



Province of Alberta

EMERGENCY HEALTH SERVICES ACT

**LICENSING AND AMBULANCE
MAINTENANCE REGULATION**

Alberta Regulation 46/1999

With amendments up to and including Alberta Regulation 38/2018

Office Consolidation

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(Consolidated up to 38/2018)

ALBERTA REGULATION 46/99

Emergency Health Services Act

LICENSING AND AMBULANCE MAINTENANCE REGULATION

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Definitions

1 In this Regulation,

- (a) “Act” means the *Ambulance Services Act*;
- (b) “licence” means a licence to provide ambulance services;
- (c) “maintenance program” means a written maintenance program, approved by the Registrar, that provides for a continuous and regular program of inspection, maintenance and repair of the ambulances and equipment that are or will be used by an operator to provide ambulance services.

Licensing

Application for licence

2(1) A person wishing to obtain or to renew a licence must submit an application to the Registrar in the form prescribed by the Minister.

(2) An application for a licence must include the following:

- (a) a description of the ambulances to be used in providing ambulance services;
- (b) a description of the level and type of ambulance services to be provided;
- (c) a maintenance program that is approved by the Registrar;
- (d) any other information required by the Registrar.

(3) An application for a renewal of a licence must include the following:

- (a) whether any ambulance has been added to or dropped from the operator’s ambulance services;
- (b) any proposed changes to the level and type of ambulance services to be provided;
- (c) any changes in the maintenance program that are approved by the Registrar;

- (d) any other information required by the Registrar.

Inspection

3 Before issuing or renewing a licence or at any other reasonable time, the Registrar may inspect or cause to be inspected the equipment and premises of the applicant or operator, including

- (a) the premises from which the ambulance service operates or will operate,
- (b) the ambulances and the equipment, supplies and other items related to the ambulance service,
- (c) the qualifications of the ambulance attendants who are providing or will provide the ambulance service, and
- (d) all records kept by the applicant or operator.

Levels of service

4(1) A licence must specify which of the following levels of ambulance services as described in the *Staff, Vehicle and Equipment Regulation* the operator is authorized to provide:

- (a) emergency medical responder level;
- (b) basic life support level;
- (c) advanced life support level.

(2) An operator may provide only the level or levels of ambulance services specified in the operator's licence.

Display of licence

5 Every operator must display the operator's licence

- (a) in such a manner that it is protected by a transparent material, and
- (b) in a place that is accessible to the public at the main premises of the operator from which the ambulance service is operated.

Term of licence

6 A licence is valid for a period of 3 years from the date of its issue or for a shorter period as specified by the Registrar on the licence.

Suspension or cancellation by Registrar

7(1) Repealed AR 76/2009 s20.

(2) The Registrar may cancel a licence if

- (a) repealed AR 76/2009 s20;
- (b) the operator stops providing ambulance services in the area of Alberta described in the licence.

(3) If a licence is suspended or cancelled, the operator must return the licence to the Registrar immediately.

(4) A licence is at all times the property of the Crown in right of Alberta and is subject to the control of the Registrar.

AR 46/99 s7;76/2009

Ambulance Unit Numbers

Ambulance unit numbers

8(1) An operator may use or permit the use of an ambulance only if that ambulance

- (a) is approved by the Registrar for regular use, and
- (b) is given a unit number by the Registrar.

(2) An operator may apply to the Registrar at any time for a unit number for an ambulance that will be used in providing ambulance services.

(3) The Registrar may inspect an ambulance or cause it to be inspected on receipt of an application for a unit number under subsection (2).

(4) If the ambulance complies with the regulations under the Act, the Registrar may provide the operator with a unit number for the ambulance.

(5) Despite subsection (1), the Registrar may authorize an operator to use or permit the use of an ambulance that does not have a unit number in the situations specified by the Registrar.

Operator's Duties

Vehicle insurance

9 An operator must maintain, in respect of an ambulance used in the provision of ambulance services, automobile insurance that includes an endorsement giving the operator permission to carry passengers for compensation and that insures, to a limit in respect

of each accident of not less than \$2 000 000 exclusive of interest and costs, against liability resulting from bodily injury to or the death of one or more persons and loss of or damage to property.

Malpractice insurance

10 An operator must maintain malpractice insurance under which

- (a) the operator and each ambulance attendant engaged by the operator are insured against liability for personal injury resulting from negligent acts or omissions in carrying out their duties,
- (b) the minimum liability for which the operator and each ambulance attendant is insured is \$1 000 000 for each negligent act or omission, and
- (c) the policy includes an annual aggregate limit of at least \$3 000 000.

11 Repealed AR 76/2009 s20.

Telephone access

12 An operator must ensure that

- (a) the public can call for ambulance services through a dedicated telephone line on a 24-hour a day basis, and
- (b) the emergency telephone number for the ambulance services is listed and advertised in the telephone directories for the area in which the services are provided by the operator.

Dispatch centres

12.1 Effective March 31, 2011, every dispatch centre must be equipped with the following:

- (a) an uninterrupted power supply;
- (b) a back-up generator;
- (c) a broadband connection;
- (d) the capacity to record all incoming and outgoing communications related to the provision of dispatch services.

AR 76/2009 s18

Alternate use of ambulance

13(1) An operator may not permit an ambulance to be used for any purpose other than the provision of ambulance services.

(2) Subsection (1) does not apply to an operator's permitting an ambulance to be used to transport medication, medical appliances, blood, blood products, human tissue or other medically necessary items, human organs or a dead human body if the operator ensures that another ambulance is available to provide ambulance services.

Provision of reports, etc.

14(1) An operator must, in accordance with a request by the Registrar, provide the Registrar with reports, returns or other information in the operator's possession or under the operator's control that are relevant to the provision of ambulance services.

(2) Reports, returns and other information provided under subsection (1) are to be treated as having been supplied in confidence.

Ambulance Attendants

Prohibition

15(1) No person may provide or attempt to provide ambulance services as an ambulance attendant

- (a) while the person has a physical disability that might make the person unable to meet the physical requirements expected of an ambulance attendant,
- (b) within 8 hours after the person consumes an alcoholic beverage,
- (c) while the person is under the influence of alcohol, and the person's faculties are affected in such a way that the safety of a patient or any other person is endangered in any way, or
- (d) while the person is using a drug that affects the person's faculties in such a way that the safety of a patient or any other person is endangered in any way.

(2) No operator may permit an ambulance attendant to respond to a call for ambulance services if the ambulance attendant falls within any of the situations described in subsection (1)(a) to (d).

Ambulance Maintenance

Maintenance program

16 An operator must follow the operator's maintenance program and must ensure that all ambulance attendants and vehicle maintenance personnel

- (a) are informed of the maintenance program, and
- (b) are familiar with its requirements.

Semi-annual inspection

17 An operator must ensure that inspections for roadworthiness are carried out on the operator's ambulances at least once every 180 days by a person who is a certified journeyman in the automotive service technician trade under the *Apprenticeship and Industry Training Act*.

Notification of defects

18 An operator must ensure that an ambulance attendant who becomes aware of a defect that may affect the safe operation of any of the operator's ambulances or ambulances' equipment immediately notifies the operator or the operator's designate of the defect.

Duty to repair

19 When an operator or any of the operator's staff becomes aware of a defect in one of the operator's ambulances or receives a notice of defect from a manufacturer, distributor or importer under the *Motor Vehicle Safety Act (Canada)* concerning one of the operator's ambulances, the operator must ensure that the ambulance is, as soon as is reasonably possible, repaired or otherwise modified in accordance with instructions, if any, provided by the manufacturer so that the ambulance may be operated safely.

Replacement parts

20 Every operator and every person who repairs an ambulance must ensure that replacement parts used in the repair of the operator's ambulances

- (a) are designed for the particular purpose for which they are used, and
- (b) are installed in accordance with the manufacturer's instructions.

Records

21 An operator must keep the following records in respect of each of the operator's ambulances:

- (a) an identification of the ambulance, including
 - (i) the unit number that has been assigned to it by the Registrar,
 - (ii) the manufacture and model number of the chassis,
 - (iii) the year of manufacture of the chassis, and
 - (iv) the vehicle identification number;
- (b) a record of the inspection, repair, lubrication and maintenance of the ambulance, including
 - (i) the nature of the inspection or work performed on it,
 - (ii) the date on which the inspection or work took place and the odometer reading of the ambulance at that time, and
 - (iii) the name of the person who carried out the inspection, repair or maintenance;
- (c) any notification by an ambulance attendant under section 18 or notice of defect referred to in section 19 received with respect to the ambulance or the ambulance's equipment and the corrective work done as a result of the notification or notice.

Maintenance of records

22(1) Subject to subsection (2), an operator must retain records referred to in section 21 for a period of 5 calendar years after the calendar year in which they are recorded or for a shorter period approved by the Registrar.

(2) An operator must provide the record referred to in section 21(b) prepared in respect of an ambulance to a person who buys the ambulance or who receives the ambulance in trade.

(3) When an operator is required to retain records under subsection (1), the records must be kept or made available at the operator's main place of business in Alberta.

Repeal, Expiry and Coming into Force

Repeal

23 The *Licensing Regulation* (AR 3/94) and the *Ambulance Maintenance Regulation* (AR 2/94) are repealed.

Expiry

24 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on March 31, 2021.

AR 46/99 s24;3/2004;19/2007;76/2009;21/2010;10/2011;
8/2013;21/2014;44/2016;38/2018

Coming into force

25 This Regulation comes into force on March 1, 1999.



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