



KITIGAN ZIBI ANISHINABEG

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May 23, 2011

Marie-Eve Martel
Acting Manager
Bt-laws Advisory Services Unit
Indian and Northern Affairs Canada
10 Wellington
18-A Floor
Gatineau, Qc K1A 0H4

Subject: Kitigan Zibi Anishinabeg Highway Safety By-law # 16

Dear Ms. Martel,

Attached please find KZA Highway Safety By-law # 16 which was adopted by the Band Council through BCR # 8 on Friday May 20th, 2011(attached) and which comes to repeal By-law # 10.

Please forward two (2) section 86 certified copies of the by-law to my attention at:

Kitigan Zibi Anishinabeg
Att: Chief Gilbert W. Whiteduck
P.O Box 309
Maniwaki, Quebec
J9E 3C9

Thank you for your prompt attention to this matter.

Sincerely,

Chief Gilbert W. Whiteduck
Kitigan Zibi Anishinabeg

MAY 26 2011

**BY-LAW N^o 16
OF KITIGAN ZIBI ANISHINABEG
A BY-LAW FOR HIGHWAY SAFETY**

**BEING A BY-LAW TO REPEAL
AND REPLACE BY-LAW N^o 10**

WHEREAS the Council of the Kitigan Zibi Anishinabeg First Nation desires to make a by-law governing Highway Safety with respect to any matter arising out of or ancillary to the exercise of powers under section 81, and for the imposition of a penalty for a violation thereof;

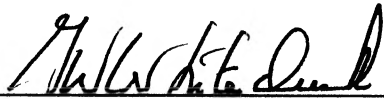
AND WHEREAS the Council of the Kitigan Zibi Anishinabeg First Nation is empowered to make such by-law pursuant to paragraphs 81 (1)(d), (q) and (r) of the *Indian Act*;

AND WHEREAS it is considered to be expedient and necessary for the benefit, comfort and safety of the inhabitants of the Kitigan Zibi Anishinabeg First Nation to provide for Highway Safety on the reserve;

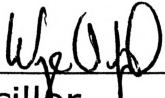
AND WHEREAS the Council of the Kitigan Zibi Anishinabeg First Nation did enact By-Law N^o 10 on the 22nd day of February, 1987, and wishes to repeal the said By-Law N^o. 10 and replace it with this by-law;

NOW THEREFORE the Council of the Kitigan Zibi Anishinabeg First Nation hereby makes the following by-law:

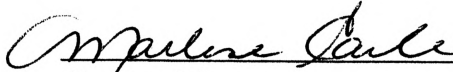
Approved and passed at a duly convened meeting of the Council of the Kitigan Zibi Anishinabeg First Nation this 13th day of May, 2011.



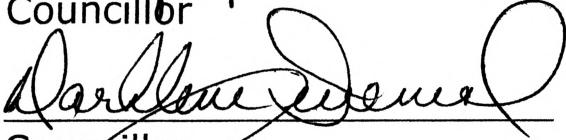
Chief, Kitigan Zibi Anishinabeg



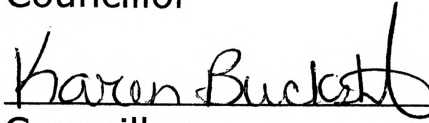
Councillor



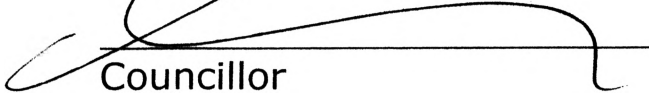
Councillor



Councillor



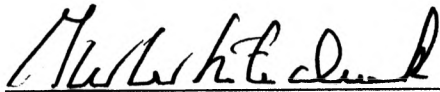
Councillor



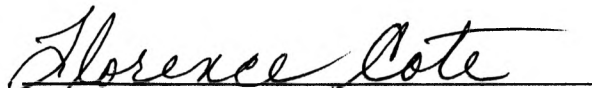
Councillor

The quorum is set at: four (4)

I, Gilbert W. Whiteduck, Chief of the Kitigan Zibi Anishinabeg First Nation do hereby certify that an original of the foregoing By-Law N° 16 was mailed to the Minister of Indian Affairs pursuant to section 82, ss (i) of the *Indian Act*, this 13th day of May, 2011.



Chief



Witness

KITIGAN ZIBI ANISHINABEG FIRST NATION

HIGHWAY SAFETY BY-LAW _____16_____

TITLE 1 – SCOPE AND DEFINITIONS

Scope.

1. This By-law governs the law of traffic, the use of vehicles and vehicular traffic on the Kitigan Zibi First Nation Reserve.

Rules.

It establishes the rules relating to road safety and the control of transportation of persons and goods on the Kitigan Zibi First Nation Reserve.

Applicability.

2. The provisions of this By-law apply to the owner of a road vehicle and also apply to every person who acquires or possesses a road vehicle under a title involving a condition or a term giving him the right to become owner thereof, or under a title giving him the right to use it as owner thereof charged to deliver over.

Applicability.

They also apply to every person who leases a road vehicle for a period of not less than one year.

Liability.

3. The person in whose name a road vehicle is registered is responsible for any offence imputable to the owner pursuant to this By-law.

Definitions

4. In this By-law, unless the context indicates otherwise:

"Community";

"Community" means the Kitigan Zibi Anishinabeg First Nation community;

"Council";

"Council" means Kitigan Zibi Anishinabeg First Nation Chief and Council;

"Dealer";

"Dealer" means a person who acquires road vehicles for trading purposes;

"Farmer";

"Farmer" means a person who is the owner or the lessee of a farm and, whose principal activity is agriculture, or an agricultural cooperative whose object is the use of agricultural equipment by its members;

"Identification sticker"

"Identification sticker" means any sticker accepted by the Council providing a road access or a parking privilege;

"Intersection";

"Intersection" means the area embraced within the prolongation or connections of the lateral boundary lines of two or more roads that join one another at an angle, whether or not one road crosses the other;

"Peace officer";

"Peace officer" means a Kitigan Zibi Anishinabeg Police officer or any officer appointed by the Kitigan Zibi Anishinabeg First Nation Council;

"Person responsible for the maintenance of roads"

"Person responsible for the maintenance of roads" means the Kitigan Zibi Anishinabeg First Nation Community Services Director;

"Reserve";

"Reserve" means the Kitigan Zibi Anishinabeg First Nation Reserve;
"Road";

"Road" includes any roadway, driveway, street, lane or other place open to the public for the passage of vehicles:

"road vehicle";

"Road vehicle" means a vehicle that can be driven on a road, other than a vehicle that runs only on rails, or an electrically propelled wheelchair; a trailer, a semi-trailer or a detachable axle is defined as a road vehicle, and more specifically:

a) *"bus";*

"bus" means a vehicle, other than a minibus, designed for the transportation of more than nine occupants at a time and used mainly for that purpose or equipped with devices to secure wheelchairs against movement;

b) *"combination of road vehicles";*

"combination of road vehicles" means a combination of vehicles consisting of a motorized road vehicle drawing a trailer, a semi-trailer or a detachable axle;

c) *"commercial vehicle";*

"commercial vehicle" means a vehicle mainly used for the transportation of property;

d) *"emergency vehicle"*

"emergency vehicle" means a road vehicle used as a police car, a road vehicle used as an ambulance or a fire department road vehicle.

e) *"heavy vehicle";*

"heavy vehicle" means a heavy vehicle within the meaning of this By-Law respecting owners, operators and drivers of heavy vehicles;

f) *"minibus"*;

"minibus" means a vehicle having two axles with single wheels and equipped with not more than five rows of seats for the transportation of more than nine occupants at a time, or equipped with devices to secure wheelchairs against movement;

g) *"moped"*;

"moped" means a passenger vehicle having two or three wheels and a maximum speed of 70 km/h, equipped with an electric motor or a motor having a piston displacement of not more than 50 cm³ and with an automatic transmission;

h) *"motorcycle"*;

"motorcycle" means a passenger vehicle, other than a power-assisted bicycle, having two or three wheels that has at least one characteristic different from the characteristics of a moped;

i) *"vehicle"*;

"vehicle" means any wagon, cart, motor car, motor truck, trailer, motorcycle, traction engine, tractor, road-making machinery or other conveyance that is driver, propelled or drawn by any kind of power;

j) *"passenger vehicle"*;

"passenger vehicle" means a vehicle designed for the transportation of not more than nine occupants at a time;

k) *"power-assisted bicycle"*;

"power-assisted bicycle" means a bicycle that has an electric motor;

l) *"taxi"*;

"taxi" means a vehicle operated for transportation of people as a service in accordance with the law in force in the Province of Québec;

m) *"tool vehicle"*;

"tool vehicle" means a road vehicle, other than a vehicle mounted on a truck chassis, manufactured to perform work and the work station of which is an integral part of the driver's compartment. For the purposes of this definition, a truck chassis is a frame equipped with all the mechanical components required on a road vehicle designed for the transportation of persons, goods or equipment;

n) *"tow truck"*.

"tow truck" means a vehicle equipped to lift and tow a road vehicle or to load a road vehicle onto its platform.

"limited access road"

"limited access road" means a road that may be entered or left only at the specially provided entrances or exits.

"Private property"

"Private property" means land on the Reserve which is held under a certificate of possession by a member of Kitigan Zibi Anishinabeg.

"Private road"

"Private road" means road on a private property.

"société"

"Société" means La Société de l'assurance-automobile du Québec.

"person".

5. For the purposes of this By-law, the word "person" also includes a partnership.

Care or control of vehicle.

6. For the purpose of this By-law, a person is deemed to have the care or control of a road vehicle when that person occupies the seat or position ordinarily occupied by the driver in circumstances in which it may be believed that there is a risk of the person setting the vehicle in motion.

Examination by officer.

7. The person driving or having the care or control of a road vehicle must remit for examination to a Peace officer, the registration certificate of the vehicle or a copy of it and the certificate of insurance.

TITLE II – LICENSES TO DRIVE ROAD VEHICLES

Bodily injury.

8. If a person has sustained bodily injury during an accident, the driver of a road vehicle involved in the accident must call for a Peace Officer.

TITLE III – PROHIBITIONS ON DRIVING A ROAD VEHICLE

CHAPTER 1

9. The prohibitions provided in the present Title are intended to safeguard the roads on the Reserve.

Applicability.

10. The present Title is applicable to persons driving or having the care or the control of a road vehicle on the Reserve.

TITLE IV – PROVISIONS RESPECTING VEHICLE DEVICES

CHAPTER 1- LIGHTS AND LAMPS

11. Every vehicle, other than a motorcycle or a moped, must carry at least

(1) two single or double white headlights, at the same height, one on each side of the vertical centerline and as far apart as practicable;

(2) two amber or white parking lights, on the front, at the same height, one on each side of the vertical centerline and as far apart as practicable;

(3) two red parking lights, at the rear, at the same height, one on each side of the vertical centerline and as far apart as practicable;

(4) two red reflectors at the rear, at the same height, one on each side of the vertical centerline and as far apart as practicable;

(5) two red stop lights, at the rear, at the same height, one on each side of the vertical centerline and as far apart as practicable;

(6) two amber or white turn-signal lights, on the front, at the same height, one on each side of the vertical centerline and as far apart as practicable;

(7) two red or amber turn-signal lights, at the rear, at the same height, one on each side of the vertical centerline and as far apart as practicable;

(8) one amber side marker lamp and one amber side reflector on each side, as far forward as practicable;

(9) one red side marker lamp and one red side reflector on each side, as far to the rear as practicable;

(10) a white back-up light at the rear;

(11) a white light illuminating the rear registration plate.

Combination of road vehicles.

In the case of a combination of road vehicles, the lights prescribed in subparagraphs 3, 4, 5 and 7 of the first paragraph must be mounted at the rear of the last vehicle.

Exception.

The lights referred to in subparagraph 2 of the first paragraph are not required on any vehicle exceeding 2.03 meters in width.

Excessive length.

12. Any vehicle measuring 9.1 meters or more in length must carry an amber side marker lamp and an amber side reflector on each side, midway between the front and rear side marker lamps.

Wide vehicles.

13. In addition to the lights prescribed in section 11, every vehicle, other than a passenger vehicle or a taxi, or every combination of road vehicles measuring at any point more than 2.03 meters in width must carry,

(1) on the front, two amber clearance lights, at the same height and not more than 150 mm from the upper right and left extremities of the vehicle;

(2) at the rear, two red clearance lights, not more than 150 mm from the upper right and left extremities of the vehicle;

(3) on the front, three amber identification lights, grouped in a horizontal row at the centre above the windshield, and spaced not less than 150 mm nor more than 300 mm apart;

(4) at the rear, three red identification lights, grouped in a horizontal row at the centre and spaced not less than 150 mm nor more than 300 mm apart.
Exception.

Where the identification lights prescribed in subparagraph 4 of the first paragraph are mounted at the very top of the vehicle, the clearance lights prescribed in subparagraph 2 of the first paragraph need not be mounted at the prescribed height.

Exception.

14. Subparagraph 9 of the first paragraph of section 11 does not apply to a vehicle designed to pull a semi-trailer and having no load space.

Trailers or semi-trailers.

15. In addition to the lights and reflectors prescribed in sections 11 and 15, every trailer or semi-trailer must carry one red side marker lamp on each side and as far to the rear as practicable.

Side markers.

It must also carry

(1) if it measures 1.8 meters or more in length, one amber side marker lamp on each side and as far forward as practicable;

(2) if it measures 9.1 meters or more in length, one amber side marker lamp and one amber side reflector midway between the front and rear side marker lamps.

Reflective material.

16. A trailer or semi-trailer may be equipped with reflective material in accordance with the Vehicle Safety Act (Statutes of Canada, 1993, chapter 16) instead of the reflectors prescribed by this By-law.

Reflective material.

17. Except for trailers designed exclusively for dwelling or office purposes, trailers and semi-trailers measuring at least 2.05 m in width and having a net mass in excess of 3,000 kg must be equipped with reflective material in accordance with the Motor Vehicle Safety Act (Statutes of Canada, 1993, chapter 16).

Raised stop light.

18. In addition to the lights prescribed in section 11, every passenger vehicle, other than a motorcycle or a moped, and every other vehicle of the same configuration manufactured from 1 January 1987 must be equipped with a red stop light at the rear, on the vertical centerline, at the same height as or higher than the stop lights prescribed in paragraph 5 of section 11.

Fog lights.

19. The fog lights that may be mounted on a road vehicle must conform to the standards established by the law and must be on the front of the vehicle and at the same height, which must not be higher than that of the white headlights.

Back-up lights.

20. All back-up lights on a road vehicle must remain extinguished when the vehicle is moving forward.

White lights at rear.

21. The installation and use of white lights at the rear of certain classes or sub-classes of road vehicles are only allowed as according to the law.

Wide vehicles.

22. A road vehicle over 2 meters in width, operated on a road, must carry portable lamps, reflectors and flares, the standards of use of which are prescribed by the law.

Emergency vehicles.

23. Emergency vehicles may carry flashing or rotating red lights. In addition, they may carry alternately flashing white headlights in the cases and on the conditions prescribed by the law.

Police vehicles.

Police vehicles may carry blue flashing or rotating lights.

Green rotating light.

24. Only emergency vehicles designed to serve as a command and coordination post may be equipped with a green rotating light which may be used solely within the safety perimeter established by the person in charge of the emergency operation.

Service, equipment vehicles.

25. Service vehicles, equipment vehicles, vehicles used for snow removal or for road maintenance, vehicles for which the conditions of issue of a special permit so require and vehicles meeting the criteria established by the law may carry flashing or rotating amber lights.

Definition.

For the purposes of this section, "service vehicle" is a vehicle equipped to refuel, repair or tow road vehicles and an "equipment vehicle" is a vehicle used for the transportation of permanently attached equipment and provided with a load space.

Special permit.

26. No vehicle that carries a sign or signal or similar device in lieu thereof required to obtain a special permit shall be used otherwise than in connection with the special permit, unless the sign, signal or device has been removed or covered.

School buses.

27. Every bus or minibus used for the transportation of school children must be equipped with two signs bearing the inscription "Écoliers", one on the front of the vehicle, the other at the rear. It must also be equipped with flashing lights, on the front and at the rear of the vehicle and with a compulsory stop signal consisting of a retractable stop sign or a retractable arm with a stop sign.

The laws.

The lights, the signs and the compulsory stop signal prescribed in the first paragraph must conform to the the laws under the Transport Act.

Other use of vehicle.

The signs must be removed or covered when the vehicle is not being used to provide the transportation of school children.

Motorcycles.

28. Every motorcycle or moped must carry at least

- (1) one white headlight;
- (2) one red tail-light;
- (3) two white or amber turn-signal lights on the front and two red or amber turn-signal lights at the rear;
- (4) one red stop light at the rear.

Sidecar.

29. When a motorcycle is equipped with a sidecar, the sidecar must carry a red tail-light, which must be as near as practicable to the right extremity of the sidecar.

Other vehicles.

30. Every road vehicle, other than a vehicle specifically mentioned in this chapter, must carry two white headlights and two red tail-lights.

Adjustment of headlights.

31. The white headlights prescribed in this section must be firmly attached to the vehicle and be so adjusted as to produce, under normal atmospheric conditions and on a level road, sufficient light to enable the driver of the vehicle to discern a person or an object within a distance of 150 meters.

Mopeds, bicycles.

In the case of a moped, the light must enable the driver to discern a person or an object within a distance of 90 meters and in the case of a bicycle, at a distance of 10 meters.

Position of headlights.

32. Where two white headlights are mounted on a vehicle, they must be at the same height, one on each side of the vertical centerline and as far apart as practicable.

Visibility.

33. The headlights, lights and reflectors prescribed in this chapter must be visible at a distance of not less than 150 meters and conform to the standards established by the law.

Effectiveness.

They must be kept free of any obstructing matter that reduces their effectiveness.

Flashing lights.

34. No road vehicle may carry alternately flashing white headlights or flashing or rotating lights of whatever colour.

Flashing or rotating lights.

No road vehicle may carry flashing or rotating lights of another colour than the colour authorized for that vehicle in accordance with the section which applies to such a vehicle.

CHAPTER 2 - BRAKES AND BRAKE SYSTEMS DEVICES

"vehicle".

35. For the purposes of this chapter, the term "vehicle" does not include a motorcycle or moped.

Braking system.

36. Subject to sections 44 to 47, every road vehicle must be equipped with at least one braking system sufficiently powerful to stop the vehicle quickly in case of emergency and hold the vehicle stationary.

Service brake system.

37. Every vehicle or combination of road vehicles must be equipped with at least one service brake system allowing sufficient braking force to be

applied on each weight-bearing wheel to stop the vehicle quickly in case of emergency and with a parking brake system to hold the vehicle stationary.

Trailers or semi-trailers.

38. Every trailer or semi-trailer that is part of a combination of road vehicles and that has a mass, once loaded, of 1,300 kg or more or that has a mass, once loaded, of over half the net mass of the vehicle by which it is towed must be equipped with an independent braking system allowing application of a braking force on each weight-bearing wheel.

Required equipment.

The towing vehicle must carry the necessary equipment for operating the braking system of any trailer or semi-trailer referred to in the first paragraph being towed.

Exception.

This section does not apply to a combination of road vehicles consisting of trailers or semi-trailers used for agricultural purposes and belonging to a farmer, nor to farm machinery, when such vehicles are drawn by a farm tractor or by another farm vehicle if the warning sign referred to in section 70 is attached at the rear of the combination of road vehicles.

Safety device.

39. Every trailer or semi-trailer operated without an independent brake system adequate to stop the vehicle if the trailer or semi-trailer becomes separated from the tractor vehicle, must be equipped with chains, cables or any other safety device that is sufficiently solid and so installed as to ensure that the trailer or semi-trailer and the tractor vehicle remain attached in the event of a failure in the attachment devices.

Required equipment.

The towing vehicle must carry the necessary equipment for attaching the chains, cables or the safety device of any trailer or semi-trailer being towed.

Motorcycles.

40. Every motorcycle or moped must be equipped with at least two brake systems, one acting on the front wheel, the other on the rear wheel, with independent controls for each system. The system acting on the rear wheel may also act on the front wheel.

Power of system.

The brake systems must be sufficiently powerful to stop the vehicle quickly in case of emergency and to hold it stationary.

41. Every bicycle and non-motorized scooter must be equipped with at least one brake system acting on the rear wheel. The system must be sufficiently powerful to quickly block the rotation of the wheel on a paved, dry and level roadway.

Prohibited alteration.

42. No person may drive a road vehicle having a brake system that has been modified or altered in such a way as to reduce its effectiveness.

CHAPTER 3 – VARIOUS OTHER EQUIPMENT

Seat belts.

43. No person may either effect or cause the removal, alteration or putting out of service of a seat belt with which the seats of a road vehicle are equipped under the Vehicle Safety Act (Statutes of Canada, 1993, chapter 16).

Horn.

44. Every vehicle must be equipped with a horn.

Siren.

45. Only emergency vehicles may be equipped with a siren or a device producing a similar sound or a traffic-light changing device.

Anti-theft device.

The first paragraph does not apply to an anti-theft device installed and used in a road vehicle in accordance with the standards established by the law.

Use of horn.

46. No person may sound the horn of a road vehicle, except in case of necessity.

Application.

In addition to roads, this section applies to public vehicular traffic on land of the Reserve occupied for community or commercial uses and other land where public traffic is allowed.

Exhaust system.

47. Every vehicle must be equipped with an exhaust system that conforms to the standards established by the law.

Windshield wiper.

48. Every vehicle equipped with a windshield, other than a motorcycle or moped, must be equipped with a front windshield wiper and, if fitted as original equipment by the manufacturer, a front windshield washer.

Rear-view mirrors.

49. Every vehicle, other than a motorcycle or moped, must be equipped with at least two rear-view mirrors, one solidly attached to the interior of the vehicle at the centre of the upper part of the windshield, and the other, to the exterior of the vehicle on the left side.

Exterior mirror.

When the interior rear-view mirror cannot be used, another rear-view mirror must be attached to the exterior of the vehicle on the right side.

Trailer or semi-trailer.

Where the vehicle draws a trailer or a semi-trailer, rear-view mirrors must be attached so as to enable the driver to have a clear view to the back of the combination of vehicles:

(1) one rear-view mirror attached to the exterior of the vehicle on the left side if the existing rear-view mirror cannot be used; and

(2) another rear-view mirror attached to the exterior of the vehicle on the right side if the existing interior or exterior rear-view mirror on the right side cannot be used.

Special permit.

When an outsized vehicle referred to in the third paragraph is operated under a special permit, the presence of an escort vehicle behind the outsized vehicle may compensate for the absence of rear-view mirrors.

Motorcycles.

50. Every motorcycle or moped must be equipped with two rear-view mirrors, one solidly attached to each side of the vehicle.

Shatter-resistant glass.

51. The windows, windshield and safety partitions of a vehicle must be made of transparent glass so manufactured or treated as to substantially reduce friability and the likelihood of shattering.

Standards for windows.

52. The windshield and the other windows of a vehicle must conform to the standards prescribed by the law to ensure good visibility for the driver.

Visibility.

They must be free of any material that might reduce visibility for the driver.

Prohibited coating.

53. No person may coat the windshield or the front side windows of a road vehicle or cause them to be coated with a substance having the effect of reducing or preventing good visibility from inside or outside the vehicle.

Odometer, speedometer.

54. Every vehicle, other than a motorcycle with a piston displacement not in excess of 125 cc or a moped, must be equipped with an odometer and a speedometer.

Bumpers.

55. Where a road vehicle is equipped with bumpers as original equipment by the manufacturer, they must be solidly attached to the part of the vehicle designed for that purpose.

Tires.

56. Every road vehicle must be fitted with tires that conform to the standards prescribed by the law.

Mudguards.

57. With the exception of farm tractors and of farm machines not equipped with mudguards as original equipment by the manufacturer, every vehicle or combination of road vehicles if not fitted with permanent mudguards or if fitted with permanent mudguards that are narrower than the tread of the tires or the bottom edge of the rear portion of which is 350 mm or more from the ground when the vehicle is not loaded, must be equipped with detachable mudguards of resistant material and at least as wide as the tread of the tires.

Exception.

58. A tractor truck is not required to be fitted with detachable mudguards if it is drawing a trailer or semi-trailer providing adequate protection against material being thrown towards the rear.

Detachable mudguards.

59. The lower end of the detachable mudguards must not be more than 350 mm from the ground, measured when the vehicle is not loaded.

Slow vehicles.

60. Every road vehicle built to be driven at a speed of less than 40 km/h as well as every animal-drawn vehicle must carry a warning sign in accordance with the standards prescribed by the law.

Erection of signs.

61. No person, except the person responsible for the maintenance of a road, may erect signs or signals or cause signs or signals to be erected on that road or use a traffic sign on a road vehicle other than a police or officer of the peace's vehicle.

Unauthorized signs.

62. No person may, except with the authorization of the person responsible for the maintenance of a road, erect any signal, sign, indication or device on that road.

Removal.

63. The person responsible for the maintenance of the road may, at the expense of the contravener, remove any object erected in contravention of section 62.

Signs on private property.

64. No person may erect or display on a private property any signal, sign, indication or device that encroaches upon a road or that could create confusion or obstruct any sign erected on a road.

Notice to owner.

65. The person responsible for the maintenance of a road may, if he believes on reasonable grounds that a signal, sign, indication or device is erected or displayed on private property in contravention of section 64, issue a notice to the owner requiring him to remove any such object within 48 hours.

Removal.

If the contravener fails to comply with such a notice, the person responsible for the maintenance of roads may enter upon the private property and remove such object.

Private road.

66. Every sign or signal erected on a road open to public vehicular traffic or on land of the Reserve occupied for community or commercial uses where public traffic is allowed must conform to the requirements or specifications prescribed, from time to time, by resolution of KZA Council.

Notice to contravener.

67. The person responsible for the maintenance of roads who believes on reasonable grounds that an offence against the said section is being committed, may issue a notice to the contravener requiring him to remove any contravening sign or signal within 48 hours.

Removal.

If the contravener fails to comply with such a notice, the person responsible for the maintenance of roads may remove the sign or signal.

Compliance.

68. Every person must comply with every road or traffic sign or signal erected under this By-law.

Directions by person.

69. Where traffic is directed by a Peace officer, a school crossing guard or a flag man in charge of directing traffic around or about work sites, every person shall obey his orders or signals even if contrary to existing traffic signs or signals.

By-passing of signals.

70. No person may drive on private property to avoid compliance with a traffic sign or signal.

TITLE V - RULES OF THE ROAD

CHAPTER 1 - INTERPRETATION

"limited access road".

71. For the purposes of this Title, unless the context indicates otherwise, the term "limited access road" is a road that may be entered or left only at specially provided entrances or exits.

Interpretation.

In addition, for the purposes of this Title, a scooter other than a motorized scooter and an adult's tricycle shall be considered as bicycles.

CHAPTER 2 - GENERAL PROVISIONS RESPECTING VEHICULAR TRAFFIC

Division 1: DRIVING RULES

1) Lanes

Driving lane.

72. On a two-way roadway, the driver of a road vehicle must use the right-hand lane of the roadway.

Passing.

To pass another vehicle or where the lane is obstructed or closed to traffic, the driver may use the other lane but he must then yield the right of way to the vehicle moving in the opposite direction.

Driving lane.

73. On a two-way roadway with two lanes or over, the driver of a road vehicle must use the right-hand lane of the roadway.

Passing.

To pass another vehicle, to turn left or where the right-hand lane is obstructed or closed to traffic, the driver may use another lane in the direction his vehicle is moving.

Lane in opposite direction.

Where all the lanes in the direction in which the vehicle is moving are obstructed or closed to traffic, the driver may use the nearest lane in the opposite direction that is not obstructed or closed to traffic, but he must then yield the right of way to any vehicle moving in the opposite direction.

Centre lane.

74. On a two-way roadway divided into three traffic lanes, where the centre lane is used in either direction, the driver of a road vehicle must use the right-hand lane. He may use the centre lane only for passing or for making left turns.

Centre lane.

75. On a two-way roadway divided into five traffic lanes, where the centre lane is used in either direction, the driver of a road vehicle must use either of the two right-hand lanes. He may use the centre lane only for making left turns.

Driving lane.

76. On a one-way roadway with two lanes, the driver of a road vehicle shall use the right-hand lane.

Driving lanes.

On a one-way roadway with three lanes or over, the driver must use one of the right-hand lanes.

Left-hand lane

To pass another vehicle, to turn left, to enter an exit ramp on a limited access road or where the lane he is using is obstructed or closed to traffic, the driver may use the lane closest to the left-hand side.

Left-hand lane.

The driver of a road vehicle used for snow removal or road maintenance may also use the left-hand lane when performing his duties.

Speed limit less than 80 km/h.

77. Notwithstanding section 76, where the speed limit is less than 80 km/h the driver of a road vehicle may use any of the lanes. In such a case, road vehicles moving faster in one lane than in another are not considered to be passing.

Low speed.

The driver of a road vehicle proceeding at less than the normal speed of traffic must drive in the right-hand lane closest to the edge of the roadway, unless he is about to turn left, to park or to stop on the left-hand side and has signaled his intention.

Median strip.

78. On a road where the roadways are separated by a median strip or any other separation, the driver of a road vehicle shall not cross the separation except at the places laid out for that purpose and not before he has ascertained that he can do so in safety.

Lanes.

79. The driver of a road vehicle shall not cross any of the following lines marking off lanes:

- (1) a solid single line;
- (2) a solid double line;
- (3) a double line consisting of a broken line and a solid line, the latter being adjacent to the lane in which the road vehicle is moving.

Exception.

In addition to the exceptions provided for in sections 95 and 130, the first paragraph does not apply where the driver must leave the lane he is using because it is obstructed or closed to traffic, or in order to make a left turn towards another road or a private entry; the driver must however assure himself he can do so in safety.

2) *Speed limits and distance between vehicles*

Unsafe speed.

80. Any rate of speed or any action that can endanger human life and safety or property is prohibited.

Application.

In addition to roads, this section also applies to public vehicular traffic as well as on land occupied for community or commercial uses and other land where public traffic is allowed.

Speed limits.

81. The prescribed speed limit relating to the Reserve roads and land where public traffic is allowed and used for community or commercial uses are determined by resolution of the Kitigan Zibi Anishinabeg Council.

82. Except on roads where the opposite is indicated by signs or signals and without restricting the scope of section 81 no person may drive a road vehicle at a speed

(1) of less than 60 km/h or more than 100 km/h on freeways, unless a special permit authorizing the use of an outsized vehicle requires that the vehicle be driven at a lower rate of speed;

(2) in excess of 90 km/h on roads surfaced with concrete, asphalt or a similar material;

(3) in excess of 70 km/h on gravel roads;

(4) in excess of 50 km/h in a built-up area;

(5) in excess of the maximum rate of speed authorized, according to the circumstances and the time of day, such as periods of school activity, as specified by the illuminated or non-illuminated, variable or non-variable message sign or signal that applies to that portion of the road.

Applicability.

On access roads leading to a built-up area, subparagraph 4 of the first paragraph applies when the driver reaches the sign or signal indicating the 50 km/h speed limit.

83. The driver of a road vehicle must reduce the speed of his vehicle when visibility conditions become inadequate because of darkness, fog, rain or other precipitation or when the roadway is slippery or not completely cleared.

Low speed.

84. No person may drive a road vehicle at a low speed that may impede or obstruct normal traffic, except where necessary.

Emergency lights.

In case of necessity, the driver must use the flashing emergency lights of his vehicle.

Radar warning device.

85. No person may drive a road vehicle containing a radar warning device or on which is placed any object or to which is applied any material capable of interfering in any way with the normal operation of a radar device.

Following distance.

86. The driver of a road vehicle shall not follow another vehicle more closely than is prudent and reasonable, taking account of speed, traffic density, atmospheric conditions and the condition of the roadway.

Convoy.

87. On a road where the maximum speed allowed is 70 km/h or more, the drivers of road vehicles moving in convoy shall leave sufficient space between them to allow vehicles passing them to occupy the intervening spaces in safety.

3) *Passing*

Broken line.

88. The driver of a road vehicle may cross any lane marked off by a broken line to pass or to change lanes.

Passing procedure.

89. On a two-way roadway, the driver of a road vehicle passing another vehicle must return to the right lane as soon as possible, after signaling his intention and ascertaining that he may do so without risk to the vehicle being passed.

Vehicle being passed.

90. The driver of a road vehicle being passed or about to be passed must not increase the speed of his vehicle while it is being passed.

Bicycle.

91. No driver of a road vehicle may pass a bicycle within the same traffic lane unless there is sufficient space to allow him to do so in safety.

Zigzag.

92. In no case may the driver of a road vehicle successively pass two or more vehicles in a zigzag pattern on a one-way roadway having two or more traffic lanes.

Exceptions.

93. The driver of a road vehicle may cross a line described in section 84 providing that he can do so in safety, to pass a farm tractor or other farm machine, a road vehicle carrying a slow-moving vehicle sign, a horse-drawn vehicle or a bicycle.

Use of opposite lane.

94. No driver may, to pass, use the lane reserved for traffic moving in the opposite direction

(1) when approaching the crest or at the crest of a grade or on a curve where he cannot see, at a sufficient distance, vehicles approaching from the opposite direction;

(2) in or upon, or when approaching an intersection, a level crossing, a tunnel or a pedestrian crosswalk identified as such.

Passing to the right.

95. No driver of a road vehicle may pass another vehicle to the right, except where the vehicle being passed is turning left, is about to turn left, is moving toward an exit ramp on a limited access road or is a snow removal or road maintenance vehicle doing work on the left-hand lane of a one-way roadway with two lanes or over.

Off roadway.

96. In no case may a driver passing another vehicle drive off the roadway.

Prohibited passing.

97. No driver is allowed to pass

(1) where the driver of a vehicle behind him has already signaled his intention to pass or has already begun to pass;

(2) where the visibility is insufficient to allow entry onto the other part of the roadway in safety;

(3) on a two-way roadway, where the other part of the roadway is not clear of traffic for a sufficient distance to allow him to pass and return to the right of the roadway in safety.

4) Turns

Pedestrians and cyclists.

98. The driver of a road vehicle or any person riding a bicycle who is turning at an intersection must yield the right of way to pedestrians and cyclists crossing the roadway he is about to enter.

Right of way.

99. The driver of a road vehicle or any person riding a bicycle who is about to make a left turn must yield the right of way to any vehicle moving in the opposite direction, and is so close that it constitutes a hazard.

Right turn.

100. The driver of a road vehicle who is about to turn right at an intersection must, after signaling his intention and ascertaining that he can do so in safety, move to the extreme right of the roadway or into the space reserved for that purpose by an appropriate sign, make a sharp turn and not encroach on the left or the centre of the road he is entering.

Left turn.

101. On a two-way roadway, the driver of a road vehicle who is about to turn left at the intersection of a two-way roadway must, after signaling his intention and ascertaining that he can do so in safety, approach the centre line of the roadway on which he is driving, proceed in a straight line to the near side of the roadway he is about to enter and turn left as soon as the way is clear so as to enter the right-hand part of the other roadway.

Left turn.

102. On a two-way roadway with two lanes or over, the driver of a road vehicle who is about to turn left at the intersection of a two-way roadway

with two lanes or over must, after signaling his intention and ascertaining that he can do so in safety, approach the centre line of the roadway on which he is driving, proceed in a straight line to the near side of the roadway he is about to enter and turn left as soon as the way is clear so as to enter the other roadway to the right of and as close as possible to the centre line.

Left turn.

103. On a two-way roadway, the driver of a road vehicle who is about to turn left at the intersection of a one-way roadway must, after signaling his intention and ascertaining that he can do so in safety, approach the centre line of the roadway on which he is driving, proceed in a straight line to the near side of the roadway he is about to enter and turn left as soon as the way is clear so as to enter the left-hand part of the other roadway.

Left turn.

104. On a one-way roadway, the driver of a road vehicle who is about to turn left at the intersection of a one-way roadway must, after signaling his intention and ascertaining that he can do so in safety, move to the extreme left of the roadway to the near side of the roadway he is about to enter and turn left as soon as the way is clear so as to enter the left-hand part of the other roadway.

Left turn.

105. On a one-way roadway with two lanes or over, the driver of a road vehicle who is about to turn left at an intersection must, after signaling his intention and ascertaining that he can do so in safety, move to the extreme left of the roadway or into the space reserved for that purpose identified by an appropriate sign.

Left turn.

106. On a one-way roadway, the driver of a road vehicle who is about to turn left at the intersection of a two-way roadway must, after signaling his intention and ascertaining that he can do so in safety, move to the extreme left of the roadway on which he is driving, proceed in a straight line to the near side of the roadway he is about to enter and turn left as soon as the way is clear, so as to enter the right-hand part of the other roadway.

Left turn.

107. On a one-way roadway, the driver of a road vehicle who is about to turn left at the intersection of a two-way roadway with two or more traffic lanes must, after signaling his intention and ascertaining that he can do so in safety, move to the extreme left of the roadway on which he is driving, proceed in a straight line to the near side of the roadway he is about to enter and turn left as soon as the way is clear, so as to enter the other roadway to the right of and as close as possible to the centre line.

5) *Traffic control devices*

Red light.

108. Unless otherwise directed by a sign or signal, when facing a red light, the driver of a road vehicle or any person riding a bicycle must stop his vehicle before the pedestrian crosswalk or stop-line or, if none, at the near side of the roadway he is about to cross or enter, and may proceed only when a signal shows he may do so.

Right turn on red light.

109. Notwithstanding section 108 and unless otherwise directed by a sign or signal, the driver of a road vehicle or a cyclist facing a red light may make a right turn, after stopping before the pedestrian crosswalk or the stop-line or, if none, at the near side of the roadway the driver or cyclist is about to enter and yielding the right of way to pedestrians, drivers and cyclists crossing the intersection and to road vehicles and cyclists approaching so closely that to proceed would constitute a hazard.

Flashing red light.

110. Unless otherwise directed by a sign or signal, when facing a flashing red light, the driver of a road vehicle or any person riding a bicycle must stop his vehicle and yield the right of way to a vehicle approaching on another roadway that is entering the intersection, or is so close that it constitutes a hazard.

Amber light.

111. Unless otherwise directed by a sign or signal, when facing an amber light, the driver of a road vehicle or any person riding a bicycle must stop his vehicle before the pedestrian crosswalk or stop-line or, if none, before the near side of the roadway he is about to cross, unless he has entered it or is so close to it that he could not stop in safety; he may proceed only when a signal shows he may do so.

Flashing amber light.

112. Unless otherwise directed by a sign or signal, when facing a flashing amber light, the driver of a road vehicle or any person riding a bicycle must reduce the speed of his vehicle and he may proceed only after yielding the right of way to road vehicles, cyclists and pedestrians crossing the intersection.

Green light.

113. Unless otherwise directed by a sign or signal, when facing a green light, whether flashing or not, the driver of a road vehicle or any person riding a bicycle must proceed ahead or turn left or right, after yielding the right of way to road vehicles, cyclists and pedestrians crossing the intersection.

Green arrow.

114. Unless otherwise directed by a sign or signal, when facing a green arrow, the driver of a road vehicle or any person riding a bicycle must move in the direction indicated by the arrow, after yielding the right of way to road vehicles, cyclists and pedestrians crossing the intersection.

Lane-direction signals.

115. On a roadway with two lanes or more, where lane-direction signals are installed to indicate which lanes are open to traffic, the driver of a road vehicle may drive only in the lanes above which there is a green arrow pointing downwards.

Insufficient space.

116. Even if permitted by the traffic lights, no driver of a road vehicle may enter an intersection if there is not sufficient space ahead of the vehicle to proceed without blocking the intersection; in such a case, the driver must stop his vehicle before the near side of the roadway he is about to cross.

Defective lights.

117. Where traffic lights installed at an intersection are defective or are not in operation, the driver of a road vehicle or any person riding a bicycle must act as if the intersection were regulated by stop signs for all directions, except where an adequate sign or signal replaces the traffic light.

Stop sign.

118. The driver of a road vehicle or any person riding a bicycle must stop his vehicle when facing a stop sign, and comply with section 110.

Level crossing.

At a level crossing, the driver may proceed only after ascertaining that it is safe to proceed.

Two-way stop sign.

119. At an intersection regulated by stop signs installed for only one roadway, the driver of a road vehicle or any person riding a bicycle who is facing a stop sign must stop his vehicle and yield the right of way to pedestrians and cyclists crossing the roadway he is about to cross or enter.

Four-way stop sign.

120. At an intersection regulated by stop signs for all directions, the driver of a road vehicle or any person riding a bicycle must stop his vehicle and yield the right of way to any vehicle having reached the intersection before him. He must also yield the right of way to pedestrians crossing the roadway he is about to cross or enter.

Yield sign.

121. The driver of a road vehicle or any person riding a bicycle who is facing a "yield" sign must give priority to any vehicle moving in the lane he is about to enter where the vehicle is so close that entering the lane would constitute a hazard.

6) Signalling

Turn signal.

122. The driver of a road vehicle who is about to make a turn, change lanes, make a U-turn or return to the roadway from the shoulder or a parking area must, after ascertaining that he may do so in safety, signal his intention by means of his turn-signal lights.

Manual signals.

123. The driver of a road vehicle exempt from the requirement to be equipped with turn-signal lights, or on which such lights are defective, must signal his intention by manual signals.

Right and left turns.

To make a right turn, he must extend his forearm vertically upwards outside the vehicle and to make a left turn, he must extend his arm horizontally outside the vehicle.

Manual stop signal.

124. The driver of a road vehicle exempt from the requirement to be equipped with stop lights, or on which such lights are defective, must signal his intention to stop his vehicle or to reduce its speed by extending his forearm vertically downwards outside the vehicle.

Sufficient distance.

125. In cases described in sections 122 to 124, the driver of a road vehicle must signal his intention without interruption for a sufficient distance to avoid endangering the safety of other users of the road.

Passing signal.

126. The driver of a road vehicle passing another vehicle must signal his intention by means of his turn-signal lights and may also signal his intention by flashing his headlights.

Emergency lights.

127. No person may use the flashing emergency lights of a road vehicle except for reasons of safety.

Emergency vehicles.

128. The driver of an emergency vehicle shall not operate the flashing or rotating lights, the sound producing device or the traffic-light changing device referred to in section 45 with which his vehicle is equipped except in the performance of his duties and if required by the circumstances.

Exceptions.

In such a case, the driver is not bound to comply with the provisions of section 68, the first paragraph of section 79, or of sections 82, 92, 95, 96, 108, 110, 114, 115, 117, 118, 121, 130 to 134 and 136.

Flashing lights.

129. The driver of a road vehicle shall not operate the flashing or rotating amber lights with which his vehicle is equipped except in the performance of his duties and if so required by the circumstances.

7) STOPPING

Unattended vehicle.

130. No person may leave unattended a road vehicle that is in his custody without previously removing the ignition key and locking the doors.

Provisions applicable.

131. In addition, section 130 also applies on roads open to public vehicular traffic, as well as on land on the Reserve occupied or used for community or commercial uses and other land where public traffic is allowed.

Obstruction by vehicle.

132. Except in case of necessity, no person may stop a road vehicle in such a manner that it will block a sign or signal, obstruct traffic, hinder the performance of work or the maintenance of roads or prevent access to any property.

Parking.

133. Unless otherwise indicated by the person responsible for the maintenance of a road, a road vehicle must be parked not more than 30 centimeters from the near edge of the roadway and facing the same way as the traffic.

Emergency brake.

Where a road vehicle is parked on a slope, the emergency brake must be applied and the front wheels must be turned so that if such vehicle moves ahead of its own momentum, it will do so toward the near edge of the roadway.

Motorcycles.

Notwithstanding the foregoing, a motorcycle or moped may be angle-parked against the near edge of the roadway, in the same direction as the traffic, so that if the vehicle moves of its own momentum it will do so toward the near edge of the roadway.

Stopping prohibited.

134. No person may stop a road vehicle on the roadway of a road where the maximum speed allowed is 30 km/h or more, unless in a case of necessity or when authorized to do so by signs or signals.

Emergency stopping at night.

135. If the driver of a road vehicle stops his vehicle at night on a roadway out of necessity, the driver must keep his parking lights or flashing emergency lights on, or signal the presence of his vehicle by means of lamps, reflectors or flares visible from not less than 150 meters and used in accordance with the norms prescribed by the law.

Prohibited stopping.

136. Except in cases of necessity or where another provision of this By-law permits it, no person may stop a road vehicle

- (1) on a sidewalk or the median strip of a roadway;
- (2) less than 5 meters from a fire hydrant or a stop sign;
- (3) less than 5 meters from a police or fire station, or less than 8 meters from such a building and on the opposite side of the street;
- (4) at an intersection, on a pedestrian crosswalk clearly identified as such and on a level crossing or less than 5 meters therefrom;
- (5) in a loading and unloading zone or a zone reserved exclusively for road vehicles assigned to public transportation, and clearly identified as such;
- (6) on an elevated lane, a bridge or a viaduct, or in a tunnel;
- (7) on a limited access road, at an entrance to or exit from such a road or on an access ramp;
 - (7.1) in a traffic lane reserved exclusively for certain vehicles;
- (8) in front of a sidewalk ramp specially built for handicapped persons;
- (9) at any place where parking is prohibited by a sign erected in accordance with this Code or pursuant to a Council Resolution.

Handicapped person.

137. Notwithstanding the prohibitions provided in section 136, the driver of a road vehicle used for the transportation of a handicapped person may

stop his vehicle to take on or discharge that person, if it can be done in safety.

Stickers or plates.

138. No person may stop a road vehicle in a parking space reserved for the exclusive use of handicapped persons unless the vehicle bears:

(1) an identification sticker issued in the name of the driver, of a person accompanying the driver, or of the institution on whose behalf the person is acting; the sticker must be hung from the rear-view mirror inside the road vehicle in such a manner that the sticker is visible from the outside;

(2) a sticker, plate or permit displaying the international wheelchair symbol, issued by another administrative authority in Canada or a member country or associate member country of the European Conference of Ministers of Transport.

Peace officer.

Where the vehicle bears a sticker issued pursuant to subparagraph 1 of the first paragraph, the driver or passenger must, on request, hand over to a Peace officer, for examination, documents attesting the issue of the sticker.

Application.

In addition, this section also applies to public vehicular traffic as well as on land on the Reserve occupied for the community or commercial uses and other land where public traffic is allowed.

Hours of driving and hours of service.

139. No person may exceed or allow another person to exceed the number of hours of driving or hours of service prescribed by the law with respect to a vehicle weighing 3,000 kg or less, or in violation of the standards, conditions and procedures prescribed by the law.

Abandoning of Vehicle.

140. No person may abandon a road vehicle on a road open to public vehicular traffic, as well as on land on the Reserve occupied for community or commercial uses and other land where public traffic is allowed.

8) SEAT BELTS

Seat belts.

141. No person shall drive a road vehicle in which the seat belt, as referred to in section 43, provided for the driver or for the seat occupied by a passenger has been removed, modified or rendered inoperative.

Police wagon.

142. Despite section 141, a person is authorized to drive a police or a Peace officer's vehicle in which the seat belt provided for the seat occupied by a passenger has been removed, modified or rendered inoperative.

Passenger under 16.

143. No person may drive a road vehicle in which a passenger under 16 years of age who does not fulfill the obligations prescribed under this division.

Taxi.

The first paragraph does not apply to a taxi driver. However, an adult passenger accompanying a passenger under 16 years of age in a taxi must ensure that the latter is transported in compliance with the conditions set out in this division.

CHAPTER 3 - OTHER RULES RESPECTING VEHICULAR TRAFFIC

Right of way.

144. Unless otherwise directed by a sign or signal, the driver of a road vehicle or any person riding a bicycle must, at an intersection or junction, yield the right of way to any vehicle moving on his right on the roadway he is about to cross or enter where the vehicle or cyclist is so close that crossing or entering the roadway would constitute a hazard.

Limited access road.

145. Notwithstanding section 144 the driver of a road vehicle who enters a limited access road must yield the right of way to a vehicle moving on the road and that is so close that entering it would constitute a hazard.

Entering from private property.

146. The driver of a road vehicle or any person riding a bicycle who leaves private property to cross or enter a road must yield the right of way to any vehicle or pedestrian moving on the road.

Entering private property.

147. The driver of a road vehicle or any person riding a bicycle on a road who is about to enter private property must yield the right of way to any road vehicle, cyclist or pedestrian moving on the road.

Emergency vehicle.

148. The driver of a road vehicle or any person riding a bicycle must make way for an emergency vehicle whose lights or sound producing device are in operation by reducing speed, keeping as far to the right as practicable and, if necessary, bringing his vehicle to a standstill.

Bus re-entering lane.

149. On a road where the maximum speed allowed is less than 70 km/h, the driver of a road vehicle must yield the right of way to a bus when the driver of the bus is flashing his turn-signal lights for re-entering the lane in which he was moving before he stopped.

Applicability.

The obligation to yield the right of way applies only to drivers of road vehicles moving in the lane that the driver of the bus is about to re-enter.

Turn signal.

The driver of a bus must not flash his turn-signal lights until he is about to re-enter the lane, after ascertaining that he can do so in safety.

Pedestrian light.

150. The driver of a road vehicle or any person riding a bicycle must yield the right of way to a pedestrian who is crossing a roadway facing a white signal or a flashing pedestrian light.

Pedestrian at intersection.

151. At an intersection regulated by traffic lights, the driver of a road vehicle or any person riding a bicycle must yield the right of way to a pedestrian facing a green light.

Crosswalk.

152. Where a pedestrian enters a pedestrian crosswalk, the driver of a road vehicle or any person riding a bicycle must stop his vehicle to allow the pedestrian to cross the roadway.

Level crossing.

153. At a level crossing, the driver of a road vehicle or any person riding a bicycle must stop his vehicle not less than 5 meters from the railway where a sign or signal, a lowered gate or a railway employee signals an approaching rail vehicle, or where the driver or cyclist sees or hears a rail vehicle approaching the level crossing.

Insufficient space.

154. Even if so authorized by traffic lights, no driver of a road vehicle may enter a level crossing if there is not sufficient space ahead of the vehicle to allow him to cross the level crossing.

Level crossing.

155. The driver of a bus, minibus or road vehicle carrying dangerous substances in quantities requiring the display of safety marks, must stop the

vehicle not less than 5 meters from any level crossing; the driver may proceed only after ascertaining that it is safe to proceed.

Exemption.

The driver is exempt from the obligations under the first paragraph at level crossings where so indicated by a sign or signal.

Limited access road.

156. In no case may the driver of a road vehicle enter or leave a limited access road except at such entrances or exits as may be determined by the person responsible for its maintenance.

Driving in reverse.

157. In no case may the driver of a road vehicle drive his vehicle in reverse unless he can do so in safety and without obstructing traffic.

Applicability.

This section also applies public vehicular traffic and on land on the Reserve occupied for community or commercial uses or other land where public traffic is allowed.

Driving on shoulder.

158. In no case may the driver of a road vehicle drive on the shoulder of a road except in case of necessity or unless so directed by a sign or signal.

Driving on shoulder.

159. Notwithstanding the prohibitions under sections 160 and 161, the driver of a vehicle used in the maintenance of a road may, during construction or maintenance work, travel or back up on the shoulder of a road, including a limited access road, and on the entrance and exit ramps of a limited access road.

Racing.

160. No person may drive a road vehicle in a race with another vehicle, or for a wager or a stake except in the case of an authorized rally.

White lights at rear.

161. No person may drive a road vehicle equipped with turned on white lights projecting a light beam toward the rear.

Use of headlights.

162. The driver of a road vehicle must, at night or whenever atmospheric conditions require it, turn on the headlights and integrated lights of his vehicle.

Bicycles.

The first paragraph also applies to the person riding a bicycle with respect to the lights with which his bicycle must be equipped.

Dimming of lights.

163. The driver of a road vehicle must dim the lights on the front of his vehicle when he is less than 150 meters from a vehicle approaching in the opposite direction, when he is less than 150 meters behind another vehicle that he is following or when he is moving on a road that is sufficiently lighted.

Open door.

164. No person may leave the door of a road vehicle open except to take on or discharge passengers or to load or unload property.

165. In no case may the driver of a road vehicle or person riding a bicycle use headphones or earphones.

Exception.

This section does not apply to a device used in conversational exchanges among its users to the extent that the device allows surrounding traffic noises to be heard.

CHAPTER 4 - SPECIAL PROVISIONS APPLICABLE TO PEDESTRIANS

No sidewalk.

166. Where there is no sidewalk bordering a roadway, a pedestrian must walk along the side of the roadway and in the direction opposite to that of vehicular traffic after ascertaining that he can do so in safety.

CHAPTER 5 - SPECIAL PROVISIONS APPLICABLE TO CERTAIN VEHICLES

1) VEHICLES USED FOR THE TRANSPORTATION OF SCHOOL CHILDREN

Applicability.

167. This division applies to the transportation of school children.

Seated passengers.

168. The driver of a bus or minibus used for the transportation of school children shall ascertain that every person is seated before setting his vehicle in motion and remains seated while it is in motion.

Flashing red lights.

169. The driver of a bus or minibus used for the transportation of school children must, when stopping to take on or discharge persons, give warning by turning on the flashing red lights and activate the compulsory stop signal referred to in section 170 and keep them in operation until the persons have reached safety.

Exception.

The first paragraph does not apply to such a vehicle when it is used exclusively for transporting school children who require a wheelchair.

Single file.

170. Where two or more buses or minibuses used for the transportation of school children are stopped in single file and the driver of one of the vehicles is taking on or discharging persons, the driver of every following bus or minibus must turn on the flashing red lights of his own vehicle and activate the compulsory stop signal.

Restricted use of lights or stop signal.

171. The driver of a bus or minibus used for the transportation of school children shall not turn on the flashing red lights of his vehicle or activate the compulsory stop signal except in the circumstances set out 169 and 170.

Prohibited use of lights or stop signal.

172. No person may operate the flashing red lights of a vehicle or activate the compulsory stop signal when the vehicle is not used to carry out transportation to which this division applies.

Obligation to stop.

173. The driver of a road vehicle who is approaching a bus or minibus used for the transportation of school children with flashing red lights turned on or whose compulsory stop signal has been activated must stop his vehicle more than 5 meters from the bus or minibus and shall not proceed in either direction until the flashing red lights are turned off and the compulsory stop signal has been retracted, and he ascertains that he can do so in safety.

Median strip.

The first paragraph does not apply to a road vehicle meeting a bus or minibus used for the transportation of school children on an adjacent roadway separated by a median strip or by any other raised physical separation.

Applicability.

174. Sections 168 to 173 apply, at all times, to the transportation of persons under 18 years of age by bus or minibus usually used for the transportation of school children.

2) MOTORCYCLES, MOPEDS AND BICYCLES

Position of motorcyclist.

175. The driver of a motorcycle or moped must remain seated on the seat and keep hold of the handlebars.

Position of cyclist.

A person riding a bicycle must sit astride the bicycle and keep hold of the handlebars.

Riding between lines of vehicles.

176. No person may drive a motorcycle or a moped or ride a bicycle between two lines of vehicles moving on contiguous lanes.

Limited access road.

177. No person may drive a motorcycle equipped with a motor having a piston displacement of not over 125 cc or a moped or ride a bicycle or any other non-motorized vehicle on a limited access road or on an entrance or exit ramps.

Passenger on motorcycle.

178. No driver of a motorcycle or moped may carry any other person thereon unless his vehicle is equipped with permanently fixed seats designed for that purpose and with foot-rests fixed on each side of the vehicle.

Moped.

179. No person under 16 years of age may carry a passenger on a moped.

Position of passenger.

180. The passenger of a motorcycle or moped shall be seated facing the handlebars and with both feet on the foot-rests while the vehicle is in motion.

Prohibition.

No person shall drive a motorcycle or a moped if the passenger is not complying with the requirements of the first paragraph.

Headlight.

181. The driver of a motorcycle or moped must keep the white headlight of his vehicle on at all times.

Zigzag formation.

182. Drivers of motorcycles or mopeds driving in groups of two or more in one traffic lane must drive in zigzag formation.

Helmet.

183. Every person riding on a motorcycle or moped or in a sidecar must wear a protective helmet that complies with the standards prescribed by the law.

Examination.

Such persons must, if so requested by a Peace officer, allow him to examine their protective helmets.

Passenger under 16.

No person may drive a road vehicle carrying a passenger less than 16 years of age who does not fulfill the obligations imposed on him by this section.

Passenger on bicycle.

184. No person riding a bicycle may take a passenger unless his vehicle is equipped with a fixed seat for that purpose.

Single file.

185. When riding in groups of two or more, cyclists must keep in single file; in no case may such a file be composed of more than 15 cyclists.

Bicycle riding.

186. Subject to section 187, every person on a bicycle must ride on the extreme right-hand side of the roadway in the same direction as traffic, except where that space is obstructed or when he is about to make a left turn.

Hand signals.

187. Every person riding a bicycle must signal his intention without interruption for a sufficient distance so as not to endanger the safety of other users of the road and must

(1) to stop or reduce speed, extend his left forearm vertically downwards;

(2) to make a right turn, extend his left forearm vertically upwards or extend his right arm horizontally;

(3) to make a left turn, extend his left arm horizontally.

Prohibition.

188. Subject to section 181, no person may ride a bicycle on a road on which the maximum speed allowed is over 50 km/h unless

(1) he uses a cycle lane separated from the roadway and specially laid out to prevent vehicles from crossing over from the roadway to the cycle lane or vice versa, or having that effect;

(2) he is 12 years of age or over; or

(3) he is taking part in an excursion led by a person of full age.

Cycle lane.

189. Where the road includes a cycle lane, persons riding a bicycle other than a power-assisted bicycle must use the cycle lane.

Sidewalk.

190. In no case may the driver of a motorcycle or moped or a person riding a bicycle drive or ride on a sidewalk except where necessary or where so directed by a sign.

Power-assisted bicycle.

191. A person may not ride a power-assisted bicycle on a road unless

(1) the person is 18 years of age or over or, if not, the person holds a license to drive a moped and complies with the conditions and restrictions attached to the license;

(2) the person wears a protective helmet that is in conformity with the standards established by the law;

(3) the bicycle bears the manufacturer's label required by the the laws in the case of a bicycle sold to its first user as a power-assisted bicycle, or the bicycle motor bears the required label in the case of a bicycle converted into a power-assisted bicycle;

(4) the bicycle is in conformity with the standards, other than the standard referred to in subparagraph 3, applicable to power-assisted bicycles provided for in this By-law.

Non-motorized scooter.

192. No person may ride a non-motorized scooter on a road at night unless the scooter is equipped with at least one white reflector or white reflective material at the front, one red reflector or red reflective material at

the rear and one red reflector or red reflective material on each side, as close to the rear as practicable.

Exemption.

A person riding a non-motorized scooter is exempted from the application of the first paragraph if the person wears clothing or an accessory having reflective material visible to other road users.

CHAPTER 6 - SPECIAL PROVISIONS RESPECTING ANIMALS

Animals on roads.

193. No person may allow farm animals on or across a road unless the animals are escorted by two persons, each of them holding a red flag in full view.

Nighttime.

194. No person may allow farm animals on or across a road at night.

Limited access road.

195. No person may allow farm animals on or across a limited access road.

Riding.

196. No person may ride a horse

(1) on a limited access road or on an entrance or exit ramp;

(2) on any part of a road where a sign prohibits it.

Interfering lights.

197. No person may install on private property a lighting system that can interfere with the vision of drivers of road vehicles on a road.

Notice of theft.

TITLE VI – AMOUNT OF FINE

198. The imposition on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both, for violation of any section of this by-law.



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Chronological No. - Numéro consécutif
BCR No. 08

BAND COUNCIL RESOLUTION RÉSOLUTION DE CONSEIL DE BANDE

DATE	<u>20</u>	<u>MAY</u>	AD 20	<u>2011</u>
	DAY - JOUR	MONTH - MOIS		YEAR - ANNÉE

At a duly convened meeting held by the Kitigan Zibi Anishinabeg Council on May 20, 2011, the following resolution was enacted:

WHEREAS Section 81(1)(b) of the Indian Act, R.S.C. 1-6, empowers the Band Council of the Kitigan Zibi Anishinabeg First Nation to make a by-law for the purposes of the regulation of traffic on the reserve territory;

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

AND WHEREAS the Kitigan Zibi Anishinabeg Band Council is of the opinion that the Highway Traffic By-Law must be kept up-to-date;

AND WHEREAS the Kitigan Zibi Anishinabeg Band Council had adopted Highway Traffic By-Law No. 16 and repealed Highway Traffic By-Law No. 10 on May 19, 2010;

AND WHEREAS the Kitigan Zibi Anishinabeg's Highway Traffic By-Law No. 16 was rejected by Indian and Northern Affairs Canada as it did not comply with the stated legislation and regulations;

AND WHEREAS the Kitigan Zibi Anishinabeg has now completed the final version of the Highway Safety By-Law and has insured that it complies with all stated INAC requirements;

THEREFORE BE IT HEREBY RESOLVED THAT the Kitigan Zibi Anishinabeg Band Council hereby adopts the attached as Highway Traffic By-Law No. 16 of the Kitigan Zibi Anishinabeg which repeals and substitutes By-Law No. 10;

AND FURTHERMORE, BE IT HEREBY RESOLVED THAT BCR No. 10 dated May 19, 2010 is hereby rescinded.

ADOPTED

A quorum for this Band Pour cette bande le quorum est	
consists of fixé à	4
Council Members Membres du Conseil	

(Chief - chef)	(Councillor - conseiller)
(Councillor - conseiller)	(Councillor - conseiller)
(Councillor - conseiller)	(Councillor - conseiller)