

2025, c.6 - An Act Respecting Motorcycle Safety - Summary

Assented to June 6, 2025

His Majesty, by and with the advice and consent of the Legislative Assembly of New Brunswick, enacts as follows:

Powers of Peace Officer

15(1)The Minister and such persons as the Minister may designate are deemed to be peace officers for the purpose of this Act and have the power

- (a) of peace officers for the purpose of enforcing the provisions of this Act and of any other law regulating the operation of vehicles or the use of the highways,
- (b) to arrest in accordance with section 119 of the Provincial Offences Procedure Act a person violating a provision of this Act or any other law regulating the operation of vehicles or the use of highways,
- (c) to direct traffic in conformance with law and in the event of a fire or other emergency or to expedite traffic or to insure safety to direct traffic as conditions may require notwithstanding the provisions of law,
- (d) when on duty, to require the driver of any vehicle to stop and exhibit his licence and the registration certificate for the vehicle and submit to an inspection of such vehicle, and the registration plates and the registration certificate thereon or to an inspection or test of the equipment of such vehicle,
- (e) to inspect any vehicle of a type required to be registered hereunder in any garage other than a private garage or in any repair shop or in any place where such vehicles are held for sale or wrecking, for the purpose of locating stolen vehicles and investigating the registration thereof,
- (f) to serve all warrants relating to the enforcement of the laws regulating the operation of vehicles or the use of the highway,
- (g) to investigate traffic accidents and secure testimony of witnesses or of persons involved, and

(h) to require the driver and any passenger on a motorcycle to remove the helmets and any face coverings they are wearing and submit the helmets for inspection to determine whether the helmets conform with the standards prescribed by regulation.

Attachment of Registration Plates

30(1)A registration plate issued under paragraph 29(1)(a) shall be attached to the vehicle in the rear and registration plates issued under paragraph 29(1)(b) shall be attached to the vehicle, one in the front and the other in the rear.

30(2)A registration plate shall, at all times,

- (a) be securely fastened to the vehicle for which it is issued so as to prevent the plate from swinging,**
- (b) be fastened in a horizontal position at a height of at least 30 cm from the ground measuring from the bottom of the plate,**
- (c) be in a place and position so that the plate is clearly visible, and**
- (d) be maintained free from foreign materials and in a condition so that the plate is clearly legible to a person on the highway in front or in rear of the vehicle.**

Other equipment

212In addition to other equipment required in this Act the following vehicles shall be equipped as herein stated:

- (a) on every bus or truck, whatever its size, there shall be on the rear, two red reflectors, one at each side, and one stop light;

(a.1) on every motorcycle, there shall be a fender, mud flap or other device that effectively reduces the spray or splash of water and the throwing of mud or slush to the rear of the motorcycle;

(b) on every commercial vehicle, semi-trailer or trailer two metres or more in overall width, in addition to the requirements in paragraph (a):

- (i) on the front, two amber clearance lamps, one at each side,
- (ii) on the rear, two red clearance lamps, one at each side,
- (iii) on each side, an amber reflector at or near the front and a red reflector at or near the rear, and

Other equipment, Continued

- (iv) mud flaps mounted immediately behind the rear wheels thereof that effectively reduce spray or splash to the rear of mud, water or slush caused by the rear wheels;
- (c) any commercial vehicle, semi-trailer or trailer may be equipped with the following additional equipment:
 - (i) on the front, three amber identification lamps to be mounted in a row either vertically or horizontally, and
 - (ii) on the back, three red identification lamps to be mounted in a row either vertically or horizontally;
- (d) on every commercial vehicle which has any part of the body of a width greater than the width between the fenders measured from the outer edge thereof, but less than two metres, the equipment required under paragraphs (a) and (b), with the exception that reflectors or reflectorized tape may be used instead of clearance lamps.

Motorcycle Helmet

229(1) No person shall drive a motorcycle or ride as a passenger on a motorcycle unless the person is wearing a helmet that complies with the standards prescribed by regulation and that is securely held in position on the person's head by the straps and fasteners supplied by the manufacturer.

229(2) After coming to a safe stop when requested to do so by a peace officer, the driver of a motorcycle and any passenger on the motorcycle shall, on the request of the peace officer, remove the helmets and any face coverings they are wearing and submit the helmets for inspection by the peace officer to determine whether the helmets conform with the standards prescribed by regulation.

229(3) Any driver or passenger of a motorcycle who refuses to remove their helmet or face covering when requested to do so by a peace officer under subsection (2) commits an offence.

Mirrors

237(1) A motor vehicle shall be equipped with a mirror located and adjusted to reflect to the driver without obstruction by any part of the vehicle or load on the vehicle a view of the highway for a distance of at least 60 m to the rear of the vehicle.

237(2) In addition to complying with the requirements set out in subsection (1), a motorcycle shall be equipped with two mirrors, one on each side of the motorcycle, that are securely attached to the motorcycle.

237(3) The mirrors referred to in subsection (2) shall conform to the version of the Canada Motor Vehicle Safety Standard 111 set out in the Motor Vehicle Safety Regulations made under the Motor Vehicle Safety Act (Canada) that was in effect at the time the motorcycle was manufactured.

Operation of a Motorcycle

199(1) A person operating a motorcycle shall

- (a) keep both hands on the handle bars of the motorcycle, except when giving a signal in accordance with section 163 or 164,**
- (b) keep both feet on the pedals or footrests of the motorcycle,**
- (c) ride in a seated position on the permanent and regular seat attached to the motorcycle,**
- (d) ensure that the handle bars are firmly secured and no higher than the top of their shoulders when sitting on the seat, and**
- (e) not carry any other person on a motorcycle unless the motorcycle is designed to carry a passenger, in which case the driver shall ensure that the passenger rides in a seated position on a permanent and regular seat intended for a passenger or in a sidecar.**

199(2) The driver of a motorcycle on a highway shall not ride abreast another motorcycle except in the act of overtaking and passing.

199(3) The driver of a motorcycle being operated on a laned roadway is entitled to the full and unobstructed use of the lane in which the motorcycle is being operated and no person shall interfere with that use.

199(4) The driver of a motorcycle being operated on a laned roadway shall not attempt to pass another vehicle

- (a) within the lane in which the other vehicle is being operated, or
- (b) on an outer boundary of that lane.