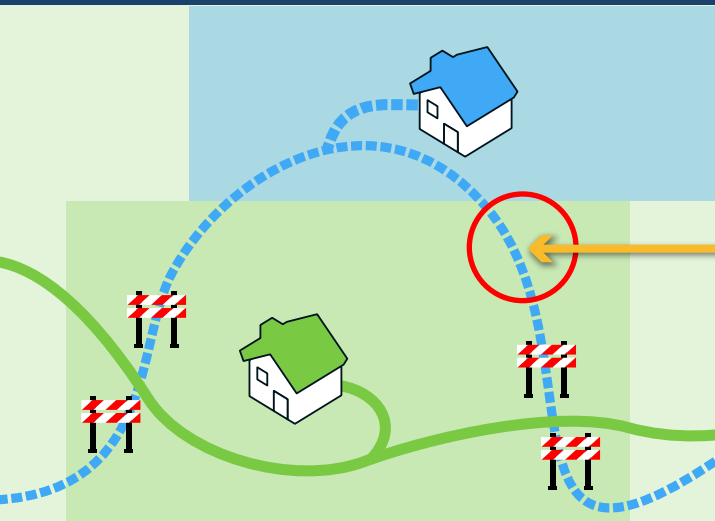




# ON THE ROAD AGAIN

Investigation into the Ministry of Transportation and Infrastructure



## WHO OWNS THIS ROAD? WHO CAN USE IT?

Our investigative report examines how these critically important questions have real-life consequences for BC property owners, and give rise to disputes between neighbours and government.

Section 42 of the *Transportation Act* is unjust and must be revised to ensure fairness for owners and users of rural roads.

## IMPACTS OF LEGISLATION

- Roads on private property are automatically deemed public if public money is spent on a travelled road. **Owner has no say about who uses the road.**
- **If a road is private and no rights of way or easements are on the title, the owner can prevent others from using it, even those who rely on the road to access their properties.**



## WHAT WE FOUND

- Roads on private property can become public without owner's knowledge or consent, and without compensation for lost land.
- Property owners have **no easy way to determine the ownership of roads** that cross their property or that they use to access their land.
- **There is no administrative decision-maker or record of a decision to declare a road is public.**



## OMBUDSPERSON RECOMMENDATIONS TO MINISTRY WILL HELP ENSURE THAT:

- Private land is no longer expropriated unfairly
- Uncertainty around road ownership is minimized
- Government creates a publicly accessible registry of roads it believes are public
- There is an accessible dispute resolution process for issues that arise
- Legislation is applied consistently.