



1970

c 113 The Motor Vehicle Accident Claims Amendment Act, 1970

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CHAPTER 113

**An Act to amend
The Motor Vehicle Accident Claims
Act, 1961-62**

*Assented to November 13th, 1970
Session Prorogued November 13th, 1970*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subclause ii of clause *d* of section 1 of *The Motor Vehicle Accident Claims Act, 1961-62* is repealed and the following substituted therefor:

1961-62,
c. 84, s. 1,
cl. *d*,
subcl. ii,
re-enacted

- (ii) in respect of which there is on deposit with the Registrar money, securities or a bond in an amount equal to the minimum limit of liability prescribed under section 216 of *The Insurance Act*, or

R.S.O. 1960,
c. 190

2.—(1) Subsection 2 of section 2 of *The Motor Vehicle Accident Claims Act, 1961-62* is repealed and the following substituted therefor:

1961-62,
c. 84, s. 2,
subs. 2,
re-enacted

- (2) Unless the owner of a motor vehicle,

Uninsured
motor
vehicle fee

- (a) satisfies the Registrar that the motor vehicle is insured under a motor vehicle liability policy in a form prescribed by *The Insurance Act* and approved thereunder by the Superintendent of Insurance for not less than the amounts prescribed under section 216 of *The Insurance Act*; or

- (b) has on deposit with the Registrar money, securities or a bond in an amount equal to the minimum limit of liability provided under section 216 of *The Insurance Act*; or

- (c) is a government or other body or person exempt from paying registration fees under the regulations made under *The Highway Traffic Act* or a municipality,

R.S.O. 1960,
c. 172

upon

upon the issuance of a permit or transfer of a permit for the current registration year for the motor vehicle, there shall be paid to the Fund by the person to whom the permit or transfer is issued such fee, to be known as the uninsured motor vehicle fee, as may be prescribed by the Lieutenant Governor in Council.

1961-62,
c. 84, s. 2,
subs. 5,
re-enacted

(2) Subsection 5 of the said section 2 is repealed and the following substituted therefor:

Uninsured
motor
vehicle fee
payable on
cancellation
of
insurance,
etc.

(5) When the owner of a motor vehicle,

(a) has complied with clause *a* of subsection 2 and the policy of insurance lapses or is cancelled; or

(b) has on deposit with the Registrar securities or a bond as required under clause *b* of subsection 2 and the securities or bond, as the case may be, are cancelled,

the owner shall pay forthwith the uninsured motor vehicle fee.

1961-62,
c. 84, s. 3,
subs. 3, 4
(1964, c. 66,
s. 3),
re-enacted

3. Subsections 3 and 4 of section 3 of *The Motor Vehicle Accident Claims Act, 1961-62*, as re-enacted by section 3 of *The Motor Vehicle Accident Claims Amendment Act, 1964*, are repealed and the following substituted therefor:

Offence
for failure
to produce
evidence

(3) Every owner of a motor vehicle who fails to produce evidence under subsection 1 when requested to do so or within a reasonable time of such request is guilty of an offence and on summary conviction is liable to a fine of not less than \$50 and not more than \$500.

Offence for
producing
false
evidence

(4) Every owner of a motor vehicle who produces false evidence when he is required to produce evidence under subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not less than \$50 and not more than \$500, and in addition his licence may be suspended for a period of not more than one year.

1961-62,
c. 84, s. 5,
subs. 5
(1964, c. 66,
s. 4, subs. 1),
re-enacted

4.—(1) Subsection 5 of section 5 of *The Motor Vehicle Accident Claims Act, 1961-62*, as re-enacted by subsection 1 of section 4 of *The Motor Vehicle Accident Claims Amendment Act, 1964*, is repealed and the following substituted therefor:

(5)

- (5) Where payment is made under subsection 3, the driver's licence of the person to whom the notice was forwarded under subsection 2 shall be forthwith suspended by the Registrar and shall not be reinstated until such person has,

<sup>Suspension
of licence</sup>

- (a) repaid in full to the Fund the amount paid out; or
- (b) commenced instalment repayments in accordance with an undertaking referred to in clause *b* of subsection 3 or the regulations under section 10.

(2) Subsection 6 of the said section 5, as amended by subsection 2 of section 4 of *The Motor Vehicle Accident Claims Amendment Act, 1964*, is repealed and the following substituted therefor:

<sup>1961-62,
c. 84, s. 5,
subs. 6,
re-enacted</sup>

- (6) Where a person who has commenced repayment of the amount paid out of the Fund on the undertaking referred to in clause *b* of subsection 3 or by the payment of instalments in accordance with the regulations under section 10 is in default in any payment for a period of ten days, the Registrar shall forthwith suspend the driver's licence of such person.

<sup>Suspension
on default
of payment</sup>

5. Section 9 of *The Motor Vehicle Accident Claims Act, 1961-62* is repealed and the following substituted therefor:

<sup>1961-62,
c. 84, s. 9,
re-enacted</sup>

9. Where the Minister pays out of the Fund any amount in satisfaction of a judgment, the driver's licence of the judgment debtor on whose behalf such payment is made shall be forthwith suspended by the Registrar and shall remain suspended until he has,

<sup>Suspension
of licence</sup>

- (a) repaid in full to the Fund the amount paid out; or
- (b) commenced instalment repayments in accordance with section 10 and the regulations made thereunder.

6. Section 26*a* of *The Motor Vehicle Accident Claims Act, 1961-62*, as enacted by section 8 of *The Motor Vehicle Accident Claims Amendment Act, 1964*, is repealed.

<sup>1961-62,
c. 84, s. 26*a*
(1964, c. 66,
s. 8),
repealed</sup>

7. This Act comes into force on the 1st day of December, 1970.

<sup>Commence-
ment</sup>

8. This Act may be cited as *The Motor Vehicle Accident Claims Amendment Act, 1970*.

^{Short title}

