



TRANSIT POLICE

JURISDICTION & MANDATE

Effective Date: September 12, 2005

Revised Date: October 8, 2021

Reviewed Date:

Review Frequency: As Required

Office of Primary Responsibility: Manager Strategic Services

POLICY

Definitions

Designated Constables – The Transit Police police officers appointed by the Police Board.

Member – For the purpose of this policy, includes a Designated Constable (all ranks), the Chief Officer or a Deputy Chief Officer, and a Designated Law Enforcement Officer of the Transit Police.

Metro Vancouver – The municipalities and rural areas located in the Greater Vancouver Regional District, and any area added to the region pursuant to provisions of the SCBCTA.

Police Act – The BC *Police Act*, RSBC 1996, c. 367, and the regulations thereto, including the Transit Police Operations Regulation, all as amended from time to time.

SCBCTA Act – The South Coast British Columbia Transportation Authority Act, SBC 1998 c. 30 and regulations thereto, including the Transit Conduct and Safety Regulation, all as amended from time to time.

Transit Police – The South Coast British Columbia Transportation Authority Police Service.

Authority

1. The Transit Police is a Designated Policing Unit in British Columbia established pursuant to s. 4.1 of the *Police Act*.
2. The Transit Police and its police officers are also granted specific authorities under the *SCBCTA Act*.

General

Mandate

3. The mandate of the Transit Police has been established by the Minister of Public Safety and Solicitor General (MPSSG) by Order in Council to preserve and maintain the public peace, prevent crime and offences against the law, aid in the

administration of justice and enforce the laws in force in British Columbia, primarily directed towards:

- (1) any criminal activity or breach of public peace that could affect the safety or security of transit passengers, employees or property, and
- (2) conducting investigation and enforcement operations with respect to any unlawful activity on or around transit vehicles and other transit property.

Jurisdiction – Concurrent

4. As a designated policing unit under s. 4.1 of the *Police Act*, the Transit Police provides policing supplemental to Jurisdictional Police Departments (JPDs) operating within Metro Vancouver.
5. In accordance with the requirements and conditions of its establishment, the Transit Police is required to enter into Memorandums of Understanding (Protocol Agreements) with JPDs responsible for jurisdictions in which the Transit Police regularly exercises its authority, specifying each party's responsibilities.
6. Nothing in this Transit Police Policies and Procedures Manual will be interpreted as:
 - (1) diminishing the obligations or authority of the JPDs;
 - (2) replacing the performance of policing and law enforcement services by the JPDs;
 - (3) defining, prejudicing or derogating from the powers, duties, responsibilities or authority of the JPDs; or
 - (4) excluding any area or property being served by the Transit Police from the jurisdiction of the JPDs.

Jurisdiction – Geographic

7. Pursuant to s. 4.1 of the *Police Act*, the geographic boundaries of the Transit Police has been established by the MPSSG by Order in Council as the "transportation service region" as defined in the *SCBCTA Act*.

Jurisdiction – Enforcement

8. A Member, as a Designated Constable, has, while carrying out the duties of his/her appointment, jurisdiction throughout the Province of British Columbia to exercise and carry out the powers, duties, privileges and responsibilities that a peace officer and constable is entitled or required to exercise or carry out at common law or under any Act (s. 10(1) of the *Police Act*).
9. When a Member exercises authority in a jurisdiction whose policing agency has not entered into a Memorandum of Understanding with the Transit Police, the Member will, if possible, notify the policing agency in advance of exercising authority, but in

any case must promptly after exercising jurisdiction notify the municipal police department (s. 10(2) of the *Police Act*).

PROCEDURES

10. The Transit Police will establish written operational and procedural protocols with JPDs in whose jurisdiction the Transit Police regularly exercises its authority with respect to policing and law enforcement reflecting a co-ordination of efforts and full support of and co-operation between the Transit Police and JPDs.
11. Section 476 of the Criminal Code of Canada (*Criminal Code*) sets out guidelines for the jurisdiction of offences that occur on waterways, bridges and vessels operating between two territorial divisions. Generally, the offence is deemed to have been committed in any of the territorial divisions. Members should familiarize themselves with the relevant sections of the *Criminal Code*.

Key References

BC Police Act [RSBC 1996, Chapter 367]

BC Policing Standards

Designated Policing Unit Application for the South Coast British Columbia Transportation Authority Police Service, August 2012

South Coast British Columbia Transportation Authority Act, SBC 1998 c. 30

South Coast British Columbia Transportation Authority Police Service Complaints and Operations Regulations [BC Reg. 484, 2004]