

PUBLISHED BY AUTHORITY

The following regulations have been made the Town Council of the Town of Gander under the provisions of section 188 and 189 fo the Highway Traffic Act and under section 177 of the Municipalities Act, 1979, as amended.

Amended and adopted by the Town Council of the Town of Gander on the 11th day of December, 1991.

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MAYOR

TOWN CLERK

TRAFFIC REGULATIONS

1. These regulations may be cited as the Town of Gander Traffic Regulations.
2. In these regulations unless the context otherwise requires:
 - a. “Act” means the Municipalities Act, 1979 as amended;
 - b. “Bicycle” means every device propelled by human power upon which a person may ride, having two tandem wheels;
 - c. “Bus” means a vehicle designed or used for carrying passengers for gain or reward, but does not include a motor vehicle designed to carry less than seven passengers in addition to the driver;
 - d. “Commercial Motor Vehicle” means a vehicle designed to carry goods, or to carry more than six passengers in addition to the drive, and also means a truck, delivery wagon, hearse, fire engine, traction engine and any other motor vehicle designed for commercial, agricultural or industrial use, but does not include:
 - i. Buses or school buses,
 - ii. Camper type vehicles designed or adapted exclusively for pleasure or recreational purpose, or
 - iii. Vehicles designed to carry samples of goods being transported by commercial travellers for display or demonstration purposes and not for the purpose of delivery to purchasers;

- e. “Council” means the Town Council of the Town of Gander;
- f. “Crosswalk” means:
 - i. A part of a roadway at an intersection or elsewhere distinctively indicated for pedestrian crossing by signs or by lines or other markings on the surface, or
 - ii. The part of a roadway at an intersection that is included within the connection of the lateral lines of the sidewalk on the opposite sides of a highway, measured from the curbs or, in the absence of curbs, from the edges of the roadway.
- g. “Driver” means a person who drives or is in actual physical control of a vehicle;
- h. “Driveway” means a clearly defined private roadway, drive, path or passage or a like opening or space which is wide enough, but not wider than is necessary, for the passage of a motor vehicle, whereby the owner, occupier or user of the property has vehicular access from a roadway to a point within the property;
- i. “Emergency Vehicles” means:
 - i. A motor vehicle driven by a peace officer or by a member of the police branch of any of Her Majesty’s Armed Forces where there is an urgent emergency justifying a rate of speed in excess of a maximum rate of speed provided for in this Act and includes a vehicle so operated by a chief of a volunteer fire department;
 - ii. A motor vehicle carrying firefighting equipment in responding to an alarm of fire;
 - iii. An ambulance responding to a call or transporting a patient where there is an urgent emergency, justifying a rate of speed in excess of any maximum rate of speed provided for in these regulations.
- j. “Highway” means the entire width between the boundary lines of a highway, road, street, avenue, thoroughfare, right-of-way, parkway, parking lot, driveway, lane, alley, square, place, bridge, culvert, viaduct, trestle or causeway, whether it is publicly or privately owned and whether or not it is designed or intended for use by the public, if the whole or any part of it is used by the public for the passage of vehicles.
- k. “Intersection” means the area enclosed within the prolongation or connection of the lateral curb lines or, if there are no curb lines, boundary lines of two or more highways that join one another at an angle, whether or not one highway crosses the other;

- l. “Motorcycle” means a motor vehicle that:
 - i. Has steering handle bars completely constrained from rotating in relation to the axle of one wheel in contact with the ground,
 - ii. Is designed to travel on not more than three wheels in contact with the ground, and
 - iii. In the case of three wheel vehicle that:
 - (1) does not have as an integral part of the vehicle an enclosure around the occupant, and
 - (2) requires the operator to sit astride the vehicle, but does not include a competition motorcycle, mini-bicycle, moped, motor driven bicycle, a passenger car, a truck or a multipurpose vehicle.
- m. “Motor Vehicle” means a vehicle propelled, driven or controlled otherwise than by muscular power, other than a trailer or a vehicle running upon fixed rails;
- n. “Park” means to permit a vehicle, whether occupied or not, to stand otherwise than temporarily for the immediate purpose of and while actually engaged in loading or unloading goods or taking up or setting down passengers or in obedience to traffic regulations or traffic signs or the directions of a traffic officer;
- o. “Pedestrian” means a person on foot, an invalid in a wheelchair or a child in a carriage or on a sleigh;
- p. “Regulations” means regulations made under the authority of Section 188 and 189 of the Highway Traffic Act, Chapter 152 of the Revised Statutes of Newfoundland, 1970, amended;
- q. “Roadway” means the portion of a highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder unless the shoulder is paved, and where a highway includes two or more separate roadways, the term roadway refers to any one roadway separately and not to all of the roadways collectively;
- r. “School Bus” means a motor vehicle designed or used to carry more than six passengers in addition to the driver owned or operated by or contracted to a School Board or an agent of a board for the transportation of children:

- i. To or from school, and
 - ii. To or from places other than school for the purpose of school related activities.
- s. “Sidewalk” means that portion of a highway lying between the curb lines or the lateral lines of a roadway and the adjacent property lines set apart or marked as being for the exclusive use of pedestrians and is deemed to include any area of highway lying between the curb lines or the lateral lines of a roadway and that portion of a highway set apart for the use of pedestrians;
- t. “Stop” means:
- i. When required, the complete cessation of movement, and
 - ii. When prohibited, any stopping or standing of a vehicle whether occupied or not except when necessary to avoid conflict with other traffic or in compliance with the directions of a traffic officer or traffic-control device or signal;
- u. “Taxi” means a motor vehicle other than a bus used to transport passengers for gain or reward;
- v. “Town” means the Town of Gander as defined in the Order - Council dated the 16th day of December, 1958 A.D., and continued as a Town under the said Act;
- w. “Traffic Officer” means a Municipal Enforcement Officer and any other person appointed by Council to enforce these regulations;
- x. “Vehicle” means a device in, upon or by which a person or property may be transported or drawn upon a highway, but does not include devices used exclusively on rails;
- y. “Gross Vehicle Weight or Mass Weight” means, in reference to a commercial vehicle, the actual weight of a motor vehicle when unladed (curb weight) in addition to the weight of the load, including the weight of the driver and of any other persons carried;
- z.
- i. “Residential Area” means any area designated as such under the Town or Municipal Plan 1981, or any amendments thereto made;
 - ii. “Trailer” means a vehicle which has no motive power of its own and which is attached to a truck tractor or other motor vehicle at anytime upon a highway

but does not include an implement of husbandry temporarily attached to another vehicle or a sidecar attached to a motor cycle.

3.
 - a. No person shall park a motor vehicle, either attended or unattended, in any area designated as a fire lane;
 - b. No person shall park a motor vehicle so as to obstruct the free passage of traffic on a highway;
 - c. No person shall park a commercial vehicle or trailer with the carrying capacity of greater than ten thousand (10,000) kilograms, in any residential area within the boundaries of the Town;
 - d. Except where otherwise provided by a sign, no person shall leave a motor vehicle unattended within a distance of 7.0 metres circumscribed from an intersection.
4. A person shall not stop, stand or park a motor vehicle on a highway so that the motor vehicle or any part of it is;
 - a. On a sidewalk, walkway or an area generally used or intended for the use of pedestrians;
 - b. In front of a public or private driveway;
 - c. Within an intersection;
 - d. Within 1.0 metres from the point of a curb or edge of the roadway immediately opposite a fire hydrant;
 - e. Within 6.0 metres of the approach side of a crosswalk;
 - f. Within 9.0 metres upon the approach to any flashing beacon, stop sign, or other traffic control sign or signal located at the edge of the roadway;
 - g. Within 6.0 metres of a driveway entrance to a fire station;
 - h. Alongside or opposite a street excavation or obstruction, when such stopping, standing or parking obstructs traffic;
 - i. On any property classified as an easement or upon which Council grants a license;
 - j. In the wrong direction upon any highway;

- k. In any area at the side of a highway or sidewalk when such area is seeded or maintained by Council;
 - l. In any area designated as a school bus stop, except school buses actually engaged in the process of pickup and discharge of students; and
 - m. On the roadway side of a vehicle stopped or parked at the edge or curb of a roadway.
- 5.
- a. When a motor vehicle is left unattended or apparently abandoned upon a highway within the Town for a period of 24 hours, the Council may orally or in writing, give notice to the owner of the motor vehicle, if known to the Council, to remove it within the period of time given in the notice. If the owner is unknown or cannot be contacted, then the motor vehicle may be removed by Council;
 - b. The owner of a motor vehicle removed under Sub-section (a) of Regulation 5 and Regulation 22, 23 and 24 shall pay Council all costs and expenses incurred in connection with the removal, and in addition pay a storage fee of \$20.00 per day for each day or part of a day during which the motor vehicle remains in the place to which it was removed. The motor vehicle so removed shall not be delivered to the owner until all fees for its removal and storage have been paid to the Council.
 - c. If the owner of a motor vehicle under Sub-section (a) of Regulation 5 and Regulations 22, 23 and 24 does not, within three months after the date of removal, pay the cost and expenses and the additional amount of storage, the Council may sell the motor vehicle by public auction of which ten (10) days notice shall be given in a newspaper circulated in the area in which the motor vehicle was found and the proceeds of the sale, if any, of and incidental to the auction and the amount of storage prescribed in sub-section (b) shall be returned to the owner, if known to the Council, and if not known shall be paid into the coffers of the Council; and
 - d. No action or legal proceedings may be brought against any Municipal Enforcement Officer, or an employee, servant, agent, or representative of the Council, or against the Mayor, and Councillors, or any person authorized by them under Regulations 3, 5, 22, 23 or 24 in respect of anything done under these regulations where the action of proceedings is not based on malfeasance or misfeasance.
6. Whenever a traffic officer engaged in control of traffic gives direction as to parking and movement of traffic, the directions shall be followed irrespective of any traffic sign or signal or any parking signs that may be so placed in that area.

7. No person shall park a motor vehicle on any highway within the Town in contravention to any signs that may be posted by Council.
8.
 - a. Where traffic control signals are not in place or in operation when a pedestrian is crossing the roadway within a crosswalk, a driver shall yield the right of way to the pedestrian;
 - b. A pedestrian shall not leave the curb or other place of safety and walk or run into the path of a motor vehicle that is so close that it is impracticable for the driver of the motor vehicle to yield;
 - c. Where a motor vehicle is stopped at a crosswalk to permit pedestrians to cross the roadway, the driver of a motor vehicle approaching from the rear shall not overtake and pass the stopped motor vehicle; and
 - d. Wherever a traffic control officer is engaged in control of traffic at a crosswalk to ensure the safe passage of pedestrians and a stop sign is displayed or a signal to stop is given by the traffic control officer, drivers of all motor vehicles travelling in either direction upon the highway shall bring their motor vehicles to a complete stop and shall not proceed through the crosswalk until the pedestrian and traffic control officer have reached the safety of the curb roadside or sidewalk.
9. Except where a traffic officer directs otherwise, where there is a yield sign at an intersection, the driver of a motor vehicle approaching the sign shall slow down at a reasonable speed, or if necessary for the safety, stop at a clearly marked line or, if none, then immediately before entering the crosswalk on the near side of the intersection and shall yield right of way to pedestrians crossing the roadway on which he is driving and to traffic approaching or in the intersecting highway, and having yielded, may proceed with caution.
10. The driver of a motor vehicle shall not overtake and pass other traffic when approaching the crest of a grade or upon a level railway crossing, curve or where highways intersect or fork, or in any other circumstances where the driver cannot see sufficiently far ahead to overtake and pass with safety.
11. Except where a traffic officer directs otherwise, drivers and pedestrians shall obey the instructions of a traffic control signal or device in accordance with these regulations.
12. When a red light alone or “stop” is shown at an intersection by a traffic control signal;
 - a. The driver of a vehicle approaching the intersection and facing the light or signal shall stop the vehicle at a clearly marked stop line, or, if none, then immediately before entering the crosswalk on the near side of the intersection or, if there is no crosswalk,

then immediately to paragraph (b), shall not proceed until a traffic-control signal permitting the movement of the vehicle in the intersection is shown, and

- b. The driver of a vehicle approaching the intersection and facing the light or signal and intending to turn right at the intersection may, unless a traffic-control device prohibits a right turn to be made on a red light or “stop” signal, with caution, proceed and turn right at the intersection, but only after stopping in accordance with paragraph (a) and after yielding the right-of-way to any vehicle or pedestrian proceeding in the intersection.
13. When a green arrow or a green arrow in conjunction with a red light or a red light with green arrow is shown at an intersection by a traffic-control signal, the driver of a vehicle approaching the intersection and facing the arrow movement indicated by the arrow, shall yield the right of way to other traffic lawfully within the intersection or within an adjacent crosswalk.
14. When a sign which as the word “stop” inscribed thereon is erected at or near the intersection of two highways and facing the stream of traffic on one highway the driver of a vehicle on the highway shall stop his vehicle before entering but as near as practicable to the driving surface of the other highway and shall then proceed with special care and give way to traffic on the other highway, but if there is a crosswalk at or in the vicinity of the sign the driver of the vehicle shall stop the vehicle before entering the crosswalk and may then proceed with caution, giving way to pedestrian in the crosswalk.
15. No person shall;
 - a. Drive a motor vehicle on any highway within the Town, in contravention to any sign that may be posted by Council; and
 - b. Drive a motor vehicle in the wrong direction upon any one-way street within the Town.
16.
 - a. No person shall drive a motor vehicle that;
 - i. Exceeds the posted speed limit by between 1 and 10 kilometres per hour;
 - ii. Exceeds the posted speed limit by between 11 and 20 kilometres per hour;
 - iii. Exceeds the posted speed limit by between 21 and 30 kilometres per hour;
 - iv. Exceeds the speed limit by 31 kilometres and over;
 - b. Where a person who has been convicted of an offence under 16(a), (b), (c), or (d) is convicted within a period of 2 years of an offence under 16(a), (b), (c), or (d), the new

offence shall be considered as a 2nd or subsequent offence for the purpose of the imposition of a penalty.

- c. A driver shall not drive a vehicle at such a slow rate of speed as to impede or block the normal and reasonable movement of traffic than existing on a highway, except where it is necessary to do so for safe operation or to comply with this part.
 - i. A traffic officer may order a driver referred to in Subsection (c) to increase his or her rate of speed, pull into the curb to allow other vehicles to pass or remove the vehicle from the highway.
 - ii. A person who fails to comply with an order given under Subsection (i) is guilty of an offence.
17. No person shall park any motor vehicle used as a taxi on a highway within the Town for the purpose of soliciting business except in a place or places designated by Council for the purpose.
18. No public service motor vehicle operating within the Town for hire or reward shall stop anywhere on any highway to solicit business except at designated stops, and passengers may enter or leave such public service motor vehicle at aforementioned stops only.
19. The driver of a commercial motor vehicle, loading or unloading freight within the town shall, if possible, pull the motor vehicle off the roadway onto some private parking space. Where this is not possible, the driver shall when loading and unloading freight pull in as near as possible to the curb and load and unload as quickly as possible, but in no case shall a driver place the motor vehicle in such a position as to obstruct the normal flow of traffic.
20. Under no circumstances shall a driver of a commercial motor vehicle park in such a manner as to block a sidewalk or an area generally used by pedestrians.
21. Upon the immediate approach of an emergency vehicle giving an audible signal by a bell, siren or exhaust whistle and showing a visible flashing red light, except when otherwise directed by a traffic officer, the driver of a vehicle shall;
 - a. Yield the right-of-way;
 - b. Drive immediately to a position parallel to and as close as practical to the right hand curb or edge of the roadway, clear of an intersection;
 - c. At night turn off the headlights and turn on the parking lights; and
 - d. Stop and remain in that position until the emergency vehicle has passed.

22. When a fire is in progress in any area within the Town, no driver of any motor vehicle shall drive or park within 200 metres of any such fire or in such a place so as to obstruct in any way the free working of the fire fighting apparatus. This regulation does not apply to fire fighting apparatus, police motor vehicles, medical doctors, nurses, clergy or members of the fire fighting brigade or ambulance, if their purpose there is to assist the fire brigade.
23. During the period from the first day of November in each year to the thirtieth day of April in the succeeding year, both days inclusive, no person shall park an unattended vehicle, regardless of weather conditions, upon any highway within the Town between the hours of 12:00 midnight and 8:00 a.m.
24. No person shall park any motor vehicle on any highway in such a way as to interfere with, hinder or obstruct snow clearing operations.
25. Regulations 23 and 24 do not apply to ambulances or fire fighting apparatus nor to motor vehicles operated by medical doctors, nurses, clergy, police or members of the fire brigade when at the scene of an emergency.
26. Any motor vehicle parked contrary to regulations 23 and 24 may be towed away by Council or their representative.
27.
 - a. Except as provided in this section, a person riding a bicycle upon a highway has the same rights and duties as a driver.
 - b. A person who is riding a bicycle
 - i. Shall not ride on a sidewalk;
 - ii. Subject to paragraph (i), shall ride as near as practical to the right-hand curb or edge of a roadway;
 - iii. Shall not ride abreast of any other person who is riding a bicycle upon a roadway;
 - iv. Shall keep at least one hand on the handle bars;
 - v. Shall not ride other than upon or astride a regular seat of the bicycle;
 - vi. Shall not use the bicycle to carry more persons at one time than the number for which it is designed and equipped;

- vii. Shall not carry on the bicycle an object of any kind which is of such a size, weight or shape or so placed that it may interfere with the proper operation or control of bicycle;
 - viii. Shall not ride a bicycle on a highway where signs prohibit use; and
 - ix. Shall not ride it upon a roadway if there is a usable path intended for the use of bicycles adjacent to the roadway.
- 28.
- a. A motor vehicle propelled by an internal combustion engine shall be equipped with an exhaust system consisting of a series of pipes or chambers which ensures that the exhaust gases from the engine are cooled and expelled without excessive noise.
 - b. No person shall drive or operate a motor vehicle propelled by an internal combustion engine with a muffler;
 - i. Which is cut, disconnected from the engine or is defective;
 - ii. From which has been removed any baffle-plate or other part;
 - iii. The exhaust outlet of which has been opened or widened;
 - iv. To which is attached any device which increases the noise of the expulsion of the gases from the engine or allows a flame to be emitted from the exhaust systems.
29. No person shall walk on any highway if sidewalks are provided.
30. The driver of a motor vehicle upon meeting or overtaking from either direction a school bus that has stopped on any part of the highway for the purpose of receiving or discharging school children shall;
- a. When there is in operation on the bus, red flashing lights, or a visual signal is displayed, stop the motor vehicle before reaching the bus; and
 - b. Not proceed until the school bus resumes motion or is signalled by the driver of the bus to proceed or the visual signal or flashing lights are no longer activated.
31. Notwithstanding any other provision of these regulations a person shall not drive a vehicle on the highway or in any other place within the limits of the Town;

- a. At a speed which is greater than is reasonable and prudent under the conditions having regard to actual and potential hazards existing on the highway or other place;
 - b. Without due care and attention;
 - c. Without reasonable consideration for other persons;
 - d. In a manner that is dangerous to the public;
 - e. If he suffers from a disease or mental disability which might cause his driving of a motor vehicle to be a source of danger to other persons.
32. A vehicle licence shall be kept in the vehicle in respect of which it is issued and the driver of the vehicle shall produce the licence whenever a traffic officer or peace officer so requests.
- 33.
- a. A person shall not operate upon a highway a motor vehicle or a class of motor vehicle, unless that person holds a driver's licence that
 - i. Has been issued to that person;
 - ii. Authorizes that person to operate that motor vehicle or that class of motor vehicle; and
 - iii. Has not expired or been suspended or cancelled or that is not invalid.
 - b. Subject to Sub-Section (c), the holder of a driver's licence shall when he is driving a motor vehicle produce that licence when a traffic officer request him to do so.
 - c. The production of a driver's licence within forty-eight (48) hours after a request is made under Sub-Section (a) is deemed to be sufficient production of the licence for the purpose of that Sub-Section.
34. If a driver refuses to give his name and address or gives a false name or address to any person having reasonable grounds for requiring the same or if any other driver refuses to give his name or address to a traffic officer or a peace officer who asks for his name or address is guilty of an offence against these regulations.
35. Subject to the Act, and these regulations, a person shall not operate a motor vehicle on a highway or any other place within the town limits unless
- a. The motor vehicle is registered;

- b. Any trailer drawn by the motor vehicle is registered;
 - c. There is affixed to the motor vehicle and any trailer drawn by the motor vehicle, in the manner prescribed in the act or its regulations, such valid identification plates, other plates, stickers or markers as have been issued under the act or its regulations in respect of the motor vehicle and trailer.
36. No person shall back a vehicle unless the movement can be made with reasonable safety and without interfering with traffic.
37. No person shall drive a motor vehicle upon a sidewalk or footpath except for the purpose of directly crossing the sidewalk or footpath.
38. No person shall operate, within the boundaries of the Town, any vehicle having any object or thing projecting or extending therefrom in a lateral direction for a distance of more than 300 millimetres; neither shall any vehicle have any object or thing protruding rearwards for a distance of more than 2 metres without the displaying of a red flag at the extreme rear of the object or thing.
- 39.
- a. No structure, object or vehicle, other than a vehicle licensed under the act shall move over a highway or bridge within the town limits, without the consent, in writing, of the Council.
 - b. Notwithstanding Sub-Section (a), no vehicle that is propelled over tracks or other device, other than tires, shall move over a highway, bridge, within the Town limits without the consent, in writing of the Council.
40. A person shall not drive a motor vehicle on a highway when the windshield, side wings, side or rear windows are so covered, either completely or partially, by snow, ice, mist, dirt or other matter that in the opinion of a Municipal Enforcement Officer could impede, obscure or obstruct the vision of the driver.
- 41.
- a. No person shall sound the horn of a motor vehicle except for the purpose of giving warning of the vehicle's approach and every driver of a motor vehicle shall refrain from excessive or unnecessary sounding of the horn.
 - b. No person shall squeal the tires or brakes of a motor vehicle by reason of unnecessarily rapid braking, turning or setting in motion of such motor vehicle.

- 42.
- a. A motor vehicle other than a motorcycle, shall be equipped with either one and/or two headlamps on each side of the front of the motor vehicle.
 - b. A motor vehicle shall be equipped with at least one and not more than two headlamps.
43. A motor vehicle, trailer, semi-trailer, and a vehicle drawn behind a vehicle or the last of a series of vehicles drawn behind a vehicle shall be equipped with a tail-light affixed to the rear which will emit red light visible for a distance of one hundred and fifty (150) metres to the rear.
- a. Every motorcycle, moped and farm tractor shall be equipped with at least one tail lamp mounted at the rear of the vehicle which will emit red light visible from a distance of one hundred and fifty (150) metres to the rear.
 - b. A tail lamp shall be affixed to a vehicle at a height of not less than thirty-eight (38) centimetres and not more than one point nine (1.9) metres.
 - c. A vehicle shall be equipped so that the rear license plate will be illuminated by white light emitted from the tail lamp or separate lamp so that in darkness the license plate is legible from a distance of fifteen (15) metres.
- 44.
- a. No person shall operate on any highway
 - i. A motorcycle, moped or farm tractor manufactured and assembled before December 31, 1958, unless it is equipped with one stop lamp;
 - ii. A motor vehicle, other than a motorcycle, moped or farm tractor, manufactured and assembled after December 31, 1958, unless it is equipped with not less than two stop lamps.
 - b. A trailer or vehicle shall be equipped with two stop lamps.
- 45.
- a. No person shall operate on any highway
 - i. A motor vehicle or trailer manufactured or assembled before January 1, 1971, unless it is equipped with turn signal lamps or mechanical turn signal device; and

- ii. A motor vehicle or trailer manufactured after January 1, 1971, unless it is equipped with turn signal lamps used for the purpose of indicating turns that comply with the requirements of the Act.
 - b. Paragraph (a) does not apply to a motorcycle manufactured or assembled before October 1, 1973, moped, farm tractor, traction engine or implement of husbandry or a trailer that is less than seventy-six (76) centimetres in overall width.
- 46. A person whether on foot or riding upon a bicycle, motorcycle, coaster, sled, toboggan, skateboard or recreational vehicle, or upon skates, roller skates or skis shall not attach it or himself by hand or other means to a vehicle upon a highway.
- 47.
 - a. No person shall operate a motor vehicle on any highway when there is snow or ice on the surface of the highway unless
 - i. In the case of a vehicle where the driving power is transmitted from the engine to the rear wheels such rear wheels are to be fitted with mud or snow tires.
 - ii. In the case of a vehicle where the driving power is transmitted from the engine to the front wheels such front wheels are to be fitted with mud or snow tires.
 - b. No person shall operate upon a highway between the 1st day of May and the 31st day of October, both days inclusive, in any year, a motor vehicle equipped with a rubber tire having metal studs therein.
- 48.
 - a. No person shall operate, or, being the owner, allow another person to operate, a motor vehicle registered or required to be registered unless there is in force in respect of the motor vehicle an insurance policy.
 - b. Subject to Sub-Section (c), the owner of a motor vehicle shall when requested by a traffic officer produce proof that a policy is in force with respect to his motor vehicle.
 - c. The production of a policy at a police station within forty-eight (48) hours after a request is made under Sub-Section (b) is deemed to be sufficient production of proof of policy.
- 49.
 - a. A person who is operating a motorcycle;
 - i. Shall not ride other than upon or astride a regular seat attached to the motorcycle;

- ii. Shall keep both hands on the handlebars of the motorcycle except when making a signal;
 - iii. Shall keep both feet on the pedals or footrests on his motorcycle.
 - b. No person, other than the operator, shall ride on a motorcycle unless;
 - i. It is designed and equipped by the manufacturer of the motorcycle to carry more than one person;
 - ii. The person, other than the operator, rides on the seat attached to the motorcycle and designed to carry a passenger; and
 - iii. The motorcycle has a separate set of handgrips and a separate set of standard footrests for the use of the passenger riding on that seat;
 - c. A person who is operating a motorcycle shall not permit another person to ride on it in violation of Sub-Section (b).
- 50. Except when overtaking and passing another motorcycle, a person operating a motorcycle on a highway shall not drive it alongside another motorcycle travelling in the same direction but shall drive it directly in line behind or in front of the other motorcycle.
- 51. A person shall not operate or ride on a motorcycle upon a highway unless;
 - a. He is wearing a helmet that complies with the regulations; and
 - b. Where the motorcycle is not equipped with a windshield, he is wearing a face shield, safety glasses, or goggles.
- 52. A person shall not drive a vehicle over an unprotected hose of a fire department when laid down on a highway or private driveway at a fire or an alarm fire unless he has received consent of the fire department official in command.
- 53. A person shall not throw or deposit, or cause to be thrown, deposited or left on a highway, glass, nails, tacks, scraps of metal or other material which may injure tires of vehicles, or rubbish, refuse or waste.
- 54.
 - a. No person shall drive upon a highway a motor vehicle that is equipped with or that carries or contains a device capable of detecting or interfering with radar or any other

electronic equipment as may be used from time to time for measuring the speed of motor vehicles.

- b. Sub-Section (a) does not apply to:
 - i. A motor vehicle used by a constable in the course of his duties; or
 - ii. A motor vehicle used by a person conducting a traffic survey authorized by the minister.
 - iii. When a constable apprehends a person operating a motor vehicle contrary to Sub-Section (a), the constable may seize the device or equipment and it is forfeited to the crown.

55.

- a. Every person, who operates on a highway a vehicle in which a seat belt assembly is provided for the driver, shall wear the complete seat belt assembly in a properly adjusted and securely fastened manner but, where a seat belt assembly comprises a pelvic restraint and a torso restraint which are not joined, the driver shall be required to wear the pelvic restraint only.
- b. Every person, who is a passenger on a highway in a vehicle in which a seat belt assembly is provided for the seating position occupied by a passenger, shall wear the complete seat belt assembly in properly adjusted an securely fastened manner but, where a seat belt assembly comprises a pelvic restraint and a torso restraint which are not joined, the passenger shall be required to wear pelvic restraint only.
- c. Sub-Sections (a) & (b) do not apply to a person:
 - i. Driving in reverse;
 - ii. Who holds a certificate signed by a duly qualified medical practitioner certifying that the person is:
 - (1) for the period stated in the certificate, unable to wear a seat belt assembly, or
 - (2) because of the size, build, or other physical characteristics unable to wear a seat belt assembly;
 - iii. Who is actually engaged in work which requires the person to alight from and re-enter a vehicle at frequent intervals and who, does not drive at a speed exceeding fifty (50) kilometres per hour; or
 - iv. Under the age of sixteen (16) years

- d. No person shall operate on a highway a vehicle in which there is a passenger who
 - i. Has attained the age of five (5) years, or
 - ii. Whose weight exceeds eighteen kilograms and who is under sixteen (16) years of age and occupies a seating position for which a seat belt assembly has been provided, unless that passenger is wearing the complete assembly in a properly adjusted and securely fastened manner.
 - e. Sub-Section (d) does not apply where the passenger
 - i. Is the holder of a certificate signed by a duly qualified medical practitioner certifying that the person is:
 - (1) for the period stated on the certificate, unable for medical reasons to wear a seat belt assembly, or
 - (2) because of the size, build or other characteristic, unable to wear a seat belt assembly.
 - ii. Is occupying and properly secured in child seating and restraint system as prescribed under the regulations.
 - f. No person shall operate upon a highway a vehicle in which there is a passenger who is under five (5) years of age or whose weight does not exceed eighteen (18) kilograms, unless properly secured in a child seating and restraint system as prescribed under the regulations.
 - g. Sub-Section (f) does not apply where the passenger is the holder of a certificate signed by a duly qualified medical practitioner certifying that the passenger is:
 - i. For the period stated in the certificate, unable for medical reasons to be secured in a child seating and restraint system;
 - ii. Because of size, build or other physical characteristic, unable to be secured in a child seating and restraint system.
56. No person shall injure, deface, remove or in any manner interfere with any sign or any notice or obstruction lawfully placed on any highway.
57. Each identification plate shall, when the vehicle to which it is attached is used upon a highway, be free from mud, dust and other obstructing material and free from mutilations so

that at all times it is clearly visible and legible and the view of the plate shall not be obstructed or obscured by any part of the vehicle or its equipment or load.

58. A traffic officer who has reason to suspect that a vehicle has exposed there on an identification plate which was not issued for it or which although issued for it was obtained by false pretenses or which is being used contrary to the Highway Traffic Act or these regulations may take possession of the identification plate and retain it until the facts as to the carrying of the plate have been determined.
59. Where there is a sale or other transfer of ownership of a registered vehicle the transferor and the transferee shall by notice in writing in such form, if any, as the registrar prescribes, notify the registrar of the transfer within six (6) days after the transfer takes place.
60. Whenever the owner of licensed vehicle changes his address as given in the application made by him shall within six (6) days file, or cause to be filed with the registrar his change of address and subsequent change of address.
61. Whenever the name of a person who has applied for or obtained registration of a vehicle is thereafter changed by marriage or otherwise that person shall within ten (10) days notify the registrar of the change.
62. A driver's licence is not valid to authorize the holder thereof to drive other than the class of vehicles specified in the licence.
63. A person who has in his possession a driver's licence issued to another person shall not hold himself out to be that other person or drive or attempt to drive a motor vehicle under the authority of that driver's licence.
64. If a licensed driver occupying a motor vehicle operated by a licensed beginner upon a highway, fails on request of a traffic officer to produce his driver's licence then and there for the officer's inspection, such person is guilty of an offence.
65. If a person occupying a motor vehicle while the same is being operated by a licensed beginner directly or indirectly pretends that he is a licensed driver when he is not so licensed, such person is guilty of an offence.
66. A licensed beginner shall not lend or permit the use of by another person any beginner's licence issued to such licensed beginner.
67. Whenever the holder of a driver's licence changes his address as given in the application made by him he shall within six days file, or cause to be filed with the registrar his change of address and every subsequent change of address.

68. Whenever the name of a person who has applied for or obtained a driver's licence is thereafter changed by marriage or otherwise that person shall within ten (10) days notify the registrar of the change, giving the former name and the new name.
69. Every person is guilty of an offence who:
- a. Defaces or alters a driver's licence or displays or causes or permits to be displayed or has in his possession a driver's licence which is fictitious or has been defaced, altered, cancelled or suspended;
 - b. Lends or permits the use of by another any driver's licence issued to the person so lending or permitting the use thereof;
 - c. Displays or represents as his own any driver's licence not issued to him.
- 70.
- a. A motor vehicle required to be equipped with lamps in accordance with Regulation 45 shall be equipped with vehicle hazard lamps, that when activated, all flash simultaneously.
 - b. Paragraph (a) does not apply to a vehicle manufactured before January 1, 1971, and was not originally equipped with a vehicle hazard warning lamp system.
 - c. A trailer that is being towed by a motor vehicle to which paragraph (a) applies shall be equipped with vehicle hazard warning lamps showing to the rear and flash simultaneously with each other and with the vehicle hazard warning lamps of the towing vehicle.
71. No backup lamp shall be lighted while the vehicle is in a forward motion.
- 72.
- a. No person shall operate on a highway, a motor vehicle other than a motorcycle or moped unless it is equipped with:
 - i. An adequate service brake; and
 - ii. An adequate emergency or parking brake.
 - b. No motorcycle, moped or self-propelled implement of husbandry shall be operated on a highway unless each wheel of the vehicle is equipped with an adequate service brake.
73. Every person driving a motor vehicle on a highway shall on request of a peach officer:

- a. Permit the officer to inspect and test the brakes with which the motor vehicle is equipped and for the purpose to operate the vehicle; or
 - b. At the option of the officer, operate the motor vehicle as directed by the officer for the purpose of the inspection of the brakes.
74. A motor vehicle shall be equipped with an efficient horn which the driver shall sound wherever it is reasonably necessary to notify pedestrians or others of the approach of the vehicle.
75. The driver of a motor vehicle shall not permit an unreasonable amount of smoke to escape from the motor vehicle.
76. A motor vehicle other than a motorcycle, moped or antique motor vehicle that is equipped with a windshield, shall be equipped with:
- a. A windshield wiper system; and
 - b. A windshield washer system that will clean moisture, road splash and other opaque material from the outside windshield glazing surface.
- 77.
- a. Every motor vehicle shall be equipped with a mirror securely attached to it and placed in a position that will afford the driver a clear view of the roadway to the rear and of any vehicles approaching from the rear.
 - b. The towing vehicle in every combination of motor vehicle shall, when the trailer or semi-trailer is so designed that it impedes the rear view of the driver through a mirror as provided in paragraph (a), be equipped with two mirrors, one affixed to each side of the motor vehicle, and both to provide the driver with a clear view of the roadway to the rear of the combination of vehicles.
- 78.
- a. A passenger car shall be equipped with a front and rear bumper.
 - b. No person shall install or alter a bumper on a passenger car unless the design of the bumper is equivalent to and the bumper is mounted in substantially the same manner as the bumper installed by the manufacturer of the passenger car.
79. A motor vehicle that has a hood that opens from the front of the vehicle shall be equipped with a primary and secondary hood latch mechanism.

80. No person shall drive or operate on a highway a motor vehicle drawing a trailer unless;
- a. The draw bar or other connection between the motor vehicle and the trailer will hold the vehicle together.
 - b. The vehicles are equipped and connected with an auxiliary coupling device consisting of a chain or metal cable equal in strength to the principal coupling device.
81. A motor vehicle other than a traction engine shall be fitted with an efficient speedometer so constructed and in such a position to indicate to the driver of the vehicle, within a margin of accuracy of plus or minus ten percent, the speed at which the motor vehicle is being driven.
- 82.
- a. Every commercial motor vehicle or combination of a commercial motor vehicle and trailer or trailers carrying a load on a highway shall:
 - i. Have sides, sideboards or stakes and rear stakes, either end gate or end board;
 - (1) securely attached to the vehicle;
 - (2) strong enough and high enough to ensure that the load that the vehicle is carrying will not shift upon or fall from the vehicle, and
 - (3) that have no aperture large enough to permit any of the load that the vehicle is carrying to pass through.
 - ii. Have at least one tie down assembly that meets the requirements of Section 83 for each linear metre of lading or fraction thereof, and as many additional tie down assemblies that meet the requirements of Section 83 as are necessary to secure each part of the load being carried, either by;
 - (1) direct contact between the load and the tie down assemblies, or
 - (2) dunnage that is in contact with the load and is secured by tie down assemblies, or
 - (3) for the purpose of this paragraph (ii) a tie down assembly or dunnage in contact with exterior, topmost items of the load and securely holding each interior and lower item, comply with this requirement; or
 - iii. Have other means of protecting against a shifting or falling load that are similar to and at least as effective as those specified in paragraph (i) and (ii).

- b. Subject to Sub-Section (c), where commercial motor vehicle or a combination of commercial motor vehicles and trailer or trailers is being operated on the highway and is carrying a load consisting of;
- i. Sand, gravel, crushed stone, slag, salt or any mixture thereof, where such substances are in the form of particles up to 40 millimetres (1 ½ inches) in diameter;
 - ii. Waste; or
 - iii. Shredded scrap metal

the portion of the load is not enclosed by the vehicle or load container shall be covered with covering that is made of tarpaulin, canvas, netting or other material capable of confining the load within the vehicle container or load container shall be designed to prevent leakage of liquids or materials.

- c. Sub-Section (b) does not apply where the commercial motor vehicle or the combination of commercial vehicle and trailers is being operated;
- i. In the course of applying sand, salt, a mixture of sand and salt or any similar substance to the highway for the purpose of winter highway maintenance;
 - ii. In the course of collecting waste;
 - iii. In the course of carrying waste where the vehicle does not have a gross weight or registered gross weight in excess of 4500 kg.
 - iv. In the course of carrying a load that is not waste and the vehicle does not have a gross weight or registered gross weight in excess of 4500 kg.
 - v. In the course of carrying sand, gravel, crushed stone or slag, of which not less than 90 per cent is clear aggregate, where the highest point of the load does not extend above the top of the vehicle container or load container, and the perimeters of the load are not less than 30 centimetres (12 inches) beneath the top of the vehicle container or load container.
 - vi. In the course of carrying agriculture products where such vehicles are owned by a farmer;
 - vii. On a highway with;
 - (1) an untreated gravel or crushed stone surface,

- (2) an earth surface, or
 - (3) a surface treated solely for dust abatement purposes;
 - (4) in the course of transporting fish or fish product in containers, container covers will be provided and will be secured to each container by cover fasteners or specially designed straps.
83. Where a commercial vehicle or combination of commercial vehicle and trailer or trailers on a highway carries a load that may shift in transit, the load shall be blocked, restrained or contained in such a manner that it will not shift in a forward direction when the vehicle decelerates at a rate of six metres per second and the load shall be;
- a. Securely blocked or braced against the sides, sideboards or stakes of the vehicle; or
 - b. Secured by devices that conform to the requirements set out in Section 82 (a) (ii) (1) or 82 (a) (iii).
84. Where a signal of intention to turn right or left or to drive from one lane to another is required, a driver shall give the signal continuously for sufficient distance before making the turn to warn traffic or to make his intention known to a traffic officer on point duty.
85. No person other than the holder of a permit or a person accompanying a permit holder shall park a motor vehicle or motorcycle in a disabled parking space.
- For the purpose of this section, disabled parking space means: a parking space set aside for disabled person to park a motor vehicle and so designated by a sign bearing the international wheelchair logo;
86. Where a traffic officer reasonably considers it necessary
- a. To ensure orderly movement of traffic;
 - b. To prevent injury or damage to persons or property;
 - c. To permit proper action in an emergency;
 - d. To stop any motor vehicle to ensure regulations are complied with,
- he may direct traffic according to his discretion, notwithstanding anything in this part, and every person will obey his directions.

87. A person shall not cause a vehicle to move on a highway if
- a. The driver's view to the front, sides or rear of the vehicle; or
 - b. The driver's control over the driving mechanism of the vehicle
- is obstructed or interfered with by reasons of load or number of persons in the front seat.
88. A driver shall not drive a vehicle to the left of the centre line of the roadway except
- a. When overtaking and passing another vehicle proceeding in the same direction;
 - b. When the roadway to the right of the centre line is obstructed by a parked vehicle or other object;
 - c. When the roadway to the right of the centre line is closed to traffic;
 - d. Upon a one-way roadway.
89. The driver of a vehicle shall not overtake and pass another vehicle upon the right
- a. When the movement cannot be made safely; or
 - b. By driving off the roadway.
90. The driver of a vehicle which meets or is being overtaken by another vehicle and which, because of the weight of the load or the width of either of them, finds it impractical to draw to the right shall immediately stop and, if necessary for the safety of the other vehicle and if requested to do so by the driver, he shall assist the driver of the other vehicle to pass without damage.
91. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the vehicles and the amount and nature of traffic upon and the condition of the roadway.
92. No person shall do, or permit to be done, anything which damages any improvements upon or under a highway.
93. Notwithstanding the generality of Section 4, the following classes of vehicles are prohibited from any highway unless otherwise specifically permitted:
- a. Vehicles having cleats or other devices attached to their wheels which may injure a highway.

- b. Vehicles which are equipped to run on tracks, and are running on tracks, on any highway that is surfaced with asphalt or concrete, or prepared with a base suitable for asphalt or concrete surfacing, except with the consent of the Engineering Services Director.
94. No person shall
- a. Construct, or cause to be constructed, or erect any installation or device which shall open over, obstruct, or in any way encroach upon a sidewalk or highway without the consent of the Town Manager.
 - b. Cause an extension cord to be laid across a sidewalk to plug in a block heater or other device on any motor vehicle.
- 95.
- a. No person shall drive, operate or permit to be driven or operated, any vehicle or equipment of any nature or kind in such a manner as to track upon a highway.
 - b. Any person who tracks upon a highway shall, in addition to the penalty, be liable to clean up or remove the substance or material tracked upon a highway in default of which the Town may clean up or remove such substance or material at the expense of the person tracking.
96. No person shall wash a vehicle upon a highway or near a highway as a result in depositing mud or creating slush or ice upon a sidewalk or highway.
97. No person shall place, or permit to be placed, any snow, ice, dirt, debris or other material removed from private property onto a highway or other public place unless a permit is first obtained authorizing a temporary obstruction for a specified time period. The Town may remove, or cause to be removed, any such materials and the cost of such removal shall be charged to the owner of such private property of the person responsible.
98. No person shall drive upon a highway a vehicle containing waste material unless such load is completely covered by a tarpaulin, or other covering device, secured in such a manner that no portion of the load can escape, blow, drop, spill or fall onto a highway or land adjacent thereto.
99. No engine of any vehicle, or vehicle and trailer combination, exceeding 8,000 kilograms gross weight shall be left running between the hours of 10:00 p.m. and 7:00 a.m. on any highway, other than a Town parking lot designated for the use of vehicles.

100. Truck routes as designated on Schedule 1, to this by-law shall be used by vehicle or vehicle and trailer combination, over 8,000 kilograms registered gross weight, or exceeding 6.0 metres overall length, except for loading or unloading at destinations within the Town provided the shortest distance from and to a truck route shall be used.
101. These regulations shall come into effect from the date of publication in the Newfoundland Gazette or from such later date as may be specified.
102. All previous Traffic Regulations for the Town of Gander are hereby repealed.

Section 24, Street changed to Highway, passed by Council June 1st, 1994