

EC2021-132

EXECUTIVE COUNCIL ACT
MINISTER OF AGRICULTURE AND LAND
AUTHORITY TO ENTER INTO AN AGREEMENT
(REGIONAL COLLABORATIVE PARTNERSHIPS PROGRAM)
WITH
THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Agriculture and Land to enter into a contribution agreement with the Government of Canada, as represented by the Minister of Agriculture and Agri-Food, for the Regional Collaborative Partnerships Program, for the period April 14, 2020 to March 31, 2023, to support the Atlantic Healthy Herds Research Project, such as more particularly described in the draft agreement.

EC2021-133

AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT (NO. 5)
DECLARATION RE

Under authority of section 8 of *An Act to Amend the Highway Traffic Act (No. 5)* Stats. P.E.I. 2020, c. 67 Council ordered that a Proclamation do issue proclaiming the said "An Act to Amend the Highway Traffic Act (No. 5)" to come into force effective March 13, 2021.

EC2021-134

AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT (NO. 6)
DECLARATION RE

Under authority of section 3 of *An Act to Amend the Highway Traffic Act (No. 6)* Stats. P.E.I. 2020, c. 68 Council ordered that a Proclamation do issue proclaiming the said "An Act to Amend the Highway Traffic Act (No. 6)" to come into force effective March 13, 2021.

EC2021-135

**HIGHWAY TRAFFIC ACT
 DEMERIT POINT SYSTEM REGULATIONS
 AMENDMENT**

Pursuant to section 284 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

1. (1) Subsection 13(1) of the *Highway Traffic Act* Demerit Point System Regulations (EC1216/80) is amended

(a) in the words immediately preceding clause (a), by the deletion of the words “if he has accumulated on his driving record” and the substitution of the words “if the driver has accumulated on the newly licensed driver’s driving record”; and

(b) in the words immediately following clause (b), by the deletion of the words “of the first issue of his driver’s license or, where his driver’s license has been suspended under this section, of the date on which the last suspension expires” and the substitution of the words “since the date the driver’s license of the newly licensed driver was first issued or, where the driver’s license of the newly licensed driver has been suspended under this section, from the date the last suspension expires”.

(2) Section 13 of the regulations is amended by the addition of the following after subsection (1.1):

(1.2) The Registrar shall by notice suspend for a period of three months the driver’s license of a newly licensed driver or a Stage 1 driver if twelve demerit points have been entered on the driving record of the newly licensed driver or Stage 1 driver, as the case may be, in respect of a conviction for an offence under subclauses 176(3)(b)(v), 176(3.1)(b)(v) or subsection 202(1) of the Act.

Period of
suspension –
offences under the
Act

(3) Subsection 13(2) of the regulations is amended by the deletion of the words “his driver’s license” and the substitution of the words “the driver’s license of the Stage 1 driver or newly licensed driver, as the case may be,”.

(4) Clause 13(3)(a) of the regulations is amended by the deletion of the words “items 1 to 4b of the Schedule” and the substitution of the words “items 1 to 4b, items 5.4 to 5.4b, items 5.6 to 5.9c and items 14.1 to 14.3 of the Schedule”.

(5) Subsection 13(4) of the regulations is amended by the deletion of the words “subsection (1),” and the substitution of the words “subsection (1), (1.1), (1.2),”.

2. Section 17 of the regulations is amended

(a) in the words immediately preceding clause (a), by the deletion of the words “his license” and the substitution of the words “the person’s driver’s license”; and

(b) in clause (a), by the deletion of the words “items 1 to 4b of the Schedule” and the substitution of the words “items 1 to 4b, items 5.4 to 5.4b, items 5.6 to 5.9c and items 14.1 to 14.3 of the Schedule”.

3. The Schedule to the regulations is amended

(a) in item 1, by the deletion of the words “Section 220, 221 and 249(1) of the *Criminal Code*” and the substitution of the words “Sections 219, 220, 221 and subsection 320.13(1) of the *Criminal Code*”;

(b) in item 3, by the deletion of the words “Section 249(2) of the *Criminal Code*” and the substitution of the words “Subsection 320.13(2) of the *Criminal Code*”;

(c) in item 4, by the deletion of the words “Section 249(4) of the *Criminal Code*” and the substitution of the words “Subsection 320.13(3) of the *Criminal Code*”;

(d) in item 4a, by the deletion of the words “Section 249.1(1) of the *Criminal Code*” and the substitution of the words “Subsection 320.17 of the *Criminal Code*”;

(e) by the revocation of item 4b and the substitution of the following:

4b	Subsections 320.13(2), 320.14(2), 320.15(2) and 320.16(2) of the <i>Criminal Code</i>	12	Operation of conveyance causing bodily harm, Accident resulting in bodily harm
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(f) by the addition of the following after item 5.5:

5.6	Subsection 89.1(1) of the <i>Highway Traffic Act</i>	12	Operating a motor vehicle not equipped with required ignition interlock device
5.7	Clause 89.1(2)(a) of the <i>Highway Traffic Act</i>	12	Person soliciting breath sample from another person for the purpose of assisting the person to start a motor vehicle equipped with an ignition interlock device
5.8	Clause 89.1(2)(b) of the <i>Highway Traffic Act</i>	12	Person soliciting breath sample from another person for the purpose of assisting the person to keep a motor vehicle equipped with an ignition interlock device in motion
5.9	Clause 89.1(3)(a) of the <i>Highway Traffic Act</i>	12	Person knowingly assists a person to start a motor vehicle equipped with an ignition interlock device
5.9a	Clause 89.1(3)(b) of the <i>Highway Traffic Act</i>	12	Person knowingly assists a person to keep a motor vehicle equipped with an ignition interlock device in motion
5.9b	Subsection 89.1(4) of the <i>Highway Traffic Act</i>	12	Tampering with, interfering with or disabling an ignition interlock device installed in a motor vehicle
5.9c	Subsection 89.1(5) of the <i>Highway Traffic Act</i>	12	Owner or person in possession or control of a motor vehicle not equipped with an ignition interlock device knowingly permits a person who is only permitted to operate a motor vehicle equipped with an ignition interlock device to operate the unequipped motor vehicle

(g) in item 6, by the deletion of the words “Section 259(4) of the *Criminal Code*” and the substitution of the words “Section 320.18 of the *Criminal Code*”;

(h) in items 8 and 9, by the deletion of the word “5” and the substitution of the word “9”;

(i) in item 11.1, by the deletion of the words “over 30 kilometres” and the substitution of the words “30 or more kilometres”;

(j) by the revocation of item 11.2 and the substitution of the following:

11.2	Subclauses 176(3)(b)(iv) and 176(3.1)(b)(iv) of the <i>Highway Traffic Act</i>	9	Driving - 60 or more kilometres per hour over the posted maximum speed limit but less than 80 kilometres per hour
11.3	Subclauses 176(3)(b)(v) and 176(3.1)(b)(v) of the <i>Highway Traffic Act</i>	12	Driving - 80 or more kilometres per hour over the posted maximum speed limit

(k) by the addition of the following after item 14:

14.1	Clause 261(1.3)(a) of the <i>Highway Traffic Act</i>	12	Holder of restricted license operating a motor vehicle not equipped with required ignition interlock device
14.2	Clause 261(1.3)(b) of the <i>Highway Traffic Act</i>	12	Holder of restricted license operating a motor vehicle contrary to the requirements of ignition interlock program
14.3	Clause 261(1.3)(c) of the <i>Highway Traffic Act</i>	12	Holder of restricted license operating a motor vehicle equipped with an ignition interlock device that is not functioning properly, has been tampered with, interfered with or disabled

(l) in item 17, by the deletion of the words “Subsection 6(3) of the *Government Property Traffic Act* (Canada), Government Property Traffic Regulations and sections” and the substitution of the words “Subsection 6(3) of the Government Property Traffic Regulations under the *Government Property Traffic Act* (Canada) and subclauses”.

4. These regulations come into force on March 13, 2021.**EXPLANATORY NOTES**

SECTION 1 amends a number of provisions under section 13 of the *Highway Traffic Act* Demerit Point System Regulations and adds a new subsection 13(1.2) to the regulations.

- Subsection 13(1) of the regulations is amended to replace gender specific language with gender neutral language.
- A new subsection 13(1.2) is added to the regulations. The subsection authorizes the Registrar to suspend the driver’s license of a newly licensed driver or Stage 1 driver for a period of three months if 12 demerit points are accumulated and the driver is convicted of an offence under subclauses 176(3)(b)(v), 176(3.1)(b)(v) or subsection 202(1) of the *Highway Traffic Act*. These offences pertain to excessive speeding and failing to stop for a school bus when the flashing red lights of the bus are displayed.
- Subsection 13(2) of the regulations is amended to replace gender specific language with gender neutral language.
- Clause 13(3)(a) of the regulations is amended to add the specified offences under the Act listed in the Schedule that authorize the Registrar to suspend, for a period of 12 months, the driver’s license of a person other than a newly licensed driver.

- Subsection 13(4) of the regulations is amended to add subsections 13(1.1) and (1.2) to the provision to authorize the Registrar to require a newly licensed driver or a Stage 1 driver to appear and explain to the Registrar why the driver's license of the newly licensed driver or Stage 1 driver, as the case may be, should be reinstated.

SECTION 2 amends section 17 of the regulations to replace gender specific language with gender neutral language. The section is amended to add the specified offences under the Act listed in the Schedule that authorize the Registrar to suspend, for a period of 12 months, the driver's license of a person on probation.

SECTION 3 amends the Schedule to the regulations to correct the references to the listed offences under the *Criminal Code* that were repealed and replaced in 2018. Additional items are added to the Schedule to specify the number of demerit points that accumulate in respect of convictions for offences involving the misuse of ignition interlock devices and excessive speeding. A minor amendment to wording is made regarding the reference to the Government Property Traffic Regulations under the *Government Property Traffic Act* (Canada).

SECTION 4 provides for the commencement of the regulations.

EC2021-136

HIGHWAY TRAFFIC ACT TRAFFIC SIGNS REGULATIONS AMENDMENT

Pursuant to subsections 242 and 243 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

1. The *Highway Traffic Act* Traffic Signs Regulations (Jan. 19/84) are amended by the addition of the following after section 24.2:

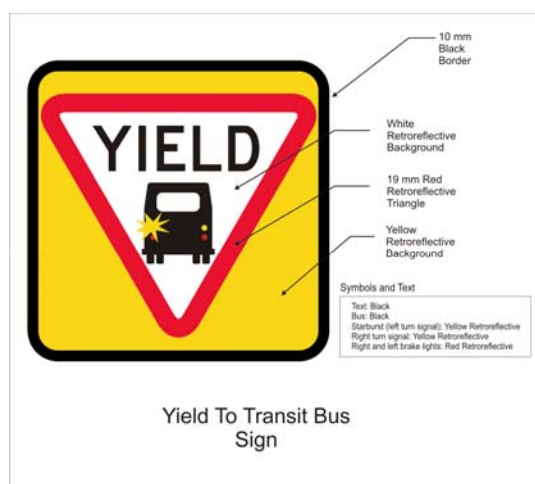
24.3 (1) A yield to transit bus sign shall be as depicted in Diagram 27 of Schedule A. Yield to transit bus sign

(2) Each sign of the form prescribed in subsection (1) may be varied by the insertion on the sign of symbols, words, figures or letters that may be required to indicate the times of day and days of the week for which the sign is to be effective. Sign varied

2. Schedule A to the regulations is amended by the addition of Diagram 27 as set out in the Schedule to these regulations.

3. These regulations come into force on March 13, 2021.

SCHEDULE



27.

EXPLANATORY NOTES

SECTION 1 adds a new section 24.3 to the regulations that sets out the specifications for a yield to transit bus sign, as depicted in Diagram 27 of Schedule A to the regulations. The section clarifies the sign may be varied by the insertion of symbols, words, figures or letters that may be required to indicate the time of day and days of the week for which the sign is to be effective.

SECTION 2 amends Schedule A to the regulations to add Diagram 27, a yield to transit bus sign.

SECTION 3 provides for the commencement of the regulations.

EC2021-137

ISLAND INVESTMENT DEVELOPMENT ACT FINANCIAL ASSISTANCE REGULATIONS 102581 P.E.I. INC. AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to provide a five-year term loan in the amount of three million (\$3,000,000.00) dollars at a rate of four (4%) percent to 102581 P.E.I. Inc. for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2021-138**PUBLIC HEALTH ACT
CONTINUATION OF
DECLARATION
STATE OF PUBLIC HEALTH EMERGENCY**

WHEREAS a state of public health emergency was declared in Prince Edward Island on March 16, 2020, pursuant to Order-in-Council EC2020-174; and continued on April 15, 2020 by Order-in-Council EC2020-254; on May 15, 2020 by Order-in-Council EC2020-305; and on June 15, 2020 by Order-in-Council EC2020-350; on July 15, 2020 by Order-in-Council EC2020-435; on August 14, 2020 by Order-in-Council EC2020-488; on September 13, 2020 by Order-in-Council EC2020-542; on October 13, 2020 by Order-in-Council EC2020-603; on November 12, 2020 by Order-in-Council EC2020-649; on December 12, 2020 by Order-in-Council EC2020-724; on January 11, 2021 by Order-in-Council EC2021-1; and on February 10, 2021 by Order-in-Council EC2021-71;

WHEREAS Council has determined, on the advice of the Chief Public Health Officer, that a public health emergency continues to exist as a result of COVID-19 (coronavirus);

AND WHEREAS continued coordination of action or special measures are required in order to protect the public health of the population;

THEREFORE, Council continues Order-in-Council EC2020-174 pursuant to subsection 49(5) of the *Public Health Act*, R.S.P.E.I. Cap. P-30.1 effective March 12, 2021 for a period of thirty (30) days, unless it is sooner terminated or continued by Council.