

Chapter 20

AN ACT TO AMEND THE MOTOR VEHICLES ACT

(Assented to June 8, 2017)

The Commissioner of Nunavut, by and with the advice and consent of the Legislative Assembly, enacts as follows:

1. **This Act amends the *Motor Vehicles Act*.**
2. **The Act is renamed the *Traffic Safety Act*.**
3. **(1) Section 1 is amended by striking out the definition of "bicycle" and substituting the following:**

"bicycle" means a device having any number of wheels upon which a person sits astride and which is propelled by human muscular power through the use of pedals; (*bicyclette*)

- (2) Section 1 is amended by striking out the definition of "centre line" and substituting the following:**

"centre line", except on a one way roadway, means

- (a) the centre of a roadway, indicated by a line or measured from the curbs, or in the absence of curbs, measured from the edges of a roadway,
- (b) where on a laned roadway there are more lanes available for traffic in one direction than the other direction, the line dividing the lanes for traffic in different directions; (*axe médian*)

- (3) Section 1 is amended in the definition of "commercial vehicle" by striking out the comma after "purposes" and by striking out "but does not include a public service vehicle".**

- (4) Section 1 is amended by striking out the definition of "construction vehicle" and substituting the following:**

"construction vehicle" means any vehicle not designed or used primarily for the transportation of persons or property, including road construction or maintenance machinery, ditch-digging apparatus, well-boring apparatus, concrete mixers and any other vehicle of the same general class, that is incidentally operated or moved over any highway; (*véhicule de construction*)

- (5) Section 1 is amended by striking out the definition of "dealer" and substituting the following:**

"dealer" means a person who carries on the business as principal or agent, or who holds himself or herself out as carrying on the business as principal or agent,

- (a) of selling or leasing motor vehicles,
- (b) of buying motor vehicles for the purpose of resale or lease, or
- (c) of buying and selling motor vehicles or trailers, whether or not in combination with leasing them; (*concessionnaire*)

(6) Section 1 is amended by striking out the definition of "emergency vehicle" and substituting the following:

"emergency vehicle" means

- (a) a vehicle used by a peace officer in the course of his or her duties,
- (b) a vehicle used by a fire department,
- (c) a vehicle used by an ambulance service,
- (d) a vehicle used to respond to emergencies and operated under the authority of a government emergency organization, or
- (e) a vehicle not ordinarily used for emergency purposes that is operated by a volunteer, part-time or on-call fire-fighter or emergency medical responder for the purpose of responding to a fire, medical or other emergency; (*véhicule de secours*)

(7) Section 1 is amended by striking out the definition of "motorcycle" and substituting the following:

"motorcycle" means a motor vehicle, other than a moped, that is mounted on 2 or 3 wheels and includes those motor vehicles known in the automotive trade as motorcycles and scooters; (*motocyclette*)

(8) Section 1 is amended in the definition of "NSC vehicle" by striking out "or a public service vehicle".

(9) Section 1 is amended by striking out the definition of "pedestrian" and substituting the following:

"pedestrian" means a person on foot or in a wheelchair and includes a child in a carriage or carried by a person on foot or by a person in a wheelchair; (*piéton*)

(10) Section 1 is amended by striking out the definition of "public service vehicle".

(11) Section 1 is amended by striking out the definition of "traffic" and substituting the following:

"traffic" includes pedestrians, vehicles, ridden, driven or herded animals, and other conveyances; (*circulation*)

(12) Section 1 is amended in the definition of "vehicle" by striking out "an all-terrain vehicle or".

(13) Section 1 is amended by adding the following definitions in alphabetical order:

"designated accessible parking space" means a parking space designated as accessible by by-law made under Part XII; (*place de stationnement accessible désignée*)

"driving documentation" means any driver and vehicle information maintained by the Registrar; (*documentation relative à la conduite*)

"end-of-life fee" means an end-of-life fee that is payable and becomes due in accordance with the regulations; (*droits relatifs aux véhicules hors d'usage*)

"moped" means a vehicle which

- (a) has 2 tandem wheels or 3 wheels, each of which is more than 250 millimetres in diameter,
- (b) has a set or saddle having a minimum unladen height of 650 millimetres, when measured from the ground level to the top of the forwardmost part of the seat or saddle,
- (c) is capable of being driven at all times by pedals only if so equipped, by motor only, or by both pedals and motor, and
- (d) the motor has a piston displacement of not more than 50 cubic centimetres, or is an electric motor neither of which is capable of enabling the moped to attain a speed greater than 70 kilometres per hour; (*cyclomoteur*)

"novice driver" means a person who is named in a driver's licence that is categorized as a learner's driver's licence or a probationary driver's licence under the regulations; (*conducteur débutant*)

4. The following is added after section 1:

Outstanding end-of-life fee

1.1. For the purposes of this Act, any part of an end-of-life fee is not outstanding until it becomes due in accordance with the regulations.

5. The following is added after section 2:

Purpose of Act

2.1. The purpose of this Act is to improve traffic safety, and to protect the public by ensuring that the privilege of driving on a highway is only granted to, and retained by, those persons who demonstrate that they are able to drive safely.

6. The following is added after section 4:

Dealer

4.1. No person shall operate a business selling or leasing motor vehicles without a dealer's permit.

Dealer's permit

4.2. Any person who wishes to operate a business selling or leasing motor vehicles shall apply to the Registrar for a dealer's permit.

Requirements in regulations

4.3. The Registrar may issue a dealer's permit to a person if the person meets the requirements set out in the regulations for a dealer's permit.

Used vehicle information package

4.4. Every dealer who sells or leases or offers for sale or lease a used motor vehicle shall

- (a) provide, for inspection by the proposed purchaser or lessee, a valid used vehicle information package that contains the prescribed information in respect of the vehicle;
- (b) deliver the used vehicle information package to the purchaser or lessee at the time of the sale or lease of the vehicle; and
- (c) comply with the requirements set out in the regulations.

7. The following is added after subsection 9(2):

End-of-life

(3) Where the Registrar receives a notice referred to in subsection (1) and is satisfied that the motor vehicle cannot be put into an operable condition, the owner of the motor vehicle shall pay the full end-of-life fee for the vehicle, less any amounts previously paid.

8. Section 13 is amended by striking out "and" at the end of paragraph (e), striking out the period at the end of paragraph (f) and substituting "; and", and adding the following after paragraph (f):

- (g) the owner submits any outstanding end-of-life fee for the vehicle.

9. Section 19 is repealed and the following substituted:

Non-payment of fee

19. The Registrar may refuse to issue a certificate of registration to a person if the person owes any outstanding fees to the Registrar.

Non-payment of fine

19.1. The Registrar may refuse to issue a certificate of registration to an owner or dealer if

- (a) the owner or dealer has been required to pay a fine for contravening
 - (i) this Act or the regulations,
 - (ii) a by-law made under Part XII, or
 - (iii) equivalent motor vehicle legislation in another jurisdiction where there exists an agreement respecting reciprocal enforcement of fines between that jurisdiction and Nunavut; and
- (b) the time allowed for payment of the fine has passed and the fine has not been paid in full.

10. Section 23 is repealed and the following substituted:

Transfer by voluntary act

23. Where a certificate of registration expires under paragraph 21(2)(b) and the person named in the expired certificate has transferred ownership of the motor vehicle by a voluntary act,

- (a) the person named in the expired certificate shall, within 10 days,
 - (i) remove the licence plate attached to the motor vehicle,
 - (ii) submit the licence plate to the Registrar, and
 - (iii) sign the notice of transfer on the certificate of registration for the motor vehicle and give this notice to the new owner; and
- (b) the new owner shall, within 10 days of becoming the owner, submit the notice of transfer to the Registrar.

11. Section 28 is repealed and the following substituted:

Non-payment of fee

28. The Registrar may refuse to issue a registration permit to a person if the person owes any outstanding fees to the Registrar.

28.1. The Registrar may refuse to issue a registration permit to an owner or dealer if

- (a) the owner or dealer has been required to pay a fine for contravening
 - (i) this Act or the regulations,
 - (ii) a by-law made under Part XII, or
 - (iii) equivalent motor vehicle legislation in another jurisdiction where there exists an agreement respecting reciprocal enforcement of fines between that jurisdiction and Nunavut; and
- (b) the time allowed for payment of the fine has passed and the fine has not been paid in full.

12. Section 32 is repealed and the following substituted:

Requirements for in transit permit

32. The Registrar may not issue an in transit permit to an owner of a motor vehicle or a dealer unless the owner or dealer

- (a) satisfies the Registrar that
 - (i) the motor vehicle is not registered in a jurisdiction other than Nunavut, and
 - (ii) there is no valid certificate of registration for the vehicle that entitles the holder to a licence plate;
- (b) satisfies the Registrar, in accordance with the regulations,
 - (i) in the case of a dealer, that he or she is a dealer, or
 - (ii) in the case of an owner, that he or she is the owner and that the motor vehicle will not be used as a commercial vehicle;
- (c) submits a completed in transit form;
- (d) submits the prescribed fee; and
- (e) in the case of an owner, submits a certificate issued under subsection 38(1), an insurance card or written proof satisfactory to the Registrar that the owner has obtained a motor vehicle liability policy that complies with the *Insurance Act* for the motor vehicle or, in the case of a dealer, satisfies the Registrar that the motor vehicle, when operated in the course of the business of the dealer, will be covered by a motor vehicle liability policy that complies with the *Insurance Act*.

13. Section 33 is repealed and the following substituted:

Non-payment of fee

33. The Registrar may refuse to issue an in transit permit to a person if the person owes any outstanding fees to the Registrar.

Non-payment of fine

33.1. The Registrar may refuse to issue an in transit permit to an owner or dealer if

- (a) the owner or dealer has been required to pay a fine for contravening
 - (i) this Act or the regulations,
 - (ii) a by-law made under Part XII, or
 - (iii) equivalent motor vehicle legislation in another jurisdiction where there exists an agreement respecting reciprocal enforcement of fines between that jurisdiction and Nunavut; and
- (b) the time allowed for payment of the fine has passed and the fine has not been paid in full.

14. The following is added after section 35:

CONSTRUCTION VEHICLE PERMITS

Permit required to operate construction vehicle

35.1. No person shall operate a construction vehicle on a highway without a construction vehicle permit.

Construction vehicle permits

35.2. A construction vehicle permit authorizes the operation of a construction vehicle on a highway in accordance with the terms and conditions specified on the permit.

Requirements for construction vehicle permit

35.3. Subject to sections 35.4 and 35.5, the Registrar shall issue a construction vehicle permit to an owner of a construction vehicle if the owner

- (a) satisfies the Registrar, in accordance with the regulations, that he or she is the owner;
- (b) submits a completed construction vehicle form;
- (c) submits the prescribed fee; and
- (d) submits a certificate of financial responsibility issued under subsection 38(1), an insurance card or written proof satisfactory to the Registrar that the owner has obtained a motor vehicle liability policy that complies with the *Insurance Act* for the construction vehicle.

Non-payment of fee

35.4. The Registrar may refuse to issue a construction vehicle permit to a person if the person owes any outstanding fees to the Registrar.

Non-payment of fine

35.5. The Registrar may refuse to issue a construction vehicle permit to an owner or dealer if

- (a) the owner or dealer has been required to pay a fine for contravening
 - (i) this Act or the regulations,
 - (ii) a by-law made under Part XII, or
 - (iii) equivalent motor vehicle legislation in another jurisdiction where there exists an agreement respecting reciprocal enforcement of fines between that jurisdiction and Nunavut; and
- (b) the time allowed for payment of the fine has passed and the fine has not been paid in full.

Conditions of construction vehicle permit

35.6. The Registrar shall specify on a construction vehicle permit

- (a) the time, date and the locations between which the construction vehicle described on the permit may be operated; and
- (b) any other terms and conditions that the Registrar considers appropriate.

Prohibition

35.7. No person shall operate a construction vehicle on a highway under the authority of a construction vehicle permit except in accordance with the terms and conditions specified on the permit.

Display of construction vehicle permit

35.8. No person shall operate a construction vehicle on a highway under the authority of a construction vehicle permit unless,

- (a) where the construction vehicle is equipped with a windshield, the construction vehicle permit is displayed on the right side of the windshield; or
- (b) where the construction vehicle is not equipped with a windshield, the construction vehicle permit is carried by the driver of the vehicle.

Destruction of construction vehicle permit

35.9. A person operating a construction vehicle on a highway under the authority of a construction vehicle permit shall destroy the permit immediately after the construction vehicle permit has expired.

15. The following is added before section 39:

Government of Nunavut property

38.1. Every licence plate issued under this Act remains the property of the Government of Nunavut and any person in possession of a licence plate shall return it to the Registrar upon request of the Registrar in accordance with this Act.

16. The following is added after subsection 39(2):

Transfer within 45 days

(2.1) If the transfer of a licence plate under subsection (1) is not made within 45 days, the licence plate must be surrendered to the Registrar.

17. The following is added after section 49:

Parking plate

49.1. (1) The Registrar may, on payment of the prescribed fee, issue a parking plate to the owner of a motor vehicle in the following circumstances:

- (a) where a motor vehicle is the subject of a notice provided under subsection 287(3);

- (b) where a motor vehicle requires the repair, removal or addition of equipment or parts in order to be operable;
- (c) where the owner surrenders the licence plate and applies for a parking plate.

Expiration of parking plate

(2) A parking plate referred to in subsection (1) expires one year after it is issued and may be renewed annually.

Motor vehicle without parking plate

(3) No person shall park a motor vehicle on private or public property, and no owner or occupant of private property shall allow a motor vehicle to remain parked on the property, for a period of more than 60 consecutive days, unless a valid licence plate or parking plate is affixed to the motor vehicle.

Driving motor vehicle with parking plate

(4) No person shall operate a motor vehicle on a highway with a parking plate affixed.

18. Subsection 71(2) is repealed and the following substituted:

Requirements

(2) The Registrar may only issue a driver's licence to a person making an application under subsection (1) if

- (a) the period of suspension or cancellation has expired;
- (b) the Registrar is satisfied that he or she knows the facts on which the suspension or cancellation is based; and
- (c) based on the Registrar's knowledge of the facts,
 - (i) no suspension or cancellation could be made in Nunavut, or
 - (ii) the length of the suspension exceeds the maximum length that a similar suspension could be made in Nunavut.

19. Section 74 is repealed and the following substituted:

Non-payment of fee

74. The Registrar may refuse to issue a driver's licence to a person if the person owes any outstanding fees to the Registrar.

Non-payment of fine

74.01. The Registrar may refuse to issue a driver's licence to a person if

- (a) the person has been required to pay a fine for contravening
 - (i) this Act or the regulations,
 - (ii) a by-law made under Part XII, or
 - (iii) equivalent motor vehicle legislation in another jurisdiction where there exists an agreement respecting

- reciprocal enforcement of fines between that jurisdiction and Nunavut; and
- (b) the time allowed for payment of the fine has passed and the fine has not been paid in full.

20. Section 75 is repealed and the following substituted:

Registrar may authorize – theoretical examinations

75. (1) The Registrar may authorize a person to administer theoretical driving examinations.

Application for theoretical examination

(2) An examiner, or a person authorized under subsection (1), shall administer a theoretical driving examination for a class of driver's licence to a person where that person

- (a) submits a completed application;
- (b) satisfies the examiner, or the person authorized under subsection (1), that he or she has attained the prescribed age for the class of driver's licence applied for;
- (c) submits a valid driver's licence of the prescribed class, if any, issued in his or her name, for taking the examination applied for; and
- (d) submits the prescribed fee.

Application for practical examination

(3) An examiner shall administer a practical driving examination for a class of driver's licence to a person where that person

- (a) submits a completed application;
- (b) satisfies the examiner that he or she has attained the prescribed age for the class of driver's licence applied for;
- (c) submits a valid driver's licence issued in his or her name of the prescribed class, if any, for taking the examination applied for; and
- (d) submits the prescribed fee.

Exemption

(4) Subsections (2) and (3) do not apply to an examination referred to in subsection 104(4) or 105(1).

21. Section 76 is repealed and the following substituted:

Oral theoretical examination

76. (1) Where an examiner or a person authorized under subsection 75(1) is satisfied that an applicant for a theoretical examination is incapable of writing a written theoretical examination, the examiner or person authorized under subsection 75(1) may administer an oral theoretical examination in place of a written theoretical examination.

Theoretical examination – interpreter

(2) Where an examiner or a person authorized under subsection 75(1) is satisfied that an applicant for a theoretical examination requires the assistance of an interpreter to complete the examination, the examiner or authorized person may require the examination to be conducted with the assistance of an interpreter approved by the examiner or authorized person.

Practical examination – interpreter

(3) Where an examiner is satisfied that an applicant for a practical examination requires the assistance of an interpreter to complete the examination, the examiner may require the examination to be conducted with the assistance of an interpreter approved by the examiner.

Assistance by interpreter

(4) No interpreter referred to in subsections (2) or (3) shall provide the person being examined with an answer to a question on an examination.

22. The following is added after section 83:

Reinstatement or issuance of driver's licence after driving suspension

83.1. (1) A person who has been subject to a driving suspension either under this Act or by court order may apply for issuance or reinstatement of a driver's licence after the period of suspension has expired.

Conditions for reinstatement or issuance of driver's licence

(2) The Registrar may require a person referred to in subsection (1) to undergo a program prescribed under this Act, or established by or prescribed under any other Act, before a driver's licence can be issued or reinstated.

Availability of services

(3) In making a requirement under subsection (2), the Registrar shall consider the extent to which programs are available in the community in which the person resides.

Costs

(4) The person who is required to undergo a program under subsection (2) shall pay the fee associated with the program.

Requirement to satisfy conditions

(5) The Registrar shall not reinstate a person's driver's licence or issue a driver's licence to a person who is required to complete a program under subsection (2) unless the person has completed the program.

Fees

(6) A person whose driver's licence is suspended under subparagraph 116.1(2)(a)(ii) or paragraph 116.2(2)(b) or 116.3(2)(b) shall pay the prescribed fees before the Registrar may issue or reinstate a driver's licence to the person.

23. Subsection 94(2) is repealed and the following substituted:

Registrar to return driver's licence

(2) Where the Registrar receives a certified copy of an order issued under subsection (1) and the Registrar has received the driver's licence of the person who is the subject of the order, the Registrar shall return the licence or issue a new licence to that person.

24. Section 97 is repealed and the following substituted:

Effect of extraterritorial order – Canada

97. (1) Where the Registrar receives a certified copy of an order made under the *Criminal Code* or the *Youth Criminal Justice Act* (Canada) in respect of an offence under the *Criminal Code* by a judge or court from a jurisdiction other than Nunavut that prohibits a person who has been issued a driver's licence from operating a motor vehicle, the Registrar shall cancel the licence.

Effect of extraterritorial order – outside Canada

(2) Where the Registrar receives a certified copy of an order made in a jurisdiction outside Canada under a law that is substantially similar to an offence under section 253 or subsection 254(5) of the *Criminal Code* that prohibits a person from operating a motor vehicle, the Registrar shall cancel that person's licence.

Notice

(3) Where the Registrar cancels a driver's licence of a person under subsection (1) or (2), the Registrar shall send a notice to the person advising the person of the cancellation and the reason for the cancellation.

Duty after cancellation

(4) On receipt of a notice referred to in subsection (3), the person named in the driver's licence that is cancelled must, without delay, deliver or mail the licence to the Registrar.

25. Subsection 102(1) is repealed and the following substituted:

Non-payment of fine

102. (1) The Registrar may cancel a person's driver's licence if

- (a) the person has been required to pay a fine for contravening
 - (i) this Act or the regulations,
 - (ii) a by-law made under Part XII, or
 - (iii) equivalent motor vehicle legislation in another jurisdiction where there exists an agreement respecting reciprocal enforcement of fines between that jurisdiction and Nunavut; and

- (b) the time allowed for payment of the fine has passed and the fine has not been paid in full.

26. Subsection 111(1) is amended by striking out "two years" and substituting "five years".

27. The subheading "By Officers" immediately preceding section 116 is repealed and the subheading "Roadside Suspensions and Disqualifications" substituted.

28. Section 116 is repealed and the following substituted:

Definition – driver's licence

116. In this section and sections 116.1 to 116.5,

"driver's licence" includes a driver's licence issued under the laws of a jurisdiction other than Nunavut. (*permis de conduire*)

"novice driver" includes a person who holds a driver's licence issued as part of a graduated licensing program under the laws of a jurisdiction other than Nunavut. (*conducteur débutant*)

Novice driver with blood alcohol exceeding zero milligrams – power to demand sample

116.1. (1) A peace officer who reasonably suspects that a novice driver who has the care or control of a vehicle on a highway has alcohol in their body may, by demand made to the novice driver as soon as is practicable, require the novice driver

- (a) to stop and park the vehicle, if the vehicle is in operation;
- (b) to provide immediately, or as soon as is practicable, such samples of their breath as, in the opinion of the peace officer, are necessary to enable proper analysis to be made using an approved instrument as defined in the *Criminal Code* in order to determine whether alcohol is present in the novice driver's blood; and
- (c) to accompany the peace officer for the purpose of enabling such samples to be taken.

Surrender and suspension of novice driver's licence

(2) If, upon demand by a peace officer made under this section or under section 254 of the *Criminal Code*, a novice driver who is the operator of or has the care or control of a vehicle on a highway either provides a sample of breath or blood that, on analysis, produces a result indicating the presence of alcohol in a concentration that exceeds zero milligrams, or refuses to provide a sample of breath or blood, the peace officer shall, without delay,

- (a) for a novice driver under this Act,
 - (i) direct the novice driver to surrender his or her driver's licence,
 - (ii) suspend the driver's licence of the novice driver for a period of 30 days, and

- (iii) serve a notice of suspension on the novice driver; or
- (b) for a novice driver named in a valid driver's licence issued under the laws of a jurisdiction other than Nunavut,
 - (i) direct the novice driver to surrender his or her driver's licence,
 - (ii) disqualify the novice driver from operating a motor vehicle for a period of 30 days, and
 - (iii) serve a notice of disqualification on the novice driver.

Requirement to comply

(3) A novice driver shall comply with a direction of a peace officer made under this section.

Duties of peace officer – blood alcohol exceeding 50 milligrams

116.2. (1) A peace officer shall take the actions set out in subsections (2), (3) or (4), as the case may be, if, under the authority of section 254 of the *Criminal Code*, the peace officer receives a sample of

- (a) a driver's breath, which, on analysis by an approved instrument as defined in the *Criminal Code*, indicates that the concentration of alcohol in the driver's blood exceeds 50 milligrams of alcohol in 100 millilitres of blood; or
- (b) a driver's blood, which, on analysis, indicates that the concentration of alcohol in the driver's blood exceeds 50 milligrams of alcohol in 100 millilitres of blood.

Surrender and suspension of driver's licence

(2) If the person referred to in subsection (1) is named in a valid driver's licence issued under this Act, the peace officer shall

- (a) direct the person to surrender his or her driver's licence;
- (b) suspend the person's driver's licence
 - (i) for a period of 24 hours, if the person has not been subject to a previous suspension, disqualification or prohibition in Nunavut, a province, or another territory, or
 - (ii) for a period of 30 days, if the person has been subject to a previous suspension, disqualification or prohibition in Nunavut, a province, or another territory; and
- (c) serve a notice of suspension on the person.

Disqualification of extra-territorially licenced person

(3) If the person referred to in subsection (1) is named in a valid driver's licence issued under the laws of a jurisdiction other than Nunavut the peace officer shall

- (a) direct the person to surrender his or her driver's licence;
- (b) disqualify the person from operating a motor vehicle and from applying for or holding a driver's licence under this Act

- (i) for a period of 24 hours, if the person has not been subject to a previous suspension, disqualification or prohibition in Nunavut, a province, or another territory, or
- (ii) for a period of 30 days, if the person has been subject to a previous suspension, disqualification or prohibition in Nunavut, a province, or another territory; and
- (c) serve a notice of disqualification on the person.

Disqualification of unlicensed person

(4) If the person referred to in subsection (1) is not named in a valid driver's licence issued under this Act or under the laws of a jurisdiction other than Nunavut, the peace officer shall

- (a) disqualify the person from applying for or holding a driver's licence under this Act
 - (i) for a period of 24 hours, if the person has not been subject to a previous suspension, disqualification or prohibition in Nunavut, a province, or another territory, or
 - (ii) for a period of 30 days, if the person has been subject to a previous suspension, disqualification or prohibition in Nunavut, a province, or another territory; and
- (b) serve a notice of disqualification on the person.

Requirement to comply

(5) A driver shall comply with a direction of a peace officer made under this section.

Duties of peace officer – blood alcohol exceeding 80 milligrams

116.3. (1) A peace officer shall take the actions set out in subsections (2), (3) or (4), as the case may be, if, under the authority of section 254 of the *Criminal Code*, the peace officer receives a sample of

- (a) a driver's breath, which, on analysis by an approved instrument as defined in the *Criminal Code*, indicates that the concentration of alcohol in the driver's blood exceeds 80 milligrams of alcohol in 100 millilitres of blood; or
- (b) a driver's blood, which, on analysis, indicates that the concentration of alcohol in the driver's blood exceeds 80 milligrams of alcohol in 100 millilitres of blood.

Surrender and suspension of driver's licence

(2) If the person referred to in subsection (1) is named in a valid driver's licence issued under this Act, the peace officer shall

- (a) direct the person to surrender his or her driver's licence;
- (b) suspend the person's driver's licence
 - (i) for a period of 24 hours, if the person has not been subject to a previous suspension, disqualification or prohibition in Nunavut, a province, or another territory, or

- (ii) for a period of 90 days, if the person has been subject to a previous suspension, disqualification or prohibition in Nunavut, a province, or another territory; and
- (c) serve a notice of suspension on the person.

Disqualification of extra-territorially licenced person

(3) If the person referred to in subsection (1) is named in a valid driver's licence issued under the laws of a jurisdiction other than Nunavut the peace officer shall

- (a) direct the person to surrender his or her driver's licence;
- (b) disqualify the person from operating a motor vehicle and from applying for or holding a driver's licence under this Act
 - (i) for a period of 24 hours, if the person has not been subject to a previous suspension, disqualification or prohibition in Nunavut, a province, or another territory, or
 - (ii) for a period of 90 days, if the person has been subject to a previous suspension, disqualification or prohibition in Nunavut, a province, or another territory; and
- (c) serve a notice of disqualification on the person.

Disqualification of unlicensed person

(4) If the person referred to in subsection (1) is not named in a valid driver's licence issued under this Act or under the laws of a jurisdiction other than Nunavut, the peace officer shall

- (a) disqualify the person from applying for or holding a driver's licence under this Act
 - (i) for a period of 24 hours, if the person has not been subject to a previous suspension, disqualification or prohibition in Nunavut, a province, or another territory, or
 - (ii) for a period of 90 days, if the person has been subject to a previous suspension, disqualification or prohibition in Nunavut, a province, or another territory; and
- (b) serve a notice of disqualification on the person.

Requirement to comply

(5) A driver shall comply with a direction of a peace officer made under this section.

Documents sent to Registrar

116.4. A peace officer who imposes a suspension or disqualification under paragraphs 116.1(2)(a), 116.1(2)(b), 116.2(2)(b), 116.2(3)(b), 116.2(4)(a), 116.3(2)(b), 116.3(3)(b) or 116.3(4)(a) shall, within 24 hours of serving a notice of suspension or disqualification on a person, send the Registrar:

- (a) a report of the circumstances leading to and including the suspension or disqualification;
- (b) a copy of any notice of suspension or disqualification that was served on the person;

- (c) a copy of any certificate referred to in section 258 of the *Criminal Code*.

Review

116.5. (1) A person may request a review of a suspension or disqualification imposed under paragraphs 116.1(2)(a), 116.1(2)(b), 116.2(2)(b), 116.2(3)(b), 116.2(4)(a), 116.3(2)(b), 116.3(3)(b) or 116.3(4)(a), by submitting a notice of request for review and paying the prescribed fee to the Registrar within 10 days after being served with a notice of suspension or disqualification.

Registrar may conduct reviews

- (2) The Registrar may conduct reviews under this section.

Person not compellable

(3) A person who requests a review is not compelled to give evidence under this section.

Evidence considered

- (4) In a review under this section, the Registrar shall consider
 - (a) any relevant affidavit and any other relevant information; and
 - (b) the documents sent to the Registrar under section 116.4.

Natural justice

(5) The Registrar is bound by the rules of natural justice in conducting a review under this section.

Suspension or disqualification confirmed, varied or vacated

- (6) The Registrar shall, after conducting a review under this section,
 - (a) confirm a suspension or disqualification;
 - (b) vary a suspension or disqualification in order to correct an error; or
 - (c) vacate a suspension or disqualification.

Suspension or disqualification remains in effect

(7) A suspension or disqualification imposed under paragraphs 116.1(2)(a), 116.1(2)(b), 116.2(2)(b), 116.2(3)(b), 116.2(4)(a), 116.3(2)(b), 116.3(3)(b) or 116.3(4)(a) remains in effect notwithstanding the filing of a request for a review under this section.

29. Section 125 is repealed and the following substituted:

Equipment standards – owner

125. (1) The owner of a vehicle that is at any time upon a highway shall ensure that the vehicle is in safe operating condition and equipped as required under this Act and the regulations.

Equipment standards – operator

(2) No person shall operate a vehicle on a highway unless the vehicle is equipped in accordance with this Act and the regulations.

30. Section 145 is repealed.

31. Section 219 is amended by

- (a) **striking out "physically disabled person" and substituting "person with a disability" in paragraph (l);**
- (b) **striking out the period at the end of paragraph (l) and substituting a comma; and**
- (c) **adding the following after paragraph (l):**
 - (m) in a designated accessible parking space or in a manner that obstructs such a parking space.

32. The following is added after section 223:

Accessible parking permits

223.1. (1) The Registrar may issue an accessible parking permit to a person who meets the prescribed criteria.

Authorization

(2) An accessible parking permit authorizes a person to park in a designated accessible parking space.

Term

(3) An accessible parking permit is in force during the period of time shown on the permit.

Offence – accessible parking permit

223.2. No person shall

- (a) display an accessible parking permit that is counterfeit, altered or fraudulently obtained;
- (b) give, lend, sell or offer for sale an accessible parking permit or permit the use of it by another person who is not otherwise authorized to use such a permit;
- (c) fail or refuse to surrender an accessible parking permit if requested to do so by an officer; or
- (d) use an accessible parking permit to park in a designated accessible parking space, without meeting the prescribed criteria.

33. The following is added after section 239:

Electronic device

239.1. (1) No person shall drive a vehicle on a highway while holding or using a hand-held electronic device.

Hands-free mode allowed

(2) Despite subsection (1), a person may drive a vehicle on a highway while using, but not holding, a device described in that subsection in hands-free mode.

Exceptions

(3) Subsection (1) does not apply to the driver of an emergency vehicle.

Idem

(4) Subsection (1) does not apply in respect of the use of a device to contact emergency services.

Idem

(5) Subsection (1) does not apply if all of the following conditions are met:

- (a) the vehicle is off the roadway or is lawfully parked;
- (b) the vehicle is not in motion;
- (c) the vehicle is not impeding traffic.

Screens

239.2. (1) No person shall drive a vehicle on a highway while a screen is so placed that the image displayed on the screen is directly or indirectly visible to the driver.

Exceptions

(2) The following screens are excluded from the application of subsection (1):

- (a) screens built into the vehicle by the manufacturer;
- (b) back-up screens;
- (c) global positioning systems;
- (d) prescribed classes of screens.

34. The heading "ACCIDENTS" immediately preceding section 258 is repealed and the heading "INCIDENTS" substituted.

35. Section 259 is amended by striking out "accident" wherever it appears and substituting "incident".

36. Section 261 is repealed and the following substituted:

Definition of "reportable incident"

261. For the purposes of sections 262 to 269, "reportable incident" means an incident on or adjacent to a highway involving a vehicle that results in

- (a) the injury or death of a person;
- (b) a collision with an unattended vehicle resulting in visible damage to the unattended vehicle;
- (c) a collision with an inanimate object or with an animal where the driver reasonably believes or ought to believe that there may be ongoing danger to the public; or

- (d) a collision with an animal where the driver reasonably believes or ought to believe that the animal has an owner.

37. Section 262 is repealed and the following substituted:

Written reports to officers

262. (1) Subject to subsections (2) and (3), the driver of each vehicle involved in a reportable incident shall immediately make a written report to an officer that sets out the circumstances of the incident and a description of how the incident occurred.

Other occupant

(2) Where a driver is incapable of making the report referred to in subsection (1) and there is another occupant of the vehicle capable of making the report, that occupant shall make the report.

After becoming capable

(3) Where the driver of a vehicle involved in an incident is alone at the time of the incident, and is incapable of making the report referred to in subsection (1) at the time of the incident, the driver shall make the report immediately after becoming capable of making it.

Oral report

(4) Where a driver or other occupant is unable to make a written report referred to in subsection (1), the driver or other occupant shall make an oral report.

Report to Registrar

(5) An officer who receives a report made under this section shall send the report to the Registrar.

38. Section 263 is repealed and the following substituted:

Officer's report to Registrar

263. An officer who has investigated a reportable incident shall immediately forward to the Registrar a written report setting out full particulars of the incident including

- (a) the names and addresses of the drivers involved;
- (b) a description of the vehicles involved; and
- (c) the extent of the personal injuries or property damage.

38.1. Section 264 is amended by striking out "A member of the Royal Canadian Mounted Police" and substituting "An officer".

39. Section 267 is amended by striking out "vehicle" and substituting "motor vehicle".

40. Section 268 is amended

- (a) **by adding "an officer or" after "made to";**
- (b) **in the English version by striking out "the member" and substituting "the officer or the member"; and**
- (c) **in the French version by striking out "véhicule" and substituting "véhicule automobile".**

41. The definition of "accident" in section 275 is repealed and the following substituted:

"incident" means an incident on or adjacent to a highway involving a vehicle that results in

- (a) the injury or death of a person;
- (b) a collision with an unattended vehicle resulting in visible damage to the unattended vehicle;
- (c) a collision with an inanimate object or with an animal where the driver reasonably believes or ought to believe that there may be ongoing danger to the public; or
- (d) a collision with an animal where the driver reasonably believes or ought to believe that the animal has an owner. (*incident*)

42. Section 281 is repealed and the following substituted:

Release of impounded motor vehicle

281. Where a motor vehicle has been impounded under section 276, the Registrar shall order that the authority for impounding the vehicle under section 276 is terminated if

- (a) at the time of the incident the motor vehicle was a stolen vehicle;
- (b) the only damage resulting from the incident is to the person or property of the owner or driver of the motor vehicle; or
- (c) the owner of the motor vehicle meets the requirements with respect to insurance or financial responsibility described in section 36.

43. The definition of "officer" in section 291.1 is repealed and the following substituted:

"officer" means an officer appointed under subsection 318(1) or a member of the Royal Canadian Mounted Police; (*agent*)

44. Section 309 is repealed and the following substituted:

Requirement to keep records

309. (1) The Registrar shall keep records of

- (a) each certificate, licence plate, driver's licence, general identification card, validation sticker, permit, notice or document issued by or under the authority of the Registrar under this Act or the regulations;

- (b) each application, notice, report or document submitted to the Registrar under this Act or the regulations; and
- (c) each contravention of this Act or the regulations.

Requirement to keep records

- (2) The Registrar shall keep records of the documents referred to
 - (a) in paragraph (1)(a) for a period of five years from the date of issue; and
 - (b) in paragraph (1)(b) for a period of five years from the date of submission to the Registrar.

Requirement to keep records

- (3) The Registrar shall keep records of the contraventions referred to in paragraph (1)(c) for a period of five years from the date of the contravention.

44.1. Section 310 is amended by striking out "paragraph 309(a)" and substituting "paragraph 309(1)(a)".

45. Section 311 is repealed and the following substituted:

Definition of "copy"

311. (1) In this section, "copy" means a copy certified to be true by the Registrar or the person designated by the Registrar of any document that has been issued to a person by the Registrar or that has been received by the Registrar from a person.

Applying for copy of driving documentation

- (2) A person or his or her agent or insurer may apply to the Registrar for a copy of the person's driving documentation, or for a copy of a document that is part of the person's driving documentation, by submitting to the Registrar
 - (a) an application in a form approved by the Registrar; and
 - (b) the prescribed fee.

Provision of driving documentation to driver

(3) The Registrar shall provide a copy of a person's driving documentation, or a copy of a document that is part of the person's driving documentation, to the person if he or she submits an application and fee under subsection (2).

Provision of driving documentation to agent or insurer

(4) The Registrar may provide a copy of a person's driving documentation, or a copy of a document that is part of the person's driving documentation to the person's agent or insurer, if the agent or insurer submits an application and fee under subsection (2).

Disclosure

(5) Subject to subsection (6) and to section 312, the Registrar may disclose a person's driving documentation or a document that is part of the person's driving documentation

- (a) to a member of a law enforcement agency within Canada;
- (b) to a person in charge of a government department in a jurisdiction other than Nunavut responsible for the registration of motor vehicles and licensing of drivers;
- (c) to the Attorney General of Canada and his or her agents;
- (d) to the Attorney General of a province or territory and his or her agents;
- (e) to the Sheriff appointed under the *Judicature Act*;
- (f) to an insurer of the person or the agent of that insurer;
- (g) within the Government of Nunavut; or
- (h) to a prescribed body.

Authorized sharing of records

(6) The Registrar may only share a person's driving documentation or a document that is part of a person's driving documentation with the persons described under subsection (5) for the purposes of

- (a) verification of the person's identity;
- (b) authentication of any document submitted by the person;
- (c) confirmation that a person using or applying for a card, licence or permit in Nunavut or in another jurisdiction is or is not prohibited from applying for or continuing to hold a card, licence or permit; or
- (d) implementing agreements on information exchange entered into under section 326.1.

Disclosure following incident

(7) The Registrar may disclose the names and addresses of the driver, owner and insurer of a vehicle involved in an incident, as defined in section 275, to a person who has been involved in the incident, or to his or her agent or insurer.

46. Section 312 is repealed and the following substituted:

Young persons

312. The Registrar shall keep the reports of convictions in respect of young persons as defined in the *Young Offenders Act* or the *Youth Criminal Justice Act* (Canada) separate from all other records and the Registrar shall not knowingly make available for inspection those reports or a copy of them, except when the reports are used in a driving record referred to in sections 111 and 114, or except as authorized under the *Young Offenders Act* or the *Youth Criminal Justice Act* (Canada).

47. Subsection 313(1) is amended by striking out "subsections (2) and (3)" and substituting "subsections (2), (3) and (4)".

48. Subsection 313(3) is repealed and the following substituted:

Idem

(3) On payment of the prescribed fee, the Registrar shall provide a person listed in subsection (4) with copies of those reports submitted to the Registrar pursuant to sections 262 to 265 in respect of an incident, certified to be true by the Registrar or the person designated by the Registrar.

Idem

(4) The following persons may be provided with copies of reports referred to in subsection (3):

- (a) a driver of a motor vehicle involved in the incident, his or her insurer or agents;
- (b) a person named in a certificate of registration of a motor vehicle involved in the incident issued under this Act or under the laws of a jurisdiction other than Nunavut, his or her insurer or their agents.

49. Subsection 316(1) is repealed and the following substituted:

Supervision by Registrar

316. (1) The Registrar shall supervise all Deputy Registrars, officers, examiners and persons authorized to administer theoretical examinations under subsection 75(1) in the performance of their duties and in the exercise of their powers.

50. Subsection 321(1) is repealed and the following substituted:

Liability

321. (1) The Registrar, Deputy Registrars, officers, examiners and persons authorized to administer theoretical examinations under subsection 75(1) are not liable in a personal or official capacity for loss or damage caused by anything done or not done by them in good faith in the performance of their duties or in the exercise of their powers.

51. The following is added after section 321:

Liability of persons preparing assessments and reports

321.1. (1) A person who conducts an assessment or prepares a report respecting a person who is required to undergo an assessment or complete a program under subsection 83.1(2) is not liable for any loss or damage caused by anything done or not done in good faith by the person in respect of the assessment or report.

52. Section 323 is repealed and the following substituted:

Notice

323. (1) Whenever the Registrar gives notice of any matter pursuant to the provisions of this Act or the regulations, the notice must

- (a) be personally served on the person to be notified; or
- (b) be sent, using a method that provides an acknowledgement of receipt by the person to be notified, to the address of that person contained in the records of the Registrar.

Deemed receipt

(2) Where a notice has been sent by a method that provides an acknowledgement of receipt under paragraph (1)(b), the notice shall be deemed to have been received no more than 15 days after the notice is sent.

53. The following is added after section 326:

Information-sharing agreements

326.1. (1) The Minister may, on behalf of the Government of Nunavut, enter into agreements for the collection, use, disclosure and exchange of personal information with the following:

- (a) the Government of Canada or any of its departments, Ministers or agencies;
- (b) the government of a province or territory or any of its departments, Ministers or agencies;
- (c) a prescribed body.

Idem

- (2) An agreement under this section shall
- (a) provide that personal information collected, used or disclosed under it is confidential;
 - (b) subject to paragraph (c), specify the purposes for which information may be collected, used or disclosed under the agreement;
 - (c) specify only those purposes under paragraph (b) that are necessary for the purposes of the agreement;
 - (d) provide that information collected, used or disclosed under the agreement may not be further used or disclosed for any purpose other than one specified in the agreement, unless applicable legislation requires such use or disclosure;
 - (e) where the *Archives Act* or an enactment of another Canadian jurisdiction does not provide for the retention and destruction of information collected, used, disclosed or exchanged under the agreement, provide for retention and destruction schedules for the information; and
 - (f) establish mechanisms for maintaining the confidentiality and security of information collected, used, disclosed or exchanged under the agreement.

54. Section 330 is repealed and the following substituted:

False statements or documents

330. No person shall knowingly

- (a) make a false statement in any application, declaration, affidavit, report or other document that is submitted to the Registrar, an officer, an examiner, or a person authorized to administer theoretical examinations under subsection 75(1); or
- (b) submit a false document to the Registrar, an officer, an examiner, or a person authorized to administer theoretical examinations under subsection 75(1).

55. Section 331 is repealed and the following substituted:

Obstructing Registrar, etc.

331. No person shall obstruct or interfere with, or give false information to, the Registrar, a Deputy Registrar, an examiner, a person authorized to administer theoretical examinations under subsection 75(1), or an officer in the performance of his or her duties or in the exercise of his or her powers.

56. Section 337 is repealed.

57. Paragraph 339(a) is amended by striking out "paragraph 311(1)(a) or (b)" and substituting "subsection 311(2), (3) or (4)".

58. The following is added after section 346:

Community safety zone

346.1. (1) A council may, by by-law, designate a part of a highway as a community safety zone if, in the council's opinion, public safety is of special concern on that part of the highway.

Timing of designation

(2) A by-law designating a community safety zone must specify the hours, days and months when the designation is in effect.

Signs

(3) A municipality shall ensure that signs identifying the boundaries of a community safety zone in the municipality are erected in accordance with the regulations.

59. (1) The following is added after paragraph 347(1)(j):

- (j.1) designating accessible parking spaces;
- (j.2) respecting designated accessible parking spaces;

(2) Paragraph 347(1)(o) is repealed and the following substituted:

- (o) permit persons, subject to the conditions and restrictions that may be specified, and despite any general or specific prohibitions or restrictions on parking relating to a highway, to park motor vehicles on a highway
 - (i) adjacent to or in the vicinity of the land on which the persons reside, or
 - (ii) in a zone or area in which is situated the land on which the persons reside;

(3) Subsection 347(1) is amended by striking out "and" at the end of paragraph (r), striking out the period at the end of paragraph (s) and substituting a semi-colon, and adding the following after paragraph (s):

- (t) prohibit owners or occupants of private property from allowing a motor vehicle without a licence plate or parking plate affixed to remain parked on their private property for a period of more than seven consecutive days;
- (u) authorize a person, or class of persons, designated by the council, to remove an abandoned motor vehicle;
- (v) require a person who is under the age of 19 years and who is riding on a bicycle or using a skateboard, in-line skates or skis on a highway to use personal protective equipment;
- (w) establish school zones;
- (x) provide for the appointment of school crossing guards;
- (y) establish school bus loading zones; and
- (z) adopt a published code of rules or standards for personal protective equipment, in whole or in part, and, if the by-law so declares, as amended from time to time.

60. The following is added before section 349:

Statutory Instruments Act

348.1. The *Statutory Instruments Act* does not apply to a direction, form or order made under this Act.

61. (1) The following is added after paragraph 349(a.1):

- (a.2) establishing an end-of-life fee scheme for motor vehicles, including:
 - (i) classifying motor vehicles for the purposes of the scheme,
 - (ii) providing for different provisions for different classes of motor vehicles,
 - (iii) prescribing end-of-life fees,

- (iv) providing for the pro-rating of end-of-life fees,
- (v) providing for refunds of end-of-life fees,
- (vi) providing for payment to third parties for disposal services;

(2) Paragraph 349(e.1) is repealed and the following substituted:

- (e.1) respecting the requirements for obtaining a dealer's permit;
- (e.2) prescribing the information required to be included in a used vehicle information package;
- (e.3) respecting requirements for the purpose of paragraph 4.4(c);
- (e.4) respecting driver's licences, including
 - (i) the establishment of different classes of licences and the entitlements, restrictions and conditions that apply to each class of licence and, without restricting the generality of the foregoing, providing for a graduated driver's licence system, including provisions that
 - (A) categorize a class of driver's licence as a learner's driver's licence,
 - (B) set out the circumstances in which a driver's licence of any class may be categorized as a probationary driver's licence,
 - (C) impose restrictions and conditions on a driver's licence that is categorized as a learner's driver's licence or a probationary driver's licence, including but not limited to restrictions on the times during which or the area, circumstances or manner in which a person who is named in the driver's licence may operate a motor vehicle,
 - (D) establish the minimum period of time that a person named in a driver's licence that is categorized as a learner's driver's licence or a probationary driver's licence must hold the driver's licence before he or she is eligible to be issued a driver's licence that is not categorized as a learner's driver's licence or a probationary driver's licence, and provide that the Registrar may extend the period of time if the person operates a motor vehicle in contravention of a restriction or condition to which the driver's licence is subject or for other reasons that the Registrar considers appropriate, and
 - (E) empower the Registrar, in specified circumstances or for specified purposes, to exempt unconditionally or on conditions the Registrar considers appropriate, a person who holds a driver's licence that is categorized as a learner's driver's licence or a probationary driver's licence from any restriction or

- condition imposed on a driver's licence of that category,
- (ii) the establishment of the theoretical and practical driving examination for each class of licence and the standards for passing those examinations,
 - (iii) the eligibility of applicants for each class of licence,
 - (iv) the expiration of licences, and
 - (v) the appearance and contents of licences;
- (e.5) respecting the disposal of abandoned motor vehicles;
 - (e.6) respecting the conditions that the Registrar may require a person to satisfy under subsection 83.1(2), including assessments or programs that may be required, the standards for successfully completing any program, and prescribing fees or establishing a manner of determining fees that may be charged for the assessments or programs, including fees that may be charged by independent contractors;
 - (e.7) respecting parking plates, including the establishment of fees for parking plates;

(3) Paragraphs 349(h) and 349(h.1) are repealed and the following substituted:

- (h) respecting notices of suspension referred to in subparagraph 116.1(2)(a)(iii) and paragraphs 116.2(2)(c) and 116.3(2)(c), and notices of disqualification referred to in subparagraph 116.1(2)(b)(iii) and paragraphs 116.2(3)(c), 116.2(4)(b), 116.3(3)(c) and 116.3(4)(b);
- (h.1) respecting temporary driver's permits;
- (h.2) respecting conditions on the use or operation of vehicles that are owned, kept or used by dealers, repairers or storsers of vehicles, parking lot operators or vehicle wreckers;

(4) Paragraph 349(o) is repealed and the following substituted:

- (o) prescribing classes of screens under paragraph 239.2(2)(d) and respecting the use of screens;

(5) The following is added after paragraph 349(v):

- (v.1) respecting the issuance, renewal, cancellation, replacement and disposal of accessible parking permits;
- (v.2) prescribing the requirements for obtaining an accessible parking permit;
- (v.3) governing the content of markings to identify designated accessible parking spaces;

- (v.4) governing standards around placement of designated accessible parking spaces;
- (v.5) respecting the appearance and contents of general identification cards;
- (v.6) governing the erection of signs and markings to identify the boundaries of a community safety zone;

(6) Paragraph 349(x.8) is amended by striking out "public service vehicle" and substituting "commercial vehicle used to transport freight not owned by the owner of the vehicle, or a commercial vehicle used to transport passengers for compensation".

(7) Paragraph 349(x.10) is amended by striking out "public service vehicle" and substituting "commercial vehicle referred to in paragraph 349(x.8)".

(8) Paragraph 349(x.11) is amended by striking out "public service vehicle" and substituting "commercial vehicle referred to in paragraph 349(x.8)".

(9) Section 349 is amended by striking out "and" at the end of paragraph (y), striking out the period at the end of paragraph (z) and substituting a semi-colon, and adding the following after paragraph (z):

- (aa) respecting driver training schools;
- (ab) respecting construction vehicle permits;
- (ac) respecting proof of ownership of construction vehicles; and
- (ad) prescribing bodies under sections 311 and 326.1 for the purposes of disclosure.

62. (1) The following provisions are amended by striking out "or public service" wherever it appears:

- (a) subparagraph 7(1)(a)(ii);
- (b) subparagraph 7(1)(c)(i);
- (c) paragraph 7(1)(e);
- (d) paragraph 21(2)(c);
- (e) paragraph 21(2)(d);
- (f) section 26;
- (g) paragraph 27(c);
- (h) **Deleted: 4th Legislative Assembly, June 6, 2017.**
- (i) paragraph 36(2)(b);
- (j) subsection 47.1(2).

(2) The following provisions are amended by striking out "public service vehicle or" wherever it appears:

- (a) subsection 31(2);
- (b) subsection 47(2.1).

63. Each provision listed in Column 1 of Schedule A is amended by striking out the word or words set out in the same row of Column 2 of Schedule A, wherever they appear, and substituting the word or words set out in the same row of Column 3 of Schedule A.

CONSEQUENTIAL AMENDMENTS

64. The following provisions of the *All-terrain Vehicles Act* are amended by striking out "*Motor Vehicles Act*" wherever it appears and substituting "*Traffic Safety Act*":

- (a) subsection 1(2);
- (b) paragraph 2(3)(d);
- (c) subsections 3(4) and (5);
- (d) section 4;
- (e) paragraphs 5(1)(d) and (o);
- (f) subsection 5(4);
- (g) section 9.01, definition "highway";
- (h) subsection 9.25(1);
- (i) paragraph 9.25(2)(b);
- (j) section 9.26;
- (k) subsections 10(1) and (2);
- (l) subsection 12(3);
- (m) section 13;
- (n) subsection 14(3);
- (o) section 15;
- (p) paragraph 18(a).

65. (1) This section amends the *Cities, Towns and Villages Act*.

(2) Subsection 172(3) is amended by striking out "*Motor Vehicles Act*" and substituting "*Traffic Safety Act*".

(3) The following is added after subsection 178(6):

(7) The council shall notify the Registrar of Motor Vehicles appointed under the *Traffic Safety Act* of any disposal of a vehicle under section 125.

66. The definition of "motor vehicle" in section 1 of the *Garage Keepers Lien Act* is amended by striking out "*Motor Vehicles Act*" and substituting "*Traffic Safety Act*".

67. (1) This section amends the *Hamlets Act*.

(2) Subsection 172(3) is amended by striking out "*Motor Vehicles Act*" and substituting "*Traffic Safety Act*".

(3) The following is added after subsection 178(6):

(7) The council shall notify the Registrar of Motor Vehicles appointed under the *Traffic Safety Act* of any disposal of a vehicle made under section 125.

68. Subsection 124(3) of the *Insurance Act* is amended by striking out "*Motor Vehicles Act*" and substituting "*Traffic Safety Act*".

69. Subsection 118(1) of the *Liquor Act* is amended by striking out "*Motor Vehicles Act*" and substituting "*Traffic Safety Act*".

70. Subsection 5(3) of the *Nunavut Power Corporation Utility Assets Transfer Confirmation Act* is amended by striking out "*Motor Vehicles Act*" and substituting "*Traffic Safety Act*".

71. Subparagraph 4(1)(j)(iii) of the *Property Taxation and Assessment Act* is amended by striking out "*Motor Vehicles Act*" and substituting "*Traffic Safety Act*".

72. The following provisions in the *Public Highways Act* are amended by striking out "*Motor Vehicles Act*" wherever it appears and substituting "*Traffic Safety Act*":

- (a) section 1, in the definitions of "highway", "roadway" and "traffic"; and
- (b) section 3.

73. Subsection 17.03(8) of the *Qulliq Energy Corporation Act* is amended by striking out "*Motor Vehicles Act*" and substituting "*Traffic Safety Act*".

74. Paragraph (c) in the definition of "vehicle" in section 1 of the *Transportation of Dangerous Goods Act, 1990*, is amended by striking out "*Motor Vehicles Act*" and substituting "*Traffic Safety Act*".

75. Paragraph 3(1)(b) of the *Young Offenders Act* is amended by striking out "*Motor Vehicles Act*" wherever it appears and substituting "*Traffic Safety Act*".

TRANSITIONAL PROVISION

76. Section 35.1 of the Act does not apply to a person operating a construction vehicle with a valid construction vehicle licence plate issued under the *Motor Vehicle Registration and Licence Plate Regulations* before the coming into force of section 35.1 of the Act.

COMING INTO FORCE

77. This Act comes into force on the earlier of December 31, 2018 or a day to be fixed by order of the Commissioner.

SCHEDULE A

Provisions Amended	Word or Words Struck Out	Word or Words Substituted
•the French version of section 1, definition of "certificat d'immatriculation"	"avec à la partie I"	"avec la partie I"
•the French version of section 1, definition of "taxi"	"Tout"	"Toute"
•the French version of section 1, definition of "véhicule automobile", paragraph (c)	"mûs"	"mus"
•the French version of section 1, definition of "véhicule CCS", paragraph (a)	"combinaison"	"combinaison"
•the French version of section 1, definition of "véhicule CCS", paragraph (b)	"les seuls besoins"	"ses seuls besoins"
•the French version of paragraph 5(a)	"indiquant en conformité avec le paragraphe 15(2)"	"indiquant, en conformité avec le paragraphe 15(2),"
•the French version of subsection 8(1)	"cetificat"	"certificat"
•the French version of section 22	"l'alinéa 21(1)b)"	"l'alinéa 21(1)b),"
•the French version of paragraph 29(1)(b)	"aux dos"	"au dos"
•the French version of paragraph 34(3)(a)	"parebrise"	"pare-brise"
•the French version of section 37	"pour ce véhicule,"	"pour ce véhicule"
•the French version of subsections 47(2), (2.1), (3)	"pare-choc"	"pare-chocs"
•the French version of subsection 48(1)	"avec à la présente partie"	"avec la présente partie"
•the French version of subsection 60(2)	"antérieur"	"antérieure"
•the French version of	"ou à de"	"ou de"

subsection 62(3)		
•the French version of paragraph 62(4)(a)	"délivrée,"	"délivrée;"
•the French version of subsection 63(3)	"Si"	"Si,"
•the French version of subsection 63(5)	"annulés,"	"annulés"
•the French version of subsection 64(2)	"prévue"	"prévu"
•the French version of subsection 68(1)	"par règlement,"	"par règlement"
•the French version of subsection 69(1)	"privilèges,"	"privilèges"
•the French version of paragraph 73(e)	"définitif."	"définitif;"
•the French version of subsection 78(3)	"règlements,"	"règlements"
•the French version of section 81	"lorsqu'il conduit un conduit"	"lorsqu'il conduit"
•the French version of paragraph 84(2)(a)	"ou bien"	"ou bien réside"
•the French version of section 91	"fait parvenir au registraire copie de l'ordonnance et une déclaration"	"fait parvenir au registraire une copie de l'ordonnance et une déclaration"
•the French version of paragraph 100(2)(b)	"jours"	"jour"
•the French version of subsection 103(1)	"un véhicule automobile"	"un véhicule automobile,"
•the French version of paragraph 105(2)(a)	"signification,"	"signification;"
•the French version of paragraph 110(c)	"toutterrain"	"tout-terrain"
•the French version of subsection 128(3)	"allumés,"	"allumés"
•the French version of section 131	"quatre"	"quatre"
•the French version of paragraph 140(3)(a)	"juste,"	"juste"
•the French version of paragraph 142(a)	"buée,"	"buée"
•the French version of paragraph 146(4)(c)	"40 km à l'heure"	"40 km/h"
•the French version of subsection 148(3)	"usagers"	"usagés"

•the French version of subsection 150(2)	"à sécurité"	"à la sécurité"
•the French version of section 155	"manoeuvrer"	"manœuvrer"
•the French version of subsection 163(2)	"paragraphe (1),"	"paragraphe (1)"
•the French version of subparagraph 169(a)(ii)	"50 km à l'heure"	"50 km/h"
•the French version of subparagraph 169(b)(ii)	"90 km à l'heure"	"90 km/h"
•the French version of section 188	"le même sens,"	"le même sens"
•the French version of subsection 192(2)	"devant lui,"	"devant lui"
•the French version of sections 193, 194 subsection 199(1) sections 200, 201 subsection 205(3) paragraph 206(1)(b) subsection 207(1)	"manoeuvre"	"manœuvre"
•the French version of subsections 197(1) and 205(3)	"entrée privé,"	"entrée privé"
•the French version of paragraph 198(1)(a)	"sur à"	"sur une route à"
•the French version of section 212	"intersection,"	"intersection"
•the French version of subsection 215(1)	"passage à niveau,"	"passage à niveau"
•the French version of paragraph 218(4)(b)	"règlement;"	"règlement :"
•the French version pf subparagraph 218(4)(b)(i).	"véhicule;"	"véhicule,"
•the French version of section 235	"manoeuvres"	"manœuvres"
•the French version of subsection 237(1)	"qui que se soit"	"qui que ce soit"
•the French version of paragraph 237(2)(d)	"d'un véhicule"	"dans un véhicule"
•the French version of paragraph 242(2)(b)	"side car"	"side-car"

•the French version of sections 247 and 248	"rouli-roulants"	"planches à roulettes"
•the French version of paragraph 254(b)	"donne"	"donnent"
•the French version of subsection 260(1)	"à côté de la route,"	"à côté de la route"
•section 264; •section 265; •section 266; •section 269; •subsection 271(3); •subsection 283(1); •subsection 283(2); •paragraph 313(1)(b)	"accident"	"incident"
•the French version of paragraph 265(a)	"l'alinéa 19(a)"	"l'alinéa 19a)"
•the French version of subsection 279(1)	"détenu,"	"détenu"
•the French version of subparagraph 283(2)(b)(i)	"jugement;"	"jugement,"
•the French version of subparagraph 283(2)(b)(ii)	"réglé;"	"réglé,"
•the French version of subparagraph 283(2)(b)(iii)	"introduction;"	"introduction,"
•the French version of subsection 290(3)	"Lorsqu'un le"	"Lorsqu'un"
•the French version of subsection 291.3(2)	"mentionné"	"mentionné"
•the French version of paragraphs 291.5(b) and 291.6(d)	"toutes données"	"toute donnée"
•the French version of subsection 303(1)	"radar"	"radars"
•the French version of subsection 307.5(2)	"à l'avis"	"dans l'avis"
•the French version of paragraph 307.6(2)(c)	"s'il est"	"si elle est"
•the French version of subsection 307.8(1)	"raisonnable"	"raisonnables"
•the French version of section 342	"en vertu d'un règlement municipal prit"	"en vertu d'un règlement municipal pris"

•the French version of subsection 347(1)	"Sous réserve du paragraphe (2)"	"Sous réserve du paragraphe (2),"
•the French version of paragraph 349(s)	"le exigences"	"les exigences"
•the French version of paragraph 349(u)	"d'être"	"être"