

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. **261**, Approved and Ordered **APR 27 2012**

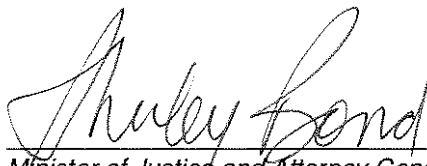


Lieutenant Governor


Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective June 1, 2012,

- (a) section 5 of the *Motor Vehicle Amendment Act, 2010*, S.B.C. 2010, c. 14, is brought into force,
- (b) the Designation of Motorcycle Helmets Regulation, B.C. Reg. 366/87, is repealed,
- (c) the Designation of Motorcycle Safety Helmets Regulation as set out in the attached Appendix 1 is made, and
- (d) the Motor Vehicle Act Regulations, B.C. Reg. 26/58, are amended as set out in the attached Appendix 2.



Minister of Justice and Attorney General



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Motor Vehicle Act*, R.S.B.C. 1996, c. 318, ss. 194 and 210;
Motor Vehicle Amendment Act, 2010, S.B.C. 2010, c. 14, s. 29

Other: OIC 1004/58

APPENDIX 1

DESIGNATION OF MOTORCYCLE SAFETY HELMETS REGULATION

Motorcycle safety helmet standards

- 1 For the purposes of section 194 of the *Motor Vehicle Act*, a motorcycle safety helmet that meets at least one of the following requirements is designated as an approved motorcycle safety helmet:
 - (a) certification in accordance with the Snell Memorial Foundation 2005 Standard for Protective Headgear For Use with Motorcycles and Other Motorized Vehicles, as amended from time to time before or after the making of this regulation;
 - (b) certification in accordance with the Snell Memorial Foundation 2010 Standard for Protective Headgear For Use with Motorcycles and Other Motorized Vehicles, as amended from time to time before or after the making of this regulation;
 - (c) 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), as amended from time to time before or after the making of this regulation;
 - (d) approved 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, as amended from time to time before or after the making of this regulation.

APPENDIX 2

- 1 *The Motor Vehicle Act Regulations, B.C. Reg. 26/58, are amended in Table 1 of the Schedule to Division 28 by repealing items 60 and 61 and substituting the following:*

| <i>Motor Vehicle Act</i> | <u>Description of Offence</u> |
|--------------------------|---|
| 60 Section 194 (4) (a) | Permit passenger under 16 to be unlawfully seated |
| 61 Section 194 (10) | Operate motorcycle more than 2 abreast |