

.C. Reg. 203/85

O.C. 1376/85 Deposited June 28, 1985

effective July 1, 1985

Transport of Dangerous Goods Act

Transport of Dangerous Goods Regulation

[includes amendments up to B.C. Reg. 231/2002]

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Interpretation

1 In this regulation:

"Act" means the Transport of Dangerous Goods Act;

"Federal Regulations" means the Transportation of Dangerous Goods Regulation of Canada, SOR/2001-286 of August 1, 2001, as amended from time to time.

[am. B.C. Reg. 231/2002, s. (a).]

Application

2 This regulation applies to the handling and transportation of dangerous goods within the Province on highways, as defined in the Motor Vehicle Act and on rail vehicles, notwithstanding anything in the Federal Regulations to the contrary.

Adoption

3 Subject to the Act and this regulation, the Federal Regulations except Parts 13 and 15 are adopted under section 25 (3) of the Act as

(a) the safety requirements, and

(b) the safety standards and safety marks for containers, packaging, road vehicles and rail vehicles

for the handling or transportation of dangerous goods on road vehicles and rail vehicles in the Province, and the provisions of the Federal Regulations pertaining to classification, documentation, training, appointment of agents, inspectors and fees for inspection apply with the necessary modification as if they were made under the powers conferred by section 25 (1) and (2) of the Act.

[am. B.C. Reg. 231/2002, s. (b).]

Application of Act — deemed control

4 Transportation of dangerous goods is deemed to be under the sole direction or control of the Minister of National Defence for Canada if the dangerous goods are handled or transported by or in the presence of and under the direction or control of a person referred to in section 1.20 of the Federal Regulations.

[en. B.C. Reg. 231/2002, s. (c).]

Aid to interpretation

5 (1) Where, in the Federal Regulations, different provisions or standards exist for handling or transportation across national boundaries and across provincial boundaries, the provisions pertaining to handling and transportation across provincial boundaries apply.

(2) A reference in the Federal Regulations to a federal agency, division, official or officer shall be construed as a reference to the corresponding agency, division, official or officer of the Province, but where an agreement is entered under section 24 of the Act delegating a function, duty or right to a federal agency, division, official or officer, the appropriate reference in the Federal Regulations applies.

[Provisions of the Transport of Dangerous Goods Act, R.S.B.C. 1996, c. 458, relevant to the enactment of this regulation: 2, 3, 25]