

Caution:

This draft regulation is provided solely to facilitate public consultation under section 16 of the Environmental Bill of Rights, 1993. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the draft regulation are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

CONSULTATION DRAFT

ONTARIO REGULATION TO BE MADE UNDER THE HIGHWAY TRAFFIC ACT AMENDING REG. 628 OF R.R.O. 1990 (VEHICLE PERMITS)

1. (1) The definition of “emissions inspection report” in subsection 1 (1) of Regulation 628 of the Revised Regulations of Ontario, 1990 is revoked.

(1.1) Subsection 1 (1) of the Regulation is amended by adding the following definition:

“heavy diesel commercial motor vehicle” means a commercial motor vehicle that,

- (a) has a registered gross weight more than 4,500 kilograms, and
- (b) operates on diesel fuel;

(1.2) The definition of “hybrid vehicle” in subsection 1 (1) of the Regulation is revoked.

(2) The definition of “registered gross weight” in subsection 1 (1) of the Regulation is revoked and the following substituted:

“registered gross weight” means the weight for which a permit is issued; (“poids brut enregistré”)

(3) Subsection 1 (1) of the Regulation is amended by adding the following definition:

“vehicle emissions report” has the same meaning as in **[***Reg***]** (Emissions from Motor Vehicles) made under the Environmental Protection Act;

2. (1) Clause 2 (1) (b) of the Regulation is revoked and the following substituted:

- (b) if the application is in respect of a heavy diesel commercial motor vehicle, that the Ministry is satisfied that a vehicle emissions report indicating a pass has been issued in respect of the vehicle within the previous 12 months.

(1.1) Subsection 2 (2) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(2) Clause (1) (a) does not apply, and, with respect to applications for a permit before the seventh calendar year after a vehicle's model year, clause (1) (b) does not apply,

(1.2) Subsection 2 (2.1) of the Regulation is revoked.

(2) Subsection 2 (5.1) of the Regulation is revoked and the following substituted:

(5.1) Clause (1) (b) does not apply in respect of a current model year motor vehicle or a future model year motor vehicle.

(3) Subsection 2 (6) of the Regulation is revoked.

(4) Clause 2 (9) of the Regulation is amended by striking out "emissions inspection report" and substituting "vehicle emissions report indicating a pass".

(5) Section 2 of the Regulation is amended by adding the following subsection:

(10.1) Despite anything in this section, a permit may be issued and evidence of validation furnished without the required vehicle emissions report indicating a pass if the Ministry is notified by the Director, within the meaning of the Environmental Protection Act, that it is not reasonably possible to test the vehicle.

2.1 Subsection 5.1 (3) is amended by striking out "Subject to subsection (2), a permit" at the beginning and substituting "A permit".

3. (1) Subsections 8.2 (1) and (1.1) of the Regulation are revoked and the following substituted:

(1) This section applies to applications for the renewal of a motor vehicle permit for heavy diesel commercial motor vehicles.

(2) Subsection 8.2 (2) of the Regulation is amended by striking out "emissions inspection report" and substituting "vehicle emissions report indicating a pass".

(3) Subsections 8.2 (4) to (8) of the Regulation are revoked and the following substituted:

(4) Despite anything in this section, a permit may be renewed or validated without the required vehicle emissions report indicating a pass if the Ministry is notified by the Director, within the meaning of the Environmental Protection Act, that it is not reasonably possible to test the vehicle.

Commencement

4. [Commencement]