1975

c 78 The Highway Traffic Amendment Act, 1975 (No. 4)

Ontario
CHAPTER 78

An Act to amend The Highway Traffic Act

Assented to July 18th, 1975

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

1.-(1) Paragraph 15c of subsection 1 of section 1 of The Highway Traffic Act, being chapter 202 of the Revised Statutes of Ontario, 1970, as enacted by the Statutes of Ontario, 1974, chapter 123, section 1, is repealed and the following substituted therefor:

15c. "motor assisted bicycle" means a bicycle,

i. fitted with pedals which are operable at all times to propel the bicycle,

ii. weighing not more than 120 pounds,

iii. which has no hand or foot operated clutch or gearbox driven by the motor and transferring power to the driven wheel,

iv. having an attached motor driven by electricity or having a piston displacement of not more than fifty cubic centimetres, and

v. which does not have sufficient power to enable the bicycle to attain a speed greater than thirty miles per hour on level ground within a distance of one mile from a standing start.

(2) Paragraph 17 of subsection 1 of the said section 1, as re-enacted by the Statutes of Ontario, 1974, chapter 123, section 1, is repealed and the following substituted therefor:

17. "motor vehicle" includes an automobile, motorcycle, motor assisted bicycle unless otherwise in-
Paragraph 35 of subsection 1 of the said section 1, as amended by the Statutes of Ontario, 1974, chapter 123, section 1, is further amended by striking out “motor assisted bicycle” in the amendment of 1974.

Section 18a of the said Act, as enacted by the Statutes of Ontario, 1974, chapter 123, section 5, is amended by striking out “fourteen” in the first line and inserting in lieu thereof “sixteen”.

Section 35 of the said Act, as amended by the Statutes of Ontario, 1973, chapter 45, section 13, is further amended by adding thereto the following subsection:

(8) In this section, “motor vehicle” does not include a motor assisted bicycle.

Part V of the said Act, as amended by the Statutes of Ontario, 1973, chapter 45, sections 14 to 17, 19 and 20, 1973, chapter 167, section 8 and 1974, chapter 123, sections 11 to 16, is further amended by adding thereto the following section:

36a. In this Part, “motor vehicle” does not include a motor assisted bicycle.

Subsection 1 of section 62 of the said Act is amended by inserting after “motorcycle” in the first line “or motor assisted bicycle”.

Section 63 of the said Act, as re-enacted by the Statutes of Ontario, 1973, chapter 45, section 20, is amended by adding thereto the following subsection:

(1a) No person who deals in motor assisted bicycles shall sell a new motor assisted bicycle after the date this subsection comes into force unless on the delivery of the vehicle to the purchaser, the seller gives to the purchaser a document in a form approved by the Ministry certifying that the vehicle complies with the definition of a motor assisted bicycle.
7. Subsection 1a of section 82 of the said Act, as enacted by the Statutes of Ontario, 1974, chapter 123, section 21, is repealed.

8. — (1) Subsection 2 of section 122 of the said Act, as amended by the Statutes of Ontario, 1974, chapter 123, section 30, is further amended by striking out "a motor assisted bicycle or" in the amendment of 1974.

(2) The said section 122 is amended by adding thereto the following subsection:

(2a) No person driving a motor assisted bicycle shall carry any other person thereon.

9. Subsection 2 of section 128 of the said Act, as amended by the Statutes of Ontario, 1974, chapter 123, section 31, is further amended by inserting after "of" in the second line "motor assisted bicycles".

10. Subsection 1 of section 139 of the said Act, as amended by the Statutes of Ontario, 1974, chapter 123, section 33, is further amended by striking out "or motor assisted bicycle" in the amendment of 1974.

11. Subsection 2 of section 147 of the said Act, as amended by the Statutes of Ontario, 1974, chapter 123, section 34, is further amended by striking out "or motor assisted bicycle" in the amendment of 1974.

12. — (1) This Act, except subsections 2 and 3 of section 1, sections 3, 4, 5, 6, 7, 10 and 11, comes into force on the day it receives Royal Assent.

(2) Subsections 2 and 3 of section 1 and sections 3, 4, 5, 6, 7, 10 and 11 come into force on a day to be named by proclamation of the Lieutenant Governor.

13. This Act may be cited as The Highway Traffic Amendment Act, 1975 (No. 4).