

This Act is current to July 26, 2017

See the [Tables of Legislative Changes](#) for this Act's legislative history, including any changes not in force.

## SAFE STREETS ACT

### [SBC 2004] CHAPTER 75

*Assented to October 26, 2004*

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#### Definition

In this Act, "**solicit**" means to communicate, in person, using the spoken, written or printed word, a gesture or another means, for the purpose of receiving money or another thing of value, regardless of whether consideration is offered or provided in return.

#### Solicitation in aggressive manner prohibited

**2** (1) A person commits an offence if the person solicits in a manner that would cause a reasonable person to be concerned for the solicited person's safety or security, including threatening the person solicited with physical harm, by word, gesture or other means.

(2) A person commits an offence if the person engages, in a manner that would cause a reasonable person to be concerned for the solicited person's safety or security, in one or more of the following activities during a solicitation or after the solicited person responds or fails to respond to the solicitation:

- (a) obstructing the path of the solicited person;
- (b) using abusive language;

- (c) proceeding behind or alongside or ahead of the solicited person;
- (d) physically approaching, as a member of a group of 2 or more persons, the solicited person;
- (e) continuing to solicit the person.

### **Solicitation of captive audience prohibited**

**3** (1) In this section:

**"commercial passenger vehicle"** means a motor vehicle operated on a roadway by or on behalf of a person who charges or collects compensation for the transportation of passengers in that motor vehicle, and includes a vehicle operated by or on behalf of the British Columbia Transit Authority or the South Coast British Columbia Transportation Authority to provide a regularly scheduled public passenger transportation service;

**"roadway"** means a highway, road, street, lane or right of way, including the shoulder of any of them, that is improved, designed or ordinarily used by the general public for the passage of vehicles;

**"vehicle"** includes non-motorized vehicles.

(2) Subject to subsection (3), a person commits an offence who does any of the following:

- (a) solicits a person who is using, waiting to use, or departing from a device commonly referred to as an automated teller machine;
- (b) solicits a person who is using, or waiting to use, a pay telephone or a public toilet facility;
- (c) solicits a person who is waiting at a place that is marked, by use of a sign or otherwise, as a place where a commercial passenger vehicle regularly stops to pick up or disembark passengers;
- (d) solicits a person who is in, on or disembarking from a commercial passenger vehicle;
- (e) solicits a person who is in the process of getting in, out of, on or off of a vehicle or who is in a parking lot.

(3) No offence is committed under subsection (2) if the person soliciting is 5 metres or more from the following:

- (a) in the case of subsection (2) (a) to (c), the automated teller machine, pay telephone, public toilet facility entrance or commercial passenger vehicle marker, as applicable;
- (b) in the case of subsection (2) (d) or (e), the commercial passenger vehicle or vehicle, as applicable.

(4) No offence is committed under subsection (2) (a) if the person soliciting

- (a) has express permission, given by the owner or occupier of the premises on which the automated teller machine is located, to solicit within 5 metres of the automated teller machine, and
- (b) solicits only on the premises.

(5) A person commits an offence if the person, while on a roadway, solicits a person who is in or on a stopped, standing or parked vehicle.

### **Arrest without warrant**

**4** (1) In this section, "**peace officer**" means a peace officer described in paragraph (c) of the definition of "peace officer" in section 29 of the [Interpretation Act](#).

(2) A peace officer may arrest without warrant any person who the peace officer believes on reasonable and probable grounds is committing an offence under this Act.

### **Consequential Amendment**

*[Note: See Table of Legislative Changes for the status of this provision.]*

<b>Section(s)</b>	<b>Affected Act</b>
5	<a href="#">Motor Vehicle Act</a>

### **Commencement**

**6** This Act comes into force by regulation of the Lieutenant Governor in Council.