

The Vehicle Impoundment (General) Regulations, 2014

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Chapter T-18.1 Reg 17 (effective June 27, 2014) as amended by Saskatchewan Regulations [109/2014](#), [23/2015](#), [2/2016](#), [101/2016](#), [38/2017](#), [67/2018](#) and [90/2018](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER T-18.1 REG 17

The Traffic Safety Act

PART I

Preliminary Matters

Title

1 These regulations may be cited as *The Vehicle Impoundment (General) Regulations, 2014*.

Interpretation

2(1) In these regulations:

- (a) “**Act**” means *The Traffic Safety Act*;
 - (b) “**Form**” means a Form as set out in Part II of the Appendix;
 - (c) “**hearing officer**” means a person designated by the board as a hearing officer;
 - (d) “**licence issuer**” means a person authorized by the administrator to issue certificates of registration and driver’s licences;
 - (e) “**owner**” means the person in whose name a vehicle is registered pursuant to the laws of the jurisdiction in which the vehicle is registered;
 - (f) “**Table**” means a Table as set out in Part I of the Appendix;
 - (g) “**tow truck operator**” means a person who operates a tow truck.
- (2) For the purposes of clause 159(f) of the Act, “**unauthorized driver**” means a person:
- (a) who is prohibited from driving a motor vehicle by order of a court pursuant to section 259 of the *Criminal Code*;
 - (b) who is entitled to operate a motor vehicle with an ignition interlock device, if that person is operating a motor vehicle without an ignition interlock device;
 - (c) whose driver’s licence is suspended or cancelled or who is disqualified or prohibited from driving or applying for or obtaining a driver’s licence pursuant to clause 48(2)(c), (e) or (f), section 49 or 50, subsection 139(2) or section 141, 144, 146, 146.1, 146.2, 148, 150, 150.1 or 150.11 of the Act;
 - (d) who has been issued a driver’s licence with a “6” endorsement or an “M” endorsement with a novice 1 or novice 2 restriction and who is operating a motorcycle while that endorsement is suspended;

(e) whose period of disqualification, prohibition or suspension mentioned in clause (a) or (c) has expired and who has not lawfully obtained a driver's licence pursuant to the Act; or

(f) who does not hold a driver's licence permitting him or her to drive a motor vehicle, and who has within the previous five years been convicted of contravening section 32 of the Act.

4 Jly 2014 cT-18.1 Reg 17 s2; 21 Sep 2018 SR 67/2018 s3.

PART II Roadside Suspensions

Application of this Part

3 This Part applies to immobilization and impoundment of motor vehicles pursuant to section 150.2 of the Act.

4 Jly 2014 cT-18.1 Reg 17 s3.

Prescribed fees, costs and charges

4(1) A garage keeper who impounds or immobilizes a motor vehicle pursuant to section 150.2 of the Act is entitled to the fees, costs and charges set out in Table 1.

(2) If a motor vehicle has been seized, impounded or immobilized in error and is released by the board pursuant to clause 153(12)(a) or (b) of the Act, the administrator shall pay the garage keeper's fees, costs and charges in accordance with Table 1.

4 Jly 2014 cT-18.1 Reg 17 s4.

Release Certificate

4.1 For the purposes of section 158 and subsection 163(2) of the Act, the fee for a certificate of release for an impounded vehicle is \$125.

23 Dec 2016 SR 101/2016 s3.

Duties of garage keeper

5 A garage keeper who impounds or immobilizes a motor vehicle, or a tow truck operator who assists the garage keeper for the purpose of impounding or immobilizing a vehicle pursuant to section 150.2 of the Act, shall, within seven days after the impoundment or immobilization, make an inventory of the motor vehicle's contents and a report on the condition of the motor vehicle in a form approved by the administrator.

4 Jly 2014 cT-18.1 Reg 17 s5.

Return of garage keeper

6 On or before the seventh day of each month, a garage keeper shall, for each vehicle sold by the garage keeper in the previous month pursuant to subsection 150.2(3) of the Act, make a return to the administrator in a form approved by the administrator.

4 Jly 2014 cT-18.1 Reg 17 s6.

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Application of proceeds of sale

7(1) If a garage keeper sells a motor vehicle pursuant to subsection 150.2(3) of the Act, the garage keeper shall apply the proceeds of the sale:

(a) firstly, to the satisfaction of any lien that the garage keeper has pursuant to subsection 150.2(2) of the Act; and

(b) secondly, to the satisfaction of any security interest registered pursuant to *The Personal Property Security Act, 1993*.

(2) If, after applying the proceeds of a sale in the manner prescribed in subsection (1), any excess remains, the garage keeper shall forward the excess to the administrator.

(3) If the administrator receives moneys pursuant to subsection (2), the administrator shall:

(a) apply the moneys towards any outstanding administrative fees incurred by the administrator as a result of the seizure, impoundment or immobilization of the vehicle; and

(b) forward any balance remaining to the garage keeper.

(4) Notwithstanding subsection (3), the administrator shall not refund any amount pursuant to clause (3)(b) unless the amount exceeds \$5.

4 Jly 2014 cT-18.1 Reg 17 s7; 21 Sep 2018 SR
67/2018 s4.

Reports re section 146, 146.1, 146.2, 150, 150.1, 150.11 or 150.3 impoundment

8 If a person intends to appeal to the board, pursuant to subsection 152(2) of the Act, respecting an immobilization or impoundment of a motor vehicle for an order releasing the motor vehicle or shortening the period of immobilization or impoundment, the administrator shall prepare a report that contains the following information:

(a) if a motor vehicle is immobilized or impounded pursuant to section 146, 146.1, 146.2, 150, 150.1 150.11 or 150.3, any designated notice as defined in clause 146(1)(b) of the Act issued to the appellant within the 10 years before the immobilization or impoundment that has given rise to the appeal;

(b) a description of any motor vehicles owned or driven by the appellant that have been impounded or immobilized within the previous 10 years pursuant to section 146, 146.1, 146.2, 148, 150, 150.11 or 150.3 of the Act, as the case may be;

(c) the disposition of all impounded or immobilized motor vehicles mentioned in clauses (a) and (b).

21 Sep 2018 SR 67/2018 s5.

Application for early release

9(1) If a person applies pursuant to subsection 152(2) or clause 153(2)(b) of the Act to the board for the release of a motor vehicle that has been seized and impounded or immobilized, the person shall:

(a) **Repealed.** 23 Dec 2016 SR 101/2016 s5.

(b) pay a fee of \$175.

(2) A person making an application mentioned in subsection (1) shall deliver the fee and the application to the administrator or a licence issuer.

4 Jly 2014 cT-18.1 Reg 17 s9; 23 Dec 2016 SR
101/2016 s5.

Request for authorization to impound or immobilize

10(1) If a peace officer applies for an order authorizing the impoundment or immobilization of a motor vehicle on the grounds that he or she has reasonable grounds to believe that the circumstances mentioned in subsection 150.3(5) of the Act exist, the application is to be in Form C.

(2) If, on an application made pursuant to subsection (1), the justice is satisfied that the peace officer has reasonable grounds to believe that the driver or new driver of the motor vehicle has acted in the manner specified in section 146, 146.1, 146.2, 148, 150, 150.1 or 150.11, as the case may be, the justice may grant an order in Form E directed to the person named in the order:

- (a) to impound or immobilize the motor vehicle; and
- (b) to enter any building or place where the motor vehicle can be found for the purpose of impounding or immobilizing the motor vehicle.

4 Jly 2014 cT-18.1 Reg 17 s10; 21 Sep 2018 SR
67/2018 s6.

PART III
Unauthorized Drivers

Prescribed fees, costs and charges

11(1) A garage keeper who impounds or immobilizes a motor vehicle pursuant to section 161 of the Act is entitled to the fees, costs and charges set out in Table 1.

(2) If a motor vehicle has been seized, impounded or immobilized in error and is released by a hearing officer pursuant to clause 162(4)(a), (b), (c) or (d) of the Act, the administrator shall pay the garage keeper's fees, costs and charges in accordance with Table 1.

4 Jly 2014 cT-18.1 Reg 17 s11.

Duties of garage keeper

12 A garage keeper who impounds or immobilizes a motor vehicle, or a tow truck operator who assists the garage keeper for the purpose of impounding or immobilizing a vehicle pursuant to section 161 of the Act, shall, within seven days after the impoundment or immobilization, make an inventory of the motor vehicle's contents and a report on the condition of the motor vehicle in a form approved by the administrator.

4 Jly 2014 cT-18.1 Reg 17 s12.

Return of garage keeper

13 On or before the seventh day of each month, a garage keeper shall, for each vehicle sold by the garage keeper in the previous month pursuant to subsection 161(4) of the Act, make a return to the administrator in a form approved by the administrator.

4 Jly 2014 cT-18.1 Reg 17 s13.

Application of proceeds of sale

14(1) If a garage keeper sells a motor vehicle pursuant to subsection 161(4) of the Act, the garage keeper shall apply the proceeds of the sale:

- (a) firstly, to the satisfaction of any lien that the garage keeper has pursuant to subsection 161(2) of the Act; and
- (b) secondly, to the satisfaction of any security interest registered pursuant to *The Personal Property Security Act, 1993*.

(2) If, after applying the proceeds of a sale in the manner prescribed in subsection (1), any excess remains, the garage keeper shall forward the excess to the administrator.

(3) If the administrator receives moneys pursuant to subsection (2), the administrator shall:

- (a) apply the moneys towards any outstanding administrative fees incurred by the administrator as a result of the seizure, impoundment or immobilization of the vehicle; and
- (b) forward any balance remaining to the garage keeper.

(4) Notwithstanding subsection (3), the administrator shall not refund any amount pursuant to clause (3)(b) unless the amount exceeds \$5.

4 Jly 2014 cT-18.1 Reg 17 s14; 21 Sep 2018 SR 67/2018 s7.

Application for early release

15(1) If a person applies pursuant to subsection 162(1) of the Act to a hearing officer for the release of a motor vehicle that has been seized and impounded or immobilized, the person shall:

- (a) **Repealed.** 23 Dec 2016 SR 101/2016 s6.
- (b) pay a fee of \$175.

(2) A person making an application mentioned in subsection (1) shall deliver the fee and the application to the administrator or a licence issuer.

4 Jly 2014 cT-18.1 Reg 17 s15; 23 Dec 2016 SR 101/2016 s6.

Appeal against 60-day seizure

16(1) If a person applies pursuant to subsection 163(5) of the Act to a hearing officer for an order that the grounds on which a 60-day impoundment or immobilization was imposed pursuant to subsection 163(3) of the Act do not apply, the person shall:

- (a) **Repealed.** 23 Dec 2016 SR 101/2016 s7.
- (b) pay a fee of \$175.

(2) A person making an application mentioned in subsection (1) shall deliver the fee and the application to the administrator or a licence issuer.

4 Jly 2014 cT-18.1 Reg 17 s16; 23 Dec 2016 SR
101/2016 s7.

Report re impoundment

17 If an application is made pursuant to subsection 163(5) of the Act to a hearing officer for an order that the grounds on which a 60-day impoundment or immobilization was imposed pursuant to subsection 163(3) of the Act do not apply, the report required to be prepared by the administrator pursuant to subsection 163(6) of the Act must contain the following information, in addition to the information required by clause 163(6)(a) of the Act:

- (a) the previous occasions within the last two years in which the applicant has been operating a motor vehicle on an occasion giving rise to a seizure and impoundment or immobilization pursuant to subsection 160(2) of the Act;
- (b) a description of any motor vehicles owned by the applicant that have been seized and impounded or immobilized within the previous two years pursuant to clause 160(2)(a) of the Act;
- (c) the name of the owner of any motor vehicles operated by the applicant that have been seized and impounded or immobilized within the previous two years pursuant to clause 160(2)(a) of the Act;
- (d) the disposition of all seized, impounded or immobilized motor vehicles mentioned in clauses (a) and (b).

4 Jly 2014 cT-18.1 Reg 17 s17.

Request for authorization to impound or immobilize

18(1) If a peace officer applies for an order authorizing the impoundment or immobilization of a motor vehicle on the grounds that he or she has reasonable grounds to believe that the circumstances mentioned in subsection 160(5) of the Act exist, the application is to be in Form C.

(2) If, on an application made pursuant to subsection (1), the justice is satisfied that the peace officer has reasonable grounds to believe that an unauthorized driver has driven the motor vehicle for which the order is requested, the justice may grant an order in Form D directed to the person named in the order:

- (a) to impound or immobilize the motor vehicle; and
- (b) to enter any building or place where the motor vehicle can be found for the purpose of impounding or immobilizing the motor vehicle.

4 Jly 2014 cT-18.1 Reg 17 s18.

PART IV
Section 280 Impoundments

Interpretation

19 For the purposes of this Part, “*Criminal Code offence*” means:

- (a) an offence pursuant to sections 219, 220, 221 or 236 of the *Criminal Code* if the offence involves a motor vehicle;
- (b) an offence pursuant to paragraph 249(1)(a), subsection 249(3) or (4), section 249.1, 249.2, 249.3, 249.4, 252 or subsection 259(4) of the *Criminal Code*; or
- (c) an offence pursuant to subsection 320.13(1), (2) or (3) or subsection 320.16(1), (2) or (3) of the *Criminal Code*.

4 Jly 2014 cT-18.1 Reg 17 s19; 5 May 2017 SR
38/2017 s2; 21 Sep 2018 SR 67/2018 s8.

Impoundments

20(1) Subject to subsection (2), for the purposes of clause 280(2)(a) of the Act, a peace officer may seize and impound a vehicle if:

- (a) in the opinion of the peace officer:
 - (i) the vehicle is apparently abandoned on a highway at a place, or in a manner, that constitutes a hazard to other users of the highway; or
 - (ii) the driver has a medical condition that may interfere with the safe operation of the vehicle;
- (b) the driver is charged with a *Criminal Code* offence;
- (c) the peace officer has issued an offence notice or summons pursuant to *The Summary Offences Procedure Act, 1990* to the driver:
 - (i) for an offence pursuant to section 32.1 of the Act and that driver has been convicted on at least one prior occasion during the previous 12 months of:
 - (A) an offence pursuant to that section; or
 - (B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that section;
 - (ii) for an offence pursuant to section 57 of the Act and that driver has been convicted on at least one prior occasion during the previous 12 months of:
 - (A) an offence pursuant to that section; or

- (B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that section;
 - (iii) for an offence pursuant to subsection 199(2.2) of the Act and that driver has been convicted on at least one prior occasion during the previous 12 months of:
 - (A) an offence pursuant to that subsection; or
 - (B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that subsection;
 - (iv) for an offence pursuant to section 213 of the Act and that driver has been convicted on at least two prior occasions during the previous 12 months of:
 - (A) an offence pursuant to that section; or
 - (B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that section;
 - (v) for an offence pursuant to subsection 214(2) of the Act and that driver has been convicted on at least one prior occasion during the previous 12 months of:
 - (A) an offence pursuant to that subsection; or
 - (B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that subsection; or
 - (vi) for an offence pursuant to subsection 241.1(2) of the Act and that driver has been convicted on at least one prior occasion during the previous 12 months of:
 - (A) an offence pursuant to that subsection; or
 - (B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that subsection; or
 - (d) the peace officer has issued an offence notice or summons pursuant to *The Summary Offences Procedure Act, 1990* to the driver:
 - (i) for an offence pursuant to subsection 199(2) of the Act;
 - (ii) for an offence pursuant to subsection 209.1(3) of the Act; or
 - (iii) for an offence pursuant to subsection 214(1) of the Act;
- (2) A peace officer may seize and impound a vehicle only if:
- (a) in the circumstances mentioned in clause (1)(a), there is no other person authorized by the driver or owner of the vehicle who the peace officer is satisfied is able to safely operate the vehicle;
 - (b) in the circumstances mentioned in subclause (1)(d)(i), the peace officer is satisfied that there is no medical emergency.

(3) For the purposes of subsection 280(3) of the Act, a vehicle that is seized and impounded must remain impounded:

- (a) if the vehicle is seized and impounded pursuant to clause (1)(a), until the later of:
 - (i) the time that a peace officer is satisfied that the owner of the vehicle or a person authorized by the owner is able to operate the vehicle; and
 - (ii) if the vehicle is stored with a garage keeper, the date that the fees, costs and charges mentioned in section 25 have been paid to the garage keeper;
- (b) if the vehicle is seized and impounded pursuant to subclause (1)(c)(i) or (v), for three days;
- (c) if the vehicle is seized and impounded pursuant to subclause (1)(c)(ii), (iii), (iv) or (vi) or subclause (1)(d)(i) or (ii), for seven days;
- (d) if the vehicle is seized and impounded pursuant to clause (1)(b) or subclause (1)(d)(iii), for 30 days.

4 Jly 2014 cT-18.1 Reg 17 s20; 2 Jan 2014 SR 109/2015 s3.

21 Repealed. 23 Dec 2016 SR 101/2016 s8.

Application for early release

22(1) If a person applies pursuant to section 23 to the board for the release of a vehicle that has been seized and impounded, the person shall:

- (a) **Repealed.** 23 Dec 2016 SR 101/2016 s9.
- (b) pay a fee of \$175.

(2) A person making an application mentioned in subsection (1) shall deliver the fee and the application to the administrator or a licence issuer.

4 Jly 2014 cT-18.1 Reg 17 s22; 23 Dec 2016 SR 101/2016 s9.

Review of impoundments

23(1) In this section and in sections 23.1 and 23.2:

- (a) **“appellant”** means a person described in subsection (2) or subsection 23.1(1) who appeals to the board for a review of an impoundment;
- (b) **“commercial vehicle”** means any of the following vehicles:
 - (i) a vehicle that:
 - (A) is registered in Class A, C or D or that would be registered in Class A, C or D if that vehicle was registered in Saskatchewan; and
 - (B) has a registered gross vehicle weight of 5 000 kilograms or greater;

- (ii) a vehicle that:
 - (A) is registered in Class F or LV or that would be registered in Class F or LV if that vehicle was registered in Saskatchewan; and
 - (B) is being used for a commercial purpose;
 - (iii) a vehicle that is registered in Class GC, PT, PB, PC or PS or that would be registered in Class GC, PT, PB, PC or PS if that vehicle was registered in Saskatchewan;
 - (iv) any vehicle registered to a corporation, partnership, sole proprietorship or unincorporated body that is being used for a commercial purpose;
 - (v) any vehicle that has been provided a permit by the administrator to allow that vehicle to operate in Saskatchewan as if it were a Class A, C or D vehicle.
- (2) Subject to section 23.1, within three days after a vehicle is impounded pursuant to clause 20(1)(b), (c) or (d), any of the following persons may appeal the impoundment of the vehicle to the board:
- (a) the owner of the vehicle;
 - (b) the driver of the vehicle;
 - (c) a person whose health would be seriously threatened by the continued impoundment;
 - (d) a person authorized by a person mentioned in clauses (a) to (c).
- (3) The sole issue before the board on an appeal pursuant to this section is whether the board is satisfied that any of the following circumstances exist:
- (a) that the vehicle was stolen at the time of the impoundment;
 - (b) that the continued impoundment of the vehicle would pose a serious threat to the health of any individual.
- (4) If the board is satisfied that one of the circumstances mentioned in subsection (3) exists, the board may make an order:
- (a) releasing the vehicle; or
 - (b) shortening the period of impoundment.

2 Jan 2014 SR 109/2015 s4.

Review of impoundments – commercial vehicles

23.1(1) If a commercial vehicle is impounded pursuant to subclause 20(1)(c)(iii), (v) or (vi) or 20(1)(d)(i) or (ii), only the owner of the commercial vehicle may appeal the impoundment of the vehicle to the board.

(2) An appeal pursuant to this section must be made within three days after the impoundment.

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- (3) The sole issue before the board on an appeal pursuant to this section is whether the board is satisfied that all of the following circumstances exist:
- (a) the commercial vehicle was not being operated by the owner of the vehicle;
 - (b) the owner has a written policy concerning the use or operation of that owner's commercial vehicle and that policy prohibits any driver of the commercial vehicle from violating a provision of this Act, the regulations or a provision of the *Criminal Code* while operating the owner's commercial vehicle;
 - (c) the owner of the commercial vehicle has, in the 12 months before the date of the impoundment, obtained a copy of the driver's abstract prepared by the administrator with respect to the driver of the impounded vehicle;
- (4) If the board is satisfied that the circumstances mentioned in subsection (3) exist, the board may make an order releasing the commercial vehicle.

2 Jan 2014 SR 109/2015 s4.

Procedures on appeals pursuant to section 23 or 23.1

- 23.2(1)** If an appellant intends to have an oral hearing, the appellant shall request a date and time for an oral hearing and pay the oral hearing fee as prescribed in *The Traffic Safety Act Fees Regulations*.
- (2) If an appellant does not request an oral hearing, the appeal must be accompanied by affidavit evidence or other information that the appellant intends the board to consider.
- (3) An appeal to the board does not stay the impoundment.
- (4) The board is not required to hold an oral hearing unless the appeal includes a request for an oral hearing and the oral hearing fee is paid.
- (5) If an appellant requests an oral hearing but, without prior notice to the board, fails to appear on the date and at the time and place arranged for the hearing, the appellant is deemed to have waived the oral hearing, and the board shall conduct the appeal as if the appellant had not requested an oral hearing.
- (6) On an appeal pursuant to this section, the board shall consider:
- (a) any affidavit evidence or other information provided by the appellant;
 - (b) any documents or reports forwarded to the board by the administrator; and
 - (c) if an oral hearing is held, in addition to the evidence mentioned in clauses (a) and (b), any relevant evidence and information given or representations made at the oral hearing.
- (7) The board shall:
- (a) render a decision in writing within seven days after the date of the hearing or after the date on which the information mentioned in clause (6)(a) is provided; and
 - (b) serve the appellant with a written copy of its decision.

(8) The failure of the board to render a decision within the period mentioned in clause (7)(a) does not affect the jurisdiction of the board to consider or hear the appeal or make a decision with respect to the application.

2 Jan 2014 SR 109/2015 s4.

Report re section 280 impoundment

24 If an impoundment of a vehicle is appealed pursuant to section 23 to the board for an order releasing the vehicle or shortening the period of impoundment, the administrator shall prepare a report that contains the following information:

(a) if the peace officer has issued an offence notice or summons pursuant to *The Summary Offences Procedure Act, 1990* to the driver:

(i) for an offence pursuant to section 32.1 of the Act, the previous occasions within the 12 months preceding the date on which the notice or summons was issued that the driver of the impounded vehicle has been convicted of:

(A) an offence pursuant to that section; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that section;

(ii) for an offence pursuant to section 57 of the Act, the previous occasions within the 12 months preceding the date on which the notice or summons was issued that the driver of the impounded vehicle has been convicted of:

(A) an offence pursuant to that section; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that section;

(iii) for an offence pursuant to subsection 199(2.2) of the Act, the previous occasions within the 12 months preceding the date on which the notice or summons was issued that the driver of the impounded vehicle has been convicted of:

(A) an offence pursuant to that subsection; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that subsection;

(iv) for an offence pursuant to section 213 of the Act, the previous occasions within the 12 months preceding the date on which the notice or summons was issued that the driver of the impounded vehicle has been convicted of:

(A) an offence pursuant to that subsection; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that subsection;

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(v) for an offence pursuant to subsection 214(2) of the Act, the previous occasions within the 12 months preceding the date on which the notice or summons was issued that the driver of the impounded vehicle has been convicted of:

(A) an offence pursuant to that subsection; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that subsection;

(vi) for an offence pursuant to subsection 241.1(2) of the Act, the previous occasions within the 12 months preceding the date on which the notice or summons was issued that the driver of the impounded vehicle has been convicted of:

(A) an offence pursuant to that subsection; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that subsection;

(b) any charge for a *Criminal Code* offence.

4 Jly 2014 cT-18.1 Reg 17 s24; 2 Jan 2014 SR
109/2015 s5.

Prescribed fees, costs and charges

25(1) A garage keeper who impounds a vehicle pursuant to section 280 of the Act is entitled to the fees, costs and charges set out in Table 1.

(2) If a vehicle has been impounded in error and is released by the board pursuant to section 23, the administrator shall pay the garage keeper's fees, costs and charges in accordance with Table 1.

4 Jly 2014 cT-18.1 Reg 17 s25.

Duties of garage keeper

26 A garage keeper who impounds a vehicle, or a tow truck operator who assists the garage keeper for the purpose of impounding a vehicle pursuant to section 280 of the Act, shall, within seven days after the impoundment or immobilization, make an inventory of the vehicle's contents and a report on the condition of the vehicle in a form approved by the administrator.

4 Jly 2014 cT-18.1 Reg 17 s26.

Return of garage keeper

27 On or before the seventh day of each month, a garage keeper shall, for each vehicle sold by the garage keeper in the previous month pursuant to subsection 280(6) of the Act, make a return to the administrator in a form approved by the administrator.

4 Jly 2014 cT-18.1 Reg 17 s27.

Application of proceeds of sale

28(1) If a garage keeper sells a vehicle pursuant to subsection 280(6) of the Act, the garage keeper shall apply the proceeds of the sale:

- (a) firstly, to the satisfaction of any lien that the garage keeper has pursuant to subsection 280(5) of the Act; and
 - (b) secondly, to the satisfaction of any security interest registered pursuant to *The Personal Property Security Act, 1993*.
- (2) If, after applying the proceeds of a sale in the manner prescribed in subsection (1), any excess remains, the garage keeper shall forward the excess to the administrator.
- (3) If the administrator receives moneys pursuant to subsection (2), the administrator shall:
- (a) apply the moneys towards any outstanding administrative fees incurred by the administrator as a result of the seizure or impoundment of the vehicle; and
 - (b) forward any balance remaining to the owner of the vehicle.
- (4) Notwithstanding subsection (3), the administrator shall not refund any amount pursuant to clause (3)(b) unless the amount exceeds \$5.

4 Jly 2014 cT-18.1 Reg 17 s28.

PART V
General

29 Repealed. 23 Dec 2016 SR 101/2016 s9.

Declaration of garage keeper

30 For the purposes of clause 161(6)(b) of the Act, the statutory declaration by a garage keeper declaring that the amount of the lien arising out of the seizure, impoundment or immobilization exceeds the garage keeper's estimate of the value of the motor vehicle is to be in Form B.

4 Jly 2014 cT-18.1 Reg 17 s30.

Personal property that may be removed

31 For the purposes of subsection 165(3) of the Act, the following types of personal property are prescribed as personal property that may be removed from a motor vehicle:

- (a) child restraint systems;
- (b) infant restraint systems;
- (c) booster seats;
- (d) devices for the use of persons with a physical disability.

4 Jly 2014 cT-18.1 Reg 17 s31.

PART VI
Repeal and Coming into Force

R.R.S. c.T-18.1 Reg 1 repealed

32 *The Vehicle Impoundment (General) Regulations, 2006* are repealed.

4 Jly 2014 cT-18.1 Reg 17 s32.

Coming into force

33(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Traffic Safety Amendment Act, 2014* comes into force.

(2) If section 1 of *The Traffic Safety Amendment Act, 2014* comes into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

4 Jly 2014 cT-18.1 Reg 17 s33.

Appendix**PART I
Tables****TABLE 1**
[Subsections 4(1), (2), 11(1), (2) and 25(1), (2)]

Item	Costs and charges regardless of location of seizure, impoundment and storage
1. Towing fee for any car, van, SUV or any vehicle with a body style of a truck, with a gross weight not exceeding 15,000 kg - regardless of the time of day or towing location	\$65 plus \$2.75/loaded km
2. Winching costs when required for towing	\$50 first ½ hour, thereafter \$80 per hour to a maximum amount of \$290
3. Dolly and flatbed costs when required to transport vehicles	\$30 plus \$0.50/loaded km
4. Storage fee per day for impounded vehicle with a body style of a truck, car, van or SUV with a gross vehicle weight not exceeding 15,000 kg	\$17
5. Towing and transporting of vehicles regardless of time of day and towing location if registered vehicle weight exceeds 15,000 kg	\$150 plus \$3.00/loaded km
6. Storage fee per day for impounded vehicle - if vehicle weight exceeds 15,000 kg	\$17
7. Administrative costs associated with impoundment	\$55
8. Tire change when required to transport vehicle	\$25
9. Cost for plate return to administrator	\$10

14 Dec 2018 SR 90/2018 s2.

**PART II
Forms
Form A****Repealed.** 23 Dec 2016 SR 101/2016 s11.

FORM B
[Section 30]

Statutory Declaration Vehicle Impoundment



Impoundment Unit,
2260 - 11th Avenue, Regina, SK S4P 2N7
email: vehicleimpoundment@sgi.sk.ca
Fax: (306) 775-8811

I, _____, of _____, carrying
on the business of garage keeper at _____.

DO SOLEMNLY DECLARE: With respect to the following vehicle:

Year _____ Make/Model _____
Plate Number _____ VIN Number _____

TRANSFER OF OWNERSHIP

1. THAT by reason of section 161 of *The Traffic Safety Act*, I have a lien on the above vehicle, for:
Specify, e.g. towing and/or storage _____.

2. THAT in my opinion, the vehicle is worth no more than \$ _____.

3. THAT I have surrendered licence plate _____.
Licence plate number

DISPOSAL OF VEHICLE

1. This vehicle was: sold sold for parts sold to crusher, for the amount of \$ _____
on _____ date. **Attach copy of the bill of sale to this form.**

2. Towing \$ _____ Towed by: _____
(if different) Company Name

3. _____ km @ \$ _____ = \$ _____
Company Address

4. Miscellaneous Fees: \$ _____ Description of Fees: _____

5. Storage @ _____ days = \$ _____ Storage: _____
(if different) Company Name

6. Plates: \$ _____
Company Address

7. Administrative Fee: \$ _____

I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Please fax or email to SGI Head Office - see above for fax number and email address.

FORM C
[Subsection 10(1), 18(1)]

**Information to obtain an order to impound or immobilize a motor vehicle
pursuant to section 168 or 150.3 of *The Traffic Safety Act***

Canada
Province of Saskatchewan

This is the information of _____, of _____, in Saskatchewan,
Peace Officer, called "the informant", taken before me.

The informant says that (*describe the motor vehicle to be searched for, and the reason for seeking the order*),
and that he/she believes on reasonable grounds that the motor vehicle, or some part of the motor vehicle is
located in or at the (*dwelling house, garage, shed, or other property*) of _____, of
_____ in Saskatchewan.

The reason for the informant's belief is (*here add the reasons for the belief*).

For these reasons, the informant requests that an order be granted to enter the (*dwelling house, garage, shed,
or other property*) and impound or immobilize the motor vehicle discovered.

Sworn before me this _____ day

of _____, A.D. 20 _____,

at _____

in Saskatchewan.

Signature of Informant

*A Judge of the Provincial Court of Saskatchewan or
A Justice of the Peace in and for Saskatchewan.*

FORM E
[Subsection 10(2)]**Order to impound or immobilize a motor vehicle pursuant
to section 150.3 of *The Traffic Safety Act***Canada
Province of Saskatchewan

To _____ and other peace officers in Saskatchewan:

Whereas it appears on the oath of _____, a peace officer in Saskatchewan,
that there are reasonable grounds for believing that the following vehicle(s)
(describe vehicles to be searched for)used by _____, a driver or new driver who has acted in the manner specified in
section 146, 146.1, 146.2, 148, 150 or 150.1 of *The Traffic Safety Act* and the regulations made pursuant to
that Act, as the case may be, is or are to be found in the following place or premises
(describe place or premises to be entered)This is therefore to authorize you to enter that place or those premises between the hours of (*justice may
direct*) and impound or immobilize the motor vehicle(s).Issued at _____ on the _____ of _____ 20 _____, at _____ in Saskatchewan.
(time) (day) (month) (place)_____
*A Judge of the Provincial Court of Saskatchewan or
A Justice of the Peace in and for Saskatchewan*

4 Jly 2014 cT-18.1 Reg 17.