

What You Need to Know About Your ATV

If you own or operate an All Terrain Vehicle (ATV) or any off road vehicle in Ontario, you are subject to the rules and regulations of the Off Road Vehicles Act. Mini-bikes, dune buggies and similar motorized vehicles with two or more wheels and designed primarily for recreational use are also governed by the Act. The following is a summary of the requirements of the Act, which you should know.

ATV & ORV FACTS

DEFINITIONS

ORV (Off-Road Vehicle) - a vehicle propelled or driven otherwise than by muscular power or wind and designed to travel:

- On not more than three wheels, or
- On more than three wheels and being of a prescribed class of vehicle.

Examples: Dirt Bikes, Dune Buggies, Utility Vehicles, Mini Bikes.

ATV (All-Terrain Vehicle) – an ORV that:

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

REGISTRATION

By law all ORV's must be registered with the Ministry of Transportation—even if operated only on your premises. A one-time fee is payable at a Driver and Vehicle License Issuing Office. A licence plate and registration permit is provided together with mounting instructions. Off-Road Vehicles may not be registered to anyone under age 16.

IMPLEMENTS OF HUSBANDRY

Self-propelled implements of husbandry do not require registration under the Off-Road Vehicles Act. These are defined as a vehicle designed to perform, or permanently altered to perform, a single specific agricultural function.

ORV's (including ATV's) are designed primarily for recreational use and even though they may have attachments for agricultural operations, these attachments are not deemed to be permanent. ORV's which are designed as utility vehicles are regarded as usable for other purposes and therefore must be registered.

OPERATION ON PUBLIC ROADS

It is unlawful to operate any Off-Road Vehicle on any public roadway, street or highway except as noted below. This includes the entire area between the boundary lines of adjacent property including ditches.

ORV's (including ATV's) may be driven directly across certain roads.

ORV's (including ATV's) with three or more wheels may be driven along a public road by a farmer engaged in a farming activity or by a licensed trapper while trapping, provided:

1. The ORV is registered and its permit is carried

- by the driver.
2. The ORV is insured on a motor vehicle liability policy and that the driver carries proof of such insurance.
 3. The driver is the holder of a valid drivers license that is in the driver's possession.
 4. A slow-moving vehicle sign is displayed on the back.

ATV's (as described in the definitions section) may be driven on certain highways, highway shoulders, or municipal roads where a by-law has been passed allowing such operation provided that, in addition to point 1, 2, & 3:

5. Headlights and tail lights are activated at all times on a highway.
6. A brake light is required if the ATV was manufactured after January 1, 1998.
7. The driver wears a helmet and no passengers are on the vehicle.
8. The driver is travelling no more than 20 km/h where the speed limit on a highway is not greater than 50 km/h, and 50 km/h where the speed limit is greater than 50 km/h.

Refer to Ontario Regulation 316/03 under the Highway Traffic Act for all applicable regulations, and the schedules describing highways where ATV's are permitted.

JOINT RESPONSIBILITY

Both the owner of an ORV and the operator are responsible for any violations of the Act and both are liable for any injury or property damage caused by the vehicle.

For more information, obtain a copy of the Off-Road Vehicles Act, R.S.O. 1990, c.0.4. by visiting: www.e-laws.gov.on.ca

DRIVER REQUIREMENTS

Persons under 12 years of age are not permitted to drive an ORV except on land occupied by the vehicle owner or while under close supervision of an adult.

If crossing or operating an ORV on a road (when permitted as previously described) the driver must be in possession of a valid driver's licence.

Helmets meeting the standards of the Act must be worn when operating an ORV on premises other than property owned by the vehicle owner.

The proper way to protect yourself is to insure your ORV on an automobile policy.

INSURANCE FOR OFF ROAD VEHICLES

The law requires that ORV's be insured under a motor vehicle liability policy. In Ontario, this means an automobile insurance policy.

The owner as well as the driver is liable for injury or property damage arising out of the operation of the Off-Road Vehicle.

Personal and farm liability policies are not considered motor vehicle liability policies in accordance with the Insurance Act. In fact, personal and farm liability policies usually exclude "the operation of any vehicle subject to motor vehicle registration" such as Off-Road Vehicles. Therefore they would offer no protection or defence against legal action.

For more information, obtain a copy of the Off-Road Vehicles Act, R.S.O. 1990, c.0.4. by visiting: www.e-laws.gov.on.ca