

The Snowmobile Regulations, 1998

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Chapter S-52 Reg 1 (effective February 5, 1998) as amended by Saskatchewan Regulations [88/1999](#), [116/2005](#), [73/2006](#) and [96/2009](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER S-52 REG 1

The Snowmobile Act

Title

1 These regulations may be cited as *The Snowmobile Regulations, 1998*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Snowmobile Act*;
- (b) “**Crown**” means:
 - (i) the Crown in right of Saskatchewan; or
 - (ii) an agent of the Crown in right of Saskatchewan;
- (c) “**province**” includes a province or territory of Canada or a state of the United States of America;
- (d) “**reciprocal agreement**” means an agreement entered into between the trail manager and another province, person or association pursuant to section 6.3.

3 Dec 99 SR 88/1999 s3.

Non-application

3 Subject to *The Occupational Health and Safety Regulations, 1996*, subsection 22(2) of the Act does not apply to the following categories of persons:

- (a) trappers licensed pursuant to *The Wildlife Act, 1997*;
- (b) commercial fishermen as defined in *The Fisheries Act (Saskatchewan) 1994*;
- (c) persons engaged in mineral exploration;
- (d) persons operating snowmobiles on land owned or lawfully occupied by the operator or a member of the operator’s immediate family.

13 Feb 98 cS-52 Reg 1 s3.

Safety course - interpretation

4(1) For the purposes of subsections 15(3) and (4) of the Act, “**safety course**” means a course of instruction that:

- (a) is approved by the administrator;
- (b) is conducted by a qualified snowmobile safety course instructor who:
 - (i) has attended and passed a course of instruction approved by the administrator; and
 - (ii) has maintained the qualifications required by the administrator;

- (c) consists of at least six hours of instruction, including at least one hour of practical instruction that entails the actual operation of a snowmobile; and
 - (d) requires satisfactory completion of a basic skills operation test and a written or oral examination.
- (2) The instructor of a course of instruction described in subsection (1) shall issue a signed certificate or card to each person who attends and passes the course of instruction described in subsection (1).
- (3) A person who is 12 years of age or more but who is not 16 years of age and who is operating a snowmobile that is required by the Act to be registered shall produce his or her certificate or card for inspection at the request of a peace officer.

13 Feb 98 cS-52 Reg 1 s4.

Accompanied and supervised - interpretation

- 5(1) For the purposes of subclause 15(4)(b)(ii) of the Act, “**accompanied and supervised**” means accompanied by a person who is operating or riding on another snowmobile at a distance of not more than 50 metres from, and in the view of, the operator who is being accompanied and supervised.
- (2) No person who is responsible for an operator who is being accompanied and supervised shall accompany and supervise more than one operator who must be accompanied and supervised.

13 Feb 98 cS-52 Reg 1 s5.

Uses

- 6 A snowmobile may be used for any purpose except the transportation of passengers for compensation.

13 Feb 98 cS-52 Reg 1 s6.

Trail permit

- 6.1(1) If a person is required to have a trail permit to operate a snowmobile on a designated trail, the trail permit must be displayed, as high as is practicable, on the exterior front hood on the driver’s left side of the snowmobile.
- (2) Trail permits are not transferable.

3 Dec 99 SR 88/1999 s4; 21 Jly 2006 SR 73/2006 s3.

Exemptions

6.2(1) The following persons are prescribed persons for the purposes of subsection 20.1(2) of the Act:

- (a) a person operating a snowmobile who has the express permission of the land owner or occupier to be on the land;
 - (a.1) a person operating a snowmobile on private land that is owned or lawfully occupied by that person or a member of that person's immediate family;
 - (b) a peace officer;
 - (c) a person engaged in trapping or big game hunting who:
 - (i) is licensed pursuant to *The Wildlife Act, 1997* or the regulations pursuant to that Act;
 - (ii) is operating a snowmobile in the area permitted by the licence; and
 - (iii) produces evidence of the licence;
 - (d) a person engaged in commercial fishing who:
 - (i) is licensed pursuant to *The Fisheries Act (Saskatchewan), 1994* or the regulations pursuant to that Act;
 - (ii) is operating a snowmobile in the area permitted by the licence; and
 - (iii) produces evidence of the licence;
 - (e) an Aboriginal person who has an existing Aboriginal or Treaty right to hunt, fish or trap that is recognized and affirmed by section 35(1) of the *Constitution Act, 1982*, or who has a right to hunt, fish or trap recognized by paragraph 12 of the *Natural Resources Transfer Agreement*, and who is operating a snowmobile while travelling to, from or in the area where he or she intends to exercise or has exercised that right;
 - (f) any person who is ordinarily resident in another province, who is operating a snowmobile on a designated trail in Saskatchewan, who has a trail permit or other similar document for the person's resident jurisdiction and whose jurisdiction has a reciprocal agreement with Saskatchewan with respect to the use of designated trails;
 - (g) an employee of the Crown who is operating a snowmobile in the course of his or her employment or official duties;
 - (h) a person who crosses a trail by the most direct and shortest route available.
- (2) Nothing in these regulations is intended to enlarge, expand or extend the existing Aboriginal and Treaty rights to hunt, fish or trap that are recognized and affirmed by section 35(1) of the *Constitution Act, 1982* or the rights to hunt, fish or trap that are recognized by paragraph 12 of the *Natural Resources Transfer Agreement*.

Designated trails

6.21(1) Subject to subsections (2) to (6), the trail manager shall designate trails by causing signs to be erected along the designated trail and the lands affected by the designation to sufficiently identify the designated trails.

(2) The trail manager shall not designate any areas of land as a designated trail on Crown land or private land without the written consent of the Crown or the person entitled to withhold consent with respect to the land, as the case may be.

(3) If the trail manager designates or alters the course of a designated trail pursuant to subsection (1) or (6), the trail manager shall, as soon as is practicable after the designation or alteration, make an updated copy of a complete map of the designated trails available during regular business hours for public inspection at the office of the trail manager.

(4) Signs erected pursuant to subsection (1) or (6) must comply with the requirements of subsection 20.5(2) of the Act and these regulations.

(5) A person may withdraw the person's consent to having the person's land designated as a designated trail by providing the trail manager with 30 days' written notice.

(6) On receipt of the person's written notice of withdrawal of the person's consent to have the person's land designated as a designated trail, the trail manager shall revoke the designation of that person's land as a designated trail:

- (a) by removing all signs on that person's land identifying that land as part of the designated trail; and
- (b) by causing signs to be erected that indicate:
 - (i) that the land is no longer designated as a designated trail; and
 - (ii) that travel on the land is no longer permitted without the permission of the owner of the land.

21 Jly 2006 SR 73/2006 s5.

Reciprocity

6.3 The trail manager may enter into a reciprocal agreement with the government of any province or any person, agency, organization, association, enterprise, institution or body inside or outside Saskatchewan for the purpose of exempting a person who is ordinarily a resident in another province from the provisions of subsection 20.1(1) of the Act.

3 Dec 99 SR 88/1999 s4.

Authorization

6.4 The trail manager shall obtain all authorizations necessary to construct, designate, alter or improve a trail on Crown or private land.

3 Dec 99 SR 88/1999 s4.

Trail Manager's responsibilities

6.5 If permission for a trail on a person's land is obtained, the trail manager must:

- (a) construct, alter or improve a trail as mutually agreed on between the trail manager and the landowner or occupier;
- (b) ensure that all reasonable and lawful instructions required by the occupier or landowner to mitigate or eliminate any environmental effects on the land during the construction, alteration or improvement of a trail are carried out in accordance with the occupier's or landowner's instructions; and
- (c) comply with the requirements of all other applicable Acts and regulations.

3 Dec 99 SR 88/1999 s4.

Responsibilities, tasks and duties of the trail manager

6.51 The trail manager shall carry out the following responsibilities, tasks and duties:

- (a) the general supervision, construction, establishment, maintenance, administration, control and operation of the designated trails;
- (b) the printing and sale of trail permits if required on designated trails;
- (c) the distribution of moneys in the fund based on any established allocation criteria for the use of the moneys in the fund as set out in these regulations or pursuant to any agreement with the minister.

21 Jly 2006 SR 73/2006 s6.

Insurance requirements

6.6(1) For the purposes section 20.6 of the Act, the prescribed minimum amount of liability insurance that the trail manager must carry is \$3,000,000.

(2) The liability insurance described in subsection (1) must provide liability insurance coverage for the following persons:

- (a) the trail manager;
- (b) the trail manager's agents and employees;
- (c) all landowners or occupiers who consent to the construction of a designated trail on their land.

3 Dec 99 SR 88/1999 s4.

Certificates of registration and registration permits

6.7(1) In this section and section 6.8, “**snowmobile year**” means the period commencing on July 1 in one year and ending on June 30 in the following year.

(2) The administrator may issue a certificate of registration or registration permit for a snowmobile to a person if that person:

- (a) meets the requirements of the Act and these regulations; and
- (b) pays the fee prescribed by section 6.8.

(3) The administrator may issue a certificate of registration for a snowmobile for any period that is:

- (a) at least 89 days; and
- (b) not greater than 365 days.

(4) Unless it is otherwise cancelled, revoked, suspended or expired pursuant to the Act or these regulations, a certificate of registration expires on the date set out on the certificate of registration.

(5) The administrator may authorize the holder of a valid certificate of registration to transfer that certificate of registration to another snowmobile owned by that holder.

(6) Unless it is otherwise cancelled, revoked, suspended or expired pursuant to the Act or these regulations, a registration permit expires 24 hours after it is issued.

10 Nov 2005 SR 116/2005 s2.

Fees

6.8(1) Subject to subsections (2) and (3), a person shall pay the following fees:

- (a) for a certificate of registration for a snowmobile, \$70;
- (b) in the case of a dealer, for a certificate of registration issued to the dealer for a snowmobile, \$70;
- (c) for a registration permit for a snowmobile, \$15.

(2) The holder of a certificate of registration is not required to pay any additional fee pursuant to subsection (1) to transfer a valid certificate of registration from one snowmobile to another snowmobile owned by the holder.

- (3) A person is not required to pay a fee pursuant to subsection (1) for a certificate of registration for a snowmobile if:
- (a) the person held a previous certificate of registration for the snowmobile; and
 - (b) the person is applying in the same snowmobile year that the previous certificate of registration was issued in for a new certificate of registration for:
 - (i) the snowmobile; or
 - (ii) another snowmobile acquired by the person to replace the snowmobile.
- (4) The holder of a certificate of registration or registration permit is not entitled to any refund of a fee paid pursuant to subsection (1) if the holder's certificate of registration or registration permit is cancelled, suspended or revoked pursuant to the Act or these regulations.

10 Nov 2005 SR 116/2005 s2; 6 Nov 2009
SR 96/2009 s2.

Saskatchewan Snowmobile Fund

6.9(1) The trail manager shall administer the fund.

- (2) The fund consists of:
- (a) all moneys collected by the trail manager from the sale of trail permits;
 - (b) any moneys acquired through gift, donation, grant, bequest, agreement or contribution received for the purposes of the fund; and
 - (c) any income and earnings from investments of the fund.
- (3) The trail manager may use moneys in the fund only for the following purposes:
- (a) to pay all reasonable expenses necessarily incurred by the trail manager or the trail manager's agent in the exercise of the trail manager's responsibilities pursuant to this Act or the regulations, including:
 - (i) expenses incurred in the designation, supervision, construction, establishment, maintenance, administration, control and operation of the designated trails;
 - (ii) expenses incurred in the administration of the fund;
 - (iii) equipment costs associated with the construction, establishment and maintenance of designated trails; and
 - (iv) insurance costs pursuant to section 20.6 of the Act;
 - (b) to fund snowmobile safety programs;
 - (c) to fund any other expense or category of expenses otherwise prescribed in these regulations or pursuant to any agreement between the trail manager and the minister.

- (4) The trail manager:
- (a) is responsible for the management and distribution of the moneys in the fund;
 - (b) may invest any moneys in the fund that is not presently required for the purposes of the fund in any investment authorized pursuant to *The Financial Administration Act, 1993* as investments for the general revenue fund; and
 - (c) may dispose of investments in any manner and on any terms that the trail manager considers appropriate.

21 Jly 2006 SR 73/2006 s6.

Winding up

- 6.91(1)** The minister may cause the fund to be wound up at any time if the minister decides that it is no longer in the public interest to designate a trail manager.
- (2) Any assets remaining in the fund at the time it is wound up are to be applied in the following manner:
- (a) first, to discharge all liabilities of the trail manager incurred in the discharge of the trail manager's responsibilities pursuant to the Act and regulations as of the date of the minister's order winding up the fund; and
 - (b) second, any surplus remaining after discharging the liabilities mentioned in clause (a) to the general revenue fund.
- (3) Notwithstanding subsection (2), if the assets in the fund are not sufficient to discharge the trail manager's liabilities in full, the assets of the fund are to be distributed among the trail manager's creditors *pro rata* in accordance with the respective admitted claims of the creditors.

21 Jly 2006 SR 73/2006 s6.

Sask. Reg. 274/74 repealed

- 7** The Snowmobile Regulations are repealed.

13 Feb 98 cS-52 Reg 1 s7.