



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

TRAILS ACT GENERAL REGULATIONS

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For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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TRAILS ACT
Chapter T-4.1

GENERAL REGULATIONS

Pursuant to section 14 of the *Trails Act* R.S.P.E.I. 1988, Cap. T-4.1, Council made the following regulations:

1. Definitions

In these regulations

- (a) “**Act**” means the *Trails Act* R.S.P.E.I. 1988, Cap. T-4.1;
- (a.1) “**at large**” means not under control and includes unleashed;
- (b) “**permit**” means a permit issued by the trail manager under subsection 2(4);
- (b.1) revoked by EC104/22;
- (c) “**Prince Edward Island Snowmobile Association Inc.**” means the body corporate of that name incorporated under the *Companies Act* R.S.P.E.I. 1988, Cap. C-14;
- (d) revoked by EC104/22;
- (e) revoked by EC104/22 (*EC760/03; 308/06; 104/22*)

2. Offences

- (1) Within the right-of-way occupied by the Confederation Trail, no person shall
 - (a) cut, destroy or remove trees, hedgerows, shrubs or other vegetation;
 - (b) plant or otherwise introduce plants on the Confederation Trail;
 - (c) add or remove topsoil, sand, gravel or any other organic or inorganic material;
 - (d) construct or erect buildings, signs, fences, walls, dams, drainage systems or other structures of any kind;
 - (e) remove, damage or deface gates, benches, shelters or other structures erected along the Confederation Trail or at entrances or exits to the Confederation Trail;
 - (f) remove or damage the Confederation Trail surface, Confederation Trail bed, bridges or any other surface or sub-surface features or structures of the Confederation Trail;
 - (g) display any kind of advertisement, carry on any type of business or offer for sale any article or service;
 - (h) hunt or place traps or snares;
 - (i) except where otherwise authorized by law, transport any type of unencased firearm that is loaded or unloaded;

- (j) pollute or obstruct any stream or body of water;
 - (k) start, maintain or renew a fire, other than in grills or containers provided or contrary to provincial fire laws;
 - (l) allow a dog or other animal to run at large; or
 - (m) operate any conveyance drawn by an animal,
- unless the person holds a permit authorizing the person to do so.

Offence and penalty

- (1.1) Every person who contravenes clause 2(1)(l) is guilty of an offence and is liable, on summary conviction, to a fine of not less than \$200 and not more than \$2,000.

Prohibition, trail

- (2) No person shall ride a bicycle on a trail unless the person
- (a) is wearing a bicycle safety helmet; and
 - (b) has the chin strap securely fastened.

Prohibition, parent or guardian

- (3) No parent or guardian of a person under 16 years of age shall authorize or knowingly permit that person to ride or operate a bicycle on a trail unless the person
- (a) is wearing a bicycle safety helmet; and
 - (b) has the chin strap securely fastened.

Offence and penalty

- (3.1) Every person who contravenes subsections (2) or (3) is guilty of an offence and is liable, on summary conviction, to a fine of not less than \$100 and not more than \$1000.

Exception

- (4) Notwithstanding subsection (1), the trail manager may engage in activities prohibited in subsection (1), section 3 or section 3.01 or issue a permit to other persons to do so, where such activity is, in the opinion of the trail manager,
- (a) necessary for the proper management or maintenance of the Confederation Trail; or
 - (b) necessary to recognize specific needs or activities of adjacent property owners, where such activities are not otherwise prohibited by any other enactment. (*EC760/03; 308/06; 104/22*)

2.1 Safe distance from pedestrians

- (1) Every operator of a bicycle or a power-assisted bicycle shall at all times keep a safe distance from pedestrians and other users of a trail and shall give way to pedestrians and other users of a trail by slowing or stopping, as necessary, where there is insufficient space for the operator of the bicycle or the power-assisted bicycle to pass in safety.

Speed

- (2) A bicycle or a power-assisted bicycle shall not be operated on a trail at a speed that is markedly greater than the speed of pedestrians or other users of a trail who are proximate to the bicycle or power-assisted bicycle.

Bell, horn

- (3) Every operator of a bicycle or a power-assisted bicycle shall sound a bell or horn on the bicycle or power-assisted bicycle whenever it is reasonably necessary to notify cyclists, pedestrians or other users of a trail of its approach.

Lighted lamps at front, rear

- (4) Every operator of a bicycle or a power-assisted bicycle shall, when operating the bicycle or power-assisted bicycle at any time from one-half hour before sunset to one-half hour after sunrise and at any other time where, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles are not clearly visible at a distance of 150 metres or less, ensure the bicycle or power-assisted bicycle has a lighted lamp at the front displaying a white or amber light, and at the rear either a reflector or a lighted lamp displaying a red light.

Safe operation

- (5) A bicycle or a power-assisted bicycle shall not be operated in a manner that may harm, injure or damage, either directly or indirectly, any person or property. (EC104/22)

2.2 Offence and penalty

Every person who contravenes section 2.1 is guilty of an offence and is liable, on summary conviction, to a fine of not less than \$200 and not more than \$2,000. (EC104/22)

3. Motorized vehicles

No person shall operate a motorized vehicle on the Confederation Trail unless the person

- (a) is operating a snowmobile and is doing so in accordance with and during the term of a lease agreement between the Government of Prince Edward Island and the Prince Edward Island Snowmobile Association Inc.;
- (b) is operating a motorized mobility aid during the period beginning April 1 in a year and ending November 30 in that year;
- (b.1) is operating a power-assisted bicycle during the period beginning April 1 in a year and ending November 30 in that year;
- (c) is operating a police or highway safety vehicle or an emergency vehicle, including fire, ambulance and search and rescue vehicles, in respect of an emergency;
- (c.1) is operating a law enforcement vehicle for the purpose of conducting routine patrols;
- (d) is operating a trail maintenance vehicle; or
- (e) holds a permit which authorizes the person to operate the motorized vehicle on the trail. (EC760/03; 308/06; 104/22)

3.01 Motorized vehicle on active transportation pathway

No person shall operate a motorized vehicle on an active transportation pathway unless the person

- (a) is operating a motorized mobility aid;
- (b) is operating a power-assisted bicycle;
- (b.1) is operating an electric kick-scooter as defined in clause 1(1)(b) of the *Highway Traffic Act* Electric Kick-Scooters Regulations (EC863/22);
- (c) is operating a police or highway safety vehicle or an emergency vehicle, including fire, ambulance and search and rescue vehicles, in respect of an emergency;

- (d) is operating a law enforcement vehicle for the purpose of conducting routine patrols;
- (e) is operating a pathway maintenance vehicle; or
- (f) holds a permit which authorizes the person to operate the motorized vehicle on the active transportation pathway. *(EC104/22; 887/22)*

3.1 Offence and penalty

Every person who contravenes section 3 or section 3.01 is guilty of an offence and is liable, on summary conviction, to a fine of not less than \$300 and not more than \$3,000. *(EC308/06; 104/22)*

4. Signs

The Minister may authorize signs to be posted on the Confederation Trail by the trail manager or the trail manager's agent to

- (a) prescribe maximum rates of speed for snowmobiling;
- (b) permit, regulate or prohibit parking of any vehicle at Confederation Trail access points;
- (c) require stops by a snowmobile, bicycle or power-assisted bicycle;
- (d) close the Confederation Trail or sections of it;
- (e) limit the hours during which the Confederation Trail or a section of it may be used;
- (f) warn Confederation Trail users of particular hazards or conditions;
- (g) direct or control the use of the Confederation Trail by pedestrians or vehicles;
- (h) permit, regulate or prohibit use of the Confederation Trail or sections of it by persons riding or leading saddled horses. *(EC760/03; 104/22)*