

Municipal Guidance Document
Operation of Off-road Vehicles on Municipal Roadways

January 1, 2021

Effective January 1, 2021, the Ministry of Transportation (MTO) is changing the way the province manages how off-road vehicles (ORVs) are allowed on-road in some municipalities.

The use of ORVs on highways is controlled under Section 191.8 of the *Highway Traffic Act* (HTA), *Ontario Regulation 316/03* made under the HTA, and municipal by-laws passed in accordance with the legislation and regulations. Currently, ORVs that meet the requirements in Ontario Regulation 316/03 are allowed on some provincial highways and municipal highways where a municipality has passed a by-law allowing the use of such ORVs on highways under their jurisdiction.

WHAT’S NEW?

Effective January 1, 2021, all ORVs that meet the requirements in Ontario Regulation 316/03 for ORVs permitted on-road, will be allowed by default on municipal highways under the jurisdiction of municipalities listed in *Ontario Regulation 8/03* unless the municipality has a by-law prohibiting or restricting the use of some or all such ORVs.

Municipalities that are not listed in Ontario Regulation 8/03 will continue to be subject to the existing regulatory framework and are not affected by this change. In these municipalities, ORVs will continue to be allowed only if the municipality has passed a by-law to allow permitted ORVs on municipal highways under their jurisdiction.

Provincial Requirements

Municipal Considerations

Municipalities listed in Ontario Regulation 8/03 will continue to have the authority and make decisions about ORVs through by-law to:

▶ Prohibit ORVs on some or all highways



▶ Permit only specific ORVs on road



▶ Prohibit ORVs at specific hours of the day



▶ Impose additional lower speed limits



Local municipalities listed in Ontario Regulation 8/03 that wish to prohibit ORVs; or restrict the permitted types of ORVs; or restrict the time of day or the season when permitted types of ORVs are allowed on-road; or establish lower speed limits for these vehicles; may need to pass a new by-law.

Where a local municipality affected by the change has an existing by-law providing a blanket permission for ORVs on all municipal highways, the by-law would not be in conflict with the new regulations. If an existing by-law only permits some ORVs or restricts ORVs to only some highways, the municipality may have to revoke the by-law and pass a new by-law as outlined above if the municipality wishes to continue such restrictions.

There is no change to the enforcement of laws related to the use of ORVs. Any issues with the day-to-day operations of police services and the actions of police officers related to ORVs should be raised with the local chief of police or their designated representatives. All set fines can be found on the [Ontario Court of Justice website](#).






This document is provided primarily as a guide. For additional information please refer to the *Highway Traffic Act*, associated regulations and visit [Ontario.ca/ATV](#) for information and tips related to the operation of ORVs in Ontario.

Off-road Vehicles Allowed On-road

Effective July 1, 2020, MTO made changes to add off-road motorcycles (ORM) and extreme terrain vehicles (XTV) to the existing list of ORVs permitted on-road. These two new ORV types are in addition to the currently permitted 4-wheeled ORV types.

MUNICIPAL BY-LAWS: Effective July 1, 2020, the two new ORV types added to the list of ORVs permitted on-road can be allowed on municipal highways in accordance with the HTA and Ontario Regulation 316/03.

ORV is a general term used to capture several different vehicles designed for off-road use, however, only certain off-road vehicles that meet the requirements in Ontario Regulation 316/03 are permitted on-road:

Provincial Requirements	All-Terrain Vehicles	<p>“A “single-rider” all-terrain vehicle (ATV) is designed to travel on four tires, having a seat designed to be straddled by the operator, handlebars for steering control and it must be designed by the manufacturer to carry a driver only and no passengers.</p>	
		<p>A two-up ATV is designed and intended for use by an operator or an operator and a passenger. It is equipped with straddle-style seating and designed to carry only one passenger.</p>	
	Side-by-Sides	<p>A recreational off-highway vehicle (ROV) has two abreast seats, typically built with a hood, and uses a steering wheel instead of a motorcycle steering handlebar.</p>	
		<p>A utility terrain vehicle (UTV) has similar characteristics to an ROV but typically also features a box bed. UTVs are generally designed for utility rather than for recreational purposes.</p>	
	New Off-Road Vehicle Types	<p>Extreme Terrain Vehicles (XTVs), commonly referred to as Argos are 6+ wheeled off-road vehicles capable of riding in multiple terrains, including through water. These vehicles sometimes come with tracks, however, tracked versions are not being permitted on road and are restricted to off-road use only.</p>	
		<p>Off-Road Motorcycles (ORMs) are 2 wheeled off-road vehicles that come in varying configurations such as, but not limited to: Recreational ORM, Trail ORMs or Competition ORM.</p>	