

2016 Bill 36

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Second Session, 29th Legislature, 65 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 36**

**AN ACT TO ENHANCE  
OFF-HIGHWAY VEHICLE SAFETY**

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THE MINISTER OF TRANSPORTATION

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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## BILL 36

2016

### AN ACT TO ENHANCE OFF-HIGHWAY VEHICLE SAFETY

(Assented to \_\_\_\_\_, 2016)

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

**Amends RSA 2000 cT-6**

**1 The *Traffic Safety Act* is amended by this Act.**

**2 Section 128(a) is repealed.**

**3 The following is added after section 128:**

**Safety helmets**

**128.1(1)** In this section, “safety helmet” means a helmet that  
complies with the regulations.

**(2)** Except as otherwise permitted under this Act, a person shall  
not drive, operate, ride in or on or be towed by an off-highway  
vehicle unless the person is properly wearing a safety helmet.

**(3)** Subsection (2) does not apply to the driving or operation of,  
riding in or on, or being towed by, an off-highway vehicle on

## Explanatory Notes

**1** Amends chapter T-6 of the Revised Statutes of Alberta 2000.

**2** Section 128(a) presently reads:

*128 The council of a municipality may make bylaws that are not inconsistent with this Act, doing the following:*

*(a) requiring persons driving or otherwise riding on or in an off-highway vehicle to wear helmets;*

**3** Safety helmets.

- (a) land within an Indian reserve,
- (b) land within a Metis settlement, or
- (c) land referred to in section 119(2)(a) or (b).

(4) Subsection (2) does not apply to a person performing farming or ranching work where the person is not required under the *Occupational Health and Safety Act* or a regulation or code of rules made under that Act to wear a helmet while driving, operating, riding in or on, or being towed by, a vehicle that is an off-highway vehicle during the performance of that work.

**4 Section 129 is amended by adding the following after clause (b):**

- (c) respecting the use of helmets used in connection with the driving or operation of, riding in or on, or being towed by, off-highway vehicles;
- (d) respecting standards to be met by helmets used in connection with the driving or operation of, riding in or on, or being towed by, off-highway vehicles;
- (e) exempting or providing for the granting of exemptions from section 128.1(2) or the regulations made under clause (c) of persons or classes of persons driving, operating, riding in or on, or being towed by, off-highway vehicles;
- (f) respecting the sale of helmets intended to be used in connection with the driving or operation of, riding in or on, or being towed by, off-highway vehicles.

**5 Section 157(1)(a) is amended by adding “128.1(2),” after “126,”.**

**4** Section 129 presently reads:

*129 The Minister may make regulations*

- (a) governing the driving and operation of off-highway vehicles;*
- (b) exempting vehicles from being off-highway vehicles.*

**5** Section 157(1) presently reads in part:

*157(1) A person is guilty of an offence who contravenes or fails to comply with one or more of the following:*

- (a) section 51, 52(1), 53, 54(1), 61(2), 65, 66(5), 68(2), 69(1), 69(2), 69(3), 69(4), 69(5), 69(6), 70, 71, 76(1), 80, 90(3), 94(2), 111, 115(2), 115.1, 115.2, 115.3, 115.4, 119(1),*

**6 This Act comes into force on Proclamation.**

*120(2), 120(3), 121, 123(2), 123(3), 126, 131(1), 137, 138,  
140(1), 145, 147, 166(2), 166(3), 166(4), 173(5), 176(2), 183  
or 188;*

**6** Coming into force.

**RECORD OF DEBATE**

Stage	Date	Member	From	To
		<b>Questions and Comments</b>	<b>From</b>	<b>To</b>
Stage	Date	Member	From	To
		<b>Questions and Comments</b>	<b>From</b>	<b>To</b>
Stage	Date	Member	From	To
		<b>Questions and Comments</b>	<b>From</b>	<b>To</b>
Stage	Date	Member	From	To
		<b>Questions and Comments</b>	<b>From</b>	<b>To</b>