



IMPORTANT ANNOUNCEMENT REGARDING  
THE RECLASSIFICATION OF ROAD BUILDING MACHINES

An amendment to the Highway Traffic Act has changed the definition of a road-building machine effective July 1, 2017. This new regulation, *Ontario Regulation 398/16 - Road-Building Machines*, reclassifies which types of vehicles will continue to be considered road-building machines. Given this change, it is important that you review these changes, acquire proper registration, driver licensing and inspection for vehicles affected by this legislation.

It is also necessary to advise us of any such machines that now fit the new definition so that we can arrange proper insurance coverage under your automobile policy. We have included some additional information below directly from the Ministry of Transportation to assist in understanding the changes.

### What Changed?

#### Former Road-Building Machines – Commercial Motor Vehicles

As of July 1, 2017, the following vehicles will no longer be considered road-building machines and will be defined as commercial motor vehicles:

1. Mobile equipment vehicles, which means:
  - a. A mobile crane that is not built on a truck chassis, but not an off-road mobile crane.
  - b. An excavator that is not built on a truck chassis, but not an off-road excavator.
  - c. A street sweeper that is not built on a truck chassis, but not a low-speed street sweeper.
2. Vehicles constructed on a truck chassis.
3. Vehicles that comply with or are intended to comply with Canadian federal safety manufacturing standards for highway vehicles or comparable standards from another jurisdiction.

Effective July 1, 2017, former road-building machines that no longer meet the updated definition of a road-building machine are considered commercial motor vehicles and subject to requirements including, but not limited to:

- Vehicle registration
- Motor vehicle insurance
- Licenced driver/ appropriate class of driver's licence
- Commercial Vehicle Operator's Registration (CVOR)
- Hours of Service
- Inspections

In addition, these same vehicles may be subject to Fuel Tax, Gasoline Tax and Ontario Sales Tax.

## **Commercial Vehicle Operator's Registration (CVOR)**

Operators of former road-building machines with a registered gross weight or gross weight greater than 4,500 kg require a valid [CVOR certificate](#).

- The operator is the person or legal entity responsible for all drivers and vehicles in their operation.
- One CVOR certificate is required for all commercial vehicles within an operator's fleet.

**Note:** A valid CVOR certificate is required prior to vehicle registration.

**Effective July 1, 2017**, operators and drivers of former road-building machines are subject to a variety of requirements including, but not limited to safety inspections, daily inspections, hours of service and associated recordkeeping, load security and speed limiters.

Details about these requirements and the responsibilities are found in the [Commercial Vehicle Operator's Safety Manual](#).

### **Vehicle Registration**

**Effective July 1, 2017**, a vehicle that is no longer considered a road-building machine requires vehicle registration, a licence plate with valid sticker and motor vehicle insurance.

**Note:** The use of coloured fuel in a licenced motor vehicle is prohibited.

To register and plate your vehicle, you must bring the following information to [ServiceOntario](#):

- Vehicle Identification Number (VIN), the manufacturer's identification number or the manufacturer's serial number.
- Proof of purchase.
  - Bill of sale indicating the purchase date, vehicle information, purchaser's information, seller's name and the province/state where the vehicle was purchased. Vehicle owners who are unable to provide a bill of sale may submit a sworn affidavit instead (see requirements below).
- Proof of motor vehicle insurance from an insurance provider licensed in Ontario.
- [Safety Standards Certificate](#).
- Proof of successful [Drive Clean emissions test](#).
- Valid CVOR certificate.
  - If the vehicle is operated under the authority of another operator's CVOR, a letter of authorization and signed declaration must be provided before the transaction can be completed.

## **Sworn Affidavit for Vehicle Registration**

Vehicle owners who are unable to provide a bill of sale, proof of registration, Certificate of Title or Certificate of Origin documentation may submit an affidavit. An affidavit is required when these supporting documents are impossible to obtain, to provide missing information, or to support information contained in the documents submitted.

A sworn affidavit must contain the following information:

- That the vehicle was operated in Ontario under the road-building machine exemption from the *Highway Traffic Act* registration requirements prior to July 1, 2017.
- Whether the vehicle was previously registered in another jurisdiction prior to July 1, 2017.
- The current configuration and function of the commercial motor vehicle being registered.
- Purchase date.
- Province or state where the vehicle was purchased.
- Seller's name (if known).
- Why documents are not available.
- Vehicle information (year/make/model), Vehicle Identification Number (VIN) and/or a statement that a Ministry approved/assigned VIN will be used.
- The Registered Gross Weight (RGW) of the vehicle.
- Signatures of the customer and commissioner.

Affidavits are taken by an authorized commissioner (Lawyer, Notary Public; Member of the Legislative Assembly, Judge, Justice of the Peace; Court Registrars and Court Clerks; Municipal Clerk/Deputy Clerk/Treasurer/Head of Municipal Council/Alderman; Head of Municipal Department/Deputy Head/Medical Officer (municipal business only) or any person appointed under s. 4 of the *Commissioners for Taking Affidavits Act*.)

**Required Registration Documentation (vehicles purchased prior to July 1, 2017)**

[Scenario 1 – Registering a former road-building machine – new vehicle](#)

[Scenario 2 – Registering a former road-building machine – used vehicle bought in Canada](#)

[Scenario 3 – Registering a former road-building machine – used vehicle bought in the United States](#)

[Scenario 4 – Registering a former road-building machine – used vehicle bought outside North America](#)

[Scenario 5 – Registering a former road-building machine – used vehicle with bill of sale but no registration document](#)

Visit the [Ontario Ministry of Transportation](#) website for complete details on the new definition and requirements.

**How this change affects you:**

If you have machines that now fit the definition of vehicles and it is currently covered under a property policy as contractor's equipment and is no longer classified as a road-building machine, it has to be moved to a commercial automobile policy, and will be subject to existing commercial automobile coverages, underwriting and rating processes.

We encourage you to review these changes and ensure you have appropriate documentation so we can arrange appropriate coverage for your vehicles. Please feel free to call any member of your account servicing team to discuss these changes.