

## HIGHWAY MAINTENANCE BULLETIN #14/2015

### Removal of Abandoned Vehicles

#### Summary

This Bulletin is issued to inform highway maintenance contractors and department staff on the procedure to be followed with respect to the removal of abandoned vehicles along provincial highways.

#### Background

A highway as defined under the *Traffic Safety Act* and for the purpose of this Bulletin means any portion of the highway right-of-way.

A vehicle as defined under the *Traffic Safety Act* 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.

Under Section 76(2) of the *Traffic Safety Act* a vehicle left standing upon a highway for more than 72 consecutive hours shall be deemed to have been abandoned at that location.

Under Section 77(1) of the *Traffic Safety Act* a peace officer may cause any vehicle to be removed and taken to and stored in a suitable place when the vehicle is:

- abandoned under Section 76(2);
- left unattended on a highway in a manner that obstructs the movement of traffic;
- parked on a highway in a manner that prevents access by fire-fighting equipment to a fire hydrant;
- situated unattended at a location or in a condition so that it constitutes a present or potential hazard to persons or property.

In practice the usual and most satisfactory arrangement is for the peace officer (e.g., R.C.M.P., Sheriff) to handle the entire matter of ticketing, removal and storage of abandoned vehicles.

#### Key Changes

If highway maintenance contractors or department staff noticed a vehicle has been abandoned or appears to be abandoned to contact the local R.C.M.P. detachment or the Sheriff for their action when:

- the vehicle is left unattended at a highway location that is considered to be causing traffic or safety hazard;
- the vehicle is left unattended on the highway shoulder and clear of the traffic lanes but appear to be abandoned;

- the vehicle is left unattended in the highway ditch and appear to be abandoned.

In general, any vehicle left unattended in the highway right-of-way is considered to be a hazard and should be removed. Unattended vehicle left in the highway ditch can be a hazard for errant vehicles and can interfere with highway maintenance operations.

In all these situations, the R.C.M.P. or Sheriff will then determine the appropriate action(s) to be taken with respect to the abandoned vehicle and to cause for removal of the vehicle under Section 77(1) of the *Traffic Safety Act*.

The practice as indicated in this Bulletin is to be implemented as per the effective date.

### **Effective Date**

March 5, 2015

### **Contact**

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### **References**

Sections 76(2) and 77(1) of the *Traffic Safety Act*.

### **Approved**

*Original signed  
by Steve Otto*

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