

## Amendment to the British Columbia *Motor Vehicle Act* regarding

### Winter tires and traction devices

**208** (1) For the purpose of this section, “**winter tire**” means a tire that meets the standards and specifications prescribed for winter tires.

(2) The minister responsible for the administration of the *Transportation Act* may, by public notice or by placing signs, prohibit any vehicle or a class of vehicles from being driven or operated on a highway, unless the vehicle is equipped with chains, winter tires or traction devices, or a combination of these, that the minister responsible for the administration of the *Transportation Act* considers adequate in view of prevailing road conditions.

(3) A public notice or sign under subsection (2) may provide differently in relation to specified dates, prevailing weather conditions or any other criteria the minister responsible for the administration of the *Transportation Act* considers necessary or advisable.

(4) A person who drives or operates a vehicle in contravention of a prohibition made under subsection (2) commits an offence.

**PROVINCE OF BRITISH COLUMBIA**  
**ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL**

Order in Council No. 557

, Approved and Ordered September 21, 2015


  
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

- (a) sections 18 and 19 of the *Motor Vehicle Amendment Act, 2015*, S.B.C. 2015, c. 13, are brought into force, and
- (b) the Motor Vehicle Act Regulations, B.C. Reg. 26/58, are amended as set out in the attached Appendix.

  
Minister of Transportation and Infrastructure

  
Presiding Member of the Executive Council

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*(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 Amendment Act, 2015*, S.B.C. 2015, c. 13, s. 60; *Motor Vehicle Act*, R.S.B.C. 1996, c. 318, ss. 208 and 209 (1) (a), (b), (b.1) and (b.2)

Other: OIC 1004/58

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August 28, 2015

Resub R/199/2015/97

## APPENDIX

**1 Section 1 of the Motor Vehicle Act Regulations, B.C. Reg. 26/58, is amended by adding the following definition:**

**“chains”** means 2 circular metal loops connected by strands of steel links, of any shape or pattern, that can be placed with one loop on each side of a tire to increase the friction between the tire and a road surface covered with ice or snow; .

**2 The following section is added to Division 7:**

### Definitions

**7.001** In this Division:

**“commercial motor vehicle”** has the same meaning as in Part 2.2 of the Act, but does not include a truck or other motor vehicle with a gross vehicle weight less than or equal to 5 000 kg;

**“traction device”** means

- (a) in the case of a commercial motor vehicle, any of the following, if designed by a manufacturer to increase the friction between a tire and a road surface covered with ice or snow:
  - (i) subject to section 7.164, studs;
  - (ii) a wheel sander;
  - (iii) automatic tire chains;
  - (iv) a textile tire cover;
  - (v) 2 circular metal loops connected by strands of steel cable, if both outside tires of a power drive axle of the commercial motor vehicle are equipped with chains;
  - (vi) chains;
- (b) in the case of any other motor vehicle, any device designed by a manufacturer to increase the friction between a tire and a road surface covered with ice or snow.

**3 Section 7.162 is repealed and the following substituted:**

### Winter tires

**7.162 (1)** A winter tire under section 208 of the Act must have at least 3.5 mm of tread depth.

- (2) A winter tire under section 208 of the Act must
  - (a) when tested in accordance with section 5 (4) (a) of the Motor Vehicle Tire Safety Regulations (Canada) meet or exceed the traction index prescribed by that section, or
  - (b) meet the specifications adopted by the Rubber Manufacturers Association to be labelled on a sidewall with the letters “M” and “S”.

- (3) A winter tire under section 208 of the Act must be labelled on a sidewall by the manufacturer with either of the following:
- (a) the 3-peaked mountain and snowflake symbol as shown below:



- (b) the letters “M” and “S”.

#### **Chains**

**7.163** A reference to chains in a public notice or sign under section 208 of the Act refers to chains or traction devices.

#### **Studs**

- 7.164** (1) A person must not use studs as a traction device on tires unless the studs
- (a) do not protrude more than 2.0 mm from the tread or traction surface of a tire,
  - (b) do not have a hollow centre, and
  - (c) are safely and securely embedded in the tire by the manufacturer or a person in the business of selling tires so as not to cause damage to the roadway.
- (2) A person must not use studded tires on the front wheels of a motor vehicle unless the back wheels of the motor vehicle have studded tires.
- (3) Despite subsection (1) (a), a person may use studs that protrude more than 2.0 mm but less than 3.5 mm from the tread or traction surface of a tire if
- (a) the tire was manufactured on or before August 31, 2016, and
  - (b) the total number of studs in the tire does not exceed the following:
    - (i) 130 studs if the motor vehicle has a gross vehicle weight of 4 600 kg or less;
    - (ii) 175 studs if the motor vehicle has a gross vehicle weight of more than 4 600 kg.

#### **4 Section 19.03 is amended**

- (a) *in subsection (1) (b) by striking out “cleats,” and substituting “studs,”*
- (b) *in subsection (2) by striking out “tire chains” and substituting “chains,”*
- (c) *by repealing subsection (3) and substituting the following:*
  - (3) Despite subsection (1) (b), but subject to section 7.164, a person may use studs on a tire between October 1 in one year and April 30 in the next year. , *and*
- (d) *in subsection (4) by striking out “tire studs” and substituting “studded tires” and by striking out “this subsection” and substituting “subsection (3)”.*