

1967 Bill 5

Fifth Session, 15th Legislature, 15 Elizabeth II

~~THE~~ LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 5

An Act respecting Vehicles and Highway Traffic

THE MINISTER OF HIGHWAYS

First time

Second time

Third time

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BILL 5

1967

An Act respecting Vehicles and Highway Traffic

(Assented to _____, 1967)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as *The Highway Traffic Act*.

2. In this Act,

1. "bicycle" includes any cycle propelled by human power upon which a person may ride, regardless of the number of wheels it may have;
2. "centre line" means
 - (i) the centre of a roadway measured from the curbs or, in the absence of curbs, from the edges of the roadway, or
 - (ii) in the case of a highway designated by traffic control devices
 - (A) as an offset centre highway, or
 - (B) as a highway having a certain number of traffic lanes for traffic moving in a certain direction at all times or at specified times,
the line dividing the lanes for traffic moving in opposite directions, or
 - (iii) in the case of a divided highway, that portion of the highway separating the roadways for traffic moving in opposite directions;
3. "crosswalk" means
 - (i) that part of a roadway at an intersection included within the connection of the lateral line of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway, or
 - (ii) any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by line or by other markings on the road surface;

Explanatory Notes

General. This Bill repeals and replaces The Vehicles and Highway Traffic Act (chapter 356 of the Revised Statutes). The main purposes of the Bill are:

- (a) to consolidate all the amendments made to the Act over the last 10 years, and
- (b) to standardize the Rules of the Road throughout the Province by altering the present Rules to cover matters presently dealt with in different ways by the traffic by-laws of different municipalities.

There are also other changes not related to the above. The section references in the explanatory notes to the clauses of the Bill are to the equivalent provisions in the present Act. The Bill is divided into 15 Parts as follows:

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4. "daytime" means the period commencing one hour before sunrise and ending one hour after the following sunset;
5. "dealer" means any person who buys or sells motor vehicles as a business, either as principal or agent;
6. "driver" or "operator" means a person who drives or is in actual physical control of a vehicle;
7. "highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, but does not include a place declared by the Lieutenant Governor in Council not to be a highway;
8. "implement of husbandry" means a vehicle designed and adapted exclusively for agricultural, horticultural or livestock raising operations;
9. "intersection" means the area embraced within the prolongation or connection of
 - (i) the lateral curb lines or, if none,
 - (ii) the exterior edges of the roadways,of two or more highways which join one another at an angle whether or not one highway crosses the other;
10. "judge" means a judge, magistrate or justice of the peace;
11. "Minister" means the Minister of Highways;
12. "motor cycle" means a motor vehicle mounted on two or three wheels and includes those motor vehicles known to the trade as motor cycles, scooters and power bicycles;
13. "motor vehicle" means every vehicle propelled by any power, other than muscular power, except aircraft, tractors, whether equipped with rubber tires or not, implements of husbandry, and such motor vehicles as run only upon rails;
14. "municipality" means a city, town, village, county or municipal district;
15. "night time" means the period commencing one hour after sunset and ending one hour before the following sunrise;
16. "operator's licence" means a licence to operate a motor vehicle issued pursuant to this Act;
17. "owner" includes any person renting a motor vehicle or having the exclusive use thereof under a lease or otherwise for a period of more than 30 days;

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18. "park", when prohibited, means the standing of a vehicle, whether occupied or not, except
 - (i) when standing temporarily for the purpose of and while actually engaged in loading or unloading, or
 - (ii) in obedience to a peace officer or traffic control device;
19. "parking lane" means that portion of a highway between a solid yellow line marked on the roadway and the nearest outer edge of the roadway;
20. "peace officer" means a member of the Royal Canadian Mounted Police, a member of a municipal police force, an inspector of the Inspection Service Branch of the Department of the Attorney General or a special constable;
21. "pedestrian" means a person afoot or a person in a wheel chair;
22. "primary highway" means a highway designated as a primary highway pursuant to *The Public Highways Development Act*;
23. "Registrar" means the Registrar of the Motor Vehicle Branch of the Department of Highways and, for the purposes of signing a certificate as required in subsection (4) of section 225 of the *Criminal Code*, a deputy Registrar;
24. "roadway" means that part of a highway intended for use by vehicular traffic;
25. "sidewalk" means that part of a highway primarily intended for the use of pedestrians and includes the part between the curb line or edge of the roadway and the adjacent property line, whether or not paved or improved;
26. "stop" means
 - (i) when required, a complete cessation from vehicular movement, and
 - (ii) when prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control device;
27. "traffic control device" means any sign, signal, marking or device placed, marked or erected under the authority of this Act for the purpose of regulating, warning or guiding traffic;
28. "traffic control signal" means a traffic control device, whether manually, electrically or mechani-

cally operated, by which traffic is directed to stop and to proceed;

29. "traffic lane" means

- (i) outside an urban area, a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles but does not mean a parking lane, and
- (ii) inside an urban area, a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles,

whether or not the division is indicated by lines on the road surface;

30. "trailer" means a vehicle so designed that it may be attached to or drawn by a motor vehicle or tractor and intended to transport property or persons and includes any trailer that is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily, but does not include road building machinery;

31. "urban area" means a city, town or village;

32. "vehicle" means a device in, upon or by which a person or thing may be transported or drawn upon a highway.

PART 1

OPERATORS' LICENCES

Requirement of Licence

3. (1) No person shall drive a motor vehicle on a highway unless he is the holder of a subsisting operator's licence authorizing him to operate a motor vehicle of the type or class being operated by him.

(2) Subsection (1) does not apply to a person who is undergoing a driver's examination conducted by an authorized driver examiner.

(3) Subsection (1) does not apply to a person ordinarily resident outside Alberta

(a) if he does not remain in Alberta for more than six months in any year, and

(b) if he is authorized by the laws of his place of residence to operate a motor vehicle of the type or class being operated by him.

(4) Subsection (1) does not apply to a person who

(a) holds an international driver's licence issued outside Canada, and

(b) does not remain in Alberta for more than 12 consecutive months.

3. When an operator's licence is required. Section 16(1, 1a, 3, 3a) and 139(1a, 1b).

(5) Any person who operates a motor vehicle when he does not hold a subsisting operator's licence is guilty of an offence and liable on summary conviction

- (a) for a first offence to a fine of not more than \$100 or to imprisonment for a term not exceeding 30 days or to both fine and imprisonment, and
- (b) for any subsequent offence to a fine of not more than \$500 or to imprisonment for a term not exceeding six months or to both fine and imprisonment.

(6) In a prosecution for a contravention of subsection (5) the onus is on the accused to show that he holds a subsisting operator's licence.

Issue of Licence

4. (1) An application for an operator's licence shall be made to the Minister in such form and giving such particulars as the Minister prescribes.

(2) Every person to whom an operator's licence has been issued shall, in his application for a subsequent licence, state that he has been so licensed, and no person who is the holder of a subsisting operator's licence shall apply for or obtain another operator's licence, except only

- (a) for the purpose of obtaining a duplicate of a subsisting licence that has been lost or destroyed or become worn out, or
- (b) for the purpose of obtaining a replacement for an operator's licence that is about to expire.

(3) No person shall apply for or procure or attempt to procure the issuance of an operator's licence to himself

- (a) during a period when his licence is cancelled or suspended, notwithstanding that the period for which the licence was issued has expired, or
- (b) during a period when he is disqualified from holding a licence.

5. (1) Upon receipt of an application for an operator's licence and the licence fee prescribed by the regulations, the Minister or the Registrar may

- (a) in his discretion, but
- (b) subject to the restrictions in this Act, issue or cause to be issued through a licence issuer an operator's licence as applied for and in the form prescribed by the regulations.

(2) Subject to the provisions of this Act as to suspension and cancellation, an operator's licence issued pursuant to this Part is valid for the period prescribed by the regulations.

4. Application for an operator's licence. Section 4 (1), 21 (1) and 101.

5. Issue of operator's licence. Section 5 (1) and 8.

(3) No liability attaches to the Crown for any loss caused by incorrect information contained in an application for an operator's licence, notwithstanding that the information may have been entered on the application form by some person other than the applicant.

6. (1) The Minister may

- (a) refuse to issue an operator's licence to a person unless he is satisfied by examination or otherwise of the physical and other competency of the applicant to drive a motor vehicle without endangering the safety of the general public,
 - (b) cause special conditions to be stated upon an operator's licence,
 - (c) require the holder of an operator's licence or an applicant for a licence to submit himself for a physical examination to such persons as the Minister may designate,
 - (d) require the holder of an operator's licence or an applicant for a licence to submit himself for an examination as to his competency as a driver to a person designated by the Minister as an examiner, and
 - (e) from time to time by order prescribe as to the cases in which an examination as to competency as a driver may be dispensed with and the cases in which it may not be dispensed with.
- (2) The Minister may pay for any medical examinations requested by him pursuant to clause (c) of subsection (1) such fee as he considers proper.

7. (1) An operator's licence for a motor vehicle, other than a scooter or a power bicycle, shall not be issued to any person under the age of 16 years.

(2) An operator's licence for a scooter or power bicycle shall not be issued to any person under the age of 14 years.

(3) An operator's licence shall not be issued to any person under the age of 18 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.
- (4) Where a person who is under the age of 18 years has obtained an operator's licence as authorized by subsection (3)**

6. Examination of applicants. Section 17 (1, 4)

7. Minimum age conditions. Section 16 (4-7).

- (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 18 years or until a new application complying with subsection (3) is made.

8. (1) Notwithstanding subsection (1) of section 7, a person of the age of 14 years or over who is not the holder of a subsisting operator's licence may apply to the Minister for an operator's licence and

- (a) upon payment of the prescribed fee, and
- (b) upon the applicant passing such examinations as the Minister may require,

the applicant may be issued an operator's licence of a learner's category.

(2) 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 a person

- (a) who holds an operator's licence, valid for the operation of the vehicle being used, and
- (b) 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.

(3) An operator's licence of a learner's category may be issued for the purpose of operating a motor cycle, scooter or power bicycle under such terms and conditions as may be prescribed by the regulations.

9. A person to whom an operator's licence is issued shall write his usual signature in the space provided for that purpose, and until the licence has been so signed it is not valid.

10. Upon every change of his address or change of name or both, the person to whom an operator's licence is issued shall, in the manner prescribed by the regulations, forthwith in writing notify the Minister of the change.

11. A person holding an operator's licence shall within a reasonable time thereafter advise the Minister in writing of any change, since the issuance of the operator's licence to the licensee, of his physical condition by reason of any disease or physical disability, which the regulations designate as a disease or physical disability of which the Minister is to be informed by an applicant for a licence.

8. Learners' licences. Section 16 (9-11).

9. Licence to be signed. Section 22.

10. Change of address or name. Section 6 (2).

11. Change of health. Section 18a.

12. (1) Where a person has obtained a duplicate of a valid and subsisting operator's licence, if subsequently he again comes into possession of the operator's licence believed to have been lost or destroyed, he shall return the duplicate as soon as possible to the Minister, and no person shall have in his possession both an operator's licence and a duplicate thereof issued pursuant to this Act.

(2) Where a person has obtained a duplicate replacing a supposedly lost or destroyed duplicate, if subsequently he again comes into possession of the duplicate believed to have been lost or destroyed, he shall return one duplicate as soon as possible to the Minister, and no person shall have in his possession more than one duplicate of an operator's licence.

Suspension of Licences

13. (1) Where pursuant to this Act

(a) the Minister refuses to issue an operator's licence to a person, or

(b) a person is convicted of operating a motor vehicle without a subsisting operator's licence,

the Minister may at any time thereafter issue an order declaring that person to be not qualified to obtain an operator's licence or to drive a motor vehicle or any other specified class of vehicle on a highway.

(2) A person who drives a motor vehicle or other vehicle on a highway in contravention of an order made under subsection (1) is guilty of an offence and liable on summary conviction to a fine of not more than \$500 or to imprisonment for a term of not more than six months, or to both fine and imprisonment.

14. (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.

(2) Where the operator's licence of any person is suspended by or under this Act by an order or judgment made under this Act that person may still operate road maintenance equipment not required to be licensed under this Act.

12. Duplicate licences. Section 21 (2,3).

13. Disqualification from holding an operator's licence. Section 17a.

14. Duration of suspension by or under Act. Section 17b.

(3) Notwithstanding subsection (2) where a person is prohibited under this Act from driving a motor vehicle on medical grounds he may also be prohibited from driving road maintenance equipment, tractors and self-propelled implements of husbandry on the highway.

(4) Subsection (1) applies to all licences under suspension, whether suspended before, on or after the day this section comes into force.

(5) This section applies to, but is not limited to suspensions by or pursuant to sections 204 and 206, notwithstanding that the term of any such suspension has expired.

15. (1) Where, under this Act, the operator's licence of a person is suspended or cancelled, the suspension or cancellation continues in full effect notwithstanding the expiration of the licence during the period of the suspension or cancellation.

(2) Where under or pursuant to this Act an operator's licence of a person is suspended or cancelled, the suspension or cancellation operates to suspend or cancel any operator's licence held by that person, whether so stated or not.

16. A notice of suspension of the operator's licence of any person or the disqualification of any person from holding an operator's licence pursuant to this Act shall be deemed to be sufficiently served on a person if it is sent by registered mail to that person at his last recorded address as shown by the records of the Registrar.

Use of Licences

17. (1) No person shall use or be in possession of

- (a) an operator's licence belonging to any other person,
or
- (b) an operator's licence that has been cancelled or suspended, or
- (c) any fictitious document purporting to be an operator's licence.

(2) No person who holds an operator's licence shall permit any other person to use or be in possession of his licence.

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

18. No person shall

- (a) deface or alter an operator's licence, or
- (b) treat an operator's licence or permit an operator's licence to be treated in any manner that will prevent an endorsement from being written on the licence, or
- (c) use an illegible or defaced operator's licence.

15. Suspension or cancellation not removed by expiry of licence.
Section 9.

16. Notice of suspension. Section 127c.

17. Possession of operator's licence. Section 100.

18. Care to be taken of licence. Section 85 (d, g, h).

19. A person who operates a motor vehicle

- (a) of a type that he is not authorized to operate under the class of operator's licence that he holds, or
 - (b) contrary to a restriction or condition on his licence,
- is guilty of an offence and liable on summary conviction to a fine of not more than \$100 and in default of payment to imprisonment for a term not exceeding 30 days.

20. (1) No person shall permit anyone who is not the holder of an operator's licence to drive a motor vehicle.

(2) No person shall permit anyone to drive a motor vehicle other than one of the type that his licence permits him to drive.

21. No person shall hire or let for hire a motor vehicle unless the person by whom the motor vehicle is to be driven is authorized under the provisions of this Act to drive the motor vehicle.

22. No person shall permit any person who is the holder of an operator's licence of a learner's category to operate a motor vehicle contrary to subsection (2) of section 8.

23. (1) No person who is the holder of an operator's licence of a learner's category shall operate a motor vehicle contrary to subsection (2) of section 8.

(2) 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 type of 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 \$100 and in default of payment to a term of imprisonment not exceeding 30 days.

24. (1) Every person driving a motor vehicle shall carry his operator's licence with him at all times during which he is in charge of a motor vehicle and shall deliver it for inspection to a peace officer when demanded by any peace officer.

(2) Every person while engaged in instructing a student driver shall carry his operator's licence with him at all times during which he is so engaged and shall deliver it for inspection to a peace officer when demanded by any peace officer.

25. Where a person produces to a peace officer an operator's licence that is illegible, defaced, altered or treated contrary to section 18, the peace officer shall give the person a reasonable time to produce a replacement licence issued pursuant to this Act.

19. Offence for disobeying conditions on licence. Section 17 (2), 139 (3).

20. Unqualified persons not to be allowed to drive. Section 90.

21. Renting of vehicle to unqualified driver. Section 91.

22. Person with learner's licence not to be permitted to drive alone. Section 90a.

23. Use of a learner's licence. New and section 139 (4).

24. Production of licence. Section 18.

25. Production of replacement licence. Section 86.

- 26.** A person who on the demand of a peace officer
- (a) fails to deliver his operator's licence as required by section 24, or
 - (b) fails to produce a replacement licence as required by section 25,
- is guilty of an offence and liable on summary conviction to a fine of not more than \$5.
-

PART 2

REGISTRATION OF MOTOR VEHICLES AND TRAILERS

Requirement of Registration

- 27.** (1) Subject to this Act,
- (a) no person who is the owner of a motor vehicle or trailer shall operate or suffer or permit any other person to operate the motor vehicle or trailer on a highway at any time during which he is not the holder of a subsisting certificate of registration issued pursuant to this Act for the motor vehicle or trailer, and
 - (b) no person shall operate on a highway any motor vehicle or trailer in respect of which there is not for the time being a subsisting certificate of registration issued pursuant to this Act.
- (2) The Lieutenant Governor in Council may exempt any vehicle or class of vehicles from registration under this Act.
- (3) Where the owner of a vehicle who is resident outside of Alberta has complied with the laws of his place of residence with respect to the registration and licensing of the vehicle, then if the vehicle
- (a) is carrying displayed thereon the registration number plates for the current year assigned under those laws to that vehicle, and
 - (b) is brought in to Alberta for temporary use therein for the purpose of touring for pleasure for a period not exceeding three months,
- the vehicle shall be deemed to be registered pursuant to this Act.
- (4) A person who operates a motor vehicle or trailer upon a highway without a subsisting certificate of registration thereof is guilty of an offence and liable upon summary conviction,
- (a) for a first offence to a fine of not more than \$100 or to imprisonment for a term not exceeding 30 days or to both fine and imprisonment, and

26. Offence for failure to produce licence. Section 134.

27. Motor vehicles and trailers are required to be registered.
Section 10, 5 (2), 13, 139 (1, 2).

- (b) for any subsequent offence to a fine of not more than \$500 or to imprisonment for a term not exceeding six months or to both fine and imprisonment.
- (5) A person who knowingly operates a motor vehicle on a highway
 - (a) while the certificate of registration of the motor vehicle is cancelled, or
 - (b) while the certificate of registration of the motor vehicle is under suspension,is guilty of an offence and liable on summary conviction to imprisonment for a term of not less than 20 days nor more than 30 days.

Issue of Certificates of Registration

28. (1) An application for the registration of a motor vehicle or trailer shall be made to the Minister in such form and giving such particulars as the Minister prescribes.

(2) No person shall apply for or procure or attempt to procure the registration of a motor vehicle during a period when the registration of the motor vehicle or the certificate of registration issued therefor is suspended or cancelled.

(3) No liability attaches to the Crown for any loss caused by incorrect information contained in an application for registration of a motor vehicle or trailer, notwithstanding that the information may have been entered on the application form by some person other than the applicant.

29. (1) Upon receipt of an application for the registration of a motor vehicle or trailer and upon payment of the registration fee prescribed by the regulations, the Minister or the Registrar may

- (a) in his discretion, but
 - (b) subject to the restrictions in this Act,
- issue or cause to be issued through a licence issuer a certificate of registration as applied for and in the form prescribed by the regulations.

(2) Subject to the provisions of this Act as to suspension and cancellation and expiry, a certificate of registration issued pursuant to this Part is valid for the period prescribed by the regulations.

30. (1) Except as provided by subsection (2), a motor vehicle of which the manufacturer's serial number or similar identifying mark has been obliterated shall not be registered.

(2) A person who has in his possession any motor vehicle in the condition described in subsection (1) may forthwith file with the Minister satisfactory proof of the ownership of the vehicle and the Minister may thereupon grant per-

28. Application for registration. Section 4 and 102.

29. Issue of certificate of registration. Section 5 (1) and 8.

30. Obliterated vehicle serial number. Section 15.

mission to cut, impress, emboss or attach permanently to the vehicle a special identifying number or mark, which thereafter shall be deemed sufficient for the purpose of registration of the vehicle.

31. (1) This section applies only to the registration of commercial vehicles and public service vehicles as defined in *The Public Service Vehicles Act*.

(2) When the ownership of a registered commercial vehicle passes from the registered owner to any other person, whether by the act of the owner or by the operation of law, the registration of the vehicle expires upon the 14th day after the day upon which the ownership passes.

(3) When the ownership of a registered public service vehicle passes from the registered owner to any other person, whether by act of the owner or by the operation of law, the registration of the vehicle expires at the time the ownership passes.

(4) The registered owner of the vehicle or his legal representative shall, not later than the 14th day after the ownership so passes, deliver to the Minister the certificate of registration of the vehicle.

(5) The new owner of the vehicle or his legal representative may, not later than the 14th day after the ownership passes, apply to the Minister for the registration of the vehicle in the name of the owner or legal representative and the transfer of the licence plates to him.

(6) When the ownership of a registered vehicle passes from the registered owner to any other person, the licence plates issued upon registration may, not later than 14 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.

(7) Where the ownership of a registered vehicle passes from the registered owner, either by the act of the owner or by the operation of law, to a person engaged in the business of selling or dealing in vehicles, whether new or otherwise, or engaged in the business of automobile wreckage, that person, if the licence plates issued to the registered owner come into his possession, shall return the plates forthwith to the Minister.

(8) Where the ownership of a commercial vehicle passes from one person to another and the new owner intends to apply for the registration of the vehicle in his name, and

- (a) to have transferred to him the licence plates issued to the registered owner of that vehicle, or

31. Transfer of registration of commercial and public service vehicles. Section 11.

- (b) to have reissued to him for use on that vehicle licence plates issued to him upon the registration of another motor vehicle,

then, notwithstanding sections 27 and 42, the new owner may display those licence plates on the vehicle and operate or permit another person to operate the motor vehicle on a highway for not more than 14 days after the ownership passes to him.

32. (1) This section applies to the registration of vehicles other than commercial vehicles or public service vehicles to which section 27 applies.

(2) Where the ownership of a registered vehicle passes from the registered owner to any other person, whether by act of the owner or by operation of law, the registration of the vehicle expires forthwith and the registered owner shall remove the licence plates from the vehicle and retain them in his possession.

(3) At any time during the registration year for which the licence plates referred to in subsection (2) are issued, the person to whom they are issued may apply to the Minister to use the plates on another vehicle to be registered in his name, if the application is made within 14 days after acquiring ownership of another vehicle whereupon, notwithstanding sections 27 and 42 that person may display the plates on the newly acquired vehicle and operate or permit another person to operate the vehicle on a highway during that 14 day period.

(4) Where an application is made under subsection (3), the Minister may request from the applicant payment of the fees prescribed by the regulations.

(5) Where the ownership of a registered vehicle passes from the registered owner, either by the act of the owner or by the operation of law, to another person that other person, if the licence plates issued to the registered owner come into his possession, shall return the plates forthwith to the Minister.

(6) Notwithstanding subsections (2) and (3), where a vehicle is registered under the names of both a lessor and lessee, and the lessee ceases to have an interest in the vehicle, the lessor shall retain the licence plates in his possession and may apply within 14 days after having leased the vehicle to a new lessee to have the registration include the new lessee of the vehicle.

(7) Notwithstanding anything in this section, where the ownership of a registered vehicle passes by reason of the death of the registered owner, the registration of the vehicle for that registration year does not expire and the following persons may during the remainder of that registration year continue to operate the vehicle under the registration of the deceased registered owner, that is to say:

32. Transfer of registration of other vehicles. Section 11a.

- (a) the spouse of the deceased registered owner if residing in the same dwelling premises at the time of his death,
- (b) any person having proper temporary custody of the vehicle until grant of probate or administration to the personal representative of the deceased registered owner, and
- (c) the personal representative of the deceased registered owner.

Use of Certificates of Registration

33. No person shall

- (a) deface or alter a certificate of registration issued under this Act, or
- (b) use or permit the use of a defaced or illegible certificate of registration.

34. (1) Every driver of a motor vehicle shall produce the certificate of the registration of the vehicle upon demand by any peace officer.

(2) Where the vehicle is being operated

- (a) with licence plates issued pursuant to section 39, or
- (b) by an appraiser who has custody of the vehicle for the purpose of appraisal, or
- (c) by a mechanic who has custody of the vehicle for the purpose of repairs,

the peace officer shall give the driver of the vehicle reasonable time within which to produce the certificate of registration of the vehicle.

(3) Where a person produces to a peace officer a certificate of registration that is illegible or defaced or altered contrary to section 33, the peace officer shall give the person a reasonable time to produce a replacement certificate of registration issued under this Act.

35. A person who on the demand of a peace officer

- (a) fails to produce a certificate of registration as required by subsection (1) or (2) of section 34, or
- (b) fails to produce a replacement certificate of registration as required by subsection (3) of section 34,

is guilty of an offence and liable on summary conviction to a fine of not more than \$5.

36. Upon every change of his address or change of name, or both, the person to whom a certificate of registration is issued shall, in the manner prescribed by regulation, forthwith in writing notify the Minister of the change.

33. Care to be taken of certificate of registration. Section 85 (e, f, i).

34. Production of certificate of registration. Section 110 and 86.

35. Offence for failure to produce certificate. Section 134.

36. Change of name or address to be given to Minister. Section 6 (2).

Licence Plates

37. (1) At the time of the issue of a certificate of registration the Minister shall issue to the owner of the registered vehicle a set of two licence plates, or one licence plate if the vehicle is a motor cycle or trailer, bearing the licence number of the vehicle, together with the name of the Province either at length or in an abbreviated form, and the year of issue.

(2) The Minister shall charge such fees for each set of licence plates issued by him as may be set out in the regulations.

(3) The licence plates shall be of such type, colour or shade as may be prescribed by the Minister.

(4) Every licence plate issued under this Act remains the property of the Crown and the person in possession of them shall return them to the Minister whenever he so requires.

38. (1) Notwithstanding any of the requirements of this Act as to licence plates, the Minister, if he considers it expedient or necessary to do so, may issue one marker or licence plate at the time of the issue of a certificate of registration instead of the prescribed licence plate or plates.

(2) The display in the manner set out in the regulations of the marker or licence plate so issued is a sufficient compliance for all purposes with the provisions of this Act requiring or relating to the display of licence plates.

(3) Every reference in this Act to a licence plate or to licence plates shall *mutatis mutandis* be deemed to include a reference to a marker or licence plate issued by the Minister pursuant to this section.

39. (1) Licence 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.

(2) The licence 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 licence plates issued for other motor vehicles.

(3) Licence 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, all those places shall, for the purpose of this subsection, be considered one place of business.

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

37. Issue of licence plates. Section 26, 28 and 32.

38. Authority for single licence plate or marker. Section 33.

39. Dealers' licence plates. Section 24.

40. (1) No person shall attach a licence plate issued pursuant to section 39 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 licence plate is attached contrary to subsection (1).

41. Where a dealer in motor vehicles takes possession of a motor vehicle for the purpose of selling it on behalf of the owner and if current licence plates have been issued for the motor vehicle

- (a) the owner of the motor vehicle shall remove the licence plates and retain them in his possession, and
- (b) the dealer shall not accept the motor vehicle until the licence plates have been removed therefrom.

42. No licence plate shall be attached to or used upon any motor vehicle or trailer other than the one for which it is authorized.

43. (1) In the case of a motor vehicle, other than a motor cycle,

- (a) one of the licence plates shall be firmly attached to the front of the vehicle, and
- (b) the other licence plate shall be firmly attached to the rear of the vehicle in such a position that the lower edge of the plate will not be lower than the axle.

(2) In the case of a motor cycle, the licence plate shall be firmly attached to the rear mudguard in such a position as to be clearly visible.

(3) In the case of a trailer, the licence plate shall be firmly attached on the back thereof in such a position that the lower edge of the plate will not be lower than the axle.

44. (1) A licence plate shall at all times be kept in a legible condition, clearly visible and unobscured by any part of the vehicle or its attachments or load, or otherwise howsoever, and shall be kept firmly fastened in the position required by section 43.

(2) The licence plate of a motor vehicle pulling a trailer shall not be considered to be obscured or not visible by reason of the presence of the trailer.

45. No person shall operate a motor vehicle or trailer on a highway with an expired licence plate displayed thereon.

40. Use of dealers' plates. Section 25.

41. Removal of licence plates on sale of vehicle. Section 25a.

42. Display of licence plates. Section 30.

43. Manner of attaching licence plate. Section 27.

44. Licence plates to be kept readable. Section 27 (5) and 31.

45. Expired plates to be removed. Section 29.

46. No person shall

- (a) deface or alter any licence plate issued under this Act, or
- (b) use or permit the use of any defaced or altered licence plate, or
- (c) permit any licence plate issued to him to be used in contravention of this Act.

47. Any peace officer who has reason to believe that a motor vehicle is carrying licence plates

- (a) that were not issued for it, or
- (b) that although issued for it were obtained by false pretences,

may take possession of those licence plates and retain them until the facts as to the carrying of those licence plates has been determined.

PART 3

EQUIPMENT REQUIRED ON VEHICLES

48. Every person who operates any vehicle on any highway without complying with any requirement of this Part as to equipment, and every person by whose permission any vehicle is so operated, is guilty of an offence.

Headlamps

49. (1) Every motor vehicle, other than a motor cycle, shall be equipped with at least two headlamps with at least one mounted on each side of the front of the motor vehicle.

(2) 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 54 inches nor less than 24 inches to the level of the ground when the motor vehicle stands unloaded.

50. (1) Except as otherwise provided in section 52, and subject to subsections (2) and (3), the headlamps on motor vehicles, other than motor cycles, shall be so arranged

- (a) that the driver may select at will between distribution of light projected to different elevations, or
- (b) that the selection of light distribution may be made automatically.

(2) 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 350 feet ahead under all conditions of loading.

(3) There shall be a lowermost distribution of light, or composite beam of light, of such intensity as to reveal per-

46. Care to be taken of licence plates. Section 85 (a, b, c).

47. Seizure of licence plates. Section 112.

48. Offence for using improperly equipped vehicle. Section 137.

49. Location of headlamps. Sections 34 and 36.

50. Multiple beam headlamps. Section 37.

sons and vehicles at a distance of at least 100 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.

51. (1) 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 up whenever the uppermost distribution of light from the headlamps is in use but not otherwise.

(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.

52. (1) Headlamps arranged to provide a single distribution of light may be used on motor vehicles manufactured and sold before the 1st day of April, 1956, in lieu of multiple beam road lighting equipment specified in section 50, 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 25 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 75 feet ahead, than 42 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 200 feet.

53. (1) Every motor cycle shall be equipped with at least one headlamp but not more than two headlamps.

(2) Any headlamps upon a motor 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.

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

(a) at a distance of not less than 100 feet ahead when the motor cycle is operated at any speed of less than 25 miles per hour,

(b) at a distance of not less than 200 feet ahead when the motor cycle is operated at a speed of 25 to 35 miles per hour, and

(c) at a distance of not less than 300 feet ahead when the motor cycle is operated at a speed of more than 35 miles per hour.

51. High beam indicator required. Section 38.

52. When single beam headlamp permissible. Section 40.

53. Motor cycle headlamps. Section 35 (1, 2), 41.

(4) When the motor cycle is equipped with a multiple beam headlamp

(a) the uppermost beam of light shall conform to the minimum requirements set out in subsection (3) of this section and shall not exceed the limitations set out in subsection (3) of section 50, 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 50.

(5) When a motor cycle is equipped with a single beam headlamp, the headlamp shall be so aimed that when the cycle is loaded none of the high intensity portion of the light will be directed higher, at a distance of 25 feet ahead, than the level of the centre of the headlamp from which the light comes.

54. (1) If a tractor or self-propelled implement of husbandry is equipped with any headlamps, it shall not be equipped with any less or any more than two headlamps.

(2) Headlamps upon a tractor or self-propelled implement of husbandry 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.

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

(a) at a distance of not less than 100 feet ahead when the tractor or self-propelled implement of husbandry is operated at any speed of less than 25 miles per hour,

(b) at a distance of not less than 200 feet ahead when the tractor or self-propelled implement of husbandry is operated at a speed of 25 to 35 miles per hour, and

(c) at a distance of not less than 300 feet ahead when the tractor or self-propelled implement of husbandry is operated at a speed of more than 35 miles per hour.

(4) When the tractor or self-propelled implement of husbandry is equipped with a multiple beam headlamp

(a) the uppermost beam of light shall conform to the minimum requirements set out in subsection (3) of this section and shall not exceed the limitations set out in subsection (3) of section 50, 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 50.

(5) When a tractor or self-propelled implement of husbandry is equipped with single beam headlamps, the headlamps shall be so aimed that none of the high intensity por-

54. Headlamps on trailers and implements of husbandry. Section
35a.

tion of the light will be directed higher, at a distance of 25 feet ahead, than the level of the centre of the headlamp from which the light comes.

55. Every bicycle while 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.

Tail Lamps

56. (1) Except as provided in subsections (2) and (3),

- (a) every motor vehicle,
- (b) every self-propelled implement of husbandry,
- (c) every tractor,
- (d) every trailer, and
- (e) every vehicle being drawn at the end of a train of vehicles,

shall be equipped with at least two tail lamps mounted at the rear of the vehicle.

(2) Every motor cycle shall be equipped with at least one tail lamp mounted at the rear of the vehicle.

(3) Subsection (1) does not apply during daylight hours to such classes of equipment as may be exempted therefrom by the regulations.

(4) The tail lamps on a vehicle shall be as widely spaced laterally as is practicable.

(5) A tail lamp shall be capable, when lit as required by this Act, of emitting a red light plainly visible from a distance of not less than 500 feet to the rear of the vehicle, except that in the case of a train of vehicles only the tail lamps on the rear most vehicle need be seen from that distance.

(6) 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 72 inches nor less than 20 inches to the level ground when the vehicle stands unloaded.

(7) 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 50 feet to the rear, or a separate lamp shall be mounted on the rear of the vehicle to illuminate the licence plate and render it visible from a distance of 50 feet to the rear.

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

57. A vehicle carrying a load that overhangs the rear of the vehicle to the extent of five feet or more shall,

- (a) during night time hours display a red light, and

55. Bicycle lights. Section 43.

56. Tail lamps. Section 42.

57. Overhanging load. Section 49.

(b) at all other times, display a red flag, upon and at the extreme rear end of the overhanging load and sufficient in either case to indicate the projection of the load.

58. (1) Except as permitted by this Act, no vehicle shall display to the rear thereof a light of any colour other than red.

(2) Subsection (1) does not apply to back-up lights when used in the process of backing up a vehicle.

Stop Lamps

59. (1) Unless otherwise provided by the regulations

- (a) every motor cycle shall be equipped with at least one stop lamp mounted on the rear of the vehicle, and
- (b) every other motor vehicle and every trailer and the rearmost vehicle in a train of vehicles shall be equipped with at least two stop lamps mounted on the rear of the vehicle.

(2) A stop lamp shall light up when the service brake is applied and when lit shall emit a red light plainly visible from a distance of not less than 100 feet to the rear of the vehicle in normal sunlight.

60. No stop lamp or signal lamp or device shall project a glaring light at any time.

Flashing Lights

61. (1) No motor vehicle other than a vehicle used

- (a) for the transportation of any member of a fire brigade or of any firefighting equipment,
- (b) for the transportation of any policeman or forestry officer, or
- (c) as an ambulance,

shall be equipped with any red light or flashing light visible from the front of the vehicle.

(2) Subsection (1) does not apply to:

- (a) signal lights for indicating an intention to turn as are provided in section 62;
- (b) alternate flashing red lights displayed by a school bus;
- (c) flashing lights of such colour other than red as is provided in this Act or the regulations and displayed by
 - (i) a snowplow, or
 - (ii) a vehicle transporting explosives, or

58. Colour of rear lights. Section 42 (7, 8).

59. Brake lights. Section 52.

60. Glaring lights prohibited. Section 54.

61. Use of flashing lights. Section 47.

- (iii) a tow truck while towing or pushing a disabled vehicle, or
 - (iv) a vehicle engaged in highway inspection, highway construction or highway maintenance, or
 - (v) a vehicle engaged in the transportation of or towing of a building, or
 - (vi) a vehicle owned and operated by Alberta Government Telephones while engaged in the construction, maintenance or repair of communication systems, or
 - (vii) a vehicle leading a funeral procession, or
 - (viii) a vehicle that has become immobile or inoperative;
 - (d) simultaneously flashing turn signal lights displayed at a railway crossing by a vehicle required to stop at railway crossings;
 - (e) simultaneously flashing turn signal lights displayed by a vehicle that has become immobile or inoperative;
 - (f) flashing lights or coloured lights as prescribed by the regulations displayed by a vehicle of a class authorized by the regulations to display such lights.
- (3) Any motor vehicle belonging to a municipal fire department may be equipped with such red lights or such other coloured lights as may be designated by by-law of the council.

62. (1) 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) No person shall operate a motor vehicle equipped with lamps or mechanical signal devices to indicate an intention to turn the vehicle unless the lamps or device show to the front and rear of the vehicle and otherwise comply with the requirements of this section.

(3) 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 visible from a distance of not less than 100 feet to the front in normal sunlight, and
- (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 or amber light visible at a distance of not less than 100 feet to the rear in normal sunlight.

62. Turn signals required. Section 53, 53a.

(4) 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.

(5) Where mechanical signal devices are used for the purpose of indicating turns, the mechanical devices shall be self-illuminating when in use during the times headlamps are required to be alight.

(6) The owner of a motor vehicle equipped with lamps or mechanical signal devices to indicate an intention to turn shall maintain those lamps or mechanical signal devices in good working order.

Other Lights

63. In addition to the lamps required by this Act, every self-propelled implement of husbandry shall, at the times mentioned in subsection (1) of section 132, be equipped with and display such other lights and reflectors as may be prescribed by the regulations.

64. (1) No motor vehicle shall be equipped with a light that is known to the trade as a search light.

(2) A spot light may be carried upon any motor vehicle but when the vehicle is in motion the ray of the light therefrom shall be directed to the extreme right of the travelled portion of the highway in such a manner that the beam of light will strike the extreme right of the travelled portion of the highway within 75 feet of the vehicle.

65. (1) A motor vehicle may be equipped with fixed or movable auxiliary lamps or fog lamps mounted upon the front of the vehicle and below the level of the centres of the headlamps and at a height not less than 16 inches above the level on which the vehicle stands.

(2) Not more than two auxiliary lamps or fog lamps mounted on opposite sides of the vehicle may be used in connection with but not in substitution for headlamps, except under conditions of fog or rain rendering disadvantageous the use of headlamps.

(3) In no event shall the number of auxiliary and fog lamps upon a motor vehicle exceed a combined total of three and in no event shall more than two of those lamps be lighted for use with lighted headlamps.

(4) Every auxiliary lamp and every fog lamp used upon a motor vehicle shall be so adjusted and aimed that the top of the main substantial portion of the beam will strike the road at approximately 75 feet in advance of the vehicle and will not project a glaring or dazzling light into the eyes of approaching drivers.

63. Lights and reflectors on implements of husbandry. Section
44.

64. Spot lights and search lights. Section 48.

65. Auxiliary and fog lights. Section 45.

(5) The term "auxiliary lamp" or "fog lamp" denotes any combination of reflector, lens and lamp bulb designated to illuminate the roadway close to and forward or forward and to the sides of the motor vehicle and otherwise meeting the requirements of this section.

Brakes

66. (1) No motor vehicle, other than a motor cycle, shall be operated upon a highway unless it has

(a) an adequate service brake, and

(b) an adequate emergency or parking brake capable of being operated separately.

(2) No motor cycle or tractor or self-propelled implement of husbandry shall be operated upon a highway unless it has an adequate service brake.

67. (1) In this section "motor vehicle" includes a tractor and a self-propelled implement of husbandry.

(2) Every person driving a motor vehicle on any highway shall upon request of a peace officer

(a) permit the officer to inspect and test the brakes with which the motor vehicle is equipped and for that purpose to operate the vehicle, or

(b) at the option of the officer, operate the motor vehicle as directed by the officer for the purpose of the inspection and testing of the brakes,

and the officer shall, if the brakes are inadequate, notify the driver of the vehicle thereof and thereupon the driver shall forthwith proceed to have the brakes made adequate.

(3) Where the service brakes of a motor vehicle equipped with two-wheel brakes are not capable of bringing the vehicle to a standstill within 40 feet from the point at which the brakes are applied when the brakes are applied while the vehicle is loaded to its full capacity and moving, on a level surface consisting of dry paving of asphalt or concrete free from loose material, at a speed of 20 miles an hour, the service brakes of the vehicle shall be deemed to be inadequate.

(4) Where the service brakes upon any motor vehicle other than a motor vehicle mentioned in subsection (3) or any combination of vehicles are not capable of bringing the vehicle or combination of vehicles to a standstill within a distance of 30 feet from the point at which the brakes were applied, when the brakes are applied while the vehicle or combination of vehicles is loaded to its full capacity and moving, on a level surface consisting of dry paving of asphalt or concrete free from loose material, at a speed of 20 miles an hour, the service brakes of the motor vehicle or combination of vehicles shall be deemed to be inadequate.

66. Adequate brakes required. Section 50 (1, 8)

67. Standard of performance required of brakes. Section 50 (9) and (2-7).

(5) Where the emergency or parking brake upon a motor vehicle or combination of vehicles is not capable of bringing the motor vehicle or combination of vehicles to a standstill within a distance of 55 feet from the point at which the brake was applied, when the brake is applied while the motor vehicle or combination of vehicles is loaded to its full capacity and moving, on a level surface of dry paving of asphalt or concrete free from loose material, at a speed of 20 miles an hour, the emergency or parking brake of the motor vehicle or combination of vehicles shall be deemed to be inadequate.

(6) The emergency or parking brake of a motor vehicle or combination of vehicles shall be capable of holding the vehicle or combination of vehicles at a standstill upon any grade upon which the motor vehicle or combination of vehicles is operated.

(7) All brakes shall at all times be maintained in good working order and shall be so adjusted that the brake pressure upon the wheels on each side of the vehicle is as nearly as possible equal.

Other Equipment

68. (1) Every motor vehicle, motor cycle and bicycle shall be equipped with an adequate horn, gong or bell and it shall be kept in good working order and shall be sounded whenever it is reasonably necessary to warn persons on or approaching the highway in the vicinity of the vehicle or motor cycle or bicycle.

(2) No person having the control of any motor vehicle, motor cycle or bicycle shall use the horn, gong, bell or other signalling device thereon except for the purpose of giving notice to persons on or approaching the highway in the vicinity of the motor vehicle, motor cycle or bicycle of the approach of the vehicle, and in so doing shall not make any more noise than is reasonably necessary for the purpose of giving the warning.

69. (1) A motor vehicle propelled by an internal combustion engine shall be equipped with an exhaust muffler consisting of a series of pipes or chambers which ensures that the exhaust gases from the engine are cooled and expelled without excessive noise.

(2) No person shall drive or operate a motor vehicle propelled by an internal combustion engine when the muffler with which the vehicle is equipped is cut out or disconnected from the engine.

(3) No person shall drive or operate a motor vehicle propelled by an internal combustion engine equipped with a muffler from which has been removed a baffle-plate or other part.

68. Horn required. Section 51.

69. Muffler and exhaust system. Section 55.

(4) No person shall drive or operate a motor vehicle propelled by an internal combustion engine equipped with a muffler, the exhaust outlet of which has been opened or widened.

(5) No person shall drive or operate a motor vehicle propelled by an internal combustion engine equipped with a muffler or exhaust system to which is attached any device which increases the noise of the expulsion of the gases from the engine or allows a flame to be ignited from the exhaust system.

(6) This section does not apply to a school bus having a capacity of 24 or more passengers.

70. (1) Every motor vehicle equipped with a windshield, other than a motor cycle, shall be equipped with a mechanically or electrically operated device

(a) for cleaning rain, snow or other moisture from the windshield, and

(b) that can in each case be controlled or operated by the driver of the motor vehicle.

(2) The owner of a motor vehicle shall maintain in good working order the device required by subsection (1).

71. (1) Every motor vehicle and every trailer shall be equipped with mudguards or fenders or other device adequate to reduce effectively the wheel spray or splash of water from the roadway to the rear thereof, unless adequate protection is afforded by the body of the motor vehicle or trailer or by a trailer drawn by the motor vehicle.

(2) Subsection (1) does not apply to a motor vehicle or trailer in an unfinished condition while proceeding to a works for completion.

72. (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) 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.

(3) In addition to any mirrors required under subsections (1) and (2), every new motor vehicle sold after the first day of January, 1968 shall carry a side rear vision mirror attached to the left side of the motor vehicle in such a position as to afford the driver a clear view of the roadway to the rear left side of the vehicle.

70. Windshield wipers required. Section 55a.

71. Mudguards required. Section 55b.

72. Rear view mirror required. Section 56. Subclause (3) is new.

73. Every motor vehicle shall be equipped with a speedometer to indicate the speed of the vehicle when moving forward.

74. (1) Without in any way restricting the provisions of this Part, the owner of a vehicle shall keep and maintain the lights, speedometer, brakes, mirrors, horn, steering mechanism, windshield wipers, defrosters, signal lights and muffler of the vehicle

(a) in good working order, and

(b) properly attached thereto,

for the purpose for which such equipment is intended.

(2) When so requested by a peace officer the owner of a vehicle shall, as soon as is reasonably possible, have such work done to the vehicle as is necessary to make it comply with the provisions of this Part and shall report such compliance to the peace officer.

75. (1) No person shall sell or offer for sale a new motor vehicle unless the glass in the windshield and in the other windows complies with the conditions prescribed by the regulations.

(2) No person shall sell or offer for sale any windshield or glass intended to be used for glazing a motor vehicle and no person shall glaze a motor vehicle with glass that does not comply with the conditions prescribed by the regulations.

76. No person shall sell or offer for sale hydraulic brake fluid for use in vehicles upon a highway

(a) that does not comply with the standards and specifications prescribed by the regulations, or

(b) in a container not marked in compliance with the regulations.

77. (1) No person shall sell or offer for sale for use in vehicles upon a highway any equipment that does not comply with the standards and specifications that may be prescribed for such equipment by the regulations.

(2) No person shall sell a new motor vehicle of a class which by the regulations is required to be marked with the displacement or horsepower of its motor unless it is so marked in accordance with the regulations.

78. No vehicle other than a vehicle used

(a) for the transportation of any member of a fire brigade or of any firefighting equipment, or

(b) for the transportation of any policeman, or

(c) as an ambulance, or

73. Speedometer required. Section 56a.

74. All required equipment to be maintained in working order.
Section 57.

75. Windshield glass. Section 57a.

76. Brake fluid. Section 57b.

77. Equipment to meet prescribed standards. Section 57c and
new.

78. Prohibition of sirens. Section 69 (1).

(d) as a gas disconnecting unit of a public utility company,
shall, while on a highway, be equipped with a siren without the authorization of the Minister.

79. (1) No person shall drive upon a highway any motor vehicle that is equipped with a television set.

(2) No person shall operate a television set in a motor vehicle while the vehicle is upon a highway.

80. (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.

(2) Subsection (1) does not apply to

- (a) a vehicle used by a peace officer in the course of his duties, or
- (b) a vehicle used by a person in conducting a traffic survey authorized by the Minister.

(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.

PART 4

ACCIDENTS

81. In this Part "vehicle" means a vehicle other than one powered by muscular power.

82. (1) When an accident occurs on a highway, the driver 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 and to any peace officer and to a witness
 - (i) his name and address, and
 - (ii) the number of his operator's licence, and
 - (iii) the name and address of the registered owner of the vehicle, and
 - (iv) the registration number of the motor vehicle, or such of that information as is requested.

(2) The driver of a vehicle that collides with an unattended vehicle shall stop and

- (a) shall locate and notify the person in charge or owner of the unattended vehicle of the name

79. Television in motor vehicles. Section 87.

80. Radar detectors. Section 87a.

81. Vehicle defined for purposes of Part 4. Section 81d (6).

82. Duties of drivers at scene of accident. Section 81.

and address of the driver, the number of his operator's licence and the registration number of the vehicle striking the unattended vehicle, or

- (b) shall leave in a conspicuous place in or upon the vehicle collided with a written notice giving the name and address of the driver, the number of his operator's licence and the registration number of the vehicle striking the unattended vehicle.

(3) The driver of a vehicle involved in an accident resulting in damage to property upon or adjacent to a highway, other than a vehicle under subsection (2), shall take reasonable steps to locate and notify the owner or person in charge of the property of such fact and of the name and address of the driver, the number of his operator's licence and the registration number of the vehicle.

83. (1) Subject to subsection (2), where an accident results in injury or death to a person or in property damage to an apparent extent of \$100 or more, the driver shall forthwith make a written report to a peace officer having jurisdiction where the accident occurred.

(2) Where the driver is incapable of making the report required by subsection (1) and there is another occupant of the vehicle capable of making the report, the occupant shall make the report required to be made by the driver.

(3) Where no report has been made under subsection (1) or (2) and the driver or occupant is not the owner of the vehicle, the owner shall forthwith after learning of the accident make the report.

(4) Where the driver is alone, is the owner and is incapable of making the report required by subsection (1), he shall make the report forthwith after becoming capable of making it.

84. A peace officer who has witnessed or investigated an accident shall forthwith forward to the Registrar a written report, in the form prescribed by the Minister, setting forth full particulars of the accident including the names and addresses of the persons involved and the extent of the personal injuries or property damage.

85. Where a report has been made under section 82, 83, or 84, the Registrar may require the driver involved or a peace officer or person having knowledge of the accident to furnish additional information or to make a supplementary report.

86. Where the driver of a vehicle or any other person damages or knocks down a traffic control device, railroad sign or signal, or traffic sign of any kind, or a parking meter, he shall forthwith report the damage to the nearest peace officer.

83. Written report of accidents required. Section 81a.

84. Accident report by peace officers. Section 81b (1).

85. Additional information may be required. Section 81b (2).

86. Damage to traffic control device to be reported. New.

87. (1) Any person who knowingly makes any false statement in a report required by this Part is guilty of an offence and liable on summary conviction to a fine of not more than \$200 or to imprisonment for any term not exceeding six months or to both fine and imprisonment.

(2) In a prosecution for an offence under this Part, a certificate purporting to be signed by the Registrar that any report therein required has or has not been made shall be admitted in evidence as *prima facie* proof of the facts stated in the certificate.

(3) In a prosecution for failure to make a report required by this Part in respect of an accident, the place of the offence shall be deemed to be the place where the accident occurred.

88. 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 83 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.

89. (1) Subject to subsection (2), a written report or statement made or furnished under this Part

- (a) is not open to public inspection, and
- (b) is not admissible in evidence for any purpose in a trial arising out of the accident except to prove
 - (i) compliance with section 83, 84 or 85, as the case may be, or
 - (ii) falsity in a prosecution for making a false statement in the report or statement, or
 - (iii) the identity of the persons who were driving the vehicles involved in the accident.

(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 by the Minister or a peace officer such information as may appear in any report made under section 83, 84 or 85 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,

87. Offence for failure to comply with Part 4. Section 81d and 138 (2).

88. Repair of damaged vehicle. Section 81c (1).

89. Inspection of accident reports. Section 81d.

- (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 peace 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,
- (i) the names and addresses of any insurance companies insuring any parties to, or involved in, the accident, and
- (j) any diagram made with respect to the accident and the fact of any visit to the scene of the accident.

PART 5
RULES OF THE ROAD

Application

90. (1) Every person operating a motor vehicle, a tractor, an implement of husbandry or any other type of vehicle upon a highway shall in so far as they are applicable, obey the rules of the road set out in this Part, except

- (a) when otherwise instructed by any applicable traffic control device, or
- (b) when otherwise directed by a peace officer.

(2) Except when otherwise directed by a peace officer every driver and pedestrian shall obey the instructions of any applicable traffic control device.

(3) Notwithstanding anything in this Part, every driver and pedestrian shall obey the directions of any peace officer directing traffic.

(4) Where all or any of the lights of a traffic control signal are not operating properly or are not operating at all, every driver and pedestrian shall use the roadway in the vicinity of the traffic control signal with caution.

91. (1) Where a peace officer considers it necessary

- (a) to ensure orderly movement of traffic, or
 - (b) to prevent injury or damage to persons or property,
or
 - (c) to permit proper action in an emergency,
- he may direct traffic according to his discretion, notwithstanding anything in this Part.

90. Application of Part 5. Section 75 (2), 75a (1) and 95 (2).
Subclause (3) is new.

91. When peace officer may direct traffic contrary to Rules of
the Road. New.

(2) Where a peace officer is not present at the scene of a fire or emergency, any member of a fire brigade present may exercise the powers of a peace officer under subsection (1).

92. (1) Any motor vehicle equipped with a siren and being

- (a) used for the transportation of any member of a fire brigade in response to an emergency call, or
- (b) used for the transportation of a peace officer in response to an emergency call or for the purpose of
 - (i) investigating a reported accident, or
 - (ii) detecting or preventing crime, or
 - (iii) making an arrest,or
- (c) an ambulance used in response to an emergency call, or
- (d) a gas disconnecting unit of a public utility company used in response to an emergency call, or
- (e) a vehicle used in an emergency in accordance with an authorization granted by the Minister pursuant to section 78,

may, while being so used and while the siren is being continuously sounded, be operated at such speed as is reasonable and proper having regard to the traffic ordinarily upon the highway and the use of the highway and the fact that it is being so used and may proceed past a red or stop signal or stop sign without stopping and at such speed as is reasonable and safe under the circumstances.

(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),

- (a) operate a motor vehicle on a highway in excess of the speed limit thereon and at such speed as is necessary and reasonable having regard to the traffic ordinarily upon the highway and the fact that it is being so used,
- (b) drive past a red or stop signal or stop sign without stopping but only at such speed as is reasonable and prudent under the circumstances, and
- (c) drive and 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 law enforcement it is necessary and in the circumstance safe to do so.

(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 and 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 firefighting it is necessary and in the circumstances safe to do so.

92. Certain vehicles permitted to drive and park contrary to the Rules. Section 62.

(4) Vehicles used in highway maintenance or highway construction work may be operated upon such portions of a highway as may be requisite for the highway maintenance or highway construction work in which it is engaged.

Speed

93. Notwithstanding any speed limit prescribed by or pursuant to this or any other Act, no driver shall drive at any rate of speed that is unreasonable having regard to all the circumstances of the case, including without restricting the generality of the foregoing,

- (a) the nature, condition and use of the highway,
- (b) the atmospheric, weather or other conditions that might affect the visibility of the driver or the control of the vehicle,
- (c) the amount of traffic there then is or that might reasonably be expected to be on the highway, and
- (d) the mechanical condition of the vehicle or any equipment of the vehicle.

94. (1) Except where a higher rate of speed is prescribed pursuant to section 216, no person shall drive outside an urban area at any greater rate of speed than

- (a) 60 miles an hour during the daytime, or
- (b) 50 miles an hour during the night time.

(2) Except where a higher rate of speed is prescribed pursuant to section 220, no person shall drive in an urban area at a greater rate of speed than 30 miles an hour.

95. (1) No person shall drive at a greater rate of speed than the maximum rate designated by signs erected along the highway pursuant to section 216 or 220.

(2) Where a speed limit is prescribed pursuant to section 216 or 220, the speed limit applies to all that part of the highway between the point where the first sign indicating the prescribed speed limit is posted and the point where a sign is posted indicating a greater or lesser speed or indicating that the prescribed speed limit has ceased to apply.

(3) In a prosecution for contravening this section, the existence of a sign indicating a maximum speed is *prima facie* proof that the maximum speed limit was regularly prescribed by the proper authority without other or further proof thereof.

96. (1) On any day on which school is held, no driver shall drive within a school zone or playground zone outside an urban area at a rate of speed greater than 25 miles per hour at any time between

93. Maximum speed is to be appropriate to circumstances. Section 58 (1).

94. Standard maximum speed. Section 58 (2).

95. Higher or lower speeds permitted by signs. Section 59 (7a, 8, 9).

96. Speed in school and playground zones. Section 60. Sub-clauses (2, 3 and 4) are new as is the reference to playground zones.

- (a) 8:00 o'clock and 9:30 o'clock in the morning, or
- (b) 11:30 o'clock in the morning and 1:30 o'clock in the afternoon, or
- (c) 3:00 o'clock and 4:30 o'clock in the afternoon.

(2) On any day on which school is held, no driver shall drive within a school zone within an urban area at any rate of speed greater than 20 miles per hour between

- (a) 8:00 o'clock and 9:30 o'clock in the morning, or
- (b) 11:30 o'clock in the morning and 1:30 o'clock in the afternoon, or
- (c) 3:00 o'clock and 4:30 o'clock in the afternoon.

(3) No driver shall drive within a playground zone within an urban area at a rate of speed greater than 20 miles per hour between the hours of 8:30 o'clock in the morning and 6:00 o'clock in the afternoon.

(4) No driver shall pass a vehicle or attempt to pass a vehicle moving in the same direction in a school zone or a playground zone.

(5) A school zone or playground zone ends where a traffic control device indicates a greater rate of speed or the end of the school zone or playground zone.

(6) In this section "school zone" and "playground zone" mean a zone on a highway identified by a traffic control device as an area wherein children may be expected to be on the highway or are permitted to cross the highway at a designated point along the highway.

97. (1) A driver who is proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall drive

- (a) in the right hand traffic lane then available for traffic, or
- (b) as close as practicable to the right hand curb or edge of the roadway,

except when overtaking and passing another vehicle traveling in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

(2) Where a traffic control device directs slow moving traffic to use a designated traffic lane, a driver when driving slowly shall drive in that lane only.

98. (1) Subject to the other provisions of this Part, on a highway outside an urban area where there are two or more traffic lanes on the same side of the centre line for vehicles travelling in the same direction, a driver shall not drive in the traffic lane nearest the centre line unless he is driving at or near the maximum speed permitted.

(2) Subsection (1) does not prohibit a slower moving vehicle from using the traffic lane nearest to the centre

97. Slow moving vehicles to keep to the right. Section 66 (6, 8).
Subclause (2) is new.

98. Vehicles not to drive in inner lane except at or near maximum speed. Section 61 (3, 4).

line for the purpose of overtaking and passing another vehicle.

99. (1) No driver shall drive at such a slow rate of speed as to impede or block the normal and reasonable movement of traffic then existing on a highway, except when it is necessary to do so for safe operation or to comply with this Part.

(2) No person shall drive

(a) on a highway, or

(b) in traffic,

at a slower rate of speed than the minimum speed designated therefor by signs erected along the highway pursuant to section 216.

(3) Where a driver drives contrary to this section, a peace officer may require him

(a) to increase his rate of speed, or

(b) to remove his vehicle from the roadway, or

(c) to drive in a different traffic lane,

and if that person fails to obey the order of the peace officer he is guilty of an offence.

Driving on Right Side of Roadway

100. (1) No person shall drive to the left of the centre line of a highway except

(a) when overtaking and passing another vehicle travelling in the same direction, or

(b) when the roadway to the right of the centre line is obstructed by a parked vehicle or other object, or

(c) when the roadway to the right of the centre line is closed to traffic, or

(d) when turning left off the highway into another highway or into a private road or driveway, or

(e) when a traffic control device otherwise requires or permits, or

(f) upon a one-way highway.

(2) Where a highway is divided into two or more roadways by a boulevard, ditch or other physical barrier, no person shall drive into, across or along the boulevard, ditch or physical barrier.

(3) No person shall drive across any boulevard, ditch or sidewalk except at proper and lawful vehicular crossings provided therefor.

101. Where the condition of a section of roadway is such that it is impractical or unsafe for two vehicles being driven in opposite directions to pass each other in a normal manner,

99. Travelling at too slow a speed. Section 61 (1, 2).

100. Driving on right hand side of the road. Section 66 (1), 67 (4) and 76 (9).

101. Meeting and passing oncoming vehicles. Section 64.

- (a) if a vehicle is being driven upon that section, another driver approaching that section from the opposite direction shall stop before entering upon the section and shall not proceed until the oncoming vehicle reaches and passes him, or
- (b) if two vehicles are being driven upon that section in opposite directions and meet thereon, each of the drivers shall immediately stop and before proceeding to pass the other shall take all reasonable steps to learn whether he can do so with safety to himself and others, and, if required, each of the drivers shall assist the other to pass in safety.

102. (1) On a highway:

- (a) where double solid lines exist between traffic lanes, a driver shall not cross the double solid lines from one lane to another;
- (b) where, in an urban area, a single solid line only exists between traffic lanes, a driver shall not cross the single solid line from one lane to another except when overtaking and passing another vehicle;
- (c) where, outside an urban area, a single solid line only exists between traffic lanes, a driver shall not cross the single solid line from one lane to another;
- (d) where a single solid line and a broken line together exist between traffic lanes, a driver may cross the solid line from the lane in which the broken line is located and recross when overtaking and passing another vehicle;
- (e) where one or more broken lines only exist between traffic lanes, a driver may cross the broken line or lines from one lane into another.

(2) Before driving from one traffic lane into another,
a driver

- (a) shall signal his intention to do so in the manner prescribed by the regulations, and
- (b) shall give the signal in sufficient time to provide a reasonable warning to other persons of his intentions.

(3) Notwithstanding subsection (1), a driver may cross
a single or double solid line

- (a) when necessary to turn left into a private road or driveway, or
- (b) when necessary upon entering the highway from a private road or driveway, or
- (c) when necessary to enter a parking lane on the right side of the centre line.

102. Rules for traffic lanes. Section 67 (1, 2) in part and new.

(4) Notwithstanding anything in this section, a driver shall not

- (a) drive from one traffic lane to another, or
- (b) cross a solid or broken line

when the movement cannot be made in safety.

103. (1) On a three traffic lane highway, a driver shall not drive in the centre traffic lane except

- (a) when passing another vehicle proceeding in the same direction, or
- (b) when approaching an intersection where he intends to turn left, or
- (c) when a traffic control device otherwise permits.

(2) Subsection (1) does not apply to a one-way highway.

104. A driver shall drive on a one-way highway only in the direction designated by the signs on or along the highway.

Following Other Vehicles

105. (1) No driver shall follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the vehicles, and the amount and nature of traffic upon and the condition of the highway.

(2) The driver in a caravan or motorcade, other than a funeral procession, on a highway outside an urban area, hamlet or a built-up area along the highway, shall leave sufficient space between his vehicle and another vehicle or combination of vehicles to enable a vehicle to enter and occupy that space without danger.

Overtaking and Passing

106. (1) A driver shall not pass or attempt to pass another vehicle travelling in the same direction

- (a) when proceeding uphill, or
- (b) when on a curve in the highway, or
- (c) when approaching within 100 feet of or traversing a level railway crossing,

unless a traffic control device otherwise directs or permits.

(2) Subsection (1) does not apply where there are two or more traffic lanes on the same side of the centre line for vehicles proceeding in that direction, and the driver desiring to pass can do so by continuing to drive on the right hand side of the centre line.

(3) Notwithstanding subsection (1), where a curve or grade on a highway is divided into traffic lanes by a broken line or by a broken line and a solid line existing together, a

103. Three-lane highways. Section 67 (1) (f).

104. One-way highways. Section 75 (3).

105. Rules for following vehicles. Section 66a.

106. Passing on hills and curves. Section 65.

driver may pass on the curve or grade if he crosses the solid line from the lane in which the broken line exists.

107. A driver shall not drive to or upon the left of the centre line of a highway in overtaking and passing another vehicle or an obstruction unless

- (a) the left side is clearly visible, and
 - (b) is free of oncoming and overtaking traffic,
- for a sufficient distance to permit overtaking and passing to be completely made without interfering with the safe operation of another vehicle.

108. (1) Subject to section 109, a driver overtaking another vehicle

- (a) shall pass to the left of the other vehicle at a safe distance, and
 - (b) shall not return to the right side of the roadway until safely clear of the overtaken vehicle.
- (2) Except when overtaking and passing on the right is permitted, a driver being overtaken by another vehicle
- (a) shall give way to the right in favour of the overtaking vehicle, and
 - (b) shall not increase his speed until completely passed by the overtaking vehicle.

109. (1) A driver may overtake and pass on the right of another vehicle

- (a) when the vehicle overtaken is making a left turn or its driver has signalled his intention to make a left turn, or
 - (b) upon a one-way highway where the roadway is of sufficient width for two or more lines of moving vehicles and is free from obstructions.
- (2) On a highway where there are two or more traffic lanes on the same side of the centre line for vehicles travelling in the same direction:
- (a) a driver overtaking another vehicle travelling in the same direction, may pass on the right or left of the other vehicle if there is a lane available for passing to the right or the left of the lane being used by the overtaken vehicle;
 - (b) a driver being overtaken by another vehicle travelling in the same direction shall remain in the lane in which he is driving so as to allow the overtaking vehicle free passage in the lane to the right or the left of the lane in which the overtaken driver is travelling.

107. Oncoming vehicles not to be endangered when passing.
Section 66 (3).

108. Manner of overtaking and passing. Section 66 (2, 4), 67
(1) (k).

109. Passing on the right. Section 67 (1) (h), (k), (i) subclause.

110. Notwithstanding anything in this Part, a driver shall not overtake and pass or attempt to overtake or to pass another vehicle

- (a) when the movement cannot be made safely, or
- (b) by driving off the roadway, or
- (c) by driving in a parking lane.

Turns

111. Before turning a vehicle to the left or right the driver

- (a) shall signal his intention to do so in such manner as may be prescribed by the regulations, and
- (b) shall give the signal in sufficient time to provide a reasonable warning to other persons of the intention of the driver.

112. (1) A driver intending to turn right from a two-way highway onto another two-way highway shall make the turn

- (a) by driving as closely as practicable to the right curb or edge of the roadway while approaching the intersection and turning, and
- (b) upon leaving the intersection by driving as closely as practicable to the right curb or edge of the roadway then entered,

unless a traffic control device otherwise directs or permits.

(2) A driver intending to turn right to enter or leave a one-way highway shall drive as closely as practicable to the right curb or edge of the roadway when entering and leaving the intersection, unless a traffic control device otherwise directs or permits.

(3) On a laned highway, a driver approaching an intersection and intending to turn right

- (a) shall drive in the traffic lane nearest to the right hand side of the roadway, and
- (b) may pass any other vehicle travelling in the same direction in a lane to his left,

unless a traffic control device otherwise directs or permits.

(4) A driver approaching an intersection and intending to turn right shall, wherever practicable, drive his vehicle into the position required by this section at least 50 feet before reaching that intersection.

113. (1) A driver intending to turn left from a two-way highway onto another two-way highway shall make the turn

- (a) by driving to the right of and as closely as practicable to the centre line of the highway while approaching the intersection and turning, and

110. Passing restrictions. Section 66 (9), 67 (3).

111. Signalling turns. Section 71.

112. Right turns. Section 73, 75 (1) (b), 67 (1) (e).

113. Left turns. Section 74 (1), 75 (1) (a), 67 (1) (d).

(b) upon leaving the intersection by driving to the right of and as closely as practicable to the centre line of the highway then entered,

unless a traffic control device otherwise directs or permits.

(2) A driver intending to turn left from a two-way highway onto a one-way highway shall make the left turn

(a) by driving to the right of and as closely as practicable to the centre line of the two-way highway where it enters the intersection, and

(b) upon leaving the intersection by driving as closely as practicable to the left hand side of the one-way highway entered,

unless a traffic control device otherwise directs or permits.

(3) A driver intending to turn left from a one-way highway onto a two-way highway shall make the left turn

(a) by driving as closely as practicable to the left side of the one-way highway where it enters the intersection, and

(b) upon leaving the intersection by driving to the right of and as closely as practicable to the centre line of the two-way highway entered,

unless a traffic control device otherwise directs or permits.

(4) A driver intending to turn left from a one-way highway onto another one-way highway shall make the left turn

(a) by driving as closely as practicable to the left hand side of the one-way highway where it enters the intersection, and

(b) upon leaving the intersection by driving as closely as practicable to the left hand side of the other one-way highway entered,

unless a traffic control device otherwise directs or permits.

(5) On a laned highway, a driver approaching an intersection and intending to turn left shall drive in the left hand traffic lane available to traffic moving in the direction of travel of his vehicle, unless a traffic control device otherwise directs or permits.

(6) A driver approaching an intersection and intending to turn left shall, wherever practicable, drive his vehicle into the position required by this section at least 50 feet before reaching that intersection.

114. On a laned highway when a traffic lane is marked by a traffic control device

(a) showing a directional arrow or arrows without any accompanying words, or

(b) showing a directional arrow or arrows in combination with the word "only", or

114. Directional arrows controlling movement. New—see section
75 (2).

(c) showing the words "left turn only", "through only" or "right turn only",
a driver travelling in that lane may make only the movement indicated by the traffic control device at the intersection or other place to which the traffic control device applies.

U-Turns

115. (1) A driver shall not turn his vehicle so as to proceed in the opposite direction unless he can do so without interfering with other traffic.

(2) A driver shall not turn his vehicle so as to proceed in the opposite direction

(a) upon a curve, or

(b) upon the approach to or near the crest of a grade where his vehicle cannot be seen by the driver of another vehicle approaching from either direction within 500 feet.

(3) In an urban area a driver shall not turn his vehicle so as to proceed in the opposite direction

(a) on a roadway between intersections, or

(b) at a place where a sign prohibits making a U-turn,
or

(c) at an intersection controlled by a traffic control signal, or

(d) at a lane intersection, or

(e) at any other intersection unless the movement can be made in safety.

116. (1) The driver of a school bus shall not make a U-turn on any highway other than a four-lane divided highway.

(2) The driver of a school bus shall not make a U-turn on a four-lane divided highway if the total length of the school bus exceeds the shortest distance separating the traffic lanes for traffic proceeding in one direction from the traffic lanes for traffic proceeding in the opposite direction.

(3) The driver of a school bus making a U-turn on a four-lane divided highway shall, before completing the turn, bring the school bus to a stop on the cross-road so that no part of the bus projects over the traffic lanes on either side of the centre strip of the divided highway.

Backing

117. No person shall back up a motor vehicle unless the movement can be made

(a) in safety, and

115. U-turns. New.

116. U-turns by school buses. Section 79a.

117. Backing up. New.

- (b) without interfering with other traffic on the highway.

Yielding and Stopping

118. (1) Except as otherwise provided in this Part, when two vehicles approach or enter an intersection from different highways at approximately the same time, the driver of the vehicle to the left shall yield the right of way to the vehicle on the right.

(2) A driver approaching an intersection shall yield the right of way to any vehicle that has entered the intersection from another highway.

(3) A driver intending to turn to the left across the path of any vehicle approaching from the opposite direction may make such left turn only if he affords a reasonable opportunity to the driver of the other vehicle to avoid a collision.

119. Before stopping a vehicle the driver

- (a) shall signal his intention to do so in such manner as may be prescribed by the regulations, and
- (b) shall give the signal in sufficient time to provide a reasonable warning to other persons of the intention of the driver.

120. (1) A driver about to enter upon

- (a) a primary highway or street from a road, alley, lane or driveway, or
 - (b) an alley, lane or private road from a driveway,
- shall, unless the intersection of the two roadways is marked with a "yield" sign, bring his vehicle to a stop
- (c) before entering upon the intersecting roadway and at a point no further than 10 feet from the intersecting roadway, or
 - (d) if there is a marked crosswalk on the near side of the intersection, immediately before entering upon the crosswalk, or
 - (e) if there is a marked stop line on the near side of the intersection, at the stop line.

(2) Notwithstanding subsection (1)

- (a) a driver emerging from any lane or driveway shall stop his vehicle before driving onto a sidewalk crossing and shall yield the right of way to any pedestrian on the sidewalk or sidewalk crossing, and
- (b) a driver entering any lane or driveway shall yield the right of way to any pedestrian on a sidewalk or sidewalk crossing.

118. Right of way at intersections. Section 72 (1), 74 (3).

119. Signalling stops. Section 71.

120. Stopping or entering one class of highway from another.
Section 76 (1, 2, 8).

(3) In this section "street" means a street within the meaning of *The Public Highways Development Act*.

121. (1) A driver about to enter upon

- (a) any highway from a highway that is marked by a "stop" sign, or
- (b) any intersection that is marked by a "stop" sign as an intersection at which vehicles are required to stop when entering the intersection from a particular highway,

shall bring his vehicle to a stop

- (c) before entering upon the intersecting roadway and at a point no further than 10 feet from the intersecting roadway, or
- (d) if there is a marked crosswalk on the near side of the intersection, immediately before entering upon the crosswalk, or
- (e) if there is a marked stop line on the near side of the intersection, at the stop line.

(2) In a prosecution for contravening this section, the existence of a sign indicating "stop" is *prima facie* proof that the sign was properly designated and erected by the proper authority without other or further proof thereof.

122. Where a driver is required to stop pursuant to section 120 or 121,

- (a) he shall not proceed until the condition of the traffic upon the highway being entered upon is such that he can enter thereon in safety, and
- (b) he shall yield the right of way to all traffic approaching thereon.

123. (1) A driver about to enter upon a highway that is marked by a "yield" sign need not stop his vehicle before entering thereon but he shall yield the right of way to all traffic upon the highway being entered upon.

(2) In a prosecution for contravening this section, the existence of a sign indicating "yield" is *prima facie* proof that the sign was properly designated and erected by the proper authority without other or further proof thereof.

124. Unless otherwise directed by a sign, a driver travelling in a traffic circle shall yield the right of way to any other vehicle that is travelling to his left in the circle.

125. (1) A driver shall yield the right of way to a pedestrian crossing the roadway within a crosswalk.

(2) Whenever any vehicle is stopped at a crosswalk to permit a pedestrian to cross the roadway, any other driver

121. Stop signs. Section 76 (3, 10).

122. Proceeding after stop. Section 76 (4).

123. Yield signs. Section 72 (2), 76 (5, 10).

124. Traffic circles. Section 72 (3).

125. Yielding to pedestrians. Section 83 (2, 4, 5, 6).

approaching from the rear shall not overtake and pass the stopped vehicle.

(3) At any place upon a roadway other than at a crosswalk the driver of a vehicle has the right of way over pedestrians, unless otherwise directed by a peace officer or a traffic control signal, but nothing in this subsection relieves a driver from the duty of exercising due care for the safety of pedestrians.

126. (1) A driver meeting or being overtaken or being approached from the right or left by a vehicle on which a siren is being sounded shall bring his vehicle to a stop at the extreme right of the roadway and shall remain stopped until the vehicle sounding the siren has passed.

(2) On a one-way highway where there are more than two traffic lanes a driver meeting or being overtaken or being approached from the right or left by a vehicle on which a siren is being sounded, shall drive his vehicle as close as practicable to either the right or left of the roadway whichever is nearer, and shall bring his vehicle to a stop and shall remain stopped until the vehicle sounding its siren has passed.

(3) Subsections (1) and (2) do not operate so as to relieve the driver of an authorized emergency vehicle from the duty of driving with due regard to the safety of all persons using the highway.

127. (1) At a railway crossing at any time when

- (a) a clearly visible electrical or mechanical signal device gives warning of the approach of a railway train, or
- (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 within approximately 1500 feet of the crossing is approaching the crossing and either sounds an audible signal or is visible, or
- (d) a railway train is visible and approaching the crossing and by reason of its speed or nearness is an immediate hazard,

a driver approaching the railway crossing

- (e) shall stop his vehicle no closer than 15 feet from the nearest rail of the railway, and
- (f) shall not proceed until the train
 - (i) has passed by the railway crossing, or
 - (ii) has come to a stop and he can do so safely.

(2) No person shall drive 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.

126. Yielding to vehicle with siren. Section 69 (2, 2a, 3).

127. Railway crossings. Section 80.

(3) Where a stop sign is erected at a railway crossing, a driver approaching the railway crossing

- (a) shall stop his vehicle
 - (i) no closer than 15 feet, and
 - (ii) no further than 50 feet, from the nearest rail of the railway, and
- (b) shall not proceed until he can do so safely.

(4) In the case of

- (a) a vehicle carrying passengers for compensation, or
- (b) a school bus, or
- (c) a vehicle carrying explosive substances as cargo, or
- (d) a vehicle used for carrying flammable liquids or gas, whether or not it is then empty,

a driver of such a vehicle approaching a railway crossing,

- (e) shall stop his vehicle
 - (i) no closer than 15 feet, and
 - (ii) no further than 50 feet from the nearest rail of the railway, and
- (f) remaining stopped, shall look and listen in both directions along the railway for an approaching train and for signals indicating the approach of a train, and
- (g) shall not proceed until he can do so safely.

(5) When a driver of a school bus has stopped as required by subsection (4) and before proceeding he shall for the purposes of subsection (4) also open the front door and, where practicable to do so with one hand, open the window immediately to his left.

(6) Where a driver has stopped and is proceeding as required in subsection (4), 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) Subsections (4), (5) and (6) do not apply

- (a) where a peace officer or a traffic control device directs traffic to proceed, or
- (b) if the railway crossing is provided with a signal device to indicate the approach of a train, when the signal device is not indicating the approach of a train.

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

128. (1) When a vehicle bearing the sign "school bus" has stopped on a highway outside an urban area to receive or discharge passengers or while the vehicle is displaying

128. Stopped school buses. Section 79.

alternately flashing red lights, a driver approaching the school bus

- (a) from the rear, if the highway is a four-lane divided highway, or
 - (b) from either direction, if the highway is a two-lane highway or a four-lane undivided highway,
- shall stop before reaching the school bus.

(2) A person who is required by subsection (1) to stop before reaching a school bus shall not proceed to pass the school bus

- (a) until the school bus resumes motion, or
- (b) until the driver of the school bus indicates by a signal that he may proceed, or
- (c) where the school bus is displaying alternately flashing red lights, until the lights stop flashing.

Traffic Lights

129. (1) When a green light alone is shown at an intersection by a traffic control signal the driver of a vehicle facing the green light

- (a) may proceed straight through the intersection or may turn left or right, subject to a sign or signal prohibiting such a left or right turn, or both, or designating the turning movement permitted,
- (b) shall yield the right of way to pedestrians lawfully within the intersection or within an adjacent crosswalk at the time the green light is shown, and
- (c) shall, if turning left or right, yield the right of way to other vehicles lawfully within the intersection at the time the green light is shown.

(2) When a green light alone is shown at a place other than an intersection by a traffic control signal the driver of a vehicle facing the green light

- (a) may proceed to pass the signal, and
- (b) shall yield the right of way to any pedestrian still in the roadway or on a crosswalk, if any, in the vicinity of the signal when the green light is shown.

(3) When a green arrow is shown at an intersection by a traffic control signal the driver of a vehicle facing the green arrow may enter the intersection and make only the movement indicated by the green arrow, but shall yield the right of way

- (a) to pedestrians lawfully within the intersection or within an adjacent crosswalk, and
- (b) to other vehicles lawfully within the intersection.

(4) When a green arrow and a red light are shown at the same time at an intersection by a traffic control signal

129. Green traffic lights. Section 75a (2) (a), (3) (a), (8) (a), (9) (a, b), (19). Subclause (5) is new.

- (a) the driver of a vehicle approaching the intersection and facing the green arrow and red light may, without stopping, cautiously enter the intersection and make only the movement indicated by the green arrow, and
 - (b) the driver of the vehicle shall yield the right of way to pedestrians lawfully within the intersection or within an adjacent crosswalk and to other vehicles lawfully within the intersection.
- (5) Where rapid intermittent flashes of green light are shown at an intersection by a traffic control signal together with a sign or symbol indicating that it is an advanced light, the driver of a vehicle facing the flashes of green light
- (a) has the right of way over any vehicles facing him across the intersection and may enter the intersection and turn left, or
 - (b) may proceed straight through the intersection or turn right,
- while the light is flashing, but he shall yield the right of way to pedestrians lawfully within the intersection or within an adjacent crosswalk and to other vehicles lawfully within the intersection at the time the flashing green light is shown.
- (6) This section does not apply so as to prohibit a bus that forms part of the municipal bus system of a municipality turning at an intersection in the direction determined by the proper transportation officials of the municipality.

130. (1) When a yellow light is shown at an intersection by a traffic control signal at the same time as or following the showing of a green light the driver of a vehicle approaching the intersection and facing the yellow light shall stop before entering the marked crosswalk on the near side of the intersection or, if there is no such marked crosswalk, then before entering the intersection, unless such a stop cannot be made in safety.

(2) When a yellow light is shown at a place other than an intersection by a traffic control signal at the same time as or following the showing of a green light the driver of a vehicle approaching the signal shall stop before reaching the signal or before entering the nearest crosswalk, if any, in the vicinity of the signal, unless such a stop cannot be made in safety.

(3) When rapid intermittent flashes of yellow light are shown at an intersection by a traffic control signal the driver of a vehicle facing the flashes of yellow light may enter the intersection and proceed only with caution, but shall yield the right of way to pedestrians lawfully within the intersection or an adjacent crosswalk and to other vehicles lawfully within the intersection.

130. Yellow traffic lights. Section 75a (4) (a), (5) (a), (12) (a), (13) (a), (14).

(4) When rapid intermittent flashes of yellow light are shown at a place other than an intersection by a traffic control signal the driver of a vehicle approaching the signal may pass the signal only with caution and shall yield the right of way to pedestrians in the roadway or on a crosswalk, if any, in the vicinity of the signal.

(5) When rapid intermittent flashes of yellow light are shown at an intersection or other place together with a sign reading or symbol indicating "school zone", "school crossing", "pedestrian crossing", "pedestrian zone" or other wording or symbol indicating a pedestrian hazard, the driver of a vehicle approaching the signal

- (a) shall cross the intersection or pass the sign, if at a place other than an intersection, only with extreme caution and shall in no case cross the intersection or pass the sign at a greater rate of speed than 20 miles an hour, and
- (b) shall yield the right of way to pedestrians in the intersection or on the roadway in the vicinity of the sign, as the case may be.

131. (1) When a red light alone is shown at an intersection by a traffic control signal the driver of a vehicle approaching the intersection and facing the red light

- (a) shall stop before entering the marked crosswalk on the near side of the intersection or, if there is no such marked crosswalk, then before entering the intersection, and
- (b) shall not proceed until a traffic control signal instructs him that he is permitted to do so,

except that, unless a traffic control device prohibits a right turn to be made on the red light, he may turn and proceed right at the intersection but only after stopping and after yielding the right of way to all vehicles and pedestrians in the intersection.

(2) When a red light is shown at a place other than an intersection by a traffic control signal the driver of a vehicle approaching the signal shall stop before reaching the signal or before entering the nearest crosswalk, if any, in the vicinity of the signal.

(3) When rapid intermittent flashes of red light are shown at an intersection by a traffic control signal the driver of a vehicle approaching the intersection and facing the flashes of red light

- (a) shall stop before entering the marked crosswalk on the near side of the intersection or, if there is no such marked crosswalk, then before entering the intersection, and
- (b) shall not proceed until it is safe to do so.

131. Red traffic lights. Section 75a (6) (a) amended to permit right turns, (7) (a), (10) (a), (11) (a).

- (4) When rapid intermittent flashes of red light are shown at a place other than an intersection by a traffic control signal the driver of a vehicle approaching the signal
- (a) shall stop before reaching the signal or before entering the nearest crosswalk, if any, in the vicinity of the signal, and
 - (b) may, after having stopped, proceed to pass the signal and the crosswalk, if any, only if conditions of pedestrian traffic in the roadway or a crosswalk, if any, in the vicinity of the signal are such that the vehicle can do so with safety.

Use of Headlights

132. At any time during the night time hours or at any other time when, due to insufficient light or unfavourable atmospheric conditions, objects are not clearly discernible on the highway at a distance of 500 feet ahead:

- (a) no motor vehicle or tractor or self-propelled implement of husbandry shall be in motion on a highway unless both headlamps are alight and are providing sufficient light to make objects on the highway clearly visible,
 - (i) in the case of a motor vehicle at distances specified in section 50, 52 or 53, as the case may be, and
 - (ii) in the case of a tractor or self-propelled implement of husbandry at distances specified in section 54;
- (b) no motor cycle or bicycle shall be in motion upon a highway unless the lamp or lamps with which it is required to be equipped are alight;
- (c) no motor vehicle or tractor or self-propelled implement of husbandry or trailer shall be in motion upon a highway unless the tail lamps with which it is required to be equipped are alight;
- (d) no motor vehicle or tractor or self-propelled implement of husbandry shall be stationary on a highway outside the corporate limits of any city, town or village unless either
 - (i) the tail lamps with which it is required to be equipped are alight, or
 - (ii) it has affixed thereto reflectors of any type approved by the regulations and so fixed as to reflect the lights of any motor vehicle approaching the stationary vehicle from the rear;
- (e) no vehicle other than a motor vehicle, trailer, motor cycle or bicycle shall be upon any highway whether in motion or stationary unless
 - (i) there is displayed thereon at least one light visible at a distance of at least 100 feet from the front of and behind that vehicle, or

132. Use of headlights. Section 46.

- (ii) there are affixed thereon reflectors towards the front and reflectors at the rear thereof of a type approved by the regulations, the ones at the front so affixed as to reflect the lights of any motor vehicle approaching from the front and the ones at the rear so affixed as to reflect the lights of any motor vehicle approaching from the rear;
- (f) no trailer shall be upon any highway unless it has at the rear thereof two reflectors
 - (i) of a type approved by the regulations, and
 - (ii) affixed as prescribed by the regulations so as to reflect the lights of any motor vehicle approaching from the rear;
- (g) no trailer having a width at any part, including a load thereon, in excess of 80 inches and drawn by or attached to a motor vehicle, shall be upon any highway unless it has affixed in conspicuous positions, as near the top as practical, at least one lighted amber clearance light on each side of the front and at least one lighted red clearance light on each side of the rear;
- (h) no self-propelled mobile home having a width at any part, including the load thereon, in excess of 80 inches, shall be in motion upon any highway unless it has affixed in conspicuous positions, as near the top as practical, at least one lighted amber clearance light on each side of the front and at least one lighted red clearance light on each side of the rear.

133. (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.

(2) When a driver of a vehicle approaches within 1000 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 50 shall be deemed to avoid glare regardless of the road contour or loading or time of day.

(4) When the driver of a vehicle follows within 500 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).

133. Use of high beam. Section 39.

Parking

134. (1) No person shall park a vehicle upon a roadway outside of an urban area when it is practicable to park the vehicle off the roadway and in no event shall a person park a vehicle upon the roadway

- (a) unless a clear and unobstructed width opposite the vehicle is left for free passage of other vehicles thereon, and
- (b) unless a clear view of the parked vehicle may be obtained for a distance of 200 feet along the roadway in both directions.

(2) Notwithstanding subsection (1), except in cases of emergency and except as otherwise permitted by law, no person shall park a vehicle on any portion of a primary highway outside an urban area within 500 feet of an intersection or a point where a sign prohibiting parking is erected.

(3) No vehicle shall remain at a standstill on a highway for longer than one minute at any place within 30 feet of the point of intersection of that highway with any other highway.

(4) Nothing in this section shall be construed to prohibit police vehicles, ambulances, vehicles engaged in highway repair, maintenance or inspection work from parking upon the roadway of a highway when it is advisable to do so to prevent accidents, giving warning of hazards, or of persons on the highway or to remove injured persons or to repair roadway or for similar purposes.

(5) Subsection (1) does not prohibit the driver of an Alberta Government Telephones vehicle from parking the vehicle upon the roadway 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.

(6) Nothing in this section shall be construed to prohibit the driver of a school bus from parking the school bus on the roadway of a highway for the purpose of loading or unloading passengers if he cannot park off the roadway and still have a suitable space available on the ground for the passengers being loaded or unloaded.

135. Unless required or permitted by this Act or by a traffic control device, or in compliance with the directions of a peace officer, or to avoid conflict with other traffic, a driver shall not stop or park his vehicle

- (a) on a sidewalk or boulevard, or
- (b) on a crosswalk or on any part of a crosswalk, or
- (c) within an intersection, or
- (d) at an intersection nearer than 15 feet to the projection of the corner property line immediately ahead

134. Parking on the highway. Section 70.

135. Other parking restrictions. New.

or immediately to the rear, except when his vehicle is parked in a space where a parking meter or other traffic control device indicates parking is permitted,

or

- (e) within 15 feet upon the approach to any stop sign or yield sign, or
- (f) within 15 feet of any fire hydrant, or when the hydrant is not located at the curb, within 15 feet of the point on the curb nearest the hydrant, or
- (g) in such a manner as to obstruct access to a garage, private road or driveway, or a vehicle crossway over a sidewalk, or
- (h) within 15 feet of the near side of a marked crosswalk, or
- (i) alongside or opposite any street excavation or obstruction when stopping or parking would obstruct traffic, or
- (j) on any bridge or in any subway or on the approaches thereto, or
- (k) at any other place where a traffic control device prohibits stopping or parking during such times as stopping or parking is so prohibited, or
- (l) on the roadway side of a vehicle parked or stopped at the curb or edge of the roadway.

136. (1) When parking on a roadway, a driver shall park his vehicle with the sides thereof parallel to the curb or edge of the roadway and

- (a) with the right hand wheels thereof not more than 18 inches from the right hand curb or edge of the roadway, or
- (b) in the case of a one-way highway where parking on either side is permitted, with the wheels closest to a curb or edge of the roadway not more than 18 inches from that curb or edge.

(2) This section does not apply where angle parking is permitted or required.

137. (1) Where a sign indicates that angle parking is permitted or required and parking guide lines are visible on the roadway, a driver shall park his vehicle

- (a) with the sides thereof between and parallel to any two such lines, and
- (b) with one front wheel thereof not more than 18 inches from the curb or edge of the roadway.

(2) Where a sign indicates that angle parking is permitted or required but no parking guide lines are visible on the roadway, a driver shall park his vehicle

136. Parallel parking. New.

137. Angle parking. New.

- (a) with the sides thereof at an angle of between 30 and 60 degrees to the curb or edge of the roadway, and
- (b) with one front wheel thereof not more than 18 inches from the curb or edge of the roadway.

138. No person shall permit a vehicle to stand unattended upon any grade or slope without first having

- (a) effectively set the brake thereon, and
- (b) turned the front wheels to the nearest curb or edge of the roadway in such a manner as to impede any movement of the vehicle.

139. No person shall leave a vehicle unattended on a highway if the vehicle has been placed on a jack or a similar device and

- (a) one or more wheels have been removed from the vehicle, or
- (b) part of the vehicle is raised.

PART 6

OTHER PROHIBITIONS

140. Every person who drives a vehicle on a highway

- (a) without due care and attention, or
- (b) without reasonable consideration for the persons using the highway,

is guilty of the offence of driving carelessly and liable on summary conviction to a fine of not more than \$1,000 or to imprisonment for a term of not more than six months.

141. No person shall drive a vehicle upon a highway in a race or on a bet or wager.

142. No person shall draw or tow by a motor vehicle on a highway any person riding a sled, toboggan, skis or bicycle.

143. No person shall perform or engage in any stunt or other activity upon a highway that is likely to unduly distract the attention of the drivers of vehicles.

144. No person shall drive a vehicle upon a highway if the view through the windshield or windows thereof is so obscured by mud, frost, steam or otherwise as to make the driving of the vehicle hazardous or dangerous.

145. (1) No driver shall permit any person to occupy the front seat of his vehicle in such a manner as to impede the driver in the free and uninterrupted access to and use of

138. Parking on hills. Section 70 (6).

139. Vehicle on jack. New.

140. Careless driving. Section 135.

141. Racing on highway. Section 92.

142. Towing sleds, etc., prohibited. Section 92a.

143. Stunts prohibited. Section 92b.

144. Windshield to be unobscured. Section 55a (3).

145. Interference with driver's vision or control. Section 93.

the steering wheel, brakes and other equipment required to be used for the safe operation of the vehicle on a highway, nor shall any driver permit any person in the vehicle to cause any obstruction to his clear vision in any direction.

(2) No person shall ride in such position in a vehicle so as to interfere with the driver's control over the driving mechanism of the vehicle or so as to obstruct his clear vision in any direction.

146. (1) No person shall occupy or permit any other person to occupy a house trailer while it is being moved upon a highway.

(2) In this section "house trailer" means a vehicle capable of being attached to and drawn by a motor vehicle and designed, constructed or equipped as a dwelling place, living abode or sleeping place.

147. (1) No person shall ride or permit any other person to ride on the outside of a motor vehicle in an urban area.

(2) Subsection (1) does not apply to a person riding

(a) on a regular seat on a motor cycle, or

(b) in the box of a truck.

148. (1) No person under the age of 16 years shall drive a tractor or self-propelled implement of husbandry on a primary highway.

(2) No person shall permit another person under the age of 16 years to drive a tractor or self-propelled implement of husbandry on a primary highway.

149. (1) No person under the age of 14 years shall drive a tractor or a self-propelled implement of husbandry on a highway.

(2) No person shall permit another person under the age of 14 years to drive a tractor or a self-propelled implement of husbandry on a highway.

150. (1) No person shall litter a highway.

(2) A person who litters a highway is guilty of an offence and liable on summary conviction to a fine of not more than \$100.

(3) In this section "litter" means deposit or cause or allow to be deposited

(a) any coal, brick, wood, manure, gravel, earth, garbage or other material forming any part of the load of a vehicle, or

(b) any glass, nails, tacks or scraps of metal, or

(c) any rubbish, refuse or waste.

146. Passengers in house trailers. Section 87b.

147. Riding on outside of vehicles. New.

148. Age limits for drivers of tractors and other farm implements on primary highways. Section 16 (8, 8a).

149. Age limit on any highway. Section 16 (8b, 8c).

150. Littering a highway. Section 88, 145a.

151. (1) A person who removes a wrecked or damaged vehicle from a highway shall remove glass or other injurious substance or thing dropped upon the highway from the vehicle.

(2) A person who removes a wrecked or damaged vehicle from a highway without removing glass or other injurious substance or thing dropped upon the highway from the vehicle is guilty of an offence and liable on summary conviction to a fine of not more than \$100.

152. (1) No person shall open the door of a motor vehicle on a side available to moving traffic unless it is reasonably safe to do so.

(2) No person shall leave a door open on a side of a motor vehicle available to moving traffic.

153. No person shall use, interfere or tamper with any motor vehicle or any of its accessories or any thing placed therein or thereon, without the consent of the owner.

154. (1) No person shall sell or offer for sale or expose for sale any portion of a motor vehicle or of the engine thereof or any accessory therefor that has been serially numbered by the manufacturer or maker if the serial number has been removed, obliterated or defaced or if the serial number is not clearly visible.

(2) This section does not apply to the sale of retreaded or used tires.

155. (1) No person shall have in his possession a motor vehicle that does not have

(a) the manufacturer's serial number, or

(b) a special identifying number or mark authorized under section 30,

cut, embossed or otherwise permanently marked thereon in the space provided for such identification by the manufacturer.

(2) A person destroying or dismantling a motor vehicle in such a manner as to make it inoperative shall not use or allow the serial number plate of that motor vehicle to be used on any other motor vehicle.

156. No person shall operate a vehicle on a residential street within an urban area between the hours of 10:00 o'clock in the afternoon and 7:00 o'clock of the next forenoon so as to unduly disturb residents of any such street or part thereof.

157. (1) No person shall abandon a vehicle upon a highway.

151. Removing damaged vehicles from highway. Section 88, 145a.

152. Opening doors. Section 70 (7).

153. Tampering with vehicles. Section 84.

154. Serial numbers on parts. Section 99.

155. Serial numbers of motor vehicles. Section 15 (3, 4).

156. Disturbing residential areas. New.

157. Abandoning vehicles. Section 113a (1, 2).

(2) No person shall abandon a vehicle upon public or private property without the express or implied consent of the owner or person in lawful possession or control of the property.

158. (1) No person shall park on a highway

- (a) a vehicle displayed for sale, or
- (b) a vehicle displaying advertising directing persons to any commercial premises.

(2) No person shall

- (a) display any goods for sale, or
- (b) offer any goods for sale, or
- (c) sell any goods

upon a highway.

159. (1) No person shall place or maintain or display in view of persons using a highway any sign, marking or device

- (a) which purports to be or is in imitation of or resembles a traffic control device, or
- (b) which gives any warning or direction as to the use of the highway by any person.

(2) Subsection (1) does not apply to the placing, maintaining or displaying of a sign, marking or device

- (a) on publicly owned land by or under the authority of the Minister with respect to highways under his jurisdiction or the council of a municipality with respect to highways under its jurisdiction, or
- (b) on privately owned land for the purpose of regulating, warning or guiding traffic on a privately owned highway.

(3) When a sign, marking or device is placed, maintained or displayed in contravention of subsection (1), a peace officer or a person authorized by the Minister or the council of a municipality may, without notice or compensation, remove the sign, marking or device and may, for that purpose, enter upon privately owned land.

160. No person shall remove, throw down, deface or alter, injure or destroy a traffic control device placed, marked or erected upon a highway.

161. (1) No person shall place or cause to be placed any hand bill or other advertising matter upon or in a vehicle without the permission of the owner or the person in charge of the vehicle.

(2) Subsection (1) applies whether the vehicle is on a highway or on any public or privately owned property.

158. Advertising on highways. New.

159. Unauthorized traffic signs. Section 98 (1) and new.

160. Damaging traffic signs. Section 98 (2).

161. Placing handbills on vehicles. New.

PART 7

BICYCLES AND MOTOR CYCLES

162. (1) Unless the context otherwise requires, a person operating a bicycle or motor cycle on a highway has all the rights and is subject to all the duties that the driver of a vehicle has under Part 5.

(2) In this Part "cycle" means a bicycle or a motor cycle.

163. (1) No person under the age of 16 years shall operate a scooter or power bicycle unless the motor thereof is so adjusted or governed that the vehicle is unable to attain a speed in excess of 30 miles an hour.

(2) No person under the age of 16 years shall operate a scooter or power bicycle with a motor having a displacement or horsepower greater than that prescribed by the regulations.

164. (1) A person who is operating a cycle on a highway

- (a) shall keep both hands on the handlebars of his cycle, except when making a signal in accordance with this Act,
- (b) shall keep both feet on the pedals or foot rests of his cycle,
- (c) shall not ride other than upon or astride a regular seat of the cycle,
- (d) shall ride as near as practicable to the right hand curb or edge of the roadway, and
- (e) shall not use the cycle to carry more persons at one time than the number for which it is designed and equipped.

(2) A person shall not operate a cycle on a roadway where signs prohibit its use.

(3) A person who is riding as a passenger on a cycle

- (a) shall not ride other than upon a regular seat of the cycle intended for a passenger, and
- (b) shall keep
 - (i) both hands on the handgrips, and
 - (ii) both feet on the footrests, provided for the use of the passenger riding on the seat.

165. A person who is operating or riding as a passenger on a cycle shall not

- (a) hold onto, or
 - (b) attach himself to, or
 - (c) attach the cycle to,
- any other moving vehicle.

162. Application of Rules of the Road to bicycles and motor cycles. New.

163. Governor on scooters. Section 94 (1). Subclause (2) is new.

164. Manner of operating a cycle. New.

165. Holding on to moving vehicles. New.

166. A person operating a cycle on a highway

- (a) shall not ride to the side of another cycle travelling in the same direction, but
- (b) shall ride directly in line to the rear or front of the other cycle,

except when overtaking and passing the other cycle.

167. (1) No person shall operate a motor cycle, scooter or power bicycle unless he is wearing a safety helmet securely attached on his head.

(2) No person shall ride as a passenger on a motor cycle, scooter or power bicycle unless he is wearing a safety helmet securely attached on his head.

(3) Subsection (2) does not apply to a person who is riding as a passenger in a side car.

PART 8

ANIMALS

168. Unless the context otherwise requires, a person riding an animal or driving an animal-drawn vehicle upon a highway has all the rights and is subject to all the duties that the driver of a vehicle has under Part 5.

169. A person riding an animal on a highway

- (a) shall not ride to the side of another animal travelling in the same direction, but
- (b) shall ride directly in line to the rear or front of the other animal,

except when overtaking and passing the other animal.

170. (1) No domestic animal shall be on a highway unless it is in direct and continuous charge of a person who is competent to control it and who is controlling it in such manner that it does not obstruct or cause any damage to the highway or create any hazard to traffic on the highway.

(2) An employee of the Department of Highways or a peace officer may take into custody any animal that is on a highway contrary to subsection (1) and cause it to be taken to, fed and kept in a suitable place, and he has a lien upon the animal for the expenses of the removal, care, feeding and keeping of the animal.

(3) *The Livery Stable Keepers Act* applies *mutatis mutandis* for the purpose of recovering such expenses and disposing of any surplus moneys.

(4) Notwithstanding any action that may have been taken under subsection (2), the owner of an animal that

166. Riding in single file only. New — see section 66 (7).

167. Safety helmets to be worn. Section 94 (2, 3, 4).

168. Application of Rules of the Road to persons using animals.
New.

169. Riding in single file. New—see section 66 (7).

170. Control of domestic animals on highways. Section 89.

is on a highway contrary to subsection (1) is guilty of an offence and liable on summary conviction to a fine of not more than \$50.

(5) Subsections (1) to (4) do not apply to a highway, other than a primary highway, within the boundaries of any land

(a) held under a grazing lease or grazing permit, or

(b) established and operated as a community grazing reserve,

pursuant to *The Public Lands Act, 1966*.

(6) When any person is charged with an offence under this section, the judge trying the case may dismiss the case if he is of the opinion that the offence was committed wholly by accident or misadventure, and without negligence and that the person could not by the exercise of reasonable care or precaution have avoided the offence.

(7) In this section "highway" means a primary highway, a secondary road or rural road within the meaning of *The Public Highways Development Act*.

171. Nothing in section 170 imposes any civil liability for damages on the owner of an animal that is on a highway contrary to that section and any question of liability for damages arising in a civil action shall be determined as if that section had not been enacted.

PART 9

PEDESTRIANS

172. (1) Where a sidewalk or path is located beside a roadway, a pedestrian shall at all times when reasonable and practicable to do so, use the sidewalk or path and shall not walk or remain on the roadway.

(2) Where there is no sidewalk or footpath, a pedestrian walking along or upon a highway shall at times when reasonable and practicable to do so, walk only on the left side of the roadway or the shoulder of the highway facing traffic approaching from the opposite direction.

173. (1) Every pedestrian crossing a roadway shall cross as quickly as is reasonably possible without stopping or loitering or otherwise impeding the free movement of vehicles thereon.

(2) A pedestrian shall not step onto a roadway and walk or run into the path of any vehicle that is so close that it is impracticable for the driver of the vehicle to yield the right of way.

171. Civil liability under clause 170. Section 89 (5).

172. Pedestrians to avoid walking along roadways when possible. Section 83 (8, 9).

173. Manner in which pedestrians to cross roads. Section 83 (5a). Subclause (2) is new.

174. Every pedestrian crossing a roadway at any point other than within a crosswalk shall yield the right of way to vehicles upon the roadway.

175. At a place where there is a crosswalk a pedestrian has the right of way over vehicles for the purpose of crossing the roadway within the crosswalk, unless otherwise directed by a peace officer or a traffic control signal, but nothing in this section relieves a pedestrian from the duty of exercising due care for his own safety.

176. (1) Where a green light alone is shown at an intersection by a traffic control signal, a pedestrian facing the green light

- (a) may proceed across the roadway within any crosswalk, subject to any special pedestrian traffic control signal directing him otherwise, and
- (b) has the right of way for that purpose over all vehicles.

(2) Where a green light alone is shown facing the vehicular traffic at a place other than an intersection by a traffic control signal,

- (a) a pedestrian shall not enter the roadway in the vicinity of the signal until either
 - (i) the traffic control signal facing the vehicular traffic shows a red light, or
 - (ii) a traffic control signal instructs him that he may cross the roadway,and
- (b) a pedestrian still in the roadway or on a crosswalk in the vicinity of the signal when the green light is shown shall proceed as quickly as possible from the roadway.

(3) Where a green arrow is shown at an intersection by a traffic control signal, a pedestrian facing the green arrow shall not enter the roadway unless or until

- (a) a pedestrian traffic control signal, or
- (b) the showing of a green light by a traffic control signal

instructs him that he is permitted to do so.

(4) Where a green arrow and a red light are shown at the same time at an intersection by a traffic control signal, a pedestrian facing the green arrow and red light shall not enter the roadway unless or until

- (a) a pedestrian traffic control signal, or
- (b) the showing of a green light by a traffic control signal

instructs him that he is permitted to do so.

174. When vehicles have right of way. Section 83 (5).

175. When pedestrian has right of way. Section 83 (2, 3).

176. Green traffic lights. Section 75a (3) (b, c), (8) (b), (9) (c).

177. (1) Where a yellow light is shown at an intersection by a traffic control signal at the same time as or following the showing of a green light,

- (a) a pedestrian facing the yellow light shall not enter the roadway, and
- (b) a pedestrian proceeding across the roadway and facing the yellow light shown after he entered the roadway
 - (i) shall proceed to the sidewalk as quickly as possible, and
 - (ii) has the right of way for that purpose over all vehicles.

(2) Where a yellow light facing the vehicular traffic is shown at a place other than an intersection by a traffic control signal at the same time as or following the showing of a green light, a pedestrian shall not enter the roadway in the vicinity of the signal until either

- (a) the traffic control signal facing the vehicular traffic shows a red light, or
- (b) a traffic control signal instructs him that he may cross the roadway.

(3) Where rapid intermittent flashes of yellow light are shown at an intersection by a traffic control signal, a pedestrian facing the flashes of yellow light may proceed across the roadway within a crosswalk with caution.

(4) Where rapid intermittent flashes of yellow light are shown at a place other than an intersection by a traffic control signal, a pedestrian may proceed across the roadway with caution.

178. (1) Where a red light alone is shown at an intersection by a traffic control signal,

- (a) a pedestrian facing the red light shall not enter the roadway unless instructed that he may do so by a pedestrian traffic control signal, and
- (b) a pedestrian proceeding across the roadway and facing the red light shown after he entered the roadway
 - (i) shall proceed to the sidewalk as quickly as possible, and
 - (ii) has the right of way for that purpose over all vehicles.

(2) When a red light facing the vehicular traffic is shown at a place other than an intersection by a traffic control signal, a pedestrian may proceed across the roadway.

(3) Where rapid intermittent flashes of red light are shown at an intersection by a traffic control signal, a pedestrian facing the flashes of red light may proceed across the roadway within a crosswalk with caution.

177. Yellow traffic lights. Section 75a (4) (b, c), (5) (b), (12) (b), (13) (b).

178. Red traffic lights. Section 75a (6) (b, c), (7) (b), (10) (b), (11) (b).

(4) Where rapid intermittent flashes of red light facing the vehicular traffic are shown at a place other than an intersection by a traffic control signal, a pedestrian may proceed across the roadway.

179. (1) When a word or symbol indicating "walk" is shown at an intersection by a pedestrian traffic control signal, a pedestrian

- (a) may proceed across the roadway in the direction of the signal within a crosswalk, and
- (b) has the right of way over all vehicles within the intersection or any adjacent crosswalk.

(2) When a word or symbol indicating "walk" is shown at a place other than at an intersection by a pedestrian traffic control signal, a pedestrian

- (a) may proceed across the roadway in the direction of the signal, and
- (b) has the right of way over all vehicles.

(3) When a word or symbol indicating "wait" or "don't walk" is shown at an intersection or at a place other than an intersection by a pedestrian traffic control signal

- (a) a pedestrian shall not enter the roadway, and
- (b) a pedestrian proceeding across the roadway and facing the word or symbol indicating "wait" or "don't walk" shown after he entered the roadway
 - (i) shall proceed to the sidewalk as quickly as possible, and
 - (ii) has the right of way for that purpose over all vehicles.

180. Where and when a pedestrian is instructed or permitted by a traffic control signal to enter or to proceed across a roadway, he shall do so

- (a) at an intersection, only within a crosswalk, and
- (b) at a place other than an intersection in the vicinity of which there is a marked crosswalk, only within the crosswalk.

181. A pedestrian waiting for a traffic control signal to change shall not stand on the roadway.

182. (1) No pedestrian shall

- (a) break through the ranks of a military or funeral procession, or
 - (b) break through the ranks of any other authorized parade or procession,
- or in any way obstruct, impede or interfere therewith.

(2) No pedestrian shall cross on a green or a walk light while a parade or procession is in the intersection.

179. "Walk" and "wait" lights. Section 75a (15, 16, 17).

180. When pedestrian may cross at traffic light. Section 75a (18).

181. Standing on the road. New.

182. Parades and processions. New.

183. Any person crossing or walking upon a highway in a manner contrary to this Act or any municipal by-law regulating pedestrian traffic shall, upon request, give his name and address to any peace officer.

PART 10

POWERS OF PEACE OFFICERS

184. Every driver shall, immediately he is signalled or requested to stop by a peace officer in uniform, bring his vehicle to a stop and furnish such information respecting the vehicle as the peace officer requires and shall not start his vehicle until such time as he is permitted to do so by the peace officer.

185. (1) Where a peace officer

(a) has reasonable grounds to suspect a person of driving or having the care and control of a motor vehicle while under the influence of intoxicating liquor, and

(b) requests the person to submit to the taking of one or more specimens of his breath,

if the person refuses to comply with the request he is guilty of an offence and liable on summary conviction to have his operator's licence suspended by the convicting judge for a period not exceeding three months.

(2) Where a person is convicted under subsection (1) he shall forthwith deliver his operator's licence to the convicting judge who shall forward the licence to the Minister.

186. Every person who, being in possession of a motor vehicle for which a customs permit has been obtained in respect of its entry into Canada and being requested by a peace officer to exhibit the customs permit, refuses or fails to exhibit the permit is guilty of an offence and liable on summary conviction to a fine of not more than \$300.

187. (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

183. Name and address to be given peace officer. Section 83 (10).

184. Duty of drivers to stop and give information to peace officers. Section 97 (1).

185. Breathalyzer tests. Section 7a.

186. Customs permits. Section 145.

187. Inspection of vehicles. Section 111.

- (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, or
- (c) who fails to comply with the direction of a peace officer given pursuant to subsection (5),

is guilty of an offence.

(4) Where a motor vehicle or trailer is found unfit or unsafe for transportation and is ordered removed from the highway under subsection (2), a peace officer may seize the licence plates of the motor vehicle or trailer and hold the plates until the motor vehicle or trailer has been placed in a safe condition.

(5) The operator of a vehicle shall on the direction of a peace officer drive the vehicle to and park it on a safety lane or other place designated by the peace officer for the purpose of examination of the vehicle as provided by this section.

188. When a vehicle

- (a) is left unattended upon a highway in such a manner as to obstruct the normal movement of traffic, or
- (b) is illegally parked on any highway or obstructs any private driveway, or
- (c) is parked so as to prevent access by fire fighting equipment to a fire hydrant, or
- (d) is without valid and subsisting licence plates or permit,

a peace officer may cause the vehicle to be removed from the highway and taken to and stored in a suitable place, and all costs for the removal and storage are a lien upon the vehicle which may be enforced in the manner provided by *The Possessory Liens Act*.

189. (1) Where a peace officer has reasonable grounds to believe that a vehicle is abandoned in contravention of section 157, he may cause the vehicle to be removed from the highway or the public or private property and taken to and stored in a suitable place.

(2) All costs for the removal and storage of the vehicle are a lien upon the vehicle which may be enforced in the manner provided in *The Possessory Liens Act* or as provided in subsection (3).

188. Removing improperly parked vehicles. Section 113.

189. Removing abandoned vehicles. Section 113a.

(3) If the abandoned vehicle is not claimed by the owner within 30 days of its removal, the vehicle may be disposed of by public auction or otherwise, on notice to the holders of any encumbrances registered against the vehicle with the registration clerk of the Motor Vehicle Branch and the proceeds of the sale shall be used

- (a) firstly, to pay any costs of towing and storage involved in removal of the vehicle, and
- (b) secondly, to pay the balance owing on any encumbrances on the vehicle registered with the registration clerk of the Motor Vehicle Branch, and
- (c) the balance shall be forwarded to the Motor Vehicle Branch and placed in the Motor Vehicle Accident Claims Fund.

(4) No liability attaches to a person making the sale of a vehicle pursuant to subsection (3) and the person purchasing the vehicle acquires good title thereto as against the former owner or anyone claiming through him.

190. 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 191 is justified in so doing if he knows that the person calling on him for assistance is a peace officer.

191. Every peace officer who on reasonable and probable grounds believes that any person has committed an offence against any of the provisions of the sections hereinafter enumerated, whether the offence has been committed or not, may arrest such person without warrant and whether such person is guilty or not:

- (a) section 42 relating to the exposing of a licence plate other than those authorized;
- (b) Part 5 relating to rate of speed of motor vehicles;
- (c) section 183 relating to the giving of his name by a pedestrian;
- (d) section 46 relating to the defacing of licence plates;
- (e) section 141 relating to the driving of motor vehicles in a race or on a bet or wager;
- (f) section 160 relating to the defacement of signs;
- (g) section 140 relating to driving a motor vehicle on a highway without due care and attention or driving a motor vehicle on a highway without reasonable consideration for the persons using the highway;
- (h) section 27 relating to the operation of a motor vehicle without a subsisting certificate of registration or a subsisting operator's licence;
- (i) section 82 relating to the duties of a driver at the scene of an accident;

190. Assisting peace officers. Section 115.

191. Arrest without warrant. Section 114.

- (j) section 184 relating to the requirement that drivers stop when so requested by a peace officer in uniform;
- (k) section 153 relating to the tampering with a motor vehicle.

192. (1) Every peace officer who on reasonable and probable grounds believes that any of the offences enumerated in section 191 has been committed may seize and detain any motor vehicle in respect of which the offence has been committed until the final disposition of any proceedings that may be taken under this Act.

(2) A peace officer seizing a motor vehicle pursuant to subsection (1) may cause the vehicle to be removed and taken to and stored in a suitable place and cause such tests and examinations thereof to be made as he considers proper.

(3) Except where subsection (4) applies, all costs for the removal and storage of the vehicle are a lien upon the vehicle which may be enforced in the manner provided in *The Possessory Liens Act*.

(4) If proceedings are not taken under this Act within 10 days after the motor vehicle is seized and detained pursuant to subsection (1), the motor vehicle shall be forthwith returned to the owner thereof.

193. When necessary to remove, take or store a motor vehicle as authorized by this Part, a peace officer or his agent may forcibly unlock or open a door of the vehicle and do such other things as are reasonably required to facilitate the removal, taking and storing of the vehicle.

194. Any peace officer has the right and power without further authority to enter in the interval between six o'clock in the morning and nine o'clock in the evening of the same day

- (a) the business premises of any dealer in motor vehicles or person conducting a motor vehicle livery, or
- (b) other place where motor vehicles are kept for hire or sale, or
- (c) any garage or place of business where motor vehicles are repaired,

for the purpose of ascertaining whether or not this Act is being complied with in respect of the motor vehicles in any of such places and by the several employees therein.

PART 11

PROSECUTIONS

195. Any person who contravenes any provision of this Act or the regulations is guilty of an offence.

192. Seizure of vehicles. Section 116.

193. Authority to enter vehicles. New.

194. Right of entry into garages in business hours. Section 109.

195. General offence. Section 133 in part.

196. Except as otherwise provided in this Act, a person who is guilty of an offence under this Act or the regulations for which a penalty is not otherwise provided is liable on summary conviction to a fine of not more than \$500.

197. (1) The owner of a motor vehicle is guilty of an offence and liable for any contravention of this Act or a municipal by-law in connection with the motor vehicle unless the owner proves to the satisfaction of the judge trying the case that at the time of the offence the motor vehicle was not being driven by him or by any other person with his consent, express or implied.

(2) Notwithstanding subsection (1), if the owner was not at the time of the offence driving the motor vehicle he is not in any event liable to imprisonment.

198. Upon a person being charged with an offence under this Act, if the judge trying the case is of the opinion that the offence

- (a) was committed wholly by accident or misadventure and without negligence, and
- (b) could not by the exercise of reasonable care or precaution have been avoided,

the judge may dismiss the case.

Evidence

199. (1) A certificate purporting to be signed by the Registrar or his deputy and certifying

- (a) that the person named therein is, or was, at a stated time, the registered owner of a described motor vehicle or trailer, or
- (b) that a licence issued under this Act to the person named therein is, or was, at a stated time, suspended or revoked, or
- (c) as to the last recorded address of the person named therein as shown on the records of the Registrar,

shall be admitted in evidence as *prima facie* proof of the facts stated therein without proof of the signature or official character of the person signing the certificate.

(2) When proof of the disqualification of a person from holding a licence under this Act is required, the production of a certificate purporting to be under the hand of the Registrar or his deputy to the effect that the person named therein is disqualified from holding a licence under this Act, is *prima facie* proof thereof, without proof of signature or official character of the person signing the certificate.

200. In any prosecution under this Act or the regulations or under *The Public Service Vehicles Act* or the regulations under that Act or under a municipal by-law, a certificate

196. General penalties. Section 133 in part.

197. Onus on owner to disprove liability. Section 124.

198. Offence through accident or misadventure. Section 125.

199. Certificate of Registrar as evidence. Section 127.

200. Certificate of authorized tester as evidence. Section 127a.
(2).

- (a) stating the result of a test of
 - (i) the speedometer of a motor vehicle identified therein, or
 - (ii) a tuning fork identified therein and used for determining the accuracy of a radar set, or
 - (iii) any other device identified therein and used for or in connection with establishing the speed of vehicles,
- (b) bearing a date thereon not more than 30 days before or after the date of the offence charged, and
- (c) purporting to be signed by a tester appointed under this Act to test devices of the type stated to have been tested,

shall be admitted in evidence as *prima facie* proof of the facts stated therein without proof of the signature or appointment as a tester of the person signing the certificate.

201. In any prosecution under this Act or the regulations, or under a municipal by-law, a certificate purporting to be signed by a meteorologist and stating the time of sunrise or the time of sunset in any area on any day shall be admitted in evidence as *prima facie* proof of the facts stated in the certificate, without proof of the signature or qualifications of the person signing the certificate.

Additional Penalties

202. When a person has been convicted of operating a motor cycle in contravention of section 141, 143 or 167 or of any provision of Part 5, the judge making the conviction may order that the motor cycle driven by the person convicted at the time of the commission of the offence be seized, impounded and taken into custody of the law for a period of not more than three months if the motor cycle was at that time owned by or registered in the name of that person or his parent or guardian.

203. Where a person is convicted of an offence referred to in subsection (1) of section 204, the judge before whom the person was convicted shall forward to the Minister with the conviction a summary outlining the facts and circumstances of the offence and setting forth

- (a) the full name, address and birth date and the operator's licence number of the person so convicted,
- (b) the licence number of the motor vehicle,
- (c) the Act or by-law and section thereof contravened, and
- (d) the time the offence was committed.

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

201. Certificate of meteorologist as evidence. Section 127b.

202. Seizure of motor cycles with certain offences. Section 143.

203. Judges to give Minister notice of conviction. Section 128.

204. Endorsing convictions on licences and suspension by judges.
Section 19.

- (a) under the *Criminal Code* and arising out of the operation of a motor vehicle, or
- (b) for contravening section 82, 83, 93, 94, 95, 96, 99, 102, 103, 104, 106, 108, 109, 110, 111, 112 or 113, or subsection (3) of section 115, or section 117 or 118, or subsection (1) of section 120, or subsection (1) of section 121, or section 122, or subsection (1) of section 123, or subsection (1) or (2) of section 125, or subsection (4) of section 127, or section 128, or subsection (1) or (2) of section 131, or section 140, 141, 142 or 184, or
- (c) under subsection (3) or subsection (6) of section 69 of *The Public Service Vehicles Act*, or
- (d) under any provision of a municipal by-law that fixes a speed limit within the municipality or regulates moving motor vehicles within the municipality, or
- (e) under regulation 16 (4) or 28 or 39 of the National Parks Highway Traffic Regulations (Canada), or
- (f) under the *Juvenile Delinquents Act* (Canada) for contravening any of the provisions listed in clauses (a) to (e),

he shall upon conviction forthwith deliver his licence to the judge making the conviction.

(2) The judge making the conviction shall thereupon endorse the particulars of the conviction upon the operator's licence delivered to him following the conviction.

(3) Notwithstanding subsection (2), the judge shall not endorse the particulars of the conviction on the operator's licence of the owner of a motor vehicle who is convicted of an offence referred to in subsection (1) only because of the liability imposed upon him by section 197.

(4) Where a judge convicts a person of an offence referred to in clause (b), (c), (d) or (e) of subsection (1),

- (a) if the convicted person is the holder of an operator's licence, and
- (b) if the judge is not given authority under any other provision of this Act to suspend the operator's licence of the convicted person,

the judge, upon making the conviction, may suspend the operator's licence of the convicted person for a period not exceeding three months.

(5) Instead of suspending the operator's licence of a convicted person pursuant to subsection (4), the convicting judge may impose any one or more of the following conditions on the convicted person, namely:

- (a) that he attend a specified driver improvement course for such time, not exceeding three months, as the judge fixes;

- (b) that he submit to being re-examined
 - (i) by the Motor Vehicle Branch of the Department of Highways, and
 - (ii) as to his physical or other competency to drive a motor vehicle, within such time as the judge directs;
 - (c) that he only drive a motor vehicle
 - (i) of a specified class, or
 - (ii) between any specified hours of the day, or
 - (iii) on any specified days of the week, or any combination thereof, during such period, not exceeding three months, as the judge fixes;
- and if the convicted person contravenes any condition so imposed the judge may suspend the operator's licence of the convicted person for a period not exceeding three months.

(6) Where a judge convicts a person of an offence referred to in clause (b), (c), (d) or (e) of subsection (1),

- (a) if the convicted person is not, at the date of the conviction, the holder of an operator's licence, and
- (b) if the judge is not given authority under any other provision of this Act to disqualify the convicted person from holding an operator's licence,

the judge, upon making the conviction, may order that the convicted person be disqualified from holding an operator's licence for a period not exceeding three months, and the disqualification remains in force for the period specified unless the Minister in his discretion makes an order shortening the period of, or annulling, the disqualification.

(7) When a judge acts under subsection (4) or (5), he shall forward the operator's licence of the convicted person to the Minister together with a report setting out the nature of the conviction and the circumstances of the offence, and

- (a) where the judge has suspended the licence, the suspension remains in force until the Minister in his discretion makes an order shortening the term of suspension, or
- (b) where the judge imposes conditions on the convicted person, the Registrar shall forthwith issue a temporary licence to the convicted person with the conditions imposed by the judge endorsed thereon.

(8) Where a judge convicts a person of an offence referred to in clause (b), (c), (d) or (e) of subsection (1) and the convicted person is the holder of a juvenile licence, the judge shall

- (a) suspend the juvenile licence for a period of not less than two weeks, and
- (b) transmit the juvenile licence to the Minister,

and the juvenile licence so suspended remains suspended for such period as may be imposed by the judge and such further period as may be prescribed by the regulations.

(9) In subsection (8) "juvenile licence" means an operator's licence held by a person under 18 years of age.

205. When a person who is temporarily within Alberta 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 mentioned in subsection (1) of section 204, the judge making the conviction

- (a) shall endorse the particulars of the conviction on that person's licence to drive, and
- (b) may by order prohibit that person from driving in Alberta for such period, not exceeding three months, as may be stated in the order and endorsed on the licence.

206. (1) Where a person is convicted under section 222 of 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, the convicted person thereupon becomes disqualified to hold an operator's licence

- (a) for a period of 12 months from the date of his conviction, or
- (b) 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, and any operator's licence held by the convicted person thereupon becomes suspended for the same period.

(2) Notwithstanding subsection (1), where a person is convicted under section 222 of the *Criminal Code*,

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

the judge, in his discretion, may make an order reducing the period of disqualification and suspension provided by subsection (1) to any period being not less than three months.

(3) Where a person is convicted under section 223 of the *Criminal Code* anywhere in Canada of driving 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, the convicted person thereupon becomes disqualified to hold an operator's licence

- (a) for a period of six months from the date of his conviction, or
- (b) 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,

205. Prohibitions on non-residents. Section 141.

206. Automatic suspension for intoxicated or impaired driving.
Section 20 revised. Subclause (5) is new.

whichever is the longer period, and any operator's licence held by the convicted person thereupon becomes suspended for the same period.

(4) Notwithstanding subsection (3), where a person is convicted under section 223 of the *Criminal Code*,

- (a) if the convicted person has not, at any time before, been convicted of the same or any other offence under section 222 or 223 of the *Criminal Code* anywhere in Canada, and
- (b) if the convicted person produces proof satisfactory to the convicting judge that the right to drive is essential to earning his livelihood,

the judge, in his discretion, may make an order modifying the period of disqualification and suspension provided by subsection (2) so as to permit the convicted person, during that period, to drive a motor vehicle

- (c) of any class specified by the judge, or
- (d) between any hours of the day specified by the judge, or
- (e) on any days of the week specified by the judge,

or any combination thereof, and as long as the convicted person drives a motor vehicle only in accordance with the restrictions set out in the order he shall be deemed not to be disqualified from driving and his operator's licence shall be deemed not to be suspended.

(5) Notwithstanding subsection (2), where a person

- (a) is convicted under section 223 of the *Criminal Code* anywhere in Canada, and
- (b) has, at any time before, been convicted of the same or any other offence under section 222 or 223 of the *Criminal Code* anywhere in Canada,

the convicted person thereupon becomes disqualified to hold an operator's licence

- (c) for a period of 12 months from the date of his conviction, or
- (d) if an order prohibiting him from driving a motor vehicle on a highway in Canada is made as a result of the conviction, for the period driving is prohibited,

whichever is the longer period, and any operator's licence held by the convicted person thereupon becomes suspended for the same period.

(6) Notwithstanding anything in this section, where a person

- (a) is convicted under section 222 or 223 of the *Criminal Code* anywhere in Canada, and
- (b) has during the preceding five years been convicted on two previous occasions of the same or any other

offences under section 222 or 223 of the *Criminal Code* anywhere in Canada,
the convicted person thereupon becomes disqualified to hold an operator's licence
(c) for a period of 36 months from the date of his conviction, or
(d) 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, and any operator's licence held by the convicted person becomes suspended for the same period.

(7) Where a person who holds an operator's licence is convicted under section 222 or 223 of the *Criminal Code*, the convicting judge shall forward the operator's licence of that person to the Minister, and where the judge has made an order under subsection (4), the Registrar shall forthwith issue a temporary licence to the convicted person with the restrictions imposed by the judge endorsed thereon.

PART 12

CIVIL RIGHTS AND REMEDIES

207. Nothing in this Act shall be construed to curtail or abridge the right of any person to prosecute an action for damages by reason of injuries to person or property resulting from the negligence of the owner or operator of any motor vehicle or from the negligence of any agent or employee of the owner.

208. Where a motor vehicle is operated upon a highway in contravention of any provision of this Act and loss or damage is sustained by any person thereby, the onus of proof that the loss or damage did not arise by reason of the contravention of this Act is upon the owner or driver thereof.

209. (1) When any loss or damage is sustained or incurred by any person by reason of a motor vehicle in motion, the onus of proof that the loss or damage did not entirely or solely arise through the negligence or improper conduct of the owner or driver of the motor vehicle is upon the owner or driver of the motor vehicle.

(2) This section does not apply in the case of a collision between motor vehicles upon a highway.

(3) In this section motor vehicle includes a tractor and a self-propelled implement of husbandry.

207. Action for negligence not affected. Section 129.

208. Onus of proof where Act contravened. Section 123.

209. Onus of proof on owner and driver. Section 122. Sub-clause (2) is new.

210. In an action for the recovery of loss or damage sustained by a person by reason of a motor vehicle upon a highway,

(a) a person driving the motor vehicle and living with and as a member of the family of the owner thereof,
and

(b) a person who is driving the motor vehicle and who is in possession of it with the consent, express or implied, of the owner thereof,

shall be deemed to be the agent or servant of the owner of the motor vehicle and to be employed as such, and shall be deemed to be driving the motor vehicle in the course of his employment, but nothing in this section relieves any person deemed to be the agent or servant of the owner and to be driving the motor vehicle in the course of his employment from the liability for the damages.

211. (1) No person transported by the owner or driver of a motor vehicle as his guest without payment for the transportation has any cause of action for damages against the owner or driver for injury, death or loss, in case of accident, unless

(a) the accident was caused by the gross negligence or wilful and wanton misconduct of the owner or operator of the motor vehicle, and

(b) the gross negligence or wilful and wanton misconduct contributed to the injury, death or loss for which the action is brought.

(2) This section does not relieve

(a) any person transporting passengers for hire or gain, or

(b) any owner or operator of a motor vehicle that is being demonstrated to a prospective purchaser,

of responsibility for any injury sustained by a passenger being transported for hire or gain or sustained by any such prospective purchaser.

(3) Where the owner of a motor vehicle is being driven in his own motor vehicle by another person, subsection (1) applies as if the owner were the guest of the driver.

PART 13

MISCELLANEOUS

Officials

212. Subject to *The Public Service Act, 1962* there may be appointed a Registrar of the Motor Vehicle Branch, one or more deputy Registrars and such other officers and employees as may be required for the administration of this Act.

210. Driver deemed to be agent of owner. Section 130.

211. Limitation of action by gratuitous passenger. Section 132.

212. Appointment of Registrar and other employees.

213. (1) The Lieutenant Governor in Council may appoint such persons as peace officers as are considered necessary for enforcing and carrying out the provisions of this Act.

(2) The Lieutenant Governor in Council may

- (a) appoint one or more qualified persons as testers of speedometers on motor vehicles, of tuning forks and of other devices, and
- (b) may prescribe such forms as may be required for the recording and reporting of such tests.

Powers of the Minister

214. All the powers, duties and functions vested in, imposed on, or exercised by the Minister pursuant to this Act in so far as they apply or relate to public service vehicles and commercial vehicles within the meaning of *The Public Service Vehicles Act* shall, subject to section 8 of *The Public Service Vehicles Act*, be exercised and administered by him under the provisions of *The Public Service Vehicles Act*.

215. The Minister may delegate all or any of the powers conferred upon him by this Act to such person or persons as he considers advisable.

216. (1) With respect to all or any part of a primary highway, the Minister may by order prescribe a maximum speed for daytime or night time, or both, in excess of the general maximum speed fixed by section 94.

(2) The Minister may by order prescribe a minimum speed for all or any part of a primary highway and may prescribe different minimum speeds

- (a) for daytime and night time,
- (b) for different periods of the year, and
- (c) for different traffic lanes on the same highway.

(3) The Minister may, with respect to all or any part of a highway subject to his direction, control and management, prescribe by signs posted along the highway speed limits of less than the general maximum speeds fixed by section 94 or fixed pursuant to subsection (1) of this section and applicable to all vehicles or any class of vehicles.

(4) The Minister may with respect to any school zone or playground zone on a highway subject to his direction, control and management prescribe a maximum speed limit less than that fixed by section 96, but not less than 15 miles an hour.

(5) An engineer employed by the Department of Highways, may by signs posted along a highway subject to the direction, control and management of the Minister, fix a

213. Appointment of peace officers and testers. Section 105, 127a (1).

214. Minister to exercise functions under The Public Service Vehicles Act. Section 104.

215. Delegation of Minister's powers. Section 108.

216. Higher or lower speed limits may be prescribed by the Minister. Section 59 (2, 4, 5, 6, 7). Subclauses (2) and (4) are new.

maximum speed limit in respect of any part of the highway under construction or repair or in a state of disrepair, applicable to all vehicles or to any class or classes of vehicles while travelling over that part of the highway.

(6) Where speed limits are prescribed pursuant to this section, the Minister or engineer fixing the speed limit shall cause to be erected along the highway signs indicating the speed limits so prescribed.

217. (1) The Minister may authorize the placing, erecting or marking of traffic control devices at such locations as are considered necessary for controlling and regulating traffic upon or entering upon highways subject to his direction, control and management.

(2) Without restricting subsection (1), the Minister may authorize the erection of stop signs at railway crossings

(a) in an improvement district, or

(b) on a primary highway.

218. (1) The Minister may suspend or cancel an operator's licence or a certificate of registration or permit issued under this Act

(a) for misconduct or non-compliance or infraction of this Act or of the regulations, or of *The Fuel Oil Licensing Act*, or of *The Fuel Oil Tax Act*, or of *The Public Service Vehicles Act* or the regulations thereunder, or of the *Criminal Code*, or

(b) upon being satisfied of the unfitness, physical or otherwise, of the holder of the licence, certificate or permit, or

(c) for any other reason appearing to the Minister to be sufficient.

(2) Any person who knowingly makes any false statement of fact in any application, declaration or other document required by this Act or by the regulations or by the Minister in order to procure the issue of an operator's licence or a certificate of registration or permit is guilty of an offence and liable on summary conviction, in addition to any other penalty or punishment to which he may be liable,

(a) for the first offence to a fine of not more than \$100, and

(b) for any subsequent offence to a fine of not more than \$200, or to imprisonment for a term not exceeding one month, or to both fine and imprisonment.

219. (1) Where a person who is not a resident of Alberta is convicted of contravening any provision of Part 4, 5 or 6, the Minister

217. Placing traffic control devices. Section 76 (7), 80 (9).

218. Ministerial power to suspend licences, etc. Section 7. Offence for obtaining licences, etc., by false statements. Section 138 (1).

219. Suspension to enforce payment of fees. New.

- (a) may by order prohibit that person from driving in Alberta until the penalty and costs imposed on the conviction have been satisfied, and
 - (b) may notify the proper authorities of the jurisdiction where the person resides of the conviction and of the non-satisfaction of the penalty and costs imposed.
- (2) Where a resident of Alberta
- (a) is convicted in any other jurisdiction in Canada of contravening a provision similar to one in Part 4, 5 or 6, and
 - (b) fails to satisfy the penalty and costs imposed upon the conviction,
- the Minister may suspend the operator's licence of the person until such time as he satisfies the penalty and costs so imposed.

Powers of Municipalities

220. (1) With respect to highways subject to its direction, control and management, the council of an urban area, by by-law, may

- (a) prescribe a maximum speed in excess of 30 miles an hour for all or any part of a highway, and
- (b) prescribe a maximum speed of less than 30 miles an hour for all or any part of a highway that comes within any class designated under subsection (4).

(2) In the case of

- (a) highways subject to the direction, control and management of a municipal district or county, or
- (b) highways in a special area subject to the direction, control and management of the Minister of Municipal Affairs,

the council by by-law or the Minister of Municipal Affairs by order, as the case may be, may prescribe a maximum speed of less than 60 miles an hour for all or any part of a highway that comes within any class of highway designated under subsection (4).

(3) The council of a municipality or the Minister of Municipal Affairs, as the case may be, may, subject to subsection (4), prescribe

- (a) different maximum speeds for different classes of vehicles, and
- (b) different maximum speeds for daytime and night time,

but may not increase the maximum speed prescribed by this Act for school zones and playground zones.

(4) The Minister may, by general or special order, designate

220. Municipal power to prescribe higher or lower speed limits.
Section 59 (3, 5a, 7).

(a) any class of highways or parts thereof, or
(b) any specified highway or part thereof,
for the purposes of subsections (1) to (3) and may, in every case, fix a speed below which a municipality may not prescribe a maximum speed limit.

(5) With respect to any school zone or playground zone on a highway subject to its or his direction, control and management, the council of a municipality or the Minister of Municipal Affairs, as the case may be, may prescribe a maximum speed limit less than that fixed by section 96, but not less than 15 miles an hour.

(6) A person authorized by the council of a municipality may by signs posted along a highway subject to the direction, control and management of the municipality fix a maximum speed limit in respect of any part of the highway under construction or repair or in a state of disrepair applicable to all vehicles or to any class or classes of vehicles while travelling over that part of the highway.

(7) Where speed limits are prescribed pursuant to this section the council or person fixing the speed limit shall cause to be erected along the highway signs indicating the speed limits so prescribed.

221. (1) The council of a municipality may authorize the placing, erecting or marking of traffic control devices at such locations as are considered necessary for controlling highways subject to its direction, control and management.

(2) Without restricting subsection (1), the council of a county or municipal district may authorize the erection of stop signs at railway crossings in the county or municipal district.

222. With respect to highways under its direction, control and management, the council of a municipality may make by-laws, not inconsistent with this Act and on matters for which no provision is made in this Act, for the regulation and control of vehicle, animal and pedestrian traffic and, without restricting the generality of the foregoing, may make by-laws

- (a) restricting the weight of vehicles or of vehicles with their loads, using the highways or any particular highway in the municipality,
- (b) controlling and regulating the use of all highways, sidewalks and other public places and delegating to the chief constable or municipal commissioners any powers in connection therewith,
- (c) delegating to the municipal commissioners, or where there are none to the municipal clerk, the power to prescribe where traffic control devices are to be located and providing for a record of such locations

221. Placing traffic control devices. Section 76 (6), 80 (9).

222. General powers of municipality with respect to pedestrian and vehicular traffic. See section 283 of The City Act.

- to be kept and which shall be open to public inspection during normal business hours,
- (d) classifying motor and other vehicles and pedestrians for any and all purposes involving the use of streets, lanes and other public places,
 - (e) preventing or restricting, controlling and regulating
 - (i) the parking of vehicles or of any particular class or classes of vehicles on all or any highways and other public places or any portion thereof,
 - (ii) the parking on specified highways or within a certain distance from any building, of any class or classes of vehicles or of vehicles used for carrying inflammable, combustible, explosive or other dangerous material, whether loaded or unloaded, and defining the route or routes through the municipality that such vehicles must follow in entering or traversing the municipality and prohibiting them from travelling on any designated highway, bridge, overpass or subway, and
 - (iii) any other use of the highways and other public places or any portion thereof by or for vehicles or any particular classification thereof,
 - (f) prohibiting the owner of a vehicle or the person in charge of a vehicle from parking or leaving the vehicle on private property without authority from the owner, tenant, occupant or person in charge or control of the private property and providing for
 - (i) the impounding and removal from the private property of a vehicle so parked or left thereon without authority,
 - (ii) the laying of an information and complaint against the owner or person in charge of the illegally parked vehicle for the parking offence, or
 - (iii) the placing on the vehicle of a parking violation notice allowing the owner of the vehicle an opportunity to pay a set amount in lieu of prosecution for the offence,
 - (g) regulating and controlling the manner and method of entering and leaving private property whereon the parking of vehicles is permitted by the person in possession of the private property to persons other than his relatives, either for profit or otherwise,
 - (h) prohibiting right or left turns at any designated intersection,
 - (i) establishing, acquiring, operating, controlling and regulating parking stands and places for parking vehicles or any class or classes of vehicles on any

highway or other public place or on any municipal lands designated in the by-law as parking stands or places and assigning any particular stand or place to a specific person or persons,

- (j) prescribing a tariff of fees or charges to be paid by persons using such parking stands or places, which fees or charges may vary according to the location, the classification of the vehicles for which they are intended or as the council may otherwise determine, and in its discretion granting free use of all or any parking stands or places for all vehicles or any particular classification thereof for such period of time or during such hours as may be specified in the by-law,
- (k) establishing, controlling and regulating a parking meter system or providing in any other manner for the collection of fees or charges payable by persons using such parking stands or places,
- (l) preventing the encumbering of streets and other public places by vehicles and other articles,
- (m) providing for the impounding and removal from a highway, street, lane, parking lot or other public place of a vehicle in respect of which charges have not been paid or of a vehicle parked in violation of a provision of a by-law or regulation,
- (n) controlling or preventing the riding of bicycles on any sidewalk,
- (o) providing for the licensing of owners of bicycles, prescribing regulations with respect thereto and controlling and regulating the operation and parking of bicycles on highways and other public places,
- (p) providing for the seizure or impounding for a period not exceeding 60 days of any bicycle used or operated in contravention of any by-law,
- (q) regulating parades or processions over and along any highways within the municipality, and prohibiting the passage of any parade or procession over any or all highways within the municipality unless and until a permit therefor has been issued by the mayor, or the council by resolution has expressly permitted it,
- (r) closing or restricting the use of any highway, subway, bridge or overpass or part of any highway, subway, bridge or overpass within the municipality either as to the full width thereof or as to part of the width thereof with respect to any class or classes of vehicles or with respect to any class or classes of pedestrians, and providing for the proper enforcement of any such closing either by way of the erection of barricades or by the adoption of such other means as the council considers necessary or expedient,

- (s) granting a licence or permit for the temporary occupation or use of a road allowance, public highway, or a portion thereof when it is not required for public use, provided that the licence or permit is terminable upon 30 days' notice in writing,
- (t) permitting persons, subject to such conditions and restrictions as the by-law may provide, to park their motor vehicles on the highway
 - (i) adjacent to or in the vicinity of the land on which they reside, or
 - (ii) in a zone or area in which is situated the land on which they reside,
 notwithstanding any general or specific prohibitions or restrictions on parking relating to that highway,
- (u) providing that vehicular or pedestrian traffic shall travel upon any highway or part of any highway of the municipality only in one direction as the council may in the interests of safety and convenience prescribe, and
- (v) prohibiting a class or classes of motor vehicles from using wholly or partially or for a certain period or periods a highway within the municipality.

223. Any fine or penalty imposed under this Act

- (a) on a conviction for an offence occurring in a city, town or village enures to the benefit of the city, town or village, and
- (b) on a conviction for an offence occurring in a county or municipal district, elsewhere than on a primary highway, enures to the benefit of the county or municipal district,

but in all other cases the fines and penalties belong to the Province.

224. Except when an Act specifically enacts to a contrary effect, no municipality has any power to pass, enforce or maintain any by-law

- (a) requiring from any owner or operator of a motor vehicle, any tax, fee, licence or permit for the use of the public highways, or
- (b) excluding any of such persons from the free use of the public highways, or
- (c) that in any way affects the registration or numbering of motor vehicles, or
- (d) forbidding the use of the public highways contrary to or inconsistent with this Act.

223. Disposition of fines. Section 146.

224. Restriction on municipal powers. Section 147.

Regulations

225. (1) The Lieutenant Governor in Council may make regulations

- (a) prescribing the standards and specifications for any equipment or material to be installed or used in vehicles, and
- (b) providing for the identification and labelling of such equipment or material or the containers thereof.

(2) Any regulation may adopt by reference, in whole or in part with such changes as the Lieutenant Governor in Council considers necessary any code of standards or specifications of any equipment or material to be used or installed in vehicles.

226. The Lieutenant Governor in Council may make such regulations as are necessary to carry out this Act according to its intent or to meet cases that arise and for which no provision is made by this Act, and without in any way restricting the generality of the foregoing, may make regulations:

- (a) prescribing forms and fixing the times at which and the persons to whom returns are to be made;
- (b) prescribing the design and position of lights and reflectors to be used upon vehicles;
- (c) prescribing the requirements as to brakes on motor vehicles and requiring the periodic inspection, testing and adjustment thereof;
- (d) prescribing the form, design and manner of display of any marker or licence plate issued by the Minister instead of the prescribed licence plate or plates, and making any incidental provisions that may be necessitated by the substitution of the marker or licence plate for the prescribed licence plate or plates;
- (e) prescribing any equipment required and the types and uses therefor on vehicles or by drivers and passengers of vehicles;
- (f) requiring the periodic inspection, testing and adjustment of any mechanical equipment of any motor vehicle;
- (g) governing, restricting or prohibiting the use on any highway or highways of any vehicle or class of vehicles that, in the opinion of the Minister, may be a hazard to other users of the highway by reason of unusual or novel size, weight or operating characteristics;
- (h) governing, restricting or prohibiting the use on vehicles of any decoration or device that in the opinion of the Minister constitutes a hazard to the public or other users of the highway;

225. Regulations to prescribe standards for auto equipment.
Section 57a (1), 57b (2, 3), 57c (2, 3).

226. General power of the Lieutenant Governor in Council to
make regulations. Section 107.

- (i) prescribing and requiring the use of devices and other means to prevent accidents or thefts of motor vehicles;
- (j) prescribing fees for licences, permits and certificates required pursuant to this Act or the regulations;
- (k) establishing a Driver Review Board for the better carrying out of this Act and the regulations;
- (l) prescribing terms and conditions governing the registration, use and operation of motor vehicles;
- (m) governing, restricting or prohibiting the registering and licensing of motor vehicles in the name of a person under any specified age;
- (n) prescribing warning signals or devices that may be used and the manner of use thereof;
- (o) governing the registration and operation of motor vehicles kept for sale by manufacturers of motor vehicles and dealers in motor vehicles;
- (p) prescribing the shape, colours, patterns and other qualities required of traffic control devices to be placed, erected or marked pursuant to this Act;
- (q) requiring and governing the marking on any class of motor vehicles of the displacement or horsepower of the motors thereof;
- (r) prescribing generally as to any other matter or thing that is deemed necessary for the better carrying out of the intention of this Act and the doing of which is permitted by this Act.

227. The Lieutenant Governor in Council

- (a) may for the purpose of registration, classify trailers into such classes as he considers convenient having regard to carrying capacity, construction, use or any other circumstances, and may fix the fee payable on registration of all or any class thereof and may fix different fees in respect of different classes at such amounts as he considers proper, and may exempt any class of trailer from the requirement of registration, and
- (b) may make regulations as to the operation upon any highway of trailers, the lighting or other equipment to be installed thereon, the issuance, form and notice of registration plates, and the display of such plates on the trailer.

228. The Lieutenant Governor in Council may make regulations governing the licensing and operation of driver training schools, and without in any way restricting the generality of the foregoing, may make regulations

- (a) governing the testing and licensing of driving instructors,

227. Regulations re licensing trailers. Section 12.

228. Driver training school regulations. Section 107a. .

- (b) prescribing the kind and nature of driver training equipment to be used, and
- (c) requiring the filing of proof of financial responsibility in the amounts and for the purposes as may be prescribed.

Agreements

229. (1) The Lieutenant Governor in Council may make or authorize to be made with the government of any other province a reciprocal arrangement or agreement exempting any class or classes of motor vehicle owners ordinarily resident in that other province from the application of this Act as to the registration and licensing of motor vehicles and the carrying and displaying upon motor vehicles of licences and number plates as required by this Act, and providing for the granting by that other province of similar exemptions and privileges with respect to the motor vehicle owners ordinarily resident in Alberta.

(2) Every arrangement or agreement so made and the exemptions thereunder shall be made

- (a) subject to the condition that no person shall be entitled to any exemption or privilege thereunder in respect of a motor vehicle in Alberta unless the owner of the motor vehicle has complied with the law of his place of residence as to the registration and licensing of motor vehicles and carries or causes to be carried on the motor vehicle the certificate or licence and the number plates prescribed by the law of that place, and
- (b) subject to all further conditions and restrictions set out in the arrangement or agreement and to cancellation by the Lieutenant Governor in Council.

230. By agreement with the Council of the Alberta College of Physicians and Surgeons, the Minister may establish a medical review board

- (a) to act as an advisory board to the Minister with respect to all matters of health of persons bearing upon the operation of motor vehicles and physical conditions that constitute a hazard to the general public,
- (b) to advise the Minister as to qualified medical practitioners available for physical and mental examination of drivers and applicants for licences, and
- (c) to act in such other capacity as may be required by the agreement with the Council of the Alberta College of Physicians and Surgeons.

Duties of Dealers

231. No dealer shall sell to a person under the age of 16 years a motor cycle having an engine displacement greater than the maximum displacement prescribed by the regulations.

229. Reciprocal agreements on licensing. Section 14.

230. Medical review board. Section 17 (3).

231. Restrictions on sale of motor cycles. New.

232. (1) Every person who buys, sells, wrecks, stores or otherwise deals in motor vehicles shall, if a motor vehicle remains in his possession without good reason or under suspicious circumstances, forthwith report the matter to a peace officer in the vicinity.

(2) Every person engaged in the business of buying, selling, exchanging, wrecking, painting, altering or otherwise dealing in motor vehicles shall keep a record of every motor vehicle bought, sold, exchanged, dismantled, wrecked, painted, altered or broken up by him and shall produce the record for inspection at any time upon the demand of a peace officer.

233. Where a motor vehicle that is stored in or left at a public garage, parking station, parking lot, used car lot or repair shop is unclaimed for 30 days or more, the person in charge of the place where the motor vehicle was stored or left shall immediately report the presence of the unclaimed motor vehicle to the police department having jurisdiction in that area, giving the licence plate number and a description of the motor vehicle and such information as he may have relating to the person storing or leaving the vehicle at his place of business.

234. Where a motor vehicle, the manufacturer's serial number or other identifying mark of which is obliterated or illegible is offered for sale to a dealer in motor vehicles the dealer

- (a) shall forthwith report the matter to the nearest peace officer, and
- (b) shall not buy, sell, wreck or otherwise deal with any such vehicle until he has received convincing proof that the person offering the vehicle for sale has the right to sell it, and
- (c) shall keep a record of any such vehicles purchased by him and of the facts convincing him of the right of the person offering the vehicle for sale to sell it.

Examination of Vehicles

235. (1) With the approval of the Lieutenant Governor in Council, the Minister, in the interests of safety,

- (a) may establish and operate facilities for the inspection and testing of motor vehicles, or
- (b) may authorize any municipalities or persons to conduct the inspection and testing of vehicles,

in accordance with the regulations.

(2) The Lieutenant Governor in Council may make regulations

- (a) prescribing the inspections and tests to which motor vehicles, or any classes thereof, are to be submitted,

232. Reports by dealers and wreckers. Sections 15a, 120.

233. Unclaimed vehicles report. Section 81c (2).

234. Illegible serial number report. Section 119.

235. Authority for vehicle safety checks. New.

- (b) prescribing when or how often motor vehicles are to be submitted to such inspections and tests,
 - (c) prescribing the fee that may be charged the owner of any motor vehicle for any such inspection or test of his vehicle,
 - (d) requiring the owners of vehicles that do not pass any such inspection or test to take such action as is required so that the vehicles will be able to pass the inspections and tests, and
 - (e) respecting any other matter necessary to give effect to the intent of this section.
- (3) The owner of every motor vehicle registered under this Act, shall submit the vehicle to such periodic inspections and tests as are required by the regulations.

Driver Control Board

236. (1) There shall be a board to be known as the Driver Control Board consisting of a chairman and such number of other members as may be appointed by the Lieutenant Governor in Council.

(2) The members of the Board shall be paid such remuneration as is determined by the Lieutenant Governor in Council.

(3) The Lieutenant Governor in Council may make regulations governing the procedures and operation of the Board, including the quorum thereof and the conduct of its hearings and generally respecting the duties and functions of the Board and any matter incidental thereto.

237. (1) At any time he considers an inquiry should be made into whether any person should be permitted to hold an operator's licence,

- (a) the Minister, or
- (b) a judge, or
- (c) the Registrar,

may report the person to the Driver Control Board and the Board,

- (d) after due inquiry, and
- (e) in the interests of public safety,

may suspend the operator's licence of the person for a definite or indefinite period of time or until such conditions as the Board may impose are met.

(2) The Board shall not suspend an operator's licence of a person without giving him at least 10 days' notice in writing and giving him an opportunity to be heard in person or by counsel.

(3) In making a decision the Board may take into consideration the accident record, the conviction record, driver attitude, driving skill and knowledge, driving disabilities and such other factors as it considers relevant.

236. Establishment of Driver Control Board. New.

237. Function of Board. New.

238. (1) The attendance of a witness before the Board may be enforced by a notice issued by a member of the Board requiring the witness to attend and stating the time and place at which the witness is to attend.

(2) Any member of the Board may administer an oath to any witness who is to give evidence before it.

(3) A witness

(a) who fails to attend before the Board in obedience to a notice to attend, or

(b) who refuses to be sworn or to answer any question directed to be answered by the person presiding at a hearing of the Board,

is liable to attachment upon application to a judge of the Supreme Court and may be proceeded against as for a civil contempt of that court.

(4) Subject to the regulations, testimony may be adduced before the Board in such manner as the Board considers proper and the Board is not bound by the rules of law concerning evidence applicable to judicial proceedings.

239. (1) Where the Board suspends the operator's licence of a person for an indefinite period or for a period in excess of six months, the person may apply, not more than once in every six months, to the Board for a review of the suspension and the Board shall, within 30 days, give him an opportunity to be heard.

(2) On a review under subsection (1), the Board may confirm, modify or set aside any earlier decision by it.

240. (1) Any person who considers himself aggrieved by a decision of the Board may, within 30 days after the decision of the Board is sent to his latest address as recorded with the Board, appeal the decision of the Board to a judge of the Supreme Court.

(2) The judge may confirm, modify or set aside the decision of the Board.

PART 14

FINANCIAL RESPONSIBILITY OF OWNERS AND DRIVERS

241. In this Part,

- (a) "authorized insurer" means any person authorized to carry on the business of automobile insurance in Alberta;
- (b) "proof of financial responsibility" means a certificate of insurance, a bond, or deposit of money or securities given or made pursuant to this Part;
- (c) "state of the United States of America" includes the District of Columbia.

238. Witnesses before Board. New.

239. Periodic reviews. New.

240. Appeals from Board's decision. New.

241. Definitions for Part 14. Section 148.

242. Nothing in this Part shall be construed in such a way as to affect, diminish or derogate from any right of action, remedy or security that any person may have either at law or equity.

243. (1) A motor vehicle liability policy referred to in this Part is an owner's policy or non-owner's policy in conformity with and insuring to the minimum limits fixed by Part VII of *The Alberta Insurance Act*.

(2) An insurer that has issued a motor vehicle liability policy shall, as and when the insured requests, deliver to him for filing, or file directly with the Minister, a certificate for the purposes of this Part.

(3) Such a certificate filed with the Minister is a conclusive admission by the insurer that a policy has been duly issued and that the policy is in accordance with the terms of the certificate.

(4) At least 10 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 unless the certificate has been in effect for a continuous period of three years.

244. (1) Where a judgment for damages arising out of a motor vehicle accident is rendered against a person by a court in Alberta or in any other province of Canada, if that person fails, within 15 days from the date upon which the judgment became final, to satisfy the judgment, the Minister, subject to sections 252 and 253, shall suspend the operator's licence of that person and may suspend the registration of any or every motor vehicle registered in the name of that person.

(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 \$35,000, exclusive of interest and costs, and
- (b) such person gives proof of his financial responsibility.

(3) Upon the Minister being satisfied that any state of the United States of America has enacted legislation similar in effect to subsection (1) and that such legislation extends and applies to judgments rendered and become final against residents of that state by any court of competent jurisdiction in Alberta, the Minister may, by order, extend

242. Saving of rights. Section 149.

243. Motor vehicle liability policies. Section 150.

244. Failure to satisfy judgment. Section 151.

and apply the provisions of subsection (1) or (2) to judgments rendered and become final against residents of Alberta by any court of competent jurisdiction in such state.

(4) If, after proof of financial responsibility has been given, any other judgment against such person for any accident that occurred before the proof was furnished is reported to the Minister, the operator's licence and every registration of a motor vehicle of such person shall again be suspended and it remains suspended until the judgment is satisfied and discharged, otherwise than by a discharge in bankruptcy, to the extent set out in subsection (2).

(5) If any person to whom subsection (1) applies is not resident in Alberta,

(a) the privilege of operating a motor vehicle in Alberta, and

(b) the privilege of operation in Alberta of any motor vehicle registered in his name

shall be and is suspended and withdrawn forthwith by virtue of such judgment until he has complied with this section.

(6) Where an operator's licence 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 licence or certificate of registration or both, notwithstanding any other provision of this section.

245. (1) The Minister shall suspend the operator's licence of a person, or, if that person is not the holder of an operator's licence, shall not issue that person an operator's licence, if he, by order, judgment or conviction of a judge has been convicted of any one of the following offences or contraventions of law, or if, having been arrested for any such offence or contravention, he has forfeited his bail, namely:

(a) driving a motor vehicle on a highway at a rate of speed in contravention of Part 4, if injury to property in excess of \$200 or to any person occurs in connection therewith;

(b) driving a motor vehicle on a highway in a race or upon a bet or wager contrary to section 141 if injury to property in excess of \$200 or to any person occurs in connection therewith;

(c) driving a motor vehicle on a highway in a careless manner contrary to section 140 if injury to property in excess of \$200 or to any person occurs in connection therewith;

245. Suspension of operators' licences for certain offences. Section 152.

- (d) an offence under the *Criminal Code* arising anywhere in Canada out of the operation of a motor vehicle or the failure to return to the scene of an accident;
- (e) driving a motor vehicle on a highway in a municipality at a rate of speed in excess of the maximum speed limit prescribed by the by-laws of that municipality, if injury to property in excess of \$200 or to any person occurs in connection therewith;
- (f) driving a public service vehicle or commercial vehicle on a highway at a rate of speed in excess of a maximum speed limit prescribed by *The Public Service Vehicles Act* or any regulation thereunder if injury to property in excess of \$200 or to any person occurs in connection therewith;
- (g) driving a motor vehicle on a highway contrary to regulations 28 and 39 of the National Parks Highway Traffic Regulations (Canada) if injury to property in excess of \$200 or to any person occurs in connection therewith;

and the licence remains so suspended and shall not at any time thereafter be renewed, nor shall any new licence be thereafter issued to or made for such person until he has satisfied any penalty imposed by the court in respect of the offence, or his conviction has been quashed, and until he has given to the Minister proof of his financial responsibility for future motor vehicle accidents in the manner and for the amount required by this Part, but the giving of proof to the Minister of such financial responsibility for future accidents does not alter or affect in any way any disqualification to hold a licence or the suspension or cancellation of an operator's licence under any other provisions of this Act.

(2) Where a person who has an operator's licence is convicted or forfeits his bail anywhere in Canada for an offence under the *Criminal Code* arising out of the operation of a motor vehicle or the failure to return to the scene of an accident, subsection (1) applies in the same manner as if the conviction had been made or the bail forfeited by a court in Alberta.

(3) Where a judge has suspended any licence in any order, judgment or conviction it is not necessary for the Minister to do so.

(4) Upon receipt by the Minister of official notice that a driver licensed under this Act has been convicted or forfeited his bail in any other province or in any state of the United States of America, for an offence that, if committed in Alberta, would have been a contravention of this section, the Minister shall suspend every such licence until such person has given proof of financial responsibility in the same manner as if the conviction had been made or the bail forfeited by a court in Alberta.

(5) If the person to whom subsection (1) applies is not a resident of Alberta, the privilege of driving a motor vehicle in Alberta becomes suspended forthwith upon such conviction or forfeiture of bail and remains suspended until he has complied with subsection (1) by satisfaction of the penalty imposed by the court and has furnished proof of financial responsibility for future motor vehicle accidents.

(6) Notwithstanding anything in this section, where a licence is suspended or cancelled for failure to provide proof of financial responsibility,

- (a) if the suspension or cancellation creates undue hardship or injustice, or
- (b) if the Minister otherwise deems it a proper case for relief,

the Minister in his discretion may issue a temporary licence or may reinstate any licence upon such terms and conditions as he may deem just.

(7) Where a person has been convicted for any of the offences referred to in clauses (a) to (g) of subsection (1), the convicting judge shall forward the operator's licence of the convicted person to the Minister.

246. (1) The Minister may require proof of financial responsibility before issue of the registration of a motor vehicle or operator's licence.

(2) The Minister may require proof of financial responsibility

- (a) from any person who while operating a motor vehicle has been involved in and, in the opinion of the Minister, is responsible in whole or in part for any motor vehicle accident resulting in the death of or injury to any person or damage to property in excess of \$200, or
- (b) from the person in whose name the motor vehicle is registered,

or from both, and the Minister may suspend the operator's licence and the registration of all motor vehicles of that person until proof of financial responsibility has been given.

247. (1) Neither the registration of a motor vehicle nor an operator's licence, nor in the case of a person not resident in Alberta, the privilege of operating any motor vehicle in Alberta, as well as the privilege of operation within Alberta of any motor vehicle owned by the non-resident, shall be suspended or withdrawn under this Part if the owner, driver or non-resident has voluntarily filed or deposited with the Minister, prior to the offence or accident out of which any conviction, judgment or order arises, proof of financial responsibility that at the date of the conviction, judgment or order is valid and sufficient for the requirements of this Part.

246. Proof of financial responsibility. Section 153, 154.

247. Furnishing of proof. Section 155.

(2) The Minister shall receive and record proof of financial responsibility voluntarily offered, and if any conviction or judgment against such person is thereafter notified to the Minister and the conviction or judgment, in the absence of such proof of financial responsibility, would have caused the suspension of the operator's licence or registration of the motor vehicle under this Part, the Minister shall forthwith notify the insurer or surety of such person of the conviction or judgment so reported.

248. Proof of financial responsibility shall be given by every driver, and in the case of an owner, by every owner to whom this Part applies for each motor vehicle registered in his name, in the amounts required by, and subject to the limitations, conditions and qualifications prescribed for an owner's policy and a non-owner's policy respectively by Part VII of *The Alberta Insurance Act*.

249. (1) Proof of financial responsibility may be given in any one of the following forms:

- (a) the written certificate or certificates filed with the Minister of any authorized insurer that it has issued to or for the benefit of the person named therein a motor vehicle liability policy that at the date of the certificate or certificates is in full force and effect and that designates therein by explicit description or by other adequate reference all motor vehicles to which the policy applies; any such certificate or certificates shall cover all motor vehicles then registered in the name of the person furnishing such proof; and an additional certificate shall be required as a condition precedent to the registration of any additional motor vehicle in the name of that person; the certificate or certificates shall certify that the motor vehicle liability policy or policies therein mentioned will not be cancelled or expire, except upon 10 days' prior written notice thereof to the Minister, and until such notice is given the certificate or certificates are valid and sufficient to cover the term of any renewal of that motor vehicle liability policy by the insurer or any renewal or extension of the term of the insured's driver's licence or registration of the motor vehicle by the Minister;
- (b) the bond of a guarantee, insurance or surety company licensed in Alberta pursuant to *The Alberta Insurance Act*, and the bond shall be in a form approved by the Minister and shall be conditioned upon the payment of the amounts specified in this Part, and shall not be cancelled or expire except after 10 days' written notice to the Minister, but not after the happening of the injury or damage

248. Requirements as to proof. Section 156.

249. Form of proof. Section 157.

secured by the bond as to such accident, injury or damage, and the bond shall be filed with the Minister;

- (c) the certificate of the Minister that the person named therein has deposited with him a sum of money or securities for money approved by him in the amount or value of \$35,000 for each motor vehicle registered in the name of that person; the Minister shall accept any such deposits and issue a certificate therefor, if the deposit is accompanied by evidence that there are no unsatisfied executions against the depositor registered in the office of the sheriff for the judicial district in which the depositor resides.

(2) The Minister may, in his discretion at any time, require additional proof of financial responsibility to that filed or deposited by any driver or owner pursuant to this Part and may suspend the operator's licence and any registration of a motor vehicle of the person from whom proof is required, pending the additional proof.

(3) In the case of an owner of 10 or more motor vehicles to whom this Part applies, proof of financial responsibility in a form and in an amount not less than \$100,000, satisfactory to the Minister, may be accepted as sufficient for the purposes of this Part.

(4) Where a person who is not a resident of Alberta is required to give or volunteers proof of financial responsibility under this Part, the Minister may in his discretion accept in place of the certificate provided for in subsection (1) a certificate of insurance in the form approved by the Minister and issued by an insurer authorized to transact insurance in the state or province in which that person resides, if the insurer has filed with the Superintendent of Insurance in the form prescribed by him,

- (a) a power of attorney authorizing the Superintendent of Insurance to accept service of a notice or process on its behalf in any action or proceeding arising out of a motor vehicle liability policy issued by it, and
- (b) an undertaking not to set up as a defence to any action or proceeding arising out of a motor vehicle liability policy issued by it, a defence that might not be set up if such policy had been issued in Alberta, subject to and in accordance with the law of Alberta relating to motor vehicle liability policies, and to satisfy any judgment rendered against it by a court in Alberta and become final in any such action or proceeding.

(5) In any action or proceeding against an insurer who has given to the Superintendent of Insurance an undertaking pursuant to clause (b) of subsection (4), the plaintiff may give evidence of the undertaking and it shall for

all purposes of the action or proceeding be deemed to be a covenant for valuable consideration made by the insurer with the plaintiff.

250. (1) The bond filed with the Minister and the money or securities deposited with the Minister shall be held by him in accordance with this Part as security for any judgment against the owner or driver filing the bond or making the deposit in any action arising out of damage caused after such filing or deposit by the operation of any motor vehicle.

(2) Money and securities so deposited with the Minister are not subject to any claim or demand, except an execution on a judgment for damages, for personal injuries or death, or injury to property, occurring after the deposit as a result of the operation of a motor vehicle.

(3) If a judgment to which this Part applies is rendered against the principal named in the bond filed with the Minister and the judgment is not satisfied within 15 days after it has been rendered, the judgment creditor may, for his own use and benefit and at his sole expense, bring an action on the bond in the name of the Minister against the persons executing the bond.

251. (1) If the Minister finds that any driver to whom this Part applies was at the time of the offence for which he was convicted employed by the owner of the motor vehicle involved therein as chauffeur or motor vehicle operator, whether or not so designated, or is a member of the family or household of the owner, and that there was no motor vehicle registered in Alberta in the name of that driver as an owner, then if the owner of the motor vehicle submits to the Minister, who is hereby authorized to accept it, proof of his financial responsibility as provided by this Part, the chauffeur, operator, or other person shall be relieved of the requirement of giving proof of financial responsibility on his own behalf.

(2) Where a person is relieved from the requirement of filing proof of financial responsibility on his own behalf under subsection (1), his operator's licence is thereupon restricted to the vehicles referred to in the proof of financial responsibility filed on his behalf, as advised in writing to the Minister from time to time by the person filing the proof, and any licence issued as a result thereof shall be stated to be so restricted.

(3) Subsection (2) does not apply to the filing of proof of financial responsibility on behalf of a spouse.

252. (1) A judgment debtor to whom this Part applies may on due notice to the judgment creditor apply to the court in which the trial judgment was obtained for the privilege of paying the judgment in instalments, and the court may, in its discretion, so order, fixing the amounts and times of payment of the instalments.

250. Deposit of securities. Section 158.

251. Operator may be relieved of requirement of proof. Section 159.

252. Payment of judgment by instalments. Section 160.

(2) Where the Provincial Treasurer has made a payment with respect to a judgment pursuant to *The Motor Vehicle Accident Claims Act* or *The Motor Vehicle Accident Indemnity Act*, the judgment debtor:

- (a) may apply to the Minister for the privilege of paying the judgment to the Provincial Treasurer in instalments, in which case the Minister may cause an agreement to be entered into with the debtor for payment by instalments;
- (b) may apply to the court pursuant to subsection (1) for the privilege of paying the judgment to the Provincial Treasurer, in which case the debtor shall give due notice of the application to the Administrator of *The Motor Vehicle Accident Claims Act* who may appear personally or by counsel and be heard on the application.

(3) While the judgment debtor is not in default in payment of the instalments, he shall be deemed not in default for the purposes of this Part in payment of the judgment, and upon proof of financial responsibility for future accidents pursuant to this Part, the Minister may restore the operator's licence and registration of the judgment debtor but the operator's licence and registration shall again be suspended and remain suspended as provided in section 210 if the Minister is satisfied of default made by the judgment debtor in compliance with the terms of the court order or of the agreement.

253. (1) Where a person becomes liable to a suspension of his operator's licence or motor vehicle registration because of a final judgment for damages arising out of a motor vehicle accident being rendered against him outside of Alberta, he may make an application for relief to a judge of the Supreme Court of Alberta.

(2) Where an application for relief is made to a judge of the Supreme Court,

- (a) if the operator's licence of the applicant or the registration of motor vehicles registered in the name of the applicant has not then been suspended by the Minister, the judge, if the circumstances so warrant, may direct that the operation of subsection (1) of section 244 be suspended, in respect of the suspension of licence or registration or both, upon such terms and conditions as to the judge seem proper, or
- (b) if the operator's licence of the applicant or the registration of motor vehicles registered in the name of the applicant has been suspended by the Minister, the judge if the circumstances so warrant may direct that the Minister remove the suspension of the licence or registration or both upon such terms and conditions as to the judge seem proper.

253. Application for relief. Section 161.

254. (1) The clerk or registrar of the court, or the court where there is no clerk or registrar, in which any final order, judgment or conviction to which this Part applies is rendered shall forward to the Minister immediately after the date upon which the order, judgment or conviction becomes final by affirmation upon appeal, or by expiry without appeal of the time allowed for appeal, a certified copy of the order, judgment or conviction or a certificate thereof in a form prescribed by the Minister.

(2) The certified copy or certificate is *prima facie* proof of the order, judgment or conviction.

(3) The clerk or other official charged with the duty of reporting to the Minister is entitled to collect and receive a fee of \$1 for each copy or certificate hereby required, which shall be paid as part of the court costs in case of a conviction by the person convicted, and in case of an order or judgment, by the person for whose benefit judgment is issued.

(4) If the defendant is not resident in Alberta, the Minister shall transmit to the registrar of motor vehicles or other officer or officers, if any, in charge of the registration of motor vehicles and the licensing of operators in the province or state in which the defendant resides, a certificate of the order, judgment or conviction.

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

(2) The Minister, upon written request, shall furnish any person who may have been injured in person or property by any motor vehicle, with all information of record in his office pertaining to the proof of financial responsibility furnished pursuant to this Part of any owner or driver or any motor vehicle.

(3) Upon the receipt of an application from a driver, the Minister may issue an abstract of the driver's record to the driver's employer or a prospective employer.

256. (1) An owner or driver

- (a) whose registration or licence has been suspended as herein provided, or
- (b) whose policy of insurance or surety bond has been cancelled or terminated as herein provided, or
- (c) who neglects to furnish additional proof of financial responsibility upon the request of the Minister as herein provided,

shall immediately return to the Minister his operator's licence, the certificates of registration of any motor vehicles registered in his name and all licence plates issued upon the registration of his motor vehicles.

254. Report to be made by clerk of court. Section 162.

255. Abstract of driving record for insurer. Section 163.

256. Return of licences and licence plates. Section 164.

(2) If any person fails to return his licence, certificates of registration and plates as provided herein, the Registrar or his deputy may cause a request to be made to any peace officer to secure possession thereof and return them to the office of the Minister.

(3) Any person who fails to return his licence, certificates of registration and plates, or any of them when so required, or who refuses to deliver them when requested to do so by the peace officer, is guilty of an offence and is liable on summary conviction to a fine of not less than \$10 and not more than \$100 for each offence.

257. If the registration of a motor vehicle has been suspended under this Part, the registration shall not be transferred nor the motor vehicle in respect of which such permit was issued registered in any other name until the Minister is satisfied that the transfer or registration is proposed in good faith and not for the purpose or with the effect of defeating the purposes of this Part.

258. (1) The Minister may at any time after three years from the date of the original deposit thereof cancel any bond or return any certificate of insurance or may return any money or security deposited pursuant to this Part as proof of financial responsibility if

- (a) the owner or driver on whose behalf the proof was given has not, during that period or any three-year period immediately preceding the request, been convicted of any offence under this Act, and
- (b) no action for damages is pending and no judgment is outstanding and unsatisfied in respect of personal injury or damage to property in excess of \$200 and resulting from the operation of a motor vehicle.

(2) A statutory declaration of the applicant under this section shall be taken to be sufficient proof of the facts in the absence of evidence to the contrary in the records of the Minister.

(3) Upon the acceptance and substitution of other adequate proof of financial responsibility pursuant to this Part, the Minister may direct the return of any bond, money or securities to the person who furnished it.

(4) At any time after three years from the date of the expiration or surrender of the last registration made of a motor vehicle to that person or of the operator's licence issued to that person, the Minister may direct the return of any bond, money or securities deposited under this Part to the person who furnished it if

- (a) no written notice has been received by the Minister within that period of any action brought against that person in respect of the ownership, maintenance or operation of a motor vehicle, and

257. Transfer of registration on suspension. Section 165.

258. Cancellation of bonds and securities. Section 166, 166a, 166b, 166c.

- (b) that person files with the Minister a statutory declaration that the person no longer resides in Alberta, or that he has made a bona fide sale of any and all motor vehicles owned by him and names the purchaser thereof, and that he does not intend to own or operate any motor vehicle in Alberta within a period of at least one year.

(5) For the purpose of removing doubt, it is hereby declared that where a person is under this Act required to file proof of financial responsibility, a liability policy or a bond or money or securities constituting proof of financial responsibility shall be maintained by him each year for at least three years.

(6) After three years from the date on which the operator's licence of a person is suspended as a result of a conviction for an offence referred to in section 245, that person may, in the discretion of the Minister, be relieved of the requirement of giving proof of financial responsibility except in a case to which section 244 or 252 applies.

(7) Where a person fails to maintain proof of financial responsibility, a liability policy or a bond or money or securities constituting proof of financial responsibility as required by this Act, the Minister may suspend the operator's licence and motor vehicle registration of that person until proof of financial responsibility is again filed.

PART XV

FINANCIAL RESPONSIBILITY CARDS

259. In this Part,

- (a) "financial responsibility card" means a card issued pursuant to this Part;
- (b) "owner's policy" means an owner's policy within the meaning of section 293 of *The Alberta Insurance Act*.

260. (1) Where the owner of a motor vehicle

- (a) gives proof of financial responsibility in any of the forms for which provision is made in clauses (b) and (c) of subsection (1) of section 249, or
- (b) being a corporation, produces to the Registrar a certificate issued by the Highway Traffic Board showing that
 - (i) the corporation maintains a separate insurance fund for the purpose of satisfying therefrom, inter alia, liabilities it may incur resulting from bodily injury to or the death of any person, or damage to property, occasioned by

259. Definitions for Part 15. Section 167.

260. Issue of financial responsibility cards by Registrar. Section 168.

or arising out of the ownership, maintenance, operation or use of a motor vehicle by the corporation, and

- (ii) in the opinion of the Highway Traffic Board, the insurance is adequate to satisfy all such liabilities that the corporation is likely to incur, subject, for each motor vehicle registered in the name of the corporation, to the limits as to amount stated in Part VII of *The Alberta Insurance Act*,

the Registrar shall issue and deliver to the owner a financial responsibility card, and shall, on request by the owner, issue and deliver to him an additional card, which shall be a copy of the card issued to the owner,

- (c) for each motor vehicle in respect of which the proof of financial responsibility is given, or
- (d) in the case of a corporation to which the Highway Traffic Board issues a certificate under clause (b), for each motor vehicle registered in the name of the corporation.

(2) A financial responsibility card issued under this section shall be in a form approved by the Registrar.

(3) Where the owner of a motor vehicle to whom the Registrar has issued a financial responsibility card pursuant to clause (b) of subsection (1) ceases to maintain, as required by this Part, the proof of financial responsibility in respect of which the card was issued, he shall forthwith deliver to the Registrar for cancellation the card and all additional cards issued to him.

261. (1) A person who is not a resident of Alberta and who is required to register a motor vehicle in Alberta may, for the purposes of section 260, give proof of financial responsibility

- (a) as provided in subsection (1) of section 249, or
- (b) subject to subsection (2), by filing a certificate of insurance, in a form approved by the Minister, issued by any insurer authorized to transact automobile insurance in the province, state, territory, district or country in which the person resides.

(2) A certificate issued under clause (b) of subsection (1) by an insurer that is not authorized to carry on in Alberta the business of automobile insurance is not effectual for the purpose of subsection (1) unless the insurer has complied with clause (b) of subsection (5) of section 262.

262. (1) Every insurer that issues an owner's policy shall, at the time of issue thereof, also issue and deliver to the named insured a financial responsibility card and shall,

261. Proof of financial responsibility by non-resident. Section 169.

262. Financial responsibility cards to be issued by insurers. Section 170.

on request by the insured issue and deliver to him an additional card, which shall be a copy of the financial responsibility card delivered to the insured, for each person who commonly drives the motor vehicle to which the card refers, or for each motor vehicle in respect of which the policy is issued.

(2) A financial responsibility card issued under this section shall be in a form approved by the Superintendent of Insurance.

(3) The financial responsibility cards issued by all insurers shall be in a form approved by the Superintendent of Insurance.

(4) Except where it issues an owner's policy outside Alberta, an insurer may print and prepare the financial responsibility card for issue and delivery to its insured if the financial responsibility card is in a form approved by the Superintendent of Insurance.

(5) An insurer that issues owners' policies outside Alberta may issue financial responsibility cards in respect of such policies, but

- (a) in the case of an insurer that is licensed to carry on in Alberta the business of automobile insurance, every card issued by it shall show that the policy thereon mentioned complies with Part VII of *The Alberta Insurance Act*, and
- (b) in case of an insurer that is not so licensed, the insurer shall file with the Superintendent of Insurance, in a form prescribed by him,
 - (i) a power of attorney authorizing the Superintendent of Insurance to accept service of notice or process for itself in any action or proceeding against it arising out of a motor vehicle accident in Alberta, and
 - (ii) an undertaking
 - (A) to appear in any action or proceeding against it or its insured arising out of a motor vehicle accident in Alberta, and of which it has knowledge,
 - (B) that upon receipt from the Superintendent of Insurance of any notice or process served upon him in respect of its insured, or in respect of its insured and another or others, and sent by the Superintendent of Insurance to it as hereinafter provided, it will forthwith cause the notice or process to be personally served upon its insured, and
 - (C) not to set up to any claim action or proceeding under a motor vehicle liability policy issued by it any defence that might

not be set up if such policy had been issued in Alberta in accordance with the law of Alberta relating to motor vehicle liability policies, and to satisfy up to the limits of liability stated in the policy and, in any event to an amount not less than the limits of liability fixed in Part VII of *The Alberta Insurance Act*, any judgment rendered against it or its insured by a court in Alberta, and become final in any such action or proceeding.

(6) Where an insurer to which subsection (5) refers is not authorized to carry on in Alberta the business of automobile insurance, notice or process in any action or proceeding in Alberta against it or its insured arising out of a motor vehicle accident in Alberta may be effectually served upon the insurer or the insured, or upon both of them, by leaving three copies of the notice or process with the Superintendent of Insurance, but if the insurer is not a party to the action or proceeding the person who leaves with the Superintendent the copies of the notice or process shall at the same time leave with him a written statement signed by the person who issued or caused to be issued the notice or process and stating the full name and address of the insurer against whose insured the action or proceeding is taken.

(7) Upon receipt of notice or process under subsection (6) the Superintendent of Insurance shall forthwith mail two copies thereof, by registered mail, to the insurer at its address last known to him.

(8) In any action or proceeding against an insurer who has given to the Superintendent of Insurance and undertaking under subclause (ii) of clause (b) of subsection (5), the plaintiff may give evidence of the undertaking, and the undertaking shall, for all purposes of the action or proceeding, be deemed to be a covenant for valuable consideration made by the insurer with the plaintiff.

(9) If an insurer that has filed the documents described in subsection (5) defaults thereunder, certificates of the insurer shall not thereafter be accepted as proof of financial responsibility so long as such default continues, and the Registrar shall forthwith notify the Superintendent of Insurance and the proper officers in charge of the registration of motor vehicles and the licensing of drivers in all provinces of Canada and in all states, territories or districts in the United States, where the certificates of the insurer are accepted as proof of financial responsibility, of such default.

263. (1) Where a person is insured under a policy of the type commonly known as "a garage and sales agency policy" whereby he is insured against liability, to no lesser limits as to amount than the limits fixed in Part VII of *The*

263. Garage and sales agency policies. Section 171.

Alberta Insurance Act, for loss or damage to persons or property occasioned by or arising out of the ownership, maintenance, operation or use of a motor vehicle by himself and such other persons as are covered by the policy, the insurer who issues the policy

- (a) shall, at the time of issue thereof, issue and deliver to the named insured a financial responsibility card, and
- (b) shall, on request by the insured, issue and deliver to him an additional card, which shall be a copy of the financial responsibility card delivered to the insured, for any person who is authorized to drive the motor vehicle owned by the insured or in his charge.

(2) A financial responsibility card issued under this section shall be in a form approved by the Superintendent of Insurance and shall be signed in handwriting and in ink, with his normal signature, by the person for whose use the card or additional card is issued, and the card shall bear the number of the operator's licence held by him as at the date on which the card is issued.

(3) No person insured under "a garage and sales agency policy" and no employee of such person shall produce to a peace officer for inspection or otherwise produce or use a financial responsibility card issued upon any such policy, or any additional card issued in respect of such financial responsibility card at any time when that person or employee is not in the course of the business of the insured person.

264. A person who

- (a) produces to a peace officer a financial responsibility card purporting to show that he is at that time maintaining in effect proof of financial responsibility as required by this Act when such is not the case, or
- (b) fails to deliver to the Registrar for cancellation as required by subsection (4) of section 260 a financial responsibility card or any additional card issued to him, or
- (c) gives or loans to a person not entitled to have the same a financial responsibility card or additional card issued under this Part,

is guilty of an offence and is liable on summary conviction, if not a corporation, to a fine of not less than \$50 and not more than \$200 or to imprisonment for a term not exceeding 30 days, and, if a corporation, to a fine of not less than \$200 and not more than \$1,000.

265. A person who contravenes any provision of this Part for which no penalty is expressly provided is guilty of an offence and is liable on summary conviction to a fine

264. Offences and penalties. Section 177.

265. General penalty. Section 178.

of not less than \$20 and not more than \$200, and in default of payment thereof to imprisonment for a term not exceeding three months.

Consequential Amendments

266. (1) *The Motor Vehicle Accident Claims Act* is amended

- (a) as to section 2, clause (d)
 - (i) by striking out of subclause (ii) the words “Part XI of *The Vehicles and Highway Traffic Act*” and by substituting the words “Part 14 of *The Highway Traffic Act*”,
 - (ii) by striking out of subclause (iv) the words “Part XI or Part XII of *The Vehicles and Highway Traffic Act*” and by substituting the words “Part 14 or 15 of *The Highway Traffic Act*”,
 - (iii) by striking out of subclause (iv) the words “section 168 of *The Vehicles and Highway Traffic Act*” and by substituting the words “section 260 of *The Highway Traffic Act*”,
- (b) as to section 7, subsection (5) by striking out the words “Part XI of *The Vehicles and Highway Traffic Act*” and by substituting the words “Part 14 of *The Highway Traffic Act*”,
- (c) as to section 14a by striking out the words “section 168 of *The Vehicles and Highway Traffic Act*” and by substituting the words “section 260 of *The Highway Traffic Act*”,
- (d) as to section 21
 - (i) by striking out of subsection (2), clause (a) the words “section 24 of *The Vehicles and Highway Traffic Act*” and by substituting the words “section 39 of *The Highway Traffic Act*”,
 - (ii) by striking out of subsection (2a) the words “section 11a of *The Vehicles and Highway Traffic Act*” and by substituting the words “section 32 of *The Highway Traffic Act*”,
- (e) by striking out the words “*The Vehicles and Highway Traffic Act*” wherever they occur in sections 2, 4, 5 and 6 and by substituting the words “*The Highway Traffic Act*”.

(2) *The Public Service Vehicles Act* is amended

- (a) as to section 8 by striking out the words “section 104 of *The Vehicles and Highway Traffic Act*” and by substituting the words “section 214 of *The Highway Traffic Act*”,
- (b) by striking out the words “*The Vehicles and Highway Traffic Act*” wherever they occur in sections 2, 19,

33, 55 and 74 and by substituting the words "*The Highway Traffic Act*".

(3) *The Contributory Negligence Act* is amended as to section 4 by striking out the words "section 132 of *The Vehicles and Highway Traffic Act*" and by substituting the words "section 211 of *The Highway Traffic Act*".

(4) The words "*The Vehicles and Highway Traffic Act*" wherever they occur in the following enactments are struck out and the words "*The Highway Traffic Act*" are substituted, that is to say:

Section 2 of *The Bills of Sale Act*;
Section 2 of *The Conditional Sales Act*;
Section 2 of *The Fuel Oil Tax Act*;
Section 2 of *The Garagemen's Lien Act*;
Section 1a of *The Innkeepers Act*;
Section 5a of *The Summary Convictions Act*;
Section 2 of *The Mobile Equipment Licensing Act*;
Section 4 of *The Police Act*;
Section 9 of *The Possessory Liens Act*.

(5) *The Summary Convictions Act* is amended by adding the following section after section 5a:

5b. (1) The Lieutenant Governor in Council may prescribe a form of traffic ticket summons under section 5a having an additional part or having an endorsement thereon to the effect that the person to whom the summons is directed may pay out of court a specified sum if he wishes to plead guilty.

(2) A person to whom such a summons is directed is not required to appear in answer to the summons if, within the time stated therein, he

(a) signs the plea of guilty endorsed on the summons, and

(b) delivers the summons and the specified penalty to the place stated on the summons,

and upon so doing the person shall be deemed to be convicted of the offence charged.

(3) A signature affixed to a plea of guilty on such a summons and purporting to be that of the person to whom the summons is directed is *prima facie* proof that it is the signature of that person.

(4) The Lieutenant Governor in Council may make regulations in respect of such summons

(a) prescribing the offences under

(i) *The Highway Traffic Act*,

(ii) *The Public Service Vehicles Act*, and

(iii) *The Motor Vehicle Accident Claims Act*,

in respect of which a penalty may be paid out of court in lieu of appearing in answer to the summons, and

- (b) prescribing the amount of the penalty payable in respect of each such offence.
- (5) The council of a municipality may by by-law, in respect of such summons,
 - (a) prescribe the offences under any municipal by-law regulating traffic in respect of which a penalty may be paid out of court in lieu of appearing in answer to the summons, and
 - (b) prescribe the amount of the penalty payable in respect of each such offence.

267. (1) This Act repeals and replaces *The Vehicles and Highway Traffic Act*.

(2) The following enactments are repealed, that is to say:

Section 283 of *The City Act*;

Sections 300, 300a, 301 and 302 of *The Town and Village Act*;

Sections 271, 272, 273, 273a and 273b of *The Municipal District Act*.

268. (1) Except as provided in subsection (2), this Act comes into force on the first day of July, 1967.

(2) Clauses (d), (e), (f) and (h) of section 135 and sections 136 and 137 come into force on the first day of January, 1968.