

**THE CORPORATION OF THE
CITY OF WHITE ROCK
BYLAW NO. 201**



A Bylaw to provide for the Licensing of or Exemption from Licensing of Commercial Vehicles.

DISCLAIMER: THIS BYLAW IS CONSOLIDATED FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BYLAW PROVISIONS.

Consolidated as of August 2008

TABLE OF CONSOLIDATION			
BYLAW	DATE APPROVED	AMENDMENT NO.	SUBJECT MATTER
1023	June 9, 1986	1	Section 16 (1)(2)(3)(4)

The CITY COUNCIL of The Corporation of the City of White Rock, in open meeting assembled, ENACTS AS FOLLOWS:

1. In this By-law, unless the context otherwise requires;

“Act” means the “Municipal Act” being Chapter 255 of the Revised Statutes of British Columbia 1960, as amended;

“Gross Vehicle Weight” means the weight at which a vehicle is licensed under the Department of Commercial Transport Act or the Motor-Vehicle Act, as the case may be;

“Highway” means a highway as defined by the Act but does not include an arterial highway as defined by the Highway Act;

“Licence Inspector” means the person from time to time duly appointed as Licence Inspector for the City and also any person lawfully acting in that capacity for the time being;

“Licence-year” means the licence-year as prescribed under the Motor Vehicle Act;

“Motor-Vehicle” means a vehicle designed to be self-propelled, except

- (a) a vehicle operating wholly on a fix rail or rails;
- (b) an electric trolley bus;

“Municipality” means a municipality as defined by the Act (other than a local district) and the City of Vancouver;

“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 Department of 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 Department of Commercial Transport Act;

“Semi-Trailer” means a vehicle without motive power designed to be drawn by an vehicle or truck-tractor and so constructed that an appreciable part of its weight and that of its load rests on and is carried by the motor-vehicle or tractor-trailer;

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“Truck-tractor” means a motor vehicle designed and used primarily for drawing a semi-trailer, and not constructed to carry a load other than part of the weight of the semi-trailer and it’s load.

“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 licensed under the Department of Commercial Transport Act, and any vehicle not so licensed 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 (2) of Part X of the Act is hereby declared to apply to The Corporation of the City of White Rock from and after the commencement of the licence-year beginning in 1964.
3. (1) Except as otherwise provided in this By-law 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 White Rock unless there is displayed upon the vehicle a valid and subsisting licence-plate or exemption plate issued for the vehicle in accordance with Division (2) of Part X of the Act and with this By-law.

(2) valid and subsisting licence and licence plate or exemption plate issued for the current licence year by any other municipality is valid in the City of White Rock 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 White Rock, cause the vehicle to be licenced with the Licence Inspector and a licence plate or exemption plate obtained pursuant to the Act and this By-law.
5. The application for a licence and licence plate or exemption plate, as the case may be, shall be in the form “A” shown as Appendix “A” hereto attached and forming part of this By-law and shall be signed by the owner or his duly authorized agent, provided that in the case of partnerships or 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.

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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 Appendix "B" hereto attached and forming part of this By-law.

(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 and a licence plate or exemption plate is sought.
8. A vehicle that is qualified as described in Appendix "C" to display an exemption plate and that is clearly identifiable as such by special licence plates, signs, paintings, markings, or devices carried on the vehicle is not required to display an exemption plate.
9. All fees collected by the Licence Inspector under this By-law and in accordance with Division (2) of Part X of the Act shall be paid forthwith to the Treasurer of the Corporation of the City of White Rock 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 (if any) has been paid, the Licence Inspector shall cause to be issued and delivered a numbered licence plate, or exemption plate, as the case may be, and shall endorse on the registration card: -
 - (a) the number of such licence plate or exemption plate;
 - (b) the date of issuance thereof; and
 - (c) the fee paid and any qualification for exemption.
11. The licence plate or exemption plate shall at all times be affixed in a horizontal position on the front of the vehicle either to, or immediately adjacent to, the provincial motor vehicle licence plate, and shall be kept entirely unobstructed and in a legible condition and shall not obscure any other legally required plate, sign, or notice.

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12.(1)Where a person ceases to be the owner of a vehicle licenced, and authorized to carry a licence plate or an exemption plate, the registration thereof and the licence plate or exemption plate therefor, as the case may be, are deemed to be cancelled and the new owner of such vehicle shall make application forthwith to the Licence Inspector of the City for:

- (a) a transfer of the registration and plate; or
- (b) the cancellation of the licence and the surrender of the plate.

(2)Where a person ceases to be the owner of a vehicle licenced and authorized to carry a licence plate or an exemption plate the registration thereof and the licence plate and exemption plate therefore as the case may be are deemed to be cancelled. Where the licence holder purchases a new vehicle and wishes to transfer the licence plate or exemption plate to another vehicle he shall submit to the Licence Inspector:

- (a) Information showing motor vehicle registration number and gross vehicle weight of the vehicle from which the plate is being transferred.
- (b) Name of Municipality which issued subsisting licence plate.
- (c) The registration card of the new vehicle.
- (d) 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 and such sum is deemed to be a licence fee for the purpose of this By-law.

(3)Notwithstanding subsections (1) and (2) the purchase of a vehicle by a dealer in vehicles for resale shall not require the licence plate or exemption plate to be cancelled or transferred until the dealer sells the vehicle to a person other than another such dealer for resale; provided, however, that the vehicle shall not, prior to its sale, be operated upon any highway in the City of White Rock unless it has displayed thereon an exemption plate issued to such dealer pursuant to the Act and this By-law.

(4)Any dealer licenced by the City of White Rock to sell new or used vehicles which are licenced or subject to be licenced under the Department of Commercial Transport Act may apply to the Licence Inspector for not more than five (5) exemption plates to be used exclusively for the purpose of demonstrating such vehicles of prospective purchasers.

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13. Where a licence plate or exemption 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 two dollars 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 or exemption plate, as the case may be, to be issued in replacement and shall endorse the records of its issuance on the registration card.
14. Notwithstanding anything in this By-law 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 23 of the Department of 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 or exemption plate not authorized or issued for that vehicle.
16. ~~(1) Every person who offends against any of the provisions of this By-law or who suffers or permits any act or thing to be done in contravention or violation of any of the provisions of this By-law, or neglects to do or refrains from doing anything required to be done under this By-law, or who does any act or thing which violates any of the provisions of this By-law shall be deemed to have committed an offence under this By-law and shall be liable, on summary conviction to a fine and penalty of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00).~~
~~(2) Without affecting the generality of sub-section one (1) and pursuant to division 2 of part ten (10) of the Act;~~
 - ~~(a) the owner or operator of a vehicle who operates or uses or causes such vehicle to be operated or used upon any highway in a participating Municipality without holding and displaying a valid and subsisting licence and licence plate or exemption plate for such vehicle is liable, on summary conviction, to a fine not exceeding fifty dollars (\$50.00) except a vehicle that is qualified to display an exemption plate and that is clearly identifiable as such by special licence plates, signs, paintings, markings or devices, carried on a vehicle is not required to display an exemption plate.~~
 - ~~(b) the owner or operator of a vehicle for which a subsisting exemption plate has been issued who operates or uses or causes such vehicle to be operated or used as a vehicle upon any highway in a participating Municipality for a purpose other than that which qualified the vehicle for exemption is liable on summary conviction to a fine not exceeding one hundred dollars (\$100.00) and the confiscation of such exemption plate.~~
 - ~~(c) any person who displays or causes to be displayed a licence plate or an exemption plate upon any vehicle not authorized to have displayed thereon such licence plate or exemption plate is liable on summary conviction to a fine not exceeding two hundred dollars (\$200.00) and the confiscation of such licence plate or exemption plate.~~
 - ~~(d) A person convicted of an offence under sub-section (b) is not liable under sub-section (a) with respect to that offence.~~
 - ~~(e) No fine imposed under this section removes any liability for any prescribed licence fee under this division. (Deleted by Bylaw 1023)~~
16. (1) Any owner or operator of a vehicle, other than a vehicle exempt under Section 520 (5) of the Municipal Act, who operates or uses or causes the vehicle to be

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operated or used on a highway in a participating municipality without holding and displaying a valid and subsisting licence plate for the vehicle is liable on conviction to a fine not exceeding Fifty Dollars (\$50.00).

(2) A person who displays or causes to be displayed a licence plate on a vehicle not authorized to have it displayed on the vehicle is liable on conviction to a fine not exceeding Two Hundred Dollars (\$200.00) and the confiscation of the licence plate.

(3) No fine imposed under this section removes any liability for a prescribed licence fee.

(4) Where a person is in violation of any provision of this By-law, a Peace Officer, Poundkeeper, Director of Permits and Licences and his Assistants, Building and Licence Inspector of By-law Enforcement Officer, may issue a violation notice to be served personally or by registered mail upon the person in violation; and such person shall be liable to pay the City of White Rock the respective sum or sums, indicated in the violation notice set out as follows:

\$25.00	for each violation of the By-law.
\$15.00	for each violation if paid within 48 hours of the issuance of the violation notice.

If the penalty indicated on the Violation Notice is not paid within seven (7) days of the issuance, a Summons will be issued in respect of the violation.

(Added by Bylaw 1023)

17. By-law No. 150, cited as the “Commercial Vehicle Licensing By-law, 1962, No. 150” is hereby repealed.

18. This By-law may be cited for all purposes as the “Commercial Vehicle Licensing By-law, 1964, No. 201”

RECEIVED FIRST READING on the	25 th	day of August,	1964
RECEIVED SECOND READING on the	25 th	day of August,	1964
RECEIVED THIRD READING on the	25 th	day of August,	1964
RECONSIDERED AND FINALLY ADOPTED on the	8 th	day of September,	1964

MAYOR

CITY CLERK

**THE CORPORATION OF THE
CITY OF WHITE ROCK
BYLAW NO. 201**



APPENDIX "A"

Municipal Licence Plate _____
Exemption Plate _____

I, _____, owner (agent of _____
_____ who is the owner) of
_____ of a gross vehicle weight of
_____ pounds,
Motor-Vehicle Registration No. _____ **apply to**
the Corporation of the City of White Rock.

1. A municipal licence-plate for the above vehicle for the
licence-year 20____, for which is hereby tendered the fee of
\$ _____

OR

2. An exemption plate for the above vehicle for the licence-
year 20____, and in support of this application, I (on behalf
of the owner) declare that the above vehicle is exempt for
the reason that

Signed: _____
Owner / Agent

Address: _____

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APPENDIX “B”

FEES

The fees for licences and transfers applied for under the provisions of this By-law for each licence year are as follows:

1.	<u>GROSS VEHICLE WEIGHT:</u>	<u>FEE:</u>
	Up to 6,000 lbs	\$10.00
	6,001 lbs to 26,000 lbs	\$15.00
	26,001 lbs to 44,000 lbs	\$20.00
	44,001 lbs and over	\$25.00
2.	<u>FOR AN APPLICATION UNDER SECTION 14</u>	
	<u>HEREOF:</u>	\$25.00
3.	Exemption Plates	\$ 2.00
4.	Transfer	\$ 2.00
5.	Replacement	\$ 2.00

**THE CORPORATION OF THE
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BYLAW NO. 201
APPENDIX “C”
EXEMPT VEHICLES**



The following vehicles are qualified for Exemption Plates:

1. A tractor owned by a bonafide farmer and used for towing a trailer for the purpose of transporting thereon the produce of his own farm to market and of transporting supplies for his own farm from market, or for towing any implement of husbandry used by or on behalf of the farmer.
2. Any vehicle licenced as a farm vehicle under the Department of Commercial Transport Act except when used for the collection or delivery or both, of the goods, wares, merchandise, or other commodity not required in the ordinary course of the farm undertaking of the owner of the vehicle (A-licence).
3. A vehicle owned or leased exclusively by any municipality or school district.
4. A government of Canada vehicle or a vehicle owned by the Crown in the right of the Province of British Columbia.
5. A school bus or mission bus, the sole property of a religious organization and used solely for religious purposes.
6. A vehicle used exclusively for fire protection purposes.
7. A vehicle owned and used by any person, who through active service in the Armed Forces of the Crown in any way has lost a limb, or is in receipt of one hundred percentum (100%) disability pension, but the exemption does not extend to the concurrent registration or licensing of more than one vehicle.
9. A vehicle licenced under the “Department of Commercial Transport Act” not being used by a person for the purpose of his business, or by an organization for profit.
10. Any five (5) vehicles used by a dealer licenced in the City of White Rock to sell new and used vehicles which are licensed or subject to be licensed under the Department of Commercial Transport Act and used exclusively for the purpose of demonstrating such vehicles to prospective customers.
11. Any vehicle licenced under the Department of 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.

