

DATE OF MEETING DECEMBER 08, 2025

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SUBJECT **NEIGHBOURHOOD ZERO EMISSION VEHICLE BYLAW**

OVERVIEW

Purpose of Report

The following report provides an overview of the regulatory context for the operation of Neighbourhood Zero Emission Vehicles and Low Speed Vehicles.

Recommendation

That the Governance and Priorities Committee recommend that Council retain the existing language in “Traffic and Highways Regulation Bylaw 1993 No. 5000” Section 3.4 Slow Moving Vehicles as the primary regulation for Neighbourhood Zero Emission Vehicles and Low Speed Vehicles operating on municipal streets.

BACKGROUND

At the 2020-JUL-20, Regular Council Meeting, Council moved the following motion:

“It was moved and seconded that Staff prepare a report with options for the timely implementation of a bylaw to allow the operation of Neighbourhood Zero Emission Vehicles in Nanaimo. The motion carried unanimously.”

The following Staff report provides a summary of the current regulatory regime around Neighbourhood Zero Emission Vehicles in BC and provides options on how Council can proceed.

DISCUSSION

In June 2008, the Province introduced amendments to the Motor Vehicle Act (MVA) Regulations to define and regulate the operation of Neighbourhood Zero Emission Vehicles (NZEVs). Principally, NZEVs are defined as vehicles that:

- Travel on 4 wheels
- Can attain a speed of at least 32 km/h but not more than 40 km/h
- Meet or exceed standards of the Motor Vehicle Safety Act (Canada) for a low-speed vehicle or equivalent compliance label

Section 24.06 of the MVA Regulations specify the situations that an NZEV can be operated within a municipality as:

- a) On a highway or class of highway that has a speed limit of 40 km/h or less;

- b) If authorized by bylaw of the council of the municipality, on a highway or class of highway that has a speed limit of over 40 km/h but no more than 50 km/h; or
- c) If the vehicle is being operated in accordance with the provisions applicable to a utility vehicle as provided for in Section 24.03.

BC Municipalities have taken a variety of approaches to allowing NZEVs to legally operate on streets within their jurisdiction. These approaches can be summarized in three main categories:

1. Designating specific areas where NZEVs can be legally operated (eg. Nanoose Bay).
2. Specifically defining and allowing NZEVs or Low Speed Vehicles (LSVs) to operate on municipal streets with a speed limit up to 50 km/h (eg. Vancouver, Oak Bay, New Westminster).
3. Updating speed limits across the municipality to be 40 km/h or less on certain street classifications, allowing NZEVs to legally operate on those streets (eg. Victoria, Duncan, Courtenay).

The City of Nanaimo Traffic and Highways Regulation Bylaw 1993 No.5000 Section 3.4 has existing language that specifies requirements for Slow Moving Vehicles on City of Nanaimo public streets, principally equipping the vehicle with a slow moving vehicle warning device. The Bylaw 5000 requirements are consistent with the MVA requirements for slow moving vehicles in Section 7B.01 of the MVA Regulations.

The definition of a Slow Moving Vehicle in Section 2. of the bylaw is inclusive of the BC Motor Vehicle Act Regulations definition of a Neighbourhood Zero Emission Vehicle in Division 1 and therefore NZEV's can legally operate on Nanaimo's public streets pursuant to the requirements of Bylaw 5000.

OPTIONS

1. That the Governance and Priorities Committee recommend that Council retain the existing language in "Traffic and Highways Regulation Bylaw 1993 No. 5000" Section 3.4 Slow Moving Vehicles as the primary regulation for Neighbourhood Zero Emission Vehicles and Low Speed Vehicles operating on municipal streets.
 - The advantages of this option:
 - i. Allows for the operation of NZEVs on City streets.
 - ii. Maintains continuity of existing bylaws and regulations.
 - iii. The existing wording is inclusive of different types of vehicles that don't otherwise fit the NZEV definition.
 - The disadvantage of this option:
 - i. Potential for ambiguity of applicability to other slow moving vehicles including mobility aids and electric scooters.
 - Financial Implications: None
2. That the Governance and Priorities Committee recommend that Council pass a specific bylaw defining and regulating the usage of NZEVs on municipal streets based on the language in the Motor Vehicle Act Regulations allowing NZEVs to operate on streets with speed limits of 50 km/h or less.
 - The advantage of this option:
 - i. Allows for the operation of NZEVs on City streets.

- ii. Provides clear guidance to drivers of standard vehicles and NZEVs.
 - The disadvantage of this option:
 - i. Could create ambiguity between the Bylaw 5000 “Slow Moving Vehicle” definition and the NZEV definition.
 - Financial Implications: Staff time to draft and present a bylaw.
3. That the Governance and Priorities Committee recommend that Council pass an amendment to “Traffic and Highways Regulation Bylaw 1993 No. 5000” delineating specific areas of the City where NZEVs are permitted to operate on 50 km/h streets.
- The advantage of this option:
 - i. Allows for the operation of NZEVs on certain designated City streets.
 - ii. Provides clear guidance to drivers of standard vehicles and NZEVs.
 - The disadvantage of this option:
 - i. A more substantial bylaw update would be required.
 - Financial Implications: This option is expected to require public consultation, education, and capital works to add additional signage to delineate the zone.
4. That the Governance and Priorities Committee recommend that Council pass an amendment to “Traffic and Highways Regulation Bylaw 1993 No. 5000” delineating specific areas of the City where speed limits are reduced to 40 km/h to permit the usage of NZEVs under the existing Motor Vehicle Act Regulation Section 24.06.
- The advantages of this option:
 - i. Allows for the operation of NZEVs on certain designated City streets.
 - ii. Provides clear guidance to drivers of standard vehicles and NZEVs.
 - iii. Reducing speed limits would improve road safety for all users in those zones and further align with City Plan goals around Vision Zero.
 - The disadvantage of this option:
 - i. A more substantial bylaw update would be required.
 - Financial Implications: This option is expected to require public consultation, education, and capital works to replace existing signage.
5. That the Governance and Priorities Committee provide an alternate direction to Staff.

SUMMARY POINTS

- Neighbourhood Zero Electric Vehicles were added as a class of vehicle in the BC Motor Vehicle Act in 2008.
- Nanaimo’s Traffic and Highway Bylaw includes provisions for the operation of Slow Moving Vehicles on City streets.

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