

## **Did You Know?**

Off-road vehicles (ORVs) are any two or three-wheeled motorized vehicles as well as specific vehicles by regulations, with four or more wheels, intended for recreational use.

In the new regulation, the following type of off-road vehicle is allowed access to provincial roads: an ORV that

- has four wheels, the tires of which are all in contact with the ground;
- has steering handlebars;
- has a seat that is designed to be straddled by the driver; and
- is designed to carry a driver only and no passengers.

No owner of an off-road shall permit a child **under the age of twelve** to drive the vehicle unless it is driven on land occupied by the vehicle owner. The fine for the owner to permit a child under twelve to drive an off-road vehicle is \$105 including victim surcharge. *The Off-Road Vehicles Act, Section 4(1)*.

The fine for driving an off-road vehicle with no driver's licence is \$320 including victim surcharge. *Ontario Regulations, Section 16(1)*.

### **Permit Required**

No person shall drive an off-road vehicle except under the authority of a permit for the vehicle and with the number plate showing the number of the permit displayed on the vehicle in the manner prescribed.

The fine for driving an off-road vehicle with no permit is \$105 including victim surcharge. *Ontario Regulations, Section 16(1)*.

### **Permit to be carried**

Every driver of an off-road vehicle shall carry the permit for it or a true copy thereof and shall surrender the permit or copy for inspection upon demand of a peace officer.

The fine for failing to surrender the permit for the off-road vehicle is \$105 including victim surcharge. *The Off-Road Vehicles Act, Section 3(2)*.

### **Insurance**

The person shall drive an off-road vehicle unless it is insured under a motor vehicle liability policy in accordance with the Compulsory Automobile Insurance Act.

No owner of an off-road vehicle unless it is insured under a motor vehicle liability policy in accordance with the compulsory Automobile Insurance Act.

The fine for driving an off-road vehicle with no insurance is \$495 including victim surcharge. *Ontario Regulations, Section 17*.

Failing to surrender evidence of insurance is a fine of \$135 including the victim surcharge. *The Off-Road Vehicles Act, Section 15(3)*

The off-road vehicle shall not be driven at a rate of speed greater than,

- (a) 20 kilometres per hour, if the speed limit is not greater than 50 kilometres per hour; or
- (b) 50 kilometers per hour, if the speed limit is greater than 50 kilometres per hour.

Failing to wear a proper helmet, is a fine of \$105 including victim surcharge. *Ontario Regulations, Section 19*.

It is against the law to drive an off-road vehicle when impaired by alcohol or drugs.

If the ORV driver is impaired or has a blood alcohol concentration of more than **80 milligrams in 100 millilitres of blood (.08)**, or if the driver refuses to take a Breathalyzer test, the police can lay a charge under the Criminal Code of Canada.

If convicted, the driver will have a criminal record and may be required to pay a fine.

If a driver is convicted for the first time, he/she will receive a one-year driver's licence suspension. If convicted a second time. His/her driver's licence will be suspended for three years. For a third conviction, the driver would be a lifetime suspension from driving with the possibility of reinstatement after 10 years. Those convicted a fourth time will be suspended for driving for life with no possibility of reinstatement.

The convicted driver must also complete a remedial measures program assessment, education/treatment and follow-up before he/she can get his/her driver's licence back. Suspended drivers must pay \$100 to have their licence reinstated.

**Please note** that effective October 15, 2004, the reinstatement fee is \$150. All reinstatement fee payments made on or after October 15, 2004 will be charged \$150.00.

For more on these and other laws, visit the website at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)