

PROVINCE OF BRITISH COLUMBIA

MOTOR-VEHICLE ACT

(R.S.B.C. 1960, CHAPTER 253; 1961, CHAPTER 42; 1961 (2nd SESS.), CHAPTER 3; 1962, CHAPTER 40; 1963, CHAPTER 27; 1964, CHAPTER 32; 1965, CHAPTER 27; 1966, CHAPTER 30; 1967, CHAPTER 27; 1968, CHAPTER 32; 1969, CHAPTER 20; 1970, CHAPTER 28; 1971, CHAPTER 58; 1972, CHAPTER 35)

[Consolidated for convenience only, May 1, 1972]

and REGULATIONS

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1972

A. Mac Kinnon

MOTOR-VEHICLE ACT

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CHAPTER 253

Motor-vehicle Act

[Consolidated for convenience only, May 1, 1972]

- Title. 1. This Act may be cited as the *Motor-vehicle Act*. 1957, c. 39, s. 1.
- Interpre- 2. In this Act, unless the context otherwise requires,
tation. "adult" means a person who has attained the age of nineteen years;
"air contaminant" means a solid, liquid, gas, odour, or combination of any of them that contributes to air pollution;
"air pollution" means the presence in the outdoor atmosphere of any air contaminant in quantities that may cause discomfort to or endanger the health or safety of persons, or that may cause injury or damage to property or to plant or animal life or that may interfere with visibility or the normal conduct of transport or business;
"bona fide farmer" means a person who resides on a farm and makes his principal living by farming such farm;
"dangerous article" includes inflammable or corrosive liquids or liquefied petroleum gas;
"dealer" means a person who, in the course of his business, buys, sells, exchanges, advertises, exhibits, or offers for sale, or acts as a broker or commission agent, with or without remuneration of any kind, new or used vehicles of a type to be registered under this Act or the *Department of Commercial Transport Act*, except
 (a) an insurer licensed under the *Insurance Act*;
 (b) a chartered bank;
 (c) a person whose dealing with motor-vehicles is incidental to the person's business of buying, selling, dealing in, or lending money on the security of conditional sale agreements, chattel mortgages, trade paper, bills of lading, warehouse receipts, bills of exchange, or choses in action;
 (d) a person who, having come into possession of a vehicle only as an incident to the person's regular business, sells the vehicle;
 (e) a liquidator, receiver, trustee in bankruptcy, or a person acting under the authority of a Court of competent jurisdiction;
 (f) a manufacturer, exporter, importer, or distributor of vehicles who does not sell the vehicles at retail;
 (g) a person whose engagement in the business aforesaid is confined to the purchase, sale, and exchange of boat trailers,

tent trailers, snow vehicles, snowmobiles, or golf carts, or any combination of those vehicles;

(h) a person engaged exclusively in the wrecking or dismantling of vehicles for junk or for resale of the parts of vehicles;

(i) a person regularly employed by a dealer licensed under this Act while acting as a salesman or a sales representative; or

(j) an auctioneer, a Sheriff, or a Sheriff's officer;

"emergency vehicle" means

(a) [Repealed. 1963, c. 27, s. 2.]

(b) a motor-vehicle carrying rescue or first-aid equipment where there is an urgent emergency justifying a rate of speed in excess of any maximum rate of speed provided for in this Act;

(c) a motor-vehicle carrying fire-fighting equipment in responding to an alarm of fire;

(d) a motor-vehicle driven by a peace officer or constable or by a member of the police branch of any of Her Majesty's Armed Forces or a member of the Provincial Gaol Service in the discharge of his duty;

"financial responsibility card" means a card issued pursuant to subsection (9) of section 91;

"former Act" means the *Motor-vehicle Act*, being chapter 227 of the *Revised Statutes of British Columbia, 1948*, as amended;

"highway" includes every highway within the meaning of the *Highway Act*, and every road, street, lane, or right-of-way designed or intended for or used by the general public for the passage of vehicles, and every private place or passage-way to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited;

"implement of husbandry" means a vehicle used exclusively in the conduct of agricultural operations, but does not include a vehicle used primarily for the transportation of persons or property on a highway;

"motor-cycle" means a motor-vehicle running on two or three wheels and having a saddle or seat for the driver to sit astride;

"motor-vehicle" means a vehicle, not run upon rails, that is designed to be self-propelled or propelled by electric power obtained from overhead trolley-wires;

"motor-vehicle liability insurance card" means a card issued pursuant to section 219 of the *Insurance Act*;

"motor-vehicle liability policy" means a policy or part of a policy evidencing a contract of motor-vehicle insurance insuring

(a) the owner or driver of a motor-vehicle; or

(b) a person who is not the owner or driver thereof where the motor-vehicle is being used or operated by his employee or agent or any other person on his behalf, against liability arising out of

(c) bodily injury to or death of a person; or

(d) loss or damage to property caused by a motor-vehicle or the use or operation thereof;

and includes insurance otherwise coming within the class of accident insurance where the accident is caused by a motor-vehicle or the use or operation thereof, whether liability exists or not, if the contract also includes insurance described in clauses (c) or (d);

"municipality" includes village municipality as defined in the *Municipal Act*;

"number-plates" means the number-plates issued under this Act as well as validation decals for attachment to number-plates issued under this Act or the regulations;

"owner" includes a person who is in possession of a motor-vehicle under a contract by which he may become the owner of the motor-vehicle upon full compliance with the terms of the contract;

"owner's licence" means any licence issued under section 4 or 29;

"peace officer" means a constable or person having the powers of a constable;

"prescribed" means prescribed by this Act or by the regulations or by the Superintendent under this Act;

"station wagon" means a dual-purpose vehicle that is designed for the transportation of not more than nine persons, with a rear seat accessible from a side door, and that is also designed in such a manner that the seats may be removed or folded out of the way for the purpose of increasing the property-carrying space within the vehicle;

"Superintendent" means the Superintendent of Motor-vehicles;

"taxi-driver" means the driver of a motor-vehicle having a seating capacity for not more than nine persons which, with its driver, is operated, or plies, for hire by members of the public;

"trailer" means a vehicle that is at any time drawn upon a highway by a motor-vehicle, except

(a) an implement of husbandry;

(b) a side-car attached to a motor-cycle; and

(c) a disabled motor-vehicle that is towed by a tow-car;

"vehicle" means a device in, upon, or by which a person or thing is or may be transported or drawn upon a highway, except a device designed to be moved by human power or used exclusively upon stationary rails or tracks. 1957, c. 39, s. 2; 1958, c. 31, ss. 2, 3, 5; 1959, c. 55, s. 2; 1960, c. 36, s. 2; 1963,

c. 27, s. 2; 1965, c. 27, s. 2; 1966, c. 30, s. 2; 1967, c. 27, s. 2; 1968, c. 32, s. 2 (part eff. Sept. 1, 1971); 1969, c. 20, s. 1 (a) (eff. June 1, 1969); 1969, c. 20, s. 1 (b), 1 (c) (eff. Jan. 1, 1970; 1970, c. 28, s. 1 (eff. Apr. 6, 1970); 1972, c. 35, s. 1 (eff. June 1, 1972).

PART I

LICENCES, PERMITS, CERTIFICATES, AND REGULATION OF MOTOR TRAFFIC

Application of Act.

3. (1) This Act shall not apply in respect of the driving or operation of a mechanically propelled invalid's chair, the use of which is confined to the purposes for which it was designed.

(2) The provisions of this Act respecting the registration and licensing of motor-vehicles and trailers and the licensing of chauffeurs and drivers of motor-vehicles do not apply to prohibit

(a) the temporary driving, propelling, drawing, or moving of any implement of husbandry on any highway by or on behalf of a bona fide farmer unless the implement of husbandry is used

(i) for the carrying on a highway of passengers or goods other than farm produce, supplies, stock, fertilizer, tools, or seeds being carried from one place on a farm to another place on the same farm; or

(ii) for towing on a highway a trailer that is used for the carriage of passengers or goods other than farm produce, supplies, stock, fertilizer, tools, or seeds being carried from one place on a farm to another place on the same farm; or

(b) the use of a trailer towed by a tractor licensed under section 5 by a bona fide farmer to transport thereon the produce of his farm to market and to transport supplies for his own farm from market.

(3) [Repealed. 1963, c. 27, s. 3.]

(4) No person who is under the age of fifteen years shall drive or operate an implement of husbandry on a highway.

(5) The provisions of this Act respecting the registration and licensing of motor-vehicles and trailers do not apply in respect of trolley-coaches, that is to say, motor-vehicles operated with electricity as the motive power through contact with overhead or underground wires.

(6) A commercial vehicle registered and licensed under a section of the *Department of Commercial Transport Act* is deemed to be registered and licensed under the section of this Act that is identical except for the substitutions mentioned in section 9 of the *Department of Commercial Transport Act*.

(7) No person shall be charged with or convicted of an offence under the *Motor-vehicle Act*, except under section 138 thereof, as the result of the driving or operation of a motor-vehicle or trailer

- (a) on a private road owned by the person who owns or leases the motor-vehicle; or
- (b) in an industrial use by an industrial user on a private road by arrangement with the owner of the road;

and for the purposes of this section, "private road" means a private road used by the public for purposes of vehicular traffic with permission of the owner or licensee of the road. 1957, c. 39, s. 3; 1959, c. 55, s. 3; 1963, c. 27, s. 3; 1963, c. 33, s. 5; 1965, c. 27, s. 3.

Registration and Licensing of Motor-vehicles and Trailers

Duty of owner to procure registration and licence.

4. (1) Except as otherwise provided in this Act, the owner of a motor-vehicle or trailer shall, before it is used or operated on any highway, cause the motor-vehicle or trailer to be registered with the Superintendent, and a licence for its operation to be obtained pursuant to the provisions of this section; except that a trailer towed by a tractor licensed under section 5 does not require to be licensed.

Application for registration and licence.

(2) The owner shall make application for registration and licence in the prescribed form, which shall be signed by the owner and delivered to the Superintendent, or any Government Agent, or any person authorized in writing by the Superintendent for the purposes of this section, and when delivered shall be accompanied by the payment of the prescribed fees and the amount of tax owing in respect of the motor-vehicle under the *Social Services Tax Act*.

Issuance of licence and number-plates.

(3) Upon the receipt of the application in the prescribed form, and upon being satisfied of the truth of the facts stated in the application, and that the prescribed fees have been paid, the Superintendent shall cause the name and address of the owner and a description of his motor-vehicle or trailer to be registered in a file or index to be kept for that purpose, and shall cause to be issued to the owner

- (a) a numbered licence in the prescribed form, showing registration of the motor-vehicle or trailer, and authorizing its use and operation in accordance with the provisions of this Act; and
- (b) one distinctive number-plate in the case of a motor-cycle or trailer, and two distinctive number-plates in the case of any motor-vehicle other than a motor-cycle.

Exemptions from payment of fees.

(4) No fees are payable in respect of the registration or licensing of any motor-vehicle or trailer owned or used by any person who, through active service in the Armed Forces of the Crown in any war, has lost a limb or is in receipt of a one-hundred-per-centum disability pension, but the exemption granted by this clause does not extend to the concurrent registration or licensing of more than one motor-vehicle and one trailer for the same person.

Additional requirement in case of imported motor-vehicles.

(5) In the case of an application for registration and licence in respect of a motor-vehicle imported into the Province which has been registered or licensed at a place without the Province, the Superintendent may, as

a condition of the issuance of the licence, require the applicant to deliver to the Superintendent the existing licence or certificate of registration and the current number-plates issued in respect of the motor-vehicle without the Province, to be retained by the Superintendent while the motor-vehicle is being used or operated within the Province.

Power to refuse licence in case of default in previous fee.

(6) The Superintendent may refuse to issue a licence for the operation of a motor-vehicle or trailer if any fee or part of a fee for a previous licence issued under this Act in respect of such motor-vehicle or trailer is unpaid or if any amount in respect of the motor-vehicle under the *Social Services Tax Act* is not paid to him.

Dealer's report of sale in lieu of licence.

(7) The Superintendent may authorize a licensed dealer to issue to the purchaser of a vehicle sold by the dealer a duplicate copy of the dealer's report of sale prescribed by the regulations, and if such duplicate copy is displayed on the windshield of the vehicle, it may be operated for a period not exceeding ten days without a licence under this section. 1957, c. 39, s. 4; 1961, c. 42, s. 2.

4A. (1) No application for registration and licence of a motor-vehicle or notice of transfer of a motor-vehicle licence shall be accepted if the applicant or the transferee is under the age of eighteen years, unless

- (a) the application or notice is also signed by a parent or guardian of the applicant or transferee; or
- (b) where the applicant or transferee is unable to obtain the signature of a parent or guardian, he proves to the satisfaction of the Superintendent that he is self-supporting and unable to obtain the signature of a parent or guardian, or is married.

(2) Where a motor-vehicle has been registered and licensed in or transferred into the name of a person under the age of eighteen years in accordance with subsection (1),

- (a) if the parent or guardian, in writing, withdraws his consent; or
- (b) if proof is produced satisfactory to the Superintendent that the person was not self-supporting, or was not married,

the Superintendent shall suspend the licence of the motor-vehicle and shall not reinstate the licence or issue a new licence for the vehicle to that person until the person attains the age of eighteen years, or until the provisions of subsection (1) have been complied with.

(3) The licensee of a motor-vehicle for which the licence has been suspended under subsection (2) shall forthwith deliver up the licence and its corresponding number-plates to the Superintendent. 1967, c. 27, s. 3.

Licences for farm tractors.

5. (1) The Superintendent may cause a licence to be issued in respect of any motor-vehicle known or described as a tractor that is owned by a bona fide farmer and used for towing a trailer for the purpose of transporting thereon the produce of his own farm to market and of transporting supplies for his own farm from market, or for towing any

implement of husbandry used by or on behalf of the farmer, and the form of the licence and the application therefor may be varied accordingly.

(2) A licence issued under this section in respect of a motor-vehicle is not in force during any time the motor-vehicle is being operated or used on a highway otherwise than for the purpose stated in the licence.

(3) The Superintendent may in his discretion, and without the necessity of holding a public or other hearing, cancel any licence issued under this section, and upon notice of the cancellation of his licence, the licensee shall forthwith deliver up the licence and its corresponding number-plates to the Superintendent. 1957, c. 39, s. 5.

Special licence covering motor-vehicles used in an industry.

6. Where two or more motor-vehicles belonging to the same owner are registered under this Act and are used exclusively in the conveyance of personal property in an industry carried on by him, and where all those motor-vehicles are ordinarily used and operated wholly upon premises other than a highway, but it is necessary occasionally for purposes of the industry that some one of them be used or operated on a highway, the Superintendent, upon being satisfied as to the facts, may, in his discretion, cause one licence with its corresponding number-plates to be issued in respect of all those motor-vehicles, authorizing the use and operation of each of them in accordance with the provisions of this Act; and the form of the licence and the application therefor shall be varied accordingly. All the motor-vehicles covered by a licence issued under this section shall, so long as they are used exclusively in the industry carried on by the owner, be deemed to be sufficiently licensed for the purposes of this Act; but only one of those motor-vehicles shall be operated on a highway at the same time. The annual licence fee payable in respect of a licence issued under this section shall be an amount equal to the largest of the annual licence fees prescribed by this Act in respect of the respective motor-vehicle covered by the licence. 1957, c. 39, s. 6.

Special licence for tractors, etc., in certain cases.

7. The Superintendent may, in respect of any motor-vehicle known or described as a tractor, grader, loader, shovel, roller, mixer, crane, or other self-propelled construction machinery used in performing any work in or upon any mine or industrial undertaking, cause a licence to be issued permitting the operation of the motor-vehicle for the purpose of proceeding to or returning from any such work without load, and the form of the licence shall be varied accordingly. A licence issued under this section in respect of a motor-vehicle is not in force during any time the motor-vehicle is being operated or used on any highway otherwise than for the purpose stated in the licence. The Superintendent may, in his discretion, and without the necessity of holding any formal or public or other hearing, cancel any licence issued under this section, and upon notice of the cancellation of his licence the licensee shall forthwith deliver up the licence and its corresponding number-plates to the Superintendent. 1957, c. 39, s. 7; 1959, c. 55, s. 4.

Carrying
of licence.

8. The licence issued in respect of a motor-vehicle shall be carried in the motor-vehicle at all times while the motor-vehicle is on any highway. 1957, c. 39, s. 8; 1965, c. 27, s. 4.

Design of
number-
plates.

9. (1) Each number-plate shall bear the licence number of the motor-vehicle or trailer in respect of which it is issued, and shall be of such material and design as the Superintendent may determine, and remains the property of the Crown.

(1a) In the place of issuing new licence number-plates, the Superintendent may, in any year, issue numbered decals to be attached to previously issued number-plates, and the decals shall be of such material and design as the Superintendent may determine, and the decals remain the property of the Crown.

Display of
number-
plates.

(2) The number-plate or number-plates issued in respect of a motor-vehicle or trailer shall be displayed thereon in the manner prescribed by the regulations at all times while the motor-vehicle or trailer is on any highway.

Display dur-
ing January
or February
of number-
plates for
next licence-
year.

(3) In the case of a motor-vehicle duly registered and licensed under this section, if a new licence is obtained in advance in respect of that motor-vehicle for the next succeeding licence-year, the display on that motor-vehicle at any time during the months of January or February of the number-plates corresponding to the new licence, in substitution for the number-plates corresponding to the current licence, shall, if the current licence continues to be carried on the motor-vehicle, be deemed to be sufficient compliance with this section in respect of the display at any time during that month of number-plates on that motor-vehicle. 1957, c. 39, s. 9; 1972, c. 35, s. 2 (eff. June 1, 1972).

Offences.

10. (1) Every person who drives, operates, or is in charge of a motor-vehicle or trailer on any highway

- (a) without the licence required by this Act for the operation of that motor-vehicle or trailer having been first obtained, and being then in force; or
- (b) without displaying thereon, in the manner prescribed, the number-plates issued or designated by the Superintendent or otherwise prescribed to be displayed on that motor-vehicle or trailer for the current licence-year; or
- (c) having displayed thereon a number-plate other than those issued or designated by the Superintendent or otherwise prescribed to be displayed on that motor-vehicle or trailer for the current licence-year

is guilty of an offence.

Seizure of
number-
plates.

(2) Every officer or constable of the Royal Canadian Mounted Police or of the police force of any municipality may seize any number-plate which he finds detached from a motor-vehicle or trailer, or displayed on a motor-vehicle or trailer other than the one in respect of which it was issued; and may hold the same pending the receipt of instructions from

the Superintendent as to its disposal. This subsection applies in respect of number-plates and motor-vehicles whether on a highway or elsewhere, and for the purposes of this subsection any such officer or constable may enter without warrant the lands or premises of any person on or in which there is any motor-vehicle. 1957, c. 39, s. 10.

Change of
address or
name.

11. (1) In case the address of the owner of a vehicle licensed under this Act is changed from the address stated in the application upon which the licence was issued or from the address shown on the licence, the owner shall within ten days of the change of address notify the Superintendent in writing of his old and new address.

(2) In case of a change of name, either by marriage or otherwise, of the owner of a vehicle licensed under this Act, the owner shall within ten days notify the Superintendent in writing of the former name and the new name in full. 1957, c. 39, s. 11; 1965, c. 27, s. 5.

Notice of
change made
in motor-
vehicle.

12. Where any change is made in a motor-vehicle registered under this Act, by

- (a) replacing the chassis by another;
- (b) replacing the body by another;
- (c) changing the type of the motor-vehicle for another,

the owner of the motor-vehicle shall deliver to the Superintendent forthwith a notice in writing stating the nature of the change made in the motor-vehicle and such other particulars as the Superintendent may require, and the last licence issued in respect of the motor-vehicle under this Act shall be attached to the notice for surrender to the Superintendent; and any alteration in the amount of the annual licence fee payable in respect of the motor-vehicle consequent on such change shall be adjusted by rebate or payment forthwith; and thereupon the Superintendent shall issue to the owner a new licence for the operation of the motor-vehicle, and may require the substitution of new number-plates in the place of those last issued in respect of that motor-vehicle and the payment of the prescribed fee therefor. 1957, c. 39, s. 12; 1965, c. 27, s. 6.

New serial
numbers.

13. Where the serial number on a motor-vehicle has become illegible or has been removed or obliterated, the owner of the motor-vehicle shall forthwith make application to the Superintendent for a new serial number for the motor-vehicle. Upon being satisfied that the applicant is the lawful owner of the motor-vehicle, the Superintendent may assign a new serial number thereto, and the owner shall thereupon cause the number so assigned, together with the initials "B.C." to indicate this Province, and the date of the assignment of the number, to be stamped upon such part of the motor-vehicle as may be designated by the Superintendent. When a new serial number has been assigned to and stamped on a motor-vehicle pursuant to this section, the owner shall file with the Superintendent a

statutory declaration in proof thereof, and the Superintendent shall thereupon cause the new number to be inserted in the registration record and licence of the motor-vehicle. 1957, c. 39, s. 13; 1965, c. 27, s. 7.

Notice of transfer of motor-vehicle.

14. (1) In case of the transfer of the title or interest of any person in a motor-vehicle or trailer registered under section 4, whether by gift, exchange, barter, or sale, the transferor and the transferee of the title or interest shall forthwith sign a notice of the transfer in the prescribed form, and the transferee shall within ten days from the day of the transfer cause the notice, accompanied by the prescribed fee and the amount of tax owing in respect of the motor-vehicle under the *Social Services Tax Act*, to be delivered to the Superintendent for registration by him.

Notice of transfer by operation of law.

(2) In case of the transfer by operation of law of the title or interest of an owner of a motor-vehicle or trailer registered under section 4, as upon inheritance, bequest, order in bankruptcy, execution sale, repossession upon default in performance of the terms of a lease or conditional sale contract, or otherwise than by the voluntary act of the person whose title or interest is so transferred, the notice of transfer for purposes of this section (the form of which may be varied in accordance with the facts of the case) shall be signed by the executor, administrator, receiver, trustee, sheriff, or other representative or successor in interest of the person whose title or interest is so transferred in lieu of that person; and the person by whom the notice of transfer is so signed shall cause to be transmitted to the Superintendent evidence satisfactory to him of all facts entitling that person to sign the notice of transfer.

Delivery of notice.

(3) All documents required to be transmitted to the Superintendent under this section may be delivered to him, or any Government Agent, or any person authorized in writing by the Superintendent for the purposes of this section, but in every case the person delivering the notice of transfer shall at the same time surrender the licence last issued under section 4 in respect of the motor-vehicle or trailer, and the person to whom the same is surrendered shall endorse thereon a memorandum of the notice of transfer and the date of its delivery to him.

Power to refuse registration in case of default in previous fee.

(4) Where a notice of transfer is delivered to the Superintendent with regard to a motor-vehicle or trailer in respect of which any fee or part of a fee for a previous licence issued under this Act is unpaid or if any amount in respect of the motor-vehicle or trailer under the *Social Services Tax Act* is unpaid, the Superintendent may refuse registration under this section. 1957, c. 39, s. 14; 1961, c. 42, s. 2A.

Transfer on death where estate small.

15. Notwithstanding the provisions of this or any other Act, where any person who is registered as the holder of a licence to operate a motor-vehicle or trailer dies, and where any person applies for a transfer of the licence, if that person proves to the satisfaction of the Superintendent that the total estate left by the deceased did not exceed two thousand dollars in value, and if he satisfies the Superintendent, by producing the last will of the deceased, that the person entitled thereunder consents, or,

if the deceased died intestate, by showing that all persons entitled to share in the estate on intestacy consent, the Superintendent may accept an application for a transfer from the person and issue a new licence in his name. 1957, c. 39, s. 15; 1963, c. 27, s. 4; 1968, c. 32, s. 3.

Registration of dissolved company suspended.

15A. At any time after he is satisfied that the registered owner, if a company, has been dissolved or struck off the register or ceased to be registered pursuant to the *Companies Act*, the Superintendent may suspend the registration and licence of any motor-vehicle or trailer registered in the name of that registered owner and cause the numbered licence and number-plate or number-plates issued in respect of the motor-vehicle or trailer to be seized by a peace officer and delivered to him. 1972, c. 35, s. 3 (eff. June 1, 1972).

Notice of removal or destruction of motor-vehicle.

16. (1) Where any motor-vehicle or trailer registered or licensed under this Act is permanently removed from the Province, or is burned or damaged so that it cannot be again repaired or used as a motor-vehicle or trailer, the owner or licensee in respect thereof shall sign and cause to be transmitted to the Superintendent for registration a notice in the prescribed form.

Refund of licence fee for unexpired term.

(2) Upon the certificate of the Superintendent showing the relinquishment of the licence in respect of the motor-vehicle or trailer covered by a notice under this section, the Minister of Finance shall, out of the revenue collected under this Act, refund to the licensee one-half of such part of the licence fees as is proportionate to that part of the term of the licence which is unexpired at the time of its relinquishment, and the registration of the motor-vehicle or trailer pursuant to section 4 shall be cancelled, but this subsection does not apply where the licence for a motor-vehicle or trailer has been cancelled or suspended.

Refund limit.

(3) No refund shall be made under this section of an amount less than one dollar. 1957, c. 39, s. 16.

Registration of foreign motor-vehicles and trailers.

17. (1) The owner of a motor-vehicle or trailer

- (a) that is duly registered outside the Province;
- (b) in respect of which the licensing requirements of the jurisdiction in which it is registered are fulfilled;
- (c) that has displayed thereon the registration number-plates of that jurisdiction for the current year; and
- (d) that is brought into and remains in the Province for a continuous period of thirty days or longer

shall, not later than thirty days after commencing to operate the motor-vehicle or trailer upon any highway within the Province,

- (e) cause the motor-vehicle or trailer to be registered with the Superintendent in accordance with section 4; or,
- (f) if the motor-vehicle or trailer is used within the Province for touring purposes only, cause the motor-vehicle or trailer to be recorded with the Superintendent by delivering to him or any Government Agent or other authorized person a notice in the

prescribed form; but where that owner is resident in a country other than Canada, and a customs permit allowing entry of the motor-vehicle or trailer into Canada is carried in the motor-vehicle or trailer while on a highway in the Province and exhibited upon the request of a peace officer, the obtaining of a customs permit shall be deemed to be of sufficient compliance with this section;

but the owner of a motor-vehicle or trailer to which clauses (a), (b), and (c) are applicable and that is brought into the Province for a period of less than thirty days is exempt from the requirements to register and license the motor-vehicle or trailer under this Act.

(2) Where a motor-vehicle or trailer is owned by a person resident without the Province who has complied with the laws of his place of residence with respect to the registration and licensing of the motor-vehicle or trailer and where the motor-vehicle or trailer carrying displayed thereon the registration number-plates for the current year assigned under those laws for that motor-vehicle or trailer is brought into the Province

- (a) for temporary use by a member of Her Majesty's Armed Forces on temporary posting within the Province for training purposes only for a period not exceeding six months; or
- (b) by a person registered as a student at a university in the Province recognized as such by Statute for use in the Province only while the person is attending the university,

then, at the earliest opportunity and in any event not later than thirty days after the motor-vehicle or trailer is brought into the Province, the owner shall cause the motor-vehicle or trailer to be registered with the Superintendent by delivering to the Superintendent, or any Government Agent, or any person authorized in writing by the Superintendent to receive the same, a notice in the form prescribed by the Superintendent.

Certificate of registration.

(3) Upon the receipt of the notice in the prescribed form, and upon being satisfied of the truth of the facts stated in the notice, the Superintendent shall cause to be issued to the owner a certificate of registration in the prescribed form, together with a windshield sticker of a design approved by the Superintendent; and the motor-vehicle or trailer, with such sticker conspicuously displayed on the lower part of its windshield in the case of a motor-vehicle other than a motor-cycle, while being used by the owner within the Province for touring purposes only or for the purpose mentioned in subsection (2) during the period named in the certificate shall be deemed sufficiently registered and licensed for the purposes of this Act.

Application of section limited to period of reciprocal privileges.

(4) No motor-vehicle or trailer shall by reason only of compliance with this section be deemed to be sufficiently registered and licensed for the purposes of this Act for a longer period than that allowed by the law of the owner's place of residence for the operation there without local registration or licence of touring motor-vehicles and trailers registered

and licensed in this Province, but this subsection does not apply to permits issued under subsection (2).

Offences.

- (5) Every person who
 - (a) brings any motor-vehicle or trailer into the Province for temporary use for touring purposes only, and fails in contravention of this section to give the notice required by this section; or
 - (b) makes in any notice given by him for the purposes of this section any false statement; or
 - (c) being in possession of a motor-vehicle or trailer in respect of which a certificate of registration has been issued under this section, and being requested by any peace officer or constable to exhibit the certificate, refuses or fails to exhibit the certificate; or
 - (d) being in possession of a motor-vehicle or trailer in respect of the entry of which into Canada a Customs permit has been obtained, and being requested by any peace officer or constable to exhibit the Customs permit, refuses or fails to exhibit the same; or
 - (e) thirty days or more after entry into the Province of a motor-vehicle or trailer, registration of which is required under subsection (2) but in respect of which notice has not been delivered in accordance with subsection (2), drives or operates the motor-vehicle or trailer on any highway

is guilty of an offence. 1957, c. 39, s. 17; 1958, c. 31, ss. 5, 6; 1966, c. 30, s. 3.

Reciprocal arrangements for registration and licence-plates.

17A. (1) The Lieutenant-Governor in Council may make or authorize to be made a reciprocal arrangement or agreement with the Executive Government of any other Province or Territory of Canada, or any State or Territory of the United States of America,

- (a) exempting any class or classes of owners of motor-vehicles who are ordinarily resident in that other Province, State, or Territory from the application of the provisions of this Act relating to
 - (i) the registration and licensing of motor-vehicles; and
 - (ii) the carrying and displaying upon motor-vehicles of licences and number-plates issued by the Superintendent; and
- (b) providing for the granting by that other Province, State, or Territory of similar exemptions and privileges with respect to the owners of motor-vehicles who are ordinarily resident in this Province.

(2) Every arrangement or agreement made under subsection (1) and each exemption thereunder is subject to

- (a) the condition that no person is entitled to any exemption or privilege thereunder in respect of a motor-vehicle in this Province unless the owner of the motor-vehicle

- (i) has complied with the law of his place of residence relating to the registration and licensing of motor-vehicles; and
- (ii) carries or causes to be carried on the motor-vehicle the certificate or licence and the number-plates prescribed by the law of that place;
- (b) all other conditions and restrictions set out in the arrangement or agreement; and
- (c) cancellation by the Lieutenant-Governor in Council. 1963, c. 27, s. 6.

Drivers' Licences

Classes of drivers' licences.

17B. There shall be such classes of drivers' licences as the Lieutenant-Governor in Council, by regulation, prescribes, and the regulation shall designate the categories of motor-vehicles which the holder of each class of licence is licensed to drive; and the authority to drive conferred by each class of licence shall be confined to the driving of vehicles of the category designated for that class. 1968, c. 32, s. 4 (eff. Sept. 1, 1971).

Driving without driver's licence prohibited.

18. (1) No person, except when accompanied by a person authorized by the Superintendent to examine persons as to their ability to drive and operate motor-vehicles, shall drive or operate any motor-vehicle on any highway unless, in addition to any licence or permit which he is otherwise required to hold under this Act, he is the holder of a subsisting driver's licence issued to him pursuant to the provisions of this Act, and of a class appropriate to the category of motor-vehicle driven or operated by him.

(2) Everyone who contravenes the provisions of subsection (1) is guilty of an offence.

Driving without insurance prohibited.

(2a) No person shall drive or operate a motor-vehicle on a highway unless he

- (a) is insured under a valid and subsisting motor-vehicle liability policy; or
- (b) gives to the Superintendent proof of financial responsibility, in respect of the motor-vehicle that he is driving or operating.

Offence and penalty.

(2b) A person who contravenes the provisions of subsection (2a) is guilty of an offence and, upon conviction, is liable to a fine of not less than two hundred and fifty dollars or to imprisonment for a period of not less than three months, or to both such a fine and such imprisonment.

Offence.

(2c) Any person who

- (a) produces to a peace officer or to the Superintendent
 - (i) a motor-vehicle liability insurance card or a financial responsibility card purporting to show that there is in force a policy of insurance that is, in fact, not in force; or
 - (ii) a financial responsibility card purporting to show that he is at that time maintaining in effect proof of financial responsibility as required by this Act when such is not the case; or

- (iii) a motor-vehicle liability insurance card or a financial responsibility card issued in respect of insurance that does not apply to the motor-vehicle he is driving or operating; or
- (b) fails to deliver to the Superintendent for cancellation as required by subsection (12) of section 91 a financial responsibility card or any additional card issued to him under subsection (9) of section 91; or
- (c) gives or loans to a person not entitled to have it a card issued under subsection (9) of section 91

is guilty of an offence.

Application for licence.

(3) The applicant for a driver's licence shall sign an application in the prescribed form, and deliver it to the Superintendent, or any Government Agent, or any person authorized in writing by the Superintendent, for the purposes of this section, accompanied by the payment of the prescribed fee, and the applicant shall

- (a) submit himself to such examinations as to his fitness and ability to drive or operate motor-vehicles of the relevant category as may be prescribed by the Superintendent;
- (b) submit himself for photographing; and
- (c) if required by or on behalf of the Superintendent, identify himself to the satisfaction of the Superintendent.

Production of licence last held.

(4) Where the applicant for a driver's licence has at any time prior to the application held a driver's licence issued under this Act or in another jurisdiction, he shall with his application surrender the last driver's licence or duplicate thereof held by him, unless the Superintendent on cause shown to his satisfaction dispenses with the production of the same.

Ability of applicant to read road signs.

(5) No applicant for a driver's licence who fails to demonstrate his ability to read and understand such warning and other road signs and signals as are from time to time in use on any highway to the satisfaction of the person to whom his application is delivered pursuant to this Act, when requested by that person so to demonstrate, shall be granted a licence under this Act.

Issuance of licence.

(6) Upon the receipt of the application in the prescribed form, and upon being satisfied of the truth of the facts stated in the application, and that the prescribed fees have been paid, and upon being satisfied as to the fitness and ability of the applicant to drive and operate motor-vehicles of the relevant category, the Superintendent shall cause to be issued to the applicant a numbered driver's licence in the prescribed form, authorizing the licensee to drive or operate motor-vehicles; except that where the application is made for the purpose only of enabling the applicant to learn to drive a motor-vehicle, and, in case the applicant is under the age of nineteen years and over the age of sixteen years, is accompanied by an application of the parent or guardian of the minor in the prescribed form verified by statutory declaration, unless the Superintendent on cause shown to his satisfaction dispenses with such

application, the Superintendent, or any Government Agent or other person authorized by the Superintendent for the purposes of this section, may, in his discretion, without requiring the payment of any fee, issue to the applicant a driver's licence, good only for a period of ninety days from the date of issue, entitling the applicant to drive and operate motor-vehicles of such category as he thinks fit other than a motor-cycle when accompanied by an adult holder of a driver's licence who occupies the seat beside the applicant, or to drive and operate motor-cycles without being so accompanied.

(7) [Repealed. 1969, c. 20, s. 3.]

Restricted licences.

(8) In the issuing of drivers' licences, the Superintendent, or any person authorized by him, may, in addition to the restrictions inherent in the issue of a class of licence appropriate for a limited category of vehicles, in any case prescribe such restrictions with reference to the driving and operation of motor-vehicles by the licensee thereunder as the Superintendent thinks necessary for the safe operation of motor-vehicles by the licensee. The licensee is subject to the restrictions so prescribed, which shall be stated in the licence or endorsed thereon, and the licensee, for every violation of the restrictions, is guilty of an offence.

Examination of licensees.

(9) The Superintendent, or any person authorized by the Superintendent for the purposes of this section, may require any person to whom a driver's licence has been issued to attend at a time and place for the purpose of being examined as to his fitness and ability to drive and operate motor-vehicles of the category for which he is licensed, and if the person so required fails to appear and submit himself to examination, or if he fails to pay the prescribed examination fee, or if he fails to satisfy the Superintendent or other authorized person as to his fitness and ability to drive and operate motor-vehicles of the category for which he is licensed, the Superintendent may suspend or cancel the driver's licence held by that person, or may, in an appropriate case, issue instead a licence of a lower class. Where the Superintendent suspends or cancels a driver's licence, the person who held the licence shall forthwith return the licence to the Superintendent, and if he fails to do so he is guilty of an offence against this Act, and where a licence is not returned pursuant to this section, the Superintendent may direct any constable or police officer to take possession thereof and return the same to him.

Provision for refund of portion of licence fee in certain cases.

(10) The Minister of Finance may, on the certificate of the Superintendent as to the surrender of a driver's licence, refund to the licensee, or to the widow, widower, or personal representative of the licensee, out of Consolidated Revenue Fund, such part of the licence fee as is proportionate to the unexpired licence at the time of its surrender in any case where he is satisfied that

- (a) the licence has been suspended as the result of the failure of the licensee to qualify at an examination as to his fitness or ability to drive; or
- (b) the licensee has taken up residence outside the Province; or
- (c) the licensee has died; or

(d) the licensee has voluntarily surrendered his licence; but no refund shall be made for an unexpired part of a year. Where a licence of a lower class is substituted, the sum which would have otherwise been refunded shall be credited towards the fee payable for the substituted licence.

Change of address or name.

(11) (a) In case the residential address of the holder of a driver's licence issued under this Act is changed from the address stated on the driver's licence, the licensee shall within ten days notify the Superintendent in writing stating the number of his driver's licence and his old and new address.

(b) In case of a change of name, either by marriage or otherwise, of a person who is the holder of a driver's licence issued under this Act, the person shall within ten days notify the Superintendent in writing stating the number of the driver's licence and the former name and the new name in full.

Application for minor's licence to be made by parent or guardian.

(12) Where a driver's licence is desired by a person who is over the age of sixteen years but is under the age of twenty-one years, the application for the licence shall be made by the parent or guardian of the minor in the prescribed form verified by statutory declaration, unless the Superintendent, on cause shown to his satisfaction, dispenses with such application.

Driving record fee.

(13) Notwithstanding any other provisions of this section, every person who has accumulated ten point penalties in respect of his driving record may be assessed and shall pay to the Superintendent, in addition to the fees prescribed in the Schedule, an additional fee of twenty-five dollars for each ten points so accumulated.

Record cancelled by payment.

(14) For the purposes of subsection (13) only, upon payment of the additional fees referred to in that subsection, the Superintendent shall cancel ten point penalties in respect of the driving record of that person for each sum of twenty-five dollars so paid.

Purpose of fund.

(15) Notwithstanding section 51 or any other provision of this Act, or the *Revenue Act*, the Superintendent shall deposit all moneys paid to him under subsection (13) in a special fund, to be paid out by him only upon the requisition of the British Columbia Automobile Insurance Board. 1957, c. 39, s. 20; 1959, c. 55, s. 6; 1960, c. 36, s. 3; 1965, c. 27, s. 8; 1966, c. 30, s. 4; 1968, c. 32, s. 4 (eff. Sept. 1, 1971); 1969, c. 20, ss. 2-4; 1970, c. 28, s. 2 (eff. Apr. 6, 1970); 1971, c. 58, s. 10; 1972, c. 35, ss. 4-8 (eff. June 1, 1972).

[NOTE.—Subsection (3) of section 4 of chapter 32 of the Statutes of British Columbia, 1968, reads as follows:—

“(3) The Lieutenant-Governor in Council may make regulations consequential upon the coming into force of this section and for the continued validity of existing licences issued under section 18 or otherwise under the Act in respect of some one or other of the classes of licence prescribed under section 17B.”]

Production of licence and liability card.

19. (1) Every person, except
- (a) a person driving or operating a motor-vehicle exempted under subsection (2) of section 3 or section 5 or 7; or
 - (b) a person driving or operating a motor-vehicle of a fire department of a municipality,

shall have his driver's licence and a motor-vehicle liability insurance card or financial responsibility card, issued in respect of the motor-vehicle that he is driving or operating, in his possession at all times while driving or operating that motor-vehicle on a highway, and shall produce the licence and the card for inspection upon demand of any peace officer.

Duplicate licence.

(2) In case of the loss, mutilation, or destruction of a driver's licence, a duplicate licence may be obtained from the Superintendent upon application in the prescribed form, and upon payment of the prescribed fee.

Original licence not to be used where duplicate obtained.

(3) A person who has obtained a duplicate licence under subsection (2) shall, upon his finding that the licence in place of which the duplicate licence was issued was not in fact lost or destroyed, or upon his finding or recovering the licence in place of which the duplicate licence was issued, forthwith surrender the licence in place of which the duplicate licence was issued to the Superintendent and shall not, by his conduct or words, or otherwise, attempt to represent that the licence in place of which the duplicate licence was issued is his subsisting licence. 1957, c. 39, s. 21; 1958, c. 31, s. 5; 1960, c. 36, s. 4; 1966, c. 30, s. 5; 1969, c. 20, s. 5; 1972, c. 35, s. 9 (eff. June 1, 1972).

Exemption of non-resident drivers.

20. (1) Where a person has complied with the laws of the place at which he is or was ordinarily resident with respect to the registration and licensing of drivers or operators of motor-vehicles, and carries on his person a subsisting driver's or operator's licence or permit there assigned to him and produces the same for inspection at all times upon demand of any peace officer, he is, except where his licence to drive or his right to obtain a licence is suspended in this Province, exempt for a period of six months from the date upon which he entered the Province or, if the driver's licence is an international driving permit issued elsewhere than in Canada, for a period of twelve months from the date upon which he entered the Province from the requirements as to the holding of a driver's licence issued under this Act while he is driving or operating in the Province

- (a) a motor-vehicle registered under section 4; or
- (b) a motor-vehicle registered under section 17, or in respect of which a Customs permit has been obtained and is carried under that section, but only during the period of time limited by the certificate of registration issued under that section or by the Customs permit; or
- (c) a motor-vehicle operated pursuant to a permit issued under subsection (4) of section 11 of the *Department of Commercial Transport Act*;

- (d) a motor-vehicle operated pursuant to a reciprocal arrangement or agreement made under section 23 of the *Department of Commercial Transport Act*;
- (e) a commercial vehicle registered and licensed under the *Department of Commercial Transport Act*;

and he is also exempt for the same period, while driving or operating in the Province a motor-vehicle set out in clause (b), (c), or (d), from the requirements respecting the holding of a motor-vehicle liability insurance card or a financial responsibility card, subject, in every case, to his giving to the Superintendent, if requested by him, proof of financial responsibility in the manner and for the amounts prescribed under the *Insurance Act* for a motor-vehicle liability policy.

(2) A person whose driver's licence or right to obtain a driver's licence or whose privilege of operating a motor-vehicle in this Province is under suspension as provided in this Act shall not drive or operate a motor-vehicle in this Province under a driver's licence, permit, or certificate issued by any other Province, State, or country while the suspension heretofore referred to is still in effect. 1957, c. 39, s. 22; 1958, c. 31, s. 5; 1959, c. 55, s. 7; 1963, c. 27, s. 7; 1966, c. 30, s. 6; 1969, c. 20, s. 6; 1970, c. 28, s. 3 (eff. Sept. 1, 1970); 1972, c. 35, s. 10 (eff. June 1, 1972).

Chauffeurs' Licences

21. [Repealed. 1968, c. 32, s. 5 (eff. Sept. 1, 1971).]

22. [Repealed. 1968, c. 32, s. 5 (eff. Sept. 1, 1971).]

Prohibition against minor driving passenger-carrier. Municipal permits.

23. (1) No person who is under the age of nineteen years shall be employed as, or shall act or engage to act as, a taxi-driver.

(2) No chauffeur shall within any municipality which has passed a by-law pursuant to subsection (5) drive, operate, or be in charge of a motor-vehicle carrying passengers for hire unless he is the holder of a permit therefor issued to him by the chief of police of the municipality; and every chauffeur to whom a permit is so issued shall comply with all such regulations as may be made by the municipality and are not repugnant to the provisions of this Act or the regulations. Where the person holding a permit under this subsection, by reason of his use of or dealing in intoxicants or narcotic drugs, or for any other reason, is, in the opinion of the chief of police of the municipality, unfit to act as a chauffeur, the chief of police, upon proof to his satisfaction of such unfitness, may suspend or cancel the permit. Where an applicant for a chauffeur's permit is refused or a chauffeur's permit is suspended or cancelled by the chief of police in any municipality, the chief of police shall within twenty-four hours after the refusal, suspension, or cancellation notify the applicant or holder in writing of the refusal, suspension, or cancellation, stating the grounds thereof, and an appeal shall lie to the Council of the municipality

from the refusal, suspension, or cancellation, and the decision of the Council thereon shall be final. No fee shall be payable for any permit issued under this subsection.

Production of permit for inspection.

(3) Every chauffeur who holds a permit granted or issued under this section shall have the permit in his possession at all times while driving or operating a motor-vehicle on any highway, and shall produce the permit for inspection at any time upon the demand of any peace officer or constable.

Definition of "chief of police of municipality."

(4) In this section "chief of police of the municipality," in the case of a municipality policed by the Commissioner of Provincial Police, means the senior member of the Royal Canadian Mounted Police in that municipality.

Municipal by-laws.

(5) The Council of a municipality may by by-law provide for the regulating, in accordance with this section, of chauffeurs within the municipality and for the issuing of permits to chauffeurs by the chief of police. 1957, c. 39, s. 25; 1958, c. 31, s. 5; 1965, c. 27, ss. 9, 10; 1968, c. 32, s. 5 (eff. Sept. 1, 1971).

[NOTE.—Subsections (4) and (5) of section 5 of chapter 32 of the Statutes of British Columbia, 1968, read as follows:—

"(4) Subject as aforesaid, the Act shall be construed as if references to a chauffeur were references to a taxi-driver and as if references to a chauffeur's licence were references to a taxi-driver's permit.

"(5) The Lieutenant-Governor in Council may make regulations consequential upon the coming into force of this section."]

24. [Repealed. 1968, c. 32, s. 5 (eff. Sept. 1, 1971).]

25. [Repealed. 1968, c. 32, s. 5 (eff. Sept. 1, 1971).]

26. [Repealed. 1968, c. 32, s. 5 (eff. Sept. 1, 1971).]

Employment of unlicensed chauffeur prohibited.

27. No person shall hire or engage another person as an employee to act as a chauffeur in driving or operating a motor-vehicle in respect of which the provisions of this Act requiring the licensing of chauffeurs applies, unless the person so hired or engaged is the holder of a chauffeur's licence issued to him under this Act for the current licence-year of a class under which the licensee is entitled to drive and operate that motor-vehicle. 1957, c. 39, s. 29.

28. [Repealed. 1968, c. 32, s. 5 (eff. Sept. 1, 1971).]

Dealers' Licences

Prohibition.

29. (1) A person shall not carry on or conduct the business of a dealer unless he is licensed under this section.

Application for licence.

(2) Application for a licence as a dealer shall be
 (a) made in the prescribed form;
 (b) signed by the dealer;

- (c) delivered to the Superintendent, any Government Agent, or any person authorized in writing by the Superintendent for the purposes of this section; and
- (d) accompanied by the prescribed fees.

Issuance and effect of licence.

(3) Upon the receipt of the application in the prescribed form, the Superintendent may cause to be issued to the applicant a dealer's licence in the prescribed form, together with the distinctive demonstration number-plates corresponding to the licence, authorizing the holder thereof to buy and sell vehicles, and, subject to section 36, to operate vehicles for purposes of demonstration and for sale, in accordance with the licence; and all vehicles operated for purposes of demonstration for sale, to the extent of the number of vehicles covered by the licence, shall, until sold or used in any other way than for purposes of demonstration for sale, be deemed sufficiently registered and licensed for the purposes of this Act; and all other vehicles owned, possessed, or controlled by the holder of the licence for the purpose of sale in the usual course of his business as a dealer shall, until sold or operated, be deemed sufficiently registered and licensed for the purposes of this Act.

(4) [Repealed. 1965, c. 27, s. 11.]

Dealer's licence.

(5) In addition to its effect under the preceding provisions of this section, a dealer's licence and the distinctive demonstration number-plates corresponding to the licence authorize a dealer to operate a vehicle temporarily upon the highway without passengers or load for the purpose of

- (a) its transportation from a railway depot, wharf, or warehouse to a salesroom, warehouse, or place of shipment;
- (b) its delivery to a purchaser of the vehicle; or
- (c) its delivery and return to and from a vehicle inspection station established and operated pursuant to any Act, regulation made under an Act, or municipal by-law

without being registered or licensed under this Act.

Speedometers.

- (6) No person shall
 - (a) disconnect or tamper with the speedometer of a vehicle operated under subsection (5); or
 - (b) drive or operate a vehicle that is equipped with a speedometer under subsection (5) unless the speedometer is in effective working order.

Limitation of application of section.

(7) Nothing in this section shall be construed to apply to a motor-vehicle operated by a dealer for private use or for hire.

Certificates.

(8) The Superintendent shall issue, together with each licence issued under this section, a certificate in the prescribed form, and each dealer licensed under this section shall display the certificate in a conspicuous location in his established place of business.

(9) The Superintendent may suspend or cancel a licence issued under this section when, in his opinion, the suspension or cancellation is in the

public interest. 1957, c. 39, s. 31; 1960, c. 36, s. 6; 1963, c. 27, s. 9; 1965, c. 27, s. 11.

Security.

30. Before issuing a licence under section 29, the Superintendent may make such inquiries and require such information as he deems desirable, and shall require the furnishing of security under the *Security Bonding Act*. 1959, c. 55, s. 9; 1960, c. 36, s. 7; 1961, c. 42, s. 3; 1965, c. 46, s. 17.

Place of business.

31. (1) Every dealer shall, subject to and in accordance with the zoning and other by-laws of whatever municipal or other local governments may have jurisdiction, maintain an established place of business identified by a sign and actually occupied for the purpose of conducting business, at which place he shall keep and maintain the books, records, and files of the business.

(2) Every dealer shall at all times during business hours, upon the request of a peace officer, permit the peace officer to enter his place of business to inspect the books, records, and files of the business, and to enter any premises in which any motor-vehicle or trailer owned, possessed, or controlled by the dealer for purpose of sale is kept or stored, and to inspect all motor-vehicles and trailers therein. 1957, c. 39, s. 32; 1960, c. 36, s. 8; 1963, c. 27, s. 10.

32. [Repealed. 1966, c. 30, s. 7.]

Offences by dealers.

33. Every dealer who

- (a) has in his possession or control for the purpose of sale, in or about any place where he carried on business, any motor-vehicle or trailer which is not registered and licensed under section 4 of this Act or under the *Department of Commercial Transport Act* without holding a dealer's licence under section 29 in respect of that place of business; or
 - (b) operates at one time, for the purposes of demonstration for sale, motor-vehicles or trailers which are not registered and licensed under section 4 of this Act or under the *Department of Commercial Transport Act* in excess of the number of motor-vehicles or trailers covered by any dealer's licence held by him under section 29 in respect of that place of business; or
 - (c) permits any motor-vehicle covered by the dealer's licence held by him to be operated on any highway, or any dealer's number-plate held by him to be displayed on any motor-vehicle operated on any highway in contravention of section 36
- is guilty of an offence. 1957, c. 39, s. 34; 1959, c. 55, s. 10.

Duty of dealer when sale is made.

34. Every holder of a dealer's licence under this Act, so soon as a motor-vehicle or trailer covered by that licence has been sold by him,

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shall cause to be made out and delivered to the Superintendent, or any Government Agent, or any person authorized in writing by the Superintendent for the purposes of this section, for transmission to the Superintendent on behalf of the purchaser, an application for registration and licence in respect of the motor-vehicle or trailer pursuant to section 4; and every purchaser shall assist and concur in the making and delivery of the application to the Superintendent. 1957, c. 39, s. 35.

Refund of fees on relinquishment of licence.

35. Every holder of a dealer's licence under this Act who ceases to carry on business as a dealer shall forthwith transmit to the Superintendent a notice in writing relinquishing his dealer's licence, accompanied by the return of all dealer's number-plates held by him. Upon the certificate of the Superintendent showing the relinquishment of a dealer's licence under this section, the Minister of Finance shall, out of the revenue collected under this Act, refund to the licensee one-half of such part of the licence fee as is proportionate to that part of the term of the licence which is unexpired at the time of its relinquishment. 1957, c. 39, s. 36.

Transporters' licences.

35A. (1) In this section, "transporter" means a person regularly engaged in the business of transporting vehicles.

(2) This section does not apply to freight vehicles and trailers required to be licensed under the *Motor Carrier Act*.

(3) A transporter shall not engage in the business of delivery of vehicles that

- (a) are not his own; and
- (b) are required to be registered and licensed under this Act or the *Department of Commercial Transport Act*

unless he is the holder of a valid and subsisting transporter's licence issued under this section.

(4) Application for a transporter's licence shall be

- (a) made in the prescribed form;
- (b) signed by the transporter;
- (c) delivered to the Superintendent, any Government Agent, or any person authorized in writing by the Superintendent for the purposes of this section; and
- (d) accompanied by the prescribed fee.

(5) Upon receipt of the application form, the Superintendent, if satisfied that the applicant is entitled thereto, shall issue to the applicant a transporter's licence in the prescribed form, and distinctive transporter number-plates corresponding to the licence, authorizing the transporter to operate or tow any vehicle on the highway other than a vehicle owned by the transporter, and a vehicle driven or towed on the highway under the authority of a transporter's licence shall be deemed sufficiently registered and licensed for the purposes of this Act and the *Department of Commercial Transport Act*.

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(6) Transporter number-plates shall be conspicuously displayed on every vehicle

(a) that is being delivered in the course of business of a transporter; and

(b) that is in direct contact with the highway.

(7) Transporter number-plates shall not be used by any person other than

(a) the transporter who is the holder of the licence with which they were issued; or

(b) an authorized person in the regular employ of the transporter.

(8) A person driving a vehicle that displays a transporter number-plate shall carry on his person and produce upon demand of a peace officer evidence

(a) that he is the holder of a valid and subsisting licence with which the number-plate was issued; or

(b) that he is the duly authorized regular employee of the person who is the holder of a valid and subsisting licence with which the number-plate was issued.

(9) A licence issued under this section is not transferable.

(10) Every holder of a licence under this section who ceases to carry on the business of transporting vehicles shall forthwith transmit to the Superintendent a notice in writing relinquishing his licence and all transporter number-plates held by him. 1963, c. 27, s. 11.

Manufacturer's licence.

35B. (1) Subject to this section, a licence, to be known as a manufacturer's licence, may be issued to a manufacturer of motor-vehicles who does not sell the manufactured vehicles at retail.

(2) Application for a manufacturer's licence shall be

(a) made in the prescribed form;

(b) signed by or on behalf of the manufacturer;

(c) delivered to the Superintendent, any Government Agent, or any person authorized in writing by the Superintendent for the purposes of this section; and

(d) accompanied by the prescribed fee.

(3) Upon receipt of the application form, the Superintendent, if satisfied that the applicant is entitled thereto, shall issue to the applicant a manufacturer's licence in the prescribed form, and distinctive manufacturer's number-plates corresponding to the licence, authorizing the manufacturer to operate on the highway vehicles manufactured by himself for the purposes of a road test or for delivery to a purchaser, and a vehicle driven on the highway under the authority of a manufacturer's licence shall be deemed sufficiently registered and licensed for the purposes of this Act and the *Department of Commercial Transport Act*.

(4) Manufacturer's number-plates shall be conspicuously displayed on every vehicle that is being operated for the purposes of a road test or delivery to a purchaser.

(5) Manufacturer's number-plates shall not be used by any person other than

(a) the manufacturer who is the holder of the licence with which they were issued; or

(b) an authorized person in the regular employ of the manufacturer.

(6) A licence issued under this section is not transferable.

(7) Every holder of a licence under this section who ceases to carry on the business of manufacturing vehicles shall forthwith transmit to the Superintendent a notice in writing relinquishing his licence and all manufacturer's number-plates held by him. 1968, c. 32, s. 6.

Operation of motor-vehicle by customer.

35C. (1) Where,

(a) under section 35A, a transporter is delivering a motor-vehicle to a purchaser; or

(b) under section 35B, a manufacturer is delivering a motor-vehicle to a purchaser,

any person who is the purchaser of the motor-vehicle or an employee of the purchaser and who has in his possession a written consent given to him by the transporter or the manufacturer for the operation of the motor-vehicle pursuant to this section, may, for a period not exceeding four days from the time when the written consent is given to him, drive and operate the motor-vehicle having displayed thereon the transporter's number-plates or manufacturer's number-plates, as the case may be, without being the holder of a transporter's licence or a manufacturer's licence and without being accompanied by a person holding such licences.

(2) No consent is sufficient for the purposes of subsection (1) unless the date and the hour of the day on which it is given and the signature of the person giving it are legibly written thereon in ink. 1970, c. 28, s. 4 (eff. Apr. 6, 1970).

Salesmen's Licences

Operation of demonstration-car without licensed salesman prohibited.

36. (1) Subject to section 38, no motor-vehicle having displayed thereon any demonstration number-plate issued under section 29 shall be operated on any highway unless the person driving or operating the motor-vehicle is the holder of a subsisting salesman's licence issued under this section, or is accompanied by a person holding a subsisting salesman's licence who personally supervises the operation of the motor-vehicle.

Application for licence.

(2) The applicant for a salesman's licence shall sign an application in the prescribed form, and deliver it to the Superintendent, or any Government Agent, or any person authorized in writing by the Superintendent for the purposes of this section, accompanied by the payment of the prescribed fee.

Issuance of licence.

(3) Upon the receipt of the application in the prescribed form, and upon being satisfied of the truth of the facts stated in the application,

and that the prescribed fees have been paid, the Superintendent shall cause to be issued to the applicant a numbered salesman's licence in the prescribed form, authorizing the licensee to operate motor-vehicles for purposes of demonstration for sale in accordance with the provisions of this Act. 1957, c. 39, s. 37.

Production of licence for inspection.

37. (1) Every licensee shall have his salesman's licence in his possession at all times while driving, operating, or supervising on any highway a motor-vehicle having displayed thereon any demonstration number-plate issued under section 29, and shall at all times produce the licence for inspection upon demand of any peace officer or constable.

Duplicate licence.

(2) In case of the loss or destruction of a salesman's licence, a duplicate licence may be obtained from the Superintendent upon application in the prescribed form and upon payment of the prescribed fee. 1957, c. 39, s. 38; 1958, c. 31, s. 5.

Operation of demonstration-car by prospective purchaser.

38. (1) Any person, being a prospective purchaser of a motor-vehicle, who is entrusted with a motor-vehicle by a dealer bona fide for the sole purpose of demonstration, and who has in his possession a written consent given to him by the dealer for the operation of the motor-vehicle pursuant to this section, may, for a period not exceeding forty-eight hours from the time when the written consent is given to him, and for not more than two such periods in any year, drive and operate the motor-vehicle having displayed thereon demonstration licence-plates issued to that dealer, without being the holder of a salesman's licence, and without being accompanied by a person holding a salesman's licence. No consent is sufficient for the purposes of this subsection unless the date and the hour of the day on which it is given and the signature of the dealer are legibly written thereon in ink by the dealer.

Operation of demonstration-car by person whose motor-vehicle is being repaired.

(2) Any person, being the owner of a motor-vehicle which has suffered damage through accident and is undergoing repair in the repair-shop of a dealer, who is entrusted with a motor-vehicle by the dealer bona fide for the sole purpose of use pending the completion of the repairs, and who has in his possession a written consent given to him by the Superintendent, or any officer or constable of the Royal Canadian Mounted Police, for the operation of the motor-vehicle pursuant to this subsection, may drive and operate the motor-vehicle having displayed thereon demonstration licence-plates issued to that dealer, on any highway during the time the repairs are being made.

Production of consent for inspection.

(3) Every person to whom a consent is given by a dealer, or the Superintendent, or an officer or constable of the Royal Canadian Mounted Police, for the purposes of this section shall at all times while he is driving or operating on any highway the motor-vehicle in respect of which the consent is given produce the consent for inspection upon demand of any peace officer or constable.

Operation of demonstration-car by mechanic.

(4) Any person, being a mechanic in the regular employ of a dealer, who is entrusted with a motor-vehicle by the dealer bona fide for the sole purpose of conditioning or testing the same, may drive and operate the motor-vehicle having displayed thereon demonstration licence-plates issued to that dealer, on any highway.

Demonstration licence-plates.

(5) Any person in the regular employ of a dealer, or who is authorized by the dealer in writing, and who is entrusted with the motor-vehicle by the dealer for the sole purpose of its transportation from a railway depot, wharf, or a warehouse to a salesroom, warehouse, or place of shipment, or for delivery to a purchaser of the motor-vehicle, may drive and operate the motor-vehicle, having displayed thereon demonstration licence-plates issued to that dealer, on any highway. 1957, c. 39, s. 39; 1958, c. 31, s. 5; 1959, c. 55, s. 11; 1960, c. 36, s. 9.

Offences.

39. Every person who drives or operates or supervises the operation on any highway of a motor-vehicle having displayed thereon any demonstration number-plate, and who is neither the holder of a subsisting salesman's licence issued to him under this Act nor accompanied by a person holding a subsisting salesman's licence so issued, and is not a prospective purchaser or a mechanic or other person entitled to drive and operate the motor-vehicle by virtue of section 38, is guilty of an offence. 1957, c. 39, s. 40.

Supplemental Provisions

Pollution-control devices on motor-vehicles.

40. (1) No person shall sell, offer for sale, expose or display for sale, or deliver over to a purchaser a motor-vehicle or a motor-vehicle engine of a class or type that is required by the regulations to have installed on or incorporated in it any system or device to prevent or lessen the emission into the outdoor atmosphere of any air contaminant unless the motor-vehicle complies with the regulations.

(2) No person shall operate a motor-vehicle of a class or type that is required by the regulations to have installed on or incorporated in it any system or device to prevent or lessen the emission into the outdoor atmosphere of any air contaminant unless such motor-vehicle has installed on or incorporated in it such system or device and makes effective use of such system or device.

(3) Every person who contravenes any provision of this section is guilty of an offence and on summary conviction is liable to a fine of not less than fifty dollars and not more than five hundred dollars.

(4) The Lieutenant-Governor in Council may make regulations

- (a) classifying motor-vehicle and motor-vehicle engines for the purpose of any regulation and exempting any class or type of motor-vehicle or motor-vehicle engine from any regulation;
- (b) requiring motor-vehicles or any class or type thereof and any motor-vehicle engines or any class or type thereof to have installed thereon or incorporated therein one or more systems

- or devices to prevent or lessen the emission into the outdoor atmosphere of any air contaminant;
- (c) prescribing the standards and specifications of any such system or device;
- (d) prescribing the standards of emission into the outdoor atmosphere of any such contaminant to which any such system or device shall comply;
- (e) providing for the testing and inspection of any such system or device;
- (f) providing for the issuance by the Superintendent of certificates of approval of systems or devices proposed to be installed on or incorporated in motor-vehicles to prevent or lessen emission into the outdoor atmosphere of air contaminant;
- (g) defining and designating new motor-vehicles and motor-vehicle engines for the purpose of any regulation; and
- (h) designating the areas in the Province to which the regulations are applicable and designating the date on which the regulations become effective in any area. 1966, c. 30, s. 8, 1970, c. 28, s. 5 (eff. Sept. 1, 1970); 1971, c. 58, s. 10.

Odometers.

40A. (1) No person shall alter, or cause to be altered, the odometer with which a motor-vehicle is equipped for the purpose of misleading, or with the intent to mislead, a prospective purchaser of the vehicle as to the registered mileage of the vehicle on that odometer.

(2) A dealer or a manufacturer found guilty of an offence under subsection (1) is deemed to give cause for the suspension or cancellation of a licence issued under section 29 or 35B, as the case may be.

(3) Where an offence under subsection (1) is committed by an employee, servant, agent, or workman of, or any other person entrusted by, the owner, dealer, or manufacturer with the possession of the motor-vehicle, the owner, dealer, or manufacturer shall be deemed to be a party to the offence so committed, and is personally liable to the penalties prescribed for the offence as a principal offender, but nothing in this subsection relieves the person who actually committed the offence from liability therefor. 1967, c. 27, s. 4; 1968, c. 32, s. 7; 1970, c. 28, s. 6 (eff. Apr. 6, 1970).

Substitution of new licence where number-plate or badge is lost.

41. (1) In case of the loss, mutilation, or destruction of any number-plate or chauffeur's badge held by any licensee under this Act, if the licensee furnishes to the Superintendent an application in the prescribed form, accompanies by satisfactory proof of such loss, mutilation, or destruction, and delivers up to the Superintendent the licence, and, if possible, the number-plates or badge issued therewith, and pays the prescribed fee, the Superintendent shall cancel the licence, and shall issue to the licensee a new licence with its corresponding number-plates or badge.

(2) The Superintendent shall issue a new decal to a licensee who furnishes satisfactory proof of loss of a decal issued to him, makes application in the prescribed form, and pays the prescribed fee. 1957, c. 39, s. 42; 1972, c. 35, s. 11 (eff. June 1, 1972).

Carrying of revenue receipt in lieu of licence.

42. (1) Where application has been made for a licence in respect of a motor-vehicle under section 4, or where an existing licence has been surrendered upon an application for a new or substituted licence under section 4, 14, or 41, and an official receipt has been obtained showing the due payment of all fees prescribed in respect of the application, then, during the part of the year in respect of which the licence has been applied for, or the surrendered licence was issued, elapsing between the time of the making of the application and the receipt by the applicant of the licence issued under section 4 or the substituted licence issued under section 4, 14, or 41, or the receipt by him of notice that his application has been refused, the obtaining, carrying, and exhibition of the official receipt in lieu of a licence shall be deemed a sufficient compliance with the provisions of this Act as to the obtaining, carrying, and exhibition of a licence in respect of that motor-vehicle.

Exception in cases where licence surrendered under s. 11 or 12.

(2) Where the licence issued in respect of a motor-vehicle has been surrendered to the Superintendent in accordance with section 11 or section 12 the provisions of section 8 respecting the carrying of the licence do not apply until a new licence in substitution therefor is returned to the registered owner of the motor-vehicle concerned. 1957, c. 39, s. 43.

Passengers on motor-cycles.

43. No person shall ride as a passenger, nor shall any person permit any other person to ride as a passenger, on the handle-bars or frame of any motor-cycle, on any highway, in front of the person driving or operating the motor-cycle; and no person shall drive or operate a motor-cycle on any highway unless he is seated in the driver's seat of the motor-cycle. 1957, c. 39, s. 44.

Letting vehicles for hire.

44. Except when a motor-vehicle is let for hire to a corporation, no person carrying on the business of letting motor-vehicles for hire without drivers shall let for hire any motor-vehicle without first having ascertained by inspection of a licence or permit produced by the person to whom the motor-vehicle is let that he is the holder of a subsisting driver's licence under this Act for the operation of that motor-vehicle, or the holder of a subsisting driver's or operator's licence or permit referred to in subsection (2) of section 20, and having him sign his name to an entry in a record-book to be kept by the person so carrying on business, showing the name and address of the person to whom the motor-vehicle is let and the number of his licence or permit. Every person who is required to keep a record-book under this section shall produce the record-book for inspection at any time upon the demand of any peace officer or constable. 1957, c. 39, s. 45; 1958, c. 31, s. 5; 1963, c. 27, s. 12.

Used-vehicle records.

45. (1) Every person engaged in the business of buying, selling, exchanging, wrecking, or otherwise dealing in second-hand or used motor-vehicles shall keep a record in the prescribed form of every motor-vehicle bought, sold, exchanged, dismantled, or broken up by him, and shall produce the record for inspection at any time upon the demand of any peace officer or constable.

Surrender of plates for dismantled vehicle.

(2) Every person who dismantles or breaks up a motor-vehicle, or who has a motor-vehicle in his possession for the purpose of breaking it up or dismantling it, shall forthwith deliver up to the Superintendent the number-plates of the motor-vehicle.

Removal or obliteration of engine or serial number prohibited.

(3) No person shall without the written consent of the Superintendent remove or obliterate the manufacturer's engine number or serial number on a motor-vehicle. Where the manufacturer's engine number or serial number on a motor-vehicle has become illegible or has been removed or obliterated, and where a new engine number or serial number has not been assigned to and stamped on the motor-vehicle pursuant to section 13, no person shall without the written consent of the Superintendent buy, sell, exchange, dismantle, or break up that motor-vehicle.

Penalties for violation of section.

(4) Every person who violates any provision of this section is guilty of an offence. 1957, c. 39, s. 46; 1958, c. 31, s. 5; 1965, c. 27, s. 12.

45A. [Repealed. 1972, c. 35, s. 12 (eff. June 1, 1972).]

46. [Repealed. 1969, c. 20, s. 7.]

Term and duration of licences.

47. (1) Except as otherwise provided in subsection (2) or (2a), every licence issued under this Act shall be in respect of a licence-year beginning on the first day of March and ending at midnight on the last day of February.

(2) A driver's licence issued under this Act shall be for a period of five years from the anniversary of the birth of the applicant nearest to the date of the issuance of such licence, with the exception of a temporary driver's licence issued under subsection (6) of section 18 which shall expire ninety days from the date of issue.

(2a) A licence issued for an antique car as defined by regulation shall be valid so long as the vehicle is in existence and the use of the vehicle complies with the regulations.

(3) The anniversary of the birth of persons who are born on the twenty-ninth day of February shall in years other than leap years be deemed to be the first day of March.

(4) The Superintendent may validate an expiring or expired driver's licence for which a renewal application has been received under subsection (6) of section 18 for a period not to exceed ninety days by causing an appropriate endorsement to be placed thereon. 1957, c. 39, s. 48; 1959, c. 55, s. 12; 1965, c. 27, s. 13; 1969, c. 20, s. 8; 1972, c. 35, s. 13 (eff. June 1, 1972).

Fees.

48. (1) The fees payable in respect of registration and licences under this Act are those set forth in the Table of Fees contained in the Schedule.

Calculation of motor-vehicle licence fees for part of year.

(2) Where a licence in respect of a motor-vehicle or a trailer is applied for to come into effect on a day after the beginning of the licence-year, the licence fee therefor shall be an amount calculated at the rate of one-twelfth of the annual licence fee for each month or fraction of a month between the time when the licence is to come into effect and the end of the licence-year; but no licence fee under this subsection shall be less than two dollars. 1957, c. 39, s. 49.

Lieut.-Governor in Council may make regulations for rebate of part of licence fees.

49. Notwithstanding section 48, the Lieutenant-Governor in Council may by regulation provide that in respect of any licence-year a rebate of twenty per centum in respect of the licence fees payable as set forth in the Table of Fees contained in the Schedule for motor-vehicles of the private passenger type shall be granted. The rebate shall be applicable both to licences for the whole of the licence-year specified in the regulations and to licences for any part of such licence-year. 1957, c. 39, s. 50.

Recovery of licence fees.

50. (1) The registration and licence fees required under this Act to be paid in respect of a motor-vehicle or trailer become delinquent forthwith upon the operation of the motor-vehicle or trailer on any highway without the licence fee required by this Act first having been paid, and form a charge upon the motor-vehicle or trailer in respect of which it is delinquent; and the Superintendent may seize and sell the motor-vehicle or trailer at public auction, and out of the proceeds of sale shall satisfy the amount of the delinquent licence fee and the costs and expenses of sale, and shall pay over the surplus (if any) to the owner or person in possession of the motor-vehicle or trailer at the time of seizure; or the delinquent licence fee may be recovered in any Court of competent jurisdiction in the name of the Attorney-General, with costs of suit, as a debt due to the Crown by any person who pursuant to the provisions of this Act should have paid the fee.

(2) A peace officer may, upon the direction of the Superintendent, seize any number-plate for the issuance of which full fees have not been paid in accordance with this Act, and shall forthwith deliver the plate or cause it to be delivered to the Superintendent. 1957, c. 39, s. 51; 1966, c. 30, s. 10.

Accounting.

51. All fees collected under this Act shall be paid into the Consolidated Revenue Fund. 1957, c. 39, s. 52.

Refund to licensees residing east of Cascades on surrender of motor-vehicle licences.

52. Where the licensee named in any licence issued under section 4 in respect of a motor-vehicle, other than a motor-cycle, resides at a place in the Province east of the Cascade Mountains, if, before the first day of January in the licence-year, the licensee surrenders the licence to the Superintendent, accompanied by the number-plates issued in connection with the licence, the Superintendent shall certify to the Minister of

Finance the fact of the surrender of the licence; and thereupon the Minister of Finance shall, out of the revenue collected under this Act, refund to the licensee an amount equal to one-sixth of the annual licence fee payable in respect of that motor-vehicle. In like manner, if the licence is surrendered pursuant to this section before the first day of December or before the first day of November in the licence-year, a refund equal to one-quarter or one-third, as the case may be, of the annual licence fee is payable; but this section does not apply where the licence for a motor-vehicle has been cancelled or suspended. 1957, c. 39, s. 53.

Persons authorized to take affidavits for purposes of Act.

53. The Superintendent and every officer or constable of the Royal Canadian Mounted Police, every Government Agent, and every person authorized in writing by the Superintendent for the purposes of any section of this Act has power and authority to take any affidavits and statutory declarations required or authorized to be made under this Act or the regulations, and to administer all oaths and declarations necessary therefor, and to certify to the same having been taken or administered. 1957, c. 39, s. 54.

Accident reports.

54. (1) In case an accident occurs by which any person or property is injured directly or indirectly owing to the presence or operation of a motor-vehicle on any highway, if the accident results in death or injury to any person or in injury to property causing aggregate damages apparently exceeding two hundred dollars, the driver of the motor-vehicle shall make a written report of the accident in the prescribed form, and shall mail or deliver the same to the person and within the time following,

- (a) if the accident occurred in a city or city municipality, to the chief of police of the city or city municipality, as soon as possible and in every case within twenty-four hours after the accident; or
- (b) if the accident occurred in a municipality other than a city or city municipality, to the Municipal Clerk or a peace officer of the municipality, within twenty-four hours after the accident; or
- (c) if the accident occurred elsewhere than in a municipality, to the officer or constable of the Royal Canadian Mounted Police stationed nearest to the place where the accident occurred, within forty-eight hours after the accident.

Report by person other than driver.

(2) Where the driver of the motor-vehicle is as a result of the accident physically incapable of making the report required by subsection (1), and there was another person in the motor-vehicle at the time of the accident, that other person shall make a report as so required; but nothing in this subsection relieves the person in charge of the motor-vehicle from the duty of making the report required by subsection (1) as soon as he becomes capable of making it.

Furnishing of copy of report to Superintendent.

(3) Every person who receives any report made under this section shall, within twenty-four hours after the receipt by him of the report, mail or deliver the original copy of the report to the Superintendent; and the person by whom the report was made shall, upon the request of the Superintendent in writing, deliver to him forthwith a supplementary report containing such further information in respect of the accident as the Superintendent may require.

(4) [Repealed. 1969, c. 20, s. 9.]

Use of reports.

(5) Every report made under this section is without prejudice, and is for the information of the Superintendent, and of the municipal or the Royal Canadian Mounted Police, but shall not be open to public inspection, except that a person involved in an accident, or his authorized representative, is entitled, upon request, to obtain the names of any drivers involved, the licence number and name of the registered owner of any motor-vehicle involved, and the name of any witness. The fact that a report has been so made is admissible in evidence solely to prove a compliance with this section, and the report is admissible in evidence on the prosecution of any person for the offence of making a false statement therein, but neither the report nor any statement contained therein is admissible in evidence for any other purpose in any trial or proceeding arising out of the accident referred to in the report.

Interpretation of chief of police.

(6) In this section "chief of police of the city or city municipality," in the case of a municipality policed by the Royal Canadian Mounted Police, means the senior resident member of the Royal Canadian Mounted Police in that municipality. 1957, c. 39, s. 55; 1958, c. 31, s. 5; 1963, c. 27, s. 13; 1965, c. 27, s. 14; 1967, c. 27, s. 5; 1969, c. 20, s. 9; 1970, c. 28, s. 8 (eff. July 1, 1970).

Duty of driver at accident.

54A. (1) Where an accident occurs on a highway, the driver or operator or any other person in charge of a vehicle that is directly or indirectly involved in the accident

- (a) shall remain at or immediately return to the scene of the accident;
- (b) shall render all reasonable assistance; and
- (c) shall produce in writing to any other driver involved in the accident and to anyone sustaining loss or injury and to any peace officer and, upon request, to a witness
 - (i) his name and address;
 - (ii) the name and address of the registered owner of the vehicle;
 - (iii) the licence number of the vehicle; and
 - (iv) particulars of the motor-vehicle liability insurance card or financial responsibility card in respect of that vehicle or such of that information as is requested.

(2) The driver of a vehicle that collides with an unattended vehicle shall stop and

- (a) shall locate and notify in writing the person in charge, or the owner of, the unattended vehicle of
 - (i) the name and address of the driver;
 - (ii) the name and address of the registered owner; and
 - (iii) the licence number
 of the vehicle that struck the unattended vehicle; or
 - (b) shall leave in a conspicuous place in or upon the vehicle collided with a notice in writing giving the same information referred to in clause (a).
- (3) The driver of a vehicle involved in an accident resulting in damage to property upon or adjacent to a highway, other than a vehicle under subsection (2), shall take reasonable steps to locate and notify in writing the owner or person in charge of the property of the fact of the accident and of
- (a) the name and address of the driver;
 - (b) the name and address of the registered owner; and
 - (c) the licence number
- of the vehicle. 1972, c. 35, s. 14 (eff. June 1, 1972).

Offences and Penalties

False statements, misuse of number-plates, and permitting another to use licence or permit.

- 55.** Every person who
- (a) makes any false statement in any application for registration of a motor-vehicle or trailer, or in an application for a driver's licence or renewal thereof, or in an application for any other licence or certificate, permit, or consent, or in any notice of transfer of a motor-vehicle or trailer, or in any report of an accident, or in any notice of relinquishment of a licence under this Act; or
 - (b) being in possession or control of any number-plate issued under this Act or under an Act of any Province of Canada, permits any other person to use the number-plate on a motor-vehicle or trailer other than the one in respect of which the number-plate was issued; or
 - (c) being the holder of a driver's licence, chauffeur's licence or badge, or salesman's licence, or any permit, certificate, or consent issued or given to him under this Act or under an Act of any Province of Canada, permits any other person to possess or use it,
- is guilty of an offence. 1957, c. 39, s. 57.

Use of another's licence or permit, and failure to permit inspection.

- 56.** Every person driving or operating or in charge of a motor-vehicle on any highway who
- (a) uses or is in possession of any driver's licence, chauffeur's licence or badge, or salesman's licence, or any permit, certificate, motor-vehicle liability insurance card, financial responsibility card or consent issued or given under this Act or regula-

- tions belonging to another person, or any fictitious or invalid licence, permit, certificate, motor-vehicle liability insurance card, financial responsibility card, consent, or badge purporting to be issued or given under this Act; or
- (b) refuses or fails to produce any subsisting driver's licence, chauffeur's licence, salesman's licence, permit, certificate, motor-vehicle liability insurance card, financial responsibility card, or consent issued to him under this Act or regulations when requested by any peace officer or constable to produce the same, or refuses or fails to permit it to be taken in hand for the purpose of inspection by the peace officer or constable, is guilty of an offence. 1957, c. 39, s. 58; 1958, c. 31, s. 5; 1965, c. 27, s. 15; 1969, c. 20, s. 10.

Offences respecting production of motor-vehicle licences, and transportation of animals.

- 57.** Every person who,
- (a) being in possession or control of a motor-vehicle or trailer in respect of which a licence has been issued under this Act, and being requested by any peace officer or constable to produce or exhibit the licence, refuses or fails to produce or exhibit the licence; or
 - (b) transports any living animal on the running-board, fender, hood, or other exterior part of any motor-vehicle unless a suitable cage, carrier, or guard-rail is provided, and so attached as adequately to protect that animal from falling or being thrown therefrom,
- is guilty of an offence. 1957, c. 39, s. 59; 1958, c. 31, s. 5.

Failure to stop and to state name on request of police.

- 58.** Every person driving or operating or in charge of a motor-vehicle on any highway who refuses or fails
- (a) to stop his motor-vehicle when signalled or requested to stop by any police officer or constable who is in uniform or who displays his police badge conspicuously on the outside of his outer coat; or
 - (b) to state correctly his name and address and the name and address of the owner of the motor-vehicle when requested by any peace officer or constable to state the same
- is guilty of an offence. 1957, c. 39, s. 60; 1958, c. 31, s. 5.

Alteration of number-plates, and use of fictitious number-plates.

- 59.** Every person who alters, obliterates, or repaints any figure or letter on any number-plate issued under this Act, or who alters any driver's licence or chauffeur's licence issued under this Act, or who drives or operates or has in his charge any motor-vehicle or trailer having displayed thereon a number-plate on which any figure or letter has been altered, obliterated, or repainted, or having displayed thereon a number-plate which has not been issued by the Superintendent, but which is of a colour and design resembling or purporting to be a British Columbia licence-plate, is guilty of an offence. 1957, c. 39, s. 61.

Penalties generally.

60. Except as in this Act is otherwise provided, any person contravening or committing any breach of or committing any offence against any of the provisions of this Act or of the regulations, or refusing, omitting, or neglecting to fulfil, observe, carry out, or perform any duty or obligation by this Act or by the regulations created, prescribed, or imposed, is liable, on summary conviction, to a fine of not more than five hundred dollars or to a term of imprisonment not exceeding three months, or both. 1957, c. 39, s. 62; 1961, c. 42, s. 4.

Application of fines.

61. Notwithstanding the provisions of any Statute, all fines imposed by virtue of this Act in prosecutions upon information laid by any officer or constable of the Royal Canadian Mounted Police shall, when paid or recovered, be paid over to the Minister of Finance, and form part of the Consolidated Revenue Fund; but this section does not apply in respect of any municipality for the policing of which an agreement is in force under section 39 of the *Police and Prisons Regulation Act*. 1957, c. 39, s. 63.

Limitation of actions.

62. Every information for or in respect of any offence against or any contravention of any of the provisions of this Act or the regulations shall be laid within twelve months from the time when the matter of the information arose. 1957, c. 39, s. 64.

Arrest without warrant.

63. Every officer or constable of the Royal Canadian Mounted Police, or of the police force of any municipality, may arrest without warrant

- (a) any person driving a motor-vehicle upon which no number-plate issued by the Superintendent under this Act is displayed whom the officer or constable finds committing any act in violation of any of the provisions of this Act or of the regulations;
- (b) any person whom the officer or constable finds committing any act in violation of section 138;
- (c) any person whose driver's licence is under suspension or has been cancelled, or whose right to obtain a licence is suspended under the provisions of this Act, and whom the officer or constable finds driving a motor-vehicle on any highway,
- (d) any person driving a motor-vehicle who is not insured as required by this Act or who does not hold a valid and subsisting motor-vehicle liability insurance card or financial responsibility card.

and may detain the person arrested until he can be brought before a Justice to be dealt with according to law. 1957, c. 39, s. 65; 1967, c. 27, s. 6; 1969, c. 20, s. 11.

Onus of proof of licence.

64. In any prosecution under this Act, where it appears that the defendant or accused has done any act or has been guilty of any act or omission in respect of which, were he not duly licensed or insured under a valid and subsisting motor-vehicle liability policy or in possession of a

permit or a motor-vehicle liability insurance card or a financial responsibility card, he would be liable to some penalty under this Act, it is incumbent upon the defendant or accused to prove that he is duly licensed or insured under a valid and subsisting motor-vehicle liability policy or in possession of a permit or a motor-vehicle liability insurance card or a financial responsibility card. 1957, c. 39, s. 66; 1963, c. 27, s. 14; 1968, c. 32, s. 8; 1970, c. 28, s. 9 (eff. Apr. 6, 1970); 1972, c. 35, s. 15 (eff. June 1, 1972).

Evidence of licence or permit.

65. The production of a licence, permit, consent, or certificate, motor-vehicle liability insurance card, and financial responsibility card which on its face purports to be duly issued, and which were it duly issued would be a lawful authority to the defendant accused of an act or omission, is prima facie evidence that the defendant is so authorized; and in all cases the signature to any instrument purporting to be a valid licence, permit, consent, or certificate, motor-vehicle liability insurance card, and financial responsibility card is prima facie taken to be genuine. 1957, c. 39, s. 67; 1970, c. 28, s. 10 (eff. Apr. 6, 1970).

Certificate of Superintendent as evidence.

66. (1) A copy of or extract from any entry, record, or document kept in the office of the Superintendent under this Act or the regulations, purporting to be certified by the Superintendent or Deputy Superintendent to be a true copy or extract, shall be received in all Courts as prima facie evidence of the entry, record, or document, or of the portion thereof extracted.

(2) The certificate of the Superintendent or Deputy Superintendent containing a statement of information from the records kept in the office of the Superintendent, under this Act or the regulations, shall be received in all Courts as prima facie evidence of the facts contained therein as existing at the date of the certificate.

(3) No proof shall be required of the signature or official position of any person certifying to the truth of any copy or extract or giving any certificate in pursuance of this section, and a rubber stamp purporting to be the signature of any person required to sign or certify any entry, record, or document or any process or proceeding under this Act shall be received in all Courts as prima facie evidence of the signature and of the authority for the use of the rubber stamp as the signature.

(4) When directed to do so by the Attorney-General, the Superintendent shall

- (a) cause any document filed in his office under this Act or the regulations to be photographed on microfilm; and
- (b) thereafter destroy the document or dispose of it in accordance with the direction,

and the microfilm, for the purposes of this Act, shall be the original or copy of the document. 1957, c. 39, s. 68; 1966, c. 30, s. 11; 1967, c. 27, s. 7; 1970, c. 28, s. 11 (eff. Apr. 6, 1970).

Liability of owner for violation of Act, etc.

67. (1) The owner of a motor-vehicle shall be held liable for any violation of this Act, or of the regulations, or of the *Highway Act* or the regulations thereunder, or of the *Firearms Act, 1966*, in respect of the carrying or use of firearms in motor-vehicles, or of the traffic by-laws of any municipality.

(2) On a prosecution of the owner of a motor-vehicle for an offence under this section, the burden of proving

(a) that the person in possession of the motor-vehicle was not a person entrusted by the owner with the possession of that motor-vehicle; or

(b) that the registered owner is not the owner is on the accused.

(3) An owner of a motor-vehicle is liable under subsection (1) notwithstanding that the motor-vehicle, at the time of the violation, is unattended or is not in the possession of any person.

(4) In this section "owner" includes a person in possession of a motor-vehicle under a contract by which he may become the owner upon full compliance with the terms of the contract, and in whose name alone the motor-vehicle is registered. 1972, c. 35, s. 16 (eff. June 1, 1972).

Duty of owner, etc., to give information.

68. Where a peace officer has reason to believe that a motor-vehicle has been involved in any accident or in the violation of this Act, the *Department of Commercial Transport Act*, or the *Highway Act*, or the regulations under any of these Acts or the by-laws of a municipality, and so informs the owner or a person in the motor-vehicle, it is the duty of the owner or such person, as the case may be, if required by the peace officer, to give any information which is in his power to give relating to the identification of the driver of the motor-vehicle at the relevant time or during the relevant period; and if the owner or other person fails to do so, or gives information which he knows to be false or does not believe to be true, he is guilty of an offence against this Act. 1968, c. 32, s. 9.

Offence.

69. Every person who, being in possession or control of a motor-vehicle, permits the motor-vehicle to be driven or operated by a minor who is not the holder of a subsisting driver's licence permitting such operation is guilty of an offence against this Act. 1957, c. 39, s. 71.

Responsibility of owner in certain cases.

70. (1) In an action for the recovery of loss or damage sustained by any person by reason of a motor-vehicle on any highway, every person driving or operating the motor-vehicle who is living with and as a member of the family of the owner of the motor-vehicle, and every person driving or operating the motor-vehicle who acquired possession of it with the consent, express or implied, of the owner of the motor-vehicle, shall be deemed to be the agent or servant of that owner and to be employed as such, and shall be deemed to be driving and operating the motor-vehicle in the course of his employment; but nothing in this section relieves any person deemed to be the agent or servant of the

Purchaser deemed to be owner for certain purposes.

owner and to be driving or operating the motor-vehicle in the course of his employment from the liability for such loss or damage.

(2) Where a motor-vehicle has been sold, and is in possession of the purchaser under a contract of conditional sale whereby the title to the motor-vehicle remains in the seller until the purchaser becomes the owner upon full compliance with the terms of the contract, the purchaser shall be deemed an owner within the meaning of this section, but the seller or his assignee shall not be deemed an owner within the meaning of this section. 1957, c. 39, s. 72.

71. [Repealed. 1969, c. 20, s. 12.]

Liability of partners.

72. Each member of a licensed partnership is liable to the penalties imposed against licensees for breach of the provisions of this Act. 1957, c. 39, s. 74.

Liability of licensees for offences of employees.

73. (1) The registered owner of a motor-vehicle by means of or in respect of which motor-vehicle an offence against any provision of this Act or of the regulations with respect to the equipment or maintenance of the vehicle is committed by his employee, servant, agent, or workman, or by any person entrusted by him with the possession of the motor-vehicle, shall be deemed to be a party to the offence so committed, and is personally liable to the penalties prescribed for the offence as a principal offender; but nothing in this section relieves the person who actually committed the offence from liability therefor.

Burden of proof on accused.

(2) On every prosecution of any registered owner of a motor-vehicle for an offence against any provision of this Act or of the regulations that has been committed by means of or in respect of that motor-vehicle, the burden of proving that the offence was not committed by him and that the person committing the offence was not his employee, servant, agent, or workman, or a person entrusted by him with the possession of the motor-vehicle is on the accused. 1957, c. 39, s. 75; 1966, c. 30, s. 14; 1972, c. 35, ss. 17, 18 (eff. June 1, 1972).

Powers of Magistrate, Judge, or Justice of the Peace as to surrender, suspension, and cancellation of drivers' licences.

74. (1) (a) In the case of any person convicted of an offence against section 138, 140, 141, or 142 of this Act, or against section 203, 204, or 219, arising out of the operation of a motor-vehicle, or against section 233, 234, 235, 236, 238 (3), or 239 of the Criminal Code of Canada, or adjudged to be a juvenile delinquent under the *Juvenile Delinquents Act* of Canada by reason of a contravention of any of the aforesaid sections, being the holder of a driver's licence under this Act or of a driver's or operator's licence issued in another jurisdiction, the Magistrate, Judge, or Justice of the Peace before whom the licensee is convicted or adjudged to be a juvenile delinquent under the *Juvenile Delinquents Act* of Canada shall, and in case the conviction or judgment is in respect of any other offence against this Act or the regulations the Magistrate, Judge, or Justice of the Peace may, in addition to all other

penalties, require the licensee to surrender his driver's licence forthwith to such Magistrate, Judge, or Justice of the Peace.

(b) [Repealed. 1972, c. 35, s. 19 (eff. June 1, 1972).]

(c) In the case of any person convicted of an offence against this Act or the regulations, or against section 192, 193, 207, 221, 222, 223, 224, 225 (3), or 226 of the Criminal Code of Canada, or adjudged to be a juvenile delinquent under the *Juvenile Delinquents Act* of Canada by reason of an offence against this Act or the regulations or of a contravention of any of the aforesaid sections of the Criminal Code of Canada, the Magistrate, Judge, or Justice of the Peace,

(i) if he thinks that the facts warrant a suspension or cancellation of the licence, may suspend the licence and forward it forthwith to the Superintendent with a recommendation as to the length of time for which the licence should be suspended or cancelled, accompanied by a statement of the grounds on which the recommendation is based, and thereupon the Superintendent shall deal with the licence under the provisions of section 78 and may further suspend or cancel the licence or may revoke its suspension; or,

(ii) if he thinks the facts warrant a suspension or cancellation of the exemption of the person under subsection (2) of section 20, may suspend or cancel that exemption, and in that case shall forward the driver's or operator's licence or licences issued in another jurisdiction or other jurisdictions to the Superintendent with a recommendation as to the length of time for which the exemption should be suspended or cancelled, accompanied by a statement of the grounds on which the recommendation is based, and thereupon the Superintendent shall fix the period of suspension and shall retain the licence or licences and shall not deliver it or them up to the person until

(A) the period of suspension or cancellation has expired;

or

(B) the Superintendent is satisfied that the person will, upon receiving it or them, leave the Province forthwith.

(d) Every person who fails to produce or surrender his licence when requested to do so by a Magistrate, Judge, or Justice of the Peace pursuant to this section shall be guilty of an offence against this Act.

(e) This subsection shall not apply in respect of a person who is convicted of an offence against this Act or the regulations by reason only of the liability imposed on him as owner of a motor-vehicle under the provisions of section 67.

Part-time suspension.

(1a) Notwithstanding clause (c) of subsection (1), where a Magistrate, Judge, or Justice of the Peace exercises the power to suspend a licence by restricting its validity to certain hours or purposes (which he is hereby empowered to do), he shall endorse the restriction on the licence and return it to the holder, and shall inform the Superintendent accord-

ingly; and the Superintendent shall have the like powers as if the licence had been suspended unreservedly.

Holder of driver's licence may not obtain another licence.

(2) If a person is the holder of a driver's licence under this Act, or if his driver's licence or right to obtain a driver's licence has been suspended or cancelled under this Act, he shall not apply for or obtain another driver's licence under this Act.

Automatic suspension of licence upon arrest for manslaughter.

(3) In case the holder of a driver's licence is arrested or indicted under the Criminal Code of Canada in respect of the death of any person occasioned by an accident in which a motor-vehicle driven or operated by the holder was involved, the driver's licence of the holder is ipso facto suspended and shall forthwith be delivered to the Superintendent by the holder; and the licence shall not be reinstated until after the conclusion of the prosecution and the discharge of the holder, and then only upon the direction of the Superintendent.

Power of Superintendent to deal with temporary driver's licence.

(4) Where under subsection (1) a temporary driver's licence issued under the proviso to subsection (6) of section 18 has been surrendered, the Magistrate, Judge, or Justice of the Peace, instead of dealing further with the licence under subsection (1) of this section, shall forward the licence forthwith to the Superintendent with a statement of the facts attending its surrender, and thereupon the Superintendent shall deal with the licence under section 78 and may further suspend or cancel the licence or may revoke the suspension and return the licence to the licensee. 1957, c. 39, s. 76; 1960, c. 36, s. 10; 1966, c. 30, s. 15; 1968, c. 32, s. 10; 1970, c. 28, s. 12 (eff. Apr. 6, 1970); 1972, c. 35, s. 19 (eff. June 1, 1972).

75. [Repealed. 1966, c. 30, s. 16.]

Endorsement of licence prima facie evidence.

76. The endorsement of a licence under this Act with respect to a conviction is prima facie evidence of the conviction, which evidence may be adduced by the production of the licence without proof of the signature or appointment of the convicting Magistrate, Judge, or Justice of the Peace or of the Superintendent, as the case may be. 1958, c. 31, s. 10; 1966, c. 30, s. 17.

77. [Repealed. 1970, c. 28, s. 13.] (Eff. Apr. 6, 1970.)

Powers of Superintendent as to suspension and cancellation of licences.

78. (1) Where the licensee holding any licence issued under this Act violates any provision of this Act, or of the regulations, or by reason of reckless or negligent driving, or by reason of the use of intoxicants, or for any other reason is, in the opinion of the Superintendent, unfit to drive or operate a motor-vehicle, the Superintendent, upon proof to his satisfaction of the fact or existence of such violation or unfitness, and without the necessity of holding any formal or public or other hearing, may suspend the licence and all rights of the licensee thereunder for such period or during such period or periods as the Superintendent may see fit,

or may restrict the validity of the licence to certain hours or purposes, or may cancel the licence. Upon notice of the suspension or cancellation of his licence the licensee shall forthwith deliver up the licence to the Superintendent for endorsement or retention. The Superintendent may, upon proof to his satisfaction of the like violation or unfitness on the part of any person who does not hold a licence issued under this Act, suspend all rights of that person to apply for or obtain any licence under this Act during a period fixed by the Superintendent; and during that period no licence under this Act shall be issued to that person.

Power to suspend right of licensee to apply for new licence.

(2) Where the period of the suspension of a licence which is suspended under this section, or by virtue of subsection (3) of section 74, extends to the time of the expiration of the licence, the Superintendent may fix a further period during which all rights of the licensee to apply for or obtain any licence under this Act shall be suspended.

Power to suspend or cancel permits and certificates.

(3) Where in the opinion of the Superintendent it is advisable that any permit, consent, or certificate issued by him to any person under this Act should be suspended or cancelled, the Superintendent may suspend the permit, consent, or certificate and all rights of any person thereunder for such period as the Superintendent may see fit, or may cancel the permit, consent, or certificate. Upon notice of the suspension or cancellation of his permit, consent, or certificate, the person to whom the permit, consent, or certificate was issued shall forthwith deliver up the permit, consent, or certificate and its corresponding windshield sticker (if any) to the Superintendent. Where the permit, consent, or certificate has been suspended only, the Superintendent shall return the permit, consent, or certificate and the corresponding windshield sticker (if any) to that person at the expiration of the period of the suspension.

Reduction or cancellation of suspension.

(4) The Superintendent may, at any time during the term of the suspension of a licence made under this section if in his opinion it is advisable to do so, reduce or cancel the remaining period of the suspension. 1957, c. 39, s. 79; 1958, c. 31, s. 11; 1963, c. 27, s. 15; 1966, c. 30, s. 19; 1969, c. 20, s. 13; 1972, c. 35, s. 20 (eff. June 1, 1972).

Limitation.

79. (1) No action shall be brought against a person for the recovery of damages occasioned in an accident involving a motor-vehicle after the expiration of twelve months from the time when the damages were sustained.

Counterclaim.

(2) Notwithstanding subsection (1), when an action is brought within the time limited by this Act for the recovery of damages occasioned in an accident involving a motor-vehicle and a counterclaim is made or third-party proceedings are instituted by a defendant in respect of damages occasioned in the same accident, the lapse of time limited by this Act shall be no bar to the counterclaim or third-party proceedings.

Exceptions.

- (3) Subsection (1) does not apply
- (a) to an action for the recovery of damages occasioned by a motor-vehicle if the cause of action occurred before the first day of March, 1948; or
 - (b) to an action for the recovery of damages other than those occasioned by the motor-vehicle if the cause of action arose before the first day of April, 1963.

Special provision as to minors and persons of unsound mind.

- (4) Any person who is under the age of twenty-one years or who is non compos mentis may bring or commence such action within one year of coming of the full age of twenty-one years or of becoming of sound mind. 1957, c. 39, s. 80; 1963, c. 27, s. 16; 1966, c. 30, s. 20; 1968, c. 32, s. 12.

Regulations

General power to make regulations.

80. For the purpose of carrying into effect the provisions of this Act according to their true intent or of supplying any deficiency therein, the Lieutenant-Governor in Council may make such regulations not inconsistent with the spirit of this Act as may be considered necessary or advisable, which shall be published in the Gazette, and have the same force and effect as if incorporated herein. 1957, c. 39, s. 81.

Specific powers to make regulations.

81. (1) Without thereby limiting the generality of any of the provisions contained in this Act, it is declared that the power of the Lieutenant-Governor in Council to make regulations extends to

- (a) prescribing the equipment for motor-vehicles and trailers, and the inspection, testing, adjustment, display, and use of such equipment, including number-plates, lamps, warning bells, horns, and gongs, warning signals, mechanical and other signalling devices, windshields, mirrors, brakes, fenders, exhaust-pipes, mufflers, muffler cut-outs, and other devices and equipment, whether of the same or of a different kind to those expressly mentioned;
- (a1) regulating or prohibiting the use on any highway of any vehicle or class of vehicles that may be a hazard to other users of the highway by reason of unusual or novel size, weight, or operating characteristics;
- (b) providing for the regulation of the training of drivers of motor-vehicles and of persons and firms engaged in the training of drivers of motor-vehicles;
- (c) preventing the making of excessive noise by motor-vehicles, setting maximum noise levels, and prescribing regulations for the prevention of the sale, distribution, or use in the Province of any vehicle or vehicle engine not designed, manufactured, or equipped so that those levels will not be exceeded;
- (d) providing for the classification of motor-vehicles according to their estimated safe carrying capacity, and prescribing the

- maximum load, whether of goods or passengers, which may be carried on motor-vehicles of the respective classes, and prescribing safety standards for the carriage of passengers on certain classes of commercial motor-vehicles;
- (e) regulating the repairing of motor-vehicles on highways;
 - (f) providing for the carrying of licences on motor-vehicles;
 - (g) prohibiting the operation of any motor-vehicle or trailer which in the opinion of any officer or constable of the Royal Canadian Mounted Police, or of the police force of any municipality, is by reason of any mechanical, structural, or other defect unsafe for use upon the highways;
 - (h) providing for the transfer of licences from one holder to another and from one motor-vehicle or trailer to another;
 - (i) providing for the granting of permits for the temporary operation upon the highways of motor-vehicles and trailers with or without load by any person for the purpose only of their transportation from one place in the Province to another, without being registered or licensed pursuant to this Act;
 - (j) prescribing fees for anything done or permitted to be done under the regulations;
 - (k) prescribing the method of determining any fact necessary to be determined for the purpose of computing the amount of any fee payable under this Act or the regulations, and the person or official by whom the fact shall be determined;
 - (l) providing for the keeping of a record in all motor-vehicle repair-shops and garages of repairs made therein to the body, hood, radiator, fenders, running-board, or wheels of any motor-vehicle, and for the giving of notices and the supplying of information to any police officer or constable respecting the repairs so made, including notices respecting any motor-vehicle on which marks are found which have the appearance of or in any way resemble bullet-marks or blood-stains;
 - (m) prescribing with respect to motor-vehicles or any class of motor-vehicles which are let for hire without drivers that the motor-vehicles shall be equipped with approved automatic speed-controls or governors which will prevent those motor-vehicles from being driven or operated at a greater rate of speed than thirty-five miles per hour;
 - (n) regulating the construction and equipment of school buses, that is to say, any motor-vehicle used for the conveyance of children to and from school, and operated by or under contract with the Board of School Trustees or other authority in charge of the school, and regulating the driving, operation, and use upon any highway of school buses;
 - (o) providing that, notwithstanding any of the provisions of this Act, the Superintendent shall issue only one distinctive number-

- plate for any motor-vehicle in respect of which a licence is issued pursuant to section 4, and that in such case the display of that single number-plate in the manner prescribed by the regulations shall be a sufficient compliance for all purposes with every provision of this Act requiring the display of two number-plates, and that every reference in this Act to the two number-plates mentioned in section 4 shall be deemed to be a reference to one number-plate; and making similar provisions in respect of demonstration number-plates referred to in section 29; and making any incidental provisions that may be necessitated by the substitution of one number-plate for two number-plates;
- (p) prescribing that some other means of identification of motor-vehicles and trailers be used in lieu of or in conjunction with number-plates;
 - (q) providing for the issuance of duplicate motor-vehicle licences, duplicate trailer licences, and duplicate chauffeurs' licences;
 - (r) providing that, notwithstanding section 3 of the *Public Documents Disposal Act*, the Superintendent may, subject to the requirements and to every approval required by the said Act, dispose by destruction or otherwise of the documents deposited in connection with the records and administration of the *Motor-vehicle Act* that are not considered of sufficient value to justify their preservation and that have been on deposit for a period of five years or longer;
 - (s) providing for the furnishing of security by dealers in such amounts and in such form and upon such conditions as may be considered necessary to secure the honest and lawful conduct by dealers and the salesmen in their employ of the business of dealers in motor-vehicles and trailers;
 - (t) the licensing of the drivers of taxis kept or operated in unorganized territory;
 - (u) respecting the establishment and administration of a "point system" in respect of the driving record of drivers committing prescribed offences;
 - (v) prescribing penalties for unsatisfactory driving records or in relation to the number of point penalties recorded against the driving record; and
 - (w) prescribing the standards required for motor-vehicles, trailers, equipment, and safety helmets that are sold, offered for sale, exposed or displayed for sale, or delivered over to a purchaser for use.
- (2) The Lieutenant-Governor in Council may, in making any regulation under this Act, incorporate therein by reference any code or standard or rule or any part thereof, relating to the subject-matter of this Act, as amended from time to time before or after the making of the regulation,

that he may consider applicable, and he may exempt any person or motor-vehicle in any part of the Province from such regulation; and, where a code, standard, rule, or part thereof is adopted by regulation, publication in the Gazette of a notice of the adoption referring to the code, standard, or rule and stating the extent of its adoption and setting forth any variations to which the adoption is subject, shall be deemed sufficient publication without publishing in the Gazette the text of the code, standard, rule, or part thereof adopted. 1957, c. 39, s. 82; 1958, c. 31, s. 12; 1960, c. 36, s. 11; 1965, c. 27, s. 17; 1968, c. 32, s. 13; 1969, c. 20, s. 15; 1970, c. 28, s. 14 (eff. Apr. 6, 1970); 1971, c. 58, s. 10; 1972, c. 35, s. 21 (eff. June 1, 1972).

Power to prescribe forms.

82. The Superintendent may prescribe forms to be used for the purposes of this Act or the regulations. 1957, c. 39, s. 83.

PART II

SAFETY RESPONSIBILITY

83. [Repealed. 1969, c. 20, s. 16.]

Suspension in Case of Accident

Suspension for payment from fund.

84. (1) The Superintendent may suspend the driver's licence of the driver who fails to satisfy a final judgment rendered against him or the owner by any court in Canada or the United States of America within thirty days after the determination of all proceedings, including appeal, in an action for damages resulting from bodily injury to or the death of another, or damage to property in an amount exceeding two hundred and fifty dollars, exclusive of costs, occasioned by or arising out of the ownership, maintenance, operation, or use of a motor-vehicle by such person.

(2) A suspension under subsection (1) shall be made by the Superintendent upon the expiration of the thirty days and upon receipt by him of

- (a) a certificate of the final judgment issued by the proper officer of the court in which the judgment was rendered; and
- (b) evidence satisfactory to the Superintendent of the identity of the judgment debtor; and
- (c) evidence of failure to satisfy the judgment.

(3) Where the Traffic Victims' Indemnity Fund has paid money to an applicant under this Act either in respect of a judgment against a driver of a motor-vehicle or under an agreement with the driver, the Superintendent, upon being notified in writing by the Fund of the payment, may suspend the licence of the driver.

(4) The Superintendent may at any time, if in his opinion it is advisable to do so, cancel the suspension or reimpose the suspension if such suspension has been cancelled. 1970, c. 28, s. 15 (eff. Apr. 6, 1970).

85. [Repealed. 1969, c. 20, s. 18.]

Suspension by Superintendent

Suspension of licence, etc., by Superintendent for cause.

86. (1) In addition to every other provision or cause for cancellation or suspension of a licence or registration, the Superintendent, upon failure of a driver or owner to comply with any requirement of this Act, or for any other cause that the Superintendent, in his discretion, deems reasonable from inspection of the person's driving record and from any other information that the Superintendent has respecting the person's ability to drive, and without the necessity of holding any formal or public or other hearing, may cancel or suspend the licence of, or refuse to issue a licence to, any driver, or may restrict the validity of his licence to certain hours or purposes.

Appeal from Superintendent.

(2) Every person who deems himself aggrieved by a decision of the Superintendent under subsection (1) may, within thirty days thereafter, appeal from or against such decision to a Judge of the County Court of the county in which he resides by filing in the office of the Court a notice of appeal setting out the grounds of the appeal.

(2a) An appeal under subsection (2) shall be limited to the question of whether there was a reasonable exercise of discretion by the Superintendent in the refusal, suspension, or cancellation.

Hearing of appeal.

(3) Forthwith upon filing his notice of appeal, the appellant shall apply to a Judge of the Court to fix a date for the hearing of the appeal.

Notice of appeal.

(4) The appellant shall, not less than two weeks before the hearing, serve, either personally or by registered mail, upon the Superintendent a copy of his notice of appeal and of the appointment fixing the date of the hearing.

Disposal of appeal.

(5) The Judge may

- (a) dismiss the appeal; or
- (b) order the Superintendent to restore any licence cancelled or suspended by him; or
- (c) order the Superintendent to issue a licence that he has refused to issue; and
- (d) in making an order under clause (b) or (c) make the same subject to conditions with which the appellant shall comply. 1957, c. 39, s. 87; 1958, c. 31, s. 13; 1966, c. 30, s. 22; 1969, c. 20, s. 19; 1972, c. 35, s. 23 (eff. June 1, 1972).

Suspension until conditions satisfied.

86A. The power of the Superintendent to suspend a driver's licence under section 78 or 86 includes the power to suspend the licence for an undetermined period until the person concerned satisfies the Superintendent that he complies with any conditions, relating to his ability to drive a motor-vehicle or his fitness to hold a driver's licence and relevant to the suspension, which the Superintendent may impose. 1968, c. 32, s. 14 (eff. Apr. 6, 1968).

Reference to
Magistrate.

86B. Where the Superintendent is of the opinion that the driving record of any person requires him to consider whether or not to exercise a power conferred by section 78 or 86, he may, instead of determining the matter himself, refer the driving record to a Magistrate with a request that the Magistrate call upon the person to show cause why his driver's licence should not be cancelled or suspended, and in any such case

- (a) the Magistrate shall have and may exercise all the powers conferred upon the Superintendent by section 86;
- (b) an appeal shall lie against the decision of the Magistrate as it lies against the decision of the Superintendent;
- (c) the Magistrate shall annex his decision to the driving record and return the record to the Superintendent.

The reference of a driver's record to a Magistrate under this section shall not preclude the Superintendent from subsequently exercising the powers conferred upon him under section 78 or 86 in relation to the person to whom the record relates. 1968, c. 32, s. 14 (eff. Apr. 6, 1968).

Suspension
for failure
to pay
penalty fee.

86C. In addition to every other provision or cause for cancellation or suspension of a licence, the Superintendent may cancel or suspend the licence of, or refuse to issue a licence to, any driver who fails or neglects to pay the penalty assessed by the Superintendent under section 18.

Suspension
by Superin-
tendent.

86D. (1) Notwithstanding any other provision in this Act, where a person is convicted of an offence against section 234, 235, or 236 of the Criminal Code (Canada), being the holder of a driver's licence under this Act, or of a driver's or operator's licence issued in another jurisdiction, the Superintendent shall suspend the licence

- (a) upon first conviction of that person of an offence against any one of those sections, for a period of one month; and
- (b) upon second or subsequent conviction of that person of an offence against any one of those sections, for such period exceeding six months as the Superintendent may see fit.

(2) Where the Superintendent suspends a licence under clause (b) of subsection (1), he may, if in his opinion it is advisable to do so, reduce, cancel, or vary the remaining period of suspension, or may restrict the validity of the licence to certain hours or purposes, but he shall not reduce, cancel, or vary the suspension, or reinstate the licence within the first six months of the suspension.

(3) For the purpose of this section, where a person is convicted of an offence against any one of the sections referred to in subsection (1), a conviction for an offence against any one or more of the other sections referred to therein shall be deemed to be a second or subsequent offence.

(4) For the purpose of this section, where a person has not been convicted of an offence against the sections referred to in subsection (1) during a period of five years, an offence thereafter that, but for this sub-

section, would be deemed to be a second or subsequent offence, shall be deemed to be a first offence.

(5) for the purpose of clause (b) of subsection (1), the Superintendent shall consider a conviction for an offence against any one of the sections referred to in subsection (1) in any other Province, or for a similar offence in a state, territory, or the District of Columbia in the United States of America. 1969, c. 20, s. 20; 1972, c. 35, s. 24 (eff. June 1, 1972).

Non-residents

Effect in
British
Columbia of
suspension
in another
Province
or U.S.A.
under similar
Act.

87. Where the Superintendent receives evidence satisfactory to him showing that the privilege of any person of driving a motor-vehicle has been suspended or cancelled pursuant to a law of any part of Canada or the United States, the tenor of which the Superintendent deems to be analogous to this Part, he may suspend any like privilege accorded to, or driver's licence granted to, that person in British Columbia; and they shall remain suspended while the like privilege, or either of them, remain suspended or cancelled in such part of Canada or the United States. 1957, c. 39, s. 88; 1969, c. 20, s. 21.

Reports of Convictions and Judgments

Reporting
conviction.

88. (1) Every Provincial Court Judge and Justice of the Peace with respect to each conviction made by him for an offence against this Act or the regulations, or the *Department of Commercial Transport Act* or the regulations thereunder, or of an offence under sections 203, 204, or 219, arising out of the operation of a motor-vehicle, or under section 233, 234, 235, 236, 238 (3), or 239 of the Criminal Code of Canada, or upon a person being adjudged to be a juvenile delinquent under the *Juvenile Delinquents Act* by reason of a contravention of any of those sections, and every Registrar, Deputy Registrar, or Clerk of a Court shall forthwith send to the Superintendent a certificate, transcript, or copy of the conviction.

(2) Every Registrar, Deputy Registrar, or Clerk of a Court, with respect to each order or judgment of the court in an action for damages resulting from bodily injury to or the death of any person or from damage to property occasioned by or arising out of the ownership, maintenance, operation, or use of a motor-vehicle, shall forthwith send to the Superintendent a certificate, transcript, or certified copy of the order or judgment.

Certificate,
etc., as
evidence.

(3) A certificate, transcript, or copy sent to the Superintendent pursuant to subsection (1) is prima facie evidence of the conviction, appeal, or proceedings to which reference is made therein.

Dispatch of
certificate
as to non-
residents
to foreign
jurisdictions.

(4) If a person convicted, as mentioned in subsection (1), is not resident in the Province but resides in another Province in Canada or in a State, Territory, or the District of Columbia in the United States, the Superintendent shall forthwith send to the proper officer in charge of the registration of motor-vehicles and the licensing of drivers in that Province

or in that State, Territory, or District a certificate, transcript, or certified copy of the conviction.

Notice of cancellation of privileges of non-resident.

(5) Where, pursuant to this Act, a person who is not a resident of the Province loses, by suspension or cancellation, the privilege of driving a motor-vehicle in the Province, if the person resides in another Province of Canada or in a State, Territory, or the District of Columbia in the United States, the Superintendent, if he has notice in writing of such suspension or cancellation, shall forthwith send to the proper officer in charge of the registration of motor-vehicles and the licensing of drivers in that Province or in that State, Territory, or District a notice of such cancellation or suspension containing a brief statement of the reasons therefor, together with the driver's licence or operator's licence that has been suspended or cancelled if the driver's licence or operator's licence is in the possession of the Superintendent. 1957, c. 39, s. 89; 1969, c. 20, ss. 22-27; 1970, c. 28, s. 16 (eff. Apr. 6, 1970); 1972, c. 35, ss. 25, 26 (eff. June 1, 1972).

Reciprocal arrangements.

89. (1) Where a person who is not a resident of the Province is convicted of contravening any provision referred to in subsection (11) of section 126A, the Superintendent

- (a) may by order prohibit that person from driving in the Province until the penalty and costs imposed on the conviction have been satisfied; and
- (b) may notify the proper authorities of the jurisdiction where the person resides of the conviction and of the non-satisfaction of the penalty and costs imposed.

(2) Where a resident of the Province

- (a) is convicted in any other jurisdiction in Canada of contravening a provision similar to one referred to in subsection (11) of section 126A; and
- (b) fails to satisfy the penalty and costs imposed upon the conviction,

the Superintendent may suspend the operator's licence of the person until such time as he satisfies the penalty and costs so imposed. 1970, c. 28, s. 17 (eff. Apr. 6, 1970).

Proof of Financial Responsibility

90. [Repealed. 1969, c. 20, s. 29.]

Forms in which proof to be given.

91. (1) Where proof of financial responsibility is given by any person, it shall be given in one of the alternative forms hereinafter described, namely:—

Bond of company.

- (a) The bond of a guarantee insurance or surety company duly authorized to carry on business in the Province, which bond shall
 - (i) be payable to the Minister of Finance;
 - (ii) be in a form prescribed by the Superintendent;

(iii) be filed with the Superintendent;

(iv) be conditioned for the payment of amounts prescribed under the *Insurance Act* for a motor-vehicle liability policy;

(v) not be cancelled or expire except after ten days' written notice to the Superintendent; or

Cash or securities.

- (b) The certificate of the Minister of Finance that the person named therein has deposited with him a sum of money, or security for money approved by the Minister of Finance, in the amount or value prescribed under the *Insurance Act* for a motor-vehicle liability policy, which deposit shall be accepted and certificate issued by the Minister of Finance on request by that person. The Minister may permit the substitution of other securities for securities deposited with him, but shall not otherwise permit the withdrawal of securities deposited without the written consent of the Superintendent.

(2) [Repealed. 1969, c. 20, s. 31.]

Proof by non-resident.

(3) A person who is not a resident of British Columbia may, for the purposes of this Part, give proof of financial responsibility

- (a) as provided in subsection (1); or,
- (b) subject to subsection (4), by filing a certificate of insurance, in a form approved by the Superintendent, issued by any insurer authorized to transact automobile insurance in the Province, State, Territory, District, or country in which the person resides.

Requirements from unlicensed insurer.

(4) A certificate issued under clause (b) of subsection (3) by an insurer that is not authorized to carry on in British Columbia the business of automobile insurance is not effectual for the purpose of subsection (3) unless the insurer has filed with the Superintendent of Insurance, in a form prescribed by him,

- (a) a power of attorney authorizing the Superintendent of Insurance to accept service of notice or process for itself in any action or proceeding against it arising out of a motor-vehicle accident in British Columbia;
- (b) an undertaking

(i) to appear in any action or proceeding against it or its insured arising out of a motor-vehicle accident in British Columbia, and of which it has knowledge;

(ii) that upon receipt from the Superintendent of Insurance of any notice or process served upon him in respect of its insured, or in respect of its insured and another or others, and sent by the Superintendent of Insurance to it as hereinafter provided, it will forthwith cause the notice or process to be personally served upon its insured; and

(iii) not to set up any defence to any claim, action, or proceeding, under a motor-vehicle liability policy issued by it,

that might not be set up if such policy has been issued in British Columbia in accordance with the law of British Columbia relating to motor-vehicle liability policies, and to satisfy up to the limits of liability stated in the policy, and in any event to an amount not less than the limits of liability fixed in section 93, any judgment rendered against it or its insured by a Court in British Columbia in any such action or proceeding.

Service on unlicensed insurer.

(5) Where an insurer to which subsection (3) refers is not authorized to carry on in British Columbia the business of automobile insurance, notice or process in any action or proceeding in British Columbia against it or its insured arising out of a motor-vehicle accident in British Columbia may be effectually served upon the insurer or the insured, or upon both of them, by leaving three copies of the notice or process with the Superintendent of Insurance; and if the insurer is not a party to the action or proceeding, the person who leaves with the Superintendent of Insurance the copies of the notice or process shall at the same time leave with him a written statement, signed by the person who issued the notice or process and stating the full name and address of the insurer against whose insured the action or proceeding is taken.

Action by Superintendent of Insurance.

(6) Upon receipt of notice or process under subsection (5), the Superintendent of Insurance shall forthwith mail two copies thereof by registered mail to the insurer at its address last known to him.

Undertaking and implied covenant.

(7) In any action or proceeding against an insurer who has given to the Superintendent of Insurance an undertaking under clause (b) of subsection (4), the plaintiff may give evidence of the undertaking; and the same shall for all purposes of the action or proceeding be deemed to be a covenant for valuable consideration made by the insurer with the plaintiff.

Default by insurer in case of non-resident.

(8) If an insurer that has filed the documents described in subsection (3) defaults thereunder, certificates of the insurer shall not thereafter be accepted as proof of financial responsibility so long as such default continues; and the Superintendent shall forthwith notify the Superintendent of Insurance and the proper officer in charge of the registration of motor-vehicles and the licensing of drivers in all Provinces of Canada and in all States, Territories, or Districts in the United States where the certificates of the insurer are accepted as proof of financial responsibility of such default.

Issue of financial responsibility card.

(9) Where the owner of a motor-vehicle
 (a) gives proof of financial responsibility in either of the forms for which provision is made in clauses (a) and (b) of subsection (1); or,
 (b) being a corporation, produces to the Superintendent of Insurance evidence satisfactory to him that
 (i) the corporation maintains a separate insurance fund for the purpose of satisfying therefrom, inter alia, liabilities it may incur resulting from bodily injury to, or the death of, any person or damage to property occasioned by, or arising out

of, the ownership, maintenance, operation, or use of a motor-vehicle by the corporation; and

(ii) the insurance fund is adequate to satisfy all such liabilities that the corporation is likely to incur, subject for each motor-vehicle registered in the name of the corporation, to the limits as to the amount and covering those benefits prescribed under the *Insurance Act* for a motor-vehicle liability policy,

the Superintendent shall issue and deliver to the owner a card (to be known as "a financial responsibility card") and shall on request by the owner issue and deliver to him an additional card (being a copy of the card delivered to him as aforesaid) for each person who commonly drives the motor-vehicle to which the card refers; or

- (i) for each motor-vehicle in respect of which financial responsibility is given; or
- (ii) in the case of a corporation to which the Superintendent of Insurance issued a certificate under clause (b) for each motor-vehicle registered in the name of the corporation.

Particulars shown on financial responsibility card.

(10) A financial responsibility card shall set forth the following particulars:—

- (a) The name of the person or corporation giving the proof of financial responsibility;
- (b) The particulars of the motor-vehicle as set forth in the motor-vehicle licence relative thereto issued pursuant to section 4;
- (c) Any other particulars required by the Superintendent.

Form of card.

(11) A financial responsibility card may be in the following form, or in such other form as is prescribed by the Superintendent:—

(Provincial Coat of Arms)

MOTOR-VEHICLE ACT

FINANCIAL RESPONSIBILITY CARD

This certifies that _____, of _____, has given me proof of financial responsibility as required by the *Motor-vehicle Act* in respect of public liability and property damage arising by reason of the operation of the motor-vehicle described as follows:—

Make of vehicle	M.V. Registration No.
Year of make	Type
Engine No.	Serial No.

such proof having been given in the form of

- (a) a bond of a guarantee insurance or surety company duly authorized to carry on business in British Columbia;
- or
- (b) a certificate of the Minister of Finance that the person above named has deposited with him money or securities for money as required by the said Act;

or

(c) the certificate of the Superintendent of Insurance that the corporation, in his opinion, maintains an adequate self-insurance fund as required by the said Act.

(Strike out the paragraph that does not apply.)

Superintendent of Motor-vehicles.

Cancellation of financial responsibility card.

(12) Where the owner of a motor-vehicle to whom the Superintendent has issued a financial responsibility card ceases to maintain, as required by this Act, the proof of financial responsibility in respect of which the card was issued, he shall forthwith deliver to the Superintendent for cancellation the card, and all additional cards, so issued to him.

Garage and sales agency policy.

(13) Where a person is insured under a policy of the type commonly known as "a garage and sales agency policy," whereby he is insured against liability for loss or damage to persons or property occasioned by or arising out of the ownership, maintenance, operation, or use by him or his employees of a motor-vehicle that is either owned by him or in his charge, if, in the opinion of the Superintendent, the amount in which he is insured under the policy is adequate to satisfy all such liabilities that he is likely to incur, subject, for each motor-vehicle that at any one time may be operated or used by him or his employees, to the limits as to amount and covering those benefits prescribed under the *Insurance Act* for a motor-vehicle liability policy, the insurer that issues the policy shall, at the time of the issue thereof, also issue and deliver to the named insured a card (to be known as "a financial responsibility card"), and shall, on request by the named insured, issue and deliver to him an additional card (being a copy of the card delivered to him) for each of his employees who commonly drives the motor-vehicle owned by him or in his charge.

Contents of card under subsec. (13).

(14) A card issued under subsection (13) shall be in a form approved by the Superintendent and shall set forth

- (a) the name and address of the insurer;
- (b) the name of the insured;
- (c) the policy number;
- (d) the date upon which the insurance expires; and
- (e) any other particulars required by the Superintendent,

and shall be signed in handwriting and in ink, with his usual signature, by the person for whose use the card or additional card is issued, and shall bear the number of the driver's licence held by him as at the date on which the card is issued.

Idem.

(15) The cards issued under subsection (13) by all insurers shall be uniform in size, colour, and form; and the date of expiry of the policy of insurance to which the card refers shall be prominently noted thereon; and the card may be in the following form, or in such other form as may be prescribed by the Superintendent:—

[Front of card.]

MOTOR-VEHICLE ACT

FINANCIAL RESPONSIBILITY CARD

(Garage and Sales Agency Liability)

This certifies that _____, of _____, is insured in this company against public liability and property damage arising by reason of the operation personally by the undersigned with the consent of the insured

(a) of any automobile owned by or in the care, custody, or control of the insured in the course of his or its business; and

(b) of any automobile owned by the insured while being driven for pleasure purposes

under Garage and Sales Agency Liability Policy No. _____, and that such insurance expires at 12.01 a.m. on the _____ day of _____, 19 _____.

Dated the _____ day of _____, 19 _____.

(Signature of Driver.)

(Signature of Insurance Company.)

Driver's Licence No. _____

[Back of card.]

WARNING

Users of this card are warned that it is to be produced only in respect of the limited use indicated on the reverse side hereof and only while the policy referred to thereon is in force. Failure to comply with this warning may lead to fine or imprisonment.

This card is valid only when signature of the driver and driver's licence number are endorsed upon the reverse side hereof.

Superintendent to supply cards to insurers.

(16) Cards issued under subsection (13) shall be supplied to each insurer by the Superintendent in such quantity as the Superintendent deems requisite; and no insurer shall prepare or issue a card under subsection (9) except on a form supplied as in this section provided.

Cancellation of financial responsibility cards.

(17) Where a person to whom a financial responsibility card has been issued under subsection (13) ceases to keep in force the policy of insurance in respect of which the card was issued, he shall immediately deliver to the Superintendent for cancellation the card, and all additional cards, so issued to him. 1957, c. 39, s. 92; 1963, c. 27, s. 20; 1969, c. 20, ss. 30-34.

92. [Repealed. 1969, c. 20, s. 35.]

93. [Repealed. 1969, c. 20, s. 35.]

94. [Repealed. 1969, c. 20, s. 35.]

Disposition of Deposits

Return of security given in proof.

95. (1) Where the Minister of Finance is satisfied that a person who has given security under this Act has produced satisfactory proof that he has satisfied all claims arising out of the accident in respect of which security was given, the Minister shall return the security to that person.

(2) Where

- (a) one year has elapsed since the date of an accident and the driver of a motor-vehicle in any manner directly or indirectly involved has not been named defendant in an action for damages as a result of the accident; or
- (b) judgment in an action for damages resulting from the accident brought against or instituted by the driver has been given in his favour,

the Minister of Finance, upon receipt of satisfactory proof of these facts, shall return the security to person who paid it.

(3) Where the Minister of Finance is unable to locate the person or driver in order to return the security under this section, he shall pay the amount of the security into the Consolidated Revenue Fund. 1957, c. 39, s. 96; 1969, c. 20, s. 36.

Insurance Policies

Motor-vehicle liability insurance policy.

96. (1) A motor-vehicle liability policy referred to in this Part shall be in the form prescribed by the *Insurance Act* for an owner's policy, driver's policy, or a policy of the type mentioned in subsection (13) of section 91, as the case requires, and approved under that Act by the Superintendent of Insurance of British Columbia for the purposes of this Part.

Delivery of certificate of insurance.

(2) Any insurer that has issued a motor-vehicle liability policy to a person who is required under this Part or under the *Motor Carrier Act* to give proof of financial responsibility shall, as and when the insured requests, file direct with the Superintendent a certificate for the purposes of this Part or for the purposes of the *Motor Carrier Act*, and a fee of two dollars shall be paid to the Superintendent for the filing of each certificate.

Effect of certificate.

(3) Such a certificate filed with the Superintendent is a conclusive admission by the insurer that a policy has been issued in the form prescribed by subsection (1) and in accordance with the terms of the certificate. 1957, c. 39, s. 97.

97. [*Repealed.* 1969, c. 20, s. 38.]

Surrender of Registration and Licences

Return of driver's licence.

98. A driver whose licence has been suspended shall immediately return to the Superintendent his driver's licence issued to him pursuant to this Act. 1957, c. 39, s. 99; 1969, c. 20, s. 39.

Offence.

99. When any person fails to comply with the provisions of section 98, the Superintendent may cause a peace officer to recover possession of the driver's licence issued to that person under this Act, and the person, by reason of such failure, is guilty of an offence. 1957, c. 39, s. 100; 1969, c. 20, s. 40.

Impounding

100. [*Repealed.* 1963, c. 27, s. 22.]

Insurance Cards

101. [*Repealed.* 1969, c. 20, s. 41.]

102. [*Repealed.* 1969, c. 20, s. 42.]

103. [*Repealed.* 1963, c. 27, s. 25.]

Interpretation.

104. In sections 105 to 106L, "Fund" means

- (a) Traffic Victims Indemnity Fund, incorporated by the *Traffic Victims Indemnity Fund Act, 1961*; or,
- (b) upon and after the coming into force of section 107, the Minister of Finance in his capacity as holder of the Unsatisfied Judgment Fund under section 107. 1965, c. 27, s. 21.

Application to Fund.

105. (1) Where, as a result of bodily injury, death or loss of or damage to property occasioned by or arising out of the ownership, maintenance, operation, or use of a motor-vehicle in the Province, a person becomes entitled to an amount determined by a settlement obtained in accordance with section 106F or by a final judgment obtained not more than one year previously and not in contravention of section 106G, he may apply to the Fund for payment of such amount or the portion thereof for which the Fund is liable under this Act.

(2) No application shall be entertained in respect of a judgment unless the applicant has joined as a defendant in the action in which the judgment was recovered every person against whom he has a cause of action for damages for the bodily injury or death or the damage to property and has proceeded to judgment in the action against all defendants. 1965, c. 27, s. 21.

Time-limit on payment.

106. (1) Subject to subsection (2), where an application is made under section 105, the Fund shall pay the amount for which it is liable under this Act within seven days of the date upon which the application is received by the Fund, or, if the application is with respect to a judgment, the date upon which the time for appeal expires, whichever is later.

(2) The Fund may, in order to provide opportunity for all claimants to make applications under this Act before any payment is made of the sum for which the Fund is liable, delay payment of any sum for a further thirty days, but nothing in this subsection makes the Fund liable to any or all subsequent applicants for more than the balance obtained by subtracting from the total liability of the Fund under sections 106B and 106C the total amount already paid to other applicants in respect of the same occurrence. 1965, c. 27, s. 21.

Exceptions.

106A. (1) The Fund is not liable for payment of any sum claimed by or on behalf of

- (a) an insurer by reason of the existence of a policy of automobile insurance within the meaning of the *Insurance Act*; or
- (b) Her Majesty the Queen in right of the Province or of Canada, or any agent of Her Majesty the Queen, or any corporation, board, or other body of which at least the majority of the directors, governors, or persons performing the functions thereof are appointed by or on behalf of Her Majesty the Queen in right of the Province or of Canada; or
- (c) any corporation which maintains a separate insurance fund for the purposes set out in clause (b) of subsection (9) of section 91; or
- (d) any municipality as defined in section 2 of the *Municipal Act* or the City of Vancouver; or
- (e) an employer in respect of the loss of services of any employee.

(2) The Fund is not liable for the payment of any sum to the owner of a motor-vehicle for damage occurring to the motor-vehicle while in possession of another with or without the consent of the owner except, subject to the other provisions of this Act, where and to the extent that the other person is not at fault in respect of the damage. 1965, c. 27, s. 21.

Limits of liability.

106B. (1) The amount paid by the Fund in respect of any one occurrence happening before the thirty-first day of December, 1961, shall not exceed

- (a) ten thousand dollars in respect of loss or damage resulting from bodily injury to or the death of one person, and, subject to such limit for any one person so injured or killed, not more than twenty thousand dollars on account of injury to or the death of two or more persons;
- (b) the sum of two thousand dollars in respect of loss of or damage to property, subject to a deduction of two hundred dollars; and the Fund shall not pay any sums for interest in respect of any judgment.

(2) The amount paid by the Fund in respect of any one occurrence happening on or after the first day of January, 1962, and before the first day of January, 1963, shall not exceed the sum of twenty-five thousand dollars in respect of loss or damage resulting from bodily injury to or the death of one or more persons or loss of or damage to property, except that where in any one occurrence loss or damage results from bodily injury or death and loss of or damage to property,

- (a) any claims arising out of bodily injury or death shall have priority over claims arising out of loss of or damage to property to the amount of twenty thousand dollars;

- (b) any claims arising out of loss of or damage to property shall have priority over claims arising out of bodily injury or death to the amount of five thousand dollars; and

- (c) any payments made by the Fund in respect of property damage shall be subject to a deduction of two hundred dollars;

and the Fund shall not pay any sums for interest in respect of any judgment.

(3) The amount paid by the Fund in respect of any one occurrence happening on or after the first day of January, 1963, and before the first day of July, 1966, shall not exceed the sum of thirty-five thousand dollars in respect of loss or damage resulting from bodily injury to or the death of one or more persons or loss of or damage to property, except that where in any one occurrence loss or damage results from bodily injury or death and loss of or damage to property,

- (a) any claims arising out of bodily injury or death shall have priority over claims arising out of loss of or damage to property to the amount of thirty thousand dollars;

- (b) any claims arising out of loss of or damage to property shall have priority over claims arising out of bodily injury or death to the amount of five thousand dollars; and

- (c) any payments made by the Fund in respect of property damage shall be subject to a deduction of two hundred dollars;

and the Fund shall not pay any sums for interest in respect of any judgment.

(4) The amount paid by the Fund in respect of any one occurrence happening on or after the first day of July, 1966, shall not exceed the sum of fifty thousand dollars in respect of loss or damage resulting from bodily injury to or the death of one or more persons or loss of or damage to property, except that where in any one occurrence loss or damage results from bodily injury or death and loss of or damage to property,

- (a) any claims arising out of bodily injury or death shall have priority over claims arising out of loss of or damage to property to the amount of forty-five thousand dollars;

- (b) any claims arising out of loss of or damage to property shall have priority over claims arising out of bodily injury or death to the amount of five thousand dollars; and

- (c) any payments made by the Fund in respect of property damage shall be subject to a deduction of two hundred dollars;

and the Fund shall not pay any sums for interest in respect of any judgment.

(5) The amount included in a payment for costs of an action that have been allowed by an order of a Court shall not exceed the amount of the actual disbursements and one-half of the fees as taxed on a party-and-party basis.

(6) The amount paid by the Fund to an applicant who ordinarily resides outside the Province shall not exceed the amount limited by this

section or the amount that a resident of the Province could recover under the same circumstances from a like fund in the jurisdiction in which the applicant ordinarily resides, whichever is less. 1965, c. 27, s. 21.

Material in support of application.

106c. (1) An applicant under section 105 shall deliver in support of his application

- (a) his affidavit setting forth
 - (i) generally the facts which entitle him to payment from the Fund;
 - (ii) the amount or amounts received by or for him on account of his claim, from or on behalf of the settlement debtor or the judgment debtor;
 - (iii) the value of any real property, goods, or services received from or on behalf of the settlement debtor or the judgment debtor;
 - (iv) that no part of the amount sought by him will be paid to an insurer to reimburse or otherwise indemnify the insurer in respect of any amount paid or payable by the insurer by reason of the existence of a policy of automobile insurance within the meaning of the *Insurance Act*;
 - (v) the names and addresses (if any) of any other person who, to the knowledge of the applicant after reasonable inquiry by him, may reasonably be expected to claim for damages because of the occurrence in respect of which his claim is made; and
 - (vi) that he has given to every person whose name is set forth pursuant to paragraph (v) notice of his intention to seek payment of his claim and the amount thereof; and
- (b) all documents in his possession which relate to his application and will assist the Fund to determine whether he is entitled to payment.

(2) The Fund has a right of action against the claimant for the sum of any amount or amounts and value or values not disclosed by him as required by clause (a) of subsection (1).

(3) The liability of the Fund to a claimant does not exceed the amount set forth in section 106B reduced by the sum of the amount or the amounts and the value or values required to be set forth by affidavit under subsection (1). 1965, c. 27, s. 21.

Payment of amounts received to the Fund.

106d. Where the Fund has paid any amount to any person under this Act, he shall pay to the Fund any amount of money or the value in dollars of any property, real or personal, that he subsequently receives on account of the claim that was the subject of his application to the Fund from or on behalf of the settlement debtor or the judgment debtor, and the Fund has a cause of action against him for that sum, and upon recovery being made that sum shall be applied in reduction of the sum

owed to the Fund by the judgment debtor or settlement debtor. 1965, c. 27, s. 21.

Disposition of moneys received by the Fund.

106E. All money recovered by the Fund on account of any claim made under this Act is the property of the Fund unless and until the Lieutenant-Governor in Council orders that the Fund pay to the person who made the claim the amount calculated by subtracting the sum of the amount paid out by the Fund in respect of the claim, interest thereon at the rate of four per centum per annum from the date of payment, and all costs of recovery, including solicitors' costs on a solicitor-and-client basis, from the amount recovered from the Fund. 1965, c. 27, s. 21.

Settlements.

106F. (1) (a) The Fund is not liable to pay any amount determined by settlement unless

- (i) the Fund is a party to the negotiations leading to the settlement and gives its consent; and
- (ii) the settlement is approved by a person appointed by the Attorney-General for that purpose.

(b) The amount determined by settlement may be in excess of the amount that the Fund is liable to pay the applicant, but the liability of the Fund in such a case is not increased thereby.

(c) The Fund is not liable to pay any costs upon settlement, but may, in its discretion, pay an amount in lieu of costs that it deems appropriate.

(2) Where a person allegedly liable for the occurrence giving rise to a claim

- (a) is known, but whose whereabouts cannot be ascertained by communication by registered mail or otherwise with that person at his address as shown on the records of the Superintendent or his last-known address or by other reasonable inquiry, all to be carried out and attested to by the claimant; or
- (b) is unknown and the cause of action (if any) is against the Attorney-General under section 108,

the Fund may, on behalf of and in the name of the person referred to in clause (a), or on behalf of and in the name of the Attorney-General as referred to in clause (b), enter into a settlement with the claimant.

(2a) In any case in which an amount not exceeding one thousand dollars, inclusive of the deductions referred to in sections 106B and 106c, is claimed, and the Fund has sent the person allegedly liable for the occurrence giving rise to the claim notice by registered mail at his address as shown on the records of the Superintendent or at his last-known address requesting his consent to a settlement, and no consent to the proposed settlement as set forth in the notice or a denial of liability is received within twenty-one days of the mailing of the notice, the Fund may, on his behalf and in his name, enter into a settlement with the claimant.

(3) If one of the parties to the negotiation for a settlement notifies his intention to withdraw from the negotiation by registered mail to the

other parties, or if a proposed settlement is refused approval by the person appointed by the Attorney-General for that purpose, action may be commenced within ten clear days after the date on which such notice has been sent or the day on which refusal is pronounced or within the time limited by section 79, whichever is the later.

(4) Nothing herein contained precludes the claimant or his legal representative (if any) from negotiating with the Fund prior to negotiating with the person against whom he has a cause of action, and the Fund may assist the claimant or his legal representative (if any) in such negotiation. 1965, c. 27, s. 21; 1967, c. 27, s. 8; 1969, c. 20, s. 44.

Default judgments.

106G. (1) Where, in an action in any Court in the Province for damages resulting from bodily injury to or the death of any person or loss of or damage to property, the defendant does not enter an appearance, the Fund is not liable to pay any amount or any part of an amount awarded by a judgment entered by default unless notice of intention to enter judgment has been given to the Fund and the Fund has not, within thirty days after receiving that notice, entered an appearance pursuant to subsection (2).

(2) When the Fund receives notice under subsection (1), it may enter an appearance on behalf of and in the name of the defendant, and may take any steps that the defendant might take in an action.

(3) Where, in an action in any Court in the Province for damages resulting from bodily injury to or the death of any person or damage to property, the defendant enters an appearance but

- (a) does not file a statement of defence; or
- (b) does not appear in person or by counsel at the trial or on the assessment of damages; or
- (c) is prepared to consent or to agree to the entry of judgment against him; or
- (d) by his act or neglect entitles the plaintiff to take default proceedings,

the Fund is not liable to pay any amount or any part of an amount awarded by a judgment entered by default or upon consent or agreement or assessment of damages unless notice of intention to enter judgment or to assess damages, as the case may be, has been given to the Fund and the Fund has not, within thirty days after receiving that notice, intervened in the action pursuant to subsection (4).

(4) When the Fund receives notice under subsection (3), it may intervene in the action and take on behalf of and in the name of the defendant any steps that the defendant might take in an action.

(5) Where the Fund enters an appearance pursuant to subsection (2) or intervenes in an action pursuant to subsection (4), it may, on behalf of and in the name of the defendant, whether or not the defendant is an infant, file a statement of defence, conduct the defence, consent to judgment in such amount as it considers proper, or do any other act that

the defendant might do, and all acts of the Fund shall be deemed to be the acts of the defendant, except that where the defendant is an infant no judgment by consent shall be entered without the approval of the Court or a Judge thereof.

(6) Where the Fund defends an action pursuant to this section, the costs thereby incurred are costs in the cause. 1965, c. 27, s. 21.

Assignment.

106H. The Fund shall not make any payment to an applicant under section 105 until the applicant has assigned to the Fund all his rights, interests, and benefit to, in, and under the settlement or the judgment that gives rise to his application. 1965, c. 27, s. 21.

Notification to Superintendent.

106I. Upon payment being made by the Fund in respect of an occurrence wherein the settlement creditor or judgment creditor suffered loss of or damage to his motor-vehicle or other property, the Fund shall notify the Superintendent of the amount calculated by subtracting from the amount of loss or damage in respect of which the settlement debtor or judgment debtor is liable the amounts or amount (if any) paid or payable to the settlement creditor or judgment creditor in respect of the loss or damage

- (a) by reason of a policy of automobile insurance within the meaning of the *Insurance Act* covering loss of or damage to his motor-vehicle; and
- (b) by the Fund. 1965, c. 27, s. 21.

Removal of cancellation or suspension.

106J. Where the driver's licence of a person is suspended or cancelled under this Act and the Fund has paid any amount to or for an applicant under section 105 in respect of a settlement or judgment, the cancellation or suspension shall not be removed nor the licence issued or granted to him until

- (a) he has paid to the settlement creditor or judgment creditor the amount (if any) in respect of which notice has been given to the Superintendent pursuant to section 106I or the amount of two hundred dollars, whichever amount is less, and the settlement creditor or judgment creditor may retain the amount so paid notwithstanding that the settlement creditor or judgment creditor has assigned his rights, interests, and benefit in a judgment or settlement to the Fund; and
- (b) has entered into and is carrying out an arrangement for repayment by instalments to the Fund of the amount so paid by it together with interest thereon at the rate of four per centum per annum from the date of such payment, or has repaid in full to the Fund the amount so paid by it together with interest thereon at the rate of four per centum per annum from the date of such payment, or has received from the Fund a satisfaction piece or release in respect of his indebtedness to the Fund. 1965, c. 27, s. 21; 1969, c. 20, s. 46.

Instalment payments.

106k. (1) Payment of indebtedness to the Fund may, with the consent of the Fund, be made by instalments.

(2) Unless otherwise ordered by the Superintendent, or unless agreed to by the Fund, instalment payments under subsection (1) shall be made not less frequently than once in each three-month period and in amounts that in a twelve-month period equal not less than the percentage of the total indebtedness shown in the following table:—

Indebtedness	Percentage of Total Indebtedness
Up to \$500	50
\$500.01 to \$1,000.00	33½
\$1,000.01 to \$3,000.00	25
\$3,000.01 to \$5,000.00	20
\$5,000.01 to \$10,000.00	10
\$10,000.01 to \$20,000.00	7½
\$20,000.01 to \$35,000.00	5
\$35,000.01 to \$50,000.00	3½

(3) [*Repealed.* 1969, c. 20, s. 47.] 1965, c. 27, s. 21; 1969, c. 20, s. 47.

Termination of plan.

106l. Notwithstanding the provisions of sections 104 and 105, Traffic Victims Indemnity Fund shall not be liable to make any payment in respect of a cause of action or judgment for damages resulting from bodily injury, death, or loss of or damage to property occasioned by or arising out of the ownership, maintenance, operation, or use of a motor-vehicle in the Province after the expiration of one year from the delivery to the Superintendent of a notice in writing given by Traffic Victims Indemnity Fund of its intention to cease making payments pursuant to section 105. 1965, c. 27, s. 21.

Unsatisfied Judgment Fund

Fee payable.

107. (1) Subject to subsection (3), the owner of each motor-vehicle registered under this Act, shall, at the time of licensing the same in each year, or as may from time to time be required under this Act, pay to the Superintendent, in addition to the fees for which provision is made in this Act, a fee of such amount as may be fixed by Order of the Lieutenant-Governor in Council, but not exceeding the sum of five dollars for each year for each motor-vehicle registered.

The Fund.

(2) The fees paid under subsection (1) hereof shall constitute a fund which shall be known as the "Unsatisfied Judgment Fund," and is hereinafter in this Part referred to as the "Fund."

Suspension of fee.

(3) If, on the first day of July in any year, the amount of the Fund exceeds four hundred thousand dollars, the Lieutenant-Governor in Council may by Order in Council suspend the provisions of subsection (1), and may, on or after the first day of July in any subsequent year, reimpose the provisions of subsection (1) for the next ensuing year when the amount of the Fund is less than two hundred and fifty thousand dollars, and so from time to time suspend and reimpose the requirements

and provisions of subsection (1) according as the amount of the Fund from time to time exceeds four hundred thousand dollars or is less than two hundred and fifty thousand dollars.

Custody of Fund.

(4) The Superintendent shall pay to the Minister of Finance the fees collected for the Fund under subsection (1), and the Fund shall be held by the Minister of Finance as part of the Consolidated Revenue Fund in an account in the trust and special division thereof, to be known as the "Unsatisfied Judgment Fund Account."

Permanency of Fund.

(5) Any portion of the Fund remaining unexpended at the end of a fiscal year shall be carried forward to the credit of the Fund in the next fiscal year.

Investment of Fund.

(6) The Minister of Finance may invest, and at all times keep invested, in bonds, debentures, or other securities issued or guaranteed by the Government of Canada, the moneys from time to time held to the credit of the Unsatisfied Judgment Fund or such part thereof as he deems advisable.

Profits and losses.

(7) All profits earned and losses suffered through the purchase and sale of securities in which any part of the Unsatisfied Judgment Fund may be invested, together with all brokers' commissions and bank and other fees, commissions, and charges incurred by reason thereof, shall be credited or charged, as the case may be, to the Fund in the Unsatisfied Judgment Fund Account.

Interest.

(8) All interest earned and received on moneys from time to time to the credit of the Unsatisfied Judgment Fund or on securities in which any of those moneys are invested shall be credited to the Fund. 1957, c. 39, s. 105; 1961, c. 42, s. 7; 1965, c. 27, s. 20.

Hit and run.

108. (1) Where death of or personal injury to any person is occasioned in British Columbia by a motor-vehicle but the identity of the motor-vehicle and of the driver and owner thereof cannot be established, any person who would have a cause of action against the owner or driver in respect of such death or personal injury may apply by way of notice of motion, if he has within ten months from the time when the damages were sustained given notice in writing of his claim, with particulars thereof, to the Attorney-General,

- (a) to a Judge or Local Judge of the Supreme Court for an order permitting him to bring an action against the Attorney-General in the Supreme Court; or
- (b) to a Judge of a County Court for an order permitting him to bring an action against the Attorney-General in such Court of the same county.

Order for action against Attorney-General.

(2) No such order permitting the applicant to bring an action against the Attorney-General shall be made unless the Judge is satisfied

- (a) that the applicant would have a cause of action against the owner or driver of the motor-vehicle in respect of the death or personal injury occasioned by the motor-vehicle;

- (b) that all reasonable efforts have been made to ascertain the identity of the motor-vehicle and of the owner and driver thereof;
- (c) that the identity of the motor-vehicle and the owner and driver thereof cannot be established;
- (d) that
 - (i) the application is not made by or on behalf of an insurer in respect of any amount paid or payable by the insurer by reason of the existence of a policy of automobile insurance within the meaning of the *Insurance Act*;
 - (ii) no part of the amount sought to be paid out of the Fund is sought in lieu of making a claim or receiving a payment which is payable by reason of the existence of such a policy;
 - (iii) no part of the amount so sought will be paid to an insurer to reimburse or otherwise indemnify the insurer in respect of any amount paid or payable by the insurer by reason of the existence of such a policy;

and the order of such Judge is not binding upon the trial Judge with respect to the matters enumerated in clauses (a), (b), (c), and (d) or preclude him from making a finding inconsistent therewith.

Stolen vehicles.

(3) Where the death or personal injury is occasioned at a time when the motor-vehicle is without the owner's consent in the possession of some person other than the owner or a person living with and as a member of his family, the application for leave to bring an action against the Attorney-General shall be dealt with as though the identity of the owner had not been established.

Non-residents.

(4) In no event may any action be brought against the Attorney-General by or on behalf of any person who ordinarily resides outside of British Columbia unless such person resides in a jurisdiction in which recourse of a substantially similar character to that provided by this section is afforded to residents of British Columbia.

Limitation.

(5) In no event shall any action be brought against the Attorney-General under this section for any cause or causes of action other than those mentioned in subsection (1).

Attorney-General acting in representative capacity.

(6) A judgment obtained under this section is obtained against the Attorney-General only in his capacity as representative of the unidentified driver and owner of the motor-vehicle, and the unidentified driver or owner, or both, as the case may be, and not the Attorney-General, shall be deemed to be the judgment debtor or judgment debtors under the judgment.

Retroactivity.

(7) Subsections (5) and (6) of this section are retroactive to the extent necessary to give the provisions thereof full force and effect with respect to any judgment obtained under this section on or after the date of its enactment. 1960, c. 36, s. 13; 1961, c. 42, s. 10.

Exception to s. 79.

109. (1) Where an action in respect of the death of or personal injury to any person occasioned by a motor-vehicle has been dismissed, and the Judge in dismissing the action has stated in writing that such death or personal injury was occasioned by a motor-vehicle

- (a) the identity of which and of the owner and driver of which has not been established; or
- (b) at a time when such motor-vehicle was without the consent of the owner in the possession of some person other than the owner or person living with and as a member of his family and the identity of the driver has not been established,

the provisions of section 108 shall be available for a period of three months from the date of the dismissal, and for a period of three months from the final determination of any appeal therefrom, notwithstanding the provisions of section 79.

Proof required.

(2) Where, pursuant to subsection (1) hereof, an application is made under section 108, the applicant is not, by reason of subsection (1), relieved of establishing proof of any of the matters set out in subsection (2) of section 108. 1960, c. 36, s. 13.

Right of Attorney-General to defend.

110. (1) In an action brought against the Attorney-General under section 108, the Attorney-General has the right, if he deems it advisable to do so,

- (a) to enter an appearance in the action;
- (b) to deliver pleadings, appear by counsel at the trial, and generally conduct the defence of the action, and at any time after such appearance to negotiate the settlement of action and to consent to judgment in pursuance of such settlement in such amount and upon such terms as he deems advisable;
- (c) to take such other action as he deems appropriate.

Costs.

(2) Where the Attorney-General defends an action pursuant to subsection (1), the costs thereby incurred shall be costs in the cause. 1960, c. 36, s. 13.

Application to add Attorney-General as defendant.

111. (1) Where an action has been commenced in respect of the death of or injury to any person occasioned in British Columbia by a motor-vehicle, an application may be made by the plaintiff to add the Attorney-General as a defendant, and sections 108 and 110 apply mutatis mutandis.

Other rights preserved.

(2) This section shall be deemed not to derogate from the right of any party to an action to add or join any person as a party to the action in accordance with the practice of the Court in which the action is pending. 1960, c. 36, s. 13.

112. [Repealed. 1965, c. 27, s. 22.]

Order as to identity of owner or driver.

113. (1) Where a judgment has been obtained against the Attorney-General in an action brought under section 108, the Attorney-General may at any time thereafter, by notice of motion, apply,

- (a) where judgment has been obtained in the Supreme Court, to a Judge or Local Judge thereof;
- (b) where judgment has been obtained in a County Court, to a Judge thereof,

for an order declaring that any person was, at the time of the accident, the owner or driver of the motor-vehicle which occasioned the death or injury in respect of which the said judgment was obtained.

Owner or driver deemed to be judgment debtor.

(2) Upon the making of an order declaring that any person was the owner or driver of a motor-vehicle,

- (a) such person shall for the purposes of this Act be deemed to be the defendant in the action in which judgment was given against the Attorney-General, and the judgment against the Attorney-General shall be deemed to be a judgment against such person; and
- (b) the Minister shall be deemed to have a judgment against such person for the amount of all moneys paid out of the Fund in respect of the judgment, and has accordingly all the rights of a judgment creditor, including the right to recover any moneys which would have been payable in respect of the death or injury under any policy of insurance which was in force at the time of the accident.

Stolen vehicles.

(3) Where the death or injury was occasioned at a time when the motor-vehicle was without the owner's consent in the possession of some person other than the owner or a person living with and as a member of his family, the application shall be dealt with as though the identity of the owner had not been established. 1960, c. 36, s. 13.

114. [Repealed. 1965, c. 27, s. 23.]

115. [Repealed. 1969, c. 20, s. 49.]

Information to be furnished by Superintendent.

116. The Superintendent shall,

- (a) upon the written request of any person who submits to him prima facie evidence that he has been injured or his property damaged by a motor-vehicle, furnish him with information as to the proof of financial responsibility (if any) given by the registered owner of or the person driving or operating that motor-vehicle; and
- (b) upon payment of a fee of two dollars, furnish any person who requests information with respect to any person as owner, driver, or otherwise with an abstract certified by the Superintendent or Deputy Superintendent of the record in his office during the five years previous to such request relating to the last-mentioned person and setting forth particulars of any conviction, order, or judgment made against him under this Act or the *Motor-vehicle Act*, chapter 227 of the *Revised Statutes of British Columbia, 1948*, or referred to in this Part, or the corresponding sections of the said *Motor-vehicle*

Act, and of any motor-vehicle registered in his name. 1957, c. 39, s. 111.

Power of Superintendent to delegate.

117. The Superintendent may delegate to any person or persons all or any of the powers conferred upon him under this Part. 1957, c. 39, s. 112.

Other remedies unimpaired.

118. Nothing in sections 83 to 116 shall

- (a) derogate from the powers conferred by any other section of this Act upon a Magistrate or Judge or upon the Superintendent to require the surrender of or to suspend or cancel a licence; or
- (b) prevent a plaintiff in any proceeding or action from proceeding upon any other remedy or security available at law or diminish the liability of any defendant. 1957, c. 39, s. 113.

Staff.

119. A Superintendent of Motor-vehicles, a Deputy Superintendent of Motor-vehicles, and such other officers, clerks, and other employees as may be necessary to carry out the purposes of this Act shall be appointed in accordance with the provisions of the *Civil Service Act*, and all of them shall hold office during pleasure. 1957, c. 39, s. 114.

Funds.

120. Any moneys required for the administration of this Act or for carrying out any of the provisions of this Act shall, in the absence of any vote of the Legislative Assembly available therefor, be paid out of the Consolidated Revenue Fund. 1957, c. 39, s. 115.

PART III

TRAFFIC REGULATION

Interpretation.

121. In this Part,

- "bicycle" means every device propelled by human power upon which any person may ride, having two tandem wheels;
- "boulevard" means the area between the curb-lines of a roadway or the lateral lines of a roadway or the shoulder thereof and the adjacent property-line;
- "business district" means the territory contiguous to any portion of a highway having a length of six hundred feet along which there are buildings in use for business, industrial, or public purposes occupying
 - (a) at least three hundred feet of frontage on one side of that portion; or
 - (b) at least three hundred feet collectively on both sides of that portion;
 and includes that portion of the highway;

- "combination of vehicles" means a combination of motor-vehicle and trailer or motor-vehicle and trailers;
- "controlled access highway" means a highway designated as such under the *Controlled Access Highways Act*;
- "crosswalk" means
- (a) any portion of the roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface; or
- (b) the portion of a highway at an intersection that is included within the connection of the lateral lines of the sidewalks on the opposite sides of the highway, or within the extension of the lateral lines of the sidewalk on one side of the highway, measured from the curbs or, in the absence of curbs, from the edges of the roadway;
- "driver" means a person who drives or is in actual physical control of a vehicle;
- "intersection" means the area embraced within the prolongation or connection of the lateral curb-lines, or if none, then the lateral boundary-lines of the roadways of the two highways which join one another at or approximately at right angles, or the area within which vehicles travelling upon different highways joining at any other angle may come in conflict; and, for the purpose of this definition, "highway" does not include a lane or way less than fifteen feet in width separating the rear property-lines of parcels of land fronting on highways running more or less parallel to and on each side of such lane or way;
- "laned roadway" means a roadway or the part of a roadway that is divided into two or more marked lanes for the movement of vehicular traffic in the same direction;
- "owner" as applied to a vehicle means
- (a) the person who holds the legal title to the vehicle;
- (b) a person who is a conditional vendee, a lessee, or a mortgagor, and is entitled to be and is in possession of the vehicle; or
- (c) the person in whose name the vehicle is registered;
- "park," when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading;
- "pedestrian" means a person afoot, or an invalid or child in a wheelchair or carriage;
- "residence district" means the territory contiguous to any portion of a highway having a length of three hundred feet along which there are buildings in use for residence purposes only or for residence and business purposes occupying

- (a) at least one hundred and fifty feet of frontage on one side of that portion; or
- (b) at least one hundred and fifty feet collectively on both sides of that portion;
- and includes that portion of the highway;
- "roadway" means the portion of the highway that is improved, designed, or ordinarily used for vehicular traffic, but does not include the shoulder; and where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively;
- "school bus" means a motor-vehicle used for conveyance of children to or from school by or under a contract with the authority in charge of the school;
- "sidewalk" means the area between the curb-lines or lateral lines of a roadway and the adjacent property-lines improved for use of pedestrians;
- "stop" or "stand" means,
- (a) when required, a complete cessation from movement; and
- (b) when prohibited, the stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic-control device;
- "through highway" means a highway or part of a highway at the entrances to which stop-signs are erected under this Act;
- "traffic" includes pedestrians, ridden or herded animals, vehicles, bicycles, and other conveyances, either singly or together, while using a highway for purposes of travel;
- "traffic-control device" means a sign, signal, line, meter, marking, space, barrier, or device, not inconsistent with this Part, placed or erected by authority of the Minister of Highways or of the Council of a municipality or person duly authorized by the Minister of Highways or the Council of a municipality to exercise such authority;
- "traffic-control signal" means a traffic-control device, whether manually, electrically, or mechanically operated, by which traffic is directed to stop and to proceed. 1957, c. 39, s. 116; 1958, c. 31, s. 20; 1963, c. 27, s. 27; 1970, c. 28, s. 18 (eff. Apr. 6, 1970).

Application

Application.

- 122.** Unless the context otherwise requires,
- (a) the provisions of this Part relating to pedestrians and to the operation of vehicles refer to pedestrians and to the operation of vehicles upon any highway;

- (b) the provisions of this Part do not apply to persons, vehicles, and other equipment while actually engaged in highway construction or maintenance work upon, under, or over the surface of a highway while at the site of the work, but do apply to them when travelling to or from the site of the work; and
- (c) a person riding an animal or driving an animal-drawn vehicle upon a highway has all the rights and is subject to all the duties that a driver of a vehicle has under this Part. 1957, c. 39, s. 117; 1958, c. 31, s. 21.

Exemption
for emergency
vehicles.

123. (1) Notwithstanding anything in this Part, but subject to subsections (2) and (3), a driver of an emergency vehicle may

- (a) exceed the speed-limit;
- (b) proceed past a red traffic-control signal or stop-sign without stopping;
- (c) disregard rules and traffic-control devices governing direction of movement or turning in specified directions; and
- (d) stop or stand.

To use warn-
ing devices.

(2) The driver of an emergency vehicle shall not exercise the privileges granted by subsection (1) unless

- (a) he is sounding an audible signal bell, siren, or exhaust whistle and is showing a flashing red light; or
- (b) he is a peace officer or an employee of the Department of Highways in the immediate pursuit of an actual or suspected violator of the law.

To drive
with due
regard.

(3) The driver of an emergency vehicle exercising any of the privileges granted by subsection (1) shall drive with due regard for safety, having regard to all the circumstances of the case, including

- (a) the nature, condition, and use of the highway;
- (b) the amount of traffic that is on, or might reasonably be expected to be on, the highway; and
- (c) the nature of the use being made of the emergency vehicle at the time. 1957, c. 39, s. 118; 1958, c. 31, s. 22; 1965, c. 27, s. 24.

Police
traffic
direction.

124. Where a peace officer reasonably considers it necessary

- (a) to ensure orderly movement of traffic; or
- (b) to prevent injury or damage to persons or property; or
- (c) to permit proper action in an emergency,

he may direct traffic according to his discretion, notwithstanding anything in this Part, and every person shall obey his directions. 1957, c. 39, s. 119.

Municipal
powers.

125. (1) The Council of a municipality may, by by-law not inconsistent with or derogatory to the provisions of this Part,

- (a) provide for the placing or erection of traffic-control devices to give effect to the provisions of this Act or the provisions of any by-law adopted under this section;
- (b) provide for the regulation, control, or prohibition of pedestrian traffic, ridden or herded animals, vehicular traffic, and traffic by other conveyances, either singly or together, on sidewalks, walkways, or boulevards, or in or on lanes or ways separating the rear property-lines of parcels of land fronting on highways running more or less parallel to and on each side of such lanes or ways, and at intersections of such lanes or ways with each other or with highways;
- (c) provide for the regulation, control, or prohibition of the stopping, standing, or parking of vehicles within the municipality;
- (d) provide for the setting-apart and allotting of portions of highways adjacent to any Federal, Provincial, or municipal public building for the exclusive use of officials and officers engaged therein for the parking of vehicles, and the regulation of such parking;
- (e) provide for the erection, maintenance, and operation on any highway or portion thereof of automatic or other mechanical meters for the purpose of allotting and controlling parking-spaces for vehicles and measuring and recording the duration of parking, and requiring the driver of every vehicle parked in a parking-space to deposit in the appropriate meter a fee for parking in the manner and at the rate prescribed and as measured by the meter;
- (f) provide for the removal, detention, or impounding of any vehicle unlawfully occupying any portion of a highway or public place, and provide for a scale of fees, costs, and expenses therefor, and provide for the recovery of such fees, costs, and expenses either from the owner, or by the sale of the vehicle at public auction, or by action in any Court of competent jurisdiction;
- (g) provide for the establishment and use of loading, commercial, and passenger zones within the municipality and for the designation thereof;
- (h) provide in respect of any highway in a municipality, except an arterial highway, for the regulation of the width, length, and height of vehicles and the width, length, height, fastenings, and distribution of loads on vehicles driven or operated on any such highway;
- (i) provide that on any highway where construction, reconstruction, widening, repair, marking, or other work is being carried out, traffic-control devices shall be erected or placed indicating that men or equipment are working upon the highway;

- (j) provide that on any highway where construction, reconstruction, widening, repair, marking, or other work is being carried out, traffic-control devices shall be erected or placed to regulate or prohibit traffic in the vicinity of such work;
 - (j1) provide for the regulation, control, and prohibition of erection or maintenance, or both, of signs, advertisements, or guide-posts on or over any highway other than arterial highways in the municipality, and for the alteration, repainting, tearing-down, or removal of any sign, advertisement, or guide-post erected or maintained on or over any such highway without compensation to any person for loss or damage resulting from the alteration, repainting, tearing-down, or removal;
 - (k) provide for the regulation or prohibition of pedestrian traffic on highways other than at crosswalks;
 - (k1) provide for the prohibition of pedestrian traffic in an unmarked crosswalk designated by a traffic-control device;
 - (l) provide for the establishment of school crossings within the municipality and for the regulation and control of pedestrian and vehicular traffic with respect to such crossings;
 - (m) provide for the regulation of traffic passing by or in the vicinity of schools through the use of traffic patrols, and for such purpose may vest in the school-children or other persons employed in traffic patrols power to require the stopping of vehicles at school crossings or other designated places on any highway;
 - (n) provide for the establishment and use of taxi-stands within the municipality and the designation thereof;
 - (o) provide for the regulation and control of processions on highways within the municipality;
 - (p) provide for the regulation and control of persons using roller-skates, sleighs, skates, skis, or other similar means of conveyance on any highway in the municipality and for the closing of any highway or highways or any part or parts thereof for the purpose of permitting the use of roller-skates, sleighs, skates, skis, or other similar means of conveyance;
 - (q) provide for the enforcement of by-laws adopted under this section by fine or imprisonment, or both, and for inflicting fines and penalties and costs.
- (2) The powers conferred on the Council of a municipality by this section include the power exercisable by by-law
- (a) to authorize an officer or employee of the municipality to make orders in respect of the matters comprised in a by-law adopted under subsection (1) and thereby to exercise the powers of the municipality under that by-law, subject to such terms and conditions as may be prescribed in the by-law;

- (b) to authorize that officer or employee to rescind, revoke, amend or vary any order made by him, subject to such terms and conditions as may be prescribed in the by-law;
 - (c) to adopt, repeal, and amend by-laws under this section notwithstanding that any authority has been given or delegated under this subsection to an officer or employee of the municipality.
- (2a) Except as otherwise provided by or under any other statutory provision, the Council of the municipality, in addition to the powers and rights conferred by subsection (1), has the same powers and rights with respect to highways, other than arterial highways, within the municipality, and the use thereof by vehicles and persons, as are exercisable by the Lieutenant-Governor in Council and the Minister of Highways and not mentioned in subsection (1), and may exercise those powers and rights by resolution or by-law.
- (2b) Without limiting the scope of subsection (2a), the powers and rights therein referred to include
- (a) the powers and rights of the Lieutenant-Governor in Council and the Minister of Highways under section 199; and
 - (b) the powers and rights of the Minister of Highways under sections 198 and 201.
- (3) A copy of an order made pursuant to a by-law adopted under subsection (2) and purporting to be under the corporate seal of the municipality and purporting to be certified to be a true copy by the Clerk of the municipality shall be received in all Courts as prima facie evidence of such order without further proof of the same or the signature or official character of the person by whom it is certified.
- (4) No by-law adopted under this section shall be quashed or set aside or declared ineffectual or void by reason of any informality or by reason of any want of declaration of the power under and by which the by-law was passed, or on the grounds of discriminatory exercise of the powers herein conferred.
- (5) In a by-law or order adopted or made under this section,
- (a) vehicles may be classified according to their nature, type, character, weight, equipment, accessories, or otherwise, and different provisions may be made for different classes;
 - (b) highways or portions of highways, including sidewalks and boulevards, may be classified according to widths, amount of traffic, or otherwise, and different provisions may be made for different classes;
 - (c) different provisions may be made applicable to different seasons of the year or to different conditions of the highway.
- (6) A by-law of a municipality does not apply to the regulation, control, or prohibition of traffic on an arterial highway as defined in the *Highway Act* unless the application of the by-law to arterial highways has been approved by the Minister of Highways. 1958, c. 31, s. 23; 1959, c. 55, s. 13; 1960, c. 36, s. 15; 1963, c. 27, s. 28; 1966, c. 30, s. 25.

Traffic tickets.

126. (1) For a contravention of any of the provisions of this Act or of the regulations made hereunder, or for a contravention of a municipal by-law made under section 125, the *Department of Commercial Transport Act* or the regulations made thereunder, the *Motive-fuel Tax Act*, or the *Coloured Gasoline Tax Act*, an information may be laid and a summons issued by means of a traffic ticket in accordance with this section, instead of the procedure set out in the *Summary Convictions Act*.

(2) A traffic ticket may be composed of any one or more of the following:—

- (a) Information:
- (a1) Notice:
- (b) Report of conviction:
- (c) Police record:
- (d) Summons,

and where a person on whom a traffic ticket is served appears to defend the charge, the traffic ticket may be amended in the like manner and to the like extent as an information may be amended under the *Summary Convictions Act*.

Information on oath not required.

(2a) An information for an alleged offence under this Act or regulations, or under a municipal by-law passed pursuant to this Act, is not invalid solely because it is not taken under oath.

(3) The Lieutenant-Governor in Council may make regulations

- (a) prescribing the form or forms and content of traffic tickets, or providing for the prescription thereof by any Municipal Council or a person or persons authorized in that behalf by the Council, or both, and different forms and content may be prescribed for different jurisdictions, and different forms of traffic ticket having different content may be prescribed for the same jurisdiction;
- (b) defining any word or expression used in the regulations;
- (c) authorizing, or providing for the authorization by a municipal by-law of, the use on traffic tickets of any word or expression to designate an offence under this Act or the regulations made hereunder or any municipal by-law made under section 125;
- (d) respecting any matter that the Lieutenant-Governor in Council deems necessary for the use of the traffic ticket.

(4) The use on a traffic ticket of any word or expression authorized by this Act or the regulations made hereunder or any municipal by-law made under this section or when the traffic ticket is or includes a notice of a general description of an offence shall be deemed sufficient for all purposes to describe the offence designated by such word or expression.

(5) A peace officer shall sign the traffic ticket, and shall indicate the offence charged on the traffic ticket by marking or punching the box that shall be to the left of the word or expression describing the offence charged as printed on the traffic ticket, or if the word or expression

describing the offence charged is not printed on the traffic ticket, he shall write it in the space that shall be provided therefor.

(6) A traffic-ticket summons may, without the swearing of an information, be delivered by a peace officer or by registered mail to the person charged with an offence therein or left by a peace officer on the motor-vehicle in respect of which the offence is alleged, and delivery of the traffic-ticket summons to the person shall be deemed to be personal service of the summons upon the person.

(7) Where a notice on the traffic ticket summons or notice indicates the pecuniary penalty for the commission of the offence charged therein, instead of appearing before a Justice at the time and place specified in the traffic-ticket summons or notice, a person to whom a traffic-ticket summons or notice is delivered or on whose motor-vehicle a traffic-ticket summons or notice has been left may, whether or not the information has then been sworn to,

- (a) attend voluntarily before a Justice as directed on the summons or notice and plead guilty to the offence described therein and pay the fine specified in the notice; or
- (b) cause to be delivered in accordance with a notice in that connection appearing on the summons or notice the fine specified in the notice, whereupon the person shall be deemed to have pleaded guilty to the offence with which he is charged in the summons or the offence described in the notice and to have paid the fine imposed for the commission of the offence;

but no conviction need be drawn up or entered unless required by the person convicted or for the purpose of reporting the conviction as required under this Act.

(8) Where a form or forms of traffic ticket is or are prescribed for a municipality or a magisterial district, or for some of the municipalities in a magisterial district, the Magistrate appointed for the municipality or magisterial district may, subject to the provisions of this Act and the *Summary Convictions Act*, fix pecuniary penalties to be indicated on the form or forms of traffic ticket. 1959, c. 55, s. 14; 1960, c. 36, s. 16; 1965, c. 27, s. 25; 1966, c. 30, s. 26; 1967, c. 27, s. 9; 1968, c. 32, s. 15; 1969, c. 20, s. 50 (eff. June 1, 1969).

Reporting of traffic violations.

126A. (1) Notwithstanding any other provisions of this Act or the provisions of the *Summary Convictions Act*, no proceedings shall be brought, pursuant to section 126 of this Act or the *Summary Convictions Act*, against a person to whom this section applies for a violation of any traffic rule within an area in which this section is in force, but any such violation may be dealt with in accordance with the following provisions of this section.

(2) Where it is alleged that a person has violated a traffic rule, a peace officer may complete and sign a violation report. If a copy of the report is not served on the person alleged to have violated the rule forthwith

after the alleged violation, it shall be served on him in the like manner as a summons is required to be served under the *Summary Convictions Act*.

- (3) A violation report shall be in a prescribed form and shall contain
 - (a) a statement of the violation;
 - (b) an address to which any notice disputing the allegation may be delivered;
 - (c) a statement that if the allegation is not disputed in the manner and within the time provided in subsection (4), the violation report will be treated as not disputed and as part of the driver's driving record.

(4) A person on whom a violation report has been served may, within seven days of being served, deliver or cause to be delivered to the address set out in the report a written notice that he disputes the allegation therein and requires the dispute to be determined by a Magistrate; and where such a notice is delivered, the peace officer shall cause the notice and a copy of the violation report to be referred to a Magistrate exercising jurisdiction in the place where the violation is alleged to have occurred, and, for the purposes of this section, a notice is caused to be delivered on the date upon which the envelope in which it is delivered is postmarked.

(5) If no written notice of dispute is delivered in accordance with subsection (4), the peace officer shall cause a copy of the violation report to be delivered to the Superintendent.

(6) On receipt of a copy of a violation report from a peace officer, the Superintendent shall, unless he is satisfied that the person to whom the report relates has acknowledged service of the report, notify that person by mail. If, within fourteen days of receiving notice from the Superintendent, a person so notified delivers to the Superintendent a written notice disputing the service upon him of the violation report, the Superintendent shall cause the issue of the service of the violation report to be referred to a Magistrate exercising jurisdiction in the place where the violation is alleged to have occurred, but otherwise the Superintendent shall treat the violation as not disputed.

(7) Where any matter has been referred to a Magistrate under subsection (4) or (6), the Magistrate shall, after giving the parties an opportunity of being heard and hearing any evidence they may adduce,

- (a) in the case of a reference under subsection (6), determine whether or not the violation report was served; and if he is not satisfied that it was served, the Magistrate shall proceed to determine whether or not the violation reported to the Superintendent took place, as if it had been referred to him under subsection (4), but otherwise he shall so inform the Superintendent, and the Superintendent shall treat the violation as not disputed;

- (b) in the case of a reference under, or which is treated as a reference under, subsection (4), determine whether or not the violation took place; and if he is satisfied that the violation took place, or if the matter before him originated in a reference by the Superintendent, the Magistrate shall inform the Superintendent of his determination, but in no case shall the Magistrate record a conviction in respect of the violation or impose any penalty therefor.

A determination by a Magistrate under this subsection is an order from which an appeal lies under the *Summary Convictions Act*, but no Court exercising jurisdiction on appeal from such a determination shall record a conviction in respect of the violation or impose any penalty therefor.

Costs of hearing.

(7a) Where a person requires that a dispute be determined by a Magistrate, he shall deposit, in accordance with the regulations, a sum prescribed by the Lieutenant-Governor in Council for the costs of the hearing.

Disposition of costs.

(7b) If the Magistrate determines that the violation did not take place, he shall order the deposit to be refunded to the person who paid it; but if

- (a) the person fails, without sufficient reason, to appear at the hearing; or
- (b) the Magistrate determines that the violation did take place the Magistrate shall order the deposit to be forfeited
- (c) to the Province, where the violation took place in unorganized territory; or
- (d) to the municipality as defined in the *Provincial Court Act*, where the violation took place in a municipality.

(7c) Where the person fails, without sufficient reason, to appear at the hearing, the Magistrate shall treat the violation as not disputed, and shall so inform the Superintendent.

(7d) Where any matter has been referred to a Magistrate under subsection (4) or (6), he may amend the violation report to make the report conform to the evidence if there is a variance between the report and the evidence, or as may be necessary if it appears that the report is defective in form or substance or

- (a) fails to state or states defectively anything that is requisite to constitute the violation;
- (b) does not negative an exception that should be negated, and the Magistrate, in considering whether or not an amendment should be made, shall consider
- (c) the evidence, if any;
- (d) the circumstances of the case;
- (e) whether the driver has been prejudiced or misled by a variance, error, or omission in or from the violation report; and
- (f) whether, having regard to the merits of the case, the proposed amendment can be made without injustice being done.

(8) Copies of violation reports received by the Superintendent shall be filed with the driving records of the persons to whom they relate, and, without prejudice to the generality of section 78 or 86, the Superintendent, in determining whether or not to exercise his powers under either section, shall take into account violations as are not disputed or which have been found by a Magistrate.

(9) The Lieutenant-Governor in Council may make regulations

- (a) prescribing the form or forms and content of violation reports and notifications, and different forms may be prescribed for different areas or two or more forms for the same area; and the copies of reports intended for notification to the Superintendent or reference to the Court may contain additional matter for the recording of action taken after a copy has been served on the person who is the subject of the report;
- (b) defining any word or expression used in a violation report;
- (c) prescribing the procedure to be followed by and before a Magistrate on any reference under subsection (7) or section 86B and adapting, if he thinks fit, any provisions of the *Summary Convictions Act* to that end;
- (d) adding any municipal by-law which regulates the conduct of persons as drivers of motor-vehicles or the manner of driving vehicles to the traffic rules as herein defined;
- (e) modifying the application of this section in relation to reciprocating jurisdictions.

(10) The use on a violation report of any word or expression authorized by this Act or the regulations made hereunder, or when the violation report includes a notice of a general description of a violation, shall be deemed sufficient for all purposes to describe the violation designated by such word or expression. The peace officer shall indicate the violation alleged on the violation report by marking or punching the box that shall be to the left of the word or expression describing the violation charged as printed on the violation report; or if the word or expression describing the violation is not printed on the violation report, he shall write it in the space that shall be provided therefor.

(11) In this section, "traffic rule" means

- (a) every provision of this Part of this Act which prohibits, restricts, or regulates the conduct of a person as a driver of a motor-vehicle or the manner of driving vehicles, other than section 123, 173, 178, 180, 181, 182, 186, 195, 195A, 195B, 196, or 197;
- (b) every provision of Divisions 3, 7, 7A, 22, and 24 of the regulations made pursuant to this Act which prohibits, restricts, or regulates the conduct of a person as a driver of a motor-vehicle or the manner of driving vehicles;
- (c) any by-law which is declared by regulations of the Lieutenant-Governor in Council to be a traffic rule for the purposes of this section.

(12) The Lieutenant-Governor in Council, if he is satisfied that a measure comparable to this section is in force in any other jurisdiction whether within or outside Canada and that reciprocal provision is or will be made in that jurisdiction, may, by Order, declare that jurisdiction to be a reciprocating jurisdiction for the purposes of this section, and so long as such Order is in force this section shall apply, subject to any regulations in that behalf, to persons whose drivers' licences are issued in that jurisdiction, and the Superintendent may treat violation reports emanating from that jurisdiction as if they were violation reports under this section.

(13) This section applies to every person except one who proves

- (a) that he is not the holder of a driver's licence issued under this Act; and
- (b) that he is not a person whose driver's licence was issued in a reciprocating jurisdiction and to whom subsection (1) of section 20 applies.

(14) This section shall come into force in the area or areas of the Province designated by the Lieutenant-Governor in Council on a day or days to be fixed by the Lieutenant-Governor in Council by his Proclamation, and the Lieutenant-Governor in Council may fix different days by different Proclamations upon which the section shall come into force in different areas.

(15) Notwithstanding the coming into force of this section in an area as provided in subsection (14), any proceedings pending in an area, in respect of an offence against

(a) a traffic rule; or

(b) a by-law declared to be a traffic rule under this section,

are continued under the Act as if this section had not been enacted until the proceedings and any appeal therefrom are finally disposed of. 1968, c. 32, s. 16 (eff. Apr. 6, 1968); 1969, c. 20, s. 51 (eff. June 1, 1969); 1970, c. 28, s. 19 (eff. Apr. 6, 1970); 1972, c. 35, ss. 27-30 (eff. June 1, 1972).

Traffic-control Devices and Signals

Exception
on police
direction.

127. Except where otherwise directed by a peace officer or a person authorized by a peace officer to direct traffic, every driver of a vehicle and every pedestrian shall obey the instructions of an applicable traffic-control device. 1957, c. 39, s. 120; 1958, c. 31, s. 24; 1966, c. 30, s. 27.

Traffic-
control
signal
legend.

128. (1) Whenever traffic is controlled by traffic-control signals exhibiting coloured lights or arrows, the colours mentioned in this section only shall be used, and, by the exhibition of such lights and arrows, traffic-control signals instruct drivers of vehicles and pedestrians as set forth in this section.

Green at
intersection.

(2) When a green light alone is exhibited at an intersection by a traffic-control signal,

(a) the driver of a vehicle facing the green light

(i) may cause the vehicle to proceed straight through the intersection, or may cause the vehicle to turn left or right, subject to a sign or signal prohibiting such a left or right turn, or both, or designating the turning movement permitted;

(ii) shall yield the right-of-way to pedestrians lawfully within the intersection or within an adjacent crosswalk at the time the green light is exhibited; and

(iii) shall yield the right-of-way to other vehicles lawfully within the intersection at the time the green light became exhibited; and

(b) a pedestrian facing the green light may proceed across the roadway within any marked or unmarked crosswalk, subject to any special pedestrian traffic-control signal directing him otherwise, and has the right-of-way for that purpose over all vehicles.

Green not at
intersection.

(3) When a green light alone is exhibited at a place other than an intersection by a traffic-control signal,

(a) the driver of a vehicle

(i) may cause the vehicle to pass the signal; and

(ii) shall yield the right-of-way to any pedestrian still in the roadway or on a crosswalk (if any) in the vicinity of the signal when the green light is exhibited; and

(b) a pedestrian still in the roadway or on a crosswalk in the vicinity of the signal when the green light is exhibited shall proceed as quickly as possible from the roadway; and

(c) a pedestrian shall not enter the roadway in the vicinity of the signal until either

(i) the traffic-control signal facing the vehicular traffic exhibits a red light; or

(ii) a traffic-control signal instructs him that he may cross the roadway.

Yellow at
intersection.

(4) When a yellow light alone is exhibited at an intersection by a traffic-control signal, following the exhibition of a green light,

(a) the driver of a vehicle approaching the intersection and facing the yellow light shall cause the vehicle to stop before entering the marked crosswalk on the near side of the intersection, or if there is no such marked crosswalk, then before entering the intersection, unless such a stop cannot be made in safety; and

(b) a pedestrian facing the yellow light shall not enter the roadway; and

(c) a pedestrian proceeding across the roadway and facing the yellow light exhibited after he entered the roadway

(i) shall proceed in the sidewalk as quickly as possible;

and

(ii) has the right-of-way for that purpose over all vehicles.

Yellow not
at inter-
section.

(5) When a yellow light alone is exhibited at a place other than an intersection by a traffic-control signal,

(a) the driver of a vehicle approaching the signal shall cause the vehicle to stop before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no such marked crosswalk, then before reaching the signal, unless such a stop cannot be made in safety; and

(b) a pedestrian shall not enter the roadway in the vicinity of the signal until either

(i) the traffic-control signal facing the vehicular traffic exhibits a red light; or

(ii) a traffic-control signal instructs him that he may cross the roadway.

Red at
intersection.

(6) When a red light alone is exhibited at an intersection by a traffic-control signal,

(a) the driver of a vehicle approaching the intersection and facing the red light shall cause the vehicle to stop before entering the marked crosswalk on the near side of the intersection, or if there is no such marked crosswalk, then before entering the intersection, and, subject to the provisions of clause (b), shall not cause the vehicle to proceed until a traffic-control signal instructs him that he is permitted to do so; but,

(b) except when a right turn as in this clause permitted is prohibited by a sign at an intersection, the driver of a vehicle which is facing the red light, and which, in obedience to such light, is stopped as closely as practicable to a marked crosswalk on the near side of the intersection, or if there is no such marked crosswalk, then as closely as practicable to the intersection, may cause the vehicle to make a right turn; provided that the driver shall yield the right-of-way to all pedestrians and other vehicles lawfully proceeding as directed by the signal at the intersection; and

(c) a pedestrian facing the red light shall not enter the roadway unless instructed that he may do so by a pedestrian traffic-control signal; and

(d) except when a left turn as in this clause permitted is prohibited by a sign at the intersection, the driver of a vehicle which is facing the red light at the intersection of not more than two highways and which, in obedience to such light, is stopped as closely as practicable to a marked crosswalk on the near side

of the intersection, or if there is no such marked crosswalk, then as closely as practicable to the intersection, may cause the vehicle to make a left turn into a highway on which traffic is restricted to the direction in which he causes the vehicle to turn; provided that the driver shall yield the right-of-way to all pedestrians and other vehicles lawfully proceeding as directed by the signal at the intersection; and

- (e) a pedestrian proceeding across the roadway and facing the red light exhibited after he entered the roadway
 - (i) shall proceed to the sidewalk as quickly as possible; and
 - (ii) has the right-of-way for that purpose over all vehicles.

Red not at intersection.

(7) When a red light is exhibited at a place other than an intersection by a traffic-control signal,

- (a) the driver of a vehicle approaching the signal shall cause the vehicle to stop before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no such marked crosswalk, then before reaching the signal; and
- (b) a pedestrian may proceed across the roadway.

Green arrow.

(8) When a green arrow is exhibited at an intersection by a traffic-control signal,

- (a) the driver of a vehicle facing the green arrow may cause the vehicle to enter the intersection and to make only the movement indicated by the green arrow, but shall yield the right-of-way to pedestrians lawfully within the intersection or within an adjacent crosswalk and to other vehicles lawfully within the intersection; and
- (b) a pedestrian facing the green arrow shall not enter the roadway unless or until a pedestrian traffic-control signal or the exhibition of a green light by a traffic-control signal instructs him that he is permitted to do so.

Flashing red at intersection.

(9) When rapid intermittent flashes of red light are exhibited at an intersection by a traffic-control signal,

- (a) the driver of a vehicle approaching the intersection and facing the flashes of red light shall cause the vehicle to stop before entering the marked crosswalk on the near side of the intersection, or if there is no such marked crosswalk, then before entering the intersection, and shall not cause the vehicle to proceed until it is safe to do so; and
- (b) a pedestrian facing the flashes of red light may proceed across the roadway within a marked or unmarked crosswalk with caution.

Flashing red not at intersection.

(10) When rapid intermittent flashes of red light are exhibited at a place other than an intersection by a traffic-control signal,

- (a) the driver of a vehicle approaching the signal
 - (i) shall cause the vehicle to stop before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no such marked crosswalk, then before reaching the signal; and
 - (ii) may, after having caused the vehicle to stop, cause the vehicle to pass the signal and the crosswalk (if any) only if conditions of pedestrian traffic in the roadway or a crosswalk (if any) in the vicinity of the signal are such that the vehicle can do so with safety; and
- (b) a pedestrian may proceed across the roadway.

Flashing yellow at intersection.

(11) When rapid intermittent flashes of yellow light are exhibited at an intersection by a traffic-control signal,

- (a) the driver of a vehicle facing the flashes of yellow light may cause the vehicle to enter the intersection and proceed only with caution, but shall yield the right-of-way to pedestrians lawfully within the intersection or an adjacent crosswalk; and
- (b) a pedestrian facing the flashes of yellow light may proceed across the roadway within a marked or unmarked crosswalk with caution.

Flashing yellow not at intersection.

(12) When rapid intermittent flashes of yellow light are exhibited at a place other than an intersection by a traffic-control signal,

- (a) the driver of a vehicle approaching the signal may cause the vehicle to pass the signal only with caution, and shall yield the right-of-way to pedestrians in the roadway or on a crosswalk (if any) in the vicinity of the signal; and
- (b) a pedestrian may proceed across the roadway with caution.

Flashing green.

(13) When rapid intermittent flashes of green light are exhibited at an intersection or at a place other than an intersection by a traffic-control signal,

- (a) the driver of a vehicle approaching the intersection or signal and facing the signal shall cause the vehicle to approach the intersection or signal in such a manner that he is able to cause the vehicle to stop before reaching the signal or any crosswalk in the vicinity of the signal if a stop should become necessary, and shall yield the right-of-way to pedestrians lawfully within a crosswalk in the vicinity of the signal or within the intersection; and
- (b) a pedestrian may proceed across the roadway with caution and at an intersection only within a marked or unmarked crosswalk.

"Walk" at intersection.

(14) When the word "walk" or an outline of a walking man is exhibited at an intersection by a pedestrian traffic-control signal, a pedestrian may proceed across the roadway in the direction of the signal within a marked or unmarked crosswalk and has the right-of-way over all vehicles within the intersection or any adjacent crosswalk.

"Walk" not at intersection.

(15) When the word "walk" or an outline of a walking man is exhibited at a place other than an intersection by a pedestrian traffic-control signal, a pedestrian may proceed across the roadway in the direction of the signal and has the right-of-way over all vehicles.

"Wait" or "don't walk."

(16) When the word "wait" or the words "don't walk" or an outline of a raised hand is or are exhibited at an intersection or at a place other than an intersection by a pedestrian traffic-control signal,

- (a) a pedestrian shall not enter the roadway; and
- (b) a pedestrian proceeding across the roadway and facing the word "wait" or the words "don't walk" or an outline of a raised hand exhibited after he entered the roadway
 - (i) shall proceed to the sidewalk as quickly as possible; and
 - (ii) has the right-of-way for that purpose over all vehicles.

Pedestrian-controlled signal.

(17) Where and when a pedestrian is instructed or permitted by a traffic-control signal to enter or to proceed across a roadway, he shall do so

- (a) at an intersection, only within a marked or unmarked crosswalk; and
- (b) at a place other than an intersection in the vicinity of which there is a marked crosswalk, only within the crosswalk.

Lane direction control signals.

(18) Where lane direction control signals are placed over individual lanes of a highway, vehicular traffic may travel in any lane over which a green signal is shown, but shall not enter or travel upon any lane over which a red signal is shown. 1957, c. 39, s. 121; 1958, c. 31, s. 25; 1960, c. 36, s. 17; 1965, c. 27, s. 26; 1966, c. 30, s. 28; 1970, c. 28, s. 20 (eff. Apr. 6, 1970).

Obstruction of signal prohibited.

129. (1) No person shall erect or maintain upon or in view of a highway a device that purports to be, resembles, or interferes with the effectiveness of a traffic-control device unless he is authorized to do so by the Minister of Highways or the Council of a municipality in which the device is placed, erected, or maintained or by a person duly authorized in that behalf by the Minister of Highways or the Council of that municipality.

(2) No person, except the Minister of Highways or the Council of a municipality or a person duly authorized by the Minister of Highways or the Council of a municipality or by a person duly authorized in that behalf by the Minister of Highways or the Council of a municipality, shall place, erect, or cause to be placed or erected a traffic-control device on any highway.

(3) No person shall permit or allow the erection or maintenance of any light, lighting-fixture, or any object reflecting light that, because of the emission or reflection of light, may affect the visibility of the highway or anything thereon to the driver of a vehicle. 1957, c. 39, s. 122; 1958, c. 31, s. 26; 1963, c. 27, s. 29.

Restricting commercial advertising.

130. No person shall place or maintain commercial advertising upon a traffic-control device. 1957, c. 39, s. 123.

Altering signal illegal.

131. Except with lawful authority, no person shall alter, injure, or remove, or attempt to alter, injure, or remove, a traffic-control device or any part thereof. 1957, c. 39, s. 124.

Movement of Vehicles Where Work in Progress

Signs where work in progress.

132. On any highway where new construction, reconstruction, widening, repair, marking, or other work is being carried out, traffic-control devices shall be erected indicating that men or equipment are working upon the highway. 1957, c. 39, s. 125.

Erection of speed-sign where work in progress.

133. On any highway where new construction, reconstruction, widening, repair, marking, or other work is being carried out, traffic-control devices shall be erected to limit the rate of speed of vehicles or to restrict the manner in which the vehicles shall proceed upon such highway. 1957, c. 39, s. 126.

Obedience to speed-signs where work in progress.

134. Where traffic-control devices as indicated in section 132 or 133 are erected or placed on the highway, no person shall drive or operate a vehicle at a greater rate of speed than, or in a manner different from, that indicated on the signs. 1957, c. 39, s. 127.

Obedience to flagman.

135. Where a flagman is controlling the movements of traffic around the section of highway being worked upon, no person shall drive or operate a vehicle other than as directed by the flagman. 1957, c. 39, s. 128.

Removal of temporary sign.

136. No person shall leave temporary traffic-control devices in place upon a highway after the cause for such traffic-control devices no longer exists. 1957, c. 39, s. 129.

Newly painted lines.

137. No person shall drive on or over any newly painted line or marking on any highway when the line is indicated by a traffic-control device. 1957, c. 39, s. 130; 1966, c. 30, s. 29.

Driving without Due Care and Attention

Careless driving prohibited.

138. No person shall drive a motor-vehicle on a highway without due care and attention or without reasonable consideration for other persons using the highway. 1957, c. 39, s. 131.

Slow driving.

139. (1) No person shall drive a motor-vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with law.

(2) Where the driver of a motor-vehicle is driving at such a slow speed as to impede or block the normal and reasonable movement of traffic, a peace officer may require him to increase his speed, or to remove the motor-vehicle from the roadway to the nearest suitable place

and to refrain from causing or allowing the motor-vehicle to move from that place until directed to do so by a peace officer. 1957, c. 39, s. 132; 1958, c. 31, s. 27.

Speed Restrictions

Speed-limits.

140. (1) Subject to this section, no person shall drive or operate a motor-vehicle upon a highway within a municipality at a greater rate of speed than thirty miles an hour, and no person shall drive or operate a motor-vehicle upon a highway outside a municipality at a greater rate of speed than fifty miles an hour.

(2) The Minister of Highways may, by causing a sign to be erected or placed on any portion of a highway limiting the rate of speed of motor-vehicles or any category of motor-vehicles driven or operated on that portion of the highway, increase or decrease the rate of speed at which a person may drive or operate a motor-vehicle or any category of motor-vehicle on that portion of the highway.

(3) Where the Minister of Highways has caused a sign to be erected or placed on any portion of a highway limiting the rate of speed of motor-vehicles or any category of motor-vehicles driven or operated on that portion of the highway, no person shall, when the sign is in place on the highway, drive or operate a vehicle on that portion of the highway at a greater rate of speed than that indicated on the sign for that category of motor-vehicle.

(3a) The Minister of Highways may, by notice in the Gazette, define areas within the unorganized area of the Province, and may, by causing signs to be erected at the entrance to an area so defined, direct the rate of speed at which a person may drive or operate a motor-vehicle or any category of motor-vehicle within that area, but such rate of speed shall not be greater than forty miles per hour.

(3b) Where the Minister of Highways has caused signs to be erected or placed on a highway in accordance with subsection (3a), no person shall, when the sign is in place on the highway, drive or operate a vehicle on a highway at a greater rate of speed than that indicated on the sign for that category of motor-vehicle, unless another sign on a specific highway within the defined area so indicates.

(4) Subject to subsections (2) and (3), a municipality by by-law may direct the rate of speed at which a person may drive or operate a motor-vehicle upon a highway within the municipality, but such rate of speed shall not be greater than fifty miles an hour.

(5) Where, pursuant to a by-law adopted by a municipality, signs have been erected or placed on any portion of a highway limiting the rate of speed of motor-vehicles driven or operated on a designated portion of the highway, no person shall, when the sign is in place on the highway, drive or operate a motor-vehicle on that portion of the highway at a greater rate of speed than that indicated on the sign.

(6) (a) A municipality may by by-law direct that the rate of speed at which a person may drive or operate a motor-vehicle within the

municipality upon a lane not exceeding twenty feet in width shall not be in excess of fifteen miles per hour.

(b) A municipality which has enacted a by-law under clause (a) is not required to erect signs designating the rate of speed at which motor-vehicles may be driven or operated.

(c) No person shall drive or operate a motor-vehicle upon a lane in a municipality which has enacted a by-law under clause (a) at a greater rate of speed than fifteen miles per hour. 1957, c. 39, s. 133; 1958, c. 31, s. 28; 1960, c. 36, s. 18; 1965, c. 27, s. 27; 1966, c. 30, s. 30; 1972, c. 35, ss. 31-34 (eff. June 1, 1972).

Speed when passing schools or playgrounds.

141. Every person driving, between the hour of eight o'clock in the forenoon and the hour of five o'clock in the afternoon of any day on which school is regularly held, a vehicle on any highway where signs are displayed stating a speed-limit of twenty miles an hour, or upon which the numerals "20" are prominently shown, shall drive the vehicle at a rate of speed not exceeding twenty miles an hour while approaching or passing or in the vicinity (as indicated by such signs) of the school to which the signs relate; and every person driving a vehicle on any highway shall drive the vehicle at a rate of speed not exceeding twenty miles an hour when approaching or passing, between dawn and dusk, any public playground for children where signs are displayed stating a speed-limit of twenty miles an hour, or upon which the numerals "20" are prominently shown. 1957, c. 39, s. 134; 1960, c. 36, s. 19.

Meeting or overtaking school bus.

142. The driver of a vehicle upon a highway, upon meeting or overtaking a school bus

(a) that is designated as a school bus;

(b) that is stopped on a highway; and

(c) upon or near which a sign or signal is displayed indicating that the school bus is receiving or discharging school-children,

shall stop the vehicle before reaching the school bus and shall not proceed until the school bus resumes motion or until the driver of the school bus signals to other drivers that it is safe to proceed. 1957, c. 39, s. 135; 1960, c. 36, s. 20; 1963, c. 27, s. 30.

Driving on Right Side of Roadway—Overtaking and Passing

Driver on right.

143. (1) The driver of a vehicle shall confine the course of the vehicle to the right-hand half of the roadway if the roadway is of sufficient width and it is practicable to do so, except

(a) when overtaking and passing another vehicle proceeding in the same direction; or

(b) when the right-hand half of the roadway is closed to traffic while under construction or repair; or

(c) upon a highway designated and marked by signs for one-way traffic; or

(d) where necessary when operating snow-removing equipment.

(2) The driver of a vehicle proceeding at less than normal speed of traffic at the time and place and under the conditions then existing shall drive the vehicle in the right-hand lane then available for traffic, or as closely as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction, or when preparing for a left-hand turn at an intersection or into a private road or driveway.

(3) The driver of a vehicle passing around a rotary traffic island shall drive the vehicle to the right of the island. 1957, c. 39, s. 136; 1958, c. 31, s. 29; 1968, c. 32, s. 17.

Driving on laned roadway.

144. The following provisions apply to a driver who is driving a vehicle on a laned roadway, namely:—

- (a) He shall not drive the vehicle from one lane to another when a broken line only exists between the lanes unless he has ascertained that such movement can be made with safety and that the movement will in no way affect the travel of another vehicle:
- (b) He shall not drive the vehicle from one lane to another where such action necessitates the crossing of a solid line:
- (c) He shall not drive the vehicle from one lane to another without first signalling his intention to do so by hand and arm or approved mechanical device in the manner prescribed by sections 161 and 162:
- (d) When approaching an intersection intending to turn left, he shall drive the vehicle in the centre lane or in the lane nearest the centre of the roadway on the right-hand half of the highway:
- (e) When approaching an intersection intending to turn right, he shall drive the vehicle in the lane nearest to the right-hand side of the roadway and may cause the vehicle to pass another vehicle travelling in the same direction in a lane to his left:
- (f) He shall not drive the vehicle in the centre lane of a three-lane roadway, except
 - (i) when passing another vehicle proceeding in the same direction;
 - (ii) when approaching an intersection at which he intends to turn to the left; or
 - (iii) when the centre lane is allocated exclusively by signs or signals to traffic moving in the direction in which the vehicle is moving:
- (g) He shall not pass a vehicle on the left where such action necessitates driving on that part of the highway designated for travel in the opposite direction:
- (h) Where a traffic-control device directs slow-moving traffic to use a designated lane, when driving slowly he shall drive the

vehicle in that lane only. 1957, c. 39, s. 137; 1958, c. 31, s. 30; 1960, c. 36, s. 21; 1963, c. 27, s. 31.

Passing when meeting vehicle.

145. (1) The driver of a vehicle shall drive the vehicle on the right-hand side of the roadway when meeting another vehicle that is moving.

(2) The driver of a vehicle upon a highway that has a width for only one line of traffic in each direction shall, when meeting another vehicle that is moving, drive the vehicle so that the other vehicle shall be able to travel in at least one-half of the main-travelled portion of the highway as nearly as possible. 1957, c. 39, s. 138.

Meaning of highway lines.

146. Notwithstanding anything in this Part contained,

- (a) if a highway is marked with a solid double line, the driver of a vehicle shall drive the vehicle to the right of the line only; and
- (b) if a highway is marked with a double line consisting of a broken line and a solid line,
 - (i) the driver of a vehicle proceeding along the highway on the side of the broken line shall drive the vehicle to the right of the double line, except when passing an overtaken vehicle; and
 - (ii) the driver of a vehicle proceeding along the highway on the side of the solid line shall drive the vehicle to the right of the double line, except only when finishing the passing of an overtaken vehicle; and
- (c) if a highway is marked with one single line, broken or solid, the driver of a vehicle shall drive the vehicle to the right of the line, except only when passing an overtaken vehicle. 1957, c. 39, s. 139.

Suspension of ss. 144 and 146.

147. Where the driver of a vehicle is causing the vehicle to enter or leave a highway at a place other than an intersection, if he has ascertained that he might do so with safety and if he does so without in any way affecting the travel of any other vehicle, the provisions of sections 144 and 146 are suspended with respect to the driver while the vehicle is entering or leaving the highway. 1958, c. 31, s. 31.

Duty when overtaking and when overtaken.

148. (1) Except as provided in section 149, the driver of a vehicle overtaking another vehicle

- (a) shall cause the vehicle to pass to the left of the other vehicle at a safe distance; and
 - (b) shall not cause or permit the vehicle to return to the right side of the highway until safely clear of the overtaken vehicle.
- (2) Except when overtaking and passing on the right is permitted, a driver of an overtaken vehicle,
- (a) upon hearing an audible signal given by the driver of the overtaking vehicle, shall cause the vehicle to give way to the right in favour of the overtaking vehicle; and

(b) shall not increase the speed of the vehicle until completely passed by the overtaking vehicle. 1957, c. 39, s. 140; 1958, c. 31, s. 32.

When passing on right permitted.

149. (1) The driver of a vehicle shall not cause or permit the vehicle to overtake and pass upon the right of another vehicle, except

- (a) when the vehicle overtaken is making a left turn or its driver has signalled his intention to make a left turn; or
- (b) when on a laned roadway there is one or more than one unobstructed lane on the side of the roadway on which he is permitted to drive; or
- (c) upon a one-way street, or upon a highway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and is of sufficient width for two or more lanes of moving vehicles.

(2) Notwithstanding subsection (1), no driver of a vehicle shall cause the vehicle to overtake and pass another vehicle upon the right

- (a) when the movement cannot be made safely; or
- (b) by driving the vehicle off the roadway. 1957, c. 39, s. 141; 1958, c. 31, s. 33.

Duty when passing on left.

150. No driver of a vehicle shall drive to the left side of the roadway in overtaking and passing another vehicle unless he can do so in safety. 1957, c. 39, s. 142; 1958, c. 31, s. 34; 1965, c. 27, s. 28; 1966, c. 30, s. 33.

Clear view required on passing.

151. No driver of a vehicle shall drive to or upon the left side of the roadway, other than on a one-way highway, when he has not a clear view of the roadway for a safe distance, having regard for all the circumstances. 1957, c. 39, s. 143; 1958, c. 31, s. 35.

Obedience to traffic signals.

152. Notwithstanding anything contained in this Act,

- (a) if upon or over a highway there is one or more than one traffic-control device indicating the direction in which vehicles shall proceed, no person shall drive a vehicle other than in the direction so indicated;
- (b) if upon or over a highway there is a traffic-control device indicating that a certain vehicle movement is prohibited, no person shall drive a vehicle in a movement prohibited by the sign. 1957, c. 39, s. 144; 1958, c. 31, s. 36.

Following too closely prohibited.

153. (1) No driver of a vehicle shall cause or permit the vehicle to follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the vehicles, and the amount and nature of traffic upon and the condition of the highway.

Space between following commercial vehicle.

(2) The driver of a commercial motor-vehicle or a combination of vehicles, when driving upon a roadway outside a business or residence district, shall not follow within two hundred feet of another commercial

motor-vehicle or a combination of vehicles, but this shall not be construed to prevent one commercial motor-vehicle or a combination of vehicles overtaking and passing another such vehicle.

Passing space in caravans, etc.

(3) The driver of a motor-vehicle in a caravan or motorcade, other than a funeral procession, outside a business or residence district, shall leave sufficient space between his vehicle and another vehicle or combination of vehicles to enable a vehicle to enter and occupy that space without danger. 1957, c. 39, s. 145; 1958, c. 31, s. 37.

Divided highways.

154. Where a highway has been divided into two roadways by a physical barrier or clearly indicated dividing section constructed so that it impedes vehicular traffic,

- (a) no driver shall drive a vehicle over, across, or within a barrier or dividing section, except at a crossover or intersection; and
- (b) no driver shall drive a vehicle on the left-hand roadway unless directed or permitted to do so by a peace officer or a traffic-control device. 1957, c. 39, s. 146; 1958, c. 31, s. 38; 1963, c. 27, s. 32; 1965, c. 27, s. 29.

Entering controlled access highway.

155. (1) Where on a controlled access highway there is a sign indicating a location at which vehicles are permitted to enter, no person shall drive a vehicle on to the highway except at that location.

(2) Where on a controlled access highway there is a sign indicating a location at which vehicles are permitted to leave, no person shall drive a vehicle from the highway except at that location. 1957, c. 39, s. 147.

Turning, Starting, and Signals

Turning at intersections.

156. (1) Where the driver of a vehicle intends to turn the vehicle to the right at an intersection, he shall cause the vehicle to approach the intersection and then make the turn as close as practicable to the right-hand curb or edge of the roadway.

(2) When the driver of a vehicle intends to turn the vehicle to the left at an intersection where traffic is permitted to move in both directions on each highway entering the intersection, he shall

- (a) cause the vehicle to approach the intersection in the portion of the right side of the roadway that is nearest the marked centre line, or if there is no marked centre line, then as far as practicable in the portion of the right half of the roadway that is nearest the centre line; and
- (b) keep the vehicle to the right of the marked centre line or centre line of the roadway, as the case may be, at the place where the highway enters the intersection; and,
- (c) after entering the intersection, turn the vehicle to the left so that it shall leave the intersection to the right of the marked centre line of the roadway being entered, or if there is no marked centre line, then to the right of the centre line of the roadway being entered; and,

(d) when practicable, turn the vehicle in the portion of the intersection to the left of the centre of the intersection.

(3) When the driver of a vehicle intends to turn the vehicle left at an intersection where traffic is restricted to one direction on one or more of the highways, he shall cause the vehicle to approach the intersection in the extreme left-hand lane available to traffic moving in the direction of travel of the vehicle, and after entering the intersection he shall turn the vehicle to the left so as to leave the intersection as nearly as practicable in the left-hand lane available to traffic moving in the direction of travel of the vehicle upon the highway being entered.

(4) Where at an intersection there is a traffic-control device indicating the course to be travelled by vehicles turning at the intersection, no driver shall turn a vehicle at the intersection in a manner other than as directed by the traffic-control device.

(5) No person shall turn a vehicle at an intersection unless the vehicle is in the position upon the highway required by this section. 1957, c. 39, s. 148; 1958, c. 31, s. 39.

Turning to left other than at intersection.

157. No driver of a vehicle shall turn the vehicle to the left from a highway at a place other than an intersection unless

- (a) he shall have caused the vehicle to approach the place on the portion of the right-hand side of the roadway that is nearest the marked centre line, or if there is no marked centre line, then as far as practicable in the portion of the right half of the roadway that is nearest the centre line; and
- (b) the vehicle is in the position on the highway required by clause (a);
- (c) he has ascertained that the movement can be made in safety, having regard to the nature, condition, and use of the highway and the traffic which actually is at the time or might reasonably be expected to be on the highway. 1957, c. 39, s. 149; 1958, c. 31, s. 40.

Turning right other than at intersection.

158. No driver of a vehicle shall turn the vehicle to the right from a highway at a place other than an intersection unless

- (a) he shall have caused the vehicle to approach the place as closely as practicable to the right-hand curb or edge of the roadway; and
- (b) the vehicle is in the position upon the highway required by clause (a). 1957, c. 39, s. 150.

Reverse turn.

159. Except as provided by the by-laws of a municipality, no driver shall turn a vehicle so as to proceed in the opposite direction

- (a) unless he can do so without interfering with other traffic; or,
- (b) when he is driving,
 - (i) upon a curve;
 - (ii) upon an approach to or near the crest of a grade where the vehicle cannot be seen by the driver of another

vehicle approaching from either direction within five hundred feet;

- (iii) at a place where a sign prohibits making a U-turn;
- (iv) at an intersection where a traffic-control signal has been erected;

(v) in a business district except at an intersection where no traffic-control signal has been erected. 1957, c. 39, s. 151; 1958, c. 31, s. 41; 1965, c. 27, s. 30.

Signals on turning.

160. (1) Where traffic may be affected by turning a vehicle, no person shall turn a vehicle without giving the appropriate signal under sections 161 and 162.

(2) Where a signal of intention to turn right or left is required, a driver shall give the signal continuously for sufficient distance before making the turn to warn traffic.

(3) Where there is an opportunity to give a signal, no driver shall stop or suddenly decrease the speed of a vehicle without first giving the appropriate signal under sections 161 and 162. 1957, c. 39, s. 153.

Means of signalling.

161. (1) Subject to subsection (2), where a signal is required, a driver shall give it by means of

- (a) his hand and arm; or
- (b) a signal-lamp of a type that has been approved by the Superintendent; or
- (c) a mechanical device of a type that has been approved by the Superintendent.

(2) When a vehicle is constructed or loaded in a manner that makes a signal by hand and arm not visible both to its front and rear, or when a body or load extends more than twenty-four inches to the left of the centre of the steering-wheel, a driver shall give signals as provided by clause (b) or (c) of subsection (1), and no person shall drive such a motor-vehicle on a highway unless it is so equipped. 1957, c. 39, s. 154; 1965, c. 27, s. 31.

Left-hand-drive signals.

162. (1) When a driver of a left-hand-drive vehicle gives a signal by hand and arm, he shall do so from the left side, and shall signify

- (a) a left turn by extending his left hand and arm horizontally from the vehicle;
- (b) a right turn by extending his left hand and arm out and upward from the vehicle; and
- (c) a stop or decrease in speed by extending his left hand and arm out and downward from the vehicle.

(2) No person shall drive a right-hand-drive vehicle upon a highway unless the vehicle is equipped with a mechanical or electrical signalling device that has been approved by the Lieutenant-Governor in Council. 1957, c. 39, s. 155.

*Right-of-way***"Yield" signs.**

163. Except as provided in section 165, where two vehicles approach or enter an intersection from different highways at approximately the same time and there are no "Yield" signs, the driver of a vehicle shall yield the right-of-way to the vehicle that is on the right of the vehicle which he is driving; but where there is a "Yield" sign, the driver of a vehicle facing the sign shall yield the right-of-way to all other traffic. 1957, c. 39, s. 156; 1963, c. 27, s. 33.

Yielding right-of-way on left turn.

164. When a vehicle is within an intersection and the driver of the vehicle intends to turn it to the left, he shall yield the right-of-way to traffic that is approaching from the opposite direction and is within the intersection or so close that it constitutes an immediate hazard, but, having yielded and given a signal as required by sections 161 and 162, the driver may turn the vehicle to the left, and traffic approaching the intersection from the opposite direction shall yield the right-of-way to the vehicle making the left turn. 1957, c. 39, s. 157.

Entering through highway.

165. (1) Where a vehicle which is about to enter a through highway has stopped in compliance with section 177,

- (a) the driver of the vehicle shall yield the right-of-way to traffic that has entered the intersection upon the through highway or is approaching so closely thereon that it constitutes an immediate hazard; and
- (b) having yielded, he may proceed with caution.

(2) Where a vehicle is entering a through highway in compliance with subsection (1), traffic approaching the intersection on the highway shall yield the right-of-way to the entering vehicle while it is proceeding into or across the highway. 1957, c. 39, s. 158.

Emerging from alleys.

166. (1) The driver of a vehicle within a business or residence district, and emerging from an alley, driveway, building, or private road, shall stop the vehicle immediately before driving on to the sidewalk or on to the sidewalk area extending across an alleyway or private driveway, and he shall yield the right-of-way to a pedestrian on the sidewalk or sidewalk area.

(2) The driver of a vehicle about to enter or cross a highway from an alley, lane, driveway, building, or private road shall yield the right-of-way to traffic approaching on the highway so closely that it constitutes an immediate hazard. 1957, c. 39, s. 159; 1963, c. 27, s. 34; 1965, c. 27, s. 32.

Action upon approach of emergency vehicle.

167. Upon the immediate approach of an emergency vehicle giving an audible signal by a bell, siren, or exhaust whistle, and showing a visible flashing red light, except when otherwise directed by a peace officer, a driver shall yield the right-of-way, and shall immediately drive to a position parallel to and as close as possible to the nearest edge or

curb of the roadway, clear of an intersection, and shall stop and remain in that position until the emergency vehicle has passed. 1957, c. 39, s. 160; 1970, c. 28, s. 21 (eff. Apr. 6, 1970).

*Pedestrians' Rights and Duties***At traffic signal.**

168. Where traffic-control signals are operating at an intersection, pedestrians shall comply with them in the manner provided in section 128. 1957, c. 39, s. 161.

Rights-of-way between vehicle and pedestrian.

169. (1) Subject to section 170, where traffic-control signals are not in place or not in operation when a pedestrian is crossing the highway within a crosswalk and the pedestrian is upon the half of the highway upon which the vehicle is travelling or is approaching so closely from the other half of the highway that he is in danger, the driver of the vehicle shall yield the right-of-way to the pedestrian.

(2) No pedestrian shall leave a curb or other place of safety and walk or run into the path of a vehicle that is so close that it is impracticable for the driver to yield the right-of-way.

(3) Where a vehicle is slowing down or stopped at a crosswalk or at an intersection to permit a pedestrian to cross the highway, no driver of another vehicle approaching from the rear shall overtake and pass the vehicle which is slowing down or stopped.

(4) A pedestrian and the driver of a motor-vehicle shall obey the instructions of school pupils acting as members of school patrols provided under the *Public Schools Act*. 1957, c. 39, s. 162; 1960, c. 36, s. 22; 1968, c. 32, s. 18.

Crossing at other than crosswalk.

170. When a pedestrian is crossing a highway at a point other than within a crosswalk, he shall yield the right-of-way to a vehicle. 1957, c. 39, s. 163.

Duty of driver.

171. Notwithstanding sections 168, 169, and 170, a driver of a vehicle shall

- (a) exercise due care to avoid colliding with a pedestrian who is upon the highway;
- (b) give warning by sounding the horn of the vehicle when necessary; and
- (c) observe proper precaution upon observing a child or apparently confused or incapacitated person who is upon the highway. 1957, c. 39, s. 164.

Walking by pedestrian.

172. (1) Where there is a sidewalk that is reasonably passable on either or both sides of a highway, a pedestrian shall not walk on a roadway.

(2) Where there is no sidewalk, a pedestrian walking along or upon a highway shall walk only on the extreme left side of the roadway or the shoulder of the highway, facing traffic approaching from the opposite direction.

(3) No person shall be on a roadway for the purpose of soliciting a ride, employment, or business from an occupant of any vehicle. 1957, c. 39, s. 165; 1958, c. 31, s. 44.

Bicycles and Play-vehicles

Rights and duties of operator of bicycle.

173. (1) In addition to the duties imposed by this section, a person operating a bicycle upon a highway has the same rights and duties as a driver of a vehicle.

(2) A person who is operating a bicycle shall comply with the following provisions, namely:—

- (a) He shall not ride on a sidewalk;
- (b) Subject to clause (a), he shall ride as near as practicable to the right side of the roadway;
- (c) He shall not ride abreast of any other person who is operating a bicycle upon the roadway;
- (d) He shall keep at least one hand on the handle-bars;
- (e) He shall not ride other than upon or astride a regular seat of the bicycle;
- (f) He shall not use the bicycle to carry more persons at one time than the number for which it is designed and equipped; and
- (g) He shall not ride a bicycle on any highway where signs prohibit their use.

(3) No person who is operating a bicycle shall ride it upon a roadway if there is a usable path intended for the use of bicycles adjacent to the roadway.

(4) No person shall ride a bicycle, coaster, roller-skates, sled, or play-vehicle when it is attached by the arm and hand of the rider or otherwise to a vehicle upon a highway.

(5) Every bicycle operated on any highway between one-half hour after sunset and one-half hour before sunrise shall be equipped with a lighted lamp mounted on the front thereof capable of displaying a white light visible under normal atmospheric conditions at least five hundred feet in the direction in which the bicycle is pointed, and with a red reflector of a make or design approved by the Superintendent for the purpose of this section, or a lighted lamp mounted on the rear thereof capable of reflecting or displaying a red light towards the rear. In addition to the equipment so required, every bicycle that is operated on any highway shall have the most conspicuous portion of its rear mud-guard, for a length of not less than nine inches and the full width of the mud-guard, painted white.

In case of accident.

(6) (a) In case an accident occurs by which any person or property is injured, directly or indirectly, owing to the presence or operating of a bicycle on any highway, the person in charge of the bicycle shall

- (i) remain at or immediately return to the scene of the accident;
- (ii) render all possible assistance; and

(iii) give to anyone sustaining loss or injury, and to any peace officer who is present, his name and address, and also the name and address of the owner of the bicycle, and, if the bicycle has been licensed and registered, the licence or registration number of the bicycle.

(b) If the accident results in death or injury to any person, or in injury to property causing aggregate damage apparently exceeding twenty-five dollars, the person in charge of the bicycle shall forthwith make a written report of the accident, and shall mail or deliver the same to the nearest Provincial or municipal police office.

(c) Every report made under this section is without prejudice, and is for the information of the Provincial or municipal police, but shall not be open to public inspection. The fact that the report has been made is admissible in evidence solely to prove compliance with this section, and the report is admissible in evidence on the prosecution of any person for the offence of making a false statement therein.

(7) No person shall ride or operate a bicycle on any highway without due care and attention, or without reasonable consideration for other persons using the highway.

(8) (a) Where a person is convicted of an offence under this Act in respect of his riding or operating a bicycle, the Magistrate or Court may, in addition to or in lieu of any penalty otherwise prescribed, order that the bicycle shall be seized, and on the expiry of that period the person entitled thereto may again have possession of the bicycle.

(b) For the purpose of seizing and impounding a bicycle pursuant to an order made under clause (a), any peace officer may enter by force any place or building in which the bicycle is situated. 1957, c. 39, s. 166; 1958, c. 31, s. 45; 1965, c. 27, s. 33.

Special Stops

Railway crossings.

174. (1) In this section

- (a) "bus" means a motor-vehicle designed for carrying more than ten persons and used or intended to be used for the transportation of persons for compensation;
- (b) "school bus" means a motor-vehicle used primarily for the transport of children to or from school or in connection with school activities.

(2) When a driver is approaching a railway crossing at a time when

- (a) a clearly visible electrical or mechanical signal device gives warning of the approach of a railway train; or
- (b) a crossing gate is lowered or a flagman is giving a signal of the approach or passage of a railway train; or
- (c) a railway train is approaching and is within approximately fifteen hundred feet of a crossing or by reason of its speed or nearness to the crossing is an immediate hazard and emits an audible signal or is visible,

the driver of the vehicle shall stop the vehicle within fifty feet but not less than fifteen feet from the nearest rail of the railway, and shall not cause or permit the vehicle to proceed until he can do so safely.

(3) No person shall drive a vehicle through, around, or under a crossing gate or barrier at a railway crossing while the gate or barrier is closed or is being opened or closed.

(4) Where a stop sign is erected at a railway crossing, a driver approaching the railway crossing

(a) shall stop his vehicle

(i) no closer than fifteen feet; and

(ii) no farther than fifty feet from the nearest rail of the railway; and

(b) shall not proceed until he can do so safely.

(5) Except at a railway spur line or an industrial track within a business or residence district, the driver of

(a) a bus carrying passengers for compensation; or

(b) a school bus carrying any child; or

(c) a vehicle carrying explosive substances or any poisonous or flammable substance as cargo; or

(d) a vehicle used for carrying flammable liquids or gas, whether or not it is then empty,

approaching a railway crossing that is not protected by gates or railway crossing signal lights or unless otherwise directed by a flagman,

(e) shall stop his vehicle

(i) no closer than fifteen feet; and

(ii) no farther than fifty feet from the nearest rail of the railway; and

(f) remaining stopped, shall listen and look in both directions along the railway for an approaching train, and for signals indicating the approach of a train; and

(g) shall not proceed until he can do so safely.

(6) When a driver has stopped in accordance with this section, he

(a) shall cross the railway tracks in a gear that he will not need to change while crossing the tracks; and

(b) shall not shift gears while so crossing; and

(c) shall not stop with any part of the vehicle on or over the tracks.

(7) Notwithstanding any other provision of this Act, the driver of a vehicle approaching the track of a railway shall proceed with caution to avoid a collision between the vehicle and an approaching train. 1972, c. 35, s. 35 (eff. June 1, 1972).

Stopping at intersections.

177. Except when a peace officer directs otherwise, where there is a stop-sign at an intersection, a driver of a vehicle shall stop

(a) at the marked stop-line (if any); or

(b) before entering the marked crosswalk on the near side of the intersection; or

(c) when there is neither a marked crosswalk nor a stop-line, before entering the intersection, at the point nearest the intersecting highway from which the driver has a view of approaching traffic on the intersecting highway. 1957, c. 39, s. 170; 1958, c. 31, s. 47.

Parking and Leaving Vehicles

Where parking prohibited.

178. (1) Subject to subsection (3), where outside of a business or residence district it is practicable to stop, park, or leave a vehicle off the roadway, no person shall stop, park, or leave the vehicle either unattended or attended on the roadway.

(2) Subject to subsection (3), no person shall park a vehicle so as to obstruct the free passage of traffic on the highway.

(3) Subsections (1) and (2) do not apply when a vehicle is so disabled that it is not practicable to avoid stopping and temporarily leaving it on a highway. 1957, c. 39, s. 171.

Police authority to move parked vehicle.

179. (1) Where a vehicle is standing or parked

(a) in violation of section 181; or

(b) in a position that causes it to interfere with removal of snow from a highway by a person authorized to do so by the Minister of Highways or a municipality; or

(c) in a position that causes it to interfere with fire-fighting; or

(d) in a position that causes it to interfere with the normal flow of traffic on the highway; or

(e) in a position that causes it to interfere with the construction, improvement, alteration, extension, widening, marking, or repair of a highway,

a peace officer may

(f) move the vehicle, or require the driver or person in charge of the vehicle to move it, to a position determined by the peace officer; or

(g) move the vehicle or take the vehicle into his custody and cause it to be taken to and stored in a safe and otherwise suitable place.

(2) When an unattended vehicle is

(a) parked in violation of section 178, 180, or 181;

(b) apparently abandoned on or near a highway; or

(c) a motor-vehicle without proper number-plates,

a peace officer may take the vehicle into his custody and cause it to be taken to and stored in a safe and otherwise suitable place.

(2a) Where a vehicle is standing or parked in a position that causes it to interfere with the removal of snow from a highway by a person authorized to do so by the Minister of Highways or a municipality, the person so authorized or a peace officer may

(a) move the vehicle; or

(b) cause it to be moved.

(3) All costs and charges for the removal, care, or storage of a motor-vehicle removed under this section shall be paid by the owner of the motor-vehicle, and shall be a lien thereon in favour of the keeper of any repair-shop, garage, or storage-place in which that motor-vehicle is stored, and the same may be enforced by him in the manner provided by the *Mechanics' Lien Act* or the *Warehousemen's Lien Act*. 1957, c. 39, s. 172; 1963, c. 27, s. 36; 1967, c. 27, s. 10.

When vehicle stopping prohibited.

180. (1) Except when necessary to avoid conflict with traffic or to comply with the law or the directions of a peace officer or traffic-control device, no person shall stop, stand, or park a vehicle

- (a) on a sidewalk or boulevard;
- (b) in front of a public or private driveway;
- (c) within an intersection, except as permitted by a sign;
- (d) within fifteen feet of a fire-hydrant;
- (e) on a crosswalk;
- (f) within twenty feet of the approach side of a crosswalk;
- (g) within twenty feet upon the approach to any flashing beacon, stop-sign, or traffic-control signal located at the side of a roadway;
- (h) within twenty feet either side of the entrance to or exit from any hotel, theatre, public meeting-place, dance-hall, fire-hall, or playground in unorganized territory;
- (i) within fifty feet of the nearest rail of a railway crossing;
- (j) upon any highway for the principal purpose of
 - (i) displaying a vehicle for sale;
 - (ii) advertising, greasing, painting, wrecking, storing, or repairing any vehicle, except where repairs are necessitated by an emergency;
 - (iii) displaying signs;
 - (iv) selling flowers, fruit, vegetables, sea foods, or other commodities or articles;
- (k) alongside or opposite a street excavation or obstruction when stopping, standing, or parking obstructs traffic;
- (l) on the roadway side of a vehicle stopped or parked at the edge or curb of a roadway;
- (m) upon a bridge or other elevated structure upon a highway, or within a highway tunnel, except as permitted by a traffic-control device;
- (n) in a place in contravention of a traffic-control device that gives notice that stopping, standing, or parking is there prohibited or restricted;
- (o) in such a manner as to obstruct the visibility of any standard traffic sign erected by or with the authority of the Minister of Highways or a municipality.

(2) No person shall move a vehicle that is not lawfully under his control into any of the places mentioned in subsection (1). 1957, c. 39, s. 173; 1958, c. 31, s. 48; 1960, c. 36, s. 23; 1963, c. 27, s. 37.

Parking—distance from curb.

181. Except when a municipality or the Minister of Highways otherwise permits, a driver shall not stop, stand, or park a vehicle on a roadway other than on the right side of the roadway and with the right-hand wheels parallel to that side, and where there is a curb, within twelve inches of the curb. 1957, c. 39, s. 174; 1958, c. 31, s. 49.

Miscellaneous Rules

Leaving parked vehicle.

182. No driver shall permit a motor-vehicle to stand unattended or park without first having

- (a) stopped the engine;
- (b) locked the ignition;
- (c) removed the ignition key; and
- (d) effectively braked the vehicle, and, when standing on a grade, having turned the front wheels to the curb or side of the highway. 1957, c. 39, s. 175; 1958, c. 31, s. 50.

Parking on private property.

183. (1) When a motor-vehicle is left on private property situate in a business district without the consent of the occupier of the private property, the owner of the motor-vehicle shall be deemed to authorize and empower the occupier to be his agent for the purposes of towing the motor-vehicle to a place of storage and of storing the motor-vehicle.

(2) The agent has a lien against the motor-vehicle for all reasonable advances made or charges incurred in connection with the towing and storing of the motor-vehicle in the course of the agency.

(3) The procedure respecting enforcement of the lien shall be governed by the *Warehousemen's Lien Act*. 1960, c. 36, s. 24; 1961, c. 42, s. 12.

Caution in backing vehicle.

184. The driver of a vehicle shall not cause the vehicle to move backwards into an intersection or over a crosswalk, and shall not, in any event or at any place, cause a vehicle to move backwards unless such movement can be made in safety. 1957, c. 39, s. 176.

Motor-cycles.

185. (1) A person who is operating a motor-cycle shall ride only astride the regular seat attached to it.

(2) No person, other than the operator, shall ride on a motor-cycle unless

- (a) it is designed and equipped to carry more than one person; and
- (b) he rides
 - (i) astride the permanent and regular seat if designed for two persons; or
 - (ii) astride another seat firmly attached to the motor-cycle behind the seat occupied by the operator; or

- (iii) upon or in another seat firmly attached to one side of the motor-cycle.
- (3) No person who is operating a motor-cycle shall permit another person to ride on it in violation of subsection (2).
- Two motor-cycles in one lane only. (4) Except when overtaking and passing other motor-cycles, not more than two operators of motor-cycles shall operate their motor-cycles side by side in the same direction in the same traffic lane. 1957, c. 39, s. 177; 1960, c. 36, s. 25; 1965, c. 27, s. 34; 1966, c. 30, s. 31; 1969, c. 20, s. 52 (eff. June 1, 1969).
- Requirements before moving of vehicle. 186. (1) No person shall cause a vehicle to move on a highway if
- (a) the control of the driver over the driving mechanism of the vehicle; or
- (b) the view of the driver to the front or sides of the vehicle is obstructed.
- (2) A passenger in a vehicle shall not occupy a position in it that interferes with the driver's view ahead or with his control over the driving mechanism of the vehicle. 1957, c. 39, s. 178; 1958, c. 31, s. 51.
- When travelling through canyons, etc. 187. When travelling through defiles or canyons or on mountain highways, the driver of a motor-vehicle shall hold the motor-vehicle under control and as near the right-hand edge of the highway as reasonably possible, and, upon approaching a curve where the view is obstructed within a distance of two hundred feet along the highway, shall give audible warning with the horn of the motor-vehicle. 1957, c. 39, s. 179.
- Coasting down-grade prohibited. 188. When travelling down-grade a driver shall not coast with the gears of the vehicle in neutral or the clutch disengaged. 1957, c. 39, s. 180.
- Distance on following fire vehicle. 189. A driver other than that of an emergency vehicle shall not follow fire apparatus closer than five hundred feet or drive or park within five hundred feet of the place on the same highway on which fire apparatus has stopped in answer to a fire-alarm. 1957, c. 39, s. 181; 1958, c. 31, s. 52.
- Driving over fire-hose prohibited. 190. Unless he has received consent of the fire department official in command or a peace officer, a person shall not drive a vehicle over an unprotected hose of a fire department when laid down on a highway or private driveway at a fire or an alarm of fire. 1957, c. 39, s. 182; 1958, c. 31, s. 53.
- Driving on sidewalk. 191. Except when entering or leaving a driveway or lane, or when entering upon or leaving land adjacent to a highway, or by permission granted under a by-law made under section 125, a driver shall not drive upon a sidewalk, walkway, or boulevard. 1957, c. 39, s. 183; 1958, c. 31, s. 54; 1963, c. 27, s. 38.

- Existence of sign prima facie evidence. 192. The existence of a sign permitted by this Act and purporting to regulate the use of the highway in any manner shall be prima facie evidence that the sign was duly erected and maintained by the proper authority under this Act or the regulations and in accordance therewith. 1957, c. 39, s. 184.
- Horse-racing. 193. No person shall race with or drive furiously any horse or other animal upon any highway. 1957, c. 39, s. 185.
- When opening door prohibited. 194. No person shall open the door of a motor-vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. 1957, c. 39, s. 186.
- 194A. [Renumbered as section 206. 1966, c. 30, s. 32.]
- Depositing articles on highway. 195. (1) No person shall throw, deposit, drop, or leave on a highway any glass bottle, glass, nail, tack, wire, can, or other thing or substance likely to injure a person, animal, or vehicle on the highway.
- (2) No person shall place, deposit, or dump, or cause to be placed, deposited, or dumped, any garbage, swill, cans, bottles, papers, ashes, refuse, carcass of any dead animal, offal, trash or rubbish, or any noisome, nauseous, or offensive matter in or upon any highway, including any portion of the right-of-way thereof.
- (3) No person shall place, deposit, or dump, or cause to be placed, deposited, or dumped, any rocks or dirt in or upon any highway, including any portion of the right-of-way thereof, without the consent of the Minister of Highways or of the Council of a municipality, whoever has jurisdiction of the highway, or a person duly authorized by the Minister of Highways or the Council of a municipality to exercise the jurisdiction. 1960, c. 36, s. 26; 1963, c. 27, s. 40.
- Clearance of motor-vehicles. 195A. No person shall operate on a highway a motor-vehicle designed or modified so that any portion thereof, other than the wheels in contact with the roadway, has less clearance from the surface of a level roadway than the lowest point on the rim of any wheel in contact with the roadway. 1963, c. 27, s. 41.
- Television sets. 195B. No person shall drive on a highway a motor-vehicle that is equipped with a television receiving set or in which there is located an operating television receiving set
- (a) any part of which is located in the motor-vehicle forward of the back of the driver's seat; or
- (b) that is visible to the driver while he is operating the motor-vehicle. 1967, c. 27, s. 11.

*Vehicles Transporting Explosives*Transporting
explosives.

196. (1) Any person operating any vehicle transporting any explosive as a cargo or part of a cargo upon a highway shall at all times comply with the provisions of this section.

(2) Every vehicle transporting any explosive shall display a sign on each side and the front and the rear, with the word "explosives" in letters not less than six inches high on a background of sharply contrasting colours.

(3) Every vehicle transporting any explosives shall be equipped with not less than two fire-extinguishers, filled and ready for immediate use, and placed at a convenient point on the vehicle so used.

(4) The Superintendent is hereby authorized and directed to promulgate such additional regulations governing the transportation of explosives and other dangerous articles by vehicles upon the highways as he shall deem advisable for the protection of the public. 1957, c. 39, s. 187; 1960, c. 36, s. 27; 1967, c. 27, s. 12.

Warning
devices,
disabled
vehicles.

197. (1) No person shall operate upon any public highway any passenger vehicle that has a seating capacity of more than nine passengers, or any commercial vehicle licensed under the *Department of Commercial Transport Act* at a gross vehicle weight in excess of six thousand pounds, unless such vehicle is equipped with warning devices of a type approved by the Superintendent, and consisting of at least two flares, reflectors, fuses, or red lanterns, for the purpose of warning the travelling public of an emergency breakdown during darkness, and at least two red flags, of a minimum size of twelve by twelve inches, or two warning devices of a type approved by the Superintendent, for a like warning during daylight.

(2) Every operator of a vehicle of a type referred to in subsection (1) shall, when the vehicle becomes, and so long as it remains, disabled upon a public highway during daylight, place and retain two red flags or two warning devices of a type approved by the Superintendent upon the highway, one at a distance of approximately one hundred feet in front of the vehicle and one at a distance of approximately one hundred feet behind the vehicle, and during darkness shall place and retain two approved warning devices appropriate for use during darkness, as provided in subsection (1), upon the highway at the same distance in front and behind the vehicle as aforesaid. For the purpose of this section, "darkness" means the period from one-half hour after sunset to one-half hour before sunrise and any other occasion when there is not sufficient light to render clearly discernible a substantial object on the highway at a distance of two hundred feet, and "daylight" means the balance of the twenty-four-hour day. 1957, c. 39, s. 188; 1965, c. 27, s. 35; 1967, c. 27, s. 13; 1968, c. 32, s. 19; 1969, c. 20, s. 53 (eff. June 1, 1969).

Safety
equipment.

198. The Minister of Highways may, by public notice or by the placing of signs, prohibit vehicles from being driven or operated on a highway which are not equipped with chains, or winter tires, or sanding devices, or any combination of these which the Minister of Highways may consider adequate and necessary in view of prevailing road conditions. 1957, c. 39, s. 189.

Power of
Lieut.-
Governor
in Council
to make
regulations.

199. (1) The Lieutenant-Governor in Council, on the recommendation of the Minister of Highways, may make such regulations in respect of vehicles driven, used, or operated on and in respect of pedestrians using any highway in unorganized territory or on any arterial highway (within the meaning of section 31 of the *Highway Act*) in a municipality as are deemed necessary or advisable for

- (a) regulating, in respect of any highway or class of highways, the speed of vehicles for the protection of the highway; the gross weight of vehicle or loads; the weight on any axle, tire, or wheel; the number of axles or wheels; the wheel-base, the width, length, and height of vehicles, and the width, length, height, fastenings, and distribution of loads; the kind, width, size, and inflation of tires; and the system of load suspension; and so regulating any matter enumerated in this clause either separately or in relation to any or all of the other matters so enumerated, and either generally or in respect of the time of the year and the physical condition of the highways;
- (b) regulating the use of chains, cleats, ribs, clamps, flanges, or other devices on the tires of vehicles;
- (c) prescribing the lights to be carried and displayed on vehicles other than motor-vehicles and trailers;
- (d) regulating, in respect of any designated highway or class of highway, the speed of vehicles in respect of the time of the year and the physical condition of the highway;
- (e) regulating the gauge or width of vehicles from centre to centre of runners or wheels;
- (f) regulating or prohibiting the parking or standing of vehicles on any highway, and providing for the displaying of additional warning signs or lights in defined cases in respect of vehicles on any highway;
- (g) providing for the marking upon any portion of a highway distinguishing lines for the guidance of traffic thereon, and prescribing the type of marking and the rule of the road with respect thereto;
- (h) providing for the designation of highways on which vehicles shall, during all or certain named hours of the day, proceed in one direction, and for the marking of those highways with conspicuous signs or signals so as to indicate the rule in regard thereto and the direction in which vehicles shall proceed;

- (i) providing for and compelling the weighing of vehicles and their loads and the furnishing of satisfactory evidence of their weight, and providing for the removal from any vehicle of a load or any portion of a load which is found to be in excess of the weight prescribed by the regulations and for the redistribution of the load;
- (j) establishing, in respect of any designated highway, pedestrian crossings for the use of pedestrians;
- (k) prescribing the manner in which a pedestrian crossing shall be marked on a highway, and in which signs or notices shall be erected on a highway to indicate to the drivers of motor-vehicles that they are approaching a pedestrian crossing;
- (l) prescribing the use of a pedestrian crossing that may be made by pedestrians, and regulating pedestrian traffic on a crossing;
- (m) prohibiting pedestrians from crossing designated portions of a highway except at a pedestrian crossing;
- (n) prescribing penalties for the enforcement of any regulation made under this section;
- (o) prohibiting the use of or presence on a designated highway or highways, or part or parts thereof, by or of any designated animal or vehicle, or species or type thereof, or by or of pedestrians, either at all times or at designated times;
- (p) providing for the use of traffic-control devices on a highway where the highway is intersected by a private road as defined in subsection (7) of section 3.
- (2) The Lieutenant-Governor in Council, on the recommendation of the Minister of Highways, may make regulations providing for
- (a) the erection and maintenance on highways of signs and guide-posts approved by the Minister of Highways;
- (b) the preservation of signs and guide-posts erected on highways;
- (c) the granting of permits by the Minister of Highways, in his discretion, subject to such conditions as he may prescribe, for the erection and maintenance of cattle-guards, fences, and gates across highways;
- (d) the granting of permits by the Minister of Highways, in his discretion, or subject to such conditions as may be prescribed, for the doing of anything which is by or under the *Highway Act* or this Act prohibited or made unlawful without a permit;
- (e) the prescribing of forms to be used for purposes of this Act or the regulations;
- (f) the prescribing of fees for anything done or permitted to be done under the regulations;
- (g) the designing, manufacture, and location of traffic-control devices and determining the instructions given thereby. 1957, c. 39, s. 190; 1958, c. 31, s. 55; 1959, c. 55, s. 16; 1960, c. 36, s. 28; 1963, c. 27, s. 42; 1965, c. 27, s. 36.

Further power to make regulations.

Evidence of weight of vehicle or load.

200. On the prosecution of any person charged with a violation of the regulations in operating or using on any highway a vehicle the weight of which or the weight of the load carried on which was in excess of the weight prescribed by the regulations, it is sufficient prima facie evidence for any credible witness to state upon oath that, to the best of his judgment and opinion, the weight of the vehicle in question or of the load carried thereon at the time of the alleged violation was in excess of the weight so prescribed; and upon that evidence being given, the person charged may be convicted, unless he proves that the weight of the vehicle or load, as the case may be, was not in excess of the weight so prescribed. 1957, c. 39, s. 191.

Signs.

201. (1) No person shall erect or maintain, or cause to be erected or maintained, any sign, advertisement, or guide-post on or over

(a) any arterial highway or highway in unorganized territory, except with the approval of the Minister of Highways; or

(b) any highway, other than an arterial highway, in a municipality, except in accordance with the by-laws of the municipality,

and subject to the provisions of this section.

(2) The Minister of Highways may cause any sign, advertisement, or guide-post erected or found on or over any highway, whether erected with or without his approval, to be altered, repainted, torn down, or removed from the highway without compensation to any person for loss or damage resulting from the alteration, removal, or destruction thereof.

(3) Except as provided in subsection (2), no person shall tear down, remove, displace, deface, or in any way interfere with any traffic-control device or guide-post erected on any highway by the Department of Highways, or by any person with the approval of the Minister of Highways.

(4) No person shall erect or replace signs or sign-boards, or shall paste or paint signs or notices, or advertising devices, within a distance of one thousand feet from the boundary-line of any highway within the unorganized territory of the Province.

(5) No person, being the owner, occupier, or lessee of any land, shall permit or allow the erection or maintenance of any sign, sign-board, or advertising device on the land owned, occupied, or leased by him where such sign, sign-board, or advertising device is erected or maintained within a distance of one thousand feet from the boundary-line of any highway within the unorganized territory of the Province, except with the approval of the Minister of Highways or any person authorized by him in writing. 1957, c. 39, s. 192; 1958, c. 31, s. 56; 1959, c. 55, s. 17; 1963, c. 27, s. 43.

Proclamation.

202. Section 107 comes into force on a day to be fixed by the Lieutenant-Governor by his Proclamation. 1957, c. 39, s. 194; 1960, c. 36, s. 29; 1965, c. 27, s. 37.

PART IV

ROAD SAFETY

Blood-alcohol
test.

203. (1) The driver's licence of a person whose venous blood contains not less than eight parts of alcohol to ten thousand parts of blood is subject to suspension.

(2) A peace officer may, at any time and at any place on a highway when he has reason to suspect that the driver of a motor-vehicle has consumed alcohol, request the driver to drive the motor-vehicle, under the direction of the peace officer, to the nearest place off the travelled portion of the highway and there to surrender his driver's licence.

(3) Upon a request being made under subsection (2), the driver's licence of the driver is, ipso facto, suspended, and the driver of the motor-vehicle shall forthwith surrender his driver's licence to the peace officer, who shall return it to the driver upon

- (a) the driver voluntarily undergoing a test forthwith that indicates that the venous blood of the driver contains less than eight parts of alcohol to ten thousand parts of blood; or
- (b) the expiration of twenty-four hours after the surrender; or
- (c) the production by the driver to the peace officer holding the licence of the certificate of a duly qualified medical practitioner that the venous blood of the driver contains less than eight parts of alcohol to ten thousand parts of blood; or
- (d) being satisfied that the life of a person will be endangered by the delay involved in undergoing a test,

whichever first occurs, whereupon the suspension is terminated.

(4) The driver's licence of the person who refuses to surrender his driver's licence under this section is invalid for any purpose and is, ipso facto, suspended until the expiration of the period of suspension that would otherwise have followed under subsection (3), if any.

(5) This section does not apply where a peace officer intends to lay an information under the Criminal Code of Canada containing any allegation respecting the driver or to arrest the driver.

(5a) Where a driver who has been requested to surrender his licence under this section does not hold a driver's licence issued under this Act, or such licence has expired, he shall be deemed to be a person whose licence is suspended until the occurrence of any event or the expiry of the time at which, had he been the holder of such a licence, the peace officer would have been required to return the licence to him under subsection (3).

(6) This section shall come into force and effect in the area or areas of the Province designated by the Lieutenant-Governor in Council on a day or days to be fixed by the Lieutenant-Governor by his Proclamation, and the Lieutenant-Governor may fix different days by different Proclamations upon which the section shall come into force and effect in different area. 1966, c. 30, s. 34; 1968, c. 32, s. 20; 1970, c. 28, s. 22 (eff. Apr. 6, 1970).

Regulations.

204. (1) The Lieutenant-Governor in Council may make regulations fixing standards of safety and repair of motor-vehicles, requiring owners and operators of motor-vehicles to present them for inspection as to safety and repair at such place and at such times as may be prescribed therein, appointing inspectors for that purpose, prescribing a fee or fees for inspection, prohibiting the operation on a highway of any motor-vehicle that has not been presented as required for inspection or that has not been passed upon being inspected, and making the regulations under this section applicable in all or any part or parts of the Province.

(2) The Attorney-General, for and on behalf of Her Majesty the Queen in right of the Province, may enter into an agreement or arrangement with any municipality for the implementation of regulations made under subsection (1), and a municipality may by resolution enter into such an agreement or arrangement.

(3) In this section, "motor-vehicles" includes trailers and semi-trailers. 1966, c. 30, s. 34; 1968, c. 32, s. 21.

Equipment of
motor-vehicles.

205. (1) No person shall drive or operate any motor-vehicle or trailer on any highway or rent any motor-vehicle or trailer unless it is equipped in all respects in compliance with the provisions of this Act and of the regulations.

Inspection.

(2) A peace officer may at any reasonable time require a person who carries on the business of renting motor-vehicles or trailers, or both,

- (a) to allow the peace officer to inspect any motor-vehicle or trailer offered by the person for rental; or
- (b) to move any motor-vehicle or trailer offered by the person for rental to a place designated by the peace officer, and there to allow the peace officer or any person authorized by him to inspect the motor-vehicle or trailer. 1957, c. 39, s. 41; 1966, c. 30, s. 8.

Safety belts.

206. No person shall sell or offer for sale or operate on any highway a motor-vehicle required to be registered and licensed only under this Act and manufactured or assembled after the thirty-first day of December, 1963, other than a motor-cycle, unless it is equipped with not less than two safety belts for use in the front seat thereof in accordance with the regulations. 1963, c. 27, s. 39; 1966, c. 30, s. 32.

Helmets.

207. No person shall ride on a motor-cycle unless he is properly wearing a safety helmet of a type approved by the Superintendent. 1965, c. 27, s. 34; 1966, c. 30, s. 31.

No sale of
motor-vehicle,
etc., contrary
to regulations.

207A. No person shall sell, offer for sale, expose, or display for sale, or deliver over to a purchaser for use, a motor-vehicle, trailer, or any equipment therefor that is not in accordance with this Act and the regulations. 1970, c. 28, s. 23 (eff. Apr. 6, 1970); 1971, c. 58, s. 10.

Report of
medical
practitioner.

208. Every legally qualified medical practitioner shall report to the Superintendent the name, address, and medical condition of any patient sixteen years of age or over who

- (a) in the opinion of the medical practitioner has a medical condition that makes it dangerous to the patient or to the public for the patient to drive a motor-vehicle; and
- (b) continues to drive a motor-vehicle after being warned of the danger by the medical practitioner. 1969, c. 20, s. 54 (eff. June 1, 1969).

SCHEDULES

SCHEDULE A

TABLE OF FEES
(Section 48)

Motor-vehicles Other than Motor-cycles

	Fee
A registration fee, payable at time of first registration or upon reregistration where the licence has been relinquished under the provisions of section 16 of this Act	\$1.00
An annual licence fee for private passenger motor-vehicles, including station wagons, based on weight, as follows:—	
Weight	
500 lb. or less	5.80
501 lb. to 1,500 lb.	10.80
1,501 lb. to 2,000 lb.	14.40
2,001 lb. to 3,000 lb.	18.00
3,001 lb. to 4,000 lb.	22.50
4,001 lb. to 5,000 lb.	31.50
5,001 lb. to 6,000 lb.	45.00
6,001 lb. to 7,000 lb.	58.50
An annual licence fee for each motor-vehicle licensed in the name of an accredited representative of another country in Canada, who is a national of the country he represents and engaged solely in consular or other official duties	2.00
An annual licence fee for each motor-vehicle owned or leased exclusively by any municipality or school district as defined by the <i>Public Schools Act</i> or by an organization comprised solely of one or more municipalities and (or) school districts	2.00
An annual licence fee for each motor-vehicle used exclusively for fire-protection purposes	2.00
An annual licence fee for each motor-vehicle owned by the Government of Canada	2.00
The licence fee for each antique car	20.00

Motor-cycles

A registration fee, payable at time of first registration or upon reregistration where licence has been relinquished under the provisions of section 16 of this Act	1.00
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	Fee
An annual licence fee of	\$5.00
An annual licence fee for each motor-cycle owned or leased exclusively by any municipality or school district as defined by the <i>Public Schools Act</i> or by an organization comprised solely of one or more municipalities and (or) school districts	2.00
An annual licence fee for each motor-cycle owned by the Government of Canada	2.00

Trailers

An annual licence fee based on gross vehicle weight as follows:—

Weight	
Up to 1,500 lb.	3.00
1,501 lb. to 3,000 lb.	6.00
3,001 lb. to 4,500 lb.	9.00
4,501 lb. to 6,000 lb.	12.00
6,001 lb. to 7,500 lb.	15.00
7,501 lb. to 9,000 lb.	18.00

And \$3 for every 1,500 lb. thereafter.

An annual licence fee for each trailer licensed in the name of an accredited representative of another country in Canada, who is a national of the country he represents and engaged solely in consular or other official duties	2.00
An annual licence fee for each trailer owned or leased exclusively by any municipality or school district as defined by the <i>Public School Act</i> or by an organization comprised solely of one or more municipalities and (or) school districts	2.00
An annual licence fee for each trailer used exclusively for fire-protection purposes	2.00
An annual licence fee for each trailer owned by the Government of Canada	2.00

Dealers' Licences

For licence in respect of motor-vehicles and trailers generally, a minimum fee of	25.00
The payment of which fee shall entitle the holder of the licence to the use of one number-plate or set of duplicate number-plates, and to offer for sale, and to operate for purposes of demonstration for sale, one motor-vehicle or trailer at one time.	
For each additional motor-vehicle or trailer required to be covered by the licence, a further fee of	10.00
For licence in respect of motor-cycles and trailers only, a minimum fee of	15.00
The payment of which fee shall entitle the holder of the licence to the use of one number-plate, and to offer for sale, and to operate for purposes of demonstration for sale, one motor-cycle or trailer at one time.	
For each additional motor-cycle or trailer required to be covered by the licence, a further fee of	5.00

Motor-vehicle Transporters' Licences

Annual licence fee, which shall entitle the holder of the licence to one set of distinctive number-plates	100.00
For each additional set of distinctive number-plates issued with the licence	25.00

Manufacturers' Licences

Annual licence fee, which shall entitle the holder of the licence to one set of distinctive number-plates	100.00
For each additional set of distinctive number-plates issued with the licence	25.00

Chauffeurs' Licences

	Fee
Class A.—An annual licence fee of	\$3.00
Class B.—An annual licence fee of	2.00
Class C.—An annual licence fee of	1.00
For duplicate of licence, a fee of50
For any examinations as to fitness and ability	1.00

Drivers' Licences

Fee	5.00
For duplicate of licence, a fee of	2.00
For any examination as to fitness and ability	1.00

Salesmen's Licences

An annual licence fee of	4.00
For duplicate of licence, a fee of50

General Fees

Substitution of licence and number-plate or decals for motor-cycle or trailer, under section 41, a fee of	1.00
Substitution of licence and number-plates or decals for motor-vehicle, under section 41, a fee of	2.00
Substitution of licence and badge for chauffeur, under section 41, a fee of ..	1.00
Substitution of number-plates or decals under section 12, a fee of	2.00
1957, c. 39, Sch.; 1958, c. 31, s. 57; 1960, c. 36, s. 30; 1961, c. 42, ss. 13, 14; 1963, c. 27, s. 44; 1965, c. 27, s. 38; 1969, c. 20, s. 55; 1972, c. 35, s. 36 (eff. June 1, 1972, except clause (a), eff. July 1, 1972).	

SCHEDULE B

[Repealed. 1965, c. 27, s. 21.]

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1972



PROVINCE OF BRITISH COLUMBIA

REGULATIONS PURSUANT TO THE
MOTOR-VEHICLE ACT

[Consolidated for convenience only, May 1, 1972]

Division 1.—Interpretation

1. In these regulations, unless the context otherwise requires,
 - “ Act ” means the *Motor-vehicle Act*;
 - “ axle ” means a structure in the same, or approximately the same, transverse plane supported by wheels and on or with which such wheels revolve;
 - “ beam of light ” means the reflected rays of light which are projected approximately parallel to the optical axis of the reflector;
 - “ bias ply tire ” means a pneumatic tire in which the ply cords that extend to the beads are laid at alternate angles substantially less than 90 degrees to the centre line of the tread; (O.C. 2141/71.)
 - “ bus ” means a motor-vehicle capable of carrying more than ten passengers and used for the transportation of persons;
 - “ camper ” means a structure designed to be mounted upon a motor-vehicle and to provide facilities for human habitation or camping purposes; (O.C. 469/67.)
 - “ driveaway-towaway operation ” means the transportation of a vehicle, two or more wheels of which are on the roadway during the transportation;
 - “ fifth wheel and kingpin ” means the coupling device of a semi-trailer and a truck tractor which permits articulation between the units and which is mounted on the truck tractor and consists of a trunnion, plate, and latching mechanism for connection with a metal kingpin mounted on the semi-trailer; (O.C. 469/67.)
 - “ golf cart ” means a motor-vehicle designed for use on a golf course for the carrying of not more than two persons and golf-playing equipment, and only incidentally used on a highway; (O.C. 469/67.)

- “gross weight” means the weight of a vehicle without the load plus the weight of any load thereon;
- “group of axles” means any two or more successive axles on a vehicle or combination of vehicles;
- “head-lamp” means a lamp mounted on a motor-vehicle, the rays of which are projected forward, other than a spot-lamp, a cowl or parking lamp, a fog-lamp, a clearance-lamp, an auxiliary driving-lamp, or auxiliary passing-lamp;
- “height,” when used with respect to a lamp, means the perpendicular distance between the centre of the lamp and the level of the ground upon which the vehicle to which the lamp is attached is standing, when the vehicle is not loaded;
- “house trailer” means a trailer
 (a) which is designed, constructed, and equipped for human habitation; or
 (b) designed, constructed, and equipped for human occupancy for industrial, professional, or commercial purposes; (O.C. 2859/67.)
- “logging-truck” means a vehicle or combination of vehicles used principally for the transportation of logs;
- “metal tire” means a tire, or the part of the outer circumference of a wheel which comes in contact with the surface of the highway, which is made of metal or other non-resilient material;
- “Minister” means the Minister of Commercial Transport;
- “pneumatic tire” means a tire made of rubber or other resilient material and which depends upon compressed air for the support of the load;
- “pole trailer” means a vehicle without motive power designed to be drawn by another vehicle and to be attached to the towing vehicle by means of a reach or pole, or by being boomed thereto, and which is ordinarily used for transporting long or irregularly shaped loads such as logs, poles, pipes, or structural members;
- “radial ply tire” means a pneumatic tire in which the ply cords that extend to the beads are laid at substantially 90 degrees to the centre line of the tread; (O.C. 2141/71.)
- “safety glass” means any glass or transparent product which substantially prevents the shattering and flying of the glass or transparent product when struck or broken;
- “semi-trailer” means a vehicle, other than a trailer, which is drawn by a motor-vehicle and which is so constructed that some part of its weight and some part of the weight of its load rests upon or is carried by the towing vehicle;
- “service brake” means a foot brake;

- “snowmobile” means a motor-vehicle in excess of 40 inches in width which is designed for traversing snow and
 (a) travels by means of tracks; or
 (b) is propeller-driven; (O.C. 469/67.)
- “snow vehicle” means a motor-vehicle that is not in excess of 40 inches in width, is designed to carry not more than two passengers, that travels by means of tracks, and that is designed for traversing snow; (O.C. 469/67.)
- “solid tire” means a tire of rubber or other resilient material which does not depend upon compressed air for the support of the load;
- “special mobile vehicle” means a vehicle not self-propelled, nor designed or used primarily for the transportation of persons or property, and operated or moved over a highway incidentally to its designed purpose or function, but does not include an implement of husbandry; (O.C. 469/67.)
- “spot-lamp” means a lamp which is so fastened to a motor-vehicle that the light is projected forward and which is capable of projecting a round intense beam of clear white light displaying a circular pattern on a vertical surface;
- “tandem axles” means a group of two axles spaced 7 feet or less apart;
- “tow-car” means a motor-vehicle exclusively used for towing or rendering assistance to other vehicles;
- “truck” means a motor-vehicle designed or used primarily for the transportation of property;
- “truck tractor” means a motor-vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn;
- “wheel-base” means the distance, measured to the nearest foot, between the centres of the two axles which are farthest apart;
- “width of tire” means, with respect to rubber tires, the width of tire as customarily measured and rated by manufacturers of motor-vehicles and tires and, with respect to metal tires, the transverse width of the outer circumference of the metal tire.

Division 2.—Application

Application.

2.01. The definitions in sections 2 and 121 of the Act apply to these regulations, but if there is any conflict between a definition under section 2 and a definition under section 121, the definition under section 121 prevails.

2.011. Except as otherwise provided, these regulations do not apply to a snow vehicle or a golf cart. (O.C. 469/67.)

Removal in case of collision or breakdown.

2.02. Notwithstanding section 7.09,

- (i) a vehicle on a highway that, as a result of collision, or otherwise, ceases to be properly equipped under the Act or these regulations shall be removed from the highway forthwith or taken on the highway to a garage or repair shop by a tow-car or other vehicle capable of safely carrying out the movement; and
- (ii) a vehicle that is not properly equipped under the Act or these regulations may be moved on a highway, in order to take the vehicle to a garage or repair shop, by a tow-car or other vehicle capable of safely carrying out the movement, and,

in either case, if the person then in charge of the vehicle takes reasonable precaution for the safety of traffic on the highway, these regulations are, with respect to the equipment that is defective, suspended. (O.C. 420/64.)

2.03. Where a motor-vehicle or trailer or semi-trailer is equipped with one or more rear-view mirrors that extend in whole or in part beyond the side of the vehicle or one or more lamps, required by these regulations, that extend in whole or in part beyond the side of the vehicle, the amount of such extension shall not be included in determining the maximum width of the vehicle for the purpose of these regulations. (O.C. 420/64.)

Division 3.—Number-plates

3.01. Number-plates for a motor-vehicle, other than a motor-cycle, shall be attached thereto, one on the front and one on the rear, and the number-plate issued for a motor-cycle or trailer shall be attached on the rear thereof.

3.02. A number-plate shall at all times be securely fastened in a horizontal position to the vehicle for which it is issued.

3.03. A number-plate shall be kept entirely unobstructed and free from dirt or foreign material and so that the numbers thereon may be plainly seen and read at all times.

Division 4.—Lamps

When lighted lamps are required.

4.01. (a) No person may drive or operate a vehicle upon any highway at any time during the period from one-half hour after sunset to one-half hour before sunrise or at any time when, because of insufficient light or unfavourable atmospheric conditions, persons or vehicles on a highway are not clearly discernible at a distance of 500 feet unless lamps required by these regulations are lighted.

Lamps and reflectors required.

(b) No person may at any time drive or operate a vehicle upon any highway unless the vehicle is equipped with whatever lamps, reflectors, and lighting system are or is required by these regulations.

Permit required to operate without clearance-lamps.

(c) Notwithstanding clause (b), the Superintendent may, in writing, permit the operation of a vehicle, otherwise required to be equipped with clearance-lamps in accordance with section 4.10 (a), without

clearance-lamps, provided that the vehicle is to be used only during the period from one-half hour before sunrise until one-half hour after sunset.

When head-lights not necessary in fog.

(d) Notwithstanding clause (a), if a vehicle is equipped with two fog-lamps mounted on opposite sides of the front of the vehicle, lighted fog-lamps may be used in substitution of lighted head-lamps when there is fog to an intensity rendering disadvantageous the use of head-lamps.

Limitation of number of lamps exceeding 15 candle-power.

(e) No person shall drive or operate on any highway a motor-vehicle with more than three lighted lamps, in addition to head-lamps, which will emit light of more than 15 candle-power each, and which will project light ahead of the motor-vehicle.

Other types of lamps prohibited.

(f) No person shall drive, operate, or cause to be on a highway a vehicle which is equipped, for use on that vehicle, with any lamp or type of lamp or reflector or type of reflector not authorized by these regulations.

Motor-vehicle head-lamps.

4.02. (a) Every motor-vehicle, other than a motor-cycle, shall be equipped with either one or two head-lamps on each side of the front of the motor-vehicle.

Motor-cycle head-lamps.

(b) Every motor-cycle shall be equipped with at least one and not more than two head-lamps.

Head-lamp height.

4.03. (a) Every head-lamp shall be mounted at a height of not less than 24 inches and not more than 54 inches, except that these height limitations shall not apply to highway construction and maintenance equipment so designed and constructed as to prevent compliance with the height limitations.

(b) No person shall drive or operate on a highway a vehicle equipped

White light.

(i) with a head-lamp which will emit any but white light;

Shields.

(ii) with any shield or cover which will reduce the output of light from any of the head-lamps;

Candle-power limitation.

(iii) with a head-lamp having a lamp source which will emit light exceeding 32 candle-power, unless the lamp source is approved by the Superintendent, and unless the lamp is used and adjusted in accordance with the conditions set forth in writing by the Superintendent.

Multiple-beam road-lighting equipment.

4.04. (a) Except as provided in section 4.05, the head-lamps and auxiliary lamps of every motor-vehicle, other than motor-cycles, shall be so arranged that the driver may select lamps capable of emitting

(i) an upper beam of light which, regardless of the load on the motor-vehicle, will reveal a person or a vehicle at a distance of 350 feet; and, alternatively,

(ii) a lower beam of light which, regardless of the load on the motor-vehicle, will reveal a person or vehicle at a distance of 100 feet, but the high-intensity portion of which beam will not strike the eye of an oncoming driver;

and, except on a motor-vehicle or a motor-cycle first licensed in this Province before the 1st day of January, 1940, the lighting system shall

include a tell-tale lamp which gives a clear and unmistakable indication to the driver of the motor-vehicle when the upper beam of light is being emitted.

Use of beams. (b) The driver of a motor-vehicle equipped with a lighting system under section 4.04 (a), and on a highway, shall control the lighting system so that the lamps emit only the lower beam of light

- (i) when within 500 feet of an oncoming vehicle; and
- (ii) except when overtaking and passing a vehicle, when the motor-vehicle follows another within 500 feet;

and so that at all other times persons and vehicles on the highway will be rendered visible from a distance sufficient to enable the motor-vehicle to be driven in safety.

Single-beam road-lighting equipment.

4.05. If the head-lamps of a motor-vehicle are affixed and directed so that, when the motor-vehicle is not loaded, no part of the high-intensity portion of the beams of light emitted by the head-lamps is, at a distance of 25 feet from the lamps, higher than a level of 5 inches below the level of the centres of the lamps, and, at a distance of 75 feet from the lamps, higher than 42 inches as measured for the height of the lamps, and if the light which the head-lamps emit reveals persons and vehicles at a distance of 200 feet, the lighting system of the motor-vehicle need not be in compliance with section 4.04.

Motor-cycle head-lamps.

4.06. (a) Unless the lighting system of a motor-cycle conforms to the requirements of section 4.04 except that regarding a tell-tale lamp, no motor-cycle shall be equipped with a lighting system of the type described in section 4.04.

(b) A motor-cycle on a highway shall be equipped with a head-lamp or head-lamps so arranged that when the cycle is travelling at a speed less than 25 miles per hour white light will be emitted to reveal a person or vehicle at a distance of 100 feet, and when the cycle is travelling at a speed of 25 miles per hour or more white light will be emitted to reveal a person or vehicle at a distance of 200 feet.

(c) Unless a motor-cycle is equipped with a lighting system as described in section 4.04, the head-lamp or head-lamps of the cycle shall be affixed and directed so that, when the cycle is loaded, no part of the high-intensity portion of the beam or beams of light emitted by the head-lamp or head-lamps is, at a distance of 25 feet from the lamp or lamps, higher than the height of the lamp or lamps.

Tail-lamps required.

4.07. (a) A motor-vehicle, trailer, semi-trailer, pole-trailer, and vehicle drawn at the end of a train of vehicles shall be equipped with a tail-lamp affixed to the rear which will emit red light visible from a distance of 500 feet to the rear.

Height of tail-lamps.

(b) A tail-lamp shall be affixed to the vehicle at a height of not less than 20 inches and not more than 72 inches.

Licence-plate illuminated.

(c) A vehicle shall be equipped so that the rear licence-plate may be illuminated by white light emitted from the tail-lamp or a separate lamp so that in darkness the numbers on the licence-plate are legible from a distance of 50 feet.

Reflector height.

4.08. (a) A vehicle shall be equipped with at least one red reflector at the rear of the vehicle, either separate or incorporated in a tail-lamp, which shall be mounted at a height of not less than 20 inches and not more than 72 inches.

Colours of front and rear reflectors.

(b) A reflector affixed at the front or on the side at or toward the front of a vehicle shall be amber.

(c) A reflector affixed at the rear or on the side at or toward the rear of the vehicle shall be red.

Stop-lamps.

4.09. (a) A motor-vehicle or trailer may be equipped, and when required under these regulations shall be equipped, with a stop-lamp or lamps.

Colour and visibility.

- (b) A stop-lamp
- (i) shall be affixed to the rear of the vehicle; and
- (ii) shall, upon application of the service brake, emit only red or amber light visible from a distance of 300 feet in normal sunlight;
- (iii) may, but need not, be incorporated in another lamp.

Number required on vehicles.

- (c) No person shall sell or offer for sale or operate on any highway
- (i) a motor-cycle or truck tractor manufactured and assembled after the 31st day of December, 1958, unless it be equipped with a stop-lamp; nor
- (ii) a motor-vehicle manufactured and assembled after the 31st day of December, 1958, unless it be equipped with not less than two stop-lamps.

Lamp requirements on vehicles over 80 inches in width.

4.10. (a) A bus, truck, tow-car, or trailer, 80 inches or more in over-all width, shall be equipped with

- (i) a clearance-lamp at each side of the front;
- (ii) a clearance-lamp at each side of the rear;
- (iii) two reflectors on each side of the vehicle, one at each side at or near the front, and one at each side at or near the rear;
- (iv) a stop-lamp;
- (v) a reflector at each side of the rear.

(b) A truck tractor shall be equipped with a clearance-lamp at each side of the front.

Lamp requirements on vehicles over 3,000 pounds.

(c) A trailer or semi-trailer having a gross weight in excess of 3,000 pounds shall be equipped with

- (i) a clearance-lamp at each side of the front;
- (ii) a clearance-lamp at each side of the rear;
- (iii) two reflectors on each side of the vehicle, one at each side at or near the front, and one at each side at or near the rear;
- (iv) a reflector at each side of the rear;
- (v) a stop-lamp.

Trailer lamp requirements.

(d) A pole trailer shall be equipped with a reflector on each side and a reflector at each side of the rear or of the load thereon.

(e) A trailer or semi-trailer having a gross weight of 3,000 pounds or less shall be equipped with a reflector at each side of the rear.

(f) A trailer or semi-trailer so loaded or of such dimensions as to obscure the stop-lamp of the towing vehicle shall be equipped with a stop-lamp.

Reflector
visibility.

4.101. Every reflector required by these regulations shall be so designed and maintained as to be visible at night from all distances within 500 feet to 50 feet when directly illuminated by the upper beam of head-lamps.

Clearance-
lamps, front.

4.11. (a) A clearance-lamp affixed at the front of a vehicle shall emit only amber light.

(b) Notwithstanding clause (a), a clearance-lamp affixed at the front of a vehicle first licensed in the Province prior to the 1st day of January, 1959, may emit amber, green, or white light.

Rear.

(c) A clearance-lamp affixed at the rear of a vehicle shall emit only red light.

Location.

(d) Clearance-lamps shall be affixed as nearly as practicable to the top of the vehicle and in such a manner as to indicate the over-all width of the vehicle.

Visibility.

(e) Clearance-lamps shall be capable of emitting light visible from a distance of 500 feet at night under normal atmospheric conditions.

(f) A vehicle shall not be equipped with clearance-lamps unless required by these regulations. (O.C. 469/67.)

Back-up
lamps.

4.12. (a) A vehicle may be equipped with not more than two back-up lamps affixed to the rear of the vehicle which will emit only white light, of not more than 32 candle-power, unless the lamp source is approved by the Superintendent, and unless the lamp is used and adjusted in accordance with the conditions set forth in writing by the Superintendent.

(b) No back-up lamp shall be lighted when the motor-vehicle is in forward motion.

Lamp on rear
projection.

4.13. (a) When the load upon or any integral part of any vehicle operated on a highway projects to the rear more than 4 feet beyond the bed or body of the vehicle, there shall be displayed at the extreme rear of the load or integral part of the vehicle, whichever projects the farther,

(i) at any time between one-half hour after sunset and one-half hour before sunrise, a lamp emitting only red light, visible for a distance of 500 feet to the rear of the vehicle; or

Flag on rear
projection.

(ii) at any other time, a red flag or cloth not less than 12 inches square, visible to the driver of a vehicle to the rear thereof.

Lamp on front
projection.

(b) When a vehicle with a boom, crane, or similar thing projecting more than 3 feet beyond the front wheels thereof, or, if equipped with a front bumper, more than 3 feet beyond such bumper, is driven or operated on a highway, the vehicle shall be equipped with

(i) at any time between one-half hour after sunset and one-half hour before sunrise, a lamp or lamps illuminating with white

light, which makes visible from the front and side of the vehicle, the boom, crane, or similar thing; or

Flag on front
projection.

(ii) at any other time a red flag or cloth not less than 12 inches square affixed to the boom, crane, or similar thing so that the flag or cloth is visible from the front of the vehicle. (O.C. 469/67.)

Parking-
lamps.

4.14. (a) A motor-vehicle may be equipped with not more than two parking-lamps affixed to the front which will emit only white or amber light not in excess of 6 candle-power.

Other lamps
on parked
vehicles.

(b) No person shall park a vehicle upon a highway unless the lamps affixed thereto, other than the parking-lamps and tail-lamps, are extinguished or dimmed or depressed.

Vehicles
exempted.

4.15. For the purposes of sections 4.01 to 4.14, inclusive, "vehicle" does not include an implement of husbandry or special mobile equipment while on the highway during daylight hours.

Lamps on
other vehicles
and equip-
ment.

4.16. No person shall operate, park, or leave a vehicle, other than a motor-vehicle, trailer, semi-trailer, or bicycle, on a highway at any time during the period from one-half hour after sunset until one-half hour before sunrise unless the vehicle is equipped with one lamp affixed in a conspicuous position on the left side of the vehicle approximately over a straight line joining the front and rear wheels emitting only white light visible from a distance of 500 feet from the front and rear.

Spot-lamps.

4.17. (a) A motor-vehicle may be equipped with not more than two spot-lamps. (O.C. 420/64.)

(b) Every spot-lamp shall be so directed when in use

(i) that no portion of the main beam of light will strike the roadway to the left of the medial line of the vehicle;

(ii) that the top of the main beam of light will not strike the roadway more than 100 feet ahead of the vehicle.

(c) No person shall use on a vehicle on any highway a spot-lamp having a lamp source which will emit light exceeding 32 candle-power, unless the lamp source is approved by the Superintendent, and unless the spot-lamp is used and adjusted in accordance with the conditions set forth in writing by the Superintendent.

(d) This section does not apply to emergency vehicles.

Fog-lamps.

4.18. (a) A motor-vehicle may be equipped with not more than two fog-lamps affixed to the front at a height lower than that of the head-lamps, but not lower than 12 inches.

(b) Every fog-lamp affixed to a vehicle shall be adjusted so that the main beam of light emitted by the fog-lamp, at a distance of 25 feet from the lamp, is not higher than a level of 4 inches below the level of the centre of the lamp.

(c) No person shall use on a vehicle on any highway a fog-lamp which will emit light exceeding 32 candle-power, unless the lamp source

is approved by the Superintendent, and unless the fog-lamp is used and adjusted in accordance with the conditions set forth in writing by the Superintendent.

Auxiliary passing-lamps.

4.19. (a) A motor-vehicle may be equipped with not more than one auxiliary passing-lamp affixed to the front at a height of not less than 24 inches and not more than 42 inches and that will emit only white light.

Auxiliary driving-lamps.

(b) A motor-vehicle may be equipped with not more than one auxiliary driving-lamp affixed to the front at a height of not less than 16 inches and not more than 42 inches and which will emit only white light.

(c) Unless an auxiliary passing-lamp or auxiliary driving-lamp can be otherwise directed so that no glaring or dazzling light is projected to any person on the highway, a person using such a lamp on a vehicle shall direct the lamp or cause the lamp to be directed so that no part of the main beam of light emitted is, at a distance of 25 feet from the lamp, higher than a level of 5 inches below the level of the centre of the lamp, and, at a distance of 75 feet from the lamp, higher than 42 inches as measured for the height of the lamp.

(d) No person shall drive or operate upon any highway a vehicle to which are affixed an auxiliary passing-lamp and an auxiliary driving-lamp while both such lamps are alight.

(e) No person shall use on a vehicle on any highway an auxiliary passing-lamp or an auxiliary driving-lamp having a lamp source exceeding 32 candle-power, unless the lamp source is approved by the Superintendent, and unless the lamp is used and adjusted in accordance with the conditions set forth in writing by the Superintendent.

Turn-signal devices.

4.20. (a) A vehicle may be equipped, and when required under these regulations shall be equipped, with either a lamp-type turn-signal system or a semaphore turn-signal device.

Lamp type.

(b) A lamp-type turn-signal system with which a vehicle is equipped shall

- (i) be of a type or make approved by the Superintendent; and
- (ii) consist of two lamps affixed to the front and two lamps affixed to the rear of such manufacture and so affixed and maintained that the lamps affixed to the front will, at a rate of not less than 60 times in each minute and not more than 120 times in each minute, and at which the filaments of the lamp will brighten fully, emit flashes of white or amber light visible from a distance of 300 feet in normal sunlight, and the lamps affixed to the rear will emit, at the same rate, flashes of red or amber light visible from a distance of 300 feet in normal sunlight; and
- (iii) include a tell-tale lamp which gives a clear and unmistakable indication to the driver of the vehicle when a lamp-type turn-signal system is working; and
- (iv) be affixed to the vehicle as nearly as practicable to the extreme sides of the vehicle and so that none of the lamps thereof are affixed to the roof of the vehicle or at a height greater than

the top level of the windshield thereof, but "vehicle" in this paragraph does not include highway construction or maintenance machinery or a tow-car.

Semaphore type.

(c) Every semaphore turn-signal device with which a vehicle is equipped shall be

- (i) of a type or make approved by the Superintendent; and
- (ii) when in use during darkness the semaphore turn-signal device shall be illuminated by light or reflection visible from a distance of 300 feet. (O.C. 1809/65.)

Cowl and fender lamps.

4.21. (a) A motor-vehicle may be equipped with not more than two side-lighted cowl or fender lamps which emit only amber or white light without glare and which have a lamp source of not more than 6 candle-power.

(b) A commercial vehicle of an over-all width of 80 inches or more may be equipped with not more than three identification lamps affixed in a row at the front which emit amber light only, and three identification lamps affixed in a row at the rear which emit red light only, and such identification lamps

- (i) shall be at a height of not less than 7 feet; and
- (ii) shall not exceed 3 inches in diameter; and
- (iii) shall not have a lamp source of more than 6 candle-power.

Bus terminal signs.

(c) A public passenger-vehicle may be equipped with signs having letters not more than 8 inches in height and illuminated by diffused white light.

Taxi signs.

(d) No vehicle may be equipped with any illuminated taxi sign except of a type, colour, and size approved by the Superintendent, and except in accordance with conditions set forth in writing by the Superintendent.

Use of flashing lamps.

4.22. No person shall equip any motor-vehicle, which is operated on a highway, with any lamp capable of emitting flashes of light, except

- (i) that red flashing lamps may be used on an emergency vehicle; or
- (ii) that amber flashing lamps may be used on a tow-car while attending or towing a vehicle; or
- (iii) that amber flashing lamps may be used on snow-removal equipment, sand-spreading equipment, or other highway maintenance equipment being used on the highway for the purpose of highway maintenance or construction; or (O.C. 469/67.)
- (iv) to indicate a right or left turn; or
- (v) to indicate, by flashes of white, amber, or red light, through use of automatic turn-signal devices, a temporary hazard to vehicular traffic requiring extraordinary caution on the part of drivers of vehicles; or
- (vi) that red flashing lamps may be used on an ambulance responding to a call or transporting a patient where it is essential for the ambulance to gain the right of way; or

- (vii) that two amber flashing lamps may be used on the rear of a vehicle to indicate the vehicle is decelerating, provided the type of amber flashing lamps used and the method by which they are operated is approved by the Superintendent; or
- (viii) that a pilot car, as defined in section 10.02 of B.C. Reg. 127/68, under the *Department of Commercial Transport Act* may, only while escorting an oversize vehicle or load, be equipped with and use amber flashing lamps mounted on the roof; or (O.C. 2073/70.)
- (ix) if the Superintendent, in his discretion, has given his written permission, on the vehicle specified in the permission and in accordance with the conditions set forth. (O.C. 420/64, 1561/68, 2073/70.)

4.23. Notwithstanding section 4.22, a school bus may be equipped with alternately flashing red lamps of a type approved by the Superintendent. When a school bus is so equipped, use of the lamps is a signal to indicate that the bus is receiving or discharging school-children. (O.C. 1506/67.)

Division 5.—Brakes

5.01. Subject to the provisions of section 5.011, no person shall drive or operate a vehicle upon a highway unless the vehicle is equipped with brakes and equipment as required by these regulations. (O.C. 469/67, 2859/67.)

5.011. Section 5.01 shall not apply to a house trailer until after March 31, 1968. (O.C. 2859/67.)

5.02. (a) Every motor-vehicle and every combination of vehicles shall be equipped with service brakes which, when applied, will not affect the direction of travel of the motor-vehicle or combination of vehicles, and under all conditions of loading will be adequate, when the motor-vehicle or combination of vehicles is travelling at a speed of 20 miles per hour on a substantially level, dry, smooth, hard-surfaced road free of loose material where the grade does not exceed 1 per cent, to stop the travel

- (i) of a passenger-vehicle designed to carry not more than nine persons, including the driver, within 25 feet; or
- (ii) of the motor-vehicle if it is not part of a combination of vehicles and is not as described in paragraph (i) and has a manufacturer's gross vehicle-weight rating of less than 10,000 pounds within 30 feet; or
- (iii) of the motor-vehicle if it is not part of a combination of vehicles and is not as described in paragraph (i) or (ii) within 40 feet; or
- (iv) of the combination of vehicles if it includes either a passenger motor-vehicle designed to carry not more than nine persons,

including the driver, or a motor-vehicle with a manufacturer's gross vehicle-weight rating of less than 10,000 pounds within 40 feet; or

- (v) of the combination of vehicles if it is other than as described in paragraph (iv) within 50 feet.

(b) For purposes of this section, any motor-vehicle designed, used, or maintained primarily for the transportation of property and not equipped with a plate or marker showing the manufacturer's gross vehicle-weight rating and which has

- (i) less than six wheels is deemed to be a vehicle having a manufacturer's gross vehicle-weight rating of less than 10,000 pounds;
- (ii) six wheels or more is deemed to be a vehicle having a manufacturer's gross vehicle-weight rating of 10,000 pounds or more.

(c) Subject to clause (d), a trailer shall be equipped with brakes on one wheel at each end of each axle, which brakes when applied shall be adequate to maintain control of the trailer, and the application of the brakes must not affect the direction of travel of the trailer, except that

- (i) brakes are not required on the wheels of one axle on a house trailer equipped with three or more axles;
- (ii) this clause and clause (d) do not apply where

(A) the gross weight of the trailer is 3,000 pounds or less, and is less than 50 per cent of the weight of the vehicle by which it is towed; or

(B) the trailer consists of a piece of construction machinery towed by a truck which has a manufacturer's gross vehicle-weight rating in excess of the combined gross vehicle weights of the trailer and the truck. (O.C. 469/67, 2859/67.)

(d) A trailer with a gross vehicle weight in excess of 6,000 pounds shall be equipped with brakes that are applicable by the driver of the vehicle by which it is towed. (O.C. 469/67.)

5.03. (a) A motor-vehicle, except a motor-cycle, and a combination of vehicles shall be equipped with an emergency braking system or a parking-brake which, when applied, will alone stop and hold stationary the motor-vehicle or combination of vehicles. (O.C. 469/67.)

(b) No person shall park or leave a detached trailer at any place on a highway unless the wheels are locked so that the trailer will remain stationary at that place.

5.04. (a) Sections 5.01, 5.02, and 5.03 do not apply to any implement of husbandry, a special mobile vehicle, or any chassis without body or load.

(b) No person shall operate, at a speed greater than 15 miles per hour, an implement of husbandry or a special mobile vehicle or a chassis without body or load on a highway, unless the implement, vehicle, or chassis is one that can be stopped within 32 feet when travelling at a speed of 15 miles per hour.

Brakes required.

Stopping distances.

Trailer brakes.

Emergency or parking brakes.

Braking parked trailer.

Vehicles exempted, brakes.

Stopping distance, exempted vehicles.

Driver or operator to permit vehicle brake inspection upon request of police officer.

5.05. (a) Every person driving or operating a vehicle or combination of vehicles upon any highway shall, upon request of any officer or constable of the Provincial police force or the police force of any municipality, permit such officer or constable to inspect and test the brakes with which the vehicle or combination of vehicles is equipped and, on the direction of the officer or constable, shall operate the vehicle or combination of vehicles as directed by him for the purpose of the inspection and testing of the brakes.

(b) No person shall test the brake performance of a vehicle or combination of vehicles at a speed in excess of 25 miles per hour.

Brake-tubing and hose adequacy.

5.06. No person shall drive or operate a vehicle on a highway unless the brake-tubing and brake-hose installed on the vehicle

- (i) will not, upon proper application, impede or adversely affect the operation of the brakes;
- (ii) are of such length and flexibility that no wear or damage results from the normal movement of the parts of the vehicle to which they are attached; and
- (iii) are effectively secured against chafing, kinking, or other injury; and
- (iv) are in conformity to specifications of the Superintendent.

Brake-connection adequacy.

5.07. No person shall drive or operate a vehicle on a highway unless the connections for any air, vacuum, or hydraulic braking system with which the vehicle is equipped are

- (i) of such manufacture and design and so installed and maintained that the proper operation of the brakes of the vehicle shall not be impeded or adversely affected; and
- (ii) secured adequately against accidental disconnection; and
- (iii) of such manufacture and design and so installed and maintained that no leaks, constrictions, or other defects occur; and,

in the case of a vehicle equipped with a vacuum braking system, unless the vacuum-brake engine-manifold connection is at least three-eighths of an inch in diameter.

Brake-lining.

5.08. No person shall drive or operate a vehicle on a highway unless the linings of the brakes of the vehicle are of such manufacture and design and so installed and maintained that they are of a thickness adequate for the safe and reliable operation of the brakes and that they are not subject to excessive fading or grabbing.

Brake fluid.

5.09. (a) After the 30th day of June, 1964, no person shall sell or offer for sale hydraulic-brake fluid for use in vehicles upon a highway

- (i) that does not comply with the standards and specifications prescribed in this section; or
- (ii) in containers not marked in compliance with this section.

(b) The standards numbered SAE 70R1 and SAE 70R3 of standards and specifications for hydraulic-brake fluid contained in the S.A.E.

Handbook and made by the Society of Automotive Engineers are adopted, and hydraulic-brake fluid shall be of the standards and specifications set out in either standard.

(c) (i) A container of hydraulic-brake fluid complying with standards numbered SAE 70R1 shall bear a label containing the words "Heavy Duty SAE 70R1."

(ii) A container of hydraulic-brake fluid complying with standards numbered SAE 70R3 shall bear a label containing the words "Heavy Duty SAE 70R3." (O.C. 420/64.)

Division 6.—Brake Regulations Respecting Buses, Trucks, Truck Tractors, and Commercial Trailers

Special interpretation.

- 6.01. In this division, unless the context otherwise requires, "bus" means a motor-vehicle of a weight, when unloaded, of more than 6,000 pounds, and which is designed, constructed, and used for the transportation of more than nine passengers; "commercial trailer" means a trailer, or semi-trailer, or house trailer, with a gross weight of more than 3,000 pounds; "truck" means a motor-vehicle of a weight, when unloaded, of more than 6,000 pounds, and which is designed or used exclusively for the transportation of goods; "truck tractor" means a motor-vehicle of a weight, when unloaded, of more than 6,000 pounds, and which is designed and used for the towing of a trailer or semi-trailer, and which is not designed or constructed to carry any load except a part of the weight of a semi-trailer. (O.C. 2859/67.)

When effective.

6.02. After the 31st day of March, 1959, no person may drive or operate any bus, or truck, or truck tractor, or commercial trailer on a highway at any time unless the vehicle is, in accordance with these regulations, equipped with whatever braking equipment is required by this division, and unless such equipment is in effective working order.

Two means of brake application required.

6.03. Every bus and every truck and every truck tractor shall be equipped with at least two separate braking systems, one of which shall be mechanical and shall include a ratchet and pawl or other effective locking and releasing mechanism.

Independent means of applying brakes.

6.04. The separate braking systems of a truck or truck tractor shall not be in any way connected unless the systems are of such manufacture and design and are so installed that the failure of any part of a system to function properly will not affect the effectiveness of any other system.

Parking-brakes.

6.05. Every bus and every truck and every truck tractor shall be equipped with a parking-brake as set forth in clause (a) of section 5.03, and the parking-brake shall be of such manufacture and design and so installed and maintained that the application thereof shall lock the rear driving-wheels of the vehicle and shall be controlled separately from the service brakes of the vehicle.

Brakes required on all wheels.

6.06. (a) Every bus, truck, truck tractor, and commercial trailer shall be equipped with a service brake on each wheel.

(b) Clause (a) does not apply to

- (i) a vehicle being towed in a driveaway-towaway operation; or
- (ii) a truck or a truck tractor which has three or more axles to the extent that

(A) if the vehicle may be steered by the wheels adjoined to one axle only, the front wheels need not be equipped with service brakes; or

(B) if the vehicle may be steered by the wheels adjoined to more than one axle, only the wheels adjoined to one of such axles need be equipped with service brakes;

- (iii) a house trailer with three or more axles which may be operated without service brakes on one axle as provided in section 5.02. (O.C. 2859/67.)

Breakaway and emergency braking.

6.07. (a) The service brakes with which a commercial trailer is equipped shall be of such manufacture and design and so installed and maintained that they will be applied automatically upon the separation of the commercial trailer from the vehicle by which it is being towed, and so that after such automatic application they will remain fully applied for not less than fifteen minutes.

(b) Every air service-brake system with which a trailer or semi-trailer is equipped shall be of such manufacture and design and so installed and maintained that, by the use of no-bleed-back relay emergency valves or similar devices, back-flow of air from the reservoir which supplies air for the service brakes shall be prevented.

(c) Every truck or truck tractor, if used to tow a commercial trailer equipped with brakes, shall be equipped with means for providing that in case of breakaway of such trailer the service brakes on the towing vehicle will be sufficiently operative to stop the towing vehicle.

(d) Every truck or truck tractor equipped with air brakes, while used to tow a commercial trailer, shall be equipped with not less than two means of applying the service brakes of the commercial trailer;

- (i) one of which means shall be of such manufacture and design and so installed and maintained that such means will operate automatically upon the reduction of the air-pressure of the service-brake system of the truck or truck tractor below its fixed level, which shall be not less than 20 pounds per square inch and not more than 45 pounds per square inch; and
- (ii) the other of which means, the method of operation of which shall be clearly indicated to the driver of the truck or truck tractor, shall be of such manufacture and design and so installed and maintained that such means may be controlled manually by the driver of the truck or truck tractor, and that the operation of such means shall not interfere with the effectiveness of the means specified in paragraph (i); and
- (iii) which means may be, but need not be, completely separate.

(e) Every truck or truck tractor used for towing a commercial trailer equipped with vacuum brakes shall, in addition to the control required under section 6.10, be equipped with a completely independent control, by the use of which the service brakes of the trailer may be operated.

6.08. Unless it is being transported in driveaway-towaway operations, every bus manufactured after the 31st day of March, 1959, and equipped with air brakes shall be so equipped

- (i) that, in the event that a break occurs in an air-line forward of the driver's seat of the bus or in an air-line leading to the front wheels of the bus, the air-supply to such line can or will be shut off manually or automatically; and
- (ii) that, in such event, the driver is able to apply from the driver's seat the brakes on the rear wheels of the bus.

Reduction of brake effort on front wheel permitted.

6.09. (a) Notwithstanding these regulations, means may be used for reducing the braking force applied to the front wheels of a bus, truck, or truck tractor as compared to the braking force applied to the other wheels of the vehicle.

(b) No person shall use or operate, or cause to be used or operated, any means for reducing the braking force applied to the front wheels of a vehicle as compared to the braking force applied to the other wheels of the vehicle, except when weather conditions make such use or operation essential to safety.

Single valve to operate all brakes.

6.10. (a) Subject to clause (c) of section 6.07, every bus, truck, truck tractor, commercial trailer, and combination of vehicles shall be equipped with a single control, by the operation of which all service brakes of the vehicle may be applied.

(b) Clause (a) does not apply to a bus, truck, truck tractor, commercial trailer, or combination of vehicles being transported in a driveaway-towaway operation.

Reservoirs required.

6.11. (a) Every bus, truck, truck tractor, and commercial trailer equipped with air or vacuum brakes shall have a reservoir of such manufacture and design and so installed and maintained that, in the event of failure of the supply of air or of the vacuum, the brakes will, notwithstanding, be effective to stop the travel of the vehicle in accordance with these regulations.

(b) The reservoir with which any vehicle is equipped under clause (a) shall be equipped with a check-valve or a similar device effective to prevent leakage back to the source, thereby affecting or reducing the vacuum or air-pressure in the reservoir.

(c) Clause (a) does not apply to a vehicle equipped so that, in the event of failure of the air-pressure or vacuum, the service brakes may be operated mechanically or hydraulically.

Warning devices.

6.12. (a) No person shall use or operate on a vehicle or combination of vehicles on a highway an air or vacuum brake unless the vehicle or combination of vehicles is so equipped that an audible or visible signal

will be given to the driver of the vehicle or combination of vehicles in the event of failure of the air-pressure or the vacuum to the extent that the effectiveness of the brakes of the vehicle or combination of vehicles is affected.

(b) In clause (a), "an audible or visible signal" does not include the indication or signal given by a gauge.

Air-brake system performance.

6.13. Every system of air brakes on any vehicle shall be of such manufacture and design and so installed and maintained that, if either before or after a full application of the service brakes the compressor is stopped while the air-pressure is at operating level, the air-pressure will not decrease at a greater rate than 4 pounds per square inch per minute.

6.14. In case of conflict between these regulations and those made under the *Industrial Transportation Act*, the latter shall prevail.

Division 7.—Other Equipment

Equipment required.

7.01. No person may drive or operate a vehicle upon a highway unless the vehicle is equipped as required in this division.

Horn.

7.02. (a) Subject to clause (b), every motor-vehicle shall be equipped with a horn which will emit sound audible under normal conditions from a distance of 200 feet, but no horn shall emit an unreasonably loud or harsh sound or a whistle.

Siren for emergency vehicles.

(b) No vehicle shall be equipped with a siren, whistle, or bell unless

Permits required for siren or theft-alarm.

- (i) the vehicle is an emergency vehicle; or
- (ii) the device is a siren, horn, or theft-alarm signal for the use of which the driver or operator of the vehicle has received written permission from the Superintendent and which is used in accordance with the conditions set forth in writing by the Superintendent.

Muffler.

7.03. (a) A motor-vehicle propelled by an internal-combustion engine shall be equipped with an exhaust muffler consisting of a series of pipes or chambers which ensures that the exhaust gases from the engine are cooled and expelled without excessive noise.

Cut-outs prohibited.

(b) No person shall drive or operate a motor-vehicle propelled by an internal-combustion engine when the muffler with which the vehicle is equipped is cut out or disconnected from the engine.

Part removal prohibited.

(c) No person shall drive or operate a motor-vehicle propelled by an internal-combustion engine equipped with a muffler from which has been removed any baffle-plate or other part.

Alteration prohibited.

(d) No person shall drive or operate a motor-vehicle propelled by an internal-combustion engine equipped with a muffler the exhaust outlet of which has been opened or widened.

Noise increase or flames prohibited.

(e) No person shall drive or operate a motor-vehicle propelled by an internal-combustion engine equipped with a muffler or exhaust system to which is attached any device which increases the noise of the expulsion of the gases from the engine or allows a flame to be emitted from the exhaust system.

Mirrors.

7.04. (a) Every motor-vehicle shall be equipped with a mirror that provides the driver with an undistorted reflected view of the highway to the rear of the vehicle for a distance of 200 feet.

Mirrors with trailers.

(b) The towing motor-vehicle in every combination of vehicles shall, when the trailer or semi-trailer is so designed that it impedes the rear view of the driver through a mirror as provided in clause (a), be equipped with two mirrors, one affixed to each side of the motor-vehicle, and both to provide the driver with an undistorted reflected view of the highway for a distance of 200 feet from the rear of the combination of vehicles. (O.C. 420/64.)

Windshields and windows.

7.05. (a) No person shall drive or operate on a highway a motor-vehicle the windshield or any window of which is in such condition that the vision of the driver is impaired.

Windshield stickers.

(b) No person shall drive or operate a vehicle on a highway while his view of the highway or of any intersecting highway is unduly obstructed by any windshield sticker, sign, poster, or other thing or material placed over or affixed to the windshield or any window of the vehicle.

Windshield wiper.

(c) A motor-vehicle other than a motor-cycle equipped with a windshield shall also be equipped with a device which is effective for clearing rain, snow, or other moisture from the windshield.

Windshield and windows, replacing glass.

(d) No person shall replace, or cause to be replaced, any glass in a door or windshield or window of a motor-vehicle or a camper except with safety glass, provided that glass replaced in a windshield of a motor-vehicle shall not be heat-treated or case-hardened glass. (O.C. 469/67.)

Windshield and windows, new vehicles.

(e) No person shall sell any new motor-vehicle unless the glass in the windshield and all the doors and all the windows with which the vehicle is equipped is safety glass, provided that the glass in the windshield shall not be heat-treated or case-hardened glass.

(f) On and after January 1, 1968, no person shall sell a new camper unless the glass in all the doors and all the windows with which the camper is equipped is safety glass. (O.C. 469/67.)

Mud-guards.

7.06. Every motor-vehicle, trailer, and semi-trailer not constructed so that the spray and splash of water and mud to the rear of the vehicle is minimized shall be equipped with mud-guards and, if necessary, mud-flaps.

Trailer connections and towed vehicles.

7.07. (a) No person shall drive or operate on a highway a motor-vehicle and trailer unless

- (i) the draw-bar or other connection between the motor-vehicle and trailer will hold the vehicles together; and
- (ii) the device which couples the trailer to the motor-vehicle is firmly attached to a structurally adequate integral part of the frame of each vehicle, or, where the towed vehicle is of a gross vehicle weight of less than 2,000 pounds, to a structurally adequate part of the towing vehicle and to an integral part of the frame of the towed vehicle; and
- (iii) the vehicles are equipped and connected with an auxiliary coupling device consisting of a chain or metal cable equal in strength to the principal coupling device, except that this provision shall not apply where the coupling device is a fifth wheel and kingpin assembly used to couple a semi-trailer to a truck tractor. (O.C. 469/67.)

Draw-bar length.

(b) Except when the combination of vehicles consists of a motor-vehicle and a pole trailer, the length of the draw-bar or other connection between the motor-vehicle and the trailer shall not exceed 15 feet.

Trailer-swerving prohibited.

(c) No person shall drive or operate on a highway any combination of vehicles if any vehicle being towed whips or swerves unreasonably or otherwise fails substantially to follow the path of the towing vehicle.

Trailer windows.

(d) No person shall cause to be towed or otherwise operated on a highway a trailer with a window or other fixture extended outwards beyond the fender or hub-cap of the trailer.

Riding in house trailer prohibited.

(e) No person shall be on or in a trailer used for living accommodation while it is moving on a highway.

Inspection of motor-vehicles.

7.08. The owner or the person in charge of a motor-vehicle operated, or about to be operated, on any highway shall, upon the request of any peace officer, forthwith take the motor-vehicle to the place designated by the peace officer and submit the motor-vehicle there for inspection and testing.

Defective motor-vehicles.

7.09. Where, in the opinion of any peace officer, a motor-vehicle is, by reason of any mechanical or constructional defect, unsafe, no person who has knowledge of the defect and of the opinion of the peace officer shall operate that motor-vehicle or cause it to be operated on any highway until the defect has been remedied to the satisfaction of the peace officer.

Inspection of lamps.

7.10. The owner and every person in charge of a motor-vehicle driven or operated, or about to be driven or operated, on any highway shall, upon the request of any peace officer, forthwith take the motor-vehicle to a place designated by the peace officer and submit the motor-vehicle there for the inspection and testing of the lamps with which the motor-vehicle is equipped.

Certificate of lamp adjustment.

7.11. Where any peace officer is satisfied, either from an inspection of a motor-vehicle on the highway or at a testing-station, that the lamps with which the motor-vehicle is equipped are in need of adjustment, he may deliver to the person in charge of the motor-vehicle a notice in writing requiring him to cause the lamps or any of them to be adjusted and requiring him to furnish proof of the satisfactory adjustment thereof in compliance with the regulations to the peace officer within forty-eight hours after the delivery of the notice. Proof of satisfactory adjustment for the purposes of this regulation may be furnished by a certificate of adjustment signed by the owner or manager of an adjusting-station approved by the Superintendent at which the lamps have been adjusted, or by a certificate of a peace officer to whom the motor-vehicle is submitted for testing after the lamps have been adjusted.

Lamp-adjustment station.

7.12. Upon proof to the satisfaction of the Superintendent that any garage or service-station is equipped with adequate facilities and a competent staff for the testing and adjustment of lamps, he may, without the payment of any fee, issue to the owner or manager thereof an approval in writing constituting that garage or service-station an approved adjusting-station for lamps for the purposes of this section; and the Superintendent may at any time, in his discretion, revoke and cancel any approval so given. As a condition of his approval of adjusting-stations, the Superintendent may fix a maximum fee or charge which shall be observed in respect of the adjustments of lamps and the furnishing of certificates of adjustment.

Safety belts.

7.13. (a) In this section "safety belt" means a single-occupancy safety seat belt for use in a motor-vehicle.

(b) The manufacturer of a safety-belt assembly shall not sell the assembly or offer it for sale unless

- (i) it conforms to the standard of performance for safety-belt assemblies made by the Society of Automotive Engineers or the Canadian Standards Association; and
- (ii) it bears an identifying mark showing compliance with the standard of performance for safety-belt assemblies made by the Society of Automotive Engineers or the Canadian Standards Association, as the case may be.

(c) No person shall sell or offer for sale a safety-belt assembly unless the assembly bears an identifying mark as required in paragraph (ii) of clause (b). (O.C. 420/64.)

7.14. No person shall drive or operate on a highway a motor-cycle unless the handlebars of the motor-cycle are

- (a) firmly secured; and
- (b) so secured that the maximum height to which the handlebars extend is not more than 15 inches above the level of the driver's seat of the motor-cycle when the seat is occupied. (O.C. 469/67.)

7.15. (a) Notices as required under section 45A of the *Motor-vehicle Act* shall be in the following form:—

PROVINCE OF BRITISH COLUMBIA

DAMAGED MOTOR-VEHICLE CLEARANCE

The damage indicated hereon has been reported to police as required by law. This damage may now be repaired and sticker must be left on windshield until this is done. Sticker must be removed when damage is repaired.

STICKER

Date..... Location.....
 Lic.....
 No..... P.C.....
 Police Dept.....

(b) Notices pursuant to section 45A of the *Motor-vehicle Act* shall not be required where the damage to a motor-vehicle consists of a cracked or broken windshield only. (O.C. 1770/67.)

7.16. No person shall sell or offer for sale a pneumatic tire either separately or as part of a vehicle intended to be used upon

- (a) a passenger motor-vehicle designed to carry not in excess of 10 persons, including the driver; or
 - (b) a station-wagon; or
 - (c) a trailer licensed under the Act,
- unless the tire conforms to the standard of performance for tires from time to time made by the Canadian Standards Association, now numbered C.S.A. Standard D 238.1, entitled "New Pneumatic Tires for Passenger Cars"; and is labelled in accordance with the standard. (O.C. 823/71, eff. April 1, 1971.)

7.161. (1) No person shall drive or operate a motor-vehicle or trailer equipped with pneumatic tires that are not in good order or that have any one of the following defects or conditions:—

- (a) Cord break or an air leak;
- (b) Tread damage including cracks, cuts, or snags in excess of one inch in any direction and deep enough to expose the ply cords:

- (c) Bumps, bulges, or lumps apparently caused by separation of the tread or sidewall from the ply cords or by partial failure of the tire structure, including the bead area;
- (d) Tread worn to the extent that less than two thirty-seconds of an inch of tread groove depth remains at two points on the circumference of the tire tread not closer together than 15 inches, or tread worn to the extent that tread wear indicators in any two adjacent grooves of the tread contact the road surface.

(2) No person shall drive or operate a motor-vehicle or trailer that is equipped with both bias ply tires and radial ply tires.

(3) No person shall drive or operate a motor-vehicle or trailer equipped with a tire that has been regrooved or recut, except a special tire that has extra under-tread rubber for this purpose and is identified with the word "regroovable" moulded in the tire by the manufacturer.

(4) No person shall drive or operate a motor-vehicle or trailer, except an implement of husbandry or a slow-moving vehicle as defined in section 7B.01, that is equipped with a pneumatic tire not designed and manufactured for highway use and that does not have a tread pattern of material across the area of the tire in contact with the highway. (O.C. 2141/71.)

7.17. A warning device referred to in section 197 of the Act, approved by the Superintendent, is a warning device that conforms to the standards for such device from time to time made by the Canadian Standards Association, now numbered C.S.A. Standard D 171, entitled "Highway Advanced Warning Device"; and labelled in accordance with the standard. (O.C. 823/71, eff. July 1, 1971.)

7.18. The motor-cycle safety helmet referred to in section 207A of the Act is a motor-cycle safety helmet

(a) that, before the 1st day of January 1973, conforms to either of the following standards:

(i) Canadian Standards Association, now numbered C.S.A. Standard D 230, entitled "Safety Helmets for Motor-cycle Riders," as amended from time to time;

(ii) British Standards Institute, numbered 2001, as amended from time to time;

(iii) American National Standards Institute, numbered Z 90, as amended from time to time; and labelled in accordance with such standard; and

(b) that, on or after the 1st day of January 1973, conforms only to the standards for motor-cycle safety helmets from time to time made by the Canadian Standards Association, now numbered C.S.A. Standard D 230, entitled "Safety Helmet for Motor-cycle Riders"; and labelled in accordance with such standard. (O.C. 823/71, eff. July 1, 1971.)

Division 7A.—Noise from Motor-vehicles

7A.01. No person shall start, drive, turn, or stop any motor-vehicle, or accelerate the vehicle engine while the vehicle is stationary, in a manner which causes any loud and unnecessary noise in or from the engine, exhaust system, or the braking system, or from the contact of the tires with the roadway. (O.C. 573/68.)

Division 7B.—Slow-moving Vehicles and Equipment
(O.C. 1804/69.)

7B.01. "Slow-moving vehicle" means a vehicle, combination of vehicles, or other machinery or equipment that is designed for use, and normally travels, on a highway, at a speed of 25 miles per hour or less.

7B.02. No person shall drive or operate on a highway a slow-moving vehicle unless the slow-moving vehicle is equipped with a slow-moving vehicle warning device.

7B.03. A slow-moving vehicle warning device as required by section 7B.02 shall conform to the standards set by the Canadian Standards Association, numbered C.S.A. Standard D198-1967, entitled "Slow Moving Vehicle Warning Device." The device shall be mounted

(a) on the rear or back of the vehicle, so long as it is part of the vehicle opposite the front or the direction of travel of the vehicle, and as near the centre of the rear or back of the vehicle as practicable; (O.C. 823/71.)

(b) so that one side is parallel to and at a height of not less than 36 inches or more than 60 inches from the ground.

7B.04. No person shall display a slow-moving vehicle warning device on

(a) a stationary object; or

(b) a vehicle travelling at a speed in excess of 25 miles per hour; or

(c) any vehicle parked on a highway other than one that would normally display such a device.

7B.05. The provisions of Division 7B become effective on September 1, 1969.

Division 8.—Equipment Kept for Sale

8.01. No person who is engaged in the business of selling motor-vehicles shall keep for sale, or sell or offer for sale, any new or used motor-vehicle unless the motor-vehicle is equipped as required by these regulations.

8.02. No person who is engaged in the business of selling trailers shall sell for use on the highway any new or used trailer unless the trailer is equipped as required by these regulations.

8.03. No person shall keep for sale, or sell or offer to sell, any lamp-bulb which is designed or intended for use on or as part of the equipment of a motor-vehicle or trailer and which will emit light in excess of 32 candle-power unless the lamp-bulb is of a type or make

Motor-vehicles.

Trailers.

Lamp-bulbs.

approved by the Superintendent, and unless the lamp-bulb is used, adjusted, and operated in accordance with the conditions set forth in writing by the Superintendent.

Turn signals.

8.04. No person shall keep for sale, or sell or offer to sell, any turn-signal device unless the type or make of such turn-signal device has been approved by the Lieutenant-Governor in Council.

Division 9.—Record of Repairs

Record of repairs.

9.01. The owner or manager of every motor-vehicle repair-shop or garage shall keep a record in writing of all repairs made therein to the body, hood, radiator, fenders, running-board, or wheels of any motor-vehicle, showing the make and style of the motor-vehicle, its licence number, the name of the person procuring the repairs to be made, the nature of the repairs, and the date on which the repairs are made, and shall, upon the request of any peace officer, furnish to the peace officer complete information respecting the repairs so made; and in the case of any motor-vehicle on which marks are found which have the appearance of or in any way resemble bullet-marks or blood-stains, the owner or manager shall immediately notify the officer in charge of the nearest Provincial or municipal police office respecting the same.

Division 10.—Methods of Determining Rated Carrying Capacity

Determining carrying capacities of trailers.

10.01. For the purpose of computing the amount of annual licence fees payable under the Act in respect of any trailer, the rated carrying capacity of the trailer shall be that fixed and advertised by the manufacturer thereof, or, if not so fixed and advertised, that fixed by the Superintendent or any person authorized by him.

Power to determine disputes.

10.02. Notwithstanding section 10.01, where any dispute arises as to the weight or carrying capacity of any motor-vehicle or trailer in computing the amount of fees payable in respect thereof, the Superintendent or any person authorized by him for that purpose may determine its weight or carrying capacity, and his decision shall be final.

Division 11.—School Buses

Additional interpretation.

11.01. In this regulation, unless the context otherwise requires, "Mechanical Inspector" means any person authorized by the Superintendent in writing to inspect and pass upon the fitness of school buses;

"permittee" means the person to whom a permit is issued by the Superintendent for the operation of a school bus;

"school bus" means a motor-vehicle used for the conveyance of children to and from school and operated by or under contract with the Board of School Trustees or other authority in charge of the school.

Permit required.

11.02. No motor-vehicle shall be used as a school bus until the registered owner has made application in the prescribed form for a permit for the operation of such motor-vehicle as a school bus, and until the motor-vehicle has been submitted to the Mechanical Inspector for inspection and until a permit for its use under this regulation has been obtained from the Superintendent.

Mechanical inspection.

11.03. When a motor-vehicle has been submitted to the Mechanical Inspector for inspection, the Mechanical Inspector, in addition to examination of the motor-vehicle as to mechanical fitness, construction, equipment, and seating capacity, may subject it to any test which he considers necessary and shall report the result of his inspection to the Superintendent.

Mechanical inspection may be ordered.

11.04. The permittee or the person in charge of a school bus shall, upon the request of a Mechanical Inspector or any peace officer, forthwith take the school bus to a place designated by the Mechanical Inspector or peace officer and submit the same there for inspection and testing.

Unfit vehicle not to be used for school transportation.

11.05. Where in the opinion of a Mechanical Inspector or any peace officer a school bus is unfit for the carrying of school-children, no person shall operate such school bus or cause it to be operated on any highway for the purpose of carrying school-children until the defect has been remedied to the satisfaction of the Mechanical Inspector or peace officer.

Construction and equipment.

11.06. A school bus shall be constructed and equipped in accordance with such standards as are from time to time issued by the Superintendent, and no person shall change the body or seating capacity of any school bus without the written approval of the Superintendent.

Operation and maintenance of brakes, daily testing.

11.07. (a) The permittee shall make or cause to be made a daily test of the brakes of each school bus operated by him, and shall not operate it or allow it to be operated unless the brakes are in effective working order.

Cleaning floors.

(b) The floor of every school bus shall be washed at least once in each week with water containing a disinfectant solution, and every school bus shall be kept in a clean and sanitary condition.

Loading fuel.

(c) No person shall put fuel into the fuel-tank of any school bus while the school bus is occupied by any passenger or while the engine is operating.

Coasting prohibited.

(d) No person shall operate a school bus with the gears in neutral, or clutch disengaged in such manner as to allow the vehicle to coast.

Use prohibited when mechanically defective.

(e) No person or permittee shall drive or operate, or allow or cause to be operated, a school bus with any passengers aboard which is in defective mechanical condition or otherwise in a condition which may endanger the safety of passengers.

Inspection every six months.

(f) Every permittee shall have his school bus or each of his school buses inspected not less than once in every six months by a competent mechanic.

Replacing defective parts.

(g) If, while a school bus is being driven with a passenger aboard, any part of the school bus becomes damaged or defective or ceases to function properly to the extent that the safety or comfort of any passenger in the bus is thereby endangered, the driver of the bus shall immediately bring the bus to a stop off the highway, and shall not thereafter drive the bus or allow or cause it to be driven with any passenger aboard until the part is repaired or replaced.

Use of substitute vehicles.

(h) If a school bus becomes temporarily disabled to the extent that it cannot be used as a school bus, the permittee who has operated the school bus may, in accordance with any directions given by the Superintendent, use another suitable vehicle or vehicles as a school bus or as school buses in substitution for the disabled vehicle.

Notifying Superintendent of use of substitute vehicles.

(i) If a school bus is temporarily disabled to the extent that it cannot be used again as a school bus for a period of forty-eight hours, the permittee who has operated the school bus shall notify the Superintendent of the disability and of any substitution made or proposed to be made under clause (h), and the Superintendent may give such directions as in his discretion seem necessary with respect to the operation of any vehicle or vehicles used as a substitute for the school bus.

Road clearance for loading and discharging passengers.

11.09. (a) The driver of a school bus shall not open or cause to be opened the door of the bus and shall not allow any person to board or leave the bus unless

(i) the width of the part of the roadway unoccupied by and beside the bus is at least 10 feet and unless that part of the roadway is clear and unobstructed for the full length of the bus; or

(ii) there is a clear view of the bus for a distance of 200 feet in each direction on the highway.

Entrance or discharging on right side only.

(b) The driver of a school bus shall not allow any person to board or leave the bus except on the right side of the bus and when it is stationary.

(c) No person shall board or leave a school bus except on the right side of the bus and when it is stationary.

No passenger to left of driver.

(d) When the driver of a school bus is driving or operating the bus, no person shall sit immediately to his left.

All passengers to be seated.

(e) The driver of a school bus shall not allow any other person to ride on the school bus unless seated on a passenger seat.

(f) The driver of a school bus shall not move or cause the bus to move unless every passenger on the bus is seated in a seat.

School-bus signs.

11.10. (a) No person shall drive or operate a motor-vehicle as a school bus and no permittee shall allow or cause a motor-vehicle to be driven or operated as a school bus unless there shall be displayed on the outside of the vehicle two signs, one on the front and one on the rear, either immediately above or immediately below the rear window, each consisting of the words "school bus" in black letters, not less than 5 inches in height, on a background of the colour commonly known as "school bus yellow."

(b) No person shall drive or operate any motor-vehicle upon which is displayed the words "school bus" unless the motor-vehicle is being driven and operated as a school bus.

School-bus heaters.

11.11. A school bus shall not be equipped with any heater other than a heater operated by hot water or a heater operated by hot air and of a type or make approved by the Superintendent.

Division 12.—Transfer of Licences

Transfer of motor-vehicle and trailer licences.

12.01. Subject to section 12.02, upon receipt of a notice of transfer of a motor-vehicle delivered pursuant to section 14 of the Act, and upon receipt of a transfer fee of \$1, the Superintendent or his duly authorized representative may transfer the licence mentioned in the notice to the transferee of the motor-vehicle or trailer.

Transfer of conditional licences, sec. 4 (4).

12.02. (a) No transfer of the licence of a motor-vehicle or trailer registered and licensed under subsection (4) of section 4 of the Act, without payment of fees, shall be made to the purchaser or transferee of the motor-vehicle unless the purchaser or transferee is a person who, through active service in the Armed Forces of the Crown in any war, has lost a limb or is in receipt of a 100-per-cent disability pension.

Transfers, sec. 5, 6, or 7.

(b) No transfer of the licence of a motor-vehicle registered and licensed under section 5, 6, or 7 of the Act shall be made to any person except only for use in the manner set forth in the licence.

Transfers, licence fees and nominal fees.

(c) Subject to clauses (a) and (b), no transfer shall be made of the licence of a motor-vehicle or trailer licensed without payment of fees or at a nominal fee under the Act or by Order in Council.

Surrendering plates, transfer of conditional licences.

(d) Forthwith upon the sale or transfer of a motor-vehicle or trailer the licence for which is not transferable, the transferor shall deliver to the Superintendent the number plate or plates for the motor-vehicle or trailer issued in respect of the licence.

Police may seize plates.

(e) Any constable may seize any number plate or plates not delivered to the Superintendent under clause (d).

Division 13.—Interim Licence

Dealer's report of sale.

13.01. If the Superintendent authorizes a dealer to issue to the purchaser of a vehicle sold by the dealer a duplicate copy of the dealer's report of sale, the dealer shall

- (i) obtain from an office of the Motor-vehicle Branch of the Attorney-General's Department of the Province a form of dealer's report of sale and a form of application for registration and licence; and
- (ii) deliver or cause to be delivered to the same office the original dealer's report of sale duly completed together with the application for registration and licence duly completed and the prescribed fee; and

Interim licence.

- (iii) affix to the rear window of the vehicle the interim licence bearing the licence number written on the dealer's report of sale and to the windshield of the vehicle a duplicate of the dealer's report of sale.

Division 14.—Temporary Operation Permits

Temporary operation permit.

14.01. The Superintendent may grant to any person a permit for the temporary operation, upon any highway and subject to this section and the terms and conditions set forth in the permit, of a motor-vehicle or trailer which has not been registered or licensed under the Act for the purpose only of its transportation from one place in the Province to another.

Interim permit.

14.011. Notwithstanding any other provisions of this Division, the Superintendent may cause to be issued an interim permit, in a form approved by him, in areas of the Province where a permit under section 14.01 is not readily available, to allow for the movement upon any highway of a commercial motor-vehicle or trailer that has not been licensed under the Act. (O.C. 808/67.)

14.012. A person to whom an interim permit is issued under section 14.011 shall obtain the permit required under section 14.01 within seven days of the issuance of the interim permit. (O.C. 808/67.)

Fees, without load.

14.02. The Superintendent shall not grant a permit under section 14.01 for the operation of a vehicle without load unless he has received therefor a fee which bears to the annual licence fee for the vehicle the same ratio which the length of time during which the permit is in effect bears to one year, but which fee in any event shall not be less than \$2.

Fees, with load.

14.03. The Superintendent shall not grant a permit under section 14.01 for the operation of a vehicle with load unless he has received therefor a fee equal to one-twelfth of the annual licence fee for the vehicle, but which in any event shall not be less than \$2.

14.04. The Superintendent may grant to any person, without fee, a permit for the temporary operation of a motor-vehicle or trailer, subject to the terms and conditions set forth in the permit, from the place of residence of the owner or a garage or other place of repair to an inspection station and return. A permit granted under this section will be for the sole purpose of facilitating the presentation of the motor-vehicle or trailer for inspection as required by Division 25 of these regulations, and a motor-vehicle or trailer so operated need not have affixed to the windshield or other place a valid inspection certificate as required by Division 25 of these regulations. (O.C. 2901/68.)

Division 15.—Licensee's Signature

Licensee's signature.

15.01. No licence prescribed by these regulations shall be complete, nor shall any licence issued under the Act be valid, unless the signature of the licensee appears on the face thereof in the place prescribed therefor.

Division 16.—Duplicate Licences

Duplicate
licences.

16.01. Upon receipt of an application in writing accompanied by evidence as the Superintendent may require regarding the loss or destruction of any motor-vehicle licence, trailer licence, or chauffeur's licence, and upon payment of a fee of 50 cents, the Superintendent may issue to the licensee a duplicate of the licence.

Division 17.—Search Fees

Fees for
searches.

17.01. (a) The fees for searching the records maintained by the Superintendent and for furnishing copies of records and documents in the custody of the Superintendent shall be as provided in this section, provided that no fee shall be charged any department, board, or commission of the Government of the Province or any police department for searches or copies of records or documents to be used for a public purpose.

(b) The fee for a search shall be 25 cents multiplied by the number of names or numbers of vehicles which are searched, provided the Superintendent may make arrangements with any person for allowing such person to obtain and prepare complete lists by the person of names of owners and description of motor-vehicle and trailer licence issued under the Act for the Province or in any motor licence office in the Province, and the fee for the particulars of the name of each owner and description shall be 1 cent.

Fees for
copies of
records and
documents.

(c) The fee for copies of records and documents shall be as follows:—

- (i) Written or typewritten copies, 50 cents per folio of 100 words;
- (ii) Photostatic copies, \$1 per page.

Division 18.—Enforcement of Rules of the Road

Parking pro-
hibited at
yellow curb.

18.01. Except where a by-law of a municipality provides otherwise, a traffic-control device consisting of a curb painted yellow instructs every driver of a vehicle that no person shall stop, park, or leave standing any motor-vehicle attended or unattended, except where necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer. (O.C. 2065/64.)

Division 19

(O.C. 823/71.)

19.01. (1) For the purposes of this Division, "Minister" means the Minister of Commercial Transport.

(2) Sections 19.02 to 19.06, inclusive, shall apply only in respect of highways in unorganized territory or on an arterial highway (within the meaning of section 31 of the *Highway Act*) in a municipality.

(3) Sections 19.02 to 19.06, inclusive, do not apply to a commercial vehicle engaged in the construction of, and operating within the lim-

its of, a highway construction project, as established or as posted by the Department of Highways, but this exemption does not apply to a paving project.

(4) Sections 19.02 and 19.04 do not apply to

- (a) an implement of husbandry temporarily operated on a highway; or
- (b) a commercial vehicle, as defined in the *Department of Commercial Transport Act*.

(5) For the purposes of this Division, "axle" means a structure in the same, or approximately the same, transverse plane supported by wheels and on, or with, which such wheels revolve. Any two axles of a vehicle, the centres of which are less than 41 inches apart, shall be deemed to be one axle.

19.02. (1) Subsections (1) and (2) of section 9.02 of B.C. Reg. 127/68, made under the *Department of Commercial Transport Act*, as amended from time to time, are hereby adopted as subsection (1) and made a regulation under this Act.

(2) Notwithstanding any of the provisions of the regulations or of a permit issued pursuant to these regulations, the maximum height, length, or width of a vehicle or load allowable on a highway or portion of a highway that is expressly limited as to maximum height, length, or width of a vehicle or load by a sign erected by the Minister of Highways shall be that set out on the sign.

(3) Notwithstanding any other provision of this Division, no person shall, without a permit issued pursuant to section 19.06, drive or operate on a highway

- (a) a combination of vehicles consisting of more than two vehicles; or
- (b) a vehicle or combination of vehicles so loaded that the load extends more than 3 feet beyond the front wheels thereof, or, if equipped with a front bumper, more than 3 feet beyond the front bumper; or
- (c) a vehicle or combination of vehicles any part of which, or the load upon which, extends more than 15 feet behind the centre of the last axle of the vehicle or combination of vehicles; or
- (d) a vehicle or combination of vehicles the load of which extends more than 6 feet beyond the back of the vehicle or combination of vehicles; or
- (e) a vehicle so loaded that any part of the load extends beyond the sides of the vehicle.

(4) Unless expressly permitted by the terms of a permit, no person shall drive or operate an oversize vehicle or load on a Sunday or holiday.

19.03. (1) No person shall drive or operate on a highway

- (a) a vehicle equipped with solid tires, the thickness of which between the rim of the wheel and the surface of the highway is less than 1¼ inches;

(b) a vehicle having wheels, tires, or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs, or other attachments or projections which extend beyond the tread or traction surface of the wheel, tread, or track, but such a vehicle may be driven or operated on a highway not having a cement-concrete, asphaltic-concrete, bituminous-treated, or other stabilized or wooden surface.

(2) Subsection (1) does not apply to the use of tire chains of reasonable proportions on a motor-vehicle when required for safety.

(3) Clause (b) of subsection (1) does not prohibit the use, at any time between the 1st day of October in one year and the 30th day of April in the next year, of studs that do not protrude more than one-eighth of an inch from the tread or traction surface of a tire, if

(a) there are not more than a total of 130 studs in the tire if it is a tire for a motor-vehicle having a gross vehicle weight of not more than 10,000 pounds, or 175 studs in the tire if it is a tire for a motor-vehicle having a greater gross vehicle weight; and

(b) no studs are used in a tire on the front wheel of a motor-vehicle unless each rear wheel has at least one studded tire, but this clause does not apply to a truck with a licensed gross vehicle weight of 20,000 pounds or more and which is equipped with a device to allow the installation of a snow-plough.

(4) The Minister of Highways may, whenever in his opinion the use of tire studs is causing undue wear to a highway or bridge or is hazardous to the safety of those using the highways, by written order published in the *Gazette*, suspend the application of this subsection with respect to any highway or part thereof.

(5) No person shall drive or operate on a highway a vehicle unless it is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom, but sand may be dropped for the purpose of securing traction, and water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway.

(6) No person shall drive or operate on a highway a vehicle with any load unless the load and any covering thereon is securely fastened so as to prevent the covering or load from becoming loose, detached, or in any manner hazardous to other users of the highway.

(7) No person shall drive or operate on a highway a solid-rubber-tired vehicle at a greater rate of speed than 10 miles per hour.

(8) No person shall drive or operate on a highway an unloaded vehicle towing an unloaded pole trailer at a greater rate of speed than 40 miles per hour unless the pole trailer is carried on the towing-vehicle.

19.04. Subsections (1), (2), and (6) of section 9.03 of B.C. Reg. 127/68, made under the *Department of Commercial Transport Act*, as amended from time to time, are hereby adopted as section 19.04 and made a regulation under this Act.

19.05. (1) The driver of a vehicle on a highway, when so required by a peace officer or any person authorized by the Minister, shall

(a) stop the vehicle at the time and place specified by such peace officer or authorized person for the purpose of weighing the whole or part thereof by means of stationary or portable scales, measuring the dimensions of the vehicle and load, measuring and inspecting the tires thereon, inspecting the load carried, or for any other purpose under this Act or regulations;

(b) drive the vehicle to the nearest public or Department of Commercial Transport stationary or portable scales for the purpose of weighing the vehicle and load; and

(c) rearrange the load upon the vehicle or remove the whole or part of the load from the vehicle in order to comply with the provisions of the Act, regulations, or permit before continuing to drive or operate the vehicle.

(2) The driver of a vehicle on a highway, when directed by a traffic sign on the highway to drive over scales, shall drive the vehicle to the scales for the purpose of weighing the whole or part thereof by means of stationary or portable scales, measuring the dimensions of the vehicle and load, measuring and inspecting the tires thereon, inspecting the load carried, or for any purpose under this Act or regulations.

(3) The gross weight of any tandem axles and the gross weight of any group of axles shall be the sum of the gross axle weights of all the axles comprising the tandem axles or the group of axles, as the case may be.

(4) The gross weight of any vehicle or combination of vehicles shall be the sum of the individual gross axle weights of all the axles of the vehicle or combination of vehicles.

19.06. (1) The Minister, or any person authorized by him, may, by a general authority or by the issuance of a written permit, authorize the driving or operation on a highway of a vehicle that

(a) does not conform to section 19.04, and the fee for the permit shall be in accordance with Schedule III of the *Department of Commercial Transport Act*;

(b) does not conform to section 19.02, and the fee for the permit shall be in accordance with Schedule IV of the *Department of Commercial Transport Act*.

(2) Permits issued pursuant to section 19.06 (1) may be issued for a period not exceeding 30 days.

(3) A driver, operator, or owner of a vehicle or other person who violates any of the conditions contained in a permit issued pursuant to these regulations is guilty of an offence.

(4) The power of the Minister, or any person authorized by him to issue permits pursuant to these regulations, shall include the power to amend, vary, or rescind such permits.

(5) As a prerequisite to the issuance of a permit under this section, the Minister may require the applicant therefor to deposit with him a

sum of money in an amount sufficient, in the opinion of the Minister, to pay the cost of repairing any damage that may be done to the highway by reason of the driving or operation of the vehicle thereon.

(6) Where the term of the permit issued pursuant to subsection (1) extends beyond a single journey, the applicant shall deposit on account of the fee prescribed in Schedules III or IV of the *Department of Commercial Transport Act* a sum of money equal to the estimated charges for the permit.

(7) The fee to be charged for an overload permit under Schedule III of the *Department of Commercial Transport Act* shall be based on the total number of miles of operation of the overloaded vehicle during the life of the permit.

(8) No person shall use a permit for driving or operating more than one vehicle.

(9) Where the life of an overload permit extends beyond a single journey, the permit-holder shall, at the end of each calendar month, submit an accurate summary, on forms provided by the Minister, of the number of trips and miles of operation of the overloaded vehicle.

(10) A permit issued under this Act and the regulations made thereunder shall be carried in the vehicle at all times when operated upon a highway.

(11) A permit is not transferable from one vehicle to another.

19.07. Except as authorized by a permit issued by the Minister of Highways, and except for crossing a highway at an intersection, use of any highway named in Schedule 1 by the following is prohibited at all times:—

- (a) Vehicles drawn by animals;
- (b) Domestic animals, within the meaning of the *Animals Act*, either at large, or led, ridden, or driven on the hoof;
- (c) Farm implements and farm machinery, whether self-propelled or towed;
- (d) Pedestrians, unless attending a disabled vehicle;
- (e) Vehicles incapable of maintaining a minimum speed of 40 miles per hour on level road, except construction or maintenance equipment owned or hired by the Department of Highways while working on or travelling to or from a work-site located on a highway named in Schedule 1.

Schedule 1.—Highways

(1) Highway 499 (Vancouver-Blaine Highway)—from the Canada-United States Border to the Oak Street Bridge.

(2) Highway 401 (Trans-Canada Highway)—from its junction with Cassiar Street in Vancouver to its junction with Highway 9 (Rosedale-Agassiz Highway), except that part of Highway 401 where it crosses the Vedder Canal, and lying between the junction of Highway 401 and No. 1 Road west of the canal and the junction of Highway 401 and Old Yale Road east of the canal.

19.08. Except as authorized by a permit issued by the Minister of Highways, no person, being the owner of or having control of a domestic

animal within the meaning of the *Animals Act*, shall permit such animal to be upon any highway named in Schedule 2, except for crossing the highway from one place on a farm to another place on the same farm; but nothing in this section applies to an animal being ridden upon, led, or driven in harness upon a highway.

Schedule 2.—Highways

Trans-Canada Highway 1—

- (a) from Victoria to Nanaimo;
- (b) from Horseshoe Bay to Taylor Way in West Vancouver;
- (c) from its junction with Highway 401 at Bridal Falls to the west boundary of Yoho National Park, excluding sections through Mount Revelstoke and Glacier National Parks.

Southern Trans-Canada Highway 3—from its junction with Trans-Canada Highway 1 at Hope via Richter Pass, Kinnaird, Trail, Salmo, and Creston to the Provincial Boundary at Crowsnest.

Southern Trans-Canada Highway 3A—

- (a) from its junction with Highway 3 at Keremeos to its junction with Okanagan Highway 97 at Kaleden Junction;
- (b) from its junction with Highway 3 at Kinnaird via Nelson, Balfour, and Kootenay Bay to its junction with Highway 3 at Creston.

Southern Trans-Canada Highway 3B—from its junction with Highway 3 at Nancy Greene Lake via Rossland to its junction with Highway 3 at Trail.

Okanagan Highway 97—from the International Boundary at Oroville to its junction with Trans-Canada Highway 1 at Monte Creek.

Okanagan Highway 97A—from its junction with Okanagan Highway 97 at Swan Lake to Trans-Canada Highway 1 at Sicamous.

Okanagan Highway 97B—from its junction with Okanagan Highway 97A at Tomkinson's Corner to Trans-Canada Highway 1 at Larch Hill, near Salmon Arm.

John Hart-Peace River Highway 97—from Prince George to Dawson Creek.

Patterson-Rossland Highway 22—from the International Boundary at Patterson to its junction with Highway 3B at Rossland.

Elko-Rossville Highway 93—from its junction with Southern Trans-Canada Highway 3 at Elko to the International Boundary at Rossville.

Yahk-Kingsgate Highway 95—from the International Boundary at Kingsgate to its junction with Southern Trans-Canada Highway 3 at Yahk.

Kootenay-Columbia Highways 95 and 93—

- (a) from its junction with Southern Trans-Canada Highway 3 south of Fort Steele via Fort Steele and Wasa to Radium Hot Springs;
- (b) Highway 95 from Radium Hot Springs to its junction with Trans-Canada Highway 1 at Golden;
- (c) Highway 93 from Radium Hot Springs to the boundary at Kootenay National Park.

Cranbrook Junction-Wasa Highway 95A—from its junction with Southern Trans-Canada Highway 3 at Cranbrook via Kimberley to its junction with Kootenay-Columbia Highways 95 and 93 at Wasa Junction.

Nelson-Nelway Highway 6—from the International Boundary at Nelway via Salmo to its junction with Southern Trans-Canada Highway 3A in Nelson.

Christina Lake-Laurier Highway 395—from the International Boundary at Laurier to its junction with Southern Trans-Canada Highway 3.

Division 20.—Licence Suspension on Impairment of Security

20.01. Where the security furnished or maintained by a dealer under these regulations or the *Security Bonding Act* becomes impaired by any payment made from the security or ceases to be in effect, the dealer's

licence is *ipso facto* suspended pending the furnishing or renewal of security as prescribed by or under the *Security Bonding Act*, and the licensee shall forthwith deliver the dealer's licence and the appropriate licence-plates to the Superintendent. (O.C. 3718/66.)

20.02. The Superintendent shall cancel the dealer's licence if, at the expiration of one month from the date of suspension thereof under section 20.01, the dealer has failed to furnish or renew security under or pursuant to the *Security Bonding Act*. (O.C. 3718/66.)

20.03. Security furnished and maintained pursuant to these regulations or the *Security Bonding Act* shall not be deemed to have become impaired by reason only of a payment made into Court by the surety under these regulations or section 8 of the *Security Bonding Act*. (O.C. 3718/66.)

20.04. When a dealer fails to deliver to the Superintendent the dealer's licence and appropriate licence-plates as required under section 20.01, the Superintendent may cause a peace officer to recover possession of the licence and licence-plates. (O.C. 3718/66.)

Division 21.—Effective Date of Regulations

21.01. These regulations shall come into force and effect on and after the 1st day of July, 1958.

Division 22.—Antique Motor-vehicles

22.01. "Antique motor-vehicle" means a motor-vehicle 30 years of age or older maintained as nearly as possible with original component parts, and owned as a collector's item and operated solely for use in exhibitions or club activities, parades, and other like functions, and for the purpose of obtaining vehicle repairs and for presentation of the vehicle at an approved motor-vehicle inspection station, but not for use for general transportation. (O.C. 555/66.)

22.02. (1) The owner of an antique motor-vehicle may make application for registration and licence in the prescribed form to the Superintendent.

(2) The application shall be accompanied by a statutory declaration, given by the owner, stating

- (a) the make, year of manufacture, and serial number of the vehicle for which the application is made; and
- (b) that the vehicle will be operated only as a collector's item for transportation to and from and for use in exhibitions, club activities, and other like functions, and for the purpose of obtaining vehicle repairs and servicing, and for presentation of the vehicle at an approved motor-vehicle inspection station, but not for use for general transportation. (O.C. 555/66.)

22.03. (1) Upon receipt of the application in the prescribed form, and the statutory declaration, and upon being satisfied of the truth of the

facts stated in the application, and that the prescribed fee of \$20 has been paid, the Superintendent shall cause to be issued to the owner

(a) a numbered licence in the prescribed form, valid for as long as the vehicle is in existence and continues to be operated as an antique motor-vehicle, which licence shall set out the conditions under which the issuance has been made; and

(b) two distinctive number-plates, which shall be mounted on the vehicle in accordance with the regulation.

(2) A licence issued under subsection (1) may be transferred to a new owner of the vehicle, in accordance with section 14 of the Act, provided the new owner satisfies the Superintendent, by the giving of a statutory declaration, that the vehicle will continue to be used solely as an antique motor-vehicle.

(3) It is unlawful to display number-plates issued under subsection (1) on a vehicle other than the vehicle to which the plates were assigned. (O.C. 555/66.)

22.04. (1) An antique motor-vehicle licensed under section 22.03 may be operated on a highway in accordance with the condition set out in the licence.

(2) It is an offence against these regulations to operate an antique motor-vehicle in contravention to the conditions set out in a licence issued under section 22.03.

(3) Unless an antique motor-vehicle is equipped with lamps and reflectors that comply with the requirements of Division 4 of the regulations, the operation of the vehicle shall be confined to use during the period of one-half hour before sunrise to one-half hour after sunset. (O.C. 555/66.)

Division 23.—Traffic-control Devices

Special interpretation.

23.01. In this Division,

"regulatory sign" means a traffic sign advising a motorist of certain action required of him, disregard of which constitutes an offence;

"warning sign" means a traffic sign which is intended to warn a motorist that conditions on or adjacent to a highway or street are potentially hazardous to vehicular traffic.

Standard signs.

23.02. All traffic signs corresponding to those depicted in Schedule 1 of this regulation, if installed after December 31, 1966, or in place on a street or highway after December 31, 1969, shall conform with respect to shape, colour, minimum dimensions, symbols, wording, lettering, and reflectorization to the standards shown in Schedule 1.

23.03. All traffic signs depicted in Schedule 1 shall have the meaning accompanying the sign.

23.04. Where a warning or regulatory sign, other than one of those depicted in Schedule 1, is installed after December 31, 1966, or is in place after December 31, 1969, it shall conform in design and colour with the regulatory and warning signs indicated in Schedule 1.

23.05. Every electrically operated traffic-control signal installation by which traffic is directed to stop and to proceed, except special-purpose signals such as flashing traffic-control devices, lane-use signals, and signals at swing bridges and railway crossings, installed after December 31, 1966, or in place and in use after December 31, 1969, shall

- (a) consist of traffic-signal heads containing circular red, amber, green, or green arrow signal lenses which may be supplemented by pedestrian-signal heads containing square or rectangular lenses with white or orange written or symbolic messages, white indicating a "walk" message and orange indicating a "don't walk" message;
- (b) have the lenses of traffic-signal heads arranged in a vertical line with the relative positions of lenses as specified below; provided, however, in installations having extraordinary conditions, the lenses may be arranged in a horizontal line, with the relative positions of the lenses as specified below:—

<i>Vertical Arrangement from the Top Down</i>	<i>Horizontal Mounting from the Left to Right</i>
Red.	Left-turn arrow.
Amber.	Red.
Green.	Amber.
Straight-through arrow.	Green.
Left-turn arrow.	Straight-through arrow.
Right-turn arrow.	Right-turn arrow.

- (c) have at least two traffic-signal heads for each approach direction with signals located as follows:—

(1) One of the two traffic-signal heads suspended on the far side of each intersection approach over the right half of the roadway so that the lowest part of the traffic-signal head is not less than 15 feet nor more than 20 feet above the roadway; and

(2) One of the two traffic-signal heads located either on the far left side of each intersection approach clear of the roadway and with the lowest part of the signal head not less than 8 feet nor more than 10 feet above the roadway, or suspended over the left half of the roadway so that the lowest part of the traffic-signal head is not less than 15 feet nor more than 20 feet above the roadway;

- (d) have pedestrian-signal heads, where necessary, located at the ends of crosswalks and mounted with the lowest part of the signal head not less than 8 feet nor more than 10 feet above the roadway and separated laterally from vehicular-signal heads pointing in the same direction.

23.06. Where an electrically operated traffic-control signal installation is installed at a location other than a simple intersection, or in a construction area, the arrangement of the signal heads shall comply as nearly as possible with the provisions of this section.

SCHEDULE 1.—TRAFFIC SIGNS

Sign dimensions, as shown in this Schedule, are the minimum dimensions that may be used. Increases above this minimum shall be permitted where investigation has shown that a larger sign is required for adequate emphasis.

All the sign dimensions shown in this Schedule are in inches.

A regulatory sign is a traffic sign advising a motorist of certain action required of him, disregard of which constitutes an offence.

A warning sign is a traffic sign which is intended to warn a motorist that conditions on or adjacent to a street or highway are potentially hazardous to vehicular traffic.

Part A.—Regulatory Signs

Signs in this Part are regulatory unless otherwise specified.

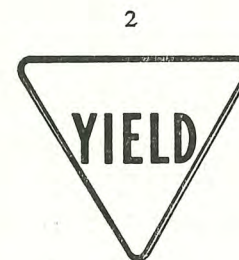


24" x 24"

STOP

Come to a complete stop and only proceed when it is safe to do so. Do not park within 20 feet of this sign.

Colour: White on red background, fully reflectorized.

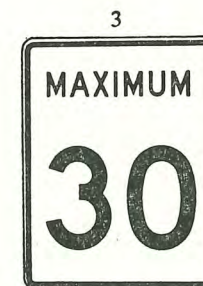


30" x 30" x 30"

YIELD

You must yield the right-of-way to all other traffic, stopping if necessary.

Colour: Black on yellow reflectorized background.



24" x 30"

MAXIMUM SPEED

This sign indicates that the maximum speed permitted under ideal conditions is 30 miles per hour.

Colour: Black on white reflectorized background.



24" x 30"

MAXIMUM SPEED AHEAD (Non-regulatory)
This sign gives information of a lower maximum speed ahead.
Colour: Black on white reflectorized background.



24" x 30"

MAXIMUM SPEED ENDS (Non-regulatory)
This sign marks the end of the maximum speed displayed upon it.
Colour: Black on white reflectorized background



24" x 30"

MAXIMUM SPEED UNLESS OTHERWISE POSTED
This sign is always displayed under a sign naming a geographical area, and it indicates that the maximum speed within the area is 30 miles per hour unless another sign is in place indicating another maximum speed.
Colour: Black on white reflectorized background.



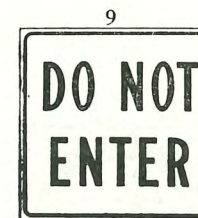
24" x 30"

KEEP RIGHT EXCEPT TO PASS
Drive in the right-hand lane except when overtaking and passing.
Colour: Black on white reflectorized background.



18" x 24"

ONE WAY
This sign indicates streets or highways upon which traffic is allowed to travel in ONE direction only.
Colour: Black on white reflectorized background.



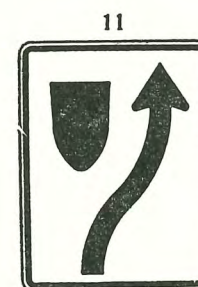
24" x 24"

DO NOT ENTER
You must not enter a street or highway when confronted by this sign.
Colour: Black on white reflectorized background.



24" x 30"

TWO-WAY TRAFFIC
This sign means that you are no longer on a one-way road and that you must drive in the right-hand lane.
Colour: Black on white reflectorized background.

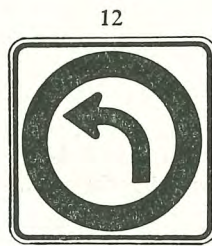


24" x 30"

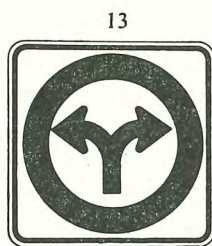
KEEP RIGHT
Keep to the right of any object upon which this sign is erected.
Colour: Black on white reflectorized background.

TURN CONTROL SIGNS

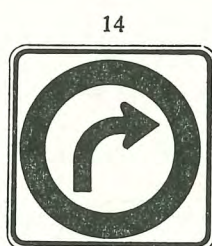
Signs 12 to 17, inclusive, mean that all traffic is restricted to making only the movement or movements permitted by the sign.



24" x 24"
Turn Left Only



24" x 24"
Turn Right or Left Only

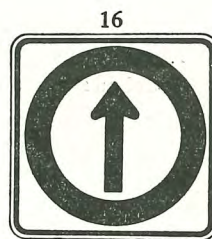


24" x 24"
Right Turn Only

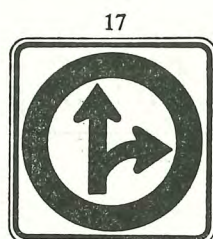
Colour: Black arrows and green circles on white backgrounds. Green and white reflectorized.



24" x 24"
No Right Turn



24" x 24"
No Turns—Through Only



24" x 24"
No Left Turn

Colour: Black arrows and green circles on white backgrounds. Green and white reflectorized.



18" x 24"

NO U TURN

You must not turn your vehicle around in the roadway to travel in the opposite direction.

Colour: Black on white reflectorized background.



24" x 30"

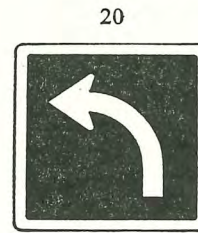
NO PASSING WHEN SOLID LINE IS IN YOUR LANE

You must not overtake and pass when a solid line is on your side of the painted directional dividing line.

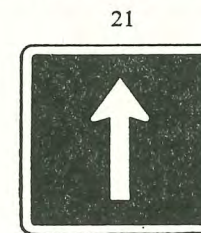
Colour: Black on white reflectorized background.

LANE-USE SIGNS

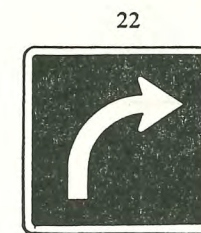
Signs 20 to 24, inclusive, mean that motorists within a traffic lane, over which any one of these signs is suspended, must make only the movement indicated by the sign when they arrive at the next intersection.



24" x 24"
This Lane Turn Left

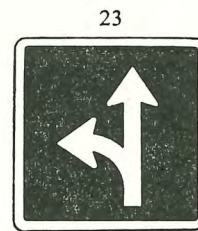


24" x 24"
This Lane Through

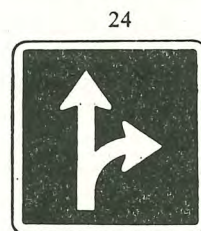


24" x 24"
This Lane Turn Right

Colour: White reflectorized arrows and borders on black backgrounds.



24" x 24"
This Lane Through or Turn Left



24" x 24"
This Lane Through or Turn Right

Colour: White reflectorized arrows and borders on black backgrounds.

Part B.—School and Pedestrian Signs

Signs in this part are either regulatory or warning, as indicated.



24" x 24"

PEDESTRIAN (Warning)

Drive with caution as pedestrians may be walking along or crossing over the highway at any time.

Colour: Black on yellow reflectorized background.



24" x 24"

SCHOOL-CHILDREN (Warning)

Drive with caution as school-children may be walking along or crossing the highway. When this sign has a 20 m.p.h. tab mounted underneath, it means that this speed is to be observed for the school zone between the hours of 8 a.m. and 5 p.m. on school-days.

Colour: White on blue background.



24" x 24"

PLAYGROUND (Warning)

Drive with caution as there is a playground area near the highway. When this sign has a 20 m.p.h. tab mounted underneath, it means that this speed is to be observed in this area from dawn to dusk.

Colour: Black on yellow background.



18" x 12"

20 M.P.H. TAB (Regulatory)

This sign may be used beneath either "School-children Warning" or "Playground Warning" signs to establish a 20 m.p.h. speed zone, as set out in 2 and 3 above.

Colour: Black on white background.



24" x 30"

PEDESTRIAN CROSSWALK (Regulatory)

This sign marks the site of a pedestrian crosswalk. A motorist is required to yield the right of way to a pedestrian within the crosswalk in accordance with the law.

Colour: Black on white background. White behind cross reflectorized.



24" x 30"

SCHOOL CROSSWALK (Regulatory)

This sign marks the site of a school crosswalk. A motorist is required to yield the right of way to a pedestrian within the crosswalk in accordance with the law.

Colour: Black on white background. White behind cross reflectorized.

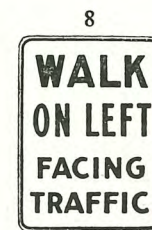


24" x 30"

PLAYGROUND CROSSWALK (Regulatory)

This sign marks the site of a playground crosswalk. A motorist is required to yield the right of way to a pedestrian within the crosswalk in accordance with the law.

Color: Black on white background. White behind cross reflectorized.

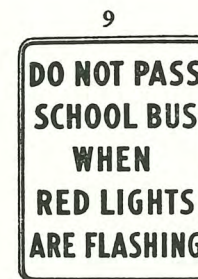


18" x 24"

WALK ON LEFT FACING TRAFFIC (Regulatory)

You must walk on the extreme left-hand side of the left highway shoulder.

Colour: Black on white background.



24" x 30"

DO NOT PASS SCHOOL BUS WHEN RED LIGHTS ARE FLASHING (Regulatory)

You must not pass, in either direction, a stopped school bus upon which red lights are flashing.

Colour: Black on white background.

Part C.—Warning Signs

Signs in this part are warning signs unless otherwise specified.

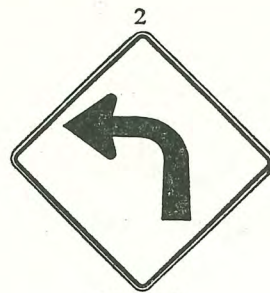


24" x 24"

CURVE

Warns of a curve in the road ahead.

Colour: Black on yellow reflectorized background.



24" x 24"

SHARP CURVE

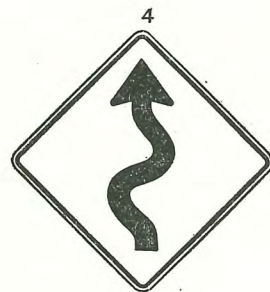
Warns of a sharp curve in the road ahead.
Colour: Black on yellow reflectorized background.



24" x 24"

REVERSE CURVE

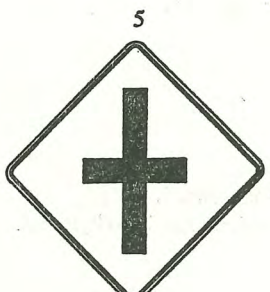
Warns of a reverse curve in the road ahead.
Colour: Black on yellow reflectorized background.



24" x 24"

WINDING ROAD

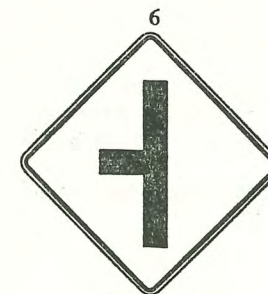
Warns of a section of winding roadway ahead.
Colour: Black on yellow reflectorized background.



24" x 24"

CROSS ROAD

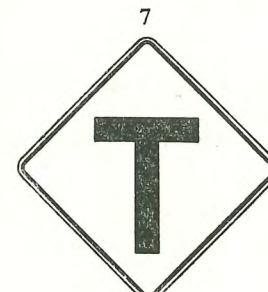
Warns of a hidden road crossing the travelled route.
Colour: Black on yellow reflectorized background.



24" x 24"

SIDE ROAD

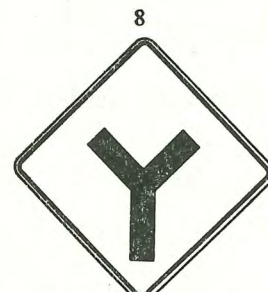
Warns of a side road entering the travelled route.
Colour: Black on yellow reflectorized background.



24" x 24"

"T" INTERSECTION

Warns of a "T" intersection ahead where you must turn sharply to the right or left.
Colour: Black on yellow reflectorized background.



24" x 24"

"Y" INTERSECTION

Warns that the road ahead branches to the left and right.
Colour: Black on yellow reflectorized background.

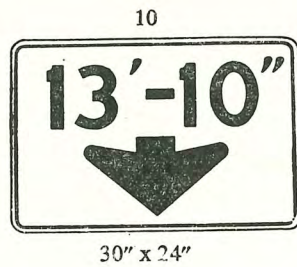


30" x 30"

ADVANCE LOW CLEARANCE

This sign warns of a low overhead clearance and shows the height from the road surface to the overhead obstruction.

Colour: Black on yellow reflectorized background.



LOW CLEARANCE

This sign is placed on an overhead obstruction to indicate the height from the road surface to the obstruction.

Colour: Black on yellow reflectorized background.



SLOW

This sign warns that a reduced speed is necessary because of a hazard ahead.

Colour: Black on yellow reflectorized background.



ADVISORY SPEED

This sign is displayed below a warning sign, and indicates the safe speed in miles per hour at which it is advisable to proceed under normal driving conditions.

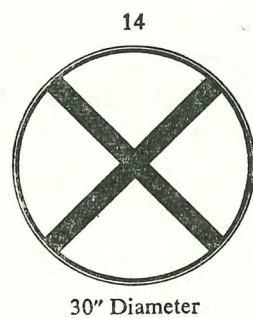
Colour: Black on yellow reflectorized background.



ADVISORY DISTANCE

This sign is displayed below a warning sign and indicates the distance over which the warning should be heeded.

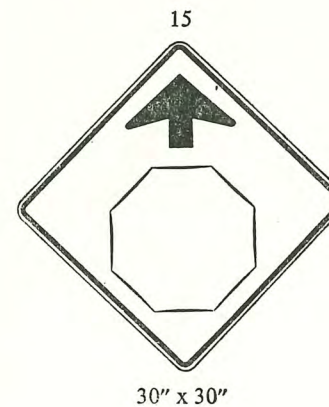
Colour: Black on yellow reflectorized background.



RAILWAY CROSSING

Warns of a railway crossing the highway ahead. Slow down and be prepared to stop. Look to the right and left before crossing the tracks.

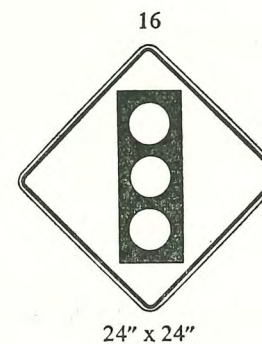
Colour: Black on yellow reflectorized background.



STOP AHEAD

Warns of a stop sign ahead. Slow down to enable you to stop safely.

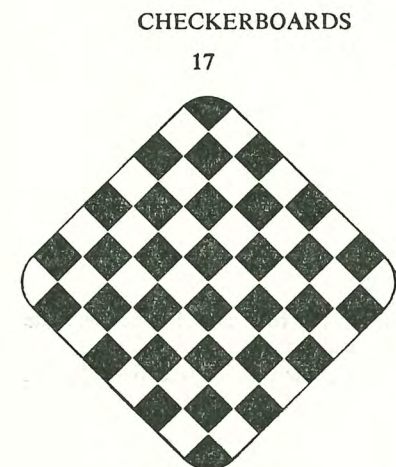
Colour: Red octagon and black arrow on yellow background. Red and yellow reflectorized.



SIGNALS AHEAD

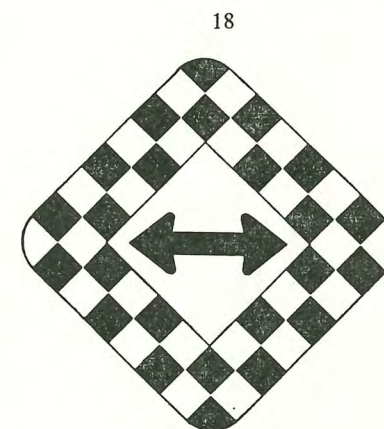
Warns you of traffic-signal lights ahead. Slow down to enable you to stop if required by the lights.

Colour: Red, yellow, and green lenses (top to bottom) in black signal head on yellow background. Red, yellow, and green reflectorized.



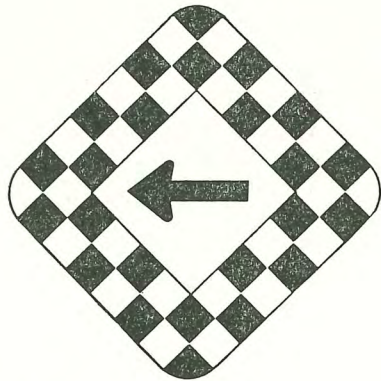
This sign indicates the end of a road.

Colour: Black arrow and squares on yellow reflectorized backgrounds.



This sign indicates a very sharp turn in either direction.

19



48" x 48"

This sign indicates a very sharp turn to the left.

Colour: Black arrow and squares on yellow reflectorized background.

20



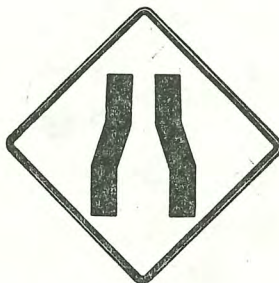
24" x 24"

NARROW STRUCTURE

This sign warns of a structure ahead which is not as wide as the road you are travelling.

Colour: Black on yellow reflectorized background.

21



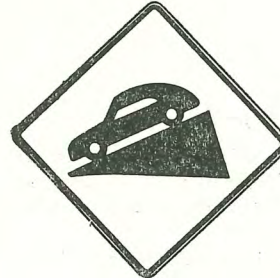
24" x 24"

ROAD NARROWS

This sign warns that the road ahead is not as wide as the road you are travelling.

Colour: Black on yellow reflectorized background.

22



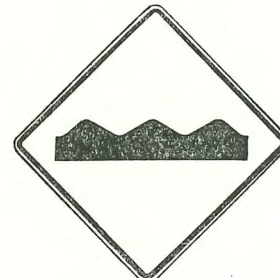
24" x 24"

HILL

This sign warns of a steep downgrade ahead which may require the use of a lower gear.

Colour: Black on yellow reflectorized background.

23



24" x 24"

BUMP OR ROUGH ROADWAY

This sign warns of either a bump or a section of rough road surface ahead.

Colour: Black on yellow reflectorized background.

24



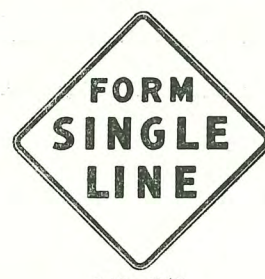
24" x 24"

SLIPPERY WHEN WET

This sign warns of a section of roadway ahead which is unusually slippery when it is wet.

Colour: Black on yellow reflectorized background.

25



24" x 24"

FORM SINGLE LINE

This sign indicates a reduction, from two lanes to one, in the number of lanes available to traffic. It warns that drivers must merge into a single lane.

Colour: Black on yellow reflectorized background.

26



36" x 48"

ADVISORY EXIT SPEED

This sign indicates the safe speed, in miles per hour, at which it is advisable to proceed along an exit ramp, under normal conditions, after leaving a freeway roadway.

Colour: Black on yellow reflectorized background.

27



30" x 30"

DIVIDED HIGHWAY ENDS

This sign indicates that the highway ahead becomes a single roadway with traffic moving in both directions.

Colour: Black on yellow reflectorized background.

28



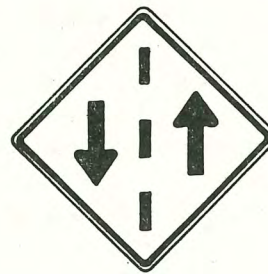
30" x 30"

ONE-LANE BRIDGE

This sign indicates that the bridge ahead is of insufficient width for two lanes of traffic. The first vehicle on the bridge should be given the right of way.

Colour: Black on yellow reflectorized background.

29



24" x 24"

TWO-WAY TRAFFIC AHEAD

This sign gives advance warning that a one-way section of roadway is coming to an end and that two-way traffic will be using the roadway.

Colour: Black on yellow reflectorized background.

30



30" x 30"

MERGING TRAFFIC

This sign indicates that vehicles may be merging into your lane ahead.

Colour: Black on yellow reflectorized background.

31



30" x 30"

MERGE

This sign indicates that you must merge into another traffic lane ahead.

Colour: Black on yellow reflectorized background.

Division 24.—Regulations Regarding Vehicles of Unusual or Novel Size

24.01. (a) No person shall drive or operate a snow vehicle or snowmobile on a highway in unorganized areas of the Province unless he is the holder of a permit in the prescribed form, signed by a member of the Royal Canadian Mounted Police stationed nearest to the place where such operation will take place, authorizing the operation and subject to the limitations and conditions contained therein.

(b) No person shall drive or operate a snow vehicle or snowmobile on a highway within a municipality unless he is the holder of a permit in the prescribed form, signed by the chief of police of the municipality, authorizing the operation and subject to the limitation and conditions contained therein, and for the purpose of this clause the term "chief of police of the municipality" has the meaning set out in subsection (4) of section 23 of the Act. (O.C. 469/67.)

24.02. (a) Unless specifically provided in a permit issued in accordance with clause (a) or (b) of section 24.01, no person shall drive or operate a snow vehicle between one-half hour after sunset to one-half hour before sunrise.

(b) A snow vehicle or golf cart being operated between one-half hour after sunset to one-half hour before sunrise shall be equipped so as to comply with sections 4.01 (a), 4.02 (b), 4.06, and 4.07; provided that for this purpose where the word "motor-cycle" appears in sections 4.02 (b) and 4.06, the words "snow vehicle" and "golf cart" shall be substituted.

(c) Sections 5.04, 7.03, and 7.09 shall apply to snow vehicles and golf carts. (O.C. 469/67.)

Division 25.—Motor-vehicle Inspection
(O.C. 2097/68.)

25.01. In this Division, unless the context otherwise requires, "inspection area" means an area set out in Schedule 10 of these regulations;

"inspection station" means facilities established or designated for the inspection of motor-vehicles, operated by the Province, a municipality, or a person authorized by the Superintendent;

"Inspector" means a person authorized by the Superintendent to carry out the inspection of motor-vehicles as required by these regulations;

"motor-vehicle" includes a motor-cycle, trailer, and semi-trailer;

"owner" includes the driver of a motor-vehicle;

"standards" means the standards of safety and repair of motor-vehicles prescribed in Schedule 11 of these regulations.

25.02. No person shall drive, operate, or park a motor-vehicle registered and licensed under the Act or the *Department of Commercial Transport Act* on any highway within an inspection area named in Schedule 10

(i) without that vehicle having been first presented to an inspection station for inspection at such times as are required by these regulations; and

(ii) without having affixed to the windshield, or, if the motor-vehicle is not equipped with a windshield, to another conspicuous place on the motor-vehicle, a valid inspection certificate of approval or rejection which was issued by an Inspector.

25.03. This Division shall not apply to

(i) a tractor licensed under section 5 of the Act;

(ii) a motor-vehicle licensed under section 7 of the Act;

(iii) a special mobile vehicle;

(iv) a trolley bus, golf cart, snowmobile or snow vehicle; (O.C. 1803/69.)

(v) any other type of vehicle specifically exempted by the Superintendent;

(vi) a motor-vehicle owned by a person not residing in an inspection area which is only occasionally driven, operated, or parked in an inspection area;

(vii) a motor-vehicle displaying a valid interim inspection certificate issued under section 25.13 of this regulation; or (O.C. 823/71.)

(viii) a vehicle displaying a dealer's demonstration number plate, transporter number plate, manufacturer's number plate, or a valid temporary operation permit. (O.C. 823/71.)

25.04 (a) The owner of a motor-vehicle, required under subsection 25.02 to have affixed to it a current inspection certificate, shall present his motor-vehicle at least once in every 12 months' period to an inspection station for the purpose of the inspection of the safety and repair of the motor-vehicle and its equipment and to ascertain that it is in conformity with the standards. (O.C. 1803/69.)

(b) The Superintendent, an Inspector, or a peace officer may give notice by ordinary mail or by affixing a notice to a conspicuous place on the motor-vehicle to the owner of a motor-vehicle or trailer driven, operated, or parked within an inspection area requiring him to present his vehicle for inspection at an inspection station within 10 days from the date of issuance of the notice. (O.C. 30/70.)

(c) Failure to present a motor-vehicle for inspection as required by this section is an offence.

25.05. Every motor-vehicle presented for inspection that is approved shall, upon payment of the prescribed fee, have affixed to the windshield, or, if the motor-vehicle is not equipped with a windshield, on another conspicuous place on the motor-vehicle, an approval certificate. An approval certificate shall be valid for a period of 12 months from the date of issuance, unless notice is given by the Superintendent, an Inspector, or a peace officer to the owner to present the motor-vehicle for further inspection under these regulations, in which case the certificate shall expire within 10 days of the giving of such notice. (O.C. 1803/69.)

25.06. (a) When a motor-vehicle upon inspection fails to be approved, the Inspector shall, upon payment of the prescribed fee, place a

rejection certificate on the windshield, or, if the motor-vehicle is not equipped with a windshield, on another conspicuous place on the vehicle. The owner of the motor-vehicle shall have the necessary repairs or corrections made to the motor-vehicle and shall return the motor-vehicle to the inspection station for reinspection on or before the expiry date stated on the rejection certificate.

(b) If, upon inspection, defects are disclosed in the motor-vehicle which are, in the opinion of the Inspector, dangerous to the public if the motor-vehicle were operated on a highway, he may declare that the motor-vehicle is condemned, issue a certificate to that effect, and may suspend the licence of the motor-vehicle, following which the motor-vehicle cannot be removed from the inspection station except

- (i) by a tow car; or
- (ii) by being transported on another motor-vehicle to a place where repair or correction of the defects are to be made or to a place of destruction. All costs incurred as the result of the operation of this section shall be paid by the owner of the motor-vehicle.

(c) Where a motor-vehicle is condemned and remains at the inspection station for a period of longer than 48 hours thereafter, the motor-vehicle may be disposed of in accordance with the provisions of the *Highways (Scenic Improvement) Act, 1968*.

(d) When in the opinion of an Inspector any part of the motor-vehicle is in such condition that failure or breakage would result from the inspection which might cause damage to the motor-vehicle or other motor-vehicles or when there are passengers, animals, or loose objects in or on a motor-vehicle, the inspection or any part of the inspection may be refused.

25.07. No person other than an Inspector shall alter, remove, damage, deface, or destroy any inspection certificate or approval or rejection or a certificate condemning a motor-vehicle placed on any inspected motor-vehicle.

25.08. Where a motor-vehicle operated or parked in an inspection area is, in the opinion of a peace officer, in an unsafe condition or not equipped as required by these regulations, he may require the owner to present it forthwith for inspection at an inspection station.

25.09. No person shall, in or about any inspection station operated by the Province or municipality,

- (i) repair or adjust any motor-vehicle or part thereof while the motor-vehicle is in or about the inspection station; or
- (ii) advertise or solicit vehicle repairs or the sale of motor-vehicles, parts, equipment, or accessories.

25.10. (a) Where a motor-vehicle which is operated or parked in an inspection area has

- (i) not been presented at an inspection station for inspection; or
- (ii) been presented at an inspection station and has not received an approval inspection certificate issued under these regulations; or

(iii) has received such approval inspection certificate and subsequently the owner has been given notice to present his motor-vehicle for inspection under the provisions of section 25.04 (b) and fails to present his vehicle for such inspection, the Superintendent may suspend the licence of the motor-vehicle. (O.C. 30/70.)

(b) An owner whose licence has been suspended under clause (a) of this section or under Regulation 25.06 (b) shall immediately return to the Superintendent his motor-vehicle or trailer licence and number plate or plates.

(c) Failure to comply with clause (b) is an offence and the Superintendent may cause a peace officer to recover possession of the motor-vehicle or trailer licence and number plates. (O.C. 30/70.)

25.11. The fees for the inspection of a motor-vehicle under this division shall be \$1.75 for each inspection, except

- (i) where a motor-vehicle has been inspected and rejected within the previous 30 days and is produced for reinspection at the same inspection station with the original inspection report, the fee shall be 50 cents;
- (ii) a trailer with a gross vehicle weight of less than 3,000 pounds licensed under the Act shall be inspected without a fee; or
- (iii) if the motor-vehicle has a valid inspection certificate issued within the preceding 11 months and has been damaged or become defective and the owner volunteers his motor-vehicle for reinspection, in which case there shall be no fee and an approval certificate shall not be issued. (O.C. 1803/69, O.C. 30/70.)

25.12. (a) The provisions of this Division shall come into force and effect in respect of the Victoria Inspection Area on the date this Division is approved, except for Regulation 25.02, which shall come into force and effect on January 1, 1969.

(b) The provisions of this Division apply in the Richmond Inspection Area, except for Regulation 25.02, which comes into force on October 1, 1970. (O.C. 30/70.)

(c) The provisions of this Division apply in the Vancouver Inspection Area on the date this regulation is approved, except for regulation 25.02, which comes into force on July 1, 1971. (O.C. 2179/70.)

(d) The provisions of this Division apply in the Burnaby Inspection Area on the date this regulation is approved, except for regulation 25.02, which comes into force on the 1st day of October 1972. (O.C. 3316/71).

Schedule 10.—Inspection Areas

The Victoria Inspection Area includes:—

- (a) City of Victoria:
- (b) District of Central Saanich:
- (c) District of Esquimalt:
- (d) District of North Saanich:
- (e) District of Oak Bay:
- (f) District of Saanich:
- (g) Town of Sidney:

(h) That part of Vancouver Island lying within the Regional District of the Capital of British Columbia as defined by Order in Council No. 290/66, approved February 1, 1966, excluding the Sooke Electoral Area.

The Richmond Inspection Area includes:—

- (a) District of Delta;
- (b) District of Richmond. (O.C. 30/70.)

The Vancouver Inspection Area includes:—

- (a) City of North Vancouver;
- (b) City of Vancouver;
- (c) District of North Vancouver;
- (d) District of West Vancouver;
- (e) The University Endowment Lands. (O.C. 2179/70.)

The Burnaby Inspection Area includes:—

- (a) City of New Westminster;
- (b) City of Port Coquitlam;
- (c) City of Port Moody;
- (d) District of Burnaby;
- (e) District of Coquitlam;
- (f) District of Fraser Mills;
- (g) Electoral Area B of the Greater Vancouver Regional District. (O.C. 3316/71.)

Schedule 11.—Standards for the Approval of a Motor-vehicle

1. Motor-vehicle Licence

The current motor-vehicle licence or trailer licence shall be available for examination at the time of inspection.

The motor-vehicle licence or trailer licence shall correctly describe the vehicle presented for inspection and shall not be defaced, altered, or mutilated.

The identification numbers shall be stamped or affixed to the vehicle and shall correspond to the numbers on the motor-vehicle or trailer licence.

A commercial motor-vehicle shall be marked as required by the Department of Commercial Transport Regulations, section 3.04, with the words "G.V.W. lbs." and when applicable "Farm Vehicle."

2. Number-plates

Number-plates shall be mounted on a vehicle as required by Division 3 of the regulations.

The number-plates shall correspond in number to the motor-vehicle licence or trailer licence issued for the vehicle.

The vehicle shall not display any other number-plate, numbering, or lettering not required for the operation of the vehicle and which might be confused with the current number-plates.

3. Plate Lamp

A vehicle shall be equipped with a licence-plate illuminating lamp as required by section 4.07 (c) of the regulations.

The plate light shall operate when the headlamps or parking-lamps are operating.

The plate-lamp lens shall not be missing, cracked, or broken.

The wiring shall be in good condition and shall not be loose.

A lamp must not have bent or broken rims which allow water to enter the lamp.

A plate lamp shall not project white light to the rear of the vehicle.

4. Tail-lamp

A vehicle shall be equipped with a tail-lamp as required by section 4.07 (a) and (b) of the regulations.

The tail-lamps with which a vehicle is equipped shall be securely fastened to the vehicle and shall not have a broken, bent, or missing lens.

The wiring and control of the tail-lamp shall be in good condition, properly attached to the vehicle, and provide a positive control.

A tail-lamp must not be obstructed by any material or any part of the vehicle and must be visible on both sides of the vehicle at an angle of 45 degrees from

the longitudinal axis of the vehicle. Where more than one tail-lamp is lighted, only one lamp on each side need comply.

A lamp must not have bent or broken rims which allow water to enter the lamp.

5. Stop-lamp

A vehicle shall be equipped with a stop lamp or lamps to comply with the requirements of sections 4.09 and 4.10 of the regulations.

A stop-lamp shall be securely fastened to the vehicle and shall not have a broken, bent, or missing lens.

The wiring and controls of the stop-lamp shall be in good condition, properly attached to the vehicle, and provide a positive control.

The control shall not allow the use of a stop-lamp except upon the application of the service brake.

A stop-lamp must not be obstructed by any material or by any part of the vehicle and must be visible on both sides of the vehicle at an angle of 45 degrees from the longitudinal axis of the vehicle. Where more than one stop-lamp is lighted, only one lamp on each side need comply.

6. Turn Signals

A vehicle shall be equipped with a turn-signal device when so required by sections 161 and 162 of the Act.

A turn-signal device installed on a vehicle shall comply with section 4.20 of the regulations and be in good working condition.

The wiring and controls of the signal device shall be in good condition, properly attached to the vehicle, and provide a positive control.

The control lever shall move in the direction of the turn.

The lens or reflector with which a turn signal is equipped shall not be missing, broken, or bent.

The centre of the front signal lamps shall be at least 4 inches from the edge of the low-beam head-lamps.

The signal lamps shall not be obstructed by any material or part of the vehicle, and the lamp on each side shall be visible on its side at an angle of 45 degrees from the longitudinal axis of the vehicle.

7. Reflectors

A vehicle shall be equipped with reflectors as required by sections 4.08 and 4.10 of the regulations.

A reflector mounted on a vehicle shall comply with the requirements of sections 4.08 and 4.101 of the regulations.

A reflector must not be broken, cracked, or obstructed by foreign material or part of the vehicle.

8. Horn

A motor-vehicle shall be equipped with a horn as required by section 7.02 of the regulations.

The horn must be firmly mounted on the vehicle.

The horn control must make a good electrical connection and must provide a positive control over the sound emitted. A cycle of sound must be interruptible.

A horn must not produce a musical or any other sound not normally associated with a warning device.

The horn control must be readily accessible to the driver.

9. Windshield-wipers

A motor-vehicle, except a motor-cycle, equipped with a windshield shall be equipped as required by section 7.05 (c) with a windshield wiper or wipers.

A motor-vehicle shall be equipped with windshield-wipers, in good working order, on the left and right sides of the windshield where two windshield wipers were installed by the manufacturer.

A windshield-wiper must have blades that have not hardened or worn to the extent they are not effective. The wiper arm must have sufficient tension to hold the blade against the glass, and the wiper arm must make a full sweep.

10. Left Window Riser

The left front window shall be capable of being readily opened and closed to facilitate manual signals.

11. Door, Body, Hood

The vehicle shall comply with section 19.02 of the regulations with regard to size and dimension.

Doors.—Doors shall be installed in a vehicle where the vehicle was manufactured with doors.

The doors with which a vehicle is equipped shall be in good working order, and any hinge, latch, or handle must not be broken, missing, or inoperable.

The doors shall not be warped, twisted, or weakened to the extent that a slight jar will open them.

A door shall be capable of being opened or closed with normal effort.

Body.—A vehicle shall not have a body, body sill, door posts, or body pillars which have rotted, deteriorated, or been damaged to the extent that such part may collapse or create a hazard.

The body must not be loose upon the chassis.

The floor of a vehicle must not be rotted, broken, or missing.

No part of a vehicle may be secured with rope or wire.

No part of a vehicle may have a sharp or ragged edge which could injure persons or objects.

Hood.—The hood over the engine compartment shall be securely fastened and shall not have broken hinges or fasteners.

12. Bumpers, Mud-flaps

A motor-vehicle, except a motor-cycle, shall be equipped with a front bumper, and where a replacement bumper has been installed, it shall give substantially the same protection as the bumper originally installed by the manufacturer.

A motor-vehicle shall be equipped with a rear bumper where the manufacturer of the vehicle installed a bumper, and where a replacement bumper has been installed, it shall give substantially the same protection as the original bumper.

A bumper shall be securely fastened to the vehicle, and the bumper bar or brackets shall not be broken, loose, or missing.

A bumper must not have a sharp or ragged edge and must not protrude beyond the side of the vehicle.

Mud-flaps.—A vehicle must be equipped with mud-flaps or mud-guards as required by section 7.06 of the regulations, which shall not be damaged or worn to the extent they are not effective.

13. Head-lamps

Head-lamps installed in a motor-vehicle shall comply with sections 4.02, 4.03, 4.04, 4.05, and 4.06 of the regulations.

Head-lamps shall comply with and be aimed in accordance with Table 1 of these standards.

Head-lamps shall be securely mounted in the vehicle, shall not have a lens which has been cracked, broken, missing, or incorrectly installed, and shall not be obscured by any part of the vehicle or load.

The wiring and controls shall be in good condition and give a positive control.

The beam indicator light shall indicate high beam and be visible to the driver.

The dimmer switch shall be in good order so as to immediately change the light system.

Where an automatic head-lamp switching device is installed, the device must have a manual control.

14. Identification Lamps

Identification lamps shall comply with the requirements of section 4.21 (b) of the regulations.

Clearance-lamps shall be installed and comply with sections 4.10 and 4.11 of the regulations.

A public passenger vehicle may be equipped with illuminated signs as specified by section 4.21 (c) of the regulations.

A taxi may be equipped with an illuminated sign as specified by section 4.21 (d) of the regulations.

15. Spot-lamps

Spot-lamps must comply with the requirements of section 4.17 of the regulations.

The wiring and controls of spot-lamps must be in good condition and give positive control.

A spot-lamp shall be securely fastened to the motor-vehicle, and the lamp or control must not interfere with the driver's vision or control of the vehicle.

TABLE 1.—STANDARDS FOR APPROVAL OF A MOTOR-VEHICLE HEAD-LAMP AIMING REQUIREMENTS

Aim centre of hot-spot below lamp-centre level at 25 feet.

Type (Minimum beam candlepower per head-lamp, 5,000.)	Vertical	Tolerance	Lateral	Tolerance
45-35-watt sealed beam—aim high beam	3"	2"- 6"	Straight ahead	4" to right.
50-40-watt sealed beam—aim high beam	2"	2"- 6"	Straight ahead	4" to right.
37½-watt (Dual Type No. 1) sealed beam —aim high beam	2"	2"- 6"	Straight ahead	4" to right.
37½-50-watt (Dual Type No. 2) sealed beam—aim low beam	12"	10"-14"	15" to right	21" to right.
6000 series (7", Type No. 2) sealed beam— aim low beam	12"	10"-14"	15" to right	21" to right.
700 series (Lucas) multiple beam—aim high beam	3"	2"- 6"	Straight ahead	4" to right.
*32- or 21-candlepower (Symmetric) multi- ple beam—aim high beam	3"	2"- 6"	Straight ahead	4" to right.
32- or 21-candlepower (Asymmetric) multi- ple beam—aim high beam	3"	2"- 6"	5" to right	12" to right.

All other types of head-lights (including single-beam head-lights): Aim as per (*) above, plus 1 degree (5¼ inches) downward deflection from maximum high tolerance. (Minimum beam candlepower per head-lamp, 3,750.)

NOTE.—All beams from unloaded trucks and short-wheelbase (under 100 inches) five-passenger cars should be aimed 1 inch above lower limit.

16. Fog-lamps

Fog-lamps shall be installed and comply with the requirements of section 4.18 of the regulations.

A fog-lamp must be rigidly and securely mounted.

The wiring and controls of fog-lamps must be in good condition and give a positive control.

The wiring of a fog-lamp must permit simultaneous operation of the tail-lamp and licence-plate lamp and, where required, clearance-lamps.

The lens of a fog-lamp must not be missing, cracked, broken, or rotated out of proper position.

A fog-lamp shall produce only white or amber light.

17. Auxiliary Lamps

Auxiliary passing-lamps and auxiliary driving-lamps shall be installed and comply with section 4.19 of the regulations.

An auxiliary driving-lamp shall be controlled in such a manner that it operates only with the upper beam of a multiple-beam head-lamp system.

Back-up lamps installed in a vehicle must comply with section 4.12 of the regulations.

Parking-lamps installed in a vehicle must comply with section 4.14 of the regulations.

Cowl or fender lamps installed in a vehicle must comply with section 4.21 of the regulations.

Where a vehicle is equipped with a flashing lamp, the lamp shall comply with the requirements of section 4.22 of the regulations, and where a permit is required, it shall be produced at the time of inspection.

The wiring and controls of any lamp installed in a vehicle must be in good condition and must provide a positive control.

Any lamp with which a vehicle is equipped shall be firmly attached, and the lens must not be cracked, broken, or missing.

In compliance with section 4.01 (f) of the regulations, a vehicle shall not be equipped with a lamp not authorized by the regulations.

18. Wheel Alignment

Side slip of the front wheels shall not exceed 30 feet per mile as measured on the alignment gauge.

The caster, camber, or toe-in of a vehicle shall not be out of adjustment to the extent that it is apparent visually.

Vehicles shall not be misaligned to the extent that the variation of the track exceeds 3 inches and the variation of axle centre exceeds 2 inches.

19. Steering Mechanism

No component part of the steering mechanism of a vehicle shall be broken, fractured, cracked, bent, twisted, or otherwise damaged, defective, or worn to an extent that there is perceptible looseness between it and a connected component part.

Play in the steering system as measured at the outside diameter of the front tire shall not exceed for a wheel up to 16 inches in diameter one-quarter inch, for a wheel between 16 and 18 inches in diameter three-eighths inch, and for a wheel over 18 inches in diameter one-half inch.

No vehicle shall be approved for operation if any part of the steering mechanism shows signs of failure or has been heated or welded.

Axles shall not be noticeably twisted or bent or out of alignment.

Frames or cross members shall not be fractured.

Front wheels shall be capable of being freely turned by the steering-wheel, from full left to full right, without jamming or binding.

Steering-wheels, steering-columns, and steering-column support brackets shall not be loose or broken.

Peripheral movement in a steering-wheel without an associated movement of the front wheels shall not exceed 2 inches in a steering-wheel less than 18 inches in diameter or 4 inches in a steering-wheel over 18 inches in diameter.

Wheel bearings shall not be broken or improperly adjusted.

Shock-absorbing devices shall not be missing, disconnected, or inoperative.

Power-steering devices shall be installed, adjusted, and maintained according to the manufacturer's specifications.

Power-steering systems shall provide for manual steering in case of power failure.

20. Tires, Wheels

A vehicle shall be equipped with tires in compliance with sections 7.16 and 7.161 of the regulations.

No tire on a vehicle shall have any of the following defects:—

- (1) Cord break or air leak:
- (2) Tread damage including cracks, cuts, or snags in excess of one inch in any direction and deep enough to expose the ply cords:
- (3) Sidewall cracks, scuffs, cuts, or snags to the extent that body cords are damaged or exposed:
- (4) Bumps, bulges, or lumps apparently caused by separation of the tread or sidewall from the ply cords or by partial failure of the tire structure, including the bead area.

No wheel shall have loose, missing, or defective bolts, nuts, or lugs, or bent, loose, cracked, or defective rim or wheel flanges.

Hub caps shall be of such design and construction that minimizes the damage done to an object, or injury to a person coming in contact with it.

The tires of a vehicle presented for inspection between May 1st and September 30th shall not be equipped with studs, and during the remainder of the year vehicles equipped with studded tires shall comply with section 19.03 of the regulations. (O.C. 2141/71.)

21. Fuel System

A fuel system must not have a leakage in any part.

The fuel tank and piping must be securely installed.

There shall be an adequate filler cap.

22. Exhaust, Muffler

A vehicle shall be equipped with an exhaust muffler which complies with section 7.03 of the regulations.

An exhaust system shall not have loose or leaking joints, seams, or holes.

A muffler shall not have loose interior baffles or patches.

The exhaust system and its elements must be securely fastened.

The exhaust system shall not be located so that a person may be burned when entering or leaving the vehicle.

No part of an exhaust system may pass through a passenger compartment.

An exhaust system must not discharge excessive fumes or smoke.

Flexible hose used in an exhaust system shall be of a heavy-duty type acceptable to the Inspector.

The opinion of an Inspector as to whether the exhaust noise is greater than that made by other vehicles in good condition of comparable size, horsepower, piston displacement, or compression ratio shall determine whether exhaust gases are expelled with excessive noise.

The engine and exhaust system of every motor-vehicle shall be equipped and adjusted to prevent the escape of excessive fumes or smoke as compared to other motor-vehicles of the same or similar types and size.

23. Service Brake

Every vehicle shall comply with the requirements of Divisions 5 and 6 of the regulations.

The brake performance of the brakes of a vehicle shall not be less than shown in Table 2 of these standards.

The braking force developed on a wheel shall not be less than 65 per cent of the force developed on the other wheel on the same axle.

The braking force developed on both wheels of one axle shall not be more than 70 per cent of the total force of all the wheels of the vehicle. This shall be varied when, in the opinion of the Inspector, the design of the vehicle does not require such a distribution of braking force and the braking force is adequate to stop the vehicle as required in Table 2.

The hydraulic hoses shall not be abraded, or the hoses, tubes, or connections shall not leak or be restricted, crimped, cracked, or broken. The connecting lines shall be properly attached or supported to prevent damage or abrasion by contact with the frame, axle, other lines, or any other part of the vehicle.

The master-cylinder rod shall be correctly adjusted.

There must be no tendency for the service-brake pedal to move slowly toward the applied position while foot pressure is maintained.

The fluid level of the master cylinder shall not be below the full mark.

TABLE 2.—REQUIRED BRAKE PERFORMANCE

(Column 1) Classification of Vehicles	(Column 2) Braking Force of a Percentage of Gross Vehicle or Combination Weight	(Column 3) Declaration in Feet per Second	(Column 4) Maximum Allowable Brake System Application and Braking Distances, in Feet, from Initial Speed in M.P.H. of:										
			15	16	17	18	19	20	21	22	23	24	25
Passenger vehicles with a seating capacity of 10 people or fewer, including driver, not having a manufacturer's G.V.W.	52.8%	17	14	16	18	21	23	25	28	31	33	36	39
All motor-cycles and motor-driven cycles	43.5%	14	17	19	22	24	27	30	33	37	40	43	47
Single-unit vehicles with a manufacturer's gross weight rating of 10,000 lb. or less	43.5%	14	17	19	22	24	27	30	33	37	40	43	47
Single-unit vehicles with a manufacturer's gross weight rating of more than 10,000 lb.	43.5%	14	23	26	29	33	36	40	44	49	53	58	63
Combinations of a two-axle towing vehicle and a trailer with a gross trailer weight of 3,000 lb. or less	43.5%	14	23	26	29	33	36	40	44	49	53	58	65
Buses, regardless of the number of axles, not having a manufacturer's gross weight rating	43.5%	14	23	26	29	33	36	40	44	49	53	58	63
All combinations of vehicles in drive-away or tow-away operation	43.5%	14	23	26	29	33	36	40	44	49	53	58	63
All other vehicles and combination of vehicles	43.5%	14	31	34	38	42	46	50	55	61	66	72	78

Brake Lining and Pads (Where a Wheel or Wheels Are Removed).—The thickness of bonded brake lining shall not be, when measured at the thinnest point, less than 15 per cent of its original thickness or one thirty-second of an inch, whichever is the lesser.

The wire in a wire-backed brake lining shall not be visible in a friction surface.

Riveted lining shall not be worn within one sixty-fourth of an inch of a rivet-head.

Pads on disk brakes shall not be worn below the manufacturer's specifications for replacement.

Rivets shall not be loose or missing.

Linings shall not be broken or cracked so that the linings or parts of the lining are not firmly attached to the shoe.

The friction surface of the lining shall not be contaminated in such a manner as to change its frictional qualities.

Brake Drum and Disk (Where a Wheel Is Removed).—Brake drums or disks should not be contaminated in such a manner as to change the functional qualities of the friction face.

Brake drums or disks must not have any external cracks or substantial cracks on the friction surface that reach an edge of the bore or periphery of the disk or any mechanical damage to the friction surface other than wear.

Brake drums shall not have a larger inside diameter than the manufacturer's recommended maximum limit for rebore plus wear not to exceed 50 per cent of rebore allowance.

Disks shall not have a thickness less than the manufacturer's minimum recommended limit for remachining minus wear which shall not exceed 50 per cent of remachine allowance.

24. Pedal Reserve

Pedal travel of the service-brake pedal of a hydraulic, mechanical, or power-assisted hydraulic system shall not exceed 80 per cent of the manufacturer's specified available pedal travel or the available pedal travel.

The rod stroke of an air- or vacuum-brake chamber or the air-chamber travel of a hydraulic power cluster from the fully released to the fully applied position shall not exceed 75 per cent of the manufacturer's specified maximum stroke.

The service-brake pedal application shall not be soft or spongy accompanied by varied unequalization of the brake.

The application of the service-brake pedal shall not be restricted by accessories or by the manner of construction of the vehicle.

25. Brake Connection

The brake connections, which shall include brake tubing and hose, shall comply with sections 5.06 and 5.07 of the regulations.

Mechanical parts shall not be misaligned, badly worn, broken, or missing.

The friction of the pedal arrangement or brake components must not be excessively high.

The brake operating level shall be properly positioned and shall not be misaligned.

26. Air, Vacuum, Electric

A braking system installed in a vehicle or combination of vehicles shall comply with Divisions 5 and 6 of the regulations.

Air.—The air pressure must increase from 50 to 90 p.s.i. in not more than five minutes with the engine running at a fast idle.

The governor cut-in pressure shall not be lower than 80 p.s.i. or the cut-out pressure higher than 125 p.s.i., unless other values are recommended by the manufacturer.

The compressed-air reserve shall be sufficient to permit one full service-brake application after the engine is stopped, and with the system fully charged without lowering the reservoir pressure more than 20 per cent.

The hose, tubes, or connections shall not leak or be restricted, abraded, crimped, cracked, or broken. The connecting lines must be properly attached or supported to prevent damage or abrasion by contact with the frame, axle, other lines, or any other part of the vehicle.

The valves, diaphragm, or piston cups must not leak audibly.

The air safety valve must be operative.

The compressor drive-belt shall have sufficient tension and not be badly worn or frayed.

The compressor air-intake cleaner must not be clogged sufficiently to prevent the proper intake of air.

Vacuum.—The hoses, tubes, or connections shall not leak or be restricted, abraded, crimped, cracked, or broken. The connecting lines must be properly attached or supported to prevent damage or abrasion by contact with the frame, axle, other lines, or any other part of the vehicle.

The air-cleaner must not be clogged sufficiently to prevent proper intake of air.

Piston packing, valves, or diaphragm must not leak.

In vacuum-assist systems the service-brake pedal shall have a tendency to fall away from the foot as the engine is started while foot pressure is maintained on the pedal.

Trailer vacuum-brake chamber rods shall follow the application of the tractor brake pedal and shall reach the fully released position.

In vacuum-equipped vehicles or combination of vehicles the vacuum system shall have sufficient reserve to permit one full service-brake application after the engine is stopped.

Electric.—The electric brake system of trailers shall not have a brake amperage of more than 20 per cent above or 30 per cent below the manufacturer's maximum current rating.

The electric system shall have a steady flow of electrical energy on the application and release of the brake control.

The electric brake system shall not have loose or dirty terminal connections or broken, frayed, or unsupported wires.

27. Tell-tale

A motor-vehicle equipped with air or vacuum brakes shall be equipped with a warning device as required by section 6.12 of the regulations.

The warning device will operate when the air pressure is lowered to a range of 50 to 70 p.s.i.

28. Parking-brake

A motor-vehicle or trailer shall be equipped with parking-brakes as required by sections 5.03 and 6.05 of the regulations.

The operating mechanism of the parking-brake when fully applied shall hold the brakes in the applied position without effort.

Spring parking-brakes shall apply when the control valve is manually operated.

The actuating mechanism shall release fully when the release control is operated.

The mechanical parts of the parking-brake shall not be missing, broken, or badly worn.

The pull cable of the parking-brake shall not be worn, stretched, frayed, or not operating freely.

29. Visibility and Mirrors

The windshield and windows of a vehicle shall comply with the requirements of section 7.05 of the regulations.

The windshield or windows of a vehicle shall not be cracked, broken, clouded, or otherwise damaged or defective so as to impair the vision of the driver.

Without restricting the generality of the foregoing, the following glass defects shall be considered as causing vision impairment:—

(i) A defect in the area extending from the left edge of the driver's side 20 inches toward the centre and extending over 3 inches down from the top or over 3 inches up from the bottom, excepting small stone injuries of one-quarter inch or less:

(ii) A crack over 11 inches long in any part:

(iii) More than two cracks over 6 inches long in any one section of glass:

(iv) Stone or shot injuries more than 1½ inches in diameter:

(v) Two or more stone or shot injuries over three-quarters of an inch in diameter in any one section of glass:

(vi) More than 3 inches clouding around the edge:

(vii) Any clouding on the driver's side:

- (viii) Broken glass showing sharp edge;
- (ix) Cracked, broken, or clouded forward of a line parallel with the driver's shoulder;
- (x) Broken or clouded to such an extent that the driver is unable to see clearly 200 feet to the rear.

Material may not be placed on a window or windshield, except a side window to the rear of the driver, which reduces the light transmitted by the window or windshield.

A motor-vehicle shall be equipped with mirrors as required by section 7.04 of the regulations.

A mirror shall be securely mounted and shall not offer unsafe interference with the driver's vision.

30. Drivers' Seats and Belts

The driver's seat of a motor-vehicle shall be tightly secured to the floor of the vehicle and shall be adequate to comfortably seat the driver in such a manner that he may safely operate the vehicle.

A vehicle to which section 206 of the Act applies shall be equipped with safety belts of a type set out in section 7.13 of the regulations.

Safety belts shall be available, be in good condition, and the belt buckle shall be in good working order.

31. Miscellaneous

Passenger vehicles with a seating capacity of over nine passengers and a commercial vehicle licensed in excess of 6,000 pounds gross vehicle weight shall be equipped with the warning devices required by section 197 of the Act.

Such devices shall be in good condition, readily available to the driver, and stored in the cab of the vehicle in a suitable container attached to the vehicle.

A trailer connection shall comply with the requirements of section 7.07 (a) and (b) of the regulations.

A trailer shall be constructed so as to comply with the requirements of section 7.07 (d) of the regulations.

A motor-vehicle shall comply with section 195A of the Act.

25.13 (1) The Superintendent may issue to a dealer licensed under the Act interim inspection certificates in a form prescribed by him to be used by the dealer only as provided in this section.

(2) Where

(a) a motor-vehicle is registered and licensed under the Act or the *Department of Commercial Transport Act*; and

(b) the motor-vehicle is equipped as required by the Act and regulations and is in a safe condition to be operated on a highway; and

(c) the motor-vehicle does not display a valid inspection certificate; and

(d) a dealer sells the motor-vehicle; and

(e) the motor-vehicle is to be operated in an inspection area, he shall affix an interim inspection certificate to the motor-vehicle at the time of delivery of the motor-vehicle to the purchaser, in the manner provided in this section.

(3) Where

(a) a motor-vehicle is registered and licensed under the Act or the *Department of Commercial Transport Act*; and

(b) the motor-vehicle is equipped as required by the Act and regulations and is in a safe condition to be operated on a highway; and

(c) the motor-vehicle does not display a valid inspection certificate; and

(d) a dealer

(i) drives or operates a motor-vehicle on a highway in an inspection area; or

(ii) authorizes or permits a motor-vehicle to be driven on a highway in an inspection area

for the purposes of

(iii) obtaining repairs to the motor-vehicle; or

(iv) demonstrating the motor-vehicle for the purpose of sale; or

(v) presenting the motor-vehicle for inspection at an inspection station,

he shall, before the motor-vehicle proceeds on the highway, affix an interim inspection certificate to the motor-vehicle in the manner provided in this section.

(4) The dealer using an interim inspection certificate authorized by this section shall

(a) complete the certificate by inserting thereon the expiry date of the certificate, which shall be 10 days from the date of sale referred to in subsection (3), or from the date the motor-vehicle is driven or operated for a purpose referred to in subsection (3); and

(b) securely affix the interim inspection certificate to the lower right inside of the windshield of the motor-vehicle or, if the motor-vehicle is not equipped with a windshield, on the nearest conspicuous place on the motor-vehicle.

(5) No person shall drive or operate a motor-vehicle with an interim inspection certificate affixed unless the expiry date is clearly and legibly marked thereon.

(6) A dealer shall submit each week to the Superintendent a form prescribed by the Superintendent listing the interim certificates affixed to motor-vehicles by him in the previous week and providing such other information as is required by the Superintendent.

(7) No dealer shall transfer or deliver to another dealer or to any other person an interim inspection certificate issued to him.

(8) The Superintendent may withdraw from, or refuse to issue interim inspection certificates to, a dealer who

(a) does not comply with the provisions of this section; or

(b) refuses or neglects to give a full and accurate accounting of interim inspection certificates issued to him when required; or

(c) permits an unauthorized use of interim inspection certificates issued to him; or

(d) in the opinion of the Superintendent, misuses interim inspection certificates to defeat the purposes of the Act or these regulations.

(9) A dealer who ceases to be a holder of a dealer's licence shall forthwith deliver all unused interim inspection certificates to the Superintendent. (O.C. 823/70, eff. April 1, 1971.)

Division 26.—Traffic Violation Regulation
(O.C. 3084/68.)

26.01. Except as otherwise provided in section 26.011, a violation report used under section 126A of the Motor-vehicle Act shall be in the form set out hereunder:—

MOORE BUSINESS FORMS LTD.
PAPER PAT'D BY H.C.B. CO.

TRAFFIC VIOLATION REPORT
FORWARD TO SUPERINTENDENT OF MOTOR VEHICLES
CANADA
PROVINCE OF BRITISH COLUMBIA } The undersigned Peace Officer says that

ON THE _____ DAY OF _____ 19____ ON _____ (LOCATION)
AT _____ IN THE PROVINCE OF BRITISH COLUMBIA, AT _____ (TIME) M.
NAME _____ (LAST) (FIRST) (OTHER)
ADDRESS _____ (STREET) (MUNICIPALITY OR POST OFFICE) (PROVINCE)
DID OPERATE A MOTOR VEHICLE UPON A HIGHWAY, NAMELY _____
AND DID THEN AND THERE COMMIT THE VIOLATION INDICATED BELOW,
 MOTOR VEHICLE ACT MOTOR VEHICLE ACT REGULATIONS BY-LAW

SECTION

<input type="checkbox"/> DISOBEYING STOP SIGN	<input type="checkbox"/> DISOBEYING TRAFFIC CONTROL DEVICE
<input type="checkbox"/> YELLOW LIGHT	<input type="checkbox"/> INTERSECTION
<input type="checkbox"/> RED LIGHT	<input type="checkbox"/> INTERSECTION
<input type="checkbox"/> SPEEDING	<input type="checkbox"/> IN MUNICIPALITY
<input type="checkbox"/> CHANGING LANES	<input type="checkbox"/> CROSSING SOLID LINE
<input type="checkbox"/> FOLLOWING TOO CLOSELY	<input type="checkbox"/> SLOW DRIVING
<input type="checkbox"/> U-TURN	<input type="checkbox"/> INTERSECTION

OTHER VIOLATION _____
SIGNATURE OF PEACE OFFICER _____ DATE OF SERVICE _____

VIOLATOR
BIRTHDAY _____ SEX _____ OCCUPATION _____
(DAY) (MONTH) (YEAR)
OP. LIC. NO. _____ EXPIRY DATE _____
OF LICENCE _____ PROV. _____

VEHICLE
MAKE _____ TYPE VEHICLE _____ YEAR _____
VEHICLE LIC. NO. _____ PROV. _____ YEAR _____
OWNER'S NAME _____ (LAST) (FIRST) (MIDDLE)
ADDRESS _____ (STREET) (MUNICIPALITY) (P.O.) (PROVINCE)

IF THE ALLEGATION CONTAINED IN THIS VIOLATION REPORT IS NOT DISPUTED BY YOU WITHIN SEVEN DAYS OF BEING SERVED, THE REPORT WILL BE TREATED AS NOT DISPUTED AND WILL FORM PART OF YOUR DRIVING RECORD.
IF YOU INTEND TO DISPUTE THIS ALLEGATION, WRITTEN NOTICE IS NECESSARY. THE NOTICE MUST QUOTE THE NUMBER APPEARING ON THIS REPORT AND BE FORWARDED TOGETHER WITH A DEPOSIT OF TEN DOLLARS (\$10.) TO:-

THE CLERK OF THE PROVINCIAL COURT OF BRITISH COLUMBIA

SITUATE AT _____
HEREBY ACKNOWLEDGE RECEIPT OF A COPY OF THIS TRAFFIC VIOLATION REPORT:-

SIGNED _____
THIS ACKNOWLEDGEMENT OF SERVICE IS NOT AN ADMISSION OF THE COMMISSION OF THE ABOVE VIOLATION.

(O.C. 2141/71.)

26.011. A violation report used under section 126A of the Act may be in the form set out hereunder.

PATROL }
 TRAFFIC } A B C DIST. 1
2

CO-ORDINATES [] [] [] [] [] [] ZONE [] [] [] [] [] []

TRAFFIC VIOLATION REPORT
FORWARD TO SUPERINTENDENT OF MOTOR VEHICLES
CANADA
PROVINCE OF BRITISH COLUMBIA } The undersigned Peace Officer says that:

ON THE _____ DAY OF _____ 197____ AT _____
IN THE PROVINCE OF BRITISH COLUMBIA, AT _____ (TIME) A.M. P.M.
NAME _____ (LAST) (FIRST) (OTHER)
ADDRESS _____ (STREET) (MUNICIPALITY OR POST OFFICE) (PROVINCE)
DID OPERATE A MOTOR VEHICLE UPON A HIGHWAY, NAMELY _____

AND DID THEN AND THERE COMMIT THE VIOLATION INDICATED BELOW,
 MOTOR VEHICLE ACT MOTOR VEHICLE ACT REGULATIONS BY-LAW
VIOLATION _____

SIGNATURE OF PEACE OFFICER _____ DATE OF SERVICE _____

VIOLATOR
BIRTHDAY _____ SEX _____ OCCUPATION _____
(DAY) (MONTH) (YEAR)
OP. LIC. NO. _____ EXPIRY DATE _____

VEHICLE
MAKE _____ TYPE VEHICLE _____ YEAR _____
VEHICLE LIC. NO. _____ PROV. _____ YEAR _____
OWNER'S NAME _____ (LAST) (FIRST) (MIDDLE)
ADDRESS _____ (STREET) (MUNICIPALITY) (P.O.) (PROVINCE)

IF THE ALLEGATION CONTAINED IN THIS VIOLATION REPORT IS NOT DISPUTED BY YOU WITHIN SEVEN DAYS OF BEING SERVED, THE REPORT WILL BE TREATED AS NOT DISPUTED AND WILL FORM PART OF YOUR DRIVING RECORD.

IF YOU INTEND TO DISPUTE THIS ALLEGATION, WRITTEN NOTICE IS NECESSARY. THE NOTICE MUST QUOTE THE NUMBER AND DATE OF SERVICE APPEARING ON THIS REPORT AND BE FORWARDED TOGETHER WITH A DEPOSIT OF TEN DOLLARS (\$10.) TO:-

THE CLERK OF THE PROVINCIAL COURT OF BRITISH COLUMBIA,

(ADDRESS)

HEREBY ACKNOWLEDGE RECEIPT OF A COPY OF THIS TRAFFIC VIOLATION REPORT:-

SIGNED _____
THIS ACKNOWLEDGEMENT OF SERVICE IS NOT AN ADMISSION OF THE COMMISSION OF THE ABOVE VIOLATION.

I CERTIFY THAT A COPY OF THIS REPORT WAS SERVED BY ME FORTHWITH AFTER THE ALLEGED VIOLATION.

NAME _____

AT _____ A.M. ON THE _____ DAY OF 19____
(TIME) P.M.

AT _____ IN THE CITY OR MUNICIPALITY OF _____
(PLACE)

SIGNED _____ PEACE OFFICER

REMARKS: (ADDITIONAL INFORMATION CONCERNING VIOLATION NOTED ON REVERSE SIDE)

DETERMINATION BY JUDGE IF ALLEGATION IS DISPUTED:
ALLEGATION CONTAINED IN REPORT: DID TAKE PLACE NOT TAKE PLACE
JUDGE'S COMMENTS:

DATED AT _____ B.C. ON _____

SIGNATURE OF JUDGE OF PROVINCIAL COURT OF BRITISH COLUMBIA

(O.C. 1882/70.)

26.02. Each of the following words and expressions is authorized to be used on a traffic violation report used under section 126A of the *Motor-vehicle Act* to designate a violation under the section of the *Motor-vehicle Act* appearing opposite the word or expression:—

Section 127: Disobeying traffic-control device.

Section 128 (4) (a): Yellow light, intersection—no stop before crosswalk.

Section 128 (4) (a): Yellow light, intersection—no stop before intersection.

Section 128 (5) (a): Yellow light, other—no stop before signal.

Section 128 (5) (a): Yellow light, other—no stop before crosswalk.

Section 128 (6) (a): Red light, intersection—no stop before crosswalk.

Section 128 (6) (a): Red light, intersection—no stop before intersection.

Section 128 (7) (a): Red light, other—no stop before signal.

Section 128 (7) (a): Red light, other—no stop before crosswalk.

Section 128 (10) (a): Red light, flashing, intersection—no stop before crosswalk.

Section 128 (10) (a): Red light, flashing, intersection—no stop before intersection.

Section 128 (11) (a) (i): Red light flashing, other—no stop before signal.

Section 128 (11) (a) (i): Red light flashing, other—no stop before crosswalk.

Section 134: Speeding, construction area.

Section 139 (1): Slow driving.

Section 140 (1): Speeding in municipality.

Section 140 (1): Speeding outside municipality.

Section 140 (3): Speeding against highway signs.

Section 140 (5): Speeding against municipal signs.

Section 141: Speeding past school signs.

Section 141: Speeding past playground signs.

Section 142: Speeding past school bus.

Section 144 (a): Changing lanes.

Section 144 (b): Crossing solid line—single.

Section 144 (h): Slow moving in wrong lane.

Section 146 (a): Crossing solid line—double.

Section 153 (l): Following too closely.

Section 159 (a): U-turn—interference.

Section 159 (b) (iii): U-turn—prohibited.

Section 159 (b) (iv): U-turn—intersection.

Section 159 (b) (v): U-turn—business district.

Section 177: Disobeying stop-sign.

- 26.03. A reference on a traffic violation report to
- (a) a by-law of a municipality;
 - (b) a paragraph, clause, subsection, or section of the *Motor-vehicle Act* other than a subsection or section specified in section 26.02; or
 - (c) a paragraph, clause, subsection, or section of any regulation made under the *Motor-vehicle Act*,
- identified as such by its number, may be used to designate a violation under the by-law, paragraph, clause, subsection, or section.
- 26.04. The procedure to be followed by a Magistrate in dealing with any matter referred to him under subsection (7) of section 126A shall, *mutatis mutandis*, be the procedures set forth in the *Summary Convictions Act* for the trial of offenders under that Act.
- 26.05. In any hearing under section 26.04, a certificate of service signed by a peace officer or an acknowledgment of service signed by the alleged violator, where they appear on a traffic violation report, shall be prima facie evidence of such service.
- 26.06. In any hearing under section 26.04, proof that the violation took place shall be proof beyond a reasonable doubt.
- 26.07. Where any alleged violator fails to appear on the date fixed for the hearing before a Magistrate in the matter under subsection (7) of section 126A, the Magistrate shall treat the violation as not disputed and shall notify the Superintendent.
- 26.08. Where, in any written notice disputing the violations contained in a traffic violation report, the notice shall contain the number appearing on the traffic violation report.
- 26.09. Where a person requires that a dispute be determined by a Magistrate, he shall deposit the sum of \$10 for the costs of the hearing at the time he gives his notice. (O.C. 1355/69).
- 26.10. Where a person gives notice that he will dispute a violation report, the Clerk of the Court or Magistrate shall provide the disputant with written notice of the date of the hearing at least seven days in advance thereof. (O.C. 1355/69.)

Division 27.—Driver Training Schools
(O.C. 2149/69.)

Interpretation.

- 27.01. In this Division,
- “driver training school” means a person, association, partnership, or corporation engaged in the business of providing theoretical or practical training and education in driving or operating a motor-vehicle;
- “driver training school operator” means a person who directs, manages, or is in charge of a driver training school;
- “driver training school instructor” means a person hired or engaged to instruct in the driving or operating of motor-vehicles and includes a person licensed as a driver training school operator.

School licence.

27.02. (1) No person, association, partnership, or corporation shall engage in or hold himself out as engaging in the business of a driver training school unless he is the holder of a valid and subsisting licence issued pursuant to this Division.

(2) No person shall act, or hold himself out as acting, as a driver training school operator or a driver training school instructor unless he is the holder of a valid and subsisting licence issued pursuant to this Division.

Superintendent to issue licences.

27.03. (1) The Superintendent shall issue, or cause to be issued, a licence for a driver training school, or a driver training school operator, or a driver training school instructor, to an applicant upon being satisfied that the applicant has met the qualifications set out in this Division and has paid the prescribed fee.

(2) Subject to subsections (3) and (4), licences issued under this section shall expire on the last day of February in each year, but a licence may be renewed by the Superintendent upon being satisfied that the licensee continues to comply with this regulation and with the conditions set out in the original licence and has paid the prescribed fee.

(3) A licence issued to a driver training school operator or a driver training school instructor is valid only so long as the holder is conducting business for or is in the employ of the driver training school shown on his licence.

(4) A licence issued to a driver training school is valid only so long as the driver training school is engaged in or is conducting the business of a driver training school and is located at the address and in the premises shown on the licence.

(5) The fees payable in respect of licences under this Division are those set forth in section 27.13.

Standards and qualifications of driver training schools.

27.04. (1) Qualifications for a licence for a driver training school are as follows:—

- (a) No driver training school shall be located less than 1,500 feet by street measurement from any premises or buildings occupied by the Motor-vehicle Branch or agency of the Province, or other agency that issues licences under the *Motor-vehicle Act*, or at which applicants for drivers' licences are examined, unless otherwise permitted by the Superintendent of Motor-vehicles;
- (b) Every driver training school shall furnish and maintain security with the Superintendent in the amount of \$500 under the *Security Bonding Act* for the protection of the contractual rights of its students and for the honest conduct of the driver training school and its employees.

Standards and qualifications of operator.

- (2) An applicant for a licence for a driver training school operator shall
- (a) be of good moral character;
 - (b) pass such written or oral examinations as the Superintendent may require;

- (c) be physically able to operate a motor-vehicle in accordance with such standards as the Superintendent may require;
- (d) be the holder of a valid and subsisting British Columbia driver's licence;
- (e) have a good driving record with no convictions under the Criminal Code of Canada, and no convictions in the United States of America for offences analogous to offences under the Criminal Code of Canada, for a period of three years prior to application;
- (f) be 21 years of age or over; and
- (g) have been employed as a driver training instructor for at least three consecutive months with a licensed driver training school, or be a graduate of a training school operator's course recognized by the Superintendent.

27.04. (3) An applicant for a licence for a driver training school instructor shall

- (a) be of good moral character;
- (b) pass such written or oral examinations as the Superintendent may require;
- (c) be physically able to operate a motor-vehicle in accordance with such standards as the Superintendent may require;
- (d) be the holder of a valid and subsisting British Columbia driver's licence;
- (e) have a good driving record with no convictions under the Criminal Code of Canada, and no convictions in the United States of America for offences analogous to offences under the Criminal Code of Canada, for a period of three years prior to the application;
- (f) be 21 years of age or over;
- (g) have completed at least 20 hours of driver instructor training given by a licensed driver training school.

School to make application.

(4) A driver training school shall apply for such licences as may be necessary for those driver training school operators and driver training school instructors in his employ.

Schedule to be posted.

27.05. (1) A driver training school shall post and keep posted in a conspicuous place in each place of business a schedule of fees or charges for lessons provided by the school, and a copy of the schedule of fees and charges shall be filed with the Superintendent.

Records.

(2) A driver training school shall maintain adequate student records as follows:—

- (a) A cumulative record of the courses taken by each student for a period of one year;
- (b) A record for each student of the number of hours of instruction received, of his attendance, of his achievement-test scores, and such other information as the Superintendent may require.

(3) Records shall be kept current and available for inspection at all times during regular business hours by the Superintendent or a person authorized by the Superintendent.

Licences to be displayed.

27.06. (1) A driver training school shall display in a conspicuous place in each place of business the licence issued to it and

- (a) the driver training school operator's licence issued to his operator; and
- (b) the driver training school instructor's licence issued to each of his instructors.

Licence limited.

(2) The licence of a driver training school operator or driver training school instructor shall be valid only for instruction so long as the operator or instructor is in the employ of the driver training school named in the licence.

(3) A driver training school operator or driver training school instructor who terminates his employment with a driver training school shall surrender his licence to the Superintendent immediately.

(4) A driver training school shall notify the Superintendent within 10 days of termination of employment of each operator or instructor, setting out the reasons for termination.

(5) No application for renewal of a licence issued pursuant to this regulation shall be made prior to 60 days before the expiry date of an existing licence.

Equipment required for vehicles.

27.07. (1) Driver training school vehicles, except those vehicles used exclusively for advanced retraining of drivers, shall be equipped with the following equipment:—

- (a) Dual brake pedals;
- (b) Rear-view mirror for use by instructor;
- (c) Auxiliary cut-off switch;
- (d) Dual clutch pedals for manual transmission vehicles.

(2) Motor-vehicles used in driver training shall be equipped with safety belts for the driver, instructor, and each passenger, and the safety belts shall comply with section 7.13 of the regulations.

(3) Motor-vehicles used in driver training, except those vehicles used exclusively for advanced retraining of drivers, shall have a sign painted on or affixed firmly to the rear of the motor-vehicle with the words "student driver" in letters not less than 2 inches high thereon.

(4) An additional lighted sign may be mounted on top of the motor-vehicle of a make and type approved by the Superintendent for this purpose.

(5) The Superintendent or a person authorized by him may at any time inspect a motor-vehicle used for the purposes of this Division.

(6) Upon request of the Superintendent or his authorized representative, at any time, the driver training school operator shall produce a certificate of a qualified garage or inspection station that a vehicle used for the purpose of this Division has been inspected within six months prior to the date of the request and that the vehicle was mechanically fit at the date of inspection.

(7) When a motor-vehicle used for the purpose of this Division is involved in an accident affecting the steering, braking, lighting, alignment, windshield, door frames, or the opening and closing and security of the doors of the vehicle, the driver training school shall report to the Super-

intendent, in addition to any other report required to be made under the *Motor-vehicle Act* or the regulations, and shall not use the motor-vehicle for driver training purposes until the motor-vehicle has been inspected and passed by the Superintendent or a person authorized by him.

Temporary licence.

27.08. (1) The Superintendent may issue a temporary driver training instructor's licence for a period not exceeding 60 days from the date of issuance to a person who has complied with the requirements set out in clauses (a) to (f), inclusive, of subsection (2) of section 27.04.

(2) An application for a temporary driver training instructor's licence shall be made by the driver training school by whom the applicant is to be employed on behalf of the applicant.

(3) A temporary driver training instructor's licence shall be valid only so long as the instructor applicant is in the employ of the driver training school named in the licence.

Limitations.

27.09. (1) No driver training school shall display or cause to be displayed any advertising or advertising sign within 1,500 feet by street measurement from any premises or buildings occupied by the Motor-vehicle Branch or agency of the Province, or other agency that issues licences under the *Motor-vehicle Act*, or at which applicants for drivers' licences are examined.

(2) No driver training school or an operator, instructor, agent, or employee of a driver training school shall represent himself as a representative, agent, or employee of the Provincial Government.

(3) No driver training school or operator, instructor, agent, or employee of a driver training school shall solicit business in any office or department of the Provincial Government or its authorized agents, or within 1,500 feet by street measurement from any premises or buildings occupied by the Motor-vehicle Branch or agency of the Province, or other agency which issues licences under the *Motor-vehicle Act*, or at which applicants for drivers' licences are examined.

(4) No driver training school shall state or imply that issuance of a driver's licence is guaranteed upon completion of the course of instruction.

Suspension or cancellation.

27.10. The Superintendent may suspend, cancel, or refuse to issue or renew any licence under this Division for any one or more of the following reasons:—

- (a) If the licensee is convicted of fraud either with reference to his application for a licence or the operation of the driver training school, or, as an operator or instructor thereof, aids, abets, or counsels fraudulent practices by an applicant for a driver's or chauffeur's licence:
- (b) If the licensee fails to maintain or keep such records as are required under this Division:
- (c) If the licensee is convicted of driving an automobile while impaired either by alcohol or a drug, or of the contravention of any other provision of the Criminal Code, or of any offence

that, in the opinion of the Superintendent, would be likely to cause the licensee to become unfit to hold a licence:

- (d) Upon failure of the applicant or licensee to comply with any requirement of this Division of the regulations; or
- (e) For any other cause that the Superintendent, in his discretion, deems necessary for the safety and well-being of the public.

Exemptions.

27.11. The provisions of this Division of the regulations shall not apply to the following:—

- (a) A person giving driver training or instruction to any other person without payment, profit, or any other consideration:
- (b) Vocational training schools operated by the Province:
- (c) Employers providing advanced driver education and training to regular employees:
- (d) Colleges, universities, secondary schools, and independent schools providing instruction to regularly enrolled students as part of their educational programme.

Schedule of fees.

27.12. Fees for licences issued or renewed pursuant to this Division are prescribed as set out hereunder:—

- (a) Annual licence fee for a driver training school licence \$25.00
- (b) Annual licence fee for a driver training school operator's licence 10.00
- (c) Annual licence fee for a driver training school instructor's licence 5.00

27.13. The provisions of Division 27 become effective on April 1, 1970.

Division 28.—Point System
(O.C. 4019/69.)

REGULATIONS UNDER THE MOTOR-VEHICLE ACT RESPECTING A POINT SYSTEM IN RESPECT TO DRIVING RECORDS

28.01. In the following Schedule, where a short form of description of a driving offence is used, the words and expressions shall be given the extended meaning set out in the corresponding section of the Act or regulations referred to in the Schedule relating to that driving offence.

28.02. Point penalties for driving offences are prescribed as set out in the following Schedule:—

SCHEDULE

2 POINTS	
Sections (Motor-vehicle Act)	Driving Offence
124	Disobeying a Peace Officer.
127	Disobeying a traffic-control device.
128	Failing to stop at traffic-control light.
137	Driving over newly painted sign or marking.
144	Changing lanes illegally.
149	Passing on right.
152	Disobeying traffic signal or sign.
157	Illegal left turn.
158	Illegal right turn.
159	Making an illegal reverse turn.

SCHEDULE—Continued

2 POINTS

Sections (Motor-vehicle Act)	Driving Offence
160	Failing to signal a turn.
161	No proper signalling equipment.
162	No proper signalling equipment for right-hand drive vehicle
163	Failing to yield right-of-way at intersection.
164	Failing to yield right-of-way on left turn.
165	Failing to yield right-of-way on entering a through highway.
166	Emerging from an alley without due care.
171	Failing to exercise duty to pedestrian.
174	Failing to stop at railway crossing controlled by mechanical device
175	Failing to heed railway stop sign.
176	Commercial vehicle failing to stop at railway crossing.
182	Leaving vehicle improperly parked.
184	Failing to exercise due caution backing up.
185	Improper seating on motor-cycle.
187	Improper control and operation of vehicle in canyon or defile.
188	Coasting vehicle with gears in neutral.
189	Failing to maintain proper distance following fire-engine.
190	Driving over fire-hose.
191	Driving on sidewalk.
194	Opening door when unsafe.
195	Illegally depositing articles on highway.

Divisions (Motor-vehicle Act) Regulations

Divisions (Motor-vehicle Act) Regulations	Driving Offence
3	Offences with regard to number-plates.
4	Offences with regard to lamps.
7	Offences with regard to other equipment.
22	Illegal operation of antique motor-vehicle.
24	Illegal operation of vehicles of unusual or novel size.

3 POINTS

Sections (Motor-vehicle Act)	Driving Offence
18 (8)	Failing to obey restriction on driver's licence.
134	Failing to obey construction speed zone.
135	Failing to obey construction zone flagman.
139	Driving too slowly.
140	Speeding.
141	Speeding in playground or school zone.
142	Failing to stop on meeting or overtaking school bus.
143	Failing to drive on right (except when passing).
145	Passing when meeting oncoming vehicle.
146	Passing on solid double line.
148	Failing to drive safely when overtaking another vehicle (or when being overtaken).
150	Failing to drive safely passing on left.
151	Passing without clear view for safe distance.
153	Following too closely.
154	Driving against highway division barrier.
155	Improper entry to controlled-access highway.
156	Improper turn at intersection.
167	Failing to stop when emergency vehicle approaches.
169	Failing to yield right-of-way to pedestrian.
177	Failing to stop properly at stop sign.
186	Moving vehicle on highway when unsafe to do so.

3 POINTS

Divisions (Motor-vehicle Act) Regulations	Driving Offence
4, s. 4.04 (b)	Misuse of high beams.
7A, s. 7A.01	Loud and unnecessary noise from motor-vehicle.

SCHEDULE—Continued

6 POINTS

Sections (Motor-vehicle Act)	Driving Offence
138	Driving without due care and attention.

10 POINTS

Sections (Motor-vehicle Act)	Driving Offence
18 (2a)	Driving without insurance.
20	Driving while right to obtain licence is suspended.

Sections (Criminal Code of Canada)

Sections (Criminal Code of Canada)	Driving Offence
192	Causing death by criminal negligence.
193	Causing injury by criminal negligence.
221 (1) (b)	Criminal negligence.
221 (2) (b)	Failing to remain at scene of accident.
221 (4)	Dangerous driving.
222	Driving while ability impaired.
223 (2)	Breath sample not provided.
224	Driving with more than 80 mgs. of alcohol in blood.
225 (3) (a)	Driving while under suspension.

28.03. Where the Superintendent is notified of a driving offence described in the Schedule, he shall record against the driving record of a driver committing the offence the number of point penalties for that driving offence as set out in the Schedule.

28.04. Upon examination of a driving record of a driver, the Superintendent may, in his discretion, take whatever action pursuant to the Act and regulations that he may deem appropriate in respect to that driver.

28.05. In addition to any other action taken by the Superintendent against a driver under section 4, where examination of the driving record of a driver indicates an accumulation of ten or more point penalties in respect of his driving record, the Superintendent shall assess against that driver an additional fee of twenty-five dollars as prescribed in subsection (13) of section 18 of the Act for each ten point penalties so accumulated and the driver shall, forthwith upon demand, pay to the Superintendent the additional fee so assessed.

Division 29.—Air Pollution Controls on Motor-vehicles

(O.C. 3022/70.)

Interpretation.

29.01. In this Division,

- (a) "Act" means the *Motor-vehicle Act*;
- (b) "crankcase" means the enclosure within a motor-vehicle engine that is connected to the oil pump by internal passages through which gases and vapours may flow;
- (c) "crankcase emissions" means air contaminant emitted to the atmosphere through any opening in the crankcase;
- (d) "engine displacement" means the product expressed in cubic inches, resulting from the multiplication of the total cross-

sectional area of the cylinders of the motor-vehicle engine expressed in square inches, and the piston stroke expressed in inches;

- (e) "evaporative emissions" means any hydrocarbon component of motor gasoline emitted to the atmosphere from the fuel tank or carburettor of a motor-vehicle;
- (f) "exhaust emissions" means air contaminant emitted to the atmosphere from any opening downstream from the exhaust port of a motor-vehicle engine;
- (g) "exhaust emission system" means the exhaust port, exhaust manifold, exhaust pipe, muffler, tail pipe, and the systems or devices incorporated therein or connected therewith to prevent or lessen the emission of air contaminant to the atmosphere;
- (h) "gross vehicle weight" means the manufacturer's gross weight rating;
- (i) "heavy-duty vehicle" means a bus, chassis-cab, multi-purpose passenger vehicle, or a truck having a gross vehicle weight of more than 6,000 pounds, for which a motor-vehicle licence is required under this Act or the *Department of Commercial Transport Act*;
- (j) "light-duty vehicle" means a passenger car or any motor-vehicle having a gross vehicle weight of 6,000 pounds or less, for which a motor-vehicle licence is required under this Act or the *Department of Commercial Transport Act*;
- (k) "model" means a class of motor-vehicle designed, constructed, and assembled by the manufacturer for a particular purpose and designated as a model by the manufacturer during a model year;
- (l) "model year" means the annual period of manufacturing of motor-vehicles in the twelve-month period designated by the manufacturer or, in the absence of such designation, the twelve-month period beginning on the 1st day of January of the year in which the manufacturing begins;
- (m) "motor-vehicle engine" means the engine of a motor-vehicle and includes the exhaust emission system;
- (n) "opacity" means the fraction of a beam of light expressed as a percentage, that fails to penetrate the exhaust emission;
- (o) "system or device" means any modification of a motor-vehicle or motor-vehicle engine which prevents or lessens the emission of air contaminant to the atmosphere; and
- (p) "ultimate purchaser" means the person to whom a motor-vehicle is first sold for purposes other than resale.

Application.

29.02. (1) Subject to subsection (2), every class or type of motor-vehicle or motor-vehicle engine manufactured on or after the 1st day of January, 1971, for which a British Columbia motor-vehicle licence is required under the Act or the *Department of Commercial Transport Act* shall have installed or incorporated in it a system or device that complies with the provisions of this Division.

(2) The following classes or types of motor-vehicles and motor-vehicle engines are exempt from the requirements of subsection (1):—

- (a) Motor-vehicle engines having an engine displacement of less than 50 cubic inches;
- (b) Motor-vehicles with a motor-vehicle engine having a displacement of less than 50 cubic inches;
- (c) Motor-cycles;
- (d) Light-duty vehicles forming part of a manufacturer's total annual sales volume in British Columbia where the total annual sales volume in British Columbia of that manufacturer does not exceed 50 light-duty vehicles.

General.

29.03. (1) A system or device installed on or incorporated in a motor-vehicle or motor-vehicle engine as required by section 29.02 shall, during the operation of the motor-vehicle or motor-vehicle engine, operate or function in such manner as to comply at all times with the requirements of this Division.

(2) A system or device

- (a) shall not cause emission to the atmosphere of any air contaminant that would not be emitted to the atmosphere during the operation of the motor-vehicle or motor-vehicle engine if it were not equipped with the system or device, and
- (b) shall not cause or contribute to any unsafe condition endangering persons or property.

(3) Compliance or non-compliance with the requirements of this Division shall be determined by test methods approved by the Superintendent.

Crankcase emissions.

29.04. The crankcase of a gasoline-powered motor-vehicle engine shall be constructed in such manner and maintained in such condition that crankcase emissions are not discharged into the atmosphere.

29.05. The manufacturer of any motor-vehicle or motor-vehicle engine on or in which a system or device is installed or incorporated, for the purpose of complying with the requirements of section 29.04, shall test or cause to be tested as many motor-vehicles and motor-vehicle engines as may be required to ensure that the motor-vehicles or motor-vehicle engines meet the requirements of section 29.04 for a period of not less than one year after the sale and delivery of the motor-vehicle or motor-vehicle engine to the ultimate purchaser.

Exhaust emissions.

29.06. The hydrocarbon and carbon monoxide content of the exhaust emissions of a gasoline-powered motor-vehicle engine shall not exceed

(a) in the case of hydrocarbons,

- (i) 2.2 grams per vehicle mile for a light-duty vehicle, or
- (ii) 275 parts per million by volume for a heavy-duty vehicle, and

(b) in the case of carbon monoxide,

- (i) 23 grams per vehicle mile for a light-duty vehicle, or
- (ii) 1.5 per cent by volume for a heavy-duty vehicle.

29.07. The requirements of section 29.06 apply to composite values calculated under section 29.18 from results obtained in tests of exhaust emissions from the operation of the motor-vehicles and motor-vehicle engines in accordance with the test procedures of

- (a) clause (c) of section 29.08 and section 29.10 for light-duty vehicles, or
- (b) clause (b) of section 29.13 and section 29.14 for heavy-duty vehicles.

29.08. Procedures for selecting, testing, and inspecting exhaust-emission control systems or devices installed on or incorporated in a gasoline-powered light-duty vehicle shall be as follows:—

- (a) Four motor-vehicles of each engine displacement shall be run for emission data, except that
 - (i) where projected sales volume of a manufacturer of motor-vehicles of such engine displacement represents less than one-half of one per cent of the last preceding model year's total sales in British Columbia of all motor-vehicles of that manufacturer, a total of two motor-vehicles of such displacement may be tested; and
 - (ii) in all cases the manufacturer shall accumulate test data on a minimum of four motor-vehicles:
- (b) The motor-vehicles selected under clause (a) and used for testing of motor-vehicle engines shall be
 - (i) those motor-vehicles in which the manufacturer usually installs such engines; and
 - (ii) equipped as nearly as possible with kinds and combinations of transmissions and carburetors in proportion to the number of comparable motor-vehicles so equipped in the last preceding model year of the manufacturer:
- (c) The motor-vehicles selected under clause (a) for amounts of hydrocarbons and carbon monoxide in exhaust emissions shall be
 - (i) driven a distance of at least 4,000 miles with all emission-control systems or devices installed and operating; and
 - (ii) tested for the amounts of hydrocarbons and carbon monoxide in the exhaust emissions by running on an engine dynamometer from a cold start through seven identical testing cycles without stalling of the motor-vehicle engine and with each cycle lasting 137 seconds and including a series of periods of acceleration, deceleration, steady speed, and idling:
- (d) In addition to the selection of motor-vehicles for testing of exhaust emissions under sections 29.09 and 29.10, the manufacturer shall, subject to section 29.11, select not fewer than four and not more than twelve motor-vehicles for tests of durability of the systems or devices or of the exhaust emission system.

29.09. Where, pursuant to clause (b) of section 29.08, a manufacturer makes tests of motor-vehicles and installs a combination of en-

gine and transmission systems in more than one model of motor-vehicle, the manufacturer may make only one series of tests of exhaust emissions and where the combination of such engine and transmission system in any motor-vehicle may increase the amount of hydrocarbons and carbon monoxide in the exhaust emissions, tests shall be carried out in respect of every motor-vehicle.

29.10. The hydrocarbon and carbon monoxide content of the exhaust emissions referred to in clause (c) of section 29.08 shall be

- (a) measured for each period of the first four cycles and the last two cycles of the seven testing cycles; and
- (b) recorded in respect of each motor-vehicle engine so that a value, expressed as grams per motor-vehicle mile and representative of the hydrocarbon and carbon monoxide content in the exhaust emissions during the periods of the six recorded testing cycles, is obtained for that engine for the purposes of section 29.08.

29.11. (1) In the selection of motor-vehicles for the testing of durability, for the purposes of clause (d) of section 29.08, the manufacturer shall have regard to the combinations of engine displacements and transmissions, including automatic and manual transmission installations, so that the selections represent at least 70 per cent of the number of light-duty vehicles sold in British Columbia by that manufacturer during his last preceding model year.

(2) Notwithstanding subsection (1), where the number of motor-vehicles sold by a manufacturer in British Columbia in the last preceding model year is less than 10 per cent of the total sales of motor-vehicles in British Columbia in the same period, the manufacturer shall have regard to the combination chosen so that the number of motor-vehicles tested for durability of the systems or devices or of the exhaust-emissions systems shall be not fewer than four and not more than eight.

(3) Every motor-vehicle selected for tests under the provisions of this section shall represent at least 50 per cent of the number of light-duty vehicles sold by the manufacturer during the model year, except that in no case shall fewer than two motor-vehicles containing each exhaust-emission control system or device be tested nor shall the total number of light-duty vehicles so tested be fewer than four.

29.12. (1) Every motor-vehicle selected for testing pursuant to clause (d) of sections 29.08 and 29.11 shall be driven a distance of at least 50,000 miles and tested in the manner set out in clause (c) of section 29.08, the tests to be carried out on each motor-vehicle at intervals of not more than 4,000 miles, and the results from such tests shall be recorded.

(2) From the results recorded under subsection (1) values shall be calculated for the hydrocarbon and carbon monoxide content of the exhaust emissions over the whole seven-cycle test for each 4,000-mile interval for each motor-vehicle in the manner set out in section 29.10 and the representative values so obtained shall be used in the calculation of the factor mentioned in section 29.18.

29.13. Procedures for selecting, testing, and inspecting exhaust-emission control systems or devices installed on or incorporated in a gasoline-powered heavy-duty vehicle, shall be as follows:—

(a) Two motor-vehicle engines of each engine-displacement emission-control system combination shall be run for emission data, except that

(i) where projected sales volume of a manufacturer of motor-vehicles of such engine displacement represents less than one-half of one per cent of the last preceding model year's total sales in British Columbia of all motor-vehicle engines of that manufacturer, only one motor-vehicle engine is required to be tested for that displacement emission-control system combination; and

(ii) in all cases the manufacturer shall accumulate test data on a minimum of two motor-vehicle engines:

(b) The motor-vehicle engines selected for testing under clause (a) for amounts of hydrocarbons and carbon monoxide in exhaust emissions shall be

(i) operated a minimum of 125 hours on an engine dynamometer with all exhaust-emission control systems or devices installed and operating, after which time the engine shall be switched off for at least one hour; and

(ii) tested for the amounts of hydrocarbons and carbon monoxide in the exhaust emissions, after idling for an initial five-minute period, running through four identical testing cycles, with each cycle lasting 300 seconds, and including a series of periods of acceleration, deceleration, steady speed, and idling:

(c) In addition to the selection of combinations of motor-vehicle engines and exhaust-emission control systems or devices for the testing of exhaust emissions under clause (b), the manufacturer shall, subject to section 29.15, select not fewer than two and not more than six combinations of motor-vehicle engines and exhaust-emission control systems or devices for tests of durability of the systems or devices or of the exhaust-emission system.

29.14. The hydrocarbon and carbon monoxide content of the exhaust emissions referred to in clause (b) of section 29.13 shall be

(a) measured for each period of the four testing cycles; and

(b) recorded in respect of each motor-vehicle engine, so that a value, expressed as grams per motor-vehicle mile, representative of the hydrocarbon and carbon monoxide content in the exhaust emissions during the periods of the four testing cycles, is obtained for that engine for the purposes of section 29.13.

29.15. (1) In the selection of combinations of motor-vehicle engines and exhaust-emission control systems or devices for the testing of exhaust emissions for the purposes of clause (c) of section 29.13, the

manufacturer shall make selections representing at least 70 per cent of the number of gasoline-powered heavy-duty vehicle engines sold in British Columbia by that manufacturer during his last preceding model year.

(2) Notwithstanding subsection (1), where the number of gasoline-powered heavy-duty motor-vehicle engines sold by a manufacturer in British Columbia in the last preceding model year is less than 10 per cent of the total sales of gasoline-powered heavy-duty motor-vehicle engines in British Columbia in the same period, the manufacturer shall have regard to the combinations so chosen so that the number of engines tested for durability of the systems or devices or of the exhaust-emission systems shall represent at least 50 per cent of the number of gasoline-powered heavy-duty motor-vehicle engines sold by the manufacturer during such model year, except that in no case shall the total number of such motor-vehicle engines so tested be fewer than two.

29.16. (1) Every combination of motor-vehicle engines and exhaust-emission control systems or devices selected for testing pursuant to clause (c) of section 29.13 and section 29.15 shall be driven on an engine dynamometer for at least 1,500 hours and tested in the manner set out in clause (b) of section 29.13, the tests to be carried out on each motor-vehicle engine at intervals of not more than 125 hours, and the results from such tests shall be recorded.

(2) From the results recorded under subsection (1) values shall be calculated for the hydrocarbon and carbon monoxide content of the exhaust emissions over the whole four-cycle test for each 125 hours interval for each motor-vehicle engine in the manner set out in section 29.14 and the representative values so obtained shall be used in the calculation of the factor mentioned in section 29.18.

29.17. (1) Where, pursuant to the provisions of this Division, recording is made of results of tests for amounts of hydrocarbons and carbon monoxide in exhaust emissions in respect of any motor-vehicle or motor-vehicle engine, two composite values, one for hydrocarbons and one for carbon monoxide, shall be determined under section 29.18 for each.

(a) engine displacement, in the case of a light-duty vehicle; and

(b) combination of engine displacement and exhaust-emission control system or device, in the case of a heavy-duty vehicle.

(2) The composite values referred to in subsection (1) shall take into account factors of deterioration in efficiency of the system or device installed thereon or incorporated therein resulting from the use of such motor-vehicle or motor-vehicle engine, in accordance with the procedure set out in section 29.18.

29.18. The procedure for the calculation of the composite value of hydrocarbons and carbon monoxide in the exhaust emissions shall be as follows:—

(a) For each exhaust-emission control system or device, two deterioration factors, one for hydrocarbons and one for carbon

monoxide, shall be determined by using the results obtained pursuant to section 29.12 or section 29.16 and

(i) plotting two graphs, one for hydrocarbons and one for carbon monoxide, of motor-vehicle mileage in the case of a light-duty vehicle and hours of operation in the case of a heavy-duty vehicle against exhaust-emission levels for each emission-control system or device so tested;

(ii) drawing a straight line by the method of least squares as near as possible to the points plotted on each graph; and

(iii) calculating the deterioration factors in respect of hydrocarbons and carbon monoxide for deterioration in efficiency for each exhaust-emissions control system or device in accordance with

(A) in the case of a light-duty vehicle, the formula
factor = $\frac{\text{exhaust emissions interpolated to 50,000 miles}}{\text{exhaust emissions interpolated to 4,000 miles}}$

and,

(B) in the case of a heavy-duty vehicle, the formula
factor = $\frac{\text{exhaust emissions interpolated to 1,500 hours}}{\text{exhaust emissions interpolated to 125 hours}}$

(b) The exhaust-emission test results of clause (c) of sections 29.08 and 29.10 or clause (b) of sections 29.13 and 29.14 shall be multiplied by the appropriate factor determined in clause (a) for hydrocarbons or carbon monoxide for the particular exhaust-emission control system or device installed:

(c) For each engine displacement, the results obtained under clause (b) shall be weighted in proportion to the projected sales of the motor-vehicle represented by each test motor-vehicle or test motor-vehicle engine:

(d) For each engine displacement, the weighted results obtained under clause (c) shall be averaged:

(e) For each engine displacement, the exhaust emissions to be compared with the standard of section 29.06 shall be the averaged values for hydrocarbons and carbon monoxide obtained under clause (d).

Opacity.

29.19. The opacity of the exhaust emissions of a diesel-powered heavy-duty vehicle shall not exceed

(a) 40 per cent during the acceleration mode; and

(b) 20 per cent during the lugging mode.

29.20. The requirements of section 29.19 apply to composite values calculated under section 29.26 from results obtained in tests of exhaust emissions from the operation of the motor-vehicle engines in accordance with the test procedures of clause (b) of sections 29.21 and 29.22.

29.21. Procedures for selecting, testing, and inspecting exhaust-emission control systems or devices installed on or incorporated in a diesel-powered heavy-duty vehicle shall be as follows:—

(a) The manufacturer shall divide his production of such motor-vehicles into engine groups, each group consisting of
(i) a specific combination of combustion cycle;
(ii) cylinder configuration and dimensions; and
(iii) method of air aspiration and fuel feed;

and shall select from each group for testing of opacity of exhaust emissions two motor-vehicle engines that feature the highest fuel feed per stroke, primarily at the speed of maximum torque and secondarily at rated speed:

(b) The diesel motor-vehicle engine selected for testing under clause (a) for opacity of exhaust emissions shall be

(i) operated on an engine dynamometer for at least 125 hours with the dynamometer and engine adjusted so that the engine is operating at 95 to 100 per cent of rated speed and at 95 to 100 per cent of maximum rated horsepower;

(ii) preconditioned by being operated for ten minutes at a maximum rated horsepower immediately after the engine has operated as required in paragraph (i); and

(iii) tested for opacity of exhaust emissions by being operated through three cycles, each consisting of periods of accelerating and lugging, with a five-minute period of idling between each cycle:

(c) In addition to the selection of diesel-powered motor-vehicle engines for testing of opacity of exhaust emissions under clause (b), the manufacturer shall, subject to section 29.26, select from each group mentioned in clause (a), for tests of durability and lifetime opacity of exhaust emissions, one such motor-vehicle engine that features the highest fuel feed per stroke primarily at rated speed and secondarily at the speed of maximum torque.

29.22. The opacity of the exhaust emissions referred to in clause (b) of section 29.21 shall be recorded during the whole of each of the three cycles, and from these records, values representative of the opacity of the exhaust emissions during the three acceleration periods and three lugging periods, shall be obtained for the purposes of section 29.26.

29.23. (1) In the selection of engine groups for the testing of opacity of exhaust emissions, for the purposes of clause (c) of section 29.21, where the number of diesel-powered heavy-duty motor-vehicle engines sold by a manufacturer in British Columbia in the last preceding model year is less than 5 per cent of the total sales of diesel-powered heavy-duty motor-vehicle engines in British Columbia in the same period, the manufacturer shall not be required to test more than four motor-vehicle engines.

(2) The engines selected for tests under the provisions of this section shall be selected from the groups of motor-vehicle engines in order of projected sales volume and shall

(a) represent as many groups as possible;

- (b) include at least one diesel motor-vehicle engine using each combustion cycle; and
- (c) include one diesel motor-vehicle engine using each method of air aspiration included in the projected production of the manufacturer.

29.24. (1) Every diesel-powered motor-vehicle engine selected for testing pursuant to clause (c) of sections 29.21 and 29.23 shall be driven on an engine dynamometer for at least 1,000 hours with the dynamometer and the motor-vehicle engine so adjusted that the motor-vehicle engine is operating at 95 to 100 per cent of rated speed and at 95 to 100 per cent of maximum rated horsepower and tested in the manner set out in clause (b) of section 29.21, the tests to be carried out on each motor-vehicle engine at intervals of not more than 125 hours, and the results from such tests shall be recorded.

(2) From the results recorded under subsection (1) values shall be calculated for the opacity of exhaust emissions over the whole three-cycle test for each 125-hour interval for each motor-vehicle engine in the manner set out in section 29.22 and the representative values so obtained shall be used in the calculation of the factor mentioned in section 29.26.

29.25. Where, pursuant to the provisions of this Division, recording is made of results of tests for the opacity of exhaust emissions in respect of any diesel-powered heavy-duty motor-vehicle engine, composite values for acceleration and lugging modes shall be determined under section 29.26 for each group of such motor-vehicle engines, taking into account factors of deterioration in efficiency of the system or device installed thereon or incorporated therein resulting from the use of such motor-vehicle engines, in accordance with the procedure set out in section 29.26.

29.26. The procedure for the calculation of the composite value of opacity during the acceleration mode and the lugging mode shall be as follows:—

- (a) For each motor-vehicle engine tested, two emission-deterioration factors, one for the acceleration mode and one for the lugging mode, shall be determined by using the results obtained pursuant to section 29.29, and

- (i) plotting two graphs, one for the acceleration mode and one for the lugging mode, of hours of operation against the percentage of opacity during the relevant mode for each engine so tested;

- (ii) drawing a straight line by the method of least squares as near as possible to the points plotted on each graph; and

- (iii) calculating the deterioration factors in respect of the acceleration mode and the lugging mode for deterioration in efficiency of the system or device for each motor-vehicle engine in accordance with the formula

$$\text{factor} = \frac{\text{percentage opacity interpolated to 1,000 hours} - \text{percentage opacity interpolated to 125 hours}}{\text{minus}}$$

- (b) For each group of such motor-vehicle engines, the exhaust-emission test results from each of the two motor-vehicle engines tested under clause (b) of section 29.21 and 29.22 shall be added to the appropriate factor determined under clause (a) for the acceleration mode or the lugging mode of the appropriate motor-vehicle engine representing that group, or, if that group is not represented, shall be added to the appropriate factor of the motor-vehicle engine tested under clause (b) of sections 29.21 and 29.22, having the same combustion cycle and the same method of air aspiration and, as near as possible, the same fuel feed per stroke:

- (c) For each group of motor-vehicle engines, the opacity values to be compared with the standard of section 29.19 shall be the averaged opacity values of the two motor-vehicle engines of that group obtained under clause (b).

Evaporative emissions.

29.27. The evaporative emissions from a light-duty vehicle shall not exceed 6 grams of hydrocarbons per test.

29.28. The requirements of section 29.27 apply to a composite value calculated under section 29.35 from results obtained in tests of evaporative emissions from the operation of a motor-vehicle in accordance with the test procedures set out in clause (c) of section 29.29 and sections 29.30 and 29.31.

29.29. Procedures for selecting, testing, and inspecting evaporative emissions-control systems or devices installed on or incorporated in a motor-vehicle to prevent or lessen the emission into the atmosphere of evaporative emissions from the operation of the motor-vehicle shall be as follows:—

- (a) Four motor-vehicles of each engine displacement shall be run for emission data, except that

- (i) where projected sales volume of a manufacturer of motor-vehicles of such engine displacement represents less than one-half of one per cent of the last preceding model year's total sales in British Columbia of all motor-vehicles of that manufacturer, a total of two motor-vehicles of such displacement are required to be tested; and

- (ii) in all cases, the manufacturer shall accumulate test data on a minimum of four motor-vehicles:

- (b) The combinations of motor-vehicles and motor-vehicle engines selected under clause (a) and used for the testing of evaporative emissions shall

- (i) be those combinations usually produced for sale by the manufacturer; and

- (ii) be equipped as nearly as possible with kinds and combinations of transmissions and carburetors in proportion to the number of comparable motor-vehicles so equipped in the last preceding model year of the manufacturer:

(c) The motor-vehicles selected for testing under clause (a) for amounts of evaporative emissions shall be

(i) driven a distance of at least 4,000 miles with all evaporative emission-control systems or devices installed and operating; and

(ii) tested for the amounts of evaporative emissions as prescribed in section 29.30:

(d) In addition to the selection of motor-vehicles for testing of evaporative emissions under clauses (b) and (c) and section 29.30, the manufacturer shall, subject to section 29.35, select not fewer than four and not more than twelve motor-vehicles for tests of durability of the evaporative emission-control systems or devices and in the selection the manufacturer shall have regard to the combinations of engine displacements and transmissions, including automatic and manual transmission installations so that the selections represent at least 70 per cent of the number of light-duty vehicles sold in British Columbia by that manufacturer during his last preceding model year.

29.30. Each test pursuant to section 29.29 shall consist of three parts which shall be performed in sequence and without any interruption between each part, by

(a) installing previously weighed hydrocarbon vapour collection devices on all fuel system external vents, then heating, by artificial means, the fuel in the tank of the motor-vehicle to a temperature between 82 and 86 degrees Fahrenheit over a period of not less than 50 minutes and not more than 70 minutes, after which time the motor-vehicle shall be moved on to a dynamometer;

(b) running the motor-vehicle on an engine dynamometer from a cold start through nine identical testing cycles without stalling of the motor-vehicle engine and with each cycle lasting 137 seconds and including a series of periods of acceleration, deceleration, steady speeds, and idling; and

(c) permitting the motor-vehicle to stand for a period of one hour at an ambient temperature between 76 and 86 degrees Fahrenheit, after which time the hydrocarbon vapour collection devices shall be removed from the motor-vehicle and sealed.

29.31. The evaporative emissions of clause (c) of section 29.29 shall be obtained by reweighing the previously weighed hydrocarbon vapour collection devices and the increase of weight of such devices shall be recorded in respect of each motor-vehicle so that a value, expressed as grams of hydrocarbons per test, is obtained for that motor-vehicle and motor-vehicle engine for the purposes of section 29.35.

29.32. In the selection of motor-vehicles for the testing of evaporative emissions, for the purposes of clause (d) of section 29.29, where the number of motor-vehicles sold by a manufacturer in British Columbia in the last preceding model year is less than 10 per cent of the total sales of

motor-vehicles in British Columbia in the same period, the manufacturer shall have regard to the combination chosen so that the number of motor-vehicles tested for durability of the evaporative-emission control systems or devices shall be not fewer than four and not more than eight and shall represent at least 50 per cent of the number of light-duty vehicles sold by the manufacturer during such model year.

29.33. (1) Every motor-vehicle selected for testing pursuant to clause (d) of sections 29.29 and 29.32 shall be driven a distance of at least 50,000 miles and tested in the manner set out in section 29.30, the tests to be carried out on each motor-vehicle at intervals of not more than 4,000 miles, and the results from such tests shall be recorded.

(2) From the results recorded under subsection (1), values shall be calculated for the evaporative emissions during each test for each 4,000 miles interval for each motor-vehicle in the manner set out in section 29.31 and the representative values so obtained shall be used in calculation of the factor mentioned in section 29.35.

29.34. Where, pursuant to the provisions of this Division, recording is made of results of test for amounts of evaporative emissions in respect of any motor-vehicle or motor-vehicle engine, a composite value shall be determined under the provisions of section 29.35 for each engine displacement, which composite value shall take into account factors of deterioration in efficiency of the system or device installed thereon or incorporated therein resulting from the use of such motor-vehicle or motor-vehicle engine, in accordance with the procedure set out in section 29.35.

29.35. The procedure for the calculation of the composite value of the evaporative emissions shall be as follows:—

(a) For each combination of exhaust-emission control systems or devices and evaporative-emission control systems or devices, an evaporative emission deterioration factor shall be determined by using the results obtained pursuant to section 29.33 and

(i) plotting a graph for each combination of exhaust-emission control systems or devices and evaporative-emission control systems or devices of motor-vehicle mileage against the evaporative emission values so obtained;

(ii) drawing a straight line by the method of least squares as near as possible to the points plotted on each graph; and

(iii) calculating the deterioration factor in respect of evaporative emissions for deterioration in efficiency for each combination of exhaust-emission control systems or devices and evaporative-emission control systems or devices in accordance with the formula

$$\text{factor} = \frac{\text{evaporative emissions interpolated to 50,000 miles} - \text{evaporative emissions interpolated to 4,000 miles}}{\text{minus}}$$

- (b) The evaporative emission test results from each motor-vehicle tested under clause (a) of sections 29.29, 29.30, and 29.31 shall be added to the appropriate factor determined in clause (a) for the particular engine displacement of that motor-vehicle:
- (c) For each engine displacement, the results obtained under clause (b) for each motor-vehicle in that engine displacement class shall be weighted in proportion to the projected sales of the motor-vehicles represented by each test motor-vehicle:
- (d) For each engine displacement, the weighted results obtained in clause (c) shall be averaged:
- (e) For each engine displacement, the evaporative emissions to be compared with the standard of section 29.27 shall be the averaged value for evaporative emissions obtained in clause (d).

Division 30.—Classes of Drivers' Licences
(O.C. 823/71.)

30.01. (1) In this section

- (a) "bus" means a motor-vehicle having a seating capacity of 10 or more persons, including the driver, which is operated for hire by the public or for public transportation;
- (b) "taxi" means a motor-vehicle having a seating capacity of not more than nine passengers, including the driver, which is operated for hire by the public.

(2) The classes of drivers' licences prescribed under section 17B of the Act are as follows:

Class 6 includes the operation of motor-cycles only.

Class 5 includes the operation of

- (a) any motor-vehicle not exceeding a gross vehicle weight of 24,000 pounds;
- (b) any combination of vehicles, other than semi-trailers, not exceeding in combination a gross vehicle weight of 24,000 pounds, and the towed vehicles in that combination not exceeding a gross vehicle weight of 10,000 pounds; and
- (c) any bus or taxi without passengers,

but does not include the operation of motor-cycles, ambulances, buses, or taxis.

Class 4 includes the operation of any motor-vehicle or any combination of vehicles in Class 5, ambulances, taxis, and buses having a seating capacity of not more than 24 passengers, excluding the driver, but does not include a motor-vehicle equipped with air brakes unless specifically permitted in the licence.

Class 3 includes the operation of

- (a) any motor-vehicle;
- (b) any combination of vehicles, other than semi-trailers, of any gross vehicle weight, where the towed vehicles in that combination do not exceed a gross vehicle weight of 10,000 pounds; and

(c) any bus or taxi without passengers, but does not include the operation of motor-cycles, ambulances, buses, or taxis or a motor-vehicle equipped with air brakes unless specifically permitted in the licence.

Class 2 includes the operation of any motor-vehicle, or any combination of vehicles, in Classes 5, 4, and 3, and buses of any seating capacity for passengers, except a motor-vehicle equipped with air brakes unless specifically permitted in the licence.

Class 1 includes the operation of any motor-vehicle, or any combination of vehicles, but does not include the operation of motor-cycles. (O.C. 823/71, eff. September 1, 1971.)

30.02. Subject to section 30.03, a driver's licence issued pursuant to the provisions of the Act before the 1st day of September 1971, and valid and subsisting on that date, shall, on the coming into force of this regulation, and without further application or payment of fee, be deemed to be an appropriate subsisting driver's licence of the relevant class as determined by the Superintendent in accordance with the regulations, and shall expire on the expiry date indicated on the driver's licence or on such earlier date of expiry or cancellation as is provided for under the Act or regulations.

30.03. Subject to section 18 of the Act, on, from, and after the 1st day of September 1971, no person shall drive or operate a motor-vehicle on a highway, other than a motor-vehicle of the category designated in Class 5, unless he is the holder of a valid and subsisting driver's licence endorsed with, or accompanied by, an amendment form indicating thereon the class for which he is licensed to drive under section 30.01, and the motor-vehicle is of the relevant category designated in that class.

30.04. The Superintendent may exempt a peace officer, or a person employed by the Crown as a Motor-vehicle Inspector or an Examiner of Drivers, from the provisions of section 30.03 while driving or operating a motor-vehicle

- (a) as a result of an accident or other emergency; or
- (b) for the purpose of inspecting the motor-vehicle; or
- (c) for the purpose of examining the driver. (O.C. 3316/71, eff. Sept. 16, 1971.)

Division 31.—Trailers and Mobile Homes

(O.C. 823/71.)

31.01. Trailers, mobile homes, or recreational vehicles, and the equipment therein, manufactured on or after the first day of July, 1971, shall conform in all respects to the standards for trailers, mobile homes, or recreational vehicles from time to time made by the Canadian Standards Association, now numbered C.S.A. Standard Z 240.0 and Z 240.1, entitled "Definitions for Mobile Housing and Recreational Vehicles" and "Vehicle Requirements for Mobile Homes and Recreational Vehicles" respectively; and labelled in accordance with such standard. (O.C. 823/71, eff. July 1, 1971.)

MOTOR-VEHICLE ACT

REGULATIONS MADE UNDER THE MOTOR-VEHICLE ACT, BEING B.C. REGS. 437/59, 97/60, 27/61, 141/62, 78/65; ORDERS IN COUNCIL 2748/59, 948/60, 287/61, 2411/62, 1184/65.

TRAFFIC TICKET REGULATION

Division (1).—Form of Ticket
(O.C. 2748/59)

1.01 A traffic ticket used under section 126 of the *Motor-vehicle Act* shall be in the following form:—

TRAFFIC TICKET INFORMATION

CANADA: } The undersigned, being duly sworn upon oath,
PROVINCE OF BRITISH COLUMBIA } deposes and says:

On the _____ day of _____, 19____, on _____,
(Location.)
at _____, in the Province of British Columbia, at _____ .m.
(Time.)
(Name) _____
(Last.) (First.) (Other.)
(Address) _____
(Street.) (Municipality or post-office.) (Province.)

did unlawfully operate a motor-vehicle upon a highway, namely _____
and did then and there commit the offence/offences indicated under the

- Motor-vehicle Act. _____
(By-law.)
- Motor-vehicle Act Regulations. _____
(Other.)

"X" indicates offence charged.

<input type="checkbox"/> Disobeying stop-sign.	<input type="checkbox"/> Disobeying traffic-control device.
<input type="checkbox"/> YELLOW LIGHT.	<input type="checkbox"/> Intersection. <input type="checkbox"/> Other.
<input type="checkbox"/> RED LIGHT.	<input type="checkbox"/> Intersection. <input type="checkbox"/> No stop before crosswalk. <input type="checkbox"/> Other. <input type="checkbox"/> No stop before intersection. <input type="checkbox"/> Flashing. <input type="checkbox"/> No stop before signal.
<input type="checkbox"/> SPEEDING.	<input type="checkbox"/> In municipality. <input type="checkbox"/> Against highway signs. <input type="checkbox"/> Outside municipality. <input type="checkbox"/> Against municipal signs. <input type="checkbox"/> Past school sign. <input type="checkbox"/> Construction area. <input type="checkbox"/> Past playground sign. <input type="checkbox"/> Past school bus.
<input type="checkbox"/> CHANGING LANES.	<input type="checkbox"/> Crossing solid line. <input type="checkbox"/> Single. <input type="checkbox"/> Double.
<input type="checkbox"/> FOLLOWING TOO CLOSELY.	
<input type="checkbox"/> SLOW DRIVING.	<input type="checkbox"/> Slow moving in wrong lane.
<input type="checkbox"/> U-TURN.	<input type="checkbox"/> Intersection. <input type="checkbox"/> Business district. <input type="checkbox"/> Prohibited.

Other violation _____

The informant says that he has reasonable and probable grounds to believe and does believe that the person named above committed the offence/offences indicated.

(Signature of Informant.)
SWORN before me this _____ day of _____, 19____,
at _____, in the Province of British Columbia.

Justice.

In the name of Her Majesty the Queen you are therefore commanded to appear in the Provincial Court of British Columbia at _____, in the Province of British Columbia, on the _____ day of _____, 19____, at _____ .m., to answer the above charge/charges and to be further dealt with according to law.

DETAILS

OFFENDER	Birthdate _____ Sex _____ Occupation _____ (Day, month, year.)
	Op. Lic. No. _____ Year _____ Prov. _____
VEHICLE	Make _____ Type vehicle _____ Year _____
	Vehicle Lic. No. _____ Prov. _____ Year _____
	Owner's name _____ (Last.) (First.) (Middle.)
	Address _____ (Street.) (Municipality.) (P.O.) (Province.)

ENDORSEMENTS

Court Action

For Crown _____ For Defence _____
Court Reporter _____ Bail _____ (cash or property)

Adjourned to _____ Reason _____

Fail to appear when on bail. Bail forfeited. Warrant issued.

Fail to appear on summons. Warrant issued. Trial in absentia.

Charge read. Plea: Guilty. Not guilty.

Finding of Court:

- Guilty.
Under _____
(Section under which conviction made.)
- Dismissed. Withdrawn.
- Suspended sentence.

Fine _____	} or _____ days.
Costs _____	
Total _____	} Paid.

Time to pay _____ Gaolled _____ days in _____

Driver's licence: Endorsed. Attached.

Heard on _____, 19____, in the Provincial Court of British Columbia at _____
 Recommendations and comments _____

Convicting Magistrate or Justice.

REPORT OF CONVICTION

(Forward to Superintendent of Motor-vehicles.)

CANADA: } The undersigned, being duly sworn upon oath,
 PROVINCE OF BRITISH COLUMBIA } deposes and says:

On the _____ day of _____, 19____, on _____, (Location.)
 at _____, in the Province of British Columbia, at _____ m.
 (Name) _____ (Last.) _____ (First.) _____ (Other.)
 (Address) _____ (Street.) _____ (Municipality or post-office.) _____ (Province.)

did unlawfully operate a motor-vehicle upon a highway, namely _____
 and did then and there commit the offence/offences indicated under the
 Motor-vehicle Act. _____ (By-law.)
 Motor-vehicle Act Regulations. _____ (Other.)

<input type="checkbox"/> Disobeying stop-sign.	<input type="checkbox"/> Disobeying traffic-control device.
<input type="checkbox"/> YELLOW LIGHT.	<input type="checkbox"/> Intersection. <input type="checkbox"/> Other.
<input type="checkbox"/> RED LIGHT.	<input type="checkbox"/> Intersection. <input type="checkbox"/> No stop before crosswalk. <input type="checkbox"/> Other. <input type="checkbox"/> No stop before intersection. <input type="checkbox"/> Flashing. <input type="checkbox"/> No stop before signal.
<input type="checkbox"/> SPEEDING.	<input type="checkbox"/> In municipality. <input type="checkbox"/> Against highway signs. <input type="checkbox"/> Outside municipality. <input type="checkbox"/> Against municipal signs. <input type="checkbox"/> Past school sign. <input type="checkbox"/> Construction area. <input type="checkbox"/> Past playground sign. <input type="checkbox"/> Past school bus.
<input type="checkbox"/> CHANGING LANES.	<input type="checkbox"/> Crossing solid line. <input type="checkbox"/> Single. <input type="checkbox"/> Double.
<input type="checkbox"/> FOLLOWING TOO CLOSELY.	
<input type="checkbox"/> SLOW DRIVING.	<input type="checkbox"/> Slow moving in wrong lane.
<input type="checkbox"/> U-TURN.	<input type="checkbox"/> Intersection. <input type="checkbox"/> Business district. <input type="checkbox"/> Prohibited.

"X" indicates offence charged.

Other violation _____

The informant says that he has reasonable and probable grounds to believe and does believe that the person named above committed the offence/offences indicated.

 (Signature of Informant.)

SWORN before me this _____ day of _____, 19____
 at _____, in the Province of British Columbia.

Justice.

In the name of Her Majesty the Queen you are therefore commanded to appear in the Provincial Court of British Columbia at _____, in the Province of British Columbia, on the _____ day of _____, 19____, at _____ m., to answer the above charge/charges and to be further dealt with according to law.

DETAILS

OFFENDER	Birthdate _____ Sex _____ Occupation _____ <small>(Day, month, year.)</small>
	Op. Lic. No. _____ Year _____ Prov. _____
VEHICLE	Make _____ Type vehicle _____ Year _____
	Vehicle Lic. No. _____ Prov. _____ Year _____
	Owner's name _____ <small>(Last.) (First.) (Middle.)</small>
	Address _____ <small>(Street.) (Municipality.) (P.O.) (Province.)</small>

REPORT OF CONVICTION

Complete and forward to Superintendent of Motor-vehicles, Parliament Buildings, Victoria, if Court action results in conviction.

Name of person convicted: _____ Date of Birth _____
 Driver's Licence No. _____ Day Mon. Yr. _____

COURT ACTION

For Crown _____ For Defence _____
 Court Reporter _____ Bail _____ (cash or property)

Adjourned to _____ Reason _____

Fail to appear when on bail. Bail forfeited. Warrant issued.

Fail to appear on summons. Warrant issued. Trial in absentia.

Charge read. Plea: Guilty. Not guilty.

Finding of Court:

Guilty.
 Under _____
(Section under which conviction made.)
 Dismissed. Withdrawn.
 Suspended sentence.

Fine _____	} or _____ days.
Costs _____	
Total _____	

Time to pay _____ Gaoled _____ days in _____

Driver's licence: Endorsed. Attached.

Heard on _____, 19____, in the Provincial Court of British Columbia at _____

Recommendations and comments _____

I hereby certify that the information herein under Court action is a true extract from the Court record.

Convicting Judge or Justice.

If offence related to accident, were persons injured: Yes. No.

Aggregate property damage \$ _____

The motor-vehicle which the person convicted herein was driving at the time of this offence was bearing the following number-plates: Province or State _____ Year _____ No. _____

If suspension of driver's licence recommended, the Judge or Justice is requested to state the length of time driver's licence should be suspended. The co-operation of the Court is requested in forwarding licence for which suspension recommendation is made to the Superintendent of Motor-vehicles with this report.

POLICE RECORD

CANADA: } The undersigned, being duly sworn upon oath,
PROVINCE OF BRITISH COLUMBIA } deposes and says:

On the _____ day of _____, 19____, on _____ (Location.)
at _____, in the Province of British Columbia, at _____ .m.

(Name) _____ (Time.)

(Address) _____ (Last.) (First.) (Other.)

(Street.) (Municipality or post office.) (Province.)

did unlawfully operate a motor-vehicle upon a highway, namely, _____

_____ and did then and there commit the offence/offences indicated under the

Motor-vehicle Act. _____ (By-law.)

Motor-vehicle Act Regulations. _____ (Other.)

<input type="checkbox"/> Disobeying stop-sign.	<input type="checkbox"/> Disobeying traffic-control device.
<input type="checkbox"/> YELLOW LIGHT.	<input type="checkbox"/> Intersection. <input type="checkbox"/> Other.
<input type="checkbox"/> RED LIGHT.	<input type="checkbox"/> Intersection. <input type="checkbox"/> No stop before crosswalk. <input type="checkbox"/> Other. <input type="checkbox"/> No stop before intersection. <input type="checkbox"/> Flashing. <input type="checkbox"/> No stop before signal.
<input type="checkbox"/> SPEEDING.	<input type="checkbox"/> In municipality. <input type="checkbox"/> Against highway signs. <input type="checkbox"/> Outside municipality. <input type="checkbox"/> Against municipal signs. <input type="checkbox"/> Past school sign. <input type="checkbox"/> Construction area. <input type="checkbox"/> Past playground sign. <input type="checkbox"/> Past school bus.
<input type="checkbox"/> CHANGING LANES.	<input type="checkbox"/> Crossing solid line. <input type="checkbox"/> Single. <input type="checkbox"/> Double.
<input type="checkbox"/> FOLLOWING TOO CLOSELY.	
<input type="checkbox"/> SLOW DRIVING.	<input type="checkbox"/> Slow moving in wrong lane.
<input type="checkbox"/> U-TURN.	<input type="checkbox"/> Intersection. <input type="checkbox"/> Business district. <input type="checkbox"/> Prohibited.

Other violation _____

The informant says that he has reasonable and probable grounds to believe and does believe that the person named above committed the offence/offences indicated.

(Signature of Informant.)

"X" indicates offence charged.

SWORN before me this _____ day of _____, 19____, at _____, in the Province of British Columbia.

Justice.

In the name of Her Majesty the Queen you are therefore commanded to appear in the Provincial Court of British Columbia at _____, in the Province of British Columbia, on the _____ day of _____, 19____, at _____ .m., to answer the above charge/charges and to be further dealt with according to law.

DETAILS

OFFENDER	Birthdate _____ Sex _____ Occupation _____ (Day, month, year.)
	Op. Lic. No. _____ Year _____ Prov. _____
VEHICLE	Make _____ Type vehicle _____ Year _____
	Vehicle Lic. No. _____ Prov. _____ Year _____
	Owner's name _____ (Last.) (First.) (Middle.)
	Address _____ (Street.) (Municipality.) (P.O.) (Province.)

OFFICER'S NOTES

"X" indicates circumstances.	SLIPPERY PAVEMENT. <input type="checkbox"/> Rain. <input type="checkbox"/> Snow. <input type="checkbox"/> Ice.
	VISIBILITY. <input type="checkbox"/> Night. <input type="checkbox"/> Fog. <input type="checkbox"/> Snow.
	OTHER TRAFFIC PRESENT. <input type="checkbox"/> Cross. <input type="checkbox"/> Oncoming. <input type="checkbox"/> Pedestrian.
	CAUSED PERSON TO DODGE. <input type="checkbox"/> Pedestrian. <input type="checkbox"/> Driver.
	JUST MISSED ACCIDENT. <input type="checkbox"/> Very close. <input type="checkbox"/> Close. <input type="checkbox"/> Fatal.
	ACCIDENT. <input type="checkbox"/> P.D. <input type="checkbox"/> P.I. <input type="checkbox"/> Over \$100. <input type="checkbox"/> Under \$100.
	AREA. <input type="checkbox"/> Built-up. <input type="checkbox"/> Playground. <input type="checkbox"/> Industrial. <input type="checkbox"/> Residential. <input type="checkbox"/> School. <input type="checkbox"/> Open.
	HIGHWAY. <input type="checkbox"/> 2-lane. <input type="checkbox"/> 4-lane divided. <input type="checkbox"/> 3-lane. <input type="checkbox"/> Other. <input type="checkbox"/> 4-lane.
INJURY	P.D. or P.I. to other driver(s) involved. _____ (Name.)

Other notes _____

COURT DISPOSITION

Justice Magistrate _____ Date _____
Place _____ Plea _____
Prosecutor _____ Defence _____
 Guilty. Dismissed. Withdrawn. Suspended.
Fine _____
Costs _____
Total _____
Gaol sentence _____ (Term.) (Gaol.)
Op. lic. endorsed _____
Adjourned to _____

SUMMONS

CANADA: PROVINCE OF BRITISH COLUMBIA } You are charged with the following offence:

On the _____ day of _____, 19____, on _____
 at _____, in the Province of British Columbia, at _____ m.
 (Name) _____ (Time.) _____
 (Address) _____ (Last.) _____ (First.) _____ (Other.) _____
 (Street.) _____ (Municipality or post office.) _____ (Province.) _____

did unlawfully operate a motor-vehicle upon a highway, namely, _____, and did then and there commit the offence/offences indicated under the

- Motor-vehicle Act. _____ (By-law.)
- Motor-vehicle Act Regulations. _____ (Other.)

<input type="checkbox"/> Disobeying stop-sign.	<input type="checkbox"/> Disobeying traffic-control device.
<input type="checkbox"/> YELLOW LIGHT.	<input type="checkbox"/> Intersection. <input type="checkbox"/> Other.
<input type="checkbox"/> RED LIGHT.	<input type="checkbox"/> Intersection. <input type="checkbox"/> No stop before crosswalk. <input type="checkbox"/> Other. <input type="checkbox"/> No stop before intersection. <input type="checkbox"/> Flashing. <input type="checkbox"/> No stop before signal.
<input type="checkbox"/> SPEEDING.	<input type="checkbox"/> In municipality. <input type="checkbox"/> Against highway signs. <input type="checkbox"/> Outside municipality. <input type="checkbox"/> Against municipal signs. <input type="checkbox"/> Past school sign. <input type="checkbox"/> Construction area. <input type="checkbox"/> Past playground sign. <input type="checkbox"/> Past school bus.
<input type="checkbox"/> CHANGING LANES.	<input type="checkbox"/> Crossing solid line. <input type="checkbox"/> Single. <input type="checkbox"/> Double.
<input type="checkbox"/> FOLLOWING TOO CLOSELY.	
<input type="checkbox"/> SLOW DRIVING.	<input type="checkbox"/> Slow moving in wrong lane.
<input type="checkbox"/> U-TURN.	<input type="checkbox"/> Intersection. <input type="checkbox"/> Business district. <input type="checkbox"/> Prohibited.

"X" indicates offence charged.

Other violation _____

The informant says that he has reasonable and probable grounds to believe and does believe that the person named above committed the offence/offences indicated.

(Signature of Informant.)

In the name of Her Majesty the Queen you are therefore commanded to appear in the Police (Magistrate's) Court at _____, in the Province of British Columbia, on the _____ day of _____, 19____, at _____ m., to answer the above charge/charges and to be further dealt with according to law.

DETAILS

VEHICLE OFFENDER	Birthdate _____ Sex _____ Occupation _____ (Day, month, year.)
	Op. Lic. No. _____ Year _____ Prov. _____
Make _____ Type vehicle _____ Year _____	
Vehicle Lic. No. _____ Prov. _____ Year _____	
Owner's name _____	
Address _____ (Last.) _____ (First.) _____ (Middle.) _____ (Street.) _____ (Municipality.) _____ (P.O.) _____ (Province.) _____	

Read carefully.

NOTICE

The Court may issue a warrant for the arrest of any person who fails to answer a traffic summons.

NOTICE

You are required to bring your driver's licence to Court with you when you appear in answer to a traffic summons.

Division (2).—Designation of Offences
(O.C. 2748/59)

2.01 Each of the following words and expressions is authorized to be used on a traffic ticket used under section 126 of the *Motor-vehicle Act* to designate an offence under the section of the *Motor-vehicle Act* appearing opposite the word or expression:—

- Section 127: Disobeying traffic-control device.
- Section 128 (4) (a): Yellow light, intersection—no stop before crosswalk.
- Section 128 (4) (a): Yellow light, intersection—no stop before intersection.
- Section 128 (5) (a): Yellow light, other—no stop before signal.
- Section 128 (5) (a): Yellow light, other—no stop before crosswalk.
- Section 128 (6) (a): Red light, intersection—no stop before crosswalk.
- Section 128 (6) (a): Red light, intersection—no stop before intersection.
- Section 128 (7) (a): Red light, other—no stop before signal.
- Section 128 (7) (a): Red light, other—no stop before crosswalk.
- Section 128 (10) (a): Red light, flashing, intersection — no stop before crosswalk.
- Section 128 (10) (a): Red light, flashing, intersection — no stop before intersection.
- Section 128 (11) (a) (i): Red light, flashing, other—no stop before signal.
- Section 128 (11) (a) (i): Red light, flashing, other—no stop before crosswalk.
- Section 134: Speeding, construction area.
- Section 139 (1): Slow driving.
- Section 140 (1): Speeding in municipality.
- Section 140 (1): Speeding outside municipality.
- Section 140 (3): Speeding against highway signs.
- Section 140 (5): Speeding against municipal signs.
- Section 141: Speeding past school signs.
- Section 141: Speeding past playground signs.
- Section 142: Speeding past school bus.
- Section 144 (a): Changing lanes.
- Section 144 (b): Crossing solid line—single.
- Section 144 (h): Slow moving in wrong lane.
- Section 146 (a): Crossing solid line—double.
- Section 153 (1): Following too closely.
- Section 159 (a): U-turn—interference.
- Section 159 (b) (iii): U-turn—prohibited.
- Section 159 (b) (iv): U-turn—intersection.
- Section 159 (b) (v): U-turn—business district.
- Section 177: Disobeying stop-sign. (O.C. 287/61.)

2.02 A reference on a traffic ticket to
 (a) a by-law of a municipality;
 (b) a paragraph, clause, subsection, or section of the *Motor-vehicle Act* other than a subsection or section specified in section 2.01 of these regulations; or
 (c) a paragraph, clause, subsection, or section of any regulation made under the *Motor-vehicle Act*,
 identified as such by its number, may be used to designate an offence under the by-law, paragraph, clause, subsection, or section. (O.C. 2411/62.)

3.01 Pursuant to the *Motor-vehicle Act*, chapter 253 of the *Revised Statutes of British Columbia, 1960*, and all other powers thereunto enabling,

- (a) the form and content of traffic tickets to be used in the City of New Westminster be in the form and content of the traffic ticket appended hereto; and
 (b) the words and expressions as authorized by B.C. Reg. 437/59 and B.C. Reg. 27/61 be authorized to be used on those traffic tickets to designate offences under the *Motor-vehicle Act*. (O.C. 1184/65.)

TRAFFIC TICKET INFORMATION

No.
 CANADA }
 PROVINCE OF BRITISH COLUMBIA }
 The undersigned, being duly sworn upon oath, deposes and says:
 On the day of, 196..., on
 (Location.)
 at the City of New Westminster, in the Province of British Columbia, at M.
 (Time.)
 Name
 (Last.) (First.) (Other.)
 Address
 (Street.) (Municipality or (Province.)
 Post Office.)
 did unlawfully operate a motor-vehicle upon a highway, namely and did then and there commit the offence indicated under
 Motor-vehicle Act.
 (By-law.)
 Motor-vehicle Act Regulations.
 (Other.)

X indicates offence charged.

<input type="checkbox"/> Disobeying stop sign.	<input type="checkbox"/> Disobeying traffic-control device.
<input type="checkbox"/> Yellow light:	<input type="checkbox"/> Intersection. <input type="checkbox"/> Other.
<input type="checkbox"/> Red light:	<input type="checkbox"/> Intersection. <input type="checkbox"/> No stop before crosswalk.
<input type="checkbox"/> Other.	<input type="checkbox"/> No stop before intersection.
<input type="checkbox"/> Flashing.	<input type="checkbox"/> No stop before signal.
<input type="checkbox"/> Speeding:	
<input type="checkbox"/> In municipality.	<input type="checkbox"/> Against highway sign.
<input type="checkbox"/> Outside municipality.	<input type="checkbox"/> Against municipal sign.
<input type="checkbox"/> Past school sign.	<input type="checkbox"/> Construction area.
<input type="checkbox"/> Past playground sign.	<input type="checkbox"/> Past school bus.
<input type="checkbox"/> Changing lanes.	<input type="checkbox"/> Crossing solid line.
	<input type="checkbox"/> Single. <input type="checkbox"/> Double.
<input type="checkbox"/> Following too closely.	
<input type="checkbox"/> Slow driving.	<input type="checkbox"/> Slow moving in wrong lane.
<input type="checkbox"/> U-turn.	<input type="checkbox"/> Intersection; <input type="checkbox"/> Business district.
	<input type="checkbox"/> Prohibited.

Other violation
 The informant says that he has reasonable and probable grounds to believe and does believe that the person named above committed the offence indicated.
 Signature of informant.....
 Peace Officer.

Sworn before me this day of, 196... at, in the Province of British Columbia

Justice.
 In the name of Her Majesty the Queen you are therefore commanded to appear in the Provincial Court of British Columbia at the City of New Westminster, in the Province of British Columbia on the day of, 196..., at M., to answer the above charge and to be further dealt with according to law.

Indicated penalty. Signature
 Peace Officer.

Offender	Birth day..... (Day.) (Month.) (Year.)
	Sex Occupation
Vehicle	Op. Lic. No. Year Prov.
	Make Type vehicle Year..... Vehicle Lic. No. Prov. Year.....
	Owner's name (Last.) (First.) (Middle.)
	Address (Street.) (Municipality.) (P.O.) (Province.)

Endorsements: [Back.]

COURT ACTION
 For Crown For Defence
 Court Reporter ... Bail (cash or property)

Adjourned to Reason

Fail to appear when on bail. Bail forfeited.
 Warrant issued.
 Fail to appear on summons. Warrant issued.
 Trial in absentia.

Charge read: Plea: Guilty. Not guilty.

Find of Court. Guilty.
 Under
 (Section under which conviction made)
 Dismissed. Withdrawn.
 Suspended sentence.

Fine	} or ... days Paid
Costs ..	
Total	

Time to pay Jailed days in
 Driver's licence: Endorsed. Attached.
 Heard on, 196..., in the Provincial Court of British Columbia in and for the City of New Westminster.

.....
 Recommendations and comments.

.....
 Convicting Judge or Justice.

POLICE RECORD

No.
 CANADA: }
 PROVINCE OF BRITISH COLUMBIA }
 The undersigned, being duly sworn upon oath,
 deposes and says:
 On the day of, 196.., on
 (Location.)
 at the City of New Westminster, in the Province of
 British Columbia, at M.
 (Time.)

Name
 (Last.) (First.) (Other.)
 Address
 (Street.) (Municipality or (Province.)
 Post Office.)

did unlawfully operate a motor-vehicle upon a high-
 way, namely and did
 then and there commit the offence indicated under
 Motor-vehicle Act. (By-law.)
 Motor-vehicle Act Regulations. (Other.)

- X indicates offence charged.
- Disobeying stop sign. Disobeying traffic-control device.
 - Yellow light: Intersection. Other.
 - Red light:
 - Intersection. No stop before crosswalk.
 - Other. No stop before intersection.
 - Flashing. No stop before signal.
 - Speeding:
 - In municipality. Against highway sign.
 - Outside municipality. Against municipal sign.
 - Past school sign. Construction area sign.
 - Past playground sign. Past school bus.
 - Changing lanes. Crossing solid line.
 - Single. Double.
 - Following too closely.
 - Slow driving. Slow moving in wrong lane.
 - U-turn. Intersection. Business district. Prohibited.

Other violation
 The informant says that he has reasonable and probable grounds to believe and does believe that the person named above committed the offence indicated.
 Signature of informant
Peace Officer.

Sworn before me this day of, 196...
 at, in the Province of British Columbia

Justice.
 In the name of Her Majesty the Queen you are therefore commanded to appear in the Provincial Court of British Columbia at the City of New Westminster, in the Province of British Columbia on the day of, 196..., at M., to answer the above charge and to be further dealt with according to law.

Indicated penalty. Signature
Peace Officer.

Offender

Vehicle

Birthday
 (Day.) (Month.) (Year.)
 Sex Occupation
 Op. Lic. No. Year Prov.
 Make Type vehicle Year
 Vehicle Lic. No. Prov. Year
 Owner's name
 (Last.) (First.) (Middle.)
 Address
 (Street.) (Municipality.) (P.O.) (Province.)

[Back.]

OFFICER'S NOTES

X indicates circumstances.

Injury

Slippery pavement:
 Rain. Snow. Ice.

Visibility:
 Night. Fog. Snow.

Other traffic present:
 Cross. Oncoming. Pedestrian.

Caused person to dodge:
 Pedestrian. Driver.

Just missed accident:
 Very close. Close.

Accident:
 P.D. P.I. Fatal.
 Over \$100. Under \$100.

Area: Built-up. Playground.
 Residential. Industrial.
 Open. School.

Highway: 2-lane. 4-lane divided.
 3-lane. Other.
 4-lane.

P.D. or P.I. to other Driver(s) involved.

 (Name.)

Other notes

SUMMONS

No.
 CANADA: }
 PROVINCE OF BRITISH COLUMBIA }
 You are charged with the following offence:
 On the day of, 196.., on
 (Location.)
 at the City of New Westminster, in the Province of
 British Columbia, at M.
 (Time.)

Name
 (Last.) (First.) (Other.)
 Address
 (Street.) (Municipality or (Province.)
 Post Office.)

did unlawfully operate a motor-vehicle upon a high-
 way, namely and did
 then and there commit the offence indicated under
 Motor-vehicle Act. (By-law.)
 Motor-vehicle Act Regulations. (Other.)

- X indicates offence charged.
- Disobeying stop sign. Disobeying traffic-control device.
 - Yellow light: Intersection. Other.
 - Red light:
 - Intersection. No stop before crosswalk.
 - Other. No stop before intersection.
 - Flashing. No stop before signal.
 - Speeding:
 - In municipality. Against highway sign.
 - Outside municipality. Against municipal sign.
 - Past school sign. Construction area sign.
 - Past playground sign. Past school bus.
 - Changing lanes. Crossing solid line.
 - Single. Double.
 - Following too closely.
 - Slow driving. Slow moving in wrong lane.
 - U-turn. Intersection. Business district. Prohibited.

Other violation
 The informant says that he has reasonable and probable grounds to believe and does believe that the person named above committed the offence indicated.
 Signature of informant
Peace Officer.

In the name of Her Majesty the Queen you are therefore commanded to appear in the Provincial Court of British Columbia at the City of New Westminster, in the Province of British Columbia on the day of, 196..., at M., to answer the above charge and to be further dealt with according to law.

Indicated penalty. Signature
Peace Officer.

Offender

Vehicle

Birthday
 (Day.) (Month.) (Year.)
 Sex Occupation
 Op. Lic. No. Year Prov.
 Make Type vehicle Year
 Vehicle Lic. No. Prov. Year
 Owner's name
 (Last.) (First.) (Middle.)
 Address
 (Street.) (Municipality.) (P.O.) (Province.)

[Back.]

READ CAREFULLY

The Court may issue a Warrant for the arrest of any person who fails to answer a traffic summons.

NOTICE TO ADDRESSEE

Payment of the indicated penalty may be made personally or by mail to:
 Clerk of Provincial Court of British Columbia
 City of New Westminster
 P.O. Box 546
 511 Royal Avenue
 New Westminster, B.C.,

before the date upon which you are required to appear. On payment of such indicated penalty you shall be deemed to have pleaded guilty to the offence indicated herein.

N.B.—In all charges of exceeding the speed-limit under the provisions of the Motor-vehicle Act, your driver's licence must be produced for endorsement and must accompany payment of the indicated penalty if the matter is settled without appearing in Court.

Payment by mail can only be made by postal of the Provincial Court of British Columbia named above.

Should the person to whom this summons is directed desire to plead "not guilty" to the charge, he is requested to notify the police of his intention well in advance of the date of trial. This may avoid the possibility of an adjournment.

You are required to bring your driver's licence to Court with you when you appear in answer to a traffic summons.

REPORT OF CONVICTION

Forward to Superintendent of Motor-vehicles

No.

CANADA: }
PROVINCE OF BRITISH COLUMBIA }

The undersigned, being duly sworn upon oath, deposes and says:

On the day of, 196...., on
(Location.)
at the City of New Westminster, in the Province of
British Columbia, atM.
(Time.)

Name.....
(Last.) (First.) (Other.)

Address.....
(Street.) (Municipality or (Province.)
Post Office.)

did unlawfully operate a motor-vehicle upon a high-
way, namely..... and did
then and there commit the offence indicated under

Motor-vehicle Act.

(By-law.)

Motor-vehicle Act Regulations.

(Other.)

X indicates offence charged.

- | | |
|--|---|
| <input type="checkbox"/> Disobeying stop sign. | <input type="checkbox"/> Disobeying traffic-control device. |
| <input type="checkbox"/> Yellow light: <input type="checkbox"/> Intersection. <input type="checkbox"/> Other. | |
| <input type="checkbox"/> Red light: | |
| <input type="checkbox"/> Intersection. <input type="checkbox"/> No stop before crosswalk. | |
| <input type="checkbox"/> Other. <input type="checkbox"/> No stop before intersection. | |
| <input type="checkbox"/> Flashing. <input type="checkbox"/> No stop before signal. | |
| <input type="checkbox"/> Speeding: | |
| <input type="checkbox"/> In municipality. <input type="checkbox"/> Against highway sign. | |
| <input type="checkbox"/> Outside municipality. <input type="checkbox"/> Against municipal sign. | |
| <input type="checkbox"/> Past school sign. <input type="checkbox"/> Construction area sign. | |
| <input type="checkbox"/> Past playground sign. <input type="checkbox"/> Past school bus. | |
| <input type="checkbox"/> Changing lanes. <input type="checkbox"/> Crossing solid line. | |
| <input type="checkbox"/> Single. <input type="checkbox"/> Double. | |
| <input type="checkbox"/> Following too closely. | |
| <input type="checkbox"/> Slow driving. <input type="checkbox"/> Slow moving in wrong lane. | |
| <input type="checkbox"/> U-turn. <input type="checkbox"/> Intersection. <input type="checkbox"/> Business district. <input type="checkbox"/> Prohibited. | |

Other violation

The informant says that he has reasonable and probable grounds to believe and does believe that the person named above committed the offence indicated.

Signature of informant.....

Peace Officer.

Sworn before me this..... day of, 196....
at, in the Province of British Columbia

Justice.

In the name of Her Majesty the Queen you are therefore commanded to appear in the Provincial Court of British Columbia at the City of New Westminster, in the Province of British Columbia on the day of, 196...., atM., to answer the above charge and to be further dealt with according to law.

Indicated penalty. Signature.....

Peace Officer.

Offender	Birthdate..... (Day.) (Month.) (Year.)
	Sex..... Occupation.....
Vehicle	Op. Lic. No..... Year..... Prov.....
	Make..... Type vehicle..... Year.....
	Vehicle Lic. No..... Prov..... Year.....
	Owner's name..... (Last.) (First.) (Middle.)
Address..... (Street.) (Municipality.) (P.O.) (Province.)	

[Back.]

REPORT OF CONVICTION

Complete and forward to: Superintendent of Motor-vehicles, Parliament Buildings, Victoria, B.C.

If Court action results in conviction:

Name of person convicted: _____ Date of Birth: _____

Day. Mo. Yr.

Driver's Lic. No.

COURT ACTION

For Crown..... For Defence.....

Court Reporter..... Bail..... (cash or property)

Adjourned to..... Reason.....

Fail to appear when on bail. Bail forfeited.

Warrant issued.

Fail to appear on summons. Warrant issued.

Trial in absentia.

Charge read: Plea: Guilty. Not guilty.

Find of Court. Guilty.

Under.....
(Section under which conviction made)

Fine	} or...days Paid
Costs	
Total	

Dismissed. Withdrawn.

Suspended sentence.

Time to pay..... Jailed..... days in.....

Driver's licence: Endorsed. Attached.

Heard on....., 196...., in the Provincial Court of British Columbia in and for the City of New Westminster.

Recommendations and Comments:

I hereby certify that the information herein under Court Action is a true extract from the Court Record.

Convicting Judge or Justice.

If offence related to accident, were persons injured? Yes. No.

Aggregate property damage, \$

The motor-vehicle which the person convicted herein was driving at the time of this offence was bearing the following number-plates:—

Province or State..... Year..... No.....

If suspension of driver's licence recommended, the Magistrate or Justice is requested to state the length of time driver's licence should be suspended. The co-operation of the Court is requested in forwarding licence for which suspension recommendation is made to the Superintendent of Motor-vehicles with this report.

APPROVAL OF TYPE OF SAFETY HELMET FOR MOTOR-CYCLE RIDERS

(Regulation Made by the Superintendent of Motor-vehicles Pursuant to Section 207 of the Motor-vehicle Act)

Pursuant to section 207 of the Motor-vehicle Act, I hereby give approval to a type of safety helmet which is designed for motor-cycle riders and which provides for the securing of the helmet to the head of the rider by a strap and buckle.

Dated at Victoria, B.C., this 26th day of March, 1968.

R. A. HADFIELD,
Superintendent of Motor-vehicles.

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