

**Ministry of the Solicitor General**

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**Ministère du Solliciteur général**

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**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Services Boards

**FROM:** Marc Bedard  
Assistant Deputy Minister  
Public Safety Division and Public Safety Training Division

**SUBJECT:** ***Highway Traffic Act Amendments for Dangerously Slow  
Driving and Stay in the Right Lane***

<b>DATE OF ISSUE:</b>	<b>November 28, 2019</b>
<b>CLASSIFICATION:</b>	<b>General Information</b>
<b>RETENTION:</b>	<b>Indefinite</b>
<b>INDEX NO.:</b>	<b>19-0087</b>
<b>PRIORITY:</b>	<b>Normal</b>

At the request of the Ministry of Transportation, I am sharing a communication regarding amendments to the *Highway Traffic Act* (HTA), which will impact fines for certain offences. These amendments will take effect on November 29, 2019.

Please review the attached memo from Assistant Deputy Minister Kevin Byrnes, which provides further detail on the amendments. If you require further information, please contact Angela Litrenta at (416) 235-5130.

Sincerely,

A handwritten signature in black ink that reads "Marc Bedard".

Marc Bedard  
Assistant Deputy Minister  
Public Safety Division and Public Safety Training Division

Attachment

**MEMORANDUM TO:** Marc Bedard  
Assistant Deputy Minister  
Public Safety Division

**FROM:** Kevin Byrnes  
Assistant Deputy Minister  
Road User Safety Division

**SUBJECT:** **Amendments to Sections 132, 147 and 148(2) of the Highway Traffic Act to increase the fine range for Dangerously Slow Driving and the requirement to Stay in the Right Lane.**

This memorandum is to advise the policing community across the province about an increase in the set fine amount for Part I *Provincial Offences Act* (POA) offence notices for dangerously slow driving and the requirement to stay in the right lane set out in the *Highway Traffic Act* under sections 132 (Unnecessary slow driving prohibited), 147 (Slow vehicles to travel on right side) and 148(2) (Overtaking and passing rules/Passing meeting vehicles) (copy attached). These offences are listed as items 342, 342.1, 431, 431.1, 433 and 433.1 in Schedule 43 of POA Regulation 950.

The set fine amount for these offences is being increased from \$85.00 and \$120.00 (community safety zone) to \$150.00 and \$300.00 (community safety zone), effective **November 29, 2019**.

### SCHEDULE 43

#### *The Highway Traffic Act*

Item	Offence	Section	Set Fine
342.	Unnecessary slow driving	132	\$150.00
342.1	Unnecessary slow driving -community safety zone	132	\$300.00
431	Fail to keep right when driving at less than normal speed	147(1)	\$150.00
431.1	Fail to keep right when driving at less than normal speed – community safety zone	147(1)	\$300.00
433	Fail to turn out to right when overtaken	148(2)	\$150.00
433.1	Fail to turn out to right when overtaken – community safety zone	148(2)	\$300.00

If members of the law enforcement community would like to discuss the fine range increases for these offences in more detail, they may contact Angela Litrenta at (416) 235-5130.

Thank you for your assistance in communicating these changes.

A handwritten signature in black ink, appearing to be 'K. Byrnes', written in a cursive style.

Kevin Byrnes  
Assistant Deputy Minister  
Road User Safety Division

Attachments:

HTA sections 132, 147 (1) and 148 (2)  
Set Fine Order

## **Unnecessary slow driving prohibited**

**132** (1) No motor vehicle shall be driven on a highway at such a slow rate of speed as to impede or block the normal and reasonable movement of traffic thereon except when the slow rate of speed is necessary for safe operation having regard to all the circumstances. R.S.O. 1990, c. H.8, s. 132 (1).

### **Exception**

(2) Subsection (1) does not apply to a road service vehicle. 1994, c. 27, s. 138 (10).

**Note: On November 29, 2019, the day named by proclamation of the Lieutenant Governor, section 132 of the Act is amended by adding the following subsection: (See: 2019, c. 8, Sched. 1, s. 26)**

Offence

(3) Every person who contravenes this section is guilty of an offence and on conviction is liable to a fine of not less than \$150 and not more than \$1,000. 2019, c. 8, Sched. 1, s. 26.

### **Section Amendments with date in force (d/m/y)**

1994, c. 27, s. 138 (10) - 01/07/2010

[2019, c. 8, Sched. 1, s. 26](#) – 29/11/2019

## **Slow vehicles to travel on right side**

**147** (1) Any vehicle travelling upon a roadway at less than the normal speed of traffic at that time and place shall, where practicable, be driven in the right-hand lane then available for traffic or as close as practicable to the right hand curb or edge of the roadway. R.S.O. 1990, c. H.8, s. 147 (1).

### **Exception**

(2) Subsection (1) does not apply to a driver of a,

- (a) vehicle while overtaking and passing another vehicle proceeding in the same direction;
- (b) vehicle while preparing for a left turn at an intersection or into a private road or driveway;
- (c) road service vehicle; or

(d) bicycle in a lane designated under subsection 153 (2) for travel in the opposite direction of traffic. R.S.O. 1990, c. H.8, s. 147 (2); 2015, c. 14, s. 41.

**Note: On November 29, 2019, the day named by proclamation of the Lieutenant Governor, section 147 of the Act is amended by adding the following subsection: (See: 2019, c. 8, Sched. 1, s. 27)**

Offence

(3) Every person who, while driving a motor vehicle, contravenes this section is guilty of an offence and on conviction is liable to a fine of not less than \$150 and not more than \$1,000. 2019, c. 8, Sched. 1, s. 27.

**Section Amendments with date in force (d/m/y)**

[2015, c. 14, s. 41](#) - 02/06/2015

[2019, c. 8, Sched. 1, s. 27](#) – 29/11/2019

## **Overtaking and passing rules**

### **Passing meeting vehicles**

**148** (1) Every person in charge of a vehicle on a highway meeting another vehicle shall turn out to the right from the centre of the roadway, allowing the other vehicle one-half of the roadway free. R.S.O. 1990, c. H.8, s. 148 (1).

### **Vehicles or equestrians overtaken**

(2) Every person in charge of a vehicle or on horseback on a highway who is overtaken by a vehicle or equestrian travelling at a greater speed shall turn out to the right and allow the overtaking vehicle or equestrian to pass. R.S.O. 1990, c. H.8, s. 148 (2).

**Note: On November 29, 2019, the day named by proclamation of the Lieutenant Governor, section 148 of the Act is amended by adding the following subsection: (See: 2019, c. 8, Sched. 1, s. 28)**

Offence

(2.1) Every person who, while driving a motor vehicle, contravenes subsection (2) is guilty of an offence and on conviction is liable to a fine of not less than \$150 and not more than \$1,000. 2019, c. 8, Sched. 1, s. 28.


**ONTARIO COURT OF JUSTICE**

***PROVINCIAL OFFENCES ACT***

**IT IS ORDERED**, pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the attached Items of Schedule 43 under the Provincial Statutes and Regulations thereunder is the Set Fine.

This Order comes into effect on the 29th day of November 2019

**DATED AT TORONTO** this 13th day of November 2019

  
.....  
**Lise Maisonneuve, Chief Justice**  
**Ontario Court of Justice**

Ontario Court of Justice  
Last Updated: November 29, 2019

**SCHEDULE 43**

*The Highway Traffic Act*

<b>Item</b>	<b>Offence</b>	<b>Section</b>	<b>Set Fine</b>
342.	Unnecessary slow driving	132	\$150.00
342.1	Unnecessary slow driving — community safety zone	132	\$300.00
431.	Fail to keep right when driving at less than normal speed	147(1)	\$150.00
431.1	Fail to keep right when driving at less than normal speed — community safety zone	147(1)	\$300.00
433.	Fail to turn out to right when overtaken	148(2)	\$150.00
433.1	Fail to turn out to right when overtaken — community safety zone	148(2)	\$300.00

