New and Emerging Vehicles Fact Sheet #1

Operating E-bikes, Mopeds and Motor Scooters in Ontario

This document is intended for information purposes only. While the Ministry of Transportation does its best to ensure that the information provided is current, the Ontario Highway Traffic Act (HTA), as the official version of the law, should be relied on to ensure accuracy.

Common name	E-bike and E-scooter	Moped	Motor Scooter
HTA	Power-assisted	Motor-assisted bicycle	Limited-speed
classification	bicycle, Bicycle	_	motorcycle (LSM)
	er-Assisted Bicycle (e-Bike)	Offences	
NOTE: These are bicyc	cle specific offences. Many other	er HTA offences, including most	moving violations, also apply to
cyclists.			
		te 'C' for cyclist beside the che	cked 'NO' box of the 'Motor
Vehicle Involved' sect	tion on the POT.		
UTA Mandina Ocalian	Enforced English		
HTA Wording Section	- Enforceable - Fine \$	or to front rod light or roflector to	roor plus min 250mm v 25mm
(10" v 1") white reflective	re tane on both front forks, red	er to front, red light or reflector to on rear forks) 62(17) H \$20	rear, pius min. 250mm x 25mm
	ower-assisted bicycle (1 from		
		nough to skid tire across dry, lev	el pavement) 64(3) H \$ 85
	ell or gong) 75(5) A \$85	<u></u>	<u> </u>
Defective horn - bicycle			
	(includes bicycles) 84(1) H		
	elmet on power-assisted bicy		
	met on bicycle 104(2.1) H \$ 6		
Where on the	As close to the right	Within a lane marked for	
Where on the roadway do I	As close to the right edge of the roadway	Within a lane marked for travelling slower than the	
	edge of the roadway	travelling slower than the	normal speed of traffic at
roadway do I drive this	edge of the roadway as is practicable or	travelling slower than the that time and place, then	normal speed of traffic at must travel as close to the
roadway do I drive this vehicle?	edge of the roadway as is practicable or ⇒ (similar to a bicycle).	travelling slower than the that time and place, then right edge of the roadway	normal speed of traffic at must travel as close to the as is practicable.
roadway do I drive this vehicle? Roads where	edge of the roadway as is practicable or \(\infty\) (similar to a bicycle). Controlled access highw	travelling slower than the that time and place, then	normal speed of traffic at must travel as close to the as is practicable.
roadway do I drive this vehicle? Roads where operation is	edge of the roadway as is practicable or ⇒ (similar to a bicycle).	travelling slower than the that time and place, then right edge of the roadway	normal speed of traffic at must travel as close to the as is practicable.
roadway do I drive this vehicle? Roads where operation is prohibited	edge of the roadway as is practicable or (similar to a bicycle). Controlled access highwarmicipalities prohibit	travelling slower than the that time and place, then right edge of the roadway vays* (e.g. 400-series high	normal speed of traffic at must travel as close to the as is practicable. ways), and where
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1- (-!	l va-	V	Voc		
Is this a motor	Yes	Yes	Yes		
vehicle under					
the Criminal					
Code of					
Canada?		V	N. C. C. L.		
Required to be	Yes	Yes	No, not applicable - not		
equipped with			manufactured with		
pedals?			pedals		
O.Reg. 473/06 made t	inder the HTA (must write "On on - Enforceable - Fine \$	tario Regulation 473/06" in "Conti	rary to" on PO1/104)		
		\$ 8 <u>5</u>			
Key	Electric-powered	Gas-powered	Electric- or gas-		
characteristics	Maximum power	Maximum engine	powered		
	output: 500 W	size: 50 cc	Maximum engine		
	Maximum speed:	Does not attain a	size: 50 cc		
	32 km/h				
		speed greater than 50 km/h within 2 km	Maximum speed: 70 km/h		
	Maximum weight:	from start			
	120 kg		Can attain speed of Can within 1.6 km		
		Maximum weight: Felia	32 km/h within 1.6 km		
A dditional	landar	55 kg	In alone or death of		
Additional	Independent front	Independent front	Independent front		
characteristics	and rear wheel	and rear wheel	and rear wheel		
	braking	braking	braking		
	May have 2 or 3	Pedals must be	Minimum seat height:		
	wheels	operable at all times	650 mm		
	Steering	 Does not have hand 	Minimum wheelbase:		
	handlebars	or foot-operated	1016 mm		
	Minimum wheel	clutch	Minimum wheel rim		
	diameter: 350 mm	Note: regular bicycles	diameter: 250 mm		
	Minimum tire width:	with attached gas	"Step through"		
	35 mm	engines (i.e. moped	scooter design, and		
	 No modifications 	conversions) are not	handlebar steering		
	allowed to	eligible for registration			
	increase speed or	by the Ministry of			
	power	Transportation, and			
	 Must have bell, 	therefore cannot be			
	white front light and	used on public roads.			
	red rear light				
Minimum	16	16	16		
operator age					
		tario Regulation 473/06" in "Conti	rary to" on POT/104)		
	ride power—assisted bicycle 3 years to ride power—assisted				
Helmet	Bicycle or motorcycle	Motorcycle helmet	Motorcycle helmet		
required?	helmet				
Helmets used on bicyc	les must have fastened chin str	ap and label/certificate from CSA			
		rd BS 6863:1989), ANSI (Standar			
		0), US CPSC (Standard 16 CFR es to cyclists under 18 but appl			
	6 not wearing proper helmet on		ies to all flucts of e-dires).		
(definition of "bicycle" in					
104(2.2) H \$ 60					

Driver's licence required?	No**	Yes: M1, M2 or M, or Restricted M2 or M with L endorsement	Yes: M1, M2 or M, or Restricted M2 or M with L endorsement
Plates and insurance required?	No	Yes, registration, insurance and moped plate required	Yes, registration, insurance and limited-speed motorcycle plate required ONT A0000
Passengers allowed?	Yes, if passenger seat available	No	Yes, if passenger seat available. Passenger must be able to reach foot pegs

HTA Wording Section - Enforceable - Fine \$

Permit person under 16 on power–assisted bicycle 38(2) H NSF

Minimum age to drive motor-assisted, power-assisted bicycle

38. (1) No person under the age of 16 years shall drive or operate a motor-assisted bicycle or power-assisted bicycle on a highway. 2009, c. 5, s. 8.

Same

(2) No person who is the owner or is in possession or control of a motor-assisted bicycle or power-assisted bicycle shall permit a person who is under the age of 16 years to ride on, drive or operate the motor-assisted bicycle or power-assisted bicycle on a highway. 2009, c. 5, s. 8.

Passenger minimum age	16	Not Applicable	None
Passenger helmet required?	Yes, bicycle or motorcycle helmet.	Not Applicable	Yes, motorcycle helmet.
Compliance	Must have permanent label from manufacturer indicating it conforms to federal definition of a power-assisted bicycle. May be located on steering column. THIS VEHICLE IS A POWER ASSISTED BICYCLE AND MEETS ALL THE REQUIREMENTS UNDER SECTION 2(1) OF THE CANADA MOTOR VEHICLE SAFETY REGULATIONS.	Must have permanent lab indicating it conforms to fe limited-speed motorcycle May be located on steering the conformation of the limited of the located on steering the conformation of the located on steering the conformation of the located on steering the located on ste	ederal definition of a if built after Sep. 1, 1988. In g column or under seat. DIMENSION RIM JANTE E-2.50 X 11 E-3.00 X 10 E-2.50 X 11 E-3.00 X 10 E-2.50 X 10 E-

^{*} Controlled-access highways include the 400-series highways, provincial highways 69, 6, 24, 35, 58, and specific parts of certain provincial highways. For more details, please see Schedule 1 in Ontario Regulation 630: Vehicles on Controlled-Access Highways.

Additional Notes About E-bikes

Pedals: If the pedals have been removed from an e-bike, it is no longer considered to be an e-bike. Removing the pedals makes it an illegal motor vehicle because it does not conform with the HTA definition of a power-assisted bicycle. **Operators run the risk of being ticketed for operating a motor vehicle without registration and insurance.** E-bike purchasers who have concerns with the pedal location may wish to consider other models and/or styles of e-bikes.

Driving an e-bike while intoxicated: You do not need a driver's licence to operate an e-bike. However, an e-bike is considered a motor vehicle under the Criminal Code of Canada. Anyone operating an e-bike while intoxicated can be charged for impaired driving under the Criminal Code of Canada. If convicted, the offender would be subject to the Criminal Code penalties, including a fine or jail time, and a driving prohibition.

** Suspended licences and e-bikes: If your driver's licence is suspended, you may not be legally allowed to drive an e-bike. If you have been convicted under the Criminal Code of Canada that has resulted in a driving prohibition, you cannot legally operate an e-bike until the prohibition has been lifted. If your driver's licence has been suspended under these or other circumstances, it is recommended that you discuss your situation with a licensed legal practitioner before deciding to operate an e-bike.

For more information about these and other new and emerging vehicles, please see the MTO website: http://www.mto.gov.on.ca/english/dandv/vehicle/emerging/index.shtml

1.42 Bicycle and Power-Assisted Bicycle (e-Bike) Offences

NOTE: These are bicycle specific offences. Many other *HTA* offences, including most moving violations, also apply to cyclists.

For data processing purposes, members must note 'C' for cyclist beside the checked 'NO' box of the 'Motor Vehicle Involved' section on the POT.

HTA Wording Section - Enforceable - Fine \$

Permit person under 16 on power-assisted bicycle 38(2) NSF

Improper bicycle lighting (at least one white or amber to front, red light or reflector to rear, plus min. 250mm x 25mm (10" x 1") white reflective tape on both front forks, red on rear forks) 62(17) H 20

Improper brakes on power–assisted bicycle (1 front, 1 rear) 64(2) H 85

Improper brakes on bicycle (1 rear – must be strong enough to skid tire across dry, clean, level pavement) 64(3) H 85

No horn – bicycle (or bell or gong) 75(5) A 85

Defective horn – bicycle 75(5) A 85

Operate unsafe vehicle (includes bicycles) 84(1) H NSF

Fail to wear proper helmet on power-assisted bicycle 103.1(2) 85

Fail to wear proper helmet on bicycle 104(2.1) H 60

Helmets used on bicycles must have fastened chin strap and label/certificate from CSA (Standard D113.2–M89), Snell (Standard

NOTE: As per O.Reg. 610, sec. 104(2.1) only applies to cyclists under 18 but applies to all riders of e–Bikes).

Permit person under 16 not wearing proper helmet on bicycle (definition of "bicycle" includes a tricycle) 104(2.2) H 60

Cyclist - ride in crossover 140(6) H 85

Improper arm signal 142(4) H 85

Cyclist - ride in or along crosswalk 144(29) H 85

Bicycle – fail to turn out to right when overtaken 148(6) H 85

Bicycle – fail to turn out to right when overtaken – community safety zone 148(6) H 120

Attach to vehicle (for the purpose of being drawn along the road) 178(1) H 85

Attach to streetcar 178(1) H 85

Ride 2 on a bicycle (on a bicycle designed for carrying 1 person only) 178(2) A 85

Cyclist – fail to stop

(After being found committing an HTA or Traffic regulating by-law offence) 218(2) RA 85

Cyclist – fail to identify self

(Must provide correct name and address after found committing an *HTA* or Traffic regulating by–law offence) 218(2) RA 85

O.Reg. 369/09 made under the *HTA* (must write "Ontario Regulation 369/09" in "Contrary to" on POT/104)

SCHEDULE 52.2

Ontario Regulation 369/09 under the Highway Traffic Act

ITEM	COLUMN 1	COLUMN 2 SECTION	SET FINE
1.	Power-assisted bicycle – unladen weight more than 120 kg	1	\$85.00
2.	Power-assisted bicycle – wheel width less than 35 mm	2 (1)	\$85.00
3.	Power-assisted bicycle – wheel diameter less than 350 mm	2 (2)	\$85.00
4.	Power-assisted bicycle – battery not securely fastened	3 (1)	\$85.00
5.	Power-assisted bicycle – motor not securely fastened	3 (1)	\$85.00
6.	Power-assisted bicycle – motor fails to disengage as required	3 (2)	\$85.00
7.	Power-assisted bicycle – electric terminals not insulated or covered	4	\$85.00
8.	Power-assisted bicycle fails to stop within 9 m	5	\$85.00
9.	Power-assisted bicycle – speed or power modified	6	\$85.00
10.	Power-assisted bicycle not in good working order	7	\$85.00

TORONTO MUNICIPAL CODE FOOTPATHS, PEDESTRIAN WAYS, § 886-1 BICYCLE PATHS AND BICYCLE LANES

886-2 2007 - 12 - 13

ARTICLE I

Definitions

§ 886-1. Definitions.

A. A term not defined in this chapter shall have the same meaning as the term has in the *Highway Traffic Act*.1

B. As used in this chapter, the following terms shall have the meanings indicated: AUTHORIZED SIGN — Any sign or roadway, curb or sidewalk marking or other device placed or erected on a highway under the authority of this chapter for the purpose of regulating, warning or guiding traffic.

BICYCLE — Includes a bicycle, tricycle or other similar vehicle, but does not include any vehicle or bicycle propelled or driven by any power other than muscular power.

BICYCLE LANE — The lanes or portions of lanes of highways designated as bicycle lanes under § 886-8.

BICYCLE PATH — The portions of highways designated as bicycle paths ways under § 886-6.

FOOTPATH — The paths established as footpaths under § 886-2.

GENERAL MANAGER — The City's General Manager of Transportation Services or his or her designate or successor.

PEDESTRIAN WAY — The portions of highways designated as pedestrian ways

[HISTORY: Adopted by the Council of the City of Toronto 2007-05-25 by By-law No. 599-2007. Amendments noted where applicable.]

O.Reg. 473/06 made under the *HTA* (must write "Ontario Regulation 473/06" in "Contrary to" on POT/104)

O.Reg. Wording Section Enf Fine \$

Person under 16 years ride power-assisted bicycle 3(1) H NSF

Permit person under 16 years to ride power-assisted bicycle 3(2) H NSF

O.Reg. 630 made under the *HTA* (must write "Ontario Regulation 630" in "Contrary to" on POT/104)

Prohibiting use of highway by bicycles – Authority HTA, s. 185

In Toronto, applies to 400–series highways only. For other highways, (e.g. DVP, Gardiner Expy), use Metro Toronto By–law 32/92

"Bicycle use prohibited highway."

O.Reg. Wording Section Enf Fine \$

Bicycle on controlled-access highway 1(1)(a) H 85

Power-assisted bicycle on controlled-access highway 1(1)(c.2) H 85

Section 3 – Municipal Set Fines

3.1 Municipal By-Laws (Pre-Amalgamation)

When enforcing Municipal by–laws by means of a POT, the name of the Municipality and the Municipal Code Chapter or By–law number shall be entered on the line "Contrary to." An example would be:

Did Commit The Offence Of: *U–turn – Not in Safety* Contrary to: *Etobicoke Municipal Code* Section: *3B*

If there is not an approved set fine schedule for a particular by–law, proceed by Part I Summons or Part III Summons (Form 104).

Notes: Bill 103 which came into effect on **1998.01.01** amalgamated all Municipal governments within Metropolitan Toronto into the new City of Toronto.

The former municipalities that amalgamated into the City of Toronto have yet to consolidate all the diverse by–laws. As a result, it is still necessary to be aware of the former municipal boundaries as well as which roads were under Metro jurisdiction. (See Section 7.3 – List of Metro Roads) This also applies when writing certain parking tags.

3.1.1 Metropolitan Toronto By-Laws

These are pre–amalgamation by–laws; therefore they only apply to the Metro roads as shown in Section 7.3 – List of Metro Roads.

Wording	Section	Fine \$
By-law 32/92		
Bicycle – with over 61cm wheels – ride on sidewalk (61 cm = 24")	17(1)	3.75
By-law 132/93		
Drive non–designated vehicle in reserved lane during prohibited hours (Bus/bike /taxi/carpool lanes on Metro Roads only) See Section 7.3 – List of Metro Roads	3(a)	60
NOTE: Other vehicles may use such lanes for 45m before or after a right turn Toronto roads, use MC Chapter 400, s. 21C(1).	n. For forn	ner City of

3.1.2 East York By-Laws

These are pre-amalgamation by-laws; therefore they only apply to the former Borough of east York.

Wording	Section	Fine \$
By-law 92-93		
Bicycle – with over 61cm wheels – ride on sidewalk (61 cm = 24")	14	85

3.1.3 Etobicoke Municipal Code

These are pre-amalgamation by-laws; therefore they only apply to the former City of Etobicoke.

Wording	Section	Fine \$
Bicycle – with over 61cm wheels – ride on sidewalk (61 cm = 24")	6(D)	85

3.1.4 North York By-Laws

These are pre-amalgamation by-laws; therefore they only apply to the former City of North York.

Wording	Section	Fine \$
Bicycle – with over 61cm wheels – ride on sidewalk (61 cm = 24")	14	3.75

3.1.5 Scarborough By-Laws

These are pre-amalgamation by-laws; therefore they only apply to the former City of Scarborough.

Wording	Section	Fine \$
By-law 23949		
Bicycle – with over 61cm wheels – ride on sidewalk (61 cm = 24")	14	3.75

3.1.6 Toronto Municipal Code (Pre-Amalgamation)

These are pre-amalgamation by-laws; therefore they only apply to the old City of Toronto boundaries.

Section	Fine \$
400–15C	85
400- 21C(1)	85
400– 21C(2)	85
	400–15C 400– 21C(1) 400–

[Sec. 21C refers to bus/bike/taxi lanes on former City of Toronto roads, (e.g. Bay St) not roads in list of Metro Roads; Other vehicles may use these lanes only for 45m before or after a right turn]

3.1.7 York By-Laws

These are pre–amalgamation by–laws; therefore they only apply to the former City of York.

Wording	Section	Fine \$
By-law 2958-94		
Bicycle – with over 61cm wheels – ride on sidewalk (61 cm = 24")	14	3.75

1.42 Bicycle Offences

Note:

These are bicycle specific offences. Many other *HTA* offences, including most moving violations, also apply to cyclists. For data processing purposes, members must note 'C' for cyclist beside the checked 'NO' box of the 'Motor Vehicle Involved' section on the POT.

HTA Wording	Section	Enf	Fine \$
Improper bicycle lighting (at least one white or amber to front, red light or reflector to rear, plus min. 250mm x 25mm (10" x 1") white reflective tape on both front forks, red on rear forks)	62(17)	Н	20
Improper brakes on bicycle (1 rear – must be strong enough to skid tire across dry, clean, level pavement)	64(3)	Н	85
No horn – bicycle (or bell or gong)	75(5)	А	85
Defective horn – bicycle	75(5)	А	85
Operate unsafe vehicle (includes bicycles)	84(1)	Н	NSF
Fail to wear proper helmet on bicycle	104(2.1)	Н	60

Helmets used on bicycles must have fastened chin strap and label/certificate from *CSA* (Standard D113.2–M89), Snell (Standard B–90, B–90S, B–95 or N–94), BSI (Standard BS 6863:1989), ANSI (Standard Z90.4–1984), ASTM (Standard F1447–94), SAA (Standard AS 2063.2–1990), US CPSC (Standard 16 CFR Part 1203.

Note: As per O.Reg. 610, sec. 104(2.1) only applies to cyclists under 18.

Permit person under 16 not wearing proper helmet on bicycle (definition of "bicycle" includes a tricycle)	104(2.2)	Н	60
Cyclist – ride in crossover	140(6)	Н	85
Improper arm signal	142(4)	Н	85
Cyclist – ride in or along crosswalk	144(29)	Н	85
Bicycle – fail to turn out to right when overtaken	148(6)	Н	85
Bicycle – fail to turn out to right when overtaken – community safety zone	148(6)	Н	120
Attach to vehicle (for the purpose of being drawn along the road)	178(1)	Н	85
Attach to streetcar	178(1)	Н	85
Ride 2 on a bicycle (on a bicycle designed for carrying 1 person only)	178(2)	А	85

Cyclist – fail to stop (after being found committing an <i>HTA</i> or Traffic regulating by–law offence)	218(2)	RA	85
Cyclist – fail to identify self (must provide correct name and address after found committing an HTA or Traffic regulating by–law offence)	218(2)	RA	85

Prohibiting use of highway by bicycles – Authority *HTA*, s. 185 In Toronto, applies to 400–series highways only. For other highways, (e.g. DVP, Gardiner Expy), use Metro Toronto By–law 32/92 "Bicycle use prohibited highway."

O.Reg. 630 under the HTA (must write "Ontario Regulation 630" in "Contrary to" on POT/104)			
O.Reg. Wording	Section	Enf	Fine \$
Bicycle on controlled-access highway	1(a)	Н	85

1.22 Passing to Right Applies to motor vehicles only. Use 148(8) for cyclists passing to right.

HTA Wording	Section	Enf	Fine \$
Pass on right – not in safety (movement can be made safely and vehicle being passed is turning left or on a highway with multiple lanes)	150(1)	H*	85
Pass on right – not in safety – community safety zone	150(1)	H*	150
Pass – off roadway (exceptions: emergency vehicles, highway maintenance vehicles, tow truck responding to a police request, paved shoulder used to pass vehicle turning left)	150(2)	H*	85
Pass – off roadway – community safety zone	150(2)	H*	150
Non-authorized driving on paved shoulder	151(5)		85
Non-authorized driving on paved shoulder – community safety zone	151(5)		120
<u>Demerit Points:</u> Drivers convicted of the above offences will incur 3 demerit points. Also see <u>Section 6.1 – HTA Demerit Points</u> .			

1.20 Sharing of and Passing on Roadways Applies to all vehicles.

HTA Wording	Section	Enf	Fine \$
Fail to keep right when driving at less than normal speed (except road service vehicles engaged in highway maintenance or while overtaking or preparing to turn)	147(1)	Н	85
Fail to keep right when driving at less than normal speed – community safety zone	147(1)	Н	120
Fail to share half roadway – meeting vehicle	148(1)	H*	85
Fail to share half roadway – meeting vehicle – community safety zone	148(1)	H*	120
Fail to turn out to right when overtaken (also applies to persons on horseback but not to vehicles engaged in highway maintenance or construction)	148(2)	H*	85
Fail to turn out to right when overtaken – community safety zone	148(2)	H*	120
Fail to share roadway – meeting bicycle	148(4)	H*	85
Fail to share roadway – meeting bicycle – community safety zone	148(4)	H*	120
Fail to turn out to left to avoid collision (includes horseback riders, when overtaking another vehicle or horseback rider)	148(5)	H*	85
Fail to turn out to left to avoid collision – community safety zone	148(5)	H*	120
Fail to turn out to left to avoid collision with bicycle (applies to overtaking vehicle or horseback rider)	148(6)	H*	85
Fail to turn out to left to avoid collision with bicycle – community safety zone	148(6)	H*	120
Motor assisted bicycle – fail to turn out to right when overtaken	148(6)	H*	85
Motor-assisted bicycle - fail to turn out to right when overtaken - community safety zone	148(6)	H*	120
Fail to turn out to left to avoid collision with motor assisted bicycle	148(6)	H*	85
Fail to turn out to left to avoid collision with motor–assisted bicycle – community safety zone	148(6)	H*	120
Fail to stop to facilitate passing (when unable to turn out to right)	148(7)	H*	85
Fail to stop to facilitate passing – community safety zone	148(7)	H*	120
Fail to assist in passing (applies to driver of vehicle being overtaken)	148(7)	H*	85

148(7)	H*	120
148(8)(a)	H*	85
148(8)(a)	H*	150
148(8)(a)	H*	85
148(8)(a)	H*	150
148(8)(b)	H*	85
148(8)(b)	H*	150
148(8)(b)	H*	85
148(8)(b)	H*	150
	148(8)(a) 148(8)(a) 148(8)(a) 148(8)(a) 148(8)(b) 148(8)(b) 148(8)(b)	148(8)(a) H* 148(8)(a) H* 148(8)(a) H* 148(8)(a) H* 148(8)(b) H* 148(8)(b) H* 148(8)(b) H*

<u>Demerit Points:</u>
Drivers convicted of s. 148(1), 148(2), 148(4), 148(5), 148(6) and 148(7) offences will incur 2 demerit points.

Drivers convicted of s. 148(8) offences will incur 3 demerit points.

Also see Section 6.1 – HTA Demerit Points.

1.23 One-Way

Applies to all vehicles and streetcars.

HTA Wording	Section	Enf	Fine \$
Drive wrong way – one–way traffic	153	H*	85
Drive wrong way – one–way traffic – community safety zone	153	H*	150

<u>Demerit Points:</u>
Drivers convicted of the above offences will incur 3 demerit points.
Also see <u>Section 6.1 – HTA Demerit Points</u>.