

EC2022-77

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2021/2022)
DEPARTMENT OF AGRICULTURE AND LAND

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund for the Department of Agriculture and Land as follows:

Account Class	Account Name	Amount
	Agriculture Resources/Agriculture Resources Division Management	
0013-4399	Grants	<u>\$10,200,000.00</u>
	Total	<u>\$10,200,000.00</u>

EC2022-78

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2021/22)
GENERAL GOVERNMENT

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund for the General Government as follows:

Account Class	Account Name	Amount
	COVID-19 Response and Recovery Contingency	
0454-4199	COVID-19 Contingency	<u>\$25,000,000</u>
	Total	<u>\$25,000,000</u>

EC2022-79**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. The Schedule to the *Highway Traffic Act* Demerit Point System Regulations (EC1216/80) is amended by the addition of the following after item 5.9c:

5.91a	Clause 117(2)(a) of the <i>Highway Traffic Act</i>	12	Person other than a peace officer possessing police-vehicle markings or police-vehicle equipment
5.91b	Clause 117(2)(b) of the <i>Highway Traffic Act</i>	12	Person other than a peace officer using or operating a motor vehicle equipped with police-vehicle markings or police-vehicle equipment
5.91c	Clause 117(3)(a) of the <i>Highway Traffic Act</i>	12	Person painting, marking or fabricating markings or equipment, directly or indirectly, by any means, on a motor vehicle that is not a police vehicle in any way that could lead an observer to assume the motor vehicle is a police vehicle
5.91d	Clause 117(3)(b) of the <i>Highway Traffic Act</i>	12	Person painting, marking or fabricating markings or equipment, directly or indirectly, by any means, on a motor vehicle that is not a police vehicle in any way that could tend to confuse an observer as to whether the motor vehicle is a police vehicle

2. These regulations come into force on February 19, 2022.

EXPLANATORY NOTES

SECTION 1 amends the Schedule to the *Highway Traffic Act* Demerit Point System Regulations (EC1216/80) to add additional items to the Schedule to specify the number of demerit points that accumulate when a person is convicted of offences under the *Highway Traffic Act* in respect of:

- (a) a person, other than a peace officer, possessing police-vehicle markings or police-vehicle equipment;
- (b) a person, other than a peace officer, using or operating a motor vehicle equipped with police-vehicle markings or police-vehicle equipment;
- (c) a person painting, marking or fabricating markings or equipment, directly or indirectly, by any means, on a motor vehicle that is not a police vehicle in any way that could lead an observer to assume the motor vehicle is a police vehicle;
- (d) a person painting, marking or fabricating markings or equipment, directly or indirectly, by any means, on a motor vehicle that is not a police vehicle in any way that could tend to confuse an observer as to whether the motor vehicle is a police vehicle.

SECTION 2 provides for the commencement of the regulations.

EC2022-80

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
10660477 CANADA INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to 10660477 Canada Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately three decimal one six (3.16) acres of land at Stanhope, Lot 34, Queens County, Province of Prince Edward Island, being acquired from Joanne MacLeod of Village Green, Prince Edward Island.

EC2022-81

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DAMIEN MACDONALD AND
NICHOLAS MACDONALD PARTNERSHIP
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Damien MacDonald and Nicholas MacDonald Partnership of Little Pond, Prince Edward Island to acquire a land holding of approximately thirty-three decimal six eight (33.68) acres of land at Little Pond, Lot 56, Kings County, Province of Prince Edward Island, being acquired from Angus Paul MacDonald of Little Pond, Prince Edward Island.

EC2022-82

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DOCK CORNER FARMS LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Dock Corner Farms Ltd. of Alberton, Prince Edward Island to acquire a land holding of approximately eleven decimal one four (11.14) acres of land at Central Kildare, Lot 3, Prince County, Province of Prince Edward Island, being acquired from Iver Bowness of Huntley, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2022-83

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DUNBAR'S FAMILY FARMS LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Dunbar's Family Farms Ltd. of Elmsdale, Prince Edward Island to acquire a land holding of approximately thirty (30) acres of land at St. Edward and St. Louis, Lot 2, Prince County, Province of Prince Edward Island, being acquired from Juanita Gaudet of St. Louis, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2022-84

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GORRILL PRODUCE LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Gorrill Produce Ltd. of O'Leary, Prince Edward Island to acquire a land holding of approximately one decimal six five (1.65) acres of land at Milo, Lot 9, Prince County, Province of Prince Edward Island, being acquired from the Province of Prince Edward Island as represented by the Department of Transportation and Infrastructure of Charlottetown, Prince Edward Island.

EC2022-85

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ISLAND NATURE TRUST
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Island Nature Trust of Charlottetown, Prince Edward Island to acquire a land holding of approximately one decimal four (1.4) acres of land at Greenwich, Lot 40, Kings County, Province of Prince Edward Island, being acquired from Laura Borgess of Toms River, New Jersey.

EC2022-86

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PAN AMERICAN PROPERTIES INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Pan American Properties Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately ten decimal nine (10.9) acres of land at Grand Tracadie, Lot 35, Queens County, Province of Prince Edward Island, being acquired from Timothy (Tim) R. Banks of Charlottetown, Prince Edward Island.

EC2022-87

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PAN AMERICAN PROPERTIES INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Pan American Properties Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately twelve decimal nine (12.9) acres of land at Grand Tracadie, Lot 35, Queens County, Province of Prince Edward Island, being acquired from Greenwich Investments Ltd. of Charlottetown, Prince Edward Island.

EC2022-88

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SLIPSTREAM FABRICATION INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to SlipStream Fabrication Inc. of Sturgeon, Prince Edward Island to acquire a land holding of approximately zero decimal one (0.1) of an acre of land at Sturgeon, Lot 61, Kings County, Province of Prince Edward Island, being acquired from Earl MacCormac of Cardigan, Prince Edward Island.

EC2022-89

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SLIPSTREAM FABRICATION INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to SlipStream Fabrication Inc. of Sturgeon, Prince Edward Island to acquire a land holding of approximately forty-two (42) acres of land at Sturgeon, Lot 61, Kings County, Province of Prince Edward Island, being acquired from Earl MacCormac of Cardigan, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2022-90

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WELL DONE FARM INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Well Done Farm Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one decimal one six (1.16) acres of land at Harrington, Lot 33, Queens County, Province of Prince Edward Island, being acquired from Thomas Hinsperger and Roberta Hinsperger both of Harrington, Prince Edward Island.

EC2022-91

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WELL DONE FARM INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Well Done Farm Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately three hundred and thirty-three (333) acres of land at Harrington and North Winsloe, Lot 33, Queens County, Province of Prince Edward Island, being acquired from Thomas Hinsperger and Roberta Hinsperger, both of Harrington, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2022-92

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WELL DONE FARM INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Well Done Farm Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one hundred and three decimal three eight (103.38) acres of land at Harrington and North Winsloe, Lot 33, Queens County, Province of Prince Edward Island, being acquired from Tyler Thomas Robert Hinsperger and Ryan Joseph Hinsperger, both of Harrington, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2022-93

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
BLACK POND FARMS LTD.
(TO RESCIND)

Council, having under consideration Order-in-Council EC2013-444 of June 11, 2013, rescinded the said Order forthwith, thus rescinding permission for Black Pond Farms Ltd. of Souris, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to three hundred and three decimal two five (303.25) acres of land as part of the said corporation's aggregate land holdings.

EC2022-94

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
BLACK POND FARMS LTD.
(APPROVAL)

Pursuant to section 5 and clause 5.3(1)(b) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Black Pond Farms Ltd. of Little Harbour, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to three hundred and twenty-six decimal seven five (326.75) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Black Pond Farms Ltd. files a statement with the Island Regulatory and Appeals Commission within one year of the date of this Order and prior to 31 December in every subsequent year disclosing the parcel number, the acreage and the term of lease for each parcel leased during the reporting period covered by the statement.

EC2022-95

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
TOWNSHEND POTATO COMPANY LTD.
(TO RESCIND)

Council, having under consideration Order-in-Council EC2013-64 of January 22, 2013, rescinded the said Order forthwith, thus rescinding permission for Townshend Potato Company Ltd. of Souris, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to one thousand, three hundred (1,300) acres of land as part of the said corporation's aggregate land holdings.

EC2022-96

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
TOWNSHEND POTATO COMPANY LTD.
(APPROVAL)

Pursuant to section 5 and clause 5.3(1)(b) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Townshend Potato Company Ltd. of Rollo Bay West, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to eight hundred (800) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Townshend Potato Company Ltd. files a statement with the Island Regulatory and Appeals Commission within one year of the date of this Order and prior to 31 December in every subsequent year disclosing the parcel number, the acreage and the term of lease for each parcel leased during the reporting period covered by the statement.

EC2022-97

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
REBECCA JEAN COULTER
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Rebecca Jean Coulter of McNeills Mills, Prince Edward Island to acquire a land holding of approximately one hundred (100) acres of land at McNeills Mills, Lot 12, Prince County, Province of Prince Edward Island, being acquired from Jonathan Perry of McNeills Mills, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2022-98

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CALEB HAGMANN, MIRYAM HAGMANN, LEAH HAGMANN
AND EDMOND HAGMANN
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Caleb Hagmann, Miryam Hagmann, Leah Hagmann and Edmond Hagmann, all of Birch Hill, Saskatchewan to acquire an interest in a land holding of approximately three hundred and thirty-four decimal one six (334.16) acres of land at Harrington and North Winsloe, Lot 33, Queens County, Province of Prince Edward Island, being acquired from Thomas Hinsperger and Roberta Hinsperger, both of Harrington, Prince Edward Island.

EC2022-99

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CALEB HAGMANN, MIRYAM HAGMANN, LEAH HAGMANN
AND EDMOND HAGMANN
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Caleb Hagmann, Miryam Hagmann, Leah Hagmann and Edmond Hagmann, all of Birch Hill, Saskatchewan to acquire an interest in a land holding of approximately one hundred and three decimal three eight (103.38) acres of land at Harrington and North Winsloe, Lot 33, Queens County, Province of Prince Edward Island, being acquired from Tyler Thomas Robert Hinsperger and Ryan Joseph Hinsperger, both of Harrington, Prince Edward Island.

EC2022-100

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
LISA KAREN WALDHAUSER
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Lisa Karen Waldhauser of Bad Wurzach, Germany to acquire a land holding of approximately ten (10) acres of land at St. Patricks, Lot 22, Queens County, Province of Prince Edward Island, being acquired from Andrew Schultz and Elizabeth Leard Schultz, both of St. Patricks, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2022-101

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
QING ZHU, YAN ZHANG AND YICHENG ZHU
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Qing Zhu, Yan Zhang and Yicheng Zhu, all of Vancouver, British Columbia to acquire a land holding of approximately thirty-nine decimal six (39.6) acres of land at Hebron, Lot 8, Prince County, Province of Prince Edward Island, being acquired from Brenda Morrison of Whitehorse, Yukon PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2022-102

SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT

Pursuant to section 10 of the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9, Council made the following regulations:

1. Part 30 of Schedule 2 to the *Summary Proceedings Act* Ticket Regulations (EC58/08) is amended

(a) by the revocation of items 1 to 5 and the substitution of the following:

1 Presenting false document to obtain photographic identification card	6.1(17)(a)	\$200
2 Applying on behalf of another person for photographic identification card	6.1(17)(b)	200
3 Permitting another person to use photographic identification card issued to the first person	6.1(17)(c)	200
4 Using photographic identification card for the purpose of making a false representation	6.1(17)(d)	200
5 Defacing, altering, damaging or destroying photographic identification card	6.1(17)(e)	200
5.1 Possessing photographic identification card that has been defaced, altered, damaged or destroyed	6.1(17)(f)	200

(b) by the addition of the following after item 17:

17.1 Operating vehicle with all or part of number plate obscured in any manner that prevents number plate from being accurately photographed or captured by a red light camera system or speed monitoring device	21(3.2)	200
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(c) by the addition of the following after item 85.1:

86 Activating or using flashing lights on a vehicle contrary to the authorized purposes specified in the section or contrary to Registrar's permitted uses	115(1.1)	200
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(d) by the addition of the following after item 89:

89.1 Person, other than a peace officer, possessing police-vehicle markings or police-vehicle equipment	117(2)(a)	2,000
89.2 Person, other than a peace officer, using or operating motor vehicle equipped with police-vehicle markings or police-vehicle equipment	117(2)(b)	2,000
89.3 Person painting, marking, or fabricating markings or equipment by any means on a motor vehicle not a police vehicle in any way that could lead an observer to assume motor vehicle is a police vehicle	117(3)(a)	2,000
89.4 Person painting, marking, or fabricating markings or equipment by any means on a motor vehicle not a police vehicle in any way that could tend to confuse an observer as to whether the motor vehicle is a police vehicle	117(3)(b)	2,000

(e) by the revocation of items 333.1 and 333.2 and the substitution of the following:

333.1 Person operating or having care or control of a motor vehicle while person's driver's license cancelled under section 261 or 264 and person does not hold a valid and subsisting driver's license issued under the Act	271(1.1)	1,500
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2. Part 47 of Schedule 2 to the regulations is revoked and the following substituted:

PART 47 TRAILS ACT R.S.P.E.I. 1988, Cap. T-4.1			
Item number	Column I Offence	Column II Section	Column III Penalty for out of court settlement
1	Obstructing, impeding or assaulting a trails officer or person assisting a trails officer or aiding or assisting any person obstructing, impeding or assaulting a trails officer during the lawful execution of trails officer's duties	5.1(8)	\$200
2	Tearing down, removing, damaging, covering, defacing or altering a sign erected or posted on the Confederation Trail or any other trail	8(6)	200
3	Travelling on the Confederation Trail or any other trail in contravention of posted signage	8(7)	200
4	Failing to observe order prohibiting entry to or presence on the Confederation Trail or other trail	12(2)	200
5	Being impaired by alcohol or drugs while on the Confederation Trail or other trails	13(1)(a)	200
6	Acting in noisy or disorderly manner while on the Confederation Trail or other trails	13(1)(b)	200
7	Creating disturbance while on the Confederation Trail or other trails	13(1)(c)	200
8	Pursuing course of conduct detrimental to safety of others or affecting the enjoyment of the Confederation Trail or other trails by other trail users	13(1)(d)	200
9	Wilfully destroying trail property or natural resources on or adjacent to the Confederation Trail or other trails	13(1)(e)	200
10	Dumping or depositing garbage or other material on or from the Confederation Trail or other trails	13(1)(f)	200
11	Engaging in activity prohibited by notice or by regulation	13(1)(g)	200
12	Travelling on the Confederation Trail or other trails when closed or portions of them are closed	13(2)	200

3. Part 48 of Schedule 2 to the regulations is revoked and the following substituted:

PART 48 TRAILS ACT General Regulations (EC760/03)			
Item number	Column I Offence	Column II Section	Column III Penalty for out of court settlement
1	Cutting, destroying or removing trees, hedgerows, shrubs or other vegetation within right-of-way of the Confederation Trail	2(1)(a)	\$200
2	Planting or introducing plants on the Confederation Trail	2(1)(b)	200
3	Adding or removing topsoil, sand, gravel or any other organic or inorganic material within right-of-way of the Confederation Trail	2(1)(c)	200
4	Constructing or erecting buildings, signs, fences, walls, dams, drainage systems or other structures within right-of-way of the Confederation Trail	2(1)(d)	200
5	Removing, damaging or defacing gates, benches, shelters or other structures along the Confederation Trail or at entrances or exits to the Confederation Trail	2(1)(e)	200
6	Removing or damaging the Confederation Trail surface, trail bed, bridges or other surface or sub-surface features or structures of the Confederation Trail	2(1)(f)	200
7	Displaying advertisement, carrying on business or offering for sale any article or service within right-of-way of the Confederation Trail	2(1)(g)	200
8	Hunting or placing traps or snares within right-of-way of the Confederation Trail	2(1)(h)	200
9	Transporting unencased firearm loaded or unloaded not otherwise authorized by law within the right-of-way of the Confederation Trail	2(1)(i)	200
10	Polluting or obstructing any stream or body of water within right-of-way of the Confederation Trail	2(1)(j)	200
11	Starting, maintaining or renewing fire other than in grills or containers provided or contrary to provincial fire laws within right-of-way of the Confederation Trail	2(1)(k)	200
12	Allowing dog or other animal to run at large within right-of-		

way of the Confederation Trail	2(1)(l)	200
13 Operating conveyance drawn by animal without a permit within the right-of-way of the Confederation Trail	2(1)(m)	200
14 Failing to wear bicycle safety helmet while riding bicycle on a trail	2(2)(a)	200
15 Failing to have bicycle safety helmet chin strap securely fastened while riding bicycle on a trail	2(2)(b)	200
16 Parent or guardian permitting person under 16 years of age to ride or operate bicycle on a trail without wearing bicycle safety helmet	2(3)(a)	200
17 Parent or guardian permitting person under 16 years of age to ride or operate bicycle on a trail without having bicycle safety helmet chin strap securely fastened	2(3)(b)	200
18 Operator of bicycle or power-assisted bicycle failing to keep a safe distance from pedestrians and other users of a trail	2.1(1)	200
19 Operating bicycle or power-assisted bicycle on a trail at a speed markedly greater than the speed of any pedestrians proximate to the bicycle or power-assisted bicycle	2.1(2)	200
20 Operator of bicycle or power-assisted bicycle failing to sound bell or horn when reasonably necessary to notify cyclists, pedestrians or others on a trail of its approach ..	2.1(3)	200
21 Operator of bicycle or power-assisted bicycle on a trail failing to ensure bicycle or power-assisted bicycle has a lighted lamp at front displaying white or amber light and at the rear either a reflector or a lighted lamp displaying a red light from one-half hour before sunset to one-half hour after sunrise or at any time where there is insufficient light or unfavourable weather conditions	2.1(4)	200
22 Operating bicycle or power-assisted bicycle on a trail in a manner that may harm, injure or damage any person or property	2.1(5)	200
23 Operating motorized vehicle, motorized mobility aid or power-assisted bicycle on the Confederation Trail in contravention of the regulations or without a permit	3	300
24 Operating motorized vehicle on an active transportation pathway in contravention of the regulations or without a permit	3.01	300

4. These regulations come into force on February 19, 2022

EXPLANATORY NOTES

SECTIONS 1, 2 and 3 amend Schedule 2 to the *Summary Proceedings Act* Ticket Regulations to update the listed offences under the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, the *Trails Act* R.S.P.E.I. 1988, Cap. T-4.1, and the *Trails Act* General Regulations for which summary offence tickets may be issued.

SECTION 4 provides for the commencement of the regulations.

EC2022-103

AN ACT TO AMEND THE TRAILS ACT DECLARATION RE

Under authority of section 19 of the *An Act to Amend the Trails Act* Stats. P.E.I. 2021, c. 47 Council ordered that a Proclamation do issue proclaiming the said "An Act to Amend the Trails Act" to come into force effective February 19, 2022.

EC2022-104

TRAILS ACT GENERAL REGULATIONS AMENDMENT

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

1. Section 1 of the *Trails Act* General Regulations (EC760/03) is amended by the revocation of clauses (b.1), (d) and (e).

2. (1) Subsection 2(1) of the regulations is amended by the deletion of the words “the trail” wherever they occur and the substitution of the words “the Confederation Trail”.

(2) Subsection 2(1.1) of the regulations is amended by the deletion of the words “to a fine of not less than \$100 and not more than \$1,000” and the substitution of the words “to a fine of not less than \$200 and not more than \$2,000”.

(3) Subsection 2(2) of the regulations is amended by the deletion of the words “the trail” and the substitution of the words “a trail”.

(4) Subsection 2(3) of the regulations is amended by the deletion of the words “the trail” and the substitution of the words “a trail”.

(5) Subsection 2(3.1) of the regulations is amended by the deletion of the words “to a fine of not less than \$50 and not more than \$100” and the substitution of the words “to a fine of not less than \$100 and not more than \$1,000”.

(6) Subsection 2(4) of the regulations is amended

(a) in the words immediately preceding clause (a), by the deletion of the words “subsection (1) or section 3” and the substitution of the words “subsection (1), section 3 or section 3.01”; and

(b) in clause (a), by the deletion of the words “the trail” and the substitution of the words “the Confederation Trail”.

3. The regulations are amended by the addition of the following after section 2:

2.1 (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.

Safe distance from pedestrians

(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.

Speed

(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.

Bell, horn

(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.

Lighted lamps at front, rear

(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.

Safe operation

2.2 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.

Offence and penalty

4. Section 3 of the regulations is amended

(a) in the words immediately preceding clause (a), by the deletion of the words “the trail” and the substitution of the words “the Confederation Trail”; and

(b) in clause (b), by the deletion of the words “motorized wheelchair” and the substitution of the words “motorized mobility aid”.

5. The regulations are amended by the addition of the following after section 3:

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

Motorized vehicle
on active
transportation
pathway

(a) is operating a motorized mobility aid;

(b) is operating a power-assisted bicycle;

(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.

6. Section 3.1 of the regulations is revoked and the following substituted:

3.1 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.

Offence and penalty

7. Section 4 of the regulations is amended

(a) in the words immediately preceding clause (a), by the deletion of the words “the trail by the trail manager or his or her agent” and the substitution of the words “the Confederation Trail by the trail manager or the trail manager’s agent”;

(b) in clause (b), by the deletion of the words “at park” and the substitution of the words “at Confederation Trail”;

(c) in clause (c), by the deletion of the words “or bicycle” and the substitution of the words “, bicycle or power-assisted bicycle”;
and

(d) in clauses (d), (e), (f), (g) and (h), by the deletion of the words “the trail” and the substitution of the words “the Confederation Trail”.

8. These regulations come into force on February 19, 2022.

EXPLANATORY NOTES

SECTION 1 revokes definitions contained in section 1 of the *Trails Act* General Regulations (EC760/03) which are unnecessary since the terms are defined in the *Trails Act* R.S.P.E.I. 1988, Cap. T-4.1.

SECTION 2 amends section 2 of the regulations to clarify that the reference to ‘the trail’ is ‘the Confederation Trail’. The fine amounts for allowing a dog or other animal to run at large on the Confederation Trail is increased from a minimum of \$100 to \$200 and maximum of \$1,000 to \$2,000. The fine amounts for a person, or a guardian of a person under 16 years of age, riding a bicycle on the Confederation Trail without wearing a bicycle safety helmet or having the chin strap securely fastened is increased from a minimum of \$50 to \$100 and maximum of \$100 to \$1,000. The section authorizes the trail manager to engage in activities that are otherwise prohibited, or to issue a permit to other persons to do so, where the activity is considered necessary for the maintenance of the Confederation Trail or where the needs or activities of adjacent property owners must be recognized.

SECTION 3 adds two new sections to the regulations, sections 2.1 and 2.2. Section 2.1 sets out safe operation rules in respect of a bicycle or a power-assisted bicycle being operated on a trail. Section 2.2 is an offence and penalty provision in respect of a violation of section 2.1.

SECTION 4 amends section 3 of the regulations to clarify the reference to 'the trail' is 'the Confederation Trail' and to update the reference from a 'motorized wheelchair' to a 'motorized mobility aid'.

SECTION 5 adds a new section 3.01 to the regulations in respect of the prohibition against operating a motorized vehicle on an active transportation pathway outside the specified permitted uses.

SECTION 6 revokes section 3.1 of the regulations and substitutes a new section 3.1, the offence and penalty provision, in respect of operating a motorized vehicle on the Confederation Trail.

SECTION 7 amends section 4 of the regulations to clarify the reference to 'the trail' is 'the Confederation Trail', provide for gender neutral language and add a power-assisted bicycle to the provision in addition to a snowmobile or bicycle that must come to stop as required by posted signage.

SECTION 8 provides for the commencement of the regulations.