

Bill No. 40 of 1948.

A BILL TO AMEND THE VEHICLES AND HIGHWAY  
TRAFFIC ACT.

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NOTE.

This Bill amends *The Vehicles and Highway Traffic Act*.

Section 35 of the Act presently permits vehicles belonging to fire departments to be equipped with red lights or such other coloured lights as may be designated by the council. This section is amended to prohibit any vehicle other than one used by firemen, policemen or as an ambulance from carrying red lights or flashing lights other than clearance or signalling lights.

A new subsection (1a) is added to section 42 establishing a maximum speed limit of fifty-five miles per hour.

A new subsection (1b) is added to section 42 establishing a maximum speed limit at night of forty-five miles per hour.

Subsection (2) of section 42 is amended to remove the provision which makes any speed in excess of forty miles per hour upon a highway outside of a city, town or village *prima facie* an unreasonable rate of speed.

A new section 43a is added by the Bill. This enables the Minister of Public Works by order to fix a maximum speed limit in respect of any designated highway or portion thereof which is under construction or repair. The Minister of Public Works is required to erect signs to warn the public of the speed limit so fixed and driving on any highway so designated at a greater speed than that fixed by the order and published on the signs is prohibited.

Section 42 is amended by the Bill. The change in subsection (2) thereof requires an overtaking vehicle to sound its horn before commencing to pass.

The new subsections (6), (7) and (8) added to section 47 require bicyclists and slow-moving vehicles to keep to the extreme right side of the travelled portion of the highway. Bicyclists, motorcyclists or horsemen may ride two abreast, but upon being overtaken, are required to travel in single file as near to the right side of the highway as conditions permit.

Section 57 was intended to refer to "level railway crossing". The word "legal" is an error and the word "level" is accordingly substituted.

Section 63 prohibits a person from throwing or placing glass, nails, scraps of metal or other material injurious to tires upon a highway. In some cases a person responsible for glass, nails or scraps of metal upon a highway does not throw or place them there. For instance, if his car is involved in an accident, shattered glass may fall from the car. The amendment provides that he shall not leave such glass nor allow it to be left where it might injure the tires of a motor vehicle.

A new section 67a is added which prohibits any passenger from riding in such a way as to impede or obstruct the driver in his access to and use of the steering wheel, brakes and other equipment required to be used by the driver for the safe operation of the vehicle.

W. S. GRAY,  
*Legislative Counsel.*

*(This note does not form any part of the Bill but is offered in explanation of its provisions.)*

# BILL

No. 40 of 1948.

An Act to amend The Vehicles and Highway Traffic Act.

(Assented to \_\_\_\_\_, 1948.)

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

**1.** *The Vehicles and Highway Traffic Act*, being chapter 275 of the Revised Statutes of Alberta, 1942, is hereby amended as to section 35 by striking out the same and by substituting therefore the following:

**"35.—**(1) Any motor vehicle belonging to a municipal fire department may be equipped with such red lights or such other coloured lights as may be designated by by-law of the council.

**"(2)** No motor vehicle other than a vehicle which is used,—

**"(a)** for the transportation of any member of a fire-brigade or of any fire-fighting equipment; or

**"(b)** for the transportation of any policeman; or

**"(c)** for an ambulance;

shall be equipped with any red light or flashing light visible from the front of the vehicle, except clearance lights or signalling lights for turning."

**2.** The said Act is further amended as to section 42,—

(a) by adding immediately after subsection (1) thereof the following new subsections:

**"(1a)** No person shall drive a motor vehicle on a highway at a rate of speed greater than fifty-five miles per hour.

**"(1b)** No person shall drive a motor vehicle on a highway at a rate of speed greater than forty-five miles per hour at any time when its headlamps are required to be alight.";

(b) by striking out the words "or at a greater rate of speed than forty miles per hour upon any highway outside of a city, town or village," where the same occur in subsection (2) thereof.

**3.** The said Act is further amended by adding immediately after section 43 thereof the following new section:

**"43a.—**(1) The Minister of Public Works in respect of any designated highway under construction or repair or

portion thereof may by order fix a maximum speed limit applicable to all vehicles or to any class or classes of vehicles while travelling over the said highway or portion thereof designated in the order.

“(2) The Minister of Public Works shall erect such signs along the said highway under construction or repair or portion thereof designated in the order as he deems adequate to notify any person driving a motor vehicle of the maximum speed limit so fixed.

“(3) No person shall drive a motor vehicle on any highway or portion thereof designated in the order at any rate of speed in excess of the maximum speed limit fixed by the said order and published by the signs erected as aforesaid.”.

**4.** The said Act is further amended as to section 47,—

- (a) by adding immediately after the words “in the same direction”, where the same occur in subsection (2) thereof, the words “he shall sound his horn before commencing to pass and”;
- (b) by adding immediately after subsection (5) thereof the following new subsections:

“(6) Any person riding a bicycle or a horse and any person acting as the driver of a slow-moving vehicle shall ride or drive as near to the right side of the travelled portion of the highway as circumstances and weather conditions permit.

“(7) No bicyclist, motorcyclist or horseman shall ride more than two abreast on any highway.

“(8) If two or more bicyclists, motorcyclists or horsemen are overtaken on a highway by a vehicle travelling in the same direction which sounds its horn to pass, the bicyclists, motorcyclists or horsemen, as the case may be, shall travel in single file and shall ride as near to the right side of the travelled portion of the highway as circumstances and weather conditions permit.”.

**5.** The said Act is further amended as to section 57 by striking out the words “legal railway crossing”, where the same occur therein, and by substituting therefor the words “level railway crossing”.

**6.** The said Act is further amended as to section 63 by striking out the words “throw or place”, where the same occur in subsection (1) thereof, and by substituting therefor the words “throw, place, leave or allow to be left”.

**7.** The said Act is further amended by adding immediately after section 67 thereof the following new section:

“**67a.**—(1) No person acting as the driver of a vehicle upon any highway shall permit any person to occupy the front seat thereof in such a manner as to impede the driver

in the free and uninterrupted access to and use of the steering wheel, brakes and other equipment required to be used for the safe operation of the said vehicle, nor shall any such driver permit any person in the vehicle to cause any obstruction to his clear vision in any direction.

“(2) No person in any vehicle upon any highway shall ride in such position as to interfere with the driver’s control over the driving mechanism of the vehicle or so as to obstruct his clear vision in any direction.”.

**8.** This Act shall come into force on the day upon which it is assented to.

No. 40

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FIFTH SESSION  
**TENTH LEGISLATURE**  
12 GEORGE VI  
1948

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**BILL**

An Act to amend The Vehicles and  
Highway Traffic Act.

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. HOOKE.

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EDMONTON:  
~~Charles King's Printer~~