

## RIVER DESERT BAND

By-Law No. 3

By-Law respecting the regulation of traffic on the Maniwaki Reserve No. 18.

WHEREAS section 81(6) of the Indian Act 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 River Desert Band is of the opinion, for the welfare and safety of the members of the Band, that the traffic should be regulated on the Reserve;

THEREFORE, the Council of the River Desert Band in the Province of Quebec enacts the following as by-law no. 3 of the River Desert Band:

SECTION 1: DEFINITIONS

For interpretation of the present by-law, unless otherwise expressed, the following words and expressions:

- 1) "Competent authority" means the Band Council, a peace officer of the Amerindian Police Service, or all other persons legally authorized by the Band Council.
- 2) "Police Chief" means the supervisor of the Amerindian Police Service on the River Desert Indian reserve.
- 3) "Policeman" means a member of the Amerindian Police Service.
- 4) "Reserve" means the River Desert Indian Reserve No. 18.
- 5) "Vehicle or motor vehicle" signifies all vehicles powered by other than muscular force and adapted for transportation on public roadways, however, not on rails. It includes as private vehicles, farm vehicles, business vehicles and motorcycles and as public vehicles, buses, taxis, delivery vehicles and emergency vehicles.
- 6) "Emergency vehicles" means a vehicle identified as a Police, Fire, Ambulance or civil protection vehicle.
- 7) "Public roadway, street, road" means a roadway, street or trail open to public circulation.

SECTION 2: ENFORCEMENT OF THE REGULATION

The Police Chief is responsible for the enforcement of the present regulation.

### SECTION 3: SPECIAL POWERS

The Police Chief is authorized to limit, prohibit or detour circulation of vehicles when road work is being effected, including snow removal and all other necessary reasons, and is authorized also to install the necessary signalization.

### SECTION 4: EMERGENCY POWERS

The Police Chief may, in an emergency or exceptional circumstances, take all necessary measures, including the towing of vehicles, notwithstanding the provisions of the present regulation.

### SECTION 5: TOWING ON WORK SITES

The Police Chief is authorized to remove or to tow all vehicles illegally parked if they hinder work performed by the Band Council.

### SECTION 6: TRAFFIC SIGNALS

The Police Chief is authorized to have installed, to relocate or to remove traffic signals in all places determined by the Band Council.

### SECTION 7: SPECIAL POWERS - FIREMEN

Firemen are authorized to direct traffic on the scene or in proximity of a fire.

### SECTION 8:

All persons so designated by the competent authority may direct the traffic on a work site on behalf of the Band Council.

### SECTION 9:

The owner of a vehicle circulating within the limits of the Reserve must have a valid driver's permit and valid vehicle registration issued by the Bureau of Motor Vehicles, Ministry of Transport, Province of Quebec.

### SECTION 10:

The owner and driver operating a motor vehicle, excluding a snowmobile, within the limits of the Reserve must carry with them their driver's permit and vehicle registration.

### SECTION 11:

Any vehicle, excluding a snowmobile, circulating within the limits of the Reserve must be equipped with vehicle identification plate (s) for the current year, issued by the Bureau of Motor Vehicles, Ministry of Transport, Province of Quebec.

- C I R C U L A T I O N -

SECTION 12:

Every person must conform with traffic signals installed by the competent authority, unless order otherwise.

SECTION 13:

Every person must conform to traffic signals and to hand traffic signals given by a policeman.

SECTION 14:

A pedestrian must conform to traffic signals as does the operator of a motor vehicle, unless special signals are emplaced for pedestrian, in which case he shall conform exclusively to these signals.

SECTION 15: EMERGENCY VEHICLES

The operator of an emergency vehicle must not use emergency audible (siren) or light (flashers) signals except in an emergency situation.

SECTION 16:

The operator of a motor vehicle must give right of way to an emergency vehicle when same is using emergency audible or light signals; he must immobilize his vehicle if necessary.

SECTION 17: SCHOOL BUS

Any motor vehicle specially used on the Reserve for the transportation of school children must be equipped with warning signals which the operator must set in action until the children are in security in the vehicle or off the roadway, and such vehicle must bear the words "SCHOOL BUS" visible from the front and the rear of the vehicle.

SECTION 18:

It is forbidden, while driving a motor vehicle, to pass or intersect a motor vehicle used for the transportation of school children, properly identified and immobilized for the boarding or unboarding of students, when the warning signals are in operation.

SECTION 19: BICYCLES

The operator of a bicycle must circulate on the public roadway, as close as possible to the right curb.

SECTION 29:

It is forbidden to cross a public roadway except in a straight line and only after having assured oneself that the manoeuvre can be made without danger.

SECTION 30:

It is forbidden to the operator and passenger on a snowmobile to circulate without a protective helmet.

SECTION 31:

It is forbidden to operate a snowmobile in areas legally posted as prohibiting access to snowmobiles.

SECTION 32: TRAILERS

Any trailer attached to a vehicle must be equipped with signal lights at the rear. However, a Band member using a trailer to haul wood in and from the Reserve forest is not subject to the present requirement.

SECTION 33:

It is forbidden to operate a vehicle that is more than seven feet, eleven inches (7' 11") wide in- less having first obtained permission from the Chief of Police of the Reserve.

SECTION 34:

Any protrusion of more than three (3) feet in length from a vehicle must bear a red flag of at least one (1) square foot during the day and equipped with a red light in good working order one (1) hour after sunset to one (1) hour before sunrise.

SECTION 35: PEDESTRIANS

A pedestrian crossing a public roadway must use the pedestrian cross-walk, or cross at right angle to the roadway if there is no cross-walk.

SECTION 36:

A pedestrian must walk on the sidewalk; a pedestrian may walk on the public roadway if there is no sidewalk, making sure to walk at the extreme left of the roadway in a way to face oncoming traffic.

SECTION 20:

It is forbidden to ride a bicycle between 9 PM and 6 AM within the limits of the Reserve unless the bicycle is equipped with a fixed headlight and a red rear fender reflector. It is forbidden for the operator of a bicycle to transport any other person, unless this bicycle is equipped with a permanently fixed seat for this purpose.

SECTION 21:

It is forbidden to operate two or more bicycles side by side on a public roadway; they must follow one behind the other.

SECTION 22: MOTORCYCLES

The operator of a motorcycle must circulate on public roadways, as close as possible to the right curb.

SECTION 23:

It is forbidden to operate two or more motorcycles side by side on a public roadway; they must follow behind the other.

SECTION 24:

It is forbidden to the operator of a motorcycle to transport any other person, unless his motorcycle is equipped with a permanently fixed seat for this purpose.

SECTION 25:

It is forbidden to the operator and passenger on a motorcycle to circulate without a protective helmet.

SECTION 26:

The operator of a motorcycle shall obey all traffic signs, including those prohibiting access to motorcycles.

SECTION 27: SNOWMOBILES

It is forbidden to operate a snowmobile on public roadway.

SECTION 28:

It is forbidden to operate a snowmobile on property legally allotted to a Band member, unless having first obtained permission.

#### SECTION 37: INTERSECTION WITH ONE OR MORE STOP SIGNS

Faced with a stop sign situated at an intersection where there are one or more stop signs, the operator must immobilize his vehicle and give the right of way to vehicles circulating on the street without a stop sign.

#### SECTION 38: TEMPORARY SIGNALS

The operator of a vehicle must respect in the same way temporary stop signals as he does permanent stop signals.

#### SECTION 39: YIELD

Arriving at a yield sign, the operator of a motor vehicle must slow down and give priority to traffic circulating on the main roadway onto which he intends to proceed.

#### SECTION 40: PASSING

The operator of a vehicle who wishes to pass another vehicle must do so by the left, indicating his intention to do so prior to changing lane, and proceed to pass only when there is no risk of collision.

Passing another vehicle on the right is permitted only when the vehicle being passed is turning left and if the manoeuvre may be done without going off the roadway.

#### SECTION 41:

It is forbidden to cross a single or double solid line, except to pass a farm tractor, a bicycle, an animal driven vehicle or a pedestrian, inasmuch as the manoeuvre may be made safely.

#### SECTION 42:

The operator of a motor vehicle may pass another vehicle or change lanes by crossing an interrupted line, but only after having assured himself that the manoeuvre may be made without risk of accident and having indicated his intention to pass.

#### SECTION 43:

On a roadway which is divided by a median or otherwise divided, the operator of a motor vehicle is required to circulate in the right lane and may not cross the median except in places so designated.

#### SECTION 44:

The operator of a motor vehicle following another vehicle must do so at a safe distance, bearing in mind the speed and density of the traffic and the condition of the roadway.

SECTION 45:

The operator of a motor vehicle may not back up unless he is sure that this manoeuvre may be performed without risk and in a way as to not interfere with normal traffic.

SECTION 46:

The operator of a motor vehicle who is about to leave a lane or private entrance onto a public roadway must yield the right of way to all vehicles circulating on this roadway.

SECTION 47:

The operator of a motor vehicle wishing to make a right hand turn must first indicate his intention and make sure that this manoeuvre can be made without risk of an accident.

SECTION 48:

Near an intersection the operator of a motor vehicle wishing to make a left hand turn must yield the right of way to all vehicles heading in the opposite direction into the intersection unless such vehicles are so far away that the turn may be completely executed without any risk of danger or collision.

- S P E E D -

SECTION 49:

All speeds and dangerous actions susceptible to endanger public security, life or property, are prohibited on the roadways of the Reserve. It is strictly forbidden to drive at a speed exceeding the limit set and posted by the competent authority.

SECTION 50:

Unless for security measures, it is forbidden to drive a motor vehicle at such a slow speed as to hinder or hold up the normal traffic.

SECTION 51:

When the pavement is wet, the operator of a vehicle must reduce speed so as not to splash pedestrians.

- P A R K I N G A N D S T O P P I N G -

SECTION 52:

It is forbidden for the operator of a vehicle to park or to stop his vehicle so as to obstruct or hinder traffic. It is also forbidden to park or stop in areas legally posted as prohibiting parking or stopping.

SECTION 53:

On two way streets where parallel parking is permitted, the operator of a motor vehicle must park on the right hand side of the street, in the direction of the traffic with the right wheels of the vehicle within twelve (12") inches of the curb.

When the pavement is marked, he must park the vehicle between the marks unless he is driving a truck or a bus.

SECTION 54:

In a sloped street, it is forbidden to park one's vehicle with the motor running, without having applied the parking brake and having turned the wheels towards the curb.

SECTION 55:

In an emergency situation, any policeman is authorized to move, have moved or to tow any vehicle stopped or parked contrary to the provisions of the present regulation.

- V A R I O U S P R O V I S I O N S -

SECTION 56:

It is forbidden for any person to be found on the running board or any other exterior part of a motor vehicle while in motion or to tolerate any such practice. This provision do not apply to a person who, in the exercise of his duties, must ride on the outside of a motor vehicle which is especially equipped for such purpose.

SECTION 57:

It is forbidden to circulate on the public roadway with skis, roller skates, ice skates, scooters, tricycles, wagons, with a toy or any other similar means of transportation.

SECTION 58:

It is forbidden to temporarily leave the roadway with a motor vehicle if the manoeuvre is intended to avoid obeying a traffic signal.

SECTION 59:

It is forbidden for the operator of a motor vehicle to hinder the circulation of a convoy of vehicles whose lights are on.



SECTION 60:

It is forbidden for the operator of a motor vehicle to drive over a non-protected fire hose located in a driveway or in a street, unless otherwise advised by a policeman or fireman.

SECTION 61:

It is forbidden for an operator to use his vehicle in a noisy fashion by spinning his tires on the pavement either on a start or through rapid acceleration or by sudden unjustified braking or by racing one's motor in neutral.

SECTION 62:

It is forbidden to drive a motor vehicle with a defective muffler.

SECTION 63:

It is forbidden to drive a vehicle equipped with exterior loud speakers for advertising purposes unless having first obtained permission from the Band Council.

SECTION 64:

It is forbidden to operate a vehicle which drops mud, earth, stones or any other materials or objects.

SECTION 65:

It is forbidden to dump or permit to be dumped, on a sidewalk, on a street, on a pedestrian crosswalk or in a public place, snow, ice, dirt, gravel, sand and all forms of refuse unless having first obtained permission to this effect from the Band Council.

SECTION 66: PASSENGERS

Being more than three (3) persons in the front seat of a motor vehicle is forbidden.

SECTION 67:

It is forbidden to open the door of a motor vehicle on the side adjacent to traffic, unless this manoeuvre may be completed without danger.

SECTION 68:

It is forbidden to open the door of a vehicle while in motion.

SECTION 69:

It is forbidden for a person to cling to a moving vehicle on a public roadway.

SECTION 70:

It is forbidden to forcibly obtain a ride from the driver of a vehicle.

SECTION 71:

It is forbidden for a person who is neither the operator, the owner or the occupant of a vehicle to remove any traffic violation placed on the vehicle by a Policeman.

SECTION 72:

Whoever contravenes to the provisions of the present regulation commits an offense and is subject to a fine which will be a minimum of \$30.00 and a maximum of \$ 100.00 or to imprisonment of not more than 30 days or to both.

J.G. Whiteduck ..... August 24, 1981  
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CHIEF DATE

Patrick Dumont ..... August 24, 1981  
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COUNCILLOR DATE

Pauline Decontie ..... August 24, 1981  
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COUNCILLOR DATE

Albert Tenasco Sr. .... August 24, 1981  
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COUNCILLOR DATE

Albert Tenasco Jr. .... August 24, 1981  
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COUNCILLOR DATE

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SECTION 72:

Whoever contravenes to the provisions of the present regulation commits an offense and is subject to a fine which will be a minimum of \$ 30.00 and a maximum of \$ 100.00 or to imprisonment of not more than 30 days or to both.

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CHIEF

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