

1980 BILL 19

Second Session, 19th Legislature, 29 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 19

THE OFF-HIGHWAY VEHICLE AMENDMENT ACT, 1980

THE SOLICITOR GENERAL

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 19

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1980

THE OFF-HIGHWAY VEHICLE AMENDMENT ACT, 1980

(Assented to , 1980)

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

1 The Off-highway Vehicle Act is amended by this Act.

2 The following is added after section 19:

19.1 A peace officer who on reasonable and probable grounds believes that an offence under section 2, 4.2, 13 or 16 has been committed may seize and detain any off-highway vehicle in respect of which the offence was committed until the final disposition of any proceedings that may be taken under this Act, and section 99 of *The Motor Vehicle Administration Act* applies, with all necessary modifications, to that off-highway vehicle.

3 Section 20 is amended by adding the following after subsection (1):

(1.1) The owner of an off-highway vehicle that is involved in a contravention of this Act, a by-law, order or regulation made under section 13 or a regulation made under section 23 is guilty of an offence unless he proves to the satisfaction of the judge that at the time of the offence the off-highway vehicle was not being driven or was not parked or left by him or by any other person with his consent, express or implied.

(1.2) Notwithstanding subsection (1), if the owner was not driving the off-highway vehicle at the time the offence was committed he is not in any event liable to imprisonment.

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

Explanatory Notes

1 This Bill will amend chapter 73 of the Statutes of Alberta, 1972.

2 Seizure of off-highway vehicles.

3 Section 20 presently reads:

20(1) Every person who contravenes any provision of this Act or the regulations is guilty of an offence.

(2) Any person who permits another person to operate an off-highway vehicle in contravention of this Act or the regulations is guilty of an offence.