



CHAPTER 21

An Act to amend the Motor Vehicle Act

[Assented to, the 4th of April, 1929]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 41 of the Motor Vehicle Act (Revised Statutes, 1925, chapter 35) is amended by striking out the words: "or within a distance of three hundred feet from a railway crossing", in the second and third lines of paragraph 1 thereof. R. S., c. 35, s. 41, am.

2. The said act is amended by inserting therein, after section 41 thereof, the following section: Id., s. 41a, added.

"**41a.** Before driving a motor vehicle over a level crossing, the person who is driving such vehicle must bring it to a stop for a moment near such crossing, and then start it in low gear. Level crossing stop.

This provision shall apply in the case of tracks of a railway subject to federal or provincial authority, but shall not apply in the case of tramway tracks, nor in the case of a level crossing while it is in charge of a signalman or when it is equipped with gates or signals automatically indicating the approach of a train." Application.

3. Section 43 of the said act is replaced by the following: R. S., c. 35, s. 43, replaced.

"**43.** 1. The Minister of Roads may close to traffic, by means of notices or gates, any public highway of which he has the maintenance, either for work to be done on such road, or to protect it while thawing out or during a rainy period, for such a period of time as he may think necessary. Closing of roads to traffic, by Minister of Roads.

Closing of roads to traffic by mun. corporation.

2. Any municipal corporation may, in the same manner and for the same purposes, exercise the same right on a public highway situated in its territory, the maintenance whereof is not undertaken by the Minister of Roads.

Prohibition to pass.

3. During the period for which any highway is closed under subsections 1 or 2 of this section, no motor vehicle nor animal-drawn vehicle shall pass over such highway.

Exception.

Nevertheless, when the prohibition is on account of thawing, or during a rainy period, the following may pass: mail-carrier vehicles, pleasure vehicles, and vehicles not laden drawn by animals, provided that the total weight of any of such vehicles, including that of its load, does not exceed two thousand pounds, and provided, in the case of a motor vehicle, that such motor vehicle be not driven at a speed greater than sixteen miles an hour.

Further closing to traffic, by mun. corporation.

4. Any municipal corporation shall also have the right to close to traffic, by means of notices or gates, during such period as it may deem necessary, any public highway situated in its territory, the maintenance whereof is not undertaken by the Minister of Roads, for any vehicle used for transporting goods, in any of the following cases, namely:

a. When such vehicle is drawn by an animal and its total weight, including that of its load, exceeds the maximum fixed by the municipal corporation; or

b. When such vehicle is a motor vehicle and its total weight, including that of its load, exceeds the maxima established by section 40 of this act, or by a regulation respecting same made by the Lieutenant-Governor in Council; or

c. When the tires on its wheels are equipped with non-skid devices in the form of cleats or caterpillars or other apparatus of a nature to damage the highway."

R. S., c. 35, s. 44, am.

4. Section 44 of the said act is amended by striking out paragraph 11 thereof.

Id., s. 59, am.

5. Section 59 of the said act is amended by replacing the words: "to protect the same while thawing out or during a rainy period", in the second and third lines of paragraph 4 thereof, by the following words: "for the purposes and in the manner mentioned in section 43 of this act".

Coming into force.

6. This act shall come into force on the day of its sanction.