

Note: On January 1, 2009, the regulation is amended by adding the following heading and sections.

SPEED LIMITING SYSTEMS

12. For the purposes of section 68.1 of the Act,
"commercial motor vehicle" means a commercial motor vehicle as defined in subsection I (1) of the Act. O. Reg. 396/08, s. 1.
13. (1) A commercial motor vehicle is exempt from subsections 68.1 (1), (2), (3) and (6) of the Act if it is,
- (a) a bus;
 - (b) a mobile crane;
 - (c) a motor home;
 - (d) a vehicle manufactured before 1995;
 - (e) a vehicle with a manufacturer's gross vehicle weight rating under 11,794 kilograms;
- or
- (f) an ambulance, a cardiac arrest emergency vehicle, or a fire apparatus. O. Reg. 396/08, s. 1.
- (2) For the purposes of clauses I (d) and (e), the date that a commercial motor vehicle was manufactured and its manufacturer's gross vehicle weight rating shall be deemed, in the absence of evidence to the contrary, to be,
- (a) the date and weight on the commercial motor vehicle's compliance label; or
 - (b) where a commercial motor vehicle does not have a compliance label affixed or the label is illegible, a document from the vehicle's manufacturer that is carried by the driver and that references the vehicle's vehicle identification number and indicates its year of manufacture and gross vehicle weight rating. O. Reg. 396/08, s. 1.
- (3) A commercial motor vehicle is exempt from subsection 68.1 (1) of the Act if
- (a) it is not equipped with an electronic control module capable of being programmed to limit vehicle speed;
 - (b) it is engaged in providing relief in an emergency, being a situation or impending situation that constitutes a danger of major proportions to life, property or the environment, whether caused by forces of nature, an accident, an intentional act or otherwise; or
 - (c) it is operated by or on behalf of a municipality, road authority, public utility or of the government of Ontario or of Canada while responding to a situation or impending situation that constitutes an imminent danger, though not one of major proportions, to life, property or the environment, whether caused by forces of nature, an accident, an intentional act or otherwise. O. Reg. 396/08, s. 1.
- (4) A driver of a commercial motor vehicle is exempt from subsection 68.1 (1) of the Act if the vehicle is leased for 30 days or less by an individual for the transportation of the goods kept for the individual's personal use. O. Reg. 396/08, s. 1.

14. (1) The speed-limiting system of a commercial motor vehicle shall be properly set at a maximum speed of 105 kilometres per hour. O. Reg. 396/08, s. 1.

(2) A speed-limiting system is properly set for the purposes of subsection (1) if it prevents a driver, by means of accelerator application, from accelerating to or maintaining a speed greater than permitted under subsection (1). O. Reg. 396/08, s. 1.

(3) The maximum speed under subsection (1) shall be set by means of the electronic control module that limits the feed of fuel to the engine. O. Reg. 396/08, s. 1.

(4) A commercial motor vehicle is exempt from subsection (3) if it is equipped with an equally effective system, not dependent on the electronic control module, that allows limitation of vehicle speed, remotely or not, but does not allow the driver to deactivate or modify the system in Ontario so that it does not comply with subsections (1) and (2). O. Reg. 396/08, s. 1.

15. (1) A speed-limiting system shall be in good working order. O. Reg. 396/08, s. 1.

(2) Without limiting the generality of subsection (1), all aspects of a commercial motor vehicle's computer system or systems or computer programs, components, equipment and connections that are capable of playing a role in preventing a driver from increasing the speed of a commercial motor vehicle beyond a specified value shall be in good working order. O. Reg. 396/08, s. 1.

16. A commercial motor vehicle's electronic control module shall contain information that accurately corresponds with any component or feature of the vehicle referred to in the module, including information regarding the tire rolling radius, axle gear ratio and transmission gear ratio. O. Reg. 396/08, s. 1.

17. The prescribed speed for the purposes of subsection 68.1 (9) of the Act is 115 kilometres per hour. O. Reg. 396/08, s. 1.

18. The following devices are prescribed for the purposes of clause 68.1 (3) (a) of the Act:

1. A device that causes inaccurate information to be transmitted to the electronic control module about a commercial motor vehicle's actual speed.

2. A device that causes inaccurate information to be sent to the electronic control module about the revolutions per minute of the engine. O. Reg. 396/08, s. 1.