

BILL

No. 54 of 1999-2000

An Act to amend *The Vehicle Administration Act* (No. 2)

(Assented to _____, 2000)

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

Short title

1 This Act may be cited as *The Vehicle Administration Amendment Act, 2000 (No. 2)*.

S.S. 1986, c.V-2.1 amended

2 *The Vehicle Administration Act* is amended in the manner set forth in this Act.

Section 2 amended

3 **Clause 2(1)(ee.1) is repealed and the following substituted:**

“(ee.1) **‘territory’** means:

- (i) the Yukon Territory;
- (ii) the Northwest Territories; or
- (iii) Nunavut”.

Section 15 amended

4(1) **Clause 15(2)(f) is amended by striking out “the administrator” and substituting “subject to clause 23(3)(b), the administrator”.**

(2) **Subsection 15(4) is amended by striking out “shall pay for the report in an amount prescribed in the regulations” and substituting “may, in the prescribed circumstances, pay for the report in a prescribed amount”.**

Section 16 amended

5(1) **The following subsections are added after subsection 16(1):**

“(1.1) Where a person or a person’s agent applies for a driver’s licence or a duplicate driver’s licence, the administrator may require the driver to be photographed in accordance with the regulations, and the photograph shall be incorporated in a photo identification card that shall form part of the driver’s licence.

“(1.2) A photo identification card issued prior to the coming into force of subsection (1.1) is not a valid photo identification card for the purposes of this section”.

(2) **Subsection 16(3) is repealed.**

(3) Subsection 16(4) is repealed and the following substituted:

“(4) The administrator may, before June 1, 2003, issue a receipt for the payment of the licence fee and, pending the issuance of a driver’s licence, the receipt is deemed to be the driver’s licence applied for and expires 90 days after the date of its issue”.

(4) Subsection 16(5) is amended by adding “issued before June 1, 2003” after “driver’s licence”.

(5) The following subsections are added after subsection 16(5):

“(6) Subject to subsections (8) and (10) and the regulations, on and after June 1, 2003, a valid driver’s licence must consist of:

- (a) a licence certificate that sets out the information that the administrator may or is required to set out in a driver’s licence, including any endorsement or restriction; and
- (b) a photo identification card that incorporates a photograph of the applicant taken in accordance with subsection (1.1) and that clearly identifies the person shown in the photograph as the person named in the licence certificate.

“(7) Subject to subsection (8), a licence certificate expires on the date set out on the licence certificate or, where no expiry date is set out, one year after the date of its issue.

“(8) The administrator may issue a receipt on payment of the licence fee and, pending the issuance of a licence certificate, the receipt is deemed to be the driver’s licence certificate and expires 90 days after the date of its issue.

“(9) Subject to subsection (10), a photo identification card expires on the date set out on the photo identification card.

“(10) Where a photo identification card is not promptly provided, the administrator shall issue a temporary photo identification card that expires 30 days after the date of its issue.

“(11) The administrator shall not provide access to or a copy of any photograph of a person taken for the purposes of this section to any person other than:

- (a) the person shown in the photograph, for the purpose of issuing a replacement photo identification card;
- (b) a peace officer, judge or justice of the peace acting in the course of his or her duties; or
- (c) a prescribed person or class of persons in any circumstances prescribed in the regulations”.

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Section 19 amended

6 Section 19 is amended:

- (a) **by renumbering it as subsection 19(1);**
- (b) **by striking out “endorsement” in subsection (1) and substituting “endorsement”; and**
- (c) **by adding the following subsection after subsection (1):**

“(2) Where the administrator places an endorsement or restriction on a driver’s licence pursuant to subsection (1) that contains a reference to night, **‘night’** means the period commencing one-half hour after sunset and ending one-half hour before sunrise”.

Section 20 amended

7 Subsections 20(1) and (2) are repealed and the following substituted:

- “(1) In this section:
- (a) **‘class PC vehicle’** means a vehicle classified as a class PC vehicle in regulations made pursuant to *The Highway Traffic Act*;
 - (b) **‘class PT vehicle’** means a vehicle classified as a class PT vehicle in regulations made pursuant to *The Highway Traffic Act*.
- “(1.1) No person shall drive a class PC vehicle that is used for the transportation of passengers in a rural municipality or a municipality unless a valid certificate of approval respecting that person furnished by the clerk or administrator of the municipality or rural municipality in which the vehicle is to be driven is filed with the administrator.
- “(1.2) No person shall drive a class PT vehicle that is used for the transportation of passengers in a rural municipality or in a municipality other than a city, unless there are filed with the administrator valid certificates of approval respecting that person furnished by:
- (a) the clerk or administrator of the municipality or rural municipality in which the vehicle is to be driven; and
 - (b) either:
 - (i) a peace officer who is a member of the police force or unit having responsibility for policing within the municipality in which the person resides; or
 - (ii) another person who is satisfactory to the administrator.
- “(2) No person shall drive a class PT vehicle that is used for the transportation of passengers in a city, unless there are filed with the administrator valid certificates of approval respecting that person furnished by:
- (a) the clerk or administrator of the city in which the vehicle is to be driven; and
 - (b) the chief, deputy chief or person in charge of the police force or unit having responsibility for policing within the city in which the vehicle is to be driven”.

Section 23 amended**8 Subsection 23(3) is repealed and the following substituted:**

“(3) Where the holder of a driver’s licence fails a driver examination that is required by the administrator pursuant to clause 15(3)(a), the administrator shall:

- (a) suspend the person’s driver’s licence; or
- (b) if, in the opinion of the administrator, the person is otherwise qualified, change the class of the person’s driver’s licence, add an endorsement or change any endorsement on the person’s driver’s licence or restrict the use of the person’s driver’s licence”.

New section 29**9 Section 29 is repealed and the following substituted:****“Application for registration**

29(1) In this section:

- (a) **‘class PC vehicle’** means a vehicle classified as a class PC vehicle in regulations made pursuant to *The Highway Traffic Act*;
- (b) **‘class PT vehicle’** means a vehicle classified as a class PT vehicle in regulations made pursuant to *The Highway Traffic Act*;
- (c) **‘safety certificate’** means a safety certificate issued pursuant to section 81.8 of *The Highway Traffic Act*.

(2) Subject to the other provisions of this Act and to the regulations, where an owner of a vehicle or the agent of an owner applies on a form provided by the administrator and pays the fee prescribed pursuant to *The Highway Traffic Act*, the administrator shall cause the name and address of the owner and the description of the vehicle to be registered and shall issue to the owner a certificate of registration or receipt and licence plates, if the owner holds or is exempted from holding an operating authority certificate, a temporary operating authority certificate or a safety certificate.

(3) In the case of an application for a certificate of registration for a class PC or class PT vehicle, the applicant must file with the administrator a motor vehicle liability policy or a bond of a guarantee insurance or surety company authorized to carry on business in Saskatchewan that insures the owner and every other person who, with the owner’s consent, drives the vehicle against the liability imposed by law arising out of the ownership, use or operation of the vehicle and resulting from:

- (a) bodily injury to or the death of any person being carried in or on or entering or getting into or onto or alighting from the vehicle;
- (b) loss of personal property of passengers that is carried in or on the vehicle; and
- (c) damage to property of any person other than the insured.

- (4) A policy or bond required pursuant to subsection (3):
 - (a) must insure against the liability described in that subsection to a limit that is not less than \$1,000,000 exclusive of interest and costs; and
 - (b) is in addition to the amount of insurance required pursuant to *The Automobile Accident Insurance Act*.
- (5) The administrator shall not issue a certificate of registration for a class PC or class PT vehicle unless a certificate of approval has been provided to the administrator by:
 - (a) the city clerk or any other person authorized by a city if the vehicle is to be operated within the city;
 - (b) the town clerk or any other person authorized by a town if the vehicle is to be operated within the town;
 - (c) the village clerk or any other person authorized by a village if the vehicle is to be operated within the village;
 - (d) the administrator of the rural municipality or any other person authorized by a rural municipality if the vehicle is to be operated within the rural municipality;
 - (e) the clerk, administrator or any other person authorized by a northern municipality if the vehicle is to be operated within the northern municipality;
 - (f) with respect to any area that is not included within a municipality or rural municipality, the authority responsible for regulating taxis within the area or, where there is no such authority, a person acceptable to the administrator;
 - (g) a person authorized by the administrator.
- (6) The administrator may order that subsection (5) does not apply to a particular municipality, rural municipality, area or person.
- (7) A person is not eligible to obtain a certificate of registration if the person:
 - (a) has not complied with the provisions of *The Automobile Accident Insurance Act* relating to the application and payment of premiums for insurance pursuant to that Act;
 - (b) is a person to whom subsection 54(5) or (6) of *The Automobile Accident Insurance Act* applies;
 - (c) has been disqualified from applying for or has been refused issuance of a certificate of registration;
 - (d) is indebted to Saskatchewan Government Insurance in the amount of a premium pursuant to *The Automobile Accident Insurance Act* assessed in the current year or any preceding year and the administrator has received notice of the indebtedness;

- (e) is indebted to the Crown in right of Saskatchewan in the amount of any tax payable pursuant to *The Education and Health Tax Act* or any former *Education and Health Tax Act* with respect to the vehicle for which an application for a certificate of registration is being made; or
 - (f) is indebted to the administrator pursuant to subsection 89.2(12) of *The Highway Traffic Act*.
- (8) The administrator may refuse to issue a certificate of registration to a person, or may register a vehicle on any terms and conditions that the administrator considers appropriate and specifies, if:
- (a) in the opinion of the administrator, the person is not a fit and proper person or is subject to disabilities that might render his or her operation of a motor vehicle a public danger;
 - (b) the vehicle in question is mechanically unfit or unsafe, does not meet the minimum safety standards prescribed pursuant to Part VI, has not been inspected in accordance with that Part or is unsafe or hazardous to operate on a highway;
 - (c) the vehicle in question has been identified or marked as being ineligible or unfit for registration in another province, a territory or a state;
 - (d) the person has failed to file returns or to provide other information or documentation that may be required by the administrator;
 - (e) a statement that is false in a material particular has been made in an application, report, return or other data required to be furnished by the holder of or an applicant for a certificate of registration;
 - (f) as the holder of a certificate of registration or permit, the person has been convicted of a violation of any of the following and the time for an appeal has expired or, if an appeal has been taken, the appeal has been dismissed:
 - (i) this Act or the regulations;
 - (ii) *The Highway Traffic Act* or the regulations made pursuant to that Act;
 - (iii) *The Highways and Transportation Act* or the regulations made pursuant to that Act;
 - (iv) *The Education and Health Tax Act* or the regulations made pursuant to that Act;
 - (v) *The Alcohol and Gaming Regulation Act* or the regulations made pursuant to that Act;
 - (vi) *The Motor Carrier Act* or the regulations made pursuant to that Act;
 - (vii) the *Criminal Code*;
 - (viii) the *Motor Vehicle Transport Act (Canada)*;

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(g) a judge, jury, justice of the peace, chief, deputy chief or person in charge of a police force or unit responsible for providing policing services recommends that a certificate of registration not be issued to the person; or

(h) the person is in contravention of any provision, requirement or regulation pertaining to a reciprocity agreement to which Saskatchewan is signatory.

(9) The administrator may issue a receipt for the payment of the registration fee and, pending the issuance of a certificate of registration, the receipt is deemed to be the certificate of registration applied for and expires 90 days after the date of its issue”.

Section 38 repealed

10 Section 38 is repealed.

Section 45 amended

11(1) Subsection 45(4) is repealed.

(2) Subsection 45(5) is repealed and the following substituted:

“(5) The administrator may suspend or revoke a driver training school certificate if:

(a) the administrator finds that a statement, false in any material particular, has been made in an application for the certificate;

(b) the holder of the certificate is convicted of a violation of the *Criminal Code*, *The Highway Traffic Act*, this Act or the regulations; or

(c) in the opinion of the administrator, it is in the public interest to do so.

“(5.1) The administrator may suspend or revoke an instructor’s certificate if:

(a) the administrator finds that a statement, false in any material particular, has been made in an application for the certificate;

(b) the driver instructor is convicted of a violation of the *Criminal Code*, *The Highway Traffic Act*, this Act or the regulations; or

(c) in the opinion of the administrator, it is in the public interest to do so”.

Section 48 repealed

12 Section 48 is repealed.

Section 58 amended

13 Clause 58(1)(a) is repealed and the following substituted:

“(a) a judgment is rendered by a court in Canada for damages on account of the death of or injury to a person that is caused by a motor vehicle or on account of damage to property in excess of \$50 caused to or by a motor vehicle”.

Section 69 amended

14(1) Subsection 69(3) is amended:

- (a) **by striking out** “under subsection (1)” **and substituting** “pursuant to subsection (2)”; **and**
- (b) **by adding** “pursuant to clause 97(1)(dd)” **after** “regulations”.

(2) Subsection 69(4) is amended by striking out “under subsection (2)” **and substituting** “pursuant to clause 97(1)(dd)”.

Section 71 amended

15 The following clause is added after clause 71(a):

“(a.1) **‘drive’** includes having the care or control of a motor vehicle, whether it is in motion or not”.

New sections 71.1 to 71.3

16 The following sections are added after section 71:**“Administrative prohibition**

71.1(1) A peace officer shall do the things set out in subsection (2), (3) or (4) where:

- (a) the peace officer has reasonable grounds to believe, by reason of an analysis of the breath or blood of a person, that the person drove a motor vehicle having consumed alcohol in such a quantity that the amount of alcohol in the person’s blood exceeded 80 milligrams of alcohol in 100 millilitres of blood; or
 - (b) the peace officer has reasonable grounds to believe that the person failed or refused, without reasonable excuse, to comply with a demand made pursuant to section 254 of the *Criminal Code*.
- (2) Where the person mentioned in subsection (1) holds a valid driver’s licence, the peace officer shall:
- (a) seize and take possession of the driver’s licence of the person and serve on the person a notice of prohibition; and
 - (b) issue a temporary permit that expires seven days after the date of service of the notice of prohibition or on the expiry of the driver’s licence, whichever is earlier.
- (3) Where the person mentioned in subsection (1) does not hold a valid driver’s licence or any other permit authorizing the person to drive a motor vehicle, the peace officer shall serve on the person a notice of prohibition.
- (4) Where the person mentioned in subsection (1) holds a valid document issued in another jurisdiction that authorizes the person to drive a motor vehicle, the peace officer shall serve on the person a notice of prohibition.

- (5) A notice of prohibition issued pursuant to this section:
- (a) prohibits the person named in the notice from driving a motor vehicle for 90 days, effective:
 - (i) seven days after the day on which the notice is served on the person or on the expiry of the person's driver's licence, whichever is earlier, in the case of a notice of prohibition served pursuant to subsection (2); and
 - (ii) the date of service of the notice of prohibition, in any other case;
 - (b) prohibits the person named in the notice from applying for or holding a driver's licence for 90 days, effective:
 - (i) seven days after the day on which the notice is served on the person or on the expiry of the person's driver's licence, whichever is earlier, in the case of a notice of prohibition served pursuant to subsection (2); and
 - (ii) the date of service of the notice of prohibition, in any other case; and
 - (c) is effective notwithstanding that a peace officer is unable for any reason to take possession of the driver's licence of the person named in the notice.
- (6) A notice of prohibition must be in the prescribed form, must contain the prescribed information and must be completed in the prescribed manner.
- (7) A peace officer who issues a notice of prohibition pursuant to subsection (2), (3) or (4) shall immediately forward the following items to the administrator:
- (a) any driver's licence or permit that the peace officer takes possession of;
 - (b) a copy of the notice of prohibition;
 - (c) a copy of any relevant certificate of analysis described in section 258 of the *Criminal Code* issued with respect to the driver;
 - (d) any other documents or reports that may be prescribed in the regulations.
- (8) If a person mentioned in clause (2)(a) is not in possession of his or her driver's licence when he or she is served with a notice of prohibition, the person must promptly send the driver's licence to the administrator.
- (9) A temporary permit issued pursuant to clause (2)(b) is deemed to be a driver's licence of the same class as the driver's licence that was seized pursuant to clause (2)(a), and is subject to all of the restrictions, endorsements and conditions as the driver's licence that was seized.

“Review of prohibition

71.2(1) Subject to subsection (2), a person may, within 90 days after being served with a notice of prohibition pursuant to section 71.1, apply for a review by the administrator of a notice of prohibition in the form and manner prescribed in the regulations.

(2) A person who fails to comply with subsection 71.1(8) is not entitled to apply for a review pursuant to subsection (1) unless the person submits to the administrator a statutory declaration in the prescribed form stating that his or her driver's licence has been lost, stolen or destroyed.

(3) An application for review must be accompanied by the prescribed fee.

(4) Where a person wishes an oral hearing, the application for review must request a date and time for an oral hearing and must be accompanied by the prescribed oral hearing fee.

(5) Where a person does not wish an oral hearing, the application for review must be accompanied by affidavit evidence or any other information that the person wishes the administrator to consider.

(6) An application for review does not stay the driving prohibition.

(7) The administrator is not required to hold an oral hearing unless the application includes a request for an oral hearing and is accompanied by the prescribed fee.

(8) If a person requests an oral hearing but, without prior notice to the administrator, fails to appear on the date and at the time and place arranged for the hearing, the person is deemed to have waived the oral hearing, and the administrator shall conduct the review as if the person had not requested an oral hearing.

(9) On a review conducted pursuant to this section, the administrator shall consider:

(a) any affidavit evidence or other information provided by the person;

(b) the certificate of analysis and any other documents or reports forwarded to the administrator by the peace officer pursuant to subsection 71.1(7); and

(c) where an oral hearing is held, in addition to the matters mentioned in clauses (a) and (b), any relevant evidence and information given or representations made at the oral hearing.

(10) The sole issue before the administrator on a review pursuant to this section is whether the administrator is satisfied that the person named in the notice of prohibition:

(a) drove a motor vehicle having consumed alcohol in such a quantity that the amount of alcohol in the driver's blood exceeded 80 milligrams of alcohol in 100 millilitres of blood; or

(b) failed or refused, without reasonable excuse, to comply with a demand made pursuant to section 254 of the *Criminal Code*.

(11) If the evidence before the administrator does not establish to the administrator's satisfaction that the person named in the notice of prohibition did the thing described in clause (10)(a) or (b), the administrator shall:

- (a) cancel the notice of prohibition; and
- (b) where applicable, return the driver's licence to the person.

(12) The administrator shall:

- (a) render a decision in writing:
 - (i) within two days after the date of the hearing, not including Saturdays or holidays; or
 - (ii) if no hearing is requested, within three days after the day on which the affidavit evidence or other information mentioned in subsection (4) is submitted; and
- (b) provide the driver with a written copy of its decision.

(13) The failure of the administrator to render a decision within the period mentioned in clause (12)(a) does not affect the jurisdiction of the administrator to consider or hear the application for review or make a decision with respect to the application.

“Certificate of analysis as evidence

71.3 In a hearing pursuant to section 71.2, the certificate of analysis provided to the administrator pursuant to clause 71.1(7)(c) is proof, in the absence of evidence to the contrary, of:

- (a) the amount of alcohol in the driver's blood at the time he or she was driving, if the blood or breath sample was taken as soon as practicable after the time when the driving was alleged to have been committed and, in the event, not later than two hours after that time; and
- (b) the statements contained in the certificate, without proof of the signature or the official character of the person appearing to have signed the certificate”.

Section 74 amended

17(1) Subsection 74(1) is amended by striking out “Subject to” and substituting “Subject to subsection (1.1) and”.

(2) The following subsection is added after subsection 74(1):

“(1.1) Where a resident is convicted of an offence that is a first offence pursuant to section 253 or 254 of the *Criminal Code* and the person agrees to participate in the prescribed ignition interlock program or is ordered by the convicting judge or court to participate in that program, the period of disqualification is the period for which the person is prohibited by the convicting judge or court pursuant to the *Criminal Code* from operating a motor vehicle”.

Section 78.1 amended

18 Clause 78.1(1)(a) is repealed.

Section 78.2 amended**19 Clause 78.2(1)(a) is repealed and the following substituted:**

“(a) drove a vehicle having consumed any amount of alcohol”.

Section 78.3 amended**20 Clause 78.3(7)(a) is repealed and the following substituted:**

“(a) the new driver drove a vehicle having consumed any amount of alcohol”.

Section 90 amended**21 The following subsection is added after subsection 90(1):**

“(1.1) Where the administrator or the board places an endorsement or restriction on a driver’s licence pursuant to subsection (1) that contains a reference to night, ‘**night**’ means the period commencing one-half hour after sunset and ending one-half hour before sunrise”.

Section 91 amended**22 Subsection 91(1) is repealed and the following substituted:**

“(1) A person who is aggrieved by a decision of the administrator pursuant to section 19, 21, 21.1 or 22, clause 23(1)(c), section 23.01 or 23.02, subsection 27(1), 29(8), 35(1), 36(1), 45(5) or 45(5.1), section 51, 56 or 71.2, subsection 76(1), section 78.3 or subsection 93(2) may appeal the administrator’s decision to the board”.

New section 96.1**23 The following section is added after section 96:****“Exemption**

96.1(1) The administrator may exempt a person from the application of any provision of this Act or the regulations where, in the opinion of the administrator:

- (a) the application of the provision would cause a hardship to the person or to other residents of Saskatchewan; and
- (b) granting the exemption would not be contrary to the public interest.

(2) The administrator shall not grant an exemption pursuant to subsection (1) where the exemption would:

- (a) interfere with a decision of the board; or
- (b) remove any right to a hearing or right of appeal granted pursuant to this Act”.

New section 97**24 Section 97 is repealed and the following substituted:****“Regulations**

97(1) For the purpose of carrying out this Act according to its intent, the Lieutenant Governor in Council may make regulations:

- (a) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;

- (b) establishing classes of vehicles, drivers, driver training schools, driver instructors, licences, permits, certificates or any other persons, activities or things governed by this Act;
- (c) governing drivers' examinations;
- (d) for the purposes of subsection 15(4), prescribing the circumstances in which the administrator may pay for a report and prescribing the amount that the administrator may pay;
- (e) prescribing competency requirements for the issuance or renewal of drivers' licences for classes of drivers;
- (f) governing the conditions under which classes of driver's licence may be issued;
- (g) designating the types, sizes, classes and combinations of vehicles that may be operated by new drivers or any other class of drivers;
- (h) prescribing the terms and conditions under which new drivers or any other class of drivers may operate motor vehicles on a highway;
- (i) exempting new drivers or any other class of drivers from all or any of the terms and conditions prescribed pursuant to clause (h);
- (j) exempting any person or class of persons from complying with the requirement to be photographed or to hold a photo identification card as part of a valid driver's licence;
- (k) for the purposes of subsection 16(6), prescribing the form and content of photo identification cards and licence certificates;
- (l) for the purposes of clause 16(11)(c):
 - (i) prescribing classes of persons to whom access to or copies of photographs of persons taken for the purposes of section 16 may be provided;
 - (ii) prescribing circumstances in which access to or copies of photographs mentioned in subclause (i) may be provided;
- (m) prescribing programs for the purposes of section 23;
- (n) respecting procedures for the purposes of sections 23.01 and 23.02;
- (o) respecting the display of licence plates;
- (p) without limiting the generality of clause (o):
 - (i) permitting motor vehicles or any class of motor vehicle, other than power units, to display a licence plate issued by the administrator on the rear of the vehicle only and to display a licence plate that is not issued by the administrator on the front of the vehicle;

- (ii) prescribing terms and conditions governing the display of licence plates authorized by regulations made pursuant to subclause (i);
- (iii) prescribing periods during which licence plates may be displayed in accordance with regulations made pursuant to subclause (i);
- (q) for the purposes of section 45:
 - (i) prescribing the qualifications of persons who are eligible to operate a driver training school or to give instruction as a driver instructor;
 - (ii) prescribing and governing requirements to be met by applicants for driver training school certificates and instructors' certificates, including the information to be provided;
 - (iii) requiring a bond to be furnished by applicants for or holders of a driver training school certificate or instructor's certificate and prescribing the amount of the bond;
 - (iv) prescribing contracts and forms to be used by driver training schools and driver instructors;
 - (v) prescribing standards for the operation of driver training schools;
 - (vi) prescribing standards for driver instructors;
 - (vii) prescribing standards for driver training instruction given by driver training schools and driver instructors, including, without limiting the generality of the foregoing, the course content, the minimum number of hours of instruction required and the vehicles and training aids to be used;
 - (viii) prescribing standards for vehicles and training aids used by driver training schools and driver instructors;
 - (ix) requiring returns to be made by driver training schools and driver instructors and governing the form and content of those returns;
 - (x) exempting any person, conditionally or unconditionally, from any of the requirements set out in regulations made pursuant to this clause and prescribing terms and conditions that apply to persons exempted from a requirement;
- (r) prescribing the design or performance specifications of any vehicle safety item;
- (s) prescribing the manner in which vehicle safety items, including their packaging, are to be labelled;
- (t) designating an organization to test and mark its approval on any vehicle safety item and prohibiting the use, installation or sale of any item so specified that is not marked or approved by that testing organization;

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- (u) prohibiting the sale, installation or use of vehicle safety items that do not meet the prescribed specifications;
- (v) requiring and prescribing the manner of the installation of any vehicle safety item on any type or class of vehicle;
- (w) prescribing the specifications and standards for safety equipment to be worn by drivers or passengers;
- (x) prescribing the manner of use of any safety equipment worn by drivers or passengers;
- (y) prescribing standards for vehicle safety items and requiring their replacement;
- (z) prescribing the maximum weight that may be carried in or on any vehicle;
- (aa) prescribing the maximum passenger capacity of any school bus or public service vehicle;
- (bb) prescribing the weight, size and number of vehicles that may be operated in combination;
- (cc) deeming, for the purposes of this Act or the regulations, a motor vehicle, trailer or semi-trailer or class or model of motor vehicles, trailers or semi-trailers to have a different manufacturer's rated capacity than that claimed or advertised by the manufacturer;
- (dd) for the purposes of subsection 69(3), declaring that, on and after a specified date, sections 68, 69 and 70, or any parts of those sections that may be specified in the regulations, apply to motor vehicles registered in a foreign jurisdiction and to the owners, drivers and persons in charge of them;
- (ee) for the purposes of clause 71.1(7)(d), prescribing documents and reports that must be forwarded to the administrator by a peace officer;
- (ff) for the purposes of subsection 74(1.1):
 - (i) establishing an ignition interlock program and prescribing its terms and conditions;
 - (ii) prescribing the eligibility criteria for participation in the ignition interlock program;
- (gg) prescribing offences for which the period of suspension is indefinite pursuant to subsection 74(2.1);
- (hh) for the purposes of sections 78.1 to 78.4:
 - (i) prescribing the persons or class of persons who are authorized to take and analyse samples of breath;
 - (ii) prescribing devices for the purpose of taking samples of breath;

- (ii) with respect to any matter governed by this Act:
 - (i) adopting, as amended from time to time or otherwise, all or any part of any relevant code or standard;
 - (ii) amending for the purposes of this section any code or standard adopted pursuant to subclause (i);
 - (iii) requiring compliance with a code or standard adopted pursuant to subclause (i);
 - (jj) prescribing matters with respect to which fees may be charged and the amounts of those fees;
 - (kk) providing for the refund or rebate of the whole or part of any fee paid to the administrator pursuant to this Act and prescribing the conditions governing rebates and refunds;
 - (ll) prescribing forms, certificates, documents and reports and the manner in which they are to be completed;
 - (mm) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;
 - (nn) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Act.
- (2) Regulations made pursuant to subsection (1) may make different provisions for different classes of vehicles, drivers, driver training schools, driver instructors, licences, permits, certificates and other persons, activities and things governed by this Act.
- (3) Regulations made pursuant to subsection (1) may specify or restrict the manner, location or time at which a vehicle may be operated.
- (4) The minister may make regulations respecting any matter or thing required or authorized by this Act to be determined by the minister by regulation”.

Coming into force

- 25** This Act comes into force on proclamation.