

Provincial Industrial Railway Operating Permit Process



Working Together for Railway Safety in British Columbia

The *Railway Safety Act* of BC

British Columbia *Railway Safety Act*, Section 10 states, in part, that “a railway company must not operate a railway unless the company has a valid permit”.

The provincial Minister of Transportation has appointed a registrar of railway safety who issues such permits on the minister’s behalf and who may establish terms and conditions which apply to each permit.

This document outlines the processes required for obtaining both a minister’s certificate and a valid permit for operating a railway in British Columbia.

Process for Obtaining an Operating Permit

Section 10 of the *Railway Safety Act* (BC) outlines the need and requirements for a railway company to obtain an operating permit, as follows:

Permit required:

10 (1) A railway company must not operate a railway unless the company has a valid permit issued by the registrar under section 11.

- (2) An application to the registrar for a permit must
 - (a) be made in the form and manner approved by the registrar,
 - (b) include information required by the registrar, and
 - (c) be accompanied by the prescribed application fee.

Registrar may issue permit

11 (1) The registrar may issue a permit to a railway company in response to an application under section 10 if the registrar considers the applicant capable of operating the railway in a safe manner.

- (2) If the registrar issues a permit, the registrar may
 - (a) exempt the permit holder from the application of any adopted provisions or from a regulation or any part of a regulation made under section 9 (2) (b), or from both, and
 - (b) establish terms and conditions that apply to the permit.
- (3) A permit holder must comply with
 - (a) the adopted provisions that apply to the permit holder,
 - (b) the terms and conditions that apply to the permit holder's permit, and
 - (c) any order or directive made to the permit holder by a railway safety inspector acting under the authority of a provision adopted under section 4.

When applying for an operating permit under these sections of the *Act*, a railway company must demonstrate that the railway will operate in compliance with the adopted regulations, rules and standards. Alternatively, the railway company can apply to the registrar of railway safety for an exemption from these requirements.

The railway company demonstrates their compliance with the adopted regulations, rules and standards by completing the requirements of the Safety Management System Regulations (SMS).

For guidance in meeting this requirement, an SMS Compliance and Policy document is available to railways by e-mailing a request to:

bcsa.railway@safetyauthority.ca

or by mailing a request to:

The Railway Safety Manager
Railway Safety Program
British Columbia Safety Authority
#200 – 505 Sixth Street,
New Westminster, BC V3L 0E1

or:

Phone: 1-866-566-7233,
Fax: 778-396-2035

A formatted application form which meets the requirements of Section 10 (2) (a) of the *Railway Safety Act* (BC) is provided in Appendix I of this document.

Appendix I

Format for Application for an Operating Permit

Railway Company's Letterhead

To: Registrar of Railway Safety
Ministry of Transportation
PO Box 9850 Stn. Prov. Govt.
Victoria BC
V8W 9T5

Re: Application for an Operating Permit under the *Railway Safety Act* (BC).

Under section 10 of the *Railway Safety Act* (BC) application is hereby made for a Permit to operate a/an (name the class of railway) at (provide the location of the railway) BC.

In support of this application, a copy of the Safety Management System for this industrial railway is attached for a review.

Signed by a company principal

Date signed

Principal's name

Principal's company title

CC Railway Safety Manager
BCSA