

1914

c 212 Traction Engines Act

Ontario

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CHAPTER 212.

An Act to authorize and regulate the use of Traction Engines on Highways.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Traction Engines Act*. Short title.
2 Geo. V. c. 53, s. 1.

2. Traction engines, not exceeding twenty tons in weight, Limit of weight. may be used upon any highway subject to the provisions hereinafter contained. 2 Geo. V. c. 53, s. 2.

GENERAL CONDITIONS.

3. The speed of a traction engine shall at no time, in cities, Speed. towns and villages, exceed the rate of three miles an hour, or elsewhere the rate of six miles an hour. 2 Geo. V. c. 53, s. 3.

4. The width of the driving wheels of all such engines shall be at least twelve inches, and the wheels of the trucks Width of wheels. or waggon drawn thereby shall be at least four inches in width for the first two tons capacity, load and weight of truck included, and at least an additional half inch for each additional ton. 2 Geo. V. c. 53, s. 4.

(*Note.*—As to other precautions to be taken when travelling on highways see *The Highway Travel Act*, *Rev. Stat. c. 206.*)

(As to the right of cities and towns to prohibit the use of traction engines on certain streets see *The Municipal Act*, *Rev. Stat. c. 192, s. 400, par. 49.*)

BRIDGES TO BE STRENGTHENED.

5.—(1) Before it shall be lawful to run such engine over any highway whereon no tolls are levied the person proposing to run the same shall, at his own expense, strengthen all bridges and culverts to be crossed by such engine, and keep the same in repair so long as the highway is so used. Strengthening bridges, etc.

(2) The cost of such repairs shall be borne by the owners of different engines in proportion to the number of engines Owners of different engines to contribute. run over such bridges or culverts.

Certain
threshing
engines not
affected.

(3) The two preceding subsections shall not apply to engines of less than ten tons in weight used for threshing purposes or for machinery for the construction of roadways.

Planks to be
laid on surface
of bridge.

(4) Before crossing any such bridge or culvert the person proposing to run any traction engine shall lay down on such bridge or culvert planks of sufficient width and thickness to fully protect the flooring or surface of such bridge or culvert from any injury that might otherwise result thereto from the contact of the wheels of such engine; and in default thereof the person in charge and his employer, if any, shall be liable to the corporation of the municipality for all damage resulting to the flooring or surface of such bridge or culvert. 2 Geo. V. c. 53, s. 5.

SPECIAL PROVISIONS AS TO TOLL ROADS.

Notice before
use of roads.

6. Before any traction engine is run over a toll road the person proposing to run the same shall leave a notice in writing to that effect with the keeper of any tollgate on such road at least two months previous to the running of such engine, and the notice shall also contain a correct statement of the weight of the heaviest engine proposed to be used. 2 Geo. V. c. 53, s. 6.

Strengthening
bridges, etc.

7. The owner of such toll road, within two months after the delivery of such notice and upon receiving security for the cost of the improvements required, may cause all bridges and culverts upon the road to be so strengthened as, in the opinion of the Inspector of Toll Roads, will render them safe for the constant passing of such engines. 2 Geo. V. c. 53, s. 7.

Rights of
owners of
engines on
default.

8.—(1) If the owner of such toll road neglects or refuses to comply with the requirements of the next preceding section the person proposing to run such engine may do the necessary work at his own expense, and his outlay shall be repaid to him by the remission of tolls upon the passage of his engines, trucks and waggons through the gates upon such road until the whole of such outlay is repaid.

Approved by
Inspector.

(2) The work shall be performed to the satisfaction of the Inspector of Toll Roads. 2 Geo. V. c. 53, s. 8.

Tolls.

9. The owner of such toll road may levy such tolls as may be imposed by him upon the passage of any engine, truck or waggon through every lawful gate; and if the owner of the engine is dissatisfied with the rate of toll the same shall be determined by the Inspector of Toll Roads. 2 Geo. V. c. 53, s. 9.

Collection
of tolls.

10. The owner of the road may enforce the payment of such tolls in the manner provided by law for the collection of ordinary tolls upon such road. 2 Geo. V. c. 53, s. 10.

PENALTIES.

11. Every person who contravenes any of the provisions of this Act shall incur a penalty of not less than \$5 or more than \$25, recoverable under *The Ontario Summary Convictions Act*. 2 Geo. V. c. 53, s. 11. Penalty for contravening Act. Rev. Stat. c. 90.

12. The penalties when collected shall be paid over to the treasurer of the local municipality in which the offence was committed. 2 Geo. V. c. 53, s. 12. Application of penalties.

13. No penalty or imprisonment shall be a bar to the recovery of damages by an injured person. 2 Geo. V. c. 53, s. 13. Right to damages reserved.