

Bill No. 5 of 1955

(Second Session)

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 the registrar of motor vehicles.

Section 5 is amended to authorize the issuance of licenses by the registrar or his staff.

Section 8 is amended to permit the Lieutenant Governor in Council to extend the licensing period beyond a year if it should be deemed advisable.

Section 8a is amended by striking out subsection (2). This subsection creates a fictitious license and suspension and is in conflict with other provisions of the Act, and is therefore removed.

Section 10 is amended to permit license plates to be transferred to other vehicles when the registered vehicle is sold or transferred, instead of being required to stay with the first registered vehicle as heretofore.

Section 15, subsection (3) is amended to permit any youth of fourteen or over to learn to drive. Heretofore the youngest age at which a person could drive a vehicle with a teacher in the car was fifteen.

Section 17 is amended to clarify the intent of the section.

Section 18 is amended. Subsection (1) is amended to correct references to the *Criminal Code* offences. The term "police magistrate" is changed to "magistrate" throughout; and subsection (5) which provides that a court suspend a license for any period a court prohibits a person from driving, is removed as it conflicts with the provisions of section 18a.

Section 18a is amended. Subsections (1), (2) and (3) are amended to refer specifically to the case where a person is convicted of certain offences and, as a result, is prohibited from driving anywhere in Canada. In such cases, the license suspension is for the period of the prohibition or the period prescribed by the subsections, whichever is the greater. Other subsections are amended to refer to magistrates rather than to police magistrates.

Section 20 is amended by removing therefrom the requirement that photographs of applicants for chauffeur's licenses be sent with the applications.

Section 28 is amended to conform to the amendments to section 10.

Section 32 is replaced by eleven sections dealing with headlamps on vehicles, distribution of light, beam indicators, tail lamps, and lamps on bicycles.

Section 35, subsection (2) is amended to permit a vehicle used to transport explosive substances to use a red light or flashing light visible from the front of the vehicle.

Sections 39*a* to 39*c* are added. Section 39*a* makes provision respecting rear stop lamps. Section 39*b* relates to signal devices and lights which will be required after January 1, 1956, before new motor vehicles may be sold. Section 39*c* prohibits the projection of a glaring light by means of a stop lamp or signal device.

Section 42*a* is amended firstly to permit the Minister to set speed limits in special cases or to authorize their setting by municipal districts, secondly to have signs posted and thirdly to require that speed limits designated by the signs be observed.

Section 43*a* is amended. Subsection (2) is amended to clarify meaning. Subsection (3) is amended to require that speed limits as designated by signs be observed.

Section 51 is amended by the addition of a subsection (2), which makes provision for the "yield right of way" sign now being used in traffic control.

Section 53, subsection (1), which provides a rule of the road relating to "stop streets" along provincial highways is amended to enable the Minister to designate such streets along highways at the request of local governing bodies. Heretofore such "stop streets" were created by orders in council.

Section 57 is replaced by a section which deals more completely with rules of the road relating to railway crossings.

Section 58 is amended to make provision for the reporting of an accident involving an unattended motor vehicle. Subsections (2) and (6) are amended to obtain conformity with the amendments made in section 124.

Section 62*a* is added and prohibits the use of television receiving sets in motor vehicles.

Section 99 is amended to permit the registrar of motor vehicles to certify as to the registered owner of a motor vehicle, instead of the Minister as heretofore. Similarly, certificates of disqualification to hold a license under this Act may be certified by the registrar.

Section 103 is amended to permit in certain cases an extension to the time limited for bringing an action for damages sustained through the operation of a motor vehicle.

Section 109, which is a duplication of an offence under the *Criminal Code*, is repealed.

Section 111, subsection (3), which was held to be inoperative, is removed.

Section 113, subsection (3), which in principle is inoperative on the same grounds as section 111, subsection (3), is struck out.

Section 123 is amended by the addition of a subsection (4), which permits the Minister to reinstate a license or certificate of registration suspended by reason of a judgment obtained against a person whose liability arises not from his own act but from responsibility placed on him by law.

Section 124 is amended. Subsection (1) is corrected to refer to the sections of the new *Criminal Code*, and to add in the list of causes for which the Minister is required to suspend licenses and registrations, the theft of a motor vehicle. Clauses (a) to (f) are amended. These clauses relate certain provisions to physical damage in excess of \$75.00. This is being increased to \$100.00. Subsections (2) and (6) are amended to refer to "magistrate" instead of police magistrate.

Section 125 is amended to authorize the Minister to require proof of financial responsibility before issuing any registration or driver's license or any renewal thereof. Previously, this power was related to applicants under 21 or over 65 years of age.

Section 135, subsection (2) is amended to permit the registrar of motor vehicles to authorize the retaking of licenses and license plates suspended by the Minister.

Section 31 of the Bill validates and confirms suspensions and cancellations heretofore made but not appearing to be made or signed by the Minister or his deputy. Notices sent out by officials of the Motor Vehicle Branch respecting suspensions and cancellations are similarly ratified.

This Bill comes into force upon assent.

J. W. RYAN,
Legislative Counsel.

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

BILL

No. 5 of 1955

(Second Session)

An Act to amend The Vehicles and Highway Traffic Act

(Assented to _____, 1955)

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 by adding immediately after clause (l) the following new clause: Section 2 amended

“(l) ‘registrar’ means the Registrar of the Motor Vehicle Branch of that Department of the Government administering this Act;” “registrar”

3. Section 5 is struck out and the following is substituted: Section 5 amended

“**5.** When an application for a driver’s or chauffeur’s license or for registration of a motor vehicle has been made, the Minister or the registrar, upon payment of such fees as may be prescribed by the regulations, may, in his discretion, issue or cause to be issued through a license issuer, a license or a certificate of registration as applied for and in such form as the regulations prescribe.” Issue of license or certificate of registration

4. Section 8 is amended by adding immediately at the end thereof the words “or for such longer period as the Lieutenant Governor in Council may from time to time prescribe”. Section 8 amended

5. Section 8a is amended by striking out subsection (2). Section 8a amended

6. Section 10 is amended Section 10 amended

- (a) as to subsection (2) by striking out the words “motor vehicle other than a public service vehicle or a commercial vehicle,” and by substituting the word “vehicle”,
- (b) as to subsection (3) by striking out the word “motor” wherever it occurs,
- (c) as to subsection (4)
 - (i) by striking out the word “motor” wherever it occurs,

(ii) by striking out the word "shall" and by substituting the word "may",

(d) by striking out subsection (5) and by substituting the following:

Reissue of
number
plates

"(5) Upon the passing of ownership of a registered vehicle from the registered owner to any other person, the number plates issued upon registration may, not later than fourteen days after the passing of ownership, be reissued to the registered owner for use upon another vehicle owned by him, upon

"(a) compliance with the regulations,

"(b) production of satisfactory proof of ownership of the other vehicle, and

"(c) payment of the prescribed fee therefor.",

(e) by striking out subsection (6),

(f) as to subsection (7)

(i) by striking out the words "public service vehicle or commercial",

(ii) by striking out the word "motor",

(g) by striking out subsection (8).

Section 15
amended

7. Section 15, subsection (3) is amended

(a) by striking out the word "fifteen" and by substituting the word "fourteen",

(b) by adding immediately at the end thereof the words "or is conducting a driver's examination thereof".

Section 17
amended

8. Section 17 is amended by striking out the words "produce it" and by substituting the words "deliver it up for inspection to a peace officer or inspector".

Section 18
amended

9. Section 18 is amended

(a) as to subsection (1)

(i) by striking out the figures "285" where they occur in clause (b) and by substituting the figures and word "221, 222, 223 or 281",

(ii) by striking out the word "police",

(b) by striking out subsection (5),

(c) by striking out the word "police" wherever it occurs in subsections (2), (3), (4) and (6).

Section 18a
amended

10. Section 18a is amended

(a) as to subsection (1) by striking out clauses (a) and (b) and by substituting the following:

"(a) when the convicted person is the holder of a driver's or chauffeur's license, his license is suspended

- “(i) for a period of six months from the date of the second conviction, or
- “(ii) if an order prohibiting him from driving a motor vehicle on the highway in Canada is made as a result of the conviction, for the period driving is prohibited, whichever is the longer period, or
- “(b) when the convicted person is not the holder of a driver’s or chauffeur’s license, he is disqualified from holding a driver’s or chauffeur’s license
 - “(i) for a period of six months from the date of the second conviction, or
 - “(ii) if an order prohibiting him from driving a motor vehicle on the highway in Canada is made as a result of the conviction, for the period driving is prohibited, whichever is the longer period,”
- (b) as to subsection (2) by striking out clauses (a) and (b) and by substituting the following:
 - “(a) when the convicted person is the holder of a driver’s or chauffeur’s license, his license is suspended
 - “(i) for a period of twelve months from the date of his conviction, or
 - “(ii) if an order prohibiting him from driving a motor vehicle on the highway in Canada is made as a result of the conviction, for the period driving is prohibited, whichever is the longer period, or
 - “(b) when the convicted person is not the holder of a driver’s or chauffeur’s license, he is disqualified from holding a driver’s or chauffeur’s license
 - “(i) for a period of twelve months from the date of his conviction, or
 - “(ii) if an order prohibiting him from driving a motor vehicle on the highway in Canada is made as a result of the conviction, for the period driving is prohibited, whichever is the longer period,”
- (c) as to subsection (3) by striking out clauses (a) and (b) and by substituting the following:
 - “(a) when the convicted person is the holder of a driver’s or chauffeur’s license, his license is suspended
 - “(i) in the case of a first conviction for that offence, for a period of six months from the date of the conviction, or if an order prohibiting him from driving a motor vehicle on the highway in Canada is made

as a result of the conviction, for the period driving is prohibited, whichever is the longer period, or

- “(ii) in the case of a second or subsequent conviction for that offence, for a period of one year from the date of the latest conviction or, if an order prohibiting him from driving a motor vehicle on the highway in Canada is made as a result of the latest conviction, for the period driving is prohibited, whichever is the longer period,

or

- “(b) when the convicted person is not the holder of a driver's or chauffeur's license, he is disqualified from holding a driver's or chauffeur's license

- “(i) in the case of a first conviction for that offence, for a period of six months from the date of the conviction or, if an order prohibiting him from driving a motor vehicle on the highway in Canada is made as a result of the conviction, for the period driving is prohibited, whichever is the longer period, or

- “(ii) in the case of a second or subsequent conviction for that offence, for a period of one year from the date of the latest conviction or, if an order prohibiting him from driving a motor vehicle on the highway in Canada is made as a result of the latest conviction, for the period driving is prohibited, whichever is the longer period.”,

- (d) as to subsections (4), (5) and (6) by striking out the word “police” wherever it occurs.

Section 20
amended

11. Section 20 is amended by striking out subsections (2) and (4).

Section 28
amended

12. Section 28 is amended by striking out the words “in respect of which it was issued” and by substituting the words “for which it is authorized”.

Section 32
amended

13. Section 32 is struck out and the following new sections are substituted:

Headlamps

“32. (1) Every motor vehicle, other than a motor cycle or motor-driven cycle, shall be equipped with at least two headlamps that conform with the requirements and limitations set forth in section 32c.

“(2) At least one such headlamp shall be mounted on each side of the front of the motor vehicle.

New sections
32a to 32j
Headlamps
on motor
cycle

“32a. (1) Every motor cycle and motor-driven cycle shall be equipped with at least one headlamp that conforms with the requirements and limitations set forth in section 32g.

“(2) No motor cycle or motor-driven cycle shall be equipped with more than two headlamps.

“**32b.** A headlamp upon a motor vehicle, other than a snowplow, shall be mounted on the motor vehicle at a height, which shall be measured from the centre of the headlamp, of not more than fifty-four inches nor less than twenty-eight inches to the level ground when the motor vehicle stands unloaded.

Mounting of
headlamp on
motor vehicle

“**32c.** (1) Except as otherwise provided in section 32f, and subject to subsections (3) and (4), the headlamps on motor vehicles, other than motor cycles or motor-driven cycles, shall be so arranged that the driver may select at will between distributions of light projected to different elevations.

Arrangement
of headlamps
on motor
vehicle

“(2) Subject to subsections (3) and (4), the headlamps may be so arranged that the selection of light distribution may be made automatically.

“(3) There shall be an uppermost distribution of light, or composite beam of light, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred and fifty feet ahead under all conditions of loading.

“(4) There shall be a lowermost distribution of light or composite beam of light of such intensity as to reveal persons and vehicles at a distance of at least one hundred feet ahead and so aimed that on a straight level road and under any condition of loading the high intensity portion of the beam will not strike the eyes of an approaching driver.

“**32d.** (1) On and after the first day of January, 1956, no person shall sell a new motor vehicle that has multiple beam road lighting equipment unless the motor vehicle is equipped with a beam indicator that will light whenever the uppermost distribution of light from the headlamps is in use but not otherwise.

Beam
indicator

“(2) The beam indicator shall be so designed and mounted that when lighted it will be readily visible without glare to the driver of the vehicle upon which it is mounted.

“(3) This section does not apply to a motor cycle or motor-driven cycle.

“**32e.** (1) Subject to this section, when a motor vehicle is being operated on a highway at any time during which headlamps are required to be alight, the driver shall use a distribution of light or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of his motor vehicle.

Distribution
of light

“(2) When a driver of a vehicle approaches within five hundred feet of an oncoming vehicle, he shall use a distribution of light, or composite beam, that is so aimed that the glaring rays are not directed into the eyes of the driver of the oncoming vehicle.

"(3) The lowermost distribution of light, or composite beam, specified in subsection (4) of section 32c shall be deemed to avoid glare regardless of road contour or loading or time of day.

"(4) When the driver of a vehicle follows within two hundred feet of the rear of another vehicle he shall not, except when overtaking or passing, use the uppermost distribution of light referred to in subsection (1).

Headlamps
with single
distribution
of light

"32f. (1) Headlamps arranged to provide a single distribution of light may be used on motor vehicles manufactured and sold before the first day of April, 1956, in lieu of multiple beam road lighting equipment specified in section 32c, if the single distribution of light conforms to the requirements of this section.

"(2) The headlamps arranged to provide a single distribution of light shall be so aimed that when the motor vehicle is unloaded the high intensity portion of the light will not, at a distance of twenty-five feet ahead, be directed higher than a level of five inches below the level of the centre of the lamp from which it comes and in no case higher, at a distance of seventy-five feet ahead, than forty-two inches above the level on which the motor vehicle stands.

"(3) The intensity of the light shall be sufficient to reveal persons and vehicles at a distance of at least two hundred feet.

Require-
ments re
headlamps on
motor cycle

"32g. (1) Any headlamps upon a motor cycle or motor-driven cycle may be of the single beam or multiple beam type but in either case the headlamps shall conform with the requirements and limitations of this section.

"(2) The headlamps shall be of sufficient intensity to reveal a person or vehicle

"(a) at a distance of not less than one hundred feet ahead when the motor cycle or motor-driven cycle is operated at any speed of less than twenty-five miles per hour,

"(b) at a distance of not less than two hundred feet ahead when the motor cycle or motor-driven cycle is operated at a speed of twenty-five to thirty-five miles per hour, and

"(c) at a distance of not less than three hundred feet ahead when the motor cycle or motor-driven cycle is operated at a speed of more than thirty-five miles per hour.

"(3) When the motor cycle or motor-driven cycle is equipped with a multiple beam headlamp

"(a) the uppermost beam of light shall conform to the minimum requirements set out in subsection (2) and shall not exceed the limitations set out in subsection (3) of section 32c, and

“(b) the lowermost beam of light shall conform to the requirements applicable to lowermost distribution of light as set out in subsection (4) of section 32c.

“(4) When a motor cycle or motor-driven cycle is equipped with a single beam headlamp, the headlamps shall be so aimed that when the cycle is loaded none of the high intensity portion of the light shall be directed higher, at a distance of twenty-five feet ahead, than the level of the centre of the headlamp from which the light comes.

“**32h.** (1) A motor vehicle, any trailer and any vehicle being drawn at the end of a train of vehicles, shall be equipped with at least one tail lamp mounted on the rear and capable, when lighted as required by this Act, of emitting a red light plainly visible from a distance of five hundred feet to the rear. Tail lamp on train of vehicles

“(2) Notwithstanding subsection (1), in the case of a train of vehicles, only the tail lamp on the rear-most vehicle need be seen from a distance of five hundred feet to the rear.

“(3) A tail lamp upon a vehicle shall be on the vehicle at a height, which shall be measured from the centre of the tail lamp, of not more than seventy-two inches nor less than twenty inches to the level ground when the vehicle stands unloaded.

“(4) A tail lamp shall be so constructed that the rear number plate of the vehicle will be illuminated and rendered clearly visible from a distance of fifty feet to the rear, or a separate lamp shall be mounted on the rear of the vehicle to illuminate the number plate and render it visible from a distance of fifty feet to the rear.

“(5) All tail lamps, and, if any, separate lamps for illuminating the rear number plates, shall be so wired that they will light and remain lighted whenever the head lamps or auxiliary driving lamps are alight.

“**32i.** Every bicycle whilst in operation on a highway at night shall be equipped with one headlamp at the front and one reflector at the rear of the bicycle. Headlamp on bicycle

“**32j.** A police constable or officer, or any inspector appointed under this Act or *The Public Service Vehicles Act*, may stop a vehicle when the driver of the vehicle has failed to lower the beam of his headlamp, or to direct a beam, as required by this Act.”. Failure to lower head-lamp beam

14. Section 35, subsection (2) is amended Section 35 amended

(a) by adding at the end of clause (e) the word “or”,

(b) by adding immediately after clause (e) the following new clause:

“(f) for the transportation of explosives;”.

15. The following new sections are added immediately after section 39: New sections 39a, 39b, 39c

- Rear lamps** **"39a.** A motor vehicle shall be equipped with a stop lamp or lamps on the rear of the vehicle, which shall display a red light visible from a distance of not less than one hundred feet to the rear of the motor vehicle in normal sunlight, which can be lighted upon application of the foot-brake, and which may but need not be incorporated with one or more lamps.
- Signal devices** **"39b.** (1) On and after the first day of January, 1956, no person shall sell a new motor vehicle unless it is equipped with lamps or mechanical signal devices that comply with the requirements of this section and that show to the front and rear for the purpose of indicating an intention to turn either to the right or left.
- "(2)** When lamps are used for the purpose of indicating turns,
- "(a)** the lamps showing to the front shall be located on the same level and as widely spaced laterally as practicable and when in use shall display a white or amber light, or any shade of colour between white and amber, visible from a distance of not less than one hundred feet to the front in normal sunlight,
- "(b)** the lamps showing to the rear shall be located at the same level and as widely spaced laterally as practicable and when in use shall display a red light visible at a distance of not less than one hundred feet to the rear in normal sunlight.
- "(3)** Lamps used for indicating turns shall be so constructed and arranged that when used for indicating turns the intended direction of the turn can be indicated by flashing the lights showing to the front and rear on the side toward which the turn is to be made.
- "(4)** Where mechanical signal devices are used for the purpose of indicating turns, the mechanical devices shall be self-illuminated when in use during the times headlamps are required to be alight.
- Glare from stop light prohibited** **"39c.** No stop lamp or signal lamp or device shall project a glaring light at any time."
- Section 42a amended** **16.** Section 42a is amended
- (a) by striking out subsection (1) and by substituting the following:
- Maximum speed limit** **"42a.** (1) The Minister may from time to time by order fix, or authorize a council of any municipal district to fix by by-law, a maximum speed limit applicable to all vehicles or to any class or classes of vehicles travelling over any highway in the municipal district and designated by the Minister or over any part of such designated highway."
- (b) as to subsection (2)
- (i) by adding immediately after the word "order" the words "or by-law",

- (ii) by striking out the words “of Highways shall erect such signs”, and by substituting the words “may cause such signs to be erected”,
- (c) by striking out subsection (3) and by substituting the following:

“(3) No person shall drive a motor vehicle on any highway or portion thereof at any rate of speed in excess of the maximum speed limit indicated by signs erected pursuant to subsection (2).”.

17. Section 43a is amended

Section 43a
amended

- (a) as to subsection (2) by striking out the words “of Highways shall erect” and by substituting the words “shall cause to be erected”,
- (b) as to subsection (3) by striking out the words “fixed by the said order and”.

18. Section 51 is amended

Section 51
amended

- (a) by renumbering the section as subsection (1),
- (b) by adding immediately after subsection (1) the following new subsection:

“(2) Notwithstanding subsection (1), the driver of a vehicle approaching and facing a ‘yield right of way’ sign shall yield the right of way to all other traffic not facing that sign.”.

19. Section 53, subsection (1) is amended by striking out the words “has been designated” and by substituting the words “may be designated by the Minister”.

Section 53
amended

20. Section 57 is struck out and the following is substituted:

Section 57
amended

“57. (1) In this section,

Interpre-
tation

- “(a) ‘business district’ means any portion of a highway having a length of six hundred feet within which there are buildings that are in use for business, industrial or public purposes and that occupy
 - “(i) at least three hundred feet of frontage on one side of that portion, or
 - “(ii) at least three hundred feet collectively on both sides of that portion,
 and includes the territory contiguous to that portion;
- “(b) ‘driver’ means a person who drives or is in actual physical control of a vehicle; “driver”
- “(c) ‘residence district’ means any portion of a highway having a length of three hundred feet within which there are buildings that are in use for residence purposes only or for residence and business purposes and that occupy “residence
district”

- “(i) at least one hundred and fifty feet of frontage on one side of that portion, or
- “(ii) at least one hundred and fifty feet collectively on both sides of that portion,
and includes the territory contiguous to that portion.

Railway
crossings

“(2) When a driver is approaching a railway crossing at a time when

- “(a) a clearly visible electrical or mechanical signal device gives warning of the approach of a railway train,
- “(b) a crossing gate is lowered or a flagman is giving a signal of the approach or passage of a railway train, or
- “(c) a railway train in dangerous proximity to a crossing is approaching the crossing and either emits an audible signal or is visible,

the driver shall stop his vehicle not less than fifteen feet from the nearest rail of the railway, and shall not proceed until he can do so safely.

“(3) No person shall drive a vehicle through, around or under a crossing gate or barrier at a railway crossing while the gate or barrier is closed or is being opened or closed.

“(4) Where a stop sign has been erected at a railway crossing, a driver shall stop not less than fifteen feet from the nearest rail of the railway and shall not proceed until he can do so safely.

“(5) Except as provided in subsections (7) and (8), a driver of

- “(a) a vehicle carrying passengers for hire,
- “(b) a school bus carrying a child, or
- “(c) a vehicle carrying explosive substances or flammable liquids as cargo,

shall, before crossing a track of a railway, stop the vehicle not less than fifteen feet from the nearest rail and remaining stopped shall listen and look in both directions along the track for an approaching train and for signals indicating the approach of a train and shall not proceed until he can do so safely.

“(6) Except as provided in subsection (8), where a driver has stopped and is proceeding as required in subsection (5), he shall cross the railway track in a gear that he will not need to change while crossing the track and he shall not shift gears while crossing the track.

“(7) Subsection (5) does not apply where a peace officer or traffic control device directs traffic to proceed.

“(8) Subsections (5) and (6) do not apply to

- “(a) street railway grade crossings within a business or residence district, or
- “(b) industrial spur railway crossings within a business district.”.

21. Section 58 is amendedSection 58
amended

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

“(1a) Where an accident occurs to a vehicle that is parked and unattended, the driver of the other vehicle involved in the accident shall report the accident to the nearest peace officer.”,

- (b) as to subsection (2) by striking out the words “seventy-five” and by substituting the words “one hundred”,
- (c) as to subsection (6) by striking out the words “seventy-five” and by substituting the words “one hundred”.

22. The following new section is added immediately after section 62:New
section 62a

“**62a.** No person shall drive upon a highway any motor vehicle that is equipped with a television set and no person shall operate a television set in a motor vehicle while the vehicle is upon a highway.”.

Television
prohibited in
motor vehicle**23. Section 99 is amended**Section 99
amended

- (a) as to subsection (1)
- (i) by striking out the word “Minister” and by substituting the word “registrar”,
- (ii) by adding immediately after the words “therein is” the words “or was”,
- (b) as to subsection (2) by striking out the word “Minister” and by substituting the word “registrar”.

24. Section 103 is amended by adding immediately after subsection (3) the following new subsection:Section 103
amended

“(4) Where an action is brought, within the time limited in subsection (1), against the registered owner of the motor vehicle alleged to have occasioned the damages sustained and thereafter the plaintiff learns that the registered owner was not the actual owner at the time the damages were sustained, if a court or judge is of the opinion that there was sufficient and reasonable excuse for the failure of the plaintiff to learn of the existence of the actual owner, the court or judge may upon application thereto extend the time limited for bringing an action against the actual owner to a further period not exceeding twelve months.”.

25. Section 109 is repealed.Section 109
repealed**26. Section 111 is amended by striking out subsection (3).**Section 111
amended**27. Section 113 is amended by striking out subsection (3).**Section 113
amended

Section 123
amended

28. Section 123 is amended by adding immediately after subsection (4) the following new subsection:

Reinstatement of
license or
certificate of
registration

“(5) Where a driver’s or chauffeur’s license or a certificate of registration of a motor vehicle has been suspended as a result of a judgment obtained against a person who was not driving the vehicle involved in the accident, the Minister in his absolute discretion may reinstate the license or certificate of registration or both, notwithstanding any other provision of this section.”.

Section 124
amended

29. Section 124 is amended

(a) as to subsection (1)

- (i) by striking out the words and figures “section 285 of *The Criminal Code*” where they occur in clause (g) and by substituting the words and figures “sections 221, 222, 223, 226 or 281 of the *Criminal Code*”,
- (ii) by adding immediately after the word “vehicle” where it occurs in clause (g) the word “, or,”,
- (iii) by adding immediately after clause (g) the following new clause:
“(h) theft of a vehicle.”,
- (iv) by striking out the words “seventy-five”, wherever they occur in clauses (a) to (f), and by substituting the words “one hundred”,

(b) as to subsections (2) and (6) by striking out the word “police” wherever it occurs.

Section 125
amended

30. Section 125 is amended by striking out the words “, or the renewal thereof to any person under the age of twenty-one years or over the age of sixty-five years”.

Section 135
amended

31. Section 135, subsection (2) is amended by striking out the words “Minister may” and by substituting the words “registrar or his deputy may”.

Suspensions
validated

32. (1) Where

- (a) a driver’s or chauffeur’s license or a certificate of registration of a motor vehicle has heretofore been suspended or cancelled pursuant to a provision of *The Vehicles and Highway Traffic Act* requiring or empowering the Minister to suspend or cancel the license or certificate for any cause or purpose, and
- (b) the suspension or cancellation was made or signed by an official of the Motor Vehicle Branch of the Department at that time responsible for the administration of *The Vehicles and Highway Traffic Act*,

the suspension or cancellation of the license or certificate is hereby ratified, validated and confirmed and is of the same force and effect as if the suspension or cancellation had been made or signed by the Minister or his deputy.

(2) All notices that the Minister is required or empowered to send or sign under *The Vehicles and Highway Traffic Act* and heretofore sent or signed by an official of the Motor Vehicle Branch of the Department at that time responsible for the administration of *The Vehicles and Highway Traffic Act*, are hereby ratified, validated and confirmed and have the same force and effect as if they had been sent or signed by the Minister or his deputy. <sup>Notices
validated</sup>

33. This Act comes into force on the day upon which it is assented to. <sup>Coming
into force</sup>

FIRST SESSION
THIRTEENTH LEGISLATURE
4 ELIZABETH II
1955
(Second Session)

BILL

An Act to amend The Vehicles and
Highway Traffic Act

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. TAYLOR
