



Chronological no - N° consécutif	956
File reference no - N° de référence du dossier	

BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

NOTE: The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds
NOTA: Les mots "des fonds de notre bande" "capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

The council of the Eagle Village First Nation - Kipawa Le conseil de		Cash free balance - Solde disponible					
Date of duly convened meeting Date de l'assemblée dument convoquée		Capital account Compte capital \$ _____					
D-J	M	Y-A	Province	Revenue account Compte revenu \$ _____			
0	4	0	9	9	7	Quebec	

DO HEREBY RESOLVE
DÉCIDE, PAR LES PRÉSENTES:

200-4-2

EAGLE VILLAGE FIRST NATION BAND BY-LAW #01

By-law respecting the regulation of traffic on the Eagle Village First Nation Reserve:

WHEREAS Section 81(1)(b) of the Indian Act, R.S.C. 1-6, empowers the council of the Band to make a by-law for the purpose of the regulation of traffic on the reserve;

AND WHEREAS the Council of the Eagle Village Band is of the opinion that for the welfare and safety of the members of the Band, the traffic should be regulated on the reserve;

THEREFORE BE IT RESOLVED THAT the Council of Eagle Village First Nation Band in the province of Quebec enacts the following as By-Law #01 of the Eagle Village Band.

Quorum 2

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

[Signature]
(Chief - Chef)

[Signature]
(Councillor - Conseiller)

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(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

BAND BY-LAW 01
BY-LAW RESPECTING THE REGULATION OF TRAFFIC

EAGLE VILLAGE
POLICE DEPARTMENT

BAND BY-LAW 01
BY-LAW RESPECTING THE REGULATION OF TRAFFIC

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EAGLE VILLAGE FIRST NATION POLICE

DEPARTMENT

EXCESSIVE SPEED

30 km/h	50 km/h	FINES	70 km/h	90 km/h
31-35	51-55	\$15.00	71-75	91-95
36-40	56-60	\$30.00	76-80	96-100
41-45	61-65	\$45.00	81-85	101-105
46-49	66-69	\$57.00	86-89	106-109
50	70	\$90.00	90	110
51-55	71-75	\$112.00	91-95	111-115
56-60	76-80	\$135.00	96-100	116-120
61-64	81-84	\$153.00	101-104	121-124
65	85	\$245.00	105	125
66-70	86-90	\$280.00	106-110	126-130
71-75	91-95	\$315.00	111-115	131-135
76-79	96-99	\$343.00	116-119	136-139
* 80	100	\$487.50	120	140
81-85	101-105	\$536.00	121-125	141-145
86-90	106-110	\$585.25	126-130	146-150
91-95	111-115	\$633.75	131-135	151-155
96-100	116-120	\$682.50	136-140	156-160
101-105	121-125	\$731.25	141-145	161-165
106-110	126-130	\$780.00	146-150	166-170
111-115	131-135	\$828.75	151-155	171-175
116-120	136-140	\$877.50	156-160	176-180
121-125	141-145	\$926.25	161-165	181-185
126-130	146-150	\$975.00	166-170	186-190
131-135	151-155	\$1023.75	171-175	191-195
136-140	156-160	\$1072.25	176-180	196-200

EAGLE VILLAGE FIRST NATION POLICE

DEPARTMENT

PART II

PERMITS

	SECTION	FINE
Drive motor vehicle, no permit	1(a)	300.00\$
Drive motor vehicle, no currently validated permit	1(a)	300.00\$
Drive motor vehicle, fail to display plate	1(b)	300.00\$
Drive motor vehicle, no plates	1(b)	300.00\$
Drive motor vehicle, plate improperly displayed	1(b)	300.00\$
Draw trailer, no permit	2(a)	100.00\$
Draw trailer, no plate	2(b)	100.00\$
Draw trailer, plate improperly displayed	2(b)	100.00\$
Fail to surrender permit for motor vehicle	3(a)	100.00\$
Fail to surrender permit for trailer	3(b)	100.00\$
Drive motor vehicle, no vehicle identification number	4	200.00\$
Permit driving of motor vehicle, no vehicle identification number	4	200.00\$
Deface or alter plate *	5(a)	200.00\$
Deface or alter validation *	5(a)	200.00\$
Permit use, or use defaced, or altered plate *	5(b)	200.00\$
Permit use, or use defaced, or altered validation *	5(b)	200.00\$
Remove plate without authority *	5(c)	200.00\$
Use plate not authorized for vehicle *	5(d)	200.00\$
Permit use of plate not authorized for vehicle *	5(d)	300.00\$
Confuse identity of plate	6(a)	300.00\$
Obstruct plate	6(b)	100.00\$
Dirty plate	6(b)	30.00\$
Numbers on plate not plainly visible	6(b)	100.00\$

* Able to seize

EAGLE VILLAGE FIRST NATION POLICE

DEPARTMENT

PART III

DRIVER LICENCE

	SECTION	FINE
Drive motor vehicle, no licence	7	300.00\$
Drive motor vehicle, improper licence	7	300.00\$
Permit unlicence person to drive motor vehicle	8	200.00\$
Permit person with improper licence to drive motor vehicle	8	200.00\$
Permit unlicence person to drive	8	200.00\$
Driver fail to surrender licence	9(a)	100.00\$
Driver fail to give identification	9(b)	100.00\$
Possess illegal licence *	10(a)	200.00\$
Use illegal licence *	10(a)	200.00\$
Permit another person to use all or part of licence *	10(b)	200.00\$
Use other person's licence *	10(c)	200.00\$
Apply for more than one licence *	10(d)	200.00\$
Possess more than one licence *	10(d)	200.00\$
Fail to surrender suspended, revoked, or cancelled licence*	10(e)	200.00\$
Driver under 16 prohibited	11	100.00\$
Employ or permit person under 16 to drive	12	200.00\$
Driving while under suspension	13	300.00\$
Driving under licence of other jurisdiction while suspended in Quebec	14	300.00\$

*Able to seize

EAGLE VILLAGE FIRST NATION POLICE

DEPARTMENT

PART IV

RATE OF SPEED

	SECTION	FINE
Speeding in a 30 km/hr zone *	14	
Careless driving	15	500.00\$
unnecessary slow driving	16	100.00\$

* See schedule of fines

EAGLE VILLAGE FIRST NATION POLICE

DEPARTMENT

PART V

REPORTING OF ACCIDENTS

	SECTION	FINE
Fail to report accident	18	600.00\$
Fail to remain	19(a)	600.00\$
Fail to render assistance	19(b)	600.00\$
Fail to give required information	19(c)	200.00\$
Fail to report damage property on highway	20	200.00\$
Fail to report damage to fence bordering highway	20	200.00\$
Fail to surrender suspended driver's licence	21	300.00\$
Refuse to surrender suspended driver's licence	21	300.00\$
Cyclist - Fail to stop	22(a)	50.00\$
Cyclist - Fail to identify self	22(a)	100.00\$

EAGLE VILLAGE FIRST NATION POLICE

DEPARTMENT

PART VI

RULES OF THE ROAD

	SECTION	FINE
Disobey officer directing traffic	23.1	100.00\$
Drive on closed highway	23.2	300.00\$
Fail to yield - uncontrolled intersection	24.2	100.00\$
Fail to yield vehicle on right	24.3	100.00\$
Disobey stop sign - stop wrong place	25	75.00\$
Disobey stop sign - fail to stop	25	100.00\$
Fail to yield from private road	26.1	100.00\$
Fail to yield from driveway	26.1	100.00\$
Fail to yield to pedestrian	27.1(a)	100.00\$
Fail to yield to pedestrian approaching	27.1(b)	100.00\$
Improper right turn	28.2	50.00\$
Left turn - Fail to afford reasonable opportunity to avoid collision	28.3	100.00\$
Improper left turn	28.4	50.00\$
Turn - not in safety	29.1	100.00\$
Change lanes - not in safety	29.1	100.00\$
Fail to signal for turn	29.1	50.00\$
Fail to signal - lane change	29.1	50.00\$
Improper arm signal	29.2	50.00\$
Use turn signals improperly	29.4	50.00\$
Improper signal device	29.5	100.00\$
Fail to signal stop	29.6	100.00\$
Improper signal to stop	29.6	100.00\$
Brake lights - Improper colour	29.6(b)	100.00\$
U-Turn on a curve - No clear view	30(a)	100.00\$
U-Turn near crest or grade - No clear view	30(b)	100.00\$
U-Turn - Bridge - No clear view	30(c)	100.00\$
Improper stop - Traffic signal at intersection	31.2	100.00\$
Improper stop - Traffic signal not at intersection	31.3	50.00\$
Fail to yield to pedestrians	31.4	100.00\$

RULES OF THE ROAD	SECTION	FINE
Fail to yield to traffic	31.5	100.00\$
Proceed contrary to sign at intersection	31.6	100.00\$
Green light - Fail to proceed as directed	31.7	50.00\$
Flashing green light - fail to proceed	31.8	50.00\$
Green arrow - Fail to proceed as directed	31.9	50.00\$
Amber light - Fail to stop	31.11	50.00\$
Amber arrow - Fail to proceed as directed	31.10	100.00\$
Flashing amber light - Fail to proceed with caution	31.12	100.00\$
Red light - Fail to stop	31.13	100.00\$
Red light - Proceed before green	31.13	100.00\$
Turn on red light - Fail to yield	31.14	100.00\$
Emergency Vehicle - Proceed when safe	31.15	100.00\$
Flashing red light - Fail to stop	31.15	100.00\$
Fail to share half the roadway - Meeting vehicle	33.1	100.00\$
Fail to share roadway - Meeting bicycle	33.2	100.00\$
Bicycle - Fail to turn out to right when overtaken	33.3	100.00\$
Pass- Roadway not clear - Approaching traffic	33.4(a)	250.00\$
Attempt to pass -Roadway not clear - Approaching traffic	33.4(a)	200.00\$
Pass - Roadway not clear - Overtaking traffic	33.4(b)	300.00\$
Attempt to pass - Roadway not clear - Overtaking traffic	33.4(b)	200.00\$
Drive left of center- Approaching crest or grade - No view	34(a)	100.00\$
Drive left of center - On a curve	34(a)	100.00\$
Pass on right - Not in safety	35	100.00\$
Pass - Off roadway	35.2	100.00\$
Disobey official sign	36	100.00\$
Unsafe lane change	37	100.00\$
Backing on roadway - Divided highway	38	100.00\$
Backing on shoulder - Divided highway	38	100.00\$
Follow too closely	39	100.00\$
Fail to stop on right for Emergency vehicle	40.1(a)	200.00\$
Fail to stop - Nearest edge of roadway for Emergency vehicle	40.1(b)	200.00\$
Follow Fire Department too closely	40.2	200.00\$
Open vehicle door improperly	41(a)	100.00\$
Leave vehicle door open	41(b)	100.00\$
Frighten animal	42	30.00\$
Fail to ensure safety of person in charge of animal	42	100.00\$
Fail to use lower beam - Oncoming	43(a)	100.00\$
Fail to use lower beam - Following	43(b)	100.00\$

RULES OF THE ROAD

	SECTION	FINE
Interfere with traffic	44.4	100.00\$
Interfere with snow removal	44.4	100.00\$
Race a motor vehicle	45	300.00\$
Race an animal	46	100.00\$
Fail to activate school bus signals	47.2	600.00\$
Fail to stop for school bus- Meeting	47.4	600.00\$
Fail to stop for school bus- Overtaking	47.5	600.00\$
Solicit a ride	48	100.00\$
Ride 2 on a bicycle	49	30.00\$
Person - Attach to vehicle	50	100.00\$
Pedestrian fail to walk on left side of highway	51	30.00\$
Litter highway	52	100.00\$
Deposit snow or ice on roadway	53	100.00\$
Disobey sign	54	100.00\$
Defacing or removing notice	55	100.00\$
Draw occupied trailer	56	100.00\$

EAGLE VILLAGE FIRST NATION POLICE

DEPARTMENT

PART VII

EQUIPMENT

	SECTION	FINE
Drive without proper headlights - Motor vehicle	58.1	100.00\$
Drive without proper rear lights - Motor vehicle	58.1	100.00\$
Drive without proper headlight -Motorcycle	58.2	100.00\$
Drive without proper rear light - Motorcycle	58.2	100.00\$
Drive with improper headlights	58.4	100.00\$
Drive with headlamp coated	58.5	100.00\$
Drive with headlamp covered	58.5	100.00\$
More than 4 lighted headlights	58.6	100.00\$
Use lamp producing intermittent flashes of red light	58.7	100.00\$
Red light at front	58.8	100.00\$
Improper bicycle lighting	58.9	50.00\$
Improper lighting on motor assisted bicycle	58.9	100.00\$
Improper number plate light	58.10	100.00\$
Use parking light while vehicle in motion	58.11	100.00\$
Have more than one spotlamp	58.12	100.00\$
Improper use of spotlamp	58.12	100.00\$
No red light on rear of trailer	58.13	100.00\$
No red light on rear of object	58.13	100.00\$
No directional signals	58.14	100.00\$
No brake lights	58.14	100.00\$
No yellow flashing light on snow removal vehicle	58.15	100.00\$
Improper use of yellow flashing lights	58.16	100.00\$
Improper braking system	59.1	100.00\$
Improper brakes on motorcycle	59.2	100.00\$
Improper brakes on bicycle	59.3	100.00\$
Improper brakes on trailer	59.4	100.00\$
Defective brakes	59.5	100.00\$
Defective braking system	59.5	100.00\$

<u>EQUIPMENT</u>	SECTION	FINE
Improper mirror, windshield wipers	60	100.00\$
No mirror, windshield wiper	60	100.00\$
Improper mudguards	61	100.00\$
No mudguards	61	100.00\$
No odometer	62	100.00\$
Defective odometer	62	100.00\$
Device on wheels - Injure highway	63	100.00\$
Improper tires	64	100.00\$
Improper tires - drawn vehicle	64	100.00\$
Window obstructed	65.1(a)	100.00\$
Windshield obstructed	65.1(a)	100.00\$
Have object obstructing view	65.1(a)	100.00\$
Drive with window coated - View obstructed	65.2	100.00\$
Drive with windshield coated - View obstructed	65.2	100.00\$
No clear view to front/ rear/ side	66	100.00\$
No muffler motor vehicle	67.1	100.00\$
No muffler - 3 & 4 Wheelers/ Ski-doo	67.1	100.00\$
Improper muffler - Motor vehicle	67.1	100.00\$
Excessive fumes	67.2	100.00\$
Unreasonable noise - Signalling device	67.3	100.00\$
Unreasonable smoke	67.3	100.00\$
Unnecessary noises	67.3	100.00\$
No/ Defective horn - Motor vehicle	67.4	100.00\$
Have a siren	67.5	100.00\$
Drive motor vehicle with radar warning device	68.2	500.00\$
Fail to submit vehicle for tests	69.1	200.00\$
Operate unsafe vehicle	70	200.00\$
Permit operation of unsafe vehicle	70	200.00\$
Fail to wear proper helmet on motorcycle	71.1	100.00\$
Carry passenger under 16 not wearing proper helmet	71.2	100.00\$
Bicyclist to wear helmet	71.3	100.00\$
Duty of parent or guardian	71.4	100.00\$
Drive with seat belt assembly removed	72.2	100.00\$
Drive with seat belt assembly inoperative	72.2	100.00\$
Drive with seat belt assembly modified	72.2	100.00\$
Driver - Fail to wear complete seat belt assembly	72.3	100.00\$
Driver- Fail to properly adjust seat belt assembly	72.3	100.00\$
Driver- Fail to securely fasten complete seat belt assembly	72.3	100.00\$

EQUIPMENT

	SECTION	FINE
Passenger - Fail to wear complete seat belt assembly	72.4	100.00\$
Passenger - Fail to properly adjust/securely complete seat belt assembly	72.4	100.00\$
Driver - Fail to ensure passenger wears/properly adjust securely fasten complete seat belt assembly	72.6	100.00\$
Driver- Fail to ensure child passenger occupies seat belt assembly equipped position	72.7	100.00\$
Drive defective vehicle	73	200.00\$
Tow defective trailer	73	200.00\$
Permit operation of defective vehicle	73	200.00\$
Permit towing of defective trailer	74	200.00\$
Overweight during freeze-up	75	500.00\$
Fail to have load removed	76	100.00\$



EAGLE VILLAGE POLICE DEPARTMENT

P.O. Box 27 Kipawa (Quebec) JOZ 2H0 Tel: (519)627-9624
Fax: (519)627-3277

EAGLE VILLAGE FIRST NATION BAND BY-LAW #01

By-law respecting the regulation of traffic on the Eagle Village first Nation Reserve:

WHEREAS Section 81(1)(b) of the Indian Act, R.S.C. 1-6, empowers the council of the Band to make a by-law for the purpose of the regulation of traffic on the reserve;

AND WHEREAS The Council of the Eagle village Band is of the opinion that for the welfare and safety of the members of the Band, the traffic should be regulated on the reserve;

THEREFORE The Council of the Eagle Village First Nation Band in the province of Quebec enacts the following as By-Law #01 of the Eagle Village Band.

1. DEFINITIONS

1. Definitions in this By-Law includes:

"Bicycle" includes a tricycle and unicycle but does not include a motor assisted bicycle;

"Bus" means a motor vehicle designed for carrying ten or more passengers and used for the transportation of persons;

"Conviction" Includes a disposition made under the Young Offenders Act (Canada);

"Driver" Means a person who drives a vehicle on a highway;

"Driver's License" Means the driving permit issued by the Regie de L'Assurance Automobile du Quebec or equivalent;

"Garage" Means every place or premises where motor vehicles are received for housing, storage, or repairs for compensation;

"Highway" Includes a common and public highway, street, place, bridge, or viaduct, any part of which is intended for used by the general public for the passage of vehicles;

"Intersection" Means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two or more highways that join one another at an angle, wether or not one highway crosses the other;

"Motor vehicle" Includes an automobile, motorcycle, snowmobile, motor assisted bicycle, three and four wheelers (all terrain bicycles) and any other vehicles propelled or driven otherwise than by muscular power, farm tractor.

- "Motorcycle" means a self-propelled vehicle having a seat or saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, and include a motor assisted bicycle;
- "Park" or "Parking" when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;
- "Peace Officer" includes a mayor, warden, reeve, sheriff, deputy sheriff, sheriff's officer, justice of the peace, jailor or keeper of a prison, and a police officer, bailiff, or other person employed the preservation and maintenance of the public peace, or for the service or execution of civil process, or any officer appointed for enforcing or carrying out the provisions of this By-Law;
- "Roadway" means the part of the highway that is improved designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadway collectively;
- "Stand" or "Standing" when prohibited, means the halting of a vehicle, whether occupied or not, except or discharging passengers;

"Stop" or "Stopping" When prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or of a traffic control sign or signal;

"Trailer" Means a vehicle that is at any time drawn upon a highway by motor vehicle, except an implement of husbandry, a mobile home, transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn;

"Vehicle" Includes a motor vehicle, snowmobile, trailer farm tractor, bicycle, Three and four wheelers (all terrain bicycles) and any vehicle drawn, propelled or driven by any kind of power, including muscular power;

"Competent Authority" Means the Band Council, a police officer of the Eagle Village Police Department, or all other persons legally authorized by the Eagle Village First Nation Band Council;

"Police Chief" Means a member of the Eagle Village Police Department;

"Reserve" Means the Eagle Village First Nation Indian Reserve;

- "Emergency vehicle" means a motor vehicle used as police car, a vehicle used as an ambulance, a fire department vehicle, or any other vehicle recognized as an emergency vehicle;
- "Night" means the period comprised of one-half hour after sunset and one -half hour before sunrise;
- "Registration plate" means the plate issued bt the Regie de l'Assurance Automobile du Quebec or equivalent for the purpose of identifying the owner of a motor vehicle;
- "Registration Certificate" means the certificate issued by the Regie de l'Assurance Automobile du Quebec or equivalent when registering one's vehicle;
- "Learner's license" means the license used by the Regie de l'Assurance Automobile du Quebec for the purposes of learning to drive a motor vehicle:

EAGLE VILLAGE FIRST NATION BY-LAW #01

PART II

PERMITS

Definitions - In this part,

- "Holder" when used in relation to a permit, means the person in whose name the plate portion of a permit issued;
- "Number" when used in relation to a permit or plate means a number, a series of letters or a combination of letters and numbers, and "numbered", when so used, has a corresponding meaning;
- "Permit" means a permit issued by the Regie de l'Assurance Automobile du Quebec or equivalent for the purpose of identifying the owner of a vehicle;
- "Police Officer" includes an officer appointed for carrying out the provisions of this By-Law;
- "Validate" means render in force for the prescribed period of time and "validation" and "validate" have corresponding meaning;

EAGLE VILLAGE FIRST NATION BY-LAW #01

PART II

PERMITS

Sections

1. Permit, etc, required. No person shall drive a motor vehicle on a highway unless,
 - (a) there exists a currently validated permit for the vehicle
 - (b) there are displayed on the vehicle, in the prescribed manner, number plates issued in accordance with the regulations showing the number of the permit issued for the vehicle.
2. Permit for trailer. No person shall draw a trailer on a highway unless,
 - (a) there exists a permit for the trailer; and
 - (b) there is displayed on the trailer, in the prescribed manner, a number plate showing the number of the permit issued for the trailer.
3. Permit to be carried. Every driver of a motor vehicle on a highway shall carry,
 - (a) the permit for it or a true copy thereof; and
 - (b) where the motor vehicle is drawing a trailer, the permit for the trailer or true copy thereof,and shall surrender the permits or copies for inspection upon the demand of a police officer.
4. Manufacturer's vehicle identification number to be affixed. No owner of a motor vehicle shall drive or permit his, hers or its motor vehicle to be driven on a highway unless the motor vehicle has the manufacturer's vehicle identification number permanently affixed.

EAGLE VILLAGE FIRST NATION BY-LAW #01

PART II

PERMITS

Sections

5. Violations as to number plates. Every person who,
- (a) defaces or alters any number plate, evidence of validation or permit;
 - (b) uses or permits the use of a defaced or altered number plate, evidence of validation or permit;
 - (c) without the authority of the permit holder, removes a number plate from a motor vehicle or trailer;
 - (d) uses or permits the use of a number plate upon a vehicle other than a number plate authorized for use on that vehicle.
6. No other numbers to be exposed.
- (a) No number other than that upon the number plate furnished by the Regie l'Assurance Automobile du Quebec shall be exposed on any part of a motor vehicle or trailer in such a position or manner as to confuse the identity of the number plate.
- Numbers to be kept clean,
- (b) The number plates shall be kept free from dirt and obstruction and shall be so affixed that the numbers thereon may be plainly visible at all times, and the view thereof shall not be obscured or obstructed by spare tires, bumper bars, or any part of the vehicle or any attachments thereto, or by the load carried.

EAGLE VILLAGE FIRST NATION BY-LAW #01

PART III

DRIVER LICENCES

Driving a privilege. The purpose of this part is to protect the public by ensuring that,

- (a) the privilege of driving on a highway is granted to, and retained by, only those persons who demonstrate that they are likely to drive safely; and
- (b) full driving privileges are granted to probationary drivers only after they acquire experience and develop or improve safe driving skills in controlled conditions.

Sections

- 7. Driver's licence. No person shall drive a motor vehicle on a highway unless the motor vehicle is within a class of motor vehicles in respect of which the person holds a driver's licence issued to him or her by the Regie l'Assurance Automobile du Quebec or equivalent.
- 8. Responsability of owner of motor vehicle. No person who is the owner or is in possession or control of a motor vehicle shall permit any person to drive the motor vehicle on a highway unless that person holds a driver's licence issued in respect of the class of motor vehicles to which the motor vehicle belongs.

EAGLE VILLAGE FIRST NATION BY-LAW #01

PART III

DRIVER LICENCES

Sections

9. As to carrying licences and surrender on demand.

(a) Every driver of a motor vehicle shall carry his or her licence with him or her at all times while he or she is in charge of a motor vehicle and shall surrender the licence for reasonable inspection upon the demand of a police officer or officer appointed for carrying out the provisions of this By-Law.

10. Displaying licence that has been suspended, altered, etc.

No person shall,

- (a) display or cause or permit to be displayed or have in his or her possession a fictitious, altered fraudulently obtained driver's licence;
- (b) lend his or her driver's licence or permit the use of it by another person;
- (c) display or represent as his or her own a driver's licence not issued to him or her;
- (d) apply for, secure or retain in his or her possession more than one driver's licence; or
- (e) fail to surrender to the Regie l'Assurance Automobile du Quebec upon its demand a driver's licence that has been suspended, revoked, or cancelled.

PART III

DRIVER LICENCES

Sections

11. Drivers under sixteen (16) prohibited. No person under the age of sixteen years of age shall drive or operate a motor vehicle, selfpropelled implement of husbandry or farm tractor on a highway.
12. Employment of driver under 16 prohibited. No person shall employ or permit anyone under the age of sixteen years to drive or operate a motor vehicle on a highway.
13. Driving while driver's licence suspended. No person shall drive a motor vehicle on a highway while his or her driver's licence is suspended under an Act of Legislation.
14. Driving prohibited while licence suspended. A person whose driver's licence or privilege to drive a motor vehicle in Quebec has been suspended shall not drive a motor vehicle in Quebec under a driver's licence or permit issued by any other jurisdiction during such suspension.
15. Driving in breach of conditions prohibited. No person shall drive a motor vehicle on a highway while contravening a condition contained in his or her driver's licence or imposed by the regulations.

PART IV

RATE OF SPEED

Sections.

14. Rate of speed. No person shall drive a motor vehicle at a speed greater than 30 kilometers within town, village, or built-up area.
15. Careless driving. No person shall drive carelessly a vehicle on a highway without due care and attention or without reasonable consideration for other persons using the highway.
16. Unnecessary slow driving prohibited. No motor vehicle shall be driven on a highway at such a slow rate of speed as to impede or block the normal and reasonable movement of traffic thereon except when such slow rate of speed is necessary for safe operation having regard to all the circumstances.
17. Fire department vehicles and police vehicles. The speed limits prescribed under section 14 do not apply to,
 - (a) a fire department vehicle as defined in section I, while proceeding to a fire or responding to, but not returning from, a fire alarm or other emergency call;
 - (b) a motor vehicle while used by a person in the lawful performance of his or her duties as a police officer; or
 - (c) an ambulance as defined in section I, while responding to an emergency call or being used to transport a patient or injured person in an emergency situation.

PART IV

RATE OF SPEED

Sections.

18. Penalty for speeding. Every person who contravenes section 14 is guilty of an offence and on conviction is liable, where the rate of speed at which the motor vehicle was driven,
- (a) is less than 20 kilometers per hour over the maximum speed limit, to a fine \$3.00 for each kilometers per hour that the motor vehicle was driven over the maximum speed limit;
 - (b) is 20 kilometers per hour or more but less than 35 kilometers per hour over the maximum speed limit, to a fine of \$4.50 for each kilometer per hour that the motor vehicle was driven over the maximum speed limit;
 - (c) is 35 kilometers per hour or more but less than 50 kilometers per hour over the maximum speed limit, to a fine of \$7.00 for each kilometer per hour that the motor vehicle was driven over the maximum speed limit; and
 - (d) is 50 kilometers per hour or more over the maximum speed limit, to a fine of \$9.75 for each kilometer per hour that the motor vehicle was driven over the maximum speed limit.

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PART IV

RATE OF SPEED

SCHEDULE OF FINES FOR SPEEDING INCLUDING COSTS

<u>Kilometers</u>	<u>Set fines</u>
(a) 1-19 kilometers per hour over the maximum speed limit	\$3.00 per kilometer plus costs of \$15.00
(b) 20-34 kilometers per hour over the maximum speed limit	\$4.50 per kilometer plus costs of \$15.00
(c) 35-49 kilometers per hour over the maximum speed limit	\$7.00 per kilometer plus costs of \$15.00
(d) 50 kilometers per hour or more over the maximum speed limit	\$9.75 per kilometer plus costs of \$15.00

PART V

REPORTING OF ACCIDENTS

Sections

18. Duty to report accident. Every person in charge of a motor vehicle who is directly or indirectly involved in an accident shall, if the accident results in personal injuries or in damage to property, report the accident to the Eagle Village Police and furnish him or her with the information concerning the accident as may be required by the police officer.
19. Duty of person in charge of vehicle in case of accident. Where an accident occurs on a highway, every person in charge of a vehicle that is directly or indirectly involved in the accident shall,
- (a) remain at or immediatly return to the scene of the accident;
 - (b) render all possible assistance; and
 - (c) upon request, give in writing to anyone sustaining loss or injury, or to any police officer or to any witness, his or her name and address, and also the name and address of the registered owner of the vehicle, and the number of the vehicle permit.
20. Notification of damage to trees, fences, etc. Every person who, as a result of an accident of otherwise, operates or drives a vehicle or leads, rides or drives an animal upon a highway and thereby damages any shrub, tress, pole, light sign, sod or other property on the highway or a fence bordering the highway shall forthwith report such damage to a police officer.

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PART V

REPORTING OF ACCIDENTS

Sections

21. Police officer may secure possession. Where by or under this By-Law a driver's licence is suspended and the person to whom the suspension applies refuses or fails to surrender his or her licence to the Regie l'Assurance Automobile du Quebec forthwith, any police officer may take possession of the licence and return it to the Regie and the Regie may direct any police officer to take possession of the licence and return it to the Regie l'Assurance Automobile du Quebec.
22. Cyclist to identify self. A police officer who finds any person contravening this By-Law or any Act regulating traffic while in charge of a bicycle may require that person to stop and to provide identification of himself or herself.
- (a) Idem. Every person who is required to stop, by a police officer acting under section (22), shall stop and identify himself or herself to the police officer.
- (b) Idem. For the purpose of this section, giving one's correct name and address is sufficient identification.
- (c) Idem. A police officer may arrest without warrant any person who does not comply with subsection (a).

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PART VI

RULES OF THE ROAD

Definitions. In this part,

"Indication" means a signal lens display that is activated by internal illumination;

"Road Service Vehicle" means a vehicle operated by or on behalf of a municipality or other authority having jurisdiction and control of a highway while the vehicle is being used for highway maintenance purposes;

"Traffic control signal" means that part of a traffic control signal system that consists of one set of no less than three coloured lenses, red amber, and green, mounted on a frame and commonly referred to as signal head;

"Traffic control signal system" means all of the signal equipment making up the installation at any location.

Sections

23. Direction of traffic by police officer.(1) Where a police officer considers it reasonably necessary,
- (a) to ensure orderly movement of traffic;
 - (b) to prevent injury or damage to persons or property;
 - (c) to permit proper action in an emergency,
- he or she may direct traffic according to his or her discretion, despite the provisions of this Part, and every person shall obey his or her direction.
23. (2) Driving on closed highway prohibited. Where signs or traffic control devices have been posted or placed for the closer of a highway, no person shall drive or operate a vehicle on the closed highway or part thereof in intentional disobedience of the signs or traffic control devices.

PART VI

RULES OF THE ROAD

Sections

24. Right of way (1) this section applies where an intersection is not controlled by a stop or yield sign or a traffic control signal system.
- (2) devices driver approaching an intersection shall yield the right of way to any vehicle in the intersection that has entered it from an intersecting highway.
- (3) Idem. When two vehicle enter an intersection from intersecting highway at approximately the same time, the driver on the left shall yield the right of way to the vehicle on the right.
25. Stop at through highway. Every driver or operator approaching a stop sign at an intersection, shall stop his or her vehicle at a marked stop line or, if none, then immediatly before entering the nearest crosswalk or, if none, then immediatly before entering the intersection.
26. Right of way on entering highway from private road.
- (1) Every driver entering a highway from a private road or driveway shall yield the right of way to all traffic approaching on the highway so closely that to enter would constitute an immediate hazard.
- (2) Exception to subsection (1). Subsection (1) does not apply to a driver entering a highway from a private road or driveway controlled by traffic control signal of a traffic signal system.

PART VI

RULES OF THE ROAD

Sections

27. Pedestrian cross walk, duties of driver.(1) When a pedestrian or a person in a wheelchair crossing a roadway within a pedestrian crosswalk,
- (a) is upon the half of the road upon which a vehicle is travelling; or
 - (b) is upon of the road way and is approaching the other half of the roadway on which a vehicle is approaching so closely to the pedestrian crossover as to endanger him or her,
- the driver of the vehicle shall yield the right of way to the pedestrian or a person in a wheelchair by slowing down or stopping if necessary.
28. Definitions.(1) In this section, "Center line" means,
- (a) in the case of a highway in which traffic is permitted to move in opposing directions, the marked line or median that divides traffic moving opposing directions on the highway or, where there is no marked line or median, the center of the roadway; and
 - (b) in the case of a highway designated for the use of one traffic, the left curb or edge of the roadway.
- (2) Turns; right at intersection. Where a driver or operator of a vehicle intends to turn to the right into an intersecting highway, he or she shall, where the highway on which he or she is driving has marked lanes for traffic approach the intersection within the right-hand lane or, where it has no such marked lanes, by keeping immediatly to the left of the right curb or edge of the roadway and

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Sections

28. cont..

he or she shall make the right turn by entering the right-hand lane of the intersecting highway where the lane is marked or, where no such lane is marked, by keeping immediately to the left of the right edge of the roadway being entered.

29.

Signal for left or right turn. (1) The driver or operator of a vehicle upon a highway before turning to the left or right at any intersection or into a private road or driveway or from one lane for traffic to another lane for traffic or to leave the roadway shall first see that such movement can be made in safety, and if the operation of any other vehicle may be affected by the movement shall give a signal plainly visible to the driver or operator of the other vehicle of the intention to make such movement.

(2) How to signal manually. When the signal is given by means of the hand and arm, the driver or operator shall indicate his or her intention to turn.

(a) to the left, by extending the hand and arm horizontally and beyond the left side of the vehicle;

(b) to the right, by extending the hand and arm upward and beyond the left side of the vehicle.

(3) Idem Despite clause (2)(b), a person on a bicycle may indicate the intention to turn to the right by extending the right hand and arm horizontally and beyond the right side of the bicycle.

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RULES OF THE ROAD

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29. (4) Signalling devices to be used only for the purpose of indicating turn. No person while operating or in control of a vehicle upon a highway shall actuate the mechanical or electrical device referred to in subsection (5) for any purpose other than to indicate a movement referred to in subsection (1).

(5) Requirements for signal device. A mechanical or electrical signal device shall clearly indicate the intention to turn, shall be visible and understandable during day-time and night-time from the front and from the rear of the vehicle for a distance of 30 meters, and shall be self-illuminated when used at any time one-half hour after sunset to one half hour before sunrise.

(6) Signal for stop. The driver or operator of a vehicle upon a highway before stopping or suddenly decreasing the speed of the vehicle, if the operation of any other vehicle may be affected by such stopping or decreasing of speed, shall give a signal plainly visible to the driver or operator of such other vehicle of the intention to stop or decrease speed,

- (a) Manually by means of the hand and arm extended downward beyond the left side of the vehicle;
- (b) Signalling by means of a stop lamp or lamps on the rear of the vehicle which shall emit a red or amber light and which shall be actuated upon application of the service or foot brake and which may or may not be incorporated with one or more rear lamps.

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30. U-turns prohibited. No driver or operator of a vehicle upon a highway shall turn the vehicle so as to proceed in the oppsite direction when,
- (a) upon a curve where traffic approaching the vehicle from either direction cannot be seen by the driver of the vehicle within a distance of 100 meters;
 - (b) upon an 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 100 meters; or
 - (c) within 100 meters of a bridge, viaduct or where the driver's view is obstructed within such distance.
31. Definitions. (1) In this section "emergency vehicle" means,
- (a) a fire department vehicle as defined in section 17 while proceeding to a fire or responding to, but not while returning from, a fire alarm or other emergency call,
 - (b) a vehicle while used by a person in the lawful performance of his or her duties as a police officer,
 - (c) and ambulance while responding to an emergency call or being used to transport a patient or injured person in an emergency situation,
- on which a siren is sounding and from which intermittent flashes of red and/or blue lights are visible from all directions;

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RULES OF THE ROAD

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31. "Intersection" includes any portion of a highway indicated by markings on the surface of the roadway as a crossing place for pedestrians;

"Pedestrian" includes a person in a wheelchair.

(2) Where to stop-intersection. A driver who is directed by a traffic signal erected at an intersection to stop his or her vehicle shall stop,

(a) at the sign or roadway marking indicating where the stop is to be made;

(b) if there is no sign or marking, immediately before entering the nearest cross walk; or

(c) if there is no sign, marking or crosswalk, immediately before entering the intersection.

(3) Where to stop -non- intersection. A driver who is directed by a traffic signal erected at a location other than at an intersection to stop his or her vehicle shall stop,

(a) at the sign or roadway marking indicating where the stop is to be made;

(b) if there is no sign or marking, immediately before entering the nearest crosswalk; or

(c) if there is no sign, marking or crosswalk, not less than five meters before the nearest traffic control signal.

(4) Yielding to pedestrians. When under this section a driver is permitted to proceed, the driver shall yield the right of way to pedestrians lawfully.

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31. (5) Yielding to traffic. When under this section a driver is permitted to proceed, he or she shall yield the right of way to traffic lawfully using an intersection or, where signals are erected where a private road or driveway meets a highway, lawfully using the area controlled by the signals.
- (6) Signs. The provisions of this section are subject to any sign, as prescribed by the regulations, forbidding a left turn, right turn, through movement or combination thereof that is posted at an intersection and every driver shall obey every such sign.
- (7) Green light. A driver approaching a traffic control signal showing a circular green indication and facing the indication may proceed forward or turn left or right unless otherwise directed.
- (8) Flashing green. A driver approaching a traffic control signal showing a circular flashing green indication or a solid or flashing left turn green arrow indication in conjunction with a circular green indication and facing the indication may, despite subsection 28(3), proceed forward or turn left or right unless otherwise directed.
- (9) Green arrow. Every driver approaching a traffic control signal showing one or more green arrow indications only or in combination with a circular red or circular amber indication and facing the indication may proceed only to follow the direction shown by the arrow.

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31. (10) Amber arrow. Every driver approaching a traffic control signal showing an amber indication only or in combination with another indication and facing the indication shall stop his or her vehicle if he or she can do so safely, otherwise he or she may proceed with caution to follow the direction shown by the amber arrow indication.
- (11) Amber light. Every driver approaching a traffic control signal showing a circular amber indication and facing the indication shall stop his or her vehicle if he or she can do so safely, otherwise he or she may proceed with caution.
- (12) Flashing amber. Every driver approaching a traffic control signal showing a flashing circular amber indication and facing the indication may proceed with caution.
- (13) Red light. Every driver approaching a traffic control signal showing a circular red indication and facing the indication shall stop his or her vehicle and shall not proceed until a green indication is shown.
- (14) Exception -turn. Despite subsection (3) and subject to subsection (9), a driver, after stopping his or her vehicle and yielding the right of way to traffic lawfully approaching so closely that to proceed would constitute an immediate hazard, may,
- (a) turn to the right; or
 - (b) turn to the left from a one-way street into a one-way street, without a green indication being shown.

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31. (15) Exception -emergency vehicle. Despite subsection (13) a driver of an emergency vehicle, after stopping the vehicle, may proceed without a green indication being shown if it is safe to do so.
- (16) Stopping at flashing red light. Every driver approaching a traffic control signal and facing a flashing circular red indication shall stop his or her vehicle, shall yield the right of way to traffic approaching so closely that to proceed would constitute an immediate hazard and, having so yielded the right of way, may proceed.
32. Portable signal lights. During construction or maintenance activities on or adjacent to a highway, a portable lane control signal system may be operated on the highway in accordance with the regulations by the authority having jurisdiction and control of the highway or any person authorized by that authority.
33. Passing meeting vehicles. (1) Every person in charge of a vehicle on a highway meeting another vehicle shall turn out to the right from the center of the roadway, allowing the other vehicle one-half of the roadway free.
- (2) Vehicles meeting bicycles. Every person in charge of a vehicle on a highway meeting a person travelling on a bicycle shall allow the cyclist sufficient room on the roadway to pass.

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Sections.

33. (3) Bicycle overtaken. Every person on a bicycle or motor assisted bicycle who is overtaken by a vehicle or equestrian travelling at a greater speed shall turn out to the right and allow the vehicle or equestrian to pass and the vehicle or equestrian overtaking shall turn out to the left so far as may be necessary to avoid a collision.
- (4) Passing vehicle going same direction. No person in charge of a vehicle shall pass or attempt to pass another vehicle going in the same direction on a highway unless the roadway,
- (a) in front of and to the left of the vehicle to be passed is safely free from approaching traffic; or
 - (b) to the left of the vehicle passing or attempting to pass is safely free from overtaking traffic.
34. Driving to left of center prohibited under certain conditions. No vehicle shall be driven or operated to the left of the center of a roadway designed for one or more lines of traffic in each direction,
- (a) when approaching the crest of grade or upon a curve in the roadway or within 30 meters of a bridge, viaduct or tunnel where the driver's view is obstructed within that distance so as to create a potential hazard in the event another vehicle might approach from the opposite direction.

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35. (1) Passing to right of vehicle. The driver of a motor vehicle may overtake and pass to the right of another vehicle only where the movement can be made in safety and,
- (a) the vehicle overtaken is making or about to make a left turn or its driver has signalled his or her intention to make a left turn;
 - (b) is made on a highway with unobstructed pavement of sufficient width for two or more lines of vehicles in each directions; or
 - (c) is made on a highway designated for the use of one-way traffic only.
- (2) Driving off roadway prohibited. No driver of a motor vehicle shall overtake and pass another vehicle by driving off the roadway.
36. (1) Drivers to obey signs posted at designated paved shoulders. Where any part of the highway has been designated as having a paved shoulder for use by vehicular traffic and official signs have been erected accordingly to indicate the designation, every driver of a vehicle shall obey the instructions on the official signs.
37. (1) Where highway divided into lanes. Where a highway has been divided into clearly marked lanes for traffic,
- (a) a vehicle shall be driven as nearly as may be practicable entirely within a single lane and shall not be moved from the lane until the driver has first ascertained that the movement can be made in safety.

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RULES OF THE ROAD

Sections

38. (1) Backing prohibited. No driver of a motor vehicle shall back the vehicle upon the roadway or shoulder of any highway divided by a median strip on which the maximum speed limit is in excess of 90 kilometers per hour.
- (2) Exception to subsection (1). Subsection (1) does not apply to,
- (a) the driver of an ambulance or fire department vehicle as defined in section 17;
 - (b) the driver of a police department or ministry vehicle;
 - (c) the driver of a road service vehicle, if the movement is made in safety.
39. (1) Headway of motor vehicles. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent having due regard for the speed of the vehicle and the traffic on and the conditions of the highway.
40. (1) Fire department vehicles, etc, approaching. The driver of a vehicle, upon the approach of an ambulance, fire or police department or public utility emergency vehicle upon which a bell or siren is sounding or upon which a lamp is producing intermittent flashes of red or red and blue lights, shall immediately bring such vehicle to a standstill,
- (a) as near as is practicable to the right hand curb or edge of the roadway and parallel therewith and clear of any intersection; or

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Section.

40. (1)

(b) when on a roadway having more than two lanes for traffic and designated for the use of one-way traffic, as near as is practicable to the nearest curb or edge of the roadway and parallel therewith and clear of any intersection.

(2) Following fire department vehicle. No driver of a vehicle shall follow in any lane of a roadway at a distance of less than 150 meters of a fire department vehicle responding to a call.

(3) Definitions. In this section, "ambulance" and "fire department vehicle" have the same meaning as in part I

41. Opening of doors of motor vehicle. No person shall,

(a) open the door of a motor vehicle on a highway without first taking due precautions to ensure that his or her act will not interfere with the movement of or endanger any other person or vehicle; or

(b) leave a door of a motor vehicle on a highway open on the side of the vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

PART VI

RULES OF THE ROAD

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42. Approaching ridden or driven horses etc. Every person having control or charge of a motor vehicle or motor assisted bicycle on a highway, when approaching a horse or other animal that is drawing a vehicle or being driven, led or ridden, shall operate, manage and control the motor vehicle or motor assisted vehicle so as to exercise every reasonable precaution to prevent the frightening of the horse or other animal and to ensure the safety and protection of any person driving, leading or riding upon the horse or other animal or being in any vehicle drawn by the horse or other animal.
43. Use of passing beam. When on a highway at any time when lighted lamps are required to be displayed on vehicles, the driver of a motor vehicle equipped with multiple beam headlamps shall use the lower or passing beam when,
- (a) approaching an oncoming vehicle within 150 meters
 - (b) following another vehicle within 60 meters, except when in the act of overtaking and passing.
44. (1) parking on roadway. No person shall park, stand or stop a vehicle on a roadway,
- (a) when it is practicable to park, stand or stop the vehicle off the roadway; or
 - (b) when it is not practicable to park, stand or stop the vehicle off the roadway unless a clear view of the vehicle and of the roadway for at least 125 meters beyond the vehicle may be obtained from a distance of at least 125 meters from the vehicle from each direction upon the highway.

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RULES OF THE ROAD

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44. (2) Idem Subsection (1) does not apply to a road service vehicle that is parked, standing or stopped safely.
- (3) Removal of vehicle parked at prohibited place. Whenever a police officer, police cadet, municipal law enforcement officer or an officer appointed for carrying out the provisions of this By-Law finds a vehicle on a highway in contrvention of this section he or she may move the vehicle or require the driver or operatro or other person in charge of the vehicle to move it.
- (4) Vehicle interfering with traffic. Despite the other provisions of this section, no person shall park or stand a vehicle on a highway in such manner as to interfere with the movement of traffic or the clearing of snow from the highway.
- (5) Powers of officer to remove vehicle. A police officer, police cadet, municipal law enforcement officer or an officer appointed for carrying out of the provisions of this By-Law, upon discovery of any vehicle parked or standing in contravention of subsection (5), may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, are lien upon the vehicle, which may be enforced.
45. (1) Racing on highway. No person shall drive a motor vehicle on a highway in a race or on a bet or wager.
46. Horse racing on highway. No person shall race or drive furiously any horse or other animal on a highway.

PART VI

RULES OF THE ROAD

Sections

47. (1) Definitions. In this section,

"Children" means,

- (a) persons under the age of eighteen, and
- (b) in the case where a school bus is being operated by or under contract with a school board or other authority in charge of a school for the transportation of children to or from school, includes students of the school;

"School" does not include a post-secondary school education institute;

"School bus" (a) is painted chrome yellow, and
(b) displays on the front and rear thereof the words "school bus" and on the rear thereof the words "Do not pass when signal flashing".

(2) Duty of driver to use signals. Subject to subsection (3) every school bus driver,

- (a) who is about to stop on a highway for the purpose of receiving or discharging children or receiving or discharging adults who have physically challenged, shall actuate the overhead red signal-lights on the bus;
- (b) as soon as the bus is stopped for a purpose set out in clause (a) on a highway that does not have a median strip, shall continue to operate the overhead red signal-lights and stop arm until all passengers having to cross the highway have completed the crossing.

PART VI

RULES OF THE ROAD

Sections

47. (3) Restriction on use of signals. No person shall actuate the overhead red signal lights or the stop arm on a school bus on a highway under any circumstances other than those set out in subsection (2).
- (4) Duty of drivers when school bus stopped. Every driver, when meeting on a highway, other than a highway with a median strip, flashing, shall stop before reaching the bus and shall not proceed until the bus moves or the overhead red signal-lights have stopped flashing.
- (5) Idem. Every driver on a highway, when approaching from the rear, a stopped school bus that has its overhead red signals-light flashing, shall stop at least 20 meters before reaching the bus and shall not proceed until the bus moves or the overhead red signal-lights have stopped flashing.
48. Soliciting rides, etc, prohibited. No person, while on the roadway, shall,
- (a) solicit a ride from the driver of a motor vehicle other than a public passenger conveyance; or
 - (b) stop or attempt to stop a motor vehicle for the purpose of selling or offering to sell any commodity or service to the driver or any other person in the motor vehicle.
49. Person on bicycle. No person riding on a bicycle designed for carrying one person only shall carry any other person thereon.

PART VI

RULES OF THE ROAD

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50. Persons clinging to vehicles. No person shall attach himself or herself to the outside of a vehicle on a roadway for the purpose of being drawn along the roadway.
51. Duties of pedestrian when walking along highway. where sidewalks are not provided on a highway, a pedestrian walking along the highway shall walk on the left side thereof facing oncoming traffic and, when walking along the roadway, shall walk as close to the left edge thereof as possible.
52. Littering highway prohibited. Every person who throws or deposits or causes to be deposited any glass, nails, tacks or scraps of metal or any rubbish, refuse, waste or litter upon, along or adjacent to a highway, except in receptacles provided for the purpose, is guilty of the offence of littering the highway.
53. Deposit of snow on roadway. No person shall deposit snow or ice on a roadway without permission in writing to do so from the Band Council or the road authority responsible for the maintenance of the road.
54. signs to be obeyed. Every driver of a vehicle shall obey the instructions or directions indicated on any sign so erected.
55. Defacing or removing notices or obstruction. No person shall wilfully remove, deface or in any manner interfere with any notice or obstruction lawfully placed on a highway.

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56. Riding in house boat or boat trailers prohibited. No driver of a motor vehicle to which a house trailer or boat trailer is attached shall operate the motor vehicle on a highway if the trailer is occupied by any person.

PART VII

EQUIPMENT

Sections

57. Definitions. In this Part,

"Ambulance" is define in Section I to be an emergency vehicle.

"Fire department vehicle" includes an emergency crash extrication vehicle owned and operated by a rescue organization approved by the Regie l'Assurance Automobile du Quebec.

"Motor vehicle" does not include a motor assisted bicycle.

58. (1) Lamps required on all motor vehicles except motorcycles. When on a highway at any time from one-half hour before sunset to one-half hour after sunrise and at any other time when, due to infufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 150 meters or less, every motor vehicle other than a motorcycle shall carry three lighted lamps in a conspicuous position, one on each side of the front of the vehicle which shall display a white or amber light only, and one on the rear of the vehicle which shall display a red light only.
- (2) Lamps required on motorcycles. Subject to subsection (3), when on a highway at any time every motorcycle shall carry two lighted lamps in a conspicuous position, one on the front of the vehicle which shall display a white light only, and one on the rear of the vehicle which shall display a red light only.

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58. (3) Idem. When on a highway at any time every motorcycle with a side car shall carry a lighted lamp in a conspicuous position on each side of the front of the vehicle which lamps shall display a white or amber light only and a lighted lamp on the rear of the vehicle shall display a red light only.
- (4) Strenght of lamps. Lamps on the front of a motor vehicle shall be so constructed, located, arranged and adjusted that when lighted as required by subsection (1), (2) and (3) they produce under normal atmospheric conditions and on level road a driving light sufficient to render clearly discernible to the operator of the motor vehicle any person or vehicle on the highway within a distance of 110 meters ahead of the motor vehicle.
- (5) Covering or Coating of lamps prohibited. No person shall drive upon a highway a motor vehicle where either or both of the lamps that are required on the front of the vehicle by subsection (1), (2) and (3) are coated or covered with a coloured material or lacquer or where either or both of the lamps have been modified by the attachment to the lamps or the motor vehicle of any device that reduces the effective area of the lenses or the intensity of the beam of the lamps.
- (6) Strenght of front lamps. No motor vehicle shall carry on the front thereof more than four (4) lighted lamps that project a beam having an intensity of over 300 candles.

PART VII

EQUIPMENT

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58. (7) Intermittent red light restricted. Subject to subsection (8), no person shall use a lamp, other than the vehicular hazard warning signal lamps commonly known as four way flashers, that produces intermittent flashes of red light.
- (8) Red light in front. In addition to the lighting requirements in this Part, an ambulance, fire department vehicle, police department vehicle, school bus or a vehicle while operated by a conservation officer, may carry a lamp or lamps that cast a red light only or such other colour of light, but no other motor vehicle shall carry any lamp that casts a red light to the front.
- (9) Motor assisted bicycles, bicycles and tricycles, lights on, etc. When on a highway at any time from one-half hour before sunset to one-half hour after sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 150 meters or less, every motor assisted bicycle, bicycle or tricycle shall carry on the front thereof a lighted lamp displaying a white or amber light and on the rear thereof a lighted lamp displaying a red light or a reflector approved by the Regie, and in addition there shall be placed on the front forks thereof white reflective material, and on the rear thereof 250 millimeters in length and 25 millimeters in width.

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58. (10) Rear lamps to illuminate number plate. The lamp on the rear of a motor vehicle or trailer shall be of at least three candles and shall be so placed that it will, at any time from one-half hour before sunset to one-half hour after sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernable at a distance of 150 meters or less, illuminate the numbers on the number plate.
- (11) Parking lights. A motor vehicle, while standing upon a highway at times that lights are required by this section for the vehicle may, in lieu of the lighting equipment specified in this section in such a manner as to be clearly visible to the front and rear for a distance of at least 60 meters and to show white to the front and red to the rear of the vehicle; provided that the light shall not be displayed while the motor vehicle is in motion.
- (12) Spotlamps. No motor vehicle, other than a public utility emergency vehicle, shall be equipped with more than one spotlamp and every lighted spotlamp shall be so directed upon approaching or upon the approach of another vehicle, that no part of the high intensity portion of the beam from the lamp will be directed to the left of the prolongation of the extreme left side, nor more than thirty meters ahead of the vehicle which it is attached.

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58. (13) Lamps required on rear of trailer, etc. When on a highway at any time from one-half hour before sunset to one-half hour after sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernable at a distance of 150 meters or less, every trailer and every object or contrivance drawn by a vehicle shall carry on the rear thereof one lighted lamp, which shall display a red light only.
- (14) Signalling devices required on motor vehicles, etc. Every motor vehicle or combination of vehicles and trailers shall be equipped with mechanical or electrical signalling devices.
- (15) Flashing yellow light on snow removal equipment. No person shall operate on a highway a motor vehicle or road building machine while being used for the removal of snow from a highway unless the motor vehicle or road-building machine is equipped with a lamp producing intermittent flashes of yellow light visible for a distance of 150 meters.
- (16) Restriction on use of flashing yellow light. No person shall use a lamp that automatically produces intermittent flashes of yellow light on a motor vehicle or road-building machine other than a motor vehicle or road-building machine while being used for the removal of snow from a highway.

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59. (1) Brakes, two system required. Every motor vehicle, other than a motorcycle, when driven on a highway shall be equipped with at least two braking systems, each with a separate means of application and effective on at least two wheels, one of which shall be adequate to stop the vehicle, and the other of which shall be adequate to hold the vehicle stationary.
- (2) Motorcycle or motor assisted bicycle. Every motorcycle or motor assisted bicycle when being driven on a highway shall be equipped with at least two braking systems each with a separate means of application with one effective on the front wheel and one effective on the rear wheel.
- (3) Brakes on bicycle. No person shall ride a bicycle on a highway unless it is equipped with at least one brake system acting on the rear wheel that will enable the rider to make the braked wheel skid on dry, level and clean pavement.
- (4) Trailer or semi-trailer. Every trailer or semi-trailer having a gross weight of 1360 kilograms or more shall be equipped with brakes adequate to stop and hold the vehicle.
- (5) Conditions of brakes. All such brakes and braking systems shall be maintained in good working order.
- (6) Inspection. Any police officer or any officer appointed for carrying out provisions of this By-Law who has reason to believe that the brakes or braking systems on any vehicle on the highway are not in good working order, may at any time inspect or cause an inspection to be made of the brakes or braking system of the vehicle and may, if the brakes or braking systems are not in good working order, require the driver off the vehicle to take immediate steps to bring the brakes or braking systems in good working order.

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60. (1) Windshield wiper, mirror. Every motor vehicle other than a motorcycle shall be equipped with,
- (a) a device for cleaning rain, snow and other moisture from the so constructed as to be controlled or operated by the driver.
 - (b) a mirror or mirrors securely attached to the vehicle and placed in such a position as to afford the driver a clearly reflected view of the roadway in the rear, or of any vehicle approaching from the rear.
61. Mudguards Every motor vehicles and every trailer shall be equipped with mudguards or fenders or other devices adequate to reduce effectevly the wheel spray or splash of water from the roadway to the rear thereof, unless adequate protection is afforded by the body of the motor vehicle or trailer or by a trailer drawn by the motor vehicle.
62. Odometers. Every motor vehicle other than a motorcycle shall be equipped with an ododmeter in good working order.
63. Requirements as to tires; Flanges and clamps. No vehicle shall be operated or object moved over or upon any highway with any flange, rib, clamp or other device attached to its wheels, or made a part thereof, which will injure the highway.
64. Improper tires. No person shall operate or permit to be operated upon a highway a vehicle that is,
- (a) fitted with a tire that does not conform with the standards and specifications prescribed in the highway safety code; or

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64. Improper tires.

- (b) fitted with tires that are installed in a manner in a place or in a combination that does not conform with the specifications prescribed in the highway code.

65. (1) Signs, objects, etc., obstructing view prohibited. No person shall drive a motor vehicle upon a highway,

- (a) with any sign, poster or other non-transparent material or object placed on the windshield or on any window of such motor vehicle; or

- (b) with any object placed in, hung on or attached to the motor vehicle,

in a manner that will obstruct the driver's view of the highway or any intersecting highway.

(2) Colour coating obstructing view prohibited. No person shall drive a motor vehicle upon a highway where the surface of the windshield or of any window of the vehicle has been coated with any colour spray or other coating in such a manner as to obstruct the driver's view of the highway or any intersecting highway.

(3) Colour coating obscuring interior. No person shall drive on a highway a motor vehicle on which the surface of the windshield or of any window to the direct left or right of the driver's seat has been coated with any coloured spray or other coloured or reflective material that substantially obscure the interior of the motor vehicle when viewed from outside the motor vehicle.

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66. Windows to afford clear view. No person shall drive a motor vehicle upon a highway,
- (a) unless the windshield and the windows on either side of the compartment containing the steering wheel are in such a condition as to afford the driver a clear view to the front and sides of the motor vehicle; and
 - (b) unless the rear window is in such a condition as to afford the driver a clear view to the rear of the motor vehicle.
67. (1) Muffler. Every motor vehicle or motor assisted bicycle shall be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and excessive smoke, and no person shall use a muffler cut-out, straight exhaust, gutted muffler, hollywood muffler, by-pass or similar device upon a motor vehicle or motor assisted bicycle.
- (2) Fumes from engine. the engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.
- (3) Unnecessary noise. A person having the control or charge of a motor vehicle shall not sound any bell, horn or other signalling device so as to make an unreasonable noise, and a driver of any motor vehicle shall not permit any unreasonable amount of smoke to escape from the motor vehicle, nor shall the driver at any time cause a motor vehicle to make any unnecessary noise, but this subsection does not apply to a motor vehicle of a municipal fire department while proceeding to a fire or answering a fire alarm call.

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67. (4) Alarm bell to be sounded. Every vehicle, motor assisted bicycle and bicycle shall be equipped with an alarm bell, gong or horn, which shall be kept in good working order and sounded whenever it is reasonably necessary to notify pedestrians or others of its approach.
- (5) Prohibition as to use of siren horn. No vehicle other than an ambulance, fire or police department vehicle, public utility emergency vehicle, shall be equipped with a siren horn or a device producing a sound which so nearly resembles that produced by a siren horn as to deceive or confuse.
68. (1) Definition. In this section, "radar warning device" means any device or equipment designed or intended for use in a motor vehicle to warn the driver of the presence of radar speed measuring equipment in the vicinity and includes any device or equipment designed or intended for use in a motor vehicle to interfere with the effective operation of radar speed measuring equipment.
- (2) Radar warning device prohibited. No person shall drive on a highway a motor vehicle that is equipped with or that carries or contains a radar warning device.
- (3) Powers of police officer. A police officer may at any time, without a warrant, stop, enter and search a motor vehicle that he or she has reasonable grounds to believe is equipped with or carries or contains a radar warning device contrary to subsection (2) and may seize and take away any radar warning device found in or upon the motor vehicle.

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68. (4) Sale of radar warning devices prohibited. No person shall sell, offer or advertise for sale a radar warning device by retail.
69. (1) Examination of vehicle. Every police officer and every officer appointed for the purpose of carrying out the provisions of this By-Law may require the driver or owner of any motor vehicle or motor assisted bicycle to submit its equipment and any trailer attached thereto, to the examinations and tests that the police officer or officers may may consider expedient.
- (2) Use of unsafe vehicle prohibited. Where any such vehicle, equipment or trailer is found to be in a dangerous or unsafe condition, the driver or owner of the vehicle to proceed to have the vehicle, equipment or trailer placed in a safe condition and may order the vehicle or trailer to be removed from the highway and may prohibit the operation of the vehicle or trailer on the highway until the vehicle, equipment or trailer has been placed in a safe condition.
- (3) Notice requiring examination and tests. A fine shall not be given unless the police officer has given to the person a written notice requiring the person to submit the motor vehicle or motor assisted bicycle, together with its equipment and any trailer attached thereto, to examination and tests.
- (4) Seizure of plates. Where the operation of a motor vehicle, motor assisted bicycle or trailer has been prohibited under subsection (2), the police officer or officers may seize the number plates of the vehicle or trailer that is in a dangerous or unsafe condition and hold them until the vehicle or trailer has been placed in a safe condition.

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70. Driving unsafe vehicle. No person shall drive or operate or permit the driving or operation upon a highway of a vehicle, or vehicles that in combination are in such a dangerous or unsafe condition as to endanger any person.
71. (1) Motorcyclist to wear helmets. No person shall ride on or operate a motorcycle or motor assisted bicycle on a highway unless the person is wearing a helmet that complies with the regulations and the chin strap of the helmet is securely fastened under the chin.
- (2) Idem. No person shall carry a passenger who is under sixteen years of age on a motorcycle on a highway unless the passenger is wearing a helmet that complies with the regulations and the chin strap of the helmet is securely fastened under the chin.
- (3) Bicyclists to wear helmet. No person shall ride or operate a bicycle on a highway unless the person is wearing a bicycle helmet that complies with the regulations and the chin strap of the helmet is securely fastened under the chin.
- (4) Duty of parent or guardian. No parent or guardian of a person under sixteen years of age shall authorize or knowingly permit that person to ride on or operate a bicycle on a highway unless the person is wearing a bicycle helmet as required by subsection (3).
72. (1) Definition. In this section, "seat belt assembly" means a device or assembly composed of straps, webbing or similar material that restrains the movement of a person in order to prevent or mitigate injury to the person and includes a pelvic restraint or an upper torso restraint or both of them.

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72. (2) Seat belt assembly. No person shall drive on a highway a motor vehicle in which a seat belt assembly required under the Motor Vehicle Safety Act (Canada) at the time that the vehicle was manufactured or imported into Canada has been removed, rendered partly or wholly inoperative, modified so as to reduce its effectiveness or is not operating properly through lack of maintenance.
- (3) Use of belts assembly by driver. Subject to subsection (5), every person who drives on a highway a motor vehicle in which a seat belt assembly is provided for the driver shall wear the complete seat belt assembly in a properly adjusted and securely fastened manner.
- (4) Use of seat belt assembly by passenger. Subject to subsection (5), every person who is a passenger on a highway in a motor vehicle in which a seat belt assembly is provided for the seating position occupied by the passenger shall wear the complete seat belt assembly in a properly adjusted and securely fastened manner.
- (5) Exemption. Subsection (3) and (4) do not apply to a person,
- (a) driving a motor vehicle in reverse;
 - (b) who holds a certificate signed by a legally qualified medical practitioner certifying that the person is,
 - (i) for the period stated in the certificate, unable for medical reasons to wear a seat belt assembly, or
 - (ii) because of the person's size, build or other physical characteristic, unable to wear seat belt assembly;

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72. (c) who is actually engaged in work which requires him or her to alight from and re-enter a motor vehicle at frequent intervals and who, while engaged in such work, does not drive or travel in the vehicle at a speed exceeding 40 kilometers per hour; or
- (d) under the age of sixteen years.
- (6) Driver to ensure passenger uses seat belt assembly. No person shall drive on a highway a motor vehicle in which there is a passenger who is under sixteen years of age and occupies a seating position for which a seat belt has been provided unless that passenger is wearing the complete seat belt assembly and it is properly adjusted and securely fastened.
- Idem. No person shall drive a motor vehicle on a highway in which there is a child passenger weighing less than twenty-three kilograms or five years of age who does not occupy a child's seat properly fastened by a seat belt assembly.
73. Driving defective vehicle prohibited. No driver shall drive a vehicle or tow a trailer on a highway if the driver determines as a result of an inspection that the state, condition or components of the vehicle or trailer do not meet the prescribed standards.
74. Permit driving defective commercial vehicle prohibited. No operator shall permit a commercial motor vehicle to be driven or a trailer to be towed on a highway if the operator has reason to believe that the state, conditions or component of the vehicle or trailer do not meet the prescribed standards.

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75. Protection and closing of a highway. A police officer may prohibit access to a highway or part thereof to all or certain categories of motor vehicle if justified by an emergency or to protect the highways from damage due to spring thaw.
76. A person found in contravention of section 75, a police officer may require that person to remove the load it is carrying.

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77. Definitions. In this Part,
- " Police officer" includes a mayor, game warden, reeve, sheriff, deputy sheriff, sheriff's officer, justice of the peace, jailor or keeper of a prison, and a bailiff, or other person employed for the preservation and maintenance of public peace, or for the service or execution of civil process, or any officer appointed for enforcing or carrying out the provisions of the By-Law.
78. Police officer may secure possession of a suspended driver's license. Where by or under this By-Law a driver's license is suspended and the person to whom the suspension applies refuses or fails to surrender his or her license to the Regie L'Assurance Automobile du Quebec forthwith, any police officer may take possession of the license and return it to the Regie and the Regie may direct any police officer to take possession of the license and return it to the Regie L'Assurance Automobile du Quebec.
- 78.1 Penalty. Every person who fails or refuses to surrender his or her driver's license when required by a police officer under section 78 is guilty of an offence and liable to a fine of \$100.00

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79. (1) Power of Police officer to stop vehicle. A Police officer in the lawful execution of his or her duties and responsibilities, may require the driver of a motor vehicle to stop and the driver of a motor vehicle, when signalled or requested to stop by a Police officer who is readily identifiable as such, shall immediately come to a safe stop.
- (2) Penalty. Every person who contravenes subsection (1) is guilty of an offence and liable to a fine of \$500.00.
80. (1) Abandoned or unplatd vehicles. A Police officer or an officer appointed for carrying out the provisions of this By-Law who discovers a vehicle apparently abandoned on or near a highway or a motor vehicle or trailer without proper number plates may take the vehicle into the custody of the law and may cause it to be taken to and stored in a suitable place.
- (2) Costs for storage. All costs and charges for removal, care or storage of a vehicle taken or stored will be the owner of the vehicle's responsibility.
81. Obstruction prohibited. No person shall obstruct any officer from doing anything that he or she is authorized by in section 80. Any person contravening this section is liable to a fine of \$300.00

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83. Improper number plate.

- (b)a permit carried by a driver of a motor vehicle,
 - (i) was not authorized under this By-Law in respect of the motor vehicle,
 - (ii) was obtained by false pretences, or
 - (iii) has been defaced or altered,

the officer may take possession of the number plate, or permit and retain it until the facts have been determined.

84. Seizing licence. Any police officer who has reason to believe that any person has on his possession a driver's license referred to in Part III, Section 10, may take possession of the licence thereof and, where the officer does so, shall forward it to the Régie L'Assurance Automobile du Quebec upon disposition of the case.

85. 48 hour notices. A police officer who find any person in contravention of Parts II, III, and VII,

- (a) May issue a 48 hour notice to the person found in contravention, requiring that person to fix his or her motor vehicle or vehicle who is in contravention of Part VII, and to bring his or her motor vehicle or vehicle to the Eagle Village Police for verification.
- (b) May issue a 48 hour notice to a person found in contravention of Parts II, or III, requiring that person to bring his or her driver's license, registration for motor vehicle, and proof of insurance for verification by the Eagle Village Police.

Failure to get the 48 hour notice verified, will result has an infraction to the contravened section.