



# **BILL NO. 327**

*Government Bill*

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*1st Session, 64th General Assembly  
Nova Scotia  
2 Charles III, 2023*

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

CHAPTER 20  
ACTS OF 2023

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR  
NOVEMBER 9, 2023**

The Honourable Kim Masland  
*Minister of Public Works*

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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, Chapters 20 and 45 of the Acts of 2007, Chapter 21 of the Acts of 2008, Chapters 59 and 60 of the Acts of 2010, Chapter 35 of the Acts of 2011, Chapters 20 and 53 of the Acts of 2014, Chapters 45 and 46 of the Acts of 2015, Chapters 3 and 38 of the Acts of 2018 and Chapter 21 of the Acts of 2022, is further amended by**

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

(baa) “automated flagger assistance device” means a self-contained, portable traffic control signal, conforming to the specifications in the latest edition of the Nova Scotia Temporary Workplace Traffic Control Manual, used by a traffic control person to control alternating traffic at a temporary work area;

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

(bra) “temporary workplace signer” means a person qualified and accredited by the Provincial Traffic Authority to assess conditions and prepare, implement and review traffic control plans within an area designated as a temporary workplace for the purpose of construction, maintenance or utility operation;

**and**

**(c) adding immediately after clause (bs) the following clause:**

(bsa) “traffic control person” means a person qualified and accredited by the Provincial Traffic Authority to direct the movement of traffic along or across a highway within an area designated as a temporary work area for the purpose of construction, maintenance or utility operation;

**2 Section 89 of Chapter 293 is amended by adding immediately after subsection (3) the following subsection:**

(4) Notwithstanding subsections (1) to (3) or any other provision of this Act, a temporary workplace signer may erect an automated flagger assistance device used in accordance with the latest edition of the Nova Scotia Temporary Workplace Traffic Control Manual.

**3 Section 94 of Chapter 293 is amended by adding immediately after subsection (2) the following subsection:**

(3) For greater certainty, it is not an offence under subsection (1) for a temporary workplace signer to erect or maintain an automated flagger assistance device, and

display traffic control signals as part of the device, at a temporary workplace if the device and erection of the device are consistent with the standards contained in the latest edition of the Nova Scotia Temporary Workplace Traffic Control Manual.

**4 (1) Subsection 107B(1) of Chapter 293 is repealed.**

**(2) Section 107B of Chapter 293, as enacted by Chapter 44 of the Acts of 2001, is further amended by adding immediately after subsection (3) the following subsection:**

**(4) It is an offence for the driver of a vehicle to fail to obey an automated flagger assistance device within a temporary work area.**

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