

1974 Bill 22

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Third Session, 17th Legislature, 23 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 22**

**The Public Service Vehicles Amendment Act, 1974**

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THE MINISTER OF HIGHWAYS AND TRANSPORT

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First Reading .....

Second Reading .....

Third Reading .....

## BILL 22

1974

### THE PUBLIC SERVICE VEHICLES AMENDMENT ACT, 1974

(Assented to \_\_\_\_\_, 1974)

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

1. *The Public Service Vehicles Act is hereby amended.*
2. *Section 2 is amended by striking out clauses 1.1, 2 and 3 and by substituting the following:*
  - 1.1 "axle" means an axle as defined by the regulations;
  2. "axle group" means an axle group as defined by the regulations;
  3. "Board" means The Motor Transport Board constituted pursuant to this Act;
3. *The heading "Highway Traffic Board" immediately preceding section 4 is struck out and the heading "Motor Transport Board" is substituted.*
4. *Section 4 is amended by striking out subsection (1) and by substituting the following:*
  4. (1) The board heretofore constituted under the name of The Highway Traffic Board is continued as a board with the name of "The Motor Transport Board".
  - (1.1) The Board shall be composed of not more than five members to be appointed by the Lieutenant Governor in Council.
5. *Section 14 is amended by adding the following clause after clause 6:*
  - 6.1 defining "axle" and "axle group" for the purposes of this Act and the regulations;
6. *Section 15 is amended by adding after the word "inspectors" the words "and patrol officers".*

## **Explanatory Notes**

**1.** This Bill will amend chapter 300 of the Revised Statutes of Alberta 1970.

**2.** Section 2, clauses 1.1, 2 and 3 presently read:

- 1.1 "axle" means all the wheel assemblies supporting both sides of a vehicle, the centres of rotation of which are included between two vertical parallel transverse planes not more than 40 inches apart extending across the full width of the vehicle;
2. "axle group" means two or more axles so placed that their centres are in separate transverse vertical planes extending across the full width of the vehicle and where the distance between the centre of the first axle and the centre of the last axle of the group is not less than 42 inches and not more than 10 feet;
3. "Board" means The Highway Traffic Board constituted pursuant to this Act;

**3.** Self-explanatory.

**4.** Section 4 (1) presently reads:

4. (1) There shall be a board named "The Highway Traffic Board" which shall be composed of not more than five members to be appointed by the Lieutenant Governor in Council.

**5.** Section 14 clause 6 presently reads:

14. The Board may do all that is necessary for the proper conduct of its business, and in particular, but without restricting the generality of the foregoing, may make regulations or orders
  6. governing the weight that may be carried on the top of a passenger carrying public service vehicle,

**6.** Section 15 presently reads:

15. Subject to The Public Service Act, the Board may appoint such officers and inspectors and such other employees as the Board deems necessary, and the Board may prescribe the duties of all persons appointed by it.

7. (1) *The Fuel Oil Tax Act is amended as to section 2 by striking out clause (i) and by substituting the following:*

(i) “officer” means

- (i) a member of the Royal Canadian Mounted Police, or
- (ii) a member of a municipal police force, or
- (iii) a patrol officer of The Motor Transport Board, or
- (iv) any other person appointed by the Minister as an officer for the purposes of this Act;

(2) *The Litter Act is amended as to section 1, clause (b), subclause (iii) by striking out the words “a member of the Enforcement Division of the Motor Vehicle Branch of the Department of Highways and Transport” and by substituting the words “a patrol officer of The Motor Transport Board”.*

(3) *The Highway Traffic Act is amended*

- (a) *as to section 2, clause 4.1 by striking out the words “the Highway Traffic Board” and by substituting the words “The Motor Transport Board”.*
- (b) *as to section 2, clause 22 by striking out the words “a member of the Enforcement Division of the Motor Vehicle Branch of the Department of Highways and Transport” and by substituting the words “a patrol officer of The Motor Transport Board”,*
- (c) *as to section 248, subsection (1) by striking out the words “the Highway Traffic Board” and by substituting the words “The Motor Transport Board”.*

(4) *The Off-Highway Vehicle Act is amended as to section 1, subsection (1), clause (l) by striking out the words “a member of the Enforcement Division of the Motor Vehicle Branch of the Department of Highways and Transport” and by substituting the words “a patrol officer of The Motor Transport Board”.*

8. *This Act comes into force on a date to be fixed by Proclamation.*

**7. Consequential amendments.**