

July 10, 2020

Dear Municipal Stakeholder,

I am pleased to announce that as of **July 1, 2020** the province expanded the types of off-road vehicles permitted on-road to two new additional types: off-road motorcycles commonly known as dirt bikes; and, extreme terrain vehicles, which are semi-amphibious vehicles with six or more wheels. This updated regulation can be found at <https://www.ontario.ca/laws/regulation/030316>.

It is important to note that the same on-road access rules for existing off-road vehicles continue to apply for these new vehicles on provincial roadways (Please see Schedule B of *Ontario Regulation 316/03: Operation of Off-Road Vehicles on Highways*). Similarly to the previously permitted vehicle types, municipalities may permit the use of off-road motorcycles and extreme terrain vehicles in their local jurisdiction through by-law. However, municipalities with existing by-laws permitting off-road vehicles will need to amend their by-law after July 1, 2020 if they want to allow these the new types of vehicles on their local roads. By-laws created before July 1, 2020 apply only to those classes of off-road vehicle which were permitted to operate on-road at the time: all-terrain vehicles, two-up all-terrain vehicles, and side by sides (utility terrain-vehicles, recreational off highway vehicles).

To support municipalities with these changes, the ministry has developed guidance documents to help municipalities decide whether to permit these new vehicles on their local roadways. These documents also provide guidance for proposed, yet to be proclaimed, changes for municipalities listed in Ontario Regulation 8/03 which will amend the way off-road vehicles are permitted on-road access to municipal roads. In municipalities listed in Ontario Regulation 8/03, off-road vehicles will automatically be allowed on municipal roads unless the municipality creates a by-law to prohibit or restrict their use. These new provisions have a target implementation date of January 1, 2021 and will replace the current requirement that those municipalities listed in Ontario Regulation 8/03 must enact a by-law to permit off-road vehicles to operate on identified municipal roads. If you have any questions regarding these future changes, please contact the general inquiry line for the Safety and Information Management office of the Operations Division at 905-704-2960.

For reference, the guidance documents are attached.

I would ask that you please forward this notice and enclosed guidance material to the attention of municipal staff in charge of traffic safety and those responsible for enforcing off-road vehicle laws in your area. If there are any questions regarding these amendments, please do not hesitate to contact the Acting Manager at the Safety Program Development Office Erik Thomsen at (647)-638-5210 or erik.thomsen@ontario.ca.

Thank you for your assistance in communicating this change.

Sincerely,







A handwritten signature in black ink, appearing to read "Angela Litrenta". The script is cursive and fluid.

Angela Litrenta
A/Director
Safety Program Development Branch
Ministry of Transportation

Attachment – Municipal Guidance Materials

Additional Off-road Vehicles Allowed On-road

Effective July 1, 2020, the Ministry of Transportation (MTO) is making changes to add off-road motorcycles (ORM) and extreme terrain vehicles (XTV) to the existing list of off-road vehicles (ORV) permitted on-road. These two new ORV types will be in addition to the currently permitted 4 wheeled ORV types.

Municipal Considerations	<p>Municipalities will continue to have the authority and make decisions about ORVs by way of by-law to:</p> <ul style="list-style-type: none">▶ Permit ORVs▶ Only allow specific ORVs on road▶ Only allow ORVs at specific hours of the day▶ Impose additional speed limits <p>ORV is a general term used to capture several different vehicles designed for off-road, however, only certain off-road vehicles that meet the requirements in Ontario Regulation 316/03 are permitted on-road:</p>	
All-Terrain Vehicles	<p>“A “single-rider” all-terrain vehicle (ATV) is designed to travel on four low-pressure tires, having a seat designed to be straddled by the operator, handlebars for steering control and it must be designed by the manufacturer to carry a driver only and no passengers.</p> <p>A two-up ATV is designed and intended for use by an operator or an operator and a passenger. It is equipped with straddle-style seating and designed to carry only one passenger.</p>	 
Side-by-Sides	<p>A recreational off-highway vehicle (ROV) has two abreast seats, typically built with a hood, and uses a steering wheel instead of a motorcycle steering handlebar.</p> <p>A utility terrain vehicle (UTV) has similar characteristics to an ROV but typically also features a box bed. UTVs are generally designed for utility rather than for recreational purposes.</p>	 
New Off-Road Vehicle Types	<p>Extreme Terrain Vehicles (XTVs), commonly referred to as Argos are 6+ wheeled off-road vehicles capable of riding in multiple terrains, including through water. These vehicles sometimes come with tracks, however, tracked versions are not being permitted on road and are restricted to off-road use only.</p> <p>Off-Road Motorcycles (ORMs) are 2 wheeled off-road vehicles that come in varying configurations such as, but not limited to: Recreational ORM, Trail ORM, Competition ORM, Dual sport ORM.</p>	 
July 1, 2020	<p>Vehicles permitted on any municipal road where a by-law is created to enable their use will continue to be permitted.</p> <p>MUNICIPAL BY-LAWS: Effective July 1, 2020, additional types of ORVs can be permitted on municipal roads and provincial roadways where local municipalities create new by-laws to enable their use (existing ORV by-laws granting access will not automatically permit new types; a new by-law will need to be passed after July 1, 2020).</p> <p>LICENCE REQUIREMENT: These new vehicle types will require at least a G2 or M2 licence, the same as other off-road vehicles. These vehicles do not come with lights so they are restricted from operating at night or when the weather is poor unless equipped with proper aftermarket lighting. Also, no passengers are allowed on ORMs.</p>	
Proposed for January 1, 2021	<p>Proposed for January 1, 2021, in municipalities listed in Regulation 8/03, all ORV vehicle types, including new vehicle types, will be permitted on municipal roads. Municipalities must create a by-law to restrict or prohibit their use.</p>	
More Information	<p>With respect to the enforcement of these laws, the police act independently when carrying out their duties. Any issues with the day-to-day operations of police services and the actions of its officers should be raised with the local chief of police or his/her representative. All set fines can be found on the Ontario Court of Justice website.</p> <p>This document is a guide only. For official purposes, please refer to the <i>Highway Traffic Act</i> and regulations. For more information, please visit Ontario.ca/ATV.</p>	

Additional Off-road Vehicles Allowed On-road (continued)



Existing Types permitted:
ATVs, Two-Up ATVs,
ROVs, UTVs



New Types:
ORMs and XTVs

Operator
Requirements

- Existing rider safety requirements:
- ▶ Must be at least 16 years old
 - ▶ Must hold at least a valid G2 or M2 licence
 - ▶ Wear an approved motorcycle helmet
 - ▶ Wear a seat belt, where provided
 - ▶ Travel at speeds less than the posted speed limit
 - ▶ Travel only on shoulder, and where unavailable, right most portion of the roadway
 - ▶ Be driven in the same direction as traffic
 - ▶ Carry the ATV/ORV's registration permit

- Rider safety requirements:
- ▶ Must hold at least a valid G2 or M2 licence (same as existing ORV types)
 - ▶ Must be at least 16 years old
 - ▶ Wear an approved motorcycle helmet
 - ▶ Wear a seat belt, where provided
 - ▶ Travel at speeds less than the posted speed limit
 - ▶ Travel only on shoulder, and where unavailable, right most portion of the
 - ▶ Be driven in the same direction as traffic
 - ▶ Carry the ATV/ORV's registration permit

Passenger
Safety
Requirements

- Existing passenger safety requirements:
- ▶ If the vehicle was manufactured with seat belts, everyone must buckle up
 - ▶ If the vehicle has passenger foot rests, the passenger must be able to reach these foot rests
 - ▶ The number of occupants is limited to the number of available seating positions
 - ▶ No passengers under the age of 8 are allowed and additional passenger restrictions apply if the driver is a young and novice driver with a minimum G2 or M2 licence
 - ▶ All riders – drivers and passengers – must wear an approved motorcycle helmet

- Passenger safety requirements
- ▶ **NEW** No passengers are permitted on ORM's while operating on-road
 - ▶ If the vehicle was manufactured with seat belts, everyone must buckle up
 - ▶ If the vehicle has passenger foot rests, the passenger must be able to reach these foot rests
 - ▶ The number of occupants is limited to the number of available seating positions
 - ▶ No passengers under the age of 8 are allowed and additional passenger restrictions apply if the driver is a young and novice driver with a minimum G2 or M2 licence
 - ▶ All riders – drivers and passengers – must wear an approved motorcycle helmet







Vehicle
Requirements










- ▶ Be registered and plated
- ▶ Be insured
- ▶ Must have wheels in contact with the ground
- ▶ Be compliant with one of the ANSI/COHV standards listed in s.10 of Ontario Regulation 316/03 (certification label commonly found near footrest)
- ▶ Have headlights and taillights on at all times

- ▶ **NEW** Exempted from the standards listed in s.10
- ▶ **NEW** As an alternative to the standards listed in s.10 of Ontario Regulation 316/03 XTVs must comply with sections 7.2, 7.3, 7.4, 7.5 (other than section 7.5.1), 7.6, 7.7, 7.8 and 7.9 of the Society of Automotive Engineers Standard J2258, entitled “Light Utility Vehicles” (braking ability, lighting, rollover protection)
- ▶ **NEW** XTVs that are tracked are not permitted on-road
- ▶ **NEW** Have headlights and taillights on between sunset and sunrise (nighttime riding) or when the weather is unfavourable
- ▶ **NEW** ORM's must have a minimum wheel rim diameter of 250 mm, and has a minimum wheelbase of 1 016 mm (to prevent pocket bikes)
- ▶ **NEW** ORM's may meet federal definition for Restricted Use Motorcycles, and would need to meet federal standards, or may be Competition Vehicles, for which no federal standards apply
- ▶ Be registered and plated
- ▶ Be insured
- ▶ Must have wheels in contact with the ground

Off-Road Vehicles

During 2019, the Ministry of Transportation made two legislative amendments to the *Highway Traffic Act* to improve the experience of off-road vehicle (ORV) riding in the province. These changes, outlined within this infographic, have two effective dates: One set of changes became effective as of July 1, 2020 and the second set of changes are proposed to take effect January 1, 2021.

Common ORV Types	All Terrain Vehicles (ATVs)		Side-by-Sides		New ORV Types	
	 “single-rider” all-terrain vehicle (ATV)	 two-up all-terrain vehicle (two-up ATV)	 recreational off-highway vehicle (ROV)	 utility terrain vehicle (UTV)	 off-road motorcycle (ORM)	 extreme terrain vehicle (XTV)

	Municipality A Default speed limit less than 80km/h	Better for People, Smarter for Business Act	Getting Ontario Moving Act
Municipality B Municipalities listed in Regulation 8/03)	<p>Current vehicles permitted on road</p>  <p>Permitted on ANY municipal road where a by-law is created to enable their use</p> <p>Not permitted on road Restricted to off road use</p> 	<p>Current vehicles permitted on road</p>  <p>Where a by-law is/was created to enable their use, these vehicles types or vehicles will continue to be permitted on any municipal road</p> <p>Additional by-law/amended existing by-law is required to permit new vehicle types</p>  <p>By-laws made before July 1, 2020 will not automatically permit these vehicles</p>	<p>No changes</p> <p>Where a by-law is/was created to enable their use, these vehicles types or vehicles will continue to be permitted on any municipal road</p> <p>Additional by-law/amended existing by-law is required to permit new vehicle types</p>  <p>No changes</p> <p>By-laws made before July 1, 2020 will not automatically permit these vehicles</p>
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