



## CHAPTER 169.

### An Act to regulate the Use and Operation of Motor-vehicles.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

#### *Short Title.*

1. This Act may be cited as the "Motor-traffic Regulation Act." Short title. 1911, c. 36, s. 1.

#### *Interpretation.*

2. In the construction of this Act the following expressions shall have the following meanings respectively:—

"Motor" means and shall include automobiles, locomobiles, "Motor." motor-cycles, and all other vehicles propelled otherwise than by muscular power, excepting the cars of electric and steam railways and other motor-vehicles running only upon rails or tracks:

"Highway" means and shall include any and every road, street, "Highway." lane, alley, park, parkway, or right-of-way over which vehicles are driven within the Province:

"Chauffeur" means and shall include every driver, mechanic, "Chauffeur." paid employee, lessee, renter, or person employed in any capacity on a motor carrying passengers or freight for hire. 1911, c. 36, s. 2.

#### *Fees.*

3. All fees paid under this Act shall form part of the Consolidated Fees. Revenue Fund:

(a.) The Superintendent of Provincial Police and every Government Agent and every officer of the Provincial police delegated in this behalf by the Superintendent of Pro-

vincial Police shall have power to collect and receipt for fees under this Act, and all such fees shall, by the collecting official, be transmitted to the Minister of Finance and Agriculture. 1911, c. 36, s. 3.

*Licensing Authority.*

Licensing authority. 4. All licences under this Act shall be granted, renewed, permitted to be assigned, and transferred or cancelled, as the case may be, by the Superintendent of Provincial Police pursuant to and in accordance with the provisions of this Act. 1911, c. 36, s. 4.

*Annual Report.*

Annual report. 5. The Superintendent of Provincial Police shall annually, on or about the fifteenth day of January in each year, report to the Attorney-General under this Act, and each such report shall contain a statement of—

- (a.) The number and description of licences, and of the names of applicants to whom licences were granted during the year:
- (b.) The names of applicants to whom licences were not granted:
- (c.) The prosecutions for contravention of this Act and the number of convictions and acquittals respectively:
- (d.) The total number in force of each class of licences authorised to be issued under this Act, showing the increase or decrease in aggregate number and the number of licences which have lapsed or have been forfeited during the preceding year 1911, c. 36, s. 5.

*Enforcement of Act.*

Enforcement of Act. 6. The Superintendent of Provincial Police shall be the official primarily charged with the enforcement of the provisions of this Act, and he shall have power to assign to every chief constable of Provincial police and every police constable such duties under this Act as by the Superintendent of Provincial Police may be deemed expedient: Provided always that every chief of police and every police officer and every constable in the Province shall aid in the enforcement of and shall by all possible lawful means prevent contraventions of the provisions of this Act, and prosecute every person who is upon reasonable grounds of belief suspected of or charged with the contravention of any of the provisions of this Act. 1911, c. 36, s. 6.

*Motor Registration.*

7. Every motor in the Province shall be registered with the Superintendent of Provincial Police, pursuant to this Act. The

registration fee prescribed by section 14 of this Act shall not be payable in respect of any motor licensed in the Province before the first day of March, 1911:

- (a.) Every person importing, vending, or dealing in motors, or attempting to import, vend, or deal in motors, either as principal or agent, shall apply to and shall obtain from the Superintendent of Provincial Police a trade licence authorising the holder thereof to import, vend, and deal in motors for the period ending on the thirty-first day of December next following the issuance of such licence; and no person shall import, vend, or deal in motors without first obtaining such licence from the Superintendent of Provincial Police, and then only so long as such licence and each renewal thereof respectively shall remain in force:
- (b.) The minimum fee payable for a trade licence shall be the sum of fifty dollars, which shall entitle the holder thereof to the use of five demonstration numbers, and to offer for sale, test, and demonstrate five motors at one time. For each additional number a further fee of ten dollars shall be paid:
- (c.) Every such licence shall be in the form following:—

PROVINCE OF BRITISH COLUMBIA.

“MOTOR-TRAFFIC REGULATION ACT.”

(Section 7, Subsection (c).)

This is to certify that \_\_\_\_\_, of \_\_\_\_\_, in the Province of British Columbia, has been licensed to import, vend, and deal in motors in the Province until the thirty-first day of December next, and has paid for such licence the minimum fee of fifty dollars (\$50), and is entitled to have and use the five demonstration numbers following, that is to say:—

.....  
.....  
.....  
.....  
.....

and has paid the further sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_), and is entitled to have and use the demonstration numbers following:—

.....  
.....

All rights under this licence expire on the thirty-first day of December next.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

.....  
Superintendent of Provincial Police.

- (d.) The Superintendent of Provincial Police shall have power to assign demonstration numbers and to direct the manner in which, and the means by which, such demonstration

numbers shall be affixed to motors offered for sale; and no motor bearing a demonstration number shall be permitted to be used for hire or in any other way than for demonstration for sale:

- (e.) Every holder of a trade licence under this section shall, so soon as a motor shown under a demonstration number has been sold, make out and deliver to the Superintendent of Provincial Police, on behalf of the purchaser, an application in the form prescribed by section 11 of this Act; and every purchaser shall assist and concur in the making and delivering of such application to the Superintendent of Provincial Police:
- (f.) Any person contravening the provisions of this section in anywise howsoever shall be guilty of an offence against this Act. 1911, c. 36, s. 7.

Registration and  
licensing of motors.

8. Every motor hereafter brought into the Province, except a motor brought into the Province temporarily for touring purposes for any period not exceeding thirty days, shall, within fourteen days after it is brought into the Province and before it is used or operated upon or along any highway, be registered with the Superintendent of Provincial Police pursuant to the provisions of this Act:

Touring licence.

- (1.) Every motor hereafter brought into the Province for temporary use for touring purposes for any period not exceeding thirty days shall, by the owner or the person in possession thereof, before it is used or operated upon or along any highway, be registered with the Superintendent of Provincial Police by delivering to such Superintendent or to any chief constable of Provincial police, or Provincial police constable, a notice in the form following:—

PROVINCE OF BRITISH COLUMBIA.

“MOTOR-TRAFFIC REGULATION ACT.”  
(Section 8, Subsection (1).)

NOTICE OF ENTRY OF FOREIGN MOTOR.

To the Superintendent of Provincial Police, Victoria, B. C.:

You are hereby notified that the motor-car herein described has been brought into the Province of British Columbia at \_\_\_\_\_ from \_\_\_\_\_ for temporary use for touring purposes, and will be taken back to \_\_\_\_\_ within thirty days from the date hereof.

*Particulars of Motor.*

- (1.) Made by . . . . .
- (2.) Maker's number . . . . .
- (3.) Owned by . . . . .
- (4.) Address . . . . .
- (5.) Number affixed to motor . . . . .
- (6.) Name of chauffeur . . . . .
- (7.) Brought into British Columbia by . . . . .
- (8.) Date . . . . .

(Signature in full.) .....

(2.) Any person bringing any motor into the Province for temporary use for touring purposes, and failing or neglecting to forthwith give the notice in subsection (1) of this section prescribed, or giving such notice and making therein any false statement, shall be guilty of an offence against this Act. 1911, c. 36, s. 8. Penalty.

9. No person shall have, drive, or use a motor on or along any highway unless such motor has been registered and licensed pursuant to this Act, or has been brought into the Province for temporary use for touring purposes for any period not exceeding thirty days, and the requisite notice has been given to the Superintendent of Provincial Police. 1911, c. 36, s. 9. Prohibition against use of unlicensed motor.

10. Every person owning and every person controlling or being in possession of a motor within the Province, except a motor brought into the Province temporarily for touring purposes and registered under subsection (1) of section 8 of this Act, shall be under the obligation to register and apply for a licence in respect of such motor under and pursuant to the provisions of this Act in that behalf: Duty to register and apply for licence.

(1.) Any person upon whom, pursuant to the provisions of this Act, it shall be incumbent to register a motor and to apply for a licence in respect of such motor shall, in respect of any neglect or refusal to register or to apply for such licence pursuant to this Act, be guilty of an offence against this Act: Consequence of neglect or refusal to register.

(2.) Any person wilfully making in any such registration and application for a licence any statement knowing the same to be false shall be guilty of an offence against this Act. 1911, c. 36, s. 10. Consequence of false statement in application.

11. Every applicant for the registration of a motor and for the issuance of a licence in respect of such motor shall sign and forward to the Superintendent of Provincial Police, or leave at the office of a chief constable of Provincial police, or deliver at the office of the nearest Government Agent for transmission to the Superintendent of Provincial Police, an application in the following form:— Form of application.

PROVINCE OF BRITISH COLUMBIA.

“MOTOR-TRAFFIC REGULATION ACT.”

(Section 11.)

APPLICATION FOR REGISTRATION OF A MOTOR AND FOR A LICENCE IN RESPECT THEREOF.

To the Superintendent of Provincial Police, Victoria, B. C.:

Application is hereby made for the registration of the under-described motor and for a licence in respect thereof.

Attached is a receipt from \_\_\_\_\_ for the sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) for the registration fee of ten dollars (\$10), and also in payment of a licence fee to the thirty-first day of December next. The particulars of the said motor are as follows:—

- (1.) Made by . . . . .
- (2.) Made at . . . . .
- (3.) Maker's number . . . . .
- (4.) Number stamped on engine . . . . .
- (5.) Number of cylinders . . . . .
- (6.) Horse-power . . . . .
- (7.) Imported by . . . . .
- (8.) Owned by . . . . .
- (9.) If for hire or private use . . . . .
- (10.) Style and capacity . . . . .
- (11.) Street and number of garage or place where to be kept . . . . .
- (12.) Date . . . . .

(Signature of applicant in full.) .....  
1911, c. 36, s. 11.

Duration of licence. **12.** Every licence issued under this Act shall expire on the thirty-first day of December next following its issuance, and thereafter if renewed on the thirty-first day of December in each renewal year. 1911, c. 36, s. 12.

Issuance and form of licence. **13.** Upon receipt from the applicant of the application in form by this Act prescribed, the Superintendent of Provincial Police shall, upon being satisfied of the truth of the facts stated in the application and that the fee prescribed by this Act has been duly paid, issue to the applicant a licence expiring on the thirty-first day of December next following its issuance, and made out in the form and containing the particulars following:—

PROVINCE OF BRITISH COLUMBIA.

“MOTOR-TRAFFIC REGULATION ACT.”

(Section 13.)

Motor Licence Number \_\_\_\_\_, B. C.

PARTICULARS OF MOTOR.

Particulars of motor.

- (1.) Made by . . . . .
- (2.) Made at . . . . .
- (3.) Maker's number . . . . .
- (4.) Number stamped on engine . . . . .
- (5.) Number of cylinders . . . . .
- (6.) Horse-power . . . . .
- (7.) Imported by . . . . .
- (8.) Owned by . . . . .
- (9.) If for hire or for private use . . . . .
- (10.) Style and capacity . . . . .
- (11.) Street and number of garage or place where to be kept . . . . .

This is to certify that \_\_\_\_\_, of \_\_\_\_\_, British Columbia, has been duly registered as the owner of the motor described in the 2042.

subjoined particulars, and is licensed in respect of and to use and operate such motor until the thirty-first day of December next.

Dated this            day of            , 19 .

.....  
*Superintendent of Provincial Police.*

1911, c. 36, s. 13.

14. Every owner of a motor and every person in possession or control of a motor shall pay to the Minister of Finance and Agriculture a registration fee of ten dollars in respect of each and every such motor, and in addition thereto an annual licence fee of ten dollars in respect of each and every such motor: Provided that where one person is owner and another person is in possession and control of the same motor, only one registration fee and one annual licence fee need be paid in respect of such motor; and provided also that when registration takes place later than the month of March in any year, the licence fee to be payable and paid shall be computed at the rate of one dollar per month for each month and portion of a month between the date of registration and the thirty-first day of December next ensuing remaining unexpired:

(1.) Every fee or licence by this Act made payable may, by the said Minister, or by the Superintendent of Provincial Police or by any Provincial police officer, or by any person by the Superintendent of Provincial Police in that behalf deputed, and in addition to any other lawful or possible mode of enforcement or recovery, be recovered in any Court of competent jurisdiction with costs of suit as debt due by the person who pursuant to the provisions of this Act should have paid such fee or licence. 1911, c. 36, s. 14.

15. Every licensee holding in respect of any motor a licence issued under this Act shall, if a renewal thereof is necessary and desired on or before the fifteenth day of December in the year of issuance and in each year following the year of issuance of such licence, apply for a renewal of such licence for one year from the date of its expiration; such application shall, together with the fee of ten dollars to cover the renewal period of one year, be forwarded to the Superintendent of Provincial Police, or be left at the office of any chief constable of Provincial police or Government Agent for transmission to the Superintendent of Provincial Police, and shall be in the form following:—

PROVINCE OF BRITISH COLUMBIA.

“MOTOR-TRAFFIC REGULATION ACT.”  
(Section 15.)

APPLICATION FOR RENEWAL OF MOTOR LICENCE.

To the Superintendent of Provincial Police, Victoria, B. C.:

I hereby apply for a renewal of Motor Licence Number            , B. C., for one year from the 31st day of December next.

Attached is a form of receipt for ten dollars (\$10) from being amount paid for the renewal fee covering the renewal period now applied for.

Dated this            day of            , 19 .

(Signature of applicant in full.) .....  
1911, c. 36, s. 15.

Notice of sale of motor.

16. In the event of the sale of any motor registered and licensed under this Act, it shall be the duty of the vendor and purchaser to sign and to forthwith cause to be transmitted to the Superintendent of Provincial Police a notice of assignment in the form following:—

PROVINCE OF BRITISH COLUMBIA.

“MOTOR-TRAFFIC REGULATION ACT.”  
(Section 16.)

NOTICE OF TRANSFER.

To the Superintendent of Provincial Police, Victoria, B. C.:

Notice is hereby given that the motor, the particulars whereof are set forth in Motor Licence Number            , B. C., has this day been transferred by the undersigned            to the undersigned            , and that the garage or place where the said motor will hereafter be kept is at            , and that the said motor will now be used for the purposes following:—

Dated this            day of            , 19 .

(Signature of vendor in full.) .....  
(Signature of purchaser in full.) .....

1911, c. 36, s. 16.

Notice of removal of motor from Province, and of destruction of motor.

17. In the event of any motor licensed under this Act being permanently removed from the Province, or being broken up so that it cannot be again repaired or used as a motor, the licensee in respect thereof shall sign and cause to be transmitted to the Superintendent of Provincial Police a notice in the form following:—

PROVINCE OF BRITISH COLUMBIA.

“MOTOR-TRAFFIC REGULATION ACT.”  
(Section 17.)

RELINQUISHMENT OF LICENCE.

To the Superintendent of Provincial Police, Victoria, B. C.:

Notice is hereby given that the motor covered by Motor Licence Number            , B. C., which licence is hereto attached, has been shipped out of the Province of British Columbia, and will not be returned to the said Province [or has been broken up and destroyed beyond all possibility of being repaired and used as a motor], and the said Motor Licence Number            , B. C., is hereby relinquished.

Dated this            day of            , 19 .

(Signature of licensee in full.) .....

1911, c. 36, s. 17.



*Chauffeurs.*

18. No person under the age of seventeen years shall drive or operate a motor upon or along any highway. Chauffeurs.

No intoxicated person or person under the influence of intoxicating liquor shall drive a motor upon or along any highway.

No chauffeur shall have, drive, operate, or use a motor upon or along any highway unless such chauffeur has been licensed pursuant to the provisions of this Act, and holds a current and unexpired licence issued under and by virtue of the provisions of this Act. Prohibition against unlicensed person acting as chauffeur.

Every chauffeur and every person desiring or intending to act as a chauffeur within the Province shall apply for a licence to act as a chauffeur under and pursuant to the provisions of this Act in that behalf: Obligation to apply for licence.

- (1.) Any person upon whom it shall be incumbent to apply for a licence as a chauffeur shall, in respect of any neglect or refusal to apply for such licence, be guilty of an offence against this Act:
- (2.) Any person wilfully making in any such application for a licence as chauffeur any statement knowing the same to be false shall be guilty of an offence against this Act:
- (3.) The provisions of this section shall not apply to motors owned by municipal corporations, or as part of a public fire department, or to ambulances. 1911, c. 36, s. 18.

19. Every applicant for a licence to act as a chauffeur in the Province under this Act shall sign and forward to the Superintendent of Provincial Police, or leave at the office of a chief constable of Provincial police or deliver at the office of the nearest Government Agent for transmission to the Superintendent of Provincial Police, an application in the following form:— Application for chauffeur's licence.

PROVINCE OF BRITISH COLUMBIA.

“MOTOR-TRAFFIC REGULATION ACT.”

(Section 19.)

APPLICATION FOR LICENCE AS CHAUFFEUR.

To the Superintendent of Provincial Police, Victoria, B. C.:

Application is hereby made for the issuance of the undersigned of a licence to act as a chauffeur in the Province of British Columbia for a period ending on the thirty-first day of December next.

Attached is a form of receipt from \_\_\_\_\_ for the sum of five dollars (\$5) in payment of licence fee to the said thirty-first day of December next.

I certify to the correctness of the matters hereinafter set forth, that is to say:—

- (1.) Name of applicant in full . . . . .
- (2.) Place of residence . . . . .
- (3.) Particulars of experience in the handling of motors . . . . .

- (4.) Nationality . . . . .
- (5.) Age . . . . .
- (6.) Previous occupation . . . . .
- (7.) Name and addresses of two persons to whom application can be made for particulars as to character of applicant and as to fitness to hold a licence as chauffeur . . . . .

Dated this . . . . . day of . . . . ., 19 . . . . .

(Signature of applicant in full.) . . . . .  
1911, c. 36, s. 19.

Duration of chauffeur's licence.

20. Every licence to a chauffeur issued under this Act shall expire on the thirty-first day of December next following its issuance, and thereafter on the thirty-first day of December in each renewal year. Every chauffeur shall pay for his licence an annual fee of five dollars. 1911, c. 36, s. 20.

Licence fee.

Issuance of licence.

21. Upon receipt from an applicant for a licence as chauffeur of the application in form by this Act prescribed, the Superintendent of Provincial Police may, upon being satisfied of the truth of the facts stated in the application and of the fitness and capability of the applicant to act as a chauffeur, and that the fee prescribed by this Act has been duly paid, issue to the applicant a licence to act as chauffeur, and made out in the form and containing the particulars following:—

PROVINCE OF BRITISH COLUMBIA.  
"MOTOR-TRAFFIC REGULATION ACT."  
(Section 21.)

Chauffeur's Licence Number . . . . ., B. C.

- (1.) Name of applicant in full . . . . .
- (2.) Place of residence . . . . .
- (3.) Particulars of experience in the handling of motors . . . . .
- (4.) Nationality . . . . .
- (5.) Age . . . . .
- (6.) Previous occupation.
- (7.) Names and addresses of two persons to whom application can be made for particulars as to character of applicant and as to fitness to hold a licence as chauffeur . . . . .

This is to certify that . . . . ., of . . . . ., in the Province of British Columbia, being the person described in the subjoined particulars, has been licensed to act as a chauffeur in the Province of British Columbia until the thirty-first day of December next.

Dated this . . . . . day of . . . . ., 19 . . . . .

.....  
Superintendent of Provincial Police.  
1911, c. 36, s. 21.

Application for renewal.

22. Every licensed chauffeur shall, if he wish to renew his licence, on or before the fifteenth day of December in each year, apply for a renewal thereof, and such application shall be accompanied with a fee of five dollars to cover renewal period, and shall be in the form following:—

PROVINCE OF BRITISH COLUMBIA.

"MOTOR-TRAFFIC REGULATION ACT."

(Section 22.)

Application is hereby made for the renewal of Chauffeur's Licence Number , B. C.

Attached is a form of receipt from for the sum of five dollars (\$5) in payment of licence fee for the renewal period.

Dated this day of , 19 .

(Signature of applicant in full.) .....

1911, c. 36, s. 22.

23. In the event of any licensee holding a chauffeur's licence issued under this Act contravening any of the provisions of this Act, or by reason of reckless or negligent driving, or by reason of the use of intoxicants, or for any other reason becoming, in the opinion of the Superintendent of Provincial Police, unfit to act as a chauffeur, the Superintendent of Provincial Police shall, upon proof to his satisfaction of the fact or existence of such contravention or unfitness, and without the necessity of holding any formal or public or other hearing, either cancel such chauffeur's licence absolutely, or suspend such chauffeur's licence and all rights of the licensee thereunder for such period as the Superintendent of Provincial Police may think fit. In the event of cancellation of licence, all the rights of the licensee thereunder shall forthwith abate and cease absolutely. 1911, c. 36, s. 23.

General power to Superintendent of Provincial Police to cancel or suspend chauffeur's licence.

Motor Equipment.

24. No motor shall carry what is known to the trade as a search-light or any intermittent or flash-light. 1911, c. 36, s. 24.

Search-light.

25. Every motor shall have attached to and exposed on the back thereof, securely fixed in a conspicuous place, a number in plain figures not less than four inches in height, being the number of the licence issued in respect of such motor by the Superintendent of Provincial Police; and such number so placed on such motor shall be placed along the centre line of the back of the body of such motor in the most conspicuous place, and so that there be nothing to obstruct sight and view thereof. No number other than that contained in the current licence issued by the Superintendent of Provincial Police shall be exposed on any part of any motor. Every number affixed to a motor pursuant to this Act shall be kept free from dirt and obstructions of every kind, and shall be affixed and kept so that the same always may be and always shall be plainly visible. 1911, c. 36, s. 25.

Number of licence to be affixed on every motor.

26. Every motor shall be equipped with and shall carry at night a lighted lamp so placed as to illuminate conspicuously at all times

Display of number at night.

between dusk and dawn the number placed on the back of the body of the said motor, and which shall also display a red light visible from the rear. 1911, c. 36, s. 26.

Alarm-bell to be sounded at crossings.

27. Every motor shall be equipped with an alarm bell, gong, or horn, and the same shall be sounded whenever it shall be reasonably necessary to notify pedestrians or others of the approach of such motor; and every motor shall carry in front thereof, in addition to all other prescribed lights and numbers, two lamps in a conspicuous position in such motor whenever in motion in any highway, such lamps to display prominently upon the glass thereof the number of the licence of the motor in figures painted black not less than one inch in height, such glass being ground or stippled with white paint, and such lamps to be always well and efficiently lighted when such motor is on any highway at any time after dusk and before dawn. 1911, c. 36, s. 27.

Motors to be locked when unused.

28. Every motor shall be provided with a lock, key, or other device to prevent such motor being set in motion, and no motor shall be permitted to stand or remain unattended in any highway unless locked with such lock, key, or device. 1911, c. 36, s. 28.

*Motor-traffic Regulation.*

Person in charge of motor to use reasonable precaution not to frighten horses, and to stop on signal.

29. Every person having control or charge of a motor shall, whenever upon any highway or approaching any vehicle drawn by horse or horses, or any horse upon which any person is riding, operate, manage, and control such motor in such manner as to exercise every reasonable precaution to prevent the frightening of any such horse or horses, and to insure the safety and protection of any person riding or driving the same; and—

- (1.) Shall not approach such vehicle, horse, or horses within one hundred yards at a greater speed than ten miles per hour, or pass the same going in the opposite direction at a greater speed than ten miles per hour; and
- (2.) If going in the same direction shall signal his desire to pass, and give the rider or driver an opportunity to turn out so that he may be passed with safety; and
- (3.) If signalled by any driver to stop, or if any horse which the motor is approaching or passing appears frightened or unruly, shall stop such motor, including the engine, and shall remain stationary so long as may be necessary to allow such rider or driver to pass or until directed by such rider or driver to proceed. 1911, c. 36, s. 29.

Meeting or overtaking horses and vehicles.

Driver of motor to stop on meeting funeral procession.

30. The driver of a motor upon any highway outside the limits of a city shall, upon meeting or overtaking a funeral procession, stop his motor, and, where practicable, shall turn out into any intersecting street, road, or lane until the funeral procession has passed. 1911, c. 36, s. 30.

**31.** No motor shall pass or attempt to pass, at a greater rate of speed than four miles an hour, a street-car which is stationary for the purpose of taking on or discharging passengers. 1911, c. 36, s. 31.

Prevention of accidents in passing street-cars.

**32.** In case an accident occurs to any person, whether on foot or horseback or in a vehicle, or to any horse or vehicle in charge of any person in proximity to any motor or owing to the presence of any motor on any highway, the person in charge of such motor shall return to the scene of the accident and give in writing to any one sustaining loss or injury his name and address, and also the name and address of the owner of such motor, and the number of the licence of the said motor; and from and after the happening of such accident, if in a city municipality, shall within six hours furnish to the chief of police or other officer of police of such city, and if in a district municipality shall within twenty-four hours furnish to the clerk or to some police officer of the municipality, and if in an unincorporated locality shall within twenty-four hours furnish to some Provincial police officer or constable, a written report of such accident, setting forth with particularity all material facts. 1911, c. 36, s. 32.

Procedure in case of accidents.

**33.** The owner of a motor for which a licence is issued under this Act shall be held responsible for any violation of this Act, or of any regulations provided by Order of the Lieutenant-Governor in Council, by any person intrusted with the possession of such motor. 1911, c. 36, s. 33.

Motor-owner responsible.

**34.** In addition to the obligation to comply with the provisions of section 29 of this Act, every person having charge or control of a motor shall be governed by the provisions of this section. No motor shall be run or driven upon any highway within any city, town, or village at a greater rate of speed than ten miles an hour, or upon any highway outside of any city, town, or village at a greater speed than twenty-five miles per hour in open country and twelve miles per hour in wooded country: Provided that the Council of any municipality may by by-law set apart any portion of any highway within the limits of the municipality on which motors may be driven at any higher rate of speed than hereinbefore limited for the purpose of testing motors, and may pass by-laws for regulating and governing the use of any such portions of highway for the purpose aforesaid. 1911, c. 36, s. 34.

Rate of speed.

**35.** Upon approaching a crossing or intersection of highways, and also in traversing the crossing or intersection, and in crossing a bridge, every person in control of a motor shall run it at a rate of speed less than that above specified, and not greater than is reasonable and proper, having regard to the traffic and use of the intersecting ways or bridge. 1911, c. 36, s. 35.

Rate of speed at crossways.

Driver of motor to comply with rules of road.

**36.** Every person having charge or control of a motor on any highway shall comply with the following rules of the road:—

- (1.) Drive always on the left-hand side of the road:
  - (2.) On meeting a vehicle, keep to the left; and
  - (3.) On overtaking and passing a vehicle, pass on the right.
- 1911, c. 36, s. 36.

Concurrent powers to Municipal Councils.

**37.** In addition to the provisions for motor-traffic regulation contained in this Act, the Municipal Council of any municipality in the Province, or the Park Commissioners authorised by Statute to make by-laws, shall be deemed to have always had power to, and may by by-law and concurrently with and in addition to the exercise of any powers conferred upon such Municipal Council by the "Municipal Act" or by any other Act of the Legislature, provide and enforce by-laws regulating traffic and motors on highways in every respect, save as to the rules of the road and rate of speed, and, in the case of motors not used or plying for hire, save as to licence fees, as such Municipal Council may think fit; and no such by-law, whether now in force or hereafter to be passed, shall be quashed or set aside or declared ineffectual or void by reason of any informality or by reason of any want of declaration of the power under and by virtue of which such by-law is passed, or on or for or by reason of any ground or matter whatsoever; but every such by-law shall be valid and effectual and shall be enforceable and enforced so as to carry out the intention of the Municipal Council passing said by-law as expressed therein. 1911, c. 36, s. 37.

*Offences and Penalties.*

Penalty for contravening.

**38.** Any person contravening or committing any breach of or committing any offence against any of the provisions of this Act, or refusing, omitting, or neglecting to fulfil, observe, carry out, or perform any duty or obligation by this Act created, prescribed, and imposed, shall be liable upon summary conviction to a penalty of not less than five dollars and not more than three hundred dollars. 1911, c. 36, s. 38.

Enforcement of penalty.

**39.** Every such penalty shall be recoverable by distress and sale of the goods and chattels of the person against whom the same is adjudged and on whom the same is imposed; and in default of payment and in default of distress, every such penalty shall be enforced by imprisonment, with or without hard labour, for any period not exceeding six months. 1911, c. 36, s. 39.

Limitation.

**40.** Any information for or in respect of any offence against the provisions of this Act shall be laid before the expiration of thirty days from the time of the happening of such offence. 1911, c. 36, s. 40.

*Information and Evidence.*

41. The description of any offence under this Act in the words of this Act, or in any words of like effect, shall be sufficient in law; and any exception, exemption, provision, excuse, or qualification, whether it does or does not accompany the description of the offence in this Act, may be proved by the defendant, but need not be specified or negatived in the information; but if it be so specified or negatived, no proof in relation to the matter so specified or negatived shall be required on the part of the informant or complainant. 1911, c. 36, s. 41.

Description of offence.

42. In any prosecution under this Act, whenever it appears that the defendant or accused has done any act or has been guilty of any act or omission in respect of which, were he not duly licensed, he would be liable to some penalty under this Act, it shall be incumbent upon the defendant to prove that he is duly licensed; and in any prosecution of any person in charge or control of any motor, or of the owner of such motor, for any offence against the provisions of this Act occurring, or alleged to have occurred, whilst such motor was in motion on any highway, such person or owner shall be deemed to have been driving and using such motor at an unlawful rate of speed until the contrary be proven, and it shall be incumbent upon such person or owner to prove the actual rate of speed at which such motor was being driven and used at the time in question in the prosecution. 1911, c. 36, s. 42.

Burden of proof.

43. The production of a licence which, on its face, purports to be duly issued, and which, were it duly issued, would be a lawful authority to the defendant accused of an act or omission, shall be *prima facie* evidence that the defendant accused is so authorised; and in all cases the signature to any instrument purporting to be a valid licence shall *prima facie* be taken to be genuine. 1911, c. 36, s. 43.

Proof of licence.

44. Each member of a licensed partnership shall be liable to the penalties imposed against licensees for breach of the provisions of this Act. 1911, c. 36, s. 44.

Each member of a firm liable.

45. For the purposes of the consequences of any conviction under this Act, a conviction against any person who is a member of a licensed partnership, whether made while he is a member of such partnership or prior thereto, shall have the same effect as if such conviction had been against each member of the said partnership. 1911, c. 36, s. 45.

Effect of conviction against member of firm.

46. Every offence against the provisions of this Act committed by the employee, servant, agent, or workman of any person holding

Breach or offence by employee.

any licence for owning or operating a motor shall be deemed to be the offence of the person holding such licence, and such person shall be answerable for and shall be punished for such offence: Provided that nothing herein shall absolve the actual offender from guilt and punishment, but he shall be punished also. 1911, c. 36, s. 46.

*Rules and Regulations.*

Power to Lieut.-  
Governor in Council  
to make motor-  
traffic regulations.

47. The Lieutenant-Governor in Council may from time to time, by Order, make rules not inconsistent with this Act, to be styled "Motor-traffic Regulations," for carrying this Act into effect, and any such rules may from time to time be rescinded and new rules in lieu thereof made. 1911, c. 36, s. 47.

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