1975

c 6 The Highway Traffic Amendment Act, 1975 (2nd Session) (No. 1)

Ontario

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CHAPTER 6

An Act to amend The Highway Traffic Act

Assented to December 18th, 1975

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

1. The Highway Traffic Act, being chapter 202 of the Revised Statutes of Ontario, 1970, is amended by adding thereto the following sections:

57a. — (1) No person shall operate or permit to be operated on a highway a vehicle of a type or class prescribed by the regulations made under clause a of section 57c unless the vehicle displays, affixed in the place and manner prescribed in the regulations, a prescribed device as evidence that the inspection requirements and performance standards prescribed by the regulations have been complied with.

(2) Where the prescribed device required by subsection 1 is not displayed as prescribed by the regulations, a constable or officer appointed for the purposes of carrying out the provisions of this Act may seize the number plates of the vehicle.

57b. No person shall issue a safety standards certificate or affix a vehicle inspection sticker except a certificate or sticker provided by the Ministry.

57c. The Lieutenant Governor in Council may make regulations,

(a) prescribing the types or classes of vehicles requiring the device mentioned in section 57a;

(b) prescribing the methods and procedures relating to the use or issue of a device as evidence that the prescribed inspection procedures, inspection requirements and performance standards have been complied with;
(c) prescribing the period of time for which the device referred to in clause b shall be valid and the manner of affixing and displaying the device;

(d) prescribing the times that vehicles shall be submitted to inspection; and

(e) defining for purposes of the regulations any word or expression used in the Act or regulations.

2. Section 58 of the said Act, as re-enacted by the Statutes of Ontario, 1973, chapter 167, section 8, is amended by adding thereto the following clauses:

(f) "vehicle inspection record" means a form required to be completed in accordance with the regulations prior to the issue of a vehicle inspection sticker;

(g) "vehicle inspection sticker" means the device issued as evidence that the inspection requirements and performance standards referred to in section 57a have been complied with.

3. Clause b of subsection 4 of section 58b of the said Act, as enacted by the Statutes of Ontario, 1973, chapter 167, section 8, is repealed and the following substituted therefor:

(b) to register a commercial motor vehicle, other than a dump truck, that is registered in another jurisdiction and owned by a person who does not reside in Ontario.

4. -(1) Section 58c of the said Act, as enacted by the Statutes of Ontario, 1973, chapter 167, section 8, is amended by adding thereto the following subsection:

(1a) No person other than a licensee, a motor vehicle inspection mechanic or a person authorized in writing by the licensee shall affix a vehicle inspection sticker to a vehicle.

(2) Subsection 2 of the said section 58c is repealed and the following substituted therefor:

(2) A safety standards certificate in respect of a motor vehicle shall not be issued or a vehicle inspection sticker affixed to a vehicle unless,

(a) the vehicle has been inspected by a motor vehicle inspection mechanic in the motor vehicle inspection station; and
(b) the safety standards certificate or a vehicle inspection record,

(i) is made by the motor vehicle inspection mechanic who inspected the vehicle, and

(ii) is countersigned by the licensee or a person authorized in writing by the licensee.

5. Clause c of subsection 8 of section 58d of the said Act, as enacted by the Statutes of Ontario, 1973, chapter 167, section 8, is repealed and the following substituted therefor:

(c) the licensee or any motor vehicle inspection mechanic employed in the motor vehicle inspection station has misrepresented the condition of a vehicle with respect to the standards of equipment and performance prescribed by the regulations upon an inspection of the vehicle in the station for the purpose of determining whether or not to issue a safety standards certificate, sign a vehicle inspection record or affix a vehicle inspection sticker.

6. - (1) Subsection 1 of section 58e of the said Act, as enacted by the Statutes of Ontario, 1973, chapter 167, section 8, is repealed and the following substituted therefor:

(1) No person shall sign a vehicle inspection record as mechanic or certify in a safety standards certificate that a vehicle complies with the standards of equipment and performance prescribed by the regulations unless he is registered by the Director as a motor vehicle inspection mechanic in a motor vehicle inspection station and the Director may so register any person for whom application is made pursuant to subsection 2.

(2) The said section 58e is amended by adding thereto the following subsection:

(2a) The registration of a motor vehicle inspection mechanic expires with the licence of the motor vehicle inspection station to which the mechanic is registered.

7.—(1) Clause b of section 58m of the said Act, as enacted by the Statutes of Ontario, 1973, chapter 167, section 8, is amended by adding at the end thereof "or a vehicle inspection sticker".

(2) Clause f of the said section 58m is amended by striking out "motor" where it occurs the first time in the first line.
(3) Clause \( h \) of the said section 58m is repealed and the following substituted therefor:

\( h \) prescribing the amount that shall be paid to the Ministry for forms of safety standards certificates and vehicle inspection stickers.

(4) Clause \( n \) of the said section 58m is repealed and the following substituted therefor:

\( n \) requiring and governing the return to the Ministry of unused forms of safety standards certificates, vehicle inspection records and vehicle inspection stickers and providing for refunds of amounts paid for such forms of certificates and stickers.

8. Subsection 2a of section 68 of the said Act, as enacted by the Statutes of Ontario, 1973, chapter 45, section 23, is repealed and the following substituted therefor:

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

\( a \) the manner of loading, covering and securing loads on vehicles or classes of vehicles operated on highways or prescribed classes or types thereof; and

\( b \) prescribing classes of vehicles and classes or types of highways.

9. Subsection 2 of section 81 of the said Act is amended by striking out "1976" in the third line and inserting in lieu thereof "1977".

10. This Act comes into force on the day it receives Royal Assent.

11. This Act may be cited as The Highway Traffic Amendment Act, 1975 (2nd Session).