

OPERATING AN ATV IN ONTARIO ...WHAT YOU NEED TO KNOW



Off-Road Use

- Driver must be at least 12 years of age unless under the direct supervision of an adult.
- ATV must be registered and display a licence plate to the rear except in exempt areas such as far northern Ontario.
- ATV must be insured under a motor vehicle liability policy.
- Driver and passenger must wear an approved motorcycle helmet.
- Driver can directly cross a highway where permitted, provided the driver is at least 16 years of age and holds a valid driver's licence.

On-Road Use

- An ATV that has four wheels (all of which contact the ground), is equipped with steering handlebars, a seat designed to be straddled by the driver, and is designed for a driver only and no passenger, is permitted to travel along some provincial highways.
- It must weigh 450 kilograms or less and have an overall width not greater than 1.35 m.
- An ATV is prohibited from traveling on 400 series highways and the Trans Canada Highway. Generally, ATVs are allowed to travel on Highways 500 to 899, 7000 series highways and highways with low traffic volumes. Refer to Highway Traffic Act Regulation 316/03 for a complete list of permitted and prohibited highways.
- An ATV that has the above features is prohibited from operating on a municipal road, unless the municipality has a bylaw permitting the use of ATVs.
- An ATV must be registered and insured as outlined in "Off-Road Use" section.
- Driver must be at least 16 years of age and hold a valid G2/ M2 licence or greater.
- Driver must wear an approved motorcycle helmet.
- Passengers are prohibited.
- An ATV driver must travel at speeds that are less than the posted speed limit. The maximum speed an ATV can travel on roads with a limit of 50 km/hr or less is 20 km/hr, and the maximum speed on roads with a limit of more than 50 km/hr is 50 km/hr. Municipalities may set lower speed limits or additional rules for ATVs.
- An ATV must be driven in the same direction as traffic and travel on the shoulder of the road. If the shoulder is unsafe or impassable, it can be driven on the travelled portion of the road.
- An ATV travelling along a road must have its headlights and tail lights on.

Two-Up ATVs

- A two-up ATV that is designed and manufactured for a driver and passenger is defined as an Off-Road Vehicle (ORV) under the Off Road Vehicles Act.
- It is prohibited from use on provincial highways and municipal roads, even if the driver is not carrying a passenger. However it can be driven directly across a highway where permitted, provided the driver is 16 years of age and holds a valid driver's licence. A list of highways in Ontario that ORVs are prohibited from crossing can be found in the Off Road Vehicles Act, Ontario Regulation 863, Schedule 1.
- Only ATVs that meet the safety and equipment standards of the federal Motor Vehicle Safety Act and the Specialty Vehicle Institute of America (SVIA) are allowed to travel on some Ontario highways. Two-up ATVs do not meet this standard.
- A two-up ATV must be registered and display a licence plate to the rear.
- It must be insured under a motor vehicle liability policy.
- Driver must be at least 12 years of age unless under the direct supervision of an adult.
- Driver and passenger must wear an approved motorcycle helmet.

Side-By-Side Off-Road Vehicles

- A side-by-side ORV has two abreast seats and is not designed to be straddled by the driver or passenger. It is usually built with a hood and uses a steering wheel and foot pedals instead of a motorcycle type handle bar and thumb throttle.
- Driver must be at least 12 years of age unless under the direct supervision of an adult.
- A side-by-side ORV is prohibited from use on provincial highways and municipal roads.
- It must be registered and display a licence plate to the rear, except in exempt areas such as far northern Ontario.
- It must be insured under a motor vehicle liability policy.
- Driver and passenger must wear an approved motorcycle helmet.
- It can travel directly across a highway where permitted, provided the driver is at least 16 years of age and holds a valid driver's licence. A list of highways in Ontario that ORVs are prohibited from crossing can be found in the Off Road Vehicles Act, Ontario Regulation 863, Schedule 1.

Private Property

ATVs, two-up ATVs and side-by-sides driven on the registered owner's land are exempt from the following requirements:

- Displaying a licence plate
- Insurance
- The minimum operating age of 12 years
- Helmet use, although it is strongly recommended that drivers and passengers wear a helmet at all time while operating or riding on these types of vehicles.

Alcohol and ATVs

On-Road

- When operating an ATV on a permitted roadway, drivers must obey Ontario's drinking and driving laws under the HTA as well as those under the Criminal Code of Canada.
- Drivers caught with a BAC level greater than .08 or who fail to provide a breath/blood sample will be charged with impaired driving under the CCC. They will have their driver's licence suspended at roadside for 90 days, serve a further suspension period on conviction (minimum one year for first offence), be required to complete Ontario's Back on Track remedial measures program, and have an ignition interlock condition on their driver's licence for a minimum of one year (for first offence) after reinstatement. This means they can't drive any vehicle not equipped with an ignition interlock device.
- Drivers with a BAC level in the "warn range" of .05 to .08 face escalating roadside licence suspensions from 3 to 30 days, remedial alcohol education or treatment programs, and a six month ignition interlock condition on their driver's licence (for a third offence).

Off-Road

- Drivers operating an ATV on crown land, private property or a trail system with a BAC level greater than .08 will face criminal charges if stopped by police.

Need More Information?

Visit the Ministry of Transportation's website at www.mto.gov.on.ca/english/dandv/orv.shtml or the E-Laws website at www.e-laws.gov.on.ca/index.html