



**Executive
Council**

*A certified copy of an Order in Council dated
October 6, 2026*

N.S. Reg. 222/2026

FILED

Date: October 6, 2026

**Rachel L. Jones
Registrar of Regulations
Province of Nova Scotia**

2026-343

The Governor in Council on the report and recommendation of the Minister of Public Works dated March 30, 2026, and pursuant to Sections 5, 329, 331 and 333 of Chapter 20 of the Acts of 2025, the *Traffic Safety Act* (the "Act"), is pleased to:

(a) make regulations respecting definitions and prescriptions for the purpose of the Act and the regulations in the form set forth in Schedule "A" attached to and forming part of the Report and Recommendation, effective on and after October 19, 2026;

(b) make regulations respecting impoundment of vehicles and other conveyances in the form set forth in Schedule "B" attached to and forming part of the Report and Recommendation, effective on and after October 19, 2026; and

(c) make regulations respecting offences, penalties and mandatory suspension periods in the form set forth in Schedule "C" attached to and forming part of the Report and Recommendation, effective on and after October 19, 2026.

Certified to be a true copy

A handwritten signature in blue ink, appearing to read "Taweel", written over a horizontal line.

**Tracey Taweel
Clerk of the Executive Council**



Tracey Taweel

Clerk of the Executive Council

Schedule “B”

Regulations Respecting Impoundment of Vehicles and other Conveyances made by the Governor in Council under Section 329 of Chapter 20 of the Acts of 2025, the *Traffic Safety Act*

1 Citation

These regulations may be cited as the *Impoundment Regulations*.

2 Definitions

In these regulations,

“Act” means the *Traffic Safety Act*;

“authorized person”, in relation to the sale of an impounded vehicle or other conveyance, means

- (i) for a sale under subsection 263(9) of the Act, the operator of the impound facility where the vehicle or other conveyance is held, or
- (ii) for a sale under subsection 306(4) of the Act, a person authorized under Section 7;

“municipal lien” means the first lien that is

- (i) on a vehicle or other conveyance, and
- (ii) held by a municipality under subsection 306(2) of the Act for fines and costs payable to the municipality;

“*Powers and Duties of a Peace Officer Regulations*” mean the *Powers and Duties of a Peace Officer Regulations* made under the Act;

“provincial lien” means the first lien that is

- (i) on a vehicle or other conveyance, and
- (ii) held by the Crown in right of the Province under subsection 306(1) of the Act for fines and costs payable to the Crown.

3 Application of these regulations

These regulations apply to the impoundment and sale of vehicles or other conveyances as authorized by the Act.

4 Impoundment period determined by Registrar

On receiving a report from a peace officer under Section 65 of the Act as a result of an impoundment of a vehicle or other conveyance, in accordance with the *Powers and Duties of a Peace Officer Regulations*, the Registrar must do all of the following:

- (a) determine the correct period of impoundment of the vehicle or other conveyance in accordance with the *Powers and Duties of a Peace officer Regulations*;
- (b) correct and amend the period of impoundment or other information noted on the order of impoundment by the peace officer, if necessary;
- (c) notify all of the following of the period of impoundment determined under clause (a) and the information amended under clause (b):
 - (i) the owner of impounded vehicle or other conveyance,
 - (ii) the peace officer who provided the report,
 - (iii) the impound facility where the vehicle or other conveyance is impounded.

5 Accessing personal property in seized or impounded vehicle or other conveyance

- (1) Except as provided in subsection (2) and subject to subsection (3), personal property that meets all of the following criteria must, on request and proof of ownership, be made available at reasonable times to the owner of the property or a person acting on behalf of the owner:
 - (a) it is left in a vehicle or other conveyance that has been seized or impounded;
 - (b) it is not attached to the vehicle or other conveyance that has been seized or impounded;
 - (c) it is not used in connection with the operation of the vehicle or other conveyance that has been seized or impounded.
- (2) Subsection (1) does not apply to personal property that a peace officer is required to retain pending the outcome of a prosecution.
- (3) To comply with subsection (1), an operator of an impound facility must ensure that all of the following requirements are met:

- (a) the impound facility must be open during as many hours and with as much regularity as is reasonably necessary to provide access to a vehicle or other conveyance;
- (b) the impound facility must have its contact information posted where it can be seen by the general public from outside the place of business to enable a person to contact the impound facility to gain access to a vehicle or other conveyance as soon as reasonably convenient in the circumstances.

6 Authorized sale or retention of vehicle or other conveyance by impound facility

- (1) Each of the following is prescribed as a circumstance in which an operator of an impound facility may sell or retain a vehicle or other conveyance under subsection 263(9) of the Act:
 - (a) except as provided in clause (c), any impoundment period provided for under an impoundment order has ended and 1 of the following criteria applies:
 - (i) the impounded vehicle or other conveyance remains unclaimed 30 days after the impoundment period ends,
 - (ii) the following persons have consented in writing to the sale or retention of the vehicle or other conveyance:
 - (A) if the vehicle or other conveyance is registered, the registered owner,
 - (B) if the vehicle or other conveyance is not registered, the owner of the vehicle or other conveyance;
 - (b) except as provided in clause (c), the operator's lien for fees or other charges related to the impoundment of the vehicle or other conveyance exceeds the fair market value of the vehicle or other conveyance and 1 of the following applies:
 - (i) the impoundment period provided for under an impoundment order has ended,
 - (ii) the Registrar has provided written permission for the sale;
 - (c) for a vehicle seized and impounded under clause 63(1)(b) of the Act because its vehicle identification number has been altered, defaced or removed or under clause 63(1)(c) of the Act because it is stolen, all of the following criteria apply:
 - (i) the impounded vehicle remains unclaimed 90 days after the vehicle was impounded,

- (ii) proof of ownership has not been established,
 - (iii) the Registrar has provided written permission for the sale.
- (2) In determining the fair market value of a vehicle or other conveyance under clause (1)(b), the operator of an impound facility must consider the actual condition of the vehicle or other conveyance and the accepted market value for a similar vehicle or other conveyance.

7 Sale to enforce provincial or municipal lien

- (1) The Registrar may authorize the operator of an impound facility or another person to conduct a sale of a vehicle or other conveyance that has been impounded under subsection 306(3) of the Act to enforce a provincial lien.
- (2) A municipality may authorize the operator of an impound facility or another person to conduct a sale of a vehicle or other conveyance that has been impounded under subsection 306(3) of the Act to enforce a municipal lien.

8 Disclosing registered owner information

The Registrar or a peace officer may disclose the name and any contact information of the registered owner of an impounded vehicle or other conveyance to an authorized person.

9 Notice of intention to sell impounded vehicle or other conveyance

- (1) Before conducting a sale of an impounded vehicle or other conveyance, an authorized person must provide a notice of intention to sell in accordance with subsection (2).
- (2) A notice of intention to sell an impounded vehicle or other conveyance must be in writing and must be given at least 15 days before the sale to all of the following:
 - (a) the registered owner of the vehicle or other conveyance, if known;
 - (b) for a vehicle or other conveyance that is not registered or the registered owner is not known, the person who the authorized person knows or reasonably believes is the owner of the vehicle or other conveyance;
 - (c) the Registrar, for a vehicle or other conveyance that is registered or requires registration under the Act or the *Off-highway Vehicles Act*;
 - (d) any municipality that the authorized person knows or reasonably believes has a municipal lien on the vehicle or other conveyance;
 - (e) each person who has a security interest in the vehicle or other conveyance under the *Personal Property Security Act* that is perfected by registration against any of the following:

- (i) the name of the registered owner or the owner of the vehicle or other conveyance, if they are entitled to notice under clause (a) or (b),
- (ii) the vehicle identification number.

10 Contents of notice of intention to sell impounded vehicle or other conveyance

- (1) A notice of intention to sell an impounded vehicle or other conveyance required by Section 9 must contain all of the following information:
 - (a) a description of the vehicle or other conveyance that is sufficient to identify it;
 - (b) a statement of the monetary amount required to satisfy both of the following:
 - (i) any lien held by the authorized person under subsection 263(8) of the Act for fees or other charges related to the seizure and impoundment, as of the date when the notice is given,
 - (ii) any costs specified as payable in any order of impoundment for the vehicle or other conveyance;
 - (c) a statement of the method of calculating, on a daily basis, any further fees or other charges for impoundment that may be incurred between the date when the notice is given and the date when the sale is to take place;
 - (d) for a vehicle or other conveyance that was seized under subsection 306(3) of the Act to enforce a provincial or municipal lien, a statement of the amount owing under the lien;
 - (e) a statement that the vehicle or other conveyance may be redeemed by the registered owner or the owner of the vehicle or other conveyance by payment of the amounts referred to in clauses (b), (c) and (d);
 - (f) a statement setting out all of the following administrative information:
 - (i) the name of the person to whom payment may be made,
 - (ii) the address where the vehicle or other conveyance may be redeemed,
 - (iii) the times during which redemption may be made,
 - (iv) the telephone number, if any, of the person giving the notice;
 - (g) a statement of the date, time and place of any public sale at which the vehicle or other conveyance is to be sold, or the date after which any private sale of the vehicle or other conveyance is to be made;

- (h) a statement that the vehicle or other conveyance may be sold unless it is redeemed on or before the date specified under clause (g).

11 Method of sale

- (1) The sale of an impounded vehicle or other conveyance under subsection 263(9) of the Act by a person who operates an impound facility may be conducted at any time and place, on any terms, and through a public sale or private sale, so long as every aspect of the sale is conducted in a commercially reasonable manner.
- (2) The sale of an impounded vehicle or other conveyance that was seized by the holder of a first lien on the vehicle or other conveyance for non-payment of fines and costs under subsection 306(4) of the Act must be conducted through a public sale.

12 Purchase by impound facility

An authorized person who is selling an impounded vehicle or other conveyance may purchase the vehicle or other conveyance, but only at a public sale.

13 Proceeds of sale

An authorized person who has sold an impounded vehicle or other conveyance must apply the proceeds of the sale in the following order of priority:

- (a) payment of the reasonable expenses of selling the vehicle or other conveyance, including the costs of advertisements, necessary registry searches and auctioneer services;
- (b) payment of any costs specified in any order of impoundment for the vehicle or other conveyance;
- (c) payment of the fees or other charges owing to the authorized person for removing and impounding the vehicle or other conveyance;
- (d) payment of the fees or other charges owing to a person other than the authorized person for services related to removing and impounding the vehicle or other conveyance, but only if they provide written notice to the authorized person no later than 10 days after the date of the sale;
- (e) payment of any amounts owing under a provincial lien, in either of the following circumstances:
 - (i) the sale was conducted to enforce the provincial lien,
 - (ii) the Registrar provides written notice to the authorized person of the amount of the provincial lien no later than 10 days after the date of the sale;

- (f) payment of any amounts owing under a municipal lien, in either of the following circumstances:
 - (i) the sale was conducted to enforce the municipal lien,
 - (ii) the municipality provides written notice to the authorized person of the amount of the municipal lien no later than 10 days after the date of the sale;
- (g) payment, in accordance with the priority rules under the *Personal Property Security Act*, to each person who meets all of the following criteria:
 - (i) they have a perfected security interest in the vehicle or other conveyance under the *Personal Property Security Act*,
 - (ii) they were entitled to notice under clause 9(2)(e),
 - (iii) they give the authorized person written notice of the amount owing in respect of the perfected security interest claimed in subclause (i) no later than 10 days after the date of the sale;
- (h) payment to 1 of the following people:
 - (i) if the vehicle or other conveyance is registered, the registered owner,
 - (ii) if the vehicle or other conveyance is not registered, the owner of the vehicle or other conveyance.

14 Payment into court

If there is a question about any person's right to a share in the proceeds of a sale of an impounded vehicle or other conveyance conducted in accordance with these regulations, the authorized person may pay the proceeds or any part of the proceeds into court and the proceeds must not be paid out of court except in accordance with an order of the court.

15 Retention by impound facility operator

- (1) In this Section,
 - “operator” means an operator of an impound facility;
 - “proposal” means a proposal made by an operator under subsection (2) to retain an impounded vehicle or other conveyance.
- (2) Instead of selling an impounded vehicle or other conveyance under subsection 263(9) of the Act, an operator may propose, , to retain the vehicle or other conveyance in satisfaction of the amount of the lien claimed by the operator.

- (3) An operator making a proposal must give written notice of the proposal to each person who is entitled to a notice of intention to sell under Section 9.
- (4) If a person who receives notice from an operator under subsection (3) gives the operator a written objection to the proposal referred to in the notice no later than 30 days after receiving the notice, the operator must sell the vehicle or other conveyance in accordance with these regulations, unless the objection is found to be ineffective under subsection (5).
- (5) On application by the operator to the Supreme Court of Nova Scotia, and after the operator gives notice of the application to each person who has given a written objection to the proposal within the time period specified in subsection (4), the court may order that an objection to a proposal is ineffective for either of the following reasons:
 - (a) the objection was made for a purpose other than the protection of the interest in the vehicle or other conveyance of the person who made the objection;
 - (b) the fair market value of the vehicle or other conveyance is less than the amount of the lien of the operator impounding the vehicle or other conveyance.
- (6) If there is no effective objection made to a proposal within the time period specified in subsection (4), the operator is deemed to have irrevocably elected to retain the vehicle or other conveyance and is subsequently entitled to hold or dispose of the vehicle or other conveyance free from the rights and interests of each person who was given notice of the proposal under subsection (3).

16 Satisfaction of lien if vehicle sold or retained

An authorized person's lien for fees or charges related to seizing and impounding a vehicle or other conveyance is released and any amount owing under the lien is deemed to be fully satisfied in either of the following circumstances:

- (a) the authorized person sells the vehicle or other conveyance in accordance with these regulations;
- (b) the authorized person retains the vehicle or other conveyance in accordance with Section 15.

17 Effect of disposition on title of vehicle or other conveyance

A purchaser who buys a vehicle or other conveyance in good faith in any of the following ways acquires the vehicle or other conveyance free of the interests of the registered owner, the owner of the vehicle or other conveyance or any person entitled to a notice of intention to sell under Section 9:

- (a) from an authorized person through a sale conducted in accordance with these regulations;
- (b) from an authorized person who retained the vehicle or other conveyance in accordance with Section 15.

18 Notifying Registrar of sale or retention of vehicle or other conveyance

An authorized person must notify the Registrar in writing, in the form and manner prescribed by the Registrar, of the particulars of any sale or retention under these regulations of a vehicle or other conveyance that is registered or requires registration under the Act or the *Off-highway Vehicles Act*.

19 Operator of impound facility's records of sale or retention

- (1) An operator of an impound facility must create a record of each sale or retention of an impounded vehicle or other conveyance that is registered or requires registration under the Act or the *Off-highway Vehicles Act*.
- (2) A record required by subsection (1) must include all of the following information and documentation:
 - (a) the order of impoundment, if any;
 - (b) for a vehicle or other conveyance that is sold or retained in the circumstance prescribed by clause 6(1)(b), the calculation of the fair market value of the vehicle or other conveyance and the amount of the operator's lien at the time of the calculation;
 - (c) for a vehicle or other conveyance that is sold or retained with the consent of the registered owner or the owner of the vehicle or other conveyance, the proof of their consent;
 - (d) for a vehicle or other conveyance that is sold, details of the notice of intention to sell the vehicle or other conveyance;
 - (e) for a vehicle or other conveyance that is retained, details of the proposal to retain the vehicle or other conveyance;
 - (f) for a vehicle or other conveyance that is sold, details of the distribution of the proceeds of the sale;
 - (g) any additional documents required under the Act or regulations relating to the sale or retention of the vehicle or other conveyance.

20 Redemption of vehicle or other conveyance

On payment of the applicable amounts referred to in clause 10(1)(e), the registered owner or the owner of the vehicle or other conveyance may redeem a vehicle or

other conveyance at any time before the authorized person does either of the following:

- (a) sells the vehicle or other conveyance in accordance with these regulations, or contracts for such a sale;
- (b) retains the vehicle or other conveyance in accordance with Section 15.

21 Release of motor vehicle before end of impoundment period

- (1) A person may apply to the Registrar or a peace officer for an order under subsection 263(3) of the Act to release an impounded motor vehicle before the end of the impoundment period provided for in an impoundment order.
- (2) All of the following are prescribed as the circumstances in which the Registrar may order an impounded motor vehicle to be released on receiving an application under subsection (1):
 - (a) the applicant meets both of the following criteria:
 - (i) they carry on the business of renting or selling motor vehicles to the public,
 - (ii) they are the owner of the impounded motor vehicle;
 - (b) the impounded motor vehicle
 - (i) is the subject of a rental agreement and the term of the rental agreement ends before the impoundment period ends, or
 - (ii) at the time it was impounded, was being driven by the applicant's customer who was test driving the vehicle or had been loaned the vehicle temporarily.
- (3) All of the following are prescribed as the circumstances in which a peace officer may order an impounded motor vehicle to be released on receiving an application under subsection (1):
 - (a) the applicant is the owner of the impounded motor vehicle;
 - (b) the motor vehicle was impounded for a contravention of subsection 184(1) of the Act and the peace officer is satisfied that 1 of the following criteria is met:
 - (i) at the time the motor vehicle was impounded, the motor vehicle was stolen,
 - (ii) at the time the motor vehicle was impounded, the driver was in possession of it without the knowledge and consent of the owner, or

- (iii) the owner could not reasonably have known that the vehicle would be operated in the course of committing an offence under subsection 184(1) of the Act.

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Liability of authorized person for non-compliance

An authorized person who fails to comply with these regulations is liable to any person who suffers damages as a result and must pay the person an amount equal to the greater of the following:

- (a) \$200;
- (b) the actual damages.