

Bill No. 97 of 1951.

A BILL TO AMEND THE PUBLIC SERVICE
VEHICLES ACT.

NOTE.

This Bill amends *The Public Service Vehicles Act*, being chapter 276 of the Revised Statutes of Alberta, 1942.

Section 65 is amended by renumbering the present subsection (1a) as subsection (1b) and by adding a new subsection (1a) immediately after subsection (1). The purpose of the new subsection is to make it clear that a person who is the owner of a vehicle, other than a public service vehicle, and who operates his vehicle to transport goods or passengers without receiving any compensation therefor is not guilty of an offence against subsection (1) of the section.

Section 66 is struck out and three new sections are substituted. The new section 66 contains the same requirements as the present section but they have been reworded for purposes of clarification. The only addition is the requirement that the applicant for a liveryman's license shall obtain an indorsement on his application signed by the chief police officer of the city in which the applicant proposes to carry on business or signed by an officer of the Royal Canadian Mounted Police in any other case, to the effect that the issue of the license is not objected to.

The new section 66a gives the Board a discretion to grant or refuse a liveryman's license. Provision is made that if the applicant submits new evidence to the Board within thirty days of its decision the Board may reconsider the matter and may rescind, vary or affirm its previous decision.

The new section 66b provides that a liveryman's license may be cancelled or suspended by the Board if he fails to keep his vehicles insured or to comply with any other condition prescribed by the Board.

This Bill comes into force on the 1st day of July, 1951.

KENNETH A. MCKENZIE,
Legislative Counsel.

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

BILL

No. 97 of 1951.

An Act to amend The Public Service Vehicles Act.

(Assented to _____, 1951.)

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

1. *The Public Service Vehicles Act*, being chapter 276 of the Revised Statutes of Alberta, 1942, is hereby amended.

Section 65
amended

2. Section 65 is amended,—

(a) by renumbering subsection (1a) as subsection (1b);

(b) by adding immediately after subsection (1) the following new subsection:

“(1a) A person,—

“(a) who is the owner of a vehicle, other than a public service vehicle; and

“(b) who operates such vehicle to transport passengers, live stock, liquids, goods, merchandise, gravel or sand, without receiving compensation or promise of compensation therefor;

shall not be guilty of an offence under subsection (1).”.

Section 66
amended
and new
sections 66a
and 66b

Livery
license

Require-
ments to
obtain
livery
license

3. Section 66 is struck out and the following are substituted:

“**66.** (1) No person shall carry on the business of a liveryman until he has applied for and received from the Board a liveryman's license.

“(2) The Board shall not issue a liveryman's license until the applicant,—

“(a) obtains insurance covering all vehicles that he proposes to use in his business, of such amount and covering such risks as the Board may prescribe;

“(b) obtains an indorsement on his application signed by the chief police officer of the city in which the applicant proposes to carry on business, or signed by an officer of the Royal Canadian Mounted Police in any other case, to the effect that the issue of the license is not objected to;

“(c) pays the fees prescribed by the Board;

“(d) complies with any other condition that may be prescribed by the Board.

“**66a.** (1) The Board, in its discretion, after considering an application for a liveryman’s license, may grant or refuse the application. Board may grant or refuse livery license

“(2) The Board’s decision, whether it is made after or without a public hearing, shall be final.

“(3) Notwithstanding subsection (2), if the applicant submits new evidence to the Board within thirty days of its decision, the Board may reconsider the application and may rescind, vary or affirm the decision previously made.

“**66b.** The license of a liveryman who fails,— Cancellation or suspension of livery license
 “(a) to keep his vehicles insured as prescribed by the Board under section 66, subsection (2), clause (a); license
 or

“(b) to comply with any other condition prescribed by the Board;

may be cancelled or suspended by the Board for such time as may seem proper to the Board.”.

4. This Act shall come into force on the first day of July, Coming into force 1951.

No. 97.

FOURTH SESSION
ELEVENTH LEGISLATURE

15 GEORGE VI

1951

BILL

An Act to amend The Public Service
Vehicles Act.

Received and read the

First time

Second time

Third time

HON MR. MACMILLAN.
