

1984 BILL 83

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Second Session, 20th Legislature, 33 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 83**

**CHILD TRANSPORTATION SAFETY ACT**

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THE MINISTER OF TRANSPORTATION

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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## BILL 83

1984

### CHILD TRANSPORTATION SAFETY ACT

(Assented to \_\_\_\_\_, 1984)

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

Definitions

**1(1)** In this Act,

(a) “child” means a child

(i) born on or after January 1, 1985,

(ii) under the age of 5 years, and

(iii) whose weight does not exceed 18 kilograms;

(b) “motor vehicle” does not include a motorcycle or moped.

(2) Words and expressions used in this Act have the same meaning as in the *Highway Traffic Act*.

Prohibition

**2(1)** No person shall, on a highway, operate a motor vehicle registered under the *Motor Vehicle Administration Act* in which a child is a passenger unless

(a) the motor vehicle is equipped with the prescribed child seating assembly,

(b) the child seating assembly is properly installed, and

(c) the child is occupying and is properly secured in the child seating assembly.

(2) Subsection (1) does not apply if, in respect of the child, there is a certificate signed by a duly qualified medical practitioner certifying that the child

(a) is, for the period stated in the certificate, unable for medical reasons to be secured in a child seating assembly, or

(b) is, because of weight, size, build or other physical characteristics, unable to be secured in a child seating assembly.

Regulations

**3** The Lieutenant Governor in Council may make regulations

(a) respecting the types of child seating assemblies required for the purposes of this Act;

(b) exempting persons or motor vehicles from the operation of this Act.

Offence and  
penalty

**4(1)** A person who contravenes section 2 is guilty of an offence and is liable to a fine not exceeding \$100.

(2) Where a person is convicted of an offence under section 2 because the motor vehicle was not equipped with the prescribed child seating assembly, the judge may waive the payment of the penalty if the person, at the time the penalty is imposed, satisfies the judge that the motor vehicle has been equipped with the prescribed child seating assembly.

(3) Where a person has been charged or is to be charged with having committed an offence under section 2 because the motor vehicle was not equipped with the prescribed child seating assembly, no further proceedings with respect to the offence shall be taken if, within 15 days after the offence was committed, the peace officer who investigated the matter is satisfied that the motor vehicle has been equipped with the prescribed child seating assembly.

**5** *This Act comes into force on Proclamation.*