

## Proposed Outline:

### Stages 3 and 4: *Solutions for a Sustainable Future* report

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The proposal below builds on the suggested outline for Sections 7-10 in *Solutions for a Sustainable Future Interim Report* and Schedule C in the contract.

## Section 7.0. Forging a Solution: Options for Registration & Licensing and Management of ORVs

### Introduction – Developing Options for British Columbia

- Summarizing current situation in BC (see case studies below)
- Summarizing key reasons why legislative renewal and streamlining are needed e.g.
  - Antiquated early '70's *Motor Vehicle (All Terrain) Act* that has not been systematically reviewed despite major changes in ORV use and technology; only applies to snowmobiles given existing regulation not to ATVs;
  - *Motor Vehicle Act* requires registration, licensing and ICBC insurance for even incidental on-highway use but does not apply for off-highway use thereby creating a cumbersome dual registration requirement for snowmobiles while being an inappropriate tool in general for ORVs
- Guiding principles in developing and evaluating options include (to be refined or revised); these can be considered criteria of a good model:
  - Being cost/revenue-neutral for government consistent with a “user-pay” approach
  - Being affordable and cost-effective in order to help garner public acceptance
  - Being simple and efficient where transactional costs to ORV operators and government are minimized
  - Streamlining requirements by reducing existing complexities and overlaps (e.g. dual registration system for snowmobiles)
  - Enhancing public safety and opportunities for cost-effective liability insurance
  - Improving opportunities and removing barriers for economic development such as long-distance ORV trails that link communities
  - Improving environmental standards in balance with social and economic interests
  - Facilitating more effective compliance and enforcement
  - Promoting private sector participation (public-private partnership)
  - Being consistent with capacity of government and organizations to deliver

A description and analysis of the pros and cons for each option, using the guiding principles above, would be applied to each of the issues. The Case Study review of registration, licensing and management (see Appendix A below) and stakeholder feedback (Appendix B below) would be used when describing implications and providing examples.

## **Statutory and regulatory framework**

### **Statutory and regulatory framework for registration and licensing**

- Introduction
  - Current situation in BC:
    - Off-highway one time registration for snowmobiles and none for ATVs; on-highway registration and annual licensing
  - Common features in all options (e.g. vehicle identification) will be discussed where implementation alternatives exist (e.g. visible license plate or decal)
- Option 1: One time registration with no licensing requirements
- Option 2: One time registration with multi-year licensing (2, 3 or 5 year license)
- Option 3: One time registration with annual licensing

### **Administrative Framework**

For the sake of clarifying the issues involved, this section would differentiate between a) the administrative framework for licensing and registration of ORVs and b) the administrative framework for the licensing surcharge for a Trust Fund. This is in keeping with the ORV Coalition's Common Goal Statement: *We agree that some of the general revenue collected by the government as part of the licensing of ORVs be dedicated to a Trust Fund...* which implies support for a trust fund approach. This distinction is not meant to prejudge any final recommendations; it is meant to facilitate clear articulation of the issues and options, and to enhance decision-making.

### **Administrative framework for registration and licensing**

- Introduction
  - Current situation in BC:
    - ICBC administers on-highway registration and licensing of ORVs, and off-way one time registration of snowmobiles
- Option 1: Private model
- Option 2: Public/private model
- Option 3: Public model
- For each option, who specifically might administer it and overview of cost implications of administration

### **Administrative and regulatory framework and issues regarding the license surcharge for Trust Fund**

- Introduction
  - Current situation in BC:
    - A surcharge for hunting, fishing, guide-outfitting and trapping licenses goes to the Habitat Conservation Trust Fund to help pay for stewardship programs
    - No surcharge system exists for ORVs
- Option 1: Private model
- Option 2: Public/private model (e.g. similar to Habitat Conservation Trust Fund)
- Option 3: Public model

- For each option, who specifically might administer it, regulatory implications and overview of potential costs of administration will be provided
- For each option, the following will be identified (including alternative approaches where applicable):
  - How will it be funded (in terms of revenue sources)?
  - How funds will be collected and distributed?
  - What funding would be available to administering party, to stakeholder groups, and to government?
  - What the funding will be used for (e.g. administration and management of education and safety programs, trail development including maintenance and enhancement, enforcement, and conservation and stewardship)?
  - Composition of trust advisory body responsible for disbursing funds
  - Identification of key decision-making procedures

### **Management issues that might require regulatory reform**

Legislative changes that address registration and licensing should also address key management issues that normally can't be addressed through policy. The intent is to seek a balance between a) addressing key management issues in a strategic fashion and b) addressing the core objective of making recommendations regarding licensing and registration. The rationale here is that if the *Motor Vehicle (All Terrain) Act* is to be revised, or new ORV legislation introduced, government will likely want to address some key management issues that may require legislative attention.

Key management issues are summarized below.

- Safety requirements (e.g. helmet use, speed limits)
- Operator requirements (e.g. driver's license, or minimum age and completion of bona fide operator training course)
- Designating ORV trails and recognizing a trail pass system
- Highway crossings for trail use and signage (e.g. how to address efficiently and safely: Municipal bylaws, Ministry of Transportation)
- On and off-highway liability insurance (e.g. what should the requirements be, what is role of ICBC and private insurance providers, whether insurance should be mandatory and if so, whether mandatory for all use or whether exemptions)
- Interplay of ORV licensing fee with other licensing fees such as hunting and fishing
- Securing use opportunities for all users, including motorized and non-motorized
- Use restrictions to protect sensitive wildlife and ecosystems (how and who should determine this)
- Compliance and enforcement (e.g. role of RCMP and provincial enforcement officers, links to *Offences Act* with respect to violation tickets; potential role of ORV patrol wardens)
- Implementation including phasing-in of registration, licensing and management program
- Treatment of agricultural, ranching or industrial vehicles; First Nations subsistence use
- Treatment of out of province users

## **Section 8.0. Forging a Solution: Recommendations for Registration & Licensing and Management of ORVs**

Recommendations for each of the topics discussed above along with rationale will be provided. The rationale would link to conclusions stemming from stakeholder and agency workshop in September 2005 summarized in Appendix C below):

- Statutory and regulatory framework for registration and licensing
- Administrative framework for registration and licensing
- Administrative framework and issues regarding the license surcharge for Trust Fund
- Management issues that might require regulatory reform

## **Section 9.0. Implementing the Recommendations**

Next steps to promote the successful implementation of the recommendations in a timely manner will be addressed including:

- Identifying key action items and timelines on part of ORV Coalition and ATV – IAPC to help ensure the recommendations get delivered

## **Section 10.0. Summary of Recommendations**

An approximate 10- page summary of recommendations with short rationale can be used as a stand-alone executive summary on part of ORV Coalition and ATV-IAPC, and can serve as a public summary report.

## **Appendices**

### **Appendix A: Case Studies: Review of Licensing & Registration Systems and Management**

(2-4 page summaries for each case study)

#### *Off-Road Vehicles*

- British Columbia – current situation
- Alberta
- Ontario
- New Brunswick
- Nova Scotia

#### *Other Systems – Lessons Learned*

- BC hunting and fishing license system with surcharge to Habitat Conservation Trust Fund
- Livestock registration system where livestock industry appears to take lead with government support
- Federal gun registration system – what are the concerns to be avoided

## **Appendix B: Summary of Stakeholder Input on Potential Options for Regulation, Administration and Management of Off-Road Vehicles**

- ATV recreation interests (Quad Riders Association of BC)
- Snowmobile recreation interests (BC Snowmobile Federation)
- Dirt bike recreation interests (Pacific North West Motorcycle Association, Greater Kamloops Motorcycle Association, Okanagan Trail Riders Association)
- Fish and wildlife recreation interests (BC Wildlife Federation)
- Other recreation interests (Outdoor Recreation Council of BC, Trails BC)
- Commercial recreation interests (Council of Tourism Association, Wilderness Tourism Association, BC Resort Task Force)
- Conservation interests (Federation of BC Naturalists, Grasslands Conservation Council, Canadian Parks and Wilderness Society, BC Environmental Network)
- Ranching interests (BC Cattlemen's Association)
- Local government interests (Union of BC Municipalities)
- First Nations interests (discuss approaches with Treaty Negotiation Office and will propose an approach to GCC and legal counsel before proceeding)
- Provincial government interests (ATV-Interagency Policy Committee)
- Other interests (as expressed in response to public summary paper)

## **Appendix C: Summary of Stakeholder and Agency Workshop, September 2005**

Highlights of the Workshop would focus on consensus-based recommendations and supporting rationale.