

Issued June 6, 2007; Editorial Revision January 1, 2009; Editorial Revision September 6, 2018

Regulatory excerpt

Section 17.10 of the *OHS Regulation* ("*Regulation*") states, in part:

- (1) Vehicles operated by or on behalf of the employer primarily to transport workers must
 - (a) be of a design and construction acceptable to the Board,
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 - (d) have rear or side doors with latches operable from inside and outside, with side doors on the right side of the vehicle,
 - (e) be fitted with at least one emergency exit, on the left side or rear of the vehicle, operable from both inside and outside, and unlocked while the vehicle is in use,

Section 17.14 of the *Regulation* states:

If a worker transportation vehicle will carry 12 or more passengers, it must have an aisle at least 25 cm (10 in) wide providing access from each seat to a regular entry/exit door, and also to an alternate or emergency exit.

Section 17.2.3 of the *Regulation* states:

An exemption under Division 32, and an exception under Division 39, of the Motor Vehicle Act Regulations apply to the operation of a worker transportation vehicle both on and off a highway.

Purpose of guideline

The purpose of this guideline is to describe requirements for seat belt assemblies and emergency exits for worker transport vehicles.

Background

Every vehicle used on a public highway in British Columbia must comply with the laws, regulations, and standards administered by both the BC Ministry of Transportation and Infrastructure and Transport Canada.

Vehicles that do not comply with the design and construction standards of these agencies will contravene section 17.10(1)(a) of the *Regulation*, as these standards will be standards acceptable to WorkSafeBC.

In order that a vehicle be considered appropriate for worker transport use, it must also comply with the additional requirements of the *Regulation*.

Seat belt assemblies

Standard 208 under the *Motor Vehicle Safety Regulation (Canada)* requires that every passenger car and every truck, bus, or multi-purpose passenger vehicle with a GVWR of 4 536 kg or less, other than a school bus or motor home, be equipped with a 3-point seat belt at every rear outboard seating position. This includes 15-seat passenger vans, which have a GVWR of less than 4 536 kg.

A non-outboard, or interior seat on a bench, may be fitted with a lap belt or a 3-point belt. Note that this requirement does not apply to school buses.

Under the B.C. *Motor Vehicle Act*, a person must not drive or operate a motor vehicle on a highway in which a seat belt assembly required under this section or the *Motor Vehicle Safety Act (Canada)* at the time the motor vehicle was manufactured, assembled, or imported into Canada has been removed, rendered partly or wholly inoperative, or modified to reduce its effectiveness.

Emergency exits

Section 17.10(e) provides that a worker transportation vehicle must be fitted with at least one emergency exit on the left or rear of the vehicle. Typically, a rear or side door will serve as an emergency exit, provided that the door is operable from inside and outside of the vehicle while in use.

Where the worker transportation vehicle will carry 12 or more passengers, section 17.14 provides that there must be a 25 cm (10 in.) wide aisle providing access to the emergency exit. That width is determined by measuring the width from the furthest edge of each seat across an aisle, or from the furthest edge of a seat to the interior wall of the vehicle. The 25 cm (10 in.) aisle may include an obstruction, such as a wheel well, provided that a worker on foot can easily and quickly get past the obstruction.

Sections 17.10 and 17.14 do not set out dimensions of the emergency exit. Clearly, the exit must be of a sufficient size to permit workers to exit the vehicle in a timely way.

In many vehicles, a rear or side door used as an emergency exit may be partially obstructed by seats or seat backs. In such a situation, the rear or side door may serve as an emergency exit, provided the unobstructed portion of the exit permits workers to exit in a timely way.

Where a rear door will function as the emergency exit and the exit is partially obstructed by a seat or seat back, the overall area of the exit should be at least approximately 3226 cm² (500 in.²), provided the height is a minimum of 36 cm (14 in.). The exit may consist of either a single or double

door, provided that, in accordance with section 17.10(d), both doors are operable from the interior and exterior of the vehicle.

Where door latches are rendered inoperable because of the presence of a seat back which prevents access to the latch, the exit will not meet the requirements for an emergency exit. The employer must ensure that passenger safety locks have been disabled to ensure workers are able to open the emergency exit from the interior.

G17.1 Application

Issued September 1999

Section 17.1 of the *OHS Regulation* ("Regulation") states:

This Part applies to all persons, including the operator, engaged in transporting workers by any type of conveyance operated on behalf of the employer.

A private vehicle is "operated on behalf of the employer" under this section if it is used for the employer's business during a shift on a public or a private road.

G17.2-1 Employer's responsibility

Issued September 1999; Editorial Revision January 1, 2009

Section 17.2(a) of the *OHS Regulation* ("Regulation") states:

If workers are to travel in a worker transportation vehicle, the employer must ensure that

(a) reasonable measures are taken to evaluate road, weather and traffic conditions to ensure the safe transit of the workers,

"Reasonable measures" would include but not be limited to

- Road patrol prior to crew transit during or following:
 - Heavy rain storms (to look for washed out roads, bridges, culverts and slides)
 - Extreme winds (to look for falling, downed, or hung up hazards)
 - Hazardous winter conditions such as extreme snow, avalanche danger, heavier than normal rain, or suspected icing conditions
- Inspection of ice bridges
- Contact with other road users to determine their findings on the condition of the road

G17.2-2 Operation and maintenance - Inspection before use on a shift

Issued September 1999; Editorial Revision January 1, 2009; Editorial Revision February 25, 2013

Regulatory excerpt

Section 17.2(b) of the *OHS Regulation* ("Regulation") states:

If workers are to travel in a worker transportation vehicle, the employer must first ensure that ...

(b) an inspection of the worker transportation vehicle has been conducted by a qualified person before first use on a work shift, and

Section 17.2.1(1) of the *Regulation* states:

The operator of a worker transportation vehicle must ensure that the worker transportation vehicle has been inspected by a qualified person before first use on a work shift.

Purpose of guideline

The purpose of this guideline is to list some items that should normally be checked on worker transportation vehicles.

Inspections

An inspection before first use on a shift should include at least a visual inspection and/or a function check of the following:

- Wheels, rims, lug nuts, and tires, including the spare tire
- Service brakes, including trailer brake connections and brake adjustment
- Parking brake
- Steering mechanism
- Lighting devices and reflectors, including back up lights and turn signals
- Windshield wipers
- Securing of material and tools, including any coupling devices
- Emergency equipment, including first aid equipment
- Glazing

- Rear vision mirrors
- Horn
- Engine oil, coolant levels, and fan belts

Many of the above inspection items are part of the mandatory pre-trip inspection for a commercial motor vehicle under section [37.22](#) of the *Motor Vehicle Act Regulations*.

G17.4 Riding restrictions

Issued September 1999; Editorial Revision January 1, 2009

Section 17.4(a) of the *OHS Regulation* ("Regulation") states:

A worker must not ride in a vehicle

(a) in a standing position, unless protected from being thrown off balance.

Section 17.2.3 of the *Regulation* states:

An exemption under Division 32, and an exception under Division 39, of the Motor Vehicle Act Regulations apply to the operation of a worker transportation vehicle both on and off a highway.

Generally, standing will be allowed in large capacity crew transportation vehicles not required by motor vehicle legislation to have seat belts. This applies, for example, to a city or transit type of bus, manufactured and equipped for this type of use. Even in such vehicles, standing should only be permitted in a controlled environment where speed, travel distance and transit time are low, for example at a pulp mill construction site or on urban streets. Standing should not be permitted where highway speeds, long distances, or lengthy travel time are factors, for example, transport to a distant logging site on an industrial road.

Section 17.4(b) of the *Regulation* states:

A worker must not ride in a vehicle

(b) with any part of the body outside the vehicle unless essential to the work process, and then only if the worker is adequately restrained.

This means the operator or any other worker riding in the vehicle may not put his or her head (or other body part) out through a window or any other opening while the vehicle is moving, unless it is essential to do so for a specific work process. This requirement is not intended to prevent a worker riding in a passenger vehicle with an open cab, such as a convertible-style automobile.

G17.5.1 / 17.13 Gross Vehicle Weight Rating (GVWR)

Preliminary Issue August 1, 2013

Regulatory excerpt

Section 17.5.1 of the *OHS Regulation* ("Regulation") states:

The gross vehicle weight rating (GVWR) of the worker transportation vehicle must not be exceeded.

Section 17.13 of the *Regulation* states:

For vehicles that do not have seat belt assemblies in every seating position, the seating capacity must be determined by the number of 41 cm (16 in) seat widths available, provided the gross vehicle weight rating (GVWR) is not exceeded.

Section 17.01 of the *Regulation* states:

"gross vehicle weight rating (GVWR)" means the manufacturer's maximum recommended weight for a vehicle, including the weight of the vehicle itself, fuel and other fluids, passengers, and all cargo;

Purpose of guideline

The purpose of this guideline is to provide guidance on estimating whether the gross vehicle weight rating (GVWR) of a vehicle is exceeded.

Background

Every vehicle used on a public highway in British Columbia must comply with the laws, regulations, and standards administered by both the B.C. Ministry of Transportation and Infrastructure (MOTI) and Transport Canada (TC), as well as the *Regulation*.

Each vehicle has a GVWR designated by the manufacturer. This rating provides the maximum recommended weight for the vehicle including the weight of the vehicle plus its load; including passengers and cargo.

When estimating the gross vehicle weight to determine whether the GVWR has been exceeded for the purposes of sections 17.13 and 17.5.1 of the *Regulation*, each passenger is assumed to weigh at least 68 kg (150 lbs).

G17.6 Hazardous materials

Issued September 1999, Editorial Amendment August 2004

Section 17.6 (b) of the *OHS Regulation* ("*Regulation*") addresses the carrying of "volatile, flammable, or otherwise hazardous materials" in a vehicle transporting workers. Section 17.6(b) should not be used with respect to transporting explosives, as this practice is governed by section [21.22](#) of the *Regulation*.

G17.7 Carrying animals

Issued September 1999

Section 17.7 of the *OHS Regulation* ("*Regulation*") states:

An animal must not be carried in the operator's cab or passenger compartment of a vehicle transporting workers unless appropriate facilities are provided for this purpose.

Examples of "appropriate facilities" are a secured cage, a seat belt designed for animal restraint, or a barrier screen.

G17.8 Passenger compartments

Issued September 1999

Section 17.8(a) of the *OHS Regulation* ("*Regulation*") states:

Any enclosed portion or compartment of a vehicle in which workers are transported must have

(a) effective ventilation, independent of doors, providing clean air,

This requirement is satisfied through provision of standard automotive ventilators and windows that can be opened. Air conditioning would not normally be required.

Section 17.8(b) of the ("*Regulation*") states:

Any enclosed portion or compartment of a vehicle in which workers are transported must have

(b) adequate lighting and means for heating and cooling,

Adequate lighting means the ability to illuminate to at least 22 lux (2 footcandles). Also see section 4.65(1)(a) of the *Regulation*. A standard automotive heater will normally meet the requirements for heating. For adequate cooling, an opening window will normally be sufficient, and air conditioning would not normally be required.

Section 17.8(c) of the *Regulation* states:

Any enclosed portion or compartment of a vehicle in which workers are transported must have

(c) an effective means of communication between the operator and passengers,

Some examples of an "effective means of communication" are an opening window between the operator and passenger compartment, an electronic voice communication system or an electric buzzer, bell or similar device which may be used to pass prearranged signal codes between the passengers and the vehicle operator.

Section 17.8(d) of the *Regulation* states:

Any enclosed portion or compartment of a vehicle in which workers are transported must have

(d) more than one means of exit.

An emergency exit is considered an additional means of exit for the purpose of this section. The requirements of section [16.17](#) of the *Regulation* must also be met.

G17.9 Boarding and leaving - Docking facilities

Issued September 1999

Section 17.9(2) of the *OHS Regulation* ("*Regulation*") states:

Adequate docking facilities must be provided if necessary to ensure safe worker access and egress to marine craft and float-equipped aircraft.

An adequate docking facility should have

- A walkway meeting the requirements of section 17.9(3)
- A firm foundation or enough buoyancy to support the intended loads
- Lifesaving equipment as required by section [24.3](#) of the *Regulation*

A boat may be used to load and unload passengers on a short-term basis.

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