

**Ministry of Transportation**

Assistant Deputy Minister's Office  
Operations Division

27<sup>th</sup> Floor, Suite 2703  
777 Bay Street  
Toronto ON M7A 1Z8  
Tel: 416 327-9044

**Ministère des Transports**

Bureau du sous-ministre adjoint  
Division des opérations

27<sup>e</sup> étage, bureau 2703  
777, rue Bay  
Toronto ON M7A 1Z8  
Tél. : 416 327-9044



December 31, 2020

**Memorandum to:** Richard Stubbings  
Assistant Deputy Minister  
Public Safety Division  
Ministry of the Solicitor General

**From:** Eric Doidge  
Assistant Deputy Minister  
Operations Division  
Ministry of Transportation

**Re:** Operation of Off-Road Vehicles on Municipal Highways

This memorandum is to advise the policing community across the province of changes to [Ontario Regulation 316/03](#), and [Ontario Regulation 863](#) that come into force on January 1, 2021.

1. **Ontario Regulation 316/03 – Amendments related to the operation of Off-Road Vehicles on municipal highways**

- (a) The Ministry is changing the regulations for on-road access by permitted off-road vehicles in municipalities listed in *Highway Traffic Act (HTA) Regulation 8/03* from an opt-in model to an opt-out model. Effective January 1, 2021, all permitted off-road vehicles will be able to access all municipal highways under the jurisdiction of municipalities listed in [Ontario Regulation 8/03](#), unless restricted or prohibited by municipal by-law.
- (b) Municipalities may need to update existing by-laws that are not aligned with the new regulatory amendments. Affected municipalities that wish to prohibit or restrict on-road access by off-road vehicles may need to pass a new by-law.
- (c) The regulatory changes do not apply to provincial highways or upper tier County / Regional / District highways located within municipalities listed in *HTA Regulation 8/03*.
- (d) Schedule A – *Highways Prohibited to All Off-Road Vehicles* has been updated.

Note: Municipalities that are not listed in *Ontario Regulation 8/03* will continue to be subject to the same regulatory framework that existed prior to these changes. In these municipalities on-road access by permitted off-road vehicles will continue to be allowed only if the municipality has passed a by-law to allow off-road vehicles on municipal highways under their jurisdiction.

2. **Ontario Regulation 863 under the Off-Road Vehicle Act (ORVA) – Housekeeping Amendments**

- (a) Schedule 1 is revoked, and reference is made to Schedule A in *HTA Regulation 316/03* for the list of highways prohibited to all off-road vehicles. This change removes duplication between Schedule A of *Ontario Regulation 316/03* under the HTA and Schedule 1 of *Ontario Regulation 863* under the ORVA.

The Municipal Guidance Document that will be sent to municipalities is attached for reference.

I ask you to kindly bring this memorandum to the attention of policing stakeholders. If there are any questions regarding these amendments, please do not hesitate to contact Sheri Graham, Manager, Provincial Traffic Office at (289) 213-2511 or by email at [Sheri.Graham@ontario.ca](mailto:Sheri.Graham@ontario.ca).

Thank you for your assistance in communicating this change.

Sincerely,

A handwritten signature in black ink, appearing to read "WEDoidge". The signature is stylized and cursive.

Eric Doidge  
Assistant Deputy Minister

Attachment: Municipal Guidance document