

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 classification	Power-assisted bicycle, Bicycle	Motor-assisted bicycle	Limited-speed motorcycle (LSM)
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 \$ 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, 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			
Where on the roadway do I drive this vehicle?	As close to the right edge of the roadway as is practicable or  (similar to a bicycle).	Within a lane marked for motor vehicle traffic. If travelling slower than the normal speed of traffic at that time and place, then must travel as close to the right edge of the roadway as is practicable.	
Roads where operation is prohibited	Controlled access highways* (e.g. 400-series highways), and where municipalities prohibit		
O.Reg. 630 made under the HTA Prohibiting use of highway by bicycles – Authority HTA, s. 185 E.C. Row Expressway, Dougall Pkwy between Roseland and 6th Concession, Ojibway Pkwy between Broadway and the eastern limit of the ETR Power-assisted bicycle on controlled-access highway 1(1)(c.2) \$ 85			
Is this a motor vehicle under the HTA?	No	Yes	Yes

Is this a motor vehicle under the Criminal Code of Canada?	Yes	Yes	Yes
Required to be equipped with pedals?	Yes	Yes	No, not applicable - not manufactured with pedals
O.Reg. 473/06 made under the HTA O.Reg. Wording Section - Enforceable - Fine \$ Power-assisted bicycle not in good working order 7 \$ 85			
Key characteristics	• Electric-powered • Maximum power output: 500 W • Maximum speed: 32 km/h • Maximum weight: 120 kg	• Gas-powered • Maximum engine size: 50 cc • Does not attain a speed greater than 50 km/h within 2 km from start • Maximum weight: 55 kg	• Electric- or gas-powered • Maximum engine size: 50 cc • Maximum speed: 70 km/h • Can attain speed of 32 km/h within 1.6 km
Additional characteristics	• Independent front and rear wheel braking • May have 2 or 3 wheels • Steering handlebars • Minimum wheel diameter: 350 mm • Minimum tire width: 35 mm • No modifications allowed to increase speed or power • Must have bell, white front light and red rear light	• Independent front and rear wheel braking • Pedals must be operable at all times • Does not have hand or foot-operated clutch Note: regular bicycles with attached gas engines (i.e. moped conversions) are not eligible for registration by the Ministry of Transportation, and therefore cannot be used on public roads.	• Independent front and rear wheel braking • Minimum seat height: 650 mm • Minimum wheelbase: 1016 mm • Minimum wheel rim diameter: 250 mm • "Step through" scooter design, and handlebar steering
Minimum operator age	16	16	16
O.Reg. 473/06 made under the HTA 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			
Helmet required?	Bicycle or motorcycle helmet	Motorcycle helmet	Motorcycle helmet
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 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			

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 
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 label	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 label from manufacturer indicating it conforms to federal definition of a limited-speed motorcycle if built after Sep. 1, 1988. May be located on steering column or under seat. 	

* Controlled-access highways include the E.C. Row Expwy, Dougall Pkwy between Roseland and 6th Concession, Ojibway Pkwy between Broadway and the eastern limit of the ETR tracks. 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>

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.

HTA Wording Section - Enforceable - Fine \$

- 1) Permit person under 16 on power-assisted bicycle 38(2) NSF
- 2) 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
- 3) Improper brakes on power-assisted bicycle (1 front, 1 rear) 64(2) H 85
- 4) Improper brakes on bicycle (1 rear – must be strong enough to skid tire across dry, clean, level pavement) 64(3) H 85
- 5) No horn – bicycle (or bell or gong) 75(5) A 85
- 6) Defective horn – bicycle 75(5) A 85
- 7) Operate unsafe vehicle (includes bicycles) 84(1) H NSF
- 8) Fail to wear proper helmet on power-assisted bicycle 103.1(2) 85
- 9) Fail to wear proper helmet on bicycle 104(2.1) H 60
- 10) Helmets used on bicycles must have fastened chin strap and label/certificate from CSA (Standard D113.2–M89), Snell (Standard
- 11) NOTE: As per O.Reg. 610, sec. 104(2.1) only applies to cyclists under 18 but applies to all riders of e-Bikes).
- 12) Permit person under 16 not wearing proper helmet on bicycle (definition of “bicycle” includes a tricycle) 104(2.2) H 60
- 13) Cyclist – ride in crossover 140(6) H 85
- 14) Improper arm signal 142(4) H 85
- 15) Cyclist – ride in or along crosswalk 144(29) H 85
- 16) Bicycle – fail to turn out to right when overtaken 148(6) H 85
- 17) Bicycle – fail to turn out to right when overtaken – community safety zone 148(6) H 120
- 18) Attach to vehicle (for the purpose of being drawn along the road) 178(1) H 85
- 19) Attach to streetcar 178(1) H 85
- 20) Ride 2 on a bicycle (on a bicycle designed for carrying 1 person only) 178(2) A 85
- 21) Cyclist – fail to stop
- 22) (After being found committing an HTA or Traffic regulating by-law offence) 218(2) RA 85
- 23) Cyclist – fail to identify self
- 24) (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*

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

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		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)		20
Improper brakes on bicycle (1 rear – must be strong enough to skid tire across dry, clean, level pavement)	64(3)		85
No horn – bicycle (or bell or gong)	75(5)		85
Defective horn – bicycle	75(5)		85
Operate unsafe vehicle (includes bicycles)	84(1)		NSF
Fail to wear proper helmet on bicycle	104(2.1)		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)		60
Cyclist – ride in crossover	140(6)		85
Improper arm signal	142(4)		85
Cyclist – ride in or along crosswalk	144(29)		85
Bicycle – fail to turn out to right when overtaken	148(6)		85
Bicycle – fail to turn out to right when overtaken – community safety zone	148(6)		120
Attach to vehicle (for the purpose of being drawn along the road)	178(1)		85
Attach to streetcar	178(1)		85
Ride 2 on a bicycle (on a bicycle designed for carrying 1 person only)	178(2)		85

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

Passing to Right

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

HTA Wording	Section		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)		85
Pass on right – not in safety – community safety zone	150(1)		150
Pass – off roadway (<u>exceptions</u> : emergency vehicles, highway maintenance vehicles, tow truck responding to a <u>police</u> request, paved shoulder used to pass vehicle turning left)	150(2)		85
Pass – off roadway – community safety zone	150(2)		150
Non-authorized driving on paved shoulder	151(5)		85
Non-authorized driving on paved shoulder – community safety zone	151(5)		120
Demerit Points: Drivers convicted of the above offences will incur 3 demerit points. Also see Section 6.1 – HTA Demerit Points .			

Sharing of and Passing on Roadways

Applies to all vehicles.

HTA Wording	Section		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)		85
Fail to keep right when driving at less than normal speed – community safety zone	147(1)		120
Fail to share half roadway – meeting vehicle	148(1)		85
Fail to share half roadway – meeting vehicle – community safety zone	148(1)		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)		85
Fail to turn out to right when overtaken – community safety zone	148(2)		120
Fail to share roadway – meeting bicycle	148(4)		85
Fail to share roadway – meeting bicycle – community safety zone	148(4)		120
Fail to turn out to left to avoid collision (includes horseback riders, when overtaking another vehicle or horseback rider)	148(5)		85
Fail to turn out to left to avoid collision – community safety zone	148(5)		120
Fail to turn out to left to avoid collision with bicycle (applies to overtaking vehicle or horseback rider)	148(6)		85
Fail to turn out to left to avoid collision with bicycle – community safety zone	148(6)		120
Motor assisted bicycle – fail to turn out to right when overtaken	148(6)		85
Motor–assisted bicycle – fail to turn out to right when overtaken – community safety zone	148(6)		120
Fail to turn out to left to avoid collision with motor assisted bicycle	148(6)		85
Fail to turn out to left to avoid collision with motor–assisted bicycle – community safety zone	148(6)		120
Fail to stop to facilitate passing (when unable to turn out to right)	148(7)		85
Fail to stop to facilitate passing – community safety zone	148(7)		120
Fail to assist in passing (applies to driver of vehicle being overtaken)	148(7)		85

Fail to assist in passing – community safety zone	148(7)		120
Pass – roadway not clear – approaching traffic	148(8)(a)		85
Pass – roadway not clear – approaching traffic – community safety zone	148(8)(a)		150
Attempt to pass – roadway not clear – approaching traffic	148(8)(a)		85
Attempt to pass – roadway not clear – approaching traffic – community safety zone	148(8)(a)		150
Pass – roadway not clear – overtaking traffic	148(8)(b)		85
Pass – roadway not clear – overtaking traffic – community safety zone	148(8)(b)		150
Attempt to pass – roadway not clear – overtaking traffic	148(8)(b)		85
Attempt to pass – roadway not clear – overtaking traffic – community safety zone	148(8)(b)		150
Demerit Points: 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 .			

One-Way

Applies to all vehicles and streetcars.

HTA Wording	Section		Fine \$
Drive wrong way – one-way traffic	153		85
Drive wrong way – one-way traffic – community safety zone	153		150
Demerit Points: Drivers convicted of the above offences will incur 3 demerit points. Also see Section 6.1 – HTA Demerit Points .			