



SMART RIDE SAFE RIDE



What you need to know to operate an ATV/ORV in Ontario





What to look for

Section

- 1 Single-rider ATV
Two-up ATV
- 2 Side-by-side Off-Road Vehicle
Utility Terrain Vehicle
- 3 Riding on-road
Riding off-road
- 4 Municipal by-laws
Private property
Liability
Enforcement
- 5 Impairment
- 6 Young riders
- 7 Be prepared
Legislation sources

All-Terrain Vehicles (ATVs) and Off-Road Vehicles (ORVs) are popular year-round vehicles for outdoor enthusiasts. Before riding, it is important to be aware of the applicable laws and safety precautions.

This booklet is a guide and outlines the legal requirements for ATVs/ORVs in Ontario and promotes safe and responsible riding practices.

For more information on legal requirements, go to the Off-Road Vehicles Act (ORVA) and the HighwayTraffic Act (HTA) by visiting: ontario.ca/laws

In Ontario:

- No passengers under the age of 8 when on-road
- Drivers and passengers must wear an approved motorcycle helmet, and
- Must use a seat belt and foot rests, where provided, when travelling on-road
- Graduated licensing requirements apply to young and novice drivers when travelling on-road

Find out more inside...

Single-rider All-Terrain Vehicle (ATV)

A type of ORV that has:

- Four wheels
- Steering handlebars
- A seat that is straddled by the driver to carry only a driver

No passengers are allowed.



Two-up All-Terrain Vehicle (ATV)

A type of ORV that has:

- Four wheels
- Steering handlebars
- A seat that is straddled by the driver
- A passenger seat directly behind the driver
- Separate foot rests for the passenger

May carry a passenger who is at least 8 years old and able to reach the foot rests when on-road.



A single-rider ATV that has been modified to carry a passenger by installing an after-market seat and foot rests is not considered a two-up ATV.

2

Side-by-side Off-Road Vehicle (ORV)

A type of ORV that has:

- Four or more wheels
- Steering wheel
- A driver's seat
- Seating for passengers beside/behind the driver
- Seat belts for each seating position
- Roll-over protective structure
- Maximum engine displacement of 1,000 cubic centimetres

*May carry passengers who are at least 8 years old when on-road.
Passengers must wear a seat belt properly.*



Utility-Terrain Vehicle (UTV)

A type of ORV that is similar to a side-by-side that has:

- Four or more wheels
- Steering wheel
- A driver's seat
- Seating for a passenger beside/behind the driver
- Seat belts for each seating position
- Occupant protective structure
- A cargo box with a minimum cargo capacity of 159 kilograms

*May carry passengers who are at least 8 years old when on-road.
Passengers must wear a seat belt properly.*



On-Road Riding

Driver/Passenger Requirements

- Driver must be at least 16 years of age and hold a valid G2, M2 licence or greater
- Driver must carry the registration permit of the ATV/ORV or a true copy
- No passengers under the age of 8
- Driver and passengers must wear an approved motorcycle helmet securely fastened under the chin by the chin strap
- Drivers and passengers on ORVs must occupy a seating position with a seat belt which must be worn properly
- Passengers on 2-up ATVs must be able to reach and use the footrests provided

ATVs and ORVs that have a compliance label on the machine are allowed to operate on roads where permitted.

Speed limits for ATVs/ORVs

Posted speed limit
of 50 km/h or less

Maximum speed is
20 km/h



Posted speed limit
more than 50 km/h

Maximum speed is
50 km/h

On-Road Riding

ATV/ORV Requirements

- ATV/ORV must be registered, have a rear licence plate and must be insured under a motor vehicle liability policy
- ATVs cannot exceed the manufacturer's overloading warning label when travelling on-road
- Side-by-sides and UTVs must not exceed the width and weight requirements of the manufacturer
- Must be driven in the same direction of traffic on the shoulder of the road with all lights on. If the shoulder is unsafe, impassable or not wide enough so all tires can be completely on the shoulder, then the travelled portion of the road may be used.
- Can travel on Highways 500 to 899, many 7000 series and low traffic highways
- Prohibited from the 400 series highways, the Queen Elizabeth Way and sections of the Trans-Canada Highway

For a complete list, refer to the Ontario Highway Traffic Act Regulation 316/03, Schedules A and B.

Off-Road Riding

Driver/Passenger Requirements

- Driver must be at least 12 years of age unless they are under direct supervision of an adult. It is highly recommended that young riders are always supervised by an adult.
- Cannot directly cross a highway until they are at least 16 years old and have a valid driver's licence, e.g. G1, M1 or greater
- Driver must carry the registration permit of the ATV/ORV or a true copy
- Driver and passengers must wear an approved motorcycle helmet securely fastened under the chin by the chin strap

Be a Responsible Rider

- Ride according to trail, road and weather conditions
- Use extreme caution when turning, crossing, climbing and descending hills and when crossing obstacles
- Ride in designated areas only
- Preserve the environment and keep noise levels low.

Off-Road Riding

ATV/ORV Requirements

- ATV/ORV must be registered, have a rear licence plate except in exempt areas such as Far Northern Ontario
- Must be insured under a motor vehicle liability policy



Municipal Bylaws

ATVs/ORVs are prohibited from travelling on a municipal road if a bylaw has not been issued. Municipalities decide which roads, the time of day and season when they are permitted. They can also establish additional rules. It's the rider's responsibility to check with the municipality if ATVs/ORVs are allowed.

Private Property

ATVs and ORVs that are driven on the vehicle owner's land are exempt from the following:

- Insurance
- Driver must be at least 12 years of age unless they are under direct supervision of an adult. It is strongly recommended that young riders are always supervised by an adult.
- Wearing a helmet, although it is strongly recommended that drivers and passengers wear a helmet when they ride

Liability

The owner of an ATV/ORV is liable for injury or damage that may occur when someone else is operating their vehicle. The owner may also be charged and convicted of an offence under the Off-Road Vehicles Act (ORVA), its regulations or a municipal bylaw if the driver of the vehicle is not complying with the Act.

Enforcement

When stopped by police or a conservation officer, you must produce the following when requested:

- Driver's licence, when required
- Registration permit
- Proof of insurance

Remember, when riding on private property, you must stop when signaled by a land owner and provide your name and address if requested.

Impairment

Off-Road

Drivers operating an ATV/ORV along a roadway, on Crown Land, private property, or a trail system while impaired with a Blood Alcohol Concentration level greater than .08 will face impaired driving charges under the Criminal Code of Canada.

On-Road

In addition to the impaired driving laws under the Criminal Code, drivers operating an ATV/ORV along a roadway, on Crown Land, private property, or a trail system, must also obey Ontario's drinking and driving laws under the Highway Traffic Act (HTA) as noted below.



5

Drivers caught with a Blood Alcohol Concentration level of .05 to .08 face the following:

- Escalating roadside driver's licence suspension of 3, 7, 30 days
- \$180 administrative monetary penalty
- Remedial Measures Program for second and subsequent offence
- 6 month ignition-interlock condition on driver's licence for third or subsequent offence

Drivers caught with a Blood Alcohol Concentration level greater than .08 or who fail /refuse to comply with a demand of alcohol/drug testing face the following:

- Roadside driver's licence suspension for 90 days
- Roadside vehicle impoundment for 7 days
- \$180 administrative monetary penalty

Note: If the driver is later convicted, they face a further suspension period upon conviction (minimum 1 year for first offence). They must also complete the Remedial Measures Program, followed by the installation of an ignition interlock device in any of the driver's vehicles for a minimum of 1 year.

Novice and Young drivers (under 22)

If caught with any amount of alcohol in their system, they face an immediate 24-hour driver's licence suspension, and, if convicted, a minimum 30-day suspension and a fine up to \$500.

Young Riders



Age

- 12 years of age or older to ride off-road, e.g. trails, private property, or Crown Land. If under age 12 must be under direct supervision of an adult. No licence required.
- 16 years of age or older with a valid G1, M1 or greater driver's licence to directly cross a permitted road
- 16 years of age or older with a valid G2, M2 driver's licence or greater to drive along a permitted road
- Must be at least 8 years old to be a passenger on a side-by-side, UTV, and also be able to reach and use the foot rests on a 2-up ATV when on-road

Ability

- Manufacturers strongly recommend that adult sized ATVs/ORVs not be driven by anyone under the age of 16
- Young riders should only drive ATVs/ORVs that are designed for their size, strength and ability
- Young riders should always be supervised by an experienced adult and take an ATV training course

Safety Gear

- Riders and passengers must wear an approved motorcycle helmet that is securely fastened under the chin by the chin strap
- Goggles, boots, pants, gloves and a long sleeved shirt are recommended

6

7

Be Prepared

- Take an ATV/ORV safety course. Learn to ride from an expert. For information on courses and other related information, visit the Ontario Federation of All-Terrain Vehicles at: **ofatv.org**
- Know your machine. Read the operator's manual.
- Ride within your ability and skill level. Always stay in control.
- Always check your machine and keep it in good working condition. Check oil, gas, other fluid levels, lights, brakes, tires and air pressures.
- Ride with others if possible. Always let someone know where you are going and when you expect to return.
- Carry an emergency kit, and a mobile phone if service is available
- Be courteous and responsible when riding

Legislation information sources

Visit: ontario.ca/laws

Highway Traffic Act Ontario Regulation 316/03

- Part 1 Definitions
- Part III Equipment Requirements
- Part IV Exemptions
- Schedule A: Prohibited Highways
- Schedule B: Permitted Highways

Off-Road Vehicles Act, Ontario Regulation 863

- Schedule 1: Prohibited Highways for crossing



For more safety and legal information on ATVs/ORVs

Visit: **ontario.ca/atv**

50k 2015 08