

Closing the License Plate Cover Gap in New Brunswick

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Jurisdiction: New Brunswick, *Motor Vehicle Act*, RSNB 1973, c M-17

Campaign: #MissionPlateCovers **Status:** Draft for discussion; citations checked 1 October 2026

1. Summary

New Brunswick already regulates plate visibility in two ways. Section 30(2) applies a general legibility test. Section 68.1, added in 2021, applies an outcome test tied to image-capturing enforcement systems. Neither names plate covers, shields or frames, so enforcement depends on arguing legibility case by case.

This memo recommends a short, express amendment that names covers and overlays, **building on ss. 30(2) and 68.1 rather than replacing them.**

2. What the law says today

Provision	Effect
s. 30(2)	A plate must at all times be securely fastened, positioned so it is "clearly visible," "maintained free from foreign materials," and in a condition to be "clearly legible" to a person in front of or behind the vehicle.
s. 68	No operating a registered vehicle unless the issued plate is attached and displayed as required by s. 30.
s. 68.1	No operating a vehicle if a plate, or any portion of it, is obscured in any manner that prevents or is capable of preventing an image-capturing enforcement system from accurately capturing the plate or any of its characters.
s. 70	Offences for altering plates or displaying fictitious plates.
s. 15(1)(d)	Persons deemed peace officers under s. 15 may, when on duty, require a driver to stop and submit the vehicle and its registration plates to inspection.

Registration stickers are no longer required as of 1 April 2026, so new text should not rely on validation decals.

3. The gap

- Section 68.1 is limited to image-capturing enforcement systems.** It covers only systems provided for by regulation (see Reg. 2024-33). It does not obviously reach a cover that frustrates a patrol officer, a witness or a different camera system.
- Section 30(2) turns on legibility.** A defendant can argue that a clear cover leaves the plate legible. Ontario shows how a court can read a similar test by its purpose: in *R. v. Cabeldu*, 2016 ONCJ 756, the charge was dismissed because dealer covers hiding only promotional wording did not obstruct the numbers or validation sticker, which the court treated as the section's purpose. As summarized, the same decision noted that obstruction charges in that court had mostly involved tinted covers over the whole plate.
- Frames and borders** that hide the jurisdiction name are not addressed expressly.

4. How other jurisdictions handle it

- **Ontario:** *Highway Traffic Act*, s. 13(2) requires the plate to be kept free from dirt and obstruction and plainly visible, and ss. 13(3), (3.0.1) and (3.1) bar devices that prevent the plate being photographed by speed-enforcement, red-light or toll systems. That structure resembles New Brunswick's ss. 30(2) and 68.1. The Ontario Association of Chiefs of Police approved Resolution 2015-02 (June 2015) asking government to amend s. 13 and to prohibit any attachments to the licence plate, citing glare in camera images, dirt trapped behind covers, and obstruction of the jurisdiction name.
- **Alberta:** The *Operator Licensing and Vehicle Control Regulation*, Alta Reg 320/2002, s. 71(1) provides that no person shall drive a vehicle if the licence plate is not securely attached, legible and clearly visible at all times. Calgary police have said covers contravene that rule, and a \$155 fine was reported in 2020.

Neither jurisdiction has an express absolute ban. Adopting one would take New Brunswick further than those provinces, so it should be presented as a policy choice rather than harmonization.

5. Proposed amendment (for Legislative Counsel to refine)

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

Add after subsection 30(2) of the *Motor Vehicle Act*:

30(2.1) No person shall operate a vehicle on a highway if a registration plate required to be displayed under this Act is covered or overlaid, in whole or in part, by a cover, shield, film, coating or other material, whether or not the material is transparent.

30(2.2) No person shall operate a vehicle on a highway if a frame or other attachment on a registration plate obscures any of the registration characters or the jurisdiction name.

30(2.3) A peace officer who finds a vehicle in contravention of subsection (2.1) or (2.2) may require the driver or registered owner to remove the cover, film or attachment.

Penalty: Use the existing offence and penalty provisions of the Act and the offence-category scheme in the *Provincial Offences Procedure Act*, s. 56 (for example, a category C offence carries a judge-imposed fine of \$140 to \$1,100). The correct category and ticket amount must be confirmed with the Department before any figure is stated.

Commencement: On assent, or on a date set by proclamation if a public-notice period is wanted.

6. Policy options

- **Option A (recommended): express ban on covers, plus a frame rule.** Clearest for officers and drivers, and removes the "transparent cover" argument.
- **Option B: amend s. 68.1 only**, extending it beyond regulated image-capturing systems to any obstruction that impairs identification. Narrower, and keeps the outcome-based approach.
- **Option C: no change**, with enforcement guidance and public education on existing ss. 30(2) and 68.1.

The case that covers cause glare and trap debris rests on police-association reasoning (OACP, above). Claims about specific infrared wavelengths or optical-character-recognition failure rates should be added only with verified, peer-reviewed sources.

AI disclosure: Drafted with AI assistance. Statutory text was checked on 1 October 2026 against the New Brunswick Acts and Regulations site.

7. Sources checked

1. *Motor Vehicle Act*, RSNB 1973, c M-17 (ss. 15, 30, 68, 68.1, 70): <https://laws.gnb.ca/en/document/cs/m-17>
2. *Provincial Offences Procedure Act*, SNB 1987, c P-22.1, s. 56:
<https://www.canlii.org/en/nb/laws/stat/snb-1987-c-p-22.1/latest/snb-1987-c-p-22.1.html>
3. Service New Brunswick, motor vehicle registration (stickers no longer required from 1 April 2026):
<https://www.gnb.ca/en/topic/driving-transportation/registration-inspection/motor-vehicle-registration.html>
4. Ontario Association of Chiefs of Police, Resolution 2015-02, Licence Plate Covers and Frames:
<https://www.oacp.ca/en/about-us/resources/Resolution%202015-02.pdf>
5. *Highway Traffic Act*, RSO 1990, c H.8, s. 13, and *R. v. Cabeldu*, 2016 ONCJ 756 (statute text and case excerpts as quoted by a paralegal firm; the case itself to be read on CanLII): <https://whiteowl.legal/EN/traffic-tickets/minor-charges/vehicle-plate-visibility>
6. CBC News, "Your plastic licence plate cover could net you a \$155 fine in Alberta":
<https://www.cbc.ca/news/canada/calgary/licence-plate-covers-1.5482977>
7. *Operator Licensing and Vehicle Control Regulation*, Alta Reg 320/2002, s. 71(1):
<https://www.canlii.org/en/ab/laws/regu/alta-reg-320-2002/latest/alta-reg-320-2002.html>