



SMART RIDE SAFE RIDE

What you need to know
to operate an ATV in Ontario



The All Terrain Vehicle, or ATV as it's commonly called, is a very popular year-round utility and recreational vehicle, that offers many hours of enjoyment for outdoor enthusiasts. However, there are certain risks associated with riding an ATV if laws aren't respected and safety precautions are ignored.

This book outlines the legislative requirements for ATVs and other types of off-road vehicles and promotes safe and responsible riding practices. The book is only a guide. For more detailed information on legal requirements for ATV use, please refer to the Off-Road Vehicles Act (ORVA) and the Highway Traffic Act (HTA) at e-laws.gov.on.ca

An ATV is a type of Off-Road Vehicle (ORV) that has four wheels, steering handle bars, a seat that is straddled by the driver and is designed for a driver only and no passenger.

A highway can include a roadway, street or avenue and consists of all the land which falls within the highway right-of-way, such as the shoulder and ditch.

Off-Road Riding

Vehicle Information

- An ATV must be registered and display a rear licence plate except in exempt areas such as far northern Ontario. It must also be insured under a motor vehicle liability policy.

Driver Information

- The driver must be at least 12 years of age unless they are under the direct supervision of an adult.
- The driver must carry the ATV's registration permit or a true copy.
- The driver and passenger must wear an approved motorcycle helmet that is securely fastened under the chin with a chin strap.
- The driver can directly cross a highway where permitted, if they are at least 16 years old and hold a valid driver's licence.

For a list of highways in Ontario where ORVs are prohibited from crossing, please check the Off-Road Vehicles Act, Ontario Regulation 863, Schedule 1. You may check online at: e-laws.gov.on.ca

On-Road Riding

Passengers are prohibited from riding on an ATV that is being driven on a road.

Vehicle Information

- As described in the “Off-Road Riding” section, an ATV must be registered and insured.
- An ATV that weighs 450 kilograms or less and has an overall width not greater than 1.35 m (excluding mirrors) may travel along some provincial highways and on municipal roads, only if the municipality has a bylaw permitting their use.
- An ATV is allowed to travel on Highways 500 to 899, 7000 series highways and highways with low traffic volumes, but is prohibited from traveling on 400 series highways, the Queen Elizabeth Way, and sections of the Trans-Canada Highway.

For a complete list of highways where ATVs are permitted or prohibited, please refer to Highway Traffic Act Regulation 316/03. You may check online at: e-laws.gov.on.ca

Driver Information

The ATV driver must:

- be at least 16 years of age and hold a valid G2 or M2 licence or greater;
- wear an approved motorcycle helmet that is securely fastened under the chin with a chin strap; and
- travel at speeds that are less than the posted speed limit as outlined below.

Speed and Rules of the Road

- 20 km/h is the maximum speed an ATV can travel on roads with a posted speed limit of 50 km/h or less.
- 50 km/h is the maximum speed an ATV can travel on roads with a posted speed limit of more than 50 km/h.
- Municipalities may set lower speed limits or additional rules for ATVs.
- An ATV must be driven in the same direction as traffic and travel on the shoulder of the road. If the shoulder is unsafe or impassable, the ATV can be driven on the travelled portion of the road.
- An ATV travelling along a road must have its headlights and tail lights on.



Two-Up ATVs

Vehicle Information

- A two-up ATV is a type of off-road vehicle that has four wheels, steering handlebars, a driver's seat and a passenger seat directly behind the driver. **Note: a single rider ATV that has been modified to carry a passenger by installing an after-market seat and foot pegs is not considered to be a two-up ATV.**
- A two-up ATV must be registered and display a rear licence plate. It must also be insured under a motor vehicle liability policy.
- A two-up ATV is prohibited from provincial highways and municipal roads, even if the driver is not carrying a passenger.
- A two-up ATV can be driven directly across a highway (where permitted), if the driver is 16 years of age and holds a valid driver's licence.

For a list of highways in Ontario that off-road vehicles are prohibited from crossing, please refer to the Off-Road Vehicles Act, Ontario Regulation 863, Schedule 1. You may check online at: e-laws.gov.on.ca

Driver Information

- The driver must be at least 12 years of age unless they are under the direct supervision of an adult.
- The driver and passenger must wear an approved motorcycle helmet that is securely fastened under the chin with a chin strap.
- The driver must carry the two-up ATV's registration permit or a true copy.

Side-by-Side Off Road Vehicles

Vehicle Information

- A side-by-side off-road vehicle has driver and passenger seating beside each other, similar to a car. It is usually built with a hood, a steering wheel and foot pedals, instead of a motorcycle-type handle bar and thumb throttle.
- A side-by-side off-road vehicle must be registered and display a rear licence plate, except in exempt areas such as far northern Ontario. It must be insured under a motor vehicle liability policy.
- A side-by-side off-road vehicle is prohibited from use on provincial highways and municipal roads.
- A side-by-side off-road vehicle can travel directly across a highway (where permitted), if the driver is at least 16 years of age and holds a valid driver's licence.

For a list of highways in Ontario that off-road vehicles are prohibited from crossing, please check the Off-Road Vehicles Act, Ontario Regulation 863, Schedule 1. You may also check online at: e-laws.gov.on.ca

Driver Information

- The driver must be at least 12 years of age unless under the direct supervision of an adult.
- The driver and passengers must wear an approved motorcycle helmet that is securely fastened under the chin with a chin strap.





Alcohol and ATVs

On-Road

- When operating an ATV along a roadway, drivers must obey Ontario's drinking and driving laws under the Highway Traffic Act (HTA) as well as those under the Criminal Code of Canada (CCC).
- Drivers caught with a blood alcohol concentration (BAC) level greater than .08, or who fail or refuse to provide a breath or blood sample to police, will be charged under the CCC and subjected to the following consequences under the HTA:
 - driver's licence suspension at roadside for 90 days;
 - vehicle impoundment at roadside for seven days;
 - \$150 administrative monetary penalty;
 - further suspension period upon conviction (one year for first offence); and
 - the requirement to complete the Back on Track remedial measures program, followed by the installation of an ignition interlock device installed in any vehicle they drive for a minimum of one year.
- Drivers with a BAC level in the "warn range" of .05 to .08 face the following consequences:
 - escalating roadside licence suspensions from 3 to 30 days;
 - a \$150 administrative monetary penalty;
 - remedial alcohol education or treatment programs (for a second or subsequent occurrence); and
 - a 6 month ignition interlock condition on their driver's licence (for a third or subsequent offence).

Alcohol and ATVs

Off-Road

- Drivers operating an ATV, two-up ATV or side-by-side off-road vehicle on Crown land, private property or a trail system while impaired and/or with a BAC level greater than .08 will face criminal charges if stopped by police.
- All drivers aged 21 and younger are required to have a BAC of zero at all times when driving. If they are caught with any amount of alcohol in their system, they face an immediate 24-hour licence suspension, and a 30-day suspension and fine up to \$500 upon conviction.

Be Prepared

- Wear an approved motorcycle helmet that is securely fastened under the chin with a chin strap; proper eye protection; protective clothing such as a long sleeved shirt or jacket, long pants, leather gloves, and appropriate footwear.
- Always be prepared for the unexpected. Carry a tool kit, first aid supplies, tow rope, flashlight, tire repair kit, high-energy food and cell phone. Also carry a map, compass or GPS unit, and know how to use them.





Private Property

ATVs, two-up ATVs and side-by-side off-road vehicles that are driven on the vehicle owner's land are exempt from these requirements:

- Insurance;
- The driver having a minimum age of 12 years; and
- Helmet use, although it is strongly recommended that drivers and passengers wear a helmet at all times.

Municipal Bylaws

Municipalities may pass a bylaw that allows the use of ATVs along its roads. ATVs are prohibited from travelling along municipal roads if a bylaw has not been passed.

Municipalities that allow ATVs to travel along its roads can determine which roads, where on the road, the time of day and the season they are allowed access. They may also establish additional rules for ATVs.

Before you ride, always check with the municipality to confirm that ATVs are allowed on its roads, and if so, whether there are any restricted areas or rules you need to know about.

Enforcement

When riding an ATV along a roadway, on a trail system, or on Crown land, the requirements of the Highway Traffic Act and/or the Off-Road Vehicles Act are enforced by police and conservation officers across the province.

If you are stopped by a police or conservation officer when riding an ATV, two-up ATV, or side-by-side off-road vehicle while not on the vehicle owner's land, you must produce the following documents when requested:

- Registration permit;
- Proof of insurance; and
- Driver's licence, when required.

You must also stop when signalled to by a land owner and provide your name and address if requested.

Liability

The owner of an off-road vehicle is liable for injury or damage that may occur when someone else is operating the vehicle.

The owner of an off-road vehicle may also be charged and convicted of an offence under the Off-Road Vehicles Act, its regulations or a municipal bylaw if the driver of the vehicle is not complying with the legislative requirements of the Off-Road Vehicles Act.





Be a Safe and Responsible Rider

- Take an ATV safety course and learn how to ride from an expert.
- Know your ATV and read your operator's manual before riding.
- Do a pre-ride inspection and check oil, gas and other fluid levels, lights, brakes and tire air pressures.
- Stay in control. Never ride beyond your skill level or abilities.
- Always ride according to trail, road and weather conditions.
- Use extreme caution when turning, crossing, climbing and descending hills, and always cross obstacles using the proper technique.
- Drive sober - it is against the law to drive while impaired by alcohol or drugs. It will also affect your judgement and slow your reaction time.
- Ride with others and always let someone know where you are going and when you expect to return.
- Be responsible, courteous, and respect others on the trail. Ride in designated areas only. Preserve the environment and keep noise levels low.

Need more information on ATV safety or legal requirements? Visit:

ontario.ca/atv