



BILL NO. 13

Government Bill

*2nd Session, 61st General Assembly
Nova Scotia
59 Elizabeth II, 2010*

An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act

CHAPTER 20
ACTS OF 2010

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
MAY 11, 2010**

The Honourable Ramona Jennex
Minister of Service Nova Scotia and Municipal Relations

*Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly*

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**An Act to Amend Chapter 293
of the Revised Statutes, 1989,
the Motor Vehicle Act**

Be it enacted by the Governor and Assembly as follows:

1 (1) Subsection 67(8) of Chapter 293 of the Revised Statutes, 1989, the *Motor Vehicle Act*, is amended by striking out “(d)” in the first line and substituting “(ab), (d) and (da)”.

(2) Subsection 67(15) of Chapter 293 is repealed.

2 Chapter 293 is further amended by adding immediately after Section 67 the following Section:

67A (1) Notwithstanding clause (ba) of subsection (5) of Section 67, application may be made for restoration of a person’s driver’s license or privilege of obtaining a driver’s license by a person where the revocation was for a violation of section 253, 254 or 255 or subsection 259(4) of the *Criminal Code* (Canada) where the disqualification under subsection 259(4) was occasioned by an alcohol-related offence before the expiry of the time periods referred to in clause (ba) of subsection (5) of Section 67, and the Registrar may approve the application if the Registrar is satisfied that

(a) the person is not a resident of the Province at the time of the application;

(b) the person has applied for participation in an alcohol ignition interlock program in another province of Canada; and

(c) the province where the person applied has advised the Registrar that it is prepared to accept the person into its alcohol ignition interlock program.

(2) A decision of the Registrar under subsection (1) is final and is not subject to appeal.

(3) A person whose license or privilege of obtaining a license has been restored pursuant to this Section has the status of an unlicensed driver.

(4) Where the Registrar grants a change of status to a person pursuant to this Section and the person is not issued a license in the province of Canada referred to in the application within thirty days of the Registrar’s approval of the application, the person’s license status in the Province is deemed to be revoked and any conditions of restoration that were applicable before the status was changed to unlicensed continue to apply.

3 Section 280A of Chapter 293, as enacted by Chapter 36 of the Acts of 2006, is amended by

(a) adding “(1)” immediately after the Section number; and

(b) adding the following subsection:

(2) The Registrar may require an applicant for a driver's license to participate in an ignition interlock program established pursuant to the regulations as a condition of being granted a license and may suspend the driver's license of any person who fails to participate in such program where required to by such a condition.
