

**Proposed Wording for a Bylaw to Amend Bylaw 26M96
the Calgary Traffic Bylaw and Bylaw 20M88, the Street Bylaw**

CALGARY TRAFFIC BYLAW AMENDMENTS

1. Bylaw 26M96, the Calgary Traffic Bylaw, as amended, is hereby further amended.
2. In section 2, after subsection (ar.1), the following is added as subsection (ar.2):
“(ar.2) “*towing service vehicle*” means a motor vehicle designed, modified, configured or equipped to tow another motor vehicle;”
3. After section 28, the following is added as section 28.1:

“TOWING SERVICE VEHICLE RESTRICTIONS

- 28.1. (1) An *operator* of a *towing service vehicle* must not stop or park on a *street* within 200 metres of any vehicle involved in a motor vehicle collision or other motor vehicle incident.
 - (2) Subsection (1) above does not apply to an *operator* of a *towing service vehicle* who has been requested to attend the scene of a motor vehicle collision or other motor vehicle incident by:
 - (a) an *Officer*;
 - (b) a member of the Calgary Fire Department; or
 - (c) the owner or *operator* of a motor vehicle involved in the collision or incident.
 - (3) An *operator* who relies on subsection (2) above has the onus of proving that they were requested to attend the scene of a motor vehicle collision or other motor vehicle incident by one of the parties listed in subsection 2(a), (b), or (c) above.”
4. In section 29(1):
 - (a) the words “while any such vehicle is being used in work requiring that it be stopped or parked at that location” are deleted from the end of the section, and the following is added to the opening clause after the words “do not apply to” but before the colon:

“the following vehicles, while any such vehicle is being used in work requiring that it be stopped or parked at that location”; and
 - (b) in subsection (d):
 - i. the words “towing service vehicles” are italicized; and

- ii. after the words “towing service vehicles”, the semicolon “;” is deleted and the following is added:

“at the time they are being used to provide towing services, provided that such a vehicle is:

- (i) contracted by the *City* to perform towing services,
- (ii) contracted by a property owner for towing on a *street* that is immediately adjoining that owner’s property,
- (iii) towing a vehicle from the scene of a motor vehicle collision or other motor vehicle incident, provided that such stopping or parking of the *towing service vehicle* at the scene complies with section 28.1 above, or
- (iv) towing a damaged or disabled motor vehicle on a *street* within the *City* with the express consent of the owner or *operator* of such vehicle.”.

- 5. Section 59.2(2) is deleted and the following is substituted:

“(2) Subsection (1) does not apply if the owner of the vehicle satisfies the Court that the owner did not park the vehicle, stop the vehicle, or was not driving the vehicle at the time of the offence, and that the person who parked the vehicle, stopped the vehicle, or was driving the vehicle at the time of the offence did so without the owner’s express or implied consent.”.

- 6. In Schedule “A”, after:

SECTION	OFFENCE	EARLY PAYMENT AMOUNT 1	EARLY PAYMENT AMOUNT 2	SPECIFIED PENALTY
“28(3)	Unauthorized Parking in Space Reserved for Customer Parking	\$40.00	\$50.00	\$75.00”

the following is added under the headings indicated:

SECTION	OFFENCE	EARLY PAYMENT AMOUNT 1	EARLY PAYMENT AMOUNT 2	SPECIFIED PENALTY
“28.1	Improper parking or stopping of a <i>towing service vehicle</i> within 200m of a motor vehicle collision or other motor vehicle incident			\$10,000.00”.

STREET BYLAW AMENDMENTS

7. Bylaw 20M88, the Street Bylaw, as amended, is hereby further amended.
8. Section 4(3) is deleted and the following is substituted:
 - “(3) Subsection (2) does not apply to persons engaged in the business of vehicle towing or other roadside vehicle assistance, provided such persons are in compliance with section 28.1 of Bylaw 26M96, the Calgary Traffic Bylaw.”

AMENDMENTS COME INTO FORCE

9. This Bylaw comes into force on the day it is passed.

FOR DISCUSSION ONLY