

No. 92

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1st Session, 14th Legislature, Alberta  
8 Elizabeth II

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## **BILL 92**

A Bill to amend The Public Service Vehicles Act

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HON. MR. TAYLOR

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## Explanatory Note

**2.** Section 20(1) is amended to permit insurers' certificates to be used for filing instead of requiring that the policy itself be filed. Section 20(1) presently reads:

**"20. (1) No certificate for a public service vehicle shall be issued unless the applicant has filed with the Board**

**(a) (Repealed, 1959, c. 71, s. 4).**

**(b) such of the following insurance policies as may be required by the Board:**

**(i) a motor vehicle liability policy to provide for any loss or damage**

**(A) resulting from bodily injury to or the death of a person being carried in or upon, or entering or getting onto, or alighting from a motor vehicle, having due regard to the number of passengers therein, and**

**(B) to personal property of passengers carried in or upon the motor vehicle;**

**(ii) a motor vehicle liability policy to provide for loss or damage resulting from bodily injury to or the death of a person other than a person mentioned in subclause (i);**

**(iii) a policy of inland transportation insurance against loss of or damage to goods, wares or merchandise or property of any kind in transit or in the custody of the transporter;**

**(iv) a motor vehicle liability policy to provide for loss or damage to property other than that mentioned in subclauses (i) and (iii);**

**(v) a policy of guarantee insurance covering**

**(A) the payment to the consignor of sums collected by the transporter on behalf of the consignor,**

**(B) the payment of fees or charges under this Act, and**

**(C) the faithful performance of conditions contained or referred to in the certificate issued under this Act."**

# BILL

No. 92 of 1960

An Act to amend The Public Service Vehicles Act

(Assented to \_\_\_\_\_, 1960)

**H**ER 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 265 of the Revised Statutes, is hereby amended.

2. Section 20, subsection (1) is amended by striking out clause (b) and by substituting the following:

- (a) such of the following insurance policies as may be required by the Board:
  - (i) a policy of inland transportation insurance against loss of or damage to goods, wares or merchandise or property of any kind in transit or in the custody of the transporter;
  - (ii) a policy of guarantee insurance covering
    - (A) the payment to the consignor of sums collected by the transporter on behalf of the consignor,
    - (B) the payment of fees or charges under this Act, and
    - (C) the faithful performance of conditions contained or referred to in the certificate issued under this Act;
- (b) a written statement from an insurer authorized to carry on the business of automobile insurance in the Province that the insurer has issued to or for the benefit of the person named therein a motor vehicle liability policy that at the date of the statement is in full force and effect and that designates therein by explicit description or other adequate reference all motor vehicles to which the policy applies, in respect of such motor vehicle liability policies as may be required by the Board
  - (i) to provide for any loss or damage
    - (A) resulting from bodily injury to or the death of a person being carried in or upon, or entering or getting onto, or alighting from a motor vehicle, having due regard to the number of passengers therein, and

**3.** Certificate of Board chairman as to ownership, or as to suspension, cancellation or forfeiture of public service certificate, permit or licence is to be prima facie evidence thereof. (See section 127(1) of The Vehicles and Highway Traffic Act.)

- (B) to personal property of passengers carried in or upon the motor vehicle,
- (ii) to provide for loss or damage resulting from bodily injury to or the death of a person other than a person mentioned in subclause (i), or
- (iii) to provide for loss or damage to property other than that mentioned in subclauses (i) and (ii),

if the statement covers the motor vehicle to be licensed under a public service vehicle certificate in the name of the applicant and the statement certifies that the motor vehicle liability policy therein mentioned will not be cancelled or expire except upon fifteen days' prior written notice thereof to the Board, and that until that notice is given the statement is valid and sufficient to cover the term of any renewal by the insurer of the motor vehicle liability policy mentioned in the statement and of any renewal by the Board of the term of the applicant's certificate for a public service vehicle.

**3.** The following new section is added immediately after section 73:

**74.** Where proof is required of the ownership of a public service vehicle or a commercial vehicle or of the suspension or cancellation or forfeiture of a certificate, permit or liveryman's licence issued under this Act, other than one issued pursuant to section 73, or of an operator's licence issued under *The Vehicles and Highway Traffic Act*, the production of a certificate purporting to be under the hand of the chairman of the Board to the effect that the person named therein is or was the registered owner of the public service vehicle or commercial vehicle, or that the certificate, permit or licence, as the case may be, has been suspended, cancelled or forfeited, is admissible in evidence as *prima facie* proof thereof, without proof of signature or official character.

**4.** This Act comes into force on the first day of May, 1960.

No. 92

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FIRST SESSION

FOURTEENTH LEGISLATURE

8 ELIZABETH II

1960

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**BILL**

An Act to amend The Public Service  
Vehicles Act

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. TAYLOR

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