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COMING IN JULY

The third issue for the 2000 subscription year of the Folio®-based Nova Scotia Regulations CD-ROM, containing the consolidated regulations of Nova Scotia and the quarterly sectional index of regulations, is now being prepared and will soon be available from the Office of the Registrar of Regulations. For information or subscriptions please call (902) 424-6723 or visit our website at www.gov.ns.ca/just/regulations/cd.

N.S. Reg. 94/2000

Made: May 24, 2000

Filed: May 26, 2000

Documents and Services Fees

Order in Council 2000-276 made May 24, 2000
 Regulations made by the Governor in Council
 pursuant to subsection 302(1)
 of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Business and Consumer Services dated May 9, 2000, pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to:

- (a) revoke Orders in Council 91-396 dated April 2, 1991, and 92-13 dated January 14, 1992, which determine fees for documents and services provided by the Registry of Motor Vehicles; and
- (b) determine that the fees set forth in Schedule “A” to the report and recommendation be the fees for the documents and services set forth in that Schedule, effective on, from and after June 1, 2000.

SCHEDULE “A”

**Registry of Motor Vehicles Documents and Services Fees
 determined by the Governor in Council pursuant to subsection 302(1)
 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989,
 the *Motor Vehicle Act***

| | |
|---|---------|
| Driver’s Handbook | \$7.00 |
| Administration of a written or oral knowledge test required to obtain any class of license under Section 1 or an endorsement under Section 2 of the regulations respecting the classification of drivers’ licenses | \$10.00 |
| Issuance of learner license. | \$10.00 |
| Administration of a road test required to obtain a class 1, 2, 3, 4, 5 or 6 driver’s license under Section 1 or an endorsement under Section 2 of the regulations respecting the classification of drivers’ licenses | \$35.00 |

The fee for a driver’s license of the class set out in the left column below is that set out opposite in the column under the period of time for which the license is valid:

| Driver's License Class | 1 Year | 2 Year | 3 Year | 5 Year |
|--|---------------|---------------|---------------|---------------|
| 1 | \$12.00 | \$24.00 | \$36.00 | \$60.00 |
| 2 | \$11.00 | \$22.00 | \$33.00 | \$55.00 |
| 3 | \$10.00 | \$20.00 | \$30.00 | \$50.00 |
| 4 | \$9.00 | \$18.00 | \$27.00 | \$45.00 |
| 5 | \$8.00 | \$16.00 | \$24.00 | \$40.00 |
| 6 | \$8.00 | \$16.00 | \$24.00 | \$40.00 |
| 8 | \$7.00 | \$14.00 | \$21.00 | \$35.00 |
| Production of photo license | | | | \$9.00 |
| Administration of the registration of an interprovincial truck for less than 12 months | | | | \$10.00 |
| Motorcycle permit | | | | \$25.00 |
| Motor-driven cycle permit | | | | \$15.00 |
| Automobile dealer's license | | | | \$100.00 |
| Permit for a hearse, ambulance, service truck equipped with a permanently mounted crane | | | | \$35.00 |
| Sub-dealer's license | | | | \$100.00 |
| Supplemental license | | | | \$25.00 |
| Dealer's plates | | | | \$50.00 |
| Motorcycle dealer's plates | | | | \$20.00 |
| Searches (vehicle ownership inquiries and the like) | | | | \$10.00 |
| Appointment as Recognized Authority, pursuant to Section 6 of the regulations respecting classification of drivers' licenses | | | | |
| Initial | | | | \$100.00 |
| Renewal | | | | \$50.00 |

| | |
|---|--------------|
| Abstract of driver operating record, accident report or accident information as permitted by subsection 98(7) or 241(1) of the <i>Motor Vehicle Act</i> (hard copy) | \$10.00 |
| Abstract of driver operating record as permitted by subsection 241(1) of the <i>Motor Vehicle Act</i> (electronic) | \$15.00 |
| Application for restoration or reinstatement of driver's license or privilege of obtaining driver's license following a revocation or suspension other than under clause 279(1)(c) or subsection 285(1) of the <i>Motor Vehicle Act</i> | \$75.00 |
| Interview conducted pursuant to subsection 282(4), 283(2) or 283(5) of the <i>Motor Vehicle Act</i> | \$45.00 |
| Administration of one or more conditions or requirements for the restoration of a license pursuant to subsection 67(17) of the <i>Motor Vehicle Act</i> | \$45.00 |
| Administration of examination or re-examination pursuant to subsection 280(2) of the <i>Motor Vehicle Act</i> | \$45.00 |
| Permit for miscellaneous equipment (Backhoes, welldrillers, mobile cranes) | \$35.00 |
| Replacement revalidation sticker(s) | \$2.00 |
| Application for (conditional) driver's license under subsection 284(1) of the <i>Motor Vehicle Act</i> | \$25.00 |
| Duplicate permit, license, certificate of registration | \$10.00 |
| Certificate of Competence issued by Signing Authority pursuant to Section 6 of the regulations respecting classification of drivers' licenses | |
| Initial | \$50.00 |
| Renewal | \$25.00 |
| Nominal registration fee | \$25.00 |
| Antique auto registration | \$15.00 |
| Replacement license plate | \$5.00 |
| Administration of refund issued by Registry | \$10.00 |
| Intransit permit (single move) | \$10.00 |
| Automotive dealer application processing | \$50.00 each |

| | |
|---|--------------|
| Issue, re-issue or renewal of a prorated registration permit or cab card | \$10.00 |
| Issuance of a registration plate, including permit for a semi-trailer | \$35.00 each |
| Recording applicant as vehicle owner, initially or by way of transfer. | \$10.00 |
| Issuance of a registration plate, including permit, for a government-owned vehicle (Provincial/Municipal) | \$25.00 |
| Issuance of registration plate, including permit, for self-propelled farm equipment. | \$20.00 |
| Personalized number plates: | |
| Initial application | \$70.00 |
| Annual retention (payable with registration renewal fee) | \$20.00 |
| Duplicate or replacement plates. | \$20.00/set |
| Sample license plate | \$5.00 |
| Temporary permit, issued by the Registrar of Motor Vehicles for such purposes and for such period as may be endorsed on the permit | \$10.00 |
| Temporary permit, issued for a fee of \$10.00 by a licensed dealer for a period not to exceed 30 days pending the issue of number plates and/or a permit as required by the <i>Motor Vehicle Act</i> , for a book of 20 temporary permits | \$160.00 |
| Dishonoured/non-negotiable cheques: | |
| Where reimbursement is made within 30 days | \$15.00 |
| Where reimbursement is not made within 30 days | \$30.00 |
| Reinstatement of Registry of Motor Vehicles services for a person refused services under subsection 269(2) of the <i>Motor Vehicle Act</i> | \$30.00 |

N.S. Reg. 95/2000

Made: May 24, 2000

Filed: May 26, 2000

Classification of Drivers' Licences Regulations

Order in Council 2000-277 made May 24, 2000
Amendment to regulations made by the Governor in Council
pursuant to subsection 66(1)
of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Business and Consumer Services dated May 9, 2000, pursuant to subsection 66(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to amend the regulations respecting the classification of drivers' licenses in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

Amendment to the regulations respecting the classification of drivers' licenses made by the Governor in Council pursuant to subsection 66(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*

The regulations respecting the classification of drivers' licenses made by the Governor in Council by Order in Council 82-956 dated August 3, 1982, are amended by repealing Section 2 and substituting the following Section:

- 2 The following endorsements may be added to a driver's license to allow the driver to operate additional vehicles or combinations of vehicles when the respective minimum requirements have been met:
 - (a) **Valid for any motorcycle and motor-driven cycle**
(Minimum requirements: Must hold valid Class 1-5 license, successfully complete written test for Class 6 and successfully demonstrate driving ability in Class 6 vehicle);
 - (b) **Valid for school bus**
(Minimum requirements: Must be 19 years of age, hold valid Class 1-4 license, successfully complete written knowledge test and vision screening for operation of school bus and successfully demonstrate driving ability in school bus with seating capacity appropriate for class of license held);
 - (c) **Valid for any motorcycle and school bus**
(Minimum requirements: Must hold driver's license valid for operation of motorcycle with engine size larger than 100 cc and complete minimum requirements for operation of school bus, or must hold driver's license valid for operation of school bus and successfully complete minimum requirements for operation of motorcycle with engine larger than 100 cc);

- (d) **Valid only for motorcycle with engine size of 100 cc or less and motor-driven cycle**
(Minimum requirements: Must hold valid Class 1-5 license, successfully complete written knowledge test for Class 6 license and successfully demonstrate driving ability in Class 6 vehicle with engine size of 100 cc or less);
- (e) **Valid for school bus and motorcycle with engine size of 100 cc or less and motor-driven cycle**
(Minimum requirements: Must hold driver's license valid for the operation of school bus and successfully complete minimum requirements for operation of motorcycle with engine size of 100 cc or less and motor-driven cycle, or must hold driver's license valid for operation of motorcycle with engine size of 100 cc or less and motor-driven cycle and successfully complete minimum requirements for operation of school bus);
- (f) **Valid for vehicle equipped with air brakes**
(Minimum requirements: Must hold valid Class 1-6 license and successfully complete written air brakes knowledge test).

N.S. Reg. 96/2000

Made: May 24, 2000

Filed: May 26, 2000

Nova Scotia Association of Optometrists By-laws
and Optometric and Therapeutic Drug By-laws

Order in Council 2000-281 made May 24, 2000
Amendment to by-laws and by-laws approved by the Governor in Council
pursuant to Sections 6 and 28
of the *Optometry Act*

The Governor in Council on the report and recommendation of the Minister of Health dated May 8, 2000, pursuant to Sections 6 and 28 of Chapter 328 of the Revised Statutes of Nova Scotia, 1989, the *Optometry Act*, is pleased to approve the making by:

- (a) the Nova Scotia Association of Optometrists of amendments to the by-laws approved by Order in Council 91-421 dated April 9, 1991, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation; and
- (b) the Council of the Nova Scotia Association of Optometrists of by-laws respecting the use of optometric and therapeutic drugs, in the form set forth in Schedule "B" attached to and forming part of the report and recommendation.

Schedule "A"

Amendments to the by-laws of the Nova Scotia Association of Optometrists made pursuant to subsection 6(1) and Section 28 of Chapter 328 of the Revised Statutes of Nova Scotia, 1989, the *Optometry Act*

- 1 Section 14 of the by-laws made by the Nova Scotia Association of Optometrists and approved by the Governor in Council by Order in Council 91-421 dated April 9, 1991, is amended by
 - (a) striking out the period at the end of clause (f) and substituting “; and”; and
 - (b) adding the following clause immediately after clause (f):
 - (g) any special fees or assessments ratified by a majority of at least two-thirds of the members present at a validly constituted meeting of the Association, for which 10 days notice in writing specifying the intention to propose the resolution has been duly given.
- 2 Section 19 of the by-laws is amended by:
 - (a) repealing clause (1)(e) and substituting the following clause:

- (e) in the case of an applicant who is not a graduate of a school, college or examining body approved in By-law 21(1), the qualifications as to general education, training, and experience possessed by the applicant to determine eligibility for examination.
 - (b) repealing subsection (2) and substituting the following subsection:
 - (2) An applicant seeking to qualify under By-law 21 shall submit or cause to be submitted to the Board satisfactory proof that the applicant is
 - (a) a graduate of a school or college approved by the Board pursuant to By-law 21(1) and proof of the applicant's scholastic record in that school or college; or
 - (b) proof of the satisfactory completion of examinations set by an examining body approved pursuant to By-law 21(1) [sic].
- 3 Section 41 of the bylaws is amended by
- (a) striking out "twenty-four (24)" in the first line and substituting "30";
 - (b) striking out "twelve (12)" in the fourth line and substituting "15"; and
 - (c) striking out "six (6)" in the fifth line and substituting "8".
- 4 Section 43 of the by-laws is amended by repealing subsection (2) and substituting the following subsections:
- (2) Within 60 days following the last day of any 3-year reporting period, the Chairman of the Board shall report in writing to the Chairperson of the Discipline Section of the Discipline Committee the name of any member who is in default of By-law 41.
 - (3) A report made pursuant to subsection (2) shall indicate the number of hours required, the number of hours reported, and the number of hours outstanding and a copy of the written report shall be sent to the member named in default.
 - (4) Upon receipt of a report pursuant to subsection (2), the Discipline Section of the Discipline Committee may make an order imposing upon the member in default a fine of \$500.00 per month up to a maximum of \$2500.00.
 - (5) An order made pursuant to subsection (4) shall be effective from April 1 of the year in which the order was made until such time as the continuing education requirements of the member in default have been met, or August 31 of the year in which the order is made, whichever is sooner.

- (6) A copy of the order shall be delivered to the member in default by registered mail or personal service.
 - (7) If a defaulting member against whom an order has been made pursuant to subsection (4) has not met the continuing education requirements by August 31 of the year in which the order was made, the Discipline Section of the Discipline Committee may, on 14 days notice to the member in default, convene a hearing requiring the member to show cause why the member should not be suspended from practice pending receipt of satisfactory confirmation that the member's continuing education requirements have been met.
 - (8) After a hearing pursuant to subsection (7) is held, the Discipline Section may impose such penalty as is reasonable and appropriate in the circumstances.
- 5 Sections 44, 45, and 46 of the by-laws are repealed and the following Sections are substituted:
 - 44 A member may advertise, through a medium of communication that is equally available to all members, information that is accurate, verifiable and relevant to the practice and/or services provided by the member.
 - 45 All public dissemination of information relating to the member's practice of optometry shall
 - (a) be of a professional nature and in good taste;
 - (b) serve the best interest of the public;
 - (c) clearly indicate that the member or the member's firm is engaged in the practice of optometry; and
 - (d) not include a reference to pricing.
 - 46 Any member who advertises his/her practice in a manner that
 - (a) compares or promotes the member's abilities, services or goods provided in relation to that of any other practitioner;
 - (b) discloses the names of patients;
 - (c) uses superlatives, endorsements or testimonials concerning the member;
 - (d) creates unjustifiable expectations or appeals to the public's fears;
 - (e) makes reference to discounts, allowances, terms of credit or similar information;
 - (f) by reason of its size, content, method or frequency of dissemination, would be regarded as unprofessional in nature;

- (g) uses logos or business trade names other than the member's name and the title "optometrist" without the Council's prior approval;
- (h) is part of any communication, advertisement, promotion or offering by persons or corporate entities not regulated by the Act and the by-laws;
- (i) brings the profession of optometry into disrepute,

shall be considered guilty of professional misconduct and subject to disciplinary action.

Schedule "B"

By-laws respecting optometric and therapeutic drugs made pursuant to subsection 6(3) of Chapter 328 of the Revised Statutes of Nova Scotia, 1989, the *Optometry Act*

Citation

1 These by-laws may be cited as the *Optometric and Therapeutic Drug By-laws*.

Conflict

2 If there is any conflict between these by-laws and the by-laws made by the Association pursuant to subsection 6(1) and Section 28 of the Act (the "Association By-laws"), these by-laws shall prevail.

Optometric drug licence

- 3 (1) The Board may issue to any member an optometric drug licence authorizing the use of the ophthalmic drugs listed in clauses (2)(a), (b) and (c).
- (2) Every member who has been issued an optometric drug licence by the Board may use in his or her practice of optometry the following designated drugs applied topically on the eye for the purposes specified:
- (a) topical anaesthetics, tetracaine hydrochloride not over 0.5%, benoxinate hydrochloride not over 0.4%, and proparacaine hydrochloride not over 1.0% to facilitate the measurement of intra-ocular pressure and contact lens applications;
 - (b) tropicamide not over 1.0% and phenylephrine not over 2.5% to dilate a pupil and to facilitate examination of the fundus of the eye;
 - (c) homatropine hydrobromide not over 2.0%, cyclopentolate hydrochloride not over 1.0% and tropicamide not over 1.0% to inactivate the accommodative reaction and to dilate the pupil to facilitate measurement of the refractive error of the eyes.

Therapeutic drug certificate

- 4 (1)** The Board may issue a therapeutic drug certificate authorizing the use of the therapeutic medications listed in subsection (2) to a member provided that the member
- (a) graduated on or after January 1, 1995, from a school or college approved by the Board pursuant to By-law 21(1) of the Association By-laws, and
 - (i) has successfully completed the pharmaceutical section of the Canadian Standard Assessment Examinations administered by the Canadian Examiners in Optometry, and
 - (ii) has taken at least 40 hours of clinical training in the administration and prescription of therapeutic medications in an academic setting approved under By-law 21(1); or
 - (b) graduated prior to January 1, 1995, from a school or college approved by the Board pursuant to By-law 21(1) of the Association By-laws, and
 - (i) has successfully completed a post-graduate course approved by the Council in the administration and prescription of therapeutic medications, and
 - (ii) has passed an examination administered or approved by the Board respecting the use of therapeutic medications.
- (2)** A member holding a valid therapeutic drug certificate issued pursuant to subsection (1) may
- (a) administer and prescribe the following drugs for the treatment of ocular anterior segment disorders:
 - (i) mydriatics,
 - (ii) cycloplegics,
 - (iii) non-steroidal anti-allergy medications,
 - (iv) non-steroidal anti-inflammatory medications, and
 - (v) anti-infective medications;
 - (b) remove eyelashes and superficial foreign bodies from the eye and adnexa.

Suspension or revocation

- 5** The Board may suspend or revoke an optometric drug licence or a therapeutic drug certificate issued to any member by reason of the member's failure to maintain standards set out by the Rules of Professional Practice.

Unauthorized conduct

- 6** No optometrist shall use diagnostic or therapeutic drugs without first having obtained the required optometric drug licence or therapeutic drug certificate from the Board under the provisions of these by-laws and an optometrist who uses drugs in the practice of optometry without first having obtained the required licence or certificate, or who, while holding a licence or certificate, uses drugs other than those authorized by these by-laws, shall be guilty of conduct warranting disciplinary action pursuant to the Act.

N.S. Reg. 97/2000

Made: May 19, 2000

Filed: May 26, 2000

Standard Expenditure Per Dwelling Unit
(2000/2001) Regulations

Order dated May 19, 2000
made under Section 11 of the
Municipal Grants Act

**Regulation made by the Minister of Housing and Municipal Affairs
pursuant to Section 11 of the Chapter 302 of the Revised Statutes of
Nova Scotia, 1989, the *Municipal Grants Act***

STANDARD EXPENDITURE PER DWELLING UNIT

- 1 The standard expenditure per dwelling unit for the purpose of calculating the grant referred to in Section 11 of the *Municipal Grants Act*, for the 2000-2001 fiscal year, shall be as follows:

| CLASS | I | II | III | IV |
|----------------------|------|-----|-----|-----|
| Standard Expenditure | 1143 | 982 | 969 | 415 |

(Signed) *Angus MacIsaac*
Honourable Angus MacIsaac
Minister of Housing and Municipal Affairs