

## **Traffic Safety Act**

“motor vehicle” means

- (i) a vehicle propelled by any power other than muscular power, or
- (ii) a moped,

But does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or a motor vehicle that runs on rails

“Cycle” means a bicycle, power bicycle, motor cycle or moped

## **Powers under Traffic Safety Act**

- 66(1)(f) direct that the vehicle or its equipment, or both, be removed from the highway or from operation and that it not be returned to a highway or operation until the vehicle or its equipment, or both, have been, as the case may be,
- (i) rendered safe to operate,
  - (ii) repaired, serviced, altered or otherwise dealt with so that they meet the requirements of this Act, or
  - (iii) repaired in accordance with directions of the peace officer

**NB** make sure warning slips are issued as to why the removal

## **Use of Highways and Rules of Road Regulations**

“moped” means a vehicle, regardless of the number of wheels it has, that

- (i) may be propelled
  - (A) by human muscular power,
  - (B) by mechanical power, or
  - (C) partly by human muscular power and partly by mechanical power,
- (ii) has a motor that is driven by electricity or has an engine with a displacement of not more than 50 cubic centimetres,
- (iii) does not have a hand-operated or foot operated clutch or gearbox driven by the motor that transfers power to the driven wheel
- (iv) does not have sufficient power to attain a speed greater than 50 kilometers per hour on level ground within a distance of 2 kilometres from a standing start, and
- (v) weighs more than 35 kilograms but less than 55 kilograms,

but does not include a bicycle or power bicycle

“Power Bicycle” means a vehicle that

- (i) may be propelled
  - (A) by human muscular power,
  - (B) by mechanical power, or
  - (C) partly by human muscular power and partly by mechanical power,
- (ii) is fitted with pedals that are continually operable to propel it,
- (iii) has a motor that produces not more than 750 watts and that is driven by electricity or has an engine with a displacement of not more than 50 cubic centimetres,
- (iv) does not have a hand-operated or foot-operated clutch or gearbox driven by the motor that transfers power to the driven wheel,
- (v) does not have sufficient power to enable it to attain a speed greater than 35 kilometres per hour on level ground within a distance of 2 kilometres from a standing start, and
- (vi) weighs not more than 35 kilograms

“Night time” means the period commencing one hour after sunset and ending one hour before the following sunrise

## **Operator Licensing and Vehicle Control Reg**

- Sec 9(1) less than 12 years of age can not drive a power bicycle on highway
- (2) less than 18 years of age must carry consent of a parent or guardian in a form and manner approved by the Registrar or holds a subsisting operator’s licence
- Sec 26(2) no one under 16 can have a class 6 licence
- Sec 28(1)(b) Class 7 can operate a motor cycle if 16 or older with proper adult supervision
- Sec 28(2) Class 7 not issued to anyone less than 14 years of age
- Sec 29(4)(a) & (b) Valid Class 1 to 5 can operate a motor cycle with proper adult supervision
- Sec 32(2)(a) Class 7 not classified as a learner permit if the person is operating a moped
- Sec 32(5) Class 7 not permit to drive between midnight and 5 am
- Sec 32(6) Learner not allowed to drive motorcycle during the night time
- Sec 70(1)(c) Licence plate shall be attached on the rear mudguard or rear fender so that it is clearly visible

# HELMETS

Under Vehicle Equipment Regs Section 93 states:

- (1) A safety helmet intended for the use of an operator or a passenger of a cycle must meet one or more of the standards for motor cycle safety helmets adopted under subsection (3) in effect on the date on which it was manufactured.
- (2) The following are adopted and apply to safety helmets in accordance with subsection(1):
  - (a) CSA Standard CAN3-D230-M85;
  - (b) USA Federal Motor Vehicle Safety Standard FMVSS 218 Motorcycle Helmets 1993 OCT;
  - (c) USA Federal Motor Vehicle Safety Standards FMVSS 218 Motorcycle Helmets 2000 OCT;
  - (d) British Standards Institute Standard BSI-B6658 - 1995;
  - (e) Snell Memorial Foundation M2000
- (3) A safety helmet must have the mark of label CSA, DOT or BSI or the mark or label of the organization in subsection(2)(e) indicating that the safety helmet met one or more of the specifications required on the date on which it was manufactured.

FMVSS218 requires the manufacturer to sew into the helmet liner a label or labels that can be easily read without having to remove the padding or any permanent part. Included on label is

Manufacturer's name or ID  
Precise model designation  
size  
Month and year of manufacturing  
any other instructions

Helmets must have an inner liner, about one inch thick and be made of polystyrene aka Styrofoam.

Chin strap must be strong and well attached

There can be no attachments or protrusions over 2/10th of an inch long which is about 1 mm

Some SNELL Certified helmets have no mark or label on the outside of it . A good example would be the Harley Davidson Helmets. SNELL has produced a list of all certified helmets and that list is in the traffic office for review if required.

**NB** Above noted Sec 93(2)(b) and (c) is the DOT standard

## Motorcycle Charging Cheat Sheet

<u>Section</u>	<u>Wording</u>	<u>Penalty</u>
	<b><u>TRAFFIC SAFETY ACT</u></b>	
51(b)	Operate motor vehicle of unauthorized class	230
51(f.1)	Learner drive motorcycle w/o proper supervision	230
51(f.2)	Supervisor accompanying learner driver of motorcycle not in passenger seat/ MV in close proximity/ not have subsisting lic/ lic not in poss'n/ under age	230
53(1)(a)	Drive/ park MV/ Trailer w/o plates properly displayed	115
53(1)(b)	Display on MV/ Trailer lic plate improperly issued/ authorized	230
53(1)( c)	Drive/ park MV/ w/ expired lic plate	230
65(1)(d)	Drive/ operate MV where MV/ equip/ improperly used/ prescribed by regs (Multiple offences)	115
115(2)( c)	Drive in race on hwy w/o permit	402
115(2)(e)	perform/ engage in stunt/ activity to distract/ startle/ interfere w/ other users of hwy	402
	<b><u>OPERATOR LICENSING AND VEHICLE CONTROL</u></b>	
9(2)	Person <18 yrs drive power bicycle on hwy w/o consent of parent/ guardian in approved form/ subsisting lic	115
20(1)	Fail to apply for reissue of lic re change of name/ address	115
29(5)(a)	supervisor of person driving motorcycle fail to comply s51(f.2)(i) to(iii) of ACT	230
29(5)(b)	Supervisor of person driving motorcycle not 18 yrs or older	230
70(2)(a)	Owner of MV w/ lic plate display other MV plate/ device identical/ similar in appearance to lic plate	115
71(1)	Drive MV w/o lic plate securely attached/ legible/ clearly visible	115

	<b><u>USE OF HIGHWAY AND RULES OF THE ROAD</u></b>	
55(2)	Drive motorcycle/ moped/ power bicycle on hwy if lamps that vehicle is req'd to be equipped with are not alight (ie headlamps 24 hrs a day)	115
77(1)	Fail to operate cycle in prescribed manner	57
77(5)	Passenger on cycle fail to ride in prescribed manner	57
85(3)	Knowingly draw/ tow person riding sled/ toboggan/ skis/ skateboard/ similar thing w/ MV	115
85(4)(a)	Person directly/ indirectly become/ remain attached to MV by means of device/ any part of person's body and be pushed/ towed by MV	115
85(4)(b)	Person directly/ indirectly become/ remain attached to MV by means of device/ any part of person's body and ride a sled/ toboggan/ skis/ cycle/ skateboard/ similar thing pushed/ towed by MV	115
87	Drive MV in residential area in unduly disturbing manner during hrs from 10 pm to 7 am	115
	<b><u>VEHICLE EQUIPMENT REGULATION</u></b>	
3(b)	Fail to maintain daytime running lamps in good working order	57
8(1)	High beam indicator not on dashboard where driver can see it	57
10(1)	No headlamp on cycle	57
13(2)	Motorcycle/ moped, power bicycle/ trailer < 760 mm wide incl load not have one tail lamp mounted at rear	57
13(4)	Tail lamp not capable of emitting red light visible at least 150 m to rear	57
13(6)	Tail lamp not turn on/ stay lit when head lamps/ auxiliary driving lamps lit	57
14(1)	Lic plate no illuminated by tail lamp/ lic plate lamp to be clearly visible at least 15 m to rear	57
14(2)	Lic plate lamp not turn on/ stay lit when head lamps lit	57

17(1)	Lamp on rear of MV fail to emit red light	57
18(2)	Motorcycle/ moped not have at least one brake lamp mounted at rear	57
19(2)	Centre of brake lamp set at improper height -<380 mm/ >2 m above ground level when MV unloaded	57
19(3)	Single brake lamp on motorcycle/ moped/ power bicycle not located on vertical centre line	57
19(4)	Multiple brake lamps not as far apart as practicable/ located symmetrically about vertical centre line	57
20(1)	Brake lamp fail to light up when service brake applied	57
20(2)	Lit brake lamp not clearly visible from at least 250 m from rear	57
23(2)(a)	Turn signal lamps not located at/ near front	57
23(2)(b)	Turn signal lamps not on same level/ spaced laterally as widely as possible	57
23(2)(c)	Turn signal lamps not emit white/ amber light/ visible from at least 250 m ahead when lit	57
23(3)(a)	Turn signal lamps not located at/ near rear	57
23(3)(b)	Turn signal lamps not on same level/ spaced laterally as widely as possible	57
23(3)(c)	Turn signal lamps not emit red/ amber light/ visible from at least 250 m to rear	57
40(2)(a)	Red reflector on rear not permanently mounted on vertical centre line/ rigid part - MV/ trailer <760 mm wide	57
40(2)(b)	Red reflector on each side of rear not permanently mounted at same height/ on rigid part - MV/ trailer < 760 mm wide	57
54(4)	Drive/ operate motor cycle/ moped/ power bicycle if each wheel not have adequate service brake	172
60	MV/ power bicycle not have horn/ bell	57
61(1)	Exhaust muffler produces excessive noise/ flames/ sparks	115
61(2)	Drive/ operate MV if exhaust outlet of muffler widened	115
61(3)	Drive/ operate MV if device attached to exhaust system/ muffler increases noise/ allows flame to ignite	115
72(2)	Side mirrors on each side not give clear view from behind/ side	57

73(1)	Speedometer not indicate speed/ not working	57
73(2)	Odometer not indicate accumulated distance MV travels since manufacture	57
92(2)	Operate/ ride as passenger on a cycle w/o properly wearing safety helmet - non-bicycle	115
94	Drive/operate motor cycle carrying passenger if no adequate pillion seat/ hand grips/ foot rests	115
95(a)	Sell/ offer for sale new motor cycle if max engine power output not legibly/ visibly stamped/ marked/ displayed	115
95(b)	Sell/ offer for sale new motor cycle if piston displacement not legibly/ visibly stamped/ marked/ displayed	115
	<b><u>MOPED AND OR POWER BICYCLE</u></b>	
	<b>USE OF HIGHWAYS AND RULES OF ROAD REGS</b>	
76	Driver < 16 yrs carry passenger on moped/ power bicycle	57
77(2)	Fail to drive cycle as near to right curb/ edge of roadway as practicable - non motorcycle	57
77(3)	Fail to drive cycle near either curb/ edge of roadway - non motorcycle, 1-way hwy - urban	57
78	Fail to operate cycle in single file	57
	<b>VEHICLE EQUIPMENT REGULATIONS</b>	
20(3)	Lit brake lamp on moped/ power bicycle not clearly visible at least 30 m from the rear	115
96	Moped/ power bicycle not have mirror securely attached to left side to give clear view from behind	115

