



OFF-ROAD VEHICLE MANAGEMENT FRAMEWORK



General Information

British Columbia intends to implement a management framework encompassing all off-road vehicles (ORVs); the regulations are expected to be in place by November 2011. The goal of the new ORV Management Framework is to develop regulations and policy that will encourage safe and responsible ORV riding and support a growing industry that has the opportunity to deliver lasting socioeconomic benefits to rural communities. The framework includes:

- Enhanced safety measures should result in fewer deaths or serious injuries, especially among youth.
- Improved tools to help compliance and enforcement officials identify irresponsible ORV riders and track stolen vehicles.
- Opening up the Province by connecting our rural communities and contributing to a world-class trails system through the designation of numerous ORV public road crossings.
- Environmentally-friendly muffler standards will reduce noise disturbance to wildlife and recreationists; spark arrestors will reduce the risk of forest fires.
- Reasonable costs that will be based on a user-pay approach and comparable to other small vehicles.

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General

Q: What is the ORV Management Framework?

The ORV management framework includes:

Registration and Licensing:

- Mandatory vehicle registration of all ORVs at sale and resale.
- A more visible licence plate or decal which will assist compliance and enforcement efforts in identifying irresponsible ORV riders and help track stolen ORVs.
- An expanded definition of ORVs will include all-terrain vehicles and dirt bikes; this will allow local government to enact bylaws for all ORVs.

Public Road Crossings:

- All ORV riders will be able to legally cross public roads and highways or portions of the right-of-way at designated locations with an optional annual vehicle licence and basic insurance. These crossings will connect our rural communities and support a world-class trail network.

Safety:

- All ORV riders will be required to wear a helmet and use lights for low-visibility conditions. Seatbelts will be required to be worn, where installed by the manufacturer.
- Additional measures to better protect youth under 16 years of age will include adult supervision, appropriately-sized machines for age and weight of drivers, and reduced speed limits.

Environment:

- Improved muffler standards for ORVs will reduce noise disturbance to wildlife and recreationists; spark arrestors will reduce the risk of forest fires.
- British Columbia supports the Federal Government's proposed emission standards for ORVs under the Marine Spark-Ignition Engine and Off-Road Recreational Vehicle Emission Regulations; once approved, these standards will apply in British Columbia.
- The Forest and Range Practices Act has already been amended to add penalties for mud bogging, which damages sensitive habitat.

Compliance and Enforcement:

- A provincial ORV compliance and enforcement strategy will be developed and will include an education component to help achieve voluntary compliance.

Implementation:

- A committee of legislators who will oversee implementation has been formed, including Ministers Kevin Krueger, Pat Bell, Bill Bennett, Shirley Bond, Rich Coleman, Blair Lekstrom and Barry Penner.

Registration and licensing costs will be based on a user-pay approach, comparable to other small vehicles. The ORV regulations apply across BC; Federal and private lands are excluded.

Q: What has led to this decision to implement a new ORV Management Framework?

Milestones which led to this announcement include:

- In 2005, the Coalition for Licensing and Registration of Off-Road Vehicles in BC (referred to as the "ORV Coalition"), comprised of ten key stakeholder associations, produced a report with 47 recommendations to address longstanding ORV management issues in BC.
- In 2006, the Coroners Service of British Columbia, Child Death Review Unit, recommended an improved ORV regulatory framework to help address ORV accidents resulting in injuries to youth and deaths.
- In early 2009, during the review of the proposed Provincial Trails Strategy, there was strong overall public support for improving ORV management.
- Over the years, the Union of British Columbia Municipalities has passed numerous resolutions requesting an improved ORV management regime.
- In September 2009, the British Columbia Chamber of Commerce recommended that government immediately institute the registration of ORVs.

Q: How does the ORV Management Framework fit with the proposed Provincial Trails Strategy?

Government is continuing to explore a Provincial Trails Strategy. In early 2009, during the review of the trails strategy, there was strong overall public and stakeholder support for the strategy and improving ORV management. The strategy is an essential component of the ORV Management Framework as it includes the approach to trail

development for the broad range of outdoor recreation activities.

Q: Who was consulted before deciding on this ORV management framework?

The proposed framework is the result of extensive consultations over a number of years with a wide variety of interests, including the stakeholder-led ORV Coalition.

Q: The ORV Coalition Report recommendations came to government in 2006. Why has it taken so long for government respond?

Through extensive dialogue with stakeholders, agencies and ministries over the years, we have learned that ORV issues are complex and achieving consensus among the range of parties was challenging. As time progressed, we also found that there were many aspects of shared interest and a common ground. The result of this hard work is the new ORV Management Framework.

Q: Why will it take two years to implement the framework?

We anticipate that it will take up to two years to allow the service provider (ICBC) to upgrade their systems and to ensure smooth business transition for front-line service providers.

Matters such as safety for youth will likely be implemented sooner. We will continue to work with our key stakeholder associations on the implementation of the ORV framework.

Q: Will the proposed ORV Management Framework result in an increased number of regulations?

As we draft the regulations, we'll be working to minimize the regulatory burden placed on citizens, as well as the monitored count.

Q: How much will the new ORV framework cost?

Costs are based on on a user-pay approach for ORV riders and will be comparable to other small motor vehicles.

- Mandatory vehicle registration and licensing - all ORV riders will require one-time vehicle registration (sale/resale) and an more visible licence plate or decal.
- Optional annual vehicle licence – only applies to ORV riders who choose to cross designated public road crossings. ORV riders on Crown land only require registration.
- Insurance - Basic insurance only applies to ORV riders who choose to cross designated public road/highway crossings or the right of way; basic insurance rates are set by the BC Utilities Commission and provided by ICBC. On Forest Service Roads liability insurance is still required; on Crown land, insurance is voluntary.
- Safety for all – mandatory helmets will be required for all ORV riders; most ORVs have lights already installed by the vehicle manufacturer. Seatbelts will be required to be worn where installed by the vehicle manufacturer.
- Safety for youth under 16 years – there may be additional costs associated with

youth if the vehicle is not appropriate for their size and weight.

- Noise standards and spark arrestors for vehicles – Many manufacturers of ORVs already meet the maximum noise standard of 96 decibels and have spark arrestors. These include companies with the Canadian Off-Highway Vehicle Distributors Council. There may be some costs associated with vehicles that have been modified by the owner after purchase. Exceptions to these standards may apply to some vehicles such as those used for competitive sports.
- Compliance and enforcement – a provincial C&E strategy for ORVs will be developed and will be based on a user-pay approach.

Government will continue to work with key stakeholder associations as more detailed regulations and policy is developed over the next two years.



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Registration & Licensing

Q: What is the difference between registration and licensing?

Registration is identification that links the vehicle to the rider; a Vehicle Identification Number (VIN) only identifies the vehicle. Mandatory vehicle registration is required for all ORV riders at sale and resale; Federal and private lands are excluded.

The licence refers to the clearly visible licence plate or decal that is part of vehicle registration.

Annual vehicle licensing is the standard requirement on public roads and highways under the Motor Vehicle Act. Optional annual vehicle licensing is available to ORV riders who want blanket authorization for the use of all designated public roads/highway crossings, including the portion of the right-of-way, across BC.

Q: Under what circumstances do I need registration, licensing or insurance for my ORV?

Vehicle registration - all ORV riders will require one-time mandatory vehicle registration (sale/resale). Federal and private lands are excluded.

Licence plate/decal – all ORV riders will require a licence plate or decal that will be associated with vehicle registration.

Annual vehicle licence– only applies to ORV riders who choose to access designated public road/highway crossings or portions of the right of way. ORV riders that stay on Crown land only need registration.

Liability insurance – On public roads and highways, basic insurance continues to be a requirement for all motorists; ORV riders who choose to cross at designated public road crossings will require basic insurance from ICBC. On Forest Service Roads, liability

insurance continues to be a requirement. On Crown land, liability insurance is voluntary.

Drivers Licence - On public roads and highways, a driver's licence continues to be a requirement for all motorists; ORV riders who access at designated public road/highway crossings or portions of the right of way will also require a valid driver's licence.

Q: Will ICBC be responsible for ORV registration and licensing?

The Province will work closely with the Insurance Corporation of British Columbia (ICBC) to implement service delivery within two years. ORV registration and licensing costs will be based on a user-pay approach and comparable to other small vehicles.

Government anticipates that it will take up to two years to allow the service provider (ICBC) to upgrade their systems and to ensure smooth business transition for front-line service providers.



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Public Road Crossings

Q: What are the requirements and conditions related to the ability to cross public roads more conveniently?

ORV riders who choose the option for blanket Province-wide authorization to cross at designated public roads/highways or portions of the road right of ways, are required to have the following: an annual vehicle licence, basic insurance, and a valid drivers licence. Additional conditions include restrictions on the number of passengers and what is towed behind the ORV; these conditions will enhance safety and better harmonizes with road crossing conditions in Alberta.

ORV riders, including vehicles for non-recreational use, who want to cross at other locations that are not designated will continue to have the option to obtain a temporary operation permit.

Government will continue to work closely with our key stakeholder associations as the policy and regulations for these crossing are developed to ensure they address the range of ORV riders. Over the next two years, candidate locations for these designated ORV public road crossings will be identified in collaboration with our stakeholders.



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Safety

Q: Why should I wear a helmet when I have a drivers licence and I am an experienced ORV rider?

ORV riders on Crown land access a range of terrain types, such as un-maintained and rugged trails, and can reach higher speeds with the newer vehicles. Studies, such as those extensively done for motorcycles and bicycles, have shown that helmets provide the rider with a much better chance to avoid serious head injury or related death as a result of a vehicle accident; even the most experienced ORV riders can have accidents.

Q: Why should youth under 16 years of age have restrictions on vehicle size and speed limits?

Government has responded to the Coroners Service of British Columbia, Child Death Review Unit, 2006 report recommendations to improve ORV regulatory framework to help address ORV accidents resulting in injury or death to youth. For more information about the content of the report, please refer the following website:

<http://www.pssg.gov.bc.ca/coroners/child-death-review/docs/CDRU-2006annualreport.pdf>

The Coalition for Licensing and Registration of Off-Road Vehicles in BC also recommended adult supervision, vehicle size restrictions and reduced speed limits for youth.

Government will continue to work with our key stakeholders to advance ORV education and training initiatives.



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Environment

Q: How will regulating ORVs help the environment?

Improved muffler standards will reduce noise disturbance to wildlife and recreationists; spark arrestors will reduce the risk of forest fires. Many manufacturers of ORVs already meet the maximum noise standard of 96 decibels and have spark arrestors. Companies with the Canadian Off-Highway Vehicle Distributors Council already comply.

Exceptions to these standards may apply and include ORVs used for competitive sports. There may be some costs associated with vehicles that have been modified by the owner after purchase.

B.C. supports the federal government's proposed emission standards for ORVs under the Marine Spark-Ignition Engine and Off-Road Recreational Vehicle Emission Regulations; once approved, these standards will apply to B.C. Reduced emissions supports BC's Climate Action Plan.

The Forest and Range Practices Act has already been amended to add penalties for mud bogging, which damages sensitive habitat. This management framework will help with compliance and enforcement.

Government will work with our stakeholder associations as regulations are developed to better protect the environment.



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Compliance & Enforcement

Q: How will these regulations be enforced?

In the coming months, a provincial ORV compliance and enforcement strategy will be developed; it will include an education component to help achieve voluntary compliance.

Q: Who do I notify if I witness irresponsible ORV riders on Crown land or public roads?

If you have any information about irresponsible ORV riders that may be breaking the law, please call:

- Your local Ministry of Forests and Range office for issues such as mudbogging , via Inquiry BC, dial toll-free, 1 800 663-7867 or by website at:
<http://www.for.gov.bc.ca/mof/regdis.htm>
- Your local Ministry of Environment, Conservation Office Service for issues such as wildlife harassment, via Inquiry BC, toll-free, 1 800 663-7867 or visit their website:
<http://www.env.gov.bc.ca/cos/>
 - Report All Poachers and Polluters: dial toll-free 1-877-952-7277 or cellular dial #7277.
- Crime Stoppers, toll-free, at 1-800-222-8477 (callers may remain anonymous).

If there is evidence of a contravention, an investigation is conducted, which may lead to the issuance of a violation ticket, penalty or other enforcement action. The most serious crimes are prosecuted through the court system. For example, irresponsible ORV riders found to have caused environmental

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damage due to “mudbogging” may face criminal convictions with maximum fines of up to \$100,000 or up to one year in jail, or both.

Q: How does this framework address the conflicts between recreational non-motorized and motorized activities?

When the framework is implemented, peace officers will have better tools to identify and deal with the few irresponsible ORV enthusiasts who are not following the rules. In some cases, land use planning may be explored to resolve conflicts between incompatible recreation activities.

For more information about land use planning in BC, please refer to the Integrated Land Management Bureau [website](#).