



THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

MOTOR CARRIER ACT AND REGULATIONS

CONTENTS

Regulations Respecting Motor Carriers, Made Pursuant to
the "Motor Carrier Act," by the Public Utilities Commission
(Including All Amendments up to November 1st, 1952)

Definition of Licence Districts
"Motor Carrier Act," Chapter 226, R.S.B.C. 1948

NOVEMBER, 1952

PUBLIC UTILITIES COMMISSION
PROVINCE OF BRITISH COLUMBIA

PRICE, 30 CENTS

VICTORIA, B.C.

Printed by DON McDIARMID, Printer to the Queen's Most Excellent Majesty
1952

Application forms for licences under the "Motor Carrier Act" may be obtained at the following Government offices:—

Abbotsford.....	Police Office.
Alberni.....	Government Agent.
Ashcroft.....	Police Office.
Bralorne.....	Police Office.
Burns Lake.....	Police Office.
Chilliwack.....	Motor-vehicle Branch.
Courtenay.....	Police Office.
Cranbrook.....	Motor Carrier Office, Mercantile Building.
Creston.....	Government Agent.
Dawson Creek.....	Motor Carrier Office.
Duncan.....	Government Agent.
Fernie.....	Government Agent.
Fort Fraser.....	Government Agent.
Fort St. John.....	Government Sub-Agent.
Ganges.....	Police Office.
Golden.....	Government Agent.
Grand Forks.....	Government Agent.
Greenwood.....	Government Agent.
Hazelton.....	Police Office.
Kamloops.....	Motor Carrier Office, Room 13, Galloway Building, 220 Fourth Street.
Kaslo.....	Government Agent.
Kelowna.....	Motor Carrier Office, Capital News Building, 316 Bernard Avenue.
Kimberley.....	Police Office.
Ladysmith.....	Police Office.
Lillooet.....	Government Agent.
Merritt.....	Government Agent.
Mission.....	Motor-vehicle Branch.
Nanaimo.....	Motor Carrier Office, 85 Commercial Street.
Nelson.....	Motor Carrier Office, Medical Arts Building.
New Denver.....	Mining Recorder.
New Westminster.....	Motor-vehicle Branch.
Penticton.....	Government Agent.
Pouce Coupe.....	Government Agent.
Powell River.....	Government Agent.
Prince George.....	Motor Carrier Office, Court-house.
Prince Rupert.....	Government Agent.
Princeton.....	Government Agent.
Quesnel.....	Government Agent.
Revelstoke.....	Government Agent.
Salmon Arm.....	Government Agent.
Sechelt.....	Police Office.
Smithers.....	Government Agent.
Terrace.....	Police Office.
Trail.....	Motor-vehicle Licence Issuing Office.
Vancouver.....	Motor Carrier Office, Motor-vehicle Building, 1740 West Georgia Street.
Vanderhoof.....	Public Works Department.
Vernon.....	Government Agent.
Victoria.....	Motor Carrier Office, Room 513, Central Building.
Williams Lake.....	Government Agent.

For list of application forms and for other general information, see inside back cover.



MOTOR CARRIER ACT AND REGULATIONS

CONTENTS

Regulations Respecting Motor Carriers, Made Pursuant to the "Motor Carrier Act," by the Public Utilities Commission
(Including All Amendments up to November 1st, 1952)

Definition of Licence Districts
"Motor Carrier Act," Chapter 226, R.S.B.C. 1948

NOVEMBER, 1952

PUBLIC UTILITIES COMMISSION
PROVINCE OF BRITISH COLUMBIA

VICTORIA, B.C.
Printed by DON McDIARMID, Printer to the Queen's Most Excellent Majesty
1952

AMENDMENTS TO THE REGULATIONS

Order in Council No.	Date Approved	Subject
75	January 23rd, 1940	Amending item (i) of clause (l) of Regulation 1.1 and Regulation 3.72 (a).
159	February 13th, 1940	Amending Regulations 3.70 and 5.32.
329	March 20th, 1940	Adding clause (o) to Regulation 1.1 (superseded by Order in Council No. 580).
343	March 29th, 1940	Adding Part 11 of the Regulations.
566	May 14th, 1940	Amending Regulations 4.31 and 6.68.
580	May 17th, 1940	Amending clause (o) of Regulation 1.1.
710	June 14th, 1940	Amending Regulations 10.11 and 10.3.
883	July 23rd, 1940	Amending clauses (l), (m), and (n) of Regulation 1.1.
884	July 23rd, 1940	Adding Regulations 3.81 and 3.91.
1058	August 20th, 1940	Further amending Regulation 6.68.
1211	September 20th, 1940	Amending Regulations 9.12 and 9.13.
1255	September 27th, 1940	Further amending clause (l) of Regulation 1.1 by adding item (xiii).
1345	October 17th, 1940	Amending Regulation 6.01 and adding Regulation 6.07.
1388	October 22nd, 1940	Adding clause (c) to Regulation 1.2.
1521	November 22nd, 1940	Adding item (v) to clause (o) of Regulation 1.1.
119	January 31st, 1941	Amending interpretation section (last paragraph); adding clause (d) to Regulation 3.72; amending Regulations 8.373 and 8.463.
381	March 24th, 1941	Adding Regulation 5.71.
397	March 28th, 1941	Adding Regulation 3.805.
744	June 2nd, 1941	Amending interpretation section re "Express"; amending Regulation 10.12; adding Regulation 10.21.
861	June 20th, 1941	Adding Regulation 5.64; amending Regulation 6.12.
1267	September 10th, 1941	Amending Regulation 3.81.
1576	November 18th, 1941	Amending Regulation 10.61.
1733	December 29th, 1941	Amending clause (a) of Regulation 3.72.
32	January 10th, 1942	Amending Regulations 5.321, 5.31, and 5.32.
788	June 10th, 1942	Amending Regulations 8.51 and 8.57.
897	July 3rd, 1942	Amending clause (a) of Regulation 6.22.
951	July 13th, 1942	Amending clauses (a) and (i) of Regulation 1.1.
1268	September 23rd, 1942	Amending Regulation 3.91.
1269	September 23rd, 1942	Adding item (xiv) to clause (l) of Regulation 1.1.
167	February 10th, 1943	Adding clause (p) to Regulation 1.1.
1349	October 5th, 1943	Amending Regulations 7.3, 7.4, 7.51, 7.52, and 7.53.
1689	December 15th, 1943	Amending Regulations 6.04, 6.05, and 6.051.
769	May 25th, 1944	Adding Regulations 6.40 to 6.426 re Standards for Passenger-vehicle Construction.
770	May 25th, 1944	Adding clause (q) to Regulation 1.1.
1006	July 5th, 1944	Amending Regulation 1.1 (e).
1057	July 13th, 1944	Amending Regulation 1.1 (o).
257	February 15th, 1945	Amending Regulations 10.1 to 10.3, inclusive.
698	April 27th, 1945	Amending Regulations 4.30, 4.32, 6.418, and 10.4.
1728	October 9th, 1945	Amending clauses (k), (o), and (p) of Regulation 1.1; adding clause (e) to Regulation 3.72.
1954	November 16th, 1945	Adding Part 12 of the Regulations and Schedules A and B thereto.
2177	December 12th, 1945	Adding new Regulation 5.64 and renumbering the present Regulation 5.64 as 5.645.
759	April 16th, 1946	Amending item (ii) of clause (l) and deleting item (iii) of clause (o) of Regulation 1.1; and amending paragraph 6.07.
942	May 8th, 1946	Amending Regulation 6.420.
2362	October 4th, 1946	Amending Regulation 12.4.
2825	November 30th, 1946	Amending Regulations 3.06, 3.07, 3.72, 3.80, 4.30, 4.31, 10.2, and the Schedule of Fees.
43	January 10th, 1947	Further amending Regulation 4.31.
1466	July 28th, 1947	Adding Regulations 6.251, 6.252, 6.253, and 6.254.
2034	October 8th, 1947	Amending Regulations 5.31, 5.32, and 5.321.
2294	November 15th, 1947	Amending Regulation 3.71; also the interpretation section re "Express."
107	January 13th, 1948	Amending Part 3 of the Regulations and amending the Schedule of Fees thereto, effective March 1st, 1948.
371	February 23rd, 1948	Amending clause (c) and clause (i) of Regulation 1.1; clause (a) of Regulation 3.72; Regulation 3.80; item (i) and item (ii) of Regulation 4.31; adding Regulation 6.08; amending Regulations 10.1, 10.2, and 10.3.

AMENDMENTS TO THE REGULATIONS—Continued

Order in Council No.	Date Approved	Subject
2088	September 8th, 1948	Amending Regulation 10.3.
2525	November 3rd, 1948	Amending clause (d) of Regulation 3.72; deleting Regulations 4.10 and 4.11 and the proviso in Regulation 5.13; amending Regulations 6.04, 6.05, 7.3, 8.33, 8.44, and 8.55; deleting Regulations 7.51 to 7.53, inclusive, and substituting new Regulations 7.51 and 7.52; amending Regulations 8.353, 8.36, and 8.45; deleting Regulations 8.371 to 8.374, inclusive, and substituting new Regulations 8.371 to 8.378, inclusive; deleting Regulations 8.461 to 8.464, inclusive, and substituting new Regulations 8.461 and 8.462; amending Regulation 8.58.
2547	November 6th, 1948	Adding Regulations 8.13, 8.131, and 8.132 respecting C.O.D. services.
10	January 5th, 1949	Amending clause (k) of Regulation 1.1.
838	April 16th, 1949	Amending clauses (h), (j), (o), and (q) of Regulation 1.1; clause (a) of Regulation 1.2; and Regulations 5.71 and 6.423.
1112	May 18th, 1949	Deleting Regulation 6.07.
852	April 29th, 1950	Adding clause (r) to Regulation 1.1; amending Regulations 6.35, 6.416, 9.13, 9.23, 9.25, and 12.4; and deleting Schedule B from Part 12 of the regulations.
1659	July 13th, 1951	Amending clause (b) of Regulation 2.2, clause (b) of Regulation 3.72, clause (a) of Regulation 3.81, Regulation 8.62, and Regulations 9.4 and 9.5.
352	February 5th, 1952	Amending clause (n) of Regulation 1.1; adding clause (d) to Regulation 1.2; amending Regulation 3.20; amending clause (b) of Regulation 6.425 and clause (b) of Regulation 6.68.

REGULATIONS RESPECTING MOTOR CARRIERS

(Pursuant to the "Motor Carrier Act")

(Made on the 4th day of January, 1940, by the Public Utilities Commission and approved on the 6th day of January, 1940, by Order in Council No. 8, as amended from time to time to November 1st, 1952.)

TABLE OF CONTENTS

	PAGE
Interpretation	5
Part 1. Exemptions	5
Part 2. Classification of Vehicles Used by Motor Carriers	7
Part 3. Fees	7
Part 4. Applications and Proof of Financial Responsibility	10
Part 5. General Licensing Provisions	11
Part 6. Operation (Including Standards for Passenger-vehicle Construction) ..	14
Part 7. Time Schedules	21
Part 8. Rates and Tariffs	22
Part 9. Express Receipts, Bills of Lading, Documents to Be Carried on Vehicles, Records, and Receipts for Charges	28
Part 10. Temporary Permits	30
Part 11. Approval of Issues and Transfers of Securities	32
Part 12. Accounting Methods and Annual Reports	33
Definition of Licence Districts	34

"Sightseeing route" means a route prescribed by the Commission and named as a sight-seeing route in a notice published in The British Columbia Gazette:

"Tariff" means a schedule of rates, including rules and regulations governing same:

"Unlicensed" means not licensed under the "Motor Carrier Act":

"Vehicle" means a freight-vehicle or a passenger-vehicle and includes a licensed vehicle or an unlicensed vehicle, as the context may require.

These regulations are divided into parts, and each part is divided into paragraphs numbered in accordance with the decimal system. Each paragraph may be referred to as a regulation.

PART 1

EXEMPTIONS

1.1 Total Exemptions

The provisions of the "Motor Carrier Act" and these regulations shall not apply to:—

- (a) Any vehicle owned and operated by the Dominion Government, Provincial Government, or the Government of the United States; and any motor-vehicle while operated exclusively on behalf of and under the direction of the Dominion Government or the Government of the United States in connection with naval, military, or air-force operations:
- (b) Any public or limited vehicle owned and operated by any British Columbia municipality while operated within its municipal area, otherwise than on a regular route which extends beyond the said area:
- (c) Any private freight-vehicle owned and operated by a British Columbia municipality or the Board of School Trustees of any school district:
- (d) Any unlicensed private freight-vehicle while operated for the transportation at any one time of not more than 300 pounds of freight, exclusive of game (as defined in the "Game Act"), which may be carried in addition:
- (e) Any vehicle when operated as an ambulance:
- (f) A hearse, funeral-coach, or other vehicle when operated for the purpose of a funeral:
- (g) Any vehicle used solely for towing, repairing, or salvaging disabled motor-vehicles:
- (h) Any vehicle owned, possessed, or controlled by a dealer in motor-vehicles, who is the holder of a dealer's licence issued pursuant to section 32 of the "Motor-vehicle Act," while such vehicle is operated by or on

INTERPRETATION

In these regulations, unless the context otherwise requires:—

"Carrying capacity" means the total weight of freight or the total number of passengers, or both, which a vehicle is designed and equipped to carry or is authorized under a licence to carry, as the context may require:

"Express" means (a) freight transported in or on a passenger-vehicle and (b) freight transported in or on any vehicle other than a passenger-vehicle in cases where the Commission has so ordered in writing specifically with respect to that vehicle:

"Freight-vehicle" includes a public freight-vehicle, a limited freight-vehicle, and a private freight-vehicle:

"Licence" includes the Conditions of Licence attached to or incorporated in the licence:

"Licensed" means licensed under the "Motor Carrier Act":

"Licence-year" means the period of one year from and including the first day of March in any year:

"Net weight," with respect to a motor-vehicle, means the weight of the motor-vehicle unloaded:

"Passenger-vehicle" means a public passenger-vehicle or a limited passenger-vehicle:

"Short-term licence" means a licence which will expire on a date prior to the end of the current licence-year:

behalf of such dealer solely for the purpose of demonstration for sale or of being conditioned or tested; provided that the vehicle has displayed thereon the demonstration number-plates corresponding to the dealer's licence; and this exemption shall apply to such vehicle while operated by a prospective purchaser thereof in accordance with the provisions of section 40 (1) of the "Motor-vehicle Act":

- (i) Any vehicle rented to and operated on behalf of the Dominion Government, Provincial Government, or the Government of the United States;
- (j) Any vehicle while operated pursuant to a permit issued under the provisions of section 18 of the "Motor-vehicle Act" in cases where the permit is issued subject to a condition set out therein to the effect that not more than one trip may be made into the Province;
- (k) The transportation of persons or property by motor-vehicles for the public for compensation, when such transportation is subject to regulation under the "Public Utilities Act";
- (l) The transportation of freight within one of the following areas if the freight is not transported across any boundary of the area:—
 - (i) The area comprising the municipalities of the City of Victoria, the District of Oak Bay, and the Township of Esquimalt, and that portion of the Municipality of the District of Saanich which lies within a radius of 5 miles from the City Hall, Victoria;
 - (ii) The area comprising the Municipality of the City of Vancouver, the University Endowment Lands, and that portion of the Municipality of the District of Burnaby which lies to the west of the following described line, namely: The easterly limit of Willingdon Avenue from Burrard Inlet to Kingsway; the northerly limit of Kingsway from Willingdon Avenue to McKay Avenue; the easterly limit of McKay Avenue from Kingsway to Trafalgar Street; the northerly limit of Trafalgar Street from McKay Avenue to Imperial Street (junction with Sussex Avenue); the easterly limit of Sussex Avenue from Imperial Street to Fraser River;
 - (iii) The area comprising the Municipality of the City of New Westminster and that portion of the Municipality of the District of Burnaby which lies within one-quarter mile from the boundaries of the City of New Westminster, together with District Lot 172, Group 1, New Westminster District;
 - (iv) The municipal area of any single incorporated municipality;
 - (v) The area comprising the municipalities of the City of Armstrong and the Township of Spallumcheen;
 - (vi) The area comprising the municipalities of the City of Chilliwack and the Township of Chilliwack;
 - (vii) The area comprising the municipalities of the City of Salmon Arm and the District of Salmon Arm;

(viii) The area comprising the municipalities of the District of Fraser Mills and the District of Coquitlam;

(ix) The area comprising the municipalities of the Village of Mission and the District of Mission;

(x) The area comprising the Village of Abbotsford and the District of Matsqui;

(xi) The area comprising the municipalities of the Village of Abbotsford and the District of Sumas, and that portion of Section 2, Township 16, E.C.M., lying outside the boundaries of the Municipality of the District of Sumas;

(xii) The area comprising the municipalities of the City of Duncan and the District of North Cowichan;

(xiii) The area comprising the municipalities of the City of North Vancouver and the District of North Vancouver;

(xiv) The area comprising the Municipality of the City of Vernon, together with the East Half of Section 28 and the West Half and the North-east Quarter of Section 27 of Township 9, Osoyoos Division of Yale Land District;

- (m) The transportation of passengers by a limited passenger-vehicle within one of the areas described in items (ii) and (iii) of clause (l) if the passengers are not transported across any boundary of the area;
- (n) The transportation of passengers within the area described in item (i) of clause (l) by a limited passenger-vehicle having a seating capacity of not more than seven persons, excluding the driver, if the vehicle is not operated over any portion of a sightseeing route primarily for the purpose of sightseeing when individual fares are charged and collected, and if the passengers are not transported across any boundary of the area;
- (o) Any vehicle while operated in any of the following mining divisions, namely, Atlin, Stikine, or Queen Charlotte, as described in The British Columbia Gazette on October 19th, 1936, or in Portland Canal Mining Division, as described in The British Columbia Gazette on April 22nd, 1937, or in any of the following areas:—
 - (i) Porcher Island;
 - (ii) The area comprising the watershed of the Bella Coola River and its tributaries;
- (p) Any vehicle owned and operated by the British Columbia Power Commission, if the name of that Commission is prominently displayed on the vehicle;
- (q) Any vehicle while operated on any of the islands lying between Vancouver Island and the Mainland, with the exception of Salt-spring Island, Gabriola Island, Denman Island, and Bowen Island;
- (r) Any private freight-vehicle which is operated by a bona-fide farmer ordinarily resident in Alberta who is exempted with respect to that vehicle, under Order in Council No. 189, approved January 31st, 1950, from the provisions of the "Motor-vehicle Act" as to registration and licensing, and which vehicle is operated in accordance with the conditions and restrictions specified in the said Order in Council.

1.2 Part Exemptions

The following vehicles may, by order of the Commission, be exempted in part from the provisions of the "Motor Carrier Act" and these regulations to the extent only that the applicant for a licence in respect of any such vehicle shall not be required to pay the licence, renewal, and transfer fees prescribed by these regulations and, if so ordered by the Commission, may be relieved of the necessity of furnishing evidence as to proof of financial responsibility with respect to such vehicle, namely:—

- (a) Any passenger-vehicle while used exclusively for the transportation of industrial workers to and from their work, comprising workers employed in the field or forest, in mines, mills, or factories, and in such other occupations as the Commission may determine;
- (b) Any vehicle employed by or under contract with the Dominion Government while operated for the purpose of carrying mail only;
- (c) Any vehicle owned by the Greater Vancouver Water District or the Vancouver and Districts Joint Sewerage and Drainage Board, and used exclusively in the business of either or both;
- (d) Any vehicle owned by and operated exclusively in the business of the Greater Victoria Water District.

PART 2

CLASSIFICATION OF VEHICLES USED BY MOTOR CARRIERS

2.1 Public freight-vehicles shall be classified as follows:—

- (a) Class I public freight-vehicles, comprising vehicles which are operated as public freight-vehicles at certain times on a regular time schedule and regular route, or on a regular time schedule between fixed termini, and at other times as public freight-vehicles otherwise than in the foregoing manner;
- (b) Class II public freight-vehicles, comprising public freight-vehicles which are operated only on a regular time schedule and regular route or on a regular time schedule between fixed termini;
- (c) Class III public freight-vehicles, comprising public freight-vehicles which are neither operated on a regular time schedule and regular route nor on a regular time schedule between fixed termini.

2.2 Private freight-vehicles shall be classified as follows:—

- (a) Class I private freight-vehicles, comprising all private freight-vehicles other than those classified as Class III private freight-vehicles;
- (b) Class III private freight-vehicles, comprising every private freight-vehicle owned by and operated by or on behalf of a bona-fide farmer and used exclusively for the transportation of his own agricultural, orchard, or dairy products produced on his farm, or his own live stock, or supplies and commodities for his farm, but not including private freight-vehicles used for transporta-

tion in connection with a farm operated wholly or chiefly for the raising or growing or the marketing of nursery stock, ornamental trees, shrubs, flowers, bulbs, or mushrooms; nor for transportation of forest products, except in connection with actual clearing of his land for agricultural purposes; nor for the transportation of any commodity purchased by a farmer for resale.

PART 3

FEES

3.01 Fees Prescribed

The fees payable with respect to licences and other matters pertaining thereto shall be those set forth in the table of fees contained in the Schedule and shall be determined and be payable in the manner set forth in these regulations.

3.02 Licence Fee

"Licence fee" means the fee to be paid by the applicant for a licence or for renewal of a licence. The licence fee for a public vehicle or a limited vehicle shall be determined on the basis of the maximum authorized carrying capacity for seated passengers and for express or the maximum authorized carrying capacity for freight and the number of calendar months or fractions thereof for which the licence is to be in effect. The licence fee for a Class I Private Freight-vehicle licence is a fixed amount irrespective of carrying capacity or duration of licence.

3.03 Determination of Maximum Carrying Capacity

For the purpose of paragraph 3.02 the Commission may determine the maximum carrying capacity to be authorized for any vehicle.

3.04 First Renewal

For the purposes of these regulations, the term "first renewal of licence" means the renewal during any licence-year of a licence which has not previously been in effect during that licence-year.

3.05 Full-year Licence Fee

The licence fee prescribed in the Schedule is the fee payable for the full licence-year for a licence issued or renewed in March of any licence-year, to be effective for the remainder of the licence-year and is referred to in these regulations as the "full-year licence fee."

3.06 Licence Fees for Less than Full Year

When application is made on a date subsequent to March 31st during any licence-year for the issue or first renewal of a licence for a public vehicle or a limited vehicle, to be effective for the remainder of the licence-year, the licence fee payable shall be calculated at the rate of one-twelfth ($\frac{1}{12}$) of the full-year licence fee for each calendar month or fraction of a calendar month between the date on which the licence is to take effect (as stated in the application), or such later date as may be determined by the Commission, and the end of the licence-year, but in no case shall the licence fee be less than the prescribed minimum fee.

3.07 Licence Fees for Short-term Licences

In the case of licences for public vehicles and limited vehicles only, when application is made for issue or first renewal of a licence to expire on a date prior to the first day of February in any licence-year, the licence fee payable for such short-term licence shall be calculated at the rate of one-twelfth ($\frac{1}{12}$) of the full-year licence fee for each calendar month or fraction of a calendar month between the date on which the licence is to take effect (as stated in the application), or such later date as may be determined by the Commission, and the date on which the licence is to expire, but in no case shall the licence fee be less than the prescribed minimum fee, and the applicant shall, unless otherwise required by the Commission, also deposit with the Commission an amount being the difference between the licence fee which would be payable if the licence were to expire at the end of the licence-year and the licence fee paid according to the provisions of this paragraph, and the amount so deposited shall be retained by the Commission as security for surrender of the licence and corresponding licence-plates on expiry of the licence; and if the licensee fails to surrender the said licence and licence-plates within ten (10) days after the date of expiry of the licence, the amount so deposited, or a portion thereof in the discretion of the Commission, shall be forfeited and shall be accounted for as part of the licence fee in respect of the licence.

3.08 Renewal of Short-term Licence

Where a licence for a public vehicle or a limited vehicle has expired, or is due to expire, on a date prior to the end of the licence-year, the licence fee payable on an application for renewal thereof shall be calculated at the rate of one-twelfth ($\frac{1}{12}$) of the full-year licence fee for each additional calendar month or fraction thereof during which the renewed licence is to be in effect.

3.09 Short-term Licence, Private Freight-vehicle

When application is made for a short-term licence respecting a private freight-vehicle, the fee payable shall be the same as for a licence to expire at the end of the licence-year and the licence shall be issued accordingly.

3.10 Transfer Fee

"Transfer fee" means the fee which shall accompany every application for transfer of a licence from one person to another person.

3.20 Replacement Fee

"Replacement fee" means the fee which shall accompany every application in respect of a replacement vehicle to be operated as a public or limited vehicle or as a private freight-vehicle under substantially the same conditions as and in place of a licensed vehicle of the same class, the licence for which is to be surrendered; provided that a replacement fee shall not be payable if the application is made at the time that application is made for first renewal of licence as defined in paragraph 3.04. In case the replacement vehicle is to have a greater authorized carrying capacity of freight or passengers than the authorized carrying capacity of the licensed vehicle, there shall also be paid an additional licence fee proportionate to the

additional weight of freight or additional number of passengers to be carried and the number of months remaining before expiry of the licence.

3.30 Fee for Alteration of Licence

"Fee for alteration of licence" means the fee which shall accompany every application involving alteration of or extension of or addition to the privileges conferred by an existing licence. In cases where the alteration applied for includes an increase in carrying capacity of freight or passengers and the licence fee payable for such increase is equal to or exceeds the prescribed fee for alteration of licence, the latter fee shall not be charged; and when the licence fee payable is less than the fee for alteration of licence, the latter fee only shall be charged. No fee shall be charged for making minor alterations in a licence such as change of address, rectification of an error, change in tire equipment, change in weight or dimensions of vehicle, or other minor alterations, where the privileges conferred by the licence remain substantially the same, or when the licence is altered by the Commission on its own motion.

3.40 Fee for Duplicate Licence

"Fee for duplicate licence" means the fee payable for a duplicate of the licence or substitute licence-plates, or both, as provided for in paragraph 5.42.

3.50 Permit Fee

"Permit fee" means the fee payable respecting any class of permit as provided for in Part 10 of these regulations.

3.60 Fees Payable in Advance

All fees shall be payable in advance and shall accompany the application in each case.

3.61 Fees, How Payable

Fees forwarded by mail shall be in the form of a certified cheque, bank draft, postal note, or money-order; the Commission will not be responsible for coin or currency unless paid in person and receipt or licence issued at time of payment.

3.62 Fee for Increased Carrying Capacity

In case application is made at any time for an increase in carrying capacity respecting any licensed public vehicle or limited vehicle, such application shall be accompanied by an additional licence fee proportionate to the additional weight of freight or additional number of passengers to be carried, having regard to the number of months remaining before expiry of the licence.

3.70 Fees for Combined Licences

Where a combination of licences is permitted and the fee for the combined licence is not set out in the Schedule of Fees, the fee therefor shall be equivalent to the sum of the fees prescribed for the separate kinds or classes of licences which are to be embodied in the combined licence, except that the minimum fee for the combined licence shall be the same as the highest of the minimum fees payable for the said kinds or classes of licences.

3.71 Fee for Express for Passenger-vehicle

A licence fee equivalent to the licence fee for one passenger seat shall be paid for each 400 pounds of express or fraction thereof authorized to be carried on a passenger-vehicle.

3.72 Fees for Certain Passenger-vehicles

The licence and renewal fees for a licence authorizing the operation of a vehicle as a public passenger-vehicle, a limited passenger-vehicle, or a public and limited passenger-vehicle exclusively within any one of the following described areas, namely:—

- (a) The area comprising the municipalities of the City of Victoria, the District of Oak Bay, and the Township of Esquimalt, that portion of the Municipality of the District of Saanich which lies within a radius of 5 miles from the City Hall, Victoria, and that portion of Esquimalt Land District which lies east of the west boundaries of Helmcken Road and Burnside Road;
- (b) The area comprising the Municipality of the City of Vancouver, the University Endowment Lands, and that portion of the Municipality of the District of Burnaby which lies to the west of the following described line, namely: The easterly limit of Willingdon Avenue from Burrard Inlet to Kingsway; the northerly limit of Kingsway from Willingdon Avenue to McKay Avenue; the easterly limit of McKay Avenue from Kingsway to Trafalgar Street; the northerly limit of Trafalgar Street from McKay Avenue to Imperial Street (junction with Sussex Avenue); the easterly limit of Sussex Avenue from Imperial Street to Fraser River;
- (c) The municipal area of any one incorporated municipality;
- (d) The area comprising the Municipalities of the City of Trail and District of Tadanac, and certain adjacent areas, including Shaver's Bench, Annable, and Warfield, which adjacent areas are more particularly described as those parts of Sub-lots 2 and 3 of Lot 4598 which are subdivided by Registered Plans 1684 and 1336 deposited in the Land Registry Office, Nelson; Sub-lots 1, 3, 4, 5, 7, 8, 9, 10, and that part of Sub-lot 2 not included in the District of Tadanac of Lot 4597; Lots 3391, 6058, 6062, 6063, 6070, and 7189; and that part of Lot 5639 which lies between the westerly boundary of the City of Trail and the easterly production of the southerly boundary of Lot 639; together with that part of said Lot 639 which lies to the east of a line due south from the most westerly corner of the aforesaid Sub-lot 3 of Lot 4597, all situated in Kootenay Land District;
- (e) The area comprising the Municipalities of the City of Kimberley and the Village of Chapman Camp;

shall be five dollars (\$5) for each licence-year or portion thereof, instead of the licence and renewal fees set out in the Schedule of Fees.

3.80 Fee for Change in Kind or Class of Licence

If, during any licence-year, the holder of a subsisting licence with respect to any vehicle makes application for a licence of a different kind or class in place of a licence which he holds for that vehicle, which licence he agrees to relinquish, there shall be credited to the applicant with respect only to his application for the different kind or class of

licence such part of the licence fee actually paid for the licence which is to be relinquished as is proportionate to the number of calendar months of the said licence which are unexpired at the time the licence of a different kind or class is issued, including the month during which the change is made: Provided that no credit shall be allowed if the change is from a passenger-vehicle licence to a freight-vehicle licence or vice versa or from a private freight-vehicle licence to a public freight-vehicle or limited freight-vehicle licence; and provided further that, except in the case of a change from a public freight-vehicle or limited freight-vehicle licence to a private freight-vehicle licence, for which no fee is payable, the fee to be paid for the licence applied for shall not, in any case, be less than two dollars (\$2), irrespective of any credit that may be applicable under this paragraph; but nothing in this paragraph shall be construed as authorizing the refund or payment to any person of any fees paid with respect to a licence issued under the provisions of the "Motor Carrier Act" and these regulations.

3.805 Fees when Licence is Reclassified by Commission

In cases where, on the motion of the Commission, a subsisting licence is to be cancelled and a licence of a different kind or class is to be issued in place thereof, the amount of fees to be paid by the licensee or to be refunded to the licensee, as the case may be, shall be based on the following rule:—

To the amount calculated on the basis of ton of freight or passenger seat payable for the full-year licence fee for a licence of the same kind or class as the subsisting licence, divided by twelve and multiplied by the number of months the licence has been in effect, shall be added the amount calculated on the basis of ton of freight or passenger seat payable for the full-year licence fee for the kind or class of licence to be issued, divided by twelve and multiplied by the number of months the new licence is to be in effect.

The above sum or the minimum shown in dollars in the schedule for the new licence, whichever is the greater, shall be the amount used in determining what is to be paid or refunded in respect of the new licence, as follows:—

- (a) If that amount is greater than the fee actually paid for the subsisting licence, the licensee shall pay the difference;
- (b) If that amount is less than the fee actually paid for the subsisting licence, the difference shall be refunded to the licensee.

3.81 Fees for Copies of and Certification of Documents

Except where other provision is made by these regulations, the following fees shall be payable:—

- (a) For copies of minutes of hearings and meetings: 30 cents per foolscap page for one copy and 15 cents per page for each additional copy, if ordered at the time of the hearing or meeting; 50 cents per foolscap page for one copy and 15 cents per page for each additional copy, if ordered at any time after the hearing or meeting;
- (b) For copies of Orders, Judgments, or other original documents furnished to persons not

directly affected thereby: 10 cents for every 100 words or fractional part thereof, with a minimum fee of 50 cents:

(c) For certificate of true copy or extract, \$1.

Where a tariff is prescribed by the Commission pursuant to section 29 of the "Motor Carrier Act," one copy may be furnished free to each motor carrier to whom the tariff applies for each licensed vehicle affected. To other persons, or for additional copies, the following charges will be made, namely, 10 cents per copy for tariffs of five pages or less and 25 cents per copy for tariffs of more

than five pages. In this paragraph "tariff" shall include an amendment or supplement to a tariff.

3.90 Return of Fees if Application Refused

In cases where any application for licence or alteration of licence or other privilege or for a permit is refused, the fees submitted with and pertaining to such application shall forthwith be repaid to the applicant at the time he is advised of such refusal, but this provision shall not necessarily apply in cases where the applicant is to be given an opportunity to amend his application.

Schedule of Fees

Kind and Class of Licence	LICENCE OR RENEWAL FEE			Replacement Fee and Fee for Alteration of Licence	Transfer Fee
	Full Year		Minimum Fee		
	Per Passenger Seat	Per Ton of Freight			
Public Passenger-vehicle	\$3.00	—	\$15.00	\$2.00	\$5.00
Public and Limited Passenger-vehicle		—	—		
Limited Passenger-vehicle		—	—		
Public Freight-vehicle, Class I	—	\$12.00	12.00	2.00	5.00
Public Freight-vehicle, Class II	—	—	—	—	—
Public Freight-vehicle, Class III	—	9.00	9.00	2.00	5.00
Limited Freight-vehicle	—	—	—	—	—
Private Freight-vehicle, Class I	Full year or less, \$5.			2.00	1.00
Private Freight-vehicle, Class III	No fee payable.			Nil	Not transferable.

As to fees for periods less than full year, see paragraphs 3.06 to 3.09, inclusive.
 Fee for copy of Conditions of Licence, 50 cents.
 Fee for duplicate licence and (or) substitute licence-plates, \$1.
 For permit fees, see Part 10 of regulations.
 Re fees for copies, etc., of documents, see paragraph 3.81.

PART 4

APPLICATIONS AND PROOF OF FINANCIAL RESPONSIBILITY

4.01 Application to Be in Duplicate

Every application for a licence, transfer of licence, or licence for replacement vehicle shall be made in duplicate on forms approved by and supplied free of cost by the Commission.

4.02 Applications to Be Complete

To be acceptable, applications shall be filled in legibly and completely so as to supply all the information required, in so far as applicable in each case; shall be signed by the applicant or, in the case of a partnership, by all of the partners (unless otherwise ordered by the Commission) or, in the case of a registered company, by an authorized official of the company; shall be accompanied by such tariffs and time schedules, copies of contracts and agreements or other documents as may be required, as stated in the forms and as prescribed by these regulations, and shall also be accompanied by the prescribed fee: Provided that, where any person wishes to make application for a licence before obtaining the vehicle which he proposes to operate and if permission is first obtained from the Commission, an application

which only describes the type and carrying capacity of the vehicle, or which only states approximately the amount of service to be given, or which is not accompanied by the prescribed fees, may be accepted as a tentative application for consideration of the Commission; but licence shall not be granted unless the application has been completed in all respects and the prescribed fees paid.

4.03 Applications, Where to Be Mailed or Delivered

Completed applications shall, unless other directions are given by the Commission, be mailed or delivered to the Superintendent of Motor Carriers, Public Utilities Commission, Motor-vehicle Building, West Georgia Street, Vancouver 5, B.C.

4.04 Return of Application if Incomplete

The Commission shall have the right to return to the applicant any application which is incomplete or illegible, or which does not comply with these regulations.

4.05 Filing of Application Confers No Right to Operate

The filing of an application shall not confer on the applicant any right to operate the vehicle referred to therein or any vehicle under the provisions of the "Motor Carrier Act."

4.06 Commission May Require Additional Information

The Commission may, with respect to any application, require the applicant to furnish additional information regarding the vehicle and its proposed operation and all matters relative thereto, including a detailed statement as to the financial standing of the applicant; and failure of the applicant to furnish such information to the Commission shall be sufficient cause for refusal to grant the licence or privilege applied for.

4.20 Application for Alteration of Licence

Every application involving alteration to or extension of or addition to the privileges conferred by an existing licence shall be in writing and shall be accompanied by the prescribed fee for alteration of licence, except where no fee is prescribed.

4.30 Proof of Financial Responsibility

No licence respecting a public passenger-vehicle, or a limited passenger-vehicle shall be issued, renewed, or transferred unless the applicant has furnished to the Commission satisfactory evidence that the owner of the vehicle has given to the Superintendent of Motor-vehicles in respect of its proposed operation under the licence, or renewal or transfer of licence applied for, proof of financial responsibility in the manner provided in the "Motor-vehicle Act" for the giving of proof of financial responsibility, but for the respective amounts prescribed by paragraph 4.31 hereof.

4.31 Amounts for Which Proof Is to Be Given

Proof of financial responsibility where same is required to be given by these regulations shall be for not less than the following amounts:—

- (i) One thousand dollars in respect of damage to property; and
- (ii) Five thousand dollars in respect of loss or damage resulting from bodily injury to or the death of any one person in one accident and, subject to such limit of five thousand dollars for any one person so injured or killed, the following amounts in respect of loss or damage resulting from bodily injury to or the death of more than one person in one accident, namely:—

Maximum Authorized Carrying Capacity, Including Standing Passengers	Amount
7 or less	\$10,000
8 to 12, inclusive	15,000
13 to 21, inclusive	20,000
22 to 30, inclusive	30,000
31 to 40, inclusive	40,000
41 to 50, inclusive	50,000
51 to 75, inclusive	75,000
Over 75	100,000

4.32 Evidence of Proof of Financial Responsibility

Evidence of having given proof of financial responsibility may be furnished to the Commission by the certificate of the Superintendent of Motor-vehicles or any person designated by the Superintendent, showing the giving of such proof and the nature and extent thereof.

4.33 Failure to Maintain Proof of Financial Responsibility

Failure of the licensee in any respect to maintain proof of financial responsibility for the full amounts prescribed by these regulations shall constitute sufficient cause for the suspension or cancellation of his licence.

PART 5

GENERAL LICENSING PROVISIONS

5.00 ISSUE OF LICENCES

5.01 Licensee to Be Registered Owner

Except with approval of the Commission, no licence respecting any vehicle shall be granted to any person other than to the registered owner of the vehicle, pursuant to the "Motor-vehicle Act," except in the case of a licence issued in a "trade-name" when the Commission is satisfied that the owner or manager of the business is the registered owner of the vehicle, provided that the registered owner's name shall also appear in the licence.

5.03 Form of Licences

Licences shall be in a form prescribed by the Commission from year to year; shall describe the licensed vehicle; shall be stamped or marked to show date of issue or renewal; and shall show date of expiry of licence.

5.04 Terms and Conditions of Licence

Every licence issued shall be subject to the terms and conditions of the "Motor Carrier Act" and these regulations, and shall, further, be subject to such terms and conditions as may be attached to or included in the licence under the provisions of the said Act.

5.05 Licence, Identification Of

Every licence when issued or renewed shall be identified with a letter and number corresponding to the letter and number of the prescribed licence-plates, which plates shall accompany the licence.

5.06 Combinations of Licences

The following combinations of licences may be issued, subject to payment of the prescribed fees:—
 Public and Limited Passenger-vehicle;
 Limited Passenger and Freight-vehicle;
 Such other combinations as the Commission may approve;

provided that, in the case of a combination passenger and freight-vehicle, when passengers and freight are carried at the same time, the freight shall be carried in a separate compartment.

5.07 Two Licences on One Vehicle Prohibited

Except on written approval of the Commission in any specific case, not more than one licence shall be in effect at any one time with respect to any vehicle.

5.10 RENEWAL OF LICENCES

5.11 Application for Renewal

Application for renewal of any licence on expiry thereof may be made to the Commission on a form provided by the Commission, or otherwise in

writing, and shall be accompanied by the prescribed fee. Every application for renewal shall be signed by the person named therein as licensee, who shall state thereon the date on which he requires the renewed licence to take effect and, in the case of a public or limited vehicle, the period of time for which the renewed licence is required. Unless such date and period of time are so stated, the Commission shall have the right to assume that licence is required from date of receipt of application and for the remainder of the licence-year and may assess the fee and renew the licence accordingly.

5.12 Only Certain Licences May Be Renewed

A licence shall only be renewed if the licence was in effect either during the same licence-year as or during the licence-year immediately preceding the licence-year during which the renewal is to take effect. In other cases a new application shall be made.

5.13 Renewal Fee

The licence fee payable with respect to an application for renewal of a licence shall be the same as the licence fee payable with respect to a new application for a licence of the same class, carrying capacity, and period.

5.14 Renewed Licence Subject to Same Terms and Conditions

Every licence so renewed shall continue to be held subject to the terms and conditions set out or referred to in the licence.

5.15 May Refuse to Renew Licence

The Commission may refuse to renew any licence.

5.20 TRANSFER OF LICENCES

5.21 Application for Transfer

Every application for transfer of a subsisting licence from one person to another shall be made on a form prescribed by the Commission and shall be signed by the licensee (whose signature thereon must be witnessed) and by the applicant, and must be accompanied by the prescribed transfer fee.

5.22 Transferred Licence Subject to Same Terms and Conditions

Every licence transferred shall continue to be held subject to the terms and conditions set out or referred to in the licence, unless otherwise ordered by the Commission and stated in the licence.

5.23 May Refuse to Transfer Licence

The Commission may refuse to approve of the transfer of any licence.

5.24 Surrender of Licence by Transferor

If transfer is approved by the Commission, the transferor shall deliver the licence to the Commission and a new licence shall be issued to the transferee in place thereof.

5.25 Transfer of Private Freight-vehicle Licences

A private freight-vehicle licence may be transferred only in cases where the vehicle will be used by the transferee in connection with the same

established business as that for which it has been used by the transferor.

5.30 LICENCE-PLATES

5.31 Licence-plates to Be Displayed

Every licensed vehicle shall, while being operated on a highway, have attached thereto and displayed thereon in a conspicuous position on the front and on the back of the vehicle the prescribed licence-plates for the current licence-year, as issued by the Commission with the licence or renewal thereof.

5.32 Design of Licence-plates

Licence-plates shall be rectangular in shape and approximately $7\frac{1}{4}$ by $4\frac{1}{2}$ inches in size; shall display the letters "B.C.C.L." and shall be marked to show the licence-year for which they are issued thus—"1940" for the licence-year 1940-41. Licence-plates shall be serially numbered in duplicate and in separate groups, and each group shall bear a distinctive letter to denote the classification of the licence, as follows:—

Group Letter	Classification
A	Public Passenger-vehicle.
B	Limited Passenger-vehicle, over 7 passengers.
C	Limited Passenger-vehicle, 7 passengers or less.
D	Public and Limited Passenger-vehicle.
E	Limited Freight-vehicle.
F	Limited Passenger and Freight-vehicle and such other combinations of licences, not otherwise specified herein, as the Commission may approve.
G	Public Freight-vehicle, Class II.
H	Public Freight-vehicle, Class III.
J	Public Freight-vehicle, Class I.
K	Private Freight-vehicle, Class III.
L	Private Freight-vehicle, Class I.

5.321 Issue of Licence-plates

Licence-plates shall be issued in duplicate.

5.33 Licence-plates Not Transferable to Other Vehicle

No person shall display any licence-plate issued by the Commission on a vehicle other than the vehicle referred to in the licence corresponding to the licence-plate or referred to in the permit.

5.34 Loss of Licence-plates to Be Reported

In the event of any licence-plate being lost, the licensee shall immediately report the fact in writing to the Commission.

5.35 Unauthorized Possession of Licence-plates

In the event of any person purchasing or otherwise coming into possession of a vehicle to which is affixed any current licence-plate he shall immediately remove such licence-plate and deliver same to an officer or constable of the Provincial Police Force, or to the Commission, except in cases where the licence corresponding to the licence-plates has been transferred to him under the provisions of the "Motor Carrier Act" and these regulations.

5.36 Advance Display of Licence-plates

Where, in the case of a vehicle duly licensed under the "Motor Carrier Act," the licensee is also the registered owner of the vehicle under the "Motor-vehicle Act," if the licence has been renewed in advance in respect of that vehicle for the next succeeding licence-year or portion thereof, to take effect on the first day of March of that year, the displaying on that vehicle during the month of February of the licence-plates corresponding to the renewed licence shall, if the current licence continues to be carried on the vehicle, and if the licence-plates prescribed by the "Motor-vehicle Act" for the next succeeding licence-year are also displayed on the vehicle, be deemed sufficient compliance with the "Motor Carrier Act" and these regulations in respect of the displaying at any time during that month of licence-plates on that vehicle.

5.40 LICENCES

5.42 Duplicate Licences and Substitute Licence-plates

In case of the loss, mutilation, or destruction of any licence issued under the provisions of the "Motor Carrier Act" or licence-plate or licence-plates corresponding thereto, if the licensee furnishes to the Commission an application in writing, accompanied by satisfactory proof of such loss, mutilation, or destruction, which proof shall, if so required by the Commission, comprise a statutory declaration of the licensee, and surrenders to the Commission, if possible, the licence or licence-plate or licence-plates, as the case may be, and pays the prescribed fee, the Commission may issue to the licensee a duplicate of the licence, including a duplicate of the Conditions of Licence attached thereto, if any, or may furnish to him substitute licence-plates, as the case may be.

5.43 Copy of Conditions of Licence

Upon the request of any licensee and on payment of the prescribed fee, the Commission may furnish any licensee a copy of the Conditions of Licence attached to the licence: Provided that where more than two (2) years have elapsed since the Conditions of Licence were issued, the Commission may, in its discretion, supply a copy of the Conditions of Licence without payment of any fee by the licensee.

5.44 Change of Address of Licensee

In case the address of the licensee, as shown in the licence, is changed or is in error, the licensee shall notify the Commission in writing stating the licence number and the new or correct address of the licensee.

5.50 Alterations to Vehicles and Tires

No licensee shall, without first obtaining the approval of the Commission and, where necessary, an altered licence embodying the changes:—

- Change, reconstruct, materially alter, modify, or add to the seating capacity, body or equipment of any licensed passenger-vehicle;
- Change, reconstruct, materially alter the body or add to the freight-carrying capacity of any licensed freight-vehicle;
- Operate a licensed vehicle with a trailer attached thereto unless the use of a trailer is specified in the licence:

- Use a trailer having a greater net weight, or having a shorter wheel-base or tires of less carrying capacity than is stated in the licensee's application for licence or in the licence.

5.51 If any alteration is made in the size, number, or type of tires used on any licensed vehicle, or on any trailer authorized to be attached thereto, the licensee shall promptly report such alteration to the Commission and, where such change will affect the carrying capacity of the vehicle or trailer, shall apply for an altered licence accordingly.

5.60 MARKINGS ON VEHICLES

5.61 Abbreviations to Be Used

It shall constitute sufficient compliance with section 14 of the "Motor Carrier Act" if the following abbreviations are used for marking a vehicle to show the maximum gross weight and the maximum number of passengers that may be carried, respectively, as required by that section, namely:—

MAX. GR. WT. _____ TONS.
MAX. C. CAP. _____ PASS.

5.62 Seven-passenger Vehicles to Carry Notice in Lieu of Markings

If there is clearly displayed within the vehicle, in full view of the passengers, a legible notice in letters not less than three-quarters ($\frac{3}{4}$) of an inch in height, stating the maximum number of passengers that may be carried under the terms of the licence, it shall not be necessary for any licensed passenger-vehicle having a seating capacity of seven (7) passengers, excluding the driver, or less, to be marked on the sides in the manner prescribed by section 14 of the "Motor Carrier Act." Such notice shall be in the following form, namely:—

LICENSED TO CARRY
_____ PERSONS AND DRIVER.

5.63 Route-marker—Public Passenger-vehicles

Every public passenger-vehicle shall have firmly attached thereto on the front thereof a sign with letters not less than three (3) inches in height designating the route over which or the destination to which the vehicle is being operated. This sign shall be illuminated at night.

5.64 Name and Address of Owner to Be Marked on Freight-vehicle

Unless otherwise ordered by the Commission in writing with respect to any vehicle, every licensed freight-vehicle shall, while being operated on a highway, have displayed on both sides thereof, so as to be clearly visible to the public, in letters and figures not less than two (2) inches high, the name and address of the owner of the vehicle, as registered under the "Motor-vehicle Act," or the registered trade-name and address of the owner of the vehicle.

5.645 Identification

Where a vehicle operated by any person or company as a public vehicle or a limited vehicle is marked with a name generally associated with another person or company, the name generally

used by the motor carrier operating the vehicle shall also be prominently displayed on the vehicle.

5.70 SUSPENSION OF LICENCES

5.71 Suspension without Specific Order

In cases where, during any licence-year, a licence issued with respect to a motor-vehicle under the provisions of the "Motor-vehicle Act" has been:—

- (a) Relinquished, pursuant to the provisions of section 16 of the "Motor-vehicle Act"; or
- (b) Surrendered, pursuant to the provisions of section 54 of the "Motor-vehicle Act"; or
- (c) Suspended or cancelled, pursuant to the provisions of section 88 of the "Motor-vehicle Act"; or
- (d) Suspended, pursuant to the Financial Responsibility sections of the "Motor-vehicle Act"; or
- (e) Cancelled, pursuant to the provisions of the "Licence Forfeiture and Cancellation Act,"—

if a carrier's licence, issued pursuant to the "Motor Carrier Act," is in effect with respect to the said motor-vehicle at the time of said relinquishment, surrender, suspension, or cancellation, the carrier's licence shall, ipso facto, be suspended without further order from the Commission; said suspension to be effective in cases (a) and (b) from date of relinquishment or surrender until expiry of licence or until another motor-vehicle licence has been issued to the same licensee with respect to the motor-vehicle during the same licence-year, whichever date is the sooner; and in cases (c), (d), and (e) during the period that the suspension or cancellation of the motor-vehicle licence is in effect.

PART 6

OPERATION

6.00 SERVICE

6.01 Scope of Paragraphs 6.02 to 6.07

Paragraphs 6.02 to 6.07, inclusive, shall, in so far as the context requires, apply to the operation of public and limited vehicles only.

6.02 Failure to Commence Service

A licence may be cancelled if the licensee fails to begin service within thirty (30) days after the date upon which the licence was granted.

6.03 Failure to Apply for Renewal of Licence

Failure of any person who was the holder of a licence to apply within reasonable time for renewal of his licence after expiry thereof shall be prima facie evidence that he is not furnishing service or that there is no public need for the service authorized by such licence.

6.04 Increase, Reduction, or Discontinuance of Scheduled Service

No licensee shall increase, reduce, discontinue, or otherwise modify any authorized scheduled public passenger-vehicle or public freight-vehicle service without first obtaining the approval of the Commission in the manner provided in Part 7 of these regulations.

6.05 Unavoidable Interruption of Scheduled Service

Every unavoidable interruption of authorized scheduled public passenger-vehicle or public freight-vehicle service, where such interruption is likely to continue for more than twenty-four (24) hours, shall forthwith be reported by the licensee in writing to the Commission, with an explanation as to the cause of interruption and its probable duration, and public notice of the interruption and its duration shall be given by the licensee with such promptness and in such a manner as to reduce to a reasonable minimum the public inconvenience resulting from the interruption of service. If the interruption is due to failure or breakdown of any licensed vehicle, the licensee shall immediately make arrangements, as far as possible, to obtain a substitute vehicle and shall apply for the necessary permit to operate same.

6.051 Failure of the licensee to comply with the provisions of paragraphs 6.04 and 6.05 shall be sufficient cause for amendment, suspension, or cancellation by the Commission of the licence or licences affected.

6.06 Public Freight Service to Be Given at All Points on Route

Every motor carrier licensed to operate a Class I or Class II public freight-vehicle shall give reasonable service to the public at all points along his route, in so far as permitted by his licence; and the Commission may require any such carrier to establish depots or stopping-places at points along the route served by him at which the licensed vehicle shall be regularly stopped for the purpose of receiving and delivering shipments, and to make known to the public affected the location of such depots or stopping-places.

6.08 Charter Trips with Freight-vehicles Defined

Where the term "charter trip" is used in the licence of a freight-vehicle or in a tariff stating the charges for its operation, it shall mean the operation of the vehicle for the sole and exclusive use of one person.

6.10 OPERATION IN ACCORDANCE WITH LICENCE

6.11 Maximum Capacities and Gross Weights Not to Be Exceeded

No person shall carry or cause or permit to be carried on any licensed vehicle a greater number of passengers nor a greater weight of freight than the maximum number or weight authorized to be carried as stated in the licence, and no person shall operate or cause or permit to be operated any licensed vehicle having a gross weight in excess of the maximum gross weight for that vehicle as authorized by the licence.

6.12 Conditions of Licence to Be Observed

Subject to the provisions of section 16 of the "Motor Carrier Act," no person shall operate or cause or permit to be operated any licensed vehicle on a highway or along a route or within an area or territory other than is stated in the licence, or for the transportation of freight or commodities other than are permitted under the licence, nor,

6.25 INSPECTION OF VEHICLES

6.251 Definition

For the purpose of paragraphs 6.252 to 6.254, inclusive, of these regulations, "Inspector of Motor Carriers" means any person authorized in writing by the Commission to inspect vehicles for the purpose of determining their mechanical condition.

6.252 Vehicles to Be Submitted for Inspection

Every motor carrier and every applicant for a licence shall, on demand of an Inspector of Motor Carriers, submit to such Inspector for inspection and testing any vehicle under his control which is licensed or for which an application for licence has been made.

6.253 Deficiencies and Defects to Be Remedied

If, on inspection, a licensed vehicle is found to be in any way deficient or defective, the licensee shall take immediate steps to remedy all deficiencies and defects within the time specified by the Inspector of Motor Carriers who made the inspection.

6.254 Order to Cease Operating Vehicle

If, in the opinion of an Inspector of Motor Carriers, the condition of any licensed vehicle is such that its continued operation in such condition would endanger the public safety, the Inspector of Motor Carriers may make an order that the vehicle is not to be operated. The Inspector shall deliver a copy of such order to the licensee or the person in charge of the vehicle, and thereafter no person shall operate the said vehicle until permission to operate it is given in writing by the Inspector or the Commission; Provided that the vehicle may, with the permission of the Inspector, be moved under its own power from the place of inspection to a garage or storage-place.

6.30 GENERAL REGULATIONS

6.31 Unsafe Operation of Vehicle Prohibited

No person shall drive or operate a licensed vehicle in an unsafe manner or in disregard of these regulations.

6.32 Chauffeurs, Employment Of

No motor carrier shall employ any person as a chauffeur of a licensed vehicle who is intemperate, incompetent, or otherwise unfit to be so employed. If, in the opinion of the Commission, any person so employed is unfit to operate a licensed vehicle, the Commission may by order instruct the motor carrier that the employment of such person in such capacity shall cease. Failure to comply with this paragraph shall be sufficient cause for cancellation of all licences held by the motor carrier.

6.33 Maintenance of Vehicles

It shall be the duty of every licensee to maintain his licensed vehicle or vehicles in a safe operating condition and, for this purpose, to arrange for inspection of same by a competent inspector or mechanic at sufficiently frequent intervals.

in cases where the persons for whom commodities may be transported are stated in a licence, transport such commodities for some other person, unless under authority of a permit issued pursuant to these regulations. The limitations as to area, district, territory, or route to be served as set out in the Conditions of Licence of a public freight-vehicle or limited freight-vehicle shall not apply to the operation of the vehicle as a private freight-vehicle unless so stated in express terms.

6.20 CARRYING PASSENGERS ON FREIGHT-VEHICLES

6.21 Passengers Not to Be Transported on Loaded Freight-vehicles

Unless otherwise authorized under a licence or by a permit issued in the manner provided by Part 10 of these regulations, no person shall transport any passenger on a freight-vehicle when such vehicle is transporting freight, except on the front seat of the vehicle beside the driver, and not more than two (2) persons in addition to the driver may be carried on the front seat: Provided that this paragraph shall not apply to the transportation of employees of the licensee, or the owner or employees of the owner of the goods carried, where the transportation of such persons is necessary:—

- (a) When live stock is being transported:
- (b) For loading or unloading the vehicle:
- (c) For the use or treatment of tools, equipment, or materials transported in the course of the licensee's or owner's regular trade, occupation, or business;—

but in no case shall more than two (2) persons, in addition to the driver, be carried on the front seat.

6.22 Conditions under Which Passengers May Be Carried

The transportation of passengers on any freight-vehicle, except as set out in clauses (a), (b), and (c) of paragraph 6.21, shall be subject to the following conditions:—

- (a) Firmly fixed seats for all passengers shall be provided, together with side and end boards not less than three (3) feet high, and no person shall be allowed to stand while the vehicle is in operation; save that this clause shall apply to farm employees being transported to and from work only in so far as the height of side and end boards is concerned:
- (b) If children are transported, at least one adult person shall ride in the rear portion of the vehicle and be responsible for discipline:
- (c) The vehicle shall not be operated at a speed in excess of 25 miles per hour and shall be brought to a complete stop before crossing any level railway crossing:
- (d) No freight shall be carried when passengers are riding in the rear of the vehicle.

NOTE.—For information of motor carriers: Transportation of passengers on a motor-vehicle for compensation is contrary to the law, except under a public passenger or limited passenger-vehicle licence or under permit, unless the motor-vehicle is exempted from the provisions of the "Motor Carrier Act" by that Act or by these regulations.

6.331 Inspection after Damage

No licensed vehicle, any part of which has been damaged by accident, failure, or other cause, shall thereafter be continued in or returned to service until competent inspection has been made to ascertain the nature and extent of damage.

6.332 Report of Defects or Deficiency

Every chauffeur or driver employed by a motor carrier shall, at the end of his day's work or time of duty, report to his employer in writing any defect or deficiency in the licensed vehicle discovered by him during such day's work or time of duty as would be likely to affect the safety of operation of that vehicle.

6.333 Remedy or Repair of Defects

It shall be the duty of every motor carrier to remedy or repair any defect or deficiency in any licensed vehicle as reported to him or as revealed by inspection or otherwise which is likely to cause hazard to persons or property by the operation of the vehicle, before the vehicle is again operated on a highway.

6.34 Fuelling

No chauffeur or driver of a licensed vehicle or other person shall fuel or permit to be fuelled any licensed vehicle while the engine is running or in the presence of any open flame, and when such vehicle is being fuelled the nozzle of the fuel-hose shall be kept in contact with the intake of the fuel-tank throughout the fuelling process. The opening through which the tank of a passenger-vehicle is filled shall be outside the body of the vehicle and shall be ventilated.

6.35 Explosives

The carrying of explosives on any vehicle shall be in accordance with the Dominion "Explosives Act" and the regulations pursuant to that Act.

6.36 Distribution and Fastening of Loads

The chauffeur or driver of a freight-vehicle shall see that the load is properly distributed and, if necessary, secured in order to prevent unsafe shifting of the load or unsafe operation of the vehicle.

6.37 Before operating a loaded freight-vehicle, the chauffeur or driver shall see that the tail-board, tail-gate, tarpaulin, and all means of fastening the load are securely in place.

6.371 No person shall operate any licensed vehicle carrying logs, beams, girders, or a load of similar nature unless the load is securely fastened by a chain or cable of sufficient strength in such a manner that all danger of the load or portion thereof falling from the vehicle, or swaying, is eliminated; and no person shall transport on any licensed vehicle any load comprising loose sawdust or other loose light material unless it is covered in such a manner as to preclude any part of such load from falling or being blown from the vehicle.

6.38 Driver's Vision or Free Movements Not to Be Obstructed

No licensed vehicle shall be so loaded as to obscure the driver's view ahead or to the right- or left-hand sides, or to interfere with the free movement of his arms or legs, or with the safe operation of the vehicle or access to emergency equipment.

STANDARDS FOR PASSENGER-VEHICLE CONSTRUCTION FOR NEW VEHICLES**6.40 Applicability**

The standards for passenger-vehicle construction as contained herein apply only to vehicles designed to carry more than twelve persons.

6.401 Chassis

The gross weight of a fully loaded bus must not exceed the manufacturer's gross allowable weight as fixed by the official in charge of the engineering department of the manufacturer of the chassis. This shall be interpreted as the advertised maximum gross vehicle weight as shown in the manufacturer's regular advertising literature describing such chassis. Gross vehicle weight shall mean the actual weight of the chassis complete, plus the weight of the body, plus the weight of the driver and the weight of the passengers at 150 pounds each, and any other load. The wheel-base of any chassis as originally supplied by the manufacturer must not be altered in any manner.

6.402 Load Distribution

The chassis shall be of the proper wheel-base to accommodate the body and load with the proper and accepted weight distribution to provide complete and safe control of the vehicle under all road conditions.

6.403 Exhaust

The motor exhaust shall be carried to a point beyond the rear of the body skirt in an air-tight steel tube and muffler, and not beyond the rear bumper, except that where this is not feasible such exhaust shall be approved by the Commission. Where motor-vehicles are to be used in continuous urban service stack type exhaust shall be used whenever practical.

6.404 Bodies

Must be of steel or wood framework and covered with steel, wood, or equivalent. Bodies shall be strong enough to withstand heavy impact through accident or collision and give the maximum protection to passengers.

Seating and Aisles

(a) Seating: All passenger-carrying vehicles shall be so constructed as to afford normal and comfortable seating accommodation for the seated passengers and all such seats shall be fully upholstered. The minimum requirements for seat centres (forward facing seats) shall be not less than 26 inches. This measurement to be taken on a horizontal line on top of seat-cushion from back of front seat to undepressed face of seat behind. The seating arrangement of every passenger-vehicle shall be such that, when all seats are fully occupied, the driver's view ahead or to the right- or left-hand sides is not obscured in any way, and that the driver at all times has free movement of his arms and legs and ready access to emergency equipment. Under no circumstances shall a passenger be permitted to ride on the left-hand side of the chauffeur:

- (b) Movable Seats: No movable, "let-down," or "jump" seats shall be installed without first obtaining the approval of the Public Utilities Commission:
- (c) Centre Aisle: Shall not be less than 11 inches as measured at seat base-line and not less than 16 inches as measured at hip-level. "Seat base-line" means a horizontal line taken on top of seat-cushion:
- (d) Emergency Door Aisle: An unobstructed aisle of at least 10 inches shall lead to the emergency door. This measurement to be taken at the seat base-line.

6.405 Interior Height

Interior clearance height shall not be less than 68 inches as measured at longitudinal centre line at the entrance door. Buses designed for standing passengers shall have a minimum interior clearance height of 74 inches in that portion to be occupied by standing passengers. Suitable hand-holds, straps, rails, etc., shall be provided in order to afford adequate support for standing passengers.

NOTE.—The regulations pursuant to the "Motor Carrier Act" provide that no standing passengers shall be carried unless the carrying of standing passengers is specifically permitted by the Public Utilities Commission with respect to the vehicle, as stated in the licence therefor, and then only to the number and to the extent and in the manner stated in the licence.

6.406 Floor

Shall be of metal or wood and so constructed that exhaust gases, moisture, etc., cannot enter the bus through the same. Slip-proof floor covering shall be provided where necessary. All closures between the bus body and the engine compartment shall be fitted with gas-tight gaskets, and pedal openings, etc., shall be closed by bellow-type gas-tight boots or the equivalent.

6.407 Doors

There shall be no door at the left front of the vehicle.

Entrance Door

- (a) To be located at right side near the front of the vehicle, and shall be manually controlled by the driver; provided that such entrance door may be air or vacuum operated and, if so, the control system shall have a reserve tank or auxiliary control:
- (b) Shall have a minimum horizontal clearance opening of 24 inches and a vertical clearance of the maximum height in accordance with the body construction as measured from top of lower entrance step to roof:
- (c) A stanchion shall be provided at the rear of the entrance step well from floor to roof. Location shall not restrict passageway to less than 24 inches:
- (d) A safety bar shall be installed from stanchion to the body wall at a height of approximately 30 inches:
- (e) A suitable light shall be provided and located so as to adequately illuminate the entrance step or steps of the vehicle.

Emergency Door

- (a) Shall be located on the left-hand side at the rear:
- (b) Shall have a minimum horizontal clearance of 24 inches and the height shall be the maximum as permitted by body construction; provided that such door shall be adequate to allow the unrestricted exit of any passenger carried:
- (c) Shall be equipped with a fastening device operated by a lever or hand-levers which afford instant and easy release, but is designed to offer protection against accidental release. Control from the driver's seat shall not be permitted. Provisions for opening this door from the outside must be provided and shall consist of a handle or the equivalent, and such handle or equivalent must be of a permanent type and shall not project beyond the side of the body:
- (d) Shall be hinged on its forward vertical edge only.

6.408 Baggage and Express

If vehicle is to be used for transportation of baggage or express, adequate space must be provided to accommodate same. This space not to interfere with the free and ready entering or leaving such bus and shall be so constructed as to prevent baggage falling on to or against any passenger. All passenger baggage shall be protected from dust and moisture.

6.409 Signs

- (a) Route.—Every public passenger-vehicle shall have firmly attached thereto on the front thereof a sign with letters not less than three (3) inches in height designating the route over which or the destination to which the vehicle is being operated. This sign shall be illuminated at night.
- (b) Special Trips.—Every licensed passenger-vehicle having a carrying capacity of more than seven (7) passengers, exclusive of the driver, while it is being operated for a charter trip shall have displayed in a conspicuous position on the front thereof a sign in plain letters not less than three (3) inches in height, reading "CHARTERED" or "SPECIAL."
- (c) Emergency Door.—Every emergency door shall be provided with a sign, inside the vehicle, located on or adjacent to the said door, on which sign shall be printed in letters clearly visible and not less than one and one-half (1½) inches in height, the words "EMERGENCY DOOR."
- (d) Number of Passengers to Be Carried.—Every holder of a licence for a motor-vehicle shall cause to be clearly marked in a conspicuous place on both sides of the vehicle in figures or letters not less than one (1) inch in height, the maximum number of passengers that may be carried under the terms of the licence; and no person shall operate on a highway a motor-vehicle for which a licence is required unless it is marked as required by this section.

(e) *Abbreviation.*—It shall constitute sufficient compliance with section 14 of the "Motor Carrier Act" if the following abbreviations are used for marking a vehicle to show the maximum number of passengers that may be carried, as required by that section, namely:—

MAX. C. CAP. _____ PASS.

6.410 Ventilation

All bodies shall be equipped with a suitably controlled ventilating system of sufficient capacity to maintain the proper quantity of air under operating conditions without the opening of windows, except in extremely warm weather. Toe-boards, dash-panels, and the engine-covers must exclude all motor fumes and gases.

6.411 Interior Lights

Every passenger-vehicle having a placed top, or its top up, shall have maintained a light or lights within the vehicle so arranged as to light up the whole of the interior of the vehicle, except that portion occupied by the chauffeur. Such light or lights shall be kept sufficiently lighted between the hours of sunset and sunrise at all times when the vehicle is occupied by passengers.

6.412 Glass

All glass in windows and doors, etc., shall be of safety type. No unpolished or unground edges shall be accessible to passengers. Glass of wire-mesh type shall not be used in any part of the body. The wind-shield shall be of laminated safety plate glass and shall be sloped slightly to prevent glare from other lights and large enough to permit the driver to have a clear view of the road. The glass must be of sufficient quality to prevent distortion of view from any direction.

6.413 Fuel-containers

No part of any fuel tank or container or intake pipe shall project beyond the sides of the motor-vehicle. The intake pipe of any fuel tank or container or any such container itself shall not be located within or above the passenger-carrying portion of any bus.

6.414 Tool Compartment

All equipment such as tools, tire chains, etc., shall be contained in a compartment provided for such equipment.

6.415 Fire-extinguisher

Each bus shall be equipped with a fire-extinguisher of the pump or pressure (non-freezing) type of not less than 1-quart capacity, which shall be located in the forward end of the bus, accessible to the driver and near the entrance door. This extinguisher shall be properly filled and securely mounted in the bracket provided for such extinguisher.

6.416 Signal Devices

Every bus shall be equipped with an adequate mechanical or electrical signalling device approved by the Lieutenant-Governor in Council pursuant to the regulations under the "Motor-vehicle Act,"

which device shall be affixed to the bus in such a manner that, when in use, it will clearly indicate to operators of other vehicles the intention of the operator of the bus to turn or stop the bus.

6.417 Stop Signal

The bus shall be equipped with at least one stop signal light. This light must display the word "STOP" and be of at least 4 inches in diameter.

6.418 Reflex Reflectors

There shall be two reflex reflectors mounted on the right and left corners of the rear of the bus not more than 36 inches from road surface, so located as to reflect the rays of light from lights of overtaking vehicles. These reflectors must be of a type approved by the Superintendent of Motor-vehicles, under Regulation 3 (d) of the "Motor-vehicle Act," and shall not be less than 4 inches in diameter.

6.419 Wind-shield Wipers

The bus shall be equipped with two complete units of the electric, vacuum, or pressure operated type.

6.420 Rear-vision Mirrors

The bus shall be equipped with one interior mirror, located so that a complete view of the interior of the bus as well as a view through the rear windows can be had by the driver.

An exterior rear mirror of ample size shall be installed on the left front corner of the bus to afford the driver a view of the highway along the left side and to the rear of the bus.

Every public passenger-vehicle of the type equipped with an exit door at the centre or rear of the vehicle shall be equipped with interior mirrors, which shall be so mounted and adjusted that they will reflect to the driver, while seated in the driver's seat, a clear and unobstructed view of the exit door and the step or steps leading to it.

6.421 Defrosting Device

If the bus is to be operated under conditions such that ice or frost would be likely to collect on the wind-shield, it shall be equipped with a device or other means for preventing or removing such ice or frost.

6.422 Speedometer

The bus shall be equipped with one speedometer which shall be maintained in effective working-order and located at a convenient place on the instrument-board of the bus.

6.423 Gross Weight; Tire and Axle Loads; Dimensions

The total gross weight, axle loads and tire loads, and the over-all length, height, and width of the vehicle shall not exceed the limits allowable under the "Highway Act." (Note that special regulations are in effect respecting vehicles operated over the Cariboo Highway between Yale and Lytton.)

6.50 CHARTER TRIPS AND SIGHT-SEEING TOURS

6.51 Charter Trips Defined

A "charter trip," with respect to the conveyance of passengers, shall mean the operation of a vehicle licensed as a limited passenger-vehicle or as a public and limited passenger-vehicle for the exclusive conveyance of a person or a group of persons to whom or for whose use the vehicle is chartered at a fixed price for use of the whole vehicle.

6.511 Charter Trips on Sightseeing Routes

No licensee shall, without the consent of the Commission, make any charter trip over any sightseeing route or portion thereof unless such charter trip is bona fide for the transportation of a person or persons to a point not on such route or a person or persons resident or engaged in regular business along such route.

6.52 Individual Fares—Charter Trips

When a passenger-vehicle is being operated for a charter trip, individual fares may not be charged by the licensee and no licensee shall quote on a charter trip at a rate per passenger.

6.53 Individual Fares—Limited Passenger-vehicles

Unless otherwise expressly stated in his licence or in the tariff in effect respecting the operation of his passenger-vehicle, no licensee shall charge individual fares for the transportation of passengers on a limited passenger-vehicle.

6.54 Sign "Chartered" or "Special"

Every licensed passenger-vehicle having a carrying capacity of more than seven (7) passengers, exclusive of the driver, while it is being operated for a charter trip shall have displayed in a conspicuous position on the front thereof a sign in plain letters not less than three (3) inches in height, reading "CHARTERED" or "SPECIAL."

6.6 ADDITIONAL REGULATIONS RESPECTING OPERATION OF PASSENGER-VEHICLES

6.601 Passengers Entering and Leaving

Passengers shall leave or enter a passenger-vehicle at the right-hand side of the vehicle only, and only after the vehicle has been brought to a full stop.

6.602 Stopping to Take on or Discharge Passengers

The chauffeur of a passenger-vehicle shall not take on or discharge any passenger unless a clear and unobstructed width of at least ten (10) feet of the travelled portion of the highway is left free for passage of other vehicles thereon, nor unless a clear view of the licensed vehicle may be had from a distance of two hundred (200) feet in either direction upon the highway on which the vehicle is travelling, and shall, where possible, before taking on or discharging a passenger, bring his vehicle to a stop clear of the main travelled portion of the highway.

6.424 Brakes, Head-lights, etc.

The vehicle and its equipment shall comply in all respects with the provisions of the regulations pursuant to the "Motor-vehicle Act."

6.425 Emergency Equipment

Every person who is licensed to operate a passenger-vehicle shall carry or cause to be carried on the licensed vehicle such emergency and spare equipment and tools as are likely to be required for replacement or use on any trip, and, unless otherwise ordered by the Commission in writing, with respect to any specified vehicle or vehicles, shall also carry or cause to be carried the following:—

(a) On every limited passenger-vehicle having an authorized seating capacity of more than seven (7) passengers, excluding the driver, and on every public passenger-vehicle, at least one fire-extinguisher of the pump or pressure non-freezing type of not less than 1-quart capacity, securely mounted on a bracket, located in the forward end of the vehicle, easily accessible to the driver and near the entrance door:

(b) On every passenger-vehicle having a seating capacity of more than seven (7) passengers, excluding the driver, the equipment specified in clause (a) and, in addition, one long-handled axe secured in such manner and place within the vehicle as to be readily accessible for use in an emergency; and one first-aid kit containing the following:—

- 1 standard first-aid manual.
- 1 tourniquet, with instructions.
- 1 pair small scissors.
- 2 eye-droppers.
- 1 oz. sterile castor-oil in dropper-bottle for eyes.
- 1 2-oz. bottle boracic acid tablets or 2 oz. boracic solution.
- 1 1-oz. bottle tincture of iodine or 20 iodine swabs.
- 1 tube antiseptic ointment.
- 1 tube burn ointment, containing tannic acid.
- 2 1-oz. packages of absorbent cotton.
- 2 1-yard packages of plain sterile gauze.
- 6 bandages, two 1-inch, two 2-inch, two 3-inch.
- 1 spool (1 inch by 3 yards) adhesive plaster.
- 1 packet (12) ampoules of aromatic ammonia.
- 6 splints (assorted sizes, if wooden).
- 2 packets raw cotton (padding for splints).

The Commission may by order in writing specify the emergency and spare equipment and tools to be carried on any particular vehicle or vehicles, or on vehicles operated in any particular district or on any particular routes or under any particular circumstances, and every licensee affected by such order shall forthwith comply with same.

6.426 No passenger-vehicle of a capacity of more than twelve passengers which does not comply with these standards of construction will be licensed without the written consent of the Public Utilities Commission.

6.603 Safety Provisions to Be Observed when Vehicle Is in Motion

The chauffeur of a passenger-vehicle shall not collect fares, make change, or take on or discharge any passenger while the vehicle is in motion, nor shall he engage in unnecessary conversation with a passenger while he is driving the vehicle. Passengers riding on a passenger-vehicle shall not talk to or converse with the chauffeur, except when it is necessary to do so.

6.61 Chauffeur's Vision and Movements Must Not Be Obstructed

The seating arrangement of every passenger-vehicle shall be such that, when all seats are fully occupied, the driver's view ahead or to the right- or left-hand sides is not obscured in any way, and that the driver at all times has free movement of his arms and legs and ready access to emergency equipment. Under no circumstances shall a passenger be permitted to ride on the left-hand side of the chauffeur. In the case of a passenger-vehicle of the sedan type having a front transverse seat for the full width of the vehicle, two passengers, in addition to the driver, shall not be carried on such seat unless, having regard to the seating space occupied by the passengers, there remains adequate room for the driver to operate the vehicle safely, and under no circumstances shall more than two passengers be carried on such seat.

6.611 Standing Passengers

The chauffeur of a passenger-vehicle shall not permit any person to ride on the running-boards, fenders, or any part of the vehicle other than the seats provided for passengers, nor permit any passenger to stand while the vehicle is in motion, unless the carrying of standing passengers is specifically permitted by the Commission with respect to the vehicle, as stated in the licence therefor, and then only to the number and to the extent and in the manner stated in the licence: Provided that no passenger shall be permitted to stand in a passenger-vehicle in such a position that the driver's vision or movements are hampered in any way.

6.62 Baggage

It shall be the duty of the chauffeur to see that all baggage or express carried in or on any passenger-vehicle shall be so loaded as not to interfere with the free and ready entrance or exit of passengers and that it is stowed in such a manner as to prevent its falling on or against any passenger. The chauffeur shall not permit such baggage or express to extend beyond the normal width of the vehicle. All passenger baggage shall be protected from dust and moisture.

6.621 No passenger-vehicle shall be equipped with a baggage-carrier over the engine-hood nor shall any baggage or express be carried there or in any manner so as to obstruct the driver's vision.

6.622 Explosives, Chemicals, Inflammables

No motor carrier shall carry or permit to be carried on any passenger-vehicle on which passengers are being transported any explosives, inflammables, chemicals, or other materials subject to ignition or explosion by a temperature of less than 120 degrees Fahrenheit, or by exposure to

air, or by concussion, or by mixture with any other material, or any commodity or article which is liable to cause any discomfort to such passengers.

6.63 Refusal to Transport Passengers

No chauffeur of any public passenger-vehicle shall refuse to carry any person offering himself at any regular scheduled stopping-place for that vehicle who tenders the legal fare to any regular stopping-place on the route of the vehicle between the termini thereof, unless at the time the vehicle is carrying the maximum authorized number of passengers; but the chauffeur of a public passenger-vehicle may refuse transportation to any person who is sick, in an intoxicated condition, is conducting himself in a boisterous or disorderly manner, is using profane language, or who, in the opinion of the chauffeur, may be offensive or dangerous to the persons or property of the other passengers.

6.64 Regular Vehicle Inspection

Every motor carrier who is licensed to operate a passenger-vehicle shall institute a system of frequent and regular inspection of his licensed vehicle by a competent inspector employed by the licensee and shall keep his equipment in proper repair at all times. Any defective mechanical or other condition shall be promptly corrected before vehicle is operated for the public service.

6.641 Cleanliness of Vehicles

It shall be the duty of every licensee of a public or limited passenger-vehicle to maintain the same in a clean and sanitary condition.

6.65 When Vehicle Is Left Standing on Grade

When it is necessary to leave a passenger-vehicle on a grade, it must be placed "in gear" when this is possible.

6.66 Chauffeur—Smoking and Use of Alcoholic Liquor Prohibited

No chauffeur of a passenger-vehicle shall, while any passenger is being transported therein, smoke any tobacco or other substance while in or driving the vehicle, nor shall he go on duty while under the influence of nor drink while on duty any alcoholic beverage or liquor, whatever its alcoholic content.

6.67 Emergency Doors

Passenger-vehicles having a seating capacity of more than twelve passengers, excluding the driver, and having a fixed top shall be provided with an emergency door on the left-hand side at the rear, unless otherwise ordered in writing by the Commission with respect to any specified vehicle or vehicles. Every emergency door shall be provided with a sign, inside the vehicle, located on or adjacent to the said door, on which sign shall be printed, in letters clearly visible and not less than one and one-half inches in height, the words "EMERGENCY DOOR."

6.671 Inside Lights Required

Every passenger-vehicle having a placed top, or its top up, shall have maintained a light or lights within the vehicle so arranged as to light up the whole of the interior of the vehicle, except that portion occupied by the chauffeur. Such light or

lights shall be kept sufficiently lighted between the hours of sunset and sunrise at all times when the vehicle is occupied by passengers.

6.672 Exhaust Heaters Prohibited

No passenger-vehicle shall be equipped with an "engine-exhaust heater."

6.673 Movable Seats

No licensee shall add to a licensed vehicle any movable, "let-down," or "jump" seats without first obtaining the approval of the Commission. The use of movable, "let-down," or "jump" seats in a sedan car shall be permitted only in the rear portion of such a car and only if the body of the car was constructed by the manufacturer for the inclusion of such seats.

6.68 Emergency and Spare Equipment

Every person who is licensed to operate a passenger-vehicle shall carry or cause to be carried on the licensed vehicle such emergency and spare equipment and tools as are likely to be required for replacement or use on any trip, and, unless otherwise ordered by the Commission in writing, with respect to any specified vehicle or vehicles, shall also carry or cause to be carried the following:—

- (a) On every limited passenger-vehicle having an authorized seating capacity of more than seven (7) passengers, excluding the driver, and on every public passenger-vehicle, at least one fire-extinguisher of the pump or pressure non-freezing type of not less than 1-quart capacity, securely mounted on a bracket, located in the forward end of the vehicle, easily accessible to the driver and near the entrance-door:
 - (b) On every passenger-vehicle having a seating capacity of more than seven (7) passengers, excluding the driver, the equipment specified in clause (a) and, in addition, one long-handled axe secured in such manner and place within the vehicle as to be readily accessible for use in an emergency; and one first-aid kit containing the following:—
 - 1 standard first-aid manual.
 - 1 tourniquet, with instructions.
 - 1 pair small scissors.
 - 2 eye-droppers.
 - 1 oz. sterile castor-oil in dropper-bottle for eyes.
 - 1 2-oz. bottle boracic acid tablets or 2-oz. boracic solution.
 - 1 1-oz. bottle tincture of iodine or 20 iodine swabs.
 - 1 tube antiseptic ointment.
 - 1 tube burn ointment, containing tannic acid.
 - 2 1-oz. packages of absorbent cotton.
 - 2 1-yard packages of plain sterile gauze.
 - 6 bandages, two 1-inch, two 2-inch, two 3-inch.
 - 1 spool (1 inch by 3 yards) adhesive plaster.
 - 1 packet (12) ampoules of aromatic ammonia.
 - 6 splints (assorted sizes, if wooden).
 - 2 packets raw cotton (padding for splints).
- The Commission may by order in writing specify the emergency and spare equipment and tools to

be carried on any particular vehicle or vehicles, or on vehicles operated in any particular district or on any particular routes or under any particular circumstances, and every licensee affected by such order shall forthwith comply with same.

6.681 Defects and Breakdowns

If during any trip any part of a public or limited passenger-vehicle, whether the same be an automotive part or vehicular part, becomes so defective or inefficient that continuing the trip would in the least endanger the safety or comfort of any passenger, the vehicle shall be brought to a stop at a point off the line of travel and shall not proceed with passengers until the defect is remedied or the danger removed. In case a public or limited passenger-vehicle is stopped pursuant to this regulation or is, by reason of accident, disablement, or breakdown, unable to proceed, the licensee shall make immediate arrangements so that the passengers who are being carried by the public or limited passenger-vehicle can be transported to their destination with as little delay as possible.

PART 7**TIME SCHEDULES****7.0 GENERAL PROVISIONS****7.1 Time Schedules to Be Published**

Every motor carrier licensed to operate a public passenger-vehicle or a Class I or Class II public freight-vehicle shall publish and keep open for inspection of the public at his principal office, and shall post in a conspicuous place easily accessible for public inspection at each terminus, station, or regular stopping-place on the line or route served by him, copies of all time schedules in effect with respect to his operations under his licence, as filed with the Commission.

7.2 Size and Arrangement of Time Schedules

Time schedules shall be printed or typewritten on good quality paper; shall be of a size not less than 8 by 11 inches; shall consist of as many pages as necessary; and shall be arranged substantially in accordance with a sample time schedule to be prescribed by the Commission. All time schedules shall be serially numbered.

7.3 Information to Be Given

The first page of the schedule (or the top portion, if only one page is necessary) shall show and contain the following matters:—

- (a) Name of licensee (or applicant for licence):
- (b) Operating name (if different from name of licensee or applicant):
- (c) Serial number of schedule (showing also number of schedule which it cancels (if any) thus: "Time Schedule No. _____ cancels Time Schedule No. _____");
- (d) Whether "Passenger" or "Freight" time schedule:
- (e) Termini between which time schedule applies:
- (f) Route traversed:

- (g) Date issued and by whom issued and his title and address:
- (h) Effective date:
- (i) The time of departure from and arrival at all termini:
- (j) The time of departure from intermediate points between termini:
- (k) The distance from terminus to all points shown in schedule:
- (l) Days of the week on which service is rendered.

7.4 Filing of Time Schedules

Four (4) copies of the proposed time schedule governing the proposed transportation service under the licence or privilege applied for shall accompany every application:—

- (a) For a public passenger-vehicle licence or a Class I or Class II public freight-vehicle licence;
- (b) For alteration of a public passenger-vehicle licence or of a Class I or Class II public freight-vehicle licence where the application is for extension or reduction of service or for a new or different service;

unless the applicant already has such time schedule on file with the Commission and if such time schedule has the consent of the Commission, in which case the applicant shall state the fact in his application. Unless the Commission orders any time schedule accompanying any application for licence or alteration of licence to be withdrawn or modified, if the licence or privilege applied for is granted by the Commission, the time schedule shall then be considered to be in full force and effect as from the effective date of the licence or privilege granted.

7.5 CHANGES IN TIME SCHEDULES

7.51 Preparation of New Time Schedule

When any licensee wishes to change his time schedule, either by altering a time of arrival or departure or by increasing or reducing the amount of service, he shall first prepare a new time schedule in accordance with paragraphs 7.2 and 7.3. The effective date to be stated shall be a date at least thirty days after the posting, at the licensee's office and at any other places required by these regulations, of public notice of the application to the Commission for its consent to the change.

7.52 Application to Commission

An application to the Commission for its consent to a proposed revision of any time schedule shall be in a form prescribed for that purpose by the Commission and shall in other respects be made and dealt with in the same manner, as nearly as may be, as is provided in paragraphs 8.372 to 8.378, inclusive, for a revision of a tariff; provided that notice to a municipality is not required in the case of a revision of a freight time schedule.

7.54 Withdrawal, Modification, or Suspension

Either on its own motion or on the filing of a protest by any person affected, the Commission may at any time order any time schedule to be withdrawn, modified, or suspended.

7.6 Adherence to Time Schedules

It shall be the duty of every motor carrier to adhere to the time schedules as filed with the Commission and posted for the information of the public in the operation of the public vehicles to which they relate.

7.61 The licensee of a public passenger-vehicle shall not permit the licensed vehicle to leave the point or place from which it is scheduled to start until the time fixed by the time schedule, nor to pass any intermediate point before the scheduled time.

PART 8

RATES AND TARIFFS

8.1 General

No motor carrier shall file any tariff showing a rate, toll, or fare for transporting the like description and quantity of freight or express, or for transporting passengers under substantially similar circumstances and conditions, in the same direction over the same route, which is greater for a shorter than for a longer distance within which such shorter distance is included.

8.11 Free Passes

No motor carrier who is the holder of a licence for the operation of a passenger-vehicle shall, except with the specific approval of the Commission or for charitable or patriotic purposes, carry on his licensed vehicle any passenger or express without charge, or in any manner remit all or any portion of the charges therefor, or issue or tender to any person or honour any free pass, free ticket, or reduced-rate ticket for transportation of any passenger on his licensed vehicle, except to his officers or employees: Provided that any police officer or constable in uniform and any inspector of motor carriers employed by the Commission may, while on duty, be carried free of charge.

8.12 No motor carrier who is the holder of a licence for the operation of a public or limited freight-vehicle shall carry on his licensed vehicle any freight without charge, or in any manner remit all or any portion of the charges therefor, except:—

- (a) For charitable or patriotic purposes;
- (b) For the transportation of freight the property of the licensee or his officer or employee;
- (c) Under specific approval of the Commission.

8.13 C.O.D. Service

No motor carrier shall accept a shipment of freight or express for delivery on a "C.O.D." (cash-on-delivery) basis unless the tariff governing his operations under the "Motor Carrier Act" which is filed with or prescribed by the Commission provides for such acceptance and specifies the charges to be made by him for such "C.O.D." service and the rules governing such service, which rules shall include a statement of the specific period of time within which the motor carrier shall remit to the shipper or his order all money received by the carrier on behalf of the shipper.

8.131 C.O.D. Service by Connecting Carriers

No motor carrier shall accept as an originating carrier a shipment of freight or express for delivery on a "C.O.D." (cash-on-delivery) basis after transportation by such carrier together with one or more connecting carriers unless a joint tariff consistent with paragraph 8.13 has been filed by all the carriers who are to participate in the transportation of the shipment or unless such a tariff has been prescribed by the Commission.

8.132 Remittance of C.O.D. Money

No motor carrier who accepts a shipment of freight or express for delivery on a "C.O.D." (cash-on-delivery) basis or who participates in the transportation or delivery of such a shipment shall delay the remittance of any money received by him in respect of it beyond the time specified in the tariff applicable to such shipment and "C.O.D." service and filed or prescribed under the "Motor Carrier Act."

8.2 JOINT TARIFFS

8.21 Participating Carriers to Publish and File Joint Tariffs

When passengers, freight, or express are transported jointly by two or more motor carriers in British Columbia, all motor carriers participating in such transportation shall publish and file with the Commission a joint tariff with respect to such transportation.

8.22 Filing and Publication of Joint Tariffs

Joint tariffs and changes to joint tariffs shall, as to the filing and publication thereof, be subject to the same provisions in these regulations as are applicable to the filing and publication of other tariffs of a similar kind, and all participating carriers shall signify their concurrence thereto; and, upon any such joint tariff being so duly filed with the Commission, the carrier or carriers shall, until such tariff is superseded by another tariff or disallowed or suspended by the Commission, charge the rate or rates as specified therein.

8.23 Proportion of Rates Received by Any Carrier

The Commission may require to be informed by any carrier of the proportion of the rate or rates in any joint tariff filed, which it or any other carrier is to receive or has received.

8.24 Withdrawal from Joint Tariff

In the event that any carrier who is a participant in a joint tariff wishes to withdraw from participation in same, he shall so notify the Commission and the other participating carriers in writing at least thirty days prior to the effective date of such proposed withdrawal, stating his reasons for same, and on effective date of such withdrawal the joint tariff shall be void unless otherwise ordered by the Commission.

8.3 PASSENGER TARIFFS

8.31 Passenger Tariffs to Be Open for Public Inspection

Every motor carrier licensed to operate a public passenger-vehicle or a limited passenger-vehicle

shall keep open for inspection of the public at his principal office and, in the case of a public passenger-vehicle, at the termini of each route, a copy of the passenger tariff or tariffs in effect with respect to his operations under his licence, as filed with or prescribed by the Commission.

8.32 Passenger Tariffs to Be Explicit

Passenger tariffs shall state clearly and explicitly, so as to leave no doubt whatever as to their application, the fares to be charged in cents or dollars and cents for transporting passengers; together with rules and regulations which govern or in any way affect the fares or the value of the service to be rendered by the carrier.

8.33 Size, Arrangement, Information to Be Given

All tariffs for passenger-vehicles shall be printed or typewritten on good quality paper; shall be of a size not less than 8 by 11 inches; shall be serially numbered, and shall show and contain the following matters:—

- (a) Name of licensee (or applicant for licence):
- (b) Operating name (if different from name of licensee or applicant):
- (c) Serial number of tariff (showing also number of tariff it cancels, if any, thus: "Passenger Tariff No. _____ cancels Passenger Tariff No. _____"):
- (d) Whether public passenger tariff, or charter tariff, or sightseeing tariff:
- (e) Date of issue and by whom issued, and his title and address:
- (f) Effective date:
- (g) Explanation of abbreviations, if any, which shall be in accordance with the abbreviations prescribed by these regulations.

8.34 Further Information to Be Given in Public Passenger Tariffs

In the case of a public passenger service, tariffs shall be arranged substantially in accordance with a sample tariff, to be prescribed by the Commission, and shall show and contain the following matters:—

- (h) Rules and regulations which govern the fares in clear and explicit terms, setting forth all privileges, stop-overs, extensions of time-limit, refund for unused and partly used tickets, children's fares, baggage rules, excess-baggage rates, and similar matters:
- (i) Termini between which each section of the tariff applies and route traversed:
- (j) List of depots and local agents:
- (k) Names of stations to which the respective rates apply, the distance in miles from terminus to each station, the one-way and return adult fares definitely stated in cents or dollars and cents per passenger from terminus to each station and the intermediate fares between stations, arranged in a simple systematic manner:
- (l) A clause substantially as follows: "Rates from or to intermediate points not named herein will be the same as the rates from or to the next more distant point named."

8.35 Further Information to Be Given in Charter Tariffs

Passenger tariffs for charter trips shall state clearly and explicitly the total amount which is to be charged for the use of the whole vehicle for the exclusive conveyance of one person or group or party of persons to whom the vehicle is chartered, according to the seating capacity of the vehicle and class of accommodation provided, and may be stated at a rate per mile, per hour or day, or at a fixed rate between stated points or over stated routes. A minimum charge shall be specified.

8.351 In the case of mileage rates, the charter tariff shall state clearly whether such rates are for total mileage travelled while passengers are riding in the vehicle ("live mileage") or whether any "dead-head" mileage is also charged and at what rate, or whether it is for total mileage travelled by the vehicle from the time when the vehicle leaves a specified point until it returns to that point. If any waiting-time is charged, the rate and minimum charge for same shall be stated.

8.352 In the case of a fixed rate between stated points, the charter tariff shall specify whether or not such rate includes the return trip.

8.353 Charter Rates

All rates stated in a charter tariff shall cover the operation of the vehicle and all incidental expenses connected therewith, including the provision of the necessary driver or drivers, garage charges, and payment of road and bridge tolls (unless otherwise stated), and no extras such as board and accommodation for drivers may be charged, unless specified in the tariff.

8.36 FILING OF PASSENGER TARIFFS

Four (4) copies of proposed passenger tariff arranged in accordance with and containing the information prescribed by paragraphs 8.32 to 8.353, inclusive, showing rates to be charged, collected, or enforced in connection with the proposed transportation service under the licence or privilege applied for shall accompany every application:—

- (a) For a public passenger-vehicle licence or a limited passenger-vehicle licence;
- (b) For alteration of public passenger-vehicle licence or limited passenger-vehicle licence in cases where the application is for extension of service or new or different service;— unless the applicant already has such tariff on file with the Commission, or unless the rates for the class of service proposed in the application have been prescribed by the Commission, in either of which cases the applicant shall state the fact in his application.

8.361 Effective Date

Unless the Commission orders any tariff accompanying or referred to in any application for licence or alteration of licence to be withdrawn or modified, if the licence or privilege applied for is granted by the Commission, the tariff shall then be considered to be in full force and effect as from the effective date of the licence or privilege granted.

8.37 CHANGES IN PASSENGER TARIFFS**8.371 Preparation of Supplement or New Tariff**

When any licensee wishes to change his passenger tariff or any rule or regulation in connection therewith, he shall first prepare either a supplement or a new tariff, in accordance with the requirements of paragraphs 8.32 to 8.353, inclusive. The effective date to be stated shall be at least thirty days after the date of giving notice in accordance with paragraph 8.372. In the case of supplements, clause (c) of paragraph 8.33 shall not apply. A supplement shall be serially numbered and shall also show the number of supplements in effect thus:—

Supplement No. 6 to
Passenger Tariff No. 2.
Cancels Supplement No. 5.
Supplements Nos. 2, 4, and 6 in effect.

The copies of a supplement or new tariff filed with the Commission and posted for information of the public shall indicate increases, reductions, or other changes proposed to be made in existing rates or fares by prefixing same with uniform symbols, a clear explanation of which shall be shown. The following symbols may be used:—

A—to indicate advance or increase.
R—to indicate reduction.
N—to indicate new item.

8.372 Notice of Application

The licensee shall give public notice, at least thirty days prior to the proposed effective date, of his intention to apply to the Commission for its consent to a tariff change. The notice shall state the general effect of the change and the proposed effective date, and either shall have attached to it a copy of the new tariff or supplement or shall state clearly where the new tariff or supplement may be conveniently seen by the public. The notice shall state that the application is subject to the consent of the Public Utilities Commission and that any objection may be filed with the Superintendent of Motor Carriers, Public Utilities Commission, Vancouver, B.C., up to a date specified in the notice, which shall be at least two weeks after the date on which the notice is posted and at least ten days prior to the proposed effective date. The notice shall be posted in a conspicuous place at the licensee's office and, in the case of a public passenger-vehicle licensee, at the termini of and depots on each route affected.

8.373 Notice to Municipalities

Where the proposed tariff changes include any change of local passenger fares from one point to another within any municipality, a copy of the notice of application, as posted, shall be sent by the licensee to the clerk of the municipality at least thirty days prior to the proposed effective date.

8.374 Additional Notice

Additional notice, by newspaper advertising or otherwise, may be given by the licensee, and shall be given when so required by the Commission. The requirements of paragraph 8.372 shall be complied with, so far as applicable, with respect to additional notice.

8.375 Application for Consent of Commission

The licensee shall, not later than seven days after posting notice in accordance with paragraph 8.372, file with the Superintendent of Motor Carriers an application for the consent of the Commission to the proposed tariff revision, which application shall be in a form prescribed by the Commission, shall be accompanied by four (4) copies of the proposed new tariff or supplement, and shall show complete and correct details of the nature and effect of the changes, the reasons therefor, the proposed effective date, and the notices which have been given. A copy of the notice shall be attached to the application and, if the notice has been published in any newspaper, a clipping from each newspaper in which it appeared shall be attached, marked with the name of the newspaper and the date of publication.

8.376 Special Cases

The Commission may grant its consent to a tariff revision notwithstanding non-compliance by the applicant with any of the regulations governing form, effective date, notice, or procedure.

8.377 Effective Date

No licensee shall put any tariff change into effect until he has been notified of the consent of the Commission.

8.378 Reissue of Tariff

When a passenger tariff has been subjected to numerous changes by supplements, the licensee may, on his own motion, issue a new tariff, and he shall do so if so ordered by the Commission.

8.4 FREIGHT TARIFFS**8.41 Freight Tariffs to Be Kept Open for Public Inspection**

Every motor carrier licensed to operate a public freight-vehicle shall keep open for inspection of the public at his principal office and, in the case of Class I or Class II public freight-vehicle, at the termini of each route, a copy of the freight tariff or tariffs in effect with respect to his operations under his licence, as filed with or prescribed by the Commission.

8.42 Freight Tariffs to Be Explicit

Freight tariffs shall state clearly and explicitly, so as to leave no doubt whatever as to their application, the rates to be charged in cents per 100 lb., per ton, or other approved unit, for transporting the various articles and commodities named in the tariff, and for all services in connection with such transportation, between the points named in the tariff, or within a clearly defined district or districts, or on a mileage basis, or at a rate per hour, per day, or other period of time, according to the class or classes of service to be rendered, and shall include a minimum charge for each of the various classes of transportation service.

8.43 Rules Governing Rates and Charges

Every freight tariff shall include clear and explicit rules which govern or in any way affect the rates and charges or the value of the service to be rendered by the carrier. Where rates are based on weight, they shall apply to the gross weight of

shipments, unless otherwise specifically provided in the tariff, subject to minimum charges specified. Unless otherwise stated in the tariff, the rates filed therein shall include loading the freight on the vehicle and unloading same, and the tariff shall state additional charges, at a rate per hour, with rules governing such charges for extra labour for loading and unloading or for any other purpose when the nature of the shipment or other conditions require same.

8.431 List of Articles

Where any general heading is used to cover a variety of commodities, the tariff shall either contain a complete list of the articles included under such heading, or contain a reference to some published classification or other list approved by or acceptable to the Commission, wherein these articles are so listed.

8.44 Size, Arrangement, Information to Be Given

Freight tariffs shall be printed or typewritten on good quality paper; shall be of a size not less than 8 by 11 inches; shall be serially numbered; and shall show and contain the following matters, in so far as applicable to the class or classes of service to be rendered:—

- (a) Name of licensee (or of applicant for licence);
- (b) Operating name (if different from name of licensee or applicant);
- (c) Serial number of tariff (showing also number of tariff which it cancels, if any, thus: "Freight Tariff No. _____ cancels Freight Tariff No. _____");
- (d) Whether tariff is for class rates or commodity rates, or both, or for hourly or daily rates, etc.;
- (e) Route or district;
- (f) Date of issue and by whom issued and his title and address;
- (g) Effective date;
- (h) Table of contents and index of commodities (when size of tariff warrants);
- (i) Explanation of abbreviations, if any, which shall be in accordance with the abbreviations prescribed by these regulations;
- (j) Rules and conditions governing the charges, in clear and explicit terms, including any storage, pick up or delivery and other charges;
- (k) A separate section covering class rates, if such rates are to be charged, naming the points between which the rates apply and stating the various classes and the respective rates for each class. If the class rates are based on mileage, the tariff shall include a mileage table on which such charges are to be based;
- (l) A separate section covering commodity rates, if such rates are to be charged, stating the commodities (*see* paragraph 8.431) and the points from and to which or between which the respective rates apply;
- (m) A separate section covering rates per hour or per day or other unit of time, if such rates are to be charged, for supplying vehicle and driver within the district or territory authorized under the licence, or applied for in application for licence.

8.441 Units of Measure

Freight rates shall be stated in cents per 100 pounds or per ton of 2,000 pounds, except where it is not possible or practical to ascertain weights due to lack of weighing facilities or the nature of any commodity, in which case the following units of measure may be used:—

Commodity	Unit of Measure
Lumber, sawlogs.....	F.B.M.
Poles, piling, gutter stock.....	F.B.M. or lin. ft.
Post, props.....	Each or cord.
Ties.....	Each.
Shingles.....	1,000.
Shingle-bolts, stove-bolts, fuel-wood.....	Cord.
Sawdust.....	Unit (200 cu. ft.)
Bricks; building-tile or drainage-tile.....	1,000.
Gravel, rock, sand, or earth; cinders or ashes; animal manure.....	Cubic yard.
Garbage.....	Cubic yard or can.
Petroleum products, as- phalt and by-products.....	Gallon.
Fresh milk or cream.....	Gallon.
Milk-cans, empty returned.....	Each.
Oil-drums, empty returned.....	Each.
Live stock, race-horses.....	Animal.
Household goods.....	Cubic foot.
Pianos and organs.....	Each.
Christmas trees.....	Bundle.

8.45 FILING OF FREIGHT TARIFFS

Four (4) copies of proposed freight tariff arranged in accordance with and containing the information prescribed by paragraphs 8.42 to 8.441, inclusive, showing rates to be charged, collected, or enforced in connection with the proposed transportation service under the licence or privilege applied for shall accompany every application:—

- (a) For a public freight-vehicle licence;
- (b) For alteration of public freight-vehicle licence in cases where the application is for extension of service or for a new or different service;
- (c) For limited freight-vehicle licence where contract or agreement does not specify the charges made for transporting freight,—

unless the applicant already has such tariff on file with the Commission, or unless the rates for the class of service proposed in the application have been prescribed by the Commission, in either of which cases the applicant shall state the fact in his application.

8.451 Effective Date

Unless the Commission orders any tariff accompanying or referred to in any application for licence or alteration of licence to be withdrawn or modified, if the licence or privilege applied for is granted by the Commission, the tariff shall then be considered to be in full force and effect as from the effective date of the licence or privilege granted.

8.46 CHANGES IN FREIGHT TARIFFS**8.461 Preparation of Supplement or New Tariff**

When any licensee wishes to change his freight tariff or any rule or regulation in connection therewith, he shall first prepare either a supplement or a new tariff, in accordance with the requirements of paragraphs 8.42 to 8.441, inclusive. The effective date to be stated shall be at least thirty days after the date on which the licensee gives public notice of his intention to apply for a change in his tariff. In the case of supplements, clause (c) of paragraph 8.44 shall not apply. Supplements shall be serially numbered and changes made by supplements or new tariffs shall be indicated therein by symbols in general accordance with paragraph 8.371 of these regulations.

8.462 Application to Commission

An application to the Commission for its consent to a proposed revision of a freight tariff shall be made and dealt with in accordance with paragraphs 8.372 and 8.374 to 8.378, inclusive, of these regulations.

8.5 EXPRESS TARIFFS**8.51 Express Tariffs to Be Kept Open for Public Inspection**

Every motor carrier whose licence authorizes him to transport express shall keep open for inspection of the public at his principal office and at the termini of each route a copy of the express tariff or tariffs in effect with respect to his operations under his licence, as filed with or prescribed by the Commission.

8.52 Express Tariffs to Be Explicit

Express tariffs shall state clearly and explicitly, so as to leave no doubt whatever as to their application, the rates to be charged in cents or dollars and cents per pound or cubic foot for transporting the various articles and commodities named in tariff, and for all services in connection with such transportation, between the points named in the tariff, or on a mileage basis. The rate per cubic foot shall not be more than ten times the rate per pound in cases where both rates are stated in the tariff.

8.53 Rules Governing Rates and Charges

Every express tariff shall include clear and explicit rules which govern or in any way affect the rates and charges or the value of the service to be rendered by the carrier. Where rates are based on weight, they shall apply to the gross weight of shipments, unless otherwise specifically provided in the tariff.

8.54 List of Articles

Where any general heading is used to cover a variety of commodities, the tariff shall either contain a complete list of the articles included under such heading, or contain a reference to some published classification or other list approved by or acceptable to the Commission, wherein these articles are so listed.

8.62 ABBREVIATIONS

Ave.....	Avenue.
Bbl.....	Barrel.
F.B.M.....	Foot Board Measure.
Bdl.....	Bundle.
Bx.....	Box or boxes.
Cap.....	Capacity.
Chg.....	Charge.
Class'n.....	Classification.
Co.....	Company.
C.O.D.....	Cash on delivery.
Cont'd.....	Continued.
Cu. Ft.....	Cubic feet or cubic foot.
d/b/a.....	Doing business as.
Doz.....	Dozen.
E.....	East.
Ea.....	Each.
Est.....	Estimated.
Etc.....	Et cetera.
Exc.....	Excursion.
Ft.....	Foot or foot.
Gal.....	Gallon.
Hr.....	Hour.
Hts.....	Heights.
Incl.....	Inclusive.
Jct.....	Junction.
K.D.....	Knocked down.
Lb.....	Pounds.
M.....	Thousand.
Mi.....	Mile or miles.
Min.....	Minimum.
N.....	North.
No.....	Number.
N.O.I.B.N.....	Not otherwise indexed by name in current classification.
N.O.S.....	Not otherwise specified in the same section of tariff.
Nstd.....	Nested.
O.R.B.....	Owner's risk of breakage.
O.R.D.....	Owner's risk of damage.
O.R.Det.....	Owner's risk of deterioration.
O.R.W.....	Owner's risk of weather.
Pkgs.....	Packages.
Reg'n.....	Regulation.
Ret'd.....	Returned.
S.....	South.
Sec.....	Section.
St.....	Street.
S.U.....	Set up.
Viz.....	Namely.
W.....	West.
B.C.....	British Columbia.
M.C. Act.....	"Motor Carrier Act."
Wt.....	Weight.
OW.....	One-way.
RT.....	Round trip.
WKD.....	Week-end.
Lv.....	Leave.
Ar.....	Arrive.
A.M.....	Before noon.
P.M.....	After noon.
Dly.....	Daily.
ESu.....	Except Sunday.
SuO.....	Sunday only.
SSO.....	Saturday and Sunday only.
O.....	Only.
Su.....	Sunday.
M.....	Monday.

8.55 Size, Arrangement, Information to Be Given

Express tariffs shall be printed or typewritten on good quality paper; shall be of a size not less than 8 by 11 inches; shall be serially numbered; and shall show and contain the following matters, in so far as applicable to the class or classes of service to be rendered:—

- (a) Name of licensee (or of applicant for licence):
- (b) Operating name (if different from name of licensee or applicant):
- (c) Serial number of tariff (showing also number of tariff which it cancels, if any, thus: "Express Tariff No. Cancels Express Tariff No."):
- (d) Route:
- (e) Date of issue and by whom issued and his title and address:
- (f) Effective date:
- (g) Rules and conditions governing the charges, in clear and explicit terms, including C.O.D., valuation, pick up or delivery and other charges:
- (h) Express rates between points named or on a mileage basis, or both, with mileage table if required, and express commodity rates (if any) arranged in a systematic manner.

8.56 Incorporation of Express Tariff with Passenger Tariff

An express tariff may be incorporated with the licensee's passenger tariff covering the same route, but under a separate section thereof and with a distinctive heading.

8.57 Filing of Express Tariffs

The filing of express tariffs, to be arranged in accordance with paragraph 8.55, shall be generally in accordance with the provisions of paragraphs 8.36 and 8.361 governing the filing of passenger tariffs in cases where the express is to be carried on a public passenger-vehicle, and in accordance with the provisions of paragraphs 8.45 and 8.451 governing the filing of freight tariffs in cases where the express is to be carried on a vehicle other than a public passenger-vehicle.

8.58 Changes in and Supplements to Express Tariffs

An application to the Commission for its consent to a proposed revision of an express tariff shall be made and dealt with in accordance with paragraphs 8.372 and 8.374 to 8.378, inclusive, of these regulations. The provisions of paragraph 8.371 respecting numbers of supplements and symbols to be used in tariffs and supplements shall apply to express tariffs.

8.6 ABBREVIATIONS—TARIFFS AND TIME SCHEDULES

8.61 The following abbreviations, symbols, and characters are hereby adopted to be used as may be necessary in compiling any tariff or time schedule for filing and publishing, as prescribed by these regulations:—

T. _____ Tuesday.
 W. _____ Wednesday.
 Th. _____ Thursday.
 F. _____ Friday.
 Sa. _____ Saturday.

8.63 SYMBOLS

(May be used only as indicated.)

¢ _____ Cents.
 \$ _____ Dollars.
 % _____ Percentum.
 † or "R" _____ Reduction.
 # _____ Number.
 * _____ See note below.
 ♦ or "A" _____ Increase.
 * or "N" _____ New or added matter.
 ▲ _____ Change, neither increase
 nor reduction.
 *** _____ Cancel or eliminate.

8.64 CHARACTERS APPEARING IN RATING COLUMNS

1 _____ First Class.
 2 _____ Second Class.
 3 _____ Third Class.
 4 _____ Fourth Class.
 1¼ _____ One and one-fourth times First Class.
 1½ _____ One and one-half times First Class.
 1¾ _____ One and three-fourths times First Class.
 D1 _____ Double First Class.
 2¼ _____ Two and one-fourth times First Class.
 2½ _____ Two and one-half times First Class.
 3t1 _____ Three times First Class.
 3½ _____ Three and one-half times First Class.
 4t1 _____ Four times First Class.
 5t1 _____ Five times First Class.

PART 9**EXPRESS RECEIPTS, BILLS OF LADING, DOCUMENTS TO BE CARRIED ON VEHICLES, RECORDS, AND RECEIPTS FOR CHARGES.****9.1 EXPRESS RECEIPTS****9.11 Express Receipts to Be Issued**

Every motor carrier shall, at the time of acceptance by him or on his behalf of a shipment of express for transportation on a public passenger-vehicle, issue or cause to be issued an express receipt in accordance with paragraphs 9.12 to 9.15, inclusive, of these regulations.

9.12 Size; Information to Be Shown

Express receipts shall be of a size not less than 4 by 7 inches, and shall show the name of shipper, originating point of shipment, date of shipment, name of consignee, and delivery point of shipment, itemized statement of shipment giving number of

pieces or quantity of articles, contents of packages or particulars of articles, value and gross weight of each commodity or article, and shall contain conditions and be substantially in accordance with a sample express receipt to be prescribed by the Commission.

9.13 To Be Issued in Duplicate or More

Express receipt shall be delivered to the shipper. Copy of the receipt (shipping order) or in lieu thereof an expense bill or way-bill must be retained by the carrier and shall be filed at the main office of the carrier for a period of three years, subject to the inspection of the Commission or its duly authorized representative.

9.14 Express Receipts to Be Signed

Every express receipt shall be signed by the carrier as being a correct itemized list of packages or goods in the shipment.

9.15 General Provisions as to Express Receipts

An express receipt shall be issued on each shipment transported. The express covered by an express receipt shall be in possession or control of the carrier at the time such receipt is issued. An express receipt shall cover only goods received from one shipper, picked up at one place, and consigned to one consignee at one destination and delivered at one place.

9.2 BILLS OF LADING, WAY-BILLS, EXPENSE BILLS (PUBLIC FREIGHT VEHICLES).**9.21 Bills of Lading to Be Issued**

Except as otherwise exempted by paragraph 9.25 of these regulations, or by the Conditions of Licence respecting any licensed vehicle, every motor carrier shall, at the time of acceptance by him or on his behalf of a shipment of freight for transportation on a public freight-vehicle, issue or cause to be issued a bill of lading in accordance with these regulations.

9.22 Size; Information to Be Shown

Bills of lading shall be of a size not less than 5½ by 8 inches and shall show name of shipper, originating point of shipment, date of shipment, name of consignee, and delivery point of shipment, connecting carriers (if any), itemized statement of shipment giving number of pieces or quantity of articles, contents of packages, or particulars of articles, gross weight (including packing and containers) of each commodity or article, and shall contain conditions and be in a form substantially in accordance with a sample bill of lading to be prescribed by the Commission.

9.23 To Be Issued in Triplicate or More

Bills of lading shall be issued in triplicate or more and shall consist of an "original bill of lading," a "shipping order," and a "memorandum," and shall be so marked. Original bill of lading shall be delivered to the shipper; shipping order must be retained by the carrier and shall be filed at the main office of the carrier for a period of three years subject to the inspection of the Commission

or its duly authorized representative. The memorandum shall be delivered to the shipper if so demanded by him.

9.24 Bills of Lading to Be Signed

The bill of lading shall be signed both by the shipper and by the carrier as being a correct itemized list of goods in the shipment and as an acceptance of all terms and conditions contained therein.

9.25 Records in Lieu of Bills of Lading for Certain Commodities

A motor carrier shall be relieved of the necessity of issuing a bill of lading respecting transportation of commodities enumerated in this paragraph: Provided that, in all such cases, he shall keep a daily record with respect to each licensed vehicle of freight transported therein, showing name of shipper and consignee, description and quantity of freight, distance transported, rate and total amount charged for the transportation, number of trips, which record shall be filed by him in lieu of issuing bill of lading and filing of shipping order, and shall be preserved in the main office of the licensee for not less than three years and be available for the inspection of the Commission or its duly authorized representative:—

Her Majesty's mail (not necessary to keep records):

Milk (raw or pasteurized), cream (fresh), or containers on regular milk routes from farms to creamery or market; or return of empty containers from creamery or market:

Petroleum products in bulk or bituminous construction materials in bulk:

Logs, poles, piles, ties, shingle-bolts, mine-props, and fence-posts:

Fuel-wood or sawdust:

Coal or ore in bulk:

Earth, rock, gravel, or sand in bulk:

Grain in bulk from farms to elevators and warehouses:

Hay, unbaled, or vegetables and fruit in bulk:

Fertilizer or animal manure in bulk.

9.26 General Provisions as to Bills of Lading

A bill of lading shall be issued on each shipment transported. The freight covered by a bill of lading shall be in possession or control of the carrier at the time such bill of lading is issued. A bill of lading shall cover only goods received from one shipper, picked up at one place, and consigned to one consignee at one destination and delivered at one place.

9.27 Part-lot Shipments

Shipments in excess of 10,000 pounds gross weight, or which are greater than the capacity of the available licensed equipment of the carrier, may be accepted on one bill of lading, providing the entire shipment is in possession or control of the carrier. In such cases at least 10,000 pounds shall be transported on the vehicle which takes the first load, provided that, in the event of 10,000 pounds being in excess of the licensed carrying capacity of such vehicle, the vehicle shall only be loaded to full carrying capacity; the remainder of the shipment shall be moved on a vehicle licensed in the name of the carrier moving the first portion

of the shipment. In no case may such a shipment be divided into more than two parts. The revenue billing shall cover the entire shipment, and shall show the weight, the rate assessed, and the freight charges. A separate way-bill shall be issued and in possession of the driver of the vehicle carrying second part of the shipment, such way-bill making reference to revenue billing and giving weight and description of the second load.

9.3 DOCUMENTS TO BE CARRIED ON CERTAIN VEHICLES**9.31 Documents to Be Carried on Public Freight-vehicle**

The shipping order or, in lieu thereof, an expense bill or way-bill showing shipper's name, point of origin, date of shipment, name of consignee, destination, connecting carriers (if any), and itemized statement of shipment, must be in possession of the driver of a public freight-vehicle while the freight is being carried thereon, and shall be subject to inspection of any police officer or constable or duly authorized representative of the Commission while the freight is being transported: Provided that the provisions of this paragraph shall not apply to the transportation of commodities enumerated in paragraph 9.25.

9.32 Documents to Be Carried on Public Passenger-vehicle when Express Is Carried

The shipping order or, in lieu thereof, an expense bill or way-bill showing shipper's name, point of origin, date of shipment, name of consignee, destination, connecting carriers (if any), and itemized statement of shipment, must be in possession of the driver of a public passenger-vehicle while the express is being carried thereon, and shall be subject to inspection of any police officer or constable or duly authorized representative of the Commission while the express is being transported.

9.4 RECORDS OF FREIGHT CARRIED (LIMITED FREIGHT-VEHICLES)

Unless otherwise exempted by the Conditions of Licence respecting any licensed vehicle, every motor carrier shall, with respect to the operation of limited freight-vehicles, keep or cause to be kept a complete daily record of all freight transported for compensation in or on every limited freight-vehicle operated by him; this record shall contain the following particulars with respect to such freight, and the record shall be filed by the licensee at his main office or place of business and preserved by him for a period of not less than three years and shall be available for the inspection of the Commission or its duly authorized representative:—

Name of shipper and consignee;

Description and quantity of freight;

Distance transported; number of trips; rate and total amount charged for the transportation:

Provided that the motor carrier may, and if so required by the Condition of Licence or by the consignor shall, issue a bill of lading in the manner provided by paragraph 9.21 in respect of any shipment of freight accepted by him or on his behalf, and the filing and preservation by the licensee of a copy of such bill of lading as so provided, shall relieve him of the necessity of keeping any other record with respect to such shipment.

9.5 RECEIPTS FOR CHARGES PREPAID OR COLLECTED—FREIGHT AND EXPRESS.

Every motor carrier shall issue a receipt to shipper for all charges prepaid, which receipt may be original bill of lading (or express receipt) or an expense bill, and shall issue a receipt to consignee for all charges collected, which receipt may be memorandum of bill of lading (or express receipt), copy of way-bill or expense bill. The receipt issued to shipper or consignee for charges prepaid or collected must show the name of shipper, point of origin, date of shipment, name of consignee, destination, connecting carriers (if any), itemized statement of shipment—giving number of pieces or quantity of articles, contents of packages or particulars of articles, gross weight (including packing and containers) of each commodity or article, the value in case of express, rate charged, amount of transportation charges, together with any advanced charges, storage, C.O.D. collections, pick up or delivery charges, valuation charge, or any other charges which may accrue in the handling of or transportation of shipment. A copy of such receipt must be kept on file at the main office of the carrier for a period of three years, subject to the inspection of the Commission or its duly authorized representative.

PART 10

TEMPORARY PERMITS

10.01 Permits Subject to Cancellation

Every permit issued under these regulations shall be in writing, on a form prescribed by the Commission, and shall be subject to cancellation or amendment by the Commission at any time. Failure on the part of the permittee or his agent to comply with the terms and conditions of any permit issued to him shall be sufficient cause for immediate cancellation of the permit.

10.02 Issue of Permits Is in Discretion of Commission

The issue of permits shall be in the discretion of the Commission; the Commission and any person authorized to issue such permits may refuse to issue any permit applied for.

10.03 Forwarding of Permit Fees

A carbon copy of every permit issued, together with the permit fee (if any) shall be forwarded without delay to the Superintendent of Motor Carriers.

10.031 Permit Fees Payable in Advance

All permit fees shall be paid in advance, before permit is issued.

10.04 Effect of Permit

The holder of a permit issued under authority of these regulations shall be exempted from the necessity of obtaining a licence or alteration of licence, as the case may be, with respect to the operation of the vehicle referred to in the permit, in the

manner stated therein. Such holder shall be subject to the safety provisions of the "Motor Carrier Act" and these regulations to the same extent as if he were operating a licensed vehicle.

10.05 Permit to Be Carried on Vehicle

Every permit issued under these regulations shall be carried on the vehicle while the vehicle is being operated under the permit and shall be made available for inspection by any authorized person.

10.06 Power to Issue Permits

The Commission may, either by general regulation or specifically in writing, delegate to any designated person the power to issue any specified class or classes of permit.

10.07 Classes of Permits

Permits shall be classified and, subject to these regulations, may be issued in the manner and for the purposes and subject to the conditions set out in paragraphs 10.1 to 10.62, inclusive.

10.1 Class I Permit for Private Freight-vehicle

To authorize the temporary operation of a vehicle as a private freight-vehicle for a period of not more than thirty days. The fee for a Class I permit shall be one dollar (\$1).

10.2 Class II Permit for Public or Limited Vehicle

To authorize the temporary operation of a vehicle as a public or limited vehicle for a period of not more than sixty days. The fee for a Class II permit shall be as follows:—

Period	Fee	Minimum Fee
7 days or less	\$2.00	\$2.00
8 days to 30 days	$\frac{1}{12}$ of annual fee for equivalent licence	
31 days to 60 days	$\frac{1}{6}$ of annual fee for equivalent licence	

10.3 Class III Permit for Special Cases

To authorize any of the following operations for a period of not more than thirty days:—

(a) The temporary operation of a vehicle pending consideration of or dealing with an application for:—

(i) A Class I or Class III private freight-vehicle licence:

(ii) A licence coming within the provisions of paragraph 1.2 of these regulations:

(iii) Transfer of licence:

(iv) A licence on replacement vehicle to be operated under substantially the same conditions as and in place of a licensed vehicle of the same class, the licence for which has been surrendered:

(v) Increase in maximum authorized carrying capacity:

(vi) Alteration of a licence or reclassification of a licence respecting a public or limited vehicle:

(vii) Renewal of a licence:

(b) The temporary operation of a vehicle licensed as a public or limited vehicle in a manner or for a purpose otherwise than is authorized by the licence or stated in the conditions attached to the licence of that vehicle:

(c) The temporary operation of a vehicle to undertake transportation for a charitable or patriotic purpose or on behalf of a religious or educational organization, provided that no compensation is to be charged beyond the actual cost of gasoline and oil consumed:

(d) The temporary operation of a vehicle for transportation of freight or passengers in any case where, in the opinion of the Commission, the charging of a permit fee is not justified.

There shall be no fee payable for a Class III permit.

The Commission may in any case when in its opinion the circumstances so require extend the duration of a Class III permit beyond thirty days.

10.4 Class IV Permit for Substitute Vehicle when Licensed Vehicle Is Disabled

To authorize the temporary operation of another vehicle in place of a licensed vehicle which is temporarily disabled or undergoing repair or overhaul so that it cannot be used. The issue of such permits in the case of a public passenger-vehicle, or limited passenger-vehicle shall be subject to the furnishing, in so far as is required by these regulations, of satisfactory evidence that proof of financial responsibility with respect to the substitute vehicle has been filed in the manner prescribed by these regulations. Such permits may be granted with respect to any vehicle entrusted to the licensee by a dealer bona fide for the sole purpose of use pending completion of repairs or overhaul to the licensed vehicle in the repair-shop of the dealer; provided that the licensee also has in his possession a written consent given to him by the Superintendent of Motor-vehicles or any officer or constable of the Provincial Police Force for the operation of the vehicle in such manner, pursuant to the provisions of the "Motor-vehicle Act." There shall be no fee payable for a Class IV permit.

10.5 Class V Permit to Farmers for Transportation for Compensation

10.51 To authorize a bona-fide farmer who is the holder of a licence for a Class III private freight-vehicle to operate temporarily the licensed vehicle for the purpose of transporting for compensation passengers or freight picked up within a distance of five (5) road-miles from his farm and delivered within a distance of twenty-five (25) road-miles from his farm for the following purposes only, namely:—

(a) Transporting persons to or from a farm, orchard, packing-house, jam-factory, or shipping-point during the season when such persons are engaged in the work of gathering, harvesting, packing, preserving, or shipping locally grown fruits, vegetables, grass, or grain, when such transportation is seasonal and not regular:

(b) Transporting in bulk freshly gathered fruits, vegetables, grass, or grain from an orchard or field to a local packing-plant, cold-storage warehouse, jam-factory, granary, barn, or shipping-point during the seasons of the year when such crops are harvested in the district in which the licensee's farm is situated.

Provided that, in the Peace River Electoral District, the maximum distance within which freight may be delivered shall be as stated in the permit and may exceed twenty-five (25) road-miles.

10.52 Class V permits shall:—

(a) Be issued only in such districts and during such periods and in such limited numbers as the Commission may authorize in writing from time to time and shall not otherwise be issued;

(b) Be limited to a maximum period of thirty (30) days, and in no event shall more than four permits be issued to any one farmer in any calendar year.

10.53 The Commission shall not authorize the issue of Class V permits in any district or for any period unless it is of the opinion that there are not sufficient licensed vehicles available in the district affected to undertake such transportation as may be necessary, having regard to the requirements of the district as a whole.

10.54 The fee for each Class V permit, whether for thirty days or less, shall be an amount equal to one-twelfth ($\frac{1}{12}$) of the full-year licence fee payable for a Class III public freight-vehicle licence, based on the carrying capacity of the vehicle, if freight is to be carried, and one-twelfth ($\frac{1}{12}$) of the full-year licence fee payable for a limited passenger-vehicle, based on the maximum number of passengers to be carried on the vehicle, if passengers are to be carried. If both passengers and freight are to be carried, whichever fee is the greater shall be payable: Provided that the minimum fee for each permit shall be two dollars and fifty cents (\$2.50).

10.55 All Class V permits shall be subject to the following additional conditions, to be stated therein:—

(a) The rates or tolls charged by the permittee for the transportation of passengers and freight shall be in conformity with the rates and tolls in effect for similar transportation by licensed carriers in the district, or if no tolls are in effect, then as may be prescribed by the Commission:

(b) When freight is carried on any vehicle so operated under permit, no passenger or passengers shall be carried other than persons who are necessary to assist in loading or unloading of the vehicle, except on the front seat beside the driver, and not more than two (2) persons, in addition to the driver, may be carried on the front seat:

(c) When passengers are carried under authority of such permit, the vehicle shall not be operated at a greater speed than 25 miles per hour.

10.56 No Class V permit shall be issued for the carrying of passengers unless the issuing official is satisfied that the vehicle is in a proper mechanical condition to be used for that purpose.

10.6 Class VI Permit for Operation of School Bus in Connection with Authorized Functions.

10.61 To authorize the temporary operation of a "school bus" (as same is defined in the regulations pursuant to the "Motor-vehicle Act") for the purpose of transporting school pupils who attend any school in the school district in which the school bus is ordinarily operated, accompanied by a limited number of adult persons, to or from a function when the attendance of such pupils and limited number of adult persons and the use of the school bus for such transportation has been sanctioned in writing by the Board of School Trustees or other party in charge of the school: Provided, however, every such permit shall be subject to such limitations and conditions as, in the discretion of the authorized issuing official, may be stated in the permit.

10.62 Class VI permits may be issued on behalf of the Commission by any officer or constable of the Provincial Police Force. There shall be no fee payable for a Class VI permit.

PART 11

APPROVAL OF ISSUES AND TRANSFERS OF SECURITIES

11.1 Applications

Applications under section 23 of the "Motor Carrier Act" may be by petition to the Commission in such form as may be convenient for the purpose, said petition to be signed by an officer or solicitor of the applicant. Five copies of the petition shall be filed, but it shall not be necessary to file extra copies of documents.

11.2 Information to Be Furnished

On an application under section 23 (1) (a) of the "Motor Carrier Act," the petition shall contain full information as to the purpose and amount of the proposed issue and shall show that it is to be made in accordance with law. The following particulars shall be included:—

- Full name of petitioner;
- A copy of the memorandum and articles of association or other document of incorporation, and all amendments thereto, or a statement that such documents have been previously filed;
- The amount and classes of stock authorized;
- The amount and classes of stock issued and outstanding;
- The amount of bonds or mortgages outstanding and the rate of interest thereon;
- A list of the shareholders and the number of shares held by each; provided that where the number of shareholders in any class is greater than ten, it shall be sufficient to show the names of the ten largest shareholders in that class;
- List of directors;
- A concise description of the business of the applicant, which may include a brief statement of routes or areas served;

- Particulars of the assets and liabilities of the applicant, with explanations of the larger items, to be accompanied by a copy of the applicant's last audited annual statement. The statement of assets should show the make, year, and original cost and the depreciated value of each motor-vehicle;
- Copies of all resolutions, agreements, trust deeds, and other documents in connection with the issue for which approval is sought;
- Particulars as to the manner in which the issue will be made and sold and the price and terms of sale;
- The purpose of the issue and the proposed disposition of the proceeds;
- The amount of the issue.

11.21 On an application under section 23 (1) (b) of the "Motor Carrier Act," for approval of a transfer of shares in the capital of the applicant, the petition shall contain the following particulars:

- The particulars set out in clauses (a), (b), (c), (d), (e), (f), (g), (h), and (i) of paragraph 11.2;
- Full names and description of the transferor and transferee;
- The purpose of the transfer;
- The number of shares to be transferred, the value thereof, and the consideration to be given therefor;
- Full particulars of the terms, including copies of resolutions and agreements relating thereto;
- Particulars with regard to the transferee, including the information set out in clauses (b), (f), (g), and (h), and a copy of the transferee's last audited annual statement.

11.3 Verification of Information

The information furnished on the application shall be verified by affidavit or statutory declaration.

11.4 Filing of Applications

Completed applications shall, unless other directions are given by the Commission, be filed with the Superintendent of Motor Carriers, Public Utilities Commission, Motor-vehicle Building, West Georgia Street, Vancouver, B.C. The Superintendent shall keep one copy of the petition and shall forthwith transmit to the Commission all other documents; together with such further information relating thereto as may be on file in his office, including the names of persons who may be interested in the application.

11.5 Upon receipt of an application, the Commission, or any member or officer appointed for the purpose, shall determine whether the above rules have been sufficiently complied with, whether further information is required, and what notices, if any, should be given. The Commission may grant its consent under section 23 of the "Motor Carrier Act," notwithstanding that any of the foregoing provisions of this Part have not been complied with.

11.6 Fees

The fees to be paid on any application under section 23 of the "Motor Carrier Act" shall be based on what the Commission deems to be the

real consideration given for the stocks or shares, or bonds, debentures, securities, or other evidence of indebtedness to be issued or transferred, and shall be the sum of \$10, plus 50 cents per \$1,000 for all amounts up to \$100,000, plus 10 cents per \$1,000 for all amounts in excess of \$100,000. The fees shall accompany the application.

PART 12

ACCOUNTING METHODS AND ANNUAL REPORTS

12.1 Exemption

This Part shall not apply to a motor carrier whose operations under the "Motor Carrier Act" are in respect of private freight-vehicles only.

12.2 Retaining Original Records

Every motor carrier shall retain for three years all the original records of his business, including receipts and cheque stubs, and shall, on request, produce them for inspection by the Commission or any authorized officer or employee thereof.

12.3 Daily Record

Every motor carrier shall, commencing January 1st, 1946, maintain a daily record of revenue and expense. In the case of freight vehicles, such records may be kept separately for each vehicle in the form set out in Schedule A.

12.4 Annual Reports

Every motor carrier shall make an annual report to the Commission in accordance with the requirements of a form supplied by the Commission for the purpose. The Commission may arrange with the Dominion Bureau of Statistics for a report form to be used jointly.

12.5 System of Accounts

A system of accounts has been prepared by the Commission and is recommended, but not prescribed, for use by motor carriers. Copies are available from the Superintendent of Motor Carriers.

SCHEDULE A

(Referred to in paragraph 12.3 of the Regulations Respecting Motor Carriers.)

DAILY OPERATING SHEET

Date	JOHN DOE			
Truck No.	Langley Prairie, B.C.			
	Speedometer: In	Out		
	Travelled: Miles			
Consignee	Revenue (Bills of Lading Attached)			
	Unit	Rate	Total	\$
	Total			\$
	Total to yesterday			\$
	Total to date			\$
	Expense			
Gasoline	gals.	at		\$
Oil	qts.	at		
Mechanical repair (name of garage)				
Tire repair				
Meals and room				
Tolls				
Miscellaneous				
Wages:				
	hours worked at \$			
	hours overtime worked at \$			
	Total			\$
	Total to yesterday			
	Total to date			

NOTE.—In the "unit" column, fill in number of pounds, hours, gallons, etc., as "500 lb.," "1½ hours," "75 gallons," etc., as the case may be, according to whether the rate is per pound, per hour, per gallon, etc.

DEFINITION OF LICENCE DISTRICTS

"MOTOR CARRIER ACT"

The following is a copy of an order made by the Public Utilities Commission, pursuant to the provisions of the "Motor Carrier Act," on the 8th day of April, 1940, as amended on the 29th day of April, 1940, on the 17th day of July, 1945, and on the 12th day of October, 1945:—

IN THE MATTER OF THE "MOTOR CARRIER ACT,"
AND IN THE MATTER OF LICENCE DISTRICTS
UNDER THE SAID ACT.

W. A. CARROTHERS, D.F.C., Ph.D., *Chairman.*

L. W. PATMORE, LL.B., K.C., *Commissioner.*

J. C. MACDONALD, B.A., B.E., *Commissioner.*

The 8th day of April, 1940.

Whereas it is desirable that licence districts be established as a means of convenient reference in describing the areas within which motor carriers may operate:

It is ordered that licence districts be prescribed and established under the "Motor Carrier Act" in accordance with the Schedule attached hereto; and that where any licence district is referred to in any order, regulation, resolution, licence, conditions of licence, or other document in use under the said Act the licence district shall be that prescribed in the said Schedule.

PUBLIC UTILITIES COMMISSION.

[SEAL.] W. A. CARROTHERS,
Chairman.

SCHEDULE

PUBLIC UTILITIES COMMISSION (MOTOR
CARRIER BRANCH)

DEFINITION OF LICENCE DISTRICTS

(The boundaries of Mining Divisions referred to are those in effect on the 18th day of June, 1945.)

"Motor Carrier Act"

LICENCE DISTRICT No. 1.—Golden and Fort Steele Mining Divisions; and those parts of Ainsworth and Nelson Mining Divisions east of Kootenay Lake and Kootenay River flowing thereinto and south of an east-and-west line passing through Riondel.

This district includes, as to main highways, the Southern Trans-Provincial Highway between and including Crowsnest and Gray Creek and all connecting roads south to the International Boundary; the Kootenay-Columbia Highway from Cranbrook to Golden and tributary roads; the Big Bend Road between Golden and Boat Encampment; the Golden-Yoho Road.

LICENCE DISTRICT No. 2.—Lardeau, Slocan, and Trail Creek Mining Divisions; and Ainsworth and Nelson Mining Divisions, except those parts included in District No. 1.

This district includes, as to main highways, the Southern Trans-Provincial Highway between Balfour and the summit west of Big Sheep Creek and all connecting roads south to the International Boundary; the Balfour-Kaslo-New Denver-Slocan-South Slocan Road; the New Denver-Nakusp-Edgewood Road; and the road from Edgewood to Monashee Divide.

LICENCE DISTRICT No. 3.—Greenwood Mining Division; and that portion of Osoyoos Mining Division south of an east-and-west line through the northerly end of Osoyoos

Lake and east of the westerly boundary of the watershed of said lake.

This district includes, as to main highways, the Southern Trans-Provincial Highway between and including the summit west of Big Sheep Creek and Osoyoos and all connecting roads south to the International Boundary; also the road northerly from Rock Creek to Carmi and McCulloch.

LICENCE DISTRICT No. 4.—Osoyoos Mining Division, except that portion east of the easterly shore-line of Osoyoos Lake and that part west of Okanagan Lake north of an east-and-west line through the most northerly limit of the District Municipality of Peachland.

This district includes, as to main highways, the Southern Trans-Provincial Highway between and including Osoyoos and Hedley and all connecting roads south to the International Boundary; the Okanagan Highway south of the north boundary of the Municipality of Peachland.

LICENCE DISTRICT No. 5.—That portion of Osoyoos Mining Division west of Okanagan Lake, north of the south boundary of the District Municipality of Summerland and of a line due west from the most southerly point thereon; also that portion of Vernon Mining Division within the drainage-basin of Okanagan Lake south of an east-and-west line through Rattlesnake Point (Long Lake).

This district includes, as to main highways, the Okanagan Highway between and including the Municipality of Summerland and a point 25 road-miles north of Kelowna.

LICENCE DISTRICT No. 6.—Revelstoke Mining Division: That portion of Lardeau Mining Division in the drainage-basin of the Columbia River above its junction with Upper Arrow Lake; that portion of Kamloops Mining Division within the drainage-basin of South Thompson River east of a north-and-south line through the westerly limit of the town of Monte Lake; and Vernon Mining Division, except that portion within the watershed of Okanagan Lake south of an east-and-west line through the southerly end of Ellison Lake.

This district includes, as to main highways, the Trans-Canada Highway between and including Pritchard and Revelstoke and also the Big Bend Section between Revelstoke and Boat Encampment; the Revelstoke-Arrowhead Road; the Vernon-Kamloops Road between and including Vernon and Monte Lake; the road between Vernon and Salmon Arm; the Okanagan Highway from Vernon southerly a road distance of 25 miles; the road easterly from Vernon to Monashee Divide and roads tributary thereto.

LICENCE DISTRICT No. 7.—Kamloops Mining Division, except that portion within the drainage-basin of South Thompson River, east of a north-and-south line through the easterly limit of the town of Notch Hill; that portion of Ashcroft Mining Division east of the westerly boundary of Range 23, west of the 6th meridian, north of the southerly boundary of the watershed of Inkikuh Creek; together with that portion of Clinton Mining Division within the watershed of Deadman River.

This district includes, as to main highways, the Trans-Canada Highway between and including a point 6 road-miles east of Cache Creek on the west and Notch Hill on the east; the North Thompson Highway south of Albreda; the Kamloops-Vernon Road between Kamloops and a point 20 road-miles north-west of Vernon; the Kamloops-Merritt Road between and including Kamloops and Stump Lake.

LICENCE DISTRICT No. 8.—Nicola and Similkameen Mining Divisions and that portion of New Westminster Mining Division which lies to the east of the Cascade Mountains, as defined by the "Interpretation Act," and the main highway in Osoyoos Mining Division west of and including the town of Hedley; that portion of Ashcroft Mining Division south of the southerly boundary of the watershed of Inkikuh Creek, the northerly boundaries of Township 17, Ranges 24, 25, and 26, west of the 6th meridian, east of the westerly boundary of the watershed of Thompson River, and to the

south of the northerly boundary of Township 15, Range 27, west of the 6th meridian, and the northerly boundary of the watershed of Stein River.

This district includes, as to main highways, the Southern Trans-Provincial Highway between and including Hedley, Princeton, and Hope; the Trans-Canada Highway from Silver Creek west of Hope to a point 6 road-miles north of Spences Bridge; the Spences Bridge-Merritt-Princeton Road; the Merritt-Kamloops Road from Merritt northerly to and including Stump Lake.

LICENCE DISTRICT No. 9.—Ashcroft and Lillooet Mining Divisions, and the south-east part of Clinton Mining Division south of an east-and-west line through the northerly limit of the town of Clinton, excepting area contained in District No. 10.

This district includes, as to main highways, the Trans-Canada Highway from a point 15 road-miles south of Lytton, northerly to Cache Creek and easterly to the west end of Kamloops Lake; the Ashcroft cut-off road and the road into Ashcroft; the road between and including Lytton and Clinton and road to and including Lillooet; Cariboo Road between and including Cache Creek and Clinton; Pavilion Mountain Road.

LICENCE DISTRICT No. 9A.—That portion of Vancouver Mining Division within the watershed of Squamish River and the area east of Howe Sound north of the southerly boundary of the watershed of Furry Creek.

This district includes roads in the Squamish and Cheakamus River Valleys.

LICENCE DISTRICT No. 10.—The northerly watershed of Seton and Anderson Lakes between Puck and Connel Creeks and the drainage-basin of Bridge River above the mouth of Yalakom River.

This district includes the road from Bridge River to Pioneer Mine.

LICENCE DISTRICT No. 11.—Clinton Mining Division, except south-east part, south of an east-and-west line through the southerly limit of the town of Clinton; and that portion of Quesnel Mining Division west of the easterly boundary of the watershed of Chilcotin River, together with that portion south of an east-and-west line through the northerly limit of the Village Municipality of Williams Lake.

This district includes, as to main highways, the Cariboo Road between and including Clinton and 150-Mile House, also Williams Lake; the road from Williams Lake to Tatla Lake and Kleena Kleene; and all tributary roads in this area.

LICENCE DISTRICT No. 12.—Quesnel Land Recording District, except that portion west of the Fraser River, south of a line westward from the mouth of Meldrum Creek and south of the northerly boundary of the watershed of Chilcotin River.

This district includes, as to main highways, the Cariboo Road between and including a point 10 road-miles south of 150-Mile House and a point 1 road-mile south of Woodpecker; the Quesnel-Barkerville Road; road between and including Williams Lake and Soda Creek; the Quesnel-Nazko Road; and all tributary roads in this area east and west of the Cariboo Road.

LICENCE DISTRICT No. 13.—That portion of Vancouver Mining Division south of the 50th parallel, west of the drainage-basin of Squamish River and west of the westerly shore-line of Howe Sound.

This district includes, as to main highways, roads from Sechelt to Hopkins Landing and to Pender Harbour; and roads from and including Lund to Powell River and to Stillwater.

LICENCE DISTRICT No. 14.—City of Vancouver; the University Endowment Lands; District Municipality of Burnaby; Lot 172, Group 1, New Westminster Land District; and that portion of New Westminster Mining Division north

of Fraser River which lies to the west of the Cascade Mountains, as defined by the "Interpretation Act," including the City of New Westminster.

This district includes all roads in the Lower Fraser Valley on the north side of the Fraser River west of a point 6 miles east of Ruby Creek.

LICENCE DISTRICT No. 14A.—That part of Vancouver Mining Division north of Burrard Inlet and south of the southerly boundary of the watershed of Furry Creek and Squamish River, excluding the islands in Howe Sound.

This district includes all roads on north shore of Burrard Inlet west of the North Arm of Burrard Inlet.

LICENCE DISTRICT No. 15.—That portion of New Westminster Mining Division south of Fraser River which lies to the west of the Cascade Mountains, as defined by the "Interpretation Act"; City of New Westminster, and that portion of Vancouver Mining Division south of the North Arm of Fraser River.

This district includes all roads in the Lower Fraser Valley on the south side of the Fraser River westerly of Silver Creek, near Hope, including roads on Lulu Island; and includes the Pattullo Bridge.

LICENCE DISTRICT No. 16.—Cariboo Mining Division, except that portion within the Quesnel Land Recording District.

This district includes, as to main highways, the Cariboo Road from a point 1 road-mile south of Woodpecker to Prince George; the Trans-Provincial Highway west from Prince George to Sinkut River, and east of Prince George.

LICENCE DISTRICT No. 17.—That portion of Omineca Mining Division east of the 125th meridian, together with that part of the drainage-basin of Endako River east of a meridian through the westerly end of Tatin Lake; that portion of Cariboo Mining Division within the drainage-basin of Nechako River above the mouth of Chilako River.

This district includes, as to main highways, the Trans-Provincial Highway from the Chilako River to a point 4 road-miles west of Endako; the road from Vanderhoof north to Germansen.

LICENCE DISTRICT No. 18.—That portion of Omineca Mining Division west of the 125th meridian, the southerly boundary of the watershed of Sutherland River and the meridian 124° 30', and east of the 127th meridian, the watershed of Fulton River, and the watershed of Bulkley River below the mouth of Morice River.

This district includes, as to main highways, the Trans-Provincial Highway from a point 3 road-miles east of Fort Fraser to Barrett Lake; and roads from Burns Lake and Houston to Francois and Ootsa Lakes.

LICENCE DISTRICT No. 19.—That portion of Omineca Mining Division which lies to the west of the 127th meridian, together with the drainage-basins of Fulton River, Bulkley River below the mouth of McKilligan Creek, Parrott Creek, and Nadina River, and to the east of the boundary of the drainage-basin of Skeena River above the mouth of Insect Creek.

This district includes, as to main highways, the Trans-Provincial Highway westerly from a point 3 road-miles east of Houston to a point 2 miles south of Cedarvale and roads from Houston to Francois Lake.

LICENCE DISTRICT No. 20.—That portion of Skeena Mining Division which lies to the north of the 54th parallel and east of the middle line of Hecate Strait and the production northerly thereof, save and excepting Porcher Island; that portion of Omineca Mining Division within the drainage-basin of Skeena River below a point on the Skeena River, 1 mile above the mouth of Kitsegucla Creek.

This district includes, as to main highways, the Trans-Provincial Highway westerly from a point 1 mile easterly of Skeena Crossing to Prince Rupert; roads from Terrace; roads in the vicinity of Prince Rupert.

LICENCE DISTRICT No. 21.—Peace River Mining Division.

MOTOR CARRIER ACT

(Chapter 226, R.S.B.C. 1948)

An Act to provide for the Regulation of Motor Carriers

Short Title

1. This Act may be cited as the "Motor Carrier Act." 1939, c. 36, s. 1.

Interpretation

2. In this Act, unless the context otherwise requires:—

"Arterial or primary highway" means any arterial highway or primary highway as classified under the "Highway Act":

"Commission" means the Public Utilities Commission constituted under the "Public Utilities Act":

"Compensation" includes any rate, remuneration, or reward of any kind paid, payable, or promised, or received or demanded, directly or indirectly:

"Freight" includes personal property of every description that may be conveyed upon a motor-vehicle or trailer, except a passenger's personal baggage:

"Highway" includes all public streets, roads, ways, trails, lanes, bridges, trestles, ferry landings and approaches, and any other public way:

"Licence" means a licence issued under the provisions of this Act:

"Licensee" means the holder of a licence:

"Limited freight-vehicle" means any motor-vehicle that is operated at any time or from time to time on a highway by, for, or on behalf of any person who charges or collects compensation for the transportation of freight in or upon the motor-vehicle, where the operation is carried on solely under a limited number of special or individual contracts or agreements and where the motor-vehicle is not available for use by the general public:

"Limited passenger-vehicle" means a motor-vehicle, other than a public vehicle, which motor-vehicle, whether available or not for use by the public, is operated at any time or from time to time on a highway by, for, or on behalf of any person who charges or collects compensation for the transportation of passengers in or upon the motor-vehicle, but shall not include a taxicab operating exclusively in one municipality:

"Limited vehicle" includes a limited passenger-vehicle and a limited freight-vehicle:

"Motor-carrier" means any person operating a public vehicle, a limited vehicle, or a private freight-vehicle, and includes any person who is the holder of a licence:

"Motor-vehicle" means any vehicle propelled otherwise than by muscular power, excepting aeroplanes and the cars of electric and steam railways and other vehicles running

only upon rails or tracks, and includes any attached trailer:

"Municipality" includes an incorporated village municipality:

"Operate," in respect of a motor-vehicle, includes the driving or managing of the motor-vehicle:

"Passenger" includes a passenger's personal baggage:

"Private freight-vehicle" means a motor-vehicle, other than a public vehicle or a limited vehicle, that is operated at any time or from time to time on a highway for the transportation of freight, and includes any motor-vehicle which is so operated for any of the following purposes, namely:—

(a) The transportation of freight bona fide the property of the owner of the motor-vehicle;

(b) The transportation of freight used or subjected to a process or treatment by the owner of the motor-vehicle in the course of a regular trade or occupation or established business of such owner, when the transportation is incidental to such trade, occupation, or business;

(c) The delivery or collection of freight sold or purchased, or agreed to be sold or purchased, or let on hire by the owner of the motor-vehicle, otherwise than as agent, in the course of a regular trade or established business of such owner:

"Public freight-vehicle" means a motor-vehicle, other than a limited freight-vehicle, that is operated at any time or from time to time on a highway by, for, or on behalf of any person who charges or collects compensation for the transportation of freight in or upon the motor-vehicle:

"Public passenger-vehicle" means a motor-vehicle that is available for use by the public and is operated at any time or from time to time on a highway over a regular route or between fixed termini and on a regular time schedule by, for, or on behalf of any person who charges or collects compensation for the transportation of passengers in or upon the motor-vehicle:

"Public vehicle" includes a public passenger-vehicle and a public freight-vehicle:

"Rate" includes any toll, rate, fare, charge, rental, or other compensation charged or made by a motor carrier or by any person on his behalf or with his consent or authority in connection with the carriage and transportation of passengers, or the carriage, shipment, transportation, care, handling, or delivery of goods, or for any service incidental to the business of the motor carrier, and includes any general, individual, or joint toll, rate, fare, charge, rental, or other compensation of any motor carrier, and any

rule, regulation, practice, classification, or contract of the motor carrier relating thereto, and any schedule or tariff thereof:

"Regular route" and "fixed termini" mean respectively the route over which and the termini between which a motor-vehicle is usually operated and, when licensed, is authorized to be operated:

"Service" includes the use and accommodation afforded by and the equipment, property, and facilities employed by any motor carrier in connection with the operation of a motor-vehicle as a public vehicle, limited vehicle, or private freight-vehicle:

"Trailer" means any vehicle that is attached to a motor-vehicle for the purpose of being drawn or propelled by the motor-vehicle:

"Transportation," with respect to freight, includes the shipment, care, handling, storage, and delivery thereof. 1939, c. 36, s. 2.

Exemptions

3. (1) This Act shall not apply in respect of a motor-vehicle operated for hire while used exclusively in carrying pupils or teachers to or from a school, except as otherwise expressly provided in section 22.

(2) The Commission may by regulation or order, with the approval of the Lieutenant-Governor in Council, exempt any person or motor-vehicle or class of person or motor-vehicle from the application thereto of any provision of this Act, or may limit or vary the application thereof in any designated manner, and such exemption, limitation, or variation shall be of the same force and effect as if set out in this Act. 1939, c. 36, s. 3.

Division of Act into Parts

4. This Act is divided into six parts, relating to the following subjects:—

PART	SECTION
I. Licences	5-17
II. Duties and Restrictions imposed on Motor Carriers	18-23
III. Rates	24-32
IV. Administration of Act	33-55
V. Offences and Penalties	56-60
VI. Miscellaneous	61-66

1939, c. 36, s. 4.

PART I

LICENCES

Licence Required

5. Except as exempted by or under this Act, no person shall operate or cause or permit to be operated a motor-vehicle on any highway in the Province as a public passenger-vehicle, a public freight-vehicle, a limited passenger-vehicle, a limited freight-vehicle, or a private freight-vehicle unless he or the person for or on whose behalf the motor-vehicle is operated holds a subsisting licence authorizing the operation of that motor-vehicle in the manner and for the purposes in or for which it is operated. 1939, c. 36, s. 5.

Application for Licence

6. Every application for a licence shall be made to the Commission on a form approved by the Commission, and shall be accompanied by such information as the Commission may require and by the fees prescribed by the regulations. 1939, c. 36, s. 6.

Granting of Licence

7. (1) Upon receipt of an application for a licence and of the required information and the proper fees, and after such investigation as the Commission deems proper, the Commission may grant the licence, in whole or in part, or may refuse the licence.

Public Convenience and Necessity

(2) Upon any application for a licence, the Commission may take into consideration, amongst other matters:—

- Any objection to the application for the licence made by any person already providing transport facilities, whether by highway, water, air, or rail, on the routes or between the places which the applicant intends to serve on the ground that suitable facilities are or, if the licence were issued, would be in excess of requirements, or on the ground that any of the conditions of any other licence held by the applicant have not been complied with:
- The general effect on other transport services and any public interest which may be affected by the issue of such licence:
- The quality and permanence of the service to be offered by the applicant, and the fitness, willingness, and ability of the applicant to provide proper service.

Conditions of Licence

(3) In granting any licence, the Commission may attach to the licence such terms and conditions as it deems proper, including:—

- With respect to public vehicles, a statement of the area, district, or territory that may be served; the points at which or the area, district, or territory within which passengers or freight may be taken on or discharged; the route or routes over which and the termini between which the public vehicle may be operated and the intermediate and off-route points that may be served thereby; and, with respect to public freight-vehicles, the kind or class of freight that may be transported, and the person or persons for whom freight may be transported:
- With respect to limited passenger-vehicles, the class or classes of transportation service that may be given; a provision that individual fares shall not be charged; the terminal point or points from which the motor-vehicle may be operated; the routes which may be followed; the area, district, or territory which may be served; and the points at which or the area, district, or territory within which passengers may be taken on or discharged:
- With respect to limited freight-vehicles, the kind of freight that may be transported; the person or persons for whom freight may be

transported; and the route or routes that may be followed or the area, district, or territory that may be served.

Classification

(4) The Commission shall have power to determine as a question of fact whether any motor-vehicle is being or is to be operated as a public passenger-vehicle, limited passenger-vehicle, public freight-vehicle, limited freight-vehicle, or private freight-vehicle.

Issue of Licence-plates

(5) When the Commission grants a licence for a motor-vehicle it may issue to the licensee licence-plates to be affixed to and displayed upon the motor-vehicle. Licence-plates shall be of the design prescribed by the regulations. Licence-plates shall remain the property of the Crown. 1939, c. 36, s. 7.

Term of Licence

8. (1) Every licence shall, unless cancelled or unless an earlier date is fixed by the Commission and stated in the licence, expire on the last day of February next following the date on which it is expressed to take effect or from which it is renewed.

Renewal of Licences

(2) A licence may, with the approval of the Commission, be renewed in such manner and on payment of such fees as may be prescribed by the regulations. 1939, c. 36, s. 8.

Transfer of Licences

9. No licence shall be assigned or transferred except with the approval of the Commission, and subject to payment of the prescribed fee and to such conditions as the Commission may impose. 1939, c. 36, s. 9.

Exclusive Rights

10. No licence shall be deemed to confer any perpetual or exclusive right. 1939, c. 36, s. 10.

Amendment, Suspension, and Cancellation of Licences

11. (1) The Commission may at any time and from time to time amend or suspend any licence, and may, after a hearing, cancel any licence.

(2) Without thereby limiting the generality of the provisions contained in subsection (1), the Commission may amend, suspend, or cancel any licence on any of the following grounds:—

- Non-compliance by the licensee with any of the terms of the licence, or with any of the provisions of this Act or the regulations made hereunder, or any order of the Commission:
- Failure of the licensee to exercise any of the rights and privileges granted in the licence or to provide adequate and efficient service:
- Conviction of the licensee in any Court for any offence against this Act or the Criminal Code of Canada. 1939, c. 36, s. 11.

Display of Licence

12. (1) Every licensee shall cause the licence issued in respect of any vehicle to be carefully preserved and displayed upon the vehicle in such a

manner as to be conveniently seen by the public in the case of a public passenger-vehicle and a limited passenger-vehicle, and by any person authorized by or under the provisions of section 63 in the case of any other licensed vehicle.

(2) Where conditions are attached to any licence, the licensee shall cause them to be carefully preserved and carried on the vehicle and to be available at all times for the inspection of any person authorized by or under the provisions of this Act. 1939, c. 36, s. 12.

Display of Licence-plates

13. (1) Every holder of a licence for a motor-vehicle shall, in the manner prescribed by the regulations, cause to be affixed to and displayed on the motor-vehicle throughout the term of the licence, the licence-plates, if any, issued pursuant to subsection (5) of section 7.

(2) When any licensee withdraws from service, sells or otherwise disposes of a motor-vehicle for which he holds a subsisting licence, he shall forthwith report such fact to the Commission in writing and, unless he has previously obtained other directions from the Commission, he shall forthwith remove the licence-plates from the motor-vehicle and return them to the Commission or to an officer or constable of the Provincial Police Force.

(3) Every officer or constable of the Provincial Police Force or of the police force of any municipality may seize any licence-plate if he finds the same detached from a motor-vehicle or trailer, or displayed on a motor-vehicle or trailer other than the one in respect of which it was issued, or if the Commission has suspended or cancelled the licence, or if the title or interest of the licensee in the licensed vehicle has been transferred, and may hold the same pending the receipt of instructions from the Commissioner of Provincial Police as to its disposal. This subsection shall apply in respect of licence-plates and motor-vehicles whether on a highway or elsewhere, and for the purposes of this subsection any such officer or constable may enter without warrant the lands or premises of any person on or in which there is any motor-vehicle. 1939, c. 36, s. 13.

Capacity-markers

14. (1) Every holder of a licence for a motor-vehicle shall cause to be clearly marked in a conspicuous place on both sides of the vehicle in figures or letters not less than one inch in height, in the case of a freight-vehicle, the gross weight of the motor-vehicle and, in the case of a passenger-vehicle, the maximum number of passengers that may be carried under the terms of the licence; and no person shall operate on a highway a motor-vehicle for which a licence is required unless it is marked as required by this section.

(2) In this section, "gross weight" means the maximum weight of a motor-vehicle when loaded to the maximum capacity authorized under the licence for the vehicle. 1939, c. 36, s. 14.

Operation in Conformity with Law

15. Every licensee shall operate his licensed vehicle and conduct his business in conformity with the licence and the conditions of the licence, and with the provisions of this Act and the regulations and orders of the Commission. 1939, c. 36, s. 15.

Operation of Licensed Vehicle as Private Freight-vehicle

16. Unless otherwise provided in the conditions of licence, a licence for the operation of a public freight-vehicle or a limited freight-vehicle shall entitle the holder thereof to operate or cause or permit to be operated on his behalf the licensed vehicle as a private freight-vehicle, if the public service is not adversely affected by such operation. 1939, c. 36, s. 16.

Municipal Licences

17. Notwithstanding the provisions of any public or private Act, where a licensee operates in a municipality a motor-vehicle for which a licence has been issued under the provisions of this Act, if such operation is in accordance with the provisions of his licence and upon arterial or primary highways only, the licensee shall not be required to hold a licence in respect of that motor-vehicle under the provisions of any by-law of the municipality. 1939, c. 36, s. 17.

PART II

DUTIES AND RESTRICTIONS IMPOSED ON MOTOR CARRIERS

Duty to Furnish Information

18. (1) Every motor carrier shall furnish to the Commission all information required by it and shall make specific answers to all questions submitted by the Commission. Every motor carrier who receives from the Commission any form of return with directions to fill it out shall cause the return to be properly filled out so as to answer fully and correctly each question therein propounded, and shall deliver it to the Commission within the time prescribed.

Delivery of Documents

(2) Whenever required by the Commission, every motor carrier shall deliver to the Commission all documents, books, accounts, papers, and records in his possession or control in any way relating to his property or service or affecting his business, or verified copies of the same; and shall deliver to the Commission complete inventories of his property in such form as the Commission may direct. 1939, c. 36, s. 18.

Duty to Furnish Adequate Service

19. Every motor carrier shall maintain his property and equipment in such condition as to enable him to furnish, and shall furnish, according to his powers and within the limits of the capacity of his vehicles, service to all persons in all respects adequate, safe, efficient, just, and reasonable. 1939, c. 36, s. 19.

Extensions of Service

20. Whenever after a hearing the Commission finds that an extension by any motor carrier of his existing service would be in the public interest and would, in the judgment of the Commission, furnish sufficient business to justify the making of the

extension, and, in the opinion of the Commission, the financial condition of the motor carrier reasonably warrants the capital expenditure required in making the extension, the Commission may order the motor carrier to make such extension of his service as the Commission may deem reasonable and expedient. 1939, c. 36, s. 20.

Employees to Be Notified of Regulations and Orders

21. (1) Upon the receipt by a motor carrier of any regulation or order of the Commission, he shall forthwith communicate the same to each of his officers and servants affected thereby by delivering to such officer or servant a copy thereof, or by posting up a copy in a conspicuous position in a place where the duties of such officer or servant, or some of them, are performed.

(2) Every motor carrier shall do all things necessary to secure observance by his officers, agents, and employees of the provisions of this Act and of the regulations and orders of the Commission. 1939, c. 36, s. 21.

Stopping of Motor-vehicle at Railway Crossings

22. (1) If upon any highway at a grade crossing of an intersecting railway there is a sign displaying the word "Stop," either alone or accompanied by other words, the driver of every motor-vehicle operated as a public vehicle, limited vehicle, or private freight-vehicle upon that highway shall, before proceeding to cross such railway and while at a distance of not more than twenty feet therefrom, bring the motor-vehicle to a full stop.

(2) The provisions of subsection (1) shall, mutatis mutandis, apply in respect of every motor-vehicle operated for hire and used in carrying pupils or teachers to or from a school. 1939, c. 36, s. 22.

Securities

23. (1) No motor carrier which is a corporation other than a municipal corporation and which operates four or more vehicles as public vehicles or limited vehicles shall, without the consent of the Commission:—

(a) Issue any stocks or shares, or any bonds, debentures, securities, or other evidence of indebtedness payable in more than one year from the date thereof;

(b) Issue or sell or make or permit to be made upon its books any transfer of shares in the capital of the corporation:—

(i) To any other motor carrier that is a corporation; or

(ii) To any public utility within the meaning of the "Public Utilities Act"; or

(iii) To any corporation, where the result of the issue, sale, or transfer, in itself or in connection with previous issues, sales, or transfers, is to vest in the last-mentioned corporation a majority in interest of the issued share capital of the motor carrier.

(2) Every motor carrier that is subject to the provisions of this section shall be exempt from the provisions of the "Securities Act." 1939, c. 36, s. 23.

PART III

RATES

Application of Part

24. This Part shall apply to every motor carrier operating a public vehicle or limited vehicle and to every applicant for a licence authorizing the operation of a public vehicle or limited vehicle; and, for the purposes of this Part, the term "motor carrier" includes all of the said classes of persons. 1939, c. 36, s. 24.

Schedules of Rates to Be Filed

25. Every motor carrier shall file with the Commission, in accordance with the provisions of this Act and the orders and regulations of the Commission, schedules showing all rates charged, collected, or enforced, or to be charged, collected, or enforced by him, except where such rates have been fixed by the Commission. 1939, c. 36, s. 25.

Adherence to Schedules

26. (1) No motor carrier, nor any person acting on his behalf, shall charge, demand, collect, or receive any rate for any service except under and in accordance with the provisions of this Act and the regulations and orders of the Commission; nor shall any person charge, demand, collect, or receive any rate under any schedule or portion thereof disallowed by the Commission.

(2) No motor carrier, nor any person acting on his behalf, shall, without the consent of the Commission, directly or indirectly, by any device whatsoever, or in anywise charge, demand, collect, or receive from any person a greater, less, or different compensation for any service rendered or to be rendered by the motor carrier than that set out in the rates prescribed by the Commission, or, if no rates have been prescribed by the Commission, in the schedules of the motor carrier applicable thereto and filed in the manner provided in this Act, nor shall any person without the consent of the Commission receive or accept from any motor carrier, or any person acting on behalf of a motor carrier, any service for a compensation greater or less than, or different from, that prescribed as aforesaid. 1939, c. 36, s. 26.

Amendment of Schedules

27. No time or rate schedule in force may be amended, supplemented, or superseded by a new schedule without the consent of the Commission, and in granting any consent under this section the Commission may attach thereto such terms as it deems proper. 1939, c. 36, s. 27.

Disallowance and Suspension of Rates

28. The Commission may disallow or suspend any schedule of rates or any portion thereof that it considers to be unjust or unreasonable or contrary to any provisions of this Act or the regulations, and may require the motor carrier within a prescribed time to substitute rates satisfactory to the Commission in lieu thereof or may prescribe other rates in lieu of the rates so disallowed. 1939, c. 36, s. 28.

Commission May Prescribe Rates

29. For the purpose of establishing just and uniform charges, the Commission may at any time and from time to time prescribe the rates to be charged by any motor carrier, and such rates shall thereupon supersede the rates contained in any schedule filed by such motor carrier. 1939, c. 36, s. 29.

Discrimination Prohibited

30. No motor carrier shall make, demand, or receive any unduly discriminatory or unduly preferential rate for any service furnished by him within the Province, or any rate otherwise in violation of law; and no motor carrier shall, as to rates or service, subject any person or locality, or any particular description of traffic, to any undue prejudice or disadvantage, or extend to any person any form of agreement or any facility or privilege, except such as are regularly and uniformly extended to all persons in accordance with the powers of the motor carrier and within the limits of the capacity of his vehicles, under substantially similar circumstances and conditions. 1939, c. 36, s. 30.

Commission May Determine Question of Discrimination

31. The Commission may determine as questions of fact whether or not traffic is or has been carried under substantially similar circumstances and conditions and whether there has in any case been unjust discrimination or undue or unreasonable preference or advantage or prejudice or disadvantage within the meaning of this Act, and the Commission shall be the sole judge of such questions. 1939, c. 36, s. 31.

Burden of Proof

32. Whenever it is shown that any motor carrier charges one person or class of persons, or the persons in any district, lower rates for the same or similar service than he charges to other persons or classes of persons, or to the persons in another district, or makes any difference in treatment in respect of such persons, the burden of proving that such lower rate or difference in treatment does not amount to an undue preference or an unjust discrimination shall lie upon the motor carrier. 1939, c. 36, s. 32.

PART IV

ADMINISTRATION OF ACT

Administration of Act

33. (1) The administration of this Act is hereby vested in the Public Utilities Commission constituted under the "Public Utilities Act."

General Powers of Commission

(2) Without limiting any powers, authorities, or jurisdiction conferred by this Act, all powers, authority, and jurisdiction that are vested in the Commission by the "Public Utilities Act" in respect of public utilities are hereby vested in the Commission in respect of motor carriers, except as otherwise provided in this Act. 1939, c. 36, s. 33.

Offices of Commission

34. The Commission may maintain offices at the City of Vancouver and at such other places in the Province as it deems necessary for the proper administration of this Act. 1939, c. 36, s. 34.

Appropriation

35. (1) All moneys necessary to pay the salaries of the officers and employees of the Commission and to meet the expenses necessarily incurred in the administration of this Act shall, in the absence of a vote of the Legislature for that purpose, be paid from the Consolidated Revenue Fund.

Fees and Costs to Be Paid into Provincial Treasury

(2) All fees and costs paid to the Commission shall, when received, be paid by the Commission into the Provincial Treasury. 1939, c. 36, s. 35.

Annual Report

36. (1) The Commission shall, on or before the first day of July in each year, make to the Lieutenant-Governor in Council a report for the preceding licence-year, showing:—

- (a) The number of the licences of the various classes issued during the year and the revenue derived therefrom;
- (b) Summaries of the more important findings, decisions, and orders of the Commission;
- (c) Such other matters as appear to the Commission to be of public interest in connection with the administration of this Act;
- (d) Such matters as the Lieutenant-Governor in Council directs. 1939, c. 36, s. 36.

Information Not to Be Divulged

37. Every officer and every employee of the Commission shall keep secret all information coming to his knowledge during the course of any inspection, examination, or investigation of any return, account, record, memorandum, book, or paper of any motor carrier, except in so far as his public duty requires him to report upon or take official action regarding the affairs of the motor carrier, or except in so far as he may be authorized by the Commission to publish or make known the information. 1939, c. 36, s. 37.

General Supervision of Motor Carriers

38. (1) It shall be the duty of the Commission to regulate motor carriers with the objects of promoting adequate and efficient service and reasonable and just charges therefor, and of promoting safety on the public highways, and of fostering sound economic conditions in the transportation business in the Province, and the Commission may make such investigations and inquiries and such regulations and orders as it deems to be necessary for the carrying-out of such objects.

Regulations and Orders

(2) Without thereby limiting the generality of the provisions contained in subsection (1), the Commission may make regulations and orders governing:—

- (a) Procedure on all applications, proceedings, and matters coming before the Commission;
- (b) The classification of motor-vehicles operated by motor carriers:

- (c) The maximum number of passengers or the maximum weight of freight, or both, which may be carried by public vehicles, limited vehicles, and private freight-vehicles;
- (d) The classification and form of licences, the terms upon which and the manner in which they shall be issued and renewed, the conditions and restrictions to which they shall be subject, and the issue of duplicates of such licences in the event of loss or destruction of the originals;
- (e) The transfer, renewal, or assignment of licences;
- (f) Licence-plates;
- (g) The conditions to be contained in and to become part of all agreements entered into by licensees in respect of their services or in respect of any class of service;
- (h) The safety, protection, comfort, and convenience of the persons availing themselves of the services of motor carriers;
- (i) The conduct of drivers and passengers;
- (j) The obligations of motor carriers to the public in respect of the acceptance and carriage of passengers or freight;
- (k) The classification of freight;
- (l) The financial responsibility of motor carriers;
- (m) The time schedules of motor carriers;
- (n) The routes over which and the area within which motor carriers may operate;
- (o) The rates to be charged by motor carriers and publication thereof and the prohibition of the carrying of passengers or freight on licensed vehicles without charge therefor;
- (p) The hours of work of drivers of motor-vehicles operated as public or limited vehicles or as private freight-vehicles;
- (q) Inspection of public vehicles, limited vehicles, and private freight-vehicles, and of their operation;
- (r) Bills of lading;
- (s) Restrictions as to use of public vehicles, limited vehicles, and private freight-vehicles;
- (t) The carrying of passengers on freight-vehicles and the carrying of freight on passenger-vehicles;
- (u) The speed and equipment of public vehicles, limited vehicles, and private freight-vehicles;
- (v) The methods of accounting and the keeping of records of the operations of motor carriers;
- (w) The furnishing to the Commission by motor carriers of reports of finances, accidents, and operations generally;
- (x) Temporary permits authorizing seasonal or emergency or occasional operation of motor-vehicles as public vehicles, limited vehicles, or private freight-vehicles;
- (y) The solicitation of business by or on behalf of motor carriers by advertising or otherwise;
- (z) The conduct of the business of transportation agents and transportation brokers in relation to motor-vehicles;
- (aa) The delegation by the Commission of any of its powers and duties to any member or officer of the Commission.

Proviso

(3) This section shall not be deemed to authorize the Commission to fix the speed at which any motor-vehicle may be driven at a rate higher than that fixed by any other Act of the Legislature or any by-law of a municipality.

(4) No regulation made under this section shall be valid or have any force or effect until it has been approved by the Lieutenant-Governor in Council. 1939, c. 36, s. 38.

Fees

39. For the purposes of this Act, the Commission may by regulation fix the fees to be taken for the use of Her Majesty for licences or in respect of any other matter within the jurisdiction of the Commission, but no such regulation shall be valid or have any force or effect until it has been approved by the Lieutenant-Governor in Council. 1939, c. 36, s. 39.

Use of Streets in Municipalities

40. Where any dispute arises between a motor carrier and a municipality as to the use by the motor carrier of any highway, or where any by-law of a municipality interferes with the operation of any licensed vehicle of a motor carrier on any highway in a municipality, the dispute may be referred to the Commission by either the motor carrier or the municipality, and the Commission may by order, after a hearing, permit the use of such highway by the motor carrier, upon such terms and conditions as it deems proper. 1939, c. 36, s. 40.

Hearing of Complaints

41. The Commission shall have full jurisdiction to inquire into, hear, and determine any application by or on behalf of any person complaining that any motor carrier or other person:—

- (a) Has failed to do any act, matter, or thing required to be done by this Act or by any regulation, order, or direction made hereunder; or
- (b) Has done or is doing any act, matter, or thing contrary to this Act or to any regulation, order, or direction made thereunder. 1939, c. 36, s. 41.

Findings of Commission Conclusive in Certain Cases

42. The finding or determination of the Commission upon any question of fact within its jurisdiction shall in all matters or proceedings arising under this Act be binding and conclusive upon all persons and in all Courts. 1939, c. 36, s. 42.

Power of Commission to Act on Its Own Motion

43. Of its own motion the Commission may inquire into, hear, and determine any matter or thing which under this Act it may inquire into, hear, or determine upon application or complaint, and with respect thereto the Commission shall have the same powers as upon application or complaint are vested in it by this Act. 1939, c. 36, s. 43.

Hearing

44. Where an application is made to the Commission pursuant to the provisions of this Act, the

Commission shall, unless it is expressly provided in this Act that there shall be a hearing, have power to determine whether a hearing or inquiry shall or shall not be had, and generally whether any action on the part of the Commission shall or shall not be taken on that application. 1939, c. 36, s. 44.

Notice of Hearing

45. (1) Where a hearing is to be held, the Commission shall give notice of the hearing in such manner and to such persons as it thinks proper; and, except as provided in subsection (2), no act of the Commission shall be questioned or held invalid on the ground that insufficient notice has been given or that notice has not been given to any person.

(2) Where a hearing is held in respect of the cancellation of any licence, notice of the time and place of the hearing shall be given to the licensee, either by personal delivery or by a registered letter addressed to the licensee at his last-known address, according to the records of the Commission. 1939, c. 36, s. 45.

Continuing Jurisdiction

46. Where any power or authority is vested in the Commission under this Act, the Commission may exercise that power or authority from time to time, or at any time, as occasion requires; and may at any time alter, suspend, or revoke any regulation, order, decision, or direction made by it, and make others; but where by sections 3, 38, and 39 the exercise of any power or authority is subject to the approval of the Lieutenant-Governor in Council, the like approval shall be required in respect of the exercise of such power or authority under this section. 1939, c. 36, s. 46.

General Powers Not Limited by Specific Enumeration

47. The enumeration in any provision of this Act of any specific power or authority given to the Commission shall not be held to exclude or limit any power or authority otherwise conferred on the Commission in this or any other Act. 1939, c. 36, s. 47.

Application of Power of Commission

48. The powers vested in the Commission by this Act shall apply notwithstanding that the subject-matter in respect of which the powers are exercisable is the subject-matter of any agreement or Statute; and shall apply in respect of service and rates whether fixed by or the subject of any agreement or Statute or otherwise; and where the service or rates are fixed by or are the subject of an agreement, shall apply whether the agreement is incorporated in or ratified or made binding by any general or special Act or otherwise. 1939, c. 36, s. 48.

Substantial Compliance with Act Sufficient

49. A substantial compliance with the requirements of this Act shall be sufficient to give effect to all the orders, rules, regulations, and acts of the Commission, and none of them shall be declared inoperative, illegal, or void for want of form or for any error or omission of a technical or clerical nature. 1939, c. 36, s. 49.

Application of Orders

50. The Commission, in making any regulation or order under this Act, may make it apply to all cases, or to any particular case or class of case, or to any particular district, or to any person or service. The Commission may exempt any person or service from the operation of any regulation or order made under this Act for such time as the Commission deems expedient. 1939, c. 36, s. 50.

Partial and Other Relief

51. Upon any application under this Act, the Commission may make an order granting the whole or part only of the relief applied for, or may grant such further or other relief in addition to or in substitution for that applied for, as to the Commission may seem just and proper, as fully in all respects as if the application had been for such partial, further, or other relief. 1939, c. 36, s. 51.

Commencement of Orders

52. Every regulation of general application made under the provisions of this Act shall be published in the Gazette and shall come into operation one week after the date of publication, unless otherwise provided in the regulation. Every other regulation and every order made under the provisions of this Act shall come into operation on the date thereof, unless the Commission, in its discretion, otherwise provides. 1939, c. 36, s. 52.

Terms and Conditions of Orders

53. The Commission may attach to any order such terms and conditions as to duration or otherwise as it deems proper. 1939, c. 36, s. 53.

Non-application of "Public Utilities Act"

54. The provisions of sections 88, 90, and 132 of the "Public Utilities Act" shall not apply in the administration of this Act. 1939, c. 36, s. 54.

Appeals

55. (1) Any person who thinks himself aggrieved by:—

- (a) Any regulation or order made by the Commission, whether the regulation be general in its application or applicable only to a particular class or to an individual;
- (b) The granting of a licence or the refusal to grant a licence pursuant to this Act;
- (c) The attachment of terms or conditions to any licence issued pursuant to this Act;
- (d) The amendment, suspension, or cancellation of any licence issued pursuant to this Act;
- (e) The fixing of any rate or schedule of rates pursuant to this Act;
- (f) The determination of any question of fact made by the Commission,—

shall have a right of appeal to the Lieutenant-Governor in Council. The right of appeal shall lie notwithstanding that the matter in respect of which the appeal is taken has been approved by the Lieutenant-Governor in Council. No appeal shall be brought after thirty days from the date of the matter in respect of which the appeal is taken; that is to say, from the date of the making of the regulation or order; or from the date of the granting of or refusal to grant the licence; or from the date when terms or conditions are attached to the licence; or from the date when the licence is amended, suspended, or cancelled; or from the

date when the rate or schedule of rates is fixed; or from the date on which the question of fact is determined by the Commission, as the case may be. The person appealing shall give notice of his intention to appeal to the Lieutenant-Governor in Council by serving a copy on the Provincial Secretary. He shall also serve a copy on the Commission, and in each case service shall be made before the expiry of the period of thirty days aforesaid. The Lieutenant-Governor in Council may determine the procedure to be followed in any appeal and may determine what persons, if any, are to be notified of the appeal and all persons notified shall be entitled to be heard. On the hearing of an appeal the Lieutenant-Governor in Council may confirm the decision, order, rule, or regulation appealed from or may reverse, alter, or vary the same, or may make such order as to him seems just.

(2) Except as provided in this section, the provisions of the "Public Utilities Act" as to appeals on questions of jurisdiction and law shall apply to regulations, orders, and decisions made by the Commission under this Act. 1939, c. 36, s. 55; 1944, c. 32, s. 2.

PART V**OFFENCES AND PENALTIES****Penalty**

56. Every person who is guilty of an offence against this Act or who violates any provision of this Act or of any regulation or order of the Commission, or who refuses or neglects to observe or perform any duty or obligation created or imposed by this Act or by any regulation or order of the Commission, shall be liable, on summary conviction, for a first offence, to a penalty of not less than ten dollars and not more than two hundred and fifty dollars, and for a subsequent offence to a penalty of not less than thirty dollars and not more than five hundred dollars; and each day's continuance of any such violation, refusal, or neglect shall constitute a new and distinct offence. 1939, c. 36, s. 56.

Specific Offences

57. Every person is guilty of an offence against this Act who:—

- (a) Makes any return or furnishes any information to the Commission which is false in any particular; or
- (b) Fails or refuses to prepare and furnish to the Commission, within the time and in the manner and form required by the Commission, any information in his possession or under his control required by the Commission under this Act or the regulations; or
- (c) Upon demand, fails or refuses to exhibit to the Commission or any person authorized to examine the same, any book, paper, account, record, or memorandum in his possession or under his control; or
- (d) Wilfully obstructs or interferes with any member, officer, or employee of the Commission, or any other person in the exercise of the rights conferred or duties imposed by or under this Act or the regulations or orders of the Commission; or

- (e) Knowingly solicits, accepts, or receives, directly or indirectly, any rebate, concession, or discrimination in respect of any service whereby that service is furnished or received in violation of any provision of this Act or the regulations or orders of the Commission; or
- (f) Being an officer or employee of the Commission, or a person having access to or knowledge of any return made to the Commission, or of any information procured or evidence taken pursuant to this Act other than at a public inquiry or hearing, and who, without the authority of the Commission first obtained, publishes or makes known any information, having obtained the information or knowing it to have been derived from that return, information, or evidence; or
- (g) Being the holder of a licence in respect of a motor-vehicle, operates the motor-vehicle in contravention of the licence or any of the conditions attached thereto. 1939, c. 36, s. 57.

Liability for Act or Omission of Employee

58. In construing and enforcing the provisions of this Act, or of any regulation, order, or direction of the Commission, the act, omission, or failure of any officer, agent, or person acting for or employed by any motor carrier shall, if within the scope of his employment, be also deemed in every case to be the act, omission, or failure of the motor carrier. 1939, c. 36, s. 58.

Other Liabilities Not Affected

59. Nothing in this Act shall have the effect to release or waive any right of action by the Commission or by any person for any right, penalty, or forfeiture which has arisen, or which arises, under any law of the Province; and no penalty enforceable under this Act shall be a bar to or affect the recovery for any right, or affect or bar any action at law or prosecution against any motor carrier or against the directors, officers, agents, or employees of any motor carrier. 1939, c. 36, s. 59.

Burden of Proof

60. In any prosecution under this Act in respect of the operation of a motor-vehicle in the transportation of any passenger or freight, proof of the fact that any passenger or freight was being transported by the motor-vehicle on a highway shall be prima facie evidence that the passenger or freight was being so transported for compensation; and the burden shall be on the accused in all cases of proving that the motor-vehicle so operated is of a class or was being operated in a manner different from that alleged in the prosecution. 1939, c. 36, s. 60.

PART VI**MISCELLANEOUS****Approval of Franchise**

61. No privilege, concession, or franchise hereafter granted by any municipality to any person in respect of his operation of a public passenger-

vehicle other than a municipal licence for one year or less shall be valid unless approved by the Commission. The Commission shall not give its approval unless, after a hearing, it determines that the privilege, concession, or franchise proposed to be granted is necessary for the public convenience and properly conserves the public interest. The Commission, in giving its approval, may impose such conditions as to the duration and termination of the privilege, concession, or franchise, or as to equipment, maintenance, rates, or service, as the public convenience and interest reasonably require. 1939, c. 36, s. 61.

Soliciting of Business by Unlicensed Persons

62. (1) No person other than the holder of a licence for the operation of a public or limited vehicle, or his agent duly authorized in writing, shall without the consent of the Commission:—

- (a) Sell or offer to sell transportation of persons or tickets therefor, or sell or offer to sell transportation of freight; or
- (b) By advertising or otherwise solicit the transportation of passengers or freight; or
- (c) Operate, control, or manage a travel bureau or place for the sale of tickets or for soliciting or advertising the transportation of passengers or freight;

where such transportation is within British Columbia and is to be in whole or in part by means of a motor-vehicle.

Advertising in Newspapers

(2) No person having the control or management of any newspaper shall permit to be published in such newspaper any advertisement soliciting or requesting the transportation of passengers or freight by motor-vehicle for compensation, unless such transportation is to be by means of a public or limited vehicle that is either exempted from the licensing provisions of this Act or is operated by the holder of a licence. 1939, c. 36, s. 62.

Power to Search Motor-vehicles

63. (1) Any officer or constable of the Provincial Police Force, or any person authorized by the Commission, may at any time without any warrant search any motor-vehicle on a highway for the purpose of ascertaining whether or not the provisions of this Act and the regulations and orders of the Commission are being complied with in the operation of that motor-vehicle, and for that purpose may require the driver of the motor-vehicle to stop the same and to permit of the search being made.

Duty to Allow Search

(2) Every driver or other person in charge of a motor-vehicle on a highway who is required by an officer or constable of the Provincial Police Force, or by any person authorized by the Commission, by signals or otherwise, to stop the motor-vehicle or to permit it to be searched for the purposes of this section, and who refuses or fails to stop the motor-vehicle or to permit it to be searched, shall be guilty of an offence against this Act. 1939, c. 36, s. 63.

This Act in Addition to Other Acts

64. The provisions, regulations, and orders made by or under this Act shall be in addition to

those made by or under the "Highway Act" or the "Motor-vehicle Act," and nothing in this Act shall be deemed to exempt any person or motor-vehicle from any of the provisions of the "Highway Act" or the "Motor-vehicle Act," or of the regulations made under either of the said Acts. 1939, c. 36, s. 64.

Application of Act

65. (1) This Act shall apply only to motor carriers and other persons who are subject to the legislative authority of the Province: Provided that in the case of a motor carrier who furnishes a class of service in respect of which he is not subject to the legislative authority of the Province, nothing in this section shall operate to make this Act inapplicable to him in respect of another class of service furnished, in respect of which he is subject to the legislative authority of the Province.

(2) The purpose and intent of the Legislature is to confine the provisions of this Act within the

competence of the Legislature, and all the provisions thereof shall be construed so as to give effect to this purpose and intent. If any clause, sentence, paragraph, subsection, section, or part of this Act is for any reason held or found to be beyond the powers of the Province, such clause, sentence, paragraph, subsection, section, or part shall be read distributively, and all other clauses, sentences, paragraphs, subsections, sections, and parts of this Act shall stand and be valid and operative, and shall have the same effect as if the clause, sentence, paragraph, subsection, section, or part of this Act had dealt with such matters exclusively; and the remaining provisions and sections of this Act shall not be deemed to be inoperative or ultra vires, but shall stand and be valid and operative, and shall have the same effect as if they had been originally enacted as separate and independent enactments and as the only provisions of the Act. 1939, c. 36, s. 65.

VICTORIA, B. C.

Printed by DON McDIARMID, Printer to the Queen's Most Excellent Majesty
1952

LIST OF APPLICATION FORMS

Form No.	Description of Form	Colour
M.C. 1.	For Licence to Operate a Public Passenger-vehicle.....	Blue.
M.C. 2.	For Licence to Operate a Class I or Class II Public Freight-vehicle.....	Green.
M.C. 3.	For Licence to Operate a Class III Public Freight-vehicle.....	Dark yellow.
M.C. 4.	For Licence to Operate a Limited Passenger-vehicle.....	Pink.
M.C. 5.	For Licence to Operate a Limited Freight-vehicle.....	Canary yellow.
M.C. 6.	For Licence to Operate a Class I Private Freight-vehicle.....	White, black printing.
M.C. 7.	For Licence to Operate a Class III Private Freight-vehicle (Farmer).....	White, green printing.
M.C. 8.	For Licence for Replacement Vehicle.....	White, red printing.
M.C. 9.	For Alteration of Licence.....	Canary yellow.
M.C. 10.	For Transfer of Licence from One Person to Another.....	White, blue printing.

FOR SCHEDULE OF FEES, SEE PART 3 OF THE REGULATIONS ON PAGE 10.

SUBMIT ALL APPLICATION FORMS (WITH PRESCRIBED FEES) TO:

SUPERINTENDENT OF MOTOR CARRIERS,
Public Utilities Commission,
Motor-vehicle Building, 1740 West Georgia Street,
Vancouver 5, B.C.

to whom communications and inquiries regarding applications for licences or permits
may be addressed.

Requests for information or for application forms or permits may also be addressed to the
following:—

Inspector of Motor Carriers.....Cranbrook.
Inspector of Motor Carriers.....Nelson.
Inspector of Motor Carriers.....Kelowna.
Inspector of Motor Carriers.....Kamloops.
Inspector of Motor Carriers.....Prince George.
Inspector of Motor Carriers.....Dawson Creek.
Inspector of Motor Carriers.....513 Central Building, Victoria.
Inspector of Motor Carriers.....Nanaimo.

For list of places where application forms may be obtained, see inside front cover.

