE</u>
4967	December 14, 1987
6241	January 25, 1994
8145	November 27, 2006
8570	February 8, 2010

THE CITY OF RICHMOND

**A BYLAW TO PROVIDE FOR THE LICENCING OF  
COMMERCIAL VEHICLES  
BYLAW NO. 4716**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. In this Bylaw, unless the context otherwise requires:

<b>ACT</b>	means the <i>Local Government Act</i> , Chapter 232 of British Columbia.
<b>GROSS VEHICLE WEIGHT</b>	means the weight at which a <b>vehicle</b> is licenced under the <i>Commercial Transport Act</i> or the <i>Motor Vehicle Act</i> , as the case may be.
<b>HIGHWAY</b>	means a highway as defined by the <b>Act</b> but does not include an arterial highway as defined by the <i>Highway Act</i> .
<b>LICENCE INSPECTOR</b>	means the person from time to time duly appointed as Licence Inspector for the Municipality and also any person lawfully acting in that capacity for the time being.
<b>LICENCE PLATE</b>	means decals issued under the provisions of Division 3 of Part 20 of the <b>Act</b> and this Bylaw.
<b>LICENCE-YEAR</b>	means the period from January 1 to December 31.
<b>MOTOR VEHICLE</b>	means a vehicle designed to be self-propelled, except:  (a) a vehicle operating wholly on a fixed rail or rails;  (b) an electric trolley bus.

**OWNER**

means, when used in reference to a **vehicle**, the person or persons duly registered from time to time under the *Motor Vehicle Act* or the *Commercial Transport Act* as the owner or owners of the **vehicle**.

**REGISTRATION CARD**

means the **motor vehicle** licence for the **motor vehicle** issued pursuant to the *Motor Vehicle Act* or the *Commercial Transport Act*.

**VEHICLE**

means any vehicle used by any person upon any **highway** in a participating municipality which is a commercial **vehicle** defined as such by and licenced under the *Commercial Transport Act*, and any **vehicle** not so licenced but which is used for the collection or delivery, or both, of goods, wares, merchandise, or other commodity in the ordinary course of a business undertaking.

2. Division 3 of Part 20 of the **Act** is hereby declared to apply to the City of Richmond.
3.
  - (1) Except as otherwise provided in this Bylaw and in the **Act**, but subject to the *Motor Carrier Act*, no **vehicle** shall be used or operated on any **highway** in the City of Richmond unless there is displayed upon the **vehicle** a valid and subsisting **licence plate** affixed in accordance with Division 3 of Part 20 of the **Act** and with this Bylaw.
  - (2) A valid and subsisting licence and **licence plate** affixed by any other municipality is valid in The City of Richmond for such **licence-year**.
4. Except as may be otherwise lawfully provided, the **owner** of every **vehicle** shall, before it is used or operated on any **highway** in the City of Richmond, cause the **vehicle** to be licenced or registered with the **Licence Inspector** and **licence plate** affixed.
5. The application for a **licence plate** shall be signed by the **owner** or his duly authorized agent, provided that in the case of partnerships of multiple **owners** any one of such **owners** may apply and such **owner** applying shall be deemed to be the duly authorized agent of all the **owners**.
6. Where the applicant for a licence is an agent or co-owner, the **owner** or **owners** shall be deemed to have authorized all statements set forth in the application and shall be deemed to have made such statements on his own or their behalf and as his own or their statements.
7.
  - (1) The application form, together with the **registration card** for the **vehicle**, shall be delivered to the **Licence Inspector**, and, in the case where a licence fee is applicable, shall be accompanied by the fee prescribed in the **Act** and set out in Schedule A hereto attached and forming part of this Bylaw.

- (2) Where the applicant for licences is one and the same person, as many applications of the same kind as may conveniently be made on any one of the forms prescribed may be combined in one such form without the necessity for the completion of separate application forms for each **vehicle** for which a **licence plate** is sought.
8. The following **vehicles** are exempt from this Bylaw:
- (a) a **vehicle** described in section 7 of the *Motor Vehicle Act*;
  - (b) a **vehicle** owned or leased exclusively by any municipality, regional district or school district as defined in the *School Act* or by an organization comprised of municipalities, regional districts or school districts;
  - (c) a **vehicle** owned by the Government of Canada;
  - (d) a school bus, mission bus or truck, the sole property of a religious organization and used solely for religious purposes;
  - (e) a **vehicle** used exclusively for fire protection purposes;
  - (f) a **vehicle** licenced as a farm vehicle under the *Commercial Transport Act* except when used for the collection of delivery, or both, of goods, wares, merchandise or other commodity not required in the ordinary course of the farm undertaking of the **owner** of the **vehicle**;
  - (g) notwithstanding paragraph (j), a **vehicle** licenced under the *Commercial Transport Act* owned by a farmer and used only to transport the produce of his farm to market and to transport supplies required for his farm;
  - (h) a **vehicle** owned and operated by an improvement district;
  - (i) a **vehicle** not requiring a licence fee under section 3(6) of the *Motor Vehicle Act*;
  - (j) a **vehicle** licenced under the *Commercial Transport Act* not being used by a person for the purpose of his business, or by an organization for profit; and
  - (k) a **vehicle** owned by the Crown in the right of the Province.
9. All fees collected by the **Licence Inspector** under this Bylaw and in accordance with Division 3 of Part 20 of the **Act** shall be paid forthwith to the Treasurer of the City who shall deal with the said fees in the manner provided by the **Act**.
10. Upon receipt of the application for a licence and upon being satisfied of the truth of the statements contained therein, and that the prescribed fee has been paid, the **Licence Inspector** shall cause to be issued and delivered a numbered licence-place and shall endorse on the **registration card**:
- (a) the number of such **licence plate**;
  - (b) the date of issuance thereof; and
  - (c) the fee paid.

11. The **licence plate** shall at all times be attached on the inside of the windshield in such a manner that it can readily be seen from the outside front of the **vehicle** and shall be kept entirely unobstructed and in a legible condition and shall not obscure any other legally required plate, sign, or notice.
12.
  - (1) Where a person ceases to be **owner** of a **vehicle** licenced, and authorized to carry a **licence plate**, the registration thereof and the **licence plate** is deemed to be cancelled and the new **owner** of such **vehicle** may make application to the **Licence Inspector** for:
    - (a) transfer of the registration, and **licence plate**; or
    - (b) the cancellation of the licence and the surrender of the **licence plate**.
  - (2) Where a person ceases to be the **owner** of a **vehicle** licenced and authorized to carry a **licence plate**, the registration thereof and the **licence plate** therefor, are deemed to be cancelled. Where the licence holder purchases a new **vehicle** and wishes to transfer the licence-plate to another **vehicle** he shall submit to the **Licence Inspector**:
    - (a) the existing **licence plate** from the old **vehicle**;
    - (b) information showing **motor vehicle** registration number and **gross vehicle weight** of the **vehicle** from which the plate is being transferred;
    - (c) name of municipality which issued subsisting **licence plate**;
    - (d) the **registration card** of the new **vehicle**;
    - (e) any sum representing the difference in the licence fee required for the transfer of a **licence plate** to a **vehicle** of a greater **gross vehicle weight** together with a transfer fee of \$6.25, and such sum is deemed to be a licence fee for the purpose of this Bylaw.
  - (3) Notwithstanding subsections (1) and (2) the purchase of a **vehicle** by a dealer in **vehicles** for resale shall not require the **licence plate** to be cancelled or transferred until the dealer sells the **vehicle** to a person other than another such dealer for resale.
13. Where a **licence plate**, is lost, stolen, destroyed or becomes illegible or mutilated, the **owner** of the **vehicle** in respect of which the plate was issued, or his agent, may apply to the **Licence Inspector** for a replacement thereof, for a fee of \$6.25 upon the surrender of such plate, if still in possession of the **owner**, and the **Licence Inspector**, if satisfied of the truth of the facts in support of the application, may cause a new **licence plate**, as the case may be, to be issued in replacement and shall endorse the record of its issuance on the **registration card**.

14. Notwithstanding anything in this Bylaw contained, where the **vehicle** in respect of which an application for a licence and a **licence plate** is made is a **vehicle** operated by the **owner** under an agreement under Section 13 of the *Commercial Transport Act*, such **licence plate** shall be valid for display on any of the **vehicles** operated by the **owner**.
15. Except as provided by Section 14, it is unlawful to operate a **vehicle** having affixed to it a **licence plate** not authorized or issued for that **vehicle**.
16.
  - (1) Every person who offends against any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw, or neglects to do or refrains from doing anything required to be done under this Bylaw, or who does any act or thing which violates any of the provisions of this Bylaw shall be deemed to have committed an offence under this Bylaw and shall be liable, on summary conviction, to the penalties provided for in the *Offence Act*.
  - (2) Without affecting the generality of Subsection (1) and pursuant to Division 3 of Part 20 of the **Act**:
    - (a) no **owner** or operator of a **vehicle** shall operate or use or cause such **vehicle** to be operated or used upon any **highway** in the City of Richmond without holding and displaying a valid and subsisting licence and **licence plate** for such **vehicle**; except a **vehicle** that is exempt under section 8;
    - (b) no person shall display or cause to be displayed a **licence plate** upon any **vehicle** not authorized to have such **licence plate** displayed thereon and any such person is subject to the confiscation of such **licence plate**; and
    - (c) no fine imposed under this Section removes any liability for any prescribed licence fee under this division.
  - (3)
    - (a) A violation of any of the provisions in Section 16(2) identified in Schedule B attached to and forming part of this bylaw shall result in liability for penalties and late payment amounts established in the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*; and
    - (b) A violation of any of the provisions in Section 16(2) identified in Schedule B attached to and forming part of this bylaw shall be subject to the procedures, restrictions, limits, obligations and rights established in the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122* in accordance with the *Local Government Bylaw Notice Enforcement Act, SBC 2003, c. 60*.
17. Bylaw No. 4276, being a Bylaw to provide for the licencing of Commercial Vehicles of The City of Richmond is hereby repealed.
18. This Bylaw is effective and in force and binding on all persons as from the 1<sup>st</sup> day of March, 1987.

**SCHEDULE A to BYLAW NO. 4716**

1. The fees for licences applied for under section 519(1) of the *Municipal Act* Chapter 290 R.S.B.C. 1979 for each licence year are, for a **vehicle**:
  - Not exceeding 2,800 kg **gross vehicle weight** (gvw) ..... \$25.00
  - Exceeding 2,800 kg but not exceeding 11,800 kg (gvw) ..... 30.00
  - Exceeding 11,800 kg but not exceeding 20,000 kg (gvw) ..... 35.00
  - Exceeding 20,000 kg (gvw) ..... 40.00
2. For an application under Section 14 hereof ..... \$25.00
3. Transfer ..... 6.25
4. Replacement ..... 6.25

**SCHEDULE B to BYLAW NO. 4716****Designated Bylaw Contraventions**

<b>B1 Bylaw</b>	<b>B2 Description of Contravention</b>	<b>B3 Section</b>
Commercial Vehicle Licencing Bylaw No. 4716 (1987)	Operating a vehicle without a valid commercial licence Operating a vehicle without a valid commercial licence plate displayed Displaying a commercial licence plate on any vehicle not authorized	16 (2)(a) 16 (2)(a) 16 (2)(b)