

SNOW VEHICLE REGULATIONS

PUBLISHED BY AUTHORITY

The following Regulations have been made by the Town Council of the Town of Happy Valley-Goose Bay pursuant to the *Municipalities Act, 1999*, SNL 1999, c M-24.

_____, **Mayor**

Short Title

1. These Regulations may be cited as the Snow Vehicle Regulations of the Town of Happy Valley-Goose Bay.

Definitions

2. In these Regulations:
 - (a) **“Act”** means the *Municipalities Act, 1999*, SNL 1999, c M-24 (as amended);
 - (b) **“Council”** means the Town Council of the Town of Happy Valley-Goose Bay;
 - (c) **“Town”** means the Town of Happy Valley-Goose Bay;
 - (d) **“Highway”** means a place or way, including a structure forming part of the place or way, under the management and control of the Town, designed and intended for, or used by, the public for the passage of traffic or the parking of vehicles and includes all the space between the boundary lines of the place or way;
 - (e) **“Snow Vehicle”** means a tracked vehicle, commonly known as a snowmobile, where the driver sits astride a seat which is designed for operation over snow and covered land and ice;
 - (f) **“Muffler”** means noise reducing equipment which shall be kept in good working condition and which shall prevent excessive or unusual noise and shall not be modified with a muffler cut-off, straight exhaust, gutted muffler, Hollywood muffler, by-pass or other device which has the effect of by-passing or reducing the efficiency of that noise reducing equipment;
 - (g) **“Officer”** means any person appointed by Council to police these Regulations; and,
 - (h) **“Regulations”** mean these Snow Vehicle Regulations.

Equipment

3. All Snow Vehicles must be registered in accordance with the *Motorized Snow Vehicles and All Terrain Vehicles Act*, RSNL 1990, c M-20 as amended, and the *Motorized Snow Vehicle and All Terrain Vehicle Regulations*, CNLR 1163/96 as amended, and be equipped with the following:

- (a) An adequate head lamp;
 - (b) An adequate tail lamp;
 - (c) An amber reflector affixed to the front of the Snow Vehicle or with one amber reflector affixed to each side of the Snow Vehicle at or towards the front of it;
 - (d) At least one red reflector at the rear of the Snow Vehicle; either separate from or incorporated within the tail required under subsection (c);
 - (e) An adequate and efficient operating braking system; and,
 - (f) A Muffler designed by the manufacturer for use on such vehicle.
4. A person shall not alter or modify an approved Snow Vehicle muffler in any manner that results in an increased noise level when the vehicle is in operation.
5. Any cost incurred to obtain a professional opinion on whether a muffler has been altered or modified in contravention of Section 4 shall be borne by the operator of the Snow Vehicle when the muffler is found to be altered or modified.
6. Notwithstanding section 4, an operator may replace a defective muffler with a substitute provided the substitute meets the specifications and design criteria of the manufacturer of the original muffler;

Prohibited Operations

7. A person shall not operate a Snow Vehicle without due care and attention or without reasonable consideration for other persons or property.
8. A person shall not operate a Snow Vehicle in any area of the Town which is:
- (a) designated as a park or playground;
 - (b) a sidewalk or designated ski path;
 - (c) private property, without the express permission of the owner or occupant of that property;
 - (d) the property of any hospital, health centre or senior citizen's home;
 - (e) within fifteen (15) metres of the airport terminal buildings or the ends and sides of airport runways or ramps;
 - (f) an area where signs prohibit the use and operation of a Snow Vehicle; or,
 - (g) where persons engage in skiing, skating, tobogganing or in another outdoor recreational activity so as to create hazard or danger to those persons or their property.
9. A person shall not operate a Snow Vehicle in such a manner as to:
- (a) constitute a nuisance or create annoyance to residents or other persons;
 - (b) be hazardous to himself/herself or to other persons or property;

- (c) drive, harass, chase, run over, injure or kill any wildlife or domestic animal(s); or,
 - (d) without limiting the generality of the foregoing, in a manner that constitutes danger or hazard to the operators or passengers of other Snow Vehicles being operated in the same area.
10. A person other than the operator of a Snow Vehicle shall not ride on the Snow Vehicle unless:
- (a) the Snow Vehicle is designed and equipped by the manufacturer to carry more than one person; and
 - (b) the person other than the operator rides on a seat attached to the Snow Vehicle and designed to carry a passenger.
11. A person shall not operate a Snow Vehicle after sunset or at anytime when fog or other atmospheric conditions reduce visibility, unless the Snow Vehicle is equipped as follows:
- (a) with a headlight at the front that projects a white light for a distance of a least sixty (60) metres; and,
 - (b) with a tail light at the rear that shows a red light visible at a distance of a least sixty (60) metres behind the vehicle.
12. A person shall not tow any sleigh, trailer or other object whatsoever behind a Snow Vehicle within the Town in such a manner as to be hazardous to himself/herself or other persons or property.

Operation on Highway

13. A person shall not drive, operate or otherwise move a Snow Vehicle, or cause or permit a person to drive, operate or otherwise move a Snow Vehicle, upon a Highway unless;
- (a) the operator is the holder of a class of driver's license issued under the *Highway Traffic Act*, RSNL 1990, c H-3, as amended; and,
 - (b) the operator and the Snow Vehicle being driven is insured in the manner prescribed under the *Motorized Snow Vehicles and All Terrain Vehicles Act*, RSNL 1990, c M-20 as amended, and the *Motorized Snow Vehicle and All Terrain Vehicle Regulations*, CNLR 1163/96 as amended.
 - (c) a Snow Vehicle may only be driven, operated, or otherwise moved on a Highway in the following circumstances:
 - (i) on the shoulder when no other trail or means of movement is possible at a speed not to exceed 15km per hour for the purpose of accessing the nearest possible trail; and,
 - (ii) across a highway only at those points where the operator has not less than 100 metres visibility in both directions along the Highway.
 - (d) the driver of a Snow Vehicle on a Highway shall at all times yield the right of way to drivers of all classes of motor vehicles on a Highway.

Age of Operators

14. A person under the age of 13 years shall not drive a Snow Vehicle unless they are accompanied by a person who is 19 years of age or older. For the purposes of this section, an operator of a Snow Vehicle is accompanied and supervised when the other person has visual and voice communication with the operator.

Insurance

15. All Snow Vehicles must be insured in accordance with the *Motorized Snow Vehicles and All Terrain Vehicles Act*, RSNL 1990, c M-20 as amended, and the *Motorized Snow Vehicle and All Terrain Vehicle Regulations*, CNLR 1163/96 as amended.

Penalties

16. A person who contravenes or fails to comply with these Regulations is upon summary conviction guilty of an offence and is liable:
 - (a) for a first offence to a fine of not less than **\$100.00** and not more than **\$500.00** or to a term of imprisonment of not more than one month or to both the fine and the imprisonment; and,
 - (b) for a subsequent offence to a fine of not less than **\$500.00** and not more than **\$1,000** or to a term of imprisonment or not more than 3 months or to both the fine and imprisonment.
 - (c) the owner of a Snow Vehicle shall incur all penalties imposed for contravention of these Regulations, unless the Snow Vehicle was, at the time of the offence, taken without the owner's knowledge or expressed consent;
 - (d) the operator of a Snow Vehicle within the Town, without the knowledge or expressed consent of the owner, shall incur all penalties imposed for any contravention of these Regulations;
 - (e) the penalty for an offence under these Regulations where the offender is under 13 years of age shall be assessed against the parent or guardian of the offender.

Repeal

17. The Town of Happy Valley-Goose Bay Snow Vehicle Regulations passed on October 28, 2003 are hereby repealed.

Coming into Force

18. These Regulations were adopted and passed by Council at a meeting held on the day of 2013 and are effective as of that date.