

## Extended Summary Ontario Regulation 316/03 Proposed Amendments

### **Additional Background:**

Off-Road Vehicle (ORV): is a general term used to capture a number of different vehicles designed for off-road such as All-Terrain Vehicles, Two-Up ATVs, Recreational Off Highway Vehicles and Utility Terrain Vehicles. While most ORVs are permitted to ride off-road i.e trails, crown land, only certain ORVs that are able to meet the industry requirements outlined in Ontario Regulation 316/03 are permitted to ride along provincial roads and municipal roads if permitted by by-law.

*Examples of ORVs currently permitted on-road (conventional four wheeled types):*



Examples of these vehicles, and more detailed definitions, can be found in this [Ministry guide](#).

*Examples of ORVs not permitted on-road:*



(ARGO)

(Off-Road Motorcycles)

### **Additional Details/Context on Proposal:**

On-road access for off-road vehicles has been permitted since 2003, however, when it was originally permitted, the access was limited to only traditional, single person all terrain vehicles (ATV). In 2015, Ontario expanded on-road access to additional types of off-road vehicles, such as two-up ATVs, side-by-side ORVs, recreational off-highway vehicles, and utility-terrain vehicles that met specific off-highway industry standards that are found in s.10 of [Ontario Regulation 316/03](#). These ORVs are permitted on certain provincial roadways ([Schedule B - Ontario Regulation 316/03](#)) and municipal roadways where a by-law permits their use.

Riders and manufactures who were not included as part of these changes have been requesting on-road access. Off-road motorcycles (ORMs) and ARGOS (An amphibious off-road vehicle that has 6+ wheels) are examples of vehicle types which are not permitted on-road anywhere in the province as they do not meet industry standards.

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They are restricted to off-road use only. Riders of these vehicles can still ride on trails, private property and can cross a public road where permitted. However, in some cases a connecting trail maybe more than a kilometer away and across a roadway. This prevents an off-road motorcycle or ARGO, from accessing the total trail network.

In response to these concerns, and to support local economies, on December 10<sup>th</sup>, 2019 the [\*Better for People and Smarter for Business Act\*](#) amended the HTA to permit additional types of ORVs on-road access if permitted by a municipal by-law. The Ministry is working to develop supporting regulations that will address such things as what equipment requirements these vehicles will need to meet, on which roads they will be permitted and under what circumstances can municipalities create by-laws.

In summary, the supporting regulatory changes will make two amendments to [Ontario Regulation 316/03](#):

- Expand the existing municipal authority in [Ontario Regulation 316/03](#) so that they can create by-laws to permit additional types of ORVs on-road. A by-law would need to be created after the regulation takes effect to enable these additional types.
- Find comparable alternatives to the current restrictions in [Ontario Regulation 316/03](#) that prevent additional types of off-road vehicles from being able to operate such as the existing equipment requirements in s.7-15 of

To allow these vehicles on-road the ministry will need to develop equipment requirements comparable to those listed in Ontario Regulation 316/03 for these vehicles. The standards currently in O.Reg 316/03 only apply to 4 wheeled ATVs. The Ministry of Transportation will continue to work with industry to develop these equipment requirements.

We invite you to submit comments on this proposal and to provide MTO with any possible comparable safety standards ORMs and ARGOS should meet for MTO's consideration.

### Links:

#### **Recent Legislative amendments:**

Better for People Smarter for Business Act: [https://www.ola.org/sites/default/files/node-files/bill/document/pdf/2019/2019-12/b132ra\\_e.pdf](https://www.ola.org/sites/default/files/node-files/bill/document/pdf/2019/2019-12/b132ra_e.pdf)

#### **Background resources on current framework:**

MTO - Drive an ATV: <http://www.mto.gov.on.ca/english/driver/drive-ATV.shtml>

Smart Ride Safe Ride Resource Booklet:  
<http://www.mto.gov.on.ca/english/publications/pdfs/smart-ride-safe-ride-bilingual.pdf>

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### **Regulation affected:**

Ontario Regulation 316/03: <https://www.ontario.ca/laws/regulation/030316>