6.1 Off Road Vehicles on Highways

Resolution #04/10/13-02
Moved by: Candy Hewitt
Seconded by: Jacqueline Faubert

WHEREAS the Highway Traffic Act, R.S.O. 1990, Chapter H.8 prohibits any person from driving an off-road vehicle on a highway except in accordance with the regulations and any applicable municipal by-laws;
AND WHEREAS Ontario Regulation 316/03 Operation of Off-Road Vehicles on Highways under the Highway Traffic Act and the Off-Road Vehicles Act, R.S.O. 1990, Chapter O.4 define off-road vehicle as a vehicle propelled or driven otherwise than by muscular power or wind and designed to travel, (a) on not more than three wheels, or (b) on more than three wheels and being of a prescribed class of vehicle;
AND WHEREAS Ontario Regulation 316/03 Operation of Off-Road Vehicles on Highways under the Highway Traffic Act defines an all-terrain vehicle as a type of off-road vehicle and does allow these vehicles to be driven on certain highways;
AND WHEREAS the Municipality of Kincardine passed By-law No. 2008-142, as amended by By-law No. 2010-018, to permit and control all-terrain vehicles on highways under the jurisdiction of the Municipality;
AND WHEREAS the definition of off-road vehicle does not include side-by-side off-road vehicles or two-up all-terrain vehicles;
NOW THEREFORE BE IT RESOLVED THAT the Ministry of Transportation be petitioned to change the definition of off-road vehicle under the Highway Traffic Act and associated regulations to include side-by-side off-road vehicles, 4 seat SideXSide vehicles, and two-up all-terrain vehicles in order for them to be driven on highways under the same conditions as all-terrain vehicles;
AND FURTHER THAT this resolution be forwarded to the Minister of Transportation and Lisa Thompson, MPP Huron-Bruce;
AND FURTHER THAT this resolution be circulated to all municipalities in Ontario and the Association of Municipalities of Ontario for support.

Carried.