

No. 72

2nd Session, 15th Legislature, Alberta
13 Elizabeth II

BILL 72

A Bill to amend The Vehicles and Highway Traffic Act

HON. MR. TAYLOR

Explanatory Note

1. This Bill amends chapter 356 of the Revised Statutes.

2. Authority to exempt from registration

3. Section 13 presently reads:

13. Where the owner of a motor vehicle resident outside of the Province has complied with the laws of his place of residence with respect to the registration and licensing of the motor vehicle, then if the motor vehicle

(a) is carrying displayed thereon the registration number plates for the current year assigned under those laws to that motor vehicle, and

(b) is brought into the Province for temporary use therein for the purpose of touring for pleasure for a period not exceeding three months,

the motor vehicle shall be deemed to be registered pursuant to the provisions of this Act.

4. Section 16, subsections (7) and (10) presently read:

(7) An application for an operator's licence from any person of the full age of sixteen years and under the age of eighteen years shall be signed by the applicant and

(a) by the parent or guardian of the applicant, or

(b) where the applicant is self-supporting and is unable to obtain the signature of his parent or guardian, by the chief of police or the senior municipal officer of the municipality in which the applicant resides.

(10) An operator's licence of a learner's category shall be stated to entitle and entitles the licensee to drive a motor vehicle of the type specified while the licensee is accompanied by the holder of an operator's licence issued pursuant to section 5, and who is sitting immediately beside him and engaged in teaching the licensee to drive or engaged in conducting a driver's examination of the licensee, and section 90 does not apply in respect of the licensee in such circumstances.

Subsection (6) had been repealed in 1960 by section 6 of chapter 112.

BILL

No. 72 of 1965

An Act to amend The Vehicles and Highway Traffic Act

(Assented to _____, 1965)

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* is hereby amended.

2. Section 5 is amended by renumbering the section as subsection (1) and by adding the following subsection:

(2) The Lieutenant Governor in Council may exempt any vehicle or class of vehicles from registration under this Act.

3. Section 13 is amended by striking out the word "motor" wherever it occurs.

4. Section 16 is amended

(a) by striking out subsection (7) and by substituting the following:

(6) No operator's licence shall be issued to any person under the age of eighteen years

(a) unless the application is also signed by a parent or guardian of the applicant, or

(b) where the person is self-supporting and is unable to obtain the signature of a parent or guardian, unless he proves to the satisfaction of the Minister that he is self-supporting and unable to obtain such consent, or

(c) unless he proves to the satisfaction of the Minister that he is a married person.

(7) Where a person who is under the age of eighteen years has obtained an operator's licence as authorized by subsection (6)

5. Section 17b, subsection (1) presently reads:

17b. (1) Where the operator's licence of any person is suspended by or under this Act or by any order or judgment made under this Act, then, notwithstanding that the period of such suspension has expired the licence remains suspended until such time as the person has satisfied the Minister, by examination or otherwise, of his physical or other competency to drive a motor vehicle without endangering the safety of the general public.

6. A reference to learner's permits is removed as they are no longer issued under the Act.

7. Section 19, subsection (1), clause (b) presently reads:

19. (1) When a person who is the holder of an operator's licence is convicted of an offence

.....

(b) under Part III or for violating section 65, 66, 66a, 67, 71, 72, 73, 74 or 75, or clause (a) of subsection (6) or clause (a) of subsection (7) of section 75a, or subsection (2), (3), (4) or (5) of section 76, or section 77 or 79, or clause (a) or (b) of subsection (5) of section 80, or section 81, or subsection (2) of section 83, or section 92 or 135,

he shall upon conviction forthwith deliver his licence to the judge, magistrate or justice of the peace making the conviction.

8. Section 20 which provides for the automatic suspension of an operator's licence on convictions under sections 222 and 223 of the Criminal Code is revised for clarity.

- (a) if the parent or guardian, in writing, withdraws his consent, or
- (b) if proof is produced, satisfactory to the Minister, that the person was not self-supporting or was not married,

the Minister shall suspend or cancel the operator's licence and shall not reinstate it or issue a new licence to that person until the person attains the age of eighteen years or until a new application complying with subsection (6) is made.

- (b) as to subsection (10) by striking out the words "the holder of an operator's licence issued pursuant to section 5," and by substituting the words "a person who holds an operator's licence valid for the operation of the vehicle being used,".

5. Section 17*b* is amended by striking out subsection (1) and by substituting the following:

17*b*. (1) Where by or under this Act or by any order or judgment made under this or any other Act

- (a) the operator's licence of a person is suspended, or
- (b) a person is disqualified from holding an operator's licence,

then, notwithstanding that the period of suspension or disqualification has expired, the licence remains suspended or the disqualification remains in effect, as the case may be, until such time as the person satisfies the Minister, by examination or otherwise, of his physical or other competency to drive a motor vehicle without endangering the safety of the general public.

6. Section 18*a* is amended by striking out the words "or learner's permit".

7. Section 19, subsection (1), clause (b) is amended

- (a) by adding after the words "or section 81," the words "or section 81*a*,"
- (b) by adding after the words "or section 92" the figures ", 97".

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

20. (1) Where a person is convicted under the *Criminal Code* anywhere in Canada of driving or of having the care or control of a motor vehicle while intoxicated or under the influence of a narcotic drug,

- (a) when the convicted person is the holder of an operator's licence, his licence is thereupon 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 an operator's licence, he is thereupon disqualified from holding an operator's licence
 - (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.
- (2) Where a person is convicted under the *Criminal Code* anywhere in Canada of driving a motor vehicle or of having the care or control of a motor vehicle while his ability to drive a motor vehicle is impaired by alcohol or a drug
- (a) when the convicted person is the holder of an operator's licence, his licence is thereupon suspended, or
 - (b) when the convicted person is not the holder of an operator's licence, he is thereupon disqualified from holding an operator's licence,
- for the following period of time:
- (c) 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
 - (d) in the case of a second or subsequent conviction for that offence within five years of a previous 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
 - (e) in the case of a conviction for that offence when he has within five years of the conviction been convicted under the *Criminal Code*, anywhere in Canada, of driving or of having care or control of a

9. Sections 24 and 25 presently read:

24. (1) Every person who engages in the business of manufacturer of motor vehicles or a dealer in motor vehicles, whether new or secondhand, shall comply with the regulations governing the registration and operation of such motor vehicles.

(2) The number plates issued to manufacturers and dealers shall bear a word, letter or other device sufficient to distinguish them from number plates issued to other persons.

(3) The fee required by the Minister on the issue of such number plates may be of a fixed amount or may vary with the number of number plates issued to the manufacturer or dealer.

(4) The number plates issued pursuant to the provisions of this section are valid only in respect of one place of business, but where a dealer has more than one place of business in the same municipality, such places shall, for the purposes of this section, be considered as one place of business.

25. No person shall attach to any motor vehicle any number plate issued pursuant to the provisions of section 24 nor shall any person use or operate any motor vehicle to which any number plate so issued is attached, except a vehicle

(a) that is kept by him for sale and not for hire, or

(b) that is used in his business of a manufacturer of motor vehicles or a dealer therein for the promotion of sales of such motor vehicles and that is not used to convey freight.

motor vehicle while intoxicated or under the influence of a narcotic drug, for the same period as is provided in clause (d) ;
and where a second or subsequent conviction for that offence is five years or more after the preceding conviction for that offence it shall, for the purposes of this section, be deemed to be a first conviction.

(3) Notwithstanding subsection (1) or (2), in the case of a first conviction of having the care or control of a motor vehicle while intoxicated or under the influence of a narcotic drug or while impaired by alcohol or a drug

- (a) if the person convicted has not, at any time before, been convicted anywhere in Canada of the same or any other offence under section 222 or 223 of the *Criminal Code*, and
- (b) if the person convicted produces proof satisfactory to the convicting judge, magistrate or justice that he was not actually driving the motor vehicle at the time of the offence,

the judge, magistrate or justice may, in his discretion, make an order reducing the period of suspension or disqualification provided by subsection (1) or (2), as the case may be, to any period not less than three months.

(4) When a person who holds an operator's licence is convicted under the *Criminal Code*

- (a) of driving or having the care or control of a motor vehicle while intoxicated or under the influence of a narcotic drug, or
- (b) of driving or having the care or control of a motor vehicle while his ability to drive a motor vehicle is impaired by alcohol or a drug,

the convicting judge, magistrate or justice shall forward the operator's licence of that person to the Minister.

9. Sections 24 and 25 are struck out and the following sections are substituted :

24. (1) The Lieutenant Governor in Council may make regulations governing the registration and operation of motor vehicles kept for sale by manufacturers of motor vehicles and dealers in motor vehicles, whether new or secondhand.

(2) The number plates issued for use on motor vehicles kept for sale by manufacturers or dealers shall bear a word, letter or other device sufficient to distinguish them from number plates issued for other motor vehicles.

(3) Number plates may be issued pursuant to this section to manufacturers of and dealers in motor vehicles and to persons engaged in the business of servicing motor vehicles kept for sale by manufacturers and dealers.

10. Section 56 presently reads:

56. (1) Every motor vehicle shall carry a mirror securely attached to it and placed in a position that will afford the driver a clear view of the roadway in the rear, and of any vehicle approaching from the rear.

(2) In any case where the view afforded by any such mirror is obstructed or interfered with by a trailer attached to the motor vehicle or otherwise, a side rear vision mirror or other mirror shall be attached to the motor vehicle and placed in a position that will afford the driver a clear view of the roadway in the rear and of any vehicle approaching from the rear.

11. Section 61, subsection (2) presently reads:

(2) Where a person drives a vehicle at such a slow rate of speed that he impedes or blocks the normal and reasonable movement of traffic then existing, a peace officer may require him to increase his rate of speed or to remove the vehicle from the highway.

12. Section 62, subsection (2), clause (c) presently reads:

(2) Where required to do so for the purpose of carrying out his duties as a peace officer, a peace officer may, notwithstanding subsection (1),
.....

(c) drive a motor vehicle contrary to any rule of the road prescribed by this Act or a municipal by-law, if in the interest of law enforcement it is necessary, and in the circumstance, safe to do so.

(4) Number plates issued pursuant to this section are valid for only one place of business but where the person to whom any plates are issued has more than one place of business in the same municipality, such places shall, for the purpose of this subsection, be considered one place of business.

(5) The fee required by the Minister on the issue of number plates under this section may be of a fixed amount or may vary with the number of number plates issued to the person.

25. (1) No person shall attach a number plate issued pursuant to section 24 to any vehicle

- (a) except a motor vehicle kept for sale, and not for hire, by a manufacturer or dealer, or
- (b) except a motor vehicle used by a manufacturer or dealer for the promotion of sales of such motor vehicles, and that is not used to convey freight.

(2) No person shall use or operate on a highway a motor vehicle to which a number plate is attached contrary to subsection (1).

10. Section 56 is amended by striking out subsection (2) and by substituting the following:

(2) Where the view afforded by the mirror required under subsection (1) is obstructed or interfered with by a trailer attached to the motor vehicle or otherwise, a side rear vision mirror shall be attached to each side of the motor vehicle towing the trailer placed in such a position as to afford the driver a clear view of the roadway to the rear and to each side of the vehicle being towed.

11. Section 61, subsection (2) is amended by adding at the end thereof the words "and if that person fails to obey the order of the peace officer he is guilty of an offence".

12. Section 62 is amended

- (a) as to subsection (2), clause (c) by adding after the word "drive" the words "and park",
- (b) by adding the following subsection:

(3) Where required to do so for the purpose of carrying out his duties as a member of a fire brigade, a fireman may drive or park a motor vehicle contrary to any rule of the road prescribed by this Act or a municipal by-law, if in the interest of fire fighting it is necessary, and in the circumstances, safe to do so.

13. Section 67, subsection (1), clause (i) presently reads:

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67. (1) When a highway has been divided into traffic lanes
- (i) a driver overtaking another vehicle
 - (i) that is travelling in the same direction,
 - (ii) that is travelling in the centre traffic lane or in the traffic lane nearest the centre of the highway, and
 - (iii) that has signalled its intention to turn left, may pass the other vehicle and in passing shall keep his vehicle to the right of the other vehicle,

14. Section 70, subsection (1) reads:

70. (1) No person shall park or leave standing any vehicle, whether attended or unattended, upon the travelled portion of a highway outside of a city, town or village, when it is practicable to park or leave the vehicle off the travelled highway, and in no event shall any person park or leave standing any vehicle, whether attended or unattended, upon the highway unless a clear and unobstructed width opposite the vehicle is left for free passage of other vehicles thereon, and unless a clear view of the parked or standing vehicle may be obtained for a distance of two hundred feet along the highway in both directions.

15. Section 74, subsection (2) reads:

- (2) The driver of a vehicle upon a highway before turning to the left from a direct line shall
- (a) first determine that the movement can be made in safety, and
 - (b) signal his intention to make the movement in such manner that the signal is plainly visible to the driver of any other vehicle that may be affected by the movement.

The subject matter of this provision is dealt with in sections 67 (1) (c), 71 and 74 (3).

16. Backing up.

17. Section 80, subsection (8) presently reads:

- (8) Subsections (4), (5) and (6) do not apply to railway crossings within a city, town or village.

18. Section 81, subsection (1) presently reads:

81. (1) Where an accident occurs on a highway, every person who was in charge of a vehicle and was directly or indirectly a party to the accident shall, offer to give to anyone sustaining loss or injury and upon request shall give to anyone sustaining loss or injury, to any person at the scene of the accident and to any peace officer, his name and address, the name and address of the registered owner of the vehicle, the number of the driver's operator's licence, and the registration number of the vehicle.

13. Section 67, subsection (1), clause (i) is amended by adding after the words “and in passing” the words “or in attempting to pass”.

14. Section 70 is amended

(a) by adding the following subsection after subsection (3):

(3a) Subsection (1) does not prohibit the driver of an Alberta Government Telephones vehicle from parking or standing the vehicle upon the travelled portion of a highway when it is advisable or necessary to do so for the purpose of the construction, repair, maintenance or inspection of telecommunication facilities adjacent to the highway.

(b) by adding the following subsection after subsection (6):

(7) No person shall open the door of a motor vehicle on the side available to moving traffic unless it is reasonably safe to do so, nor shall any person leave a door open on the side of a vehicle available to moving traffic.

15. Section 74 is amended by striking out subsection (2).

16. Section 76 is amended by adding the following subsections:

(7) No person shall back up a motor vehicle unless the movement can be made in safety or without interfering with other traffic on the highway.

(8) Notwithstanding anything in this or any other Act, the Minister may, by order, close any highway, designate one-way traffic over any highway, or deal with a highway in any manner that in the opinion of the Minister will provide for the safety of the travelling public.

17. Section 80, subsection (8) is amended by striking out the words “, town or village”.

18. Section 81 is amended by striking out subsection (1) and by substituting the following:

19. Section 81c, subsection (1) presently reads:

81c. (1) Where a motor vehicle that shows evidence of having been involved in an accident required to be reported under section 81a, or having been struck by a bullet, is brought into a garage or repair shop for repair, the person in charge of the garage or repair shop shall not commence the repairs,

- (a) unless a notice in the form prescribed by the regulations has been affixed to the motor vehicle by the local police authority, or
- (b) if no notice is affixed to the motor vehicle, until he has been authorized in writing by the local police authority to do so.

20. Section 81d, subsection (2), presently reads:

(2) Where a person or insurance company has paid or may be liable to pay for damages resulting from an accident in which a motor vehicle is involved, the person and insurance company and any solicitor, agent or other representative of the person or company, may be given such information as may appear in any report made under section 81a, 81b or 81c in respect of

- (a) the date, time and place of the accident,
- (b) the identification of vehicles involved in the accident,
- (c) the name and address of any parties to, or involved in, the accident,
- (d) the names and addresses of witnesses to the accident,
- (e) the names and addresses of persons or bodies to whom the report was made,
- (f) the name and address of any police officer who investigated the accident,
- (g) the location of the road upon which the accident occurred, the direction of travel of the vehicles involved, the weather and highway conditions at the time of the accident,
- (h) the estimate of damages sustained by any person involved in the accident, and
- (i) the classification of the accident, any diagram made with respect to the accident and the fact of any visit to the scene of the accident.

21. Section 86 presently reads:

86. Where a person produces to a peace officer an operator's certificate that is illegible or defaced or treated contrary to section 85, the peace officer shall give the person a reasonable time to produce a replacement certificate issued by the registrar.

81. (1) When an accident occurs on a highway, the operator or other person in charge of a vehicle that was directly or indirectly involved in the accident

- (a) shall remain at or immediately return to the scene of the accident, and
- (b) shall render all reasonable assistance, and
- (c) shall produce in writing to anyone sustaining loss or injury or to any peace officer or to a witness
 - (i) his name and address, and
 - (ii) the name and address of the registered owner of the vehicle, and
 - (iii) the number of the operator's licence, and
 - (iv) the registration number of the motor vehicle, or such of that information as is requested.

19. Section 81c is amended by striking out subsection (1) and by substituting the following:

81c. (1) No person shall commence the repairs on a motor vehicle that shows evidence of having been involved in an accident required to be reported under section 81a or having been struck by a bullet

- (a) unless a notice in the form prescribed by the regulations has been affixed to the motor vehicle by the local police authority, or
- (b) if no notice is affixed to the motor vehicle, until he has been authorized in writing by the local police authority to do so.

20. Section 81d, subsection (2) is amended by adding after the words "may be given" the words "by the Minister".

21. Section 86 is amended

- (a) by striking out the words "operator's certificate" and by substituting the words "operator's licence or a certificate of registration",
- (b) by adding after the word "replacement" the words "licence or".

22. Section 87a, subsection (1) reads:

87a. (1) No person shall drive upon a highway a vehicle that is equipped with a device capable of detecting radar or such other electronic equipment as may be used from time to time for measuring the speed of vehicles.

23. Section 94 reads:

94. No person under the age of sixteen years shall drive any scooter or power bicycle unless the motor of such vehicle is so adjusted or governed that it is unable to attain a speed in excess of thirty miles per hour.

24. Section 100 reads:

100. No person shall use or be in possession of an operator's licence belonging to any other person or of an operator's licence that is fictitious or that has been cancelled or suspended, nor shall any person who holds an operator's licence permit any other person to use or be in possession of such licence.

25. Section 111 presently reads:

111. Any peace officer may at any time stop and inspect or cause to be inspected any equipment on a vehicle on a highway and may, if such equipment or any part thereof does not conform with the provisions of this Act or the regulations, require the driver or owner thereof to have the equipment made to comply therewith, and the driver or owner thereof shall forthwith proceed to comply with the Act or the regulations.

22. Section 87a is amended by adding the following subsection:

(3) Where a peace officer apprehends a person operating a motor vehicle contrary to subsection (1), the peace officer may seize the device or equipment and it is forfeited to the Crown.

23. Section 94 is amended by renumbering the section as subsection (1) and by adding the following subsection:

(2) No person under the age of sixteen years shall operate or be permitted to operate a scooter or power bicycle unless he is wearing a safety helmet.

(3) No person under the age of sixteen years shall ride as a passenger on a scooter or power bicycle unless he is wearing a safety helmet.

24. Section 100 is amended by renumbering the section as subsection (1) and by adding the following subsection:

(2) No person shall have in his possession more than one operator's licence.

25. Section 111 is struck out and the following section is substituted:

111. (1) A peace officer may require the operator of a motor vehicle to submit the motor vehicle, together with its equipment and the trailer, if any, attached thereto, to examination and tests to ensure that the motor vehicle is fit and safe for transportation.

(2) If the vehicle, equipment or trailer is found to be unfit or unsafe for transportation or dangerous to passengers or the public, the peace officer making the examination or test

(a) may require the operator of the vehicle to have the vehicle, equipment or trailer rendered fit and safe for transportation, and

(b) may order that the vehicle or trailer be removed from the highway until the vehicle, equipment or trailer has been rendered fit and safe for transportation.

(3) An operator

(a) who fails to comply with a requirement of subsection (1) or (2), or

(b) who in contravention of an order under subsection (2) operates a vehicle, equipment or trailer on a highway before it has been rendered fit and safe for transportation,

is guilty of an offence.

26. Section 115 presently reads:

115. Every person called upon by a peace officer to assist a peace officer in the arrest of a person suspected of having committed any of the offences mentioned in section 114 is justified in so doing if he knows that the person calling on him for assistance is a peace officer and does not know that there are no reasonable grounds for the suspicion.

27. Section 127a, subsection (2) presently reads:

(2) In any prosecution under this Act or the regulations or under The Public Service Vehicles Act or the regulations under that Act, a certificate purporting to be signed by a tester appointed under subsection (1) and bearing date thereon not more than thirty days before or after the date of the offence charged and stating therein the result of the test of the speedometer on the motor vehicle mentioned therein, is admissible in evidence without proof of the signature or appointment of the tester, as prima facie proof of the facts stated in the certificate.

28. Service of notice of suspension.

29. Section 133 presently reads:

133. Except as otherwise provided herein, any person violating any of the provisions of this Act or the regulations is guilty of an offence and liable on summary conviction

- (a) for a first offence to a fine of not more than fifty dollars,
- (b) for a second offence to a fine of not more than one hundred dollars, and
- (c) for a third or subsequent offence to a fine of not more than two hundred dollars.

30. Section 134, clause(b) reads:

134. A person who, on the demand of a peace officer,
.....
(b) fails to produce the certificate of registration of a motor vehicle as required by section 110,
is guilty of an offence and liable on summary conviction to a fine of not more than five dollars.

31. Section 137 presently reads:

137. Every person who operates any vehicle on any highway without complying with the requirements of Part II as to equipment, and every person by whose permission any vehicle is so operated, is guilty of an offence in respect of each and every requirement he does not comply with.

32. A teacher must be qualified to drive the vehicle being used in teaching or he is guilty of an offence.

26. Section 115 is amended by striking out the words “and does not know that there are no reasonable grounds for the suspicion”.

27. Section 127*a*, subsection (2) is amended by adding after the words “*The Public Service Vehicles Act* or the regulations under that Act” the words “or under a municipal by-law”.

28. The following section is added after section 127*b* :

127*c*. A notice of suspension of his operator’s licence shall be deemed to be sufficiently served on a person if it is sent by registered mail to the person at his last known address as shown by the records of the registrar.

29. Section 133 is struck out and the following is substituted:

133. Except as otherwise provided herein, any person violating any of the provisions of this Act or the regulations is guilty of an offence and liable on summary conviction

- (a) for a first offence to a fine of not more than one hundred dollars,
- (b) for a second offence to a fine of not more than two hundred dollars, and
- (c) for a third or subsequent offence to a fine of not more than five hundred dollars.

30. Section 134 is amended

- (a) by adding the word “or” at the end of clause (b),
- (b) by adding the following clause after clause (b) :
 - (c) fails to produce a replacement licence or certificate as required by section 86,

31. Section 137 is amended

- (a) by striking out the words “the requirements” and by substituting the words “any requirement”,
- (b) by striking out the words “in respect of each and every requirement he does not comply with”.

32. Section 139 is amended

- (a) by adding the following subsection after subsection (1*a*) :
 - (1*b*) In a prosecution for a contravention of subsection (1*a*) the onus is on the accused to show that he holds a subsisting operator’s licence.

33. Section 141 presently reads:

141. Whenever any person who is temporarily within the Province and licensed to drive by the law of the place of which he is a resident is convicted of an offence against any of the provisions of this Act, the judge, magistrate or justice of the peace making the conviction, shall endorse on such person's licence to drive the particulars of the conviction, and may by order prohibit such person from driving in the Province either permanently or for such period as may be stated in the order and endorsed on the licence.

34. Section 150, subsection (4) presently reads:

(4) At least ten days before the date of the cancellation or expiry of a motor vehicle liability policy for which a certificate has been issued, the insurer named in the policy shall notify the Minister of the intended cancellation or expiry of the policy and, in the absence of the notice, the policy shall be deemed to remain in full force and effect.

35. Section 151, subsection (2) presently reads:

(2) Every such licence and registration remains suspended and shall not at any time thereafter be renewed, nor shall any new operator's licence be issued to, or new registration be permitted to be made by the person liable, until

- (a) the judgment is satisfied or discharged, otherwise than by a discharge in bankruptcy, to the extent of at least thirty-five thousand dollars, exclusive of interest and costs,
- (b) such person gives proof of his financial responsibility.

36. Section 152, subsection (6) presently reads:

(6) Where a person has been convicted for any of the offences referred to in clauses (a) to (j) of subsection (1), the convicting judge, magistrate or justice of the peace shall forward the operator's licence of the convicted person to the Minister.

37. Section 163, subsection (1) presently reads:

163. (1) The Minister upon request may, in his discretion, furnish to any insurer, surety or other person a certified abstract of the operating record of any person who is subject to the provisions of this Part, and the abstract shall fully designate the motor vehicles, if any, registered in the name of such person, and the record of any conviction of such person for a violation of any provision of any statute relating to the operation of motor vehicles or any judgment against such person for any injury or damage caused by him, according to the records of the Minister, and if there is no record of any such conviction or judgment in the office of the Minister, the Minister shall so certify.

38. Commencement of Act.

(b) by adding the following subsection after subsection (3) :

(4) A person

(a) who is engaged in teaching someone to drive, and

(b) who does not hold an operator's licence valid for the operation of the vehicle being used by the person he is teaching to drive,

is guilty of an offence and liable on summary conviction to a fine of not more than one hundred dollars and in default of payment to a term of imprisonment not exceeding thirty days.

33. Section 141 is amended by striking out the words "of this Act" and by substituting the words "mentioned in subsection (1) of section 19".

34. Section 150, subsection (4) is amended by adding at the end thereof the words "unless the certificate has been in effect for a continuous period of three years".

35. Section 151, subsection (2) is amended by adding at the end of clause (a) the word "and".

36. Section 152, subsection (6) is amended by striking out the words "clauses (a) to (j)" and by substituting the words "clauses (a) to (k)".

37. Section 163 is amended by striking out subsection (1) and by substituting the following:

163. (1) Upon request, the Minister may, in his discretion, furnish to an insurer or surety a certified abstract of the operating record of any person covering the five-year period immediately preceding the request or such greater period as the Minister, in his discretion allows.

38. This Act comes into force on the first day of July, 1965.

No. 72

SECOND SESSION

FIFTEENTH LEGISLATURE

13 ELIZABETH II

1965

BILL

An Act to amend The Vehicles and
Highway Traffic Act

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. TAYLOR
