



# **BILL NO. 49**

*Government Bill*

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*1st Session, 62nd General Assembly  
Nova Scotia  
63 Elizabeth II, 2014*

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## **An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act**

CHAPTER 20  
ACTS OF 2014

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR  
MAY 1, 2014**

The Honourable Geoff MacLellan  
*Minister of Transportation and Infrastructure Renewal*

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*Halifax, Nova Scotia  
Printed by Authority of the Speaker of the House of Assembly*

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**An Act to Amend Chapter 293  
of the Revised Statutes, 1989,  
the Motor Vehicle Act**

Be it enacted by the Governor and Assembly as follows:

**1 Section 2 of Chapter 293 of the Revised Statutes, 1989, the *Motor Vehicle Act*, as amended by Chapter 24 of the Acts of 1994, Chapter 12 of the Acts of 1994-95, Chapter 23 of the Acts of 1995-96, Chapter 12 of the Acts of 2001, Chapter 20 of the Acts of 2002, Chapter 42 of the Acts of 2004, Chapter 35 of the Acts of 2006, Chapter 45 of the Acts of 2007, Chapter 21 of the Acts of 2008, Chapter 59 of the Acts of 2010 and Chapter 35 of the Acts of 2011, is further amended by**

**(a) adding immediately after clause (ca) the following clause:**

(cb) “Bridges patrol officer” means a person employed as a patrol officer with the Halifax-Dartmouth Bridge Commission and appointed as a special constable pursuant to the *Police Act* to enforce this Act and the by-laws of the Halifax-Dartmouth Bridge Commission on the Bridges as defined in the *Halifax-Dartmouth Bridge Commission Act*, when acting in the course of that employment;

**(b) adding immediately after clause (ab) the following clause:**

(aba) “mobile-communication support employee” means a person employed with the Department of Internal Services with employment duties that include providing mobile-radio communication equipment and support to assist first responders, when acting in the course of that employment;

**(c) adding immediately after clause (aw) the following clauses:**

(awa) “public-safety officer” means

- (i) a Bridges patrol officer,
- (ii) a mobile-communication support employee,
- (iii) a sheriff, or
- (iv) a person in a class of persons prescribed by the regulations;

(awb) “public-safety vehicle” means a vehicle operated by a public-safety officer;

**and**

**(d) adding immediately after clause (bk) the following clause:**

(bka) “sheriff” means a person employed as a sheriff with the Department of Justice with employment duties that include transporting prisoners, providing court security and serving civil processes, when acting in the course of that employment;

**2 Subsection 106D(1) of Chapter 293, as enacted by Chapter 20 of the Acts of 2009, is amended by adding immediately after clause (b) the following clause:**

(ba) a public-safety vehicle;

**3 Chapter 293 is further amended by adding immediately after Section 106D the following Section:**

106DA(1) The Minister may make regulations prescribing a class of persons who are public-safety officers.

(2) The exercise by the Minister of the authority contained in subsection (2) is regulations within the meaning of the *Regulations Act*.

**4 Chapter 293 is further amended by adding immediately after Section 106F the following Section:**

106G(1) Where the driver of a public-safety vehicle is displaying the vehicle's flashing lights and operating the vehicle's siren, the driver of the public-safety vehicle is not required to obey Section 93 with respect to traffic signals, Section 133 with respect to stop signs or any of the speed limitations in this Act if it is reasonable and safe in the circumstances not to do so.

(2) Notwithstanding any other provision of this Act, the driver of a public-safety vehicle shall

(a) drive with due regard for the safety of all persons using the highway; and

(b) obey the directions of a peace officer on a highway.

**5 Subsection 112(2) of Chapter 293, as amended by Chapter 62 of the Acts of 2008, is further amended by adding "public-safety vehicles" immediately before the second "or" in the second line.**

**6 (1) Subsection 123(2) of Chapter 293 is repealed and the following subsection substituted:**

(2) The driver of a vehicle upon a highway shall yield the right of way to a police or fire department vehicle, public-safety vehicle or ambulance if the driver of any such vehicle is displaying the vehicle's flashing lights and operating the vehicle's bell, siren or exhaust whistle.

**(2) Subsection 123(3) of Chapter 293 is amended by adding " , public-safety vehicle" immediately after "vehicle" in the second line.**

**7 Section 124 of Chapter 293 is amended by**

**(a) adding "(1)" immediately after the Section number; and**

**(b) adding the following subsection:**

(2) Upon the approach of a public-safety vehicle that has the vehicle's flashing lights displayed and siren operating, the driver of every other vehicle

shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the highway, clear of any intersection of highways, and shall stop and remain in that position unless otherwise directed by a peace officer until the public-safety vehicle has passed.

**8 Subsection 133(4) of Chapter 293 is amended by**

- (a) adding “and ambulances” immediately after “vehicles” in the second line; and**
- (b) adding “or ambulance” immediately after “vehicle” in the sixth line.**

**9 (1) Subsection 179(1) of Chapter 293, as amended by Chapter 31 of the Acts of 1993, is further amended by adding immediately after clause (b) the following clause:**

(ba) a public-safety vehicle;

**(2) Subsection 179(3) of Chapter 293, as amended by Chapter 31 of the Acts of 1993, is further amended by adding “, a public-safety vehicle used by a Bridges patrol officer or a sheriff” immediately after “vehicle” the second time it appears in the third line.**

**(3) Subsection 179(5) of Chapter 293, as amended by Chapter 31 of the Acts of 1993, is further amended by adding immediately after clause (d) the following clause:**

(da) a public-safety vehicle;

**10 Section 183 of Chapter 293, as amended by Chapter 31 of the Acts of 1993 and Chapter 25 of the Acts of 1994, is further amended by adding immediately after subsection (3B) the following subsections:**

(3C) A public-safety vehicle may be equipped with a siren.

(3D) The driver of a vehicle authorized to be equipped with a bell, siren or exhaust whistle pursuant to this Section, other than a police vehicle, is only authorized to use the bell, siren or exhaust whistle in an emergency situation or as directed by a peace officer.

**11 Section 294 of Chapter 293, as enacted by Chapter 10 of the Acts of 2002 and amended by Chapter 8 of the Acts of 2005, is further amended by adding “106G,” immediately after “Section” the second time it appears in the third and fourth lines.**

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