



The Saskatchewan Gazette

PUBLISHED WEEKLY BY AUTHORITY OF THE QUEEN'S PRINTER/PUBLIÉE CHAQUE SEMAINE SOUS L'AUTORITÉ DE L'IMPRIMEUR DE LA REINE

PART II/PARTIE II

Volume 117

REGINA, FRIDAY, MAY 14, 2021/REGINA, vendredi 14 mai 2021

No. 19/n° 19

PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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SASKATCHEWAN REGULATIONS 47/2021*The Automobile Accident Insurance Act*

Sections 5 and 81

Order in Council 241/2021, dated May 5, 2021

(Filed May 6, 2021)

Title

1 These regulations may be cited as *The Automobile Accident Insurance (General) Amendment Regulations, 2021*.

RRS c A-35 Reg 4 amended

2 *The Automobile Accident Insurance (General) Regulations, 2002* are amended in the manner set forth in these regulations.

New PART III.01**3 The following Part is added after Part III:**

**“PART III.01
Insurance Rebates Program 2021**

“Definitions for Part

9.01 In this Part:

- (a) ‘**co-owner**’ means any person who is the registered owner of a vehicle along with one or more persons;
- (b) ‘**eligible insured**’ means:
 - (i) a person who held an eligible owner’s certificate in that person’s name for a portion or the whole of the eligible period and:
 - (A) is a Saskatchewan resident on the day on which the insurer makes a payment pursuant to section 9.02;
 - (B) is permitted to register a vehicle in Saskatchewan on the day on which the insurer makes a payment pursuant to section 9.02; or
 - (C) was legally required to register a vehicle in Saskatchewan for a portion or the whole of the eligible period; or
 - (ii) a person who is a co-owner but only if at least 1 of the other co-owners of the same vehicle meets the requirements of subclause (i);
- (c) ‘**eligible owner’s certificate**’ means an owner’s certificate issued pursuant to the Act but does not include a certificate that is a certificate of insurance issued with respect to a permit;
- (d) ‘**eligible period**’ means the period beginning on January 1, 2018 and ending on December 31, 2020;
- (e) ‘**insurance rebate**’ means the amount payable to an eligible insured pursuant to section 9.02;

(f) ‘**outstanding indebtedness**’ means, with respect to a person, an indebtedness of that person that is:

- (i) outstanding on the date on which an insurance rebate is payable to that person; and
- (ii) owed:
 - (A) to the insurer pursuant to the Act or these regulations;
 - (B) to the insurer pursuant to a deductible finance agreement as defined in *The Traffic Safety Act* and that person has defaulted on a payment pursuant to that deductible finance agreement; or
 - (C) to the administrator for any fee or charge imposed on the person pursuant to *The Traffic Safety Act*.

“Insurance rebate”

9.02(1) Subject to subsections (2) to (7) and section 9.03, the insurer shall pay an insurance rebate to an eligible insured for the eligible period.

- (2) An insurance rebate is to be paid on or before June 30, 2021.
- (3) The amount of an insurance rebate payable to an eligible insured with respect to each vehicle for which the eligible insured held an eligible owner’s certificate in the eligible insured’s name during the eligible period is the amount IR calculated in accordance with the following formula:

$$\text{IR} = \frac{\text{BP}}{\text{Total BP}} \times \$285,000,000$$

where:

IR is the insurance rebate payable;

BP is the scheduled premium amount for each vehicle for which an eligible insured holds an eligible owner’s certificate; and

Total BP is the sum of all scheduled premiums for all vehicles registered with the insurer during the eligible period.

- (4) If the eligible insured did not hold an eligible owner’s certificate for a vehicle for every day in the eligible period:
 - (a) the insurer shall prorate the amount of the insurance rebate payable for the vehicle based on the number of days the eligible insured held that eligible owner’s certificate in the eligible period; and
 - (b) the eligible insured is eligible to be paid only the prorated insurance rebate with respect to that vehicle.
- (5) No person is eligible for an insurance rebate if the amount of the insurance rebate is less than \$5.00.
- (6) If an eligible insured held an eligible owner’s certificate for more than 1 vehicle in the eligible insured’s name during the eligible period, the insurer may provide all insurance rebates to that eligible insured in 1 payment.
- (7) An insurance rebate with respect to a vehicle for which the eligible owner’s certificate is in the name of 2 or more co-owners must be made payable to all of the co-owners listed in the eligible owner’s certificate.

“Set-off of insurance rebate

9.03(1) Subject to subsection (3), if an eligible insured is eligible for an insurance rebate pursuant to this Part and that eligible insured has an outstanding indebtedness, the insurer may:

- (a) if the indebtedness is equal to or greater than the amount of the insurance rebate, apply all of the insurance rebate towards satisfaction of the eligible insured’s outstanding indebtedness; or
- (b) if the indebtedness is less than the amount of the insurance rebate:
 - (i) apply that portion of the insurance rebate that is required to satisfy the eligible insured’s outstanding indebtedness to that debt; and
 - (ii) pay any remainder of the insurance rebate to the eligible insured.

(2) Any set-off pursuant to subsection (1) reduces the eligible insured’s outstanding indebtedness by the amount of the insurance rebate that is applied.

(3) This section does not apply to an insurance rebate owed to a co-owner unless all listed co-owners on the eligible owner’s certificate have the same outstanding indebtedness”.

New section 31.9**4 Section 31.9 is repealed and the following substituted:****“Surcharge on certain new registrants registering IRP commercial vehicles**

31.9(1) In this section:

(a) ‘**date of application**’ means the day on which a new IRP registrant applies to register an IRP commercial vehicle with the administrator;

(b) ‘**new IRP registrant**’ means a registrant that, at the date of application, has not registered an IRP commercial vehicle with the administrator for a combined total of at least 36 months within the 5-year period immediately preceding the date of application.

(2) Notwithstanding any other provision of these regulations, no new IRP registrant is entitled to a discount in its basic premium if the new IRP registrant is subject to a surcharge in accordance with subsection (3).

(3) Notwithstanding any other provision of these regulations, a new IRP registrant shall pay a surcharge in addition to the basic premium on each of its IRP commercial vehicles of:

(a) in the case of a new IRP registrant that has not registered an IRP commercial vehicle with the administrator within the 5-year period immediately preceding the date of application, 100% of the basic premium for a period of 12 months;

(b) in the case of a new IRP registrant that has registered an IRP commercial vehicle with the administrator for at least 12 months but less than 24 months within the 5-year period immediately preceding the date of application, the greater of:

(i) 50% of the basic premium; and

(ii) the surcharge determined pursuant to section 31.51; or

- (c) in the case of a new IRP registrant that has registered an IRP commercial vehicle with the administrator for at least 24 months but less than 36 months within the 5-year period immediately preceding the date of application, the greater of:
- (i) 25% of the basic premium; and
 - (ii) the surcharge determined pursuant to section 31.51.
- (4) Notwithstanding this section, the administrator may exempt a new IRP registrant from the application of this section if, in the opinion of the administrator:
- (a) the new IRP registrant:
 - (i) has carried on business as a commercial carrier for at least 36 months within the 5-year period immediately preceding the date of application;
 - (ii) has a satisfactory claims history report in the jurisdictions where it has carried on business as a commercial carrier; and
 - (iii) has a satisfactory carrier profile report in the jurisdictions where it has carried on business as a commercial carrier; and
 - (b) granting the exemption would not be contrary to the public interest.
- (5) If the administrator grants an exemption pursuant to subsection (4), the new IRP registrant's discount and surcharge must be determined pursuant to sections 31.5 and 31.51".

Coming into force

- 5(1) Subject to subsection (2), these regulations come into force on the day on which they are filed with the Registrar of Regulations, but are retroactive and are deemed to have been in force on and from February 11, 2004.
- (2) Section 3 comes into force on May 1, 2021.

SASKATCHEWAN REGULATIONS 48/2021

The Traffic Safety Act

Section 287

Order in Council 242/2021, dated May 5, 2021

(Filed May 6, 2021)

Title

- 1 These regulations may be cited as *The Operating Authority Repeal Regulations*.

RRS c T-18.1 Reg 8 repealed

- 2 *The Operating Authority Regulations, 2011* are repealed.

Coming into force

- 3 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 49/2021*The Traffic Safety Act*

Section 287

Order in Council 243/2021, dated May 5, 2021

(Filed May 6, 2021)

Title

- 1 These regulations may be cited as *The Motor Carrier Conditions of Carriage Amendment Regulations, 2021*.

RRS c T-18.1 Reg 15 amended

- 2 *The Motor Carrier Conditions of Carriage Regulations, 2014* are amended in the manner set forth in these regulations.

Section 2 amended**3 Section 2 is amended:**

(a) by renumbering it as subsection 2(1);

(b) in subsection (1):

(i) by repealing clauses (c) and (e);

(ii) by repealing clause (f) and substituting the following:

“(f) ‘commercial vehicle’ means a commercial vehicle as defined in *The Safety Fitness Regulations*;”;

(iii) by repealing clause (h) and substituting the following:

“(h) ‘express transporter’ means the owner of a vehicle that is registered in Class PB that is used to transport passengers and express for hire on a predetermined route or schedule”; and

(iv) by adding the following after clauses (j):

“(j.1) ‘household goods’ means:

(i) furniture, appliances and personal effects transported as part of the relocation of a household, including vehicles and boats moved as part of the same household;

(ii) unpackaged or uncrated furniture and office equipment transported to an office, store, factory, commercial establishment, museum, hospital or public institution to be used as furnishings at those locations;

(iii) stock-in-trade moved as part of the relocation of an office, store or commercial establishment;

(iv) objects of art, displays, exhibits, computers and electronic devices that require specialized handling”;

“(j.2) ‘materials used in the construction and maintenance of a road or bridge’ means materials as defined in *The Vehicle Classification and Registration Regulations*;

“(j.3) ‘ore concentrate’ means ore concentrate as defined in *The Vehicle Classification and Registration Regulations*; and

(c) by adding the following subsections after subsection 2(1):

“(2) For the purposes of the Act and these regulations, vehicles mentioned in the definitions of ‘express’, ‘express transporter’ and ‘freight transporter’ include vehicles operating as ‘express’, ‘express transporters’ or ‘freight transporters’ in accordance with a permit issued pursuant to section 73 of the Act.

“(3) For the purpose of section 7, ‘general merchandise’ does not include:

- (a) garbage and materials being transported for disposal or remediation;
- (b) laundry and dry cleaning;
- (c) fodder as defined in *The Vehicle Classification and Registration Regulations*;
- (d) offal;
- (e) manure;
- (f) sewage;
- (g) water, ice and snow;
- (h) coal, stone, clay, sand, limestone, earth, sand or gravel;
- (i) ore concentrates on the initial movement after extraction from the mine;
- (j) raw forest wood production on the initial movement from the forest;
- (k) materials used in the construction and maintenance of a road or bridge; and
- (l) goods owned by the registered owner of the vehicle”.

New section 3

4 Section 3 is repealed and the following substituted:

“Breakdowns

3 If a vehicle that is engaged in the transportation of passengers or express is in a collision, has a breakdown or is placed out-of-service, the transportation provider shall make immediate arrangements, at its expense, for the transportation of those passengers and express to their destination with as little delay as possible”.

Sections 4 and 5 repealed

5 Sections 4 and 5 are repealed.

Section 7 amended

6(1) Subsection 7(1) is amended by striking out “public service” and substituting “commercial”.

(2) Clause 7(3)(b) is amended by striking out “public service” and substituting “commercial”.

(3) Subsection 7(7) is amended in the portion preceding clause (a) by striking out “public service” and substituting “commercial”.

New section 7.1**7 The following section is added after section 7:****“Retention of documents, inspection or investigation by administrator**

7.1(1) Every person required to use bills of lading or express receipts pursuant to the Act or the regulations shall retain a copy of those documents for the duration of the year to which the record relates and for an additional 4 years.

(2) Every person required to keep records, books, accounts, documents or other things shall retain the records, books, accounts, documents or other things for the duration of the year to which the item relates and for an additional 4 years.

(3) All records, books, accounts, documents or other things required to be kept must be open to inspection or investigation by the administrator, its appointed representative or a peace officer, at all times during business hours.

(4) No person shall refuse:

(a) to allow the administrator, its appointed representative or a peace officer access to any records, books, accounts, documents or other things mentioned in subsection (3); or

(b) to produce the records, books, accounts, documents or other things mentioned in clause (a) for inspection or investigation when requested to do so.

(5) The administrator, its appointed representative or a peace officer conducting an inspection or investigation mentioned in subsection (3) may:

(a) seize any record, book, account, document or other thing on or in which information is written, recorded, stored or reproduced that the administrator, the representative or peace officer considers necessary to determine whether this Act or the regulations are being complied with; and

(b) use the record, book, account, document or other thing as evidence.

(6) If a seizure is made pursuant to subsection (5), the administrator, its appointed representative or a peace officer shall, within 21 days after the seizure, supply the person from whom the seizure was made or an employee of the company, with a complete copy of the seized items or return the seized items.

(7) If the administrator, its appointed representative or a peace officer is denied access to or the right to seize any record, book, account, document or other thing mentioned in subsection (3), a justice of the peace or judge of the Provincial Court of Saskatchewan may, on being satisfied on the oath of a person designated by the administrator, the administrator's appointed representative or a peace officer that access is required for the purpose of enforcing the Act or the regulations, issue a warrant to that person to:

(a) enter the place where the records, books, accounts, documents or other things are located; and

(b) seize and remove the records, books, accounts, documents or other things on or in which information is written, recorded, stored or reproduced.

(8) If an inspection or investigation is being conducted pursuant to this section, no person shall conceal or destroy any record, book, account, document or other thing relevant to the subject-matter of the inspection or investigation".

Sections 9, 10, 11, 12 and 14 repealed

8 Sections 9, 10, 11, 12 and 14 are repealed.

New section 15

9 Section 15 is repealed and the following substituted:

"Prohibited shipment"

15(1) No express transporter shall accept for transportation or permit to be transported:

- (a) livestock, excluding pets and trained service animals;
 - (b) acid;
 - (c) explosives;
 - (d) flammable or incendiary substances;
 - (e) express stored in the passenger compartment of the vehicle, unless that express is secured in a location that is separate and inaccessible from the passenger compartment;
 - (f) any substance, material or article of a kind or quality that:
 - (i) is likely to render it disagreeable to or dangerous to passengers; or
 - (ii) is likely to expose to risk, loss or damage anything being carried in or on the vehicle;
 - (g) cargo that is towed in a trailer and that is subject to federal dangerous goods legislation, unless the requirements pursuant to that legislation have been met; or
 - (h) passenger baggage in the passenger compartment, unless it is properly secured.
- (2) Nothing in subsection (1) prevents a passenger from carrying in or on the vehicle:
- (a) a personal oxygen tank for medical use;
 - (b) personal medications, medical equipment and medical supplies; or
 - (c) personal baggage containing aerosols or sprays for personal or personal medical use".

Section 16 repealed

10 Section 16 is repealed.

New section 17

11 Section 17 is repealed and the following substituted:

"Express receipts"

17(1) No express transporter shall accept for transportation as express any goods unless, at the time of acceptance of the goods for transport by the express transporter or by someone on behalf of the express transporter, an express receipt is created.

- (2) The express receipt mentioned in subsection (1) must contain:
- (a) a description of the contents of the shipment;
 - (b) the name and mailing address of the consignor;
 - (c) the point of origin of the shipment;
 - (d) the name and address of the consignee;
 - (e) the destination of the shipment; and
 - (f) the name and address of any other carrier who is participating in the movement of the goods for delivery.
- (3) When express is transported in a vehicle, the operator shall keep a copy of the express receipt for the express carried on the vehicle.
- (4) On the demand of a peace officer, the operator of a vehicle carrying express shall produce a copy of the express receipt for the goods being carried".

Section 18 repealed

12 Section 18 is repealed.

New section 19

13 Section 19 is repealed and the following substituted:

"Baggage

19 Every person engaged in transporting passengers shall:

- (a) provide a means for passengers to securely stow carry-on baggage that is not being held on the passenger's person; and
- (b) before departure, ensure that passenger baggage does not block aisles or exits".

Section 20, 21 and 22 repealed

14 Sections 20, 21 and 22 are repealed.

Appendix, Part I amended

15 Part I of the Appendix is amended by repealing subsection (25).

Appendix, Part II amended

16 Part II of the Appendix is amended by repealing clause (9)(h) and subsection (12).

Coming into force

17 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 50/2021

The Traffic Safety Act

Section 287

Order in Council 244/2021, dated May 5, 2021

(Filed May 6, 2021)

Title

1 These regulations may be cited as *The Vehicle Classification and Registration Amendment Regulations, 2021*.

RRS c H-3.1 Reg 3 amended

2 *The Vehicle Classification and Registration Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

3 Subsection 2(1) is amended:

(a) by adding the following clauses after clause (b):

“(b.1) ‘**airport-on-demand service**’ means a service that transports passengers for hire from an airport to a destination as directed by the passenger on an on-demand basis;

“(b.2) ‘**charter service**’ means a service that transports passengers for hire on a pre-arranged basis from a common location and for the exclusive use of a passenger or group of passengers”;

(b) by adding the following clause after clause (q.1):

“(q.2) ‘**on-demand basis**’ means transportation that is arranged at the time the service is required”;

(c) by adding the following clause after clause (t):

“(t.01) ‘**pre-arranged basis**’ means transportation that is scheduled at least 2 hours in advance of a departure time”;

(d) by adding the following clause after clause (x):

“(x.1) ‘**scheduled passenger service**’ means a service that:

(i) transports passengers or passengers and express for hire;

(ii) operates according to a predetermined route or schedule; and

(iii) transports passengers based on a predetermined pickup and drop-off location and charges a predetermined fee for the service”; **and**

(e) by adding the following clause after clause (z.2):

“(z.3) ‘**vehicle-for-hire service**’ means a vehicle-for-hire service as defined in *The Vehicles for Hire Act*”.

New section 9**4 Section 9 is repealed and the following substituted:****“Class PB”**

9(1) A class of vehicles to be called ‘**Class PB**’ is hereby established consisting of vehicles to be used for the following purposes:

- (a) as a personal conveyance;
 - (b) for the transportation of passengers without compensation;
 - (c) for the transportation of passengers and passenger baggage as part of:
 - (i) a charter service;
 - (ii) a scheduled passenger service; or
 - (iii) an airport-on-demand service;
 - (d) for the transportation of express;
 - (e) for the transportation of goods owned by the registered owner of the vehicle.
- (2) Subject to this section, no person shall:
- (a) use a vehicle that is registered in Class PB to transport passengers on an on-demand basis by accepting a passenger through street hailing, signaling or any other means that attracts the attention of the service provider while the vehicle is operated on a public road;
 - (b) equip a Class PB vehicle with a meter or any other equipment designed to calculate a passenger fare based on distance travelled; or
 - (c) offer a vehicle registered in Class PB as a rental or lease without a driver”.

Section 16.1 amended

5 Subclause 16.1(1)(b)(i.01) is amended by striking out “as defined in *The Vehicles for Hire Act* and the regulations made pursuant to that Act”.

Coming into force

6 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 51/2021

The Traffic Safety Act

Section 287

Order in Council 245/2021, dated May 5, 2021

(Filed May 6, 2021)

Title

1 These regulations may be cited as *The Safety Fitness Amendment Regulations, 2021*.

RRS c T-18.1 Reg 18 amended

2 *The Safety Fitness Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

3 Subclause 2(2)(b)(iii) is amended:

- (a) by striking out “and” after paragraph (A); and**
- (b) by repealing paragraph (B).**

New section 3.1

4 The following section is added after section 3:

“Safety fitness certificate – additional requirements

3.1(1) In addition to the requirements set out in subsection 100(1) of the Act, an applicant that intends to obtain a safety fitness certificate shall:

(a) satisfy the administrator that it has successfully completed the Carrier Knowledge Test established by the administrator; and

(b) at the time of applying to obtain a safety fitness certificate, pay the fee set out in the regulations for the Carrier Knowledge Test mentioned in clause (a).

(2) In addition to the requirements set out in subsection 100(1) of the Act and if required by the administrator, an applicant that intends to renew a safety fitness certificate shall:

(a) satisfy the administrator that it has successfully completed the Carrier Knowledge Test established by the administrator; and

(b) at the time of applying to renew a safety fitness certificate, pay the fee set out in the regulations for the Carrier Knowledge Test mentioned in clause (a)”.

Heading to Part III amended

5 The heading to Part III is struck out and the following substituted:

“PART III
Penalties”.

Section 10 amended

6(1) Subsection 10(1) is repealed and the following substituted:

“(1) Subject to subsections (2) to (5), for the purposes of subsection 102.1(2) of the Act, the carrier or driver, or the carrier and driver, shall pay a monetary penalty equal to the sum of the dollar amount for each separate safety violation assessed by the administrator against the carrier or the driver”.

(2) Subsection 10(3) is repealed and the following substituted:

“(3) Notwithstanding subsection (2), if the carrier is transporting passengers for hire, the carrier or driver, or the carrier and driver, shall pay double the dollar amount for each safety violation assessed against the carrier or driver that would otherwise be payable for each safety violation”.

(3) Subsection 10(4) is repealed and the following substituted:

“(4) A carrier or a driver, or a carrier and driver, shall pay the monetary penalty imposed pursuant to subsection (1) within the time determined by the administrator and set out:

- (a) in the case of a carrier, in the direction provided to the carrier pursuant to section 102.1 of the Act; or
- (b) in the case of a driver, in a notice provided to the driver by the administrator”.

(4) Subsection 10(5) is amended:**(a) by striking out the portion preceding clause (a) and substituting the following:**

“If a monetary penalty is imposed on a carrier or a driver pursuant to this section and, in a subsequent administrative inspection pursuant to Part VIII of the Act, the administrator determines that the carrier or the driver has previously been assessed a monetary penalty for the same safety violation, the carrier or the driver, or the carrier and driver, shall pay.”;

- (b) in clause (a) by adding “or driver” after “that the carrier”; and
- (c) in clause (b) by adding “or driver” after “that the carrier”.

(5) Subsection 10(6) is amended by striking out “If the carrier” and substituting “In the case of a monetary penalty assessed against a carrier, if the carrier”.**Part II of Appendix amended****7 Part II of the Appendix is amended:****(a) under the heading “DIVISION 2. *The Traffic Safety Act*, S.S. 2004, c.T-18.1” by repealing item 2-1 and substituting the following:**

“ 2-1 Failure to have a valid safety fitness certificate. s. 99 <i>The Traffic Safety Act</i>	\$1,000.00	\$2,000.00	\$3,000.00	\$5,000.00	\$10,000.00	”; and
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(b) under the heading “DIVISION 5. *Commercial Vehicle Drivers Hours of Service Regulations* (Canada) SOR/2005-313” by repealing items 5-17 to 5-30 and substituting the following:

“ 5-17 Fail to complete or require a driver to complete a record of duty status that accounts for all on-duty and off-duty time. ss. 81(1) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00
5-18 Fail to complete the driver’s record of duty status in the manner prescribed. ss. 82(1) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00
5-19 Fail to require the carrier’s driver to record in the driver’s record of duty status the hours in each duty status during the day covered by the record of duty status and the location of the driver each time that driver’s duty status changes. ss. 82(2) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00
5-20 Fail to require the carrier’s driver to record and sign the record of duty status indicating the total hours for each duty status and the total distance driven by the driver that day, including the odometer reading at the end of the day. ss. 82(3) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00
5-21 Request, require or allow a driver to drive a commercial vehicle without maintaining in that driver’s possession a copy of the record of duty status for the preceding 14 days. paragraph 84(a) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00
5-22 Request, require or allow a driver to drive a commercial vehicle without maintaining in that driver’s possession a copy of the record of duty status current up to the last change in the driver’s duty status. paragraph 84(b) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00

5-23 Request, require or allow a driver to drive a commercial vehicle without maintaining in that driver's possession a copy of any supporting documents or other relevant records that the driver received in the course of the current trip. paragraph 84(c) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00
5-24 Fail to ensure that the carrier's driver has forwarded the original record of duty status and supporting documents to the home terminal within 20 days. ss. 85(1) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00
5-25 Fail to keep the record of duty status and supporting documents for each driver for a period of 6 months. paragraph 85(3)(b) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00
5-26 Request, require or allow a driver to keep more than 1 record of duty status in respect of any day. ss. 86(1) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00
5-27 Request, require or allow a driver to enter inaccurate information in a daily log or falsify, mutilate or deface a record of duty status. ss. 86(2) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00
5-28 Fail to monitor a driver's compliance with the regulations. ss. 87(1) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$500.00	\$500.00	\$1,000.00	\$2,500.00	\$5,000.00
5-29 Fail to take immediate action for a driver's non-compliance with the regulations. ss. 87(2) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$500.00	\$500.00	\$1,000.00	\$2,500.00	\$5,000.00

5-30 Fail to immediately produce or give a copy, at the request of an inspector, of record of duty status, supporting documents and other relevant records. s. 98 <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$500.00	\$500.00	\$1,000.00	\$1,000.00	\$1,000.00
5-31 Request, require or allow a driver to operate a commercial vehicle without an ELD that meets the requirements of the Technical Standard s. 77 <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$500.00	\$500.00	\$1,000.00	\$2,500.00	\$5,000.00
5-32 Driver failed to notify carrier of an ELD malfunction or data diagnostic code. s. 78 <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00
5-33 Carrier failed to replace or repair an ELD malfunction or data diagnostic code. ss. 78(5) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$500.00	\$500.00	\$1000.00	\$2,500.00	\$5,000.00
5-34 Carrier failed to maintain a register of ELD malfunction or data diagnostic codes for ELD installed or used in a commercial vehicle that it operates for which a malfunction was noticed in the prescribed manner. ss. 78(6) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$500.00	\$500.00	\$1000.00	\$2,500.00	\$5,000.00
5-35 Carrier failed to maintain a register of ELD malfunction or data diagnostic codes for ELD installed or used in a commercial vehicle that it operates for which a malfunction was noticed in the prescribed manner. ss. 78(7) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$500.00	\$500.00	\$1000.00	\$2,500.00	\$5,000.00

5-36 Driver failed to certify the accuracy of the driver's record of duty status s. 78.2 <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00
5-37 Carrier failed to verify the accuracy of a drivers record of duty status. ss. 78.3(1) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$500.00	\$500.00	\$1000.00	\$2,500.00	\$5,000.00
5-38 Driver failed to accept or reject the changes required by the motor carrier. ss. 78.3(2) <i>Commercial Vehicle Drivers Hours of Service Regulations</i> (Canada)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00

”.

Coming into force

- (1) Subject to subsections (2) and (3), these regulations come into force on the day on which they are filed with the Registrar of Regulations.
- (2) Section 3 comes into force on June 16, 2021.
- (3) Clause 7(b) comes into force on June 12, 2021.

SASKATCHEWAN REGULATIONS 52/2021***The Traffic Safety Act*****Section 287****Order in Council 246/2021, dated May 5, 2021**

(Filed May 6, 2021)

Title

- 1 These regulations may be cited as *The Commercial Vehicle and Drivers (Record-Keeping) Amendment Regulations, 2021*.

RRS c H-3.1 Reg 22 amended

- 2 *The Commercial Vehicle and Drivers (Record-Keeping) Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

- 3 **Subclause 2(d)(iii) is repealed and the following substituted:**

“(iii) a vehicle that is registered in Class PB, PC or PS, or would be registered in Class PB, PC or PS if that vehicle was registered in Saskatchewan”.

New section 11.1

- 4 **The following section is added after section 11:**

“Class PB vehicle and criminal record check

- 11.1(1)** Each year, every driver who operates a carrier's Class PB vehicle shall provide that carrier with a criminal record check that is completed by an agency approved by the administrator.

- (2) No carrier shall permit or enable a driver to operate a Class PB vehicle if that driver has been convicted of an offence set out in Appendix A.
- (3) No driver shall operate a Class PB vehicle if that driver has been convicted of an offence set out in Appendix A.
- (4) On the request of the administrator, a carrier shall provide the administrator with copies of the criminal record checks mentioned in subsection (1).
- (5) This section does not apply to limousines as defined in *The Vehicles for Hire Act*.

New Appendix A

5 The following is added after section 13:

**“Appendix A
Offences pursuant to the *Criminal Code* and
the *Controlled Drugs and Substances Act* (Canada)**

[Section 11.1]

- 1 Any sexual offence pursuant to the *Criminal Code*, including sections 151 to 153.1, 162 to 163.1, 170 to 173, 271 to 273, 273.3 and 286.1 to 286.4.
- 2 Offences pursuant to the *Criminal Code*:
 - (a) against the person pursuant to sections 172.1, 219 to 248, 279 to 283; and
 - (b) related to terrorism pursuant to Part II.1.
- 3 In the preceding 20 years, offences pursuant to the *Criminal Code*:
 - (a) against the person pursuant to sections 267 to 269.1 and 270.01 to 270.02; and
 - (b) pursuant to sections 76 to 78.1 (Hijacking; Endangering safety of aircraft or airport; Offensive weapons and explosive substances; Seizing control of ship or fixed platform), 79 to 82.6 (Dangerous Materials and Devices), 85 (Using firearm in commission of offence); 88 (Possession of weapon for dangerous purpose), 98.1 (Robbery to steal firearm), 318 to 319 (Hate Propaganda), 343 to 346 (Robbery and Extortion), 348 to 351 (Breaking and entering offences), 430(2) (Mischief – danger to life) and 433 (Arson – disregard for human life).
- 4 In the preceding 10 years, offences pursuant to the *Criminal Code*:
 - (a) pursuant to Part III (Firearms and Other Weapons), other than those offences mentioned in item 2(b) of this Appendix;
 - (b) involving a motor vehicle pursuant to sections 320.13 to 320.18;
 - (c) against the person pursuant to sections 264, 264.1, 266, 270 and 270.1;
 - (d) pursuant to Part IX (Offences Against Rights of Property), other than those offences mentioned in item 2(b) of this Appendix;
 - (e) involving fraudulent transactions pursuant to sections 380 to 405;
 - (f) involving mischief in relation to property pursuant to subsections 430(3), (4) and (4.1); and
 - (g) involving arson pursuant to sections 434 to 435.

5 In the preceding 10 years, any offence pursuant to the *Controlled Drugs and Substances Act* (Canada).

6 Any offence pursuant to any law of any state of the United States of America that is substantially similar to an offence mentioned in items 1 to 5 of this Appendix".

Coming into force

6(1) Subject to subsection (2), these regulations come into force on the day on which they are filed with the Registrar of Regulations.

(2) Section 3 comes into force on June 16, 2021.

SASKATCHEWAN REGULATIONS 53/2021

The Traffic Safety Act

Section 287

Order in Council 247/2021, dated May 5, 2021

(Filed May 6, 2021)

Title

1 These regulations may be cited as *The Traffic Safety Act Fees (Carrier Knowledge Test) Amendment Regulations, 2021*.

RRS c T-18.1 Reg 3, section 36.1 amended

2 Subsection 36.1(1) of *The Traffic Safety Act Fees Regulations* is amended by adding the following clause after clause (c):

"(d) the Carrier Knowledge Test, within the meaning of *The Safety Fitness Regulations*, is \$55".

Coming into force

3 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 54/2021

The Executive Government Administration Act

Section 17

and

The Economic and Co-operative Development Act

Section 8

Order in Council 248/2021, dated May 5, 2021

(Filed May 6, 2021)

Title

1 These regulations may be cited as *The Saskatchewan Small Business Emergency Payment Amendment Regulations, 2021* (No. 4).

RRS c E-13.1 Reg 25 amended

2 *The Saskatchewan Small Business Emergency Payment Regulations, 2020* (No. 2) are amended in the manner set forth in these regulations.

Section 2 amended**3(1) Subsection 2(1) is amended:**

- (a) by repealing the definition of “eligibility period” and substituting the following:

“**eligibility period**” means, subject to subsections (4) and (5), the December eligibility period, the January eligibility period, the February eligibility period, the March eligibility period, the April eligibility period or any subsequent eligibility period established by the Lieutenant Governor in Council”; and

- (b) by adding the following definition in alphabetical order:

“**April eligibility period**” means the period commencing on April 1, 2021 and ending on April 30, 2021”.

(2) Subsection 2(4) is amended:

- (a) by striking out “or” after clause (c); and

- (b) by adding the following after clause (d):

“(e) the April eligibility period, if the application is with respect to that eligibility period; or

“(f) a subsequent eligibility period, if the application is with respect to that eligibility period”.

(3) The following subsection is added after subsection (4):

“(5) For the purposes of the definition of ‘eligibility period’, the Lieutenant Governor in Council may establish any full month or months after the April eligibility period as a subsequent eligibility period and, in the order establishing a subsequent eligibility period, define the date on which the period begins and the date the period ends”.

Coming into force

4 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 55/2021

The Cancer Agency Act

Section 20

Order in Council 249/2021, dated May 5, 2021

(Filed May 6, 2021)

Title

1 These regulations may be cited as *The Cancer Agency Amendment Regulations, 2021*.

RRS c C-1.1 Reg 1 amended

2 *The Cancer Agency Regulations* are amended in the manner set forth in these regulations.

Section 2 amended**3 Section 2 is amended:**

(a) by adding the following clause after clause (b):

“(b.1) ‘coroner’ means a coroner as defined in *The Coroners Act, 1999* and includes the chief coroner as defined in that Act”; and

(b) by repealing clause (l).

New section 3**4 Section 3 is repealed and the following substituted:****“Reportable cancer**

3 Any disease that is listed in any of the following publications is prescribed as a reportable cancer for the purposes of clause 2(l) of the Act:

(a) the *International Classification of Diseases for Oncology*, as amended from time to time, published by the World Health Organization;

(b) the *International Classification of Tumours of Haematopoietic and Lymphoid Tissues*, as amended from time to time, published by the World Health Organization”.

Section 4 amended

5(1) Subsection 4(1) is amended by striking out “care” and substituting “control”.

(2) Subsection 4(2) is amended by striking out “care” and substituting “control”:

(a) in the portion preceding clause (a); and

(b) in clause (a).

Section 5 amended**6 The following clause is added after clause 5(b):**

“(c) coroners”.

Section 6 amended

7(1) Subsection 6(1) is amended:

(a) in clause (a) by striking out “first name” and substituting “first and middle names”;

(b) by adding the following clause after clause (c):

“(c.1) the gender, if recorded and different from the information previously collected pursuant to clause (c)”;

(c) in clause (f) by striking out “or Royal Canadian Mounted Police number”; and

(d) by repealing clause (g) and substituting the following clauses:

“(g) the contact information, including address, postal code, telephone number and email address, of the individual, if available;

“(h) the ethnicity of the individual;

“(i) the marital status of the individual;
“(j) the date of death, and the location and cause of death, of the individual, if applicable”.

(2) Clauses 6(2)(a) to (c) are repealed and the following substituted:

“(a) the individual’s mother’s surname, first name, maiden name, if applicable, and any other names;
“(b) the individual’s father’s surname, first name, and any other names”.

(3) The following subsection is added after subsection 6(2):

“(3) Notwithstanding subsection (1), the agency may maintain any registry information not mentioned in subsection (1) that:

- (a) is collected with the consent of the person to whom it relates; or
- (b) was collected before the coming into force of *The Cancer Agency Amendment Regulations, 2021*”.

Section 7 amended

8 Section 7 is amended:

(a) by striking out the portion preceding clause (a) and substituting the following:

“If the Saskatchewan Health Authority, the Athabasca Health Authority Inc. or a health care organization is required pursuant to subsection 16(1) of the Act to provide the agency with information respecting an individual and a reportable cancer, the Saskatchewan Health Authority, the Athabasca Health Authority Inc. or the health care organization shall provide the agency with any of the following information pertaining to the individual that is relevant to the reportable cancer and that is in its custody or control;”; **and**

(b) by adding the following clause after clause (u):

“(v) any other similar reports, summaries, orders or notes pertaining to the individual’s health history that, in the opinion of the agency, are relevant to the reportable cancer”.

Section 8 amended

9 The following clause is added after clause 8(s):

“(t) any other similar reports, summaries, orders or notes pertaining to the individual’s health history that, in the opinion of the agency, are relevant to the reportable cancer”.

Section 9 amended

10 The following clause is added after clause 9(1)(m):

“(n) any other similar reports, summaries, orders or notes pertaining to the individual’s health history that, in the opinion of the agency, are relevant to the reportable cancer”.

Section 10 amended

11 The following clause is added after clause 10(o):

“(p) any other similar reports, summaries, orders or notes pertaining to the individual’s health history that, in the opinion of the agency, are relevant to the reportable cancer”.

Section 11 amended**12 The following clause is added after clause 11(m):**

“(n) any other similar reports, summaries, orders or notes pertaining to the individual’s health history that, in the opinion of the agency, are relevant to the reportable cancer”.

Section 12 amended**13 The following clause is added after clause 12(e):**

“(f) any other similar reports, summaries, orders or notes pertaining to the individual’s health history that, in the opinion of the agency, are relevant to the reportable cancer”.

New section 12.1**14 The following section is added after section 12:****“Provision of information by coroners**

12.1 If a coroner is required pursuant to subsection 16(1) of the Act to provide the agency with information respecting an individual who had a reportable cancer, the coroner shall provide the agency with any of the following information pertaining to the individual that is relevant to the reportable cancer and that is in the custody or control of the coroner:

- (a) an autopsy report;
- (b) any other similar reports, summaries, orders, or notes pertaining to the individual’s health history that, in the opinion of the agency, are relevant to the reportable cancer”.

Section 13 amended**15(1) Subsection 13(1) is repealed and the following substituted:**

“(1) A person who is required to provide information to the agency must provide that information to the agency:

- (a) in person;
- (b) orally by telephone; or
- (c) in writing, including transmission by secure fax, email or electronic interface”.

(2) Subsection 13(3) is repealed and the following substituted:

“(3) If the agency requests information pursuant to subsection 16(2) of the Act:

- (a) that information must be provided within 14 days after the date of the request; or
- (b) if the information required to be reported is in an electronic record that is in the custody or control of eHealth Saskatchewan, eHealth Saskatchewan shall provide the agency with access to that information electronically”.

New section 13.1**16 The following section is added after section 13:****“Disclosure of information in registry”**

13.1(1) For the purposes of clause 15(c) of the Act but subject to subsection (2), the agency may disclose information in the registry for the purposes of research, analysis, surveillance, certification and assessment of risk factors to the following:

- (a) the North American Association of Central Cancer Registries Inc.;
- (b) the International Agency for Research on Cancer;
- (c) Statistics Canada;
- (d) the minister responsible for the administration of *The Public Health Act, 1994*;
- (e) any other organization that has responsibilities or powers similar to those of the agency.

(2) If the information to be disclosed pursuant to subsection (1) contains personal health information, the agency must enter into a written data sharing agreement with the party to whom the information is to be disclosed that includes the following terms:

- (a) the purpose for which the information is being disclosed and the specific information being disclosed;
- (b) provisions setting out the obligations of that party respecting the security and safeguarding of the information being disclosed;
- (c) provisions that prohibit the subsequent use and disclosure of the information being disclosed for purposes not specified in subsection (1) except:
 - (i) with the consent of the person to whom the information relates; or
 - (ii) if required or authorized by law;
- (d) provisions requiring the party to notify the agency if there is a breach or suspected breach of the provisions governing use or disclosure of the information;
- (e) provisions for the termination of the agreement and, in the case of termination, provisions that prohibit any further use or disclosure of the information received by that party, except:
 - (i) with the consent of:
 - (A) the agency; or
 - (B) the person to whom the information relates; or
 - (ii) if required or authorized by law;
- (f) provisions that specify the ongoing obligations of that party to secure and safeguard the registry information after the data sharing agreement has expired or otherwise been terminated; and
- (g) any other provisions that the agency considers necessary”.

Coming into force

17(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Cancer Agency Amendment Act, 2016* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Cancer Agency Amendment Act, 2016* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 56/2021***The Saskatchewan Medical Care Insurance Act*****Section 48**

Order in Council 250/2021, dated May 5, 2021

(Filed May 6, 2021)

Title

1 These regulations may be cited as *The Saskatchewan Medical Care Insurance Payment Amendment Regulations, 2021*.

RRS c S-29 Reg 19 amended

2 *The Saskatchewan Medical Care Insurance Payment Regulations, 1994* are amended in the manner set forth in these regulations.

Section 3 amended**3 Clause 3(d) is amended:**

(a) by striking out “and” after subclause (xii); and

(b) by repealing subclause (xiii) and substituting the following:

“(xiii) for services provided in the period commencing on April 1, 2019 and ending on March 31, 2021, the schedule adopted by the ministry for payment of physician services and entitled ‘Saskatchewan Health Payment Schedule for Insured Services Provided by a Physician, April 1, 2019’, as amended by:

(A) the Saskatchewan Ministry of Health Physicians’ Newsletter Number 50, dated April 1, 2019;

(B) the Saskatchewan Ministry of Health Physicians’ Newsletter Number 51, dated October 1, 2019;

(C) the Saskatchewan Ministry of Health Physicians’ Newsletter Number 52, dated April 1, 2020; and

(D) the Saskatchewan Ministry of Health Physicians’ Newsletter Number 53, dated October 1, 2020; and

“(xiv) for services provided in the period commencing on April 1, 2021, the schedule adopted by the ministry for payment of physician services and entitled ‘Saskatchewan Health Payment Schedule for Insured Services Provided by a Physician, April 1, 2021’, as amended by the Saskatchewan Ministry of Health Physicians’ Newsletter Number 54, dated April 1, 2021”.

Transitional

4 Any payments that were made by the minister for insured services provided by physicians in accordance with the schedule adopted pursuant to subclause 3(d)(xiii), as amended by the Saskatchewan Ministry of Health Physicians' Newsletters set out in paragraph 3(d)(xiii)(A), (B) or (C), are conclusively deemed to be valid for all purposes.

Coming into force

5 These regulations come into force on the day on which they are filed with the Registrar of Regulations, but are retroactive and are deemed to have been in force on and from the date that is one year before the day on which these regulations are filed with the Registrar of Regulations.