

## Publisher's Note

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### **ANNOTATED BRITISH COLUMBIA MOTOR VEHICLE ACT**

**Michael Libby & Alex Choi**  
**Release No. 1, May 2023**

#### **Publisher's Special Release Note 2021**

The pages in this work were reissued in October 2021 and updated to reflect that date in the release line. Please note that we did not review the content on every page of this work in the October 2021 release. We will continue to review and update the content according to the work's publication schedule. This will ensure that subscribers are reading commentary that incorporates developments in the law as soon as possible after they have happened or as the author deems them significant.

Changes to chapter and heading numbering may have occurred. Please refer to the Correlation Table in the front matter if you wish to confirm references.

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### **What's New in this Update:**

#### **Recent case law discussed in the updates to the commentary includes:**

- *Gordon v. British Columbia (Superintendent of Motor Vehicles)*, 2022 BCCA 260 (B.C. S.C.): Adjudicators have an obligation to consider the *Canadian Charter of Rights and Freedoms* when the outcome of an administrative decision limits *Charter* rights. In such cases, they have an obligation to exercise their statutory authority in a manner consistent with *Charter* rights and values.
- *Russell v. Christopherson*, 2023 BCSC 160 (B.C. S.C.): There is a duty imposed on drivers by s. 151(a) of the *Motor Vehicle Act* not to change lanes unless that movement can be safely made and without affecting the travel of other vehicles. Even if that subsection did not exist, the common law duty to take reasonable care to conduct oneself so as to avoid injury to one's neighbour would apply.

### **ProView Developments**

Your ProView edition of this product now has a new, modified layout:

- The opening page is now the title page of the book as you would see in the print work
- As with the print product, the front matter is in a different order than previously displayed
- The Table of Cases, Table of Statutes and Index are now in PDF with no searching and linking
- The Table of Contents now has internal links to every chapter and section of the book within ProView
- Images are generally greyscale and size is now adjustable
- Footnote text only appears in ProView-generated PDFs of entire sections and pages