

CITY OF SURREY

BY-LAW NO. 7778

As amended by By-law Nos. 8159, 04/15/85; 8901, 01/26/87; 9347, 01/11/88; 11175,01/27/92; 12268, 04/25/94; 13005, 06/23/97; 13524, 09/08/98; 16910, 05/25/09

A by-law to provide for the licensing of or exemption from licensing of commercial vehicles.

.....

THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BY-LAW PROVISIONS.

NOW, THEREFORE, the City Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. This By-law may be cited for all purposes as "Commercial Vehicle Licensing By-law, 1983, No. 7778".
2. In this By-law, unless the context otherwise requires:

"ACT"

means the Municipal Act, being Chapter 290 of the Revised Statutes of British Columbia, 1979, as amended and shall include all regulations and amendments thereto;

"GROSS VEHICLE WEIGHT"

means the weight at which a vehicle is licensed under the Commercial Transport Act or the Motor Vehicle Act, as the case may be;

"HIGHWAY"

means a highway as defined by the Act, but does not include an arterial highway, as defined by the Highway Act;

"CITY SOLICITOR "

means the person from time to time duly appointed as City Solicitor, or his designate for the City and also any person lawfully acting in that capacity;

"COMMERCIAL VEHICLE DECAL"

means a commercial vehicle decal issued under the provisions of Division (2) of Part XI of the Act.

"LICENSE YEAR"

means a calendar year.

"OWNER"

means, when used in reference to a vehicle, the person or persons duly registered from time to time under the Motor Vehicle Act, or the Commercial Transport Act, as the owner or owners of the vehicle;

"REGISTRATION CARD"

means the motor vehicle license issued pursuant to the Motor Vehicle Act, or the Commercial Transport Act.

"VEHICLE"

means any vehicle used by any person upon any highway, which is a commercial vehicle defined as such by and licensed under the Commercial Transport Act, and any vehicle not so licensed but which is used for the collection or delivery or both, of goods, wares, merchandise and other commodity in the ordinary course of a business undertaking.

3. Division (2) of Part XI of the Municipal Act is hereby declared to apply to the City of Surrey.
4. Except as otherwise provided in this By-law and in the Act, but subject to the Motor Carrier Act, R.S.B.C., 1979, Chapter 286, no person shall use or operate a vehicle on any highway within the City of Surrey, unless there is displayed upon that vehicle a valid and subsisting commercial vehicle decal issued for that vehicle.
5. Any application for a license and commercial vehicle decal shall be signed by the owner or his authorized agent and shall be in the form or forms shown in the Appendix, which is attached hereto and forms a part of this By-law.
6. The application form, together with the registration card for the vehicle, shall be delivered to the City Solicitor and, in the case where a license fee is applicable, shall be accompanied by the fee prescribed in the Act.

7. Upon receipt of the application for a license and of the required fee, the City Solicitor shall cause to be issued and delivered a numbered commercial vehicle decal, or a current year decal alone in the case of renewals, and shall endorse on the registration card:
  - (a) the number of such commercial vehicle decal;
  - (b) repealed By-law 8901;
  - (c) the date of issuance thereof; and
  - (d) the fee paid.
  
8. A. A commercial vehicle decal may be transferred:
  - (a) from person to person for the same vehicle upon payment to the City Solicitor of the fee prescribed in the Act;
  - (b) from vehicle to vehicle for the same person upon payment to the City Solicitor of the fee prescribed in the Act, and any sum representing the difference in license fee required for the transfer of a commercial vehicle decal to a vehicle of a greater gross vehicle weight.
  
9. The commercial vehicle decal shall at all times be affixed in a horizontal position on the front of the vehicle and be conspicuously displayed on or near the front windshield in such a manner that it can be readily seen from outside of the front of the vehicle, and shall be kept entirely unobstructed and in a legible condition and shall not obscure any other legally required plate, sign, or notice.
  
10. Where a commercial vehicle decal is lost, stolen, destroyed or becomes illegible or mutilated, the owner of the vehicle in respect of which the decal is issued, or his agent, shall apply to the City Solicitor for a replacement thereof for the fee prescribed in the Act upon the surrender of such decal, if still in the possession of the owner, and the City Solicitor, if satisfied of the truth of the facts in support of the application, may cause a new commercial vehicle decal with a current year decal affixed to be issued in replacement and shall endorse the record of its issuance on the registration card.

11. Except as provided in the Act, every person who operates a vehicle, or uses or causes the vehicle to be operated or used on a highway in contravention of any provision of this By-law is guilty of an offence against this By-law and is liable on conviction to a fine not exceeding Two Thousand Dollars (\$2,000.00).
  
12. The "Commercial Vehicle Licensing By-law, 1969, No. 3060" is hereby repealed.

PASSED FIRST AND SECOND READINGS by the Municipal Council on the 12th day of December, 1983.

PASSED THIRD READING on the 23rd day of January, 1984.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 30th day of January, 1984.

"D.A. ROSS" \_\_\_\_\_ MAYOR

"W. VOLLRATH" \_\_\_\_\_ CLERK

APPENDIX

APPLICATION FOR COMMERCIAL VEHICLE LICENSE:

(a) CITY OF SURREY

VEHICLE LICENSE - COMMERCIAL

\_\_\_\_\_  
DECAL NO. \_\_\_\_\_  
\_\_\_\_\_

THE ABOVE NAMED,

having paid the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), is hereby licensed to use  
\_\_\_\_\_ of a gross vehicle weight of \_\_\_\_\_ kilograms, Motor  
Vehicle License Registration No. \_\_\_\_\_, pursuant to the provisions of "Commercial  
Vehicle Licensing By-law, 1983, No. \_\_\_\_\_," and amendments thereto, for the license  
year 19\_\_.

Dated at Surrey, B.C. this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

Manager, Administration and  
By-law Enforcement

Per \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

Note: If this bill is paid by cheque, receipt void if cheque is dishonoured upon  
presentation.

(b)

CITY OF SURREY

VEHICLE LICENSE - COMMERCIAL

\_\_\_\_\_  
\_\_\_\_\_

THE ABOVE NAMED,  
having paid the sum indicated by the cash register for the City commercial vehicle  
license(s) indicated below, is hereby licensed to use such vehicle(s), pursuant to the  
provisions of "Commercial Vehicle Licensing By-law, 1983, No. \_\_\_\_\_," and  
amendments thereto, for the license year 19\_\_.

Motor Vehicle License Registration Number	G.V.W.	City Decal No.	Fee
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			

Dated at Surrey, B.C. this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

Manager, Administration and  
By-law Enforcement

\_\_\_\_\_  
Signature of Applicant

Per \_\_\_\_\_

Note: If this bill is paid by cheque, receipt void if cheque is dishonoured upon  
presentation.

APPENDIX 3

COMMERCIAL VEHICLE LICENSING BY-LAW, 1983, NO. 7778

VOLUNTARY PENALTIES

		PENALTIES		
		Paid Within <u>48 Hr.</u>	<u>10 Da.</u>	After <u>10 Da.</u>
<u>OBEDIENCE TO TRAFFIC CONTROLS</u>				
4.	Use or operate a vehicle on a highway unless there is displayed upon that vehicle a valid and subsisting commercial vehicle decal issued for that vehicle	\$10	\$20	\$30
9.	fail to affix commercial vehicle decal in a horizontal position on the front of the vehicle and be conspicuously displayed on or near the front windshield in such a manner that it can be readily seen from outside of the front of the vehicle	\$10	\$20	\$30
	fail to keep the commercial vehicle decal entirely unobstructed	\$10	\$20	\$30
	fail to keep the commercial vehicle decal in a legible condition	\$10	\$20	\$30
	allow commercial vehicle decal to obscure any other legally required plate, sign or notice	\$10	\$20	\$30
10.	fail to apply for replacement when commercial vehicle decal is lost, stolen, destroyed or becomes illegible or mutilated			

NOTE:

Appendix 3 - Voluntary Penalties, as approved by Judge Reed, was endorsed and required to be published as an Addendum to By-law No. 4860 by the City Council at their Regular Council-in-Committee meeting held January 21, 1985, Manager's Report Item: 043

Note: Appendix 3 is added to By-law 7778 for information purposes only.

