

1 *New Brunswick Regulation 91-50 under the Provincial Offences Procedure Act is amended by adding after section 4 the following:*

4.1 For the purposes of subsection 16.1(1) of the Act, only persons employed in the Civil Service may be appointed ticket reviewers.

4.2(1) For the purposes of section 16.2 of the Act, all offences under the *Motor Vehicle Act* are specified to be prescribed offences other than

(a) offences under sections 105.1, 345 and 346 of that Act, and

(b) offences that are created by by-laws made by a local authority under that Act and that are not approved by the Lieutenant-Governor in Council.

4.2(2) The following persons are authorized to serve a violation ticket under section 16.2 of the Act:

(a) in respect of prescribed offences specified in subsection (1), peace officers as defined in the *Motor Vehicle Act*; and

(b) in respect of offences under subsections 182(1) and (2), 183(3), 184(1) and (2) and 185(1), (3) and (4) of the *Motor Vehicle Act*, police constables of the Canadian National Railway Company appointed under section 44 of the *Railway Safety Act* (Canada).

4.3 The prescribed wording to be used in a violation ticket to describe the offence with which a defendant is charged shall be, for the violation of a provision listed in Schedule B, the corresponding prescribed wording set out in Schedule B.

4.4 For the purposes of section 16.6 of the Act, a violation ticket may be created, completed and signed electronically if

- (a) the information that is recorded on the violation ticket is substantially the same as for a violation ticket in prescribed form,
- (b) the police officer or authorized person signs the violation ticket by using
 - (i) an electronic signature created by an electronic scanner or electronic signature pad, or
 - (ii) the name of the police officer or authorized person and an identification number
 - (A) that are attached to the data entered or attested to by the police officer or authorized person,
 - (B) that identify the officer or person as the person who created or completed the ticket, and
 - (C) that are generated by using a unique identifier, code or device, or any combination of them, that is issued in confidence to the police officer or authorized person and that is reasonably secure against unauthorized use, including by the use of a user

name, a password, a code, a personal identification number or a secure card or token;
and

(c) the violation ticket is not capable of being altered after a copy of the violation ticket has been printed, but it may be encrypted for the purposes of transmission or storage.

4.5 For the purposes of 16.7 of the Act, the period prescribed to respond to a violation ticket is 45 days after the date the violation ticket is served.

2 *Section 6.1 of the Regulation is repealed and the following is substituted:*

6.1 For the purposes of paragraphs 14(5)(d) and 16.8(3)(d) and subsection 46(1.1) of the Act, the administrative fee is \$4.50.

3 *Schedule A of the Regulation is amended in the portion for the Motor Vehicle Act*

(a) *by striking out “84(2)” and substituting “84(4)”;*

(b) *by striking out*

105 *failing to stop for peace officer or failing to produce information and documents*

and substituting the following:

105 *failing to stop for peace officer*

(c) *by adding the following in numerical order:*

105.01(2) *failing to produce information and documents*

4 *The Regulation is amended by adding after Schedule A the attached Schedule B.*

5 *This Regulation comes into force on XXXX, 2018.*

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SCHEDULE B

**PRESCRIBED WORDING THAT MAY BE USED IN A VIOLATION TICKET TO DESCRIBE THE
OFFENCE WITH WHICH A DEFENDANT IS CHARGED**

Motor Vehicle Act

Provision Violated	Prescribed Wording
17(1)(a)	vehicle not registered
17(1)(b)	registration expired
17(1)(c)	registration revoked or suspended
17.1(2)	vehicle not insured
28(1)	not carrying registration certificate
28(1.1)	not carrying evidence of insurance
36(1)	failing to notify Registrar of change of address
41	failing to apply for transfer of registration
68(b)	no current registration plate and sticker
70(d)	displaying fictitious registration plate
78(1)	driving without valid licence
78(2)	driving motorcycle without valid licence
84(4)	unsupervised learner driver
92(1)	failure to produce licence
96	failing to notify Registrar of change on licence
105	failing to stop for peace officer
105.01(2)	failing to produce information and documents
109	making unnecessary noise with tires

117(1)	disobeying traffic control device
117(3)	driving off roadway to avoid traffic control device
119(1)	disobeying traffic control signal
125	leaving scene of accident resulting in injury or death
126	leaving scene of accident resulting in damage to vehicle
128	failing to give notice of collision with unattended vehicle
129	failing to give notice of damage to property
130(1)	failing to report accident
140(1.1)(a)	speeding
140(1.1)(b)	speeding by over 25 km/hr
140(2)	driving too fast in the circumstances
149(1)	passing unlawfully
150	passing unlawfully on right
151	passing when unsafe to do so
154(2)	unlawfully driving on left of or over solid line
156(a)	leaving lane unsafely
156(b)	changing lanes without signalling
157(1)	following too closely
162(3)	turning improperly
165(1)	failing to yield to vehicle in intersection
165(2)	failing to yield to vehicle on right

166	failing to yield to oncoming vehicle when turning left
167	failing to yield when entering (or leaving) highway
170(1)	failing to yield to pedestrian in cross walk
186(3)	failing to stop at stop sign
188(1)	failing to stop for school bus with flashing red lights
193(1)	unlawfully stopping, standing or parking a vehicle
195(1)	unlawfully leaving vehicle unattended
198	backing vehicle unlawfully
200(1)	overcrowded (<i>or</i> overloaded) vehicle
200.1(2)	driving vehicle without proper seat belts
200.1(3)	not wearing seat belt
200.1(4)	not wearing seat belt
200.1(6)	carrying passenger under 16 years without proper restraint
203(2)	littering a highway
206(1)(a)	unsafe vehicle
206(1)(b)	vehicle without proper lights
206(1)(d)	vehicle without proper brakes
206(1)(e)	vehicle not equipped as required
207	vehicle not properly lit
229	failing to wear lawful helmet
230(1)	substandard tires
235	driving vehicle without proper exhaust system

238(1)	operating vehicle while view obstructed
241(3)	operating vehicle with unlawful tires
250(1)(a)	failing to submit to spot inspection
250(1)(b)	disobeying order for repair, inspection or testing
250(1)(c)	no current inspection certificate
250(2)	operating vehicle unlawfully after order
251(1)	unlawfully oversize, loaded or coupled vehicle
256(1)	carrying harmful material improperly
256(2)	shipping harmful material improperly
256(3)	failing to fasten load securely
260(2)	breach of demand or direction respecting massing
260(4)	disobeying peace officer's signal or direction
260(4.1)	evading massing, measurement or inspection
261(4)	violating (<i>or</i> not carrying) special permit
265.02	using hand-operated electronic device
265.04(1)	display screen visible to driver
359	operating vehicle that exceeds axle (<i>or</i> gross allowable <i>or</i> gross registered) mass limit