

Power Bicycles, Mopeds, Motorcycles, Mobility Aids, Off-Highway Vehicles and Prohibited Miniature Vehicles

*Rules and Regulations
applying to small vehicles*



February 2007

Albc



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introduction

Operating a small vehicle is a high risk activity. These vehicles are lighter, less stable and more vulnerable in a crash than other vehicles on the road. New riders are at the greatest risk of having a collision because they are unfamiliar with the controls and handling characteristics of small vehicles.

Even if you are an experienced automobile driver, when learning to ride a small vehicle, be aware that you are once again a beginner. Always ride with a safe attitude. Try to anticipate and avoid dangerous situations by riding safely. Being involved in a crash can mean a loss of income, health and possibly a life.

This handbook is a good source in understanding the rules and regulations applying to small vehicles. For other driver handbooks and to understand more about road safety and low risk driving, pick up a Basic, Motorcycle and/or Professional Driver's Handbook at an Alberta Registry Agent office or go online <http://www.infratrans.gov.ab.ca> and click on *Drivers and Vehicles*.

Although efforts have been made to reflect the current state of the legislation and regulations at the time of its original publishing, this publication has no legislative sanction and is not intended to take the place of the *Traffic Safety Act* and Regulations or other legislation from which in part it is derived. The user is encouraged to refer to the source legislation for purposes of interpreting and applying the law which can be found at <http://www.infratrans.gov.ab.ca> (under Policies & Legislation/Legislation). Any reliance on the information contained herein is done so at the reader's sole risk.

A message from Alberta Infrastructure and Transportation

February 2007

common definitions

Important common definitions that may be applicable to more than one of the vehicles listed in this guide:

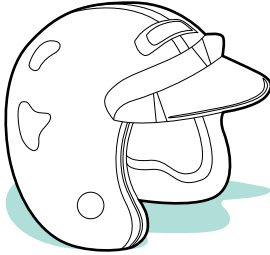
1. Cycle – “cycle” means a bicycle, power bicycle, motorcycle or moped.
(Traffic Safety Act, Section 1)
2. Motorcycle – “motorcycle” means a motor vehicle, other than a moped, that is mounted on 2 or 3 wheels and includes those motor vehicles known in the automotive trade as motorcycles and scooters. *(Traffic Safety Act, Section 1)*
3. Motor vehicle – “motor vehicle” means (i) a vehicle propelled by any power other than muscular power, or (ii) a moped, but does not include a bicycle, power bicycle, an aircraft, an implement of husbandry or a motor vehicle that runs only on rails.
(Traffic Safety Act, Section 1)
4. Vehicle – “vehicle”, other than in Part 6, means a device in, on or by which a person or thing may be transported or drawn on a highway and includes a combination of vehicles but does not include a mobility aid. *(Traffic Safety Act, Section 1)*
5. Highway – “highway” means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes
 - (i) a sidewalk, including a boulevard adjacent to the sidewalk
 - (ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - (iii) if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway as the case may be, but does not include a place declared by regulation not to be a highway.
(Traffic Safety Act, Section 1)

quick reference guide

	Driver's Licence Required	Minimum Driving Age	Registration Required	Insurance Required	Helmet Required
power bicycles (page 6)	NO	12	NO	NO	YES*
mopeds (page 8)	CLASS 7	14	YES	YES	YES*
motorcycles (page 12)	CLASS 6	16	YES	YES	YES*
mobility aids (page 16)	NO	N/A	NO	NO	NO
off-highway vehicles (page 18)	YES+NO (see pg.19)	14	YES	YES	NO
prohibited miniature vehicles (page 22)	It is prohibited to operate these vehicles on roadways or sidewalks.				

* See Helmet Information on Page 5.

motorcycle helmets



Motorcycle helmets are required by riders of:

1. Power bicycles
2. Mopeds
3. Motorcycles

Approved Helmet Standards: The rider and passenger must wear an approved motorcycle safety helmet. Helmets must have the mark or label stating it meets one of the following standards: CSA, DOT, BSI or the Snell Memorial Foundation M2000.

Section 93 Vehicle Equipment Regulation: 93(1) A safety helmet intended for the use of an operator or a passenger of a cycle must meet one or more of the standards for motorcycle safety helmets adopted under subsection (3) in effect on the date on which it was manufactured.

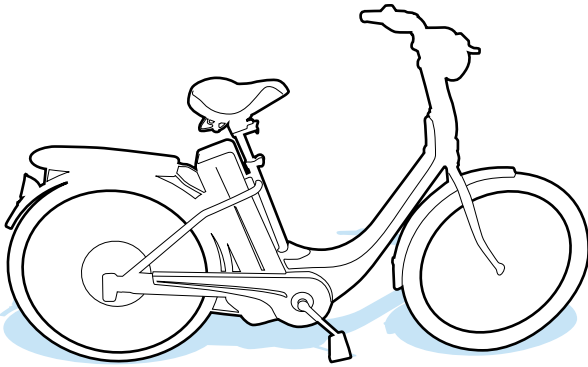
The following are adopted and apply to safety helmets in accordance with *subsection (1)*:

- (a) CSA Standard CAN3 D230 M85;
- (b) U.S.A. Federal Motor Vehicle Safety Standard FMVSS 218 Motorcycle Helmets 1993 OCT;
- (c) U.S.A. Federal Motor Vehicle Safety Standards FMVSS 218 Motorcycle Helmets 2000 OCT;
- (d) British Standards Institute Standard BSI B6658 1995;
- (e) Snell Memorial Foundation M2000.

Buy or Sell:

No person shall buy, sell or offer for sale a safety helmet intended for the use of operators or passengers of cycles unless it complies with the standard.

power bicycles



Definition according to: *USE OF HIGHWAY AND RULES OF THE ROAD REGULATION*

1(o): “power bicycle” means a vehicle that

- (i) may be propelled
 - (a) by human muscular power
 - (b) by mechanical power, or
 - (c) partly by human muscular power and partly by mechanical power
- (ii) is fitted with pedals that are continually operable to propel it,
- (iii) has a motor that produces not more than 750 watts and that is driven by electricity or has an engine with a displacement of not more than 50 cubic centimetres
- (iv) does not have a hand-operated or foot-operated clutch or gearbox driven by the motor that transfers power to the driven wheel
- (v) does not have sufficient power to enable it to attain a speed greater than 35 kilometres per hour on level ground within a distance of 2 kilometres from a standing start, and
- (vi) weighs not more than 35 kilograms

Operator's
Licence
Required
NO

Operator's licence: You are not required to hold an operator's licence when operating a power bicycle.

(*Traffic Safety Act, Section 51(a)* states licence required for 'motor vehicles'. Definition of motor vehicle in *Traffic Safety Act, Section 1*, excludes power bicycles.)

Minimum
Driving
Age
12

Minimum driving age: The minimum age for operating a power bicycle is 12 years. You must also have written consent from a parent or legal guardian.

(*Operator Licensing and Vehicle Control Regulation*. Parental consent in form approved by Registrar or holds valid licence, *Section 9*.)

Registration
Required
NO

Registration: You are not required to obtain registration for power bicycles.

(*Traffic Safety Act, Section 52(1)(a)* states registration required for 'motor vehicle'. Definition of motor vehicle excludes power bicycles.)

Insurance
Required
NO

Insurance: You are not required to obtain insurance for power bicycles.

(*Traffic Safety Act, Section 54(1)(a)* states insurance required for 'motor vehicle'. Definition of motor vehicle excludes power bicycles.)

Helmet
Required
YES

Helmet: You must wear an approved motorcycle helmet when operating a power bicycle (see page 5).

(*Vehicle Equipment Regulation, Section 93*.)

Special laws:

- (a) You must ride as far to the right side of a highway as practicable to the curb or edge of the roadway unless making a left hand turn. When riding on a one way street in an urban area you may operate as near as practicable to either curb or edge of the roadway.

(*Use of Highway and Rules of the Road Regulation, Section 77*.)

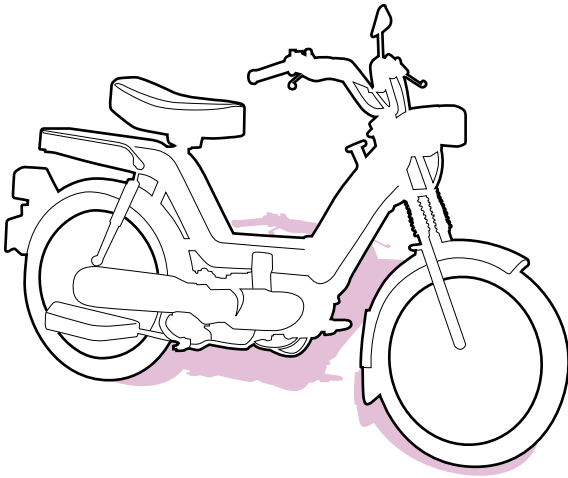
- (b) If you are under the age of 16 years, you are prohibited from carrying any passengers on a power bicycle.

(*Use of Highway and Rules of the Road Regulation, Section 76*.)

Equipment: You must be equipped with the following gear when riding a power bicycle: headlamp, tail lamp, brake lamp, reflectors, brakes, a horn, muffler, and mirror.

(*Vehicle Equipment Regulation, Sections: 10, 13, 18, 19, 42, 54, 60, 61, and 96*.)

mopeds



Definition according to: *USE OF HIGHWAY AND RULES OF THE ROAD REGULATION*

- 1(i): “moped” means a vehicle, regardless of the number of wheels it has, that
- (i) may be propelled
 - (a) by human muscular power
 - (b) by mechanical power, or
 - (c) partly by human muscular power and partly by mechanical power
 - (ii) has a motor that is driven by electricity or has an engine with a displacement of not more than 50 cubic centimetres,
 - (iii) does not have a hand-operated or foot-operated clutch or gearbox driven by the motor that transfers power to the driven wheel,
 - (iv) does not have sufficient power to attain a speed greater than 50 kilometres per hour on level ground within a distance of 2 kilometres from a standing start, and
 - (v) weighs more than 35 kilograms but less than 55 kilograms, but does not include a bicycle or power bicycle.

NOTE: Some vehicles may appear to be “mopeds”, however, if they exceed the weight of 55 kg or speed of 50 km/h, then they do not fall into the moped classification and are, instead, considered motorcycles (see page 12).

Operator's
Licence
Required
Class 7

Operator's licence: The minimum requirement for operating a moped is a Class 7 licence.

(Traffic Safety Act, Section 51(a) states licence required for 'motor vehicles'. Motor vehicle definition above includes mopeds.)

Minimum
Driving
Age
14

Minimum driving age: The minimum age for operating a moped is 14 years.

(Operator Licensing and Vehicle Control Regulation, Section 28(2) states the age for issuing of a Learner's Licence. Section 32(2)(a) states that Class 7 learner's licence is not considered a learner's licence when operating a moped – supervision is not required.)

Registration
Required
YES

Registration: You are required to obtain registration before you operate a moped.

(Traffic Safety Act, Section 52(1)(a) states registration required for 'motor vehicles'. Motor vehicle definition includes mopeds.)

Insurance
Required
YES

Insurance: You must obtain insurance before operating a moped.

(Traffic Safety Act, Section 54(1)(a) states insurance required for 'motor vehicle'. Motor vehicle definition includes mopeds.)

Helmet
Required
YES

Helmet: You must wear an approved motorcycle helmet when operating a moped (see page 5).

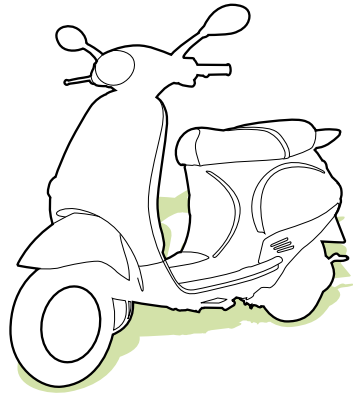
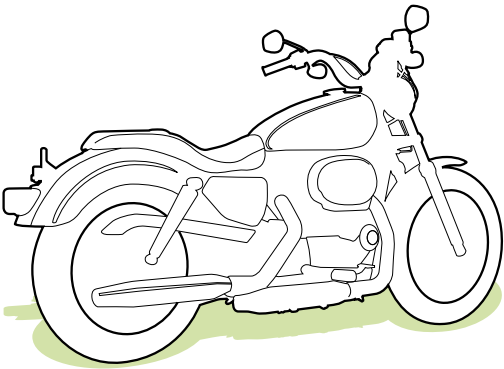
(Vehicle Equipment Regulation, Section 93)

Special laws:

(a)

notes

motorcycles



Definition according to: *TRAFFIC SAFETY ACT*

1(w): "motorcycle" means a motor vehicle, other than a moped, that is mounted on 2 or 3 wheels and includes those motor vehicles known in the automotive trade as motorcycles and scooters.

Operator's
Licence
Required

Class 6

Operator's licence: You are required to have a Class 6 licence in order to operate a motorcycle.

(*Operator Licensing and Vehicle Control Regulation, Section 26.*)

Minimum
Driving
Age

16

Minimum driving age: You must be 16 years of age in order to operate a motorcycle.

(*Operator Licensing and Vehicle Control Regulation, Section 26*) Applies to either learner or operator. (*Operator Licensing and Vehicle Control Regulation, Section 28* – must be minimum 16 years for operating motorcycle with Class 7.)

Learning to operate: You must be 16 years of age before you begin to learn how to operate a motorcycle. A learner must hold a Class 7, 5, 4, 3, 2, or 1 licence.

(*Operator Licensing and Vehicle Control Regulation, Section 29(4).*) Learner must be supervised by someone 18 years or older (*Operator Licensing and Vehicle Control Regulation, Section 29(3)*), who holds a Class 6 licence that is not a Graduated Driver Licence (GDL). Supervisor must either be on the bike with the learner or in or on another motor vehicle in close proximity. (*Traffic Safety Act, Section 51(f), (f.1) & (f.2).*) If learner has a Class 7 learner's licence, then learner may not operate a motorcycle during night time which is defined as one hour after sunset to one hour before next sunrise (*Operator Licensing and Vehicle Control Regulation, Section 32(6)*).

Registration
Required

YES

Registration: You are required to obtain registration before you operate a motorcycle.

(*Traffic Safety Act, Section 52(1)(a)*) states registration required for 'motor vehicles'.)

Insurance
Required

YES

Insurance: All motorcycles must be insured before they are operated.

(*Traffic Safety Act, Section 54(1)(a)*) states insurance required for 'motor vehicles'.)

Helmet
Required

YES

Helmet: You must wear an approved motorcycle helmet when operating a motorcycle (see page 5).

(*Vehicle Equipment Regulation, Section 93*). Standards are also covered in this section.

motorcycles

Special laws:

- (a) You may only carry as many passengers as the motorcycle is designed for.

(Use of Highway and Rules of the Road Regulation, Section 77.)

- (b) Passengers must ride on the seat designed for passenger and use foot rests.

(Use of Highway and Rules of the Road Regulation, Section 77.)

- (c) Not permitted to ride beside another cycle in the same lane except when passing.

- (d) Shall not operate the cycle adjacent to another cycle travelling in the same direction.

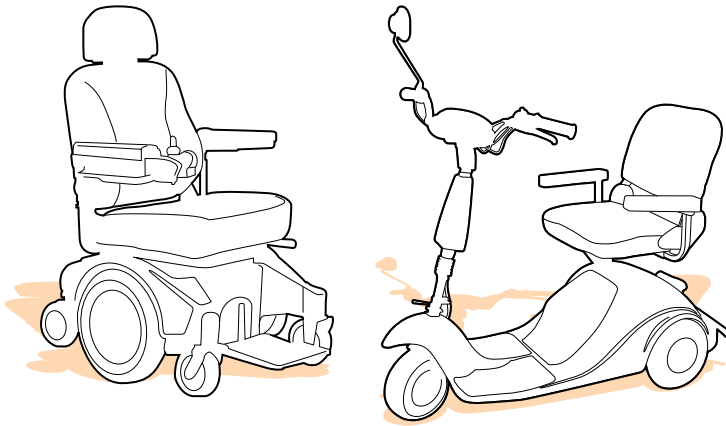
(Use of Highway and Rules of the Road Regulation, Section 78.)

Equipment: You must meet the requirements of the *Vehicle Equipment Regulation*.

notes

mobility aids

(electric scooters/wheelchairs)



Definition according to: *TRAFFIC SAFETY ACT*

1(v): “mobility aid” means a device used to facilitate the transport, in a normal seated orientation, of a person with a physical disability.

1(gg): “pedestrian” means

- (i) a person on foot, or
- (ii) a person in or on a mobility aid

1(ww): “vehicle”, other than in Part 6, means a device in, on or by which a person or thing may be transported or drawn on a highway and includes a combination of vehicles but does not include a mobility aid.

Operator's
Licence
Required

NO

Operator's Licence: You are not required to hold a licence in order to operate a mobility aid.

Minimum
Driving
Age

N/A

Minimum driving age: There is no minimum age requirement. Anyone is able to operate a mobility aid.

Registration
Required

NO

Registration: You are not required to obtain registration for mobility aids.

Insurance
Required

NO

Insurance: Insurance is not a requirement for mobility aid users.

Helmet
Required

NO

Helmet: You are not required to wear a helmet when operating a mobility aid. However, it is recommended especially when operating on uneven surfaces.

(Vehicle Equipment Regulation, Section 92.)

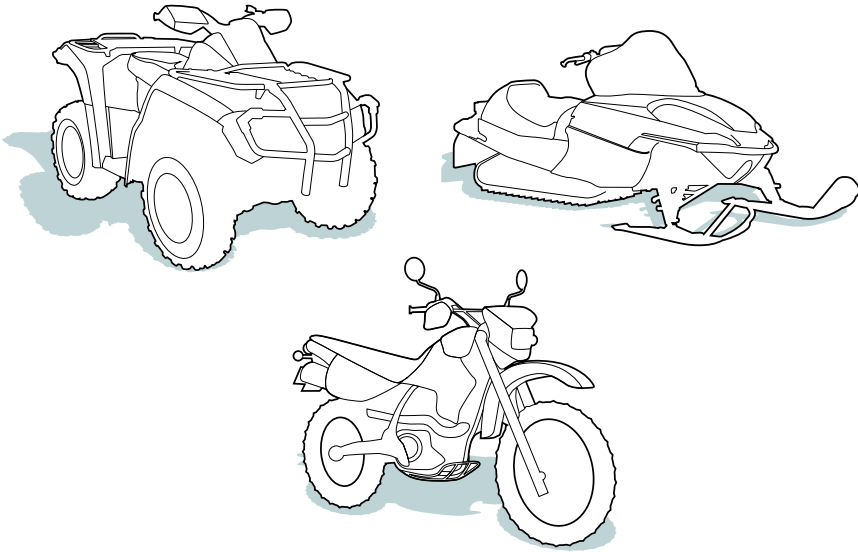
Special laws: A mobility aid user is by definition considered a pedestrian. All rules that apply to pedestrians also apply to individuals operating a mobility aid.

(Traffic Safety Act, Section 1, definition of "pedestrian")

Equipment: No special equipment is required to operate a mobility aid.

off-highway vehicles

(ATV, snowmobile, trail bike)



Definition according to: *TRAFFIC SAFETY ACT*

117(a): “off-highway vehicle” means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel,

- (i) 4-wheel drive vehicles
- (ii) low pressure tire vehicles
- (iii) motorcycles and related 2-wheel vehicles
- (iv) amphibious vehicles
- (v) all-terrain vehicles
- (vi) miniature motor vehicles
- (vii) snow vehicles
- (viii) minibikes, and
- (ix) any other means of transportation that is propelled by any power other than muscular power or wind (but does not include motor boats)

Note: For definition and restrictions that apply to miniature vehicles and minibikes, see page 22.

Prohibited Operation: An off-highway vehicle may not be operated on any highway, road or ditch unless permission has been expressly granted. In the case of a provincial highway, the Minister may by “order” or “permit” authorize such vehicles along any portion of a highway (*Traffic Safety Act, Section 120(4)(a)(i) & (ii)*). In the case of a municipality, the council of a municipality may, through bylaw, authorize such vehicles along any portion of a highway (*Traffic Safety Act, Section 120(4)(b)*).

Note: Definition of “highway” on page 3 includes the ditches alongside the roadway.

Crossing a highway: An off-highway vehicle may be driven across a highway, including the roadway, parking lane or sidewalk portion of the highway, if the following occurs:

- The driver must stop the off-highway vehicle before crossing.
- All passengers must be off the off-highway vehicle and any vehicle or thing attached to it before the driver starts to cross the highway.
- The driver must yield the right of way to all other vehicles and persons on the highway.
- The driver must drive the most direct and shortest route of travel available.
- A licence is not required to cross a highway.
- Local guidelines may apply in municipalities, Forest Land Use Zones, Special Management Areas, areas with access management plans and other high-traffic areas.

Operator's licence:

On private land: You are not required to have an operator's licence when on private land.

(Does not meet definition of “highway” and in *Traffic Safety Act, Section 119(2)* does not require registration or insurance in these cases.)

Operator's
Licence
Required
NO

Off-highway operation: You are not required to have an operator's licence when operating off-highway.

(*Traffic Safety Act, Section 51(a)*) states that you shall not “...drive a motor vehicle on a highway unless that person is the holder of a subsisting operator's licence.” Since these are “off-highway” vehicles, this requirement does not apply.)

On-highway operation: You are required to have an operator's licence when operating on-highway.

(*Traffic Safety Act, Section 120(2)(b) & (4)*) allow operation on a highway if authorized by Minister or municipality. *Operator Licensing and Vehicle Control Regulation, Section 26(1)* allows a Class 6 licence to be used for this. *Section 32(2)* allows Class 7 to be used this way. Any class of licence may be used from 1 through 7.) No licence required if just crossing a highway.

Operator's
Licence
Required
YES

Minimum
Driving
Age

14

Minimum driving age: The minimum age for operating off-highway vehicles on public land or highways is 14 years where permitted. If you are younger than 14 years, you may operate on public land with supervision by someone 18 years of age or older who is either on the same off-highway vehicle or in close proximity.

(*Off-Highway Vehicle Regulation, Section 2.*) If operating on private property, no age restriction applies.

off-highway vehicles

Registration Required

YES

Registration: Off-highway vehicles must be registered before they are allowed on Alberta's roads. This applies only to public land and highways.

(Traffic Safety Act, Section 119.) No registration required if on private property.

Insurance Required

YES

Insurance: All off-highway vehicles must be insured if you plan to operate them on public land or highways where permitted.

(Traffic Safety Act, Section 119.) No insurance required if on private property.

Helmet Required

NO

Helmet: You are not required to wear a helmet unless a municipal bylaw requires helmet use. It is strongly recommended that you wear a helmet for your safety at all times.

Municipalities have the power to pass a bylaw requiring use of helmets.

(Traffic Safety Act, Section 128)

Special Laws: Please check the *Traffic Safety Act* for special laws.

(Traffic Safety Act, Sections 117 to 129 and Off-Highway Vehicle Regulation.)

Vehicle Equipment: Off-highway vehicles must be equipped with the following equipment: a headlamp, tail lamp, and a muffler.

(Off-Highway Vehicle Regulation, Sections: 5, 6, and 8.)

Accessing Trails: Off-highway operators have access to thousands of kilometres of trails in a variety of landscapes. However, not all areas are open to off-highway vehicles. Operators must ensure they are aware of restrictions and guidelines in the areas where they plan to ride.

- Permission must be obtained before riding on private property and most public lands leased for agriculture.
- Off-highway vehicles are generally prohibited from parks, protected areas and natural areas.

Shared use and respect: Many areas are shared with other recreational and industrial land users. Off-highway vehicle operators can promote respect and reduce conflict with others with simple practices.

- Yield the trail to non-motorized traffic (such as horses, hikers, cyclists, skiers).
- Keep engine volume and vehicle speed low when near other users.
- Respect soil and vegetation reclamation efforts.
- Pack out all trash and litter.

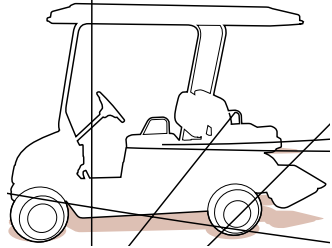
Environment: Off-highway vehicles are capable of causing long-term disturbance to soil, water, vegetation, fish and wildlife. Wet and alpine areas are particularly at risk. Help reduce damage by doing the following.

- Ride on existing trails. Whenever possible, ride when the trails are dry.
- Stay out of streams and wetlands.
- Steer clear of wildlife and sensitive habitats.
- Keep skidding and spinning to a minimum.
- Keep machines clean to reduce weed transfer and prevent overheating which can lead to a fire.

Safety: Mud, water, slick surfaces, and rough terrain increase the chance of a crash. Emergency response time may be longer in remote areas.

- Tell someone where you are going and check in with them on your return.
- Ride within your abilities.
- Ride with others.
- Use safety equipment. Carry emergency tools and supplies.
- Keep your machine in good repair.
- Travel responsibly and share the trail.

prohibited miniature vehicles



Prohibited Operation: These vehicles are motor vehicles as defined in the *Traffic Safety Act*, however they also meet the definition of “*miniature vehicles*” which are not permitted on a highway in Alberta, including sidewalks alongside the roadway. While many of these motorized vehicles will be used in a pedestrian-like manner, the operators of these vehicles do not meet the legal definition of “pedestrian”.

Permitted Operation: Miniature vehicles may not be operated on a highway in Alberta; they may only be operated on private property. The definition of “highway” on page 3

In law, these vehicles meet the definition of a motor vehicle, however they do not fit the definitions of mobility aid, motorcycle or pedestrian.

TRAFFIC SAFETY ACT

Section 1(x): “motor vehicle” means

- (i) a vehicle propelled by any power other than muscular power, or
- (ii) a moped but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or a motor vehicle that runs on rails.

Section 1(v): “mobility aid” means a device used to facilitate the transport, in a normal seated orientation, of a person with a physical disability.

Section 1(w): “motorcycle” means a motor vehicle, other than a moped, that is mounted on 2 or 3 wheels and includes those motor vehicles known in the automotive trade as motorcycles and scooters.

Section 1(gg): “pedestrian” means

- (i) a person on foot
- (ii) a person in or on a mobility aid and includes those persons designated by regulation as pedestrians.

Section 52(1): Except as otherwise permitted under this Act, a person shall not operate a motor vehicle or trailer on a highway unless there is a subsisting certificate of registration issued in respect of that vehicle.

Miniature Vehicle definition according to:

OPERATOR LICENSING AND VEHICLE CONTROL REGULATION

59(1) A miniature vehicle must not be registered as a motor vehicle.

- (2) In this section, “miniature vehicle” means a go cart, a 3 or 4-wheeled vehicle of less than standard size, a golf cart, a 3 or 4-wheeled vehicle that the registrar considers would present a hazard to other highway users because of its novel size or operating characteristics or a vehicle referred to in subsection (3) or (4).
- (3) An off highway vehicle is a miniature vehicle if it has 3 or 4 wheels and is less than standard size.
- (4) A motorcycle or moped that has the following is a miniature vehicle:
 - (a) a seat height of less than 70 centimetres when there is no load
 - (b) a wheel rim diameter of less than 25 centimetres
 - (c) a wheel base of less than 100 centimetres when measured from the centre of one axle to the centre of the other axle.

notes



February 2007



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