

Bill No. 7 of 1953

A BILL TO AMEND THE VEHICLES AND HIGHWAY
TRAFFIC ACT

NOTE

This Bill amends *The Vehicles and Highway Traffic Act*, being chapter 275 of the Revised Statutes of Alberta, 1942.

Section 2 is amended to define "centre line".

Section 10 is amended to remove the possibility of ambiguity by referring in more explicit terms to the type of motor vehicles dealt with by the subsections.

Section 12 is amended to reduce from six months to three months the period during which a tourist is permitted to operate a vehicle in Alberta with extra-provincial license plates.

Section 15 is amended. Subsection (1a) now prohibits a person driving as a chauffeur unless he holds a subsisting chauffeur's license. Subsection (1b) permits a person temporarily in the Province to drive a vehicle registered in Alberta. Previously he could only drive a motor vehicle registered in his place of residence. Subsection (5) prohibits the driving on main or secondary highways of tractors by youths under sixteen years of age and also prohibits persons permitting such youths to drive these tractors on such highways.

Section 23 is amended to prohibit using motor vehicles equipped with dealers' plates to convey freight.

Section 32, subsection (4) is amended to exclude a snow plow from the necessity of having headlamps placed no less than twenty-four inches or no more than fifty inches from the plane surface upon which it stands, as a snow plow by reason of the plow cannot practicably comply with this statutory requirement.

Section 42, subsection (2), which determines what rate of speed shall, *prima facie*, be an unreasonable rate of speed in cities, towns and villages, is amended to remove the *prima facie* unreasonable rate of speed in respect of cities.

Section 47 is amended to clarify a reference in view of amendments to section 47a.

Section 47a is amended. Clauses (g) and (i) have been amended and clauses (gg) and (j) added. The effect of these amendments is to permit right hand passing in a city where the highway has been divided into traffic lanes and there are two or more traffic lanes on the same side of the centre line of the highway for vehicles proceeding in the same

direction. The practice of passing on the right, previously permitted only in a single case, has grown in cities and is acknowledged in the system of traffic signal devices which clear traffic at intersections and require right hand passing.

Section 52*a* is amended to clarify a rule of the road in subsection (1), clause (b).

Section 52*b* is new and sets out rules of the road applicable to turning at intersections upon or entering "one-way" streets.

Section 59 is amended to clarify the provisions which exempt municipal buses from the prohibition against making turns at certain intersections.

Section 111, subsection (2) is amended to remove the option of a fine and substitutes imprisonment for a period of thirty days in the case of the person convicted of driving while his driver's or chauffeur's license is suspended or cancelled, or while the motor vehicle registration is cancelled or suspended.

Section 124*a* is amended. Subsection (3) is amended to provide for a suspension of a driver's or chauffeur's license for six months instead of two months where a person is convicted of driving while his ability is impaired by alcohol. The effect of the amendment to subsection (4) is to require the convicting magistrate to forward a driver's or chauffeur's license of a person convicted of driving while his ability is impaired to the Minister.

This Bill comes into force on the 1st day of July, 1953.

J. W. RYAN,
Acting Legislative Counsel.

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

BILL

No. 7 of 1953

An Act to amend The Vehicles and Highway Traffic Act

(Assented to _____, 1953)

HER 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.

2. Section 2 is amended

Section 2
amended

(a) by relettering clauses (a) and (aa) as clauses (aa) and (aaa), respectively;

(b) by adding immediately before clause (a), now relettered as clause (aa), the following new clause:

“(a) ‘centre line’ means

“centre
line”

“(i) in the case of a highway designated by markings or signs on the pavement, or posted or erected along the highway,

“(A) as an off-set centre highway, or

“(B) as a highway having a certain number of traffic lanes for traffic proceeding in a certain direction at all times or at specified times,

the longitudinal line of demarcation of the highway to separate traffic lanes for vehicles proceeding in one direction from traffic lanes for vehicles proceeding in the opposite direction on the same highway, and

“(ii) in all other cases, the centre of the travelled portion of the highway;”.

3. Section 10 is amended

Section 10
amended

(a) by adding immediately after the word “owner”, where it occurs in subsections (3) and (4), the words “of such motor vehicle”;

(b) by adding immediately after the words “motor vehicle”, where they occur in subsection (5), the words “, other than a public service vehicle or commercial vehicle,”;

(c) by adding immediately after the words “public service vehicle”, where they occur in subsection (7), the words “or commercial vehicle”.

Section 12
amended

4. Section 12 is amended by striking out the word "six" and by substituting the word "three".

Section 15
amended

5. Section 15 is amended

(a) by striking out subsection (1a) and by substituting the following:

"(1a) No person shall drive a motor vehicle on a highway as a chauffeur unless he is the holder of a subsisting chauffeur's license issued pursuant to the provisions of this Act.

"(1b) Subsections (1) and (1a) do not apply to a person

"(a) who is not a resident of Alberta and who is in Alberta for less than three months, and

"(b) who is permitted to drive in the country, province or state of which he is a resident by the laws thereof, and

"(c) who is driving a motor vehicle that

"(i) is registered under the provisions of this Act, or

"(ii) is deemed under section 12 to be registered under the provisions of this Act.";

(b) by adding immediately after subsection (4) the following new subsection:

"(5) No person under the age of sixteen years shall drive a tractor on a main or secondary highway within the meaning of *The Public Highways Act*, and no person shall permit another person under the age of sixteen years to drive a tractor on such main or secondary highway."

Section 23
amended

6. Section 23, clause (b) is amended by striking out the words "or as a service motor vehicle in connection with such sales and not as a public service vehicle" and by substituting the words "and not used to convey freight".

Section 32
amended

7. Section 32, subsection (4) is amended by adding immediately before the words "no headlamp" the words "unless the vehicle is a snow plow".

Section 42
amended

8. Section 42, subsection (2) is amended by striking out the word "city".

Section 47
amended

9. Section 47, subsection (2) is amended by striking out the words "in the case provided for in section 47a, clauses (e) and (h)" and by substituting the words "as otherwise provided for in section 47a".

Section 47a
amended

10. Section 47a is amended

(a) by striking out clause (g) and by substituting the following:

"(g) a driver of a vehicle overtaking another vehicle that is travelling in the same direction on any highway outside of a city where there are two or more traffic lanes on the same side of the centre line for vehicles travelling in the

Overtaking
and passing
on the left

same direction, shall in passing keep to the left of the other vehicle and to the right of the centre line;

“(gg) a driver of a vehicle overtaking another vehicle that is travelling in the same direction on any highway within a city where there are two or more traffic lanes on the same side of the centre line for vehicles travelling in the same direction, may in passing keep to the right or left of the other vehicle if there is a lane available for passing to the right or to the left of the lane being used by the overtaken vehicle;”;

Overtaking and passing on the left or right

(b) by adding immediately after the word “direction”, where it occurs in clause (i), the words “on any highway outside a city”;

(c) by adding immediately after clause (i) the following new clause:

“(j) a driver of a vehicle being overtaken by another vehicle travelling in the same direction on any highway within a city

Overtaken vehicle shall allow free passage

“(i) when there are two or more traffic lanes on the same side of the centre line for vehicles travelling in the same direction, shall remain in the traffic lane in which he is driving so as to allow the overtaking vehicle free passage in the traffic lane to the right or to the left of the traffic lane in which the overtaken vehicle is travelling,

“(ii) when there are not two or more traffic lanes on the same side of the centre line for vehicles travelling in the same direction, shall allow the overtaking vehicle to pass and shall travel in the traffic lane nearest to the right hand side of the highway or in such a manner as to allow the overtaking vehicle free passage on the left of the overtaken vehicle.”.

11. Section 52a, subsection (1), clause (b) is amended by adding immediately after the words “intersection by driving to the right of” the words “and as closely as practicable to”.

Section 52a amended

12. The following new section is added immediately after section 52a:

New section 52b

“**52b.** (1) When a highway has been designated a one-way highway by signs on, or erected or posted along the highway directing drivers of vehicles to proceed only in one direction

One-way highway

“(a) the driver of a vehicle approaching an intersection and intending to turn left

“(i) from an ordinary highway onto a one-way highway shall make the left turn by driving to

the right of and as closely as practicable to the centre line of the ordinary highway where it enters the intersection, and upon leaving the intersection by driving as closely as practicable to the left hand side of the one-way highway entered,

“(ii) from a one-way highway onto an ordinary highway, shall make the left turn by driving as closely as practicable to the left side of the one-way highway where it enters the intersection, and upon leaving the intersection by driving to the right of and as closely as practicable to the centre line of the ordinary highway entered,

“(iii) from a one-way highway onto another one-way highway, shall make the left turn by driving as closely as practicable to the left hand side of the one-way highway where it enters the intersection, and upon leaving the intersection by driving as closely as practicable to the the left hand side of the other one-way highway entered,

“(b) the driver of a vehicle approaching an intersection and intending to turn right to enter or leave a one-way highway shall drive as closely as practicable to the right hand side of the highway when entering and leaving the intersection.

“(2) Notwithstanding subsection (1), when official traffic control signs, signals or other devices which vary the provisions of this section have been lawfully placed or erected, a driver of a vehicle shall obey the instructions of such official traffic control signs, signals or other devices.”.

Section 59
amended

13. Section 59 is amended

- (a) by striking out the proviso to subsection (5) ;
- (b) by adding immediately after subsection (5) the following new subsection :

“(5a) The provisions of this subsection do not apply so as to prohibit a bus, which forms part of a municipal transportation system of a city, turning at an intersection in the direction determined by the proper transportation officials of the city.”.

Section 111
amended

14. Section 111, subsection (2) is amended by striking out the words “not exceeding six months or to a fine not exceeding five hundred dollars or to both imprisonment and fine” and by substituting the words “of thirty days”.

Section 124a
amended

15. Section 124a is amended

- (a) by striking out the word “two”, where it occurs in clause (a) of subsection (3), and by substituting the word “six”;

(b) by adding immediately after clause (b) of subsection (4) the following new clause:

“(c) who the magistrate finds guilty of driving or having the care or control of a motor vehicle or automobile while his ability to drive is impaired by alcohol or a drug contrary to the provisions of subsection (4a) of section 285 of the Criminal Code of Canada.”.

16. This Act comes into force on the first day of July, ^{Coming into} 1953. _{force}

FIRST SESSION
TWELFTH LEGISLATURE
2 ELIZABETH II
1953

BILL

An Act to amend The Vehicles and
Highway Traffic Act

Received and read the

First time

Second time.....

Third time.....

HON. MR. GERHART
