



**CHILD PASSENGER  
SAFETY ASSOCIATION  
OF CANADA**



**L'ASSOCIATION POUR  
LA SÉCURITÉ DES ENFANTS  
PASSAGERS DU CANADA**

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## **Recommendations for Revisions for Nova Scotia's Traffic Safety Act**

16 Dec 2020; follow up to 6 June 2018 submission

The government of Nova Scotia has [entered into the next phase of public engagement and has requested feedback](#) on the revised *Traffic Safety Act*, replacing the outdated *Motor Vehicle Act*.

The Child Passenger Safety Association of Canada (CPSAC) commends the Government of Nova Scotia for its first draft of legislation following the request for feedback in June of 2018. These proposed safety requirements have incorporated many of CPSAC's 2018 recommendations including:

- for infants and children under the age of 2 years old to use a rear-facing seat,
- for young children to remain in a car seat with a 5-point harness until at least age 4, and
- for older children to remain in an appropriate car seat or booster seat until they are at least 4'9" tall or 12 years old - tall enough to properly fit an adult seat belt.

These proposed requirements are clearly stated, evidence-based, and protective of child passengers in private vehicles in Nova Scotia. Should this legislation pass, it will not only provide the best protections for child passengers in Canada, but it may also serve as a catalyst for change in other provinces and territories.

### **For the current round of consultation the Child Passenger Safety Association of Canada submits the following recommendation:**

- Require all passengers to be securely restrained in all passenger vehicles, including taxis, ride-share services, and other vehicles for hire.

The existing child restraint exemption for taxis and other vehicles for hire, including ride-share services, places child occupants at risk. Consider removing the exemption and adopting legislation that requires all passengers to be securely restrained in all passenger vehicles.

### **The following factors were considered:**

Child passengers in vehicles for hire are at the same risk for serious injury in motor vehicle collisions as their counterparts in private vehicles. Unlike a school bus or a public transit bus, which protect occupants differently from passenger vehicles, the laws of physics and crash dynamics apply equally to private vehicles and vehicles for hire. Taxis and other vehicles for hire, including

ride-share services, are passenger vehicles<sup>1</sup> and securing child passengers in them should be legislated accordingly.

In other jurisdictions, half of all ride-share drivers reported not using safety seats when transporting infants and young children. In many cases this would result in the infant or young child traveling unrestrained and held in arms.<sup>2</sup>

The risks to unrestrained passengers are well known. The US population reports 90% seat belt use; however, 47% of all passengers killed in crashes in 2018 were unrestrained,<sup>3</sup> and unrestrained occupants were nearly eight times more likely than restrained passengers to suffer a serious injury.<sup>4</sup>

Other jurisdictions have already removed the vehicle for hire exemption. In 2008, Newfoundland and Labrador (NL) introduced booster seat legislation and eliminated this exemption from its *Highway Traffic Act*. There are 17 US states where for-hire vehicles are not exempt from child restraint laws.<sup>2, 5</sup> The Canadian Council of Motor Transport Administrators (CCMTA) recommended in 2010 that every jurisdiction should eliminate remaining exemptions in seat belt and child restraint laws.<sup>6</sup>

In Nova Scotia, adult passengers have always been responsible for their own safety, and individuals over the age of 16 can receive a citation for not complying with seat belt laws, even when traveling in a vehicle for hire.

It is understandable that the Government of Nova Scotia may hesitate to burden drivers of vehicles for hire with responsibility for the safe restraint of child passengers. The state of Iowa does provide another approach: the drivers remain exempt; however, the accompanying adult bears responsibility and could receive a citation under their law.<sup>7</sup>

As an alternative to removing the exemption entirely, CPSAC urges the Government of Nova Scotia to consider assigning responsibility for child passenger safety in vehicles for hire as follows:

- When a child is accompanied by a parent, legal guardian, or other responsible adult traveling with the child in a vehicle for hire, it is the responsibility of that adult to ensure that child passengers are properly restrained under the law.
- When a child passenger is not accompanied by an adult, the responsibility of properly restraining the child passenger must fall to the driver.
  - This may have implications for school transportation where taxis or other vehicles for hire are contracted in place of school buses. An adult supervisor may accompany a child to the point of departure, but it is the driver who is the road user and must assume responsibility while en route.

## **Other Considerations**

In carefully considering the draft legislation, there are several points for which CPSAC feels more clarity is beneficial.

### **1. Section 89, Definitions: Booster Seat**

Add the terms “pelvic restraint” and “torso restraint” to the phrase “together with a seat belt” in the definition of booster seat so that it is clear that booster seats are to be used with a full lap/shoulder seat belt assembly.

### **2. Section 89, Definitions: Child**

Identify ‘child’ as an umbrella term to mean ‘infant, young child, or older child.’ Not identifying this could cause confusion when reading clauses that do not specifically refer to one of the subcategories.

### **3. Section 94 (2): Out-of-province Motor Vehicles**

This subsection currently provides that child passengers who are traveling in a vehicle registered in another jurisdiction, need only be properly secured per the requirements of that jurisdiction and not to the high level of best practice that the Province of Nova Scotia is proposing. This could result in very young children riding in a seat belt alone. Children in Alberta, for example, need only use a child restraint through age 6 or 18 kg (40 lbs), whichever is sooner, and there is no requirement for booster seat use. Consider removing the out-of-province exemption so both residents and visitors to Nova Scotia are equally protected when traveling on Nova Scotia's roads. This would also provide law enforcement officers with a clear mandate regarding child passenger safety for all road users, enabling peace officers to consistently enforce the law without having to reference and determine the law in another jurisdiction.

### **4. Section 95: Exemption from requirement to use child restraint system**

- (1) (a): redundant as the definition of “older child” addresses the same information. The addition of this point may cause confusion.
- (2) (b): a peace officer is unlikely to be able to assess whether a child's physical or medical needs prevent them from using a child restraint system; consider changing to “medical practitioner.”
- (3) (c): “a child who is a passenger in a bus” has implications for travel in any vehicle that meets the definition of bus, meaning a motor vehicle with a designated seating capacity of 10 or more persons, including the driver. School groups, after-school care programs, summer camps, sports teams, and more make use of 12-15 passenger vans.. By this definition, these vehicles would be exempt from properly securing children of any age. As it is written, this exemption adversely applies to an infant passenger, if there was no

appropriate seat belt to install its car seat; to a young child passenger, if there was no tether anchor available to secure its car seat; and, to an older child passenger needing a booster seat to achieve proper seat belt placement, but where there is no appropriate lap and shoulder belt for use. Consider removing “bus” from this exemption, or redefining bus to exclude 12-15 passenger vans.

(2) Add (g) 213.4 Built-in Restraint Systems and Built-in Booster Seats.

## **5. Throughout: Seatbelt vs seat belt**

“Seat belt” is typically written as two words in vehicle manuals, child restraint manuals, and CMVSS. Consider changing for consistency.

## **6. Section 96: Seatbelt Exemptions**

(1)(a): a peace officer is unlikely to be able to assess whether an individual child’s physical or medical needs prevent them from using a child restraint system; consider changing to “medical practitioner.”

(1)(f): “an individual older than 12 years of age” is inconsistent with phrasing used in other sections that indicate age 13 for the reference point. Consider changing to “age 13 years or older” for consistency.

(2) and (3) address the driver of a vehicle for hire or a bus driver. See concerns with definition of “bus” above, and concerns with taxi and vehicle for hire exemptions at the beginning of this statement.

## **The following factors were considered:**

### **Injury Prevention**

In Canada, injury is a major public health concern and the leading cause of death.<sup>8</sup>

Motor vehicle collisions are a leading cause of injury death among children under 14 years of age in Canada.<sup>9,10</sup> Proper use of child restraint systems such as car seats, booster seats and seat belts, can significantly reduce a child’s risk of injury as a result of a motor vehicle collision.<sup>11</sup>

Nova Scotia has a child-passenger-related injury hospitalisation rate of 6.6 per 100,000 population, which is higher than the Canadian rate of 6.0 hospitalisations per 100,000 population.<sup>11</sup>

## **Trends in Legislation in Other Jurisdictions, Industry, and Child Fit Regarding Previous Recommendations (currently addressed in proposed legislation)**

**Require children to be securely seated rear facing until they are two years old AND 10 kg (22 lbs).**

Sixteen US states now require children to ride rear facing to 2 years old.<sup>12</sup> The number of states to enact this age minimum has doubled in the past 2 years, and we expect this trend to continue.

Transport Canada and the Canadian Paediatric Society currently recommend that a child ride rear facing for as long as they fit the seat.<sup>13,14</sup>

In the current MVA and the newly revised TSA, a child restraint system must be used in accordance with the manufacturer's instructions.<sup>15</sup> An increasing number of car seats have additional age (2 years) or development requirements before they can be used forward-facing (effectively making this a legal requirement when using these seats).

**Require young children (older than two years old AND at least 10 kg [22 lbs]) to be securely restrained in a car seat with a five-point harness until they are at least four years old AND 18 kg (40 lbs).**

No Canadian province currently requires a minimum of 4 years of age to be harnessed, however, in the Yukon, a child must remain in a harness until they reach 22 kg (48 lb).<sup>16</sup> 18 US states and territories require a child to remain in a harnessed seat until a minimum age of 4, an increase from 11 states only two years ago.<sup>12</sup> Many booster seats have a minimum age of 4 years old, consequently making it a legal requirement.

**Require children under 12 years of age who weigh at least 18 kg (40 lbs) to be securely seated in a car seat with a five-point harness or belt positioning booster seat until they are at least 145 cm (4'9") tall.**

Many jurisdictions in Canada do not require booster use after age 9, but also have a clause requiring proper use and fit of the adult seat belt. The adult seat belt begins to fit most children at a height of 145 cm (4'9") tall. Only 3% of 9 year olds in Canada are over 145 cm (4'9").<sup>17</sup> PEI requires booster seat use until 10 years old.<sup>18</sup>

An increasing number of booster seats have a maximum height limit in excess of 145 cm (4'9") tall.

Transport Canada recommends that it is best to keep your child in a booster seat as long as possible.<sup>15,19</sup>

**Appendix A:** Traffic Safety Act: public engagement

**Appendix B:** Traffic Safety Act Engagement (2018)

**Appendix C:** DRAFT FOR CONSULTATION PURPOSES ONLY Regulations Respecting Rules for the Use of Highways by Drivers and Pedestrians made by Governor in Council under Sections 217 and 322 of Chapter 29 of the Acts of 2018, the Traffic Safety Act

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## Appendices to CPSAC's Recommendations for Revisions for Nova Scotia's Traffic Safety Act

### Appendix A: Traffic Safety Act: public engagement

As of 11-Dec-2020: <https://novascotia.ca/traffic-safety-act-public-engagement/>

Nova Scotia's outdated Motor Vehicle Act is being replaced with a modern Traffic Safety Act that will help make the province's roads and highways safer. We're looking for feedback from Nova Scotians to help develop the regulations that accompany the Traffic Safety Act. Different sections of the regulations will be available for public comment over the next few months.

You can provide your feedback on Using the Road Regulations until 8 January 2021. The new Traffic Safety Act affects all Nova Scotians in some way, including drivers, pedestrians, cyclists, police, municipalities and car dealerships. Some of the changes will include improvements to help keep pedestrians safe, rules to address new transportation devices like e-scooters, measures to better protect cyclists, and steps to strengthen and modernize the licence classification system. The act was developed as a framework piece of legislation. That means most of the details will be in the regulations.

### Consultation process

Government worked with stakeholders to develop draft regulations. These draft regulations are now available for public input.

The draft regulations will be released for public feedback in parts over the next few months,

- drivers (consultation completed)
- vehicles (consultation completed)
- [rules of the road](#)
- business and licensing
- roles and responsibilities

- administration and penalties

For each of the consultation phases, Nova Scotians will be able to provide feedback on the actual draft regulations, rather than an interpretive document. A brief plain language explanation will accompany each regulation.

## How to participate

Until 8 January 2021, Nova Scotians can provide their feedback on the updated Using the Road Regulations.

Send your comments on the regulations to [tsa@novascotia.ca](mailto:tsa@novascotia.ca).

## Interpreting the regulations

These documents may help you understand the terms used in the Traffic Safety Act regulations.

### [Interpretation regulations](#)

These regulations interpret terms used in the Traffic Safety Act. For example, the regulations include definitions for bicycles, buses, divided highways, emergency response vehicles, stunting and commercial drivers.

### [Traffic Safety Act definitions](#)

This document defines additional terms for the Traffic Safety Act, or changes existing definitions in the act. These terms include conveyance, trailer and equipment.

## Using the Road Regulations

There are 6 sets of regulations related to using the road.

### [Using the Road Regulations](#)

These regulations describe:

- general rules for using the road, sidewalks, bicycle lanes and crosswalks
- rules for intersections and turns
- traffic signs and traffic lights
- speed restrictions and rules for distracted driving
- types of equipment that are prohibited on roads
- proper use of vehicle lamps, sirens and flashing lamps
- rules for approaching school buses, transit buses, and emergency vehicles when their lights are flashing
- use of seatbelts, child restraints and other safety requirements
- use of helmets
- motorcycle safety
- rules for other modes of transportation



- rules for stopping and parking

#### Securing Loads on Vehicles Regulations

These regulations describe:

- responsibilities of carriers, drivers and shippers for securing a vehicle carrying a load
- requirements for covering loads
- specific requirements defined by vehicle weight

#### Commercial Vehicles, Commercial Drivers and Carriers Regulations

These regulations describe:

- drivers' hours of service and duty cycles
- driving under special or adverse conditions
- keeping of daily records for commercial drivers
- trip inspections, maintenance and other inspections and required recordkeeping
- additional criteria for sleeper berths
- details on required log information
- inspection reports and schedules

#### Commercial Carrier Safety Fitness Rating and Compliance Regulations

These regulations describe the requirements for safety fitness for drivers of commercial vehicles.

#### Collision Reporting Regulations

These regulations describe:

- reporting total loss of a vehicle
- requirements for engaging an appraiser when changing a vehicle's status
- information required by the registrar when a vehicle is not repairable

#### Carriage of Freight by Commercial Vehicle Regulations

These regulations describe:

- insurance requirements for protecting freight
- shipping documents requirements
- uniform conditions of carriage of freight by a motor carrier

If you have any questions, contact us at [tsa@novascotia.ca](mailto:tsa@novascotia.ca).

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## **Appendix B: Traffic Safety Act Engagement**

As of 6-Jun-2018 <https://novascotia.ca/trafficsafetyact/>

### **How should we update the rules of the road?**

This fall, government plans to introduce a new Traffic Safety Act to replace the outdated Motor Vehicle Act.

We're looking for public input on how we should consider changing the rules of the road. Your input will help inform the new act and regulations.

The Traffic Safety Act, like the Motor Vehicle Act, is designed to make the roads safe for all users – drivers, bicyclists and pedestrians.

One of the first areas we want to update is the rules of the road, including:

- distracted driving;
- bicycling
- speed limits

The Motor Vehicle Act hasn't been rewritten since the 1920s, though it has been amended many times. The new Traffic Safety Act will use flexible language so government can update it in the future, responding to changes in how we use our roads.

Review the current [Motor Vehicle Act](#) and tell us what changes we should consider to the rules of the road. The deadline for input is June 8.

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## Appendix C: Using the Road Regulations

As of 14-Dec-2020

<https://novascotia.ca/traffic-safety-act-public-engagement/docs/using-the-road.pdf>

See attached PDF for reference.

**DRAFT FOR CONSULTATION PURPOSES ONLY**

**Regulations Respecting Rules for the Use of Highways by  
Drivers and Pedestrians  
made by Governor in Council under Sections 217 and 322  
of Chapter 29 of the Acts of 2018,  
the *Traffic Safety Act***

**Interpretation**

**1 Citation**

These regulations may be cited as the *Using the Road Regulations*.

**2 Definitions**

In these regulations,

“Act” means the *Traffic Safety Act*;

“approved helmet” means an approved helmet for the purpose of the prohibition in Section 207 of the Act on driving or riding as a passenger on a specified vehicle or other conveyance without wearing an approved helmet;

“controlled access highway” means a highway designated as a controlled access highway or controlled access street under the *Public Highways Act*, the *Municipal Government Act* or the *Halifax Regional Municipality Charter*;

“cyclist” means a driver of a bicycle;

“driving manoeuvre” means a movement or series of movements requiring skill and care made by a driver of a vehicle or other conveyance to move the vehicle or conveyance into a specific position while driving on a highway;

“go by” means drive beside or past a vehicle or other conveyance that is travelling in the opposite direction on a highway that is not a divided highway;

“one-way street” means a roadway on which drivers of vehicles are permitted to drive in only 1 direction;

“pass” has the same meaning as “overtake”;

“passing lane” means a marked traffic lane for exclusive use by drivers of vehicles who are overtaking slower-moving vehicles or other conveyances that are to their right;

“passing manoeuvre” means a driving manoeuvre to pass or attempt to pass another vehicle or other conveyance;

“pedestrian signal” means an official traffic signal that directs the movements of pedestrians on a highway;

“public transit vehicle” means a vehicle operated or subsidized by a municipality or regional transit authority to provide transit services;

“responding to an emergency” includes all of the following:

- (i) being operated in response to a call about an emergency or about an individual who needs emergency medical care,
- (ii) being parked at the scene of an emergency,
- (iii) being operated to convey an individual who needs emergency medical care;

“time of reduced visibility” means nighttime or any other time when visibility on a highway is limited by fog, rain, snow or another atmospheric condition or by an insufficiency of light;

“*Traffic Control Devices Regulations*” means the *Traffic Control Devices Regulations* made under the Act;

“urban area” means an area along a highway with property that is mainly occupied by dwellings and business premises fronting the highway for a distance of 100 m or greater;

“*Vehicle Equipment, Safety and Inspection Regulations*” means the *Vehicle Equipment, Safety and Inspection Regulations* made under the Act.

### 3

#### **Interpretation of impracticable**

For the purposes of these regulations, compliance with a requirement to drive or not drive on a specified portion of a highway is impracticable if compliance would not be feasible because of a condition, obstruction or partial obstruction on the highway, including all of the following:

- (a) a fixed or moving object;
- (b) a parked or moving vehicle;
- (c) a pedestrian;

- (d) an animal;
- (e) a surface hazard.

#### **4 Application of regulations to drivers**

- (1) The provisions in these regulations that apply to drivers apply to every driver of a vehicle or other conveyance travelling on or otherwise using a highway as referred to in Section 151 of the Act, which requires those drivers to comply with the regulations unless directed to do otherwise by a traffic control device, traffic control person or peace officer.
- (2) Any reference in these regulations to a driver is a reference to a driver of a vehicle or other conveyance as described in subsection (1), unless
  - (a) a provision sets out separate requirements for drivers of vehicles and drivers of conveyances other than vehicles, or
  - (b) in relation to a conveyance other than a vehicle, the provisions that regulate driving that conveyance specify otherwise.

#### **5 Application of the regulations to pedestrians**

The provisions in these regulations that apply to pedestrians apply to every pedestrian travelling on or otherwise using a highway as referred to in Section 151 of the Act, which requires those pedestrians to comply with the regulations unless directed to do otherwise by a traffic control device, traffic control person or peace officer.

#### **6 Application of the regulations to passengers**

The provisions in these regulations that apply to passengers apply to every passenger riding in a vehicle or other conveyance travelling on a highway as referred to in Sections 205, 206 and 207 of the Act, which require those passengers to comply with the seatbelt, passenger safety and helmet requirements of those Sections and the related provisions in these regulations.

### **General Rules of the Road**

#### **7 Direction of travel**

Drivers travelling in opposite directions must go by each other to the right, except as otherwise required to make a left turn in accordance with Section 24 or 26.

## **8 Main travelled way**

- (1)** Except as otherwise provided in these regulations or unless it is impracticable, a driver of a vehicle must drive only on the main travelled way.
- (2)** A driver driving a conveyance other than a vehicle may drive on the main travelled way only as permitted by these regulations.

## **9 Driving to left of centre line**

- (1)** A driver may drive to the left side of a centre line in any of the following circumstances:
  - (a)** the driver is overtaking another vehicle or other conveyance in accordance with this Section and Section 30;
  - (b)** the driver is entering or leaving the highway;
  - (c)** it is reasonable and prudent to do so because of weather or other conditions;
  - (d)** the centre line is not clearly visible because of weather or other conditions;
  - (e)** the centre line is marked by a broken double line, and a traffic control device permits the driver to drive to the left of the centre line;
  - (f)** the driver is preparing to make or making a left turn using a 2-way left turn lane bounded by the centre line.
- (2)** To drive to the left of the centre line to overtake another vehicle or other conveyance as permitted by clause (1)(a), all of the following conditions must be met:
  - (a)** visibility must not be reduced by fog, rain, snow or another atmospheric condition to a degree that could make the passing manoeuvre unsafe;
  - (b)** the driver's view must be unobstructed for a sufficient distance to see that the passing manoeuvre can be completed safely;
  - (c)** except when the driver is overtaking a bicycle or slow-moving vehicle as permitted by clause (4)(a) or (b), the centre line of the highway must be marked in 1 of the following ways:
    - (i)** a double line consisting of a broken line and a solid line, and the vehicle is in the lane closest to the broken line,
    - (ii)** a single broken line,
    - (iii)** a solid line;
  - (d)** the lane to the left side of the highway must be free of oncoming traffic for a sufficient distance to permit the passing manoeuvre to be completed without

impeding the safe operation of any vehicle or other conveyance, including any vehicle or other conveyance being overtaken;

- (e) driving to the left of the centre line is otherwise permitted by this Section.
- (3) Except as provided in subsection (4), driving to the left of the centre line to overtake another vehicle or conveyance is prohibited if the centre line of the highway is marked in either of the following ways:
  - (a) a double line consisting of a broken line and a solid line, and the vehicle is in the lane closest to the solid line;
  - (b) a solid double line.
- (4) Unless prohibited by subsection (5), driving to the left of the centre line that is otherwise prohibited by subsection (4) is permitted in any of the following circumstances:
  - (a) the driver is passing a bicycle in accordance with subsection 30(7);
  - (b) the driver is passing a slow-moving vehicle or other conveyance that is being driven as closely as possible to the right-hand edge of the roadway or right-hand shoulder of the highway or has been pulled over or moved off the roadway in order not to impede traffic.
- (5) Driving to the left of the centre line to overtake another vehicle or other conveyance is prohibited if there are 2 or more traffic lanes for drivers travelling in the same direction as the vehicle or other conveyance being overtaken.

## **10 Driving on highway with marked lanes**

- (1) This Section applies to a driver travelling on a highway that has marked traffic lanes.
- (2) A driver must drive entirely within a single lane, unless
  - (a) it is impracticable; or
  - (b) the driver is moving from one lane to another.
- (3) A driver must not move from one lane to another lane unless the movement can be made safely.
- (4) On a highway that has only 1 marked traffic lane for vehicles travelling in the same direction, a driver must drive in the traffic lane nearest the right-hand edge or curb of the main travelled way, except in any of the following circumstances:
  - (a) it is impracticable;
  - (b) the lane is not available for travel;

- (c) the driver is overtaking another vehicle or other conveyance;
  - (d) the driver is entering or leaving the highway at a place other than an intersection.
- (5) On a highway that has 2 or more marked traffic lanes for vehicles travelling in the same direction, a driver of a vehicle may drive in a lane other than the lane nearest the right-hand edge or curb of the main travelled way in any of the following circumstances:
- (a) the drivers in the lanes for vehicles travelling in the same direction are travelling in 2 or more substantially continuous lines;
  - (b) a traffic control device designates the lane for vehicles travelling in the direction that the driver is travelling in;
  - (c) a traffic control device designates the lane for vehicles travelling to a destination that the driver is travelling to;
  - (d) a traffic control device designates the lane for vehicles travelling in the direction that the driver is travelling in at a speed indicated on the sign and designates the right-hand lane for vehicles travelling more slowly, if the driver is driving in both of the following manners:
    - (i) at approximately the speed indicated for the lane,
    - (ii) at a speed that is not unnecessarily decreased so as to impede other traffic travelling in that lane;
  - (e) the highway markings for the lanes are not clearly visible because of weather or other conditions.

## 11 **Driving on highway with no marked centre line**

- (1) This Section applies to a driver travelling on a highway that has no marked centre line and is not a one-way street.
- (2) A driver must drive on the right-hand half of the highway, leaving at least one-half of the highway clear for vehicles or other conveyances travelling in the opposite direction, except in any of the following circumstances:
  - (a) it is impracticable;
  - (b) the highway is not sufficiently wide;
  - (c) the driver is overtaking another vehicle or other conveyance;
  - (d) the driver is entering or leaving the highway at a place other than an intersection.



- (3) If a highway is not sufficiently wide or it is otherwise impracticable for 2 drivers travelling in opposite directions to go by each other to the right or leave at least one-half of the roadway clear for each other, then each driver approaching the other driver from the opposite direction must do both of the following:
- (a) slow or stop their vehicle or other conveyance;
  - (b) take all reasonable steps to assist the other driver to proceed safely.

## **12 One-way streets**

A driver travelling on a one-way street that has no marked traffic lanes must drive as closely as possible to the right-hand edge of the main travelled way unless it is impracticable or the driver is entering or leaving the highway.

## **13 Merging of marked lanes**

- (1) Except as provided in subsections (2) and (3), on a highway with 2 marked lanes that merge into 1 lane, a driver travelling in the left lane must yield to traffic travelling in the right lane, unless otherwise directed by a traffic sign.
- (2) A driver merging into a traffic lane from an entrance ramp or another highway must yield to traffic travelling in the traffic lane.
- (3) A driver of a conveyance merging from a bicycle lane must yield to traffic travelling in the traffic lane.

## **14 Divided highways**

- (1) In this Section,

“approved agency” means a municipality, Atlantic Highways Management Corporation Ltd. or the Halifax-Dartmouth Bridge Commission;

“construction vehicle” means a vehicle that is used to provide construction or maintenance services on a highway and is owned by a person that has an agreement with the Department or an approved agency to provide those services;

“snow and ice control vehicle” means a vehicle that is used to aid in the removal of snow or ice from a highway and is owned by a person that has an agreement with the Department or an approved agency to provide that service;

“traffic management plan” means a plan approved by a traffic authority for managing traffic during construction or maintenance on a highway.

- (2) Except as provided in subsections (3) and (4), this Section applies to a driver travelling on a divided highway.

- (3) Subject to the limitation in subsection (4), this Section does not apply to a driver of any of the following vehicles:
- (a) A medical and fire response vehicle, while responding to an emergency;
  - (b) a law enforcement vehicle;
  - (c) a recovery vehicle or a service truck that is responding to an emergency or a disabled vehicle, if it is necessary to cross the median in the circumstances;
  - (d) a vehicle that it is being used for highway maintenance by an employee of an approved agency
    - (i) on a highway that the approved agency is responsible for maintaining, and
    - (ii) in accordance with the employee's duties;
  - (e) a snow and ice control vehicle that is being operated to aid in the removal of snow or ice from a highway under the agreement between its owner and the Department or an approved agency;
  - (f) a construction vehicle that is moving from a closed lane adjacent to the median in one roadway to a closed lane adjacent to the median in the other roadway in accordance with a traffic management plan and while it is being operated under the agreement between its owner and the Department or an approved agency.
- (4) A driver of a vehicle referred to in subsection (3) must not drive from one roadway to another roadway of a divided highway unless the median has been specifically designed to allow a vehicle to be driven across it.
- (5) A driver must drive or park only on the roadway designated for traffic travelling in the same direction as the driver.
- (6) A driver must not drive in the median of a divided highway.
- (7) A driver must not drive from 1 roadway to another roadway of a divided highway, except at an intersection.

## **15 Controlled access highways**

- (1) In this Section,

“approved entrance” means an entrance approved by the owner of or person operating a controlled access highway and put in place for that purpose;

“approved exit” means an exit approved by the owner of or person operating a controlled access highway and put in place for that purpose;

“interchange” means a grade-separated intersection, at which 1 highway passes over another highway and ramps are used to connect the 2 highways.

- (2) A driver must not enter a controlled access highway except at an approved entrance.
- (3) A driver must not leave a controlled access highway except at an approved exit.
- (4) A driver must not drive or turn across a roadway on a controlled access highway at an interchange for the purpose of using an approved exit put in place for the exclusive use of drivers travelling in the opposite direction.

## **16 Vehicle at rotary or roundabout**

- (1) A driver of a vehicle who is about to enter the circulatory roadway of a rotary or roundabout must yield to all of the following:
  - (a) except as provided in subsection (2), any traffic already on the circulatory roadway that is approaching so closely as to be an immediate hazard;
  - (b) any pedestrian stopped at the edge of the roadway facing a crosswalk or lawfully in a crosswalk.
- (2) A driver of a vehicle must drive on the circulatory roadway of a rotary or roundabout in a counter-clockwise direction.
- (3) A driver of a vehicle must exit the circulatory roadway of a rotary or roundabout from the right lane, except in either of the following circumstances:
  - (a) there is a separate lane provided for traffic exiting from a lane other than the right lane;
  - (b) exiting from the right lane is impracticable.

## **17 Railway grade crossings**

- (1) This Section applies to a driver approaching a railway grade crossing on a highway.
- (2) If a crossing is marked with only a crossing sign, a driver must do all of the following:
  - (a) slow down to a reasonable speed;
  - (b) if necessary to comply with clause (c), stop no closer than 5 m from the nearest rail;
  - (c) yield to any railway engine, train or train car that is
    - (i) in the crossing, or
    - (ii) approaching the crossing.

- (3) If a crossing is marked with a crossing sign and a stop sign, a driver must do all of the following:
- (a) stop no closer than 5 m from the nearest rail;
  - (b) yield to any railway engine, train or train car that is
    - (i) in the crossing, or
    - (ii) approaching the crossing.
- (4) If there is a clearly visible or audible signal at a crossing that gives warning of the immediate approach of a railway engine, train or train car, a driver must do all of the following:
- (a) stop no closer than 5 m from the nearest rail;
  - (b) yield to any railway engine, train or train car that is
    - (i) in the crossing, or
    - (ii) approaching the crossing.
- (5) Except as provided in subsections (6) and (7), a driver who has complied with subsection (2) (3) or (4), as applicable, may proceed through the crossing with caution.
- (6) If there is a gate or other barrier in place, or partially in place, at a crossing, a driver must do both of the following:
- (a) stop before reaching the gate or barricade;
  - (b) except as provided in subsection (7), proceed only after the gate or barricade is completely removed.
- (7) A driver must not proceed through a crossing if there is insufficient space on the other side of a crossing to accommodate their vehicle or other conveyance without obstructing the passage of railway engines, trains or train cars in the crossing,

### Sidewalks, Bicycle Lanes and Crosswalks

#### 18 Sidewalks

- (1) In this Section,

“sidewalk area” means the part of a highway that extends in front of an alley, driveway or parking garage in an urban area where no sidewalk is present.

- (2) Except as otherwise provided in these regulations, a driver must not drive on a sidewalk except to cross the sidewalk to enter or exit an alley, a permanent or temporary driveway or a parking garage adjacent to a highway.
- (3) A driver exiting from an alley, driveway or parking garage must do all of the following:
  - (a) stop their vehicle or other conveyance immediately before driving across a sidewalk or sidewalk area;
  - (b) yield to any pedestrian, vehicle or other conveyance on the sidewalk or sidewalk area.
- (4) A driver who is about to enter an alley, driveway or parking garage or drive on or across a sidewalk must yield to any pedestrian, vehicle or other conveyance that is lawfully crossing the entranceway or travelling on the sidewalk.

## **19 Bicycle lanes**

- (1) Except in circumstances described in subsection (2), a driver must not drive in a bicycle lane unless they are driving 1 of the following:
  - (a) a bicycle;
  - (b) a type of vehicle described in subsection 14(3);
  - (c) a conveyance that is permitted by a traffic control device, these regulations or a municipal by-law to drive in the bicycle lane.
- (2) Driving in a bicycle lane that is otherwise prohibited by subsection (1) is permitted in any of the following circumstances:
  - (a) it is necessary to do so to go around another vehicle or other conveyance to which both of the following criteria apply:
    - (i) it is immediately in front of the driver's vehicle or other conveyance;
    - (ii) its driver is signalling the intention to turn left;
  - (b) it is necessary to do so to complete a driving manoeuvre that is otherwise permitted by the Act and these regulations;
  - (c) it is impracticable not to do so.
- (3) A driver who is driving in or about to drive into or across a bicycle lane must yield to a bicycle or other conveyance that is being driven lawfully in the bicycle lane.

## **20 Crosswalks**

- (1) A driver must yield to a pedestrian who is either

- (a) stopped at the edge of the roadway facing a crosswalk and lawfully permitted to cross; or
  - (b) lawfully in a crosswalk.
- (2) For greater certainty, subsection (1) does not apply to a driver who is travelling on a divided highway on a different roadway than the pedestrian.
- (3) A driver must not overtake another vehicle or conveyance whose driver has stopped at a crosswalk to yield to a pedestrian as required by subsection (1).
- (4) A pedestrian must not leave a curb or other place of safety and walk or run into the path of an approaching vehicle or other conveyance if the vehicle or other conveyance is so close that it is impracticable for it to be stopped.
- (5) A pedestrian crossing a roadway at any point other than in a crosswalk must yield to other traffic on the roadway.
- (6) Nothing in this Section relieves a pedestrian or a driver from the duty to exercise due care.

## **21 Construction, road maintenance and snow or ice control equipment**

A driver may drive a vehicle on a sidewalk, crosswalk or bicycle lane if it is being used on that portion of the highway for any of the following purposes:

- (a) construction, maintenance or repair of the highway;
- (b) snow or ice control.

## **Intersections and Turns**

### **22 Entering intersection**

Except when making a left or right turn, a driver must not drive into an intersection or onto a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the driver's vehicle or other conveyance without obstructing traffic if the driver is required to stop for any reason.

### **23 Right turn at intersection**

- (1) Except as provided in subsections (2) and (3), a right turn at an intersection must be performed in the following manner:
  - (a) by approaching the intersection as closely as practicable to the right-hand curb or edge of the main travelled way; and

- (b) by making the turn as closely as practicable to the right-hand curb or edge of the main travelled way.
- (2) A driver of a vehicle who intends to make a right turn at an intersection where more than 1 lane of a roadway has been designated as a right-turn lane by a traffic control device must make the turn in the following manner:
  - (a) by approaching the intersection in 1 of the designated lanes; and
  - (b) after entering the intersection, by making the turn so as to leave the intersection driving in the lane of the roadway that the driver is entering that corresponds to the lane from which the turn was begun.
- (3) A driver of a vehicle who intends to make a right turn at an intersection that has a delineated right turn lane leading to the highway being entered must make the turn in the delineated turn lane.

## **24 Vehicle turning left at intersection**

- (1) Except as otherwise provided in this Section, and unless it is impracticable, a driver of a vehicle who intends to turn left at an intersection must make the turn in the following manner:
  - (a) by approaching the intersection in the lane that is closest to the left side of the roadway and that is available for traffic moving in the same direction as the driver making the turn; and
  - (b) after entering the intersection, by making the turn so as to leave the intersection in the lane that is closest to the left side of the roadway that the driver is entering and that is available for traffic moving in the same direction as the driver making the turn.
- (2) A driver of a vehicle who intends to turn left at an intersection where more than 1 lane of roadway is designated as a left-turn lane by a traffic control device must make the turn in the following manner:
  - (a) by approaching the intersection in 1 of the designated lanes; and
  - (b) after entering the intersection, by making the turn so as to leave the intersection driving in the lane of the roadway that the driver is entering that corresponds to the lane from which the turn was begun.
- (3) Except as provided in subsection (4), a driver of a vehicle making a left turn at an intersection must do all of the following:
  - (a) stay to the right of the centre line of the highway being exited until their vehicle has entered the intersection; and

- (b) unless it is impracticable, stay to the left of the centre of the intersection while making the turn.
- (4) If the centre line of the highway that a left-turning driver of a vehicle is entering is a median, the left turn must be performed in the following manner:
  - (a) after entering the intersection, by staying to the right side of the centre line of the highway being exited until a substantial part of the median is passed; and
  - (b) without regard to the centre of the intersection, by making the turn so as to leave the intersection in accordance with clause (1)(b) or (2)(b), as applicable.
- (5) A driver of a vehicle who intends to make a left turn at an intersection that has a delineated left turn lane leading to the highway being entered, must make the turn in the delineated turn lane.

## **25 Yielding right of way on left turn at intersection**

- (1) Except as provided in subsection (2), a driver who is turning left at an intersection must yield to all of the following:
  - (a) any traffic in the intersection that is going by the driver's vehicle or other conveyance;
  - (b) any traffic approaching the intersection from the opposite direction so closely that it constitutes an immediate hazard;
  - (c) any pedestrian lawfully in a crosswalk.
- (2) Clauses (1) (a) and (b) do not apply to a driver that has the right of way as indicated by a traffic control device.
- (3) A driver who has complied with subsection (1) may proceed to turn left through the intersection with caution, and any vehicle or other conveyance approaching from the opposite direction must yield the right of way.

## **26 Yielding right of way on left turn**

- (1) A driver who is turning left other than at an intersection must yield to all of the following:
  - (a) any traffic approaching from the opposite direction so closely that it constitutes an immediate hazard;
  - (b) any pedestrian lawfully in a crosswalk.



- (2) A driver who that has complied with subsection (1) may proceed to turn left with caution, and any vehicle or other conveyance approaching from the opposite direction must yield the right of way.

## **27 Yielding on entering or crossing highway**

- (1) In this Section,
  - “entrance” to a highway means any place where traffic may enter or cross the highway, including from an intersecting highway, entrance ramp, parking lot, driveway, alley or parking garage.
- (2) Except as provided in subsection (3), a driver who is about to enter or cross a highway at an entrance to the highway must yield to any traffic that is travelling on the highway past the entrance or approaching so closely as to be an immediate hazard.
- (3) Subsection (2) does not apply if an official traffic sign or official traffic signal requires the traffic travelling on a highway to stop or yield to a vehicle or other conveyance that is about to enter the highway.
- (4) A driver who has complied with subsection (2) may proceed to enter or cross the highway with caution, and any vehicle or other conveyance approaching on the highway must yield the right of way.

## **Driving Manoeuvres**

### **28 Requirement for safe driving manoeuvres**

A driving manoeuvre is permitted only if the manoeuvre can be performed safely in accordance with these regulations and the driver has made appropriate observations and taken into account all traffic that could be affected by the driving manoeuvre.

### **29 Signalling turns, stops and driving manoeuvres affecting other users**

- (1) This Section applies to a driver who is performing driving manoeuvres that affect other traffic, including turning, stopping, and moving right or left.
- (2) For a driving manoeuvre to be performed, a signal that is plainly visible to any affected traffic must be given in the following manner:
  - (a) if the driver’s vehicle or other conveyance is equipped with brake lamps, the brake lamps are activated when the driver is stopping or decreasing speed;
  - (b) if the driver’s vehicle or other conveyance is equipped with turn signal lamps, the turn signal lamps are activated when the driver is doing any of the following:

- (i) preparing to enter the main travelled way from the side of the roadway,
    - (ii) turning from a direct course,
    - (iii) moving from one lane to another;
  - (c) if the driver's vehicle or other conveyance is not equipped with operational brake lamps or turn signal lamps, the driver uses the hand signals described in subsection (3) or (4).
- (3)** Except as provided in subsection (4), a driver must execute a hand signal required by clause (2)(c) from the left side of the vehicle or other conveyance, in the following manner:
- (a) to signal a left turn or movement, by extending their left arm out horizontally with the palm facing forward before beginning the driving manoeuvre;
  - (b) to signal a right turn or movement, by extending their left arm out and bending it upward at the elbow with the palm facing forward before beginning the driving manoeuvre;
  - (c) to signal a stop or decrease in speed, by extending their left arm out and bending it downward at the elbow with the palm facing backward before and throughout the driving manoeuvre.
- (4)** To signal a right turn or movement, a driver of a conveyance other than a vehicle may extend their right arm out horizontally with the palm facing forward before beginning the driving manoeuvre.
- (5)** A driver must not use a hand signal as a visible signal for a driving manoeuvre in any of the following circumstances:
- (a) the design or load of the vehicle or other conveyance will prevent a hand signal from being visible to both the front and rear of the vehicle or other conveyance;
  - (b) it would be unsafe for the driver to use a hand signal.
- (6)** A vehicle or other conveyance referred to in subsection (5) must be equipped with operational brake lamps and turn signal lamps and a visible signal for a driving manoeuvre by a driver of that vehicle or other conveyance must be given by means of the brake lamps and turn signal lamps in accordance with clauses (2)(a) and (b).

## 30 Overtaking

- (1)** A driver may overtake another vehicle or other conveyance in accordance with this Section.

- (2) Except as provided in subsection (3), a driver who is overtaking another vehicle or other conveyance must overtake on the left.
- (3) A driver may overtake another vehicle or other conveyance on the right only in 1 of the following circumstances:
  - (a) drivers are travelling in 2 or more substantially continuous lines of traffic and are passing the vehicles or other conveyances in the other line of traffic on both the right and the left;
  - (b) the driver of the vehicle or conveyance being overtaken is about to make or is making a left turn.
- (4) A driver must not overtake another vehicle or other conveyance on the left in either of the following circumstances:
  - (a) the driver of the vehicle or other conveyance being overtaken is signalling their intention to make, preparing to make or making a left turn;
  - (b) the driver is in the same lane as the vehicle or other conveyance they intend to overtake and the driver of that vehicle or other conveyance is signalling their intention to overtake another vehicle or other conveyance on the left.
- (5) A driver must not overtake another vehicle or other conveyance in any of the following circumstances:
  - (a) the passing manoeuvre cannot be made safely;
  - (b) the driver is travelling on a one-way street that does not have marked lanes;
  - (c) the passing manoeuvre is otherwise prohibited by these regulations.
- (6) Subject to subsection (7), a driver who is overtaking another vehicle or other conveyance must meet all of the following requirements:
  - (a) they must keep their vehicle or other conveyance at a safe distance from the vehicle or other conveyance that is being overtaken;
  - (b) if overtaking on the left, they must meet both of the following requirements:
    - (i) they must signal the intention to overtake as required by Section 29,
    - (ii) they must not pull in front of the passed vehicle or other conveyance until they are a safe distance from the vehicle or other conveyance.
- (7) A driver must not overtake a bicycle unless both of the following conditions are met:
  - (a) there must be sufficient space to do so safely;

- (b) the driver must keep their vehicle or conveyance at least 1 m away from the bicycle.
- (8) Subsection (7) applies even if the bicycle being overtaken is being driven to the far right of the roadway, on the shoulder or in an adjacent bicycle lane.
- (9) A driver who overtakes a bicycle must not make a right turn into an intersection or a driveway after passing the bicycle, unless the turn can be made at a safe distance from the bicycle and would not impede the cyclist's movement through traffic.
- (10) A driver of a vehicle or other conveyance being passed on the left must do both of the following:
  - (a) if practicable, give way to the right in favour of the passing vehicle;
  - (b) not increase the speed of their vehicle or conveyance until the passing manoeuvre has been completed or abandoned.
- (11) If a driver of a vehicle is driving in a passing lane to overtake another vehicle or other conveyance and the passing manoeuvre cannot be completed before the passing lane ends, the driver must abandon the passing manoeuvre and yield to the other vehicle or other conveyance being overtaken, unless there is an official traffic sign directing the driver of the vehicle or other conveyance being overtaken to yield to the driver of the passing vehicle.

### **31 U-turns**

U-turns are prohibited in all of the following circumstances:

- (a) a U-turn is prohibited by a traffic sign;
- (b) the U-turn cannot be made safely;
- (c) the U-turn cannot be made without interfering with other traffic;
- (d) the vehicle or other conveyance making the U-turn cannot be seen by a driver of an approaching vehicle or other conveyance at a sufficient distance to permit the U-turn to be completed without impeding the safe operation of any vehicle or other conveyance.

### **32 Driving in reverse**

Driving in reverse is prohibited if the driving manoeuvre cannot be performed safely.

### **33 Coasting prohibited**

Driving a motor vehicle on a downward grade on a highway by coasting with the gears in neutral is prohibited.

### **34 Following another vehicle**

A driver must not drive behind another vehicle or other conveyance more closely than is prudent, considering all of the following:

- (a) the speed of the vehicles or other conveyances;
- (b) the traffic on the highway;
- (c) the condition of the highway.

## **Traffic Signs**

### **35 Stop signs**

- (1) In this Section,  
“stop sign” means an official traffic sign that requires approaching drivers to stop.
- (2) A driver approaching and facing a stop sign must stop in 1 of the following places:
  - (a) if there is a marked stop line, a place from which the driver can see approaching traffic and that is at or just before the stop line;
  - (b) if there is a marked crosswalk, at a place from which the driver can see approaching traffic and that is before the marked crosswalk;
  - (c) if there is no stop line or marked crosswalk, before entering the intersecting highway, at a place from which the driver can see approaching traffic and that is no further than 1.5 m back from the highway being entered.
- (3) A driver who is stopped at a stop sign must yield to all of the following:
  - (a) any traffic in the intersection;
  - (b) any traffic approaching the intersection so closely that it constitutes an immediate hazard;
  - (c) any pedestrian who is stopped at the edge of the roadway facing a crosswalk or is lawfully in a crosswalk.
- (4) If necessary to comply with the requirements in subsection (2) or (3), a driver must stop more than once at a stop sign.
- (5) A driver who has stopped at a stop sign and yielded as required in subsection (3) may proceed through the intersection with caution.
- (6) If 2 or more drivers reach or enter an intersection at approximately the same time from intersecting highways that are controlled by stop signs at their entrances, the

driver of the vehicle or other conveyance that is to the immediate left of another of the conveyances must yield to that conveyance.

### **36 Yield signs**

- (1) In this Section,  
  
“yield sign” means an official traffic sign that requires approaching traffic to yield.
- (2) A driver approaching and facing a yield sign must do all of the following:
  - (a) slow down to a reasonable speed;
  - (b) if necessary to comply with clause (c), stop in the same manner as required by Section 35 for a stop sign;
  - (c) yield to all of the following:
    - (i) any traffic in the intersection;
    - (ii) any traffic approaching the intersection so closely that it constitutes an immediate hazard;
    - (iii) any pedestrian who is stopped at the edge of the roadway facing a crosswalk or is lawfully in the crosswalk.
- (3) A driver who has complied with subsection (2) may proceed through the intersection with caution.

## **Traffic Signals**

### **37 Failure of traffic signal light**

- (1) This Section applies to drivers and pedestrians at an intersection at which there is a traffic signal light but it is not displaying a traffic signal.
- (2) A driver or pedestrian approaching the intersection must do both of the following:
  - (a) stop on reaching the intersection;
  - (b) yield to any traffic that has entered the intersection.
- (3) On reaching the intersection, a driver must yield to any pedestrian who is stopped at the edge of the roadway facing a crosswalk or lawfully in a crosswalk.
- (4) If 2 or more drivers reach or enter the intersection at approximately the same time, the driver of the vehicle or other conveyance that is to the immediate left of another of the conveyances must yield to that conveyance.

- (5) While travelling through the intersection,
  - (a) a pedestrian must travel with caution; and
  - (b) a driver must drive with caution.

### **38 Application and interpretation of Sections 39 to 55**

- (1) The provisions of Sections 39 to 55 that apply to drivers of vehicles or other conveyances apply to a driver of a conveyance except as otherwise directed by a traffic signal that applies to that conveyance.
- (2) The traffic signals referred to in Sections 39 to 55 are the official traffic signals regulated by the *Traffic Control Devices Regulations*.

### **39 Steady green ball traffic signal**

- (1) A driver facing a steady green ball traffic signal may enter the intersection to proceed.
- (2) Unless otherwise directed by a pedestrian signal, a pedestrian facing a steady green ball traffic signal may proceed but only in both of the following manners:
  - (a) in the crosswalk;
  - (b) toward the signal.

### **40 Flashing green ball traffic signal**

- (1) A driver facing a flashing green ball traffic signal may proceed.
- (2) A pedestrian facing a flashing green ball traffic signal must not proceed unless otherwise directed by a pedestrian signal.

### **41 Steady green arrow traffic signal**

- (1) A driver facing a steady green arrow traffic signal may enter the intersection to proceed in 1 of the following manners:
  - (a) straight through, if the arrow is pointing upward;
  - (b) to turn right, if the arrow is pointing right;
  - (c) to turn left, if the arrow is pointing left.
- (2) Unless otherwise directed by a pedestrian signal, a pedestrian facing a steady green arrow traffic signal may proceed, but only in both of the following manners:
  - (a) in the crosswalk;

- (b) toward the signal.

**42 Flashing green arrow traffic signal**

- (1) A driver facing a flashing green arrow traffic signal and intending to turn in the direction of the arrow may proceed in the direction indicated by the arrow.
- (2) A pedestrian facing a flashing green arrow traffic signal must not proceed unless otherwise directed by a pedestrian signal.

**43 Steady amber ball or steady amber arrow traffic signal**

- (1) Except as provided in subsection (2), a driver facing a steady amber ball or steady amber arrow traffic signal must come to a full stop.
- (2) A driver facing a steady amber ball or steady amber arrow traffic signal may proceed, if it is not safe to stop.
- (3) A driver who is required by this Section to stop must stop in the same manner as required by Section 45 for a steady red ball traffic signal.
- (4) A pedestrian facing a steady amber ball or steady amber arrow traffic signal must stop before entering the crosswalk and remain stopped, unless otherwise directed by a pedestrian signal.

**44 Flashing amber ball traffic signal**

- (1) A driver facing a flashing amber ball traffic signal at an intersection may proceed with caution and must yield the right of way to other traffic within the intersection or approaching so closely on an intersecting highway as to constitute an immediate hazard.
- (2) A pedestrian facing a flashing amber ball traffic signal at an intersection may proceed with caution and must yield the right of way to other traffic within the intersection or approaching so closely on an intersecting highway as to constitute an immediate hazard.

**45 Steady red ball traffic signal**

- (1) Except as provided in subsections (3), (4), (5) and (6), a driver facing a steady red ball traffic signal must come to a full stop and remain stopped.
- (2) Except as provided in subsections (3) and (6), a driver stopping at a steady red ball traffic signal must stop at 1 of the following places:
  - (a) if there is a marked stop line, at or before the stop line;
  - (b) if there is a marked crosswalk, before entering the marked crosswalk;



- (c) if there is no marked stop line or marked crosswalk, before entering the intersection.
- (3) If a green arrow traffic signal is also displayed with a steady red ball traffic signal, a driver facing the green arrow traffic signal and intending to proceed in the direction indicated by the arrow is not required to stop, and may enter the intersection to proceed in the direction indicated by the arrow.
- (4) A driver facing a steady red ball traffic signal may, after complying with subsection (5), enter the intersection and proceed to make a turn as follows:
  - (a) at any intersection, a right turn;
  - (b) at an intersection of a one-way street with another one-way street, a left turn.
- (5) Before making a turn described in subsection (4), a driver facing a steady red ball traffic signal must do all of the following:
  - (a) come to a full stop where required by subsection (2);
  - (b) having stopped, yield to traffic in the intersection or approaching so closely that it constitutes an immediate hazard and to pedestrians lawfully crossing in a crosswalk;
  - (c) having yielded, proceed with caution.
- (6) If a transit priority signal is also exhibited with a steady red ball traffic signal, a driver facing the transit priority signal and driving a bus that is a public transit vehicle may proceed.
- (7) If a green bicycle signal is also exhibited with a steady red ball traffic signal, a cyclist facing the green bicycle signal may proceed.
- (8) A pedestrian facing a steady red ball traffic signal must stop before entering the crosswalk and remain stopped, unless otherwise directed by a pedestrian signal.

#### **46 Flashing red ball traffic signal**

- (1) A driver facing a flashing red ball traffic signal must come to a full stop at 1 of the following places:
  - (a) if there is a marked stop line, at or before the stop line;
  - (b) if there is a marked crosswalk, before entering the marked crosswalk;
  - (c) if there is no marked stop line or marked crosswalk, before entering the intersection and no further than 1.5 m back from the intersection.

- (2) A driver who has complied with subsection (1) may proceed with caution, but only after yielding to all of the following:
- (a) any traffic in the intersection;
  - (b) any traffic approaching the intersection so closely that it constitutes an immediate hazard;
  - (c) any pedestrian stopped at the edge of the roadway facing a crosswalk or lawfully in the crosswalk,
- (3) If necessary to comply with subsection (1) or (2), a driver facing a flashing red ball traffic signal must stop more than once.
- (4) Stopping behind another vehicle or other conveyance that is stopped at a traffic signal light does not constitute stopping for the purposes of this Section.
- (5) If 2 or more drivers approach flashing red ball signals at an intersection from different highways at approximately the same time, the driver to the immediate left of another of the conveyances must yield to that conveyance.
- (6) A pedestrian facing a flashing red ball signal must stop before entering the crosswalk and proceed only when the movement can be made in safety.

**47 Downward-pointing green arrow traffic signal**

Subject to Section 10 governing drivers travelling on a highway that has marked traffic lanes, a driver facing a downward-pointing green arrow traffic signal may proceed in the lane over which the signal is displayed.

**48 Flashing red “X” traffic signal**

A driver travelling in a traffic lane over which a flashing red “X” traffic signal is displayed must, as soon as practicable, move to another lane in which traffic is permitted.

**49 Steady red “X” traffic signal**

A driver facing a steady red “X” traffic signal displayed over a traffic lane must not travel in the lane over which the signal is displayed.

**50 “Walk” or “walking pedestrian” signal**

A pedestrian facing a “walk” or “walking pedestrian” signal may enter the crosswalk and proceed toward the signal.

**51 Flashing “don’t walk” or “hand” signal**

- (1) A pedestrian facing a flashing “don’t walk” or flashing “hand” signal must stop before entering the crosswalk and remain stopped.
- (2) A pedestrian facing a flashing “don’t walk” or flashing “hand” signal who entered the crosswalk while facing the “walk” or “walking pedestrian” signal may proceed toward the signal to complete the crossing.

**52 Steady “don’t walk” or “hand” signal**

- (1) A pedestrian facing a steady “don’t walk” or “hand” signal must stop before entering the crosswalk and remain stopped.
- (2) A pedestrian facing a steady “don’t walk” or steady “hand” signal who entered the crosswalk while facing the “walk” or “walking pedestrian” signal may proceed toward the signal to complete the crossing.

**53 Red bicycle signal**

- (1) A cyclist facing a red bicycle signal must stop at 1 of the following places:
  - (a) if there is a marked stop line, at or before the stop line;
  - (b) if there is a marked crosswalk, before entering the marked crosswalk;
  - (c) if there is no marked stop line or marked crosswalk, before entering the intersection.
- (2) Before making a turn described in subsection (3), a cyclist facing a red bicycle sign must do all of the following:
  - (a) come to a full stop where required by subsection (1);
  - (b) having stopped, yield to traffic in the intersection or approaching so closely that it constitutes an immediate hazard and to pedestrians lawfully crossing in a crosswalk;
  - (c) having yielded, proceed with caution.
- (3) A cyclist facing a red bicycle traffic signal may, after complying with subsection (2), enter the intersection and proceed to make a turn as follows:
  - (a) at any intersection, a right turn;
  - (b) at an intersection of a one-way street with another one-way street, a left turn.

**54 Amber bicycle signal**

- (1) Except as provided in subsection (2), a cyclist facing an amber bicycle signal must come to a full stop.
- (2) A cyclist facing an amber bicycle signal may proceed, if it is not safe to stop.
- (3) A cyclist who is required by this Section to stop must stop in the same manner as required by Section 53 for a red bicycle signal.

**55 Green bicycle signal**

A cyclist facing a green bicycle signal may enter the intersection to proceed.

## Speed Restrictions

**56 Minimum rate of speed**

- (1) Except as provided in this Section, a driver must not drive on a highway at a speed that is either of the following:
  - (a) less than the minimum rate of speed posted on an official traffic sign for that part of the highway;
  - (b) so slow that it impedes the normal and reasonable flow of traffic.
- (2) Subsection (1) does not apply if the speed of the vehicle or other conveyance is necessary for any of the following reasons:
  - (a) safety or mechanical reasons;
  - (b) to comply with the Act and the regulations.
- (3) A driver who, for a reason set out in subsection (2), is driving at a speed that is so slow that it impedes the normal and reasonable flow of traffic must do all of the following:
  - (a) drive as closely as possible to the right-hand edge of the roadway, except when passing or preparing to turn left as permitted by these regulations and subject to the requirement to yield to a bicycle being driven in a bicycle lane;
  - (b) to permit traffic to pass, regularly pull over as far off the roadway as possible, on the right-hand side of the roadway, and stop if it is reasonably safe to do so.

- (4) If the speed of the vehicle is reasonable and safe in the circumstances, this Section does not apply to a vehicle that is being used on the highway for any of the following purposes:
  - (a) highway construction, maintenance or repair;
  - (b) snow or ice control.

## **57 Slow-moving vehicle sign**

- (1) In this Section,

“slow-moving vehicle sign” means a sign that is defined and described in American Society of Agricultural and Biological Engineers standard, *Slow-Moving Vehicle Identification Emblem*, ANSI/ASAE S276.5 or any subsequent amendment of the standard, for use on a slow-moving vehicle.
- (2) A motor vehicle that is 1 of the following must be equipped with a slow-moving vehicle sign:
  - (a) except as provided in subsection (3), a motor vehicle that is not normally capable of maintaining a speed faster than 40 km/h under normal conditions;
  - (b) a farm tractor.
- (3) A limited speed motorcycle is not required to be equipped with a slow-moving vehicle sign.
- (4) A slow-moving vehicle sign for a motor vehicle must be affixed to the rear of the motor vehicle or to the rear of a vehicle being towed by the motor vehicle in accordance with the standard referred to in subsection (1).

## **58 Speed restriction for motor vehicle with slow-moving vehicle sign**

A motor vehicle that is equipped with a slow-moving vehicle sign as required by Section 57 must not be driven at a speed that is faster than 40 km/h.

## **59 Prescribed speed limits**

- (1) For the purpose of clause 172(b) of the Act, this Section prescribes the speed limits applicable to a portion of a highway for which there is no traffic sign indicating the speed limit.
- (2) Except as provided in subsection (3), the speed limit is 80 km/h.
- (3) The speed limit is 50 km/h in any of the following areas:
  - (a) an urban area;

- (b) a public park;
- (c) the vicinity of place of worship or the grounds of a place of worship, while the congregation is going to or leaving the place of worship or grounds of the place of worship.

## **60 Exemptions for emergency vehicles**

- (1) Subject to subsection (3), a driver of an emergency vehicle with its flashing lamps activated as permitted by Section 78 or 79 is exempt from the requirement in subsection 152(1) of the Act to obey a direction indicated by a traffic control device.
- (2) Subject to subsection (3), for the purposes of subsections 173(4), 174(4), 175(4) and 177(2) of the Act, the speeding prohibitions in Sections 173, 174 and 175 and clause 177(1)(a) of the Act do not apply to a driver of an emergency vehicle with its flashing lamps activated as permitted by Section 78 or 79.
- (3) A driver of an emergency vehicle described in subsections (1) and (2) may disobey the direction indicated by a traffic control device or contravene a speeding prohibition only if it is reasonable and prudent to do so and the driver does all of the following:
  - (a) activates the vehicle's siren whenever necessary to alert all affected traffic;
  - (b) drives with due regard for the safety of all traffic on the highway;
  - (c) obeys the directions of a peace officer.

## **61 Speed limit in school areas**

- (1) In this Section,

“school area” means a portion of a highway that a traffic authority has designated as a school area in accordance with the *Traffic Control Devices Regulations*.
- (2) Subject to subsection (3), the speed limit in a school area is the speed limit posted on a traffic sign at the beginning of the school area as required by the *Traffic Control Device Regulations*.
- (3) The speed limit in a school area applies only when a child is present in the school area.
- (4) For the purpose of subsection (3), a child is present in a school area when the child is outdoors and is in 1 of the following locations:
  - (a) on the highway in the school area;
  - (b) on land within 30 m of the centre line of the highway in the school area.

## Distracted Driving

### 62 Hand-held devices

- (1) In this Section,  
  
“two-way radio” means a wireless communication device, consisting of a main receiver unit and a separate hand-held microphone, that is operated by a push-to-talk function on a set frequency and that allows for voice communication but not for transmitting and receiving voice communication at the same time.
- (2) In addition to the individuals specified in clauses 183(2)(a), (b) and (c) of the Act, the prohibition in Section 183 of the Act on using, holding or manipulating a hand-held communication device does not apply to a driver who is communicating using a two-way radio.

## Prohibited Use of Equipment

### 63 Radar-warning device prohibition

- (1) Except as provided in subsection (2), a motor vehicle may not be driven on a highway if it is equipped with, carries or contains a radar-warning device.
- (2) Subsection (1) does not apply to a radar-warning device being transported in a motor vehicle in a sealed package from a manufacturer to a consignee.

### 64 Nitrous oxide equipment prohibition

A motor vehicle may not be driven on a highway if it is equipped in a manner by which nitrous oxide could be delivered into the fuel mixture, unless all of the following criteria are met with respect to the part of the fuel system that could connect to a canister, bottle, tank or pressure vessel capable of containing nitrous oxide:

- (a) that part can be clearly seen by looking at the interior or exterior of the motor vehicle;
- (b) there is no canister, bottle, tank or pressure vessel connected to that part;
- (c) either of the following applies:
  - (i) if that part is located inside the passenger compartment, there is no canister, bottle, tank or pressure vessel capable of containing nitrous oxide in the passenger compartment,
  - (ii) if that part is located outside of the passenger compartment, all of the following criteria are met:

- (A) that part is completely disconnected from the part of the system that connects to the engine,
- (B) the disconnection can be clearly seen by looking at the interior or exterior of the motor vehicle,
- (C) the disconnected part cannot be reconnected from inside the passenger compartment.

## **65 Diesel engine enhanced braking system**

- (1) Except as provided in subsection (2), a driver of a motor vehicle with a diesel engine enhanced braking system may not use the system while driving on a highway on which the speed limit is 50 km/h or less unless the driver needs to use the braking system to make an urgent stopping manoeuvre.
- (2) Subsection (1) does not apply to an emergency vehicle.

## **Use of Vehicle Lamps**

## **66 Lamps during time of reduced visibility**

- (1) Except as provided in subsection (2) and Section 67, a driver of a motor vehicle that is equipped with headlamps and tail lamps must activate all of the following at a time of reduced visibility:
  - (a) the vehicle's low beam headlamps;
  - (b) the vehicle's tail lamp or, if the tail lamp does not illuminate the number plate, the tail lamp and number plate lamp.
- (2) Subsection (1) does not apply to a motor vehicle being driven by a law enforcement officer if compliance with that subsection would inhibit the law enforcement officer in performing any of the following duties:
  - (a) responding to an emergency;
  - (b) apprehending a person who has or who the law enforcement officer suspects has committed an offence contrary to the law;
  - (c) attempting to detect illegal activity.

## **67 Lamps on parked or stopped vehicle during time of reduced visibility**

- (1) Except as provided in subsection (1) and except for a vehicle described in Section 68, a driver of a vehicle that is parked or stopped on a highway at a time of reduced visibility must activate lamps that display lights that meet both of the following criteria:



- (a) at least 1 white or amber light on the roadway side of the vehicle is visible under normal atmospheric conditions from a distance of 150 m to the front of the vehicle;
  - (b) at least 1 red light on the roadway side of the vehicle is visible under normal atmospheric conditions from a distance of 150 m to the rear of the vehicle.
- (2) Subsection (1) does not apply to a vehicle that is parked in an area in which there is sufficient light to illuminate the vehicle to traffic approaching from both directions.

## **68 Lights during time of reduced visibility where no headlamps**

A driver of a vehicle that is not required to be equipped with headlamps and tail lamps must, while driving, stopped or parked on a highway at a time of reduced visibility, carry and activate 1 or more lamps that display lights that meet 1 of the following criteria:

- (a) a white light is visible under normal atmospheric conditions from a distance of at least 150 m to the front and rear of the vehicle;
- (b) a white light to the front and a red light to the rear are each visible under normal atmospheric conditions from a distance of at least 150 m from the vehicle.

## **69 Lamps and retro-reflective equipment for commercial vehicle**

- (1) A driver of a commercial vehicle that is disabled and must be left on a highway at a time of reduced visibility must do both of the following:
- (a) leave the vehicle's hazard lights operating, if they are operable;
  - (b) place at the front and rear of the vehicle at least 1 of the following devices:
    - (i) a red retro-reflective advance warning triangle,
    - (ii) a lighted portable red electric light that is operated from a battery other than the vehicle's battery,
    - (iii) a lighted warning flare.
- (2) A driver of a commercial vehicle must have 3 red retro-reflective advance warning triangles present in the vehicle at all times.

## **70 High beams**

A driver of a motor vehicle on a highway, including, for greater certainty, a divided highway, may use the high beam headlamps of the motor vehicle except in either of the following circumstances:

- (a) while approaching and within 150 m of a vehicle that is travelling on the highway in the opposite direction;
- (b) while following within 60 m of another vehicle that is travelling in the same direction.

## **71 Daytime running lamps**

- (1) Except as provided in subsection (2), a driver of a motor vehicle equipped with 1 or more headlamps must display daytime running lights or ensure that the vehicle's headlamps are activated at all times.
- (2) Subsection (1) does not apply to a driver of either of the following motor vehicles:
  - (a) a motor vehicle with a model year before 1970 for which a valid antique vehicle permit exists;
  - (b) a motor vehicle being driven by a law enforcement officer if compliance with that subsection would inhibit the law enforcement officer in
    - (i) responding to an emergency,
    - (ii) apprehending a person who has or who the law enforcement officer suspects has committed an offence contrary to the law, or
    - (iii) attempting to detect illegal activity.

## **72 Spot lamps**

A driver of a vehicle equipped with a spot lamp must not direct any part of the beam of light displayed in either of the following manners:

- (a) to the left of the centre line;
- (b) more than 30 m ahead of the vehicle.

## **73 Prohibited lights**

- (1) Other than a headlamp, spot lamp or auxiliary driving lamp, a driver of a vehicle must not activate any device on the vehicle that projects a beam of light of an intensity greater than 25 candela, unless the light is directed so that no part of the beam will strike the level surface on which the vehicle stands at a distance greater than 15 m from the vehicle.
- (2) A driver of a vehicle must not activate any lamp that is added to the vehicle primarily for off-highway use.

## Safe Driving Environment

### **74 Vehicle horn or warning signal**

- (1) A driver of a motor vehicle must sound the vehicle's horn whenever it is reasonably necessary.
- (2) An individual must not do either of the following:
  - (a) sound a vehicle horn other than as a reasonable warning;
  - (b) make an unnecessarily or unreasonably loud or harsh sound by means of a vehicle horn or other warning device on a vehicle.

### **75 Requirement for warning flag when towing**

- (1) In this Section,

“warning flag” means a square piece of material of red or orange colour with sides that are each at least 400 mm in length.
- (2) A driver of a motor vehicle towing another motor vehicle must attach a warning flag to the attachment equipment if both of the following apply:
  - (a) the attachment equipment consists of a chain, rope, cable or tow bar;
  - (b) the attachment equipment is longer than 5 m.

### **76 Snow, ice or debris on vehicle**

- (1) A driver must not drive a vehicle if there is debris, snow, ice, mud or any other material or object on the vehicle that
  - (a) shifts or comes off and causes damage or injury; or
  - (b) shifts or comes off and
    - (i) interferes with the safe operation of the vehicle or another vehicle, or
    - (ii) endangers the driver's own safety or the safety of other users of the highway.
- (2) A driver who contravenes this Section is liable to any person who removes the object, material or debris left on the highway for the expense of the removal.

### **77 Obstruction of driver's view**

- (1) In this Section,

“critical view area”, in relation to a windshield means the area of the windshield that is swept by the windshield wiper arms, excluding the area on the inside of the windshield behind the rear-view mirror.

- (2) This Section applies with respect to the obligations of a driver of a motor vehicle to comply with the prohibitions in Section 188 of the Act against driving while their control or view is obstructed or interfered with.
- (3) A driver of a motor vehicle must ensure that neither of the following are obstructed or interfered with because of a towed vehicle, a load on the motor vehicle or a towed vehicle, an animal or the number of persons in the front seat of the vehicle:
  - (a) except as permitted by subsection (4) their control over any of the driving mechanisms of the motor vehicle;
  - (b) their view to the front or side of the vehicle;
  - (c) except as permitted by subsection (8), their view to the rear of the motor vehicle.
- (4) Subsection (3) does not prohibit a supervising driver or examiner from taking control of a driving mechanism of a motor vehicle.
- (5) A driver must ensure that their view is not obstructed by reason of ice, snow, frost, steam, dirt or any other material on any of the following:
  - (a) the critical view area of the windshield;
  - (b) a side window;
  - (c) the rear window, if any.
- (6) Except as provided in subsection (7) and subject to the prohibition in Section 55 of the *Vehicle Equipment, Safety and Inspection Regulations* against material covering window glazing, a driver must ensure that their view is not obstructed and their attention is not distracted by any of the following:
  - (a) a sign, poster or other translucent or opaque material located on, or over the opening for, any of the following:
    - (i) the critical view area of the windshield,
    - (ii) a side window,
    - (iii) except as permitted in subsection (8), the rear window;
  - (b) any ornament, decoration, novelty or other thing attached in or on the motor vehicle.

- (7) Subsection (6) does not apply to any certificate, sticker or device required or permitted by the Act or the regulations to be located or displayed in or on the motor vehicle.
- (8) Nothing in this Section prohibits a driver's view through the rear window from being obstructed if the motor vehicle has outside rear-view mirrors on both the left and right side that comply with the *Vehicle Equipment, Safety and Inspection Regulations*.

## Sirens and Flashing Lamps

### **78 Law enforcement vehicles: permitted use of siren, flashing headlamps and flashing lamps emitting red, blue, amber and white light**

A law enforcement vehicle may be driven with any of the following activated whenever they are required in the performance of the driver's duties:

- (a) a siren;
- (b) flashing headlamps;
- (c) 1 or more flashing lamps emitting red, blue, amber or white light or any combination of red, blue, amber and white light.

### **79 Medical or fire response vehicle: permitted use of siren, flashing headlamps and flashing lamps emitting red, white and amber light**

- (1) A medical or fire response vehicle may be driven with any of the following activated when responding to an emergency:

- (a) a siren;
- (b) flashing headlamps;
- (c) 1 or more flashing lamps that emit red, white or amber light or any combination of red, white and amber light.

- (2) A vehicle that is towed by a medical or fire response vehicle may have lamps that display the same lights as the medical or fire response vehicle activated in the same circumstances.

### **80 Permitted use of flashing lamps emitting red, white and amber light**

Each of the following motor vehicles may be driven with 1 or more flashing lamps that emit red, white or amber light or any combination of red, white and amber light activated in the circumstances specified:

- (a) a recovery vehicle being used to assist a disabled vehicle or attend at the scene of an emergency;
- (b) a service truck being used to assist a disabled vehicle or attend at the scene of an emergency;
- (c) a motor vehicle used by a peace officer appointed under Section 10 of the *Corrections and Conditional Release Act* (Canada), when required in the performance of the peace officer's duties;
- (d) a motor vehicle used by an employee of the Emergency Management Office, when required in the performance of the employee's duties.

**81 Permitted use of flashing lamps on school bus**

A school bus may be driven with 1 or more flashing lamps that emit red, white or amber light or any combination of red, white and amber light activated, when required by the *Governor in Council Public Passenger Motor Carrier Act Regulations* made under the *Motor Carrier Act*.

**82 Permitted use of flashing lamp emitting amber light**

Each of the following vehicles may be driven with a flashing lamp that emits amber light activated in the circumstances specified:

- (a) a vehicle being used to transport explosives;
- (b) a recovery vehicle being used to transport or tow a vehicle;
- (c) a motor vehicle being used to tow a trailer that is wider than the towing vehicle,
- (d) a vehicle being used in constructing, maintaining or repairing communication or power systems;
- (e) a vehicle being used under the terms of a special permit issued under the *Weights and Dimensions of Vehicles Regulations* made under the Act;
- (f) any of the following motor vehicles, whenever they are driven on the highway:
  - (i) a farm machine,
  - (ii) a farm tractor,
  - (iii) miscellaneous powered equipment;
- (g) a vehicle owned or engaged by the Province or a municipality and being used for any of the following activities:

- (i) constructing, surveying or testing a highway,
- (ii) maintaining or repairing a highway;
- (h) a vehicle being used to plow or remove snow;
- (i) a public transit system service vehicle being used to provide service to a disabled bus;
- (j) a vehicle owned or engaged by the Government of Canada, a federal crown corporation, the Province, a Nova Scotia crown corporation or a municipality and being used to provide a public service that requires the driver to drive at a reduced speed or to make repeated stops along a highway;
- (k) a vehicle being used in constructing, maintaining, surveying, testing or repairing a public utility;
- (l) a vehicle owned by a search and rescue organization and being used to respond in a search and rescue operation.

### **83 Permitted use of flashing lamp emitting purple light by motor vehicle leading funeral procession**

A motor vehicle being used to lead a funeral procession may be driven with a flashing or revolving lamp that is designed to show only purple light in all directions activated.

## **Approaching Certain Vehicles**

### **84 Approaching stopped school bus**

- (1) In this Section,

“amber caution lights” means the amber caution lights with which a school bus is required to be equipped by the *Board Public Passenger Motor Carrier Act Regulations* made under the *Motor Carrier Act*;

“red warning lights” means the red warning lights with which a school bus is required to be equipped by the *Board Public Passenger Motor Carrier Act Regulations* made under the *Motor Carrier Act*.

- (2) Except as provided in subsection (5), this Section applies to a driver travelling in the same or opposite direction to a school bus that is stopped on or beside a roadway.
- (3) If a school bus has its red warning lights activated, a driver approaching the school bus from either direction must comply with all of the following rules:

- (a) they must stop before passing or going by all or a portion of the school bus;
  - (b) they must remain stopped until the school bus's red warning lights are no longer activated.
- (4) If a school bus has its amber caution lights activated, a driver approaching the school bus from either direction may proceed with caution to pass or go by the school bus.
- (5) If a school bus is stopped on or beside a divided highway, this Section applies only to a driver travelling on the same roadway as the school bus.

**85      Approaching stopped vehicle displaying flashing red light**

- (1) In this Section,  
  
“vehicle displaying flashing red lights” means an emergency vehicle or other vehicle that is displaying a flashing red light as permitted by Section 78, 79 or 80.
- (2) Except as provided in subsection (6), this Section applies to a driver of a vehicle travelling in the same or opposite direction to a vehicle displaying red flashing lights that is stopped on or beside a roadway.
- (3) Subject to subsection (4), a driver approaching a vehicle displaying red flashing lights from either direction must not drive in either of the following traffic lanes:
  - (a) in a traffic lane occupied or partly occupied by the vehicle displaying red flashing lights;
  - (b) in the traffic lane closest to the traffic lane occupied or partly occupied by the vehicle displaying red flashing lights
- (4) Subsection (3) applies only if the driver can safely move to another traffic lane that is both:
  - (a) for traffic travelling in the same direction as the driver;
  - (b) further from the vehicle displaying red flashing lights.
- (5) A driver approaching a vehicle displaying red flashing lights from either direction must not pass or go by the vehicle at a speed that is faster than the lower of the following:
  - (a) the speed limit otherwise applicable at that portion of the roadway;
  - (b) 60 km/h.
- (6) If a vehicle displaying red flashing lights is stopped on or beside a divided highway, this Section applies only to a driver of a vehicle travelling on the same roadway as the vehicle displaying red flashing lights.



**86        Yielding to emergency vehicle**

- (1) An emergency vehicle that has its flashing lamps and siren activated has the right of way over all other vehicles and other conveyances.
- (2) Except as provided in subsection (3), and unless directed otherwise by a peace officer, a driver approaching an emergency vehicle that has its flashing lamps and siren activated, from either direction, must comply with all of the following rules:
  - (a) they must yield the right of way;
  - (b) they must immediately drive to a position as near as practicable and parallel to the right edge or curb of the highway, clear of any intersection;
  - (c) they must stop;
  - (d) they must remain stopped until the emergency vehicle has passed or gone by and they determine that no other emergency vehicles are approaching.
- (3) Subsection (2) applies only to a driver travelling on the same roadway as an emergency vehicle.

**87        Approaching fire vehicle**

- (1) In addition to the requirements of Sections 85 and 86, this Section applies to a driver approaching a fire vehicle that is responding to an emergency.
- (2) A driver approaching a fire vehicle must not follow the fire vehicle at a distance closer than 150 m.
- (3) A driver must not drive over an unprotected fire hose of a fire department that has been laid on a street or a driveway, except under the direction of a fire official.

**88        Yielding to transit bus**

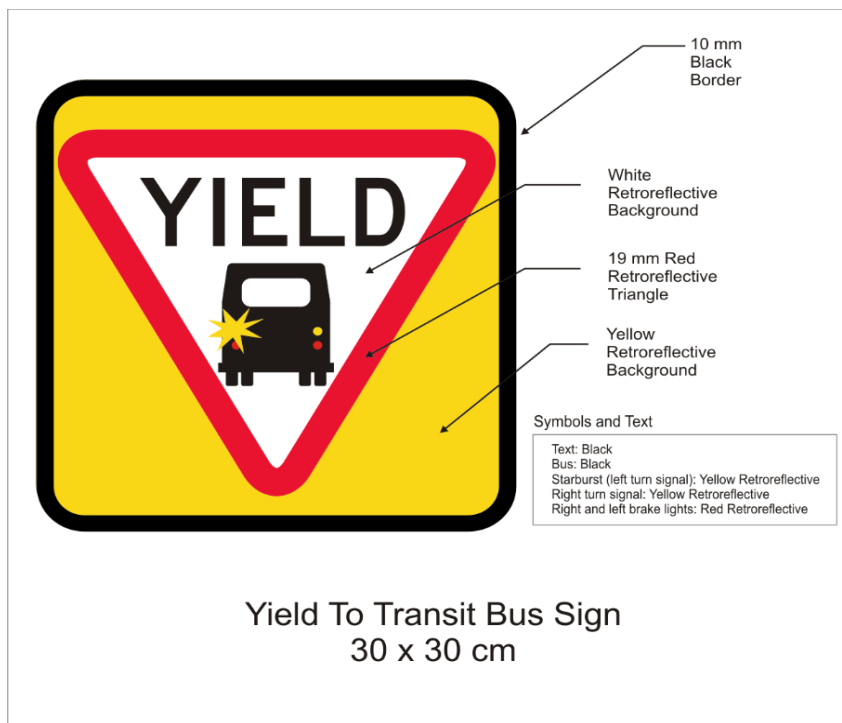
- (1) In this Section,

“transit bus” means a public transit bus that is operated by 1 of the following:

  - (a) Halifax Regional Municipality;
  - (b) Kings Transit Authority;
  - (c) Strait Area Transit Co-operative Ltd.;
  - (d) Transit Cape Breton.
- (2) Except as provided in subsection (3), this Section applies to a driver travelling in the same direction as a transit bus that is stopped or parked at or immediately adjacent to a roadway that has a speed limit of 60 km/h or less.

- (3) This Section does not apply to a driver of an emergency vehicle that has its flashing lamps and siren activated.
- (4) A driver approaching a transit bus must yield the right of way to the transit bus so that the transit bus can enter the closest traffic lane adjacent to the right-hand edge of the roadway, if all of the following apply:
  - (a) the driver of the transit bus has signalled an intention to enter the lane;
  - (b) the transit bus is displaying the signage prescribed in subsection (5);
  - (c) yielding to the transit bus does not constitute an immediate hazard.
- (5) A sign to be displayed on a transit bus for the purpose of clause (4)(b) must meet all of the following requirements:
  - (a) it must be at least 30 cm high and 30 cm wide;
  - (b) it must be displayed on the rear of the transit bus immediately above the left turn signal or, if that is not possible, then as close as practicable to immediately above the left turn signal;
  - (c) it must match the graphics and specifications noted in the following Figure 1, Yield to Transit Bus Sign.

Figure 1



- (6) Nothing in this Section relieves a driver of a transit bus from the duty to drive with due regard for the safety of all traffic on the highway.

### Seatbelts and Child Restraint Systems

#### 89 Interpretation and definitions for Sections 90 to 95, child restraint systems

- (1) Sections 90 to 95 set out the requirements for the use of child restraint systems for children riding as passengers in vehicles driven on a highway to be in compliance with subsections 205(1) and 206(1) of the Act.
- (2) The use of a child restraint system is a passenger safety requirement for the purpose of Section 206 of the Act.
- (3) In Sections 90 to 95,
- “booster seat” means a child’s car seat that is designed to seat an older child and is used, together with a seat belt, as a child restraint system for the child;
- “child restraint system” means a child’s car seat of a type prescribed in these regulations for a child of an age, height or weight specified in these regulations;
- “CMVSS” means Canada Motor Vehicle Safety Standard, as amended from time to time;
- “CMVSS 207–Anchorage of Seats” means section 207 of Schedule IV to the *Motor Vehicle Safety Regulations*;
- “CMVSS 208–Occupant Protection in Frontal Impacts” means section 208 of Schedule IV to the *Motor Vehicle Safety Regulations*;
- “CMVSS 209–Seat belt Assemblies” means section 209 of Schedule IV to the *Motor Vehicle Safety Regulations*;
- “CMVSS 210–Seat belt Anchorages” means section 210 of Schedule IV to the *Motor Vehicle Safety Regulations*;
- “CMVSS 210.1–User-ready Tether Anchorages for Restraint Systems and Booster Seats” means section 210.1 of Schedule IV to the *Motor Vehicle Safety Regulations*;
- “CMVSS 210.2–Lower Universal Anchorage Systems for Restraint Systems and Booster Seats” means section 210.2 of Schedule IV to the *Motor Vehicle Safety Regulations*;
- “CMVSS 213–Child Restraint Systems” means Part 2, CMVSS 213–Child Restraint Systems, to the *Motor Vehicle Restraint Systems and Booster Seats Safety Regulations*;

“CMVSS 213.1–Infant Restraint Systems” means Part 3, CMVSS 213.1–Infant Restraint Systems, to the *Motor Vehicle Restraint Systems and Booster Seats Safety Regulations*;

“CMVSS 213.2–Booster Seats” means Part 4, CMVSS 213.2–Booster Seats, to the *Motor Vehicle Restraint Systems and Booster Seats Safety Regulations*;

“CMVSS 213.3–Restraint Systems for Disabled Persons” means Part 5, CMVSS 213.3–Restraint Systems for Disabled Persons, to the *Motor Vehicle Restraint Systems and Booster Seats Safety Regulations*;

“CMVSS 213.4–Built-in Restraint Systems and Built-in Booster Seats” means section 213.4 of Schedule IV to the *Motor Vehicle Safety Regulations*;

“CMVSS 213.5–Restraint Systems for Infants with Special Needs” means Part 6, CMVSS 213.5–Restraint Systems for Infants with Special Needs, to the *Motor Vehicle Restraint Systems and Booster Seats Safety Regulations*;

“infant” means either of the following:

- (i) a child who is younger than 2 years old;
- (ii) a child of any age whose weight is less than 10 kg (22 lb.).

“*Motor Vehicle Restraint Systems and Booster Seats Safety Regulations*” means the *Motor Vehicle Restraint Systems and Booster Seats Safety Regulations* made under the *Motor Vehicle Safety Act* (Canada);

“older child” means a child who meets all of the following criteria:

- (i) they are at least 4 years old but younger than 13 years old,
- (ii) they weigh at least 18 kg (40 lb.),
- (iii) they have a standing height of less than 145 cm (57 in.);

“out-of-Province vehicle” means a motor vehicle that is registered or required to be registered in a jurisdiction other than the Province and is operated in the Province but is not required to be registered under the Act;

“young child” means a child who meets all of the following criteria:

- (i) they are at least 2 years old,
- (ii) they weigh at least 10 kg (22 lb.),
- (iii) they meet 1 of the following criteria:
  - (A) they are younger than 4 years old,
  - (B) they are 4 years old or older, but they weigh less than 18 kg (40 lb.).

**90 Child restraint system required for passenger younger than 13 years old**

- (1) Except as provided in Section 95 and subject to Section 94 for a child in an out-of-Province vehicle, an individual younger than 13 years old who is a passenger in a motor vehicle being driven on a highway must be secured in a child restraint system that meets the standards for their age, weight and height prescribed in Sections 91 to 93.
- (2) A child restraint system must be used in accordance with the manufacturer's instructions.

**91 Standards for child restraint system for infant**

- (1) A child restraint for an infant must be a rearward-facing child restraint system that meets the requirements of 1 of the following standards:
  - (a) CMVSS 213.1–Infant Restraint Systems;
  - (b) CMVSS 213.5–Restraint Systems for Infants with Special Needs.
- (2) A rearward-facing child restraint system must not be used in a motor vehicle seat that is equipped with an active frontal air bag.

**92 Standards for child restraint system for young child**

A child restraint system for a young child must meet the requirements of 1 of the following standards:

- (a) CMVSS 213–Child Restraint Systems;
- (b) CMVSS 213.1–Infant Restraint Systems;
- (c) CMVSS 213.3–Restraint Systems for Disabled Persons;
- (d) CMVSS 213.4–Built-in Child Restraint Systems and Built-in Booster Seats;
- (e) CMVSS 213.5–Restraint Systems for Infants with Special Needs.

**93 Standards for child restraint system for older child**

A child restraint system for an older child must meet the requirements of 1 of the following standards:

- (a) CMVSS 213.2–Booster Seats, if it is a booster seat;
- (b) 1 of the standards in Section 92, if it is any type of child restraint system other than a booster seat.

**94 Out-of-Province motor vehicles**

- (1) Subject to subsection (2), Sections 90 to 93 do not apply to a child in an out-of-Province vehicle, if the driver and passengers in the motor vehicle comply with all requirements for child restraint systems in force in the jurisdiction in which the vehicle permit for the motor vehicle is issued or required to be issued.
- (2) If the jurisdiction in which an out-of-Province vehicle is registered or required to be registered does not require a child who is younger than 13 years old to be secured in a child restraint system, a child of that age who is a passenger in the out-of-Province vehicle must be secured by a seatbelt in a seat which, unless the motor vehicle is not equipped with seating other than in the front seat, must not be the front seat.

**95 Exemption from requirement to use child restraint system**

- (1) Subject to subsection (3), all of the following children are exempt from the requirement to be secured in a child restraint system while in a motor vehicle being driven on a highway:
  - (a) a child whose weight is 18 kg (40 lb.) or greater and has a standing height of 145 cm (57 in.) or greater;
  - (b) a child who, in the opinion of a peace officer, is unable to be restrained in the prescribed child restraint system by reason of the child's size, build or other physical characteristics;
  - (c) a child who is a passenger in a bus, school bus or transit bus being driven on the highway if there is no seating position available to the child that is equipped with a manufacturer-installed system that allows the use of a child restraint system.
- (2) In clause (1)(c), "manufacturer-installed system" means a system installed by a manufacturer in accordance with the following standards, as required by Schedule III to the *Motor Vehicle Safety Regulations*:
  - (a) CMVSS 207—Anchorage of Seats;
  - (b) CMVSS 208—Occupant Protection in Frontal Impacts;
  - (c) CMVSS 209—Seat Belt Assemblies;
  - (d) CMVSS 210—Seat Belt Anchorages;
  - (e) CMVSS 210.1—User-ready Tether Anchorages for Restraint Systems and Booster Seats;
  - (f) CMVSS 210.2—Lower Universal Anchorage Systems for Restraint Systems and Booster Seats.

- (3) A child who is exempt from the requirement to be secured in a child restraint system and who is a passenger in a motor vehicle must be secured by a seatbelt in a seat which, unless the motor vehicle is not equipped with seating other than in the front seat, must not be the front seat.

**96**

**Seatbelt exemptions**

- (1) All of the following individuals are exempt from the requirements of subsections 204(1) and 205(1) of the Act to wear a seatbelt while driving or riding as a passenger in a vehicle on a highway:
- (a) an individual who, in the opinion of a peace officer, is unable to wear a seatbelt because of the individual's size, build or other physical characteristics;
  - (b) a medical attendant in an ambulance transporting a patient, if it is necessary for the medical attendant to remove their seat belt to attend to a patient;
  - (c) an individual performing work-related duties that require them to alight from and re-enter the vehicle at frequent intervals, but only if the vehicle is being driven at a speed of 40 km/h or less while the individual is performing that work;
  - (d) an individual performing work-related duties or duties under an enactment that require the person to be situated somewhere other than in a seating position, but only if the person is attached securely to the vehicle;
  - (e) an individual being transported in a truck in space intended for merchandise, but only if all of the following conditions are met:
    - (i) the truck must have seating in place that is securely attached to the vehicle,
    - (ii) the individual must be seated on the secured seating referred to in subclause (i),
    - (iii) the truck must be driven at a speed of 40 km/h or less;
  - (f) an individual older than 12 years of age who is driving or riding in a vehicle in a seat that has no seatbelt, but only if the vehicle is not required by subsection 5(2) of the *Vehicle Equipment, Safety and Inspection Regulations* to be equipped with seatbelts.
- (2) A driver of a vehicle for hire is not responsible with respect to the use of a seat belt or child restraint system by a passenger in the vehicle for hire.
- (3) A driver of a bus, school bus or bus that is a public transit vehicle is not responsible with respect to the use of a seat belt or child restraint system by a passenger in the bus.

- (4) An individual who is driving or riding in a vehicle transporting prisoners is not responsible with respect to the use of a seat belt or child restraint system by a passenger who is a prisoner.

## **Passenger Safety and Other Safety Requirements**

### **97 Definition for Sections 98 to 102**

In Sections 98 to 102,

“passenger safety requirement” means a passenger safety requirement for the purpose of the prohibition in Section 206 of the Act on contravening passenger safety requirements prescribed by the regulations.

### **98 Passenger and driver seating**

- (1) Except as provided in subsections (2), (3) and (5), if a vehicle is in motion, both of the following passenger safety requirements apply:
- (a) a passenger must not be transported in or on a part of the vehicle that is not designed or intended for the use of passengers;
  - (b) a passenger must not be transported unless they are seated.
- (2) Clause (1)(a) does not apply if a passenger is being transported in a truck in space intended for merchandise, if all of the following conditions are met:
- (a) the truck must have secure seating in place;
  - (b) the passenger must be seated on the secure seating while being transported;
  - (c) the truck must be driven at a speed of 40 km/h or less.
- (3) Clause(1)(b) does not apply to a passenger in a bus that is a public transit vehicle.
- (4) Except as provided in subsection (5), a person must be seated while driving a vehicle.
- (5) Subsections (1), (2) and (4) do not apply to a driver or passenger if both of the following apply:
- (a) the driver or passenger is performing work-related duties or duties under an enactment that require them to stand or to be situated somewhere other than in a seat;
  - (b) the vehicle that the driver or passenger is driving or riding in is designed to be driven or to transport a passenger in the manner described in clause (a).



**99            Riding in truck camper**

- (1) In this Section,  
  
“truck camper” means a recreational vehicle that is a motor vehicle with a camper unit mounted on it.
- (2) It is a passenger safety requirement that an individual must not ride in the camper part of a truck camper while the vehicle is motion, unless the individual is seated on a seat that is either of the following:
  - (a) a regular passenger seat;
  - (b) a seat that is permanently mounted on the lower part of the body of the truck camper.

**100          Riding in recreational vehicle**

It is a passenger safety requirement that an individual must not ride in a recreational vehicle that is being towed.

**101          Riding in trunk**

It is a passenger safety requirement that an individual must not ride in the trunk of a motor vehicle.

**102          Entering or exiting vehicle**

- (1) An individual must not exit or enter a vehicle unless it is stopped at a curb or the side of a highway.
- (2) Entering or exiting a vehicle while the vehicle is in motion is prohibited.
- (3) The requirements in this Section, when they apply to passengers, are passenger safety requirements.

**103          Opening vehicle door**

- (1) An individual must not open a vehicle door on a highway unless all of the following conditions are met:
  - (a) the vehicle must be stopped;
  - (b) the individual must take due precautions to ensure that opening the door will not interfere with the movement of or endanger any other traffic;
  - (c) if the door is on the side of the vehicle adjacent to moving traffic, it must not be left open longer than necessary to load or unload passengers or materials.

- (2) A driver of a vehicle must not allow or knowingly permit a passenger who is under 16 years old to contravene subsection (1).
- (3) An individual who is younger than 16 years old may not be found guilty of an offence under subsection (1).

**104      Driving bus with open door**

The driver of a bus must not knowingly put the bus in motion if a door is open.

**105      Hitching onto moving vehicle**

- (1) In this Section,  
  
“illegal conveyance” means a toy vehicle or other conveyance or device that is not designed to be attached to or towed by a vehicle or other conveyance.
- (2) If the vehicle or other conveyance referred to is in motion, an individual must not ride or travel on an illegal conveyance by doing any of the following activities:
  - (a) clinging to the vehicle or other conveyance;
  - (b) attaching themselves to the vehicle or other conveyance;
  - (c) attaching the illegal conveyance to the vehicle or other conveyance.
- (3) A driver must not knowingly allow an individual to contravene subsection (1) by clinging to or attaching themselves to the driver’s vehicle or other conveyance.

**Driving motorcycles**

**106      Motorcycle safety**

- (1) Except as provided in subsection (2) and subject to subsections (3) and (4), an individual must not drive or ride as a passenger on a motorcycle if any of the following apply:
  - (a) they are sitting side-saddle;
  - (b) they are sitting on the handlebar, frame or tank of the motorcycle;
  - (c) if they are the driver, they have both hands off the handlebars;
  - (d) they are wearing open-toed or open-heeled footwear or are barefoot;
  - (e) their feet cannot reach the motorcycle’s footrests;
  - (f) if they are the passenger, footrests are not available for the exclusive use by each of the driver and the passenger;

- (g) unless exempted under Section 111, they are not wearing a helmet that is an approved helmet in accordance with Sections 109 and 110.
- (2) Clauses (1)(d), (e) and (f) do not apply to a passenger who is riding in a sidecar attached to the motorcycle.
- (3) A driver of a limited speed motorcycle must not drive carrying a passenger.
- (4) An individual must not ride as a passenger on a limited speed motorcycle.

#### **107 Passenger safety requirements**

- (1) Except as provided in subsection (2), the requirements in Section 106, when they apply to passengers, are passenger safety requirements as defined in Section 97.
- (2) An individual who is younger than 16 years old may not be found guilty of an offence in relation to a contravention of Section 106.

### **Helmets**

#### **108 Conveyances prescribed for purpose of Section 207 of Act**

- (1) A bicycle trailer is prescribed for the purpose of Section 207 of the Act as a conveyance in which an individual riding as a passenger is required to wear an approved helmet.
- (2) A pedicab is prescribed for the purpose of Section 207 of the Act as a conveyance whose driver is required to wear an approved helmet.

#### **109 Approved helmets**

- (1) An approved helmet for an individual driving or riding as a passenger on a motorcycle, bicycle, bicycle trailer, personal transporter or recreational apparatus is a helmet that meets all of the following criteria:
  - (a) it has a smooth outer surface;
  - (b) it is constructed so that the helmet is capable of absorbing energy on impact;
  - (c) it is strongly attached to a strap designed to be fastened under the chin of the individual wearing it;
  - (d) it is undamaged from use or misuse;
  - (e) it properly fits the individual wearing it;
  - (f) it meets the requirements in this Section for a helmet for that type of vehicle or other conveyance.

- (2) An approved helmet for a person driving or riding as a passenger on a motorcycle is a helmet that bears a mark indicating that the helmet is approved or certified as a motorcycle helmet by 1 or more of the following certification agencies:
- (a) the British Standards Institute;
  - (b) the Snell Memorial Foundation;
  - (c) the United States of America Department of Transportation;
  - (d) the Economic Commission for Europe.
- (3) An approved helmet for a person driving or riding as a passenger on a bicycle, bicycle trailer, recreational apparatus or personal transporter is a helmet that bears a mark indicating that the helmet is approved or certified for use with that conveyance by one or more of the following certification agencies:
- (a) the Canadian Standards Association;
  - (b) the Snell Memorial Foundation;
  - (c) the American Society for Testing and Materials;
  - (d) the U.S. Consumer Product Safety Commission.
- (4) An approved helmet for the driver of a pedicab is a helmet that meets the same criteria as for an approved helmet for a cyclist.

**110 Requirement for wearing helmet fastened securely**

An individual required to wear an approved helmet must wear the helmet fastened securely under their chin.

**111 Exemptions from requirement to wear helmet**

- (1) An individual whose head is greater than 66 cm in circumference is exempt from the requirement in Section 207 of the Act to wear a helmet.
- (2) The Registrar may exempt an individual from the requirement in Section 207 of the Act to wear a helmet in either of the following circumstances:
- (a) the Registrar is satisfied that wearing a helmet would interfere with the person's religious practices;
  - (b) the Registrar receives the recommendation of a qualified medical practitioner who confirms that the person is unable for medical reasons to wear a helmet.

- (3) The Registrar must issue a certificate to an individual exempted under subsection (2) that attests to the exemption and the period of time for which the exemption is valid.
- (4) An individual who is driving without a helmet on the basis of an exemption granted by the Registrar under subsection (2) must, on the request of a peace officer, produce a valid certificate issued by the Registrar under subsection (3).

**112 Exemption from prosecution for not wearing helmet**

An individual who is younger than 16 years old may not be found guilty of an offence under Section 207 of the Act.

## **Conveyances Other Than Vehicles**

**113 Beginning and end of bicycle lane**

A bicycle lane begins at a traffic control device that indicates that the lane is a bicycle lane and ends at 1 of the following:

- (a) a traffic control device that indicates that the bicycle lane ends;
- (b) an intersection, unless the highway markings for the bicycle lane indicate that the bicycle lane is continued through the intersection.

**114 Bicycle in bicycle lane**

- (1) Except provided in subsection (5) or unless it is impracticable to do so, a bicycle must be driven in a bicycle lane, if there is a bicycle lane on the roadway for bicycles travelling in the same direction.
- (2) A bicycle must be driven in a bicycle lane in the same direction as the vehicular traffic in the adjoining traffic lane is travelling, unless a traffic control device indicates that travel in the opposite direction in the bicycle lane is permitted.
- (3) A cyclist travelling in a bicycle lane must comply with all of the following rules:
  - (a) keep right, if practicable, unless passing another bicycle travelling in the same direction;
  - (b) drive in the lane marked for bicycles travelling in the same direction, if applicable;
  - (c) go by any oncoming bicycle on the right;
  - (d) pass another bicycle travelling in the same direction on the left;
  - (e) use a bell or horn to alert other traffic, if necessary.

- (4) Before exiting a bicycle lane, a cyclist must yield to any other traffic lawfully travelling in the area of the highway that they are entering.
- (5) A cyclist may exit a bicycle lane when preparing to or turning left in the same manner as a driver of a vehicle.

**115 Bicycle not in bicycle lane**

A cyclist who is not travelling in a bicycle lane must travel as far to the right side of the roadway as practicable or on the right-hand shoulder of the highway, unless any of the following apply:

- (a) the cyclist is preparing to or turning left in the same manner as a driver of a vehicle;
- (b) the cyclist is travelling in, exiting or preparing to travel in or exit a rotary or roundabout in the same manner as the driver of a vehicle in a lane other than the far-right lane;
- (c) the cyclist is preparing to cross or is crossing a railway grade crossing;
- (d) the cyclist is passing a vehicle or other conveyance on the left of the vehicle or other conveyance;
- (e) it is impracticable to do so.

**116 Bicycle crossing highway**

- (1) In order to cross a highway in a crosswalk, a cyclist must dismount and walk the bicycle in the crosswalk.
- (2) The provisions in these regulations that apply to a pedestrian at or in a crosswalk apply to a cyclist crossing a roadway in a crosswalk in accordance with subsection (1).

**117 Bicycle or other conveyance on sidewalk**

- (1) Except as permitted by a municipal by-law or a traffic control device, a bicycle must not be driven on a sidewalk by an individual who is 11 years old or older.
- (2) Unless it is prohibited by a municipal law or a traffic control device, a bicycle may be driven on a sidewalk by an individual who is younger than 11 years old.
- (3) Subject to any municipal by-law that regulates traffic on a sidewalk or a shared-use sidewalk, a traffic authority may place a traffic control device to do any of the following:
  - (i) designate a sidewalk as a shared-use sidewalk;

- (ii) regulate the use of a shared-use sidewalk by pedestrians and drivers of bicycles and other conveyances.
- (4) Except as provided in this Section, the use of a shared-use sidewalk is governed by the requirements in these regulations respecting the use of a sidewalk.
- (5) A driver of a bicycle or other conveyance travelling on a sidewalk, shared-use sidewalk or trail, as permitted by the regulations, a municipal by-law or traffic control device, must comply with all of the following rules:
  - (a) keep right, if practicable, unless passing another bicycle or other conveyance or pedestrian travelling in the same direction;
  - (b) drive at a careful and prudent speed in the circumstances and, unless permitted by a municipal by-law or traffic control device, no faster than 7 km/h;
  - (c) drive in the lane marked for bicycles or other conveyance or for bicycles or other conveyances travelling in the same direction, if applicable;
  - (d) go by any oncoming bicycle or other conveyance travelling in the bicycle lane on the right;
  - (e) pass any other bicycle or other conveyance or a pedestrian travelling in the same direction in the bicycle lane on the left;
  - (f) use a bell or horn to alert other traffic if necessary;
  - (g) on exiting the sidewalk, shared-use sidewalk or trail, yield to any other traffic lawfully travelling in area of the highway that they are entering.

## **118      Equipment for visibility while driving bicycle**

- (1) A cyclist who is travelling at a time of reduced visibility must activate the lamps and display the reflectors required for a bicycle by the *Vehicle Equipment, Safety and Inspection Regulations*.
- (2) A cyclist may, at any time, activate any of the following lamps that are mounted on the bicycle or on their helmet or clothing:
  - (a) flashing lamps;
  - (b) lamps emitting red light not visible from directly in front of the bicycle.
- (3) A bicycle being driven by a cyclist who is shorter than 1 m when seated on the bicycle, measured from the surface of the roadway to the top of the cyclist's head, must be equipped with a flag that extends vertically at least 1.2 m, measured from the pavement, and is at least 20 cm wide on 1 side.

- (4) A cyclist who is towing a bicycle trailer at a time of reduced visibility must activate the lamps and display the reflectors required for the bicycle trailer by the *Vehicle Equipment, Safety and Inspection Regulations*.
- (5) A parent or guardian of an individual who is younger than 16 years old must not allow or knowingly permit the individual to contravene this Section.

#### **119 Passenger on bicycle**

- (1) A bicycle must not be driven if a passenger on the bicycle is not seated in 1 of the following seats:
  - (a) a permanently attached bicycle seat;
  - (b) an attached child seat that is designed and installed to carry an individual the size and weight of the passenger;
- (2) An individual must not ride as a passenger on a bicycle unless they are seated as required by subsection (1).
- (3) A cyclist must not tow more than 1 bicycle trailer.
- (4) A cyclist must not drive a bicycle while towing a passenger seated in a bicycle trailer unless the passenger is wearing an approved helmet.

#### **120 Left-turning bicycle**

- (1) A cyclist who is making a left turn must make the turn in 1 of the following manners:
  - (a) in the same manner as required for a vehicle;
  - (b) from the right-hand side of the roadway in accordance with subsection (3).
- (2) If a cyclist is turning left in the same manner as required for a vehicle, a driver who is travelling behind the bicycle and is continuing to go straight may pass the bicycle on the right if 1 m of open space can be maintained between the bicycle and the passing vehicle.
- (3) A cyclist is permitted to turn left at an intersection from the right-hand side of the roadway, if they comply with all of the following rules:
  - (a) remain on the right-hand side of traffic travelling in the same direction while crossing the intersection;
  - (b) keep clear of any right-turning vehicles;
  - (c) keep clear of any pedestrians in crosswalks;



- (d) when turning, yield to drivers on the highway that the cyclist is in the process of leaving.

**121 Bicycle in rotary or roundabout**

A cyclist may enter, travel around and exit a rotary or roundabout in the same manner as required for a vehicle.

**122 Bicycle driving single file**

- (1) A cyclist must drive in single file in relation to other bicycles or conveyances other than vehicles, unless the cyclist is overtaking another bicycle or other conveyance.
- (2) A cyclist who is overtaking a vehicle or driving past a stopped vehicle on the left must maintain 1 m of open space between the bicycle and the vehicle.
- (3) A cyclist travelling on the far-right side or the right-hand shoulder of a roadway may drive past a vehicle on the vehicle's right only if it is safe to do so.

**123 Minimum age to drive power-assisted bicycle**

- (1) A power-assisted bicycle must not be driven by an individual who is younger than 14 years old.
- (2) A parent or guardian of an individual who is younger than 14 years old must not allow or knowingly permit the individual to contravene subsection (1).
- (3) The owner of a power-assisted bicycle must not allow or knowingly permit an individual to contravene subsection (1).

**124 Power-assisted bicycles**

The requirements in these regulations that apply to driving or riding as a passenger on a bicycle apply to driving or riding as a passenger on a power-assisted bicycle.

**125 Driving bicycle or other conveyance in careful and prudent manner**

- (1) A driver of a bicycle or other conveyance driving on a highway must not drive in any of the following manners:
  - (a) practising any trick or stunt driving;
  - (b) coasting with both feet off the pedals or, if the bicycle or other conveyance is hand-powered, both hands off the hand cranks;
  - (c) with both hands off the handlebars;
  - (d) holding on to another moving bicycle or other conveyance;

- (e) allowing a driver of another bicycle or other conveyance to hold onto the moving bicycle or conveyance.
- (2) A contravention of subsection (1) in any circumstances is a contravention of Section 178 of the Act, requiring a person driving a conveyance on a highway to drive in a careful and prudent manner.

## **126 Personal transporters**

- (1) A personal transporter must not be driven in any of the following areas:
  - (a) on a roadway with a posted speed limit greater than 60 km/h;
  - (b) on a controlled-access highway;
  - (c) on a highway on which bicycles or personal transporters are prohibited by the Act or the regulations;
  - (d) on a rotary or roundabout, unless there is a sidewalk or bicycle lane available;
  - (e) on any municipal highway where it is prohibited by a municipal by-law;
  - (f) on private property if it is prohibited.
- (2) A personal transporter may be driven only in 1 of the following areas:
  - (a) if there is a sidewalk, on the sidewalk unless it is impracticable to do so;
  - (b) if there is no sidewalk or if it is impracticable to drive on the sidewalk, in 1 of the following areas:
    - (i) in a bicycle lane that permits traffic travelling in the same direction that the personal transporter is travelling in;
    - (ii) except on a rotary or roundabout, if there is no bicycle lane that permits traffic travelling in the same direction that the personal transporter is travelling in, on the far right side of the roadway.
- (3) A personal transporter must be driven in single file in relation to other personal transporters, bicycles or other conveyances, other than vehicles, unless the driver of the personal transporter is overtaking another personal transporter, bicycle or other conveyance.
- (4) A driver of a personal transporter may make a left turn only by crossing the roadway in a crosswalk.
- (5) The provisions in these regulations that apply to a pedestrian at or in a crosswalk apply to a driver of a personal transporter crossing a roadway in a crosswalk in accordance with subsection (4).

**Pedicabs**

- (1) An individual may drive a pedicab only on a municipal highway and only in accordance with any applicable municipal by-laws.
- (2) A driver of a pedicab travelling on a highway must do all of the following:
  - (a) stay as far to the right side of the roadway or highway as practicable;
  - (b) sit astride the pedicab's driver seat;
  - (c) keep at least 1 hand on the handlebars;
  - (d) keep at least 1 foot on the pedicab pedals.
- (3) A driver of a pedicab must not do any of the following:
  - (a) drive abreast of or parallel to a moving vehicle or other conveyance that is travelling in the same lane on a highway;
  - (b) overtake a moving vehicle or other conveyance on a highway;
  - (c) drive on a sidewalk;
  - (d) carry another individual on the handlebar or frame of the pedicab or on the body of the driver.
- (4) A driver of pedicab may do all of the following in the same manner as required for a cyclist who is not driving in a bicycle lane:
  - (a) turn left;
  - (b) enter, travel on and exit a rotary or roundabout.
- (5) A driver of a pedicab must at all times activate the lights required for the pedicab by the *Vehicle Equipment, Safety and Inspection Regulations*.
- (6) A driver of a pedicab must have the lights required for the pedicab by the *Vehicle Equipment, Safety and Inspection Regulations* activated at all times while driving on a highway.
- (7) An individual who is younger than 19 years old must not drive a pedicab.
- (8) A parent or guardian of an individual who is younger than 16 years old must not allow or knowingly permit the individual to contravene subsection (7).
- (9) The owner of a pedicab must not allow or knowingly permit an individual to contravene subsection (6).

**128        Recreational apparatuses**

For greater certainty, a recreational apparatus must not be driven on any part of the roadway, including the main travelled way, except in accordance with Section 200 of the Act.

**129        Rickshaws**

A driver of a rickshaw may drive on a highway only in accordance with the provisions of these regulations that apply to a driver of a pedicab, with the necessary changes.

**130        Horses**

- (1) For the purpose of subsection 193(1A) of the Act, subject to subsection (2), the prescribed manner for securing a horse left unattended on a highway is as follows:

  - (a) if the horse is unbridled, it must be secured by a halter;
  - (b) the horse must be securely fastened to prevent it from entering the main travelled way;
  - (c) the reins or lines securing the horse must not obstruct the free use of a sidewalk or crosswalk;
  - (d) if the horse is harnessed to a wheeled vehicle or other conveyance, the wheels of the conveyance must be secured and the conveyance must be of sufficient weight to prevent it from being dragged with the wheels secured;
- (2) A horse must not be secured on a highway by fastening it to any of the following objects on the highway:

  - (a) a hydrant;
  - (b) a shade tree;
  - (c) a shade tree's protective box or casing.
- (3) A horse must not be on a highway if it is unbridled, unless is secured by a halter.
- (4) If a horse is harnessed to a vehicle or other conveyance on a highway, an individual must not remove a wheel, pole, shaft, whiffletree, swinglebar or other part of the vehicle or other conveyance or any part of the harness, if removing the part would allow the horse to be unsecured.
- (5) An individual riding a horse on a roadway must comply with all the following rules:

  - (a) ride as far to the right as practicable;
  - (b) do not ride next to another horse except to pass or go by the other horse;

- (c) use the arm signals described in subsections 29(3) and (4) to communicate to other users of the highway an intention to stop, enter the roadway or turn.
- (6) A horse must not be ridden, led or driven on a sidewalk except for the purpose of crossing the sidewalk.
- (7) While riding a horse on a highway, the rider must not do any of the following:
  - (a) perform trick riding;
  - (b) race or run the horse for any purpose, including any of the following:
    - (i) a race or contest,
    - (ii) a bet or wager,
    - (iii) a trial for speed,
    - (iv) to pass another horse or a vehicle.
- (8) An individual riding a horse on a highway may do all of the following in the same manner as a cyclist who is not driving in a bicycle lane:
  - (a) turn left;
  - (b) enter, travel on and exit a rotary or roundabout.
- (9) A horse that is pulling a wagon or cart may be led or driven on the main travelled way in the same manner as required for a vehicle.
- (10) The driver of a wagon or cart on runners being pulled by a horse must ensure that there are at least 2 bells attached to the harness or to the wagon or cart that give a sound that is audible under normal conditions from a distance of at least 60 m.

## Stopping and Parking

### **131      Parking outside of urban area**

- (1) This Section applies to a highway outside an urban area.
- (2) A vehicle or other conveyance must not be parked on a roadway unless both of the following conditions are met:
  - (a) there must be an unobstructed width of at least 4.5 m of main travelled way available for the free passage of other traffic;
  - (b) there must be a clear view of the parked vehicle or other conveyance for a distance of 60 m along the highway in both directions.

- (3) A vehicle or other conveyance must not be parked on any improved or paved portion of a highway not designated by a traffic control device for parking if it is practicable to park on an unimproved or unpaved portion of the highway.

## **132 Stopping and parking in urban area**

- (1) This Section applies to a highway in an urban area.
- (2) A vehicle or other conveyance must not be stopped on a roadway, other than an alley, unless both of the following apply:
  - (a) there is an unobstructed width of at least 3 m of main travelled way available for the free passage of other traffic;
  - (b) the vehicle or other conveyance is stopping only momentarily to load or unload passengers or materials.
- (3) A vehicle or other conveyance must not be parked on a roadway, including an alley, unless there is an unobstructed width of at least 3 m of main travelled way available for the free passage of other traffic.
- (4) A commercial vehicle must not be parked on a roadway for a period of longer than 2 hours.

## **133 Position of parked motor vehicle**

- (1) Except as otherwise indicated by a traffic sign or highway markings, a motor vehicle, other than a motorcycle, must be parked on a roadway in a manner that complies with all of the following requirements:
  - (a) the motor vehicle must be parallel to the edge of the roadway;
  - (b) the motor vehicle must be headed in the same direction as traffic on that side of the roadway,
  - (c) the wheels of the motor vehicle that are closest to the curb or edge of the roadway must be within 30 cm of the curb or edge of the roadway.
- (2) Except as otherwise indicated by a traffic sign or highway markings, a motorcycle must be parked on a roadway in a manner that complies with all of the following requirements:
  - (a) the motorcycle must be at any angle other than perpendicular to the edge of the roadway;
  - (b) if practicable, the motorcycle must be headed in the same direction as traffic on that side of the roadway;

- (c) the wheel of the motorcycle that is closest to the curb or edge of the roadway must be within 15 cm of the curb or edge of the roadway.
- (3) If angle parking of a motor vehicle is indicated by a traffic sign or highway markings, a motor vehicle must be parked at the angle to the curb or edge of roadway indicated by the traffic sign or highway markings.

#### **134 Manner of parking motor vehicle**

- (1) A motor vehicle, other than a motorcycle, must not be parked and left unattended on a highway unless it is parked in a manner that meets all of the following requirements:
  - (a) except as provided in subsection (3), its motor must be stopped;
  - (b) its parking brake must be engaged;
  - (c) if it is parked on an uphill slope without a curb, its wheels must be turned to the nearest side of the highway;
  - (d) if it is parked on an uphill slope with a curb, its wheels must be turned away from the curb;
  - (e) if it is parked on a downhill slope with or without a curb, its wheels must be turned to the nearest curb or side of the highway, to prevent it from rolling into the roadway or main travelled way.
- (2) A motorcycle must not be parked and left unattended on a highway unless it is parked in a manner that meets all of the following requirements:
  - (a) its motor must be stopped;
  - (b) it must be left in gear.
- (3) Subject to subsection (4), a motor vehicle may be parked and left unattended on a highway without stopping the motor if the motor is required for 1 of the following purposes:
  - (a) to pump a liquid from a tank mounted on the motor vehicle for delivery;
  - (b) to operate equipment on the motor vehicle to provide a service.
- (4) If a motor vehicle described in subsection (3) is parked on a slope, adequate chocks must be placed against the motor vehicle's rear wheels.

#### **135 Prohibited stopping and parking**

- (1) Unless it is necessary to avoid conflict with other traffic or it is permitted or required by an official traffic sign or the Act, the regulations or a municipal by-law,

a vehicle or other conveyance must not be stopped or parked on a highway in any of the following places:

- (a) on a sidewalk;
  - (b) alongside or on a median;
  - (c) on or within 5 m of a crosswalk;
  - (d) in an intersection;
  - (e) within 7.5 m of where the curb lines, or if there is no curb, the edges of the roadways intersect at an intersection, except an intersection with an alley;
  - (f) within 10 m in the approach to a flashing beacon that is an official traffic signal, a stop sign, a yield sign or a traffic signal light;
  - (g) within 5 m of the driveway entrance to any fire station;
  - (h) within 5 m of a fire hydrant;
  - (i) blocking the entrance to any part of a private driveway, unless the owner or driver of the vehicle or other conveyance blocking the driveway provides proof that they have the permission of the owner of the driveway to do so;
  - (j) alongside or opposite any highway excavation or obstruction, if stopping or parking there would obstruct traffic;
  - (k) on the roadway side of any vehicle or other conveyance stopped or parked at the edge or curb of a highway;
  - (l) at any place where a traffic sign prohibits stopping or parking;
  - (m) within 15 m of the nearest rail of a railway crossing;
  - (n) on the crest of a grade if the view of an approaching driver is obstructed.
- (2) Unless it is permitted or required by an official traffic sign or by the Act, the regulations or a municipal by-law, a vehicle or other conveyance must not be parked in a bicycle lane.

## **136 Loading zones**

- (1) In this Section,
- “loading zone” means an area indicated by a official traffic sign to be a loading zone.
- (2) An official traffic sign indicating a loading zone is in effect for 1 of the following time periods:



- (a) the time period indicated on the official traffic sign;
  - (b) if there is no time period indicated on the official traffic sign, the time period between 6:00 am and 6:00 pm on each day from Monday to Friday, inclusive, except on a holiday.
- (3) A vehicle or other conveyance must not be stopped or parked in a loading zone for any purpose other than to load or unload passengers or materials.
- (4) A vehicle or other conveyance must not be stopped or parked in a loading zone for a longer time than the shorter of the following periods:
  - (a) the time that is necessary for the expeditious loading or unloading of passengers or materials;
  - (b) 30 minutes.

### **137      Tow-away zones**

- (1) In this Section,

“tow-away zone” means an area indicated by an official traffic sign to be a tow-away zone.
- (2) A vehicle or other conveyance must not be parked in a tow-away zone.
- (3) Parking a vehicle or other conveyance in contravention of subsection (2) is prescribed as a circumstance in which a peace officer may detain and seize the vehicle or other conveyance in accordance with Section 62 of the Act.

### **138      Bus stops and taxi stands**

- (1) In this Section,

“bus stop” means an area indicated by an official traffic sign to be used exclusively for the stopping and parking of buses;

“taxi stand” means an area indicated by an official traffic sign be used exclusively for the stopping and parking of taxis.
- (2) A vehicle or other conveyance that is not a bus must not be stopped or parked at a bus stop unless it is stopped momentarily to load or unload passengers or materials.
- (3) A vehicle or other conveyance that is not a taxi must not be stopped or parked at a taxi stand, unless it is stopped or parked momentarily to load or unload passengers or materials.

- (4) If a traffic authority has established bus stops in an urban area, a bus must not be stopped or parked on a highway in that urban area at any place other than a bus stop, unless it is stopped momentarily to load or unload passengers or materials.

#### **139 Fire lanes**

- (1) In this Section,  
“fire lane” means an area established on public or private property that is indicated by an official traffic sign to be a fire lane.
- (2) A vehicle or other conveyance must not be stopped or parked in a fire lane.

#### **140 Parking impeding snow removal**

A vehicle or other conveyance must not be stopped or parked on a highway in a manner that interferes with snow or ice control or other winter maintenance operations on the highway.

#### **141 Parking prohibitions**

- (1) A vehicle or other conveyance must not be parked and displayed for sale on a roadway.
- (2) A vehicle or other conveyance must not be parked on a roadway for the primary purpose of displaying advertising.

#### **142 Parking or stopping permitted**

- (1) Subject to subsection (2), the restrictions and prohibitions in these regulations on stopping or parking vehicles or other conveyances do not apply to a vehicle or other conveyance that is 1 of the following:
  - (a) a law enforcement vehicle, when being used in the performance of the driver’s duties;
  - (b) a medical and fire response vehicle, when responding to an emergency;
  - (c) a school bus or public transit vehicle that is stopped on the roadway in order for there to be sufficient space for passengers to be loaded or unloaded;
  - (d) a service truck or recovery vehicle that is rendering service to a disabled vehicle;
  - (e) a vehicle or other conveyance that is disabled to an extent that makes it impossible for the driver to avoid stopping and temporarily leaving the vehicle.

- (2) A vehicle or other conveyance described in subsection (1) may be stopped or parked in a location and circumstances that are otherwise restricted or prohibited only if it is reasonable and safe in the circumstances.