

BILL 13 — OFF-ROAD VEHICLE ACT

Hon. S. Thomson: I move that the Off-Road Vehicle Act be read a second time. This act replaces the outdated Motor Vehicle (All Terrain) Act in regulating the use of off-road vehicles and is a significant step in implementing the off-road vehicle management framework.

The previous act is 40 years old. In the intervening years there has been a very significant increase in off-road vehicles in the back country, and the sector continues to grow. In 2009 this government committed to implementing the off-road vehicle management framework, which called for one-time registration. It called for improved operator use and safety rules. And it called for measures that will help protect the environment.

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The Off-Road Vehicle Act fills this need. It establishes a more effective registration system that will be self-funded and allows for the development of safety standards and conditions for a wide range of off-road vehicles. The act aligns registration requirements with the Motor Vehicle Act, creating a one-time registration system for off-road vehicles administered by ICBC.

Enforcement measures will be enhanced to ensure off-road vehicles are operated in a safe manner. The vast majority of off-road riders are responsible and conscientious. Unfortunately, it only takes one reckless operator to cause serious damage or injury. The new ORV Act recognizes this by including new measures for enforcement officers, such as the seizure of the ORV for safety or evidence purposes and higher limits for fines.

Maximum fines for violations will be increased up to \$5,000 from the current maximum of \$500. By increasing penalties on safety and driving infractions, the act will create a meaningful deterrent for irresponsible riders who endanger others, harm animals or damage sensitive habitats.

Additionally, the new registration system, the new registration scheme, will enhance safety in British Columbia's back country. When a snowmobile or a quad is found abandoned, it can be an early indication that someone is nearby, lost in difficult terrain. However, there is no way to confirm that the person is even missing

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or who they are, since currently the majority of ORVs are not registered with ICBC, and the manual snowmobile registry is not easily accessible.

Bringing ORVs under ICBC's electronic registration system, which is easily accessible to enforcement officers, will address this deficiency and be a valuable aid in search and rescue operations. Similarly, the improved and expanded registration system will help combat theft. Currently, a snowmobile or quad can be stolen and operated with little fear of being identified. Registration under the ORV Act will better track the ownership of these vehicles, greatly assisting investigations and prosecutions of property theft. The registration program will be fully self-sustaining. The initial cost of development will be paid back within five years.

The bill includes a future funding mechanism for ORV trails by amending the Special Accounts Appropriation and Control Act. The registration fee will only be set at a rate sufficient to recover the cost of a registration program to keep costs low for families and businesses in British Columbia.

Under the act a potential source of sustainable funding may be permits to access specific areas of Crown land where ORV trails are being maintained or developed. The details of this future funding mechanism and the policy for permits will be developed in consultation with the key stakeholder associations who contributed so much to the development of this framework and this legislation, and as part of the provincial trails strategy of British Columbia.

Different user groups bring different perspectives on how off-road vehicles should be managed in

the province. But through extensive consultation that was undertaken, a concerted effort was made to address the needs of all stakeholders.

We had an ORV joint advisory group that contributed, as I said, significantly to the development of the framework and the legislation, groups like the Association of B.C. Snowmobile Clubs, Backcountry Lodges of B.C. Association, B.C. Cattlemen's Association, Commercial Snowmobile Operators, Snowmobile Federation, the B.C. Wildlife Federation, Outdoor Recreation Council, Quad Riders Association of B.C., the Union of B.C. Municipalities, the Wilderness Tourism Association of B.C., just to name a few of the many groups that participated in that joint advisory process that has helped contribute to bringing this long-awaited legislation forward.

The ORV Act will provide surety that off-road vehicles are being used safely and responsibly and that more effective enforcement measures are available for those who refuse to do so. Finally, it will replace the outdated legislation with a modern registration framework specifically designed to better integrate into a pre-existing structure at ICBC.

With those comments, I look forward to the comments of other members and will listen carefully to those comments and then will look forward to continued discussion during committee stage.

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N. Macdonald: Just to begin, as I hope I always remember to do, by thanking the minister and his staff for providing the briefing. As my colleague from Cowichan Valley and I attend these briefings, we're always struck by the competence that sits within the public service, and I'm sure the minister appreciates very much the talent that he has within his ministry.

This is a project that many of those within the ministry have spent perhaps close to a decade working on. I think that in the briefing it was actually mentioned by one of the people providing the briefing that they've been working on this for a long time.

Of course, this is adding regulation; this is adding cost. But the regulation is so sensible and the cost really so minimal that you have the support of users. You have, in fact, users that have joined in working to put this together. Presuming that within the third reading of the bill all the answers that are given by the minister are reasonable answers, I think there's no question that we'll be supporting the bill. Certainly, at this stage the premise of the bill is one that we would support.

These are reasonable regulations that users have asked for, for a long time. In British Columbia, in the area I'm from, there is incredible back country. We have during the winter not only skiers and snowshoers as well as heli-skiing, but we also have a tremendous number of snowmobilers. It's not only important to people in the area that snowmobile for recreation, but there's a lot of business associated with this. There are a lot of people that come to Revelstoke, to Golden, to the Columbia Valley or Kimberley from Alberta to enjoy our back country, and it's an important part of what goes on in our communities during the winter.

As I said, it is a bill that has taken a long time to bring to the House. It's nine years that I've been here, and one of the first pieces of legislation that I was looking at was this legislation. There had been work done by a committee. It was a committee that included not only the user groups but also the environmental non-government organizations, as well as, I think, industry. Certainly, industry had a voice. They ended up with, as I remember, about 50 recommendations.

Now, not all of those recommendations are included in this piece of legislation. Like I say, I think it was 2006 that the recommendations were made. But certainly the spirit of what was talked about in that report seems to be reflected in this legislation.

I think most MLAs, when they get a piece of legislation like this that's going to be of interest to people in their area, put it out on e-mails, asking for feedback from users. We knew that we had feedback from many of the user groups, but there are sometimes individuals that

have a different opinion than the user group that represents them. I have to say that the feedback that I received was mainly positive, with some being very enthusiastic about the possibilities.

There is, as I said, a cost, but it is a one-time registration fee of \$48, I think it is, which seems acceptable, especially when one considers the value often of the off-road vehicles that we have. It's a piece of legislation that seems able to adjust as new off-road vehicles come into play that we perhaps haven't even thought of now. That, again, makes a lot of sense.

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One of the things that the registration, the licensing, does is take care of an issue that we heard a lot about from people coming into jurisdictions that had licensing and registration, which was about theft and about how this takes care of some of the challenges around off-road vehicles that have been stolen. Now if it is to be used in British Columbia, it has to go through a process that is going to clearly identify the off-road vehicle if it is stolen. From that perspective, I think it deals with an issue that has been raised with me in the past.

It also deals with safety issues. I think most of us will know that the off-road vehicles are sports that people love, and people accept that there are risks. We know that. In the area that I represent, I think just yesterday there was a tragic death of somebody who was snowmobiling. People know that there are risks, but there are also things that we can do to make sure that it is as safe as possible. The legislation here on public land puts in place some reasonable rules around what one would do to make sure that safety issues are considered as much as possible.

I do know in the original recommendations that were put forward in 2006 that there was a hope that some money that was collected would go towards safety training and trails and trail maintenance. While this does not specifically, I think, set up that structure, it does speak to the possibility of money for trails.

I think the balance here was to make sure that any costs that were imposed in the initial registration were as limited as possible. In the future if there's a decision to go and find a mechanism with registration or licensing to pay for trails, that would be looked at in a separate process. Again, that seems to me to be eminently reasonable.

The bill, as well, has the ability.... With licensing that is clearly visible, it means that it's going to assist in enforcement of practice or behaviour on off-road vehicles that isn't allowed. Not surprisingly, the push for this has come from the user groups as much as anything else — from environmental groups as well as from the wildlife federations or rod-and-gun clubs, certainly, but also from the user groups.

The vast majority of users of these off-road vehicles are responsible. They know that it only takes one or two people acting irresponsibly for there to be problems that they have to deal with. So the user groups want responsible use. The user groups have said to us that they want the off-road vehicles to be easily recognized. The licensing does that. It's of a size that people are going to be able to see.

Within the legislation there is not only the identification of people that are breaking rules, but there are also significant increased penalties. I think we know that the type of people that are going to be breaking rules are the type that are going to have their behaviour best modified with what are fairly significant penalties. I think that that is something that the legislation addresses as well.

The long time coming has meant, however, that one cannot complain at all about a lack of consultation. There has been full consultation. I have to say that we were struck with the legislation being well-thought-through. I think that that's a really very positive thing.

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I wouldn't be the critic if I didn't find something to pick at. Having the legislation look as agreeable as it does, I'll go to an area that's related to but not directly in the legislation, which is people on the ground. This is a discussion that the minister and I and other government members have fairly regularly. Over the past 12 years the government has moved in the direction of removing the people on the ground that do the work of regulating and enforcing the rules that we create here. It causes some real problems.

While in many areas I would say that self-policing doesn't work, I would be remiss if I were to not mention that I think there are strong elements of self-policing with the user groups. My experience with my snowmobile clubs is that they are very conscious of informing people that visit Revelstoke or visit the Columbia Valley or Golden. They make sure that they have maps that, at their own expense often, they've put together. They put up signs. They will go and speak to people who go into areas where they're not supposed to go.

These machines, especially snowmobiles, can go everywhere. I think if you're not familiar with where they can head, you'd be shocked at how steep the slopes are where the machines can go. It does mean that they often are in conflict with people who are there to heli-ski. They can be in conflict with wildlife areas, such as, around Revelstoke, the caribou. So it's important that in an area that's as big as it is, that we have certain areas set aside for different activities. If we're going to be serious about looking after wildlife, we have to also make sure that we protect certain areas.

The ATV clubs, the snowmobile clubs, do a really commendable job of making sure they self-police to the extent that they can. Beyond that, though, you need a structure. In this legislation it talks about the various individuals who can make sure that regulation is followed. There's the RCMP and, I think, conservation officers and natural resource officers. But I think we have to recognize that in my area, where a lot of this takes place, the num-

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ber of RCMP has been significantly reduced.

Golden, when I was mayor back in the '90s, had two conservation officers. When the Liberals took over, that went to no conservation officer. Then, after a long period of time fighting to get a conservation officer back — not only as the MLA, but with, of course, the strong support from rod and gun and other environmental groups — we got one conservation officer back, but now we've lost the conservation officer in Revelstoke.

What it means is you can have legislation and you can have regulation, but if you have nobody there to actually do the work on the ground, then there's no question that the government is not properly accepting its responsibility to look after our public land.

On top of that, you have recently created natural resource officers. At the time when that legislation was introduced, the minister, my colleague from Cowichan Valley and I had quite a discussion about what training would take place and what supports would be given to these officers who are suddenly asked to do a tremendous amount more as their numbers and budgets are cut.

I think, here again, you would ask: are there going to be additional people available to do this work? Is there going to be resources to train them and make them familiar with the various pieces of legislation that they are asked to regulate and to make sure that the public is following?

I think that that would be the main concern I have. In so many areas the government does not have the boots on the ground to actually make regulations work in a meaningful way.

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We are going to look to committee stage for fuller explanations, but certainly, the recommendation that I made to caucus is that this is a good piece of legislation. It has taken a long time to put together. It is consistent with what groups have told me, really since I began as MLA in 2005-2006. Unless something comes up in the committee stage that changes what we think on this side, certainly we'll be prepared to support it.

With that, I conclude my comments and look forward to the next stage of passing this bill.

L. Throness: I rise, as well, to express my support for the Off-Road Vehicle Act, and I want to express my appreciation to the member for Columbia River–Revelstoke, the NDP, speaking in support of this bill. That's a great thing. It comes as high praise from the members opposite, and it shows the depth

of consultation that we've gone to and the broad degree of support across the province for this bill.

I want to explain and introduce the bill to my constituents, and I want to do that by talking about three words. I'll take a few more than three words — but three main principles that I find embodied in this bill that express what it's all about.

It's called the Off-Road Vehicle Act. It's a bill which sets in place a regime of registration of off-road vehicles. We've been working on this since at least 2009. We've consulted broadly with stakeholders across the province. We've obtained broad support — all-party support, as we learned today — and I want to speak in support of that myself.

But you need to know, Mr. Speaker, why I am speaking to this legislation. It's because I have a professional interest in this matter since I, as an MLA, have the good fortune to live in the Chilliwack area, one of the most beautiful parts of the Fraser Valley and also one of the wildest. In fact, the Chilliwack River Valley in particular is the closest rugged country that you can come to within a couple of hours of Vancouver.

You can quad and you can motorbike to your heart's content in the Chilliwack River Valley. Or you can hike. You can camp. You can stay with your rec vehicle. You can swim, kayak, canoe, hunt, fish, ride horses, snowmobile, cycle, or you can just be there. You can do just about anything you want in the Chilliwack River Valley. Many thousands of people come from all over the Lower Mainland to recreate there and have fun. Of course, they're welcome to come and visit as long as they show respect.

I would add that there are many other similar areas. I have a riding of 10,000 square kilometres. There are recreational areas throughout my riding, but the Chilliwack River Valley is the most popular.

Recently I took a tour of the Chilliwack River Valley, a recreational tour led by very able staff from the Forests, Lands and Natural Resource Operations Ministry. I found that the valley is honeycombed with hundreds of kilometres of trails built especially for the enjoyment of people with motorbikes and quads in particular. There are campsites, as well, that are staffed full-time.

You can hike the Trans Canada Trail through the Chilliwack River Valley. The trail runs through all of Canada, across the breadth of this great country, and there are lots of opportunities for recreation. Most people don't even know about it because it's not visible from the road — except the people who like doing that kind of thing.

However, in the Chilliwack River Valley we also have a lovely residential area called Bell Acres. Bell Acres is a beautiful place. It's got some cottages in it and some permanent residences as well. There's a group of perhaps 50 or 100 homes nestled by the Chilliwack River there. There are many other residences in the Chilliwack River Valley; I'm simply using Bell Acres as an example.

Across from Bell Acres, beside the river, there is a road. It's a Forest Service road that's frequented by lots of quads and dirt bikes. In fact, since sound carries very well over the water, it sounds to homeowners in Bell Acres like these quads and motorbikes are right in their backyard as they race up and down this road in order to gain access to trails that run farther up in the back country, out

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of sight and out of sound.

Of course, you get some young people who really feel the need for speed, and there are some who don't like mufflers very much, so they crank their machines as loud as they can. The use and enjoyment of the people who have cabins and permanent houses in Bell Acres across the river.... They bought their places so that they could enjoy the sounds of the rushing water and the river going by and are now experiencing sounds more like a dragstrip than the wind rushing through the trees.

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In fact, there are about 35,000 quads and motorbikes within a couple of hours of the Chilliwack River Valley. You can imagine what it's like there on a weekend in good weather, particularly in the summer. There are parking lots by the roads crowded with trucks and trailers that carry these machines.

Our wise recreation personnel are allowing for this. They built staging areas off the road and far enough back from the river that people can't hear them. It will ensure that the noise doesn't bother them. Further, they're going to place some restrictions on the road. They're going to place speed limit signs and perhaps some other calming mechanisms that are required.

I also recently took a tour of a similar area farther away near Manning Park called Sunshine Valley, back in the mountains where Silvertip ski hill used to be. It's no longer operating as a ski hill. The old structures are still there, but it's not working anymore. There are also Forest Service roads in that area, and quads are beginning to come into that area, on the weekends particularly, to have fun.

I was taken on a tour of the area by a First Nations person who showed me some of the plants that First Nations people use for ceremonial purposes and the locations they have for historical reasons. Here again, conflict is occurring, as quads actually push through bush and through the forest to make new trails.

They don't particularly care all the time what they're driving over. Often if there is a metal gate blocking a road, they'll simply saw through it and cast it to one side and drive through. Of course, they jeopardize the areas that are held dear by the original people of Canada, the First Nations people, so conflict is occurring.

As long as people continue to buy quads and motorbikes and as they become more popular, as the population in Vancouver expands and as areas become more and more settled and push out farther and farther east in the valley and people want to escape the concrete jungle and get into the great outdoors, the beautiful rainforest in the Chilliwack area, we're going to see more and more of this kind of residential-versus-recreational conflict — not only in the Chilliwack River Valley but everywhere across the province — unless we do something about it. We are doing something about it. It's called the Off-Road Vehicle Act.

Now, let me ask you, Mr. Speaker: what if the drivers of quads and motorcycles beside the Chilliwack River didn't bother listening to the complaints of their neighbours? What if they don't care about the people living across the river in Bell Acres? What if they decide to disobey the rules set by the authorities designed to keep the use and enjoyment of others' property? They'd just keep blasting by their homes on that road, up and down, over and over every weekend — especially now, as we head toward the summer months. That's the reason we have the bill we have before us today.

I want to talk about three advantages that I see accruing to all British Columbians through this law, simply by referring to three simple words. The first word is "identity."

If you're charged with a traffic offence and you get a ticket, you have the option to go to court. The first question that a judge will ask himself or herself, as he sees this person before him, is: "What about jurisdiction? Do I have jurisdiction to try this person before me?" Maybe the person is a citizen of another country or another province. Maybe he's in the wrong court.

The first question is one of jurisdiction, but the second one is one of identity. "Who is this person standing before me? Can I identify him or her?" What about the vehicle they are alleged to have driven in this alleged offence? "Can I identify the vehicle? If I don't know who this person is, if I can't identify the vehicle, then I can hardly try him or her. I can hardly hold this person to account." That's where this act is so helpful. It will help to identify both driver and vehicle.

Right now if you see a person perhaps driving a dirt bike in an unsafe manner against the regulations, you might chase that person into the forest, but you might lose that person. Whereas, if you had a licence plate, you would be able to identify that person. If a person is not showing due care and attention, that person can now be identified even from a distance.

Registration means that you can't do things anonymously anymore. It means that a person, once identified, is now accountable to the law for his or her actions. The very fact that a person knows that he or she can be identified changes their behaviour. It means they are not anonymous. They're going to think twice about doing that stupid thing that will hurt the environment or hurt the use and enjoyment of the property of others or otherwise break the law. In other words, identity brings accountability to the law and to the rules that we set for everyone.

I would point out that this bill adds powers to government officials to seize vehicles for a short time, a maximum of 48 hours, and give out modest fines that are still significant enough to deter people from doing wrong things. This will provide an added deterrent for people to obey the rules when they play in the bush, to play fair, to play nice.

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The second word I want to talk about is "order." I'm a kind of law-and-order guy. I like the idea that we have law and order in the cities. We have pretty tight rules of the road, where traffic follows a set of rules that everyone abides by. It makes travel safe in cities. But I also like that we have law and order in the forest, in the wild. I like law and order to extend everywhere in B.C.

I used to work in the oil patch in B.C.'s north. It was quite a swashbuckling, kind of lawless culture, a culture very much contrary to the confines of the city. People like the idea of not having much law and order in the bush. They like to do what they want to do. So when I see a huge truck covered with mud with two quads on the back, it sort of reminds me of this kind of culture.

In a way, it's adventurous. It's courageous, it's a bit risky, but it's favoured by the strong. Those who are strong like that kind of a culture because they can do anything they want. But the weak, in that kind of a culture, don't have such a good time. I'm a firm believer in not allowing a few people to wreck it for everyone else by running roughshod over the environment, maybe to go crashing through the bush, sometimes harassing wildlife.

Some may allow their machines to start fires by allowing their sparks to start fires. Some may even use their vehicles for poaching. I like the idea that we can restrain this kind of thing by registering and identifying them. An additional benefit of registration will be to restrain theft. It's harder to steal vehicles. I think that every vehicle owner can be happy about that.

Of course, there's a price to all of this. It costs something to register vehicles, but our price is low. It's going to be just \$48 as a one-time charge, a charge that's lower than Alberta's charge of \$54. I think it's a charge that's very reasonable, and it was solidly supported by our user groups, in our stakeholder engagement.

Of course, there's some red tape associated with this as well. But I would point out that licence plates are being added to the existing ICBC platform, and ICBC already has about 3.4 million vehicle registrations. Adding some thousands more is going to be done at a very marginal cost.

So we're providing order. We're providing identity. We're providing greater security for off-road vehicle owners, and all at a very reasonable marginal cost.

The final word I want to use today in relation to this bill is "fun." That's really the reason for these vehicles, isn't it? Some of them are used in agriculture, some of them might be used on golf courses or other businesses that involve the outdoors, but the majority of our quads and Argos and dirt bikes and snowmobiles and side-by-sides, or whatever are recreational in nature. They're used purely for fun.

I think that's a great thing. Only I think that it should be fun for everyone. Sometimes you'll find a dad with his kids out for the weekend to have fun quadding. But they might be cut short by the hotheads who go blasting by, tearing up the place and generally wrecking it for everyone.

The registration that we're putting in place will restrain the behaviour of others so that everyone can enjoy the great outdoors. To make it even more fun, I would point out that the bill allows for permits to be charged that will go into a special account that will be used to upgrade trails for the further use of off-road vehicles. It means that you might have to pay a small amount to go on an off-road adventure, but that money will go to making the adventure bigger and better.

There are rules for safety in the bill as well. The government will be able to make regulations to prescribe helmet wear; proper lighting; and safety rules for young operators, operators under 16. It's not

that we don't want younger drivers to drive. I know when I was a young teen, I was wild to drive any kind of a motorized vehicle. So we want them to do that. But younger people will have to take special precautions, and for good reason.

A safe adventure makes for a more enjoyable time. I visited our search and rescue teams in the valley, and I can tell you that it's not a fun way to end your dirt bike adventure by being taken out of the bush in the middle of the night on a stretcher by a search and rescue team. Safety is important, and it is necessary to have a fun time.

To sum up, we want a regime where everyone can enjoy beautiful B.C., where people can live in homes in the country — who don't have off-road vehicles — and can enjoy their space; where young families, as well as the more serious and aggressive mudders can have a good time; where fewer vehicles are stolen; where people don't get away with trampling the environment; where no one feels shoved aside; where everyone can gain a greater appreciation of the environment, enjoy the great outdoors and the thrill of driving an off-road vehicle; where everyone is required to respect the rights of others. And that is exactly what will be accomplished by the system we have before us.

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A registration system like this has got to be good for industry too. It's more safe, more secure, lower insurance costs, saves the environment and will help to develop the trail network. Generally, I think it will increase off-road vehicle sales.

Identity brings accountability, accountability leads to order, and order leads to safety and security in our beautiful recreational areas, which will make it more fun for everyone. That's why I will be supporting this bill before us.

B. Routley: Well, it was quite something listening to the previous speaker and the joy and exuberance that we heard displayed there about regulation, from a government that, at one time, had a minister of deregulation. Now, all of a sudden, we're excited and looking forward to the day we can legislate, put in laws, put in some real

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regulations and have some real compliance and enforcement. Finally, some regulation. It's a wonderful thing indeed to see the joy, the absolute joy, in moving towards regulation that's absolutely necessary.

The one thing we can absolutely agree on is that this is long overdue. I'm not alone. If you would have listened to the previous speaker, you would think for sure this government has been turning their minds to this for maybe even 20, 30 years — at least the last 12 years or so. They've been really focused on thinking up a way to do this.

But let's just take a moment to hear from Bruno Delesalle, the co-chair of the ORV Coalition. What does he say the facts are on this? He says that for over 30 years.... By the way, I might add this is from the B.C. government's own news release and website. They have it in there, so I appreciate the honesty, at least in this little blurb. "For over 30 years we've known that B.C. has lagged behind when it comes to ORV regulations, to the detriment of personal safety, environmental responsibility, tourism potential and the enhancement of ORV sport," said Bruno Delesalle, co-chair of the ORV Coalition."

So for over 30 years the groups have been together, united, petitioning government, bringing forward their ideas and concerns. At the end of the day, now we have government coming forward and saying: "Oh, this is such a wonderful idea. We just thought this up in the last little while. We've been squirrelled away working so hard on it, because we care so much about this regulation and program."

But I support that, and I join with my friend. I'm not quite as diplomatic as my friend, who rightly points out that there's a lot of good and there's a lot of merit in, finally, the government listening to the people of British Columbia, who have been begging and pleading for the government to listen. "Could you just give us a few crumbs from the table and move this bill along? Give us some safety. Help us out.

People are stealing our bikes. They're out running up and down, creating environmental catastrophe in the woods."

I have experienced that myself. I went to an area. I must admit that this wouldn't have been my idea of fun, but I have a constituency assistant who, for more than 30 years, has gone out into the wilderness. He really enjoys taking his little Tracker out there. It's not an ORV. It's a real off-road vehicle. But we ran into those kinds of wild vehicles blazing trails through pristine wilderness, doing things that really aren't acceptable in a class A park in British Columbia and in Canada.

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To have people tearing up the wilderness is absolutely unacceptable and should be to all British Columbians — finally, to have a government listen and put in place some rules. But will there be any compliance and enforcement? Will there? No.

We've seen over a thousand jobs lost within the ministry, okay — a lot of them compliance enforcement. Now they've got them running around on roller-skates. Practically, I'm sure.

I don't know whether they've given them a gun yet. I don't think they've got a gun, and they're out there dealing with wildlife. They've got the list of things that they have to comply and enforce. Good grief, you'd have to be an amazing police officer or enforcement officer to do all the long list of things that are required.

They've rightly pointed out that we're going to get a little help from the RCMP — some folks that really are able to deal with the compliance and enforcement. But as others have said, they're already overworked and understaffed. They're reducing their budgets and their staff. Now we're going to pile on these kinds of regulations.

Back to Donner Lake. When I went into the area of Donner Lake, which is a pristine lake near Strathcona Park.... It's at least four or five miles long. Of course, I had to canoe it, so it seemed like four or five miles long. Maybe it was only two or three miles long, but it seemed like a very long lake. It was a pristine lake, mighty cold there, and the mosquitoes were big — but a beautiful place nonetheless. When you woke up in the morning and had a real wilderness experience, it was something else.

I have to say, I got in there close enough. We had to drag all our gear out and walk down this trail. And my disappointment to see that one of these ATVs or quads had driven a road right through the bush.... Somebody got out a power saw and chewed up the landscape and roared in there. They had taken their vehicle right down to Donner Lake. This pristine lake that had been just left in pristine form all those years, and somebody with a power saw and one of those vehicles goes roaring around in there.

Boy, I would have loved to have found somebody with a licence plate on there and had the ability to get at the problem, to identify somebody, and say: "Could you get out there and have a look, because this is destroying the wilderness and ruining the wilderness experience for other people?"

I also had the experience.... I lost a friend who I worked with over the years, and I was shocked. I was shocked that this vice-president of a local union would.... Suddenly, we got the report one day that he had died in a quad accident, that it had rolled over backwards climbing steep terrain.

I'm not sure whether he had a helmet. I doubt that he did, but in any case he was crushed by the equipment and found underneath his quad. He was out riding alone, which is something that I'm not sure this bill deals with, but he was found dead, alone in the wilderness on a quad.

Now the point of this legislation is good, and the fact is that they're listening. They're starting to move along on some of the safety regulations that are necessary. Safety does matter to me. I spent years representing workers on

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safety. After working in the mill and being injured myself, I discovered the need for training. I also discovered the need for compliance and enforcement.

When I first got that job of being the safety chairman, I found out I wasn't very popular when I went

wandering around. You try walking down and seeing the millwrights, and saying: "Well, fellas, I've got a plan for you. Now you've got to carry all these locks. You need a special pouch, and you can have all these locks on here. We want you to lock out the equipment, put your tag over here, lock out over there."

They were happy to invite me to go find a way to pound sand somewhere else. They were not very happy with that. It required persistence. If you want to bring about a change in attitude, you need to do the work. You need to have the boots on the ground.

[1715] 

Again, I'll be very interested in the minister's response, because I doubt.... In fact, I know that this government isn't putting forward any new funds to help deal with the introduction of such an important piece of legislation.

All show and no go. That describes this government. Who was it that said they needed a few words? The two or three words they needed to describe this bill: all show and no go. There it is. We're going to have more all show and no go.

With people using these roads and these vehicles there have been thefts. The RCMP, the coroner's office — there's a long list of people who have been trying to get governments here to listen, to finally act. Now we're all jumping for joy, apparently. We've got some of us, certainly on the other side of the House, jumping for joy, suggesting that it was an idea that was just theirs waiting to come out, and all of us should be ready to throw rose petals or something at their feet. It's such a wonderful idea that they've come up with.

Finally, they listened — finally. And they have started to move the.... One of the comments from the ORV Coalition says: "We expect these regulations will improve safety, environmental impacts and trail development for ORV use, as well as make those who are currently causing property and environmental damage accountable."

Guess who said this? This was Bev Felske, co-chair of the ORV Coalition, a member of the Quad Riders Association. "This is an incredible province to explore and to work on the land, and the majority of riders do so responsibly. Those that do not will now be identifiable for their actions."

The group was clearly moving in the direction of needing a way to have some compliance and enforcement. That's what we're going to have to follow up on. It will be a good day when the government recognizes its responsibility. It's not just to introduce a whole bunch of flowery words, which is great. The words themselves on the page sound wonderful, but it's what comes next.

Is there anybody really going to do any compliance and enforcement? If you don't, if you don't have any go along with the show, if you don't get out there and have some boots on the ground to make things happen, believe me, you get a few.... I hope there will be some action on that, and we'll have to talk about that further in the discussion.

I do say that it's a good day for safety just because I see the idea that the young people will now be encouraged to wear helmets — through regulation, mind you. A little regulation goes a long way. Make the medicine go down with a little regulation. It's, again, delightful to see the excitement on the other side on having a little regulation. They look forward.... They've got enabling language in here to have all kinds of regulation. It's going to be wonderful — a wonderful, wonderful thing indeed.

And we've got several levels of penalties to talk about. I don't know if we have time. I'm getting an evil look that maybe I'm taking up too much time. But they do have at least three layers of penalties that they talk about.

Again, that's a good start, you know? But is this going to be like the legislation that this government brought in when they said, back in 2001: "You know what? We're going to get rid of all of this regulation that the NDP has. We're going to get rid of it all, and we're going to have professional reliance, and there will be people go to jail. There will be million-dollar fines, and people will go to jail"?

Do you know how many million-dollar fines or people go to jail? None. Zero. Nada. Nothing. It's just so much smoke and mirrors when it comes to this government. Again, we need a little action to go along with the plan so that we can be convinced that.... And we do need to convince the people of B.C.

I might sound like I'm having way too much fun with this, but I am serious when it comes to the need to have real boots on the ground and to make what are important matters like children's safety and having a helmet on.... You know, those are critical areas.

[1720] 

I will never forget some of the experiences that I've had, and because I've had them, I think it's incumbent on me to share them. I came home from an afternoon shift one night from the Youbou sawmill. I'd been running the dozer boat all evening, and I came home. It was grad party just up the road from where I was working. When I came home on Meade Creek Road and turned just before Marble Bay Road, there was a bunch of fir trees there.

One young man did have a helmet on, but he was going so fast, and he must have been high or drunk on something. I won't even go into what exactly that was. All I know is that he hit that big fir tree head-on, and he was lying in the middle of the road with an RCMP officer giving him mouth-to-mouth resuscitation. I'll never forget it as long as I live.

I have a whole bunch of respect for the fact that that young RCMP officer was down on his knees giving mouth-to-mouth resuscitation to a man who he was

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hoping was going to have a chance to live. By the time the ambulance got there and they took over, he didn't make it.

So many of our young people are out there roaring around on vehicles, whether it be motorcycles or now with quads, and I'm glad this introduces some kind of rules for dirt bikes. Again, that's something I know about — where there are young people out there roaring around on motorbikes — and we do need some help with that.

The idea that they can seize a bike.... If there's some kind of crazy party and people are suspected of drinking, they can seize a bike for up to 48 hours. Those are good things, but, again, what we need at the end of the day is a government that's willing to follow through on these words, not just give a whole bunch of warm feelings and have the kind of speeches that we've heard here — "Oh, it's going to be so wonderful. It's going to be just so beautiful and so wonderful, you can hardly imagine" — but then at the end of the day, when it comes to some action, it just doesn't happen. We need the boots on the ground.

With that, I will take my place. I do believe that at the end of the day we'll make some recommendations and support this bill, but I think enough said. We really do need to see some follow-through. I do appreciate the fact that the minister and his staff did take the time to come over and give us a briefing. I've already had the opportunity to air my concerns.

With that, I thank you, hon. Speaker, for the opportunity to speak on Bill 13, the Off-Road Vehicle Act.

M. Morris: This is a long time coming, but good things take a while to develop.

Speaking from my background, I think this is a great piece of legislation, long overdue and sorely needed in the province here. I've dealt a lot in my professional capacity with the abuse that ATV riders and snowmobile riders have exhibited in much of the province, in much of the area that I've worked in. I've dealt with fatalities and serious injuries and people that have been incapacitated for life because of accidents on ATVs and whatnot.

One of the critical factors for enforcement with ATVs and snowmobiles is the fact that they've been able to operate with relative anonymity up until this particular point in time. When a police officer encounters somebody with a dirt bike, an ATV, a quad or a snowmobile in the course of his duties, those individuals have got helmets on. They're just about impossible to identify, and there are no markings on the equipment that they're operating. They will take off, trying to get away from the police officer, knowing that the police officer will never be able to identify them.

In many cases I've seen where these individuals — most of them have been young children, or they've been intoxicated people — have run into a tree or over a bank or into some other vehicle that they didn't see, and they've lost their life or they became seriously injured as a result of trying to get away from the police officer.

The police officers now have the authority under this statute, or will have the authority under this statute, to observe the licence number on that particular machine. If the vehicle goes running off into the bush, they'll just track down the licence number on their computer in the vehicle. They can go to the home of the operator, and the owner of that particular vehicle can be charged for whatever offence the police officer wanted to charge him with — or whoever is enforcing this, whether it's a conservation officer or some other enforcement officer.

I see some real, positive things coming from this, and I think we're going to see a reduction in the number of people that are injured as a result of thinking that they can operate with anonymity and thinking that they can get away from police officers and have no repercussions here. That's a significant plus.

One of the other factors that I see with this legislation that is going to be a significant benefit, as well, is just the everyday use. I've used side-by-side utility vehicles, quads and snowmobiles for over 40 years, trapping and doing what I've done out in the wilderness. Every fall we're inundated in the northern and central interior part of the province with people from all over the province coming on their annual hunting trips or just coming to enjoy the flora and fauna that this great province has to offer.

Very often, though, there's one or two in the group that comes out there that decide they're going to tear up all the trails, they're going to tear up the environment, and they're going to cause significant damage. They have caused significant damage in these particular areas. Up until now there's been no recourse for residents such as myself and others out there that do have a tender spot for the environment and the flora and fauna and want to do everything that they can to protect it.

Now we're going to have a licence number that we can record, and we can send it into the closest enforcement body, whether it's RCMP or other. They can track that individual down, and they can lay the necessary charges and take the necessary enforcement action there. I think those things combined together are going to substantially reduce the incidence of injury, the incidence of environmental damage that we have right across the province with respect to those types of machines and the incidence of just general abuse that we see out in the bush.

My particular trapline was inundated. There were probably 100 hunters that would come up into that area in the fall and set up their various camps. Every single one of them had quads and side-by-sides. You'd get 100 of those off-road vehicles travelling through trails that were designed for minimal use, and use when the ground was particularly frozen and not subject to the type of damage that would occur.

After two or three days up there, the mudholes are

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two and three and four feet deep. They're irreparable. It causes the trappers and the guide-outfitters and the other legitimate users of the land to find other avenues of transportation or other areas that they can build their trails on. That damage never does get repaired. You've got a mudhole there forever. This is a step in the right direction.

We have had consultation. I've been aware of the consultation in my previous role with the B.C. Trappers Association. I've spoken to many of the other stakeholders that have been consulted on this legislative package, and I haven't heard any comments, you know. I haven't heard from anybody who hasn't been in favour of this legislation moving forward.

There've been some modifications that were required with respect to some of the items in here, but, with respect to the registration part, displaying the licence plates and the enforcement aspect of it, I think we've got widespread support for that. Of course, it's obvious from the comments that we've had from the

members opposite here as well. I think this is another bill that's going to make its way through here with good support on both sides of the House here.

British Columbians are going to benefit from this, not only from the quad and the ATV side and the side-by-side utility vehicle aspect of things but also from the snowmobile. Snowmobiles are becoming very prolific throughout British Columbia. The member from Columbia River–Revelstoke has a lot of activity down in his area. In Prince George–Valemount, Prince George–Mackenzie and the Kootenay region there are a lot of tourists that come in from out of province and from out of the urban centres in British Columbia that utilize those areas.

[1730] 

Most of them are legitimate people that really want to have a good time out there and enjoy themselves.

There are still others out there, though, that would probably abuse alcohol and abuse drugs and get themselves into a little bit of trouble. With the legitimate operators out there that have an opportunity to see the number plate, record the number and report it to the nearest enforcement officer, it just makes the whole environment a lot safer out there.

It is going to impact somewhat on the resources that are out there. The member opposite that spoke just before me commented on the fact that the enforcement officers are already overworked. But it's another tool.

There's nothing more frustrating, from a police officer's perspective, than to be able to do nothing when you see these vehicles disappearing off into the bush or off into the wilderness and you've got no number, no way to identify who they are.

Now we will have that tool here. I think it's going to be a plus for law enforcement officers throughout the province. It's going to be a plus for the conservation officer service in doing what they need to do out there. We're just going to have a safer, better province for that.

Thank you for the opportunity to speak in favour of this legislation.

D. Donaldson: I'm happy to take my place today in the second reading of Bill 13, the Off-Road Vehicle Act. I want to give some general comments, which we do in second reading on a bill, and I look forward to the committee stage debate, where we can get into more detail.

I'm going to take a little bit of a different approach. I think that many speakers previous have focused a lot on the negative behaviours of off-road vehicle users. I think what this bill can be is a valuable tool for all those responsible operators of off-road vehicles. I'll get into those comments a little bit.

It is definitely increased regulation, and the B.C. Liberal government is bringing this into effect. I have a few questions about this increased regulation, as well, that I'll explore in this second reading debate.

I think that overall, depending on the answers I get in the committee stage, I can be supportive of this bill. There are lots of users of off-road vehicles, as defined in this act, in Stikine and in the north. Snowmobiles, all-terrain vehicles, dirt bikes — these are common vehicles you see up in the north.

I encounter them almost every day when I'm at home in the constituency. I use them myself. I've used them for work purposes. From a recreation standpoint, usually I use them to get to areas where I can then use my legs and hiking boots or skis to go further into the back country.

This bill covers things like rules of operation, safety standards and conditions of use. It increases maximum fines for violations of some of the contents of the bill. An important content of the bill, as pointed out by previous speakers, is the registration and visible identification that these off-road vehicles will now have to have.

[D. Horne in the chair.]

This bill has been long in coming, but the widespread consultation is a good thing. We know there are lots of, a variety of users in the province and in Stikine. So the input that the government has gotten on this leads me to believe that there are many parts of this bill that are good.

I think a positive part is the comments from the Outdoor Recreation Council of B.C. around the Wild West approach. This was from the Paradise Valley Snowmobile Association in Dawson Creek, just saying that this bill follows suit with what's going on in the rest of the country.

From the aspect of a stolen off-road vehicle, the registration and identification make it easier for the RCMP to track down and get to the bottom of this. That's a good thing, I think, when we see so many users with these vehicles in the back of their pickups. They can be easily stolen.

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We have a fee involved, a \$48 one-time fee, for off-road vehicles, whether it's a snow machine, a dirt bike, an ATV, a quad — those kinds of things. It's a one-time fee for the user. I think what we have to be aware of is that these fees can easily creep and increase, so we have to keep a close eye on that. Sometimes people have more than one of these off-road vehicles. People I know might have a quad, a snowmobile or two, or one of their sons or daughters might have a dirt bike, so we could be easily reaching up into the \$200, \$300, even more, area of costs.

That then begs the question oftentimes about what people paying this registration fee are getting back for their money. I think that in remote, rural northern parts of the province this is something that comes to people's minds often. If they're paying a fee like that, what are they getting back? Oftentimes the services aren't as good as in other parts of the province, and we've seen a decrease in those services under this government. So when you introduce a new fee, people in Stikine and in rural areas are going: "Well, what am I getting for that?"

I think one aspect of this bill.... Again, I would like to explore this at committee stage, because I don't see it laid out in the bill. I've heard the minister say that there will be a portion, a percentage of the fee set aside for an off-road vehicle trail maintenance sub-account. We don't know what the portion of that will be. Apparently, it's going to be set by the Treasury Board. But a portion of that fee will be set aside in this account, and it could be used for purposes such as trail construction and maintenance for off-road vehicle use.

We see that as one area where you could say to a person: "Well, you're going to be paying this extra fee, and this is what you're going to get for it." However, we've known in Stikine and other places in the north....

We've heard this same story from the provincial government, from the B.C. Liberals, on sport-fishing. "Don't worry." They're going up year after year. Now it costs well over \$100 to get a fishing licence for all the varieties of salmon and steelhead up in my area. This is a resident fee. But we were told, "Well, don't worry. That money goes back into a habitat conservation fund, and it'll go to improving sport-fishing access, for instance, in boat ramps and access to the rivers and in habitat," and we don't see a lot of that.

These are good words, but we have to understand that there's skepticism out there in the north around these kinds of additional fees. I'd like to question and find out some more from the minister when it comes to committee stage on that aspect of the bill.

The minister did say this increased registration system would be self-funded, and I believe he's referring to the registration fees doing that. But if you're putting aside some for trail maintenance and you're putting aside some money from this \$48 fee — which, again, could be up to hundreds of dollars for a single resident.... So we've got some for, perhaps, trail maintenance and construction. We have some, perhaps, for regulating the licences and then what's left over. What could be left over disappears into general revenue.

If I'm a person from a remote, rural northern area like Stikine and I'm paying \$300 or \$400 extra a year to run my off-road vehicles, whether they're snow machines or ATVs or dirt bikes, and the government is saying, "Don't worry. A part of that will go back into improved trails, and some of it goes back into bureaucracy to run this program," and then I see that the rest of it disappears into general revenue for making offers of employment to failed Liberal B.C. candidates, that would, obviously, irritate me if I saw that happen.

What I have to explain to people of the north is that.... What I would suggest is this kind of extra fee going not just into what we heard about but into things like conservation officers and the conservation officer service.

[\[1740\]](#) 

I know the member for Prince George–Mackenzie made this point earlier when he was speaking around the RCMP being able to enforce some of the regulations that are in this bill.

I think that there are only a few bad actors out there, just a few bad actors in the off-road vehicle constituency. Unfortunately, they tar the image of the responsible users. Oftentimes this is in connection to — and I've had this incident in my constituency — alpine areas, where off-road vehicles were not supposed to be used, and they've caused great damage to the alpine, damage that takes hundreds of years to recover.

The RCMP, obviously, isn't going to be enforcing the regulations in this in back-country areas. They're concerned and have a lot more need in the front-country areas, along highways and in towns and cities and villages. That's going to be left up to the conservation officers.

We've seen a decrease in the ability of conservation officers to do their work under this government. In fact, if you recall, a few years back a memo came out, at the direction of this government, to conservation officers that if they needed to get to different parts of their area that they're supposed to be regulating and taking care of and looking over, then maybe they could hop in with somebody else, because there's not enough money for gas. Maybe they could hop in with an RCMP officer, or maybe they could hop in the truck with a forestry worker, because times were tough, and they couldn't even get gas money.

This is the legacy. If I was a user of an ATV being asked to pay extra and I was in a rural northern area, I would say: "Great, well, if I can see that money come back.... I can understand, sort of, the purpose of the bill, and I understand that it could be a good bill. I'm a responsible user, and identification helps us track down irresponsible users. I would be willing to see some of that money go towards a registration system."

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I would be willing to see some of that money — and this is a good idea — go towards a fund, an account that would perhaps allocate to trail construction and maintenance. But I would also like to see some of that money go to the conservation officers, who, we know, do a good job in the province.

I would caution that we have seen the Ministry of Environment briefing binder, from the previous budget in June 2013, identify that a risk challenge faced by conservation officers was "additional legislative responsibility without increasing capacity." That's from the government's own briefing binder when it comes to the budget.

The sections of this act are obviously an increased responsibility on conservation officers. We hope to see the increased resources that would go hand in hand with that so that we can have boots on the ground and have more COs, and more COs have time out in the back country to use the parts of this act that will help those responsible operators of off-road vehicles. Again, the vast majority are responsible operators, and this act can be a good tool to help those responsible operators.

I have been involved in motorized and non-motorized use in the back country. I enjoyed both. In the past I've built trails. That was part of my job for a decade in the Rockies. I think creating more trails that

are suitable for off-road vehicles is a good thing, because oftentimes there is a non-motorized/motorized conflict. Obviously, people can't share the same trails for certain kinds of activities, so building better trails for off-road vehicles is a good thing that this act could result in.

However, on the enforcement end, I've had the occasion, in a provincial class A park where non-motorized use was not permitted, to come across, both in the wintertime and in the summer months, operators of off-road vehicles — a snow machine in the winter and a dirt bike in the summer — in areas that weren't authorized.

[1745] 

This was before this act, obviously, was enforced, so there was no way to identify the people operating the machines. However, we were able to introduce ourselves and get names and pursue that.

I think to depend on citizens to conduct this kind of enforcement, especially in small towns, really leads to a lot of social disharmony, shall I say, in small towns. That's even more of a reason to ensure that the additional responsibilities, which are going to weigh on the shoulders of conservation officers with this bill, are properly resourced by the government and that COs have the budget to address what they now are required to address under this act.

I would like to finish off just by saying that I think it's a good bill. It's a valuable tool. I'd look forward to some details in the committee stage so that I can feel fully comfortable in supporting it, so that I can provide the answers to people in the constituency of Stikine when it comes to where and how their fees are going to be used that they are going to have to pay now for their snow machine, for their trail bike, for their all-terrain vehicle, ATV; and also whether I will be able to show them that this government is going to increase the ability of conservation officers to do their job in connection to this bill as well.

I thank you very much, and I look forward to committee stage on this.

Hon. B. Bennett: I'm going to take this opportunity to speak in favour of this legislation. I honestly wish I had been able to stay in the House and listen to all the speakers on both sides of the House.

First of all, I think it's appropriate for me to thank everyone who had anything to do with bringing this legislation forward. Certainly, the minister responsible has been a real bulldog on this. I don't think we'd be here debating this legislation today if he hadn't kept his eye on the ball over the last few years.

I want to also thank and recognize members on the other side of the House who I know support this legislation, regardless of what they might say in the House about conservation officers or anything else. I can't say who's in the House, but I know there are members on the other side of the House, who may or may not be here, who do support this. I know that they have advocated for this type of legislation for many years. I certainly appreciate that, because it's something that people — particularly, in rural British Columbia, for the most part — have wanted for a long time.

Finally, I want to thank the current Premier for allowing the minister and the minister's committee, of which I have been a member, to create this legislation. Yes, it took a long, long time. There is no question about that. I kept sitting here during... One of the speakers with a loud voice was making me think, "Better late than never," and I think that's true. I'm really pleased that we do have it here. But he was right in his comments that it has taken a long, long time.

I credit the current Premier for recognizing that this was an important issue for probably a relatively small segment of MLAs and their constituents in the province on both sides of the House. But she gave us a chance to do this, and that's important. It's significant, because I got my old ATV/ORV file out. I know we're not allowed props, so this isn't a prop. I have literally hundreds and hundreds of memos and letters and e-mails that relate to this file. I found a letter dated September 27, 2002, that I wrote to the then Minister of Competition, Science and Enterprise, hon. Rick Thorpe.

[1750] 

I asked him, in his capacity with ICBC, to persuade ICBC to allow the registration of off-road

vehicles and have the information put into the same database that motor vehicles are in so that the RCMP and conservation officers and other compliance and enforcement officers for the province could access information when they saw

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an ORV somewhere out there doing something that they weren't supposed to do.

It was very interesting. I did not actually get a response from the hon. Minister Thorpe. I sent that letter in September, and I got a response on January 23 from the Minister of Finance. He said that government is committed to reducing the regulatory burden in British Columbia.

Again, the member who spoke a few members ago was right. There has been, I think, a real learning by this side of the House in terms of the importance of regulating off-road vehicles in the province. It's not just from the perspective of safety, as important as that is, and not even just from the perspective of protecting the environment, as central as that is to this legislation, but also to enable the growth and development of a tourism product that other provinces brag about and do very, very well with.

The province of Quebec, for example — and Ontario. I grew up in Ontario, and my 85-year-old father bought his off-road vehicle pass — his snowmobile pass in the winter and his quad pass in the summer — and he rode with his other 80-year-old friends. He did overnight trips all over the place and stayed at motels and ate in restaurants and rode these trails in the summer and then, of course, in the winter rode the snowmobile trails.

In Quebec it's a big, big industry. It's about a \$10 billion industry in Quebec.

There are many different facets that relate to the legislation, and I'm going to just cover the ones that are, I guess, probably most important to my constituents. I'm actually going to work off that 2002 letter, because it's all still relevant.

Land use planning. We've gone through, many years ago now, an exhaustive land use planning process that included access planning. I know this will get my friend from Columbia River–Revelstoke thinking about his situation. Access planning is a good thing if it's done properly — if you have all of the different players, all of the different interests at the table. It's very messy and difficult, and you need a professional facilitator, but it's the right thing to do.

You can come to compromises that can be recommended to government around how you access the back country. Do you access the back country with quads? Do you access it with snowmobiles, off-road bikes, or not? We went through that in my riding in two separate land use planning exercises, and we actually zoned the areas for motorized and non-motorized.

Some of it relates to seasons. For example, you can take a snowmobile in some areas of the East Kootenay where you can't take a quad in the summer because of wildlife habitat or some other consideration. But the fact of the matter is that with all of that effort and resource put into land use planning and access planning, if you don't manage off-road vehicles, it is next to impossible to actually implement the plans and really achieve the intention and spirit of those plans.

So it's a big day for me, personally, just because of that one issue. We will have the capacity to actually manage the off-road vehicles in the areas where they're supposed to be.

I should say, because I think it's important and respectful to say, that the vast majority of British Columbians who own snowmobiles and quads are very responsible. They are not people who are reckless. They're not people who don't care about the environment.

On the contrary, they are people who love nature, who love nothing better than cruising on a trail on a Sunday afternoon with their husband or their wife or their kids or their buddies or going on a long snowmobile trip and getting to the top of a knoll and shutting the machines off and looking at the mountains — you know, enjoying the place where they're at.

[\[1755\]](#) 

Generally speaking, I think a high, high percentage — well over 95 percent — of the people that use

these machines don't break the rules that we have today. Unfortunately, the 5 percent — and it's always that way; that's probably why we have most of our laws — or the 4 percent or the 6 percent, whatever it is, cause us to have to come up with legislation like this.

It definitely will help the province with the land use plans that we have. I think it'll make more sense to do more access planning, as the province can afford to do that, because of this.

I will say, too, that with regard to compliance and enforcement, conservation officers, two things are very important to the debate, in my opinion. One is that the legislation that was passed a year ago or two years ago broadening the capacity for people who work for the provincial government to actually do enforcement across a whole range of legislation really helps in this case.

There was a day when only conservation officers would be authorized to work in this area of compliance and enforcement. Now you've got tourism officers. You've got forest officers. Anybody who is in compliance and enforcement, or anybody who is authorized under a piece of...

Interjection.

Hon. B. Bennett: They're tourism and recreation officers. I don't know. Maybe you don't have them up.... You must have at least one in Smithers.

Interjection.

Hon. B. Bennett: Yeah, that's right.

Deputy Speaker: Through the Chair, please, Minister.

Hon. B. Bennett: Sorry, hon. Speaker.

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I think that legislation helps a lot, because it really — all of those pieces of legislation — brings a larger group of people to do the compliance and enforcement piece.

The other thing that I think is quite relevant here is that with this legislation, the organized clubs — the snowmobile and the quad clubs around the province.... There are many, many of them. My colleague from Cariboo South has I don't know how many thousand snowmobilers in her area. They will help with compliance and enforcement.

Now that the machine will have a decal or a licence plate on it with a number that can be written down, if you see somebody, for example, on a quad who's in a riparian area and they're not supposed to be there — and if it's a riparian area, they shouldn't be there — or in the natural grasslands, or you see them in the alpine, where they're not supposed to be, you can get their number.

You can do the same thing that you can do if you see somebody driving an automobile recklessly. You can report that person on the basis of their licence plate, or at least on the basis of who owns the motor vehicle.

This will be possible with quads and snowmobiles and off-road bikes. I think that's going to be a big help for the clubs to help police this form of recreation.

I'd be in a bad way if I forgot to mention the Kootenay Livestock Association — Faye Street and others there — who have been lobbying for longer than I've been an MLA for some form of management of off-road vehicles.

It's true. They do some damage, especially in the natural grasslands that exist in the Rocky Mountain Trench.

I think it's important to also mention, certainly where I live and where the Jobs Minister lives and up through the Peace, the two MLAs from the Peace region.... We have a lot of people. You can't blame them, I suppose. It's a way to avoid paying sales tax. They go to Alberta, and they buy their snowmobiles and their quads there. They come back over, and because you don't really have to register them in B.C.,

they don't pay the sales tax.

What does that mean to us? Well, it means that our retailers that are based in places like Fernie and Golden and Dawson Creek and Fort St. John and Valemount lose a lot of business, because there is no registration of these vehicles. I think this is going to be really good for those retailers, so I'm very pleased for them.

I've mentioned already the environmental issues that are associated with off-road vehicle use. Again, I think it's a minority of people that act badly, but there are definitely some who do.

I think that there's at least one issue that will have to play out before we see how it works, and that is the situation with out-of-province riders who bring their snowmobiles and their quads to B.C. Under the current legislation, assuming it passes, they will be able to really rely on the registration that they have done in Alberta.

I'm not picking on Albertans, but they are a problem where I live, in terms of them not knowing our rules or seemingly not really caring that we have rules. We will see how this works out for the next couple of years, and hopefully, their registration in Alberta will be enough for our officers to identify who they are.

[\[1800\]](#) 

I understand that we can track them through the same ICBC-based database that we can track motor vehicles, so it should work. That's something I'm certainly going to be interested in.

I'll just close by saying that I own a quad. I've owned a quad for, probably, 30 years. My first one was a three-wheeler. I had that one for about ten years, and I've had four-wheel quads for the last 20, I guess. I own a snowmobile. My kids rode snowmobiles and quads when they were growing up. I am committed to the families, the parents who want their children to be able to ride a snowmobile or a quad, as long as the machine is sized proportionately to the age of the child. I don't believe that we should be telling families that we know best as government. This legislation doesn't do that, but there is potential in the regulation for it to do that.

I believe that parents should be responsible for their children. Certainly, the responsibility is on the supervising adult to make sure that the under-age child is operating it appropriately. I know families who teach their kids to ride snowmobiles and to ride quads, and they are more proficient than lots of 50-year-olds who are out there who haven't had the same training. I say that because it's something I've heard from people: "Please don't stop my son or my daughter from having this opportunity to go riding with us. Even though they might only be eight or ten years old, they've been doing it for a couple of years already, and they know what they're doing. We look after them, and they're safe."

Again, my sincere thank-you to the minister for quarterbacking this legislation and getting it through. I'm hoping that this will be considered to be a non-partisan piece of legislation that will be supported by both sides of the House. I've been disappointed on that before on other matters, but we'll see how it goes on this one.

Deputy Speaker: Seeing no further speakers....

D. Barnett: I was waiting for the other side. Thank you, Mr. Speaker. I won't take long, but I do have a few things that I would like to add.

This is a long time coming, as my colleague said. I'd like to say thank you to the Minister of Transportation because there was a part of this that has been very, very difficult to the process, and it was ICBC. If it hadn't been for our Minister of Transportation, I know that we would not be standing here today with this act. So thank you, Minister.

You know, I'm a long-time snowmobiler. I actually hate to tell you this, but I've been snowmobiling since 1964. My husband and I had a business. We sold ATVs. When

the first ATVs came in, in the late '60s, they had to be the most dangerous, hazardous vehicle there were, but we sold them. There were no regulations. They tipped over. It was a vehicle that should have never been put out there, but as time went on, we have progressed, and safety vehicles are now out there.

One of the benefits to me of having this act is, first of all, safety. We all believe in safety. But belonging to clubs and organizations in this province over the years has ensured that families who ride these things have safety. Dealers who are good dealers that sold these types of vehicles always made sure that children had helmets. As an experienced person in the marketplace, I can tell you I had families come in, buy four snowmobiles and refuse to buy their children a helmet. I ensured that those children went out of my store with a helmet, and that's where safety started.

As a parent.... I had two young boys. They're still young compared to their mother. They basically started riding these things when they were four years old, so they learned through time the respect of both the land, the safety for themselves and the benefits of the economics that these provide to rural British Columbia communities.

[\[1805\]](#) 

We have a trail in our community that is over 300 kilometres long. It's finished. It's gazetted. It's a registered trail. These things bring great economics to this province.

As my colleague has said, if you go to Ontario or Quebec, they have a tourism product that is second to none. It brings billions of dollars into their province every single year, and it is funded through the government through trail passes.

Saskatchewan is the same. My husband spent years going to Saskatchewan and Manitoba, paying for a trail pass and riding from one end of the country to the other, stopping at small communities that are ranching communities. In the wintertime, when they had nothing else to support themselves, they rented a room. They fed you a meal.

This has great economic potential. It also has potential to keep the environment, as everyone has said, safe. If you've got trails that are well maintained, well signed, well groomed, there's no reason to go in a farmer's field. There's no reason to go in areas that are habitat areas. And you will find that people will do that.

This here piece of legislation is only the beginning. There are tools in here to help us continue to move this forward.

Yes, my colleague over here is concerned about fees. Well, there will be a \$48 one-time registration fee. It will not be hundreds of dollars. It will then give you the opportunity to go and see if you would like to buy some insurance so that you can cross a road — because there are road-crossing provisions now, thanks to the Minister of Transportation. We need to go further, but it is the beginning of a very, very important piece of legislation to help this industry move forward.

I will rest my case at that.

Deputy Speaker: Seeing no further speakers, I call on the minister to close debate.

Hon. S. Thomson: Firstly, I just want to thank members on both sides of the House for their indication of support for the bill. I think, as everybody has mentioned, this is a very, very important step, something that, as everybody commented, has been a significant time coming. I'm very pleased and proud to be able to bring the legislation in front of the House.

The member from Cariboo south mentioned it in terms of the thanks to the Minister of Transportation for his role in assisting us with making sure we can have the registration system in place through ICBC at an affordable level, which was our objective. It was, quite frankly, one of the challenges and part of what was delaying potentially bringing this forward at some point earlier. So I really want to acknowledge his support.

I appreciate the member from Cowichan — his vigorous support for the bill.

I know that there will be a number of points to address during the committee stage of the bill. I think we'll be able to address those. But again, I think it is gratifying to hear the support from both sides of the House for the bill. I think this is a very, very important step, as has been pointed out, for safety, for the environment, for providing the framework that's going to help build the economic contribution that this sector can provide.

As mentioned, it has had a significant process of consultation and support from all the broad range of user groups, environmental organizations, industry associations. As well, local government is part of this.

I look forward to moving this into the committee stage of the debate. With those comments, I move second reading of the Off-Road Vehicle Act.

Motion approved.

[\[1810\]](#) 

Hon. S. Thomson: I move that the bill be referred to a Committee of the Whole House for consideration at the next sitting of the House after today.

Bill 13, Off-Road Vehicle Act, read a second time and referred to a Committee of the Whole House for consideration at the next sitting of the House after today.