

Bill No. 14 of 1937.

A BILL TO AMEND THE VEHICLES AND HIGHWAY  
TRAFFIC ACT, 1924.

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NOTE.

Section 2 defines "Highway Traffic Board" and "Pedestrian".

Section 3 makes provision as to the issuance of licenses in the case of public service and commercial vehicles.

Section 4 eliminates the provisions for the licensing of liverymen, which are to be inserted by another Bill in The Public Service Vehicles Act, also the provision for the licensing of garages, which can now be done under The Licensing of Trades and Businesses Act.

Section 5 provides for the dimming or dropping of headlights on a motor vehicle approaching another coming from the opposite direction.

Section 6 requires cycles to be equipped with a lighted head lamp and a lighted tail light or a rear reflector when being ridden on a highway between one hour after sunset and one hour before sunrise.

Section 7 requires that all motor vehicles be equipped with adequate brakes and prescribes standards of adequacy for brakes.

Section 8 makes the reporting to a peace officer of all accidents in which a motor vehicle is involved if any injury to person or property is caused thereby.

Section 9 inserts in the Act a new Part Va, which makes provision as to certain rights and duties of pedestrians on a highway.

R. ANDREW SMITH,  
*Legislative Counsel.*

*(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)*

# BILL

No. 14 of 1937.

An Act to amend The Vehicles and Highway Traffic Act,  
1924.

(Assented to . . . . . 1937.)

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

1. This Act may be cited as "*The Vehicles and Highway Traffic Act, 1924, Amendment Act, 1937.*"

2. *The Vehicles and Highway Traffic Act, 1924*, being chapter 31 of the Statutes of Alberta, 1924, is hereby amended as to section 2 thereof,—

(a) by inserting therein immediately after paragraph (d) thereof the following new paragraph:

"(d1) 'Highway Traffic Board' means the Highway Traffic Board appointed under *The Public Service Vehicles Act*, being chapter 91 of the Statutes of Alberta, 1936;";

(b) by inserting therein immediately after paragraph (j) thereof the following new paragraph:

"(j1) 'Pedestrian' shall include all persons making use of public highways for foot passage;".

3. The said Act is further amended as to section 12 thereof, by adding at the end of subsection (3) the following new paragraph:

"(c) being satisfied that an applicant who intends to operate a public service or commercial vehicle is in possession of the certificate issued pursuant to section 13 of the rules and regulations made under *The Public Service Vehicles Act.*"

4. The said Act is further amended as to sections 18, 18a and 19 thereof, by striking out the same.

5. The said Act is further amended as to section 36 thereof, by adding at the end thereof the following new subsections:

"(5) On approaching another vehicle proceeding in an opposite direction and when within not less than three hundred and fifty feet of same, any person in charge of a motor

vehicle equipped with electric headlight or headlights shall dim or drop such headlight or headlights.

“(6) Any police constable or officer appointed for carrying out the provisions of this Act or of *The Public Service Vehicles Act*, may stop approaching vehicles when such vehicles have failed to comply with the provisions of subsection (5) and on summary conviction shall be liable to the penalties prescribed under section 72 of this Act.

**6.** The said Act is further amended as to section 36a thereof by adding at the end thereof the following new subsections:

“(2) At any time between one hour after sunset and one hour before sunrise no cycle shall be in motion on any highway unless there is carried thereon a lighted lamp showing a white light in the direction in which the cycle is proceeding and also a red lighted lamp or a red reflector so placed as to be clearly visible to drivers of vehicles approaching it from the rear.

“(3) Any city or town may by by-law define an area or areas within which every vehicle whilst stationary shall, between the hours of one hour after sunset and one hour before sunrise, have lighted lamps to the front and either a red lighted lamp or a reflector of a type approved by the Lieutenant Governor in Council to the rear.”

**7.** The said Act is further amended as to section 40 thereof by striking out the same and by substituting therefor the following:

“**40.**—(1) Every motor vehicle shall be equipped with adequate brakes.

“(2) No motor vehicle shall be allowed to stand unattended without first effectively setting the brakes thereon and stopping the motor of the motor vehicle.

“(3) Every person driving or operating a motor vehicle on any highway shall upon request of any police constable or of any officer appointed for the carrying out of the provisions of this Act or of *The Public Service Vehicles Act*, permit the constable or officer to inspect and test the brakes with which the motor vehicle is equipped, and for that purpose to operate the motor vehicle, or at the option of the constable or officer the person for the time being operating the vehicle shall operate the motor vehicle as directed by him for the purpose of the inspection and testing of the brakes, and the constable or officer shall, if such brakes are not adequate notify the person operating the vehicle thereof, and thereupon the operator shall forthwith proceed to have such brakes made adequate.

“(4) The service brakes upon any motor vehicle which is equipped with two-wheel brakes shall be deemed to be not adequate unless the same are capable of bringing such vehicle to a standstill when the brakes are applied when the vehicle is moving at a speed of twenty miles an hour within a distance of forty feet from the point at which the brakes are applied, when loaded to its full capacity on a level

surface consisting of dry asphalt or concrete paving free from loose material.

"(5) The service brakes upon any other motor vehicle or combination of vehicles shall be deemed to be not adequate unless the same are capable of bringing such vehicle or combination of vehicles to a standstill when the brakes are applied when the vehicle or combination of vehicles are moving at a speed of twenty miles an hour within a distance of thirty feet from the point at which the brakes are first applied, when loaded to its full capacity on a level surface consisting of dry asphalt or concrete paving free from loose material.

"(6) The hand brake upon any motor vehicle or combination of motor vehicles shall be deemed to be not adequate unless the same is capable of bringing such vehicle or combination of vehicles to a standstill when the brake is applied when the vehicle or combination of vehicles are moving at a speed of twenty miles an hour within a distance of fifty-five feet from the point at which the brake is first applied, when loaded to its full capacity on a level surface consisting of dry asphalt or concrete paving free from loose material; and shall be capable of holding the vehicle or combination of vehicles at a standstill upon any grade upon which the same is operated.

"(7) All brakes shall at all times be maintained in good working order and shall be so adjusted that the brake pressure upon the wheels on each side of the vehicle is as nearly as possible equal."

8. The said Act is further amended as to section 52 by striking out subsection (2) thereof and by substituting therefor the following:

"(2) Every person who is the operator of any motor vehicle which is involved in any accident causing any injury to person or property shall as soon as possible report the accident to a police officer or constable."

9. The said Act is further amended by inserting therein immediately after section 52*a* the following new Part:

"PART V*a*.

"RIGHTS AND DUTIES OF PEDESTRIANS.

"52*b*.—(1) At the intersections where traffic is controlled by traffic control signals, pedestrians shall cross the street only in the direction of moving traffic and operators of vehicles when turning shall yield the right of way to pedestrians when so crossing.

"(2) The operator of a vehicle or street surface car shall yield the right of way to a pedestrian crossing the roadway within any crossing at an intersection except at intersections where the movement of traffic is regulated by a peace officer

or traffic control signal, or at any point where a pedestrian tunnel or overhead crossing has been provided. This provision shall not relieve the pedestrian from the duty of exercising due care for his safety.

“(3) Whenever any vehicle is stopped at a marked crossing or at any intersection to permit a pedestrian to cross the roadway, it shall be unlawful for the operator of any other vehicle approaching from the rear to overtake and pass such stopped vehicle.

“(4) Every pedestrian crossing a roadway at any point other than within a marked or unmarked crossing shall yield the right of way to vehicles and street surface cars upon the roadway, provided that this provision shall not relieve the driver of a vehicle or street surface car from the duty of exercising due care for the safety of pedestrians.

“(5) At intersections where traffic is controlled by traffic control signals or by a peace officer, operators of vehicles and street surface cars shall yield the right of way to pedestrians crossing or those who have started to cross the roadway on a green or “go” signal, and in all other cases, pedestrians shall yield the right of way to vehicles and street surface cars lawfully proceeding directly ahead on a green or “go” signal.

“(6) Pedestrians walking or remaining on the paved portion, or travelled part of a roadway shall be subject to and comply with the rules governing vehicles with respect to meeting and turning out, except that such pedestrians shall keep to the left of the center line thereof, and turn to their left instead of right side thereof, so as to permit all vehicles passing them in either direction to pass on their right. Such pedestrians shall not be subject to the rules governing vehicles as to giving signals.”

**10.** This Act shall come into force on the day upon which it is assented to.

THIRD SESSION  
EIGHTH LEGISLATURE  
1 GEORGE VI  
1937

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**BILL**

An Act to amend The Vehicles and  
Highway Traffic Act, 1924.

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. MANNING.

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EDMONTON:  
A. Shnitka, King's Printer  
1937