



DISTRICT OF WEST VANCOUVER  
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## COUNCIL REPORT

Date:	June 20, 2017
From:	Vanessa Garrett, Manager, Roads & Transportation
Subject:	UBCM Resolution to Change <i>Motor Vehicle Act</i> to Expedite Accident Clearing
File:	1805-01

### RECOMMENDATION

THAT

Council endorse the District of North Vancouver's UBCM resolution to change the *Motor Vehicle Act* to Expedite Accident Clearing as follows:

**WHEREAS** traffic volume is increasing steadily on provincial highways and minor vehicle accidents are occurring on a frequent basis causing excessive traveller delay, significant local and regional economic loss and loss of mobility on adjacent local road networks (for example on average three accidents per week on the Iron Workers Memorial Bridge between the North Shore and Vancouver);

**AND WHEREAS** under provincial legislation

- Only police are authorized to issue consent to remove damaged or stalled vehicles blocking a provincial highway (**MV BC Reg**),
- Police who attend an accident where damages are estimated over \$1,000 are required by law to conduct a time consuming accident investigation (a MV6020 form) (**MV BC Reg 191/2008**), and
- Only police are authorized to fill out a MV6020 accident form (**MV BC Reg 249 (1)**).

**THEREFORE BE IT RESOLVED** that UBCM request the Minister of Transportation make the following amendments to provincial legislation to facilitate more timely removal of damaged vehicles on provincial bridges, tunnels and highways thereby reducing the impact to the traveling public and movement of commercial goods:

- **Amend Act** to allow the Province to delegate authority to their Maintenance Contractors to authorize removal of stalled or those vehicles involved in minor accidents from blocking a provincial highway.
- **Amend Act** to increase the damage limit to \$10,000 to allow Police to attend minor accidents without having to complete a MV6020 investigation and to facilitate timely removal of vehicles with minor damage.

- **Expand pilot program and move towards amending Act** to allow the Authority having Jurisdiction to extend authority to Fire Rescue Services to complete MV6020 investigations for minor accidents.

## 1.0 Purpose

The purpose of this report is to seek Council's support for the District of North Vancouver's UBCM resolution related to the *Motor Vehicle Act* at the 2017 Annual UBCM Convention in September. The resolution appeals to the Minister of Transportation to change the *Motor Vehicle Act* to facilitate timely removal of accidents from provincial highways, bridges and tunnels, thereby reducing excessive delay for road users, economic loss, and loss of mobility on adjacent municipal road networks.

## 2.0 Legislation/Bylaw/Policy

The Province has jurisdiction over provincial highways and the *Motor Vehicle Act* regulates most activities on those highways.

## 3.0 Background

Traffic volume and general congestion continue to grow on North Shore bridges and Highway 1/99. This is one of the factors that led to raising this issue as a Council Priority for this present term of office. In response, at the March 15, 2017 Meeting, Council endorsed the establishment of a North Shore Staff Transportation Committee (NSSTC). One action item through this committee has been to support more effective clearing of highway accidents.

Frequent accidents on the provincial highways, bridges and tunnels exacerbate congestion and cause significant delays going to and from the North Shore. The majority of incidents are stalls and minor accidents (fender benders). Opportunities to reduce accident clearing time have been identified, including three proposed legislative changes. The upcoming 2017 UBCM Convention presents an opportunity for North Shore municipal Councils to advocate for legislative changes through a resolution.

### 3.1 Previous Decisions

Not Applicable

### 3.2 History

The NSSTC recently initiated a North Shore Incident Response Review Sub-committee, comprising the Engineering, Fire & Rescue, and Police/RCMP departments related to the District of North Vancouver, City of North Vancouver, and District of West Vancouver, plus several emergency services and provincial agencies. This group has been tasked with reviewing accident response and removal protocols on bridges, tunnels and Highway 1/99 and recommending improvements. A number of

opportunities were identified to facilitate more timely accident clearing, however they require legislative changes. Three proposals are described as follows:

- **Only police are authorized to issue consent to remove damaged or stalled vehicles blocking a provincial highway (MV BC Reg)**

**Implication of Current Legislation:**

For minor (non-injury) accidents and stalls, MoTI's maintenance contractor and/or Fire Rescue Services are often the first and only responders on site. They must either wait for police to arrive or communicate with police through emergency dispatch to obtain authorization to remove vehicles from the bridge or highway. Police have limited resources and authorization can sometimes be delayed.

**Proposed Change:**

Amend the Act to allow the Province to delegate authority to their maintenance contractors for removal of disabled vehicles or those involved in minor accidents.

- **Police who attend an accident where damages are estimated at more than \$1,000 are required by law to conduct a time-consuming accident investigation (MV6020 form) (MV BC Reg 191/2008)**

**Implication of current Legislation:**

Even the most minor accidents nowadays result in vehicle damage over \$1,000. Police attending minor accidents are legally required to complete an investigation rather than immediately authorizing the removal of vehicles.

**Proposed Change:**

Amend the Act to increase the threshold to \$10,000 allowing attending Police to quickly remove vehicles without having to perform an investigation. (This amendment is proposed only for minor accidents. Police would continue to be required by law to perform an accident investigation for more serious accidents and those involving injury). This amendment is supported by the BC Chiefs of Police.

- **Only police are authorized to fill out a MV6020 accident form (MV BC Reg 249 (1)).**

**Implication of current Legislation**

Fire and Rescue Services are often one of the first and only responders on site. If an accident investigation is deemed necessary, currently only police can conduct the investigation.

**Proposed Change:**

Surrey and Kamloops are piloting a project to allow their Fire and Rescue Services to complete the investigation for minor accidents and send the reports to the police for processing. Expand the pilot program and move towards amending the Act to allow the Authority having Jurisdiction to extend authority to Fire Rescue Services to complete MV6020 investigations for minor accidents.

## **4.0 Analysis**

### **4.1 Discussion**

The Resolutions Committee meets to review, organize and make recommendations on all council-endorsed resolutions. This resolution will be introduced for debate in the order in which it appears in the Resolutions Book. UBCM resolutions for the 2017 Convention will be heard in September 2017.

### **4.2 Sustainability**

Reducing delays reduces GHG emissions from idling and slow-moving vehicles.

### **4.3 Public Engagement and Outreach**

The District has received numerous complaints from residents regarding slow response to accidents on bridges, in tunnels and on Highway 1. Transportation issues are becoming a more significant priority for North Shore residents (from all demographics).

### **4.4 Other Communication, Consultation, and Research**

The recommendation in this report is supported by the NSSTC, DNV Fire Rescue Services, CNV Fire Rescue Services, DWV Fire Department and Police, North Vancouver RCMP Detachment and the RCMP Freeway Patrol.

## **5.0 Options**

### **5.1 Recommended Option**

Staff recommend that Council endorses the attached UBCM resolution for consideration at the 2017 Annual UBCM Convention in September, that requests the Minister of Transportation change the *Motor Vehicle Act* to facilitate timely removal of accidents from provincial highways, bridges and tunnels thereby reducing excessive travellers' delay, economic loss, and loss of mobility on adjacent municipal road networks.

### **5.2 Considered Options**

1. Council endorses submission of a resolution to the 2017 UBCM Convention to request the Province amend the *Motor Vehicle Act* to facilitate timely removal of accidents from provincial highways; or

2. Council endorse the same resolution for the next UBCM Lower Mainland Local Government Association Annual General Meeting (May 2018), or
3. Council does not endorse a resolution.

## 6.0 Conclusion

The upcoming 2017 UBCM Convention presents an ideal forum to solicit and gain support for a resolution requesting the Province change the Motor Vehicle Act to facilitate more timely clearing of accidents on provincial highways to reduce accident-induced congestion and delays.

This report's recommendation has the potential to improve mobility across the North Shore by reducing accident related congestion on Highway 1 and adjacent municipal road networks.



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