
FREQUENTLY ASKED QUESTIONS

Oct. 15, 2015

Ministry of Forests, Lands and Natural
Resource Operations

Off-Road Vehicle Act and Regulations

What is an off-road vehicle?

- An off-road vehicle (ORV) includes snowmobiles, all-terrain vehicles (or “quads”), off-road motorcycles, side-by-sides (i.e., rhino, argo, razors) and dual purpose on-highway vehicles such as jeeps, trucks, and SUVs.
- ORVs are used for work, leisure and commuting purposes.
- Sectors that rely on ORVs include forestry, farming, ranching and sport/tourism.

Is the ORV Act now the law?

- Yes, the ORV Act was implemented in stages. On November 17, 2014, voluntary registration began and on June 1, 2015 to the Motor Vehicle (All Terrain) Act was replaced and new enforcement tools such as inspection and seizures were introduced.
- As of November 1, 2015 regulations for mandatory registration and new safety requirements will also be in place.

Does the ORV Act apply to other vehicles such as jeeps and trucks, currently used off-road on Crown land?

- The Act is designed to address the constantly changing types of vehicles being manufactured to be used off-road on Crown land and this includes jeeps and trucks.
- Stakeholders pointed out that safety laws need to apply to all types of ORVs including jeeps and trucks to ensure vehicles used off-road follow the laws such as use of seatbelts and lights.
- However, if a truck is registered and licensed under the *Motor Vehicle Act* or *Commercial Transport Act* (displaying a number plate and valid/current decal) already, it will be deemed to be in compliance under the ORV Act once registration is mandatory when riding on Crown land.

Where does the ORV Act apply? Is it just on Crown land or on private land as well?

- For the most part, the ORV Act applies only to Crown land (which includes resource roads on Crown land), and private land will be exempt.
- There are some exceptions, however, where certain private lands can be designated under regulation. This might include certain greenbelts or regional and municipal parks at the request of local government.

Why are registration and a number plate or sticker important?

- Modernizing the registration scheme will help enforcement officers better identify irresponsible ORV riders that endanger others, damage the environment or harm animals.
- In addition, it will help enforcement officers track stolen vehicles since ICBC’s registration data would be available to officers 24/7.

When will registration be mandatory on Crown land?

- Registration is mandatory as of November 1, 2015.
- Owners have had the option of voluntarily registering their ORVs through an ICBC broker since November 17, 2014 and over 35,000 ORVs have been registered since then.

What is the registration fee set at and will it be payable every year or only once?

- The combined number plate (or sticker) and registration fee is a one-time fee of \$48.
- ORV owners will only be required to register their ORV once. The registration and number plate (or sticker) will be valid as long as the same person owns the vehicle.
- ORVs transferred to a new owner will be required to register the transfer with ICBC and a one-time \$28 fee will apply at that time. An additional \$18 will apply if a replacement number plate or sticker is required.
- Snowmobile owners who have already registered their vehicles under the Motor Vehicle (All Terrain) Act will be eligible for refund, up until November 16, 2015, for the amount they had already paid – this will be \$5 for transfers and \$10 for registration.

How does the snowmobile refund program work?

- Current snowmobile owners that have registered or transferred their vehicle under the previous regime will be eligible for a refund, up until November 16, 2015, when they register under the ORV Act. The refund can be applied to the new registration under the ORV Act.
- Allowing a refund to be applied ensures fairness with those who have already paid a fee and are being required to re-register.

Why have only 15 days been provided to allow snowmobile registrations to be refunded?

- Snowmobile owners that have registered or transferred their vehicle under the previous regime have been eligible for a refund since November 17, 2014, so they have had a full year to refund their registration and apply that refund to the new registration under the ORV Act.
- Allowing a refund to be applied ensured fairness with those who had already paid a fee and were being asked to re-register.

Why does a snowmobile registered under the Motor Vehicle (All Terrain) Act need to be re-registered under the ORV Act?

- Transitioning from a manual snowmobile registry to a database registry -- the same as on-highway vehicles -- ensures that enforcement officers have 24/7 access to the registration information to better identify irresponsible ORV riders and to track down stolen vehicles.

How will out-of-province unregistered owners of ORVs be treated?

- In order to ride on Crown land, ORV owners from other jurisdictions that are not registered and do not display a number plate, or sticker must either:
 - Register in their home jurisdiction if registration is available (e.g. ORVs from Alberta) prior to coming to B.C.

- If an ORV cannot be registered in a home jurisdiction (e.g. ATVs from Saskatchewan), then they must provide proof of ownership documents.

What happens when an out of province resident that is registered in B.C. returns to their home jurisdiction with a B.C. plate or sticker?

- B.C. will not require the surrender of the number plate or sticker. ORV owners will, however, need to comply with the registration requirements of the jurisdiction where the ORV is operated.

What information do I need to bring to the broker to register my ORV?

- Information can vary depending on whether your ORV is new, used or being imported from another country.
- For a detailed list of information for each of these scenarios, visit the ICBC website at: <http://www.icbc.com/vehicle-registration/specialty-vehicles/Pages/Off-road-vehicles.aspx>
- If you're uncertain on what documents you need to register your ORV, contact your local ICBC Autoplan broker who can help figure out which documents fit your situation best.

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

- Registration
 - Starting November 1, 2015, ORV owners must register their ORV before it can be used on Crown land, including resource roads.
 - ORV owners not already registered under the ORV Act will be required to register their ORV.
 - If an ORV has been previously registered and licensed for on-highway operation, the registration and the licence plate with a valid decal will be deemed to be in compliance with the ORV Act when the ORV is used on Crown land.
 - All new owners of an ORV previously registered under the ORV Act will be required to register the transfer of ownership with ICBC within 10 days of purchase.
- Annual vehicle licence – This only applies to ORV riders who choose to access public road/highway crossings or for authorized operation along portions of the right of way. ORV riders that operate only on Crown land will only need registration and the associated number plate. Licensed ORVs can be used to:
 - Operate across a highway (without having to obtain an operation permit from the local police) if the crossing is controlled by stop sign or traffic light;
 - Load or unload in a parking lot (without an operation permit); and
 - Operate on any highway anywhere else local police authorize through an operation permit.
- Insurance – On public roads and highways, Basic insurance continues to be a requirement for all motorists, including ORV owners; ORV riders who opt for incidental access to highways will require ICBC's Basic insurance. On Forest Service Roads, \$200,000 in third-party liability insurance continues to be a requirement. On all other Crown land, liability insurance is voluntary but recommended.

- Driver's Licence – On public roads and highways, a valid driver's licence continues to be a requirement for all motorists; a driver's licence is also required to operate an ORV on a forest service road.
- Police-issued operation permit – an operation permit, issued free of charge by police, may be required as a condition of highway operation. Operation permits are not required for highway crossings controlled by a stop sign or traffic light or when loading and unloading an ORV from another vehicle in a parking lot. In all other circumstances, an operation permit is required for on-highway operation. Operation permits must be obtained from the police department/detachment nearest where an ORV will be operated (or from any RCMP detachment along the Gold Rush Snowmobile Trail for operation on the Trail). For more information on operation permits, please refer to the following ICBC document: <http://www.icbc.com/vehicle-registration/specialty-vehicles/Documents/operation-permit.pdf>. Additional information may also be obtained from the police department/detachment nearest the location you plan to operate.

For more information on the registration, licensing or insurance requirements, please visit your local Autoplan broker.

Under what circumstances is an ORV exempt from registration under the ORV Act?

- ORVs that are exempt but can voluntarily register include:
 - An ORV where the manufacturer states in the manufacturer's recommendation is designed to be operated by a child 11 years old or younger.
 - A golf cart used only on a golf course or to cross a road or parking lot to access one part of the golf course from another part of the course.
 - An off-road vehicle used in a sporting or competitive event or dealer demonstration, if that event or demonstration is temporarily authorized by a permit.
- ORVs that are exempt but cannot voluntarily register include:
 - An on-highway motor vehicle, except for motorcycles.
 - An ORV owned by a person who is a resident of a jurisdiction in which the ORV cannot be registered or licensed (proof of out-of-province residency and ownership must be carried).

What does ICBC Basic insurance include?

- For information on specific insurance packages, please contact an ICBC Autoplan broker.

How do I know if a road is a highway or a Forest Service Road?

- Paved public roads within communities and highways are subject to the Motor Vehicle Act. Although some gravel roads are also highways, the majority of gravel roads are typically Forest Service Roads or other types of resource roads on Crown land.
- If you plan to travel on Crown land and access resource roads, you are encouraged to contact your local FLNR district office to confirm the status of the road.

What size will the number plate or sticker be?

- It will be 5" x 8", the same size as existing plates on-highway motorcycles and registered snowmobiles.
- The sticker will be 4" x 7".

Will I be able to remove the sticker easily if I sell my vehicle?

- The stickers are printed on material chosen to survive a range of temperatures and conditions they will be exposed to.
- Not unlike validation decals for car insurance, the stickers will not be easy to remove if attached directly on the ORV and may be unusable for future display on another vehicle upon transfer.
- Owners choosing the sticker option should be aware that if they later wish to sell their ORV, the stickers will have to be removed first.
- Since registration number plates are easily removed without damaging a vehicle paint-job upon transfer of ownership, a metal number plate continues to be preferred option for most ORV owners.

Where do I mount the number plate or sticker to comply with the ORV Act regulations?

- The number plate or sticker must be clearly visible on the front, back or left exterior of the vehicle and fastened in a horizontal position. In the case of motorcycles, a sticker may be attached in a vertical position on the left front fork with the first number/letter at the bottom of the fork.
- The number plate or sticker must be unobstructed, free of dirt and kept in good condition so that the numbers and letters can be easily read.
- The ORV Act registration and a number plate or sticker may also be used for highway crossings if the ORV is also licensed and insured under the Motor Vehicle Act and displays a current insurance validation decal affixed to the number plate or sticker.

What do I specifically need for highway crossings and how will that work between now and November 1, 2015?

- Under the Motor Vehicle Act (MVA), it is mandatory for the driver and the ORV to be licensed, to display a number plate (or sticker after Nov. 1), and have Basic insurance as evidenced by a valid insurance decal while on a highway (except while exempt as a golf cart or industrial utility vehicle under MVA s. 3.1).
- Authorized ORV highway use is limited to incidental travel directly across a highway at a controlled crossing (traffic light or stop sign), loading or unloading from another vehicle in a parking lot, or travel on any highway anywhere local police authorize within the limits set out in an MV1815 *Operation Permit*. Under the new MVA regulations, these permits can be issued for a term of up to two years.
- Law enforcement may continue to exercise discretion as set out in regulation to issue permits for operation within their areas of jurisdiction. Permits can be issued to both snowmobiles and wheeled ORVs.

- An ORV operating on or across a highway can display a Restricted number plate, the new ORV number plate (or sticker after Nov. 1), or no number plate at all if exempted as an industrial utility vehicle. Contact your ICBC insurance broker for specific information on which option is most appropriate for your individual needs.
- Those that would prefer to obtain the new number sticker can either wait until Nov. 1 to purchase a sticker, or if you were issued a number plate under the ORV Act, you can exchange it for a sticker for no cost between Nov. 1 and Dec. 31, 2015. After Dec. 31, 2015, an \$18 fee will apply to exchange a metal plate for a sticker or vice versa.

What are the rules regarding Provincial Sales Tax and ORV registration?

- For detailed information on Provincial Sales Tax see the Ministry of Finance notice located at: http://www.sbr.gov.bc.ca/documents_library/notices/notice_2013-011.pdf

What if I've already purchased a number plate under the voluntary registration provisions, but would prefer the sticker option?

- ORV owners who have already voluntarily registered and were issued a number plate under the ORV can exchange the plate for a number sticker at no charge between Nov. 1 and Dec. 31, 2015 if their ORV can not properly house a plate.
- To do this, bring your number plate and registration documents to any of the over 900 ICBC licensed brokers around the province before the Dec. 31, 2015 deadline to exchange the metal number plate for a sticker at no charge.

What are the improvements to compliance and enforcement?

Key improvements to compliance and enforcement include:

- On June 1, 2015, the *Motor Vehicle (All Terrain) Act* was repealed and the *ORV Act* provisions came into force which allows officers to now seize ORVs for safety or evidence purposes, the maximum fine was increased from \$500 to \$5,000 and some offences include up to 6 months in jail.
- Starting Nov. 1, 2015,
 - Violation tickets for offences under the *ORV Act* will come into force. For example, careless operation increases from \$115 to \$368; and operating an unregistered ORV increased from \$58 to \$230.
 - Riders of ORVs will be required to carry government issued photo identification to help officers better identify riders and establish their age; this applies to persons 12 years and older.

What are the rules concerning children operating ORVs on Crown land?

- Children, under 16 years, must meet the manufacturer's minimum age for the specific vehicle they wish to operate.

- Children must not operate an ORV on Crown land without being accompanied by a supervising adult 19 years of age with a valid driver's license or appropriate training certification.

Are there any exemptions to allow children to operate an ORV on Crown land?

- Yes, there are two exemptions.
 - Children 14 to 15 years of age who have written permission from their parent or guardian confirming the child has sufficient training to operate the ORV.
 - Temporary sporting events authorized under an enactment where injury prevention has been addressed.

Why has no minimum age been established for children riding ORVs?

- Along with the manufacturer's recommendation for minimum age to operate an ORV, the approach is to leave it up to a parent or guardian to determine the minimum age of their child.

When is a helmet required?

- A helmet must be worn at all times when operating an ORV on Crown land.

What standards does the helmet have to meet?

- In order to be acceptable, a helmet must meet one of the following four standards:
 - Certification in accordance with the Snell Memorial Foundation 2005 or 2010 Standard for Protective Headgear For Use with Motorcycles and Other Motorized Vehicles.
 - Conformance with the Federal Motor Vehicle Safety Standard No. 218; Motorcycle helmets (United States of America), also known as FMVSS 218 (49 CFR 571.218).
 - Approval in accordance with the United Nations Economic Commission for Europe (ECE) ECE Regulation No. 22 – uniform provisions concerning the approval of protective helmets and of their visors for drivers and passengers of motor cycles and mopeds.

Under what conditions must a seat belt be worn?

- Along with the regular seatbelt requirement on highways, a seat belt must be worn if the ORV is being operated on Crown land, including resource roads, if a seat belt has been installed by a manufacturer.

Under what conditions must lights be used on an ORV?

- ORVs must use lights during low visibility conditions when riding on Crown land 30 minutes after sunset or 30 minutes before sunrise.
- If lights are not installed by the manufacturer, temporary lights must be attached to the ORV.
- When conditions require lights, they must include:

- Headlights (or detachable white lights if headlights are not installed) on the front of the vehicle.
- Tail lights (or detachable red lights if tail lights are not installed) on the rear of the vehicle.
- Brake lights if the off-road vehicle is manufactured with brake lights.