

# *The Automobile Accident Insurance Regulations, 1981*

*Repealed*

by Chapter A-35 Reg 4 (effective July 1, 2002).

*Formerly*

Saskatchewan Regulations 2/81 (effective January 10, 1981) as amended by Saskatchewan Regulations 14/81, 61/81, 96/81, 121/81, 167/81, 188/81, 189/81, 2/82, 91/82, 157/82, 27/83, 28/83, 178/83, 5/84, 51/84, 76/84, 149/84, 110/85, 118/85, 104/86, 4/87, 97/87, 136/87, 70/88, 4/89, 39/92, 45/92, 48/93, 9/94, 38/95, 59/96; the *Statutes of Saskatchewan*, 1990-91, c.35; and Saskatchewan Regulations 5/97, 66/97, 86/97, 106/97, 22/98, 44/98, 91/1999 and 109/2000.

## **NOTE:**

**This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.**

## Table of Contents

<p>1 Title</p> <p style="text-align: center;">INTERPRETATION</p> <p>2 Interpretation</p> <p style="text-align: center;">BASIC PREMIUM RATES FOR MOTOR VEHICLES</p> <p>3 Basic premium</p> <p>3.001 Repealed</p> <p>3.01 Farm cars</p> <p>3.1 Amount of premium</p> <p>3.2 Exchange certificate and original certificate</p> <p>3.3 Repealed</p> <p>3.4 Repealed</p> <p>3.5 Application for payment in instalments</p> <p style="text-align: center;">MOTOR VEHICLES – SPECIAL CASES</p> <p>4 Private passenger vehicle used to transport passengers for compensation</p> <p>5 Specially authorized purpose</p> <p>5.1 Where temporary permit issued</p> <p>5.2 One way permits</p> <p>5.3 Temporary certificates</p> <p>6 Vehicles first registered outside Saskatchewan</p> <p>7 Vehicles registered outside Saskatchewan, reciprocal agreements</p> <p>7.1 Canadian Agreement on Vehicle Registration</p> <p>8 Limit on liability of insurer</p> <p>8.01 Antique motor vehicle</p> <p>8.1 Section 51 of Act</p> <p style="text-align: center;">OPERATOR’S CERTIFICATE OF INSURANCE</p> <p>9 Classification of operators, rating units</p> <p>10 Rating units - early reinstatement</p> <p>11 Repealed</p> <p style="text-align: center;">RATING UNITS</p> <p>12 Insurer to keep records of offences</p> <p>13 Deemed date of application etc.</p> <p>14 Reinstatement or substitution of licences</p> <p style="text-align: center;">CANCELLATION AND PREMIUM REFUND</p> <p>15 Refund of premium in case of cancellation of owner’s certificate, operator’s certificate</p> <p>16 Calculation of refund</p>	<p>17 Minimum amount retained by insurer</p> <p>17.1 Cancellation fee</p> <p>17.2 Certain fees non-refundable</p> <p>18 Certificate issued in error</p> <p>19 Death of owner</p> <p>20 Change of vehicle</p> <p>20.1 Certain calculations to be rounded</p> <p>21 Acquisition of replacement vehicle</p> <p style="text-align: center;">APPLICATIONS BY HANDICAPPED PERSONS</p> <p>22 Application by person suffering physical handicap</p> <p>23 Supplementary information required</p> <p>24 Payment of basic premium mandatory</p> <p>25 Additional premium</p> <p>26 Notice of additional premium</p> <p style="text-align: center;">CHARGEABLE ACCIDENTS</p> <p>27 Chargeable accidents</p> <p>27.1 More than one chargeable accident</p> <p>27.2 Collection of surcharge in certain cases</p> <p>28 Dispute of surcharge</p> <p>29 Notice</p> <p>29.1 Fees</p> <p style="text-align: center;">RATES APPEAL BOARD</p> <p>30 Rates Appeal Board</p> <p style="text-align: center;">LICENCE ISSUERS</p> <p>31 Persons designated to accept applications and basic premiums for insurance</p> <p>32 Licence Issuer’s Manual</p> <p>32.1 Insurance coverage for equipment</p> <p>32.2 Insurance coverage for equipment</p> <p>32.3 Limits on insurer’s liability</p> <p>33 to 34.2 Repealed</p> <p style="text-align: center;">PERMANENT DISABILITY – DEGREES OF IMPAIRMENT</p> <p>35 to 40 Repealed</p> <p><b>Appendix A</b></p> <p><b>Appendix B</b></p> <p><b>Appendix C</b> – Repealed.</p> <p><b>Appendix D</b> – Repealed.</p>
---	---

## SASKATCHEWAN REGULATIONS 2/81

### *The Automobile Accident Insurance Act*

#### Title

1 These regulations may be cited as *The Automobile Accident Insurance Regulations, 1981*.

#### INTERPRETATION

#### Interpretation

2(1) In these regulations, unless the context otherwise requires:

- (a) “**Act**” means *The Automobile Accident Insurance Act*;
- (a.01) “**administrator**” means the person designated as the administrator in *The Vehicle Administration Act*;
- (a.1) **Repealed.** 31 Dec 87 SR 136/87 s3.
- (b) “**auto leasing car**” means a motor vehicle of the private passenger vehicle type that is not a “U-Drive Car” and that is rented or leased without a driver for any period in excess of 30 days to any one person;
  - (b.1) “**CAVR**” means the Canadian Agreement on Vehicle Registration between Canadian provincial governments, as amended from time to time, respecting commercial motor vehicle registration;
- (c) “**certificate of registration**” means a certificate of registration for a vehicle issued pursuant to *The Vehicle Administration Act*;
- (d) “**collapsible cabin trailer**” means a cabin trailer with collapsible walls of any construction and a roof of rigid construction;
- (e) “**combination of vehicles**” means independent vehicles coupled or joined together to form a train;
  - (e.1) “**farm car**” means a motor vehicle that is eligible to be insured as a farm car pursuant to section 3.01;
- (f) “**gross weight**” means:
  - (i) the combined weight of a vehicle and its load; or
  - (ii) the combined weight of two or more vehicles coupled or joined together and the combined weight of the loads carried on each vehicle;
- (f.1) “**IRP**” means the International Registration Plan, being an agreement between jurisdictions in North America respecting commercial motor vehicle registration;

- (g) **“licence”** includes:
- (i) a driver’s licence under *The Vehicle Administration Act*; and
  - (ii) any licence, permit or authority to drive a motor vehicle issued or given by the government or other competent authority of any other province, state, territory or country;
- (h) **“licence issuer”** means a person designated to accept applications and basic premiums for insurance under the Act;
- (h.1) **“model year”** means the model year as determined by the manufacturer;
- (i) **“motor home”** means a motor vehicle that is registered with the administrator as a private passenger vehicle, an integral section of which is designed for personal habitation and is equipped with one or more permanently attached beds together with two or more of the following:
- (i) a refrigerator that is wired permanently into the motor vehicle’s electrical system;
  - (ii) a permanently attached stove;
  - (iii) a permanently attached washing and toilet facility.
- (j) **“private truck”** means a truck as defined in *The Highway Traffic Act* that may not be registered with the administrator under *The Vehicle Administration Act* as:
- (i) a farm truck;
  - (ii) a commercial truck; or
  - (iii) a public service vehicle;
- and that is classified as a private truck pursuant to these regulations;
- (j.1) **“scheduled premium”** means the basic premium for 12 months established pursuant to subsection 5(2) of the Act and made available for inspection by the public pursuant to subsection 5(3) of the Act;
- (k) **“tent trailer”** means a trailer with collapsible canvas walls and canvas roof that is used as living quarters;
- (l) **“U-Drive car”** means a motor vehicle of the private passenger vehicle type that is at any time rented or leased without a driver for a period of 30 days or less to any person;
- (m) **“U-Drive truck”** means a private truck that is at any time rented or leased without a driver for a period of 30 days or less to any person;
- (n) **“U-Drive commercial truck”** means a truck other than a private truck that is at any time rented or leased without a driver for a period of 30 days or less to any person.
- (2) In these regulations, unless the context otherwise requires:
- (a) each truck, trailer, power unit and semi-trailer separately constitutes a vehicle; and

(b) where a trailer or semi-trailer is registered in Class TS, the trailer or semi-trailer is to be treated, taking into consideration its uses, as if it were registered in the same class as the truck or power unit with which it is authorized to be used, that is, any one of Class A, C, or D, as the case may be.

9 Jan 81 SR 2/81 s2; 27 Mar 81 SR 61/81 s3; 16 Jly 82 SR 91/82 s3; 4 Nov 83 SR 178/83 s3; 22 Nov 85 SR 110/85 s3; 10 Oct 86 SR 104/86 s3; 31 Dec 87 SR 136/87 s3; 2 Jly 93 SR 48/93 s3; 4 Feb 94 SR 9/94 s3; 31 Jan 97 SR 5/97 s2; 5 Jan 2001 SR 109/2000 s3.

### BASIC PREMIUM RATES FOR MOTOR VEHICLES

#### Basic premium

- 3(1) For the purposes of establishing the basic premium for each class of vehicle:
- (a) a vehicle, other than a snowmobile, is required to be classified according to the vehicle's description in Appendix A;
  - (b) a snowmobile is to be classified as a Class MT vehicle.
- (2) The basic premium payable for a vehicle is the scheduled premium for a vehicle of its description.
- (3) Notwithstanding subsection (2), and subject to subsections (4) and (6), an applicant may obtain an owner's certificate for a licence period of up to 12 months.
- (4) The minimum licence period for an owner's certificate is 89 days.
- (5) The premium payable for an owner's certificate for a licence period that is less than 12 months is to be calculated in accordance with the following formula:

$$P = \frac{LP}{365} \times (BP + RF) + \left[ \$7 + \left( \left[ \frac{LP}{365} \times (BP + RF) \right] \times T \right) \right]$$

where:

P is the amount of the premium payable, expressed in dollars and rounded to the nearest dollar;

LP is the number of days in the licence period;

BP is the amount of the basic premium payable pursuant to these regulations;

RF is the registration fee payable pursuant to *The Driver and Vehicle Registration Fee Regulations, 1987*; and

T is the percentage determined in accordance with the table set out below:

<u>Term in Days</u>	<u>Percentage</u>
330 - 365	0.67%
300 - 329	1.28%
270 - 299	1.84%
240 - 269	2.35%
210 - 239	2.81%
180 - 209	3.21%
150 - 179	3.86%
120 - 149	4.33%
89 - 119	4.90%.

(6) Subsections (3) to (5) apply to all classes of vehicles except vehicles to which CAVR or IRP applies.

(7) A vehicle is to be classified pursuant to the rules set out in Appendix A if the vehicle that is to be registered with the administrator is registered as a private passenger vehicle but the vehicle is used or is capable of being used as:

- (a) an ambulance;
- (b) a motor home;
- (c) a private bus;
- (d) a hearse;
- (e) an auto leasing car;
- (f) a U-Drive car;
- (g) a private truck;
- (h) a police car;
- (i) an amphibious vehicle.

(8) Where a certificate of registration of a vehicle authorizes its use with or without modification as either a power unit or a truck within the Class to which it belongs in Appendix A:

- (a) the scheduled premium rate is the higher of the scheduled premium rates that would apply to the vehicle:
  - (i) if it were used as a truck; or
  - (ii) if it were used as a power unit; and
- (b) the deductible amount, for the purposes of Part III of the Act, is the lesser of the amounts set out in the Comprehensive Amount Deductible column of Appendix A opposite the Class to which the vehicle would belong:
  - (i) if it were used as a truck; or
  - (ii) if it were used as a power unit.

31 Jan 97 SR 5/97 s4; 24 Dec 99 SR 91/1999 s3.

**3.001 Repealed.** 24 Dec 99 SR 91/1999 s4.

**Farm cars**

**3.01(1)** A motor vehicle is eligible to be insured as a farm car if it is a car that may be registered as a class PV vehicle and is owned by a person:

- (a) who resides on a farm within the meaning of *The Vehicle Classification and Registration Regulations* for at least six months in any year;
- (b) who is eligible to register a vehicle in class F pursuant to *The Vehicle Classification and Registration Regulations*; and
- (c) whose primary occupation is farming.

(2) For the purposes of this section, a person's primary occupation is farming if he is engaged in farming operations for not less than 720 hours in any calendar year.

(3) A car that may be registered as a class PV vehicle and that is owned by the spouse of a person described in subsection (1) is eligible to be insured as a farm car if the spouse resides on the farm with the person eligible to insure a motor vehicle as a farm car under subsection (1).

(4) A car that may be registered as a class PV vehicle and that is owned by a corporation is eligible to be insured as a farm car if:

- (a) the principal operator of the car resides on a farm within the meaning of *The Vehicle Classification and Registration Regulations*;
- (b) the corporation is eligible to register a vehicle in class F pursuant to *The Vehicle Classification and Registration Regulations*; and
- (c) the primary occupation of the principal operator of the car is farming.

22 Nov 85 SR 110/85 s4; 19 Jly 96 SR 59/96 s3.

#### **Amount of premium**

3.1(1) Where a person applies for an owner's certificate for a licence period other than the licence period in which the application is made, the basic premium and any other premium is payable at the premium rate that is in force when the certificate comes into force.

(2) Where there is a difference between the premium rate in force when an application is made pursuant to subsection (1) and the premium rate in force when the owner's certificate comes into force and:

- (a) the difference is in favour of the insurer, the applicant shall pay the amount of the difference to the insurer;
- (b) the difference is in favour of the applicant, the insurer shall refund the amount of the difference to the applicant.

10 Dec 82 SR 157/82 s3.

#### **Original certificate and exchange certificate**

3.2(1) In this section:

- (a) **“exchange certificate”** means a certificate that is issued where an owner's certificate:
  - (i) is exchanged for an owner's certificate for another vehicle; or
  - (ii) is transferred to another vehicle;
- (b) **“original certificate”** means an owner's certificate that is in force with respect to a vehicle.

(2) Where:

- (a) an exchange certificate is issued with respect to an original certificate; and
- (b) the period of exchange certificate extends beyond the expiry date of the original certificate;

the basic premium and any other premium payable with respect to the period beyond the expiry date of the original certificate is payable at the premium rate that is in force at the commencement of the period following the expiry date of the original certificate.

(3) Where there is a difference between the premium rate in force for the period following the expiry date of the original certificate and the premium rate in force when the exchange certificate was issued and:

- (a) the difference is in favour of the insurer, the insured shall pay the amount of the difference to the insurer;
- (b) the difference is in favour of the insured, the insurer shall refund the amount of the difference to the applicant.

(4) Where an exchange certificate is issued with respect to another exchange certificate, the provisions of this section apply *mutatis mutandis* to the exchange certificate.

10 Dec 82 SR 157/82 s3.

**3.3 Repealed.** 31 Jan SR 5/97 s5.

**3.4 Repealed.** 31 Jan SR 5/97 s5.

**Application for payment in instalments**

**3.5(1)** In this section, “**financial institution**” means a member of the Canadian Payments Association.

(2) Subject to subsections (4) and (5), a person applying for an owner’s certificate may pay the basic premium in instalments by giving to the administrator an authorization to draw on an account at a financial institution.

(3) The authorization remains in force until it is cancelled.

(4) Subsection (2) applies to all classes of vehicles except snowmobiles and vehicles to which CAVR or IRP applies.

(5) Subsection (2) does not apply where the owner’s certificate and registration will expire less than 365 days from the date of issue.

(6) The amount payable as a down payment for an owner’s certificate is to be calculated in accordance with the following formula:

$$DP = \left[ (BP + RF) - \left( \frac{BP + RF}{12} \times 11 \right) \right] + DFF$$

where:

DP is the down payment;

BP is the amount of the basic premium;

RF is the registration fee payable pursuant to *The Driver and Vehicle Registration Fee Regulations, 1987*; and

DFF is the down payment finance fee calculated pursuant to subsection (8).

(7) The monthly instalment fee is the amount payable calculated in accordance with the following formula:

$$MI = \frac{BP + RF}{12} + MFF$$

where:

MI is the monthly instalment;

BP is the amount of the basic premium;



RF is the registration fee payable pursuant to *The Driver and Vehicle Registration Fee Regulations, 1987*; and

MFF is the monthly payment finance fee calculated pursuant to subsection (9).

(8) The down payment finance fee payable is to be calculated in accordance with the following formula:

$$DFF = \left[ (BP + RF) - \left( \frac{BP + RF}{12} \times 11 \right) \right] \times 4\%$$

where:

DFF is the down payment finance fee;

BP is the amount of the basic premium; and

RF is the registration fee payable pursuant to *The Driver and Vehicle Registration Fee Regulations, 1987*.

(9) The monthly payment finance fee payable is calculated in accordance with the following formula:

where:

MFF is the monthly payment finance fee;

BP is the amount of the basic premium; and

RF is the registration fee payable pursuant to *The Driver and Vehicle Registration Fee Regulations, 1987*.

4 Jly 97 SR 66/97 s3; 19 Jun 98 SR 44/98 s4; 24 Dec 99 SR 91/1999 s5.

## MOTOR VEHICLES – SPECIAL CASES

### **Private passenger vehicle used to transport passengers for compensation**

4 Where a vehicle:

(a) is classified as a private passenger vehicle pursuant to the regulations made pursuant to *The Vehicle Classification and Registration Regulations*, and is so registered; and

(b) is authorized at any time by the Highway Traffic Board to be used for the transportation of passengers for compensation;

the basic premium payable for the vehicle is the scheduled premium and, where an accident occurs giving rise to a claim under Part III of the Act during the period of the authorization described in clause (b), the liability of the insurer is limited to the amount by which loss or damage is greater than \$700.

4 Nov 83 SR 178/83 s5; 10 Oct 86 SR 104/86 s5;  
4 Sep 87 SR 97/87 s3; 31 Dec 87 SR 136/87 s5;  
19 Jly 96 SR 59/96 s4; 19 Jun 98 SR 44/98 s5.

**Specially authorized purpose**

5(1) In this section, “**specially authorized purpose**” means the use of a vehicle authorized by the Highway Traffic Board for a purpose not permitted in its certificate of registration.

(2) Where a vehicle is registered in Class C and is used for a specially authorized purpose:

(a) the basic premium for the vehicle with respect to the specially authorized purpose is the scheduled premium; and

(b) where a claim arises under Part III of the Act with respect to loss or damage occurring while the vehicle is being used for the specially authorized purpose, the liability of the insurer is limited to the amount by which the loss or damage exceeds the deductible amount established by subsection (3).

(3) For the purpose of ascertaining the deductible amount, the vehicle is classified as if it were a vehicle of the kind, model, year and gross weight which could be employed for the specially authorized purpose under its certificate of registration without any additional authority.

9 Jan 81 SR 2/81 s5; 4 Nov 83 SR 178/83 s6; 27  
Jan 84 SR 5/84 s3; 31 Dec 87 SR 136/87 s6; 2  
Jly 93 SR 48/93 s4.

**Where temporary permit issued**

5.1 **Repealed.** 24 Dec 99 SR 91/1999 s6.

(2) **Repealed.** 4 Jly 97 SR 66/97 s4.

(3) **Repealed.** 4 Jly 97 SR 66/97 s4.

9 Jan 81 SR 2/81 s5.1; 18 May 84 SR 51/84 s3; 22  
Nov 85 SR 110/85 s5; 10 Oct 86 SR 104/86 s6; 4  
Sep 87 SR 97/87 s4; 31 Dec 87 SR 136/87 s7; 4 Jly  
97 SR 66/97 s4; 24 Dec 99 SR 91/1999 s6.

**One way permits**

5.2 Where a permit is issued to operate or move a vehicle from a point in Saskatchewan to a point in another province, other than for the transportation of passengers, goods, wares, merchandise or commodities or for other commercial or business purposes:

(a) the basic premium payable is the scheduled premium;

(b) the deductible amount is determined as though the vehicle were classified as a vehicle of its make, kind, model, year and gross weight; and

(c) the permit is valid for seven days.

27 Mar 81 SR 61/81 s4; 4 Nov 83 SR 178/83 s7;  
31 Dec 87 SR 136/87 s8.

**Temporary certificates**

5.3(1) In this section, “**authorization**” means a permit or other document permitting the operation of a vehicle, for which a temporary certificate is issued pursuant to this section, in the jurisdiction where it is being operated.

(2) Where the insurer issues a temporary certificate of insurance for a vehicle that is being moved:

- (a) for a purpose other than the transportation of passengers, goods, wares, merchandise or commodities or other commercial or business purposes; and
- (b) from a point outside Saskatchewan, where it has been acquired, to the place of residence in Saskatchewan of the person named in the temporary certificate;

the temporary certificate is valid only if:

- (c) the vehicle is operated pursuant to an authorization granted by or recognized in the jurisdiction in which the vehicle is operated;
- (d) the terms and conditions of the authorization have been complied with; and
- (e) the person named in the temporary certificate applies for and is issued an owner’s certificate of insurance during the term of the temporary certificate or immediately following its expiry.

(3) Where an owner’s certificate is issued pursuant to clause (2)(e), it is to be treated as having taken effect, irrespective of the effective date of the certificate, from the date that the temporary certificate was issued.

(4) The basic premium for a temporary certificate issued pursuant to this section is the scheduled premium.

28 Dec 84 SR 149/84 s3; 31 Dec 87 SR 136/87 s9.

**Vehicles first registered outside Saskatchewan**

6(1) Subject to subsection (2), vehicles to which subsection 18(1) or (2) of the Act apply:

- (a) constitute a separate class of vehicles; and
- (b) the basic premium payable with respect to such vehicles is the scheduled premium.

(2) A vehicle:

- (a) that has first been registered under the laws of a province or territory of Canada, other than Saskatchewan, or the laws of any state of the United States of America and that is operated in Saskatchewan under the authority of a licence granted pursuant to section 3 of *The Motor Vehicle Transport Act* (Canada); and
- (b) whose owner is insured against legal liability for loss or damage to the person or property of others arising out of the use, operation or ownership of the vehicle;

is within a separate class, and the owner thereof is exempt wholly from the provisions of the Act.

9 Jan 81 SR 2/81 s6; 4 Nov 83 SR 178/83 s8; 31 Dec 87 SR 136/87 s10.

**Vehicles registered outside Saskatchewan, reciprocal agreements**

7(1) Subject to subsection (2), a vehicle:

- (a) that has first been registered under the laws of a province or territory of Canada other than Saskatchewan or the laws of a state of the United States of America;
- (b) that is registered in Saskatchewan in Class C, D or TS;
- (c) that is owned by a person who is not ordinarily resident in Saskatchewan but who is ordinarily resident in any one of the provinces of Canada or states of the United States of America;

is within a separate class of vehicle, and the basic premium rate payable in respect of such a vehicle is the scheduled premium, and the owner of such a vehicle is exempt from the provisions of Part III of the Act.

(2) A vehicle or class of vehicles may be designated in a reciprocal agreement between the insurer and the province or state, or an authorized agency thereof, in which the vehicle is first registered if that province or state has enacted laws providing a system of insurance substantially similar to the system under the Act, and the agreement may:

- (a) exempt the vehicle and the owner from the provisions of the Act;
- (b) establish terms and conditions governing the exemptions; and
- (c) provide for the refund of the whole or part of the premium paid in respect of an exempt vehicle.

9 Jan 81 SR 2/81 s7; 27 Mar 81 SR 61/81 s5; 4  
Nov 83 SR 178/83 s9; 31 Dec 87 SR 136/87 s11;  
2 Jly 93 SR 48/93 s5.

**Canadian Agreement on Vehicle Registration**

7.1 Where a motor vehicle that is registered in another province pursuant to the CAVR is registered in Saskatchewan pursuant to the CAVR, no basic premium is payable in connection with the registration.

27 Mar 81 SR 61/81 s6.

**Limit on liability of insurer**

8(1) Subject to any other provision of these regulations, the liability of the insurer under Part III of the Act for loss or damage to any vehicle is limited with respect to each separate claim to the amount by which the loss or damage is greater than the sum set out opposite the description of the vehicle in Column 2 of Appendix A.

(2) **Repealed.** 4 Nov 83 SR 178/83 s10.

(3) For the purposes of Part III of the Act, the maximum value of an amphibious vehicle together with all its equipment is deemed to be \$15,000.00.

(3.1) For the purposes of Part III of the Act, where an owner of a vehicle purchases or renews a certificate of insurance on or after March 1, 2000 and the basic premium payable for that vehicle is determined using the declared value of the vehicle at the time of the application for or renewal of insurance, the maximum value of that vehicle is the declared value of that vehicle as set out in the application for insurance or application for renewal of insurance.

(4) For the purposes of Part III of the Act, the insurer is not liable for any amount beyond the maximum value of a vehicle belonging in Class A, C, D, or TS, and the maximum value of such a vehicle together with all of its equipment is deemed to be \$15,000.00 unless:

- (a) a higher value is disclosed on the written application for the certificate of insurance for the vehicle; and
- (b) the certificate of insurance is in force at the time the accident occurs out of which the material claim arises.

(4.1) Notwithstanding subsection (4) and for the purposes of Part III of the Act, in the case of a vehicle registered in Class A, C, D or TS where the owner of the vehicle purchases or renews a certificate of insurance on or after March 1, 2000, the maximum value of that vehicle, together with all of the vehicle's equipment, is the declared value of the vehicle as set out in the application for insurance or application for renewal of insurance.

(5) Notwithstanding subsection (1), the owner of any of the following vehicles may elect a deductible of \$15,000 for the vehicle:

- (a) a vehicle that belongs in Class A, C or D; and
- (b) a vehicle that is registered in Saskatchewan under CAVR or IRP.

(6) Where the owner of a vehicle is eligible to elect and does elect a deductible of \$15,000 pursuant to subsection (5), the liability of the insurer for loss or damage to the vehicle, respecting each separate claim, is not to be greater than the deemed maximum value of the vehicle pursuant to this section and is limited to the amount by which the loss or damage exceeds \$15,000.

(7) A dealer's certificate issued pursuant to section 30 of *The Vehicle Administration Act* does not provide coverage under Part III of the Act for snowmobiles.

9 Jan 81 SR 2/81 s8; 11 Mar 83 SR 27/83 s4; 4  
Nov 83 SR 178/83 s10; 2 Jly 93 SR 48/93 s6; 19  
Sep 97 SR 86/97 s2; 24 Dec 99 SR 91/1999 s7.

#### Antique motor vehicle

**8.01(1)** In this section, “**antique motor vehicle**” means a motor vehicle:

- (a) whose model year predates the year in which the application for a certificate is made by 30 years or more;
- (b) that is not its owner's primary or only means of transportation;
- (c) whose owner has registered in his or her name another motor vehicle other than:
  - (i) an antique vehicle;

- (ii) a motorcycle; or
  - (iii) a snowmobile; and
  - (d) that is eligible to be registered under *The Vehicle Administration Act* in Class PV.
- (2) The basic premium rate payable for an antique motor vehicle together with all its equipment is the scheduled premium.
- (3) For the purpose of Part III of the Act, the maximum value of an antique motor vehicle, including all of the vehicle's equipment, is \$800.

16 Jly 82 SR 91/82 s4; 11 Mar 83 SR 27/83 s6; 4  
Nov 83 SR 178/83 s11; 10 Oct 86 SR 104/86 s7;  
31 Dec 87 SR 136/87 s12; 24 Dec 99 SR 91/1999  
s8.

**Section 51 of Act**

**8.1** For the purposes of section 51 of the Act, the amount of property damage is fixed at \$700.

1 May 81 SR 96/81 s3; 11 Mar 83 SR 27/83 s5; 6  
Mar 98 SR 22/98 s2.

**OPERATOR'S CERTIFICATE OF INSURANCE**

**Classification of operators, rating units**

**9(1)** Subject to sections 10 and 11, an applicant for an operator's certificate of insurance is classified for the purposes of these regulations in accordance with the number of rating units he has accumulated under subsections 12(2), (3) and (4) as set out in the following Table:

**CLASSIFICATION TABLE ACCORDING TO RATING UNITS**

<i>Motor Vehicle Driver Class</i>	<i>Accumulated Rating Units</i>
A	0 - 3
B	4 or 5
C	6 or 7
D	8 or 9
E	10 or 11
F	12 or 13
G	14 or 15
H	16 or 17
J	18 or 19
K	20 or 21
M	22 or more

and the basic premium payable by him is the scheduled premium for his class.

(2) No operator's certificate of insurance is to be issued to a driver in Class "M" until the insurer has completed a review of the applicant's driving record for the purposes of section 8 of the Act.

9 Jan 81 SR 2/81 s9; 4 Nov 83 SR 178/83 s12;  
31 Dec 87 SR 136/87 s13.

**Rating units – early reinstatement**

**10(1)** A person is required to be classified as Class N for the purposes of these regulations if that person has:

(a) been prohibited or disqualified from driving as a result of a conviction for an offence set out in sections 10 or 11 of Appendix B and that person's licence is reinstated pursuant to *The Driver Licensing and Suspension Regulations*; or

(b) had his or her licence suspended or stayed as a result of a conviction of an offence set out in sections 10 or 11 of Appendix B and that person's licence is reinstated pursuant to *The Driver Licensing and Suspension Regulations*.

(2) A person remains classified as Class N until the expiration of his or her disqualification pursuant to section 74 of *The Vehicle Administration Act*.

(3) Where a person applies for an operator's certificate of insurance for the licence period for which that person is classified as Class N, that person is required to be classified pursuant to subsection 9(1) in accordance with the number of rating units entered against him or her up to the date of his or her application, and the basic premium payable by him or her is the scheduled premium for his or her respective Class.

(4) Where the period during which the driver is in Class N is less than 12 months, the basic premium is required to be prorated in accordance with the number of months left in the driver's licence period.

(5) The basic premium for a driver for the licence period following the licence period in which that person is classified in Class N is to be calculated after classifying the driver pursuant to subsection 9(1).

(6) The number of rating units that a driver has accumulated is to be calculated according to the following formula:

$$RU = A + R$$

where:

RU is the total number of rating units to be used when calculating the driver's basic premium;

A is the number of rating units assessed pursuant to sections 10 and 11 of Appendix B; and

R is the number of rating units remaining on the driver's record pursuant to section 12.

19 Jly 96 SR 59/96 s5.

**11 Repealed.** 19 Jly 96 SR 59/96 s5.

## RATING UNITS

**Insurer to keep records of offences**

**12(1)** The insurer shall maintain a record regarding convictions and persons convicted of offences under *The Highway Traffic Act* or *The Vehicle Administration Act* and of any of the offences mentioned in sections 1 to 11 of Appendix B.

(1.1) Where a person:

- (a) has established a residence in Saskatchewan in the 12-month period immediately preceding the date that he applies for an operator's certificate of insurance; and
- (b) applies for an operator's certificate of insurance;

he shall present to the insurer a record of his driving history in jurisdictions outside Saskatchewan during the 36 consecutive months preceding the date of his application for a licence.

(1.2) Where a person is required to present to the insurer his driving record pursuant to subsection (1.1), the insurer shall:

- (a) determine the number of rating units that, in the opinion of the insurer, the applicant would have accumulated if he had a similar driving record in Saskatchewan; and
- (b) classify the applicant in accordance with subsection 9(1); and
- (c) establish the person's basic premium rate based on his classification determined under clause (b).

(2) Whenever a person is convicted of any of the violations or offences referred to in subsection (1), there is to be entered against him in that record the number of rating units prescribed for the violation or offence in sections 1 to 9 of Appendix B.

(3) Subject to sections 10 and 11 the record maintained under subsection (1) and (2) is to be used to establish the Class of the driver under subsection 9(1).

(4) Where a person applies for an operator's licence under *The Vehicle Administration Act*, the insurer shall review the applicant's driving record as maintained pursuant to subsections (1) and (2) to determine the number of rating units which the applicant has accumulated in the 36 month period immediately preceding the first month of the licence period in which the applicant applies, and if the applicant:

- (a) has not been assessed any rating units in the second 12 month period within the 36 month period, the insurer shall reduce by one third any number of rating units which the applicant accumulated in the first 12 month period of the 36 month period;
- (b) has not been assessed any rating units in the third 12 month period within the 36 month period, that is, the period immediately preceding the licence period for which the application is made, the insurer shall reduce by one third any number of rating units accumulated to that point; or



- (c) has been assessed any rating units in each 12 month period within the 36 month period, the insurer shall treat him as having accumulated the total number of those rating units.
- (5) In no event are rating units accumulated in one 12 month period to be carried forward in accordance with subsection (4) for more than 36 months, and for greater clarity, all rating units accumulated in the first 12 month period within the 36 month period are removed from the driver's record for the purposes of subsection (4) in the thirty-seventh month.

9 Jan 81 SR 2/81 s12; 5 Jne 81 SR 121/81 s3; 4  
Nov 83 SR 178/83 s15; 10 Oct 86 SR 104/86 s9;  
23 Sep 88 SR 70/88 s3; 2 Jly 93 SR 48/93 s7; 19  
Jly 96 SR 59/96 s5

**Deemed date of application etc.**

**13(1)** For the purpose of calculating the basic insurance premium payable on application for a licence under *The Vehicle Administration Act*:

- (a) the application is deemed to have been made on the first day of the month during which the application is made; and
- (b) where, in either of the two licence periods immediately preceding the licence period for which the application is made, the applicant was convicted of a violation or offence mentioned in subsection 12(1) with respect to which rating units were not entered against him in the insurer's record pursuant to subsection 12(2) because of late reporting, the basic premium payable is to be increased by the amount that would have been payable in each of the two preceding licence periods had those rating units been entered in the record at the time of his application for a licence for each of the two preceding periods.
- (2) Where an application for a licence under *The Vehicle Administration Act* is made during a month other than the month in which the applicant was born, the basic premium payable for the licence is to be calculated *pro rata* on a monthly basis for the period during which the licence is to be valid.

9 Jan 81 SR 2/81 s13; 4 Nov 83 SR 178/83 s16;  
10 Oct 86 SR 104/86 s10; 23 Jan 87 SR 4/87 s3.

**Reinstatement or substitution of licences**

**14** Where:

- (a) a driver is disqualified from driving under section 74 of *The Vehicle Administration Act*; or
- (b) a driver's licence is suspended or revoked under subclause 21(3)(a)(i) or section 23.01 or 23.02 of *The Vehicle Administration Act*;

the reinstatement of the licence or the substitution or issue of a restricted licence is, except in the case of the quashing of the order or conviction giving rise to the disqualification, suspension or revocation, deemed to be the issue of a licence to drive within the meaning of sections 3 and 4 of the Act.

10 Oct 86 SR 104/86 s11; 19 Jly 96 SR 59/96 s8.

## CANCELLATION AND PREMIUM REFUND

**Refund of premium in case of cancellation of owner's certificate, operator's certificate**

15(1) Subject to section 19, upon cancellation of an owner's certificate of insurance and surrender to the administrator of the licence plates for the vehicle designated in such certificate, the insurer shall refund the amount by which the premium actually paid in respect of the certificate exceeds the *pro rata* premium for the period in which the certificate was in force calculated on a daily basis, and where such cancellation and surrender is occasioned by the death of the person named in the certificate or by reason of his ceasing to reside or to carry on business in Saskatchewan, the insurer shall make the refund to the person or to his legal representative, as the case may be.

(1.1) Notwithstanding subsection (1), the insurer may make a refund without the surrender of the certificate of insurance and the licence plates for a vehicle where the insurer is satisfied that the certificate and the licence plates:

- (a) cannot reasonably be obtained; and
- (b) have been accounted for to the satisfaction of the insurer.

(2) Where an operator's certificate of a person in any class is cancelled because the person named therein has died or has ceased to reside in the province, the insurer shall refund to that person or his legal representative, as the case may be, the amount by which the basic premium actually paid for the certificate exceeds the *pro rata* premium for the period during which the certificate was in force.

(2.1) Where a person named in an operator's certificate:

- (a) is disqualified from driving any motor vehicle pursuant to section 74 of *The Vehicle Administration Act*; or
- (b) is prohibited from operating a motor vehicle pursuant to section 259 of the *Criminal Code*;

the insurer shall refund to that person the amount by which the basic premium actually paid for the certificate exceeds the *pro rata* premium for the period during which the certificate was in force.

(3) **Repealed.** 1 May 81 SR 96/81 s4.

(4) The insurer shall not refund any amount under subsection (1), (2) or (2.1) unless the amount exceeds \$1.

(5) Where a driver's licence issued under *The Vehicle Administration Act* is cancelled or revoked on grounds of infirmity through age, illness or other physical, mental or emotional disability, the insurer shall refund to the person whose licence has been cancelled or revoked or to his legal representative the amount by which the basic premium actually paid for the certificate of insurance exceeds the *pro rata* premium for the period in which the certificate was in force, and the insurer shall not retain any minimum amount.

(6) **Repealed.** 4 Nov 83 SR 173/83 s18.

9 Jan 81 SR 2/81 s15; 1 May 81 SR 96/81 s4; 16  
Jly 82 SR 91/82 s5; 4 Nov 83 SR 178/83 s18; 20  
Dec 85 SR 118/85 s5; 23 Jan 87 SR 4/87 s4; 4  
Sep 87 SR 97/87 s5; SS 1990-91 c35 s5; 2 Jly 93  
SR 48/93 s8.

**Calculation of refund**

**16** For the purposes of section 15, the amount of the *pro rata* premium is calculated, irrespective of the date of issue of a certificate, on the basis of the annual basic premium.

1 May 81 SR 96/81 s5.

**Minimum amount retained by insurer**

**17** Subject to subsection 15(5) and section 18, the insurer is entitled to a minimum retention on all refunds with respect to an operator's certificate of an amount equal to the greater of:

- (a) \$10; or
- (b) two-twelfths of the annual premium.

10 Dec 82 SR 157/82 s4.

**Cancellation fee**

**17.1(1)** Subject to subsection (2) and section 18, the insurer is entitled to a cancellation fee with respect to owner's certificates in an amount equal to the lesser of:

- (a) \$25; or
- (b) an amount equal to the prorated basic premium calculated in accordance with subsection 15(1).

(2) Where the insurer considers it appropriate, it may waive the cancellation fee mentioned in subsection (1).

10 Dec 82 SR 157/82 s4; 20 Dec 85 SR 118/85 s6; 31 Dec 87 SR 136/87 s16.

**Certain fees non-refundable**

**17.2** Where an owner's certificate is cancelled, the insurer is entitled to retain:

- (a) the down payment finance fee paid to it pursuant to subsection 3.5(8); and
- (b) the \$7 payable pursuant to subsection 3(5).

4 Jly 97 SR 66/97 s5.

**Certificate issued in error**

**18** In a case where the insurer is satisfied:

- (a) that a certificate has been issued in error;
- (b) that no certificate has been issued or will be issued although an application has been made and the basic premium paid; or
- (c) that an operator's certificate has never been used;

the insurer shall refund the whole of the basic premium.

9 Jan 81 SR 2/81 s18.

**Death of owner**

**19** Where the owner of a vehicle dies and the vehicle is reregistered under *The Vehicle Administration Act* in the name of the executor or administrator of his estate or in the name of a person legally entitled to the vehicle, the insurer shall not:

- (a) require the surrender of the licence plates for the vehicle to the administrator;
- (b) pay a refund in respect of the certificate issued to the deceased owner; or
- (c) with respect to the licence period in which the deceased owner dies, require a premium to be paid by the person in whose name the vehicle is reregistered.

9 Jan 81 SR 2/81 s19; 4 Nov 83 SR 178/83 s19;  
10 Oct 86 SR 104/86 s12.

**Change of vehicle**

**20(1)** Where an owner's certificate of insurance:

- (a) is exchanged for an owner's certificate of insurance for another vehicle; or
- (b) is transferred to another vehicle;

the insurer shall determine the *pro rata* premium applicable to the owner's certificate for each vehicle, and the difference between the amounts is to be applied as a debit or credit, as the case may be, against the *pro rata* premium payable for the owner's certificate of insurance for the vehicle to which the transfer is made.

(2) **Repealed.** 20 Dec 85 SR 118/85 s7.

9 Jan 81 SR 2/81 s20; 20 Dec 85 SR 118/85 s7.

**Certain calculations to be rounded**

**20.1** The result of any calculation made pursuant to sections 15, 17.1 or 20 is to be rounded to the nearest dollar.

20 Dec 85 SR 118/85 s8.

**Acquisition of replacement vehicle**

**21(1)** Where the motor vehicle designated in an owner's certificate is sold and another motor vehicle is acquired to replace it, the owner's certificate continues in effect with respect to the replacement vehicle until the earlier of:

- (a) seven days after the date the replacement vehicle was purchased; and
- (b) the expiration of the owner's certificate.

(2) The premium for a replacement vehicle described in subsection (1) is to be adjusted under section 20 from the date when the replacement vehicle was acquired, and in the event of loss or damage occurring to the replacement vehicle within the seven-day period and before the certificate is exchanged or transferred as a result of one of the perils mentioned in section 38 of the Act, the replacement vehicle is deemed to be, for the purpose of ascertaining the deductible, in the class of vehicle under Appendix A that it would have been in had the owner's certificate been transferred or exchanged on the day of its acquisition.

9 Jan 81 SR 2/81 s21; 5 Jan 2001 SR 109/2000  
s4.

**APPLICATIONS BY HANDICAPPED PERSONS****Application by person suffering physical handicap**

**22** Where a certificate of registration for a motor vehicle, trailer or semi-trailer or a licence to drive is not withheld for some other reason, a certificate of insurance is not to be withheld by reason only that the applicant is suffering from a physical handicap.

9 Jan 81 SR 2/81 s22.

**Supplementary information required**

**23(1)** Each applicant for a certificate of insurance who at the time of making such application is suffering from a physical handicap shall complete a supplementary application in the form required by the insurer.

(2) Nothing in this section is deemed to preclude the insurer from requiring an applicant to furnish any further or other information as the insurer considers necessary or desirable.

9 Jan 81 SR 2/81 s23.

**Payment of basic premium mandatory**

**24** In the case provided for under section 23, the insurer, after the completion of the supplementary application form by the applicant, shall require and the applicant shall pay the basic premium fixed for the class of certificate in respect of which the application is made.

9 Jan 81 SR 2/81 s24.

**Additional premium**

**25** The insurer may, in the light of further information provided under section 23 or under the provisions of section 8 of the Act, fix whatever additional premium the insurer's underwriters may advise.

9 Jan 81 SR 2/81 s25.

**Notice of additional premium**

**26(1)** The insurer shall notify the person in respect of whom an additional premium is assessed, and the notice is to be in writing in accordance with subsection (2) and is to be sent by registered mail addressed to the person against whom the additional premium has been assessed at his last known post office address.

(2) The notice is to:

- (a) set forth the amount of the additional premium;
- (b) advise the person to whom it is directed of the penalty provided by section 11 of the Act for default in payment of the additional premium; and
- (c) fully inform the person to whom it is directed of his right to appeal to the Rates Appeal Board under section 10 of the Act.

9 Jan 81 SR 2/81 s26.

## CHARGEABLE ACCIDENTS

**Chargeable accidents**

**27(1)** The amount of loss or damage constituting a chargeable accident under section 6 of the Act is loss or damage on account of which the insurer makes a payment in excess of \$299.99.

(2) **Repealed.** 31 Dec 87 SR 136/87 s17.

(3) Without prejudice to anything in subsection (1) or section 27.1 the insurer may refrain from demanding payment of the surcharge under section 6 of the Act in a case where the payment made by the insurer on account of loss or damage does not exceed \$305.

9 Jan 81 SR 2/81 s27; 1 May 81 SR 96/81 s6; 31 Dec 87 SR 136/87 s17; 2 Jan 98 SR 106/97 s3.

**More than one chargeable accident**

**27.1** Where a person is a driver in fault to whom subsection 6(4.1) of Act applies, he shall pay a surcharge:

- (a) with respect to the first chargeable accident, of \$100;
- (b) with respect to the second chargeable accident, of \$300;
- (c) with respect to the third chargeable accident, of \$550;
- (c.1) with respect to the fourth chargeable accident, of \$700;
- (c.2) with respect to the fifth chargeable accident, of \$850;
- (c.3) with respect to the sixth chargeable accident, of \$1,000; and
- (d) with respect to each subsequent chargeable accident, of \$200 more than the amount payable with respect to the immediately preceding chargeable accident.
- (e) **Repealed.** 23 Jan 87 SR 4/87 s5.
- (f) **Repealed.** 23 Jan 87 SR 4/87 s5.

1 May 81 SR 96/81 s7; 22 Nov 85 SR 110/85 s6; 23 Jan 87 SR 4/87 s5; 31 Dec 87 SR 136/87 s18; 3 Mar 89 SR 4/89 s2; 2 Jan 98 SR 106/97 s4.

**Collection of surcharge in certain cases**

**27.2** Where a person to whom section 27.1 applies does not pay the surcharge when it is assessed by the insurer because he does not at that point apply for or renew his operator's certificate, he shall pay the surcharge when he applies for or renews his operator's certificate.

1 May 81 SR 96/81 s7.

**Dispute of surcharge**

**28** Notice disputing the liability to pay a surcharge under subsection 6(6) of the Act is to be in the form furnished by the insurer to the person from whom the surcharge is claimed.

22 Nov 85 SR 110/85 s7.

**Notice**

**29** The original of the notice disputing liability together with a copy of the licence issuer's report is to be forwarded as soon as practicable by the licence issuer to the Motor Vehicle Division of the insurer at Regina.

9 Jan 81 SR 2/81 s29.

**Fees**

**29.1(1)** Where a person elects pursuant to subsection 6(7) of the Act to have a dispute heard by a judge of the Provincial Court, the fee to be paid to the insurer by the person disputing liability to pay a surcharge under subsection 6(6) of the Act is \$5.

(2) Where a person elects pursuant to subsection 6(7) of the Act to have a dispute heard by the Rates Appeal Board, no fee is payable to the insurer by the person disputing liability to pay a surcharge.

(3) The sum to be deposited with the insurer by a person who wishes to appeal from the insurer's decision to assess an additional premium against him pursuant to section 8 of the Act is \$10.

22 Nov 85 SR 110/85 s8.

## RATES APPEAL BOARD

**Rates Appeal Board**

**30** Members of the Rates Appeal Board are entitled to receive:

- (a) \$150 per day for attendance at sittings of the board;
- (b) the expense allowances currently payable to Saskatchewan Government Insurance employees for expenses incurred on corporation business in respect of travel and sustenance; and
- (c) \$5 for communication with a person who has been assessed an additional premium where no appeal from the person is heard by the board.

9 Jan 81 SR 2/81 s30; 22 Nov 85 SR 110/85 s9.

## LICENCE ISSUERS

**Persons designated to accept applications and basic premiums for insurance**

**31** Persons who are authorized to accept applications and fees payable for a certificate of registration or permit for any vehicle or for a licence to drive under *The Vehicle Administration Act* are designated to accept applications and basic premiums for insurance under the Act.

9 Jan 81 SR 2/81 s31; 2 Jly 93 SR 48/93 s9.

**Licence Issuer's Manual**

**32** A person designated to accept applications and basic premiums for insurance under the Act shall perform his function and carry out his duties according to the current edition of the manual or manuals of instruction commonly known at the "Licence Issuer's Manual".

9 Jan 81 SR 2/81 s32.

**Insurance coverage for equipment**

**32.1(1)** This section applies to every owner's certificate that is in force on the date that *The Automobile Accident Insurance Amendment Regulations, 2000* come into force, until that owner's certificate expires or is renewed.

(2) For the purposes of Part III of the Act, an owner's certificate insures the person named in the owner's certificate against loss or damage to the motor vehicle designated in the owner's certificate with respect to sound equipment or communications equipment intended for use in the motor vehicle, other than radios designed for both transmitting and receiving or their equipment.

5 Jan 2001 SR 109/2000 s5.

**Insurance coverage for equipment**

**32.2(1)** This section applies to every owner's certificate that is issued or renewed after the coming into force of *The Automobile Accident Insurance Amendment Regulations, 2000*.

(2) In this section and in section 32.3:

(a) **"after-market equipment"** means sound equipment or communications equipment that:

- (i) is intended for use in a motor vehicle; and
- (ii) is not manufacturer installed equipment;

(b) **"manufacturer installed equipment"** means sound equipment or communications equipment that:

- (i) is intended for use in a motor vehicle; and
- (ii) is available from the manufacturer as standard or optional equipment for a motor vehicle of that particular make, model and year.

(3) Subject to subsection (4), for the purposes of Part III of the Act, an owner's certificate insures the person named in the owner's certificate against loss or damage to the motor vehicle designated in the owner's certificate with respect to sound equipment or communications equipment, including:

- (a) electronic data processing devices; and
- (b) audio-visual equipment.

(4) Subsection (3) does not apply to loss or damage to any type of sound equipment or communications equipment if the Act or these regulations declare that the insurer is not liable for loss or damage to that type of sound equipment or communications equipment.

(5) If there is loss or damage solely to after-market equipment, the liability of the insurer for that loss or damage is limited to the amount by which the loss or damage, including all associated and incidental costs, exceeds the deductible amount fixed pursuant to these regulations to a maximum of \$1,500 per claim.

5 Jan 2001 SR 109/2000 s5.



**Limits on insurer's liability**

**32.3** Notwithstanding any other provision of these regulations, if there is loss or damage to after-market equipment and other loss or damage to the motor vehicle for which the insurer is liable pursuant to the Act and these regulations, the maximum liability of the insurer for all loss or damage is the amount ML calculated in accordance with the following formula:

$$ML = (EL + VL) - D$$

where:

EL is the loss or damage to the after-market equipment and is equal to the lesser of:

- (a) the amount of the loss or damage; and
- (b) \$2,200;

VL is the other loss or damage to the motor vehicle for which the insurer is liable pursuant to the Act and these regulations;

D is the deductible amount fixed pursuant to these regulations.

5 Jan 2001 SR 109/2000 s5.

**33 Repealed.** 4 Sep 87 SR 97/87 s6.

**34 to 34.2 Repealed.** 19 Jly 96 SR 59/96 s9.

PERMANENT DISABILITY – DEGREES OF IMPAIRMENT

**35 to 40 Repealed.** 2 Jan 98 SR 106/97 s5.

**Appendix A**

(The deductible amount is the amount set out in the column headed Comprehensive Deductible opposite the Class to which the vehicle belongs.)

<u>Class</u>	<u>Comprehensive Deductible</u>
<u>Class PV</u>	
FOR EACH VEHICLE REGISTERED PURSUANT TO THE VEHICLE ADMINISTRATION ACT AS A PRIVATE PASSENGER VEHICLE – CLASS PV	
1. That is a motorcycle (including a motor scooter) used for any purpose and regardless of model year and engine capacity .....	\$ 700
2. That is a pedal cycle with motor attachment .....	350
3. That is an ambulance and is used as an ambulance .....	700
4. That is a motorhome, regardless of use, model year or value .....	700
5. That is otherwise not provided for and is a bus .....	700
6. That is otherwise not provided for and has been assigned a rate category by the insurer and is:	
(a) a hearse and is used as a hearse .....	700
(b) a police car and is used as a police car .....	700

(c) a U-drive car or truck .....	700
(d) a private motor vehicle .....	700
(e) a farm car .....	700
(f) an antique motor vehicle .....	500
7. That is an industrial-tracked vehicle designed to transport passengers or goods on unprepared surfaces .....	700

Class T

FOR EACH VEHICLE REGISTERED PURSUANT TO  
*THE VEHICLE ADMINISTRATION ACT*  
AS A TRAILER OR SEMI-TRAILER (PRIVATE) – CLASS T

For each tent, collapsible cabin, or cabin trailer or semi-trailer used for U-drive purposes, the deductible is the amount set out opposite the type of vehicle described.

1. For each tent trailer .....	\$ 400
2. For each trailer or semi-trailer, other than of cabin or tent type .....	400
3. For each cabin trailer having an estimated present value of:	
Up to and including \$1,000 .....	400
Exceeding \$1,000 .....	500

Class PS

FOR EACH VEHICLE REGISTERED PURSUANT TO  
*THE VEHICLE ADMINISTRATION ACT*  
AS A PASSENGER SCHOOL BUS – CLASS PS

For all passenger school buses or snowplanes  
regardless of model year or seating capacity .....
 \$ 700 |

Class PB

FOR EACH VEHICLE REGISTERED PURSUANT TO  
*THE VEHICLE ADMINISTRATION ACT*  
AS A PUBLIC SERVICE VEHICLE (INTERCITY  
PASSENGER BUS) – CLASS PB

For all intercity passenger buses, regardless of seating  
capacity or model year .....
 \$ 800 |

Class PC

FOR EACH VEHICLE REGISTERED PURSUANT TO  
*THE VEHICLE ADMINISTRATION ACT* AS A  
 PUBLIC SERVICE VEHICLE (CITY  
 PASSENGER BUS) – CLASS PC

For all city passenger buses, regardless of seating  
 capacity or model year ..... \$ 800

Class PT

FOR EACH VEHICLE REGISTERED PURSUANT TO  
*THE VEHICLE ADMINISTRATION ACT*  
 AS A PUBLIC SERVICE VEHICLE  
 (PASSENGER TAXI) – CLASS PT

For all passenger taxis regardless of location ..... \$ 700

Class A

FOR EACH VEHICLE REGISTERED PURSUANT TO  
*THE VEHICLE ADMINISTRATION ACT*  
 AS A PUBLIC SERVICE VEHICLE – CLASS A

Engaged in the transportation of goods and commodities:

- (a) for each truck up to and including a gross  
 weight of 5,000 kg ..... \$ 700
- (b) for each truck or power unit having a gross weight  
 of 5,001 kg or greater ..... 2,500

Class C

FOR EACH VEHICLE REGISTERED PURSUANT TO  
*THE VEHICLE ADMINISTRATION ACT*  
 AS A COMMERCIAL VEHICLE – CLASS C

1. For each tractor (not used for farm purposes) regardless  
 of value ..... \$ 700
2. That is not otherwise provided for:
  - (a) for each truck, regardless of the gross weight,  
 model year, or value ..... 700
  - (b) for each U-drive commercial truck ..... 700
  - (c) for each power unit, regardless of gross weight,  
 model year or value ..... 700

Class D

FOR EACH VEHICLE REGISTERED PURSUANT TO  
*THE VEHICLE ADMINISTRATION ACT*  
 AS A COMMERCIAL VEHICLE – CLASS D

1. For each truck, regardless of gross weight, model year or value .....	\$	700
2. For each U-drive commercial truck .....		700
3. For each power unit, regardless of gross weight, model year, or value .....		700
4. For each industrial-tracked vehicle designed to transport passengers or goods on unprepared surfaces .....		700
5. That is not otherwise provided for .....		700

Class TS

FOR EACH VEHICLE REGISTERED PURSUANT TO  
*THE VEHICLE ADMINISTRATION ACT* AS A  
 TRAILER OR SEMI-TRAILER (COMMERCIAL) – CLASS TS

For each trailer or semi-trailer, regardless of value .....	\$	500
---	----	-----

Class L and LT

ON EACH APPLICATION FOR A LICENSED  
 DEALER REGISTRATION PURSUANT TO  
*THE VEHICLE ADMINISTRATION ACT*  
 – CLASS L OR LT

1. Where the registrant is engaged in the business of buying, selling or moving cars, trucks regardless of model year or gross weight .....	\$	700
2. Where the registrant is engaged in the business of buying, selling, or moving motorized bicycles .....		350
3. Where the registrant is engaged in the business of buying, selling or moving trailers, regardless of type .....		500
4. Where the registrant is engaged in the business of buying, selling or moving motor cycles .....		700
5. That is not otherwise provided for .....		700

Class F

FOR EACH VEHICLE REGISTERED PURSUANT TO  
 THE VEHICLE ADMINISTRATION ACT  
 AS A FARM VEHICLE – CLASS F

1. For each truck, regardless of gross weight .....	\$	700
2. For each power unit .....		700
3. For each semi-trailer or gooseneck trailer .....		500
4. All other trailers .....		400

24 Dec 99 SR 91/1999 s9.

**Appendix B**

RATING UNITS FOR CONVICTIONS AND SUSPENSIONS

1 Three rating units shall be entered upon the record maintained by the insurer under section 12 of the regulations against a person for each occasion on which he is convicted of any of the offences which are listed in the following table, together with corresponding or related provisions of *The Highway Traffic Act*.

<u>Offence</u>	<u>Section</u>	<u>Subsection</u>	<u>Clause</u>
Allowing other to use licence .....	20	(3)	
Carrying licence of another .....	20	(2)	
Driver allowing 16 and under to ride without seat-belt .....	77	(4)	
Driver failing to wear seat-belt .....	77	(1)	
Driving motorcycles more than two abreast .....	59		(e)
Driving on median .....	60	(2)	
Driving too slowly .....	33	(3)	
Driving unregistered vehicle .....	23	(1)	
Driving wrong way on one-way street .....	52		
Exceeding speed limit .....	33	(1)	(a) (b)
	34		
Failure to dim headlights .....	62	(2) (4)	
Failure to extinguish spotlight .....	63		

Failure to signal .....	64	(1)	
		(2)	(a)
			(b)
			(c)
Failure to stop for red crosswalk light .....	65	(11)	
Failure to warn of highway obstruction .....	40	(2)	
Failure to yield .....	50	(1)	
Failure to yield as required .....	50	(5)	
		(7)	
		(8)	
	65	(5)	(b)
Failure to yield to emergency vehicles .....	67	(8)	
Following too closely .....	56	(1)	
Holding more than one licence .....	19	(1)	
Impeding overtaking vehicle .....	48	(4)	
Improperly overtaking .....	48	(1)	(b)
		(3)	
	54	(2)	
Improperly stopping on highway .....	40	(1)	(a)
			(b)
Improperly turning .....	49	(1)	
		(2)	
	65	(2)	
		(7)	
		(8)	
		(9)	
		(13)	
Improperly entering or leaving controlled access highway .....	57		
Improperly entering public highway .....	50	(4)	
		(6)	
Improperly equipped motorcycle operator or passenger .....	76	(1)	
Improperly equipped vehicle .....	81.1		
Turning left across traffic .....	50	(3)	

Driving without a driver's licence .....	17	(1)	
Driving with obscured windows .....	75	(1)	
		(2)	
		(3)	
Operating beyond restriction or endorsement ...	21		
Overcrowding steering compartment .....	74	(2)	
Overtaking at intersection .....	48	(2)	
Overtaking when view obstructed .....	48	(5)	
Straddling driving lanes .....	59		(a)
	48	(1)	(a)
Tampering with flare/hazard lights .....	40	(3)	
Towing bicycles, sleds, etc. ....	69	(2)	
Travelling too fast for road conditions .....	33	(2)	

5 Jne 81 SR 121/81 s4; 4 Nov 83 SR 178/83 s23;  
23 Sep 88 SR 70/88 s4.

**2** Three rating units shall be entered upon the record maintained by the insurer under section 12 of the regulations against a person for each occasion on which he is convicted of having violated a provision of the law of any province or territory of Canada or of any state of the United States or of a bylaw of any municipal corporation or duly constituted Authority in Canada or in the United States that is substantially similar to any of the offences mentioned in section 1 of this Appendix B.

**3** Four rating units shall be entered upon the record maintained by the insurer under section 12 of the regulations against a person for each occasion on which he is convicted of any of the offences which are listed in the following table together with corresponding or related provisions of *The Highway Traffic Act*.

<b>Description of Offence</b>	<b>Highway Traffic Act Provision</b>
Backing up a vehicle when it is unsafe .....	53
Crossing solid lines unlawfully to change lanes .....	59(b)
Driving to the left of a solid centre line .....	59(c)
Driving during 24-hour suspension .....	89(2)
Driving a motor cycle beside a vehicle other than a motorcycle .....	59(f)
Driving on the left-hand side of a median .....	60(1)
Driving without lights as prescribed in the regulations .....	62(1)
Failing to obey the direction of a flagperson or peace officer .....	37(3)
Failing to obey a stop sign .....	40(4)(a)
Failing to obey a stop signal at a railway crossing .....	40(4)(b)
Failing to stop at a level railway crossing .....	40(5)
After stopping, proceeding while it is unsafe .....	40(6)
Driver failing to stop at crosswalk against an amber light .....	65(3)(a)
Failing to stop at a red light at an intersection .....	65(5)(a)
Failing to obey a red light, stopping at the wrong place or failing to stop .....	65(11)
Riding an animal on the left-hand side of a highway .....	51
Failing to yield the right of way on entering the highway from other than a highway .....	50(6)
Failing to yield the right of way to pedestrian at a highway intersection or marked pedestrian crossing .....	54(1)
Failing to yield the right of way to a pedestrian at a marked crosswalk displaying only an amber light .....	65(4)
Permitting a person to ride on the exterior part of a a motor vehicle .....	72(1)
Putting material on a highway that might damage tires .....	78(1)
Throwing a burning substance from a vehicle .....	78(2)
Exceeding 60 kilometres per hour when passing a highway worker or flagperson .....	37(1)
Operating a vehicle with cargo not secured in accordance with the regulations .....	70(2)

5 Jne 81 SR 121/81 s4; 4 Nov 83 SR 178/83 s23;  
22 Nov 85 SR 110/85 s11; 23 Sep 88 SR 70/88  
s4; 19 Jly 96 SR 59/96 s10.

**4** Four rating units shall be entered upon the record maintained by the insurer under section 12 of the regulations against a person for each occasion on which he is convicted of having violated a provision of the law of any province or territory of Canada or of any state of the United States or of a bylaw of any municipal corporation or duly constituted Authority in Canada or in the United States that is substantially similar to any of the offences mentioned in section 3 of this Appendix B.

5 Jne 81 SR 121/81 s4; 23 Sep 88 SR 70/88 s4.

**5 Repealed.** 4 Nov 83 SR 178/83 s23.



**6** Five rating units shall be entered upon the record maintained by the insurer under section 12 of the regulations against a person for each occasion on which he is convicted of any of the offences which are listed in the following table, together with corresponding or related provisions of *The Highway Traffic Act*.

<u>Offence</u>	Corresponding or related provision of <i>The Highway Traffic Act</i>		
	<u>Section</u>	<u>Subsection</u>	<u>Clause</u>
Driving without due care and attention .....	44	(1)	
		(2)	
Failure to report an accident .....	83	(1)	
Giving false information .....	118		
Passing school bus when forbidden .....	43	(2)	
		(3)	
		(4)	
Racing on highway .....	45	(1)	

5 Jne 81 SR 121/81 s4; 4 Nov 83 SR 178/83 s23;  
22 Nov 85 SR 110/85 s11; 23 Sep 88 SR 70/88  
s4.

**7** Five rating units shall be entered upon the record maintained by the insurer under section 12 of the regulations against a person for each occasion on which he is convicted of having violated a provision of the law of any province or territory of Canada or of any state of the United States or of a bylaw of any municipal corporation or duly constituted Authority in Canada or in the United States that is substantially similar to any of the offences mentioned in section 6 of this Appendix B.

5 Jne 81 SR 121/81 s4; 23 Sep 88 SR 70/88 s4.

**8** Six rating units shall be entered upon the record maintained by the insurer under section 12 of the regulations against a person for each occasion on which he is convicted of any of the offences which are listed in the following table, together with corresponding or related provisions of *The Highway Traffic Act*.

<u>Offence</u>	Corresponding or related provision of <i>The Highway Traffic Act</i>		
	<u>Section</u>	<u>Subsection</u>	<u>Clause</u>
Driving while disqualified not otherwise specified .....	89	(3)	
Stunting .....	45	(2)	

5 Jne 81 SR 121/81 s4; 4 Nov 83 SR 178/83 s23;  
22 Nov 85 SR 110/85 s11; 23 Sep 88 SR 70/88  
s4.

9 Six rating units shall be entered upon the record maintained by the insurer under section 12 of the regulations against a person for each occasion on which he is convicted of having violated a provision of the law of any province or territory of Canada or of any state of the United States or of a bylaw of any municipal corporation or duly constituted Authority in Canada or in the United States that is substantially similar to any of the offences mentioned in section 8 of this Appendix B.

5 Jne 81 SR 121/81 s4.

10 Where a person is convicted of:

(a) an offence under subsection 233(1), (2) or (4), section 234, section 234.1, subsection 235(2) or section 236 of the *Criminal Code*, as those provisions existed on December 3, 1985;

(b) an offence under:

(i) section 203, 204 or 219; or

(ii) section 236, section 237, subsection 238(5), subsection 239(2) or (3) or subsection 242(4);

of the *Criminal Code*, as those provisions existed on December 11, 1988, committed by means of a motor vehicle;

(c) an offence under clause 233(1)(a) or subsection 233(3) or (4) of the *Criminal Code*, as those provisions existed on December 11, 1988;

(c.1) an offence under:

(i) section 220, 221 or 236; or

(ii) section 252, 253 or 254, subsection 255(2) or (3) or subsection 259(4);

of the *Criminal Code*, committed by means of a motor vehicle;

(c.2) an offence under clause 249(1)(a) or subsection 249(3) or (4) of the *Criminal Code*;

(d) an offence under section 165 or 168 of *The Vehicles Act, 1983*; or

(e) an offence under section 89 or 92 of *The Highway Traffic Act*;

and, as a result of the conviction, he is disqualified from driving any motor vehicle on a highway, the insurer shall enter on its record maintained with respect to the driver under section 12 of these regulations for each conviction the number of rating units that in the following is set opposite the period of disqualification:

Table

<i>Period of Disqualification</i>	<i>Rating Units</i>
Less than or equal to six months .....	15
More than six months, but less than or equal to 12 months .....	25
More than 12 months but less than or equal to 36 months .....	35
More than 36 months .....	45

4 Nov 83 SR 178/83 s23; 22 Nov 85 SR 110/85 s11; 20 Dec 85 SR 118/85 s9; 23 Sep 88 SR 70/88 s4; SS 1990-91 c35 s5; 19 Jly 96 SR 59/96 s10.

**11** Where as a result of a conviction of a law of another jurisdiction of Canada a driver is disqualified or prohibited from driving or his licence is suspended or stayed, the insurer shall enter on the record maintained with respect to the driver under section 12 of these regulations for each conviction the number of rating units that in the following table is set opposite the period of disqualification:

Table

<i>Period of Disqualification</i>	<i>Rating Units</i>
Less than or equal to six months .....	15
More than six months, but less than or equal to 12 months .....	25
More than 12 months but less than or equal to 36 months .....	35
More than 36 months .....	45

4 Nov 83 SR 178/83 s23; 20 Dec 85 SR 118/85 s9; 23 Sep 88 SR 70/88 s4.

**12** Where a driver has:

- (a) been prohibited or disqualified from driving pursuant to *The Vehicle Administration Act*; or
- (b) had his or her licence suspended or revoked;

the reinstatement of the licence, or the substitution or issue of a restricted licence, except in the case of quashing the order or conviction giving rise to the original order of disqualification, prohibition, suspension or revocation, shall not eliminate the rating units entered against a person pursuant to sections 1, 2, 3 and 4 of Appendix B.

19 Jly 96 SR 59/96 s10.

### Appendix C

**Repealed.** 4 Nov 83 SR 178/83 s24.

### Appendix D

**Repealed.** 4 Nov 83 SR 178/83 s24.

