

CHAPTER A-18.02

An Act respecting the Operation of All Terrain Vehicles

- 1 This Act may be cited as the *All Terrain Vehicles Act*. Short title
- 2(1) In this Act: Interpretation
- (a) "administrator" means administrator within the meaning of *The Vehicle Administration Act*; "administra-
tor"
- (b) "all terrain vehicle" means a self-propelled vehicle that: "all terrain
vehicle"
- (i) is designed primarily for the movement of people or goods on unprepared surfaces; and
- (ii) has wheels in contact with the ground;
- and includes:
- (iii) a restricted use motorcycle;
- (iv) a mini-bike; and
- (v) an all terrain cycle;
- but does not include:
- (vi) a golf cart;
- (vii) a snowmobile as defined in *The Snowmobile Act*;
- (viii) an agricultural implement or special mobile machine as defined in *The Highway Traffic Act*; or
- (ix) any vehicle that is required to be registered pursuant to *The Highway Traffic Act*;
- (c) "board" means the Highway Traffic Board continued by *The Highway Traffic Act*; "board"
- (d) "Crown land" means any land, other than a highway, owned by Her Majesty the Queen in right of Saskatchewan; "Crown land"
- (e) "driver's licence" means a driver's licence issued pursuant to *The Vehicle Administration Act*; "driver's
licence"

A-18.02

ALL TERRAIN VEHICLES

- "emergency device" (f) "emergency device" means an emergency device within the meaning of regulations made pursuant to *The Vehicle Administration Act*;
- "highway" (g) "highway" means highway as defined in *The Highway Traffic Act*;
- "immediate family" (h) "immediate family" of a person means the spouse, parent, guardian, child, brother or sister of the person;
- "mini-bike" (i) "mini-bike" means a restricted use motorcycle that has:
 (i) a minimum seat height of less than 650 millimetres;
 (ii) a wheel rim diameter of less than 250 millimetres;
 and
 (iii) a wheel base of less than 1000 millimetres;
- "minister" (j) "minister" means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- "municipality" (k) "municipality" means:
 (i) an urban municipality as defined in *The Urban Municipality Act, 1984*;
 (ii) a rural municipality within the meaning of *The Rural Municipality Act*; or
 (iii) a northern municipality as defined in *The Northern Municipalities Act*;
- "non-resident" (l) "non-resident" means non-resident as defined in *The Highway Traffic Act*;
- "northern municipality" (m) "northern municipality" means a northern municipality as defined by *The Northern Municipalities Act*;
- "peace officer" (n) "peace officer" means:
 (i) a member of a police force in Saskatchewan;
 (ii) a person or class of persons designated pursuant to subclause 2(1)(s)(ii) of *The Highway Traffic Act* as traffic officers; or
 (iii) any person appointed pursuant to *The Police Act, 1990* as a special constable or peace officer for the enforcement of this Act;
- "prescribed" (o) "prescribed" means prescribed in the regulations;
- "private land" (p) "private land" means land other than public land;
- "provincial highway" (q) "provincial highway" means a provincial highway as defined in *The Highways and Transportation Act*;
- "public land" (r) "public land" means Crown land or any land vested in a municipality;

- (s) "restricted use motorcycle" means a vehicle that: *restricted use motorcycle*
- (i) is not designed for highway operation;
 - (ii) is equipped with special features for operation off a highway;
 - (iii) complied with the Canadian Motor Vehicle Safety Standards, as amended from time to time, for that type of vehicle at time of manufacture;
- (t) "rural municipality" means a rural municipality within the meaning of *The Rural Municipality Act*; *rural municipality*
- (u) "urban municipality" means an urban municipality as defined by *The Urban Municipality Act, 1984*; *urban municipality*
- (v) "vehicle" means a vehicle as defined in *The Highway Traffic Act*; *vehicle*
- (w) "vehicle safety item" means any component or equipment which may affect the safe operation of an all terrain vehicle or contribute to the safety of the operator, passenger or the public. *vehicle safety item*

(2) A person who is operating an all terrain vehicle is supervised in the operation of the all terrain vehicle within the meaning of this Act when that person is supervised and directed by a person who, having regard to the nature of the terrain and any other relevant circumstances, is constantly capable of communicating visually or verbally with the person operating the all terrain vehicle. 1988-89, c.A-18.02, s.2; 1990-91, c.P-15.01, s.98.

3(1) No person shall operate an all terrain vehicle unless he holds a subsisting driver's licence issued to him by the administrator. Driver's licence

- (2) Subsection (1) does not apply to a person who:
- (a) carries with him a licence to drive issued to him by the Government of Canada and is operating an all terrain vehicle in the service of and owned by the Government of Canada and produces the licence at the request of any peace officer; or
 - (b) subject to subsection 27(1) of *The Vehicle Administration Act* is a non-resident within the meaning of subsection 17(2) of *The Highway Traffic Act*. 1988-89, c.A-18.02, s.3.

A-18.02

ALL TERRAIN VEHICLES

Age of
operator

4 No person under the age of 16 years shall operate an all terrain vehicle. 1988-89, c.A-18.02, s.4.

Exceptions

5 Subsections 3(1) and section 4 do not apply to a person:

(a) while that person is operating an all terrain vehicle on private land owned or occupied by him or a member of his immediate family;

(b) of the age of 12 years or more but under the age of 16 years, while the person is operating an all terrain vehicle on:

(i) any public or private land;

(ii) a highway for the purpose of crossing the highway by the most direct and shortest route of travel available to him; or

(iii) the untravelled portion of a highway;

and the operator of the all terrain vehicle:

(iv) is accompanied on the all terrain vehicle, if it is designed for the transportation of one or more passengers, by a person who holds and has held continuously for the immediately preceding 365 days a licence that permits him to operate the vehicle;

(v) is supervised by a person who holds and has held continuously for the immediately preceding 365 days a licence that permits him to operate the all terrain vehicle;

or

(vi) has successfully completed a training course, approved by the board, with respect to the operation of all terrain vehicles and provides evidence of having successfully completed the course to a peace officer making a request for that evidence; or

(c) while the person is operating an all terrain vehicle:

(i) that is equipped with not more than two wheels;

(ii) on an enclosed race track or trail on private land;

and

(iii) during the course of an event carried out, promoted or sponsored by a person or organization approved by the board. 1988-89, c.A-18.02, s.5.

ALL TERRAIN VEHICLES

A-18.02

6 No person shall operate an all terrain vehicle on any:
(a) private land not owned or occupied by him or a member of his immediate family; or
(b) Crown land used or occupied otherwise than by the Crown;
without the permission of the owner or occupant of the land.
1988-89, c.A-18.02, s.6.

Permission
for operation
on private
land

7(1) No person shall operate an all terrain vehicle on the travelled portion of a highway.

No operating
on highway

Release No. 53

138—0.611

(2) Subsection (1) does not apply to any person operating an all terrain vehicle on:

- (a) the travelled portion of any part of a provincial highway in respect of which the board has made an order pursuant to subsection 8(1);
- (b) the travelled portion of the whole or any part of a highway, other than a provincial highway, in respect of which a municipality has passed a bylaw pursuant to subsection 9(1).

(3) Subsection (1) does not apply to any person operating an all terrain vehicle on a highway for the purpose of crossing the highway where:

- (a) the operator stops the vehicle before crossing the highway;
- (b) any passengers on the vehicle leave the vehicle before crossing the highway;
- (c) the operator yields the right of way to any vehicles or pedestrians lawfully using the highway; and
- (d) the operator crosses the highway by the shortest and most direct route of travel available to him.

(4) Subsection (1) does not apply to any person operating an all terrain vehicle as nearly as practicable to the right hand side of the travelled portion of a highway for the purpose of using a bridge or weir of the highway. 1988, c.A-18.02, s.7.

8(1) The board may, by order, permit the operation of any all terrain vehicle or class or classes of all terrain vehicles on the travelled portion of the whole or any part of a provincial highway. Permitted operation of all terrain vehicles on provincial highways

(2) Where the board makes an order pursuant to subsection (1), the board shall specify in the order the provincial highway or part thereof where the operation of any all terrain vehicle is permitted pursuant to the order. 1988, c.A-18.02, s.8.

9(1) The council of a municipality may, by bylaw, permit the operation of any all terrain vehicle or class or classes of all terrain vehicles on the travelled portion of the whole or any part of a highway, other than a provincial highway, in the municipality. Permitted operation of all terrain vehicles on highways

(2) Where the council of a municipality passes a bylaw pursuant to subsection (1), the council shall specify in the bylaw the highway or part thereof where the operation of any all terrain vehicle is permitted pursuant to the bylaw. 1988, c.A-18.02, s.9.

A-18.02

ALL TERRAIN VEHICLES

Prohibited
operation of
all terrain
vehicles

10(1) The board may, by order, prohibit the operation of any all terrain vehicle or class or classes of all terrain vehicles on:

- (a) the untravelled portion of the whole or any part of a provincial highway;
- (b) any unoccupied Crown land or land occupied by the Crown.

(2) No order made by the board pursuant to clause (1)(b) applies to any person operating an all terrain vehicle on any river, lake or other body of water in the winter. 1988, c.A-18.02, s.10.

Prohibited
operation of
all terrain
vehicles

11(1) The council of an urban or a northern municipality may, by bylaw, prohibit the operation of any all terrain vehicle or class or classes of all terrain vehicles on:

- (a) the untravelled portion of the whole or any part of a highway, other than a provincial highway, in the municipality;
- (b) any private land in the municipality;
- (c) any municipal land in the municipality;
- (d) any Crown land in the municipality which is used or occupied otherwise than by the Crown.

(2) The council of a rural municipality may, by bylaw, prohibit the operation of any all terrain vehicle or class or classes of all terrain vehicles on:

- (a) the untravelled portion of the whole or any part of a highway, other than a provincial highway, in the municipality;
- (b) any private land in any hamlet or organized hamlet in the municipality;
- (c) any municipal land in the municipality;
- (d) any Crown land in the municipality which is used or occupied otherwise than by the Crown. 1988, c.A-18.02, s.11.

Contravention
of order

12(1) Subject to subsection (2), no person shall operate an all terrain vehicle in contravention of an order made pursuant to section 10.

(2) No person shall operate an all terrain vehicle in contravention of an order of the board pursuant to clause 10(1)(a).

(3) No person contravenes subsection (2) unless the untravelled portion of the provincial highway or part thereof on which the operation of all terrain vehicles is prohibited is marked by signs of a type and in the manner prescribed. 1988, c.A-18.02, s.12.

13(1) Subject to subsection (2), no person shall operate an all terrain vehicle in contravention of a bylaw passed by a municipality pursuant to section 11. Contravention
of bylaws

(2) No person shall operate an all terrain vehicle in contravention of a bylaw passed by a municipality pursuant to clause 11(1)(a) or 11(2)(a).

(3) No person contravenes subsection (2) unless the untravelled portion of the highway or part thereof in the municipality on which the operation of all terrain vehicles is prohibited is marked by signs of a type and in the manner prescribed. 1988, c.A-18.02, s.13.

14 No person shall operate an all terrain vehicle on:

(a) a highway, whether the travelled or untravelled portion of it;

(b) any public land;

unless there is, in respect of the operation of the all terrain vehicle, a subsisting contract of automobile insurance within the meaning of Part VI of *The Saskatchewan Insurance Act* insuring the owner and every person who operates the vehicle in an amount of not less than the prescribed amount against liability imposed by law on the insured named in the contract or that other person for loss or damage:

(c) resulting from the ownership, use or operation of the all terrain vehicle; and

(d) resulting from bodily injury to or the death of any person, and damage to property. 1988, c.A-18.02, s.14.

15 Every person operating an all terrain vehicle on:

(a) a highway, whether the travelled or untravelled portion of it;

(b) any public land;

shall produce proof of financial responsibility as required by section 14 to any peace officer requesting that proof either at the time of the request or within 48 hours, or any longer period of time as the peace officer may allow, at any time and place that may be designated by the peace officer making the request. 1988, c.A-18.02, s.15.

16(1) No person shall operate an all terrain vehicle:

(a) without due care and attention;

(b) without reasonable consideration for other persons in the area or who might reasonably be expected to be in the area:

(c) at a speed greater than is reasonable and safe in the circumstances and in any case at a speed greater than 80 kilometres per hour;

(d) except for the purpose of crossing a highway or using a bridge or weir, at a distance of less than two metres from the travelled portion of the highway;

(e) on the untravelled portion of a highway between one-half hour after sunset to one-half hour before sunrise except in the same direction as the vehicles travelling on the travelled portion of that side of the highway;

(f) except for the purpose of crossing a highway, on the median of a highway if the median is less than 50 metres in width;

(g) with a passenger unless the all terrain vehicle was designed by the original manufacturer of the all terrain vehicle for the transportation of passengers;

(h) at night without using prescribed lights;

(i) fitted with seat-belts installed by the manufacturer of the vehicle, without using the seat-belts in a properly adjusted and securely fastened manner while the vehicle is in operation.

(2) Subsection (1) does not apply to the operator of, or a passenger in or on, an all terrain vehicle while it is being operated on land owned or occupied by the operator or the passenger or by a member of the immediate family of either of them. 1988, c.A-18.02, s.16.

17.1 Every operator of an all terrain vehicle shall:

(a) when approaching an oncoming vehicle, pass the vehicle to the right;

(b) yield the right of way to vehicles approaching from his right;

(c) when overtaking another vehicle, pass the vehicle on the left;

(d) yield the right of way to all pedestrians that are approaching so close as to present a hazard;

(e) except when overtaking another vehicle, maintain a safe following distance behind any other vehicle;

(f) where circumstances warrant, signal his intentions to turn abruptly by using signal lights, if the vehicle is equipped with them, or hand signals as described in *The Highway Traffic Act*;

(g) on being requested or signaled to do so by a peace officer using an emergency device or emergency light or a visible hand signal, immediately stop the all terrain vehicle.

(2) Subsection (1) does not apply to the operator of, or a passenger in or on, an all terrain vehicle while it is being operated on land owned or occupied by the operator or the passenger or by a member of the immediate family of either of them. 1988, c.A-18.02, s.17.

18(1) The operator of, and any passenger in or on, an all terrain vehicle that is being operated shall wear a helmet and protection for the eyes of the type and in the manner prescribed. Equipment

(2) Subsection (1) does not apply to the operator of, or a passenger in or on, an all terrain vehicle while it is being operated on land owned or occupied by the operator or the passenger or by a member of the immediate family of either of them. 1988, c.A-18.02, s.18.

19(1) Subject to subsection (2), the occupier of land owes no duty of care toward a person who is the operator of, a passenger in or on or in or on any conveyance being towed by an all terrain vehicle on the land except the duty not to create a danger, with the deliberate intent of doing harm or damage to the person, and the duty not to do a willful act with reckless disregard of the presence of the person. Liability of occupier

(2) Where a person is the operator of, a passenger in or on or in or on a conveyance being towed by an all terrain vehicle on the land of another with the express permission of the occupier of the land for a purpose in which the person and the occupier have a common material or business interest, the occupier of the land owes a duty of care toward the person to use reasonable care to prevent harm or damage to the person from unusual danger which the occupier knows or ought to know exists on the land. 1988, c.A-18.02, s.19.

20(1) Every person engaged in the business of renting all terrain vehicles without drivers shall keep a record, signed by each person to whom a vehicle is rented, and containing particulars showing: Leased vehicles

(a) each vehicle rented;

(b) the identity of the person to whom vehicle is rented;

A-18.02

ALL TERRAIN VEHICLES

- (c) the day on and time at which the vehicle is rented;
- (d) the time during which the vehicle is in possession of the person to whom it is rented; and
- (e) any further information that may be required by the board.

(2) A record kept pursuant to subsection (1) is to be made available to any peace officer who wishes to inspect it in order to ascertain whether this Act and the regulations are being complied with.

(3) A person who is an agent of a non-resident engaged in the business of renting all terrain vehicles in Saskatchewan is, for the purposes of this section, deemed to be their owner. 1988, c.A-18.02, s.20.

Equipment required

21 No person engaged in the business of buying, selling or exchanging all terrain vehicles shall sell or give in exchange an all terrain vehicle that the person to whom it is sold or given intends to operate on property other than his own if the vehicle is not equipped in accordance with this Act and the regulations. 1988, c.A-18.02, s.21.

Liability of owner and operator for loss, damage or injury

22 When any loss, damage or injury is caused to a person by an all terrain vehicle, the person operating it at the time is liable for the loss, damage or injury, if it was caused by his negligence or improper conduct, and the owner of the all terrain vehicle is also liable to the same extent as the operator unless at the time of the incident causing the loss, damage or injury the all terrain vehicle had been stolen from the owner or otherwise wrongfully taken out of his possession or out of the possession of a person entrusted by him with the care of it. 1988, c.A-18.02, s.22.

Onus of proof

23(1) Where loss, damage or injury is sustained by a person by reason of an all terrain vehicle, the onus of proof that the loss or damage did not entirely or solely arise through the negligence or improper conduct of the owner or operator of the all terrain vehicle is on the owner or operator.

(2) This section does not apply in the case of a collision between an all terrain vehicle and another all terrain vehicle or other vehicle nor to an action brought by a passenger of an all terrain vehicle in respect of injuries sustained by him while a passenger. 1988, c.A-18.02, s.23.

Limitation of actions

24(1) No action may be brought against a person for the recovery of damages occasioned by an all terrain vehicle after:

- (a) the expiration of 12 months from the time that the damages were sustained; or

Release No. 48

138-0.67

(b) in a case where death is caused, within the time limited by *The Fatal Accidents Act*.

(2) The limitations of time mentioned in this section do not apply with respect to a counter-claim for damages set up or third party proceedings instituted by a defendant in an action for the recovery of damages occasioned by an all terrain vehicle. 1988, c.A-18.02, s.24.

25(1) Where an all terrain vehicle is involved in an accident, the operator, or any person supervising the operator, of the all terrain vehicle shall: Notice of accident

(a) remain at or immediately return to the scene of the accident;

(b) render all reasonable assistance; and

(c) produce in writing to anyone sustaining loss or injury or to any peace officer the name and address of the operator and the owner of the all terrain vehicle.

(2) The operator, or any person supervising the operator, of an all terrain vehicle that is involved in an accident with an unattended vehicle shall stop and:

(a) locate the owner or person in charge of the unattended vehicle and advise him of the name and address of the operator and the owner of the all terrain vehicle involved in the accident; or

(b) leave in a conspicuous place on the unattended vehicle a written notice giving the name and address of the operator and the owner of the all terrain vehicle.

(3) The operator, or any person supervising the operator, of an all terrain vehicle involved in an accident resulting in damage to any property other than that mentioned in subsections (1) and (2) shall take reasonable steps to locate the owner or person in charge of the property and notify him of the accident and the name and address of the operator and the owner of the all terrain vehicle. 1988, c.A-18.02, s.25.

26(1) Subject to subsection (2), every person who is the operator, or a person supervising the operator, of an all terrain vehicle who is directly or indirectly involved in an accident shall, if the accident results in injury or death to a person, as soon as practicable make a written report, in the form provided by the board and containing any information that may be required by the board, to a peace officer having jurisdiction where the accident occurred. Accident reports

A-18.02

ALL TERRAIN VEHICLES

(2) Where the operator, or person supervising the operator, of the all terrain vehicle is incapable of making the report required by subsection (1) and there is a passenger of the all terrain vehicle capable of making the report, the passenger shall make the report.

(3) Where no report has been made as required by subsection (1) and the owner is not the operator, person supervising the operator, of the all terrain vehicle or a passenger of the all terrain vehicle, the owner shall make the report immediately after learning of the accident.

(4) Where the operator was not accompanied by any passenger in or on the all terrain vehicle, or on any conveyance towed by it, at the time of the accident and is incapable of making the report required by subsection (1), the operator shall make the report immediately after becoming capable of making it. 1988, c.A-18.02, s.26.

Police report **27** A peace officer who has witnessed or investigated an accident involving an all terrain vehicle shall immediately forward to the board a written report of the accident, on the form provided by the board, setting forth the full particulars of the accident, including the names and addresses of the persons involved and the extent of any personal injuries sustained as a result of the accident. 1988, c.A-18.02, s.27.

Disclosure of report **28(1)** A written report pursuant to section 26 or 27 is without prejudice, is for the information of the board and is not open to public inspection.

(2) The fact that any report has been made pursuant to section 26 or 27 is admissible in evidence solely to prove compliance with that section, and that report or statement is not admissible in evidence for any other purpose in any trial arising out of a vehicle accident.

(3) Notwithstanding subsection (1), the board may furnish the administrator and person engaged in road safety research with information contained in any report received by it pursuant to section 27, but, subject to section 9 of *The Vehicle Administration Act*, no person who receives that information shall make it public in a form that would enable any particulars to be identified as related to any specific person or business.

(4) Notwithstanding subsection (1), the board may, with the written consent of the person to whom a report relates, furnish the people named in the consent with the information contained in the report. 1988, c.A-18.02, s.28.

Release No. 48

138-0.69

29 Every person who:

Offences

- (a) contravenes any provision of this Act or the regulations;
or
- (b) fails to comply with any provision of this Act or the regulations;

is guilty of an offence against this Act. 1988-89, c.A-18.02, s.29.

30 Every person who authorizes or permits another person to operate an all terrain vehicle:

Offences

- (a) in contravention of any provision of this Act or the regulations; or
- (b) without complying with any provision of this Act or the regulations;

is guilty of an offence against this Act. 1988-89, c.A-18.02, s.30.

31(1) Any person who operates an all terrain vehicle while he is disqualified from driving a motor vehicle:

Driving while disqualified

- (a) by reason of the legal suspension, cancellation or revocation in Saskatchewan of his driver's licence, or of his ability to secure a driver's licence; or
- (b) by reason of the legal suspension, cancellation or revocation in any other province of Canada of his licence, or of his ability to secure a licence, to operate a motor vehicle in that province;

is guilty of an offence against this Act. 1988-89, c.A-18.02, s.31.

32 A person who is guilty of an offence against this Act is liable on summary conviction to a fine of not more than \$1000 and in default of payment to imprisonment for a term of not more than 30 days. 1988-89, c.A-18.02, s.32.

Penalty

33(1) A peace officer may, without warrant, seize any all terrain vehicle that he, on reasonable and probable grounds, believes is:

Vehicle impoundment

- (a) being operated in contravention of this Act or the regulations or any bylaw or order made pursuant to this Act; and
- (b) the operation of the all terrain vehicle constitutes or may constitute a hazard to persons who are or might reasonably be expected to be in the area;

and may retain it in his possession or store it in a suitable place.

(2) The owner of an all terrain vehicle that has been seized pursuant to subsection (1) or his agent may obtain the release of the vehicle if he:

- (a) obtains the written consent of the board to do so;
- (b) pays the expenses of the seizure and the retention or storage of the all terrain vehicle; and
- (c) pays the cost of any prescribed examination or test.

(3) The expenses and costs mentioned in subsection (2) constitute a lien on the all terrain vehicle seized and, if the owner of the all terrain vehicle cannot after reasonable inquiry be found or if he fails to pay the expenses within 14 days after the day on which a notice requiring him to do so has been served on him, the vehicle may be sold for the purpose of recovering the expenses.

(4) Where an all terrain vehicle is to be sold pursuant to subsection (3), section 68 of *The Vehicle Administration Act* applies *mutatis mutandis* to the sale, the application of the proceeds of the sale and the disposition of any surplus moneys. 1988-89, c.A-18.02, s.33; 1989-90, c.15, s.3.

Drivers'
licence to be
produced

34(1) Every person operating an all terrain vehicle for which operation a driver's licence is required by this Act shall produce his driver's licence or receipt when requested to do so by a peace officer, either at the time of the request or within 48 hours after that time, at any time and place that may be designated by the peace officer making the request.

(2) Every person who supervises the operator of an all terrain vehicle for which operation a driver's licence is required by this Act shall produce his driver's licence or receipt when requested to do so by a peace officer, either at the time of the request or within 48 hours after that time, at any time and place that may be designated by the peace officer making the request.

(3) Where the operator of an all terrain vehicle:

- (a) does not possess a driver's licence; and
- (b) is operating an all terrain vehicle for which operation a driver's licence is required by this Act;

the person who is accompanying the operator shall produce his driver's licence or receipt when requested to do so by a peace officer, either at the time of the request or within 48 hours after that time, at any time and place that may be designated by the peace officer making the request. 1988-89, c.A-18.02, s.34.

35(1) Every person who supervises the operator of an all terrain vehicle the operation of which is permitted under supervision by this Act is deemed for all the purposes of this Act to be the operator of the all terrain vehicle. Supervisor, etc., deemed operator

(2) Every person who accompanies the operator of an all terrain vehicle the operation of which is permitted by this Act when accompanied by such a person shall be deemed for all the purposes of this Act to be the operator of the all terrain vehicle. 1988-89, c.A-18.02, s.35.

36(1) For the purpose of carrying out this Act according to its intent, the Lieutenant Governor in Council may make regulations: Regulations

- (a) regulating, restricting or prohibiting the use of any all terrain vehicle that, in the opinion of the Lieutenant Governor in Council, may be a hazard to the operator or to other persons by reason of the unusual size, weight or operating characteristics of the all terrain vehicle or by reason of any alteration or modification of the all terrain vehicle from its original construction;
- (b) exempting any all terrain vehicle or any class or classes of all terrain vehicles from any or all of the provisions of this Act or the regulations;
- (c) prescribing vehicle safety items for all terrain vehicles or any class or classes of all terrain vehicles and requiring all terrain vehicles or all terrain vehicles of the class for which the items are prescribed to be equipped with those items while the all terrain vehicles are being operated;
- (d) prescribing vehicle safety items for operators and passengers of all terrain vehicles or of all terrain vehicles of any class or classes and requiring those operators and passengers to be equipped with the prescribed safety items while they are operators or passengers of the all terrain vehicles;
- (e) prescribing an examination or test for the purpose of clause 33(2)(c);
- (f) prescribing the minimum amount of insurance for the purposes of section 14;
- (g) prescribing any matter or thing that is required or authorized by this Act to be prescribed in the regulations;
- (h) respecting any other matter or thing that he considers necessary to carry out the intent of this Act.

A-18.02

ALL TERRAIN VEHICLES

(2) The Lieutenant Governor in Council may make regulations adopting by reference, in whole or in part, with any changes that the Lieutenant Governor in Council considers necessary, any code of standards or specifications of any component, equipment or material to be used or installed in, for or on all terrain vehicles. 1988-89, c.A-18.02, s.36; 1989-90, c.54, s.4.

Coming into
force

37 This Act comes into force on a day to be fixed by proclamation of the Lieutenant Governor. 1988-89, c.A-18.02, s.37.