

No. 137

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1st Session, 15th Legislature, Alberta  
12 Elizabeth II

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## **BILL 137**

A Bill to amend The Public Service Vehicles Act

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HON. MR. TAYLOR

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## Explanatory Note

**1. This Bill amends The Public Service Vehicles Act which is chapter 265 of the Revised Statutes.**

**2. Section 14, clause (h) presently reads:**

"14. The Board may do all that is necessary for the proper conduct of its business, and in particular, but without restricting the generality of the foregoing, may make regulations or orders

.....  
(h) governing tolls and express and freight rates,  
.....".

**3. Section 33, subsection (4) presently reads:**

"(4) No person who has the control of or is in charge of a public service vehicle used for passenger traffic shall allow a person other than a duly licensed chauffeur to operate the vehicle except in cases of emergency where the moving of the vehicle is necessary for the safety of the vehicle or the public."

**4. Section 74 presently reads:**

"74. Where proof is required of the ownership of a public service vehicle or a commercial vehicle or of the issuance by the Board of a certificate, permit or liveryman's licence under this Act 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 of the issuance by the Board of a certificate, permit or liveryman's licence under this Act 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."

**5. A new section is added to authorize the regulation of all buses whether operated for compensation or not.**

# BILL

No. 137 of 1964

An Act to amend The Public Service Vehicles Act

(Assented to \_\_\_\_\_, 1964)

**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* is hereby amended.

2. Section 14, clause (*h*) is amended by adding after the word "rates" the words "and requiring the filing of rates with the Board".

3. Section 33, subsection (4) is amended by striking out the words "other than a duly licensed chauffeur" and by substituting the words "who does not hold an operator's licence issued under *The Vehicles and Highway Traffic Act*".

4. Section 74 is amended by adding after the words "chairman of the Board" the words "or a member of the Board".

5. The following section is added after section 74:

**75.** (1) In this section "bus" means a motor vehicle designed for carrying more than twelve passengers and used or intended to be used for the transportation of persons and includes any motor vehicle designed and used for the transportation of persons for compensation over a scheduled route.

(2) The owner of a bus shall not, by himself or by an agent or employee, operate the bus or permit the bus to be used or operated for any purpose unless he holds a certificate or permit issued by the Board authorizing the use or operation of the bus for that purpose.

(3) The Board may

- (a) classify all buses as either public service vehicles or commercial vehicles,
- (b) regulate, limit or restrict the use or operation of buses in each class, and
- (c) exempt any motor vehicle from being classified or regulated as a bus.

**6.** A new section is added to ~~make~~ the owners of public service vehicles and commercial vehicles liable for certain acts or omissions of their drivers.

**7. Commencement of Act.**

(4) A bus not certificated by the Board as a commercial vehicle shall be construed to be a public service vehicle whether operated for compensation or not.

**6.** The following section is added after section 75:

**76.** (1) In any prosecution for contravening this Act or regulations or an order of the Board, the person driving the vehicle shall be deemed to be the agent of the owner of the vehicle and the acts or omissions of such person shall be construed to be also the acts or omissions of the owner of the vehicle.

(2) Subsection (1) does not apply to a prosecution for contravening section 32, 33 or 44.

**7.** This Act comes into force on the day upon which it is assented to.

No. 137

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FIRST SESSION  
FIFTEENTH LEGISLATURE  
12 ELIZABETH II  
1964

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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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