**Background**

The HTA currently defines a RBM as follows:

“road-building machine” means a self-propelled vehicle of a design commonly used in the construction or maintenance of highways, including but not limited to,

(a) asphalt spreaders, concrete paving or finishing machines, motor graders, rollers, tractor-dozers and motor scrapers,

(b) tracked and wheeled tractors of all kinds while equipped with mowers, post-hole diggers, compactors, weed spraying equipment, snow blowers and snow plows, front-end loaders, back-hoes or rock drills, and

(c) power shovels on tracks and drag lines on tracks,but not including a commercial motor vehicle.

By definition an RBM is exempt from the following:

* Vehicle permits (licence plates and registration);
* Driver’s licence, although a minimum age of 16 is required to operate;
* Federal manufacturing standards;
* Vehicle equipment including tire requirements, brakes, vehicle configuration;
* Safety inspections;
* Drive Clean;
* Speed limit (they are however, subject to street racing and stunt driving penalties);
* Commercial Vehicle Operators’ Registration (CVOR);
* Seat belt requirements;
* Vehicle insurance; and
* Fuel tax (they are permitted to use ‘purple” fuel).

RBMs were originally introduced into the HTA in 1949 defined as a self-propelled vehicle designed and used primarily in connection with the building or maintaining of highways and not designed or used for carrying a load. The original intent for excluding RBMs from the definitions of ‘motor vehicle’ was because they were not manufactured to, nor could they meet federal manufacturing safety standards for vehicles operating on a highway (e.g. tires, lights). Their exclusion from certain HTA requirements was considered reasonable at the time because they operated at low speeds on the roadway/shoulder during highway construction or maintenance.

Over the years, the types of vehicles being used has broadened to include vehicles that are built on truck chassis and are not used exclusively for road building. As a result of this evolution, MTO is reviewing the legislation and potentially creating a new definition that clearly distinguishes between what are traditional types of road-building machines purpose built to operate only on construction and maintenance rights of way and those that are built on truck chassis and able to operate at highway speeds, meet federal manufacturing safety standards for vehicles and are for multi-purpose use.