



**Executive
Council**

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

N.S. Reg. 224/2026

FILED

Date: October 6, 2026

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

2026-344

The Governor in Council on the report and recommendation of the Minister of Public Works dated March 30, 2026, and pursuant to Section 80 of Chapter 20 of the Acts of 2025, the *Traffic Safety Act*, is pleased, effective on and after October 19, 2026, to:

(a) make regulations respecting the powers and duties of peace officers in the form set forth in Schedule "A" attached to and forming part of the Report and Recommendation;
and

(b) make regulations respecting the powers and duties of traffic authorities in the form set forth in Schedule "B" attached to and forming part of the Report and Recommendation.

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 “A”

Regulations Respecting Powers and Duties of a Peace Officer made by the Governor in Council under Section 80 of Chapter 20 of the Acts of 2025, the *Traffic Safety Act*

1 Citation

These regulations may be cited as the *Powers and Duties of Peace Officers Regulations*.

2 Definitions

In these regulations,

“Act” means the *Traffic Safety Act*.

3 Seized documents

- (1) The following are the ways that a document seized by a peace officer under subsection 58(1) of the Act must be dealt with under subsection 58(2) of the Act:
- (a) a document that is seized at the request of the document’s issuer must be returned to the issuer;
 - (b) a document that the peace officer has reason to believe was misused or fraudulently obtained must be returned to the issuer;
 - (c) a document that is suspended or cancelled must be returned to the issuer;
 - (d) a document that is seized as a result of a roadside suspension under Section 72, 74 or 75 of the Act may be
 - (i) destroyed, if the Registrar is notified of the seizure and destruction, or
 - (ii) returned to the Registrar;
 - (e) a document that is seized as a result of a roadside suspension under subsection 79(1) of the Act must be retained by the peace officer and returned to the individual at the end of the suspension period.

- (f) a number plate that has been removed from an abandoned vehicle under subsection (3) must be returned to the Registrar.
- (2) The following are the ways that a document referred to in subsection (1) that is retained by a peace officer for a prosecution under subsection 58(3) of the Act must be dealt with:
 - (a) if the prosecution results in a conviction, the document must be returned to the issuer;
 - (b) if the prosecution does not result in a conviction and the document is still valid, it must be returned to the individual;
 - (c) if the prosecution does not result in a conviction and the document is no longer valid, it must be destroyed.
- (3) A peace officer is authorized to seize the number plate of a vehicle that has been abandoned.

4 Mandatory seizure and impoundment of vehicle or other conveyance

- (1) Each of the following is prescribed as an offence for which a peace officer must seize and arrange for the impoundment of a vehicle or other conveyance as required by clause 63(1)(a) of the Act:
 - (a) driving a vehicle or other conveyance contrary to Section 184 of the Act;
 - (b) driving a motor vehicle or an off-highway vehicle while the driver's driving privilege is suspended or revoked contrary to Section 107 of the Act, if the suspension or revocation was for a violation of the *Criminal Code* (Canada), including an impairment-related offence.
- (2) The period of impoundment of a vehicle or other conveyance seized for an offence prescribed in clause (1)(a) is 1 of the following:
 - (a) 7 days, if the driver of the vehicle has not had a conviction as a result of a contravention of Section 184 of the Act or Section 163 of the former Act at any time within the previous 5 years;
 - (b) 30 days, if the driver of the vehicle has had 1 or more convictions as a result of a contravention of Section 184 of the Act or Section 163 of the former Act at any time within the previous 5 years.
- (3) Subject to subsection (4), the period of impoundment of a motor vehicle or off-highway vehicle seized for an offence prescribed in clause (1)(b) is as follows:
 - (a) 90 days, if an order to impound as a result of a contravention described in clause (1)(b) or under subsection 291A(3) of the former Act has not been made within the previous 10 years with respect to any motor vehicle or off-

highway vehicle owned at the time by the owner of the motor vehicle or off-highway vehicle being impounded;

- (b) 180 days, if an order to impound as a result of a contravention described in clause (1)(b) or under subsection 291A(3) of the former Act has been made within the previous 10 years with respect to any motor vehicle or off-highway vehicle owned at the time by the owner of the motor vehicle or off-highway vehicle being impounded.
- (4) A peace officer who is not able to determine the appropriate period of impoundment for an offence described in clause (1)(b) must indicate on the order of impoundment that the period of impoundment is to be determined by the Registrar.
- (5) The period of impoundment for a vehicle that is seized under clause 63(1)(b) of the Act because its vehicle identification number has been altered, defaced or removed or seized under clause 63(1)(c) of the Act because it is stolen, continues until 1 of the following occurs:
 - (a) the ownership of the vehicle is determined and the vehicle is released to the owner;
 - (b) the person who operates the impound facility deals with the vehicle or other conveyance in accordance with subsection 263(9) of the Act.

5 Discretionary seizure and impoundment of vehicle or other conveyance

- (1) Each of the following is prescribed as an offence for which a vehicle or other conveyance or combination of vehicles or other conveyances used in the commission of the offence may be seized and impounded by a peace officer under clause 64(a) of the Act:
 - (a) an offence under the Act which has been committed using a motor vehicle or off-highway vehicle;
 - (b) an offence under any section of the *Criminal Code* (Canada) having particular relation to motor vehicles, as defined in the *Criminal Code* (Canada).
- (2) Except as provided in subsection (3), a vehicle or other conveyance or combination of vehicles or other conveyances may be seized and impounded for an offence prescribed in subsection (1) that results in a roadside suspension, if both of the following criteria apply:
 - (a) there is no other individual who may lawfully remove the motor vehicle and who is easily available and willing to remove the motor vehicle;
 - (b) the motor vehicle is parked in a manner that impedes traffic on a highway.

- (3) Subsection (2) does not apply to an offence that results in a mandatory seizure and impoundment under Section 4;
- (4) Except as provided in subsection (5), a vehicle or other conveyance seized under subsection (1) may be impounded until 1 of the following occurs:
 - (a) it is claimed by the person in charge of the vehicle or other conveyance;
 - (b) the person who operates the impound facility deals with the vehicle or other conveyance in accordance with subsection 263(9) of the Act.
- (5) A vehicle or other conveyance that is impounded under subsection (1) that is required as evidence in a prosecution of the offence for which it has been seized may be impounded until the final disposition of any prosecution initiated for the offence for which it was seized.

6 Discretionary seizure and impoundment of bicycle or recreational apparatus

- (1) Each of the following is prescribed as an offence for which the specified conveyance may be seized and impounded by a peace officer under clause 64(a) of the Act:
 - (a) driving a bicycle without wearing an approved helmet contrary to subsection 214(1) of the Act;
 - (b) driving a recreational apparatus without wearing an approved helmet contrary to subsection 214(1) of the Act;
- (2) The period of impoundment for a bicycle or recreational apparatus seized for an offence prescribed in subsection (1) is any period, no longer than 30 days, that the peace officer determines to be appropriate in accordance with subsection (3).
- (3) A peace officer must take into account all of the following factors in determining the period of impoundment under subsection (2):
 - (a) the potential effect of the driver's conduct on their own safety or the safety of other users of the road;
 - (b) the seriousness of the offence;
 - (c) the history of the driver's conduct;
 - (d) whether the driver takes responsibility for their conduct.

7 Discretionary seizure and impoundment in other prescribed circumstances

- (1) Each of the following is prescribed as a circumstance in relation to a vehicle or other conveyance, in which the vehicle or other conveyance may be seized and impounded by a peace officer under clause 64(b) of the Act:

- (a) the vehicle or other conveyance is abandoned on a highway;
 - (b) the vehicle or other conveyance is parked, stopped or disabled in a manner that impedes traffic on a highway;
 - (c) the vehicle or other conveyance is parked or left standing on a highway in such a manner that it interferes with or obstructs snow removal or winter maintenance operations;
 - (d) the vehicle or other conveyance is being towed by a vehicle seized under Section 5;
 - (e) the vehicle or other conveyance is parked on a highway
 - (i) in a place where parking is not authorized or is prohibited by the regulations or a municipal bylaw,
 - (ii) in a place where parking is restricted under the regulations or a municipal bylaw, except in compliance with the restrictions, or
 - (iii) in a manner contrary to the regulations.
- (2) The period of impoundment of an abandoned vehicle or other conveyance that is seized under clause (1)(a) continues until 1 of the following occurs:
- (a) the peace officer determines the ownership of the vehicle or other conveyance and orders the release of the vehicle or other conveyance to its owner;
 - (b) the person who operates the impound facility deals with the vehicle or other conveyance in accordance with subsection 263(9) of the Act.
- (3) The period of impoundment of a vehicle or other conveyance that is seized under clauses (1)(b) to (e) continues until 1 of the following occurs:
- (a) it is claimed by the person in charge of the vehicle or other conveyance;
 - (b) the person who operates the impound facility deals with the vehicle or other conveyance in accordance with subsection 263(9) of the Act.

8 Seizure and impoundment of vehicle left standing on private property

The period of impoundment in subsection 7(2) also applies to a vehicle or other conveyance that has been left standing on private property and has been seized by a peace officer under Section 66 of the Act.

9 Order of impoundment requirements

A peace officer who makes an order of impoundment must set out all of the following in the order:

- (a) the name, address and contact information of the impound facility;
- (b) the conditions of release, which may include all of the following:
 - (i) any period of impoundment specified by or determined in accordance with these regulations;
 - (ii) any conditions the peace officer determines must be met in order to remedy the situation that resulted in the seizure and impoundment;
 - (iii) payment of any costs identified under Section 10;
 - (iv) a statement that any costs charged by the impound facility must be paid in order to release the vehicle or other conveyance.

10 Cost recovery after seizure and impoundment

- (1) Except as provided in subsection (2), all of the following are prescribed as costs that a peace officer may recover under Section 63, 64, 65 or 66 of the Act following a seizure and impoundment of a vehicle or other conveyance:
 - (a) the cost of towing or removing any of the following to an impound facility:
 - (i) the vehicle or other conveyance,
 - (ii) any vehicle or other conveyance towed by the seized vehicle or other conveyance described in subclause (i);
 - (b) the cost of removing and storing any personal property or load carried by any of the following:
 - (i) the vehicle or other conveyance,
 - (ii) any vehicle or other conveyance towed by the seized vehicle or other conveyance described in subclause (i);
 - (c) administrative costs associated with the seizure.
- (2) Any costs charged by an impound facility are not included as recoverable costs under subsection (1).

11 Provision of report of impoundment or order of impoundment

- (1) Each of the following is prescribed as a circumstance in which a peace officer carrying out a mandatory seizure and impoundment of a vehicle under subsection 63(1) of the Act is required to give a report to the Registrar under clause 65(1)(a) of the Act:
 - (a) the peace officer is satisfied that the vehicle was driven in the course of committing an offence prescribed in clause 4(1)(b);

- (b) the peace officer is satisfied that the vehicle identification number on the vehicle has been altered, defaced or removed;
 - (c) the peace officer is satisfied that the vehicle is a stolen vehicle.
- (2) Each of the following is prescribed as a person who is required to be provided with an order of impoundment under clause 65(1)(b) of the Act by a peace officer who is seizing and arranging for the impoundment of a vehicle or other conveyance under Section 63, 64, 65 or 66 of the Act:
- (a) the driver of the vehicle or other conveyance being seized and impounded, unless the vehicle or other conveyance is abandoned or stolen;
 - (b) the operator of the impound facility where the vehicle or other conveyance is being impounded.

12 Personal property, load or towed vehicle

- (1) This Section applies to dealing with any personal property, load or vehicle or other conveyance carried by or towed by a seized vehicle or other conveyance under subsection 65(2) of the Act, except if it is required as evidence in a prosecution or in connection with an investigation of an offence under the Act.
- (2) A peace officer who seizes a vehicle or other conveyance must instruct its driver, if located, to remove any vehicle or other conveyance towed by the seized vehicle or other conveyance.
- (3) A peace officer who seizes a vehicle or other conveyance must instruct its driver, if located, to remove any personal property or load carried by any of the following:
- (a) the vehicle or other conveyance;
 - (b) any vehicle or other conveyance towed by the seized vehicle or other conveyance described in clause (a).
- (4) A peace officer may remove, store or dispose of any personal property, load or vehicle or other conveyance towed by a seized vehicle or other conveyance in any of the following circumstances:
- (a) the peace officer is unable to locate the driver;
 - (b) the driver does not remove the personal property, load or vehicle or other conveyance towed by the seized vehicle or other conveyance within a reasonable period of time, as determined by the peace officer;
 - (c) the peace officer is of the opinion that the driver has not made appropriate arrangements for removing any personal property or load that meets any of the following criteria:

- (i) it is perishable,
 - (ii) it constitutes dangerous goods within the meaning of the *Transportation of Dangerous Goods Act* (Canada).
- (5) The removal, storage or disposal of personal property, a load or a vehicle or other conveyance towed by the seized vehicle or other conveyance in accordance with subsection (4) is at the cost and risk of the owner of the seized vehicle or other conveyance.

13 Collision reports under subsection 60(2) of Act

- (1) In this Section,

“fatality” means the death of an individual that occurs

- (i) as a result of a collision, and
- (ii) within 30 days of the collision referred to in subclause (i);

“initial report” means an initial report of a reportable collision that includes the report that a driver or other person is required under Section 223 of the Act to provide to a police officer or police department;

“major injury” means a bodily injury to an individual that occurs as a result of a collision and results in the individual being admitted to hospital, including for the purpose of observation;

“subsequent report” means a report prepared by a police officer about a reportable collision that includes a collision analysis and an accident reconstruction report.

- (2) This Section sets out the information and reports that a peace officer who is a police officer is required to provide to the Registrar or the Provincial Traffic Authority under subsection 60(2) of the Act in relation to a reportable collision.
- (3) A police officer must provide an initial report to the Registrar no later than 48 hours after the later of
 - (a) the time of the collision; and
 - (b) the date that a report made by a driver under Section 223 of the Act is received by the police officer or police department.
- (4) If additional information is received after the initial report is provided or corrections are made to the initial report, a police officer must amend the initial report and provide it to the Registrar no later than 48 hours after the amended report is completed.
- (5) If a major injury or fatality occurs, a police officer must provide a subsequent report to the Provincial Traffic Authority

- (a) no later than 5 business days after the date the subsequent report is completed; and
 - (b) no later than 180 days after the date of the collision.
- (6) The obligations of a police officer under this Section may be carried out by other employees of the police department having jurisdiction over the matter.

14 Compliance orders under Section 61 of Act

- (1) In addition to the driver of a vehicle or other conveyance, as required by subsection 61(2) of the Act, each of the following is prescribed as a person to whom a compliance order made under subsection 61(1) of the Act must be provided:
 - (a) the person in charge of the vehicle or other conveyance;
 - (b) the person in charge's agent, if neither the person in charge nor the driver of the vehicle or other conveyance can be located and the person in charge of the vehicle or other conveyance can be identified.
- (2) Each of the following is a circumstance in which a compliance order made under subsection 61(1) of the Act is permitted to be given orally under subsection 61(3) of the Act:
 - (a) the action ordered will be carried out before the vehicle or other conveyance is driven on the highway;
 - (b) the vehicle's condition does not constitute an imminent safety hazard;
 - (c) the peace officer is not required by Section 15 to report the order to the Registrar.

15 Report of compliance order made under Section 61 of Act

A peace officer who makes a compliance order under subsection 61(1) of the Act with respect to a vehicle must provide a report to the Registrar in any circumstances that affect the vehicle's status or the validity of the vehicle permit or registration.

16 Report of suspension under Section 70 of Act

Each of the following is prescribed as a manner in which a report to the Registrar of a roadside suspension or other submission required by clause 70(1)(b) or (c) of the Act may be provided by a peace officer:

- (a) by facsimile;
- (b) by e-mail;
- (c) by electronic report.

Report of order of suspension under Section 72 of Act

A peace officer who issues an order of suspension under Section 72 of the Act must forward all of the following to the Registrar:

- (a) without delay,
 - (i) a copy of the order,
 - (ii) a report signed by the peace officer,
 - (iii) a copy of a certificate of any analysis of the breath, blood or other bodily substance of the individual suspended by the order;
- (b) on receiving a request from the Registrar, any supplemental information relating to the suspension, including the following:
 - (i) dashcam videos,
 - (ii) videos of interviews with the individual suspended by the order,
 - (iii) witness statements.