



Traffic and Vehicles Bylaw L.TV.9506

Under the guidance of Almighty God, Our Creator, and as a sovereign Nation; We, the peoples of Tsuut'ina Nation, in preservation and continuation of the Tsuut'ina Nation's unique culture, identity, traditions, language and institutions, and with respect to the special relationship to the land and resources, in continued relationship with all First Nations and Canada; Do ordain and establish this law in accordance with our inherent right to governance.

Nato ninist'iya dinachowi diyi nananitini k'asona diyi datl'ishi nanisaatluni niiha nihina?o-ha tlaat'a Tsuut'ina wusa dinaloku nihininisha, nihiusno, misila yino?i, nihigunaha misila nihininana?o-hi. Nisk'a uwa mits'i-hi tlaat'a dina-tii uwa Canada isla najuna adadanazini diyi datlishi dik'asilo niiha nihina?o-ha gwasaala.

A Document to Ratify the L.TV.9506 Within the Tsuut'ina First Nation Lands, Alberta, Canada

**Enacted on October 13th of 2021 in Tsuut'ina Nation
Coming Into Force:**

October 13th of 2021



Preamble

WHEREAS the Tsuut'ina Nation Chief and Council desire to make a Law governing Traffic and Vehicles on the Tsuut'ina Nation Reserve;

AND WHEREAS the Government of Canada recognizes the inherent right of self-government as an existing aboriginal right under section 35 of the Constitution Act, 1982;

AND WHEREAS it is recognized that the inherent right of governance includes the right to govern in relation to matters that are internal to the community, and integral to the unique culture, identity, traditions, languages and institutions of the Nation;

AND WHEREAS it is considered to be necessary for the benefit, security and preservation of the Tsuut'ina Nation and culture;

NOW THEREFORE: the Tsuut'ina Citizens hereby enact this Law through the Tsuut'ina Legislative Process and give authority to Chief and Council to ratify this Law:

Traffic and Vehicles Bylaw

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Definitions

1. This Bylaw may be referred to as the Tsuut'ina Traffic and Vehicles Bylaw, 1995.

In This Bylaw:

2. **"Chief and Council"** means the Tsuut'ina Nation Chief and Council, duly elected from time to time;
3. **"centre line"** means the centre of a roadway measured from the curbs or, in the absence of curbs, from the edges of the roadway;
4. **"commercial vehicle"**
 - (a) Means a truck, trailer or semi-trailer, except:
 - i. A truck, trailer or semi-trailer that is a public vehicle; or
 - ii. A truck, trailer or semi-trailer or any class of vehicle that is exempted from being classified as a commercial vehicle by the Alberta Motor Transport Board.
5. **"community facility"** means a facility on Tsuut'ina lands authorized by the Tsuut'ina Nation for use by the Tsuut'ina people for functions, meetings or other similar purposes;
6. **"daytime"** means the period commencing one hour before sunrise and ending one hour after the following sunset;
7. **"ditch"** means that area which lies adjacent to and parallel with the road and includes all the land between the fences, or the land between the fence and the edge of the road, as the case may be;
8. **"driver"** or **"operator"** means a person who drives or is in actual physical control or care and control of a motor vehicle;
9. **"financial responsibility card"** means a document indicating that a subsisting contract of insurance was issued by a licenced insurance corporation or its agent duly authorized to engage in the insurance business.
10. **"implement of husbandry"** means a vehicle designed and adapted primarily for agricultural, horticultural or livestock raising operations;
11. **"insurance"** means a complete automobile insurance package for public liability and public property damage included in an enforceable subsisting contract made between an individual and a licenced insurance corporation or between the Tsuut'ina Nation and an insurance corporation duly authorized to engage in the insurance business;
12. **"insured motor vehicle"** means a motor vehicle the owner of which:
 - (a) is insured in respect of public liability, property damage and accident benefits; and
 - (b) holds proof of financial responsibility in a form and in an amount prescribed by a recognized insurance corporation or its authorized agent;
13. **"intersection"** means the area embraced within the prolongation or connection of:

(a) the lateral curb lines; or, if none

(b) the exterior edges of the roadways;

of 2 or more roadways which join one another at an angle whether or not one roadway crosses the other;

14. "**issuing authority**" means any authority legally established to issue drivers' licences, licence plates and to register motor vehicles. Issuing authority also includes an insurance corporation or its agent authorized by appropriate law to issue financial responsibility cards;

15. "**judge**" means a judge duly appointed by the Province of Alberta or by the Government of Canada and includes a Justice of the Peace;

16. "**moped**" means a motor vehicle, regardless of the number of wheels it has, that:

- (a) may be propelled by muscular or mechanical power or partly by muscular power and partly by mechanical power;
- (b) is fitted with pedals that are continually operable to propel it;
- (c) weighs more than 35 kilograms but less than 55 kilograms;
- (d) has a motor that is driven by electricity or has an engine displacement of not more than 50 cubic centimeters;
- (e) has no hand-operated or foot-operated clutch or gearbox driven by the motor and transferring power to the driven wheel; and
- (f) does not have sufficient power to attain a speed greater than 50 kilometres per hour on level ground within a distance of 2 kilometres from a standing start;

but does not include a bicycle;

17. "**motor cycle**" means a motor vehicle mounted on two wheels and includes those motor vehicles known in the industry as motor cycles or scooters and motor cycles modified to have three wheels and also includes:

- (a) dirt bike;
- (b) all-terrain vehicle;
- (c) all-terrain cycles; and
- (d) cross-country bikes;

18. "**motor vehicle**" means:

- (a) a vehicle propelled by any power other than muscular power; or
- (b) a moped;

but does not include an off-highway vehicle (that is a vehicle designed for off highway travel only), a bicycle or power bicycle, an aircraft, a tractor, whether equipped with rubber tires or not, an implement of husbandry or a motor vehicle that runs only upon rails;

19. **"night time"** means the period commencing one hour after sunset and ending one hour before the following sunrise;
20. **"operator's licence"** means a subsisting licence to operate a motor vehicle issued by a legally competent authority regardless of its place of issue;
21. **"owner"** includes any person renting a motor vehicle or having the exclusive use of one under a lease for a period of more than 30 days;
22. **"park"** when prohibited, means allowing a vehicle (whether occupied or not) which is stationary, except:
 - (a) when passengers are being loaded or unloaded; or
 - (b) when obeying a peace officer or a traffic control device;
23. **"peace officer"** for the purposes means:
 - (a) a member of the Tsuut'ina Nation Police Service;
 - (b) a member of the Royal Canadian Mounted Police;
 - (c) a member of the Military Police seconded to the Department of Nation Defence relative to conditionally surrendered leasehold lands;
 - (d) any duly appointed policing agency authorized by the Chief and Council to assist in the maintenance of law and order on the Tsuut'ina lands.
24. **"pedestrian"** means a person afoot or a person in a wheelchair;
25. **"power bicycle"** means a vehicle that:
 - (a) may be propelled by muscular or mechanical power or partly by muscular power and partly by mechanical power,
 - (b) is fitted with pedals that are continually operable to propel it,
 - (c) weighs not more than 35 kilograms,
 - (d) has a motor that produces not more than 750 watts and that is driven by electricity or has an engine displacement of not more than 50 cubic centimetres,
 - (e) has no hand-operated or foot-operated clutch or gearbox driven by the motor and transferring power to the driven wheel, and
 - (f) does not have sufficient power to enable it to attain a speed greater than 35 kilometres
26. **"private passenger vehicle"** means a vehicle used solely for personal transportation:
 - (a) including the transportation of goods which are the property of the owner intended for the use or enjoyment of the owner or members of the owner's household; but
 - (b) not including the transportation of goods in connection with any line of business except that of sales and conveying sample cases or display goods which are not for delivery or re-sale;

27. **"public vehicle"** means a vehicle operated on a road for a commercial purpose by or on behalf of a person:

- (a) to transport passengers;
- (b) to transport goods;
- (c) to administer the needs of the Tsuut'ina Nation;

but does not include a private passenger vehicle;

28. **"registration"** means the registration of a motor vehicle including acquiring and maintaining the said registration and complying with such laws and regulations, as may be made by the appropriate legal authority from time to time;

29. **"road"** means that part of the Tsuut'ina lands intended for use by vehicular traffic including the ditch area on either side of the road but not including driveways or roads extending to a single residence;

30. **"service brake"** means the primary mechanism designed to stop a vehicle;

31. **"standard equipment"** means the equipment prescribed by the Canadian Safety Association for motor vehicles;

32. **"stop"** means:

- (a) when required, a complete cessation from vehicular movement; and
- (b) when prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Peace Officer or traffic control device;

33. **"subsisting"** means, when used in relation to an operator's licence or certificate of registration, one which had not, at the relevant time, expired or been suspended or cancelled by a competent authority for lack of payment or other reason;

34. **"traffic control device"** means any sign, signal, marking or device placed, marked or erected under the authority of this Bylaw for the purpose of regulating, warning or guiding traffic;

35. **"traffic lane"** means a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles but does not mean a parking lane, whether or not the division is indicated by lines on the road surface;

36. **"trailer"** means a vehicle so designed that it may be attached to or drawn by a motor vehicle or tractor and intended to transport property or persons and includes any trailer that is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily, but does not include machinery or equipment used in the construction or maintenance of roads;

37. **"Tsuut'ina"** means a citizen of the Tsuut'ina Nation;

38. **"Tsuut'ina Lands"** means those lands held by the Tsuut'ina Nation pursuant to Treaty 7 and its adhesions, and any lands acquired by the Tsuut'ina Nation subsequent to the signing of Treaty 7 or through aboriginal entitlement, the *Indian Act* or other means and, in particular those lands

commonly known as Tsuut'ina (Sarcee) Reserve No. 145 in the Province of Alberta, and including all designated lands or land conditionally surrendered to which the Tsuut'ina Nation holds a legally enforceable reversionary interest.

Part I**Licence**

39. For the purposes of the provisions of this bylaw "operator's licence" includes a licence or permit issued in a jurisdiction outside of Alberta under which a person may operate a motor vehicle in Alberta and subsequently on Tsuut'ina lands.
40. No person shall drive a vehicle on a road unless that person holds a valid operator's licence issued by the legal authority for the Province of Alberta.
41. No person shall drive a motor vehicle on a roadway at anytime during which:
 - (a) the person's operator's licence is suspended or cancelled under this bylaw;
 - (b) the person is disqualified from holding an operator's licence under this bylaw;
 - (c) the person's licence to operate a motor vehicle in any jurisdiction in Canada is suspended or cancelled;
 - (d) the person's privilege to obtain a licence to operate a motor vehicle in any jurisdiction in Canada is suspended or cancelled.
42. Sections 40 and 41 do not apply:
 - (a) to a person who is undergoing a driver's examination conducted by an authorized driver examiner;
 - (b) to a person operating a vehicle on any terms or conditions prescribed by the issuing authority while engaged in any course of remedial education or treatment;
 - (c) to a person who holds a valid licence or permit issued to that person in a jurisdiction other than the Province of Alberta authorizing the operation of a motor vehicle of the type or class being operated; if that person does not remain on Tsuut'ina lands for more than three (3) consecutive months from the person's arrival;
 - (d) to a person holding an international driver's licence issued outside Canada and does not remain on Tsuut'ina lands for more than twelve (12) consecutive months.
43. A person who violates:
 - (a) Section 40 is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$300.00;
 - (b) Section 41(a) is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$270.00;
 - (c) Section 41(b) is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$270.00;
 - (d) Section 41(c) is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$270.00;

(e) Section 41(d) is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$270.00;

44. In a prosecution for a violation under Section 43 the onus is on the accused to show proof of a subsisting operator's licence.

45. In this section "suspended person" means a person:

- Whose operator's licence is suspended; or
- Who is disqualified from holding an operator's licence under this bylaw or by any order or any judgment imposed by a court of competent jurisdiction.

46. Any person who is required by this bylaw to hold a subsisting driver's licence shall comply with all the requirements of the issuing authority including compliance with all requirements to maintain a subsisting driver's licence and shall comply with any Order or judgment of a competent authority suspending, refusing, disqualifying or denying issuance of a subsisting driver's licence as may be the case from time to time.

47. No person who has a motor vehicle in their possession or under their care and control shall knowingly or willingly allow a suspended driver to operate that motor vehicle unless it is a motor vehicle that the person is permitted to operate under this bylaw:

- when the operator's licence of any person is suspended by an order or judgment made by a court of competent jurisdiction, that person may, nevertheless, operate instruments of husbandry or industrial equipment designed primarily for construction, maintenance, land clearing, ditching or other related tasks that do not require that person to hold a licence under this bylaw.

48. When any order or judgment made by a court of competent jurisdiction under this or any other applicable law:

- suspends the operator's licence of a person; or
- disqualifies a person from holding an operator's licence

then, even if the period of suspension or disqualification has expired, the licence remains suspended or disqualification remains in effect, as the case may be, until the time person satisfies the issuing authority by examination or otherwise, of that person's physical or other competency to drive a motor vehicle without endangering the safety of the general public being those persons resident or present with permission on Tsuut'ina lands.

49. When the operator's licence of a person is suspended or cancelled the suspension or cancellation continues in full effect despite expiration of the licence during the period of suspension or cancellation.

50. When an operator's licence is suspended or cancelled, the suspension or cancellation operates to suspend or cancel any operator's licence held by that person during the period of suspension whether so stated or not.

51. The holder of any operator's licence which is suspended or cancelled shall forthwith return the operator's licence to the authority which granted the licence.

52. When a person is prohibited under this bylaw from driving a motor vehicle on medical grounds that person may also be prohibited from driving implements of husbandry or industrial equipment of the kind mentioned herein.
53. Every person who:
 - (a) uses an operator's licence belonging to any other person;
 - (b) uses an operator's licence which has been cancelled or suspended; or
 - (c) uses any fictitious document purporting to be an operator's licence is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$403.00.
54. Every person who holds an operator's licence and permits another person to use that licence is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$270.00.
55. Every person who possesses more than one Alberta operator's licence is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$270.00.
56. Every person who:
 - (a) mutilates, defaces or alters an operator's licence; or
 - (b) possesses an illegible, mutilated, altered or defaced operator's licenceis guilty of an offence pursuant to this bylaw and is liable to a penalty of \$203.00.
57. A person who operates a motor vehicle:
 - (a) of a type which that person is not authorized to operate under the class of operator's licence that is held by that person; or
 - (b) contrary to the restriction or condition on that person's licence;is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$270.00.
58. Every person who permits another person who is not the holder of an operator's licence to drive a motor vehicle is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$270.00.
59. Every person who permits another person to drive a motor vehicle other than a vehicle of the type the licence permits to be driven is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$270.00.
60. Every person holding an operator's licence of a learner's category who operates a motor vehicle other than as permitted by the category of licence is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$270.00.
61. A person who is engaged in teaching another person to drive, and:
 - (a) who does not hold a subsisting operator's licence for the operation of the type of vehicle being used by the person being taught to drive; or
 - (b) who is not at least eighteen (18) years of age.is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

62. A driver of a motor vehicle shall carry an operator's licence at all times while driving a motor vehicle and shall produce it for inspection on demand by a Peace Officer.
63. A person while engaged in instructing a student driver shall carry an operator's licence and shall produce it for inspection on demand by a Peace Officer.
64. A person having the care and control of a motor vehicle shall produce the operator's licence for inspection on demand by a Peace Officer.
65. If the owner of a motor vehicle possesses an operator's license, it shall be produced for inspection on demand of a Peace Officer.
66. When a person produces to a Peace Officer an operator's licence that is illegible, mutilated, defaced or altered, the Peace Officer may require that person to produce a properly issued duplicate licence within a reasonable time.
67. A person who on the demand of a Peace Officer:
 - (a) fails to produce a subsisting operator's licence as required; or
 - (b) fails to produce a duplicate operator's licence as required under this bylaw;is guilty of an offence under sections 62, 63, 64, or 65 of this bylaw and subject to a penalty of \$203.00.

Part II**Registration**

68. Subject to this bylaw:

- no person who is the owner of a motor vehicle or trailer shall operate or tolerate or permit any other person to operate the motor vehicle or trailer on a road at any time during which that owner is not the holder of a subsisting certificate of registration or permit issued by the issuing authority for the motor vehicle or trailer; and
- no person shall operate on a road a motor vehicle or trailer in respect of which there is not for the time being a subsisting certificate of registration or permit.

69. Despite Section 68 and 71 if the owner of a motor vehicle, other than a public vehicle, has complied with the legal requirements of registration and licensing of that motor vehicle then, if the motor vehicle is carrying displayed on it the registration number plates assigned under those laws to the motor vehicle, the motor vehicle may be used on a road for the shorter of:

- three (3) months; and
- the period during which the registration and licensing of the motor vehicle subsist; provided that the owner has a valid financial responsibility card relating to that motor vehicle.

70. Sections 68 and 71 do not prohibit the operation on a road of a motor vehicle, other than a public vehicle, in relation to which a temporary registration in the form of an in-transit permit issued by another jurisdiction in Canada is subsisting if:

- the operator of the motor vehicle carries the in-transit permit while operating the motor vehicle on a road;
- the operator of the motor vehicle operates it in accordance with the terms and conditions of the in-transit permit; and
- the owner of the motor vehicle has a valid financial responsibility card issued in relation to that motor vehicle under this bylaw.

71. A person who operates a motor vehicle or trailer on a road without a subsisting certificate of registration or permit for that motor vehicle or trailer is guilty of an offence unless that person has been granted an exemption under the laws and regulations of the Province of Alberta.

72. A person who knowingly operates or permits another to operate a motor vehicle on a road:

- While the certificate of registration or permit of the motor vehicle is cancelled; or
- While the certificate of registration or permit of the motor vehicle is under suspension; is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$405.00.

73. Any person who is the owner of a motor vehicle or trailer shall comply with all the requirements for registering of that motor vehicle or trailer so legally required including

compliance with all requirements to maintain registration and any other requirements that may be made by the issuing authority from time to time.

74. No person shall:

- (a) mutilate, deface or alter a certificate of registration or permit required under this bylaw; or
- (b) possess or permit the possession by another person of an illegible, mutilated, altered or defaced certificate of registration or permit required under this bylaw.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

75. A driver, owner or person having the care and control of a motor vehicle shall produce the certificate of registration or permit required under this bylaw for the motor vehicle for inspection on demand by a Peace Officer.

76. When the motor vehicle is being operated:

- (a) with licence plates;
- (b) by an appraiser who has custody of the motor vehicle for the purpose of appraisal; or
- (c) by a mechanic who has custody of the motor vehicle for the purpose of repairs;

the Peace Officer shall give the driver reasonable time within which to produce the certificate of registration or permit required under this bylaw for the motor vehicle.

77. If a person produces to a Peace Officer a certificate of registration or permit required under this bylaw that is illegible, mutilated, defaced or altered, the Peace Officer shall require that person to produce a properly issued replacement certificate of registration or permit within a reasonable time.

78. A person who on the demand of a Peace Officer:

- (a) Fails to produce a certificate of registration or permit as required; or
- (b) Fails to produce a replacement certificate of registration or permit as required;

is guilty of an offence under this bylaw and is subject to a penalty of \$270.00.

Part III**Licence Plates**

79. No person who is the owner of a motor vehicle or trailer shall operate or tolerate or permit any other person to operate the motor vehicle or trailer on a road at any time during which that motor vehicle does not bear valid and a subsisting licence plate for that motor vehicle or trailer is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$200.00.
80. Every person who is an owner of a motor vehicle or trailer shall comply with all of the requirements to obtain licence plates for that motor vehicle as prescribed by the issuing authority.
81. No person shall:
 - (a) Attach to a motor vehicle; or
 - (b) Operate a motor vehicle or trailer to which is attached;A licence plate other than a licence plate authorized for use on that motor vehicle or trailer. Failure to comply is an offence and is liable to a penalty of \$270.00.
82. No person shall park or operate a motor vehicle or trailer on a road unless a subsisting licence plate is attached to the motor vehicle in the location and in the manner required by the issuing authority. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$270.00.
83. The operator of a motor vehicle or trailer shall at all times keep any licence plate required to be attached to the motor vehicle secured in the manner and maintained in a condition so as to be clearly visible and readable and unobscured by any part of the motor vehicle or its attachments or load or otherwise. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$270.00.
84. No person shall be in violation of Section 83 by reason only that a trailer is attached to the rear of a motor vehicle that the person owns or operates. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$270.00.
85. No person shall operate or park a motor vehicle or trailer on a road with an expired licence plate displayed on it. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$270.00.
86. No person shall:
 - (a) deface or alter any licence plate required under this bylaw;
 - (b) use or permit the use of any defaced or altered licence plate; or
 - (c) permit any licence plate issued to be used in violation of this bylaw;Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$430.00.
87. A Peace Officer who has reason to believe that a motor vehicle is carrying licence plates:

- (a) that were not issued for that motor vehicle; or
- (b) that, although issued for that motor vehicle, were obtained by false pretences;

may take possession of those licence plates and retain them until the facts concerning the issue of those licence plates have been determined or, if an information is laid, until the final disposition of the case.

Part IV**Insurance**

88. The operator, owner or person having the care and control of a motor vehicle shall, on the request of a Peace Officer, produce proof of a subsisting policy of insurance being a financial responsibility card for that motor vehicle.
89. When the motor vehicle is operated:
 - (a) with subsisting licence plates;
 - (b) by an appraiser who has custody of the motor vehicle for the purposes of appraisal;
 - (c) by a mechanic or other person who has custody of the motor vehicle for the purpose of repairs; or
 - (d) by the proprietor of or an employee of a service station who has, on behalf of the service station, the custody of a motor vehicle in the course of service station business duties relating to the motor vehicle;

The Peace Officer shall give the operator, owner or person having the care and control of the motor vehicle reasonable time within which to produce proof of insurance.

90. When a newly acquired motor vehicle is being operated with licence plates issued to another motor vehicle as permitted by the issuing authority, and if the operator, owner or person having the care and control of the motor vehicle produces:
 - (a) Proof of the purchase, within the immediately preceding fourteen (14) days of the newly acquired motor vehicle; and
 - (b) A financial responsibility card for the motor vehicle to which the licence plates are issued;a Peace Officer shall give the operator, owner or person having the care and control of the motor vehicle reasonable time within which to produce proof of insurance being a financial responsibility card for the newly acquired motor vehicle.
91. An operator, owner or person having the care and control of a motor vehicle who fails to produce proof of insurance is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$300.00.
92. A person who:
 - (a) Applies for the registration of a motor vehicle when it is not an insured motor vehicle; or
 - (b) Obtains the registration of a motor vehicle when it is not an insured motor vehicle;is guilty of an offence pursuant to this bylaw and is liable to a penalty imposed by a court of competent jurisdiction.
93. A person who:
 - (a) operates a motor vehicle that is not an insured motor vehicle on a road; or

(b) parks, on a road, a motor vehicle that is not an insured motor vehicle;
is guilty of an offence pursuant to this bylaw and is liable to a penalty imposed by a court of competent jurisdiction.

94. A registered owner or owner of a motor vehicle that is not an insured motor vehicle who:
(a) permits any other person to operate that motor vehicle on a road; or
(b) permits any other person to have that motor vehicle on a road;
is guilty of an offence pursuant to this bylaw and is liable to a penalty imposed by a court of competent jurisdiction.

95. If the registration of a motor vehicle is suspended it is still a registered motor vehicle for the purposes of this section.

96. Sections 93 and 94 do not apply to a person to whom a subsisting financial responsibility card has been issued by an issuing authority outside the Province of Alberta, provided that it complies with the requirements of the Province of Alberta.

97. A person who:
(a) fails to deliver to the Registrar of Motor Vehicles of Alberta for cancellation as required a financial responsibility card or any additional card issued; or
(b) gives or loans to a person not entitled to have it a financial responsibility card or additional card;
is guilty of an offence pursuant to this bylaw and is liable to a penalty imposed by a court of competent jurisdiction.

Part V**Accidents**

98. Nothing in this bylaw shall curtail or abridge the right of any person to prosecute an action for damages by reason of injuries to persons or property resulting from the negligence of the owner or the operator of any motor vehicle or for the negligence of any agent or employee of the owner.
99. When an accident occurs on a road, the driver or other person in charge of a motor vehicle that was directly or indirectly involved in the accident:
 - (a) shall remain at or immediately return to the scene of the accident;
 - (b) shall render all reasonable assistance; and
 - (c) shall produce in writing to anyone sustaining loss or injury, to any Peace Officer or to a witness:
 - i. the driver's name and address;
 - ii. the driver's operator's licence number;
 - iii. the name and address of the registered owner of the motor vehicle;
 - iv. the registration number of the motor vehicle; and
 - v. a financial responsibility card for that motor vehicle.
100. The driver of a motor vehicle which collides with an unattended motor vehicle shall stop and:
 - (a) locate and notify the person in charge or owner of the unattended motor vehicle of the name and address of the driver, the operator's licence number and the registration number of the motor vehicle striking the unattended motor vehicle; or
 - (b) leave in a conspicuous place in or on the motor vehicle collided with a written notice giving the name and address of the driver, the operator's licence number and the registration number of the motor vehicle striking the unattended motor vehicle.
101. The driver of a motor vehicle involved in an accident resulting in the damage to property on or adjacent to a road, other than a motor vehicle under this bylaw, shall take reasonable steps to locate and notify the owner or person in charge of the property of that fact and of the name and address of the driver, the operator's licence number and the registration number of the motor vehicle.
102. If the driver is incapable of providing the information required and there is another occupant of the motor vehicle capable of making the report, the occupant shall make the report required to be made by the driver.

103. If no information has been provided under Sections 99 to 102 and the driver or occupant is not the owner of the motor vehicle, the owner, after learning of the accident, shall provide the information within a reasonable time.

104. When the driver is alone, is the owner and is incapable of providing the information required, the driver shall provide the information within a reasonable time after becoming capable of so doing.

Failure to comply with the provisions of Sections 99 to 104 is an offence pursuant to this bylaw and is liable to a penalty imposed by court of competent jurisdiction.

105. When a motor vehicle which has been involved in an accident is damaged to the extent that it cannot be moved under its own power, the registered owner or the operator of the motor vehicle, after having complied with Sections 99 to 101 shall, within a reasonable time, make arrangements for the motor vehicle to be removed from the road.

106. If the registered owner or the operator of the motor vehicle fails to make or is incapable of making arrangements to move the motor vehicle as provided herein, a Peace Officer may make the arrangements on the driver's behalf and the registered owner shall be notified of the disposition of the motor vehicle by a Peace Officer.

107. When arrangements have been made by a Peace Officer pursuant to Section 106 the motor vehicle shall be deemed to be an abandoned motor vehicle and is then subject to the provisions herein or within other bylaws for an abandoned motor vehicle.

108. When an accident results in injury or death to a person or in property damage to an apparent extent of \$2500.00 or more, the driver shall make a written report to:

- a Peace Officer having jurisdiction where the accident occurred; or
- an employee of a Peace Officer having jurisdiction where the accident occurred who is authorized to receive these reports.

109. If the driver is incapable of making the report required by Section 108 and there is another occupant of the motor vehicle capable of making the report, the occupant shall make the report required to be made by the driver.

110. If no report has been made under Section 108 or 109 and the driver or occupant is not the owner of the motor vehicle, the owner shall, within a reasonable time after learning of the accident, make the report.

111. When the driver is alone, is the owner and is incapable of making the report required by Section 108 the driver shall make the report forthwith after becoming capable of making it.

Failure to comply with the provisions under Sections 108, 109, 110 or 111 is an offence and is liable to a penalty imposed by a court of competent jurisdiction.

112. A Peace Officer who has witnessed or investigated an accident shall forward to the Registrar of Motor Vehicles of Alberta a written report, in the form prescribed, setting forth full particulars of the accident including the names and addresses of the persons involved and the extent of their personal injuries or property damage.

113. When the driver of a motor vehicle or any other person damages or knocks down:
 - (a) a traffic control device;
 - (b) a railroad sign or signal; or
 - (c) a traffic sign of any kind;

that person shall forthwith report the damage to the Tsuut'ina Nation. Failure to comply with this provision is an offence pursuant to this bylaw and is liable to a penalty of \$270.00.
114. Any person who knowingly makes any statement required by this bylaw that is false is guilty of an offence pursuant to this bylaw and is liable to a penalty imposed by a court of competent jurisdiction.
115. In a prosecution for failure to make a report required by this bylaw with respect of an accident, the place of the offence shall be deemed to be the place where the accident occurred.
116. No person shall commence the repairs or direct or require the repairs to be commenced on a motor vehicle that shows evidence of having been involved in an accident required to be reported under this bylaw or having been struck by a bullet:
 - (a) Unless a notice in form prescribed by the Registrar of Motor Vehicles of Alberta has been affixed to the motor vehicle by a Peace Officer; or
 - (b) If no notice is affixed to the motor vehicle, until it has been authorized in writing by a Peace Officer so to do.
117. A person who violates Section 116 is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$605.00.

Part VI**Power to Control Speed/Speed Limits**

118. With respect to all or any part of a road, the Tsuut'ina Nation may set a maximum speed for day time or night time or both, in excess of the general maximum speed established herein and may set different maximum speeds for different classes of vehicles.
119. The Tsuut'ina Nation may prescribe a minimum speed for all or any part of a road and may prescribe different minimum speeds for:
 - (a) day time and night time;
 - (b) different periods of the year; and
 - (c) different traffic lanes on the same road.
120. The Tsuut'ina Nation may, with respect to all or any part of a road subject to its direction, control and management, prescribe by signs posted along the road, speed limits applicable to all vehicles or any class of vehicles.
121. The Tsuut'ina Nation may with respect to any community facility zone on a road subject to its direction, control and management prescribe a maximum speed limit less than the usual posted speed, but not less than 20 kilometres per hour.
122. The Tsuut'ina Nation or its designate may, by posted signs indicate a maximum speed limit in respect of any part of the road under construction or repair or in a state of disrepair, applicable to all vehicles or to any class or classes of vehicles while travelling over that part of the road.
123. When speed limits are prescribed, the Tsuut'ina Nation or its designate shall cause to be erected signs indicating the speed limits so prescribed.
124. The Tsuut'ina Nation may authorize the placing, erecting or marking of traffic control devices at any location considered necessary for controlling and regulating traffic on or entering roads subject to its direction, control and management.
125. Notwithstanding any speed limit prescribed by or pursuant to this bylaw, no driver shall drive at any rate of speed that is unreasonable having regard to all of the circumstances of the case, including without restricting the generality of the foregoing,
 - (a) the nature, condition and use of the road,
 - (b) the atmospheric, weather or other conditions that might affect the visibility of the driver or the control of the vehicle,
 - (c) the amount of traffic there then is or that might reasonably be expected to be on the road, and
 - (d) the mechanical condition of the vehicle or any equipment of the vehicle.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$270.00.

126. Except where a higher rate of speed is prescribed pursuant to this bylaw, no person shall drive on a road at any greater rate of speed than

- (a) 80 kilometres per hour during the daytime, or
- (b) 80 kilometres per hour during the night time.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty prescribed in appendixed schedule.

127. No person shall drive at a greater rate of speed than the maximum rate designated by signs erected along a road pursuant to this bylaw. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty prescribed in appendixed schedule.

128. If a speed limit is prescribed to this bylaw, the speed limit applies to all that part of the road between the point where the first sign indicating the prescribed speed limit is posted and the point where a sign is posted indicating a greater or lesser speed or indicating that the prescribed speed limit has ceased to apply.

129. No driver shall drive at such a slow rate of speed as to impede or block the normal and reasonable movement of traffic then existing on a road, except when it is necessary to do so for safe operation or to comply with this Part. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$270.00.

130. No person shall drive

- (a) on a road; or
- (b) in traffic;

at a slower rate of speed than the minimum speed designated therefore by signs erected along the road pursuant to this bylaw. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$270.00.

131. A Peace Officer may require a driver who is contravening this section to:

- (a) increase the rate of speed;
- (b) remove vehicle from the roadway; or
- (c) drive in a different traffic lane.

Any driver who fails to obey the order of the Peace Officer is guilty of an offence pursuant to this bylaw and is liable to a penalty of \$270.00.

Part VII**Equipment**

132. Every person who:

- (a) operates a motor vehicle; or
- (b) permits another person to operate a motor vehicle;

on a road without complying with the requirements of this Part as to equipment, is guilty of an offence pursuant to this bylaw.

133. Every motor vehicle shall be equipped with all standard equipment in full and properly working order prescribed by Motor Vehicle Safety Regulations, Chapter 1038, Consolidated Regulations of Canada, as amended, of the *Motor Vehicle Safety Act (Canada)* including headlights, taillights, break lights, flashing lights and such other lights as may be required herein.

Brakes

134. No motor vehicle shall be operated on a road unless it has:

- (a) Adequate service brakes (foot operated) suitable to the nature of the vehicle and complying with industry standards; and
- (b) An adequate emergency or parking brake complying with industry standards and capable of being operated separately from the service brakes; and
- (c) Complies with the provisions of the Motor Vehicle Safety Regulations, Chap. 1038, Consolidated Regulations of Canada, as amended, of the *Motor Vehicle Safety Act (Canada)* as to standard equipment.

Failure to comply with the provisions of Section 134 is an offence pursuant to this bylaw and is liable to a penalty of \$135.00.

Other Equipment

135. Every motor vehicle, motor cycle, moped, power bicycle and bicycle shall be equipped with an adequate horn, gong or bell and it shall be kept in good working order and shall be sounded when and only when it is reasonably necessary to warn persons on or approaching the road in the vicinity of the vehicle or motor cycle, moped, power cycle or bicycle. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$135.00.

136. Every motor vehicle and self-propelled implement of husbandry shall carry a mirror securely attached to it and placed in a position that will afford the driver a clear, unobstructed view of the roadway to the rear and of any vehicle approaching from the rear. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$135.00.

137. Every motor vehicle shall be equipped with a speedometer to indicate the speed of the vehicle when moving forward. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$135.00.

138. Without in any way restricting the provisions of this Part, the owner of a motor vehicle shall keep and maintain the vehicle and all industry required equipment thereof in a condition of conformity with industry standards and shall keep and maintain all standardized equipment

- (a) in good working order; and
- (b) properly attached to the vehicle;

having regard to the purpose for which that equipment is intended. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$135.00.

139. If requested to do so by a Peace Officer, the owner of a motor vehicle shall, as soon as is reasonably possible, have any work done to the vehicle that is necessary to make it comply with minimum industry standards for road worthiness and shall report the compliance to the Peace Officer. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

140. Every motor vehicle, except a motor cycle or moped, shall be equipped with a windshield. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$135.00.

141. No vehicle other than a vehicle used:

- (a) for the transportation of any Peace Officer;
- (b) for the transportation of any member of a fire brigade or any firefighting equipment;
- (c) as an ambulance; or
- (d) as a gas disconnecting unit of a public utility company;

shall, while on a road, be equipped with a siren without written approval of the Tsuut'ina Nation. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$270.00.

142. All vehicles shall be equipped with front and rear bumpers. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$135.00.

Seatbelts

143. In this section:

- (a) "child" means a person whose weight does not exceed eighteen (18) kilograms;
- (b) "motor vehicle" does not include a motor cycle or moped;
- (c) "seat belt assembly" means a device or assembly that:

- i. is securely fastened to a motor vehicle;
- ii. is composed of straps, webbing or similar material and includes a pelvic restraint or an upper torso restraint, or both;
- iii. is capable of restraining the movement of a person in order to prevent or mitigate injury to the person; and
- iv. meets the standards prescribed under the Motor Vehicle Safety Act (Canada).

144. No person shall, on a road, operate a motor vehicle in which a child is a passenger unless:

- (a) the motor vehicle is equipped with a child seating assembly as prescribed in Section 143(c);
- (b) the child seating assembly is properly installed; and
- (c) the child is occupying and is properly secured in the child seating assembly.

Failure to comply with these provisions is an offence pursuant to this bylaw and is liable to a penalty of \$135.00.

145. Where a motor vehicle is operated on a road and it is equipped with a seat belt assembly:

- (a) in the seating position that is occupied by the driver, the driver shall wear the complete seat belt assembly; and
- (b) in a seating position that is occupied by a passenger over the age of six (6) years, the passenger shall wear the complete seat belt assembly. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$135.00.

146. Section 145 does not apply to a person who holds a certificate signed by a duly qualified medical practitioner certifying that person:

- (a) is, for a period stated in the certificate, unable for a medical reasons to be secured in a child seating assembly or seat belt assembly, as the case may be; or
- (b) is because of size, build or other physical characteristics, unable to be secured in a child seating assembly or seat belt assembly, as the case may be.

147. No person shall, with respect to a seat belt assembly in a motor vehicle, remove it, partly or wholly or modified it so as to reduce its effectiveness, if the motor vehicle was equipped with it at the time it was manufactured. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$135.00.

148. No person shall operate a motor vehicle on a road that has had the seat belt removed, rendered partly or wholly inoperative or modified so as to reduce its effectiveness. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$135.00.

Part VIII**Rules of the Road****Application**

149. Every person operating a motor vehicle, a tractor, an implement of husbandry or any other type of vehicle on a road shall in so far as they are applicable, obey the rules of the road set out in this Part, except:

- when otherwise instructed by a traffic control device; or
- when otherwise directed by a Peace Officer.

150. Every driver shall obey the instructions of all traffic control devices.

151. Notwithstanding anything in this Part, every driver shall obey the directions of any Peace Officer directing traffic. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

152. Notwithstanding anything in this Part, when:

- a flag person is stationed; or
- a barricade or sign is erected;

on a road to direct traffic in connection with any construction, repair or other work on the road or on land adjacent to the road, every driver shall obey the directions given by the flagperson or, if none, by the barricades or signs. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

153. When a Peace Officer considers it necessary:

- to ensure orderly movement of traffic;
- to prevent injury or damage to persons or property; or
- to permit proper action in an emergency

The officer may direct traffic on a discretionary basis, notwithstanding anything in this Part in a manner consistent with the requirements of the situation.

154. If a Peace Officer is not present at the scene of a fire or emergency, any member of a fire brigade present may exercise the powers of a Peace Officer under Section 152.

155. Any motor vehicle equipped with a siren and being:

- used for the transportation of any member of a fire brigade in response to any emergency call; or
- used for the transportation of a Peace Officer in response to an emergency call or for the purpose of:
 - investigating a reported accident;
 - detecting or preventing crime; or

- iii. making an arrest;
- (c) an ambulance used in response to an emergency call;
- (d) a gas disconnecting unit of public utility company used in response to an emergency call, or
- (e) a vehicle used in an emergency in accordance with that authorization granted by the Tsuut'ina Nation.

may, while being so used and while the siren is being continuously sounded,

- (f) be operated at a speed that is reasonable and proper having regard to
 - i. the traffic ordinarily on the road,
 - ii. the use of the road, and
 - iii. the fact that it is being so used,
- (g) proceed past a stop signal or stop sign without stopping, and
- (h) If required to do so for the purpose of carrying out the duties of a member of a fire brigade or ambulance service, a fireman or ambulance driver may drive and park a motor vehicle contrary to any rule of the road prescribed by this bylaw, if it is necessary and in the circumstances safe to do so and shall, in the absence of a Peace Officer, have the powers of a Peace Officer under this bylaw with respect to traffic control and direction to the extent necessary to enable efficient performance of all duties or safeguard the public.

156. Vehicles used in road maintenance or road construction work authorized by Tsuut'ina Nation may be operated on any portion of a road in the course of road maintenance, road construction or other work in which they are engaged.

Driving on the Right Side of Road

157. No person shall drive to the left of the centre line of a road whether or not the centre line is marked, except:

- (a) when overtaking and passing another vehicle travelling in the same direction;
- (b) when the roadway to the right of the centre lane is obstructed by a parked vehicle or other object;
- (c) when the roadway to the right of the centre line is closed to traffic;
- (d) when turning left off the road into another road or into a driveway;
- (e) when a traffic control device otherwise requires or permits; or
- (f) on a one-way road.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$270.00.

158. No person shall drive any vehicle into, across or along any ditch except at proper and lawful vehicular crossings provided for that purpose. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.
159. When the condition of a section of roadway is such that it is impractical or unsafe for two vehicles being driven in opposite directions to pass each other in a normal manner:
 - (a) If a vehicle is being driven on that section, another driver approaching that section from the opposite direction shall stop before entering on the section and shall not proceed until the oncoming vehicle reaches and passes; or
 - (b) If two vehicles are being driven on that section in opposite directions and meet on it, each of the drivers shall immediately stop and before proceeding to pass the other shall take all reasonable steps to confirm passage can be made in safety to that driver and others, and, if necessary, each of the drivers shall assist the other to pass in safety.
160. No driver shall follow another vehicle more closely than is reasonable and prudent, having due regard for:
 - (a) the speed of the vehicles;
 - (b) the amount and nature of traffic on the road; and
 - (c) the condition of the road.Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$270.00.
161. Each driver in a caravan or motorcade, other than a funeral procession, on a road, shall leave sufficient space between the vehicles or combination of vehicles to enable a vehicle to enter and occupy that space without danger. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

Overtaking and Passing

162. A driver shall not pass or attempt to pass another vehicle travelling in the same direction:
 - (a) when proceeding uphill;
 - (b) when on a curve in the road; or
 - (c) when approaching within 30 metres of or traversing a level railway crossing;unless a traffic control device otherwise directs or permits. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.
163. A driver shall not drive to or on the left of the centre line of a road, whether or not the centre line is marked, in overtaking and passing another vehicle or an obstruction unless:
 - (a) the left side is clearly visible; and
 - (b) is free of oncoming and overtaking traffic;for a sufficient distance to permit overtaking and passing to be completely made without interfering with the safe operation of another vehicle. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

164. Subject to Sections 166 and 167, a driver overtaking another vehicle:

- shall pass to the left of the other vehicle at a safe distance; and
- shall not return to the right side of the roadway until safely clear of the overtaken vehicle whereupon the driver shall return to the right side of the roadway.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

165. Except when overtaking and passing on the right is permitted; a driver being overtaken by another vehicle:

- shall give way to the right in favour of the overtaking vehicle; and
- shall not increase the speed until completely passed by the overtaking vehicle.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

166. A driver may overtake and pass on the right of another vehicle:

- when the vehicle overtaken is making a left turn or its driver has signaled an intention to make a left turn; or
- on a one-way road where the roadway is of sufficient width for two or more lines of moving vehicles and is free from obstructions.

167. On a road where there are two or more traffic lanes on the same side of the centre line for vehicles travelling in the same direction:

- a driver overtaking another vehicle travelling in the same direction may pass on the right or left of the other vehicle if there is a lane available for passing to the right or the left of the lane being used by the overtaking vehicle;
- a driver being overtaken by another vehicle travelling in the same direction shall remain in the lane travelled so as to allow the overtaken vehicle free passage in the lane to the right or the left of the lane in which the overtaken driver is travelling.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

168. Notwithstanding anything in this Part, a driver shall not overtake and pass or attempt to overtake or to pass another vehicle when the movement cannot be made safely:

- By driving off the roadway; or
- By driving in a parking lane, on the shoulder of a road or in the ditch.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

169. Before turning a vehicle to the left or right, the driver:

- shall signal an intention to do so using a vehicle equipped signal or recognized hand signal; and
- shall give the signal in sufficient time to provide a reasonable warning to the other persons of the intention of the driver. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

170. A driver intending to turn right from a two-way road onto another two-way road shall make the turn:

- by driving as closely as practicable to the right curb or edge of the roadway while approaching the intersection and turning; and
- on leaving the intersection by driving as closely as practicable to the right curb or edge of the roadway then entered;

unless a traffic control device otherwise directs or permits.

171. A driver intending to turn right to enter or leave a one-way road shall drive as closely as practicable to the right curb or edge of the roadway when entering and leaving the intersection, unless a traffic control device otherwise directs or permits.

172. On a road divided into traffic lanes, a driver approaching an intersection and intending to turn right:

- shall drive in the traffic lane nearest to the right hand side of the roadway; and
- may pass any other vehicle travelling in the same direction in a lane to the left;

unless a traffic control device otherwise directs or permits.

173. A driver approaching an intersection and intending to turn right shall, wherever practicable, drive the vehicle into the position required by this section at least 15 metres before reaching that intersection.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

174. A driver intending to turn left from a two-way road onto another two-way road shall make the left turn:

- by driving to the right of and as closely as practicable to the centre line of the road while approaching the intersection and turning; and
- on leaving the intersection by driving to the right of and as closely as practicable to the centre line of the road then entered;

unless a traffic control device otherwise directs or permits.

175. A driver intending to turn left on a two-way road onto a one-way road shall make the left turn:

- by driving to the right of and as closely as practicable to the centre line of the two-way road where it enters the intersection; and
- on leaving the intersection by driving as closely as practicable to the left hand side of the one-way road entered;

unless a traffic control device otherwise directs or permits.

176. A driver intending to turn left from a one-way road onto a two-way road shall make the left turn:

- by driving as closely as practicable to the left hand side of the one-way road where it enters the intersection; and

(b) On leaving the intersection by driving to the right of and as closely as practicable to the centre line of the two-way road entered;
unless a traffic control device otherwise directs or permits.

177. A driver intending to turn left from a one-way road onto another one-way road shall make the left turn:

- by driving as closely as practicable to the left hand side of the one-way road where it enters the intersection; and
- on leaving the intersection by driving as closely as practicable to the left hand side of the other one-way road entered;

unless a traffic control device otherwise directs or permits.

178. A driver approaching an intersection and intending to turn left shall, wherever practicable, drive the vehicle into the position required by this section at least 15 metres before reaching that intersection.
Failure to comply is an offence pursuant to this bylaw and is liable to a penalty \$205.00.

179. When a traffic lane is marked by a traffic control device showing a directional arrow or arrows with or without accompanying words a driver travelling in that lane may make only the movement indicated or permitted by the traffic control device at the intersection or other place to which the traffic control device applies.

180. When a traffic lane is marked by a traffic control device showing the words "no left turn" or "no right turn" a driver travelling in that lane and approaching the traffic control device shall not make the turn prohibited by the device.
Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

U-Turns

181. A driver shall not turn the vehicle so as to proceed in the opposite direction unless it can do so in safety and without interfering with other traffic.

182. A driver shall not turn the vehicle so as to proceed in the opposite direction;

- on a curve; or
- on the approach to or near the crest of a grade where the vehicle cannot be seen by the driver of another vehicle approaching from either direction within 150 metres.

183. The turns referred to in this section include what are commonly known as "U-turns".
Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

Backing

184. No person shall back up a motor vehicle unless the movement can be made:

- in safety; and
- without interfering with other traffic on the road.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

Yielding and Stopping

185. Except as otherwise provided in this Part, when two vehicles approach or enter an intersection from different roads at approximately the same time the driver of the vehicle to the left shall yield right of way to the vehicle on the right.
186. A driver intending to turn left across the path of any vehicle approaching from the opposite direction shall not make or attempt to make the left turn unless the turn can be completed in safety.
187. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.
188. Before starting and stopping of a motor vehicle, the driver shall:
 - (a) Signal the intention to do so by using a vehicle-equipped signal or recognized hand signal; and
 - (b) Give the signal in sufficient time to provide a reasonable warning to other persons of the intention of the driver.
189. A driver about to enter on:
 - (a) a primary road, side road or driveway; or
 - (b) a road from a driveway;shall, unless the intersection of the two roadways is marked with a "yield" sign or a "merge" sign, bring the vehicle to a stop;
 - (c) before entering on the intersecting roadway and at a point no further than 3 metres from the intersecting roadway, of the intersection, immediately before entering intersection; or
 - (d) if there is a marked cross-walk on the near side of the intersection, immediately before entering on the cross-walk; or
 - (e) if there is a marked stop line on the near side of the intersection, at the stop line.
190. Notwithstanding Section 189:
 - (a) A driver emerging from a side road or driveway shall stop the vehicle and shall yield the right of way to any pedestrian; and
 - (b) A driver entering a side road or driveway shall yield the right of way to any pedestrian.Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.
191. When a pedestrian has indicated an intention to cross the road by a raise of the arm, a motorist shall stop the vehicle and allow the pedestrian to cross. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.
192. A driver about to enter on any roadway from a roadway that is marked by a "stop" sign shall bring the vehicle to a stop:

- (a) Before entering on the intersecting roadway and at a point no further than 3 metres from the intersecting roadway,
- (b) If there is a crosswalk on the near side of the intersection, immediately before entering on the crosswalk, or
- (c) If there is a marked stop line on the near side of the intersection, at the stop line.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

193. When a driver is required to stop pursuant to Sections 188, 189, 190, 191 or 192:

- (a) The driver shall not proceed until the condition of the traffic on the road being entered on is such that it can be entered in safety; and
- (b) The driver shall yield the right of way to all traffic approaching on the road.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

194. A driver about to enter on a road that is marked by a "yield" sign need not stop the vehicle before entering but shall yield the right of way to all traffic on the road being entered on.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

195. A driver meeting or being overtaken or being approached from the right or the left by a vehicle on which a siren is being sounded shall:

- (a) drive the vehicle as closely as practicable to the right of the roadway;
- (b) bring the vehicle to a stop; and
- (c) remain stopped;

until the vehicle sounding its siren has passed.

196. Section 195 does not operate so as to relieve the driver of an authorized emergency vehicle from the duty of driving with due regard to the safety of all persons using the road.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$270.00.

197. In this section, "school bus" means a vehicle on which are displayed the words "school bus".

198. Where a school bus is displaying alternately flashing amber lights, the operator of a vehicle approaching the school bus shall,

- (a) when approaching the school bus from the rear, if the school bus is on a highway that is divided by a median into 2 separate roadways, or
- (b) when approaching the school bus from the front or rear, if the school bus is on a highway that is not divided by a median into 2 separate roadways;

reduces the speed of the approaching vehicle so that if the approaching vehicle passes the school bus it does so in a cautious manner.

199. Where a school bus is displaying alternately flashing red lights, the operator of a vehicle approaching the school bus shall,

- (a) when approaching the school bus from the rear, if the school bus is on a highway that is divided by a median into 2 separate roadways, or
- (b) when approaching the school bus from the front or rear, if the school bus is on a highway that is not divided by a median into 2 separate roadways,
stop the approaching vehicle before it reaches the school bus.

200. When an approaching vehicle referred to in Section 199 stops before reaching a school bus, the operator of the vehicle shall not pass the school bus until

- (a) the operator of the school bus indicates by signal that the vehicle may proceed, or
- (b) the alternately flashing red lights stop flashing.

201. The operator of a school bus shall

- (a) activate the alternately flashing amber lights when he begins to slow down the school bus for the purpose of stopping on a highway to load or unload passengers; and
- (b) activate:
 - i. the alternately flashing red lights, and
 - ii. the stop arm,when he is stopped on a roadway for the purpose of loading or unloading passengers.

202. No person shall operate the alternately flashing lights or the stop arm located on a school bus other than as provided for under Section 201 or a regulation or bylaw referred to in Section 204 whichever is applicable.

203. Section 201(a) and (b)(ii) apply only in respect of school buses that are equipped with alternately flashing amber lights and stop arms.

204. The operator of a vehicle bearing the sign "school bus" shall not activate the alternately flashing red lights on the vehicle unless loading or unloading passengers on a road, on which the posted speed limit exceeds 50 kilometres per hour.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$402.00.

Use of Lights

205. At any time either during the night time hours or when, due to insufficient light or unfavourable atmospheric conditions, objects are not clearly discernible on the road at a distance of 150 metres ahead:

- (a) no motor vehicle or tractor or self-propelled implement of husbandry shall be in motion on a road unless both headlights are alight and are providing sufficient light to make objects on the road clearly visible at such distance;
- (b) no bicycle shall be in motion on a road unless the light or lights with which it is required to be equipped are alight;

- (c) no vehicle shall be in motion on a road unless the tail lights, side marker lights, identification lights and clearance lights with which it is required to be equipped are alight;
- (d) no vehicle shall be stationary on a road unless:
 - i. the tail lights with which it is required to be equipped are alight;
 - ii. it is equipped with the reflectors with which it is required to be equipped and that reflect the lights of a motor vehicle approaching the stationary vehicle from the rear; or
 - iii. the motor vehicle hazard warning lights with which it is required to be equipped are alight;
- (e) no vehicle shall be in motion on a roadway unless:
 - i. in the case of a self-propelled vehicle that is less than 0.8 metres in overall width, it is equipped with one headlamp alight;
 - ii. in the case of a self-propelled vehicle that is 0.8 metres or more in overall width, it is equipped with 2 headlamps that are alight, and
 - iii. in the case of a vehicle that is 2.05 metres or more in overall width, it is equipped with clearance lamps on the rear of the vehicle that are alight.
- (f) no vehicle shall be on any roadway unless it has at the rear of it 2 reflectors.

206. No motor cycle or moped shall be in motion on a road at any time unless the light or lights with which it is required to be equipped are alight.

207. Subject to this section, when a motor vehicle is being operated on a road at anytime during which headlights are required to be alight, the driver shall use a distribution of light or composite beam, directly high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the motor vehicle.

208. No motorcycle or moped shall be in motion on a road at anytime unless the light or lights with which it is required to be equipped are alight.

209. When a driver of a vehicle approaches within 300 metres of an oncoming vehicle, a distribution of light or composite beam shall be used that is so aimed that the glaring rays are not directed into the eyes of the driver of the oncoming vehicle.

210. The lowermost distribution of light or composite beam shall be deemed to avoid glare regardless of the road contour or loading or time of day.

211. When the driver of a vehicle follows within 150 metres of the rear of another vehicle the uppermost distribution of light referred to in section 205 shall not be used.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

Parking

212. No person shall park a vehicle on a roadway when it is practical to park the vehicle off the roadway and in no event shall a person park a vehicle on the roadway:

- unless a clear and unobstructed width opposite the vehicle is left for free passage of other vehicles on the roadway; and
- unless a clear view of the parked vehicle may be obtained for a distance of 60 metres along the roadway in both directions.

213. Notwithstanding Section 212 except:

- when the motor vehicle is incapable of moving under its own power;
- when some other emergency arises; or
- as is otherwise permitted by law;

no person shall park a vehicle on the roadway, parking lane or shoulder portions of a road.

214. No vehicle shall remain at a standstill on a road for longer than one (1) minute at any place within 10 metres of the point of intersection of that road with any other road.

215. Nothing in this section shall be construed to prohibit police vehicles, ambulances or vehicles engaged in road repair, maintenance or inspection work or by employees of the Tsuut'ina Nation from parking on the roadway when it is advisable to do so:

- to prevent accidents;
- to give warning of hazards or of persons on the road;
- to remove injured persons;
- to repair roadway; or
- for any other similar purpose.

216. Nothing in this section shall be construed to prohibit the driver of a school bus from parking the school bus on the roadway of a road for the purpose of loading or unloading passengers if the bus cannot be parked off the roadway and still have a suitable space available on the ground for the passengers being loaded or unloaded.

217. When parking on a roadway, a driver shall park the vehicle with the sides of it parallel to the curb or edge of the roadway and with the right hand wheels of it not more than 500 millimetres from the right hand curb or edge of the roadway.

218. No person shall permit a vehicle to stand unattended on any grade or slope without first having:

- effectively set the vehicle's brake; and
- turned the front wheels to the nearest curb or edge of the roadway in such a manner as to impede any movement of the vehicle.

219. No person shall leave a vehicle unattended on a road if the vehicle has been placed on a jack or a similar device; and:

- (a) one or more wheels have been removed from the vehicle; or
- (b) part of the vehicle is raised.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

Part IX

Powers of Peace Officers

220. Every driver shall, immediately upon being signalled or requested to stop by a Peace Officer in uniform shall:
 - (a) Bring the motor vehicle to a stop;
 - (b) Furnish any information respecting the driver or the motor vehicle that the Peace Officer requires; and
 - (c) Remain stopped until being permitted by the Peace Officer to leave.Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.
221. Every Peace Officer who, on reasonable and probable grounds, believes that a financial responsibility card relating to any motor vehicle being operated on a road has expired, may seize the licence plate issued for that motor vehicle.
222. When necessary to remove, take or store a motor vehicle as authorized under this Bylaw, a Peace Officer or a person authorized by a Peace Officer may forcibly unlock or open a door of the motor vehicle and do any other things that are reasonably required to facilitate the removal, taking and storing of the motor vehicle.
223. A driver shall, immediately on being signaled or requested to stop by a Peace Officer identified as such, bring the vehicle to a stop and furnish any information respecting the driver or the vehicle that the Peace Officer requires and shall not start the vehicle until permitted to do so by the Peace Officer.
Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.
224. A Peace Officer who on reasonable and probable grounds believes that any person has committed an offence against any of the following provisions may arrest the person for offences:
 - (a) relating to the speed of motor vehicles;
 - (b) relating to the requirement that drivers stop when so requested by a Peace Officer so identified;
 - (c) relating to driving a motor vehicle without due care and attention or driving a motor vehicle on a road without reasonable consideration for persons using the road;
 - (d) relating to driving a motor vehicle in a race or on a bet or wager;
 - (e) relating to tampering with a motor vehicle;
 - (f) relating to defacement of signs;
 - (g) relating to pedestrians giving their names to a Peace Officer.
225. A Peace Officer may require the owner or operator of a motor vehicle to submit the motor vehicle, together with its equipment and any trailer to examination and tests:

- (a) To ensure that the motor vehicle, its equipment and trailer, if any, are fit and safe for operation; or
- (b) In the case of an accident, to determine whether or not the condition of the motor vehicle, its equipment or trailer, if any, contributed in any way to an accident.

226. If the motor vehicle, equipment or trailer is found to be unfit or unsafe for operation or dangerous to passengers or the public, the Peace Officer requiring the examination or test may do either or both of the following:

- (a) require the operator of the motor vehicle to have the motor vehicle, equipment or trailer rendered fit and safe for operation;
- (b) order that the motor vehicle or trailer be removed from the road until the motor vehicle, equipment or trailer has been rendered fit and safe for operation.

227. If a Peace Officer believes, on reasonable and probable grounds, that a motor vehicle, equipment or trailer is unfit or unsafe for operation or is dangerous to passengers or the public, the Peace Officer may, without requiring any examination or test, exercise the powers conferred under Section 226.

228. An operator:

- (a) who fails to comply with a requirement of Sections 225 or 226;
- (b) who, in contravention of a requirement or order under Sections 226 or 227 operates a motor vehicle, equipment or trailer on a road before it has been rendered fit and safe for operation; or
- (c) who fails to comply with the bona fide direction of a Peace Officer.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

229. If a motor vehicle or trailer is ordered removed from the road under Sections 226 or 227, a Peace Officer may seize the licence plates of the motor vehicle or trailer and hold the plates until the motor vehicle, equipment or trailer has been rendered fit and safe for operation.

Part X**Other Prohibitions**

230. A person who drives a vehicle on a road:

- (a) without due care and attention; and
- (b) without reasonable consideration for persons using the road;

Is guilty of an offence of driving carelessly pursuant to this bylaw and is liable to a penalty of \$205.00.

231. No person shall drive a vehicle on a road in a race or on a bet or wager.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$473.00.

232. No person, whether as a pedestrian, passenger or driver and whether or not with the use or aid of any animal, vehicle or other thing, shall perform or engage in any stunt or other activity on a road that is likely to distract, startle or interfere with other users of the road.

233. No person shall create or cause the emission of any loud and unnecessary noise from a motor vehicle, any part of it, or any thing or substance that the motor vehicle or part of it contracts.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$473.00.

234. No person shall drive a vehicle on a road if the view through the windshield or windows is so obscured by mud, frost, steam or any other thing as to make the driving of the vehicle hazardous or dangerous.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

235. No driver shall permit any passenger to occupy the front seat of a vehicle in such a manner as to impede the driver in the free and uninterrupted access to and use of the steering wheel, brakes and other equipment required to be used for the safe operation of the vehicle on a road, nor shall any driver permit any other occupant of the vehicle to cause to obstruct the driver's clear vision in any direction.

236. No person shall ride in a position in a vehicle that interferes with the driver's control over the driving mechanism of the vehicle or that obstructs the driver's clear vision in any direction.

Failure to comply with the requirements of Sections 236 and 237 of this bylaw is liable to a penalty of \$203.00.

237. When a vehicle is in motion:

- (a) the driver shall not exchange places with any other person; and
- (b) no person shall exchange places with the driver.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$270.00.

238. In this section "house trailer" means a vehicle capable of being attached to and drawn by a motor vehicle and designed, constructed or equipped as a dwelling place, living abode or sleeping place.

239. No person shall occupy or permit any other person to occupy a house trailer while it is being moved on a road.
Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$135.00.

240. No person shall ride or permit any other person to ride on the outside of a motor vehicle.

241. Section 240 does not apply to a person riding;

- (a) on a regular seat on a motor cycle;
- (b) in the box of a truck;
- (c) in or on any fire-fighting vehicle;
- (d) in or on a vehicle engaged in road construction or maintenance;
- (e) in or on a vehicle forming part of an entertainment exhibition that has been approved by the Tsuut'ina Nation;
- (f) on a maintenance or service vehicle on which a special seat or stand has been affixed providing for the safety of the person so riding.

242. No person shall draw or tow by a motor vehicle on a road any person riding a sled, toboggan, skis, motor cycle, scooter, power bicycle or bicycle.
Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$135.00.

243. No person shall operate an air cushion vehicle on, along or across a road. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

244. No person shall permit another person *under the age of 14 years* to drive a tractor or self-propelled implement of husbandry *on a road*.
Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

245. A person who removes a wrecked or damaged vehicle from a road shall remove glass or any other injurious substance or thing dropped on the road from the vehicle.

246. A person who removes a wrecked or damaged vehicle from the road without removing glass or any other injurious substance or thing dropped on the road from the vehicle is guilty of an offence. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

247. No person shall open the door of a motor vehicle unless it is reasonably safe to do so.

248. No person shall leave a door open on a motor vehicle where it may constitute a hazard to moving traffic. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

249. No person shall abandon a vehicle on a road.

250. A vehicle left standing, at a location referred to in Section 249, for more than 72 consecutive hours shall be deemed to have been abandoned at that location. Failure to comply with Section 249 is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.
251. No person shall place or maintain or display in view of persons using a road any sign, marking or device:
 - (a) which purports to be or is in imitation of or resembles a traffic control device approved by the Tsuut'ina Nation; or
 - (b) which gives any warning or direction as to the use of the road by any person.Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.
252. If a sign, marking or device is placed, maintained or displayed in contravention of Section 251:
 - (a) a Peace Officer; or
 - (b) a person designated for such purpose of the Tsuut'ina Nation;may, without notice or compensation, remove the sign, marking or device.
253. No person shall willfully remove, throw down, deface or alter, injure or destroy a traffic control device placed, flanked or erected on a road. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.
254. No person shall place or cause to be placed any hand bill or other advertising matter on or in a vehicle without the permission of the owner or the person in charge of the vehicle. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$203.00.

Part XI**Bicycles and Motor Cycles**

255. In this Part:

- (a) "bicycle" means any cycle propelled by human power on which a person may ride, regardless of the number of wheels it has;
- (b) "cycle" means a bicycle, a motor cycle or a moped.

256. Unless the context otherwise requires, a person operating a bicycle or motor cycle on a road:

- (a) has all the rights; and
- (b) is subject to all the duties;

of a driver under this bylaw.

257. No person under the age of 16 years shall operate a cycle with a motor having a displacement of power greater than prescribed by the Highway Traffic regulations.

258. No person under the age of 16 operating a scooter, a moped or power bicycle shall operate the vehicle while carrying passengers of any kind. Failure to comply is an offence pursuant to this bylaw and subject to proceedings under the *Young Offender's Act*.

259. A person who is operating a cycle on a road:

- (a) shall keep both hands on the handlebars of the cycle, except when making a signal in accordance with this Bylaw;
- (b) shall keep both feet on the pedals or foot rests of the cycle;
- (c) shall not ride other than on or astride a regular seat of the cycle; and
- (d) shall not use the cycle to carry more persons at one time than the number for which it is designed and equipped.

260. A person who is operating a bicycle on a road shall ride as near as practicable to the right hand curb or edge of the roadway.

261. A person shall not operate a cycle on a roadway where signs prohibit its use.

262. A person who is riding as a passenger on a cycle:

- (a) shall not ride other than on a regular seat of the cycle intended for a passenger; and
- (b) shall keep both feet on the foot rests provided for the use of the passenger riding on the seat.

263. All those who operate or ride as passengers on cycles shall not:

- (a) hold onto;
- (b) attach themselves to;
- (c) attach the cycle to;

Any other moving vehicle. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$270.00.

264. A person operating a cycle on a road:

- (a) Shall not ride to the side of another cycle travelling in the same direction; but
- (b) Shall ride directly in line to the rear or front of the other cycle;

Except when overtaking and passing the other cycle. Failure to comply is an offence pursuant to this bylaw and liable to a penalty of \$270.00.

265. No person shall operate a motor cycle, a moped or power bicycle without wearing a safety helmet securely attached.

266. No person shall ride as a passenger on a motor cycle, moped or power bicycle unless wearing a safety helmet securely attached which meets generally accepted industry standards for use on a motor cycle.

267. Sections 265 and 266 do not apply to the operator or passengers of a motor cycle which is manufactured with a cab that encloses and protects the operator and passengers.

268. No person shall operate a motor cycle, moped or power bicycle on which a passenger is riding unless the passenger is wearing a safety helmet properly and securely attached to the head.

269. No person shall buy, sell or offer for sale any safety helmet intended for the use of operators or passengers of motor cycles or power bicycles unless it conforms to the specifications prescribed herein.

270. A bicycle operated on any road at any time during the night time hours shall be equipped with:

- (a) at least one headlight but not more than two headlights;
- (b) at least one red tail light, and at least one brake light that lights up when the service brake is applied; and
- (c) at least one red reflector mounted on the rear.

271. No bicycle shall be operated on a road unless it is equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

272. A Peace Officer may require the operator of a bicycle to submit the bicycle to examination and tests to ensure that the bicycle is fit and safe for transportation;

- (a) If in the opinion of a Peace Officer, a bicycle is unfit or unsafe for transportation or dangerous to the public, the Peace Officer:
 - i. may require the operator of the bicycle to have the bicycle rendered fit and safe for transportation; and
 - ii. may order the bicycle removed from the road until the bicycle has been rendered fit and safe for transportation.

273. No person shall ride upon or operator a cycle, moped or power bicycle unless the cycle, moped or power bicycle is equipped with:

- (a) a headlight which meets industry standards;
- (b) a brake light mounted on the rear of the moped that meets industry standards;
- (c) a tail light;
- (d) a mirror securely attached to the left hand side so as to provide the driver a clear rear view; and
- (e) a service brake capable of bringing the unit to a standstill within 30 feet (9.14 metres) from the point at which the brakes were applied.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$270.00.

Part XII

Animals

274. Unless the context otherwise requires, a person riding an animal or driving an animal-driven vehicle on a road:

- (a) has all the rights; and
- (b) is subject to all the duties of a driver under Part VII.

275. A person riding an animal on a road:

- (a) shall not ride to the side of another animal travelling in the same direction; but
- (b) shall ride directly in line to the rear or front of the other animal;

except when overtaking and passing the other animal. Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$270.00.

Part XIII

Pedestrians

276. When a sidewalk or footpath is located beside a road, a pedestrian shall at all times when reasonable and practicable to do so, use the sidewalk or footpath and shall not walk or remain on the road.
277. If there is no sidewalk or footpath, a pedestrian walking along or on a road shall at all times when reasonable and practicable to do so, walk on the left side of the roadway or the shoulder of the road facing traffic approaching from the opposite direction.
278. A pedestrian crossing a roadway shall cross as quickly as is reasonably possible without stopping or loitering or otherwise impeding the free movement of vehicles on it.
279. A pedestrian shall not step onto a roadway and walk or run into the path of any vehicle that is so close that it is impracticable for the driver of the vehicle to yield the right of way.

Failure to comply is an offence pursuant to this bylaw and is liable to a penalty of \$135.00.

Part XIV**Penalties**

280. Any person who contravenes any section of this bylaw is guilty of an offence.
281. Any person who violates any provision of this bylaw is guilty of an offence punishable on summary conviction.
282. Except as otherwise provided in this bylaw, a person who is guilty of an offence under this bylaw for which a penalty is not provided is liable to a fine not exceeding \$1000.00 and in default of payment such term of imprisonment as may be prescribed by the Criminal Code Canada for summary conviction offences.
283. In a prosecution of a violation under Part II, it is up to the accused to prove that the motor vehicle was at all relevant times an insured motor vehicle and when required to produce a financial responsibility card. It is up to the accused to prove that a subsisting policy of insurance was in place at the time the financial responsibility card was required to be produced.
284. The owner of a motor vehicle which is involved in any contravention of this bylaw is guilty of an offence unless it is proved to the satisfaction of the Judge that at the time of the offence the motor vehicle was not being driven or was not parked or left by the owner or by any person with the consent, express or implied of the owner.
285. Notwithstanding Section 284 if the owner was not at the time of the offence driving the motor vehicle then the owner is not in any event liable to imprisonment.
286. When a person is charged with an offence under this bylaw, if the Judge trying the case is of the opinion that the offence:
 - (a) was committed wholly by accident or misadventure and without negligence; and
 - (b) could not by the exercise of reasonable care or precaution have been avoided;the Judge may dismiss the charge.
287. For the purposes of this bylaw, a traffic sign or device marked or erected under authority of the Tsuut'ina Nation is deemed to be a traffic control device as defined in this bylaw and to have been erected under the authority of this bylaw.
288. In a prosecution for contravening this bylaw the existence of a traffic control device is *prima facie* proof that the device was properly designated and erected by the proper authority without other or further proof thereof.
289. Tsuut'ina Nation Bylaw "Traffic and Vehicles By-Law" registered and made effective March 5, 1996 is hereby repealed by the registration of this Traffic and Vehicles Bylaw 1998 and is replaced in its entirety.

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Traffic and Vehicles Bylaw Appendix

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A. Penalties for Bylaw Infractions

SECTION	BYLAW INFRACTION	PENALTY
PART I – REQUIREMENT OF LICENCE		
s.40	Driving without operator's licence	\$300.00
s.41(a)	Driving while licence is suspended/cancelled	\$270.00
s.41(b)	Driving while disqualified	\$270.00
s.41(c)	Operator's licence suspended/cancelled in any jurisdiction	\$270.00
s.41(d)	Person's privilege to obtain operator's licence suspended/cancelled in any jurisdiction	\$270.00
s.53(a)	Using licence belonging to another person	\$403.00
s.53(b)	Using cancelled/suspended licence	\$403.00
s.53(c)	Using fictitious document	\$403.00
s.54	Permitting another person to use licence	\$270.00
s. 55	Possessing more than one Alberta licence	\$270.00
s. 56	Defaced/mutilated operator's licence	\$203.00
s.57	Operate vehicle contrary to restrictions	\$270.00
s.58	Permit unlicenced driver to operate vehicle	\$270.00
s.59	Permit person to drive vehicle other than authorized	\$270.00
s.60	Operate vehicle other than permitted (learner's category)	\$270.00
s.61(a)	Teaching person to drive while unlicenced	\$203.00
s. 61(b)	Teaching person to drive while underage (18)	\$203.00
s.67(a)	Fail to produce operator's licence	\$203.00
s.67(b)	Fail to produce duplicate licence	\$203.00
PART II – REGISTRATION		
s.72(a)	Operate vehicle – cancelled registration	\$405.00
s.72(b)	Operate vehicle – suspended registration	\$405.00
s.74	Defaced/mutilated registration	\$203.00
s.78(a)	Fail to produce registration	\$270.00

s.78(b)	Fail to produce duplicate registration	\$270.00
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PART III – LICENCE PLATES

s.79	Operate vehicle without subsisting licence plate	\$200.00
s.81(a)	Attaching plates other than authorized place for vehicle	\$270.00
s.81(b)	Operate vehicle/trailer with unauthorized plates attached	\$270.00
s.82	Parking unlicensed vehicle on roadway	\$270.00
s.83	Licence plate inadequately attached or obscured	\$270.00
s.85	Operate/park vehicle with expired licence plates	\$270.00
s.86(a)	Deface or alter licence plate	\$430.00
s.86(b)	Use or permit use of defaced or altered licence plates	\$430.00
s.86(c)	Permit licence plate to be used in violation of bylaw	\$430.00

PART IV INSURANCE

s.91	Fail to produce proof of insurance	\$300.00
s.92(a)	Applies to register uninsured vehicle	"Court"
s.92(b)	Register uninsured vehicle	"Court"
s.93(a)	Operate uninsured vehicle	"Court"
s.93(b)	Park on a road uninsured vehicle	"Court"
s.94(a)	Permit a person to operate uninsured vehicle	"Court"
s.94(b)	Permits person to have uninsured vehicle on road	"Court"
s.97(a)	Fails to deliver to register of Motor Vehicles a financial responsibility card	"Court"
s.98(b)	Give/loan financial responsibility card to unentitled person	"Court"

PART V – ACCIDENTS

s.99(a)	Fail to remain/return immediately to the scene of an accident	"Court"
s.99(b)	Fail to render assistance at the scene of an accident	"Court"
s.99(c)	Fail to produce valid information	"Court"
s.100(a)	Fail to notify owner of collision with unattended vehicle	"Court"

s.100(b)	Fail to leave written notice of a collision with unattended vehicle	"Court"
s.101	Fail to notify owner of damage to property	"Court"
s.108	Fail to report an accident	"Court"
s.113	Fail to report damage to traffic control device, railroad sign, traffic signal	\$270.00
s.114	Make a false statement	"Court"
s.116	Commence repairs to a vehicle without notice/authorization of a peace officer	\$605.00

PART VI – SPEED

s.125	Driving at an unreasonable rate of speed	\$270.00
s.126	Exceed 80 kilometres per hour	"Schedule"
s.127	Exceed posted rate of speed	"Schedule"
s.129	Impede traffic	\$270.00
s.130	Drive at less than posted speed	\$270.00
s.131	Fail to obey peace officer	\$270.00

PART VII – EQUIPMENT REQUIRED ON VEHICLES

s.134(a)	Operate vehicle without adequate service brakes	\$135.00
s.134(b)	Operate vehicle without adequate parking brake	\$135.00
s.135	Operate vehicle without adequate horn, gong, bell	\$135.00
s.136	Operate vehicle without adequate mirrors	\$135.00
s.137	Operate vehicle without adequate speedometer	\$135.00
s.138	Fail to maintain vehicle	\$135.00
s.139	Fail to comply with the order of a peace officer	\$203.00
s.140	Operate vehicle with inadequate windshield	\$135.00
s.141	Equip a vehicle with a siren without written approval	\$270.00
s.142	Operate vehicle with adequate bumpers	\$135.00
s.144(a)	Operate motor vehicle – child passenger – unequipped with child seating assembly	\$135.00
s.144(b)	Operate motor vehicle – child passenger – child seating assembly improperly installed	\$135.00

s.144(c)	Operate motor vehicle – child passenger – not secured in child seating assembly	\$135.00
s.145(a)	Driver not wearing seat belt assembly	\$135.00
s.145(b)	Passenger not wearing seat belt assembly	\$135.00
s.147	Remove/modify seat belt assembly	\$135.00
s.148	Operate vehicle that has had seat belt assembly removed	\$135.00

PART VIII – RULES OF THE ROAD

s.151	Fail to comply with the direction of a peace officer	\$203.00
s.152(a)	Fail to comply with direction of the flag person	\$203.00
s.152(b)	Fail to comply with barricade or sign	\$203.00
s.157	Driving on the wrong side of the road	\$270.00
s.158	Drive vehicle into across or along any ditch	\$203.00
s.160	Following too closely	\$270.00
s.162	Attempt to pass on hill, curve or at/near railway crossing	\$203.00
s.163	Cross centre line when unsafe to do so	\$203.00
s.164	Fail to pass on left/return on safe manner to right side of roadway after passing	\$203.00
s.165	Fail to remain in own lane when being overtaken	\$203.00
s.168	Passing when unsafe to do so	\$203.00
s.169(a)	Failing to signal turn	\$203.00
s.169(b)	Making a turn when unsafe to do so	\$203.00
s.173	Improper right turns	\$203.00
s.178	Improper left turns	\$203.00
s.180	Prohibited turns	\$203.00
s.183	Negotiating an unsafe u-turn	\$203.00
s.184	Backing up when unsafe to do so	\$203.00
s.187	Failing to yield the right of way	\$203.00
s.188	Failing to signal before stopping	\$203.00
s.192	Fail to stop at stop sign	\$203.00
s.193	Fail to proceed safely after stopping at a stop sign	\$203.00
s.194	Fail to yield at yield sign	\$203.00

s.196	Fail to yield to vehicle sounding siren	\$270.00
s.198	Disobey amber lights flashing – school bus	\$402.00
s.199	Fail to stop – school bus – red lights flashing	\$402.00
s.8200	Pass school bus before driver indicates safety/lights stop flashing	\$402.00
s.201	Fail to activate flashing lights/stop arm as indicated	\$270.00
s.202	Activate flashing lights/stop arm when not loading/unloading passengers	\$270.00
s.205	Inadequate lights	\$203.00
s.212	Parking offences	\$203.00

PART IX – POWERS OF PEACE OFFICER

s.220	Fail to stop for a peace officer in uniform	\$203.00
s.223	Fail to comply with the direction of a peace officer	\$203.00

PART X – OTHER PROHIBITIONS

s.230	Careless driving	\$205.00
s.231	Racing on roadway	\$473.00
s.232	Stunting on roadway	\$473.00
s.235	Driving while windshield/windows obscured	\$203.00
s.236	Passenger impeding driving of a vehicle	\$203.00
s.237	Passenger interfering with driver's control	\$203.00
s.238	Driver/passenger exchanging places	\$270.00
s.239	Occupying house trailer while it is being moved	\$135.00
s.240	Riding on the outside of a vehicle	\$203.00
s.242	Tow a sled, toboggan, skis, motorcycle, scooter, power bicycle or bicycle	\$135.00
s.243	Operate air cushion vehicle on roadway	\$203.00
s.244	Permit a person under 14 to drive a tractor on a road	\$203.00
s.246	Failure to remove debris from roadway	\$203.00
s.247	Open a vehicle door when unsafe to do so	\$203.00
s.248	Constitute hazard to moving traffic	\$203.00
s.250	Unlawfully abandon a vehicle on a roadway	\$203.00

s.251	Place, maintain or display false road sign, marking or device	\$203.00
s.253	Damage traffic control device	\$203.00
s.254	Unlawfully place advertisement on or in a motor vehicle	\$203.00

PART XI – BICYCLES AND MOTORCYCLES		
s.257	Person under 16 operating a motorcycle	"YOA"
s.258	Person under 16 operating a motorcycle – carrying passenger	"YOA"
s.259	Unsafe operation of a cycle	\$270.00
s.260	Riding on roadway	\$270.00
s.261	Operate cycle where prohibited	\$270.00
s.262	Passenger – Improper riding	\$270.00
s.263	Operator/passenger attach to other moving vehicle	\$270.00
s.264	Cycles riding side by side	\$270.00
s.265	Operate motorcycle without safety helmet	\$270.00
s.266	Ride on motorcycle without safety helmet	\$270.00
s.268	Operate motorcycle – passenger not wearing helmet	\$270.00
s.269	Sell safety helmet – substandard	\$270.00
s.270	Operate bicycle with inadequate lights	\$270.00
s.271	Operate bicycle with inadequate brakes	\$270.00
s.272	Fail to comply with requirements of a peace officer	\$270.00
s.273	Operate cycle, moped or power cycle with inadequate equipment	\$270.00

PART XII – ANIMALS

s.275	Riding an animal on road side by side	\$270.00
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PART XIII – PEDESTRIANS

s.276	Pedestrian fail to use sidewalk or foot path	\$135.00
s.277	Pedestrian fail to walk on left side of roadway	\$135.00
s.278	Pedestrian impeding traffic	\$135.00
s.279	Pedestrian run/walk into path of vehicle	\$135.00

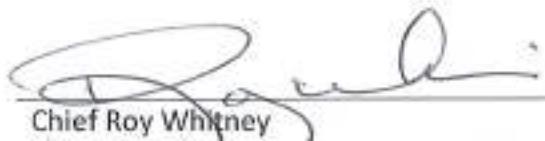
B. Speeding Offences

Amount of specified kilometres over limit	Penalty (in dollars)	Amount of specified kilometres over limit	Penalty (in dollars)
1	68	26	184
2	70	27	189
3	73	28	196
4	76	29	203
5	78	30	208
6	81	31	220
7	84	32	228
8	86	33	239
9	89	34	248
10	92	35	258
11	95	36	269
12	97	37	278
13	100	38	290
14	103	39	300
15	105	40	311
16	122	41	321
17	130	42	331
18	134	43	342
19	142	44	351
20	146	45	360
21	153	46	371
22	161	47	382
23	165	48	392
24	173	49	402
25	177	50	413

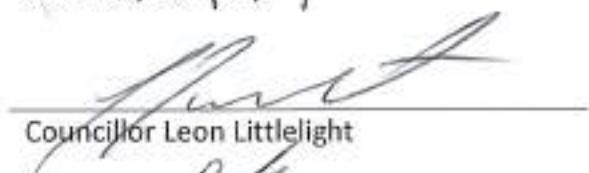
Chief and Council Signatory Page

THIS Law IS HEREBY made at this duly convened meeting of the Chief and Council of the Tsuut'ina Nation this 13th day of October, 2021 by Nation Council Resolution.

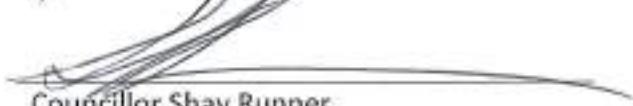
Voting in favour of the Traffic and Vehicles Law, as evidenced by signatures, are the following members of the Chief and Council:



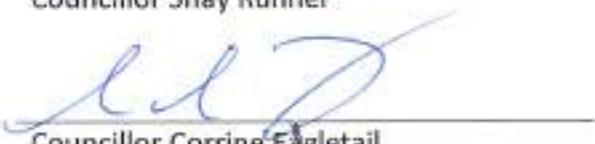
Chief Roy Whitney



Councillor Leon Littlelight



Councillor Shay Runner



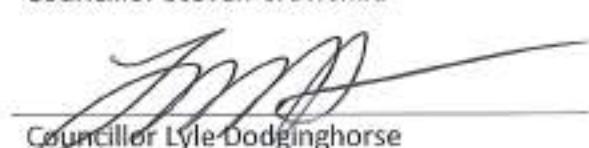
Councillor Corrine Eagletail



Councillor Brent Dodginghorse



Councillor Steven Crowchild



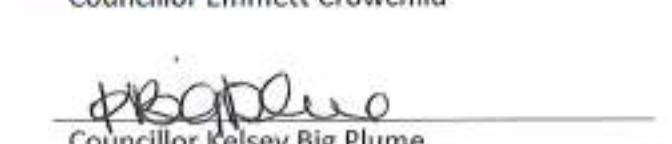
Councillor Lyle Dodginghorse



Councillor Stanley Big Plume



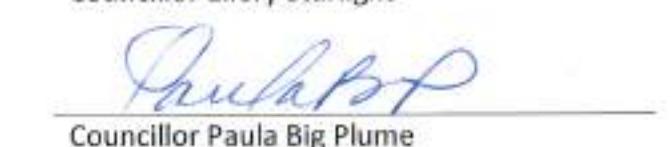
Councillor Emmett Crowchild



Councillor Kelsey Big Plume



Councillor Ellery Starlight



Councillor Paula Big Plume