

1986 BILL 205

Fourth Session, 20th Legislature, 35 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 205

SEAT BELT ACT

MR. PURDY

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 205
Mr. Purdy

BILL 205

1986

SEAT BELT ACT

(Assented to , 1986)

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

1 *The Highway Traffic Act is amended by this Act.*

2 *The following is added after section 43:*

43.1(1) In this section, "seat belt assembly" means a device or assembly composed of straps, webbing or similar material that restrains the movement of a person in order to prevent or mitigate injury to the person and is of a design prescribed in the regulations.

(2) No person shall operate on a highway a motor vehicle in which a seat belt assembly required under the provisions of the *Motor Vehicle Safety Act* (Canada) at the time the vehicle was manufactured or imported into Canada has been removed, rendered partly or wholly inoperative or modified so as to reduce its effectiveness or is not in proper working order.

(3) Subject to subsection (5), every person who operates on a highway a motor vehicle in which a seat belt assembly is provided for the driver shall wear a complete seat belt assembly in a properly adjusted and securely fastened manner.

(4) Subject to subsection (5), every person who is a passenger on a highway in a motor vehicle in which a seat belt assembly is provided in the seating position occupied by the passenger, shall wear the complete seat belt assembly in a properly adjusted and securely fastened manner.

Explanatory Notes

- 1** This Bill will amend chapter H-7 of the Revised Statutes of Alberta 1980.
- 2** Driver and passengers to wear seat belt.

- (5) Subsections (3) and (4) do not apply to a person
- (a) operating a motor vehicle in reverse;
 - (b) who holds a certificate signed by a legally qualified medical practitioner certifying that the person is,
 - (i) for the period stated in the certificate, unable for medical reasons to wear a seat belt assembly, or
 - (ii) because of the person's size, build or other physical characteristic, unable to wear a seat belt assembly; or
 - (c) who is actually engaged in work which requires him to alight from and re-enter a motor vehicle at frequent intervals and who, when engaged in such work, does not operate or travel in that vehicle at a speed exceeding 40 kilometres per hour.
- (6) No person shall operate on a highway a motor vehicle in which there is a passenger 16 years of age occupying a seating position for which a seat belt assembly has been provided, unless that passenger is wearing a complete seat belt assembly and it is properly adjusted and securely fastened.
- (7) Subsection (6) does not apply where the passenger,
- (a) is the holder of a certificate signed by a legally qualified medical practitioner certifying that the passenger is
 - (i) for the period stated in the certificate, unable for medical reasons to wear a seat belt assembly, or
 - (ii) because of the passenger's size, build or other physical characteristic, unable to wear a seat belt assembly;
 - (b) is actually engaged in work which requires him to alight from and re-enter the motor vehicle at frequent intervals and, during such work, the motor vehicle does not travel at a speed exceeding 40 kilometres per hour; or

(c) is under the age of 5 years and is occupying and properly secured in a child seating assembly within the meaning of the *Child Transportation Safety Act*.

In accordance with section 4(1) of the Interpretation Act, this Bill comes into force on the date it receives Royal Assent.