

BILL

No. 17

An Act to amend *The Traffic Safety Act*

(Assented to _____)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Traffic Safety (Miscellaneous) Amendment Act, 2020*.

SS 2004, c T-18.1 amended

2 *The Traffic Safety Act* is amended in the manner set forth in this Act.

Section 2 amended

3 **Subsection 2(1) is amended:**

(a) **by adding the following clause after clause (b):**

“(b.1) **‘bill of sale’** means a bill of sale as defined in the regulations”;

(b) **by adding the following clause after clause (p):**

“(p.1) **‘mobility aid’** means a device that is manufactured for operation by a person who requires the device for mobility due to a physical disability and:

(i) is a wheelchair; or

(ii) is a motorized device that is used in a normal seated orientation and has:

(A) a maximum speed capability of not more than 15 kilometres per hour;

(B) a maximum width of not more than 81.2 centimetres; and

(C) a maximum mass of not more than 226 kilograms”;

(c) **by repealing clause (aa) and substituting the following:**

“(aa) **‘pedestrian’** means:

(i) a person on foot; or

(ii) a person in or on a mobility aid”;

(d) **in clause (ii) by adding “or videotaping” after “photographing”;**

(e) **by adding the following clause after clause (uu):**

“(uu.1) **‘towed mobile equipment’** means a prescribed vehicle or prescribed equipment”;

(f) by repealing clause (zz.1) and substituting the following:

“(zz.1) **‘trailer dealer’** means a person who is engaged, in whole or in part, in the business of selling new or used trailers or semi-trailers;

“(zz.2) **‘trailer manufacturer’** means a person who is engaged, in whole or in part, in the business of moving or manufacturing new or used trailers or semi-trailers”; **and**

(g) by repealing clause (ccc) and substituting the following:

“(ccc) **‘vehicle’** means a device in, on or by which a person or thing is or may be transported or drawn on a highway and includes special mobile machines, farm implements and towed mobile equipment but does not include vehicles running only on rails or solely on railway company property”.

Section 32 amended

4 Clause 32(2)(f) is repealed and the following substituted:

“(f) the driver of a vehicle or class of vehicles that may be operated on a highway without a driver’s licence as set out in the regulations”.

Section 33 amended

5 Clause 33(a) is amended by striking out “subsection 32(2)” and substituting “clause 32(2)(d)”.

Section 41 amended

6 Clause 41(r) is amended by striking out “subsection 161(13)” and substituting “subsection 161(12)”.

Section 48 amended

7 Clause 48(2)(b) is amended by adding “or clause 51(2)(b)” after “section 42”.

New section 51

8 Section 51 repealed and the following substituted:

“When administrator may act without hearing

51(1) Every holder of a driver’s licence who suffers from a medical condition that may make it dangerous to operate a vehicle shall report that condition to the administrator.

(2) If the administrator receives a report pursuant to subsection (1), the administrator shall require the holder of the driver’s licence mentioned in subsection (1) to do all or any of the following:

(a) pass a driver’s examination conducted by a person authorized by the administrator to conduct that examination;

(b) file with the administrator a medical report that:

(i) is in a form acceptable to the administrator; and

(ii) is completed by a practitioner acceptable to the administrator.

(3) If, pursuant to subsection (2), the administrator requires an applicant for or a holder of a driver’s licence to obtain a medical report, the administrator may pay for the medical report.

(4) The administrator shall review any report received pursuant to subsection (2) and subsections 283(1) and (2).

(5) If a report reviewed pursuant to subsection (4) indicates that a person has a disease, disability or medical condition that may interfere with the safe operation of a vehicle, the administrator may do all or any of the following:

- (a) suspend, cancel or refuse to issue the person's driver's licence for a stated period or indefinitely;
- (b) change the class of the person's driver's licence;
- (c) add, remove or change any endorsement on the person's driver's licence;
- (d) impose any conditions or restrictions on the person's driver's licence that the administrator considers appropriate".

New section 63.1

9 The following section is added before section 64:

"Bill of sale required

63.1 Every person who sells a motor vehicle, trailer or semi-trailer shall use a bill of sale to effect the sale of that motor vehicle, trailer or semi-trailer".

Section 64 amended

10 Clause 64(2)(b) is amended by adding "a bill of sale and" after "the owner provides the administrator with".

Section 68 amended

11 The following clause is added after clause 68(1)(b):

"(c) a trailer manufacturer".

Section 74 amended

12(1) Subsection 74(3) is amended by striking out "Every driver of a vehicle" and substituting "Subject to subsection (4), every driver of a vehicle".

(2) The following subsection is added after subsection 74(3):

"(4) Every driver of a motorcycle for which a registration permit is issued to operate or move a motorcycle from place to place, other than for the transportation of passengers, goods, wares, merchandise or commodities or for other commercial or business purposes, shall carry the permit on the driver's person or in the driver's motorcycle".

Section 75 amended

13 Subsection 75(1) is amended:

(a) in clause (g) by striking out "subsection 161(13)" and substituting "subsection 161(12)"; and

(b) in clause (s) by adding "or trailer manufacturer" after "bona fide dealer".

Section 87 amended

14 Subsection 87(1) is repealed.

Section 150.2 amended

15 Subsections 150.2(2) to (4) are repealed and the following substituted:

“(2) A garage keeper who immobilizes or impounds a motor vehicle pursuant to this section is deemed to have a lien on the motor vehicle pursuant to section 3 of *The Commercial Liens Act* with respect to the motor vehicle for all unpaid amounts of prescribed fees, costs and charges relating to the immobilization or impoundment of that vehicle, and that Act applies, with any necessary modification, to the enforcement and realization of that lien.

“(3) If the prescribed period has expired and fees, costs and charges mentioned in subsection (2) have not been paid to the garage keeper, the garage keeper may:

- (a) realize on the lien mentioned in subsection (2) in accordance with *The Commercial Liens Act*; or
- (b) apply to the administrator for a transfer of ownership of the motor vehicle to the garage keeper by delivering to the administrator:
 - (i) the licence plates from the motor vehicle; and
 - (ii) the prescribed information.

“(4) Section 161 applies, with any necessary modification, to:

- (a) the realization of a lien, a transfer of ownership and a sale following a transfer of ownership mentioned in subsection (3);
- (b) the application of the proceeds of realization and a sale following a transfer of ownership mentioned in subsection (3);
- (c) the refund of registration fees and insurance premiums as a result of a transfer of ownership mentioned in subsection (3); and
- (d) the recovery of any amounts payable by the administrator pursuant to section 161 as a result of the application of that section.

“(5) Subject to sections 153, 164 and 166, a motor vehicle is to remain immobilized or impounded until the earliest of the following events:

- (a) the amounts mentioned in subsection (2) are paid;
- (b) the garage keeper realizes on the lien mentioned in subsection (2) in the manner set out in this Act and the regulations;
- (c) the administrator acts pursuant to subsection 161(6)”.

New section 155.5

16 The following section is added after section 155.4:

“Application of sections 165, 167, 169, 170 and 171

155.5 Sections 165, 167, 169, 170 and 171 apply with any necessary modification to impoundments pursuant to Divisions 3 and 4”.

Section 159 amended**17 The following clauses are added after clause 159(d):**

“(d.1) **‘notice of seizure and direction’** means a notice of seizure and direction issued pursuant to this Division;

“(d.2) **‘notice of seizure and impoundment or immobilization’** means a notice of seizure and impoundment or immobilization issued pursuant to this Division”.

Section 160 amended**18(1) Subsection 160(1) is repealed.****(2) Subsection 160(2) is amended:**

(a) in the portion preceding clause (a) by striking out “and either” and substituting “and do one of the following”;

(b) by striking out “or” after clause (a); and

(c) by adding the following clause after clause (b):

“(c) retain the impounded vehicle in the peace officer’s possession”.

New section 161**19 Section 161 is repealed and the following substituted:****“Section 160 impoundments re garage keepers**

161(1) A garage keeper shall immobilize or impound the motor vehicle at the place specified by the peace officer pursuant to clause 160(6)(e) or (f).

(2) Subject to subsection (4), sections 163 and 166 and the regulations, a garage keeper who immobilizes or impounds a motor vehicle pursuant to this section is deemed to have a lien on the motor vehicle pursuant to section 3 of *The Commercial Liens Act* with respect to the motor vehicle for all unpaid amounts of prescribed fees, costs and charges relating to the seizure, immobilization and impoundment, and that Act applies, with any necessary modification, to the enforcement and realization of that lien.

(3) Subject to sections 162, 164 and 166, a motor vehicle is to remain immobilized or impounded until the earliest of the following events:

(a) the amounts mentioned in subsection (2) are paid;

(b) the garage keeper realizes on the lien mentioned in subsection (2) in the manner set out in this Act and the regulations;

(c) the administrator acts pursuant to subsection (6).

(4) If the prescribed period has expired, a garage keeper:

(a) may realize on the lien mentioned in subsection (2) in accordance with *The Commercial Liens Act*; and

(b) shall apply the proceeds of that realization in the prescribed manner.

(5) If the prescribed period has expired, a garage keeper may apply to the administrator for transfer of ownership of the motor vehicle to the garage keeper by delivering to the administrator:

- (a) the licence plates from the motor vehicle; and
- (b) the prescribed information.

(6) The administrator may complete a transfer of ownership form respecting a motor vehicle to transfer ownership of the motor vehicle to the garage keeper if the administrator is satisfied that the amount of the lien on the motor vehicle exceeds the value of the motor vehicle.

(7) If the administrator has acted pursuant to subsection (6), the administrator may cancel the certificate of registration or registration permit for the motor vehicle.

(8) Notwithstanding any other Act or law, the ownership of a motor vehicle is transferred to and vested in a garage keeper when a transfer of ownership form respecting a motor vehicle has been completed by the administrator pursuant to subsection (6).

(9) If the administrator has cancelled a certificate or permit pursuant to subsection (7), the administrator shall take the following actions with respect to any refund of registration fees and insurance premiums:

- (a) apply the refund towards the unpaid amounts of any prescribed fees, costs and charges relating to the seizure, impoundment or immobilization of the motor vehicle in the prescribed manner;
- (b) forward any balance of the refund to the person who was the last registered owner of the motor vehicle before its seizure.

(10) A transfer of ownership of a motor vehicle pursuant to this section does not defeat any security interest or other interest perfected against the motor vehicle pursuant to *The Personal Property Security Act, 1993*.

(11) Following realization on a lien by a garage keeper pursuant to subsection (4), or if the administrator has acted pursuant to subsection (6) and the garage keeper subsequently sells the motor vehicle, the garage keeper may apply to the administrator within the prescribed period for the payment of any remaining proceeds of that realization or sale to the garage keeper and the administrator may pay any remaining proceeds of the realization or sale to the garage keeper if:

- (a) the proceeds of the realization are not sufficient to cover all unpaid amounts of prescribed fees, costs and charges relating to the seizure, impoundment or immobilization; and
- (b) the garage keeper has provided the administrator with the prescribed information.

(12) Any amount paid by the administrator pursuant to subsection (11), together with any other amounts payable to the administrator due to the seizure, impoundment or immobilization, is a debt payable to the administrator by:

- (a) the owner of the motor vehicle; or
- (b) if the administrator is unable to determine who is the owner of the vehicle, the driver”.

Section 162 amended

20 Subsection 162(1) is amended by striking out the portion preceding clause (a) and substituting the following:

“The following persons may apply to a hearing officer for the release of a motor vehicle that has been seized and impounded or immobilized pursuant to section 160 by applying in the prescribed form and in the prescribed manner and paying the prescribed application fee.”.

Section 163 amended

21(1) Subsection 163(1) is amended by adding “that is impounded or immobilized pursuant to section 160” after “a motor vehicle”.

(2) Subsection 163(2) is amended in the portion preceding clause (a) by adding “mentioned in subsection (1)” after “period of immobilization or impoundment”.

(3) Subsection 163(3) is amended in the portion preceding clause (a) by adding “that is impounded or immobilized pursuant to section 160” after “a motor vehicle”.

New sections 163.1 to 163.3

22 The following sections are added after section 163:

“Seizure and impoundment by peace officer re hazard

163.1(1) In this section, ‘**impounded vehicle**’ means a vehicle or a combination of vehicles seized and impounded pursuant to subsection (2).

(2) Without a warrant, a peace officer may seize and impound a vehicle or combination of vehicles:

(a) if that vehicle or combination of vehicles is being operated in the prescribed manner; or

(b) if that vehicle or combination of vehicles is apparently abandoned on the travelled portion of a highway in a place or in a manner that constitutes a hazard to other users of that highway.

(3) If a peace officer impounds a motor vehicle or combination of vehicles pursuant to this section, the peace officer shall issue a copy of a notice of seizure and direction to the driver and to the owner of the motor vehicle.

(4) An impounded vehicle must remain impounded for the prescribed period.

(5) A peace officer may retain the impounded vehicle in the peace officer’s possession or direct a garage keeper to impound the vehicle.

(6) A garage keeper who immobilizes or impounds a motor vehicle pursuant to this section is deemed to have a lien on the motor vehicle pursuant to section 3 of *The Commercial Liens Act* with respect to the motor vehicle for all unpaid amounts of prescribed fees, costs and charges relating to the impoundment, and that Act applies, with any necessary modification, to the enforcement and realization of that lien.

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- (7) If the prescribed period has expired and fees, costs and charges mentioned in subsection (5) have not been paid to the garage keeper, the garage keeper may:
- (a) realize on the lien mentioned in subsection (6) in accordance with *The Commercial Liens Act*; or
 - (b) apply to the administrator for transfer of ownership of the motor vehicle to the garage keeper by delivering to the administrator:
 - (i) the licence plates from the motor vehicle; and
 - (ii) the prescribed information.
- (8) Section 161 applies, with any necessary modification, to:
- (a) the realization of a lien, a transfer of ownership and a sale following a transfer of ownership mentioned in subsection (7);
 - (b) the application of the proceeds of a realization and a sale following a transfer of ownership mentioned in subsection (7);
 - (c) the refund of registration fees and insurance premiums as a result of a transfer of ownership mentioned in subsection (7); and
 - (d) the recovery of any amounts payable by the administrator pursuant to section 161 as a result of the application of that section.
- (9) A prescribed person may apply to the board for a review of an impoundment pursuant to this section in the prescribed circumstances.
- (10) An application for review pursuant to subsection (9) must:
- (a) be in the prescribed form and manner; and
 - (b) be accompanied by the prescribed fee.
- (11) A review pursuant to subsection (9) must be conducted in the prescribed manner.

“Impoundment re commercial vehicles

163.2(1) In this section and in clause 287(1)(bbbb.4):

- (a) **‘commercial vehicle’** means a prescribed vehicle;
 - (b) **‘driver’** means the operator of a commercial vehicle.
- (2) In the prescribed circumstances, if a peace officer seizes and impounds a commercial vehicle pursuant to section 163.1:
- (a) the peace officer shall immediately:
 - (i) suspend the driver from driving a motor vehicle;
 - (ii) if the driver is the holder of a driver’s licence or any other permit authorizing the driver to drive a motor vehicle, require the driver to immediately surrender the driver’s driver’s licence or permit; and
 - (iii) issue and serve a notice of suspension on the driver; and
 - (b) on being required to do so pursuant to subclause (a)(ii), the driver shall immediately surrender the driver’s driver’s licence or permit to the peace officer.

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- (3) If a driver is served with a notice of suspension pursuant to this section, the driver is suspended from driving a motor vehicle for a period of 3 days.
- (4) If a peace officer suspends the driver's licence of a driver pursuant to this section, the peace officer shall:
- (a) keep a written record of the driver's licence suspended by the peace officer;
 - (b) provide the driver whose driver's licence is suspended with a written statement, in the prescribed form, of the time from which the suspension takes effect;
 - (c) if the driver surrenders that driver's driver's licence, give the driver a receipt for the driver's licence; and
 - (d) promptly send the driver's licence of the driver to the administrator.
- (5) A driver's licence surrendered pursuant to subsection (4) must be returned to the driver by ordinary mail at the address shown on the licence unless the driver calls for the driver's driver's licence in person.
- (6) A driver whose driver's licence is suspended pursuant to this section may, in the prescribed circumstances, apply to the board for a review of the suspension.
- (7) The owner of a commercial vehicle whose commercial vehicle is impounded pursuant to this section may, in the prescribed circumstances, apply to the board for a review of the impoundment.
- (8) An application for review pursuant to subsection (6) or (7) must:
- (a) be in the prescribed form and manner; and
 - (b) be accompanied by the prescribed fee.
- (9) A review pursuant to subsection (6) or (7) must be conducted in the prescribed manner.
- (10) An application for review pursuant to subsection (6) does not stay the suspension.

“Release of motor vehicles re sections 163.1 and 163.2

163.3 Subject to subsections 163.1(9) and 163.2(7) and sections 164 and 166, a motor vehicle is to remain immobilized or impounded until the earliest of the following events:

- (a) the amounts mentioned in subsection 163.1(6) are paid;
- (b) the garage keeper realizes on the lien mentioned in subsection 163.1(6) in the manner set out in this Act and the regulation;
- (c) the administrator acts pursuant to subsection 161(6)”.

New section 165

23 Section 165 is repealed and the following substituted:

“Prohibition on tampering with impounded or immobilized vehicle

165 Except as otherwise provided in section 162, subsections 163.1(8) and 163.2(7), sections 164 and 166 and the regulations, no person shall:

- (a) remove or release, attempt to remove or release, or permit the removal or release of a motor vehicle that has been seized and impounded or immobilized from the place of impoundment or immobilization;
- (b) unless directed otherwise by the administrator, remove the licence plates from a motor vehicle while it is seized, impounded or immobilized pursuant to this Division; or
- (c) remove personal property that is attached to a motor vehicle or that is used in connection with the operation of a motor vehicle that has been seized, impounded or immobilized, other than prescribed personal property”.

New section 169

24 Section 169 is repealed and the following substituted:

“Civil remedy

169 The owner of a motor vehicle seized and immobilized or impounded may recover from an unauthorized driver or driver, as the case may be, in any manner authorized by law, any amount that the owner has paid to recover the motor vehicle”.

Section 170 amended

25 Section 170 is amended:

- (a) **in clause (b) by striking out “sale” and substituting “realization pursuant to *The Commercial Liens Act*”; and**
- (b) **in clause (d) by adding “and Divisions 3 and 4 of Part XIII” after “this Division”.**

Section 192 amended

26 Subsection 192(6) is amended by adding “, videotaped” after “photographed”.

Section 199 amended

27 Subsection 199(1) is amended:

- (a) **by striking out “or” after clause (a);**
- (b) **by adding “or” after clause (b); and**
- (c) **by adding the following clause after clause (b):**
“(c) at a speed greater than the maximum speed indicated by any signs that are erected on the highway in accordance with a municipal bylaw”.

Section 213 amended**28 The following subsection is added after subsection 213(2):**

“(3) Every person who contravenes subsection (1) or (2) is guilty of an offence and liable on summary conviction:

- (a) to a fine of not more than \$500 for a first offence;
- (b) in the case of a second conviction in a 12-month period for an offence pursuant to this section, to a fine of not more than \$1,000; and
- (c) in the case of a third or subsequent conviction in a 12-month period for an offence pursuant to this section, to a fine of not more than \$1,500”.

Section 241.1 amended**29 The following subsection is added after subsection 241.1(2):**

“(2.1) Every person who contravenes subsection (2) is guilty of an offence and liable on summary conviction:

- (a) to a fine of not more than \$500 for a first offence;
- (b) in the case of a second conviction in a 12-month period for an offence pursuant to this section, to a fine of not more than \$1,000; and
- (c) in the case of a third or subsequent conviction in a 12-month period for an offence pursuant to this section, to a fine of not more than \$1,500”.

Section 257 amended**30 Subsection 257(2) is repealed and the following substituted:**

“(2) If an operator of a motor vehicle involved in an accident is convicted of an offence that involves a motor vehicle and that is mentioned in subclause 41(4)(b)(i) or (ii), clause 41.01(2)(a) or (b), subclause 41.13(2)(a)(i) or (ii) or clause 41.131(2)(b), 41.16(2)(a) or 41.17(2)(b) of *The Automobile Accident Insurance Act*, no action for non-economic loss, within the meaning of that Act, may be brought against that operator to recover damages occasioned by a motor vehicle after the expiration of 2 years after the date the operator is convicted of that offence”.

Section 259 amended**31(1) Subsection 259(1) is amended by adding “or video” after “A photograph”.****(2) Subsection 259(2) is amended:**

(a) in the portion preceding clause (a) by adding “or video” after “a photograph”; and

(b) by repealing clause (a) and substituting the following:

“(a) the information shown in the photograph or video or superimposed on the photograph or video by the red light camera system is true”.

(3) Clause 259(3)(b) is amended by adding “or video” after “a photograph”.

Section 259.2 amended

32 Subsection 259.2(1) is repealed and following substituted:

“(1) A photograph of a vehicle is admissible in evidence pursuant to section 259.1 only if the speed monitoring device used to take the photograph was operated by or on behalf of the administrator, a prescribed municipality or a police service, in the prescribed conditions and in the prescribed zones”.

New section 269.1

33 The following section is added after section 269:

“When administrator may refuse service

269.1(1) Subject to sections 41, 48, 52 and 75, the administrator may refuse to issue or provide any product or service related to vehicle registration and driver licensing if the person to whom the product or service relates:

(a) is indebted to the administrator in the amount of any deductible, premium, fees, charges or interest fees payable pursuant to this Act or the regulations or pursuant to *The Automobile Accident Insurance Act* or the regulations made pursuant to that Act and:

(i) that person has not made arrangements with the administrator to repay the indebtedness;

(ii) that person has made arrangements with the administrator to repay the indebtedness and has defaulted on a payment pursuant to that arrangement; or

(iii) that person has made a payment to the administrator and that payment has been dishonoured; or

(b) subject to subsection (2), is an offender in default within the meaning of section 52 and has not, in accordance with *The Summary Offences Procedure Act, 1990*:

(i) fully paid the fine and any late payment charge imposed pursuant to that Act; or

(ii) otherwise fully discharged the fine and any late payment charge imposed pursuant to that Act.

(2) The administrator shall not refuse to issue or provide any product or service related to vehicle registration and driver licensing if a person who was an offender in default has been imprisoned pursuant to section 31 of *The Summary Offences Procedure Act, 1990* with respect to an offence designated for the purposes of section 52 by regulations made pursuant to that Act, even though any late payment charge imposed pursuant to section 28 of *The Summary Offences Procedure Act, 1990* or any surcharge imposed pursuant to *The Victims of Crime Act, 1995* on that person remains unpaid”.

New sections 271.1 to 271.4**34 The following sections are added after section 271:****“Offences re registration of motor vehicles**

271.1 No person shall, for the purposes of registering a motor vehicle for that person or any other person:

- (a) provide the administrator with a document or information that is false or misleading;
- (b) apply for the registration of a motor vehicle that, in the opinion of the administrator, does not exist;
- (c) knowingly register or attempt to register a stolen motor vehicle or a vehicle that is prohibited from registration pursuant to this Act or the regulations;
- (d) fail to fulfil the inspection requirements for first-time registered vehicles; or
- (e) register a motor vehicle in the name of another person without that other person’s consent.

“Offences re sale of motor vehicles

271.2 No person shall, for the purpose of facilitating the sale of a motor vehicle:

- (a) provide the administrator with a document or information that is false or misleading;
- (b) falsify, forge or alter any information on a bill of sale;
- (c) sell or offer for sale a motor vehicle that is not in compliance with the inspection, equipment or safety requirements of this Act and the regulations, unless the condition of the vehicle is clearly noted on the bill of sale; or
- (d) sell or offer for sale a motor vehicle that is the object of a temporary inspection authorization unless the fact that the motor vehicle is the object of a temporary inspection authorization is disclosed to the purchaser.

“Offences re vehicle identification numbers

271.3 With respect to any and all products and services provided by the administrator, no person shall falsify, misrepresent, forge or alter a vehicle identification number, either verbally or in writing.

“Penalties

271.4(1) Every person who contravenes any provision of section 271.1, 271.2 or 271.3 is guilty of an offence and liable on summary conviction to a fine of not more than \$50,000, to imprisonment for a term of not more than 2 years or to both.

(2) If a person is convicted of an offence pursuant to subsection (1), the convicting judge may, in addition to any penalty imposed, order the administrator to amend its records or cancel the issuance of a certificate of registration, as the case may require.

(3) If the convicting judge orders the cancellation of the issuance of a certificate of registration pursuant to subsection (2), the convicting judge shall order the person to whom the certificate of registration was issued to return immediately any certificate, registration permit or licence plate issued to that person”.

New Part XVIII.1

35 The following Part is added after Part XVIII:

“PART XVIII.1

Data-Linking Activities

“Definitions for Part

276.1 In this Part:

- (a) **‘data linking’** means the comparing of personal information contained in a dataset with personal information contained in another dataset for a purpose other than the purpose for which the personal information in each dataset was collected;
- (b) **‘data-linking activity’** means a data-linking activity approved pursuant to this Part;
- (c) **‘dataset’** means a grouping of data in which all or most of the data:
 - (i) is held by the administrator;
 - (ii) consists of facts;
 - (iii) is not the product of analysis or interpretation;
 - (iv) is not a document mentioned in section 8 of *The Archives and Public Records Management Act*; and
 - (v) has not, except for its grouping, been organized, adapted or modified;
- (d) **‘government institution’** has the same meaning as in *The Freedom of Information and Protection of Privacy Act*;
- (e) **‘integrated service’** means an integrated service prescribed pursuant to section 276.2;
- (f) **‘partner’**, with respect to a specialized service or a data-linking activity, means the administrator or each partner agency that is prescribed as a partner in the provision of the specialized service or the carrying out of the data-linking activity;
- (g) **‘partner agency’** means a prescribed agency;
- (h) **‘personal identity information’** means personal information that may be collected, used or disclosed by a partner for the purpose of providing the personal identity service;
- (i) **‘personal identity manager’** means the administrator;
- (j) **‘personal identity service’** means a personal identity service prescribed pursuant to section 276.3;
- (k) **‘personal information’** has the same meaning as in *The Freedom of Information and Protection of Privacy Act*;
- (l) **‘specialized service’** means an integrated service or a personal identity service.

“Integrated service

276.2 The Lieutenant Governor in Council may make regulations respecting an integrated service, including by prescribing the following:

- (a) the purpose of the integrated service;
- (b) each service that may be provided as a part of the integrated service;
- (c) each program or activity of the administrator necessary for the provision of the integrated service;
- (d) each partner agency that is a partner in the provision of the integrated service;
- (e) the types of personal information that may be collected, used or disclosed by a partner for the purpose of providing the integrated service;
- (f) the terms and conditions that must be included in an agreement between the partners with respect to their collaborative provision of the integrated service;
- (g) if consent from an individual is to be required before the integrated service may be provided to them, the manner in which consent must be given and may be withdrawn.

“Personal identity service

276.3(1) The Lieutenant Governor in Council may make regulations respecting a personal identity service, including by prescribing the following:

- (a) subject to subsection (2), each service that may be provided as a part of the personal identity service;
- (b) each program or activity of the administrator in the provision of the personal identity service;
- (c) each program or activity of a partner agency that is a partner in the provision of the personal identity service;
- (d) the types of personal information that may be collected, used or disclosed by a partner for the purpose of providing the personal identity service;
- (e) the terms and conditions that must be included in an agreement between the personal identity manager and the partners with respect to the provision of the personal identity service;
- (f) if consent from an individual is required before the personal identity service is provided to that individual, the manner in which consent must be given and may be withdrawn.

(2) A personal identity service approved pursuant to subsection (1) may include only the following types of services:

- (a) validation of an individual’s driver’s licence;
- (b) verification of the personal identity information associated with an individual’s driver’s licence;
- (c) a service prescribed as a type of service that may be provided as part of a personal identity service.

“Data-linking activity

276.4 The Lieutenant Governor in Council may make regulations respecting the carrying out of a data-linking activity by the administrator and one or more partner agencies, including by prescribing the following:

- (a) the purpose of the data-linking activity;
- (b) the details of the data-linking activity;
- (c) each program or activity of the administrator in the carrying out of the data-linking activity;
- (d) each program or activity of a partner agency that is a partner in the carrying out of the data-linking activity;
- (e) the types of personal information that may be collected, used or disclosed by a partner for the purpose of carrying out the data-linking activity;
- (f) the terms and conditions to be included in an agreement between the partners with respect to carrying out the data-linking activity”.

Sections 280 and 280.1 repealed

36 Sections 280 and 280.1 are repealed.

Section 287 amended

37 Subsection 287(1) is amended:

(a) by adding the following clause after clause (v):

“(v.1) prescribing the form and content of a bill of sale”;

(b) by adding the following subclauses after subclause (yy)(v):

“(vi) the manner in which and period within which the sale of a motor vehicle is to be publicized;

“(vii) the information that must be provided to the administrator or the designated official, as the case may be, before the sale of a motor vehicle;

“(viii) the information that must be delivered to the administrator if a garage keeper applies for a transfer of ownership of the motor vehicle to the garage keeper”;

(c) by adding the following clauses after clause (bbbb.2):

“(bbbb.21) for the purposes of clause 276.1(f), prescribing partner agencies that are partners in the provision of a specialized service or the carrying out of a data-linking activity;

“(bbbb.22) prescribing partner agencies for the purposes of clause 276.1(g)”;

(d) in clause (bbbb.3) in the portion preceding subclause (i) by striking out “280” and substituting “163.1”; and

(e) in clause (bbbb.4) in the portion preceding subclause (i) by striking out “280.1” and substituting “163.2”.

Coming into force

38 This Act comes into force by order of the Lieutenant Governor in Council.

FIRST SESSION
Twenty-ninth Legislature
SASKATCHEWAN

B I L L

No. 17

An Act to amend *The Traffic Safety Act*

Received and read the

First time

Second time

Third time

And passed

Honourable Don Morgan
