

May 3, 2006

Government sets new fines to spare court time

Regulatory changes also include new fines for new cargo securement laws

Edmonton... New voluntary fines are being introduced for a variety of provincial offences that currently require a mandatory court appearance.

The new specified penalties are being applied to several offences under transportation regulations such as those governing the inspection of buses and commercial vehicles, as well as to all offences under the new Cargo Securement Regulation, which came into effect in February 2005. The fines will range from \$50 to \$500 and are based on the fines usually levied by the courts or on fines specified under previous legislation.

"These offences are not so serious as to warrant a mandatory appearance before a judge, yet they are clogging up the courts because there is no alternative for someone who just wants to plead guilty," said Ty Lund, Minister of Infrastructure and Transportation. "Imposing a specified fine will allow those who wish to plead guilty to voluntarily pay the appropriate penalty and those who wish to challenge a charge to go to court."

The new specified penalties are part of a package of new and, in some cases, increased fines that come into effect June 1.

In addition to new fines, a small number of existing fines under the Traffic Safety Act are being increased to bring them in line with the fines for similar offences. For example, the fine for operating a motor vehicle without a licence is currently \$100 while the fine for the similar offence of failing to provide a police officer with a driver's licence is \$150. As a result of these changes, both fines will now be \$150.

"This is a housekeeping measure that deals with fines that were inadvertently overlooked during the review of traffic safety fines in 2003," Lund said.

Fines under the Crown Property Regulation are also being increased for the first time in more than 20 years to better serve as a deterrent. For example, the current fine for parking outside designated areas on Crown property is \$5. That will rise to \$50, a more appropriate level that is consistent with municipal parking fines.

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Background:

Details of fine changes are attached:

Media enquiries may be directed to:

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To call toll-free within Alberta dial 310-0000.

Background

May 3, 2006

New and adjusted fines for provincial offences

New fines for offences under transportation-related regulations

New fines have been introduced for a number of offences under the Traffic Safety Regulation, the Vehicle Equipment Regulation, the Commercial Vehicle Inspection Regulation, and the Bus Safety Regulation. These new fines are for offences that currently require a mandatory court appearance. With the introduction of a specified penalty, a person will not have to attend court if the fine is paid. The fine amount is based on the fines for similar offences or on fines usually levied by the courts upon conviction.

Offence	Regulation	Fine
Have a motor vehicle or sell or offer for sale parts or accessories without a serial number or authorized identification marks.	Traffic Safety Regulation	\$300
Operate an over dimensional motor vehicle on a highway contrary to a permit or the <i>Traffic Safety Act</i> .	Traffic Safety Regulation	\$300
Flashing lights must be amber and visible from all directions. This applies to specific vehicles used in highway construction, land surveying, seismic exploration, or servicing public utilities.	Vehicle Equipment Regulation	\$150
Retro reflective sheeting or reflex reflectors, used for reflective markings used on a trailer, must conform to federal standards.	Vehicle Equipment Regulation	\$50
Conspicuity systems on trailers manufactured after January 24, 1997 must comply with federal standards.	Vehicle Equipment Regulation	\$50
Hazard warning lights must comply with standards upon demand by authorities.	Vehicle Equipment Regulation	\$50
A commercial vehicle must not be operated unless it is inspected, have inspection certificate in the vehicle or located as specified, inspection decal is securely affixed, and certificate and decal are current.	Commercial Vehicle Inspection Regulation	\$200
A-dolly or C-dolly must not be operated unless it is inspected, have inspection certificate in the vehicle or located as specified, inspection decal is securely affixed, and certificate and decal are current.	Commercial Vehicle Inspection Regulation	\$200

Operator of commercial vehicle shall produce inspection certificate to authorities upon request.	Commercial Vehicle Inspection Regulation	\$150
Owner fails to submit bus for an inspection.	Bus Safety Regulation	\$200
Driver operating a bus without a valid inspection certificate	Bus Safety Regulation	\$200
Owner or operator fails to keep inspection certificate in bus or fails to produce the inspection certificate on demand.	Bus Safety Regulation	\$150

New fines for new Cargo Securement Regulation

New fines have been introduced for offences under the Cargo Securement Regulation. Fine levels were not set at the time this regulation came into effect in February 2005, so any violation currently has to be dealt with through court. Fine levels were established after an appropriate educational period. These fines are designed to provide both a strong deterrent to unsafe practices and flexibility to target more serious offences. The fine amounts are consistent either with specified or court-imposed fines under former load securement regulations.

Offence	Fine
Non-compliance with the National Safety Code (NSC) Standard 10 that is likely to result in cargo falling off a vehicle and creating a hazard for other road users.	\$500
Technical non-compliance with NSC Standard 10 although the cargo is still secure.	\$300
Less-severe technical non-compliance with NSC Standard 10 although the cargo is still secure. This lower fine will give enforcement personnel some discretion to levy a lower fine if justified.	\$150

Adjustments to fines under Traffic Safety Regulation

Fines for four offences are being increased to bring them in line with fines for similar offences. These fines were overlooked during a review of fines under the Traffic Safety Act and Regulation in 2003.

Offence	Fine Adjustment	Comments
Operating a motor vehicle without an operator's licence in possession.	Increase fine from \$100 to \$150	To bring the fine amount in line with the \$150 fine for the offence of failing to produce documents to a peace officer upon request.

Failure of a driver of an off-highway vehicle to produce documents to a peace officer on request.	Increase fine from \$100 to \$150	To bring the fine amount in line with the \$150 fine for the offence of failing to produce documents to a peace officer upon request.
Failure of a driver of a motor vehicle to provide information to a peace officer.	Increase fine from \$100 to \$150	To bring the fine amount in line with the \$150 fine for the offence of failing to produce documents to a peace officer upon request.
Failure of a driver of a commercial vehicle to stop for a peace officer upon request or signal.	Increase fine from \$200 to \$250	To bring the fine amount in line with the \$250 fine for the offence of failure of a driver of a motor vehicle to stop for a peace officer upon request.

Adjustments to fines under Crown Property Regulation

Some fines under the Crown Property Regulation have not been updated in more than 20 years and no longer reflect an appropriate deterrent level. Current fines range from \$5 to \$20. These fines are being increased to a more appropriate level of \$50 to \$200, with the majority of fines at \$100. These updated fine levels have been set to be consistent with fines for similar offences under municipal and other provincial regulations.

Examples of Offences	Fine Adjustment
Parking a vehicle on Crown property without authorization.	Increase fine from \$5 to \$50.
Using a vehicle, other object or self to block, obstruct, impede or to hinder the flow of vehicle traffic or pedestrian.	Increase fine from \$10 to \$100.
Drive or place a vehicle in an area not used for vehicles; block and entrance or exit; damage property; or congregate with others in a disorderly manner.	Increase fine from \$20 to \$200
Erecting or placing signs, devices or structures on Crown land without authorization.	Increase fine from \$20 to \$100.

New fines under Crown Property Regulation

In addition to adjusting current fines, a number of new fines are being introduced for offences that currently require a mandatory court appearance. These new fines have been set to be consistent with fines for similar offences under municipal and other provincial regulations.

Offence	Fine
Interfere with, obstruct, harass or molest any person who is lawfully on Crown property.	\$200
Occupying, residing, camping or sleeping on Crown property between sunset and sunrise of the next day.	\$100
Bringing an animal onto Crown land, that is not properly restrained or in restricted areas.	\$100

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