Reviewing the Use of Off-Road Vehicles

Public Open House
March 27 and 28, 2019
Proposal under consideration

Why is the Township looking to amend the current ATV By-law to extend on-road access to off-road vehicles (ORVs)?

- In 2018, an Item for Future Consideration (IFC) was tabled by Council to consider permitting ORVs to travel on municipal roads
- A staff report was presented for Council’s consideration on February 6, 2019
- Council passed Resolution C055-2019:
  - That Council undertake a review of permitting Off-Road Vehicles on Springwater’s Municipal Highways as permitted in Ontario Regulation 316/03; and
  - That staff be directed to initiate a public consultation process as outlined in the subject report.
Proposal under consideration

- The Township of Springwater is seeking input from Springwater residents on amending the current ATV By-law to extend on-road access to off-road vehicles (ORVs)
- This amendment only applies to Springwater roads
- It aims to connect existing trails, County of Simcoe Forest tracts (where ORVs are permitted) and neighbouring communities, including:
  - Clearview – permits on-road access
  - Wasaga Beach – permits on-road access
  - Tiny
  - Oro-Medonte – permits on-road access
Current trails

ORVs are **only permitted** on the following open road segments in the Township of Springwater:

- Flos Road 3 West – North Simcoe Rail Trail west to the unopened Flos Road 3 West
- Flos Road 4 West – North Simcoe Rail Trail west to Vigo Road
- Vigo Road – Flos Road 4 West to Flos Road 6 West
- Flos Road 6 West – Vigo Road to Ryther Road (Wasaga Beach)

These links connect County of Simcoe Forest Tracts, the North Simcoe Rail Trail and unopened road allowances to create an off-road vehicle trail system.
Current trails
On-road riding options

If the Township expands on-road access for ORVs, the by-law could outline the:

- Permitted season (e.g. April 1 – September 30)
- Permitted times (e.g. 8 a.m. – 10 p.m.)
- Permitted distance (e.g. 2 kilometres to connect to the next trail head)
- Permit requirements
- Prohibited zones (e.g. school zones, high traffic areas, specific roads)
  - O. Reg. 316/03 prohibits ORVs from the 400 series highways, the Queen Elizabeth Way and various sections of the King’s Highways
Off-road vehicle types

The Ontario Highway Traffic Act, Regulation 316/03 covers four types of off-road vehicles:

1. Single-rider All-Terrain Vehicle (ATV)
2. Two-up All-Terrain Vehicle (ATV)
3. Side-by-side Off-Road Vehicle (ORV)
4. Utility-Terrain Vehicle (UTV)
Off-road vehicle types: ATV

1. Single-rider All-Terrain Vehicle

A type of ORV that has:

- Four wheels
- Steering handlebars
- A seat that is straddled by the driver to carry only a driver

No passengers are allowed.

A single-rider ATV that has been modified to carry a passenger by installing an after-market seat and foot rests is not considered a two-up ATV.
Off-road vehicle types: ATV

2. Two-up All-Terrain Vehicle

A type of ORV that has:

• Four wheels
• Steering handlebars
• A seat that is straddled by the driver
• A passenger seat directly behind the driver
• Separate foot rests for the passenger

May carry a passenger who is at least 8 years old and able to reach foot rests when on-road.
Off-road vehicle types: ORV

3. Side-by-side Off-road Vehicle

A type of ORV that has:
• Four or more wheels
• Steering wheel
• A driver’s seat
• Seating for passengers beside/behind the driver
• Seat belts for each seating position
• Roll-over protective structure
• Maximum engine displacement of 1,000 cubic centimetres

*May carry passengers who are at least 8 years old when on-road. Passengers must wear a seat belt properly.*
Off-road vehicle types: UTV

4. **Utility-terrain Vehicle**

A type of ORV that has:
- Four wheels
- Steering wheel
- A driver’s seat
- Seating for a passenger beside/behind the driver
- Seat belts for each seating position
- Occupant protective structure
- A cargo box with a minimum cargo capacity of 159 kilograms

*May carry passengers who are at least 8 years old when on-road. Passengers must wear a seat belt properly.*
Regulations

The Ontario Highway Traffic Act (Reg. 316/03) governs the use of ORVs, including:

- Minimum age requirements
- Licence, insurance and registration requirements
- Safety (e.g. helmets, seat belts, etc.)
- Speed limits
  - Posted speed limit of 50 km/h or less: ORVs can go up to 20 km/h
  - Posted speed limit more than 50 km/h: ORVs can go up to 50 km/h

Different requirements apply to off-road and on-road riding.
Regulations

Municipal By-laws

- ATVs/ORVs are prohibited from travelling on a municipal road if a bylaw **has not been passed**
- Municipalities decide which roads, the time of day and season when they are permitted, and other additional rules
- It’s the rider’s responsibility to check with the municipality if ATVs/ORVs are allowed.

Private Property

- ATVs and ORVs that are driven on the vehicle owner’s land are exempt from the following:
  - Insurance
  - Driver must be at least 12 years of age unless they are under direct supervision of an adult. It is strongly recommended that young riders are always supervised by an adult.
  - Wearing a helmet, although it is strongly recommended that drivers and passengers wear a helmet when they ride
Regulations

Permits for off-road trails

- Riding is only permitted on private property with the approval of the land owner through an agreement with the local OFATV club (COATV Club)
- ORVs are only permitted in certain County of Simcoe Forest Tracts through an agreement with COATV
  - Members with a valid COATV permit must be in good standing to legally ride
- Current approved Springwater ORV trails are managed through an agreement with COATV
- An OFATV permit is required in addition to the requirements of Regulation 316/03 to operate an ORV on an authorized off-road trail
Liability

- The owner of an ATV/ORV is liable for injury or damage that may occur when someone else is operating their vehicle.
- The owner may also be charged and convicted of an offence under the Off-Road Vehicles Act (ORVA), its regulations or a municipal by-law if the driver of the vehicle is not complying with the Act.

Enforcement

When stopped by police or a conservation officer, you must produce the following when requested:

- Driver’s licence, when required
- Registration permit
- Proof of insurance

The Ontario Provincial Police responds to complaints and accidents.
Impairment

Off-road

Drivers operating an ATV/ORV along a roadway, on Crown Land, private property, or a trail system while impaired with a Blood Alcohol Concentration level greater than .08 will face impaired driving charges under the Criminal Code of Canada.

On-road

In addition to the impaired driving laws under the Criminal Code, drivers operating an ATV/ORV along a roadway, on Crown Land, private property, or a trail system, must also obey Ontario’s drinking and driving laws under the Highway Traffic Act (HTA).
Impairment – young drivers

If caught with any amount of alcohol in their system, novice and young drivers (under 22) face an immediate 24-hour driver’s licence suspension, and, if convicted, a minimum 30-day suspension and a fine up to $500.
Feedback

Your feedback is important to us!

Please complete a comment sheet or take one home with you before you leave. Comment sheets may be placed in the Comment Box or returned to the team by fax, email or mail to:

Ron Belcourt  
Director of Recreation, Parks and Properties  
Township of Springwater  
F: 705-728-6957  
E: ron.belcourt@springwater.ca  
2231 Nursery Road  
Minesing, ON L9X 1A8

Please submit your comments by April 23, 2019.
Questions?