1970

c 202 Highway Traffic Act

Ontario
CHAPTER 202

The Highway Traffic Act

1.—(1) In this Act,

1. “built-up area” means the territory contiguous to a highway not within a city, town, village or police village where,

   i. not less than 50 per cent of the frontage upon one side of the highway for a distance of not less than 600 feet is occupied by dwellings, buildings used for business purposes, schools or churches, or

   ii. not less than 50 per cent of the frontage upon both sides of the highway for a distance of not less than 300 feet is occupied by dwellings, buildings used for business purposes, schools or churches, or

   iii. not more than 600 feet of the highway separates any territory described in subparagraph i or ii from any other territory described in subparagraph i or ii,

   and signs are displayed as required by the regulations;

2. “chauffeur” means a person who operates a motor vehicle and receives compensation therefor;

3. “commercial motor vehicle” means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, police patrols, motor buses and tractors used for hauling purposes on the highways; R.S.O. 1960, c. 172, s. 1 (1), pars., 1-3.

4. “conversion unit” means a mechanical device consisting of a single axle designed to convert a two-axle vehicle into a three-axle vehicle; 1962-63, c. 56, s. 1 (1).

5. “crosswalk” means,

   i. that part of a highway at an intersection that is included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway, or

   ii. any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface;
6. "Department" means the Department of Transport; R.S.O. 1960, c. 172, s. 1 (1), pars. 4, 5.

7. "Deputy Minister" means the Deputy Minister of Transport; 1961-62, c. 52, s. 1 (1).

8. "farm tractor" means a self-propelled vehicle designed and used primarily as a farm implement for drawing ploughs, mowing-machines and other implements of husbandry and not designed or used for carrying a load;

9. "garage" means every place or premises where motor vehicles are received for housing, storage or repairs for compensation;

10. "gross weight" means the combined weight of vehicle and load;

11. "highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles;

12. "intersection" means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two or more highways that join one another at an angle, whether or not one highway crosses the other;

13. "King's Highway" includes the secondary highways and tertiary roads designated under The Highway Improvement Act; R.S.O. 1960, c. 172, s. 1 (1), pars. 6-12; 1962-63, c. 56, s. 1 (2).

14. "median strip" means the portion of a highway so constructed as to separate traffic travelling in one direction from traffic travelling in the opposite direction by a strip of pavement of more than ten feet in width, a physical barrier or an unpaved strip of ground. 1968-69, c. 45, s. 1 (1).

15. "Minister" means the Minister of Transport;

16. "motorcycle" means a self-propelled vehicle having a seat or saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, and includes a bicycle with a motor attached and a motor scooter; R.S.O. 1960, c. 172, s. 1 (1), pars. 13, 14.

17. "motor vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle,
traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of this Act; R.S.O. 1960, c. 172, s. 1 (1), par. 15; 1968, c. 50, s. 1 (1).

18. "official sign" means a sign approved by the Department;

19. "operator" means a person other than a chauffeur who operates a motor vehicle on a highway; R.S.O. 1960, c. 172, s. 1 (1), pars. 16, 17.

20. "park" or "parking", when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers; 1965, c. 46, s. 1 (1).

21. "peace officer" includes a mayor, warden, reeve, sheriff, deputy sheriff, sheriff's officer, justice of the peace, jailer or keeper of a prison, and a police officer, constable, bailiff, or other person employed for the preservation and maintenance of the public peace, or for the service or execution of civil process, or any officer appointed for enforcing or carrying out the provisions of this Act; R.S.O. 1960, c. 170, s. 1 (1); par. 18.

22. "pedestrian crossover" means any portion of a roadway, designated by by-law of a municipality, at an intersection or elsewhere, distinctly indicated for pedestrian crossing by signs on the highway and lines or other markings on the surface of the roadway as prescribed by the regulations; 1965, c. 46, s. 1 (2).

23. "public vehicle" has the same meaning as in The Public Vehicles Act;

24. "Registrar" means the Registrar of Motor Vehicles appointed under this Act;

25. "regulations" means the regulations made under this Act;

26. "road-building machine" means a self-propelled vehicle designed and used primarily in connection with the building or maintaining of highways and not designed or used for carrying a load;

27. "roadway" means the part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively; R.S.O. 1960, c. 172, s. 1 (1), pars. 19-23.
28. "safety glass" means any product that is composed of glass and so manufactured, fabricated or treated as substantially to prevent the shattering and flying of the glass when struck or broken and that is approved by the Department, or such other or similar product that is approved by the Department; 1961-62, c. 52, s. 1 (2).

29. "self-propelled implement of husbandry" means a self-propelled vehicle manufactured, designed, redesigned, converted or reconstructed for a specific use in farming; 1968-69, c. 25, s. 1 (2).

30. "solid tires" means all tires other than pneumatic tires; R.S.O. 1960, c. 172, s. 1 (1), par. 25.

31. "stand" or "standing", when prohibited, means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers;

32. "stop" or "stopping", when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a constable or other police officer or of a traffic control sign or signal; 1965, c. 46, s. 1 (3).

33. "through highway" means a highway or part of a highway designated as such by the Minister or by by-law of a municipality approved by the Department, and every such highway shall be marked by a stop sign or yield right-of-way sign in compliance with the regulations of the Department;

34. "trailer" means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn; R.S.O. 1960, c. 172, s. 1 (1), pars. 26, 27.

35. "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or the cars of electric or steam railways running only upon rails. R.S.O. 1960, c. 172, s. 1 (1), par. 29; 1968, c. 50, s. 1 (2).
(2) Where in this Act the Minister or a provincial judge or other official is authorized or directed to suspend or cancel the licence or permit of any person, and such person is the holder of both a licence and a permit issued under this Act, every such authority extends to both licence and permit and every such direction may in the discretion of the Minister, provincial judge or other officer be made to apply to both licence and permit. R.S.O. 1960, c. 172, s. 1 (2).

(3) For the purposes of Part VIII and any regulations or municipal by-laws made thereunder, every overpass and underpass shall be deemed to form part of the highway that it connects. 1968-69, c. 45, s. 1 (3).

(4) Any reference in this Act to the Criminal Code (Canada) or any provision thereof shall be deemed to be a reference to the Criminal Code (Canada) or the provision thereof as amended or re-enacted from time to time. 1968-69, c. 45, s. 1 (4).

PART I

ADMINISTRATION

2. Where by this Act powers are conferred or duties are imposed upon the Department, such powers may be exercised and such duties discharged by the Minister. R.S.O. 1960, c. 172, s. 2.

3.—(1) There shall be a Registrar of Motor Vehicles appointed by the Lieutenant Governor in Council.

(2) The Registrar shall act under the instructions of the Minister and Deputy Minister and has general supervision over all matters relating to highway traffic within Ontario, and shall perform such duties as are assigned to him by this Act, by the Lieutenant Governor in Council, or by the Minister or Deputy Minister. R.S.O. 1960, c. 172, s. 3 (1, 2).

(3) The Minister may authorize the Deputy Minister and the Registrar or either of them to exercise and discharge in his place any of the powers conferred or the duties imposed upon him under this Act and, where both the Deputy Minister and the Registrar are so authorized, either of them may exercise and discharge any of such powers and duties. 1961-62, c. 52, s. 2.

(4) The Deputy Minister, with the consent of the Minister, may authorize any public servant or servants in the Department to exercise any or all of the powers and duties of the Registrar when the Registrar or Deputy Registrar is absent. 1966, c. 64, s. 2.
4. There shall be a Deputy Registrar appointed by the Lieutenant Governor in Council who shall have all the powers and may perform all the duties of the Registrar. R.S.O. 1960, c. 172, s. 4.

5. The Lieutenant Governor in Council may make regulations,

(a) providing for the payment of fees for the issue, renewal, replacement or transfer of permits, licences and number plates under this Act and prescribing the amount of such fees;

(b) providing for the payment of fees for copies of or access to any writing, paper or document filed in the Department pursuant to this Act or any statement containing information from the records of the Department and prescribing the amount of such fees;

(c) providing for the payment of fees upon application to the Department for any approval required under this Act in respect of any equipment to be used on a vehicle and prescribing the amount of such fees. R.S.O. 1960, c. 172, s. 5; 1968, c. 50, s. 2.

PART II
REGISTRATION AND PERMITS

6.—(1) The owner of every motor vehicle, trailer or conversion unit shall register it with the Department before driving or operating it or causing it to be driven or operated upon a highway and shall pay to the Department a fee for the registration of such motor vehicle, trailer or conversion unit and for the number plates therefor. 1968-69, c. 45, s. 2 (1).

(2) Subsection 1 applies to a self-propelled implement of husbandry that is operated on a highway other than when travelling from farm to farm in relation to the specific use for which it was manufactured, designed, redesigned, converted or reconstructed or in travelling to or from such places as may be necessary for the maintenance or repair of the vehicle. 1968-69, c. 45, s. 2 (2).

(3) The Department shall issue for each motor vehicle, trailer or conversion unit so registered a numbered permit stating that the motor vehicle, trailer or conversion unit is registered in accordance with this Act, and shall cause the name of the owner, his address and the number of his permit to be entered in a book to be kept for that purpose.
(4) The Minister may, in his discretion, refuse to accept the registration of, or cancel any permit issued for, any motor vehicle, trailer or conversion unit that is to be used or is used,

(a) as a public vehicle within the meaning of The Public Vehicles Act; or

(b) as a public commercial vehicle within the meaning of The Public Commercial Vehicles Act,

unless the owner of such motor vehicle, trailer or conversion unit is in possession of an operating licence as required by such Acts.

(5) The Minister may give authority to any person to issue permits for motor vehicles, trailers or conversion units and may define the duties and powers of such person, and, where the salary is not otherwise provided, may authorize and fix the fee to be retained by the person so authorized for each permit issued. 1962-63, c. 56, s. 2, part.

(6) Declarations or affidavits in connection with the issuance of permits and licences under this Act or required by the Department in that regard may be taken before any person having authority to administer oaths or before any person specially authorized for that purpose by the Lieutenant Governor in Council, but any person so specially authorized shall not charge any fee therefor.

(7) The Lieutenant Governor in Council may make regulations regarding the renewal and transfer of such permits, the payment of fees therefor, the amount and time of payment of such fees, and also the registration and operation of motor vehicles or trailers owned by manufacturers or dealers and not kept by them for private use. R.S.O. 1960, c. 172, s. 6 (5, 6).

7.—(1) Every person who knowingly makes a false statement in an application, declaration, affidavit or paper writing required by this Act or by the regulations or by the Department is guilty of an offence and on summary conviction, in addition to any other penalty or punishment to which he may be liable, is liable to a fine of not less than $50 and not more than $200 or to imprisonment for a term of not more than thirty days, or to both, and in addition his licence or permit may be suspended for a period of not more than six months. 1968-69, c. 45, s. 3 (1).

(2) Where an owner changes his address as given under subsection 3 of section 6 or under this subsection, he shall within six days send by registered mail or cause to be filed in the Department his change of address. 1968-69, c. 45, s. 3 (2).

(3) No permit shall be issued for a motor vehicle or a trailer that has a gross weight exceeding 6,000 pounds where the manufacturer's serial number or similar identifying mark has been obliterated or defaced until the owner has filed with the
Department satisfactory proof of the ownership of the vehicle or trailer, and, if known, the reason for the obliteration or defacement, and, if satisfied as to the statements made, the Minister may grant permission to cut, impress, emboss or attach permanently to the vehicle or trailer a special identification number or mark, which thereafter shall be deemed sufficient for the purpose of registration of the vehicle or trailer. 1962-63, c. 56, s. 3.

8. — (1) Every motor vehicle other than a motorcycle, while being driven on a highway, shall have attached to and exposed on the front and back thereof, in a conspicuous position, a number plate furnished by the Department showing in plain figures the number of the permit issued for the current year or any part thereof. R.S.O. 1960, c. 172, s. 8 (1); 1962-63, c. 56, s. 4 (1).

(2) The number plate on the front shall be as far forward and as high from the ground as may be necessary to render it distinctly visible, and the number plate on the back shall be so placed that the lower edge thereof shall not be lower than the body of the motor vehicle; provided that this subsection, so far as it relates to the position of the number plate on the back shall not apply to commercial motor vehicles. R.S.O. 1960, c. 172, s. 8 (3), amended.

(3) A motorcycle while being driven on a highway shall have attached to and exposed on the back thereof a number plate furnished by the Department showing in plain figures the number of the permit of such motorcycle issued for the current year or any part thereof and so fixed that the number is plainly visible from the rear of the motorcycle. 1967, c. 35, s. 1.

(4) Every trailer and conversion unit while being drawn on a highway shall have exposed on the back thereof, in a conspicuous position, a number plate furnished by the Department showing in plain figures the number of the permit issued for the current year or any part thereof. 1962-63, c. 56, s. 4 (2).

9. — (1) Every person who,

(a) defaces or alters any number plate furnished by the Department;

(b) uses or permits the use of a defaced or altered number plate or a number plate issued by the Department for another motor vehicle, trailer or conversion unit;

(c) without the authority of the owner, removes a number plate from a motor vehicle, trailer or conversion unit; or

(d) uses or permits the use of any number plate upon a motor vehicle, trailer or conversion unit, except the one issued by the Department for the motor vehicle, trailer or conversion unit,
is guilty of an offence and on summary conviction is liable to a fine of not less than $50 and not more than $500 or to imprisonment for not more than thirty days, or to both, and in addition his licence or permit may be suspended for not more than six months.

(2) Every person shall, within six days, forward to the Department a notice on the prescribed form of the sale or purchase by or to him of a motor vehicle, trailer or conversion unit for which a permit has been issued.

(3) Every number plate furnished by the Department under this Act is the property of the Crown and shall be returned to the Department when required by the Department. 1968-69, c. 45, s. 5.

10.—(1) No number other than that upon the number plate furnished by the Department shall be exposed on any part of a motor vehicle, trailer or conversion unit in such a position or manner as to confuse the identity of the number plate. R.S.O. 1960, c. 172, s. 10 (1); 1962-63, c. 56, s. 5.

(2) The number plates shall be kept free from dirt and obstruction and shall be so affixed that the numbers thereon may be plainly visible at all times, and the view thereof shall not be obscured or obstructed by spare tires, bumper bars, or by any part of the vehicle or any attachments thereto, or by the load carried. 1965, c. 46, s. 3.

(3) Every person who contravenes any of the provisions of subsection 2 is guilty of an offence and on summary conviction is liable to a fine of not less than $5 and not more than $10. 1968-69, c. 45, s. 6 (2).

11. A peace officer who has reason to believe that a motor vehicle, trailer or conversion unit is carrying number plates that were not issued for it, or which although issued for it were obtained by false pretenses, may take possession of such number plates and retain them until the facts as to the carrying of such number plates have been determined. R.S.O. 1960, c. 172, s. 11; 1962-63, c. 56, s. 6.

12.—(1) Sections 6 and 8 and subsection 1 of section 10 do not apply to a motor vehicle owned by a person who does not reside or carry on business in Ontario for more than six consecutive months in each year, if the owner thereof is a resident of some other province of Canada, and has compiled with the provisions of the law of the province in which he resides as to registration of a motor vehicle and the display of the registration number thereon, and provided the province of residence grants similar exemptions and privileges with respect to motor vehicles registered under the laws of and owned by residents of Ontario.
(2) Sections 6 and 8 and subsection 1 of section 10 do not apply to a motor vehicle owned by a person who does not reside or carry on business in Ontario for more than three months in any one year if the owner thereof is a resident of a country or state that grants similar exemptions and privileges with respect to motor vehicles registered under the laws of and owned by residents of Ontario and has complied with the provisions of the law of the country or state in which he resides as to registration of a motor vehicle and the display of registration plates thereon, but this subsection does not apply to commercial motor vehicles.

(3) The Lieutenant Governor in Council may make regulations providing for the temporary exemption from registration of commercial vehicles or vehicles used by non-residents doing business in Ontario. R.S.O. 1960, c. 172, s. 12.

PART III
LICENCES
OPERATOR, CHAUFFEUR, DRIVING INSTRUCTOR

13.—(1) No person other than one holding a chauffeur's licence shall operate or drive a motor vehicle on a highway unless he holds an operator's licence issued to him under this section, and no person who is the owner or in possession or control of a motor vehicle shall permit any person who is not the holder of a chauffeur's or operator's licence to operate or drive the motor vehicle. R.S.O. 1960, c. 172, s. 13 (1).

(2) Operators' licences may be issued by the Minister to such persons for such times and upon such terms and conditions and subject to such regulations and restrictions as the Lieutenant Governor in Council may prescribe. R.S.O. 1960, c. 172, s. 13 (3).

(3) The holder of an operator's licence shall submit to such examination in respect of the operation of a motor vehicle as and when required by the Minister and,

(a) the licence of any such person who fails to take or complete such examination when required shall be cancelled by the Minister; and

(b) the licence of any such person who completes such examination may be confirmed, suspended, cancelled or reissued in accordance with subsection 2 by the Minister. 1968, c. 50, s. 4.

14.—(1) Every operator of a motor vehicle shall carry his licence with him at all times while he is in charge of a motor vehicle and shall produce it when demanded by a constable or by an officer appointed for carrying out the provisions of this Act. R.S.O. 1960, c. 172, s. 14 (1).
(2) Every person who is unable or refuses to produce his licence in accordance with subsection 1 shall, when requested by a constable, give reasonable identification of himself and, for the purposes of this subsection, the correct name and address of such person shall be deemed to be reasonable identification. 1968-69, c. 45, s. 8.

15.—(1) Sections 13 and 16 and any regulation made thereunder do not apply to any person who is,

(a) a resident of any other province of Canada, who is at least sixteen years of age and has complied with the law of the province in which he resides as to the licensing of motor vehicle operators or chauffeurs;

(b) a resident of any other country or state,

(i) who is at least sixteen years of age and is the holder of a valid International Driver's Permit, or

(ii) who is at least sixteen years of age and has not resided in Ontario for more than three months in any one year and has complied with the law of the country or state in which he resides as to the licensing of motor vehicle operators or chauffeurs. 1966, c. 64, s. 4; 1968, c. 50, s. 5.

(2) Sections 13 and 16 and any regulation made thereunder do not apply to a person for thirty days after he has become a resident of Ontario if during such period he holds a subsisting driver's licence in accordance with the laws of the province, country or state of which he was a resident immediately before becoming a resident of Ontario. 1968-69, c. 45, s. 9.

16.—(1) No person shall operate or drive a motor vehicle on a highway as a chauffeur unless he is licensed so to do, and no person shall employ anyone to drive a motor vehicle who is not a licensed chauffeur. R.S.O. 1960, c. 172, s. 16 (1).

(2) Chauffeurs' licences may be issued by the Minister to such persons for such time and upon such terms and subject to such regulations and restrictions as the Lieutenant Governor in Council may prescribe. R.S.O. 1960, c. 172, s. 16 (3).

(3) The holder of a chauffeur's licence shall submit to such examination in respect of the operation of a motor vehicle as and when required by the Minister and,

(a) the licence of any such person who fails to take or complete such examination when required shall be cancelled by the Minister; and

(b) the licence of any such person who completes such examination may be confirmed, suspended, cancelled or reissued in accordance with subsection 2 by the Minister. 1968, c. 50, s. 6.
17.—(1) Every chauffeur shall carry his chauffeur's licence with him at all times while he is in charge of a motor vehicle and shall produce it when demanded by a constable or by an officer appointed for carrying out the provisions of this Act. R.S.O. 1960, c. 172, s. 17 (1).

(2) Every person who is unable or refuses to produce his licence in accordance with subsection 1 shall, when requested by a constable, give reasonable identification of himself and, for the purposes of this subsection, the correct name and address of such person shall be deemed to be reasonable identification. 1968-69, c. 45, s. 11.

18.—(1) No person under the age of sixteen years shall drive or operate a motor vehicle or farm tractor on a highway.

(2) No person shall employ or permit anyone under the age of sixteen years to drive or operate a motor vehicle or farm tractor on a highway.

(3) Subsections 1 and 2 do not apply in respect of the driving or operating of a farm tractor directly across a highway. R.S.O. 1960, c. 172, s. 18 (1-3).

19.—(1) No person shall hire or let for hire a motor vehicle unless the person by whom the motor vehicle is to be driven is a person licensed to drive a motor vehicle as required by this Act.

(2) Subsection 1 does not apply to a resident of any other province of Canada who does not reside or carry on business in Ontario for more than six consecutive months in any one year or to a resident of a country or state that grants similar exemptions and privileges to residents of Ontario, who does not reside in Ontario for more than three consecutive months in any one year, provided such person is the holder of a chauffeur's or operator's licence issued by the province, country or state in which he resides.

(3) Every person, whether a resident of Ontario or not, hiring a motor vehicle shall produce his operator's or chauffeur's licence for the inspection of the person from whom the vehicle is being hired. R.S.O. 1960, c. 172, s. 19 (1-3).

20.—(1) Subject to section 25, the licence of a person who is convicted of an offence under section 192, 193 or 207 of the Criminal Code (Canada) committed by means of a motor vehicle or of an offence under subsection 1 of section 221 of the Criminal Code (Canada) is thereupon and hereby suspended for a period of,

(a) upon the first offence, six months, but where injury to or the death of any person or damage to property occurred in connection with the offence, one year;
(b) upon any subsequent offence, one year, but where injury to or the death of any person or damage to property occurred in connection with the offence, two years;

provided that, if an order is made under subsection 1 of section 225 of the Criminal Code (Canada) prohibiting a person from driving a motor vehicle for any longer period, the licence shall remain suspended during such longer period. 1960-61, c. 34, s. 2, part; 1968-69, c. 45, s. 14 (1).

(2) Where a person who has previously been convicted of an offence mentioned in subsection 1 is convicted of the same or any other offence mentioned in subsection 1, the offence for which he is last convicted shall be deemed to be a subsequent offence for the purposes of clause b of subsection 1. 1960-61, c. 34, s. 2, part.

(3) Where a person has been convicted of an offence under subsection 4 of section 221 or section 222, 223 or 224 of the Criminal Code (Canada) and also has been convicted of any one of the offences mentioned in subsection 1, the second and each subsequent conviction for any of such offences shall be deemed to be a conviction for a subsequent offence for the purposes of clause b of subsection 1. 1960-61, c. 34, s. 2, part; 1961-62, c. 52, s. 3; 1968-69, c. 45, s. 14 (2).

21.—(1) Subject to section 25, the licence of a person who is convicted of an offence under subsection 4 of section 221 or section 222, 223 or 224 of the Criminal Code (Canada) is thereupon and hereby suspended for a period of,

(a) upon the first offence, three months, but where injury to or the death of any person or damage to property occurred in connection with the offence, six months;

(b) upon any subsequent offence, six months, but where injury to or the death of any person or damage to property occurred in connection with the offence, one year;

provided that, if an order is made under subsection 1 of section 225 of the Criminal Code (Canada) prohibiting a person from driving a motor vehicle for any longer period, the licence shall remain suspended during such longer period. R.S.O. 1960, c. 172, s. 21; 1960-61, c. 34, s. 3; 1961-62, c. 52, s. 4 (1); 1968-69, c. 45, s. 15.

(2) Where a person who has been previously convicted of an offence mentioned in subsection 1 is convicted of the same or another offence mentioned in subsection 1, the second and each subsequent conviction for any of such offences shall be deemed to be a subsequent offence for the purposes of clause b of subsection 1. 1961-62, c. 52, s. 4 (2).
**Interpretation of “subsequent” for ss. 20, 21, 23**

22. Where a penalty is provided in sections 20, 21 and 23 for a subsequent offence, the word “subsequent” relates only to offences committed in any five-year period. 1960-61, c. 34, s. 4; 1961-62, c. 52, s. 5; 1968-69, c. 45, s. 16.

**Suspension for failure to stop at scene of accident 1953-54, c. 51 (Can.)**

23. The licence of a person who is convicted of an offence under subsection 2 of section 221 of the Criminal Code (Canada) is thereupon and hereby suspended for a period of,

(a) upon the first offence, where property damage only occurred in connection with the offence, three months;

(b) upon the first offence, where injury to or the death of any person occurred in connection with the offence, six months;

(c) upon any subsequent offence, six months, but where injury to or the death of any person occurred in connection with the offence, one year;

provided that, if an order is made under subsection 1 of section 225 of the Criminal Code (Canada) prohibiting a person from driving a motor vehicle for any longer period, the licence shall remain suspended during such longer period. 1961-62, c. 52, s. 6, part.

**Suspension for driving while disqualified**

24. The licence of a person who is convicted of an offence under subsection 3 of section 225 of the Criminal Code (Canada) is thereupon and hereby suspended for a period of six months in addition to the period of suspension with respect to which he was convicted under such subsection 3. 1961-62, c. 52, s. 6, part.

**Restricted licence**

25.—(1) Where the licence of a person is suspended for a period of one year under clause a of subsection 1 of section 20 or of six months under clause a of subsection 1 of section 21 by reason only of damage to property in connection with the offence, the provincial judge may, if in his opinion the licence is essential to the licensee in carrying on the occupation by which he earns his living, recommend to the Minister that a restricted licence be issued to such person and upon such recommendation the Minister may issue a restricted licence to such person subject to such conditions as he may consider proper. R.S.O. 1960, c. 172, s. 22 (1); 1964, c. 38, s. 2 (1).

(2) Notwithstanding sections 13 and 16, a restricted licence issued under subsection 1 authorizes the person to whom it is issued to operate or drive a motor vehicle for the last six-month period of the suspension under clause a of subsection 1 of section 20 or for the last three-month period of the suspension under clause a of subsection 1 of section 21, as the case may be. R.S.O. 1960, c. 172, s. 22 (2); 1964, c. 38, s. 2 (2).
(3) Every person to whom a restricted licence is issued who operates or drives a motor vehicle in contravention of the conditions of the licence is guilty of an offence and on summary conviction is liable to a fine of not less than $25 and not more than $100, and in addition the licence shall be cancelled. R.S.O. 1960, c. 172, s. 22, (3).

26. A provincial judge or justice of the peace by whom a person is convicted of a contravention of this Act, if the person convicted is required to hold an operator's licence or a chauffeur's licence and does not hold such licence, may declare him disqualified to hold such a licence for such time as the provincial judge or justice of the peace thinks fit and shall so report with the certificate of the conviction to the Minister. R.S.O. 1960, c. 172, s. 24.

27.—(1) The Registrar may, at any time for misconduct or contravention of the provisions of this Act, The Public Vehicles Act or The Public Commercial Vehicles Act or of any regulation thereunder by an owner, operator or chauffeur of a motor vehicle or for any reason that he may consider sufficient, suspend or cancel any permit or licence, and no further or other licence or permit shall be issued to such owner, operator or chauffeur during such suspension or, in the case of a cancellation, until the Registrar approves, and the Registrar may also for such misconduct or contravention or reason prohibit any person from driving a motor vehicle for such period as he may consider advisable and every such person who drives a motor vehicle during the prohibited period is liable to a fine of not more than $500. R.S.O. 1960, c. 172, s. 25 (1); 1965, c. 46, s. 4.

(2) Every person whose permit has been suspended or cancelled and who, while prohibited from having a motor vehicle registered in his name, applies for or procures the issue to him or has in his possession a permit issued to him is guilty of an offence and on summary conviction is liable to a fine of not less than $25 and not more than $100 and to imprisonment for a term of not more than thirty days.

(3) Every person whose licence has been suspended or cancelled and who, while prohibited from driving a motor vehicle, applies for or procures the issue to him or has in his possession a licence is guilty of an offence and on summary conviction is liable to a fine of not less than $25 and not more than $100 and to imprisonment for a term of not more than thirty days. R.S.O. 1960, c. 172, s. 25 (2, 3).

28.—(1) There shall be a board known as the Licence Suspension Appeal Board, which shall consist of three or more members appointed by the Lieutenant Governor in Council, and one of them shall be designated as chairman.
(2) The members of the Board shall be paid such remuneration as is determined by the Lieutenant Governor in Council.

(3) The Lieutenant Governor in Council may make regulations prescribing the duties of the Board, the fees to be paid on applications and the rules of practice and procedure applicable to procedures before the Board. 1965, c. 46, s. 5, part.

29.—(1) Every person who deems himself aggrieved by a decision of the Registrar under section 27 may appeal the decision to the Licence Suspension Appeal Board.

(2) The Board may confirm, modify or set aside the decision of the Registrar.

(3) Every person who deems himself aggrieved by a decision of the Board may, within thirty days after a notice of the decision is sent to his latest address as recorded with the Board, appeal the decision of the Board to a judge of the county or district court of the county or district in which the person resides.

(4) The judge may confirm, modify or set aside the decision of the Board.

(5) Section 32 does not apply to the suspension or cancellation of a licence or permit under section 27. 1965, c. 46, s. 5, part.

30. Every person who operates a motor vehicle the permit for which is under suspension or has been cancelled is guilty of an offence and on summary conviction is liable to a fine of not less than $100 and not more than $500 or to imprisonment for a term of not more than six months, or to both. 1968-69, c. 45, s. 18.

31. Where by or under the provisions of this Act a permit or licence is suspended and the person to whom the suspension applies is not the holder of a permit or licence, as the case may be, such person shall be deemed for all the purposes of this Act to be a person whose permit or licence, as the case may be, has been suspended. R.S.O. 1960, c. 172, s. 27.

32. If a person whose licence has been suspended enters an appeal against his conviction, the suspension does not apply unless the conviction is sustained on appeal. R.S.O. 1960, c. 172, s. 28; 1970, c. 74, s. 1.

33. The Lieutenant Governor in Council may make regulations providing for a demerit point system for drivers of motor vehicles and under such system may provide for the cancellation and suspension of licences and may require the attendance of any driver before any official of the Department to show cause why his licence should not be cancelled or suspended. R.S.O. 1960, c. 172, s. 29.
34.—(1) In this section, “driving instructor” means a person who teaches persons to operate motor vehicles and receives compensation therefor.

(2) The Lieutenant Governor in Council may make regulations licensing, regulating and governing driving instructors and the teaching of persons to operate motor vehicles.

(3) Where there is a conflict between this section and the regulations and a by-law of a municipal council or board of police commissioners regulating or governing driving instructors, this Act and the regulations prevail. R.S.O. 1960, c. 172, s. 30.

PART IV

GARAGE AND STORAGE LICENCES

35.—(1) No person shall store or deal in motor vehicles, or conduct what is known as a garage business, parking station, parking lot or used car lot or the wrecking or dismantling of vehicles without having been licensed so to do by the Department in respect of each separate premises used by him for the purpose of such business, but this section does not apply to a temporary parking lot that is being operated for a period of not more than two consecutive weeks.

(2) The fee for the licence shall be such as may be fixed from time to time by the Lieutenant Governor in Council on the recommendation of the Minister. R.S.O. 1960, c. 172, s. 31 (1, 2).

(3) Every person who stores or deals in motor vehicles or conducts a garage business, parking station, parking lot or used car lot or the wrecking or dismantling of vehicles without a licence is guilty of an offence and on summary conviction is liable to a fine of not less than $10 and not more than $50. 1968-69, c. 45, s. 19 (1).

(4) Any constable or any officer appointed for carrying out the provisions of this Part may enter into any place where motor vehicles or bicycles are stored or dealt in, or into any garage, parking station, parking lot or used car lot or premises used for the wrecking or dismantling of vehicles required to be licensed, and make such investigation and inspection as he thinks proper. R.S.O. 1960, c. 172, s. 31 (4).

(5) Every person who obstructs, molests or interferes with any constable or officer in the performance of his duties under subsection 4 is guilty of an offence and on summary conviction is liable to a fine of not less than $50 and not more than $200 or to imprisonment for a term of not more than six months, or to both. 1968-69, c. 45, s. 19 (2).
(6) The Minister may suspend or cancel the licence issued for a garage business, parking station, parking lot or used car lot or premises used for the wrecking or dismantling of vehicles for misconduct or for non-compliance with or infraction of any of the provisions of this Act or of the regulations by the holder of such licence or by any of his employees or for any other reason appearing to him to be sufficient.

(7) The Lieutenant Governor in Council, upon the recommendation of the Minister, may make regulations controlling and governing the conduct of a garage business, parking station, parking lot or used car lot or the wrecking or dismantling of vehicles. R.S.O. 1960, c. 172, s. 31 (6, 7).

36.—(1) All persons who buy, sell, wreck or otherwise deal in second-hand motor vehicles or bicycles shall keep a correct record of all motor vehicles and bicycles bought, sold or wrecked and of such information as will enable such motor vehicles and bicycles to be readily identified, and shall transmit within six days to the Department, on forms furnished by the Department, a statement of each motor vehicle bought, sold or wrecked by them and such information with reference thereto as may be required by the Department. R.S.O. 1960, c. 172, s. 32 (1).

(2) No person shall buy, sell, wreck or otherwise deal with any motor vehicle or bicycle or a trailer that has a gross weight exceeding 6,000 pounds where the manufacturer's serial number or similar identifying mark has been obliterated or defaced or is not readily recognizable. R.S.O. 1960, c. 172, s. 32 (2); 1962-63, c. 56, s. 7 (1).

(3) No person shall deface or remove the manufacturer's serial number or identifying mark from a motor vehicle or from the engine thereof or from a bicycle or from a trailer that has a gross weight exceeding 6,000 pounds. R.S.O. 1960, c. 172, s. 32 (3); 1962-63, c. 56, s. 7 (2).

(4) Where any motor vehicle is placed in the possession of a person who repairs, buys, sells, wrecks or stores motor vehicles or conducts what is known as a garage business, parking station, parking lot or used car lot and the same remains in his possession for more than two weeks without good reason, such person shall forthwith, upon the expiration of such period of two weeks, make a report thereof to the Department.

(5) If a motor vehicle that shows evidence of having been involved in a serious accident or having been struck by a bullet is brought into a garage, parking station, parking lot, used car lot or repair shop, the person in charge of the garage, parking station, parking lot, used car lot or repair shop shall forthwith report the same to the nearest provincial or municipal police officer, giving the name and address of the owner or operator and also the permit
number and a description of the vehicle. R.S.O. 1960, c. 172, s. 32 (4, 5).

(6) Every person who contravenes any of the provisions of,

(a) subsection 1 or 4 is guilty of an offence and on summary conviction is liable to a fine of not less than $10 and not more than $50;

(b) subsection 2, 3 or 5 is guilty of an offence and on summary conviction is liable to a fine of not less than $50 and not more than $200 or to imprisonment for a term of not more than thirty days, or to both. 1968-69, c. 45, s. 20.

PART V

EQUIPMENT

37.—(1) When on a highway at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 500 feet or less, every motor vehicle shall carry three lighted lamps in a conspicuous position, one on each side of the front of the vehicle which shall display a white or amber light only, and one on the rear of the vehicle which shall display a red light only, except in the case of a motorcycle without a side car, which shall carry one lamp on the front of the vehicle which shall display a white light only and one on the rear of the vehicle which shall display a red light only, and any lamp so used shall be clearly visible at a distance of at least 500 feet from the front or rear, as the case may be.

(2) No person shall sell, offer or expose for sale,

(a) a new motor vehicle manufactured after the 1st day of January, 1966, other than a commercial motor vehicle or a motorcycle, unless,

(i) there is affixed to each side of the rear thereof in a conspicuous position a lamp, which when lighted shall display a red light only, which shall be clearly visible at a distance of at least 500 feet from the rear of the vehicle, and

(ii) there is affixed to each side of the rear thereof and placed in such a position as to reflect the light from the headlamps of a motor vehicle approaching from the rear a red reflector approved by the Department or, in lieu of each reflector, red reflective material covering a surface of not less than 16 square inches; or
Driving lights

(a) a motorcycle, unless there is affixed to the rear thereof and placed in such a position as to reflect the light from the headlamps of a motor vehicle approaching from the rear a red reflector approved by the Department or red reflective material covering a surface of not less than 16 square inches. 1965, c. 46, s. 6 (1).

(b) Lamps on the front of a motor vehicle shall be so constructed, located, arranged and adjusted that when lighted as required by subsection 1 they produce under normal atmospheric conditions and on a level road a driving light sufficient to render clearly discernible to the operator of the motor vehicle any person or vehicle on the highway within a distance of 350 feet ahead of the motor vehicle. R.S.O. 1960, c. 172, s. 33 (3); 1961-62, c. 52, s. 7 (1).

Lighted streets

(3) Subsection 3 does not apply to a motor vehicle parked on a highway and subsections 1, 6, 9, 11, 20, 21, 23 and 24 do not apply to a vehicle parked on a highway upon which the speed limit is not greater than 30 miles per hour and which is so lighted by the means of any system of street or highway lighting that the vehicle is clearly discernible within a distance of 200 feet. R.S.O. 1960, c. 172, s. 33 (4); 1965, c. 46, s. 6 (2).

Strength of front lamps

(5) No motor vehicle shall carry on the front thereof more than four lighted lamps that project a beam having an intensity of over 300 candle-power. R.S.O. 1960, c. 172, s. 33 (5).

Clearance lamps required on wide vehicles

(6) When on a highway at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 500 feet or less,

(a) every commercial motor vehicle and trailer having a width at any part in excess of 80 inches, other than a truck tractor, shall carry, in addition to the lamps required by subsection 1, two lighted clearance lamps, one on each side of the front of the vehicle, which shall display an amber light, and two lighted clearance lamps, one on each side of the rear of the vehicle, which shall display a red light; or

(b) every truck tractor having a width at any part in excess of 80 inches shall carry, in addition to the lamps required by subsection 1, two lighted clearance lamps, one on each side of the front of the vehicle, which shall display an amber light, and one lighted clearance lamp on the left side of the rear of the vehicle, which shall display a red light,

and the Department may by regulation permit a reflector, approved by the Department, to be displayed in lieu of clearance lamps on the rear of the vehicle, and all such lamps shall be affixed
within 6 inches of the side of the vehicle or, where a commercial motor vehicle is equipped with a rear vision mirror or mirrors that extend in whole or in part beyond the side of the vehicle, the clearance lamps at the front of the vehicle shall be affixed to such mirror or mirrors. 1965, c. 46, s. 6 (3); 1966, c. 64, s. 5 (1).

(7) No person shall sell, offer or expose for sale a new motor vehicle manufactured after the 1st day of January, 1961, other than a commercial motor vehicle, having a width in excess of 80 inches unless it is equipped with clearance lamps as prescribed in subsection 6. R.S.O. 1960, c. 172, s. 33 (7).

(8) Every person who contravenes subsection 2 or 7 is guilty of an offence and on summary conviction is liable to a fine of not less than $100 and not more than $500. 1968-69, c. 45, s. 21 (1).

(9) When on a highway outside a city, town or village at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 500 feet or less, every commercial motor vehicle or combination of a commercial motor vehicle and a trailer having a length in excess of 30 feet or a width in excess of 80 inches shall carry three lighted lamps displaying green or amber lights at the front, except in the case of a public vehicle which shall display amber lights at the front, and three lighted lamps displaying red lights at the rear, and the lights of each colour shall be evenly placed not less than six nor more than twelve inches apart along a horizontal line as near the top of the commercial motor vehicle or combination of a commercial motor vehicle and a trailer as the permanent structure permits, and shall be visible for distances of 500 feet from the front and rear respectively of the commercial motor vehicle or combination of a commercial motor vehicle and a trailer. 1965, c. 46, s. 6 (4).

(10) Notwithstanding subsection 9, a truck tractor operated on a highway without a trailer or semi-trailer is not required to carry the three red lamps displaying red lights to the rear. 1968, c. 50, s. 7.

(11) When on a highway outside a city, town or village at any time from one-half hour after sunset to one half-hour before sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 500 feet or less, every motor vehicle or combination of vehicles having a length in excess of 20 feet shall carry not fewer than four lighted side marker lamps, one of which shall be located on each side of the vehicle or combination of vehicles near the front and shall display a green or amber light and one of which shall be located on each side of the vehicle or combination of vehicles near the rear and shall display a red light and each of which lights shall be visible for
a distance of 500 feet from the side of the vehicle or combination of vehicles upon which it is located; provided that a vehicle or combination of vehicles may carry four reflectors approved by the Department in lieu of the side marker lamps required by this section; and provided further that, if the clearance lamps upon the left side of any vehicle or combination of vehicles display lights visible for a distance of 500 feet from the left side of the vehicle or combination of vehicles, it is not necessary to carry side marker lamps as required by this subsection on the left side of the vehicle. 1965, c. 46, s. 6 (5).

(12) In addition to the lighting requirements in this Part, an ambulance, fire department vehicle, police department vehicle, public utility emergency vehicle or school bus may carry a lamp or lamps that cast a red light only or such other colour of light that may, with the approval of the Department, be designated by a by-law of the municipality in which the vehicle is operated, but no other motor vehicle shall carry any lamp that casts a red light to the front. 1966, c. 64, s. 5 (2).

(13) A volunteer fire fighter under The Fire Departments Act may carry on the left front fender of his motor vehicle a lamp not exceeding 4 inches in diameter displaying an amber and a white flashing light showing the letters “V.F.F.”, which lamp shall be illuminated only when such motor vehicle is proceeding to a fire or other emergency, and no other motor vehicle shall carry any such lamp. 1967, c. 35, s. 2.

(14) When on a highway at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 500 feet or less, every bicycle or tricycle shall carry on the front thereof a lighted lamp displaying a white or amber light and on the rear thereof a lighted lamp displaying a red light or a reflector approved by the Department, and in addition there shall be placed on the front forks thereof white reflective material, and on the rear thereof red reflective material covering a surface of not less than ten inches in length and one inch in width. 1965, c. 46, s. 6 (6), part.

(15) Every person who contravenes subsection 14 is guilty of an offence and on summary conviction is liable to a fine of not more than $5. 1968-69, c. 45, s. 21 (3).

(16) The lamp on the rear of a motor vehicle or trailer shall be of at least three candle-power and shall be so placed that it will, at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 500 feet or less,
illuminate the numbers on the number plate, or, if provision is made on the number plate or on any attachment furnished or required by the Department for affixing such lamp, it shall be affixed in the position or space provided, and such lamp shall face to the rear and reflect on the number plate a white light only. 1965, c. 46, s. 6 (6), part.

(17) A motor vehicle, other than a commercial motor vehicle, while standing upon a highway at such times as lights are required by this section for the vehicle may, in lieu of the lighting equipment specified in this section, show one light carried on the left side of the vehicle in such a manner as to be clearly visible to the front and rear for a distance of at least 200 feet and to show white to the front and red to the rear of the vehicle; provided that such light shall not be displayed while the motor vehicle is in motion.

(18) The Lieutenant Governor in Council may make regulations,

(a) prescribing the type and maximum strength of lights that shall be carried by vehicles, and regulating the location, direction, focus and use of such lights;
(b) regulating or prohibiting the use of lights on vehicles that automatically produce intermittent flashes of light.

(19) No motor vehicle shall be equipped with more than one spotlamp and every lighted spotlamp shall be so directed, upon approaching or upon the approach of another vehicle, that no part of the high intensity portion of the beam from such lamp will be directed to the left of the prolongation of the extreme left side, nor more than 100 feet ahead, of the vehicle to which it is attached. R.S.O. 1960, c. 172, s. 33 (17-19).

(20) Every traction engine shall, at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 500 feet or less, carry a lighted lamp in a conspicuous place in front, which shall display a white or green light only, and one on the rear of the engine or of any vehicle that may be attached to it, which shall display a red light only.

(21) When on a highway at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 500 feet or less, every trailer and every object or contrivance drawn by a vehicle shall carry on the rear thereof one lighted lamp, which shall display a red light only. 1965, c. 46, s. 6 (6), part.
(22) When on a highway at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 500 feet or less, every vehicle, and every object or contrivance drawn by a vehicle, having a width at any part in excess of 96 inches, shall carry at the rear two lighted lamps displaying red lights or two red reflectors, one of which shall be affixed as nearly as possible to the extreme left side and one as nearly as possible to the extreme right side of the vehicle, and such lamps or reflectors shall be clearly visible at a distance of at least 500 feet from the rear of the vehicle. 1965, c. 46, s. 6 (7).

(23) Subject to subsection 25, every vehicle, other than a motor vehicle, bicycle, tricycle or a vehicle referred to in subsection 21, 22 or 24, when on a highway at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 500 feet or less, shall carry in a conspicuous position on the left side thereof a lighted lamp which shall display a white light to the front and a red light to the rear or a lighted lamp which shall display a white light to the front and a red light to the rear, and any lamp so used shall be clearly visible at a distance of at least 500 feet from the front and the rear of the vehicle, as the case may be. 1965, c. 46, s. 6 (8).

(24) Every farm tractor and every self-propelled unit of farm equipment or implement of husbandry equipped with an electric lighting system, when on a highway at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 500 feet or less, shall carry the lighted lamps required for motor vehicles under subsection 1. 1965, c. 46, s. 6 (9).

(25) The Department may by regulation permit a reflector approved by the Department to be displayed in lieu of a lighted lamp on vehicles commonly used for conveying flammable materials or vehicles that are structurally unsuitable for carrying lighted lamps. R.S.O. 1960, c. 172, s. 33 (26).

(26) No person shall sell a new motor vehicle, other than a motorcycle, unless it is equipped with mechanical or electrical signalling devices that comply with subsections 5 and 7 of section 94. R.S.O. 1960, c. 172, s. 33 (28).

(27) Every person who contravenes any of the provisions of subsection 26 is guilty of an offence and on summary conviction is
liable to a fine of not less than $100 and not more than $500. 1968-69, c. 45, s. 21 (6).

(28) Every motor vehicle or combination of motor vehicle and trailer having a width at any part in excess of 80 inches or having a length in excess of 20 feet shall be equipped with mechanical or electrical signalling devices that comply with subsections 5 and 7 of section 94.

(29) Where any light is required by any provision of this Act to be visible for a specified distance, such requirement shall be deemed to apply during the times indicated in such provision upon level ground and under normal atmospheric conditions. R.S.O. 1960, c. 172, s. 33 (29, 30).

(30) No person shall operate on a highway a motor vehicle or road-building machine while being used for the removal of snow from a highway unless the motor vehicle or road-building machine is equipped with a lamp producing intermittent flashes of blue light visible for a distance of 500 feet.

(31) No person shall use a lamp that automatically produces intermittent flashes of blue light on a motor vehicle or road-building machine other than a motor vehicle or road-building machine while being used for the removal of snow from a highway. 1961-62, c. 52, s. 7 (2).

38. Every vehicle that is equipped with a right hand drive shall, unless it is equipped with a mechanical or electrical signal device as described in subsection 5 of section 94, have prominently displayed on the rear thereof, in bold face letters of not less than two inches in height and of a colour which is in contrast to that of the vehicle, the words,

"RIGHT HAND DRIVE VEHICLE".

R.S.O. 1960, c. 172, s. 34.

39.—(1) Every motor vehicle, other than a motorcycle, when operated on a highway shall be equipped with at least two braking systems, each with a separate means of application and effective on at least two wheels, one of which shall be adequate to stop the vehicle as required by regulations made by the Department and the other of which shall be adequate to hold the vehicle stationary. R.S.O. 1960, c. 172, s. 35 (1).

(2) Every motorcycle when being operated on a highway shall be equipped with at least two braking systems each with a separate means of application with one effective on the front wheel and one effective on the rear wheel. 1967, c. 35, s. 3 (1).
(3) Every trailer or semi-trailer having a gross weight of 3,000 pounds or more shall be equipped with brakes adequate to stop and to hold the vehicle. R.S.O. 1960, c. 172, s. 35 (3).

(4) The Lieutenant Governor in Council may make regulations,

(a) requiring vehicles or any type or class thereof to be equipped with brakes or braking systems in addition to the brakes required by subsection 1, 2 or 3; and

(b) prescribing the standards and specifications of brakes and braking systems or any class or type thereof that are required by this section or regulations made under clause a. 1961-62, c. 52, s. 8 (1).

(5) All such brakes and braking systems shall be maintained in good working order and shall conform to the regulations made under this section.

(6) Any constable or any officer appointed for carrying out the provisions of this Act may at any time inspect or cause an inspection to be made of the brakes and braking systems on any vehicle on the highway, and may, if the brakes or braking systems do not conform to the regulations made under this section, require the driver of the vehicle to proceed forthwith to make or have such brakes and braking systems made to comply with such regulations. 1967, c. 35, s. 3 (2).

40.—(1) No person shall sell or offer for sale hydraulic brake fluid, for use in vehicles upon a highway, that does not comply with the standards and specifications prescribed by the regulations or in containers not marked in compliance with the regulations.

(2) The Lieutenant Governor in Council may make regulations,

(a) prescribing the standards and specifications of hydraulic brake fluid or any type or class thereof for use in vehicles;

(b) providing for the identification and labelling of containers used for hydraulic brake fluid or any type or class thereof. R.S.O. 1960, c. 172, s. 36.

(3) Any regulation may adopt by reference, in whole or in part with such changes as the Lieutenant Governor in Council considers necessary, any code of standards or specifications of hydraulic brake fluid. 1960-61, c. 34, s. 5.

(4) Every person who contravenes any of the provisions of this section or any regulation made under this section is guilty of an offence and on summary conviction is liable to a fine of not less than $100 and not more than $500. 1968-69, c. 45, s. 23.
41. (1) Every motor vehicle other than a motorcycle shall be equipped with,

(a) a device for cleaning rain, snow and other moisture from the windshield so constructed as to be controlled or operated by the chauffeur or operator;

(b) a mirror or mirrors securely attached to the vehicle and placed in such a position as to afford the chauffeur or operator a clearly reflected view of the roadway in the rear, or of any vehicle approaching from the rear. R.S.O. 1960, c. 172, s. 37 (1); 1964, c. 38, s. 4.

(2) Every motor vehicle and every trailer shall be equipped with mudguards or fenders or other device adequate to reduce effectively the wheel spray or splash of water from the roadway to the rear thereof, unless adequate protection is afforded by the body of the motor vehicle or trailer or by a trailer drawn by the motor vehicle.

(3) Subsection 2 does not apply to motor vehicles or trailers in an unfinished condition while proceeding to a works for completion. R.S.O. 1960, c. 172, s. 37 (2, 3).

(4) Every motor vehicle other than a motorcycle shall be equipped with an odometer in good working order. 1968, c. 50, s. 8.

42. Every bus when operated on a highway shall be equipped with a speedometer which shall be maintained in good working order. 1961-62, c. 52, s. 9.

43. (1) All self-propelled vehicles other than traction engines, and all trailers having a gross weight in excess of two tons, shall be equipped with rubber tires or tires of some composition equally resilient, and a vehicle shall not be operated on any highway with a tire that is broken or defective in such a manner as to cause additional impact or pounding on or cutting of the highway, and in the case of motor vehicles and trailers equipped with solid rubber tires there shall be at least one and one-quarter inches of rubber between the wheel rim and the roadway.

(2) No vehicles shall be operated or object moved over or upon any highway with any flange, rib, clamp or other device attached to its wheels, or made a part thereof, which will injure the highway.

(3) No person driving a vehicle drawn by a horse or other animal and used for carrying articles of burden, goods, wares or merchandise shall when descending a grade on a highway lock any wheel of such vehicle except with the device commonly known as a lock-shoe. R.S.O. 1960, c. 172, s. 38 (1-3).
44. —(1) The Lieutenant Governor in Council may make regulations,

(a) prescribing the standards and specifications of tires to be used on vehicles or any class or classes thereof;

(b) providing for and requiring the identification and marking of tires;

(c) prohibiting the sale of tires or any type thereof that do not comply with the standards and specifications therefor prescribed by the regulations and that are not marked in accordance with the regulations;

(d) prohibiting the use of any type of tire on a highway during any period of the year and designating such period.

(2) Any regulation may adopt by reference, in whole or in part, with such changes as the Lieutenant Governor in Council considers necessary, any code, and may require compliance with any code that is so adopted. 1967, c. 35, s. 4.

(3) Every person who contravenes any regulation made under clause a, b or c of subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not less than $100 and not more than $500. 1968-69, c. 45, s. 26.

45. —(1) In this section, “rebuild” means to make or impose a new tread or new surface or to otherwise alter the surface of a used tire so that it will resemble a new tire, by cutting into or adding rubber to the surface thereof, or by a combination of both.

(2) No person shall rebuild any tire designed for use upon a motor vehicle unless he causes it to be indicated in letters of not less than one-half inch in height, clearly embossed upon or imposed upon or cut into the outside surface of each wall of the tire, that it has been rebuilt.

(3) No person shall sell, offer or expose for sale, or have in his possession with intent to sell, any tire designed for use upon a motor vehicle that has been rebuilt unless it is indicated in letters of not less than one-half inch in height, clearly embossed upon or imposed or cut into the outside surface of each wall of the tire, that it has been rebuilt. R.S.O. 1960, c. 172, s. 39 (1-3).

(4) Every person who contravenes any of the provisions of subsection 2 or 3 is guilty of an offence and on summary conviction is liable to a fine of not less than $100 and not more than $500. 1968-69, c. 45, s. 27.

46. —(1) In this section, “motor vehicle” includes any apparatus or device that is permanently or temporarily attached to a motor vehicle, other than for the purpose of towing it, and in which a person can ride. 1968-69, c. 45, s. 28, part.
(2) No person shall sell any new motor vehicle nor shall any new motor vehicle be registered with the Department unless such vehicle is equipped with safety glass wherever glass is used in doors, windows and windshield.

(3) No person shall install glass other than safety glass in the door, window or windshield of any motor vehicle. R.S.O. 1960, c. 172, s. 40.

(4) Every person who contravenes any of the provisions of this section is guilty of an offence and on summary conviction is liable to a fine of not less than $100 and not more than $500. 1968-69, c. 45, s. 28, part.

47. — (1) No person shall drive a motor vehicle upon a highway,
(a) with any sign, poster or other non-transparent material or object placed on the windshield or on any window of such motor vehicle; or
(b) with any object placed in, hung on or attached to such motor vehicle,
in such manner as will obstruct the driver's view of the highway or any intersecting highway.

(2) This section does not prevent the use of signs, markers or equipment required under this Act or the regulations. R.S.O. 1960, c. 172, s. 41.

48. — (1) No person shall drive a motor vehicle upon a highway,
(a) unless the windshield and the windows on either side of the compartment containing the steering wheel are in such a condition as to afford the driver a clear view to the front and side of the motor vehicle; and
(b) unless the rear window is in such a condition as to afford the driver a clear view to the rear of the motor vehicle.

(2) Clause (b) of subsection 1 does not apply to a motor vehicle that is equipped with a mirror or mirrors securely attached to the motor vehicle and placed in such a position and maintained in such a condition as to afford the driver, otherwise than through the rear window, a clearly-reflected view of the roadway in the rear or of any vehicle approaching from the rear. 1966, c. 64, s. 7.

49. — (1) Every motor vehicle shall be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and excessive smoke, and no person shall use a muffler cut-out, straight exhaust, gutted muffler, hollywood muffler, by-pass or similar device upon a motor vehicle. R.S.O. 1960, c. 172, s. 42 (1); 1967, c. 35, s. 5.
(2) The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke. R.S.O. 1960, c. 172, s. 42 (2).

(3) A person having the control or charge of a motor vehicle shall not sound any bell, horn or other signalling device so as to make an unreasonable noise, and an operator or chauffeur of any motor vehicle shall not permit any unreasonable amount of smoke to escape from the motor vehicle, nor shall such operator or chauffeur at any time cause the motor vehicle to make any unnecessary noise, but this subsection does not apply to a motor vehicle of a municipal fire department while proceeding to a fire or answering a fire alarm call. R.S.O. 1960, c. 172, s. 42 (3); 1966, c. 64, s. 8.

(4) Every motor vehicle, bicycle and tricycle shall be equipped with an alarm bell, gong or horn, which shall be kept in good working order and sounded whenever it is reasonably necessary to notify pedestrians or others of its approach.

(5) No vehicle other than an ambulance, fire or police department vehicle, public utility emergency vehicle or vehicle operated by the Department shall be equipped with a siren horn or a device producing a sound which so nearly resembles that produced by a siren horn as to deceive or confuse. R.S.O. 1960, c. 172, s. 42 (4, 5).

50.—(1) Every farm tractor and self-propelled implement of husbandry when operated on a highway or any vehicle towed by either of them, shall have a slow moving vehicle sign attached to the rear thereof in accordance with the regulations, except when directly crossing a highway. 1968, c. 50, s. 9, part; 1968-69, c. 45, s. 30.

(2) The Lieutenant Governor in Council may take regulations prescribing the type and specifications of the sign referred to in subsection 1, and the location thereof on the vehicle. 1968, c. 50, s. 9, part.

51.—(1) Every person travelling on a highway with a sleigh or sled drawn by a horse or other animal shall have at least two bells attached to the harness or to the sleigh or sled in such a manner as to give ample warning sound. R.S.O. 1960, c. 172, s. 43 (1).

(2) Every person who contravenes any of the provisions of subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not more than $5. 1968-69, c. 45, s. 31.

52.—(1) No person shall drive on a highway a motor vehicle that is equipped with a television receiving set,

(a) any part of which is located in the motor vehicle forward of the back of the driver's seat; or
(b) that is visible to the driver while he is operating the motor vehicle.

(2) No person shall drive on a highway a motor vehicle in which a television set, while being operated, is located in the motor vehicle forward of the back of the driver’s seat or is visible to the driver while he is operating the motor vehicle. 1965, c. 46, s. 7.

53. No motor vehicle, other than a motor vehicle in which there is a person licensed to operate a motor vehicle on a highway, trailer or other object or device shall be drawn by a motor vehicle or farm tractor on a highway unless there are two separate means of attachment so constructed and attached that the failure of one such means will not permit the motor vehicle, trailer, object or device being drawn to become detached; but this subsection does not apply to a trailer so designed and used that part of its own weight and of its own load rests upon or is carried by another vehicle or to a trailer or other object or device when drawn directly across a highway by a farm tractor. R.S.O. 1960, c. 172, s. 45(1).

54. The Lieutenant Governor in Council may make regulations requiring any type or class of commercial motor vehicle or trailer to be equipped with rear bumpers and prescribing the location and means of attachment of such bumpers and prescribing the specifications for such bumpers. R.S.O. 1960, c. 172, s. 46.

55. — (1) Every constable and every officer appointed for the purpose of carrying out the provisions of this Act may require the driver of any motor vehicle to submit such motor vehicle, together with its equipment and any trailer attached thereto, to such examination and tests as the constable or officer may consider expedient.

(2) Where any such vehicle, equipment or trailer is found to be in a dangerous or unsafe condition, the constable or officer making the examination or tests may require the driver of the vehicle to proceed to have the vehicle, equipment or trailer placed in a safe condition and may order the vehicle or trailer to be removed from the highway and may prohibit the operation of the vehicle or trailer on the highway until the vehicle, equipment or trailer has been placed in a safe condition. R.S.O. 1960, c. 172, s. 47.

(3) Every driver of a motor vehicle who refuses or fails to submit the motor vehicle, together with its equipment and any trailer attached thereto, to such examination and tests as may be required by a constable or officer 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 $100.
(4) Subsection 3 does not apply unless the constable or officer under subsection 1 has given to the driver of the motor vehicle a written notice in the form prescribed by the Lieutenant Governor in Council requiring the driver to submit the motor vehicle, together with its equipment and any trailer attached thereto, to examination and tests. 1968-69, c. 45, s. 33.

(5) Where the operation of a motor vehicle or trailer has been prohibited under subsection 2, the constable or officer may seize the registration plates of the motor vehicle or trailer that is in a dangerous or unsafe condition and hold them until the motor vehicle or trailer has been placed in a safe condition. 1964, c. 38, s. 6, part.

56. The Lieutenant Governor in Council may make regulations,

(a) requiring the owners of commercial motor vehicles, or any type or class thereof, uninsured motor vehicles, and motor vehicles that have been involved in accidents that are reportable under section 139 to submit them to inspection;

(b) prescribing the inspection procedures, inspection requirements and performance standards required for such motor vehicles;

(c) prohibiting the operation on a highway of motor vehicles that do not comply with such requirements and standards, and providing for the seizure of the registration plates of such motor vehicles and for holding them until the motor vehicle is made to comply with such requirements and standards. 1968-69, c. 45, s. 34.

57. No person shall drive or operate or permit the driving or operation upon a highway of a vehicle that is in such a dangerous or unsafe condition as to endanger the driver or operator or any occupant thereof, or any person upon the highway. R.S.O. 1960, c. 172, s. 48.

58.—(1) Except as provided in subsection 2, every dealer in used motor vehicles, before he enters into a contract to sell a used motor vehicle, shall give to the purchaser a certificate of mechanical fitness as prescribed by the regulations that is duly completed and signed by the dealer.

(2) When a dealer in used motor vehicles sells a used motor vehicle that cannot be certified as mechanically fit as provided in subsection 1, he shall forward to the Department the notice required under subsection 1 of section 9 together with the number plates and permit issued with respect to such motor vehicle.
(3) The Department shall not issue a permit or number plates to any person upon an application,
(a) except as provided in subsection 4 to transfer a used motor vehicle; or
(b) to register a used motor vehicle in Ontario that is registered in another jurisdiction,
unless there is produced a valid certificate of mechanical fitness respecting such vehicle as prescribed by the regulations that is given by a dealer under subsection 1 or that is duly completed and signed by the holder of a subsisting certificate of qualification as a motor mechanic under The Apprenticeship and Tradesmen's Qualification Act.

(4) Subsection 3 does not apply to a commercial motor vehicle currently registered in another jurisdiction and owned by a person who does not reside in Ontario.

(5) Where a person applies for the transfer of a used motor vehicle and does not produce a valid certificate of mechanical fitness respecting such vehicle as required by subsection 3, he shall forward to the Department the notice required under subsection 2 of section 9 together with the number plates and permit issued with respect to such motor vehicle.

(6) The Department, upon receipt of the notice together with the number plates and permit under subsection 2 or 5 shall issue with respect to such motor vehicle a permit marked "unfit motor vehicle" and number plates shall not be issued under Part II for such motor vehicle until a valid certificate of mechanical fitness as required by subsection 3 is produced for such motor vehicle.

(7) Subsections 1, 2, 3 and 5 do not apply to the sale or transfer of a used motor vehicle to a dealer in used motor vehicles.

(8) Subsection 2 of section 2 of The Motor Vehicle Accident Claims Act does not apply upon the issuance or transfer of a permit where such permit is marked "unfit motor vehicle" but does apply upon the issuance by the Department of number plates for such motor vehicle.

(9) Every dealer who contravenes subsection 1 or 2 is guilty of an offence and on summary conviction is liable to a fine of not less than $50 and not more than $300.

(10) Every person who makes a false statement in a certificate of mechanical fitness is guilty of an offence and on summary conviction is liable to a fine of not less than $50 and not more than $300.

(11) The Lieutenant Governor in Council may make regulations,
(a) prescribing the form and content of certificates of mechanical fitness;
prescribing inspection procedures, inspection requirements and performance standards of those items to be inspected under a certificate of mechanical fitness;

(c) prescribing the term of validity of a certificate of mechanical fitness. 1968, c. 50, s. 10.

59. The Lieutenant Governor in Council may make regulations,

(a) requiring the use of any accessory, or any type or class thereof, on vehicles, regulating the use thereof and prescribing the specifications thereof;

(b) prohibiting the use on vehicles of any accessory or ornament, or any type or class thereof;

(c) prohibiting the sale or offering for sale of any accessory or ornament, or any type or class thereof, that is designed for use on vehicles;

(d) designating an organization to test and mark its approval of any accessory designated by the regulations, and prohibiting the installation, sale or purchase of any designated accessory that is not marked as approved by the testing organization. 1966, c. 64, s. 10.

60.—(1) The Lieutenant Governor in Council may make regulations,

(a) requiring the use or incorporation of any device, in or on any vehicle, that may affect the safe operation of the vehicle on the highway or that may reduce or prevent injury to persons in a vehicle on a highway or to persons using the highway, and prescribing the specifications thereof;

(b) designating devices and designating an organization to test and mark its approval of any device so designated, and prohibiting the incorporation or use in or on a vehicle of any device so designated that is not marked as approved by the testing organization. 1966, c. 64, s. 10.

(2) Any regulation may adopt by reference, in whole or in part, with such changes as the Lieutenant Governor in Council considers necessary, any code, and may require compliance with any code that is so adopted. 1968, c. 50, s. 11.

(3) Every person who contravenes any of the provisions of a regulation made under this section is guilty of an offence and on summary conviction is liable to a fine of not less than $100 and not more than $500. 1968-69, c. 45, s. 35.
61.—(1) Every commercial motor vehicle shall have attached to or painted on both sides of the vehicle in a clearly visible position a sign showing the name of the owner, but the Department may by regulation designate any vehicle or classes of vehicles to which this subsection does not apply.

(2) Every commercial motor vehicle and every trailer shall have securely attached to the back thereof, within six inches of the left side of the body in such a position as to reflect the light from the headlights of a vehicle approaching from the rear, a red reflector approved by the Department. R.S.O. 1960, c. 172, s. 51 (1, 2).

(3) No person shall sell, offer or expose for sale a new commercial motor vehicle or trailer manufactured after the 1st day of January, 1966, other than a truck tractor, unless,

(a) there is affixed to each side of the rear thereof in a conspicuous position a lamp, which when lighted shall display a red light only, which shall be clearly visible for a distance of at least 500 feet from the rear of the vehicle; and

(b) there is affixed to each side of the rear thereof and placed in such a position as to reflect the light from the headlamps of a motor vehicle approaching from the rear a red reflector approved by the Department. 1965, c. 46, s. 8.

(4) Every road-building machine when on a highway shall have attached to or painted on both sides of the machine in a clearly visible position a sign showing the name and address of the owner. R.S.O. 1960, c. 172, s. 51 (3).

(5) Every person who contravenes any of the provisions of subsection 3 is guilty of an offence and on summary conviction is liable to a fine of not less than $100 and not more than $500. 1968-69, c. 45, s. 36.

62.—(1) No person shall ride on or operate a motorcycle on a highway unless he is wearing a helmet that complies with the regulations.

(2) The Lieutenant Governor in Council may make regulations,

(a) prescribing the standards and specifications of helmets referred to in subsection 1;

(b) providing for and requiring the identification and marking of such helmets.

(3) Any regulation may adopt by reference in whole or in part, with such changes as the Lieutenant Governor in Council considers necessary, any code, and may require compliance with any code that is so adopted. 1968, c. 50, s. 12.
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63.—(1) No person who deals in motor vehicles shall sell or offer to sell a motor vehicle manufactured after the date this section comes into force that does not conform to the standards required under the Motor Vehicle Safety Act (Canada), and bears the National Safety Mark referred to therein. 1970, c. 74, s. 2.

(2) Subsection 1 does not come into force until a day to be named by the Lieutenant Governor by his proclamation. 1970, c. 74, s. 10 (5).

PART VI

WEIGHT, LOAD AND SIZE

64.—(1) In this section,

(a) "Class A Highway" means a highway designated as such by the Minister;

(b) "Class B Highway" means a highway not designated by the Minister as a "Class A Highway";

(c) "pole-trailer" means a trailer attached to a towing vehicle by means of a reach or pole or by being boomed or otherwise secured to the towing vehicle and ordinarily used for transporting long or irregularly-shaped loads such as poles, pipes or structural members capable, generally, of sustaining themselves as beams between the supporting connections. R.S.O. 1960, c. 172, s. 52 (1); 1960-61, c. 34, s. 6 (1).

(2) Unless a special permit has been issued pursuant to section 65, no vehicle having a gross weight in excess of the following shall be moved upon wheels, rollers or otherwise over or upon a Class A Highway:

1. The gross weight of a vehicle except as otherwise provided in this Part shall not exceed 28,000 pounds and the weight upon one axle shall not exceed 18,000 pounds, and if axles are spaced less than eight feet apart the weight on one axle shall not exceed 14,000 pounds.

2. The gross weight of a trailer, other than a semi-trailer or pole-trailer, with two axles shall not exceed 32,000 pounds and the weight upon one axle shall not exceed 18,000 pounds, and if axles are spaced less than eight feet apart the weight on one axle shall not exceed 14,000 pounds.

3. The gross weight of a vehicle with three axles so designed that under any loading conditions the ratio of the weight on the middle axle to the weight on the rear axle remains constant, except a semi-trailer with three axles, shall not exceed 42,000 pounds and the weight on one axle shall not exceed 16,000 pounds.
4. Notwithstanding paragraph 3, the gross weight of a combination of vehicles consisting of a motor vehicle with three axles and semi-trailer with three axles shall not exceed 80,000 pounds.

5. When a conversion unit consisting of a single axle designed to convert a two-axle vehicle into a three-axle vehicle as described in paragraph 3 is used with or attached to a two-axle vehicle, the gross weight of such converted two-axle vehicle shall not exceed 42,000 pounds.

6. The gross weight of a vehicle equipped wholly or in part with non-pneumatic tires shall not exceed 16,000 pounds and the weight upon one axle shall not exceed 12,000 pounds.

7. The gross weight of a semi-trailer with two axles or a pole-trailer with two axles so designed that under any loading conditions the weight on both axles remains constant shall not exceed 32,000 pounds.

8. The gross weight of a semi-trailer with three axles or a pole-trailer with three axles so designed that under any loading conditions the weight on the three axles remains constant shall not exceed 42,000 pounds.

(3) Unless a special permit has been issued pursuant to section 65, no vehicle having a gross weight in excess of the following shall be moved upon wheels, rollers or otherwise over or upon a Class B Highway:

1. The gross weight of a vehicle shall not exceed 22,000 pounds and the weight upon one axle shall not exceed 16,000 pounds, and if axles are spaced less than eight feet apart the weight on one axle shall not exceed 10,000 pounds.

(4) No vehicle, object or contrivance for moving loads that is equipped with tires of less than six inches in width shall be operated or moved upon or over any highway, the weight of which, or the gross weight of which, exceeds 500 pounds upon any inch in width of tire, roller, wheel or other object, and no vehicle equipped with tires of six inches or more in width, the weight or gross weight of which exceeds 600 pounds upon any inch in width of the tire, shall be so operated without first obtaining a permit as provided by section 65.

(5) The Lieutenant Governor in Council may make regulations prescribing the minimum width of tires with which any vehicle operated upon a highway shall be equipped.
(6) For the purpose of this section, the width of solid rubber or pneumatic tires shall be as stamped thereon by the manufacturer and approved by the Department. R.S.O. 1960, c. 172, s. 52 (3-6).

(7) Every person who contravenes any of the provisions of subsection 2, 3 or 4 is guilty of an offence and on summary conviction is liable to a fine of,

(a) 50 cents per hundredweight or part thereof of the gross weight in excess of that permitted where the overweight is less than 5,000 pounds;

(b) $1 per hundredweight or part thereof of the gross weight in excess of that permitted where the overweight is 5,000 pounds or more but is less than 10,000 pounds;

(c) $2 per hundredweight or part thereof of the gross weight in excess of that permitted where the overweight is 10,000 pounds or more but is less than 15,000 pounds;

(d) $3 per hundredweight or part thereof of the gross weight in excess of that permitted where the overweight is 15,000 pounds or more but is less than 20,000 pounds;

(e) $4 per hundredweight or part thereof of the gross weight in excess of that permitted where the overweight is 20,000 pounds or more but is less than 30,000 pounds;

(f) $5 per hundredweight or part thereof of the gross weight in excess of that permitted where the overweight is 30,000 pounds or more. 1968-69, c. 45, s. 37.

(8) The municipal corporation or other authority having jurisdiction over a bridge may by by-law approved by the Department make regulations limiting the gross weight of any vehicle or combination of vehicles or any class thereof passing over such bridge and notice of the limit of the weight fixed by such regulation, legibly printed, shall be posted up in a conspicuous place at each end of the bridge.

(9) The Lieutenant Governor in Council may make regulations limiting the gross weight of any vehicle or combination of vehicles or any class thereof passing over a bridge forming part of a provincial highway or a highway in territory without municipal organization and the requirements of subsection 8 with respect to the posting up of notice apply thereto. R.S.O. 1960, c. 172, s. 52 (8, 9).

65. — (1) The municipal corporation or other authority having jurisdiction over the highway may, upon application in writing, grant a permit for the moving of heavy vehicles, loads, objects or structures in excess of the limits prescribed by section 64 or 70 or Part VII. R.S.O. 1960, c. 172, s. 53 (1); 1970, c. 74, s. 4 (1).
(2) Such permit may be general or may limit the time and the particular highway that may be used and may contain conditions relating to the protection of persons and property from injury or damage and the municipal corporation or other authority may require a bond sufficient to cover the cost of repairing any possible damage to the highway. 1962-63, c. 56, s. 11.

(3) The council of any municipality may, by by-law, provide that such permit may be issued by any officer of the corporation named therein.

(4) In the case of a vehicle for which a permit is required under this section in order to pass over a highway or highways under the jurisdiction of two or more municipalities or other authorities, the permit so to do may be issued by the Department, which permit is in lieu of the several permits to be otherwise obtained from the municipal corporations or other authorities, and the permit may limit the time and the particular highway or highways that may be used, and may contain any special conditions or provisions that may be considered necessary to protect such highways from damage, and the Department may require a bond sufficient to cover the cost of repairing such possible damage to the highway.

(5) The owner, driver, operator or mover of any such vehicle, object or contrivance who has obtained the permit mentioned in this section is nevertheless responsible for all damages that may be caused to the highway by reason of the driving, operating or moving of any such vehicle, object or contrivance. R.S.O. 1960, c. 172, s. 53 (3-5).

(6) Every person to whom a permit has been issued under this section who operates or permits the operating of a vehicle or combination of vehicles contrary to any of the conditions of such permit is guilty of an offence and on summary conviction is liable to a fine of not less than $100 and not more than $500 and in addition a fine shall be imposed as if he had also been convicted of an offence under subsection 7 of section 64 in respect of any gross weight in excess of the gross weight permitted under that section or clause a of section 73 in respect of any excess axle unit weight as if no special permit had been issued. 1970, c. 74, s. 4 (2).

66.—(1) Subject to subsection 1 of section 16 of The Public Vehicles Act, no motor vehicle, combination of vehicles or trailer having a permit issued under this Act, the fee for which is based upon the weight of the vehicle or combination of vehicles and load, shall at any time when on a highway carry a load in excess of that for which the permit was issued as stated upon the permit, and for which the fee therefor was estimated. R.S.O. 1960, c. 172, s. 54 (1); 1967, c. 35, s. 8.

(2) The permit issued for a commercial motor vehicle and for every trailer drawn by it, or a true copy thereof, shall, whenever such vehicle is on a highway, be carried by the driver thereof or
placed in some readily accessible position in the vehicle and shall be produced when demanded by a constable or an officer appointed for carrying out the provisions of this Act or The Public Commercial Vehicles Act.

(3) Subsection 2 does not apply when a permit has been surrendered for transfer of registration or when such surrender is required by law.

(4) During the months of March and April, commercial motor vehicles and trailers, other than public vehicles, operated over or upon any portion of the King’s Highway to which the provisions of this subsection are declared to be applicable by the Lieutenant Governor in Council, or upon any other highway not within a city or separated town, shall not be loaded in excess of the following limits without obtaining a permit as provided by section 65:

1. A vehicle equipped wholly or in part with solid tires shall not be loaded in excess of one-half the carrying capacity as registered with the Department.

2. A vehicle equipped wholly with pneumatic tires and having a carrying capacity registered with the Department of three tons and not more than six tons shall not be loaded in excess of three tons.

3. A vehicle equipped wholly with pneumatic tires and having a registered carrying capacity in excess of six tons shall not be loaded in excess of one-half the capacity registered with the Department.

(5) During the months of March and April, a vehicle, other than a motor vehicle or trailer, operated over or upon any portion of the King’s Highway to which the provisions of this subsection are declared to be applicable by the Lieutenant Governor in Council, or upon any other highway not within a city or separated town, and having a carrying capacity exceeding one ton, shall not be loaded in excess of 250 pounds upon any inch in width of tire without obtaining a permit as provided by section 65. R.S.O. 1960, c. 172, s. 54 (2-5).

(6) Every person who contravenes any of the provisions of subsection 1, 4 or 5 is guilty of an offence and on summary conviction is liable to a fine as if he had been convicted under subsection 7 of section 64 and in addition, if the conviction is for a contravention under subsection 1, the Registrar may suspend the registration permit of the vehicle or vehicles involved and such suspension shall continue until the vehicle has been reregistered at the maximum gross weight allowable and the additional registration fee has been paid. 1968-69, c. 45, s. 39.

(7) The council of a city or separated town may, by by-law, declare the provisions of subsections 4, 5 and 6 to be in force in respect of highways within the city or separated town.
(8) The municipal corporation or other authority having jurisdiction over any highway may declare the provisions of subsections 4, 5 and 6 to extend and apply to highways under its jurisdiction during any period of the year or that the provisions of subsections 4 and 5 do not apply to any or all highways under its jurisdiction; but a by-law of a municipality passed under this subsection does not take effect until it has received the approval of the Minister. R.S.O. 1960, c. 172, s. 54 (7, 8).

(9) In the case of highways under the jurisdiction of the Department of Highways and highways in territory without municipal organization, the Lieutenant Governor in Council may, upon the recommendation of the Minister, declare the provisions of subsections 4, 5 and 6 to extend and apply during any period of the year. R.S.O. 1960, c. 172, s. 54 (8), amended.

67.—(1) Any constable or any officer appointed for carrying out the provisions of this Act, having reason to believe that the weight of a vehicle and load is in excess of that permitted by this Act or in excess of that authorized under the permit issued for the vehicle, may weigh the same either by means of portable or stationary scales and may require that such vehicle be driven to the nearest scales if they are within a distance of ten miles and, where it is found that the vehicle is carrying an excessive load, the constable or officer may require the driver to forthwith remove so much of the load as is necessary to bring it within the weight so permitted or authorized. R.S.O. 1960, c. 172, s. 55 (1).

(2) Every driver who, when so required to proceed to a weighing machine, refuses or fails to do so is guilty of an offence and on summary conviction is liable to a fine of not less than $50 and not more than $100. 1968-69, c. 45, s. 40 (1).

(3) When a weighing machine capable of weighing a vehicle is distant more than ten miles from the vehicle, the driver of the vehicle, in lieu of proceeding to a weighing machine, shall produce forthwith an inventory showing the true weight of the vehicle and the goods or load thereon, verified in writing by the owner of the vehicle or by a person authorized in writing by the owner to make such verification.

(4) In lieu of proceeding to a weighing machine, the weight of the load may be determined by a portable weighing device provided by the officer, and it is the duty of the driver of the vehicle to facilitate the weighing of the vehicle and load by such device. R.S.O. 1960, c. 172, s. 55 (3, 4).

(5) Every person who contravenes any of the provisions of subsection 3 or 4 is guilty of an offence and on summary conviction is liable to a fine of not less than $50 and not more than $100. 1968-69, c. 45, s. 40 (2).
(6) For the purposes of this section,
   
   (a) a combination of vehicles consisting of a motor vehicle and semi-trailer shall be deemed to be one vehicle; and
   
   (b) "semi-trailer" means any trailer that is so designed that, when operated, the forward part of its body or chassis rests upon the body or chassis of the towing vehicle.

R.S.O. 1960, c. 172, s. 55 (6).

68.—(1) Every vehicle carrying a load that overhangs the rear of the vehicle to the extent of five feet or more shall display upon such overhanging load at the extreme rear end thereof at any time from one-half hour after sunset to one-half hour before sunrise or at any other time when there is insufficient light or unfavourable atmospheric conditions a red light, and at all other times a red flag or a red wooden or metal sign sufficient to indicate the projection of such load. R.S.O. 1960, c. 172, s. 56 (1); 1966, c. 64, s. 12 (1).

(2) No person shall operate or permit to be operated upon a highway any commercial motor vehicle or trailer unless the load that such vehicle or trailer is carrying is firmly bound, sufficiently covered, or otherwise secured or loaded, in such manner that no portion of the load may become dislodged or fall from the commercial vehicle or trailer. 1966, c. 64, s. 12 (2).

(3) Every person who contravenes any of the provisions of this section is guilty of an offence and on summary conviction is liable to a fine of not less than $50 and not more than $100 and in addition his licence or permit may be suspended for a period of not more than sixty days. 1968-69, c. 45, s. 41.

69.—(1) The Lieutenant Governor in Council may make regulations,

   
   (a) classifying and defining explosives and dangerous materials;
   
   (b) regulating or prohibiting the transportation of explosives and dangerous materials or any class thereof by a vehicle on a highway;
   
   (c) regulating the preparation and packaging of explosives and dangerous materials or any class thereof to be transported by a vehicle on a highway;
   
   (d) requiring the labelling of packages and containers of explosives and dangerous materials or any class thereof and prescribing the labels to be attached to such packages and containers. 1961-62, c. 52, s. 10.

(2) Every person who contravenes any of the provisions of a regulation made under this section is guilty of an offence and on summary conviction is liable to a fine of not less than $100 and not
Sec. 70 (9)  

more than $500 or to imprisonment for a term of not more than three months, or to both.  1968-69, c. 45, s. 42.

70.—(1) No vehicle, including load or contents, shall have a greater width than 102 inches, except traction engines or threshing machines which may have a total width of 110 inches, and except loads of loose fodder and except motor vehicles and road-building machines while being used for the removal of snow from a highway.  R.S.O. 1960, c. 172, s. 58 (1); 1961-62, c. 52, s. 11 (1); 1968, c. 50, s. 14.

(2) Where a commercial motor vehicle is equipped with one or more rear vision mirrors that extend in whole or in part beyond either side of the vehicle or one or more lamps, required by this Act, that extend in whole or in part beyond either side of the vehicle, the amount of such extension shall not be included in determining the maximum width of the vehicle under subsection 1.  1962-63, c. 56, s. 12, part.

(3) No vehicle, other than a public vehicle or a semi-trailer as defined in clause b of subsection 6 of section 67, including load or contents, shall exceed the length of 35 feet, and no combination of vehicles, including load or contents, coupled together shall exceed the total length of 65 feet.  1962-63, c. 56, s. 12, part; 1968-69, c. 45, s. 43 (1).

(4) Subject to subsection 5, no semi-trailer as defined in clause b of subsection 6 of section 67, other than a semi-trailer designed for the carriage of vehicles, shall exceed the length of 45 feet.

(5) Except in the case of a combination of vehicles under subsection 3, any extension in the length of a semi-trailer caused by auxiliary equipment or machinery that is not designed for the transportation of goods shall not be included in determining the length of a semi-trailer under subsection 4.

(6) The council of a city may by by-law prohibit the operation of a combination of vehicles having a total length, including load or contents,in excess of fifty feet on any highway or a portion thereof under its jurisdiction designated in the by-law.  1962-63, c. 56, s. 12, part.

(7) No public vehicle, including load or contents, shall exceed the length of 40 feet.  R.S.O. 1960, c. 172, s. 58 (3); 1961-62, c. 52, s. 11 (4).

(8) No vehicle, including load or contents, shall have a greater height than 13 feet 6 inches.  R.S.O. 1960, c. 172, s. 58 (4).

(9) Every person who contravenes any of the provisions of this section is guilty of an offence and on summary conviction is liable to a fine of not less than $50 and not more than $100 and in addition his permit may be suspended for not more than six months.  1968-69, c. 45, s. 43 (2).
PART VII

AXLE WEIGHTS

71.—(1) In this Part,

(a) "axle" means an assembly of two or more wheels whose centres are in one transverse vertical plane;

(b) "axle group" means an assemblage of any two or more consecutive axle units considered together in determining their combined load effect;

(c) "axle group weight" means the total weight transmitted to the highway by an axle group;

(d) "axle unit" means any single axle, dual axle or triple axle;

(e) "axle unit weight" means the total weight transmitted to the highway by an axle unit;

(f) "Class A Highway" means a highway designated as such by the Minister;

(g) "Class B Highway" means a highway not designated by the Minister as a Class A Highway;

(h) "dual axle" means any two consecutive axles whose centres are more than 40 inches apart and,

   (i) are articulated from a common attachment to the vehicle, or

   (ii) designed to equalize the load between the two axles;

(i) "single axle" means one or more axles whose centres are included between two parallel transverse vertical planes 40 inches apart;

(j) "triple axle" means any three consecutive axles, whose consecutive centres are more than 40 inches apart and,

   (i) are articulated from an attachment to the vehicle common to the consecutive axles, or

   (ii) designed to equalize the load between the three axles. 1970, c. 74, s. 9, part; 1970, c. 112, s. 1.

(2) The spacing between axles is the shortest distance between the centre of rotation of one axle and the centre of rotation of the other.

(3) For the purposes of Table 2, the axle spacing is the distance measured between the outer axles forming an axle unit. 1970, c. 74, s. 9, part.

72.—(1) No vehicle, object or contrivance for moving loads that is equipped with tires of less than six inches in width shall be operated or moved upon or over any highway the weight of which
or the gross weight of which exceeds 500 pounds upon any inch in width of tire, roller, wheel or other object, and no vehicle equipped with tires of six inches or more in width, the weight or gross weight of which exceeds 600 pounds upon any inch in width of the tire, shall be so operated without first obtaining a permit as provided by section 65.

(2) For the purpose of this section, the width of solid rubber or pneumatic tires shall be as stamped thereon by the manufacturer. 1970, c. 74, s. 9, part.

73. Subject to the provisions of section 65,

(a) no vehicle or combination of vehicles shall be operated on a Class A Highway where any axle unit weight or axle group weight exceeds that prescribed in the regulations for such vehicle or combination of vehicles or as permitted by temporary authority issued pursuant to clause b;

(b) where the regulations do not prescribe the axle unit weights and axle group weights in respect of a particular vehicle or combination of vehicles, the owner may apply to the Department for a temporary authority permitting the operation of the vehicle or combination of vehicles on a highway in accordance with section 74;

(c) no vehicle or combination of vehicles shall be operated on a highway where the axle spacings of such vehicle or combination of vehicles are not prescribed in the regulations and the owner is not the holder of the temporary authority issued pursuant to clause b; and

(d) the temporary authority issued pursuant to clause b, or a true copy thereof, shall whenever the vehicle or combination of vehicles is on a highway be carried by the driver thereof or placed in some readily accessible position and shall be produced when demanded by a constable or an officer appointed for carrying out the provisions of this Act or The Public Commercial Vehicles Act. 1970, c. 74, s. 9, part.

74.—(1) The maximum allowable axle unit weight shall be,

(a) for a single axle, 20,000 pounds;

(b) for a dual axle, that weight shown in Column 2 opposite the corresponding axle spacing shown in Column 1 of Table 1;

(c) for a triple axle, that weight shown in Column 2 opposite the corresponding axle spacing shown in Column 1 of Table 2.

(2) The axle unit weights and axle group weights used in respect of a temporary authority issued under clause b of section
73 shall be based on the lesser of the maximum axle unit weight referred to in subsection 1 and that derived from the application of the following formula:

\[ W_m = 20 + 2.07 B_m - 0.0071 B_m^2. \]

where: \( B_m = Kb \)

\( W_m \) is the axle group weight limit

\( B_m \) is the equivalent base length of the axle group

\( b \) is the base length, being the distance between the extreme axle of an axle group

\( K \) is a parameter as defined by the equation

\[
K = \frac{4 \sum_{i=1}^{N} P_i \cdot |x_i|}{b \sum_{i=1}^{N} P_i} - \frac{2(N - 1)}{N} \times \left( \frac{\sum_{i=1}^{N} P_i x_i}{b \sum_{i=1}^{N} P_i} \right)^2
\]

where:

\( N \) is the number of axles in an axle group (count 2 for dual axle and 3 for a triple axle)

\( P_i \) is the weight of any individual axle

\( P_m \) is the weight of the axle closest to the centre of gravity of the axle group load

\( x_i \) is the distance of an axle load \( P_i \) from the axle load \( P_m \).

This distance is to be taken as positive when measured right of \( P_m \), and negative when measured left of \( P_m \).

\( |x_i| \) is the absolute value of the distance \( x_i \).

1970, c. 74, s. 9, part.

\[ 75. \] — (1) During freeze-up the maximum weight for a vehicle or combination of vehicles while carrying raw forest products only shall be 110 per cent of that weight for which the vehicle or combination of vehicles is registered provided no axle unit weight exceeds by more than 10 per cent that weight prescribed in the regulations or temporary authority issued pursuant to clause b of section 73 for such vehicle or combination of vehicles.

Definition.

(2) For the purpose of this section, “freeze-up” shall be such period of time as designated by the Minister.

Restriction

(3) No vehicle or combination of vehicles shall be operated on a highway in excess of the weight limits authorized in subsection 1. 1970, c. 74, s. 9, part.
Sec. 77 (6) HIGHWAY TRAFFIC

76. Unless a special permit has been issued pursuant to section 65, no vehicle or combination of vehicles shall be operated on a Class B Highway where the weight upon one axle exceeds 18,000 pounds and, if the axles are spaced less than eight feet apart, the weight on one axle shall not exceed 12,000 pounds. 1970, c. 74, s. 9, part.

77.—(1) No vehicle or combination of vehicles having a permit issued under this Act, the fee for which is based upon the weight of the vehicle or combination of vehicles and load, shall at any time when on a highway carry a load in excess of that for which the permit was issued as stated upon the permit and for which the fee therefor was estimated.

(2) The permit issued for a commercial motor vehicle and for every trailer drawn by it, or a true copy thereof, shall, whenever such vehicle is on a highway, be carried by the driver thereof or placed in some readily accessible position in the vehicle and shall be produced when demanded by a constable or an officer appointed for carrying out the provisions of this Act or The Public Commercial Vehicles Act.

(3) Subsection 2 does not apply when a permit has been surrendered for transfer of registration or when such surrender is required by law.

(4) During the months of March and April, commercial motor vehicles and trailers, other than public vehicles operated over or upon any portion of the King's Highway to which the provisions of this subsection are declared to be applicable by the Lieutenant Governor in Council, or upon any other highway not within a city or separated town, shall not be loaded so that any axle transmits to the road a weight in excess of 10,000 pounds without obtaining a permit as provided by section 65.

(5) During the months of March and April, a vehicle, other than a motor vehicle or trailer, operated over or upon any portion of the King's Highway to which the provisions of this subsection are declared to be applicable by the Lieutenant Governor in Council or upon any other highway not within a city or separated town and having a carrying capacity exceeding one ton shall not be loaded in excess of 250 pounds upon any inch in width of tire without obtaining a permit as provided by section 65.

(6) Every person who contravenes any of the provisions of subsection 1, 4 or 5 is guilty of an offence and on summary conviction is liable to a fine as if he had been convicted under subsection 1 of section 80 and in addition, if the conviction is for a contravention under subsection 1, the Registrar may suspend the registration permit of the vehicle or vehicles involved and such suspension shall continue until the vehicle has been reregistered at the maximum gross weight allowable and the additional registration fee has been paid.
(7) The council of a city or separated town may, by by-law, declare the provisions of subsections 4, 5 and 6 to be in force in respect of highways within the city or separated town.

(8) The municipal corporation or other authority having jurisdiction over any highway may declare the provisions of subsections 4, 5 and 6 to extend and apply to highways under its jurisdiction during any period of the year or that the provisions of subsections 4 and 5 do not apply to any or all highways under its jurisdiction, but a by-law of a municipality passed under this subsection does not take effect until it has received the approval of the Minister.

(9) In the case of the King's Highway and highways in territory without municipal organization, the Lieutenant Governor in Council may declare the provisions of subsections 4, 5 and 6 to extend and apply during any period of the year. 1970, c. 74, s. 9, part.

78. — (1) Any constable or any officer appointed for carrying out the provisions of this Act, having reasons to believe that the weight of a vehicle and load is in excess of that permitted by this Act or in excess of that authorized under the permit issued for the vehicle, may weight the same either by means of portable or stationary scales and may require that such vehicle be driven to the nearest scale if they are within a distance of ten miles and, where it is found that the vehicle is carrying an excessive load, the constable or officer may require the driver to forthwith remove so much of the load as is necessary to bring it within the weight so permitted or authorized.

(2) To determine whether the weight of the vehicle and load is in excess of that permitted by this Act or in excess of that authorized under the permit issued for the vehicle, the constable or officer appointed for carrying out the provisions of this Act may conduct such examination as is necessary to ascertain the distance between the axles of the vehicle or combination of vehicles.

(3) Every driver who, when so required to proceed to a weighing machine, refuses or fails to do so is guilty of an offence and on summary conviction is liable to a fine of not less than $50 and not more than $100.

(4) When a weighing machine capable of weighing a vehicle is distant more than ten miles from the vehicle, the driver of the vehicle, in lieu of proceeding to a weighing machine, shall produce forthwith an inventory showing the true weight of the vehicle and the goods or load thereon, verified in writing by the owner of the vehicle or by a person authorized in writing by the owner to make such verification.
(5) Every person who contravenes any of the provisions of subsection 4 is guilty of an offence and on summary conviction is liable to a fine of not less than $50 and not more than $100. 1970, c. 74, s. 9, part.

79. The Lieutenant Governor in Council may make regulations,

(a) prescribing by charts and tables the weights in accordance with the provisions of section 74 that may be transmitted to the highway by an axle unit, axle group, vehicle or combination of vehicles;

(b) prescribing tolerances with respect to axle unit weights;

(c) prescribing markings to be placed on vehicles respecting vehicle registration and weights. 1970, c. 74, s. 9, part.

80. — (1) Every person who contravenes any of the provisions of subsection 1 of section 72, clause a of section 73, subsection 3 of section 75 or section 76 is guilty of an offence and on summary conviction is liable to a fine of,

(a) 50 cents per hundredweight or part thereof of the weight permitted by this Part and the regulations thereunder where the overweight is less than 5,000 pounds;

(b) $1 per hundredweight or part thereof of the weight permitted by this Part and the regulations thereunder where the overweight is 5,000 pounds or more but is less than 10,000 pounds;

(c) $2 per hundredweight or part thereof of the weight permitted by this Part and the regulations thereunder where the overweight is 10,000 pounds or more but is less than 15,000 pounds;

(d) $3 per hundredweight or part thereof of the weight permitted by this Part and the regulations thereunder where the overweight is 15,000 pounds or more but is less than 20,000 pounds;

(e) $4 per hundredweight or part thereof of the weight permitted by this Part and the regulations thereunder where the overweight is 20,000 pounds or more but is less than 30,000 pounds; and

(f) $5 per hundredweight or part thereof of the weight permitted by this Part and the regulations thereunder where the overweight is 30,000 pounds or more.

(2) Every person who contravenes clause c of section 73 is guilty of an offence and on summary conviction is liable to a fine of not less than $100 and not more than $500.
(3) Every person who contravenes clause d of section 73 is guilty of an offence and on summary conviction is liable to a fine of not less than $20 and not more than $50. 1970, c. 74, s. 9, part. 81. — (1) Subject to subsection 2, on and after the 1st day of March, 1971, a vehicle or combination of vehicles may be operated on a highway only in accordance with and subject to the provisions of this Part, sections 65, 68, 69 and 70 or of Part VI. 1970, c. 112, s. 2.

(2) A vehicle or combination of vehicles may be operated in accordance with and subject to the provisions of Part VI only until and including the 31st day of March, 1976. 1970, c. 74, s. 9, part.

TABLE 1

MAXIMUM ALLOWABLE WEIGHT FOR DUAL AXLE

<table>
<thead>
<tr>
<th>Column One</th>
<th>Column Two</th>
</tr>
</thead>
<tbody>
<tr>
<td>Axle Spacing in Inches</td>
<td>Maximum Allowable Weight in Pounds</td>
</tr>
<tr>
<td>40 or less</td>
<td>20,000</td>
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<tr>
<td>More than 40 and less than 48</td>
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<td>48</td>
<td>28,000</td>
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<td>51</td>
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<td>72 or more</td>
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</table>

1970, c. 112, s. 3, part.
<table>
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<th>Column One</th>
<th>Column Two</th>
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</thead>
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<td><strong>Axle Spacing in Inches</strong></td>
<td><strong>Maximum Allowable Weight in Pounds</strong></td>
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<tr>
<td>80 or less</td>
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<td>More than 80 and less than 96</td>
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<tr>
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<td>59,500</td>
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<tr>
<td>192 or more</td>
<td>60,000</td>
</tr>
</tbody>
</table>

1970, c. 112, s. 3, *part.*
PART VIII

RATE OF SPEED

82.—(1) No person shall drive a motor vehicle at a greater rate of speed than,

(a) 50 miles per hour,
   (i) on a highway not within a city, town, village, police village or built-up area, or
   (ii) on a highway designated by the Lieutenant Governor in Council as a controlled-access highway under The Highway Improvement Act, whether or not such highway is within a city, town, village, police village or built-up area;

(b) subject to clause a, 30 miles per hour on a highway within a city, town, village, police village or built-up area;

(c) the maximum speed posted for the driving of motor vehicles in a construction zone designated under subsection 14;

(d) 20 miles per hour over a level railway crossing;

(e) 15 miles per hour if equipped wholly or in part with solid tires;

(f) the speed limit prescribed upon a highway in accordance with the provisions of subsections 2, 3, 4, 5, 6, 7, 10, 11 and 12; or

(g) the speed limit prescribed upon a metropolitan road in accordance with section 82 of The Municipality of Metropolitan Toronto Act. R.S.O. 1960, c. 172, s. 59 (1); 1961-62, c. 52, s. 12 (1); 1962-63, c. 56, s. 13 (1); 1964, c. 38, s. 7 (1); 1965, c. 46, s. 10 (1, 2); 1967, c. 35, s. 9 (1).

(2) The council of a city, town or village and the trustees of a police village may by by-law prescribe a speed limit of 25 miles per hour for motor vehicles driven on any highway or portion of a highway under its jurisdiction, and the council of a township or county may by by-law prescribe a speed limit of 25 miles per hour for motor vehicles driven on highways under its jurisdiction in any built-up area within the municipality.

(3) The council of a township having a population exceeding 60,000 may pass by-laws designating any part or parts of the township as a suburban district or districts and prescribing a speed limit of 30 miles per hour for motor vehicles driven on the highways under its jurisdiction within such district or districts subject to any by-law decreasing or increasing the speed limit under subsection 2, 4 or 6.
(4) The council of a city, town, village or township and the trustees of a police village may by by-law prescribe a lower rate of speed for motor vehicles driven in any public park or exhibition ground than is prescribed in subsection 1, but such lower rate of speed shall not be less than 15 miles per hour. R.S.O. 1960, c. 172, s. 59 (2-4).

(5) The council of a city, town or village and the trustees of a police village may by by-law prescribe a higher rate of speed for motor vehicles driven on any highway or portion of a highway under its jurisdiction than is prescribed in subsection 1, but such increased rate of speed shall not be more than 60 miles per hour. R.S.O. 1960, c. 172, s. 59 (5); 1964, c. 38, s. 7 (2).

(6) The council of a township or county may by by-law prescribe a higher rate of speed for motor vehicles driven on a highway or portion of a highway within a built-up area than is prescribed in subsection 1 or within a suburban district than is prescribed in such district for motor vehicles driven on a highway within a built-up area or suburban district, but such increased rate of speed shall not be more than 50 miles per hour. R.S.O. 1960, c. 172, s. 59 (6); 1964, c. 38, s. 7 (3).

(7) The council of a township or county may by by-law prescribe a lower or higher rate of speed for motor vehicles on a highway or portion of a highway under its jurisdiction that is not within a built-up area or suburban district than is prescribed in clause a of subsection 1, but such rate of speed shall not be less than 35 miles per hour or more than 60 miles per hour. 1961-62, c. 52, s. 12 (2); 1964, c. 38, s. 7 (4).

(8) No by-law passed under subsection 2, 3, 5, 6, 7 or 12 becomes effective until approved by the Department and the highways or portions thereof affected by the by-law shall be marked to comply with the regulations. R.S.O. 1960, c. 172, s. 59 (7); 1961-62, c. 52, s. 12 (3); 1962-63, c. 56, s. 13 (2).

(9) The speed limits prescribed under this Act or the regulations or any by-law passed under this Act do not apply to a motor vehicle of a municipal fire department while proceeding to a fire or answering a fire alarm call or to a motor vehicle operated by a person in the lawful performance of his duties as a police officer. R.S.O. 1960, c. 172, s. 59 (8); 1962-63, c. 56, s. 13 (3).

(10) The Lieutenant Governor in Council may make regulations prescribing a lower rate of speed than 50 miles per hour for motor vehicles driven upon a highway or any part thereof in any provincial park. R.S.O. 1960, c. 172, s. 59 (9).

(11) The Lieutenant Governor in Council may make regulations prescribing a higher or lower rate of speed than the rate of speed prescribed in this Act or any by-law for any class or classes of motor vehicles upon the King's Highway or any part thereof.
whether or not the King's Highway or the part thereof is within a city, town, village, police village or built-up area, and such rate of speed may be different for any period or periods of the day or night. R.S.O. 1960, c. 172, s. 59 (10); 1965, c. 46, s. 10 (3).

(12) The council of a city, town or village or the trustees of a police village may by by-law,

(a) designate a portion of a highway under its jurisdiction that adjoins the entrance to or the exit from a school and that is within a distance of 500 feet along the highway in either direction beyond the limits of the land used for the purposes of the school; and

(b) prescribe a rate of speed of 25 miles per hour for motor vehicles driven upon the portion of a highway so designated on days on which school is regularly held and prescribe the time between the hours of 8.00 a.m. and 5.00 p.m. at which such speed limit is effective. 1962-63, c. 56, s. 13 (4).

(13) Where a by-law is passed under subsection 2, 3, 4, 5, 6, 7 or 12 or a regulation is made under subsection 10 or 11, or a by-law is passed under section 82 of The Municipality of Metropolitan Toronto Act, the rates of speed prescribed in subsection 1 do not apply to the highway or portion of the highway affected by the by-law or regulation. R.S.O. 1960, c. 172, s. 59 (11); 1961-62, c. 52, s. 12 (4); 1962-63, c. 56, s. 13 (5).

(14) The Minister may designate any part of the King's Highway as a construction zone, and every construction zone shall be marked by signs in accordance with the regulations. 1967, c. 35, s. 9 (2), part; 1968-69, c. 45, s. 44 (1).

(15) Signs posting the maximum speeds at which motor vehicles may be driven in a construction zone may be erected in accordance with the regulations by an official of the Department of Highways. 1967, c. 35, s. 9 (2), part.

(16) Every person who contravenes any of the provisions of this section or any by-law or regulation made under this section is guilty of an offence and on summary conviction is liable, where the rate of speed at which the motor vehicle was driven,

(a) is less than 10 miles per hour over the maximum speed limit, to a fine of $2 for each mile per hour that the motor vehicle was driven over the maximum speed limit;

(b) is 10 miles per hour or more but less than 20 miles per hour over the maximum speed limit, to a fine of $3 for each mile per hour that the motor vehicle was driven over the maximum speed limit;

(c) is 20 miles per hour or more but less than 30 miles per hour over the maximum speed limit, to a fine of $4 for
each mile per hour that the motor vehicle was driven over the maximum speed limit; and

\[(d)\] is 30 miles per hour or more over the maximum speed limit, to a fine of $5 for each mile per hour that the motor vehicle was driven over the maximum speed limit. 1968-69, c. 45, s. 44 (2).

(17) Where a provincial judge has convicted a person for a contravention of any provision of this section and has determined that the person convicted was driving at a rate of speed of 30 or more miles per hour greater than the maximum speed limited, he may suspend the driver's licence of such person for a period of not more than 30 days. 1968, c. 50, s. 15.

83. Every person is guilty of the offence of driving carelessly who drives a vehicle on a highway without due care and attention or without reasonable consideration for other persons using the highway and on summary conviction is liable to a fine of not less than $100 and not more than $500 or to imprisonment for a term of not more than six months, or to both, and in addition his licence or permit may be suspended for a period of not more than two years. 1968-69, c. 45, s. 45.

84. The municipal corporation or other authority having jurisdiction over the highway and, in the case of a provincial highway or a highway in territory without municipal organization, the Lieutenant Governor in Council may make regulations limiting any vehicle passing over a bridge to a speed of not less than 5 miles per hour, and notice of the limit, of speed fixed by such regulation, legibly printed, shall be posted up in a conspicuous place at each end of the bridge. R.S.O. 1960, c. 172, s. 61 (1).

85. No motor vehicle shall be driven on a highway at such a slow rate of speed as to impede or block the normal and reasonable movement of traffic thereon except when such slow rate of speed is necessary for safe operation having regard to all the circumstances. R.S.O. 1960, c. 172, s. 62 (1).

PART IX
RULES OF THE ROAD

86. Where a constable or other police officer considers it reasonably necessary,

\[(a)\] to ensure orderly movement of traffic; or

\[(b)\] to prevent injury or damage to persons or property; or

\[(c)\] to permit proper action in an emergency,

he may direct traffic according to his discretion, notwithstanding the provisions of this Part, and every person shall obey his directions. 1960-61, c. 34, s. 7.
87. Subject to sections 88 and 90, a driver or operator of a vehicle approaching an intersection shall yield the right of way to a vehicle that has entered the intersection from a different highway and, when two vehicles enter an intersection from different highways at approximately the same time, the driver or operator on the left shall yield the right of way to the vehicle on the right. R.S.O. 1960, c. 172, s. 63.

88. The driver or operator of a vehicle or car of an electric railway,

(a) upon approaching a stop sign at an intersection, shall bring the vehicle or car to a full stop at a clearly marked stop line or, if none, then immediately before entering the nearest crosswalk or, if none, then immediately before entering the intersection; and

(b) upon entering the intersection, shall yield the right of way to traffic in the intersection or approaching the intersection on another highway so closely that it constitutes an immediate hazard and having so yielded the right of way may proceed with caution and the traffic approaching the intersection on another highway shall yield the right of way to the vehicle so proceeding in the intersection. R.S.O. 1960, c. 172, s. 64.

89. In addition to stop signs required at intersections on through highways,

(a) the council of a municipality and the trustees of a police village may by by-law approved by the Department provide for the erection of stop signs at intersections on highways under its jurisdiction; and

(b) the Lieutenant Governor in Council may by regulation designate intersections on the King’s Highway at which stop signs shall be erected,

and every sign so erected shall comply with the regulations of the Department. R.S.O. 1960, c. 172, s. 65.

90.—(1) The driver or operator of a vehicle or car of an electric railway approaching a yield right-of-way sign shall slow down to a speed reasonable for the existing conditions or shall stop if necessary as provided in clause (a) of section 88 and shall yield the right of way to traffic in the intersection or approaching on the intersecting highway so closely that it constitutes an immediate hazard and having so yielded may proceed with caution.

(2) No yield right-of-way sign shall be erected without the approval of the Department and every sign so erected shall comply with the regulations of the Department. R.S.O. 1960, c. 172, s. 66.
91. The driver or operator of a vehicle about to enter or cross a highway from a private road or driveway shall yield the right of way to all vehicles approaching on the highway. R.S.O. 1960, c. 172, s. 67.

92. — (1) Subject to subsection 2, when a pedestrian crossing a roadway within a pedestrian crossover,
   
   (a) is upon the half of the roadway upon which a vehicle or street car is travelling; or
   
   (b) is upon half of the roadway and is approaching the other half of the roadway on which a vehicle or street car is approaching so closely to the pedestrian crossover as to endanger him,

   the driver of such vehicle or street car shall yield the right of way to the pedestrian by slowing down or stopping if necessary.

   (2) When a vehicle or street car is stopped at a pedestrian crossover, the driver of any other vehicle or street car overtaking the stopped vehicle or street car shall bring the vehicle or street car to a full stop before entering the crossover and shall yield the right of way to a pedestrian,

   (a) who is within the crossover upon the half of the roadway upon which the vehicle or street car is stopped; or
   
   (b) who is within the crossover and is approaching such half of the roadway from the other half of the roadway so closely to the vehicle or street car that he is in danger if the vehicle or street car were to proceed.

   (3) When a vehicle or street car is approaching a pedestrian crossover and is within 100 feet thereof, the driver of any other vehicle or street car approaching from the rear shall not overtake and pass such vehicle or street car.

   (4) No pedestrian shall leave the curb or other place of safety at a pedestrian crossover and walk or run into the path of a vehicle or street car that is so close that it is impracticable for the driver of the vehicle or street car to yield the right of way. 1964, c. 38, s. 8, part.

   (5) The part of every municipal by-law that provides for the regulation of traffic by means of pedestrian crossovers is revoked on the day this section comes into force. 1964, c. 38, s. 8, part.

93. — (1) The driver or operator of a vehicle intending to turn to the right into an intersecting highway shall approach such intersection and turn as closely as practicable to the right curb or edge of the roadway.

   (2) The driver or operator of a vehicle within an intersection intending to turn to the left across the path of any vehicle approaching from the opposite direction shall not make such left turn while passing and overtaking other vehicles.
turn until he has afforded a reasonable opportunity to the driver or operator of such other vehicle to avoid a collision. R.S.O. 1960, c. 172, s. 68 (1, 2).

(3) The driver or operator of a vehicle intending to turn to the left into an intersecting highway at an intersection where traffic is permitted to move in both directions on each highway entering the intersection shall approach such intersection as closely as practicable to the centre line of the highway and the left turn shall be made by passing to the right of such centre line where it enters the intersection, and upon leaving the intersection by passing to the right of and as closely as practicable to the centre line of the highway then entered. R.S.O. 1960, c. 172, s. 68 (3); 1968, c. 50, s. 16 (1).

(4) The driver or operator of a vehicle intending to turn to the left from a highway designated for use of one-way traffic into an intersecting highway on which traffic is permitted to move in both directions shall approach the intersection as closely as practicable to the left curb or edge of the roadway and on entering the intersection shall pass to the right of and as closely as practicable to the centre line of the highway being entered where it enters the intersection. R.S.O. 1960, c. 172, s. 68 (4); 1968, c. 50, s. 16 (2).

(5) The driver or operator of a vehicle intending to turn to the left from a highway on which traffic is permitted to move in both directions into an intersecting highway designated for the use of one-way traffic shall approach the intersection as closely as practicable to the centre line of the highway and on entering the intersection the left turn shall be made by passing as closely as practicable to the left-hand curb or edge of the roadway designated for the use of one-way traffic.

(6) The driver or operator of a vehicle intending to turn to the left from a highway designated for use of one-way traffic into an intersecting highway designated for use of one-way traffic shall approach the intersection as closely as practicable to the left-hand curb or edge of the roadway and on entering the intersection the left turn shall be made by passing as closely as practicable to the left-hand curb or edge of the roadway being entered. R.S.O. 1960, c. 172, s. 68 (5, 6).

(7) The provisions of subsections 1, 2, 3, 4, 5 and 6 are subject to clause c of section 103. 1968, c. 50, s. 16 (3).

94.—(1) The driver or operator of a vehicle upon a highway before turning to the left or right at any intersection or into a private road or driveway or from one lane for traffic to another lane for traffic or to leave the roadway shall first see that such movement can be made in safety, and if the operation of any other vehicle may be affected by such movement shall give a signal
plainly visible to the driver or operator of such other vehicle of the intention to make such movement. R.S.O. 1960, c. 172, s. 69 (1); 1966, c. 64, s. 13.

(2) The driver or operator of a vehicle parked or stopped on the highway before setting the vehicle in motion shall first see that the movement can be made in safety, and, if in turning the vehicle the operation of any other vehicle may be affected by such movement, shall give a signal plainly visible to the driver or operator of such other vehicle of the intention to make such movement. 1960-61, c. 34, s. 8 (1).

(3) The signal required in subsections 1 and 2 shall be given either by means of the hand and arm in the manner herein specified or by a mechanical or electrical signal device as described in subsection 5. R.S.O. 1960, c. 172, s. 69 (2); 1960-61, c. 34, s. 8 (2).

(4) When the signal is given by means of the hand and arm, the driver or operator shall indicate his intention to turn,

(a) to the left, by extending the hand and arm horizontally and beyond the left side of the vehicle; or

(b) to the right, by extending the hand and arm upward and beyond the left side of the vehicle.

(5) A mechanical or electrical signal device shall clearly indicate the intention to turn, shall be visible and understandable during day-time and night-time from the front and from the rear of the vehicle for a distance of 100 feet, and shall be self-illuminated when used at any time from one-half hour after sunset to one-half hour before sunrise. R.S.O. 1960, c. 172, s. 69 (3, 4).

(6) No person while operating or in control of a vehicle upon a highway shall actuate the mechanical or electrical device referred to in subsection 5 for any purpose other than to indicate a movement referred to in subsection 1 or 2. 1968, c. 50, s. 17.

(7) The driver or operator of a vehicle upon a highway before stopping or suddenly decreasing the speed of the vehicle, if the operation of any other vehicle may be affected by such stopping or decreasing of speed, shall give a signal plainly visible to the driver or operator of such other vehicle of the intention to stop or decrease speed,

(a) by means of the hand and arm extended downward manually beyond the left side of the vehicle; or

(b) by means of a stop lamp or lamps on the rear of the vehicle which shall emit a red or yellow light and which shall be actuated upon application of the service or foot brake and which may or may not be incorporated with one or more rear lamps. R.S.O. 1960, c. 172, s. 69 (5).
U-turns prohibited

95. No driver or operator of a vehicle upon a highway shall turn the vehicle so as to proceed in the opposite direction when,

(a) upon a curve where traffic approaching the vehicle from either direction cannot be seen by the driver of the vehicle within a distance of 500 feet;

(b) on a railway crossing or within 100 feet of a railway crossing;

(c) upon an approach to or near the crest of a grade where the vehicle cannot be seen by the driver of another vehicle approaching from either direction within 500 feet; or

(d) within 500 feet of a bridge, viaduct or tunnel where the driver's view is obstructed within such distance.

1960-61, c. 34, s. 9.

96.—(1) In this section, “intersection” includes any portion of a highway distinctly indicated as a crossing place for pedestrians by lines or other markings on the surface of the highway.

(2) Green arrow, green, amber and red lights may be used for signal-light traffic control systems and such lights shall be arranged vertically in the following order commencing at the bottom, green arrow, green, amber and red.

(3) When a green signal-light is shown at an intersection, the driver or operator of a vehicle or car of an electric railway that is approaching the intersection and facing such light may proceed across the intersection or turn left or right. R.S.O. 1960, c. 172, s. 70 (1-3).

(4) When a green light illuminated by rapid intermittent flashes is shown at an intersection, the driver or operator of a vehicle or car of an electric railway that is approaching the intersection and facing such light may, notwithstanding subsection 2 of section 93, proceed across the intersection or turn left or right. 1968, c. 50, s. 18 (1).

(5) When a red signal-light is shown at an intersection, every driver or operator of a vehicle or car of an electric railway that is approaching the intersection and facing such light shall bring his vehicle or car to a full stop at a clearly marked stop line or, if none, then immediately before entering the nearest crosswalk or, if none, then immediately before entering the intersection, and shall not proceed until a green light is shown, provided that the driver or operator may turn to the right after bringing the vehicle or car to a full stop. R.S.O. 1960, c. 172, s. 70 (4).

(6) When an amber signal-light is shown at an intersection, the driver or operator of a vehicle or car of an electric railway that is approaching the intersection and facing such light shall bring his
vehicle or car to a full stop at a clearly marked stop line or, if none, then immediately before entering the nearest crosswalk or, if none, then immediately before entering the intersection, provided that, where any such vehicle or car cannot be brought to such a stop in safety, it may be driven cautiously across the intersection. 1960-61, c. 34, s. 10 (2).

(7) Where a red signal-light illuminated by rapid intermittent flashing red lights is shown at an intersection, the driver or operator of a vehicle or car of an electric railway that is approaching the intersection and facing such light shall bring his vehicle or car to a full stop at a clearly marked stop line or, if none, then immediately before entering the nearest crosswalk or, if none, then immediately before entering the intersection, and, upon entering the intersection, shall yield the right of way to traffic in the intersection or approaching the intersection on another highway so closely that it constitutes an immediate hazard and having so yielded the right of way may proceed with caution and the traffic approaching the intersection on another highway shall yield the right of way to the vehicle so proceeding in the intersection. 1960-61, c. 34, s. 10 (3).

(8) When an amber light illuminated by rapid intermittent flashing amber flashes is shown at the intersection, the driver or operator of a vehicle, or a car of an electric railway, which is approaching the intersection and facing such light, may proceed through the intersection only with caution.

(9) When a red signal-light with a green arrow is shown at an intersection, the driver or operator of a vehicle, or a car of an electric railway, which is approaching the intersection and facing such light, may proceed with caution into the intersection only to make the movement indicated by such arrow, but shall yield the right of way to pedestrians and other traffic lawfully using the intersection. R.S.O. 1960, c. 172, s. 70 (7, 8).

(10) When under this section the driver or operator of a vehicle or car of an electric railway is permitted to turn left or right, such driver or operator shall yield the right of way to pedestrians and other traffic lawfully within the intersection and to pedestrians lawfully within a crosswalk. R.S.O. 1960, c. 172, s. 70 (9); 1960-61, c. 34, s. 10 (4).

(11) The provisions of this section are subject to any sign forbidding a left or right turn or both that is conspicuously posted at any intersection, and the driver of a vehicle shall obey such sign. 1966, c. 64, s. 14.

(12) Subject to subsection 13, a pedestrian approaching and facing a green light at an intersection may proceed across the roadway, provided that, where markings upon the roadway indicate the portion of the roadway to be used by pedestrian traffic, the pedestrian shall proceed within the marked portion.
(13) A pedestrian approaching and facing a green light illuminated by rapid intermittent flashes at an intersection shall not proceed across the roadway except in accordance with subsection 15. 1968, c. 50, s. 18 (2).

(14) When a red or amber signal-light is shown at an intersection, a pedestrian approaching such intersection and facing such light shall not enter the roadway until a green light is shown. 1960-61, c. 34, s. 10 (6), part.

(15) Notwithstanding subsection 12,
(a) when a “walk” pedestrian control signal is shown, a pedestrian facing the signal may proceed across the roadway in the direction of the signal and while so proceeding across the roadway has the right of way over all vehicles;
(b) when a “wait” or “don’t walk” pedestrian control signal is shown,
(i) a pedestrian facing the signal shall not commence to cross the roadway until a “walk” pedestrian control signal is shown,
(ii) a pedestrian proceeding across the roadway when a “wait” or “don’t walk” signal is shown after he entered the roadway shall quickly proceed across the roadway and has a right of way for that purpose over all vehicles. R.S.O. 1960, c. 172, s. 70 (13).

(16) The “walk”, “wait” and “don’t walk” pedestrian control signals referred to in subsection 15 may be shown by symbols as prescribed by the regulations. 1970, c. 74, s. 5.

(17) Every signal-light traffic control system shall consist of sets of green, amber and red or green arrow, green, amber and red signal-lights, each of which sets shall be mounted on or suspended from or by means of a bracket or extended arm attached to a post or other standard located to the right side of the roadway used by the traffic controlled by it and to the side of the intersecting roadway that is remote from such traffic as it approaches, and the lower portion of each of such sets shall be not less than nine feet from the level of the roadway, provided that, where any such system is installed at an intersection other than an intersection where two highways cross, the arrangement of the lights shall comply as nearly as possible with the provisions of this subsection. R.S.O. 1960, c. 172, s. 70 (14); 1964, c. 38, s. 9.

(18) No signal-light traffic control system shall be operated in such a manner as to show green and amber signal-lights simultaneously. 1960-61, c. 34, s. 10 (6), part, amended.

(19) A signal-light traffic control system may be erected and maintained at a place other than an intersection, in which event the provisions of this section, except those that by their nature
can have no application, are applicable, and any stop required shall be made at a sign or marking on the roadway indicating where the stop shall be made or, in the absence of any such sign or marking, at the signal.

(20) No signal-light traffic control system shall be erected unless the approval of the Department has been obtained.

(21) Additional signal-lights may be installed with the approval of the Department for use in conjunction with any signal-light traffic control system. R.S.O. 1960, c. 172, s. 70 (15-17).

97. Any vehicle proceeding upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall when practicable be driven in the right hand lane then available for traffic or as close as practicable to the right hand curb or edge of the roadway except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway. 1962-63, c. 56, s. 14.

98.—(1) Where a person in charge of a vehicle on a highway meets another vehicle, he shall turn out to the right from the centre of the roadway, allowing to the vehicle so met one-half of the roadway free, but this does not apply to a vehicle, road-building machine or apparatus while engaged in the construction, maintenance or making of a highway.

(2) Where a person in charge of a vehicle on a highway meets a person travelling upon a bicycle or tricycle, the person in charge of the vehicle shall allow the person travelling on the bicycle or tricycle sufficient room on the roadway to pass.

(3) Where a person in charge of a vehicle or on horseback on a highway is overtaken by a vehicle or horseman travelling at a greater speed, the person so overtaken shall turn out to the right and allow such vehicle or horseman to pass.

(4) Any person so overtaking another vehicle or horseman shall turn out to the left so far as may be necessary to avoid a collision with the vehicle or horseman overtaken, and the person overtaken is not required to leave more than one-half of the roadway free.

(5) Where a person on a bicycle or a tricycle on a highway is overtaken by a vehicle or horseman travelling at a greater speed, the person so overtaken shall turn out to the right and allow such vehicle or horseman to pass and the person so overtaking a bicycle or tricycle shall turn out to the left so far as may be necessary to avoid a collision.

(6) Where one vehicle is met or overtaken by another, if by reason of the weight of the load on either of the vehicles so meeting or on the vehicle so overtaken the driver finds it impracticable to
turn out, he shall immediately stop, and, if necessary for the safety of the other vehicle and if required so to do, he shall assist the person in charge thereof to pass without damage.

(7) No person in charge of a vehicle shall pass or attempt to pass another vehicle going in the same direction on a highway unless the roadway,

(a) in front of and to the left of the vehicle to be passed is safely free from approaching traffic; and

(b) to the left of the vehicle passing or attempting to pass is safely free from overtaking traffic. R.S.O. 1960, c. 172, s. 71.

99. No vehicle shall be driven or operated to the left of the centre of a roadway designed for one or more lines of traffic in each direction,

(a) when approaching the crest of a grade or upon a curve in the roadway or within 100 feet of a bridge, viaduct or tunnel where the driver’s view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction; or

(b) when approaching within 100 feet of a level railway crossing,

but this section does not apply to a highway designated for the use of one-way traffic or to a highway divided into clearly marked lanes where there are more such lanes for traffic in one direction than in the other direction. R.S.O. 1960, c. 172, s. 72; 1966, c. 64, s. 15; 1968-69, c. 45, s. 49.

100.—(1) Notwithstanding section 98 and subject to subsection 2, the driver of a motor vehicle may overtake and pass to the right of another vehicle only under the following conditions,

(a) when the vehicle overtaken is making or about to make a left turn or its driver has signalled his intention to make a left turn; or

(b) upon a highway with unobstructed pavement of sufficient width for two or more lines of vehicles in each direction; or

(c) upon a highway designated for the use of one-way traffic only. R.S.O. 1960, c. 172, s. 73 (1); 1960-61, c. 34, s. 11 (1).

(2) The driver of a motor vehicle shall not overtake and pass to the right of another vehicle where such movement cannot be made in safety and in no event shall a driver make such movement by driving off the roadway. R.S.O. 1960, c. 172, s. 73 (2).
101. For the purposes of sections 102 and 103, "designated" means designated by the Minister or by any person authorized by him to make such designation or designated by by-law of a municipality, approved by the Department. R.S.O. 1960, c. 172, s. 74.

102. Where a highway has been designated for the use of one-way traffic only and official signs have been erected accordingly, vehicles shall be driven only in the direction so designated. R.S.O. 1960, c. 172, s. 75.

103. Where a highway has been divided into clearly marked lanes for traffic,

(a) a vehicle shall be driven as nearly as may be practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety;

(b) in the case of a highway that is divided into three lanes, a vehicle shall not be driven in the centre lane except when overtaking and passing another vehicle where the roadway is clearly visible and the centre lane is clear of traffic within a reasonable safe distance, or in preparation for a left turn, or where such centre lane is at the time designated for the use of traffic moving in the direction in which the vehicle is proceeding and official signs are erected to indicate such designation;

(c) any lane may be designated for slowly moving traffic or traffic moving in a particular direction provided that official signs are erected to indicate such designation, and, notwithstanding section 93, where a highway is so designated the driver of every vehicle shall obey the direction on the official signs. R.S.O. 1960, c. 172, s. 76; 1968, c. 50, s. 19.

104. Where a highway is divided into two separate roadways, no person shall operate or drive a vehicle or lead, ride or drive an animal,

(a) along or on such highway except on the roadway on the right-hand side, having regard to the direction in which the vehicle is being operated or driven or the animal is being led, ridden or driven; or

(b) from one roadway to the other roadway except where a crossing is provided. 1964, c. 38, s. 10.

105.—(1) The driver or operator of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent having due regard for the speed of such vehicle and the traffic on and the conditions of the highway.
Headway for commercial vehicles

(2) The driver or operator of a commercial motor vehicle when driving on a highway outside of a city, town or village shall not follow within 200 feet of another commercial motor vehicle, but this shall not be construed to prevent one commercial motor vehicle overtaking and passing another such vehicle. R.S.O. 1960, c. 172, s. 78.

Fire department vehicle, etc., approaching

106.—(1) The driver of a vehicle, upon the approach of an ambulance, fire or police department vehicle or public utility emergency vehicle, upon which a bell or siren is sounding or a lamp located on the roof of the vehicle is producing intermittent flashes of red light, shall immediately bring such vehicle to a standstill as near as is practicable to the right-hand curb or edge of the roadway and parallel therewith and clear of any intersection. R.S.O. 1960, c. 172, s. 79 (1); 1968-69, c. 45, s. 51.

(2) No driver of a vehicle shall follow a fire department vehicle when responding to an alarm at a distance of less than 500 feet. R.S.O. 1960, c. 172, s. 79 (2).

Following fire department vehicle

Towing of persons on bicycles, toboggans, etc., prohibited

Only one vehicle to be drawn on highway

Crowding driver’s seat

Vehicles required to stop at railway crossing signal

Driving of vehicles under crossing gates prohibited

Opening of doors of motor vehicles

107. No driver of a vehicle or street car shall permit any person riding upon a bicycle, coaster, roller skates, skis, toboggan, sled or toy vehicle to attach the same or himself to the vehicle or street car. R.S.O. 1960, c. 172, s. 80.

108. No person shall drive on a highway a motor vehicle other than a commercial motor vehicle, that is drawing more than one vehicle. 1967, c. 35, s. 11.

109. No person shall operate a motor vehicle with persons or property in the front or driver’s seat so placed as to interfere with the proper management or control of the motor vehicle. R.S.O. 1960, c. 172, s. 81.

110. When the driver of a vehicle is approaching a railway crossing at a time when a clearly visible electrical or mechanical signal device or a flagman is giving warning of the approach of a railway train, he shall stop the vehicle not less than 15 feet from the nearest rail of the railway and shall not proceed until he can do so safely. R.S.O. 1960, c. 172, s. 82.

111. No person shall drive a vehicle through, around or under a crossing gate or barrier at a railway crossing while the gate or barrier is closed or is being opened or closed. R.S.O. 1960, c. 172, s. 83.

112. No person shall,

(a) open the door of a motor vehicle on a highway without first taking due precautions to ensure that his act will not interfere with the movement of or endanger any other person or vehicle; or
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(113) Where a person in charge of a vehicle or on a bicycle or tricycle or on horseback or leading a horse on a highway overtake a street car or a car of an electric railway, operated in or near the centre of the roadway, which is stationary for the purpose of taking on or discharging passengers, he shall not pass the car or approach nearer than six feet measured back from the rear or front entrance or exit, as the case may be, of the car on the side on which passengers are getting on or off until such passengers have got on or got safely to the side of the street, as the case may be, but this subsection does not apply where a safety zone has been set aside and designated by a by-law passed under paragraph 111 of subsection 1 of section 354 of The Municipal Act.


(114) Every person having the control or charge of a motor vehicle on a highway, when approaching a horse or other animal that is drawing a vehicle or being driven, led or ridden, shall operate, manage and control the motor vehicle in such manner as to exercise every reasonable precaution to prevent the frightening of the horse or other animal and to ensure the safety and protection of any person driving, leading or riding upon the horse or other animal or being in any vehicle drawn by the horse or other animal. R.S.O. 1960, c. 172, s. 87 (1).

(115) When on a highway at any time when lighted lamps are required to be displayed on vehicles, the driver of a motor vehicle equipped with multiple beam headlamps shall use the lower or passing beam when,

(a) approaching an oncoming vehicle within 500 feet; or

(b) following another vehicle within 200 feet, except when in the act of overtaking and passing. R.S.O. 1960, c. 172, s. 88; 1965, e. 46, s. 11.

(116) No person shall park, stand or stop a vehicle on a roadway,
Where subsection 1 not to apply

Regulations, parking, etc.

Effect of regulation on municipal by-law

Removal of car parked at prohibited place

Disabled cars

Precaution against vehicle being set in motion

Warning lights on commercial motor vehicles

(a) when it is practicable to park, stand or stop the vehicle off the roadway; or

(b) when it is not practicable to park, stand or stop the vehicle off the roadway unless a clear view of the vehicle and of the roadway for at least 400 feet beyond the vehicle may be obtained from a distance of at least 400 feet from the vehicle in each direction upon the highway.

(2) Subsection 1 does not apply to a roadway within a city, town or village, and the provisions of subsection 1 with respect to parking, standing or stopping do not apply to a portion of a roadway in respect of which a by-law passed by the council of a township or county or by the trustees of a police village prohibiting or regulating parking, standing or stopping on the roadway, as the case may be, is in force. 1965, c. 46, s. 12 (1).

(3) The Lieutenant Governor in Council may make regulations prohibiting or regulating the parking, standing or stopping of vehicles upon a highway or any part of a highway or upon any class or classes thereof.

(4) The part of every municipal by-law that is inconsistent with or has the same effect as a regulation made under subsection 3 is revoked on the day the regulation comes into force. 1965, c. 46, s. 12 (2).

(5) Whenever a constable or an officer appointed for carrying out the provisions of this Act finds a vehicle on a highway in contravention of the provisions of this section or the regulations, he may move the vehicle or require the driver or operator or other person in charge of the vehicle to move it.

(6) The provisions of this section do not apply to the driver or operator of a vehicle that is so disabled while on a highway that it is impossible to avoid temporarily a contravention of such provisions. R.S.O. 1960, c. 172, s. 89 (4, 5).

(7) No person shall park or stand a vehicle on a highway unless he has taken such action as may be reasonably necessary in the circumstances to prevent the vehicle from moving or being set in motion. R.S.O. 1960, c. 172, s. 89 (6); 1965, c. 46, s. 12 (3).

(8) Every commercial motor vehicle, when on a highway outside a city, town or village at any time when lighted lamps are required to be displayed on vehicles, shall be equipped with a sufficient number of,

(a) flares, lamps or lanterns that have been approved by the Department, capable of continuously producing two warning lights, each visible from a distance of at least 500 feet for a period of at least eight hours; or

(b) portable reflectors that have been approved by the Department. R.S.O. 1960, c. 172, s. 89 (7); 1965, c. 46, s. 12 (4).
(9) When any commercial motor vehicle or trailer is disabled during
the period when lighted lamps are required to be displayed on
vehicles and the vehicle cannot immediately be removed from
the roadway outside a city, town or village, the driver or other
person in charge of the vehicle shall cause such flares, lamps or
lanterns to be lighted, and shall cause them or portable reflectors
approved by the Department to be placed and maintained on the
highway until such time as lighted lamps are not required to be
displayed on vehicles or the removal of the vehicle, one at a
distance of approximately 100 feet in advance of the vehicle and
one at a distance of approximately 100 feet to the rear of the
vehicle. R.S.O. 1960, c. 172, s. 89 (8); 1965, c. 46, s. 12 (5).

(10) Notwithstanding the other provisions of this section, no
person shall park or stand a vehicle on a highway in such a manner
as to interfere with the movement of traffic or the clearing of snow
from the highway.

(11) The provisions of subsection 10 with respect to parking or
standing in such a manner as to interfere with the movement of
traffic or with the clearing of snow from the highway do not apply
to a portion of a highway in respect of which a municipal by-law
prohibiting or regulating parking or standing in such a manner as
to interfere with traffic or with the clearing of snow from the
highway, as the case may be, is in force. 1965, c. 46, s. 12 (6).

(12) Every person who contravenes any of the provisions of
this section is guilty of an offence and on summary conviction is
liable to a fine of not less than $5 and not more than $50.
1968-69, c. 45, s. 55.

(13) A constable or an officer appointed for the carrying out of
the provisions of this Act, upon discovery of any vehicle parked or
standing in contravention of subsection 10 or of a municipal
by-law, may cause it to be moved or taken to and placed or stored
in a suitable place and all costs and charges for removing, care and
storage thereof, if any, are a lien upon the vehicle, which may be
enforced in the manner provided by section 48 of The Mechanic's
Lien Act. R.S.O. 1960, c. 172, s. 89 (11); 1965, c. 46, s. 12 (7).

117.—(1) No person shall drive a motor vehicle on a highway
in a race or on a bet or wager. R.S.O. 1960, c. 172, s. 91 (1).

(2) Every person who contravenes any of the provisions of this
section is guilty of an offence and on summary conviction is liable
to a fine of not less than $100 and not more than $500 or to
imprisonment for a term of not more than six months, or to both,
and in addition his licence may be suspended for a period of not
more than two years. 1968-69, c. 45, s. 57.

118. No person shall race or drive furiously any horse or other
animal on a highway. R.S.O. 1960, c. 172, s. 92 (1).
119. The driver of,
(a) a motor vehicle having a seating capacity for ten or more persons, when transporting children to and from school; or
(b) a public vehicle,
upon approaching on a highway a railway crossing that is not protected by gates or railway crossing signal lights or unless otherwise directed by a flagman, shall stop such vehicle not less than 15 feet from the nearest rail of the railway and, having stopped, shall look in both directions along the track and open a door of the vehicle and listen for any approaching train and, when it is safe to do so, shall cross the railway track in a gear that he will not need to change while crossing the track and he shall not change gears while crossing. R.S.O. 1960, c. 172, s. 93 (1); 1964, c. 38, s. 11.

120. — (1) In subsections 2 to 5, “school bus” means a motor vehicle used for the transportation of children to and from school that,
(a) bears on the rear thereof the words “do not pass when signals flashing”; and
(b) is equipped with two red signal-lights on the rear thereof and two red signal-lights on the front thereof,
as required by the regulations. 1960-61, c. 34, s. 12, part; 1961-62, c. 52, s. 13 (1); 1966, c. 64, s. 17 (1).

(2) Where a school bus is stopped on a highway or part of a highway on which the maximum speed limit is greater than 35 miles per hour for the purpose of receiving or discharging school children, the driver of a vehicle,
(a) when overtaking a school bus on which the words “do not pass when signals flashing” are marked and two red signal-lights are illuminated by intermittent flashes; and
(b) when meeting on such a highway, other than a highway with a median strip, a school bus on the front of which two red signal-lights are illuminated with intermittent flashes,
shall stop the vehicle before reaching the school bus and shall not proceed until the school bus resumes motion or the signal-lights are no longer operating. 1966, c. 64, s. 17 (2), part; 1968-69, c. 45, s. 60.

(3) The driver of such a school bus upon a highway or part of a highway on which the maximum speed limit is greater than 35 miles per hour, when he is about to stop the school bus for the purpose of receiving or discharging school children, shall actuate
the signal-lights and shall continue them in operation while stopped for such purpose and, in the case of such a highway that does not have separate roadways, until those children who of necessity must cross the highway have completed the crossing. 1966, c. 64, s. 17 (2), part.

(4) The council of a defined city under Part IV of The Secondary Schools and Boards of Education Act, the council of a municipality in the school division under the jurisdiction of The Ottawa Board of Education, and the council of the Regional Corporation under The Regional Municipality of Ottawa-Carleton Act in relation to highways under its jurisdiction in such school division, and the council of an area municipality and of the Metropolitan Corporation under The Municipality of Metropolitan Toronto Act may provide by by-law that subsections 2 and 3 do not apply to the highways under its jurisdiction. 1968, c. 50, s. 20.

(5) The words on a school bus “do not pass when signals flashing” shall be covered or concealed when the school bus is being operated upon a highway for purposes other than the transportation of children to or from school. 1960-61, c. 34, s. 12, part; 1961-62, c. 52, s. 13 (5).

(6) The Lieutenant Governor in Council may make regulations,

(a) respecting the operation of vehicles or any class or type thereof used for transporting children to and from school and operated by or under contract with a school board or other authority in charge of a school;

(b) prescribing the type, design and colour of school buses or any class thereof and the markings to be displayed thereon;

(c) requiring the use of any equipment on or in such vehicles or any class or type thereof and prescribing the standards and specifications of such equipment;

(d) prescribing the qualifications of drivers of such vehicles or any class or type thereof and prohibiting the operation thereof by unqualified persons;

(e) requiring the inspection of such vehicles or any class or type thereof. 1960-61, c. 34, s. 12, part.

121. No person, while on the roadway, shall,

(a) solicit a ride from the driver of a motor vehicle other than a public passenger conveyance; or

(b) stop or attempt to stop a motor vehicle for the purpose of selling or offering to sell any commodity or service to the driver or any other person in the motor vehicle. R.S.O. 1960, c. 172, s. 95 (1).
**122.**—(1) A person riding upon a bicycle, a coaster, roller skates, skis, a toboggan, a sled or a toy vehicle shall not attach it or them or himself to a vehicle or street car on a roadway.

(2) No person riding on a bicycle designed for carrying one person only shall carry any other person thereon. R.S.O. 1960, c. 172, s. 96.

(3) No person shall attach himself to the outside of a vehicle or street car on a roadway for the purpose of being drawn along the roadway. 1968, c. 50, s. 21.

**123.** Where sidewalks are not provided on a highway, a pedestrian walking along the highway shall walk on the left side thereof facing oncoming traffic and, when walking along the roadway, shall walk as close to the left edge thereof as possible. 1966, c. 64, s. 18.

**124.** Every person who throws or deposits or causes to be deposited any glass, nails, tacks or scraps of metal or any rubbish, refuse, waste or litter upon, along or adjacent to a highway, except in receptacles provided for the purpose, is guilty of the offence of littering the highway. 1968-69, c. 45, s. 62.

**125.**—(1) The Lieutenant Governor in Council may make regulations providing for the erection of signs and the placing of markings on any highway or any type or class thereof, and prescribing the types of such signs and markings and the location on the highway of each type of sign and marking. 1964, c. 38, s. 12.

(2) Every driver or operator of a vehicle shall obey the instructions or directions indicated on any sign so erected. R.S.O. 1960, c. 172, s. 99 (2).

**126.**—(1) The Lieutenant Governor in Council may make regulations,

(a) designating any part of a highway as a tunnel;

(b) providing for the erection of signs and the placing of markings,

   (i) on any highway approaching any part of a highway designated as a tunnel,
   (ii) on any part of a highway designated as a tunnel,

and prescribing the types of such signs and markings and the location of each type of sign and marking;

(c) prohibiting or regulating the use of that part of the highway designated as a tunnel by pedestrians, animals or any class or classes of vehicles;
(d) prohibiting or regulating the transportation of explosives and dangerous materials or any class thereof by a vehicle on that part of a highway designated as a tunnel.

(2) Every driver or operator of a vehicle shall obey the instructions or directions indicated on any sign so erected. 1968, c. 50, s. 22.

127. Every person who willfully removes, defaces or in any manner interferes with any notice or obstruction lawfully placed on a highway is guilty of an offence and on summary conviction is liable to a fine of not less than $100 and not more than $500 or to imprisonment for a term of not more than six months, or to both. 1968-69, c. 45, s. 63.

128.—(1) The Lieutenant Governor in Council may make regulations prohibiting or regulating the use of any part of the King's Highway by pedestrians or animals or any class or classes of vehicles. 1968-69, c. 45, s. 64.

(2) The council of a municipality may by by-law prohibit pedestrians or the use of bicycles or animals on any highway or portion of a highway under its jurisdiction on which the maximum speed limit is 50 miles per hour or more. 1968, c. 50, s. 23.

129.—(1) Where an aircraft has made an emergency landing on a highway, the pilot, if he is physically capable, shall, within a reasonable time, remove it or cause it to be removed from the roadway.

(2) No aircraft shall be driven or drawn along a highway unless the aircraft and the movement thereof comply with the provisions of this Act respecting vehicles and the movement thereof on a highway. 1967, c. 35, s. 12.

130. No driver of a motor vehicle to which a house trailer or boat trailer is attached shall operate such motor vehicle on a highway if the trailer is occupied by any person. 1968, c. 50, s. 24, part.

131. No person shall operate a vehicle commonly known as an air cushioned vehicle on a highway. 1970, c. 74, s. 6.

PART X

CIVIL ACTIONS

132.—(1) The owner of a motor vehicle is liable for loss or damage sustained by any person by reason of negligence in the operation of the motor vehicle on a highway unless the motor
vehicle was without the owner's consent in the possession of some person other than the owner or his chauffeur, and the driver of a motor vehicle not being the owner is liable to the same extent as the owner. R.S.O. 1960, c. 172, s. 105 (1).

(2) Where a motor vehicle is leased, the consent of the lessee of the motor vehicle to the operation or possession thereof by some person other than the lessee shall, for the purposes of subsection 1, be deemed to be the consent of the owner of the motor vehicle. 1966, c. 64, s. 20 (1).

(3) Notwithstanding subsection 1, the owner or driver of a motor vehicle, other than a vehicle operated in the business of carrying passengers for compensation, is not liable for any loss or damage resulting from bodily injury to, or the death of any person being carried in, or upon, or entering, or getting on to, or alighting from the motor vehicle, except where such loss or damage was caused or contributed to by the gross negligence of the driver of the motor vehicle. R.S.O. 1960, c. 172, s. 105 (2); 1966, c. 64, s. 20 (2).

133.—(1) When loss or damage is sustained by any person by reason of a motor vehicle on a highway, the onus of proof that the loss or damage did not arise through the negligence or improper conduct of the owner or driver of the motor vehicle is upon the owner or driver.

(2) This section does not apply in case of a collision between motor vehicles or between motor vehicles and cars of electric or steam railways or other motor vehicles running only on stationary rails on the highway nor to an action brought by a passenger in a motor vehicle in respect of any injuries sustained by him while a passenger. R.S.O. 1960, c. 172, s. 106.

134. The use of a highway within Ontario by any person not resident in Ontario operating or responsible for the operation of a motor vehicle within Ontario shall, by virtue of the right of user conferred by this Act, be deemed to constitute the Registrar an agent of such person for the service of notice or process in an action in Ontario arising out of a motor vehicle accident in Ontario in which such person is involved, subject to the following conditions:

1. Such notice or process may be served by leaving a copy thereof with or at the office of the Registrar, together with a bond in form and by sureties approved by the Registrar in the sum of $200 conditioned on the failure of the plaintiff to prevail in the action for the purpose of reimbursing the defendant for the expenses necessarily incurred by him in defending the action in Ontario.
2. Such service is sufficient service if notice of such service and a copy of the notice or process are forthwith sent by registered mail to the defendant and the defendant's return receipt is filed with the registrar or clerk of the court in which the action or proceeding is brought. R.S.O 1960, c. 172, s. 107.

PART XI

APPROVAL OF MUNICIPAL BY-LAWS

135.—(1) Every provision of a municipal by-law passed by the council of a municipality, a board of commissioners of police or the trustees of a police village for,

(a) regulating traffic on the highways; or

(b) regulating noise, fumes or smoke created by the operation of motor vehicles on the highways; or

(c) prohibiting or regulating the operation of motor vehicles or any type or class thereof on the highways,

that is inconsistent with this Act, is deemed to be repealed and hereafter all by-laws passed for any of the purposes mentioned in clauses a, b and c shall not become operative until approved by the Department.

(2) Any by-law for regulating traffic on highways that is submitted to the Department for approval may be approved in whole or in part and, where part of a by-law is approved only, that part shall become operative.

(3) The Department may withdraw its approval to any by-law or any part thereof by notice sent by registered mail to the clerk of the municipality and such by-law or part thereof shall be deemed to be repealed twenty-one days after the sending of the notice. R.S.O. 1960, c. 172, s. 108.

PART XII

SUSPENSION FOR FAILURE TO PAY JUDGMENTS

136. In this Part,

(a) "driver's licence" means an operator's or a chauffeur's licence issued pursuant to this Act;

(b) "motor vehicle", in addition to the meaning given in section 1, includes "trailer", as defined in section 1. 1970, c. 74, s. 7, part.
137. Where the Registrar has suspended a licence or permit, he shall send notice of such suspension by registered mail to the latest address appearing on the records of the Department of the person whose licence or permit is suspended. 1970, c. 74, s. 7, part.

138.—(1) The driver's licence of every person who fails to satisfy a judgment rendered against him by any court in Ontario that has become final by affirmation on appeal or by expiry without appeal of the time allowed for appeal, for damages on account of injury to or the death of any person, or on account of damage to property, occasioned by a motor vehicle, within fifteen days from the date upon which such judgment became final shall be suspended by the Registrar upon receiving a certificate of such final judgment from the court in which the same is rendered and after fifteen days notice has been sent to such person of intention to suspend his licence unless such judgment is satisfied within such period, and shall remain so suspended and shall not at any time thereafter be renewed, nor shall any new driver's licence be thereafter issued to such person, until such judgment is satisfied or discharged, otherwise than by a discharge in bankruptcy, to the extent of the minimum limits of liability required by The Insurance Act in respect of motor vehicle liability policies.

(2) Notwithstanding subsection 1, the Registrar shall not suspend under subsection 1 the driver's licence of any person who is indebted to the Motor Vehicle Accident Claims Fund.

(3) A judgment debtor may, on due notice to the judgment creditor, apply to the court in which the trial judgment was obtained for the privilege of paying the judgment in instalments, and the court may, in its discretion, so order, fixing the amounts and times of payment of the instalments, and while the judgment debtor is not in default in payment of such instalments, he shall be deemed not in default in payment of the judgment, and the Minister may restore the driver's licence of the judgment debtor, but such driver's licence shall again be suspended and remain suspended, as provided in subsection 1, if the Registrar is satisfied of default made by the judgment debtor in compliance with the terms of the court order.

(4) The Lieutenant Governor in Council, upon the report of the Minister that a province or state has enacted legislation similar in effect to subsection 1 and that such legislation extends and applies to judgments rendered and become final against residents of that province or state by any court of competent jurisdiction in Ontario, may declare that the provisions of subsection 1 shall extend and apply to judgments rendered and become final against residents of Ontario by any court of competent jurisdiction in such province or state. 1970, c. 74, s. 7, part.
PART XIII

RECORDS AND REPORTING OF ACCIDENTS AND CONVICTIONS

139.-(1) Every person in charge of a motor vehicle who is directly or indirectly involved in an accident shall, if the accident results in personal injuries or in damage to property apparently exceeding $200, report the accident forthwith to the nearest provincial or municipal police officer and furnish him with such information concerning the accident as may be required by the officer under subsection 3. 1968-69, c. 45, s. 69 (1).

(2) Where such person is physically incapable of making a report and there is another occupant of the motor vehicle, such occupant shall make the report.

(3) A police officer receiving a report of an accident, as required by this section, shall secure from the person making the report, or by other inquiries where necessary, such particulars of the accident, the persons involved, the extent of the personal injuries or property damage, if any, and such other information as may be necessary to complete a written report concerning the accident and shall forward such report to the Registrar within ten days of the accident. R.S.O. 1960, c. 172, s. 143 (2, 3).

(4) The report of a police officer under subsection 3 shall be in such form as is approved by the Minister. 1968-69, c. 45, s. 69 (2).

140.—(1) Where an accident occurs on a highway, every person in charge of a vehicle or car of an electric railway that is directly or indirectly involved in the accident shall,

(a) remain at or immediately return to the scene of the accident;

(b) render all possible assistance; and

(c) upon request, give in writing to anyone sustaining loss or injury, or to any constable or other police officer or to any witness, his name and address, and also the name and address of the registered owner of such vehicle, and the number of the vehicle permit. 1960-61, c. 34, s. 15, part.

(2) Every person who contravenes any of the provisions of this section is guilty of an offence and on summary conviction is liable to a fine of not less than $100 and not more than $500 or to imprisonment for a term of not more than six months, or to both, and in addition his licence or permit may be suspended for a period of not more than two years. 1968-69, c. 45, s. 70.
141. Every person who, as a result of an accident or otherwise, operates or drives a vehicle or leads, rides or drives an animal upon a highway and thereby damages any shrub, tree, pole, light, sign, sod or other property on the highway or a fence bordering the highway shall forthwith report such damage to a police officer or constable or to the Registrar. 1965, c. 46, s. 15.

142.—(1) Every coroner who investigates, and every Crown attorney and police officer having knowledge of a fatal accident in which a motor vehicle is involved, shall secure such particulars of the accident, the persons involved, and other information as may be necessary to complete a written report to the Registrar on the forms prescribed for that purpose, and shall transmit the report forthwith to the Registrar.

(2) Every provincial or municipal official or employee, hospital, charitable institution, insurer or other person or organization shall furnish to the Registrar such reports and other information relating to motor vehicle accident statistics and traffic control generally as may be required by the regulations.

(3) The Lieutenant Governor in Council, by regulation, may allow any person or organization making reports or furnishing information under this section such compensation for so doing as may be considered proper. R.S.O. 1960, c. 172, s. 145.

143.—(1) Every legally qualified medical practitioner shall report to the Registrar the name, address and clinical condition of every person sixteen years of age or over attending upon the medical practitioner for medical services, who in the opinion of such medical practitioner is suffering from a condition that may make it dangerous for such person to operate a motor vehicle.

(2) No action shall be brought against a qualified medical practitioner for complying with this section.

(3) The report referred to in subsection 1 is privileged for the information of the Registrar only and shall not be open for public inspection, and such report is inadmissible in evidence for any purpose in any trial except to prove compliance with subsection 1. 1968, c. 50, s. 25.

144.—(1) Every optometrist registered under The Optometry Act shall report to the Registrar the name, address and clinical condition of every person sixteen years of age or over attending upon the optometrist for optometric services who, in the opinion of such optometrist, is suffering from an eye condition that may make it dangerous for such person to operate a motor vehicle.

(2) No action shall be brought against a qualified optometrist for complying with this section.
(3) The report referred to in subsection 1 is privileged for the information of the Registrar only and shall not be open for public inspection, and such report is inadmissible in evidence for any purpose in any trial except to prove compliance with subsection 1. 1968-69, c. 45, s. 72.

145. The Registrar shall,
(a) prepare and supply to police officers and other persons and organizations blank forms approved by the Minister for accident and other reports which shall call for such particulars concerning accidents, the person involved, and the extent of the personal injuries and property damage, if any, resulting therefrom, and such other information as may be required by the regulations;
(b) make such investigation of, and call for such written reports concerning, motor vehicle accidents, traffic conditions, and other matters, as he may consider necessary and proper, and for that purpose may require the assistance of any provincial or municipal police officer;
(c) keep,
(i) a record of all motor vehicle accidents in Ontario, reported to him or concerning which he procures information,
(ii) a record of all convictions for offences under this Act or under the provisions of the Criminal Code (Canada) relating to driving on highways, reported to him pursuant to section 150, and of such other convictions as he may consider proper,
(iii) a record of all drivers' licences and owners' permits issued, suspended, revoked, cancelled or revived under this Act,
(iv) a record of all unsatisfied judgments rendered against persons holding owners' permits or drivers' licences under this Act, or non-residents reported to him pursuant to this Act,
(v) an operating record of every chauffeur and operator, which record shall show all reported convictions of such chauffeur or operator for a contravention of any provision of any statute relating to the operation of motor vehicles, and all reported unsatisfied judgments against such person for any injury or damage caused by such person while operating a motor vehicle and all accidents in which the records of the Registrar indicate such chauffeur or operator has been involved, and such other information as the registrar may consider proper, and
(vi) such other records as he may be directed to keep by the Minister;
accident and traffic statistics

annual report for Minister

(d) develop adequate uniform methods of accident and traffic statistics, and study accident causes and trends, traffic problems, and regulations;

(e) prepare for the Minister an annual report showing the results of such reporting, collection, analysis and study, and embodying his recommendations for the prevention of motor vehicle accidents and the solution of traffic problems, and such report shall be printed and published forthwith upon completion. R.S.O. 1960, c. 172, s. 146; 1970, c. 74, s. 8.

PART XIV

PROCEDURE, ARRESTS AND PENALTIES

146.—(1) Subject to subsections 2 and 3, no action shall be brought against a person for the recovery of damages occasioned by a motor vehicle after the expiration of twelve months from the time when the damages were sustained.

(2) Where death is caused, the action may be brought within the time limited by The Fatal Accidents Act.

(3) Notwithstanding subsections 1 and 2, when an action is brought within the time limited by this Act for the recovery of damages occasioned by a motor vehicle and a counterclaim is made or third party proceedings are instituted by a defendant in respect of damages occasioned in the same accident, the lapse of time herein limited is not a bar to the counterclaim or third party proceedings. R.S.O. 1960, c. 172, s. 147.

147.—(1) Subject to subsection 2, the owner of a vehicle shall incur the penalties provided for any contravention of this Act or of any regulation made by the Lieutenant Governor in Council or of any municipal by-law for regulating traffic approved by the Department unless at the time of the contravention the vehicle was in the possession of some person other than the owner or his chauffeur without the owner’s consent, and the driver or operator of a vehicle not being the owner shall also incur the penalties provided for any such contravention. 1967, c. 35, s. 14.

(2) The owner of a motor vehicle except when he is also the driver shall not incur the penalties provided for any contravention of any of the provisions of sections 82 to 114, 117, 120, 125 and 139 or any regulation or by-law made or passed thereunder or of any of the provisions of any by-law passed under any Act regulating or prohibiting turns on a highway. R.S.O. 1960, c. 172, s. 148 (2); 1966, c. 64, s. 21.

148. Every person who contravenes any provision of this Act or of the regulations is guilty of an offence and the penalties imposed by or under the authority of this Act are recoverable under The Summary Convictions Act. R.S.O. 1960, c. 172, s. 149.
149. No penalty or imprisonment is a bar to the recovery of damages by the injured person. R.S.O. 1960, c. 172, s. 150.

150. (1) A judge, provincial judge or justice of the peace who makes a conviction for an offence under this Act or under any other Act of the Legislature or the Parliament of Canada or any regulation or order made under any of them committed by means of a motor vehicle, or for an offence under a municipal by-law regulating traffic on the highways, except convictions for offences for standing or parking or the clerk of the court in which the conviction is made, shall forthwith certify the conviction to the Registrar, setting out the name, address and description of the person convicted, the number of his operator's or chauffeur's licence, the number of the permit of the motor vehicle with which the offence was committed, the time the offence was committed and the provision of the Act, regulation, order or by-law contravened. 1960-61, c. 34, s. 16; 1968, c. 50, s. 26, amended.

(2) A copy of any writing, paper or document filed in the Evidence Department pursuant to this Act, or any statement containing information from the records required to be kept under this Act, purporting to be certified by the Registrar under the seal of the Department, shall be received in evidence in all courts without proof of the seal or signature and is prima facie evidence of the facts contained therein.

(3) An engraved, lithographed, printed or otherwise mechanically reproduced facsimile signature of the Registrar is sufficient authentication of any such copy or statement. R.S.O. 1960, c. 172, s. 152 (2, 3).

151. (1) If an owner of a motor vehicle is served with a summons to appear in a local municipality other than that in which he resides for an offence against this Act, and his defence is that neither he nor his motor vehicle was at the place of the alleged offence at the time such offence occurred, and that the summons must have been issued against him through an error of the informant as to the number on the official number plate, then and in that case only he may appear before a justice of the peace in the local municipality in which he resides, and, in the same manner as if he were being tried for an offence against this Act, give evidence by himself and corroborated by the evidence of at least two other credible witnesses that neither he nor his motor vehicle was at the place of the alleged offence at the time such offence occurred, and that the summons must have been issued against him through an error of the informant as to the number on the official number plate.

(2) The justice, if satisfied of the truth of such evidence, shall forthwith make out a certificate in the form set out in the Schedule to this Act and forward it by registered mail to the justice before whom the summons is returnable.
(3) The justice before whom the summons is returnable shall, upon receiving such certificate, thereupon dismiss the charge unless he has reason to believe that the testimony is untrue in whole or in part, in which case he may adjourn the case and again summon the defendant, who shall then be required to attend before him at the place and time mentioned in the summons. R.S.O. 1960, c. 172, s. 153.

152. Every person who contravenes any of the provisions of this Act or of any regulation is guilty of an offence and on summary conviction, where a penalty for the contravention is not otherwise provided for herein, is liable to a fine of not less than $20 and not more than $100. 1968-69, c. 45, s. 74.

153.—(1) Every person called upon to assist a constable or officer appointed for carrying out the provisions of this Act in the arrest of a person suspected of having committed any offence mentioned in subsection 2 may assist if he knows that the person calling on him for assistance is a constable or officer appointed for carrying out the provisions of this Act, and does not know that there are no reasonable grounds for the suspicion. R.S.O. 1960, c. 172, s. 156 (1).

(2) Every constable, who, on reasonable and probable grounds, believes that a contravention of any of the provisions of subsection 1 of section 7; clause a, b, c or d of subsection 1 of section 9; subsection 1 of section 10; subsection 2 of section 14; subsection 2 of section 17; subsection 2 or 3 of section 27; section 30; section 83, 117 or 127 or clause a of section 140 has been committed, whether it has been committed or not, and who, on reasonable and probable grounds, believes that any person has committed such contravention, may arrest such person without warrant whether such person is guilty or not. 1968-69, c. 45, s. 76.

(3) Every person may arrest without warrant any person whom he finds committing any such contravention.

(4) A constable or officer appointed for carrying out the provisions of this Act, making an arrest without warrant, may detain the motor vehicle with which the offence was committed until the final disposition of any prosecution under this Act or under the Criminal Code (Canada), but the motor vehicle may be released on security for its production being given to the satisfaction of a justice of the peace or a provincial judge.

(5) All costs and charges for the care and storage of a motor vehicle detained under subsection 4 are a lien upon the motor vehicle, which may be enforced in the manner provided by section 48 of The Mechanics' Lien Act.
(6) A constable or officer appointed for carrying out the provisions of this Act, making an arrest without warrant, shall, with reasonable diligence, take the person arrested before a justice of the peace or provincial judge to be dealt with according to law. R.S.O. 1960, c. 172, s. 156 (3-6), amended.

154.—(1) In the event of,

(a) a conviction under section 27 or 30 of this Act or section 222 or subsection 3 of section 225 of the Criminal Code (Canada); or

(b) a second conviction under subsection 2 of section 221 of the Criminal Code (Canada),

the provincial judge or judge may order that the motor vehicle driven by or under the care or control of the person convicted at the time of the commission of the offence or last offence, as the case may be, shall be seized, impounded and taken into custody of the law for a period of three months, provided the motor vehicle was at such time owned by or registered in the name of such person, or owned by or registered in the name of the husband, wife, parent or dependent child of such person. R.S.O. 1960, c. 172, s. 157 (1); 1964, c. 38, s. 17 (1); 1968-69, c. 45, s. 77.

(2) Where there is a conviction under the section mentioned in clause b of subsection 1 and a previous conviction under a section mentioned in clause a of subsection 1, such first-mentioned conviction shall be deemed a second conviction, and, where there is a conviction under a section mentioned in clause c of subsection 1 and a previous conviction or two previous convictions under a section or sections mentioned in clause a or b of subsection 1, such first-mentioned conviction shall be deemed to be a second or third conviction, as the case may be. R.S.O. 1960, c. 172, s. 157 (2).

(3) Where a person pleads guilty to any of the offences mentioned in subsection 1, the provisions of subsection 1 do not apply unless the person has been given notice,

(a) by a printed or written statement upon or accompanying the summons; or

(b) by the provincial judge or judge verbally before accepting the plea,

in the following form or to the like effect:

"The Highway Traffic Act provides that upon conviction of the offence with which you are charged, in the circumstances indicated therein, the provincial judge or judge may order that the motor vehicle which was driven by you or under your care or control at the time of the commission of the offence shall be seized, impounded and taken into the custody of the law."

R.S.O. 1960, c. 172, s. 157 (3); 1964, c. 38, s. 17 (2).
(4) All costs and charges for the care and storage of the motor vehicle are a lien upon the motor vehicle, which may be enforced in the manner provided by section 48 of The Mechanics' Lien Act.

(5) If the person so convicted or the owner gives sufficient security to the convicting provincial judge or justice of the peace, by bond, recognizance, or otherwise, that the motor vehicle shall not be operated upon a highway during such period of three months, the same may be delivered to the person so convicted or the owner thereof, and, if the motor vehicle is operated upon a highway during such period, it shall be deemed to be operated without a permit.

(6) A constable or an officer appointed for carrying out the provisions of this Act, upon the discovery of a motor vehicle apparently abandoned on or near a highway or of a motor vehicle without proper registration plates, shall take the motor vehicle into his custody and may cause it to be taken to and stored in a suitable place and all costs and charges for removal, care or storage thereof are a lien upon the motor vehicle, which may be enforced in the manner provided by section 48 of The Mechanics' Lien Act. 

R.S.O. 1960, c. 172, s. 158.

155. If a person to whom section 154 applies enters an appeal against his conviction and there is filed with the convicting provincial judge sufficient security for the production of the motor vehicle if the appeal should fail, section 154 does not apply unless the conviction is sustained on appeal. R.S.O. 1960, c. 172, s. 158.

156.—(1) The Minister may appoint one or more persons on the staff of the Department as an officer or officers for the purpose of carrying out all or any of the provisions of this Act, and any person so appointed has authority to act as a constable throughout Ontario for such purpose.

(2) A person appointed under subsection 1 shall, while carrying out his duties under the appointment, have in his possession a certificate of his appointment under subsection 1 and shall produce such certificate upon request. 1961-62, c. 52, s. 17.
I, (name of Justice), a Justice of the Peace in and for the county of .......... hereby certify:

1. That (name of defendant), of the ........................................
   (occupation), in the county of ..................................
   this day appeared before me and produced to me a summons issued
   by (name of Justice issuing summons), a Justice of the Peace in and for the county
   of ........................................, for an offence against The
   Highway Traffic Act, said to have been committed with respect to a car bearing the
   official number plate number ........................................ for this year,
   the offence being alleged to have been committed on the ..................................
   of ........................................ in the county of ..................................
   on the ........................................ day of ..................................

2. That the (name of defendant) has deposed before me that neither he nor his
   motor vehicle was at such place on the ........................................
   day of ........................................, 19 ..........., and that the summons must have
   been issued against him through an error of the informant as to the number on the
   official number plate, and his testimony in this respect has been corroborated by
   the testimony of two credible witnesses, namely (here insert the names of two
   witnesses).

3. The depositions of the defendant and of the witnesses referred to in
   paragraph 2 of this certificate are attached hereto.

4. That I am satisfied of the truth of the testimony given before me this day by
   (name of defendant and two witnesses), and give this certificate in pursuance of
   subsection 2 of section 151 of The Highway Traffic Act.

Dated at ........................................ this ........................................ day of
   ........................................, 19 ..........., ................................. J.P.

(Note.—Attach depositions of defendant and witnesses to this certificate.)

R.S.O. 1960, c. 172, Sched.