

The Vehicle Administration Act

Repealed

by [chapter T-18.1 of the *Statutes of Saskatchewan, 2004*](#)
(effective July 1, 2006).

Formerly

[Chapter V-2.1 of the *Statutes of Saskatchewan, 1986*](#) (effective July 1, 1986) as amended by the [Statutes of Saskatchewan, 1990-91, c.S-63.1 and 35; 1993, c.17 and 45; 1996, c.15 and 29; 1998, c.P-42.1 and 43; 2000, c.29, 33 and 41; 2001, c.C-15.1, 49 and 51; 2002, c.C-11.1, 25 and 44; 2003, c.15 and 29; 2004, c.10, 32 and 65; and 2005, c.M-36.1.](#)

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.

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CHAPTER V-2.1

An Act respecting the Registration of Vehicles and Licensing of Drivers

PART I

Short Title and Interpretation

Short title

1 This Act may be cited as *The Vehicle Administration Act*.

Interpretation

2(1) In this Act:

- (a) **“administrator”** means the person designated as the administrator in section 3;
- (b) **“agricultural implement”** means an agricultural implement as defined in *The Highway Traffic Act*;
- (c) **“animal”** means an animal as defined in *The Highway Traffic Act*;
- (d) **“board”** means the Highway Traffic Board continued pursuant to *The Highway Traffic Act*;
- (e) **“certificate of registration”** means a valid and subsisting certificate of registration issued to a person pursuant to Part IV;
- (f) **“dealer”** means a person that is the holder of a subsisting licence issued under *The Motor Dealers Act*;
- (f.1) **“deductible amount”** means the deductible amount fixed by the regulations made pursuant to *The Automobile Accident Insurance Act* for a vehicle;
- (f.2) **“deductible finance agreement”** means an agreement between a person and the insurer in which the person agrees to pay the insurer, by those instalments that are determined in the agreement:
 - (i) that part of the deductible amount that the insurer has paid to a third party on behalf of the person as a consequence of damage to the person’s vehicle caused by a motor vehicle arising out of an accident; and
 - (ii) any administrative costs and interest charges set out in the agreement;
- (g) **“driver’s licence”** means a valid and subsisting licence issued to a person pursuant to Part III;
- (h) **“financial responsibility card”** means a card issued by the administrator and showing that the person named is maintaining in effect proof of financial responsibility as required by Part VII;

- (i) **“goods”** means goods as defined in *The Highway Traffic Act*;
- (j) **“highway”** means a highway as defined in *The Highway Traffic Act*;
- (j.1) **“insurer”** means the insurer as defined in *The Automobile Accident Insurance Act*;
- (j.2) **“IRP”** means the International Registration Plan, being an agreement among jurisdictions in North America, as amended from time to time, respecting commercial motor vehicle registration;
- (k) **“manufacturer”** means a person who manufactures or assembles motor vehicles;
- (l) **“minister”** means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (m) **“motorcycle”** means a motorcycle as defined in *The Highway Traffic Act*;
- (n) **“motor vehicle”** means a motor vehicle as defined in *The Highway Traffic Act*;
- (o) **“motor vehicle liability insurance card”** means a card, in the form and containing the particulars designated by the administrator, issued:
 - (i) by an insurer duly licensed under *The Saskatchewan Insurance Act* to carry on, in Saskatchewan, the business of automobile insurance; or
 - (ii) where the person named in the card is a non-resident, by an authorized insurer in the jurisdiction in which that person resides or formerly resided, as the case may require, and that has filed with the Superintendent of Insurance, in the form prescribed by him, the power of attorney and undertaking mentioned in section 60;

and evidencing the issue by the insurer to the person named in the card of a motor vehicle liability policy insuring that person to the extent of not less than the amounts mentioned in section 67, and includes a motor vehicle liability insurance card issued pursuant to subsection 12(3) of *The Automobile Accident Insurance Act*;
- (p) **“municipality”** includes a hamlet or organized hamlet as defined in *The Municipalities Act*;
- (q) **“non-resident”** means a non-resident as defined in *The Highway Traffic Act*;
- (r) **“operating authority certificate”** means a valid and subsisting operating authority certificate issued to a person pursuant to *The Motor Carrier Act*;

- (s) “**owner**” includes a person who is in possession of a motor vehicle under a contract by which he may become the owner of the motor vehicle on full compliance with the terms of the contract;
 - (t) “**peace officer**” means a peace officer as defined in *The Highway Traffic Act*;
 - (u) “**power unit**” means a power unit as defined in *The Highway Traffic Act*;
 - (v) “**prescribed**” means prescribed by the Lieutenant Governor in Council in the regulations;
 - (w) “**proof of financial responsibility**” means a certificate of insurance, a bond or a deposit of money or securities given or made pursuant to section 60;
 - (w.1) “**province**” means a province of Canada;
 - (x) “**registration permit**” means a valid and subsisting registration permit issued by the administrator pursuant to section 34;
 - (y) **Repealed.** 2005, c.M-36.1, s.479.
 - (z) “**sale**”, where used with reference to the sale of a motor vehicle, includes a sale subject to a security interest;
 - (aa) “**semi-trailer**” means a semi-trailer as defined in *The Highway Traffic Act*;
 - (bb) “**snowmobile**” means a snowmobile as defined in *The Snowmobile Act*;
 - (cc) “**special mobile machine**” means a special mobile machine as defined in *The Highway Traffic Act*;
 - (dd) “**state**”, when used with reference to the United States of America, includes the District of Columbia;
 - (ee) “**Superintendent of Insurance**” means the Superintendent of Insurance appointed pursuant to *The Saskatchewan Insurance Act*;
 - (ee.1) “**territory**” means:
 - (i) the Yukon Territory;
 - (ii) the Northwest Territories; or
 - (iii) Nunavut;
 - (ff) “**trailer**” means a trailer as defined in *The Highway Traffic Act*;
 - (gg) “**truck**” means a truck as defined in *The Highway Traffic Act*;
 - (hh) “**vehicle**” means a vehicle as defined in *The Highway Traffic Act*.
- (2) A reference in this Act to an Act of the Parliament of Canada is a reference to that Act as amended from time to time.

1986, c.V-2.1, s.2; 1996, c.29, s.14; 2000, c.33, s.3; 2002, c.C-11.1, s.418; 2004, c.32, s.3; 2005, c.M-36.1, s.479.

PART II
Administration of Act

Designation of administrator

3 Saskatchewan Government Insurance, in its capacity as administrator of the Saskatchewan Auto Fund, is the administrator for the purposes of this Act and shall perform the duties and exercise the powers imposed or conferred on it.

1986, c.V-2.1, s.3.

Place of business

4 The administrator may conduct its business either within or outside Saskatchewan.

1986, c.V-2.1, s.4.

Keeping of records

5(1) The administrator shall keep any records necessary for the proper conduct of its business.

(2) Any document kept pursuant to this section with respect to a driver may be destroyed after the expiration of five years from the date on which it was received, unless it relates to matters that are unresolved.

1986, c.V-2.1, s.5.

Orders

6 An order of the administrator need not show on its face that any proceeding or notice was had or taken or that any circumstances existed necessary to give it jurisdiction.

1986, c.V-2.1, s.6.

Registrar of Motor Vehicles

7 The administrator may appoint a person as Registrar of Motor Vehicles for the purposes of section 260 of the *Criminal Code*.

1986, c.V-2.1, s.7; 1990-91, c.35, s.4.

Disclosure of information

8(1) Reports made to the administrator pursuant to this Act, other than reports made pursuant to section 93, are the property of Her Majesty in right of Saskatchewan and are not to be made public.

(2) Notwithstanding subsection (1), the administrator may, with the written consent of the person to whom a report relates, furnish the person named in the consent with the information contained in the report.

(3) Any person may obtain an abstract of his driver record on payment of the prescribed fee and provision of satisfactory identification.

1986, c.V-2.1, s.8.

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Accident reports

9 The administrator shall provide a copy of any report made pursuant to section 83 of *The Highway Traffic Act* or section 30 of *The Snowmobile Act*, with respect to a motor vehicle accident, on request and on payment of the prescribed fee, to a person involved in an accident to which a report relates, or to a person authorized by him for the purpose, or a person who has paid or may be liable to pay for injury or damages resulting from the accident.

1986, c.V-2.1, s.9.

Powers in inquiries and investigations

10(1) The administrator has the powers of commissioners under *The Public Inquiries Act*.

(2) In hearings and investigations before it, the administrator is not bound by the technical rules of legal evidence and may hear and determine all questions of law or of fact.

1986, c.V-2.1, s.10.

Reports

11(1) The administrator may authorize any person to report to the administrator on any question or matter arising in connection with the business of the administrator, and, when so authorized, that person has all the powers of the administrator for the purpose of taking evidence or acquiring the necessary information for the purpose of the report.

(2) When a report is made to the administrator pursuant to subsection (1), the administrator may adopt or otherwise deal with it in any manner that the administrator considers appropriate.

1986, c.V-2.1, s.11.

Delegation of powers

12 The administrator may authorize any person to perform any powers or duties of the administrator that the administrator may delegate to him.

1986, c.V-2.1, s.12.

Power to accept delegation

13 The administrator has the capacity to accept and exercise any powers conferred on it pursuant to any agreement that is:

- (a) entered into by a minister pursuant to this Act or any other Act; and
- (b) designated by the Lieutenant Governor in Council in the regulations.

1986, c.V-2.1, s.13.

Agreements

14(1) The minister may enter into agreements on behalf of the Government of Saskatchewan for any purpose related to the exercise of any of the powers or the carrying out of any of the duties imposed on the minister or the administrator by this Act or for any purpose that may be prescribed in the regulations, with:

- (a) the government of Canada or the government of any other province or territory of Canada, or a minister, agent or official of that government;
- (b) the government of any other country or any jurisdiction within that country; or
- (c) any person, agency, organization, association, enterprise, institution or body within or outside Saskatchewan.

(2) The minister or the administrator shall obtain the approval of the Lieutenant Governor in Council before entering into any agreement pursuant to subsection (1) where the Government of Saskatchewan is liable to make any expenditure that is greater than \$50,000 in any fiscal year.

1998, c.43, s.3.

PART III Licensing of Drivers

Issue of driver's licences

15(1) The administrator is responsible for the issue of driver's licences required pursuant to *The Highway Traffic Act* and *The Snowmobile Act*.

(2) A person is not eligible to obtain a driver's licence if:

- (a) he is under the prescribed minimum age applicable to the class of driver's licence applied for;
- (b) he fails to submit with his application satisfactory evidence showing his name and age;
- (c) he is under 18 years of age and has not previously held a driver's licence, unless his application bears, in addition to any other signature required, the signature of one of his parents or his guardian;
- (d) he holds a licence that permits him to drive a motor vehicle on the highways in another jurisdiction, unless he surrenders that licence with his application;
- (e) he is known to the administrator to be afflicted with or suffering from a physical or mental disability or disease that is likely to prevent him from exercising reasonable control over a motor vehicle on a highway;
- (f) subject to clause 23(3)(b), the administrator requires him to take an examination, unless he has passed the examination;
- (g) the administrator requires him to file a medical report or vision report, unless the medical report or vision report is filed with the administrator;

- (g.1) the administrator, pursuant to subsection 42(2) of *The Enforcement of Maintenance Orders Act, 1997*, has suspended his or her driver's licence and his or her ability to secure a driver's licence;
 - (g.2) the administrator has received notice from the Director of Maintenance Enforcement pursuant to subsection 42(4) of *The Enforcement of Maintenance Orders Act, 1997* that the person is evading service of a notice mentioned in subsection 42(1) of that Act;
 - (h) his habits or conduct are known to the administrator to be such as to make his operation of a motor vehicle a source of danger to the public;
 - (i) he has not complied with the provisions of *The Automobile Accident Insurance Act* relating to the application and payment of premiums for insurance under that Act;
 - (i.1) he or she is indebted to Saskatchewan Government Insurance in the amount of a surcharge determined pursuant to section 6 of *The Automobile Accident Insurance Act* and the administrator has received notice of the indebtedness;
 - (j) he is a person to whom subsection 54(5) or (6) of *The Automobile Accident Insurance Act* applies;
 - (k) his driver's licence is cancelled or his ability to secure a driver's licence is suspended pursuant to this Act or the administrator has refused to issue him a driver's licence;
 - (l) he fails to submit a complete and accurate application;
 - (m) he is indebted to the administrator in the amount of any fees and charges payable in respect of the driving of any vehicle in the current or any preceding registration period;
 - (m.1) he or she is indebted to the administrator pursuant to subsection 89.2(12) of *The Highway Traffic Act*;
 - (m.2) the person:
 - (i) owes money to the insurer pursuant to a deductible finance agreement with the insurer; and
 - (ii) has defaulted on a payment pursuant to that deductible finance agreement; or
 - (n) he is prohibited from driving by virtue of any order, revocation, cancellation or suspension issued in any other province or territory of Canada.
- (3) The administrator may, subject to any reciprocity agreement, require any applicant for or holder of a driver's licence to:
- (a) pass a driver's examination conducted by a person authorized by the administrator to conduct such examinations;
 - (b) file with the administrator a medical report that is in a form acceptable to the administrator and completed by a duly qualified medical practitioner acceptable to the administrator;

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(c) file with the administrator a vision report that is in a form acceptable to the administrator and completed by:

- (i) an optometrist;
- (ii) an ophthalmologist; or
- (iii) other person;

who is acceptable to the administrator.

(d) file with the administrator a report that is in a form acceptable to the administrator and completed by:

- (i) an addictions counsellor who is acceptable to the administrator; or
- (ii) a psychologist who is acceptable to the administrator.

(4) Where, pursuant to subsection (3), the administrator requires an applicant for or a holder of a driver's licence to obtain a medical report, a vision report or a psychologist's report, the administrator may, in the prescribed circumstances, pay for the report in a prescribed amount.

(5) If the administrator is not satisfied with respect to any of the matters set out in subsections (2) and (3):

(a) a representative of the administrator may do any of the following in order to obtain any necessary additional evidence:

- (i) require the attendance at his or her office of the applicant or of any other person, and examine that person respecting any matter pertaining to the application;
- (ii) require the applicant or any other person to produce any document or evidence that, in the opinion of the representative of the administrator, is necessary to enable the representative of the administrator to make a determination as to the truth and sufficiency of the information provided in the application or the eligibility of the persons who are the subjects of the application or as to whether the application was submitted in good faith; or

(b) the administrator may refuse to issue a driver's licence.

1986, c.V-2.1, s.15; 1996, c.15, s.13; 1996, c.29, s.15; 1998, c.43, s.4; 2000, c.33, s.4; 2002, c.25, s.3 and c.44, s.36; 2003, c.29, s.78; 2004, c.32, s.4.

Application for licence

16(1) Subject to the other provisions of this Act and the regulations where a person or his agent makes an application, on the form provided by the administrator, for a driver's licence or for a duplicate driver's licence to replace a driver's licence that has been lost or destroyed and pays the fee prescribed pursuant to *The Highway Traffic Act*, the administrator shall issue to the applicant the driver's licence applied for, if the person:

- (a) is not disqualified from obtaining a driver's licence pursuant to subsection 15(2); and
- (b) meets any requirements that may be established pursuant to this Act or the regulations.

(1.01) An applicant for a driver's licence must provide the administrator with any information and evidence that the administrator considers necessary to establish the identity and eligibility of the person on whose behalf the application is made.

(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) No person whose driver's licence is suspended or revoked pursuant to this Act or to whom the administrator has sent a notice of refusal to issue a driver's licence shall apply for a driver's licence:

- (a) during the period of the suspension or revocation; or
- (b) before the expiration of the period of refusal specified in the notice or, where no period of refusal is specified in the notice, before the person is notified by the administrator that he may apply for a driver's licence.

(3) **Repealed.** 2000, c.33, s.5.

(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.

(5) Every driver's licence issued before June 1, 2003 expires on the expiry date shown on the licence or, where no expiry date is shown, after one year from the date of its issue.

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(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.

1986, c.V-2.1, s.16; 2000, c.33, s.5; 2003, c.29, s.79.

Offences re drivers' licences

16.1(1) In this section, "**false document**" means a false document as defined in section 321 of the *Criminal Code*.

(2) No person shall, for the purpose of procuring the issuance of a driver's licence for himself or herself or for any other person:

- (a) make a written or an oral statement that he or she knows is false or misleading; or
- (b) provide the administrator with a false document.

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- (3) No person shall:
- (a) create, or cause to be created, a false document that purports to be a driver's licence;
 - (b) without lawful excuse, have in his or her possession a false document that purports to be a driver's licence; or
 - (c) knowing that a document purporting to be a driver's licence is a false document:
 - (i) use, deal with or act on it; or
 - (ii) cause or attempt to cause any person to use, deal with or act on it.
- (4) No person shall, on his or her own behalf, use, deal with or act on a driver's licence issued with respect to another person.
- (5) No person, being the lawful holder of a driver's licence, shall knowingly part with the possession of that driver's licence with intent that it should be used for an improper purpose.
- (6) Every person who contravenes any provision of subsection (2), (3), (4) or (5) is guilty of an offence and liable on summary conviction to a fine of not more than \$50,000, to imprisonment for a term of not more than two years or to both.
- (7) If a person is convicted of an offence pursuant to subsection (6), the convicting judge may, in addition to any penalty imposed, order the administrator to amend its records or revoke the issuance of a driver's licence, as the case may require.
- (8) If the convicting judge orders the revocation of the issuance of a driver's licence pursuant to subsection (7), the convicting judge shall order the person to whom the driver's licence was issued to return the driver's licence immediately.
- (9) No person shall fail to comply with an order of the convicting judge made pursuant to subsection (8).
- (10) Every person who fails to comply with an order made pursuant to subsection (8) is guilty of an offence and is liable on summary conviction to a fine not exceeding \$5,000.

2003, c.29, s.80.

International driving permit

17 The administrator, or any person, organization or association authorized by the administrator, may issue international driving permits as provided for in the Convention on Road Traffic of the United Nations Conference on Road and Motor Transport.

1986, c.V-2.1, s.17.

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Change of name or address

18 Where the name of a holder of a driver's licence is changed under *The Change of Name Act* or as a result of marriage or where he changes his address, he shall, within 15 days, send to the administrator a written notice stating his new name or new address, and the administrator shall thereupon make the appropriate alterations in its records.

1986, c.V-2.1, s.18.

Endorsement or restriction of driver's licence

19(1) The administrator may place any endorsement or restriction that it considers appropriate on a driver's licence restricting the holder of the driver's licence to the operation of a specified class of motor vehicles or restricting him to the operation of a motor vehicle in a specified manner or under specified conditions, or both.

(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.

1986, c.V-2.1, s.19; 2000, c.33, s.6.

Taxis

20(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 municipality unless a valid certificate of approval respecting that person furnished by the clerk or administrator of the 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 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 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.

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(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.

(3) No certificate of approval is subsisting if the person who furnished the certificate, or a successor in office to that person, has subsequently filed with the administrator a certificate of withdrawal of approval.

(4) The administrator may order that this section does not apply to a particular municipality or to a particular person.

1986, c.V-2.1, s.20; 2000, c.33, s.7; 2005,
c.M-36.1, s.479.

SUSPENSION, REVOCATION ETC.

Driver interviews and education and safety seminars

21(1) The administrator may serve notice on a person who meets the prescribed criteria requiring that person to:

(a) attend for an interview before a person designated by the administrator; or

(b) if the administrator considers it appropriate, attend for an education or safety seminar approved by the administrator.

(2) If the person on whom notice is served pursuant to subsection (1) is required to attend an interview and fails to appear for the interview at the date and time specified in the notice or at another date and time agreed to by the designated interviewer, the designated interviewer shall report the fact to the administrator.

(3) If the person on whom notice is served pursuant to subsection (1) is required to attend an interview and appears before the designated interviewer, the designated interviewer shall:

(a) conduct an interview with the person; and

(b) report to the administrator any findings resulting from the interview and make any recommendations that the designated interviewer considers appropriate.

(4) The administrator may do any of the things mentioned in subsection (5) without holding a hearing:

(a) on receipt of a report from the designated interviewer; or

(b) if the person fails to attend an education or safety seminar pursuant to subsection (1).

c. V-2.1**VEHICLE ADMINISTRATION**

- (5) In the circumstances mentioned in subsection (4), the administrator may:
- (a) in the case of a person who holds a driver's licence:
 - (i) suspend, cancel, revoke or restrict the use of that person's driver's licence;
 - (ii) change the class of that person's driver's licence;
 - (iii) add to, delete from or alter any restrictions or endorsement on that person's driver's licence; or
 - (iv) make the retention of that person's driver's licence conditional on that person's compliance with any conditions or requirements that the administrator considers appropriate;
 - (b) in the case of a person who does not hold a driver's licence:
 - (i) prohibit the person from applying for a driver's licence for any period that the administrator considers appropriate; or
 - (ii) allow the person to apply for and be issued a driver's licence on compliance with any terms and conditions that the administrator considers appropriate.
- (6) The administrator may cancel or vary an order made pursuant to subsection (5).
- (7) The administrator shall serve a copy of any order made pursuant to subsection (5) on the person affected by it.
- (8) The administrator may make rules governing the procedure for conducting interviews pursuant to this section.

2004, c.32, s.5.

Conditions when driver's licence first issued

21.1 When a person who does not currently hold a driver's licence applies for a driver's licence, the administrator may issue that person a driver's licence subject to any conditions that the administrator considers appropriate respecting either or both of the following:

- (a) medical and vision examinations;
- (b) range and hours of operation.

1996, c.29, s.16.

Suspension, etc., after hearing

22 The administrator may, after an interview of which reasonable notice has been given, refuse to issue, suspend for a stated period, cancel, revoke or change the class of or any endorsement on a driver's licence or restrict the use of a driver's licence:

- (a) where it finds that a statement, false in any material particular, has been made in an application for a driver's licence or document required by this Act;

- (b) where suspension or revocation of a driver's licence is recommended by a judge or jury, justice of the peace, superintendent of police, chief, deputy chief or person in charge of a police force or unit or an officer of Saskatchewan Government Insurance;
- (c) where it finds that the habits or conduct of a holder of a driver's licence are such as to make his operation of a motor vehicle a source of danger to the public; or
- (d) where the holder of a driver's licence fails to comply with requirements placed on him pursuant to this Act or the regulations;
- (e) **Repealed.** 2002, c.25, s.4.
- (f) **Repealed.** 2002, c.25, s.4.

1986, c.V-2.1, s.22; 1996, c.29, s.17; 2002, c.25, s.4; 2004, c.32, s.6.

Suspension, etc., without hearing

22.1(1) The administrator shall review any report received pursuant to subsection 15(3) and subsections 94(1) and (1.1).

(2) If a report reviewed pursuant to subsection (1) indicates that a person has a disease, disability or medical condition that may interfere with the safe operation of a vehicle, the administrator may do all or any of the following:

- (a) suspend, cancel, revoke or refuse to issue the person's driver's licence for a stated period or indefinitely;
- (b) change the class of the person's driver's licence;
- (c) add, remove or change any endorsement on the person's driver's licence;
- (d) impose any conditions or restrictions on the person's driver's licence that the administrator considers appropriate.

2002, c.25, s.5.

Automatic suspensions

23(1) In this section, "**designated official**" means the designated official as defined in Part VII.2 of *The Highway Traffic Act*.

(1.1) The administrator shall suspend the driver's licence of any person:

- (a) where the administrator has received a cheque in payment of the fee payable in respect of the driver's licence and the cheque is dishonoured;
- (b) where subsection 54(5) or (6) of *The Automobile Accident Insurance Act* applies to that person and the person has defaulted in the payment of an insurance premium pursuant to that Act;
- (c) where that person has accumulated the prescribed number of demerit points as a result of having been convicted of prescribed offences;

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- (d) where the Director of Maintenance Enforcement has directed the administrator to suspend a person's driver's licence pursuant to subsection 41(2) of *The Enforcement of Maintenance Orders Act, 1997*;
 - (e) where a person is convicted of an offence under section 211, 212 or 213 of the *Criminal Code* (Canada) that was committed while that person was driving or had the care, charge or control of a motor vehicle;
 - (f) where the designated official has directed the administrator to suspend a person's driver's licence pursuant to Part VII.2 of *The Highway Traffic Act*.
- (1.2) The period of suspension pursuant to clause (1.1)(e) is:
- (a) if, in the five years before the date of the conviction, the person has not been convicted of an offence under section 211, 212 or 213 of the *Criminal Code* (Canada) that would have resulted in a suspension of the person's driver's licence pursuant to clause (1.1)(e), one year from the date of conviction plus any period to which the person is sentenced to imprisonment or custody; or
 - (b) if, in the five years before the date of the conviction, the person has been convicted of an offence under section 211, 212 or 213 of the *Criminal Code* (Canada) that would have resulted in a suspension of the person's driver's licence pursuant to clause (1.1)(e), two years from the date of conviction plus any period to which the person is sentenced to imprisonment or custody.
- (1.3) In the case of a person with respect to whom an order pursuant to section 730 of the *Criminal Code* (Canada) or a youth sentence pursuant to the *Youth Criminal Justice Act* (Canada) directs that the person be discharged, subsection (1.2) applies to that person in the same manner as if that person were convicted of an offence mentioned in that subsection.
- (1.4) The period of suspension pursuant to clause (1.1)(f) is one year from the date that the administrator receives the direction from the designated official.
- (2) The administrator shall suspend the driver's licence of, or refuse to issue a driver's licence to, a person who refuses or fails to take an examination or to file a medical or vision report required by the administrator pursuant to subsection 15(3).
- (2.1) Notwithstanding subsection (2), in the circumstances described in subsection (2.2), if the holder of a class 1, 2, 3 or 4 driver's licence, or the holder of a driver's licence with a class 1, 2, 3 or 4 endorsement, does not provide the administrator with a medical report pursuant to subsection 15(3), the administrator may:
- (a) change the class of the holder's driver's licence to a class 5 or 6 driver's licence; or
 - (b) remove or change any endorsement on the holder's driver's licence.
- (2.2) The administrator may do any of the things mentioned in subsection (2.1) if the administrator is satisfied that:
- (a) the holder's experience and expertise qualifies the holder to hold a class 5 or 6 driver's licence; and
 - (b) the holder's driver's licence is not otherwise suspended or revoked.

VEHICLE ADMINISTRATION

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(2.3) If a holder's driver's licence is changed to a class 5 or 6 driver's licence pursuant to subsection (2.1), the administrator may issue to the holder a class 1, 2, 3 or 4 driver's licence or a driver's licence with a class 1, 2, 3 or 4 endorsement on receipt from the holder of:

- (a) an acceptable medical report pursuant to subsection 15(3); and
- (b) payment of the fee prescribed for that class of driver's licence.

(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

(4) The administrator shall suspend the driver's licence of a new driver within the meaning of section 78.1 who, within 90 days of being subject to his or her first suspension pursuant to section 78.2, has not participated in a program prescribed in the regulations.

(5) The administrator shall suspend the driver's licence of a person whose driver's licence has been suspended pursuant to section 91 of *The Highway Traffic Act* if that suspension was not terminated pursuant to subsection 91(5) or (6) of that Act and:

- (a) on one previous occasion within the five years prior to the suspension, the person's driver licence had been suspended pursuant to section 91 of *The Highway Traffic Act*, and the suspension had not been terminated pursuant to subsection 91(5) or (6) of that Act; and
- (b) the person has not participated in a program prescribed in the regulations within 90 days of being subject to his or her second suspension pursuant to section 91 of *The Highway Traffic Act*.

(6) Notwithstanding subsections (4) and (5), the administrator may decline to suspend a driver's licence pursuant to those subsections where a program prescribed in the regulations is not available to the driver within a reasonable time.

(7) Where a person's driver's licence has been suspended pursuant to subsection (3), (4) or (5), the administrator shall reinstate the licence on being satisfied that the person:

- (a) has passed the examination, in the case of a suspension pursuant to subsection (3); or
- (b) has participated in a program prescribed in the regulations in the case of a suspension pursuant to subsection (4) or (5).

1986, c.V-2.1, s.23; 1996, c.15, s.13; 1996, c.29, s.18; 2000, c.33, s.8; 2001, c.49, s.9; 2002, c.25, s.6; 2004, c.32, s.7; 2004, c.65, s.36.

Section 91 Highway Traffic Act

23.01(1) The administrator shall suspend the driver's licence of any person whose licence has been suspended pursuant to section 91 of *The Highway Traffic Act* if:

- (a) that suspension was not terminated pursuant to subsection 91(5) or (6) of that Act; and
 - (b) the person's licence has, on two or more occasions within the previous five years been suspended pursuant to section 91 of *The Highway Traffic Act* and those suspensions were not terminated pursuant to subsection 91(5) or (6) of that Act.
- (2) Where the administrator suspends a driver's licence pursuant to subsection (1), the suspension must be for not less than 90 days.
- (3) A driver whose licence has been suspended pursuant to this section may apply to the board for a review of the suspension on the grounds that he or she does not meet the criteria for suspension set out in subsection (1), in accordance with any procedures that are set out in the regulations.

1996, c.29, s.19; 2004, c.32, s.8.

Section 78.2 suspensions

23.02(1) The administrator shall suspend the driver's licence of a new driver within the meaning of section 78.1 whose driver's licence has been suspended pursuant to clause 78.2(2)(a) if:

- (a) the new driver's licence has not been returned after a review pursuant to section 78.3; and
 - (b) the new driver was, on a previous occasion, the subject of an order of suspension or disqualification issued pursuant to section 78.2, and that order was not cancelled after a review pursuant to section 78.3.
- (2) Where the administrator suspends a driver's licence pursuant to subsection (1), the suspension must be for not less than 90 days.
- (3) A new driver whose licence has been suspended pursuant to this section may apply to the board for a review of the suspension on the grounds that he or she does not meet the criteria for suspension set out in subsection (1), in accordance with any procedures that are set out in the regulations.

1996, c.29, s.19; 2004, c.32, s.9.

Licence refusal

23.1(1) In this section, “**offender in default**” means a person who:

- (a) has been convicted of an offence designated in the regulations made pursuant to *The Summary Offences Procedure Act, 1990* for the purposes of this section and for which:
 - (i) an offence notice was issued and a fine was imposed pursuant to that Act;
 - (ii) a fine was imposed pursuant to the *Criminal Code*; or
 - (iii) a fine was imposed in accordance with the law of another jurisdiction; and
 - (b) is in default of payment of the fine pursuant to section 27 of *The Summary Offences Procedure Act, 1990*, subsection 734(3) of the *Criminal Code* or the law of the jurisdiction where the ticket was issued.
- (2) The administrator shall refuse to issue to an offender in default a driver’s licence until the offender in default:
- (a) fully pays; or
 - (b) otherwise fully discharges;

the fine and any late payment charge imposed pursuant to *The Summary Offences Procedure Act, 1990*.

(3) The administrator shall not refuse to issue a driver’s licence to a person who was an offender in default if the person has been imprisoned pursuant to section 31 of *The Summary Offences Procedure Act, 1990* with respect to an offence designated for the purposes of this section by regulations made pursuant to that Act, even though any late payment charge imposed pursuant to section 28 of that Act or any surcharge imposed pursuant to *The Victims of Crime Act* on that person remains unpaid.

1990-91, c.S-63.1, s.71; 2000, c.29, s.8.

Revocation of licence issued in error

24 The administrator may revoke any driver’s licence that has been issued in error.

1986, c.V-2.1, s.24.

Surrender of licence

25(1) When a driver’s licence is suspended or revoked, the administrator may require the holder of the driver’s licence to return any licence issued to him, and he shall do so immediately.

(2) If a person is convicted of failing to comply with an order of the administrator made pursuant to subsection (1), the convicting court shall, in addition to any other penalty that may be imposed, order him to return the licence within a specified time.

1986, c.V-2.1, s.25.

c. V-2.1**VEHICLE ADMINISTRATION****Seizure of licence**

25.1(1) A peace officer may seize, without a warrant, a driver's licence that he or she has reasonable grounds to believe:

- (a) is suspended;
- (b) is revoked;
- (c) is in the possession of a person who does not have lawful authority to possess it; or
- (d) is being used by a person who is not the person whose name appears on the driver's licence.

(2) Unless required as evidence in court proceedings, a driver's licence that has been seized pursuant to subsection (1) is to be sent to the administrator.

1996, c.29, s.20.

Administrator may deface

26 Notwithstanding subsection 19(2) of *The Highway Traffic Act* and section 36 of *The Snowmobile Act*, the administrator may, in the course of performing any duty or exercising any power imposed or conferred by this Act, deface or alter a driver's licence.

1986, c.V-2.1, s.26.

Non-residents

27(1) The administrator may at any time suspend for a stated period or revoke the application of subsection 17(2) of *The Highway Traffic Act* with respect to a non-resident under the same circumstances and in the same manner as it may suspend a driver's licence.

(2) Where the administrator exercises the authority conferred on it by subsection (1), it may, on payment of the fee prescribed pursuant to *The Highway Traffic Act*, issue a permit authorizing the operation of a motor vehicle by a person affected by the suspension or revocation to the boundary of Saskatchewan by a route and by the person named in the permit.

(3) No person with respect to whom the application of subsection 17(2) of *The Highway Traffic Act* is suspended or revoked shall apply for a driver's licence:

- (a) in the case of a suspension, during the period of the suspension; or
- (b) in the case of revocation, during the period specified by the administrator at the time of revocation.

1986, c.V-2.1, s.27.

PART IV

Certificates of Registration

Issue of registrations

28 The administrator is responsible for the issue of certificates of registration and registration permits required pursuant to *The Highway Traffic Act* and *The Snowmobile Act*.

1986, c.V-2.1, s.28.

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) if the vehicle is to be operated within a municipality, the clerk or administrator of the municipality or any other person authorized by the municipality;
- (b) with respect to any area that is not included within a municipality, the authority responsible for regulating taxis within the area or, if there is no such authority, a person acceptable to the administrator;
- (c) a person authorized by the administrator.

(6) The administrator may order that subsection (5) does not apply to a particular municipality, area or person.

(7) A person is not eligible to obtain a certificate of registration or registration permit 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;
- (a.1) is indebted to Saskatchewan Government Insurance in the amount of a surcharge determined pursuant to section 6 of *The Automobile Accident Insurance Act* and the administrator has received notice of the indebtedness;
- (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, 1997* 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);
- (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.

c. V-2.1

VEHICLE ADMINISTRATION

(8.1) If the administrator has issued a certificate of registration without an expiry date, the administrator may cancel or revoke the certificate of registration.

(8.2) Before cancelling or revoking a certificate of registration that was issued without an expiry date, the administrator shall serve the registered owner with notice of the cancellation or revocation at least 15 days before the cancellation or revocation is to become effective.

(8.3) The administrator may cancel or revoke a certificate of registration that was issued without an expiry date for any reason that the administrator may otherwise suspend, cancel, revoke or refuse to provide a person with any other class of certificate of registration pursuant to this Act or the regulations.

(8.4) The administrator may serve a registered owner with a notice pursuant to subsection (8.2) by sending it to the owner by registered mail to the last address of the registered owner known to the administrator.

(8.5) The administrator may demand the immediate return of any licence plate on the cancellation or revocation of the certificate of registration pursuant to this section, and no person shall fail to comply with that demand.

(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.

(10) The administrator may refuse to issue a certificate of registration or registration permit to a person if the person:

- (a) owes money to the insurer pursuant to a deductible finance agreement with the insurer; and
- (b) has defaulted on a payment pursuant to that deductible finance agreement.

2000, c.33, s.9; 2002, c.44, s.36; 2003, c.15, s.19;
2004, c.32, s.10; 2005, c.M-36.1, s.479.

Dealers

30 A dealer may, instead of registering each vehicle controlled by him, apply for one or more dealer certificates of registration, and the administrator shall, on production of evidence by the applicant that he is a dealer and on payment of the fee prescribed pursuant to *The Highway Traffic Act*, issue a certificate of registration containing the name and address of the dealer and the number of the dealer plate issued to him.

1986, c.V-2.1, s.30.

Police departments

31 A police department may, instead of registering each motor vehicle owned by the department, apply for one or more certificates of registration, and the administrator may, on payment of the fee prescribed pursuant to *The Highway Traffic Act*, issue a certificate of registration containing the name and address of the police department and the licence plates issued to it.

1986, c.V-2.1, s.31.

Manufacturers

32 Every manufacturer shall apply for a general distinguishing number or mark and the administrator may, on payment of the fee prescribed pursuant to *The Highway Traffic Act*, issue a certificate of registration containing the name, place of business and address of the applicant and the general distinguishing number or mark allotted, and all motor vehicles operated for the purpose of testing their efficiency or transferring them from the manufacturing plant to place of storage and vice versa are deemed to be sufficiently registered under that number or mark.

1986, c.V-2.1, s.32.

Serial number

33 Where:

- (a) the manufacturer's serial number or a similar identifying mark on a vehicle is obliterated, defaced or lost; or
- (b) a vehicle, for any reason, has no serial number or identifying mark;

the administrator may, before issuing a certificate of registration in respect of the vehicle, require the applicant to furnish satisfactory proof of ownership and, on receipt of such proof, shall issue a special identification number or mark, which is to be attached to the vehicle in the prescribed manner and is deemed to be a sufficient identification for the purpose of registration.

1986, c.V-2.1, s.33.

Application

34(1) Where an application is made to the administrator, on the form provided by the administrator, for a registration permit to operate:

- (a) an unregistered motor vehicle, trailer or semi-trailer;
- (b) a registered motor vehicle, trailer or semi-trailer for a purpose other than one authorized in the regulations made pursuant to *The Highway Traffic Act* for the class of vehicle to which the vehicle belongs; or
- (c) a registered vehicle where the combined weight of the vehicle and its load is in excess of the gross weight specified in the certificate of registration of the vehicle;

the administrator may, subject to subsection (2) and to sections 68 and 70 of *The Highways and Transportation Act* and on payment of the fee prescribed pursuant to *The Highway Traffic Act*, issue a registration permit for the operation of the vehicle for the purpose and for any period that may be specified in the registration permit.

(2) The administrator shall not issue a registration permit pursuant to clause (1)(b) without the prior approval of the board.

(3) Subsections 29(3), (4), (7) and (8) apply, with any necessary modification, to an applicant for a registration permit.

c. V-2.1**VEHICLE ADMINISTRATION**

(4) Where a person holds a permit issued pursuant to *The Highways and Transportation Act* to operate a vehicle on a highway, he shall apply to the administrator for a registration permit authorizing the operation of the vehicle, and, on payment of the fee prescribed pursuant to *The Highway Traffic Act*, the administrator shall issue the registration permit.

1986, c.V-2.1, s.34; 2004, c.32, s.12.

Power to suspend, cancel or revoke

35(1) The administrator may suspend, cancel or revoke any certificate of registration or registration permit:

- (a) for any reason described in subsection 29(8);
 - (b) if the administrator determines that a certificate of registration or registration permit was issued in error; or
 - (c) if, in the case of a dealer's certificate of registration issued pursuant to section 30, the administrator is satisfied that the holder of the certificate is not a bona fide dealer.
- (2) The administrator shall suspend, cancel or revoke any certificate of registration or registration permit if the administrator has received a cheque in payment of the fee payable with respect to a certificate of registration or registration permit issued by the administrator and the cheque is dishonoured.

2004, c.32, s.13.

Non-residents

36(1) The administrator may at any time suspend for a stated period or revoke the application of subsection 23(2) of the *The Highway Traffic Act* with respect to a non-resident under the circumstances and in the same manner as it may suspend a certificate of registration.

(2) Where the administrator exercises the authority conferred on it by subsection (1), it may, on payment of the fee prescribed pursuant to *The Highway Traffic Act*, issue a permit authorizing the operation of any motor vehicle affected by the suspension or revocation to the boundary of Saskatchewan by a route and by the person named in the permit.

1986, c.V-2.1, s.36.

LICENCE PLATES

Display required

37(1) One licence plate issued pursuant to this Act:

- (a) must be affixed to the vehicle with respect to which the licence plate is issued; and
- (b) must be displayed:
 - (i) in the case of a power unit, on the front of the vehicle; and
 - (ii) in the case of a vehicle other than power unit, on the rear of the vehicle.

(2) Validation stickers issued pursuant to this Act shall be affixed to the licence plates in respect of which they are issued.

1986, c.V-2.1, s.37; 2004, c.32, s.14.

38 Repealed. 2000, c.33, s.10.

Licence plates, etc., for handicapped persons

39(1) No person shall use a special licence plate or any other material that is issued by the administrator to identify a vehicle used by or on behalf of a person with a physical disability except in the manner and for the purpose authorized by the administrator.

(2) The administrator may demand the immediate return of any licence plate or any other material described in subsection (1) if the administrator reasonably believes that the licence plate or any other material has been used in an unauthorized manner or for an unauthorized purpose.

(3) No person shall fail to comply with a demand of the administrator given pursuant to subsection (2).

1986, c.V-2.1, s.39; 1996, c.29, s.24.

Replacement licence plates

40(1) If a licence plate, other than a personalized licence plate, of a registered vehicle is lost, destroyed or defaced so that it is illegible, the holder of the certificate of registration shall immediately apply to the administrator for replacement of the licence plate, return the certificate of registration, pay the fee prescribed pursuant to *The Highway Traffic Act* and:

- (a) return any remaining licence plate, together with his affidavit that the original licence plate is lost or destroyed; or
- (b) return the defaced licence plate and any other licence plate;

and the administrator shall re-register the vehicle and issue a new certificate of registration and new licence plates.

c. V-2.1**VEHICLE ADMINISTRATION**

(2) On receipt of an application under subsection (1), the administrator may, pending the issue of the new certificate of registration, issue a receipt for the fee, which receipt is to be carried on the registrant's person or in the vehicle and constitutes a valid authority for the operation of the vehicle for a period of 90 days.

(3) Where the administrator has issued new licence plates and a new certificate of registration pursuant to this section, the original licence plates and certificate of registration are deemed to be cancelled.

1986, c.V-2.1, s.40.

Transfer of licence plates

41(1) A person who intends to transfer the licence plates from one vehicle to another without changing the name in which the certificate of registration is issued shall apply on the form provided by the administrator for the purpose and pay the fee prescribed pursuant to *The Highway Traffic Act*, and the administrator shall accept the application as an application for registration in accordance with section 29.

(2) On issuance of a receipt for the fee paid pursuant to subsection (1), the holder of the certificate of registration shall attach the licence plates to the vehicle to which the licence plates are transferred.

(3) The administrator may authorize an immediate transfer of licence plates prior to the registration of a vehicle, if a prior request is made to and approval secured from the administrator and the written application for the transfer is received by the administrator within seven days of the approval.

1986, c.V-2.1, s.41.

Reconstructed or altered vehicles

42(1) Where a vehicle is reconstructed or altered to an extent that the vehicle as reconstructed or altered conflicts with the class in which the vehicle was originally registered or if the certificate of registration for a vehicle does not accurately describe the vehicle for which it was issued, the holder of the certificate of registration shall:

(a) return the original certificate of registration and licence plates issued with respect to the vehicle; and

(b) apply for the registration of the reconstructed, altered or inaccurately described vehicle in accordance with section 29.

(2) Where the holder of a certificate of registration intends to change the registration class from that for which the certificate was originally issued, he shall apply for registration in the new class in accordance with section 29.

(3) Where a person is convicted of a violation of subsection (1), the administrator shall revoke the certificate of registration.

1986, c.V-2.1, s.42.

Change of name or address

43(1) Where the name of the holder of a certificate of registration or of a registration permit is changed in any manner, or where he changes his address, he shall, within 15 days, notify the administrator of the change.

(2) On receipt of a notice described in subsection (1), the administrator shall issue a new certificate of registration or registration permit in accordance with the change requested in the notice.

1986, c.V-2.1, s.43.

Return to administrator

44(1) Every licence plate, certificate of registration or registration permit issued by the administrator under this Act is the property of Her Majesty in right of Saskatchewan and is to be returned to the administrator when requested by it.

(2) When a certificate of registration or registration permit is suspended or revoked, the administrator may, by order, require its holder to return any certificate, registration permit or licence plates issued to him, and he shall do so immediately.

(3) If a person is convicted of failing to comply with an order of the administrator made pursuant to subsection (2), the convicting court shall, in addition to any other penalty that may be imposed, order him to return the certificate, registration permit or licence plates within a specified time.

1986, c.V-2.1, s.44.

Seizure of certificates, etc.

44.1(1) A peace officer may seize, without a warrant, a licence plate, certificate of registration or registration permit that he or she has reasonable grounds to believe:

- (a) is suspended;
- (b) is revoked; or
- (c) is in the possession of a person who does not have lawful authority to possess it.

(2) Unless required as evidence in court proceedings, a licence plate, certificate of registration or registration permit that has been seized pursuant to subsection (1) is to be sent to the administrator.

1996, c.29, s.25.

PART V
Driver Training Schools

Driver training schools

45(1) In this section, “**driver training school**” means a person, firm or association that is engaged in the business of giving instructions for hire, fee or tuition in the driving of motor vehicles or in the preparation for an examination for a driver’s licence.

(2) No person, firm or association shall engage in the operation of a driver training school, unless he or it holds a valid and subsisting driver training school certificate issued by the administrator.

(3) No person shall hold himself out, or give instructions, as a driver instructor, unless he holds a valid and subsisting instructor’s certificate issued by the administrator.

(4) **Repealed.** 2000, c.33, s.11.

(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.

(6) No driver instructor’s certificate is to be issued to any person unless:

- (a) he is 18 years of age or more; and
- (b) he files with his application a certificate of qualification issued to him by an educational institution recognized by the administrator.

PART VI
Vehicle Safety and Inspections

Interpretation

46 In this Part, “**vehicle safety item**” means any component or equipment forming part of, attached to, or carried on a vehicle, or required to be worn by a passenger in or on a vehicle which may affect the safe operation of the vehicle or contribute to the safety of the driver, passengers or the public.

1986, c.V-2.1, s.46.

Equipment standards

47 No person engaged in the business of buying, selling or exchanging vehicles shall sell or give in exchange a vehicle that the person to whom it is sold or given intends to drive on a highway if the vehicle is not equipped in accordance with this Act and the regulations.

1986, c.V-2.1, s.47.

Restriction

47.1 No person shall operate or cause to be operated on a highway a vehicle that is not equipped in accordance with this Act and the regulations.

1996, c.29, s.26.

48 Repealed. 2000 c.33, s.12.

INSPECTION

Prohibition re vehicle inspection

49 No person shall:

- (a) operate or cause to be operated on a highway; or
- (b) sell for operation on a highway;

a vehicle of a prescribed class or type, unless the vehicle is the object of a valid and subsisting vehicle inspection certificate or temporary inspection authorization issued under this Act.

1986, c.V-2.1, s.49.

Vehicle inspection certificates

50(1) An inspection station shall issue a vehicle inspection certificate if, after payment of any fee prescribed in the regulations made by the minister and after inspection by a vehicle inspection mechanic in accordance with the methods approved by the minister, it is determined that the vehicle meets or exceeds the minimum safety standards set out in the regulations made by the minister.

(2) A vehicle inspection certificate is valid for the period set out in the regulations made by the minister for the type and class of vehicle.

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(3) No person shall in any manner tamper with or alter a vehicle inspection certificate.

(4) A vehicle inspection certificate is to be located or displayed in the manner required in the regulations made by the minister.

(5) A vehicle inspection certificate or other proof of certification permitted in the regulations made by the minister is, on request, to be produced to a peace officer or safety officer.

1986, c.V-2.1, s.50.

Suspension of vehicle inspection certificate

51 The administrator may suspend a vehicle inspection certificate that is issued in error or if it is found that the vehicle does not meet or exceed the minimum safety standards set out in the regulations made by the minister.

1986, c.V-2.1, s.51.

Temporary inspection authorization

52 The administrator may issue a temporary inspection authorization to operate a vehicle for which a valid inspection certificate has not been issued that is valid for the period of time specified by the administrator.

1986, c.V-2.1, s.52.

Waiver of Inspection Certificate

52.1 Notwithstanding section 49 or the regulations, the administrator may waive the requirement for a vehicle to have a valid inspection certificate if, in the opinion of the administrator, it would not be contrary to the public interest.

2004, c.32, s.15.

VEHICLE INSPECTION STATIONS**Prohibition**

53(1) No person shall hold himself out as or advertise himself to be a certified inspection station or mechanic unless he holds an inspection station certificate or inspection mechanic certificate issued by the administrator.

(2) No person shall issue or cause to be issued a vehicle inspection certificate unless he holds an inspection station certificate issued by the administrator.

1986, c.V-2.1, s.53.

Certification

54(1) An application for an inspection station certificate or inspection mechanic certificate is to be made to the administrator on the form provided by the administrator and is to be accompanied by the fee prescribed by the minister and any type and amount of bond required to be furnished by an applicant that is required in the regulations made by the minister.

(2) The administrator may issue an inspection station certificate or inspection mechanic certificate if the station or mechanic meets the qualifications set out in the regulations made by the minister.

1986, c.V-2.1, s.54.

Duties

55 The minister may, by regulation, determine the duties and responsibilities of a vehicle inspection station or vehicle inspection mechanic.

1986, c.V-2.1, s.55.

Revocation, etc., of certification

56 The administrator may suspend, alter or revoke or refuse to issue a vehicle inspection station certificate or vehicle inspection mechanic certificate if the holder:

- (a) ceases to possess the qualifications that were required to be met at the time of his application;
- (b) contravenes any provision of this Act or the regulations; or
- (c) issues an inspection certificate or decal otherwise than in accordance with the regulations.

1986, c.V-2.1, s.56.

PART VII

Financial Responsibility

Application of Part

57 Nothing in this Part prevents the plaintiff in any action from proceeding on any other remedy or security available at law.

1986, c.V-2.1, s.57.

Failure to satisfy judgment

58(1) If:

- (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; and

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(b) the person against whom the judgment is rendered fails to satisfy the judgment within 30 days after the day on which it becomes final by affirmation on appeal or by expiry, without appeal, of the time allowed for appeal;

the administrator shall, on receipt of a certificate of the judgment, suspend the driver's licence issued to the person against whom the judgment is rendered, the certificate of registration of every motor vehicle registered in his name and his ability to secure a driver's licence or certificate of registration.

(2) A driver's licence or certificate of registration that is suspended pursuant to subsection (1) remains suspended and is not renewable, and no new driver's licence or certificate of registration is to be issued to the judgment debtor until all judgments are discharged in a manner other than a discharge in bankruptcy or, if not discharged:

(a) where the judgment or judgments relate to a motor vehicle accident occurring before May 1, 1981, until the total amount owing under all judgments in respect of that accident is satisfied to the extent of at least \$30,000, in the case of any judgments arising from bodily injury or death, and at least \$5,000, in the case of any judgments arising from damage to property, and, in any event, to the extent of at least \$35,000;

(b) where the judgment or judgments relate to a motor vehicle accident occurring on or after May 1, 1981 but before January 1, 1985, until the total amount owing under all judgments in respect of that accident is satisfied to the extent of at least \$95,000, in the case of any judgments arising from bodily injury or death, and at least \$5,000, in the case of any judgments arising from damage to property, and, in any event, to the extent of at least \$100,000; or

(c) where the judgment or judgments relate to a motor vehicle accident occurring on or after January 1, 1985, until the total amount owing under all judgments in respect of that accident is satisfied to the extent of at least \$190,000, in the case of any judgments arising from bodily injury or death, and at least \$10,000, in the case of any judgments arising from damage to property, and, in any event, to the extent of at least \$200,000;

and the judgment debtor gives proof of his financial responsibility for future motor vehicle accidents in the manner required by this Part.

(3) Subsections (1) and (2) apply if, after a person gives proof of financial responsibility, any other judgment against the person that relates to an accident occurring before the proof was furnished is reported to the administrator.

(4) Where the administrator reports that another jurisdiction has enacted legislation similar in effect to subsections (1) and (2) and that the legislation extends and applies to judgments rendered and become final against residents of that jurisdiction by any court of competent jurisdiction in Saskatchewan, the Lieutenant Governor in Council may, by regulation, declare that those subsections extend and apply to judgments rendered and become final against residents of Saskatchewan by any court of competent jurisdiction in that other jurisdiction.

(5) Where a judgment debtor is a non-resident, the privilege of driving a motor vehicle in Saskatchewan and of using or having in Saskatchewan a motor vehicle registered in his name is suspended immediately on the recovery of the judgment and remains suspended until he complies with subsection (2).

1986, c.V-2.1, s.58; 2000, c.33, s.13.

Payment of judgments in instalments

59(1) A judgment debtor to whom section 58 applies may, on due notice to the judgment creditor, apply to a judge of Her Majesty's Court of Queen's Bench for Saskatchewan for the privilege of paying the judgment against him in instalments, and the court may in its discretion so order, fixing the amounts and times of payment of the instalments.

(2) For the purposes of this Part, while a judgment debtor is not in default in payment of any instalments he is deemed not to be in default in payment of the judgment, and, if he gives proof of financial responsibility for future accidents, the administrator may restore the driver's licence and certificate of registration or privilege of the judgment debtor, but when default is made in paying an instalment the administrator shall suspend, and as often as such default is remedied may restore, the licence and registration or privilege.

1986, c.V-2.1, s.59.

PROOF OF FINANCIAL RESPONSIBILITY

Form

60(1) Proof of financial responsibility may be given:

(a) by filing with the administrator the written certificate of an insurer duly licensed under *The Saskatchewan Insurance Act* to carry on in Saskatchewan the business of automobile insurance certifying that:

(i) it has issued to or for the benefit of the insured named in the certificate a motor vehicle liability policy, in the form required by *The Saskatchewan Insurance Act*, that, at the date of the certificate, is in full force and effect; and

(ii) the motor vehicle liability policy may not be cancelled or expire except after 10 days' written notice to the administrator; and

(iii) until notice is given in accordance with subclause (ii), the certificate will be valid and sufficient to cover the term of renewal of the policy by the insurer or any renewal or extension of the term of the insured's licence or registration by the administrator;

(b) by filing with the administrator the bond of a guarantee insurance or surety company duly authorized to carry on business in the province payable to the Minister of Finance, in a form approved by the administrator, and conditioned for the payment of the amounts specified in this Part, which may not be cancelled or expire except after 10 days' written notice to the administrator;

- (c) by filing with the administrator the certificate of the Minister of Finance certifying that the person named in the certificate has deposited with the Minister of Finance a sum of money or security for money approved by him in the amount or value of \$200,000 for each motor vehicle registered in his name, which deposit the Minister of Finance shall accept and with respect to which the Minister of Finance shall issue a certificate; or
 - (d) by obtaining a certificate of insurance issued under *The Automobile Accident Insurance Act*.
- (2) A non-resident may give proof of financial responsibility:
 - (a) in the manner provided in subsection (1); or
 - (b) by filing with the administrator or, for the purposes of subsection 68(10), by producing a certificate of insurance, in a form approved by the administrator, issued by an insurer authorized to transact insurance in the jurisdiction in which the non-resident resides or formerly resided, if the insurer has filed with the Superintendent of Insurance, in the form prescribed by him:
 - (i) a power of attorney authorizing the Superintendent of Insurance to accept service of notice or process for itself and for its insured in any action or proceeding arising out of a motor vehicle accident in Saskatchewan;
 - (ii) an undertaking to appear in any action or proceeding described in subclause (i) of which it has knowledge;
 - (iii) an undertaking that, on receipt from the Superintendent of Insurance of any notice or process served on him in respect of its insured, it will immediately cause the notice or process to be personally served on its insured; and
 - (iv) an undertaking not to set up a defence to any claim, action or proceeding under a motor vehicle liability policy issued by it that might not be set up if the policy had been issued in Saskatchewan in accordance with the law of Saskatchewan relating to motor vehicle liability policies, and to satisfy, up to the limits of liability stated in the policy and in any event to an amount not less than the limits of liability fixed in Part VI of *The Saskatchewan Insurance Act*, any judgment rendered and become final against it or its insured by a court in Saskatchewan in any such action or proceeding.
- (3) Where an insurer that has filed the documents described in this section defaults thereunder, its certificates are not thereafter acceptable as proof of financial responsibility under this Part so long as the default continues, and the administrator shall immediately notify the Superintendent of Insurance and the registrar of motor vehicles, or the official in charge of the registration of motor vehicles and the licensing of drivers in all jurisdictions where the certificates of that insurer are accepted as proof of financial responsibility.

Form of policy and duties of insurer

- 61(1)** A motor vehicle liability policy mentioned in this Part is to be in the form required by *The Saskatchewan Insurance Act* for an owner's policy or driver's policy, as the case may require, and approved under that Act by the Superintendent of Insurance for the purposes of this Part.
- (2) An insurer that has issued a motor vehicle liability policy shall, as and when the insured requests, deliver to the insured or file with the administrator, a certificate for the purposes of this Part.
- (3) A certificate filed with the administrator is deemed to be a conclusive admission by the insurer that a policy has been issued in the form described in subsection (1) and in accordance with the terms of the certificate.
- (4) Every insurer shall notify the administrator of the cancellation or expiry of any motor vehicle liability policy for which a certificate has been issued, at least 10 days before the effective date of the cancellation or expiry, and, in the absence of such notice, the policy remains in full force and effect.
- (5) Where a non-resident is a party to an action for damages arising out of a motor vehicle accident in Saskatchewan for which indemnity is provided by a motor vehicle liability policy, the insurer named in the policy shall, as soon as it has knowledge of the action from any source and whether or not liability under the policy is admitted, notify the administrator in writing, specifying the date and place of the accident and the names and addresses of the parties to the action and of the insurer, which notification is open to inspection by the parties to the action.
- (6) Notwithstanding any other provision of this Part, the administrator may decline to accept as proof of financial responsibility the certificates of any insurer that fails to comply with subsection (5).

1986, c.V-2.1, s.61.

Application of bond, etc.

- 62(1)** Any bond, money or securities filed or deposited pursuant to this Part are to be held by the Minister of Finance or the administrator, as the case may be, as security for payment of any judgment that may be obtained against the person filing the bond or making the deposit in an action arising out of damage caused, after the filing or deposit, by the driving of a motor vehicle owned by the person or driven by him or any other person for whose negligence he is found liable.
- (2) Money and securities deposited with the Minister of Finance are to be paid or handed over by him on the order of the court or a judge to satisfy a judgment recovered in the court for damages for personal injuries or death or damage to property occurring after the deposit, but the money or securities are not subject to any other claim or demand.

1986, c.V-2.1, s.62.

Action on bond

63 If a judgment to which this Part applies is rendered against the principal named in a bond filed with the administrator and the judgment is not satisfied within 15 days after it has been rendered, the judgment creditor may, for his own use and benefit and at his sole expense, bring an action on the bond to the extent thereof but no more, in the name of the Minister of Finance, and may, to the extent of the bond but no more, recover the amount of his judgment and costs against the person executing the bond, and on the order of the court in which the judgment is obtained, the amount so recovered is to be paid over to the person recovering the judgment.

1986, c.V-2.1, s.63.

Cancellation of bond

64(1) The administrator may cancel any bond or return any certificate of insurance, and the Minister of Finance may, at the request of the administrator, return any money or securities deposited pursuant to this Part as proof of financial responsibility, at any time after one year from the date of the original deposit, as long as no action for damages is pending and no judgment is outstanding and unsatisfied in respect of personal injury or damage to property in excess of \$100, resulting from the operation of a motor vehicle.

(2) A statutory declaration of the applicant under this section is sufficient evidence of the facts in the absence of evidence to the contrary in the records of the administrator.

(3) The administrator may direct the return of any bond, money or security to the person who furnished it on the acceptance and substitution of other adequate proof of financial responsibility pursuant to this Part.

(4) The administrator may direct the return of any bond, money or security to the person who furnished it at any time after one year from the date of the expiration or surrender of the last certificate of registration or the last driver's licence issued to that person:

(a) if no written notice has been received by the administrator within that period of action brought against him in respect of the ownership, maintenance or operation of a motor vehicle; and

(b) on the filing by him with the administrator of a statutory declaration that he no longer resides in Saskatchewan, or that he has made a bona fide sale of all motor vehicles owned by him, naming the purchasers, and that he does not intend to own or operate any motor vehicle in Saskatchewan within a period of one or more years.

1986, c.V-2.1, s.64.

Return of licence, etc.

65 An owner or driver whose certificate of registration or driver's licence has been suspended, whose policy of insurance or surety bond has been cancelled or terminated or who fails to furnish proof of financial responsibility on being required to do so, shall immediately deliver to the justice, or return to the administrator, the certificate of registration, his licence and the number plates, and if he does not do so the administrator may cause a peace officer to recover their possession.

1986, c.V-2.1, s.65.

Restriction on driver's licence

66 If a driver is required to furnish proof of financial responsibility and his driver's licence is suspended solely on the ground of his failure to do so, the administrator may permit him to drive the motor vehicle of an owner who furnishes or has furnished proof of financial responsibility on his own behalf, but in that case the administrator shall endorse the driver's licence to that effect and the driver shall not drive a motor vehicle other than one described in the driver's licence unless and until he furnishes the proof required of him.

1986, c.V-2.1, s.66.

Extent of financial responsibility required

67 Every driver not being an owner and every owner for each motor vehicle registered in his name, shall give proof of financial responsibility when required by this Part in at least \$200,000, exclusive of interest and costs, in respect of liability resulting from:

- (a) bodily injury to, or the death of, one or more persons; or
- (b) loss of, or damage to, property;

in one accident, or from both the causes stated in clauses (a) and (b), and including a provision that:

- (c) claims arising out of bodily injury or death have priority, to the extent of \$190,000, over claims arising out of loss of, or damage to, property; and
- (d) claims arising out of loss of, or damage to, property have priority to the extent of \$10,000, over claims arising out of bodily injury or death.

1986, c.V-2.1, s.67.

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VEHICLE ADMINISTRATION

Impounding of vehicles involved in accidents

68(1) In this section:

- (a) **“owner”** includes a secured party;
 - (b) **“security interest”** means an interest in a motor vehicle that secures payment or performance of an obligation;
 - (c) **“secured party”** means a person, firm or corporation that has a security interest and includes an assignee of a security interest.
- (2) For the purposes of this section, proof of financial responsibility in respect of any vehicle may be given, in addition to any other manner authorized by this Part, by producing to the peace officer seeking to impound a motor vehicle, or to the administrator if the occasion so requires, a financial responsibility card or a motor vehicle liability insurance card relating to the vehicle and subsisting at the time of the accident.
- (3) Subject to subsection (10), where bodily injury to or the death of a person or damage to property in an amount apparently exceeding the prescribed amount results from an accident in which a motor vehicle is in any manner, directly or indirectly involved, any peace officer present at the scene of the accident or who arrives there while any or all of the motor vehicles involved in the accident are still present shall impound each motor vehicle and require it to be taken:
- (a) if repairs are necessary and immediately desired by the owner, to any repair shop or garage that the owner may select for the purpose of having it repaired; or
 - (b) if repairs are not necessary or are not immediately desired by the owner, to any garage or storage place that the owner may select, unless otherwise required by the police, in which case the peace officer may direct it to be taken to a garage or storage place maintained by a police force or other public authority or to a privately maintained garage or storage place designated by him, and kept there at the expense of the owner of the motor vehicle.
- (4) Where, pursuant to subsection (3), a motor vehicle is taken to a repair shop, garage or storage place selected by the owner, a peace officer, on receipt of a written application by the owner, may, at the cost of the applicant, have the motor vehicle transferred to any other repair shop, garage or storage place that the applicant may select, and shall give the owner, operator, manager or other person in charge of the repair shop, garage or other storage place to which the motor vehicle is transferred a notice as prescribed by subsection (8).
- (5) Subject to subsection (10), where any or all of the motor vehicles directly or indirectly involved in an accident are not impounded and the accident comes to the attention of a peace officer, he shall immediately impound each motor vehicle or report the matter to a peace officer who is a member of the police force or unit having responsibility for policing within the municipality where the vehicle to be impounded is located who shall cause each motor vehicle to be impounded in accordance with subsection (3).

(6) All costs and charges in respect of the care or storage of a motor vehicle impounded under this section are a lien on the vehicle in favour of the keeper of the repair shop, garage or storage place, and he may sell the vehicle for the purpose of recovering the amount of the costs and charges and, in that case, *The Commercial Liens Act* applies *mutatis mutandis* to the sale, the application of the proceeds of the sale and the disposition of any surplus moneys.

(7) Where a motor vehicle is impounded under this section, the person who impounds it shall notify the administrator in writing of the impoundment on a form provided by the administrator.

(8) Where a motor vehicle impounded under this section is placed in a repair shop, garage or storage place, the person impounding the vehicle shall, in writing on a form provided by the administrator, notify the owner, operator, manager or other person in charge of the repair shop, garage or storage place that the motor vehicle is impounded and may not be removed or permitted to be removed or released from impoundment except on the order of the administrator or of a peace officer acting under subsection (4).

(9) Subject to subsection (4), no person shall remove, or permit to be removed, from the place of impoundment or release from impoundment any motor vehicle impounded under this section except on the written order of the administrator.

(10) If the driver, owner or other person in charge of a motor vehicle that is in any manner, directly or indirectly, involved in an accident produces to a peace officer seeking to impound the motor vehicle pursuant to this section proof of financial responsibility in the manner and for the amounts required by this Part, the peace officer shall not impound the motor vehicle unless by any other provision of this Act or by any other Act it is required to be impounded or unless it is required by Her Majesty in right of Saskatchewan as evidence in a prosecution for a criminal offence.

(11) Where a motor vehicle is impounded under this section and:

- (a) the administrator is satisfied that at the time of the accident the motor vehicle was stolen;
- (b) the only damage resulting from the accident is to the person or property of the owner or the driver or both; or
- (c) the driver, owner or other person in charge of the motor vehicle produces to the administrator proof of financial responsibility in respect of the motor vehicle in effect at the time of the accident;

the administrator shall order the release of the motor vehicle from impoundment, unless by any other provision of this Act or by any other Act it is required to be impounded or unless it is required by Her Majesty in right of Saskatchewan as evidence in a prosecution for a criminal offence.

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(12) Where the owner of a motor vehicle impounded under this section gives proof of satisfaction of claims for damages up to the amounts mentioned in subsection 58(2) or furnishes to the administrator security, in the form and amount determined by the administrator, for the payment of such claims up to those amounts and in either case gives proof of financial responsibility in the manner and for the amounts required by this Part, the administrator shall, on the application of the owner, order the release of the motor vehicle from impoundment.

(13) Notwithstanding subsection (12), if a motor vehicle is not required to be registered under this Act, the administrator shall order its release:

(a) if the owner gives such proof of satisfaction of claims for damages or furnishing such security and giving to the administrator a written undertaking signed by him that he will not drive the motor vehicle in Saskatchewan other than to drive it directly and immediately from the place of impoundment to the boundary of the province on any day and over any highway that the administrator may specify; or

(b) if the owner satisfies the administrator that he is insured, under the motor vehicle liability policy issued by an insurer satisfactory to the administrator, in amounts not less than those mentioned in section 67.

(14) If a motor vehicle is driven on a public highway contrary to an undertaking given under clause (13)(a), the owner and the driver are each guilty of an offence and the administrator may order the motor vehicle to be impounded until the owner gives proof of financial responsibility in the manner and for the amounts required by this Part.

(15) Where the owner of a motor vehicle impounded under this section satisfies the administrator that he has in good faith sold it, subject only to its being released from impoundment, and that he has not directly or indirectly retained any right to use the motor vehicle or to control its use, the administrator may, on the application of the owner and on his giving proof of satisfaction of claims for damages up to the amounts mentioned in subsection 58(2), order the release of the motor vehicle from impoundment.

(16) Where a motor vehicle is impounded under this section and the owner fails to give proof of satisfaction of claims or to furnish security and in either case to give proof of financial responsibility, or fails to give proof of satisfaction of claims or to furnish security and in either case to give an undertaking, as provided in subsection (12):

(a) if six months have elapsed since the date of the accident and no notice that an action for the recovery of damages resulting from the accident has been commenced and is pending has been filed with the administrator; or

(b) if such notice has been filed with the administrator and proof has been given to its satisfaction that:

(i) the action has been decided in favour of the owner and that no appeal against the judgment is pending or any appeal against the judgment has been dismissed;

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(ii) any judgment recovered against the owner has been satisfied or settled; or

(iii) the action has not been brought to trial within 12 months after it was begun;

the administrator shall order the release of the motor vehicle from impoundment.

(17) Where judgment has been recovered in an action against the owner of a motor vehicle impounded under this section and the motor vehicle has been seized under a writ of execution issued to enforce the judgment, the administrator shall order that the motor vehicle be released to the person making the seizure.

(18) Where judgment has been recovered in an action against the owner of a motor vehicle impounded under this section and the motor vehicle has been released from impoundment on the furnishing of security under subsection (12) and the security has been seized under a writ of execution issued to enforce the judgment, the administrator shall release the security to the person making the seizure, but, where the amount of the security is greater than the amount required to satisfy the judgment, the administrator shall release only a portion of the security sufficient to satisfy the judgment and shall return the remainder to the person who furnished the security.

(19) Where the administrator is satisfied by a certificate signed by a qualified mechanic, or by any other written evidence that it considers sufficient, that a motor vehicle impounded under this section:

(a) is so damaged that it is impracticable to repair it so that it can be driven on a public highway; or

(b) is worth not more than \$500;

the administrator may, in a case to which clause (a) applies, order the release of the motor vehicle from impoundment and, in a case to which clause (b) applies, authorize the keeper of the repair shop, garage or storage place in which the motor vehicle is impounded to sell it as provided in subsection (20).

(20) On receipt of an authorization pursuant to subsection (19), the person authorized may, if the motor vehicle mentioned has been stored for not less than 30 days in a repair shop, garage or storage place operated by him, sell the motor vehicle after having given the owner 10 days' written notice of his intention to do so, and shall apply the proceeds of the sale in payment of the amount due to him and pay any surplus to the person entitled to it.

1986, c.V-2.1, s.68; 1993, c.17, s.26; 2001,
c.C-15.1, s.31.

Reciprocal application of foreign legislation

69(1) In this section, “**foreign jurisdiction**” means a province or territory of Canada other than Saskatchewan or a state of the United States of America.

(2) Where the law in force in a foreign jurisdiction contains provisions that, in the opinion of the Lieutenant Governor in Council, are similar to those set out in this section, section 68 and section 70, the Lieutenant Governor in Council may, on the report of the administrator, authorize the Minister of Finance on behalf of the government to enter into an agreement with the proper authority on behalf of the foreign jurisdiction for the reciprocal application:

(a) of this section, section 68 and section 70, or of any parts of those sections that may be specified in the agreement, to motor vehicles registered in the foreign jurisdiction and the owners, drivers and persons in charge of them; and

(b) of the provisions in the legislation of the foreign jurisdiction that are similar to this section, section 68 and section 70, or of any parts of those provisions that may be specified in the agreement, to motor vehicles registered in Saskatchewan and the owners, drivers and persons in charge of them.

(3) On the making of an agreement pursuant to subsection (2), the Lieutenant Governor in Council shall make regulations pursuant to clause 97(1)(dd) declaring that, on and after a specified date, this section, section 68 and section 70, or any parts of those sections that may be specified in the regulations apply to motor vehicles registered in the foreign jurisdiction and to the owners, drivers and persons in charge of them.

(4) Where regulations are made pursuant to clause 97(1)(dd), and the driver, owner or other person in charge of a motor vehicle registered in a foreign jurisdiction that is subject to impoundment under section 68 produces a card similar to a financial responsibility card or similar to a motor vehicle liability insurance card, issued under the legislation of the foreign jurisdiction and to which the legislation of the foreign jurisdiction similar to this section, section 68 and section 70 apply, section 68 applies as if he had produced a financial responsibility card or a motor vehicle liability insurance card.

1986, c.V-2.1, s.69; 2000, c.33, s.14.

Production of false proof of financial responsibility

70(1) No person shall produce to a peace officer or to the administrator:

(a) a financial responsibility card or a motor vehicle liability insurance card purporting to show that at the time of an accident in which a motor vehicle was in any manner, directly or indirectly, involved there was in force:

(i) a policy of insurance; or

(ii) a certificate of insurance issued pursuant to *The Automobile Accident Insurance Act*;

that was not, in fact, in force;

- (b) a financial responsibility card purporting to show that he is at that time maintaining in effect proof of financial responsibility as required by this Act when such is not the case; or
 - (c) a financial responsibility card purporting to show that the person named in the card as the insured is, at the time of an accident in which a motor vehicle is, in any manner, directly or indirectly, involved, insured in respect of loss resulting from that accident and occasioned by the operation or use of that motor vehicle, when such is not the case.
- (2) If a person produces a card to which subsection 69(4) applies for any of the purposes, and under any of the circumstances, mentioned in clauses (1)(a), (b) and (c) of this section:
- (a) the administrator, on the matter being brought to its attention, shall immediately report the facts to the Registrar of Motor Vehicles, or other person, in the foreign jurisdiction responsible for the administration of its legislation similar to this section; and
 - (b) the person is deemed to have contravened subsection (1) of this section.

1986, c.V-2.1, s.70.

PART VIII

Disqualification from Driving

Interpretation of Part

71 In this Part:

- (a) **“conviction”** means:
 - (i) a conviction for an offence;
 - (ii) a finding of guilt for, or a plea of guilty to, an offence in respect of which a conditional discharge is granted;
- (a.1) **“drive”** includes having the care or control of a motor vehicle, whether it is in motion or not;
- (b) **“motor vehicle”** means a motor vehicle for which a driver’s licence is required;
- (c) **“offence”** means:
 - (i) an offence under section 203, 204, or 219 of the *Criminal Code*, as those sections existed on December 3, 1985, committed by means of a motor vehicle, or under subsection 233(1), (2) or (4), section 234 or 234.1, subsection 235(2) or section 236 of the *Criminal Code*, as those provisions existed on December 3, 1985;

- (ii) an offence under section 203, 204 or 219, subsection 233(3) or (4), section 236, clause 237(a) or (b), 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;
- (iii) an offence under clause 233(1)(a) of the *Criminal Code*, as that provision existed on December 11, 1988;
- (iv) an offence under subsection 238(5) of the *Criminal Code*, as that provision existed on December 11, 1988, for failure or refusal to comply with a demand made under section 238 of the *Criminal Code*, as that section existed on December 11, 1988, where the offender, within the two hours preceding the offence, operated, or had the care or control of, a motor vehicle;
- (v) an offence under clause 249(1)(a) or section 249.1 of the *Criminal Code*;
- (vi) an offence under section 220, 221, 236, subsection 249(3) or (4), section 252, clause 253(a) or (b), subsection 255(2) or (3) or subsection 259(4) of the *Criminal Code* committed by means of a motor vehicle;
- (vii) an offence under subsection 254(5) of the *Criminal Code* for failure or refusal to comply with a demand made under section 254 of the *Criminal Code* where the offender, within the two hours preceding the offence, operated, or had the care or control of, a motor vehicle;
- (viii) an offence under section 165 of *The Vehicles Act, 1983*, as that section existed on June 1, 1985, subsection 165(2) or section 168 of *The Vehicles Act, 1983* or section 247.1 of *The Vehicles Act*, as that section existed on May 19, 1981;
- (ix) an offence under subsection 89(1) of *The Highway Traffic Act* or pursuant to section 94 of *The Highway Traffic Act* for contravening subsection 40(9) of that Act;
- (x) an offence pursuant to section 130 of the *National Defence Act* (Canada) for having contravened clause 253(a) or (b), subsection 254(5) or subsection 255(2) or (3) of the *Criminal Code*;
- (xi) an offence pursuant to any law of any state of the United States of America that is substantially similar to section 220, 221, 236, clause 249(1)(a), subsection 249(3) or (4), section 252, clause 253(a) or (b), subsection 254(5), subsection 255(2) or (3), or subsection 259(4) of the *Criminal Code*;
- (xii) an offence pursuant to regulations made pursuant to the *Indian Act* for having contravened subsection 89(1) of *The Highway Traffic Act*.

1986, c.V-2.1, s.71; 1990-91, c.35, s.4; 1996, c.29, s.27; 2000, c.33, s.15; 2002, c.25, s.7.

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 to or served on a person pursuant to this section:

(a) prohibits that person from applying for or holding a driver's licence during the period of prohibition set out in this section; and

(b) is effective notwithstanding that the peace officer is unable for any reason to take possession of the driver's licence of the person named in the notice.

(5.1) A notice of prohibition from driving:

(a) is effective immediately; and

(b) is in force:

(i) if the notice of prohibition is issued pursuant to subsection (1), for 91 days after the date it is issued; or

(ii) if the notice of prohibition is served pursuant to subsection (3) or (4), for 90 days following the date of service.

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(5.2) Notwithstanding subsections (5) and (5.1), in the case of a notice of prohibition issued pursuant to subsection (2), the prohibition mentioned in subsection (5):

- (a) ceases to have effect during the interim period; and
- (b) at the end of the interim period, once again prohibits that person from applying for or holding a driver's licence for the remainder of the period of prohibition.

(5.3) In subsection (5.2), “**interim period**” means the period that:

- (a) commences 24 hours after the time that a notice of prohibition was served on a person; and
- (b) ends on the day that is seven days after the day on which the period commenced.

(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.

2000, c.33, s.16; 2004, c.32, s.17.

Review of prohibition by the board

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 board of a notice of prohibition in the prescribed form and manner.

(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 board 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) If 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) If 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 board to consider.
- (6) An application for review does not stay the driving prohibition.
- (7) The board is not required to hold an oral hearing unless the application includes a request for an oral hearing and is accompanied by the prescribed oral hearing fee.
- (8) If a person requests an oral hearing but, without prior notice to the board, 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 board shall conduct the review as if the person had not requested an oral hearing.
- (9) On a review conducted pursuant to this section, the board 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 board by the administrator; and
 - (c) if 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 board on a review pursuant to this section is whether the board 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 board does not establish to the board's satisfaction that the person named in the notice of prohibition did the thing described in clause (10)(a) or (b), the board shall:
 - (a) cancel the notice of prohibition; and
 - (b) if applicable, return the driver's licence to the person.

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(12) The board shall:

- (a) render a decision in writing:
 - (i) within three days after the date of the hearing, not including Saturdays or holidays; or
 - (ii) if no oral hearing is requested, within five days after the day on which the affidavit evidence or other information mentioned in subsection (5) is submitted; and
- (b) serve the person with a written copy of its decision.

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

2004, c.32, s.18.

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.

2000, c.33, s.16.

Determination of first, second, third or subsequent convictions

72(1) In this section, "**specified period**" means:

- (a) for the year in which this section comes into force, five years before the date of the conviction;
- (b) for the second year after this section comes into force, six years before the date of the conviction;
- (c) for the third year after this section comes into force, seven years before the date of the conviction;
- (d) for the fourth year after this section comes into force, eight years before the date of the conviction;
- (e) for the fifth year after this section comes into force, nine years before the date of the conviction;
- (f) for the sixth and subsequent years after this section comes into force, 10 years before the date of the conviction.

(1.1) When a person is convicted of an offence:

- (a) the conviction is a first offence if, within the specified period, the person has not been convicted of a prior offence;

- (b) the conviction is a second offence if, within the specified period, the person has been convicted of one prior offence;
 - (c) the conviction is a third conviction if, within the specified period, the person has been convicted of two prior offences;
 - (d) the conviction is a subsequent conviction if, within the specified period, the person has been convicted of more than two prior offences.
- (2) In determining whether a conviction is a second conviction, a third conviction or a subsequent conviction, as the case may be, for the purposes of clause (1)(b), (c) or (d) and subsection 74(2), the only question to be considered is the sequence of convictions, and no consideration shall be given to the sequence of commission of offences or whether any offence occurred before or after any conviction.

1986, c.V-2.1, s.72; 1998, c.43, s.5; 2004, c.32, s.19.

Consequences of being disqualified from driving

73 When a person is disqualified from driving a motor vehicle on a highway:

- (a) his driver's licence, if any, is cancelled;
- (b) his ability to secure a driver's licence is suspended; and
- (c) he is prohibited from applying for or obtaining a driver's licence during the period of his disqualification.

1986, c.V-2.1, s.73.

Automatic suspension

74(1) Subject to subsection (1.1) and section 76, where a person, whether a resident or non-resident, is convicted of an offence, he is disqualified from driving any motor vehicle on a highway for the longer of:

- (a) the period for which he is prohibited by the convicting judge or court pursuant to the *Criminal Code* from operating a motor vehicle; and
- (b) the period of disqualification determined pursuant to subsection (2) or (2.1).

(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.

(2) Subject to subsection (2.1), for the purposes of clause (1)(b), the period of disqualification is:

- (a) in the case of a first conviction, the period that ends one year after the date of that conviction;
- (b) in the case of a second conviction, the period that ends three years after the date of that conviction;
- (c) in the case of a third conviction, the period that ends five years after the date of that conviction;

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(d) in the case of a fourth or subsequent conviction, the period that ends five years after the date of that conviction.

(2.1) The period of disqualification for prescribed offences is indefinite.

(3) If a resident is convicted of an offence pursuant to the *Criminal Code* within Saskatchewan, the convicting court shall:

(a) secure the driver's licence, if any, from the person and immediately forward it to the administrator;

(b) notify the person that:

(i) his or her driver's licence is immediately cancelled;

(ii) his or her ability to secure a licence is immediately suspended;

(iii) he or she is disqualified from driving a motor vehicle on a public highway until the period of suspension determined by the administrator pursuant to this Act has expired and he or she lawfully obtains a driver's licence pursuant to this Act; and

(iv) the period of disqualification imposed pursuant to this Act is distinct from any prohibition imposed pursuant to the *Criminal Code* or any other Act or law;

(c) forward to the administrator particulars of the conviction.

(4) If a person is disqualified from driving for an offence other than an offence pursuant to the *Criminal Code*, the person's driver's licence is suspended as of the date indicated by the administrator in a letter of disqualification sent to the person for the period mentioned in subsection (2) or (2.1).

1986, c.V-2.1, s.74; 1996, c.29, s.28; 1998, c.43, s.6; 2000, c.33, s.17; 2004, c.32, s.20

Same

75 Where a person is convicted for a contravention of any of the provisions of the *Criminal Code* set out in clause 71(c) arising out of the operation, care or control of a water vessel or aircraft and the convicting judge or court makes an order that in whole or in part prohibits the person from operating a motor vehicle:

(a) the driver's licence, if any, of the person is cancelled;

(b) the ability of the person to secure a driver's licence is suspended; and

(c) the person is prohibited from applying for or obtaining a driver's licence;

during the period of the prohibition against driving a motor vehicle set out in the order.

1986, c.V-2.1, s.75.

Non-residents

76(1) Where a non-resident is convicted in Saskatchewan of an offence, the administrator may:

(a) by order, prohibit that person from driving any motor vehicle on a highway in Saskatchewan for the appropriate period of time as described in section 74; and

- (b) notify the proper authorities of the jurisdiction in which the person resides of the conviction and of any order made pursuant to clause (a).
- (2) The administrator shall cause notice of an order made pursuant to subsection (1) to be served on the person affected by it and, on the service of the notice, the person is disqualified from driving a motor vehicle on a highway in Saskatchewan according to the terms of the order.

1986, c.V-2.1, s.76.

Effect of appeal

77(1) Where a person launches an appeal against, or makes an application for the issue of a prerogative writ with respect to, a conviction for an offence committed anywhere in Canada, his disqualification from driving a motor vehicle on a highway remains in force, unless:

- (a) if the conviction occurred in Saskatchewan, the judge or court hearing the appeal or application orders otherwise; or
 - (b) if the conviction occurred outside Saskatchewan, a judge of Her Majesty's Court of Queen's Bench for Saskatchewan orders otherwise.
- (1.1) Where pursuant to subsection (1) a judge or court orders that the disqualification from driving a motor vehicle on a highway not remain in force, the judge or court shall notify the administrator of the order.
- (2) On receipt of a certified copy of an order made by a judge or court under subsection (1), the administrator shall return the driver's licence to the person.
- (3) Where a judge or court has made an order under subsection (1) and the appeal is dismissed or the application for the issue of a prerogative writ is denied:
- (a) the application of section 74 is immediately revived, and the period of time during which the application of that section was stayed is not included in determining the time when the period for which the disqualification from driving terminates; and
 - (b) the person shall immediately forward his driver's licence to the administrator.
- (4) Where the conviction of a person for an offence is set aside on appeal or quashed, his disqualification from driving is terminated and the administrator shall, if it has not already done so, on receipt of a certified copy of the order of the judge or court setting aside or quashing the conviction, return the driver's licence to the person.

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(5) Where, pursuant to an appeal, a new trial is ordered and subsequently a conviction is entered, the period of disqualification as described in section 74 is deemed to include any period of disqualification in force following the conviction from which the appeal was taken prior to the issue of an order pursuant to subsection 77(1) or for a new trial.

1986, c.V-2.1, s.77; 1996, c.29, s.29.

Driving while disqualified

78 A person is disqualified from driving a motor vehicle on a highway:

- (a) while he is disqualified from driving a motor vehicle on a highway pursuant to section 74, 75, 76 or 78.2;
- (b) while, pursuant to section 21 or 22, clause 22.1(2)(a), subsection 23(2), clause 23(3)(a), subsection 23(4) or (5), or section 23.01, 23.02 or 71.1, the person's driver's licence is suspended or revoked by the administrator, the person is prohibited from applying for a driver's licence or the administrator refuses to issue a driver's licence to that person; or
- (c) while his permit or licence or his ability to secure a permit or licence to drive a motor vehicle in any other territory or province in Canada, or any state of the United States of America, is suspended, cancelled or revoked in accordance with the law of that territory or province in Canada or state of the United States of America, as the case may be.

1986, c.V-2.1, s.78; 1996, c.29, s.30; 1998, c.43, s.7; 2002, c.25, s.9.

Breath sample

78.1(1) For the purposes of this section and sections 78.2 to 78.4:

- (a) **Repealed.** 2000, c.33, s.18.
 - (b) **“new driver”** means a new driver as defined in the regulations.
- (2) Where a peace officer reasonably suspects that a new driver who is driving has alcohol in his or her body, the peace officer, by demand made to the new driver, may require him or her to:
- (a) provide one or more samples of his or her breath that, in the opinion of the person taking the samples, are necessary to enable a proper analysis to be made by any device prescribed in the regulations; and
 - (b) accompany the peace officer for the purpose of enabling the samples to be taken.
- (3) A sample of breath may be taken by any person or member of a class of persons prescribed in the regulations.
- (4) A sample of breath may be analyzed by any device prescribed in the regulations when operated by a person or member of a class of persons prescribed in the regulations.

1996, c.29, s.31; 2000, c.33, s.18.

Order of suspension or disqualification

78.2(1) A peace officer shall do any of the things set out in subsection (2) where the peace officer has reasonable grounds to believe that a new driver:

- (a) drove a vehicle having consumed any amount of alcohol;
 - (b) failed or refused, without reasonable excuse, to comply with a demand made pursuant to section 254 of the *Criminal Code*; or
 - (c) failed or refused, without reasonable excuse, to comply with a demand made pursuant to section 78.1.
- (2) The peace officer:
- (a) in the case of a new driver who holds a driver's licence, shall seize and take possession of the driver's licence and issue and serve on the new driver an order of suspension to be effective immediately;
 - (b) in the case of a new driver who holds a permit or licence to drive a motor vehicle issued other than pursuant to this Act, shall issue and serve on the new driver an order of disqualification to be effective immediately;
 - (c) in the case of a new driver who does not hold a driver's licence, or any other permit authorizing the new driver to drive a motor vehicle, shall issue and serve on the new driver an order of disqualification to be effective immediately.
- (3) A peace officer who issues an order pursuant to subsection (2) shall immediately forward the following items to the administrator:
- (a) any driver's licence that the peace officer seized and took possession of;
 - (b) a copy of any order issued by the peace officer;
 - (c) any other documents or reports that may be prescribed in the regulations.
- (4) Any order of suspension, order of disqualification or document or report mentioned in subsection (3) that is issued or prepared pursuant to this section is to be in the prescribed form, contain the prescribed information and be completed in the prescribed manner.
- (5) An order of suspension issued pursuant to this section with respect to a new driver is effective notwithstanding that a peace officer is unable for any reason to take possession of a driver's licence.
- (6) Unless otherwise ordered on a review pursuant to section 78.3, any order of suspension issued pursuant to this section:
- (a) suspends the driver's licence of the new driver named in the order;
 - (b) disqualifies the new driver named in the order from applying for or holding a driver's licence; and
 - (c) disqualifies the new driver named in the order from driving a motor vehicle on a highway.
- (7) An order of suspension issued pursuant to this section expires 30 days from the date of the order of suspension.

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(8) Unless otherwise ordered on a review pursuant to section 78.3, any order of disqualification issued pursuant to this section:

- (a) disqualifies the new driver named in the order from applying for or holding a driver's licence; and
- (b) disqualifies the new driver named in the order from driving a motor vehicle on a highway.

(9) An order of disqualification issued pursuant to this section expires 30 days from the date of the order of disqualification.

1996, c.29, s.31; 2000, c.33, s.19.

When new driver may apply for a review of suspension or disqualification

78.3(1) A new driver may apply for a review by the board of an order of suspension or order of disqualification issued pursuant to section 78.2.

(2) The sole issue before the board on a review pursuant to this section is whether the board is satisfied that:

- (a) the new driver drove a vehicle having any alcohol in his or her body;
- (b) the new driver failed or refused, without reasonable excuse, to comply with a demand made pursuant to section 254 of the *Criminal Code*; or
- (c) the new driver failed or refused, without reasonable excuse, to comply with a demand made pursuant to section 78.1.

(3) Section 71.2 applies, with any necessary modification, to a review pursuant to this section.

2004, c.32, s.21.

Evidence on hearing

78.4(1) In this section:

- (a) **“blood sample”** means a blood sample of a new driver obtained pursuant to section 254 or 256 of the *Criminal Code*;
- (b) **“breath sample”** means a breath sample of a new driver obtained pursuant to:
 - (i) section 254 of the *Criminal Code*; or
 - (ii) section 78.1 of this Act;
- (c) **“certificate”** means:
 - (i) a certificate of a person designated pursuant to section 254 of the *Criminal Code* stating that he or she has made an analysis of the breath or blood sample of the new driver and stating the result of that analysis;
 - (ii) a certificate mentioned in section 258 of the *Criminal Code*; or

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(iii) a certificate of a person described in subsection 78.1(4) of this Act stating that he or she has made an analysis of the breath sample of the new driver and stating the result of that analysis.

(2) In a hearing pursuant to section 78.3, a certificate is proof, in the absence of evidence to the contrary, of:

(a) the amount of alcohol in the new driver's blood at the time he or she was driving, if the breath or blood sample was taken as soon as was practicable after the time when the driving was alleged to have been committed and in any event no 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.

1996, c.29, s.31.

Sections 78.3 and 78.4 apply

78.5 Sections 78.3 and 78.4 apply, with any necessary modification, to a driver whose driver's licence has been suspended pursuant to section 91 of *The Highway Traffic Act*.

1998, c.43, s.8.

PART IX

Offences, Evidence and Penalties

Liability of owner and operator

79(1) The holder of a certificate of registration or registration permit of a motor vehicle, trailer or semi-trailer is liable for a violation of this Act or the regulations, unless he proves to the satisfaction of the court that at the time of the offence the vehicle was not being operated by him, nor by any other person with his consent, express or implied.

(2) Where, at the time of a violation of any provision of this Act or the regulations relating to the operation of a vehicle, trailer or semi-trailer, the vehicle was not being operated by the holder of the certificate of registration or registration permit of the vehicle, nor by any other person with his consent, the person in charge of the vehicle is liable for the violation, unless he proves to the satisfaction of the court that the vehicle was not being operated by him, nor by any other person with his consent, express or implied.

(3) Where an order has been made under section 6 of *The Family Property Act* with respect to a motor vehicle, the spouse in whose favour the order is made is deemed to be the owner for the purposes of this section, and the duties and responsibilities of an owner imposed by this Act thereupon devolve on that spouse.

(4) Where an application is made by an agent, this section applies to the person making the application as well as to the person on whose behalf the application is made.

1986, c.V-2.1, s.79; 2001, c.51, s.11.

c. V-2.1**VEHICLE ADMINISTRATION****General offence and penalty**

80 Any person who contravenes any provision of this Act, other than sections 16.1, 78.1 and 78.2, or the regulations for which no other penalty is specifically provided, or who disobeys an order of the administrator, is guilty of an offence and liable on summary conviction:

- (a) in the case of an individual, to a fine of not more than \$1,000;
- (b) in the case of a corporation, to a fine of not more than \$2,000.

1986, c.V-2.1, s.80; 1996, c.29, s.32; 2003, c.29, s.82.

Documents

81 Every document purporting to be signed on behalf of the administrator is admissible in evidence as prima facie proof of the facts stated in the certificate without proof of the signature or official character of the person purporting to have signed the document.

1986, c.V-2.1, s.81.

Suspension, etc., of certificate and permits

82 The certificate of the administrator signed on behalf of the administrator that a certificate of registration, certificate or permit has been suspended or revoked or refused and that notice of the suspension, revocation or refusal was given is admissible in evidence as prima facie proof of the facts stated in the certificate, without proof of the signature or official character of the person purporting to have signed the certificate.

1986, c.V-2.1, s.82.

Approved or prescribed devices

83 The certificate of the administrator signed on behalf of the administrator that a vehicle safety item does or does not meet the design or performance specifications prescribed pursuant to clause 48(1)(a) is admissible in evidence as prima facie proof of the facts stated in the certificate, without proof of the signature or official character of the person purporting to have signed the certificate.

1986, c.V-2.1, s.83; 1993, c.17, s.26.

Standards, specifications, etc.

84 The certificate of the administrator signed on behalf of the administrator that a copy of a standard or specification mentioned in this Act or the regulations is a true copy of the standard or specification is admissible in evidence as prima facie proof of the facts stated in the certificate, without proof of the signature or official character of the person purporting to have signed the certificate.

1986, c.V-2.1, s.84.

Evidence of records

85 Where, in a prosecution for a violation of any provision of this Act or the regulations a record kept by the administrator or any portion of the record is admissible in evidence, a copy of the record or portion of the record certified on behalf of the administrator to be a true copy, is admissible in evidence as prima facie proof of the record, without proof of the signature or official character of the person purporting to have signed the certificate.

1986, c.V-2.1, s.85.

Evidence of authority of traffic officer

86 In a prosecution under this Act, the fact that a person purports to act as a traffic officer is prima facie proof of his appointment and authority so to act.

1986, c.V-2.1, s.86.

Examination and tests of vehicles

87(1) A person appointed by the administrator may order the driver or owner of a vehicle to submit the vehicle or any combination of vehicles, to any examination and tests that such person considers necessary.

(2) If, in the opinion of a person appointed by the administrator, the vehicle or combination of vehicles is found to be unfit for transportation or dangerous to passengers or the public, he may:

- (a) order the driver or the owner of the vehicle to have the vehicle placed in a safe condition; and
- (b) order that the vehicle be removed from the highway until it is safe for transportation.

(3) Every occupant of a vehicle which is being examined or tested pursuant to this Act shall, when requested, provide reasonable assistance to the person who is conducting the examination.

1986, c.V-2.1, s.87.

Books and records

88(1) Every person required by this Act to keep records, books or accounts shall retain the record, books or accounts for a period of at least one year from the date of the last entry in them.

(2) All records, books, accounts or documents required by this Act or the regulations to be kept are at all times during business hours to be open to the inspection of the administrator, its appointed representative or a peace officer.

(3) No person shall refuse to allow the administrator, its representatives or a peace officer access to any records, books, accounts or documents described in subsection (2) or to produce them for inspection when requested to do so.

c. V-2.1**VEHICLE ADMINISTRATION**

(4) The administrator, its appointed representatives or a peace officer, conducting an inspection as described in subsection (2) or (3) may seize any record, book, account, document or other thing on or in which information is written, recorded, stored or reproduced which is considered necessary to ascertain whether this Act or the regulations are being complied with and may use them as evidence.

(5) When a seizure is made pursuant to subsection (4) the administrator, its appointed representative or a peace officer shall, within 14 days, supply the person from whom the seizure was made or an employee of the company, with a complete copy or return the seized item.

(6) Where the administrator, its appointed representative or a peace officer is denied:

- (a) access to; or
- (b) the right to seize;

any records, books, accounts or documents described in subsection (2), a judge of the Provincial Court of Saskatchewan may, on being satisfied on the oath of such a person that such access or right is required for the purpose of enforcing this Act or the regulations, issue a warrant to that person to:

- (c) enter the place where the records, books, accounts or documents are located; and
- (d) seize and remove any such records, books, accounts or documents or other thing on or in which information is written, recorded, stored or reproduced.

(7) Where an inspection is being conducted pursuant to this section, no person shall conceal or destroy any record, book, account, document or other thing relevant to the subject matter of the inspection or investigation.

1986, c.V-2.1, s.88.

PART X

Disposition of Fees

Fees

89(1) Subject to subsection (2), the administrator shall pay over to the general revenue fund:

- (a) fees collected pursuant to this Act and the regulations for:
 - (i) drivers' licences;
 - (ii) certificates of registration; and
 - (iii) permits; and
- (b) any moneys designated by the Lieutenant Governor in Council.

- (2) The administrator shall retain:
- (a) administrative fees for the issue of personalized licence plates;
 - (b) driver testing and examination fees;
 - (c) fees for accident reports;
 - (d) fees for driver abstracts; and
 - (e) any moneys designated by the Lieutenant Governor in Council.

1986, c.V-2.1, s.89; 2004, c.10, s.17.

PART XI

Reinstatement

Reinstatement of driver's licence

90(1) Notwithstanding Part VIII and subject to the terms and conditions prescribed in the regulations:

- (a) the administrator; or
- (b) the board;

may authorize the issue of a driver's licence, on payment of the fee prescribed pursuant to *The Highway Traffic Act*, subject to any restrictions or endorsements the administrator or the board, as the case may be, considers necessary to place on the licence.

(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.

(2) An application to the administrator or the board pursuant to this section may be made only on the prescribed conditions.

1986, c.V-2.1, s.90; 2000, c.33, s.21.

90.1 Repealed. 2004, c.32, s.22.

Reinstatement of driver's licence – sections 23.01 and 23.02

90.2(1) Notwithstanding sections 23.01 and 23.02, the administrator may issue a driver's licence to a person whose licence has been suspended pursuant to one of those sections and who has applied for a licence, subject to any terms and conditions that may be prescribed in the regulations.

(2) An application pursuant to this section may only be made on the prescribed conditions.

1996, c.29, s.33.

When appeals of administrator's decision may be made to the board

91(1) A person who is aggrieved by a decision of the administrator pursuant to any of the following provisions may appeal the administrator's decision to the board:

- (a) section 19;
 - (b) subsection 21(4) or (5);
 - (c) section 21.1;
 - (d) section 22;
 - (e) section 22.1;
 - (f) clause 23(1.1)(c);
 - (g) subsection 27(1);
 - (h) subsection 29(8);
 - (i) subsection 35(1);
 - (j) subsection 36(1);
 - (k) subsection 45(5) or (5.1);
 - (l) section 51;
 - (m) section 56;
 - (n) subsection 76(1);
 - (o) subsection 93(2).
- (2) If a provision of the regulations states that this section applies, a person who is aggrieved by a decision of the administrator pursuant to that provision may appeal to the board.
- (3) An appeal to the board must:
- (a) be in writing;
 - (b) be filed with the board within the prescribed time allowable for an appeal; and
 - (c) be accompanied by any prescribed fee.
- (4) If an appeal based on a decision pursuant to section 21, 21.1 or 22 concerns the requirement by the administrator that a driver obtain periodic medical reports or have periodic medical or vision examinations, the sole issue on appeal is the frequency of the reports or examinations and not the requirement to obtain the reports or have the examinations.
- (5) Unless otherwise specified in the regulations, the board, on appeal, may uphold, reverse or vary the administrator's original decision.
- (6) Notwithstanding any other Act or law, until the board issues its decision on an issue under appeal, an appeal to the board does not stay the administrator's original decision.
- (7) A decision of the board is final and is not subject to appeal.

PART XII

General

Reports of convictions

92 Every judge or justice of the peace who convicts a person of a violation of this Act or the regulations shall immediately forward to the administrator particulars of the conviction.

1986, c.V-2.1, s.92.

Reports of dealers

93(1) Every dealer shall, within the first five days of every month, forward to the administrator a statement signed by him, giving full particulars of all motor vehicles, whether new or second-hand, sold and delivered by him in Saskatchewan during the preceding month, or declaring that he has sold none during that period, and in the former case the statement shall contain, in addition to any further particulars required by the administrator, the name and address of the purchaser of each vehicle.

(2) The administrator may suspend or revoke a dealer's certificate for non-compliance with subsection (1).

1986, c.V-2.1, s.93.

Medical reports

94(1) Any legally qualified medical practitioner shall report to the administrator the name, address and clinical condition of every person who is 15 years of age or over attending on the medical practitioner for medical services and who, in the opinion of the medical practitioner, is suffering from a condition that will make it dangerous for him to operate a vehicle.

(1.1) Any optometrist shall report to the administrator the name, address and clinical condition of every person who is 15 years of age or over attending on the optometrist for services usually rendered by an optometrist and who, in the opinion of the optometrist, is suffering from a condition that will make it dangerous for that person to operate a vehicle.

(2) No action may be brought against a medical practitioner or an optometrist who makes a report in good faith in accordance with subsection (1) or (1.1).

(3) A report made pursuant to this section is privileged for the information of the administrator only, is not open to public inspection, and is not admissible in evidence in any trial, except to show that the report was made in good faith in accordance with this section.

1986, c.V-2.1, s.94; 1996, c.29, s.35.

Service of documents

95(1) Unless otherwise stated, any document to be given or served in connection with the administration of this Act or the regulations may be served personally or mailed by ordinary or registered mail to the last known address of the person to be served.

c. V-2.1**VEHICLE ADMINISTRATION**

(2) A document served by ordinary or registered mail is deemed to have been received on the tenth day following the day of its mailing, unless the person to whom it was mailed establishes that, through no fault of his own, he did not receive the document or that he received it at a later date.

1986, c.V-2.1, s.95; 1996, c.29, s.36.

False statements

96 No person shall, in any verbal information, report or document required for the purposes of this Act, make a statement false in any material particular.

1986, c.V-2.1, s.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.

2000, c.33, s.23.

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;
- (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.

c. V-2.1**VEHICLE ADMINISTRATION**

(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.

2000, c.33, s.24.

PART XIII**Transitional and Coming into Force****Employees**

98 Without limiting the generality of section 24 of *The Public Service Act, 1998*, the chairperson of the public service commission may transfer or second an employee from a position in a department as defined in that Act to the administrator with the approval of the administrator.

1998, c.P-42.1, s.42.

Transitional

99(1) A licence, permit or certificate of registration issued pursuant to *The Vehicles Act, 1983* or *The Snowmobile Act* that is valid and subsisting on the day before the day on which this Act comes into force continues to be valid and subsisting until the expiration date shown on the licence, permit or certificate of registration, as the case may be, unless it is sooner suspended, revoked or cancelled pursuant to this Act.

(2) Where, on the day before the day on which this Act comes into force, a licence, permit or certificate of registration, or the ability to secure a licence, permit or certificate of registration, is suspended, revoked or cancelled pursuant to *The Vehicles Act, 1983* or *The Vehicles Act* the length of time during which the suspension, revocation or cancellation remains in force shall be determined in accordance with the Act pursuant to which the suspension, revocation or cancellation was made.

1986, c.V-2.1, s.99.

**Editorial Appendix
(Amendments)**

The following table contains amendments to be proclaimed and/or effective at a future date, as follows: (Please consult Tables of Saskatchewan Statutes and Regulations for complete historical/archival information on this publication)

Amending Year	Chapter	Section	Effective
2004	c.32	s.11, 16, 24	nyp

