

1972 Bill 113

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~~Second~~ <sup>First</sup> Session, 17th Legislature, 21 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 113**

**The Highway Traffic Amendment Act, 1972 (No. 2)**

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THE MINISTER OF HIGHWAYS AND TRANSPORT

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First Reading .....

Second Reading .....

Third Reading .....

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## BILL 113

1972

### THE HIGHWAY TRAFFIC AMENDMENT ACT, 1972 (NO. 2)

(Assented to \_\_\_\_\_, 1972)

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. *The Highway Traffic Act is hereby amended.*

2. (1) *Section 206, subsection (1) is amended*

(a) *by adding after the words "care or control of a motor vehicle" the words ", whether it is in motion or not," and*

(b) *as to clause (a) by striking out the word "six" and by substituting therefor the word "three".*

(2) *Section 206, subsection (2), clause (a) is amended by striking out the word "six" and by substituting therefor the word "three".*

(3) *Section 206, subsection (3) is amended by striking out the words "not less than three months" and by substituting therefor the words "not less than one month".*

(4) *Section 206, subsection (4), clause (c) is amended by striking out the figure "12" and by substituting therefor the word "six".*

3. *The following sections are added after section 208:*

**208.1** Where a person is convicted of an offence under section 203, 204 or 219 of the *Criminal Code* committed by means of a motor vehicle or of an offence under section 233, 234, 235 or 236 of the *Criminal Code*, then notwithstanding any other provision in this Part, if the person has not before been convicted of an offence referred to in this section, the judge may make an order prohibiting the person from driving a motor vehicle only at such times and places as may be specified in the order and as long as the person complies with the order he shall not thereby be deemed to be driving while his licence is under suspension.

**208.2** Where a judge has made an order under section 208.1, the Minister may, in his discretion, extend the order

## Explanatory Notes

**1.** This Bill will amend chapter 169 of the Revised Statutes of Alberta 1970.

**2.** Subsections (1), (2) and (4) will reduce statutory suspension periods for operator's licences. Subsection (3) will reduce the maximum discretionary suspension.

**3.** This amendment will coincide with amendments to the Criminal Code made in 1972 except that a partial prohibition will only be available to a first offender.

The second amendment will cure the case where a judge imposes a partial prohibition for a lesser period of time than a mandatory disqualification required by the Act. This will enable the spirit and intent of the federal amendment to be met.

to such period of time as will coincide with any period of disqualification, suspension or prohibition otherwise required by this Act.

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

