

1983 BILL 239

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First Session, 20th Legislature, 32 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 239**

**AN ACT TO AMEND THE MOTOR  
VEHICLE ADMINISTRATION ACT**

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MR. PURDY

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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Bill 239  
Mr. Purdy

## BILL 239

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### AN ACT TO AMEND THE MOTOR VEHICLE ADMINISTRATION ACT

(Assented to \_\_\_\_\_, 1983)

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

1 *The Motor Vehicle Administration Act is amended by this Act.*

2 *Section 68 is amended*

*(a) in subsections (2), (3) and (4) by striking out "destroy" wherever it occurs and substituting "return to the insurer or his agent."*

*(b) by adding the following after subsection (5):*

(5.1) When an insurer has sent a financial responsibility card to an owner of a motor vehicle and

(a) the owner's policy offered to the owner and in respect of which the card was sent, is not entered into or renewed by the owner prior to its proposed commencement date,

or

(b) the policy ceases to be in force prior to the expiry date shown on the financial responsibility cards,

the insurer or his agent shall, within 15 days, submit a report to the Minister in the prescribed form advising him that the policy has not been entered into or renewed or has ceased to be in force as the case may be unless the owner has, by that time, returned to the insurer or his agent all copies of the financial responsibility card in the owner's possession relating to the policy.

(5.2) Every financial responsibility card shall bear a notice in the prescribed form advising the owner that if the owner's policy is not entered into or ceases to be in force prior to the

## Explanatory Notes

**1** This Bill will amend chapter M-22 of the Revised Statutes of Alberta 1980.

**2** Requires the insurer or his agent to advise the Minister if a financial responsibility card relating to a policy that has not been entered into or has ceased to be in force prior to the expiry date noted on it, has not been returned to him.

Section 68(2), (3), (4) and (5) presently read:

*68(1) Every insurer that issues an owner's policy shall*

*(a) at the time of issue of the policy also issue and deliver to the insured named in the policy a financial responsibility card and on request by him a copy of the card, and*

*(b) on request by the insured, issue and deliver to him one copy of the financial responsibility card delivered to the insured*

*(i) for each person who commonly drives the motor vehicle to which the card refers, or*

*(ii) for each motor vehicle of which the policy is issued.*

*(2) Every insurer that cancels an owner's policy shall inform the policy holder in the notice of cancellation that*

*(a) it is an offence to use or be in possession of a financial responsibility card or a copy of a financial responsibility card relating to an owner's policy that has lapsed or been cancelled,*

*(b) it is an offence to operate a motor vehicle that is not an insured motor vehicle, and*

expiry period shown on the card, the fact will be reported to the Minister unless the owner has, within 15 days of the last date provided for entering into the policy or the date it ceases to be in force, returned to the insurer or his agent all copies of the financial responsibility card provided to him.

*3 This Bill comes into force on a date to be fixed by Proclamation.*

*(c) he is required by law to destroy the financial responsibility card and every copy of the card issued to him.*

*(3) Every insurer that sends directly to an insured a notice of renewal whereby the renewal is conditional on the payment of a further premium failing which the policy will lapse or be cancelled shall inform the insured in an attachment to the notice that*

*(a) it is an offence to use or be in possession of a financial responsibility card or a copy of a financial responsibility card relating to an owner's policy that has lapsed or been cancelled,*

*(b) it is an offence to operate a motor vehicle that is not an insured motor vehicle, and*

*(c) he is required by law to destroy the financial responsibility card and every copy of the card issued to him when he ceases to maintain the financial responsibility in respect of which the card was issued to him.*

*(4) When the owner of a motor vehicle to whom a financial responsibility card has been issued pursuant to this section ceases to be insured by the owner's policy in respect of which the card was issued, he shall forthwith destroy the card and every copy of the card issued to him.*

*(5) Any insurer that has issued a financial responsibility card or his agent shall provide to a peace officer any information requested concerning the cancellation or lapse of the owner's policy with respect to which the financial responsibility card was issued.*

**3** Coming into force.