

OHS Off-Road Vehicles Safety Requirements – Know The Laws of Your Province



More than 100 Canadians die in all-terrain vehicle (ATV) accidents each year. Some of these fatalities occur in workplaces. As a result, 9 provinces and territories have incorporated specific workplace safety requirements for ATVs and other off-road vehicles (ORVs) into their OHS regulations. Yukon's ORV regulations are the most recent and the most extensive. On the other side of the spectrum, Ontario, Newfoundland, Nova Scotia, Prince Edward Island, and the federal jurisdiction haven't yet created ORV requirements under OHS regulations, but instead continue to rely solely on traffic safety laws to regulate their use in the workplace. Here's a summary of the requirements in all parts of the country so you'll know what to do to comply regardless of what industry you're in or where in Canada you operate.

ALBERTA

ATVs, Snow Vehicles, Motorcycles

1. Employer must ensure that a worker riding an ATV, snow vehicle, motorized trail bike or motorcycle or, small utility vehicle at a worksite wears protective headwear approved to one of the following standards: (a) U.S.A. Federal Motor Vehicle Safety Standard FMVSS

218, *Motorcycle Helmets* 1993 OCT; (b) BSI Standard BS 6658: 05, *Specification for Protective Helmets for Vehicle Users*; (c) Snell Memorial Foundation Standard M2005, *2005 Helmet Standard for Use in Motorcycling (OHS Code, Sec. 236(1))*.

2. **Exception:** Above protective headwear requirements don't apply to small utility vehicles equipped with seat belts and rollover protection (*OHS Code, Sec. 236(1)*).
3. A worker who wears protective headwear under subsection (1) and who uses an ATV, snow vehicle, motorized trail bike, or motorcycle to travel to a remote worksite may continue to wear that protective headwear while working at the worksite if: (a) the work doesn't subject the worker to potential contact with exposed energized electrical sources, and (b) the work is done for a short period of time (*OHS Code, Sec. 236(4)*).
4. A person must not use a three-wheeled ATV at a work site (*OHS Code, Sec. 280*).
5. Employer must ensure that the operator's manual for an ATV or snow vehicle is kept in a secure place with the vehicle or at another location readily accessible to the operator (*OHS Code, Sec. 281*).
6. The operator of an ATV or snow vehicle must ensure that, if it's used to move a load, the load conforms to the weight, height, and other limits specified by the manufacturer; if the manufacturer hasn't set limits for operation of the ATV or snow vehicle on sloping ground, employer must implement safe work procedures appropriate for the slopes on which the equipment is used (*OHS Code, Sec. 282*).

BRITISH COLUMBIA

Head Protection for ATVs, Snowmobiles, Motorcycles

1. Operators and passengers on ATVs, snowmobiles and motorcycles must wear headgear meeting the requirements

of: (a) [CSA Standard CAN3-D230-M85, Protective Headgear in Motor Vehicle Applications](#), (b) *British Safety Institution Standard BS5361.1976, Specification: Protective Helmets for Vehicle Users, (as amended to 1981)*, (c) *Snell Memorial Foundation 1995 Standard for Protective Headgear for Use with Motorcycles and Other Motorized Vehicles*, or (d) *US Federal Standard for Motorcycle Helmets (Title 49 – Transportation – Part 571.218) (OHS Reg, Sec. 8.12(1))*.

2. When an ATV is operated within a specific location, with no rollover hazard area and no area containing a significant hazard that may cause loss of control and at a speed not exceeding 20 km/h (13 mph), safety headgear meeting the following requirements may be used in place of headgear specified in subsection 8.12(1) (*OHS Reg, Sec. 8.12(3)*), i.e., the headgear must meet: (a) [CSA Standard CAN/CSA-D113.2-M89, Cycling Helmets](#), (b) *Snell Memorial Foundation 1994 Standard for Protective Headgear for Use in Non-Motorized Sports*, or (c) *Snell Memorial Foundation 1995 Standard for Protective Headgear for Use in Bicycling (OHS Reg, 8.13)*.

ATVs

1. An ATV must meet and be used in accordance with *ANSI Standard SVIA-1 2017, American National Standard for Four Wheel All-Terrain Vehicles* or the earlier version of the standard that applied on the date of manufacture of the ATV (*OHS Reg, Sec. 16.40(1)*).
2. ATV must be used in accordance with the manufacturer's instructions (*OHS Reg, Sec. 16.40(2)*).
3. The manufacturer's instructions for an ATV must be kept in a secure place with the ATV or at another location readily accessible to the operator (*OHS Reg, Sec. 16.40(3)*).
4. If the manufacturer's instructions don't include limits for the operation of the ATV on sloping ground, 5% is

the maximum allowable slope unless the employer has developed and implemented written safe work procedures appropriate for any steeper slope on which the mobile equipment is to be used (*OHS Reg*, Sec. 16.40(4)).

5. The training program for an ATV operator must include training by a qualified person for the following: (a) operating skills, according to the ATV manufacturer's instructions; (b) the ATV operator's pre-operational inspection; (c) basic mechanical requirements; (d) loading and unloading the ATV for transport, if it's a job requirement (*OHS Reg*, Sec. 16.40(5)).
6. Loading and unloading an ATV onto or off a carrier vehicle must be done in a safe manner (*OHS Reg*, Sec. 16.40(6)).
7. If ramps are used when loading or unloading an ATV, they must be secured at a suitable angle, be sufficiently wide and have a surface finish that provides an adequate grip for the tires of the ATV (*OHS Reg*, Sec. 16.40(7)).
8. A modification or attachment to an ATV that may affect its stability must be certified by the manufacturer or a professional engineer (*OHS Reg*, Sec. 16.40(8)).

UTVs

1. A UTV must meet and be used in accordance with *ANSI/OPEI B71.9-2016 Multipurpose Off-Highway Utility Vehicles* or the earlier version of the standard that applied on the date of manufacture of the UTV (*OHS Reg*, Sec. 16.41(1)).
2. A UTV must be used in accordance with the manufacturer's instructions (*OHS Reg*, Sec. 16.41(2)).
3. The manufacturer's instructions for a UTV must be kept in a secure place with the UTV or at another location readily accessible to the operator (*OHS Reg*, Sec. 16.41(3)).

MANITOBA

ATVs and Snowmobiles

1. Employer must ensure that a worker required or permitted to travel in or on the following is provided with protective headwear, including, where required, a liner, cold weather face guard, and an eye protector for working in cold conditions: (a) an ATV or a snowmobile (as defined in *The [Off-Road Vehicles Act](#)*) ; (b) a towed conveyance, being a sled, cutter, trailer, toboggan, or carrier that may be towed by a snowmobile or ATV (*WSH Regs*, Sec. 6.18(1)).
2. Exception: Above doesn't apply where the ATV is equipped with roll-over protective structures and enclosed by a cab that is an integral part of the vehicle (*WSH Regs*, Sec. 6.18(2)).

NEW BRUNSWICK

Off-Road Vehicles

Employer must ensure that a vehicle with a capacity of 1 tonne or more that's operated off-highway:

- (a) is used only for the purposes for which it is designed and equipped,
- (b) is operated by a competent employee,
- (c) is equipped with adequate brakes,
- (d) is equipped with a manually operated horn,
- (e) has a rear-view mirror or other means of ensuring that the equipment can be safely backed up,
- (f) is equipped with an audible back-up alarm that operates automatically when the equipment is in reverse and that is clearly audible above the background noise,
- (g) is equipped with adequate headlights and taillights when used after dark or in dimly lit areas,

- (h) has gears and moving parts adequately guarded,
- (i) has controls that cannot be operated from outside the cab unless the controls are designed to be operated from outside the cab,
- (j) has any load on it adequately secured,
- (k) is provided with a three-point contact to access the operator's cab
- (l) is maintained in safe working conditions,
- (m) has defective parts repaired or replaced before being set in motion,
- (n) has air and hydraulic lines, hoses, and components maintained in safe operating condition, and
- (o) is lubricated only when at rest or as the manufacturer directs (*OHS Regs*, Secs. 230.21(1) + (2)).

NEWFOUNDLAND & LABRADOR

No specific OHS requirements for off-road vehicles.

NOVA SCOTIA

No specific OHS requirements for off-road vehicles.

NORTHWEST TERRITORIES & NUNAVUT

ATVs

1. Employer must ensure that a worker who's required or permitted to travel in or on an ATV or towed conveyance that doesn't have an enclosed cab is provided with and required to use: (a) approved head protection; and (b) approved eye or face protectors (*OHS Regs*, Sec. 95(2)).
2. **Exception:** Above doesn't apply if (a) the ATV is

equipped with roll-over protective structures and enclosed by a cab that's an integral part of the vehicle; and (b) the worker is provided with and required to use a seat belt secured to the vehicle (*OHS Regs*, Sec. 95(3)).

ONTARIO

No specific OHS requirements for off-road vehicles.

PRINCE EDWARD ISLAND

No specific OHS requirements for off-road vehicles.

QUÉBEC

ATVs

Use of an ATV is allowed only if **all** of the following conditions are met:

1. The vehicle is mounted on at least 4 wheels.
2. It's equipped with an ABC type portable fire extinguisher approved by Underwriters' Laboratories of Canada (ULC), if the task involves any risk of fire.
3. It's equipped with a yellow warning flag measuring at least 0.05 m² and placed at least 1.5 m above ground level, if the vehicle is used in yards.
4. The workers are trained and warned of the specific dangers related to the use of this type of vehicle.
5. The driver wears the following PPE: (a) a protective helmet of the type for motorcyclists or snowmobile users in compliance with the Protective Helmets Regulation; (b) protective goggles or a visor designed to be attached to a protective helmet; and (c) flexible gloves that provide a firm grip on the vehicle's handles and controls.

6. All passengers wear: (a) a protective helmet of the type for motorcyclists or snowmobile users in compliance with the Protective Helmets Regulation; and (b) protective goggles or a visor designed to be attached to a protective helmet.

(OHS Regs, Sec. 286)

Prohibition

It's illegal to use an ATV for pulling a load with any attachment which in the event it snaps, may cause a backlash effect (OHS Regs, Sec. 287).

SASKATCHEWAN

ATVs and Snowmobiles

1. Employer or contractor must ensure that all workers required or permitted to travel in or on an ATV, snowmobile or towed conveyance are provided with and required to use: (a) approved protective headgear; and (b) approved eye or face protectors if the ATV, snowmobile or towed conveyance doesn't have an enclosed cab is (OHS Regs, Sec. 7-7(2)).
2. **Exception:** Above doesn't apply if (a) the ATV is equipped with roll-over protective structures and enclosed by a cab that's an integral part of the vehicle; and (b) the worker is provided with and required to use a seat belt secured to the vehicle (OHS Regs, Sec. 7-7(3)).

YUKON

ATVs, SVs, and Snowmobiles

1. All-terrain three-wheeled cycles may not be used at any workplace (WSC Regs, Sec. 6.45(1)).
2. Modifications that may affect the structural integrity

or stability of an ATV or SV must be certified by a professional engineer before use (*WSC Regs*, Sec. 6.45(2)).

3. The operator's manual for an ATV or SV must be kept in a secure place readily accessible to the operator (*WSC Regs*, Sec. 6.45(3)).
4. The operator must use an ATV or SV in accordance with the operator's manual instructions (*WSC Regs*, Sec. 6.45(4)).
5. If an ATV or SV is used to move a load, the load must conform to the weight and height specifications of the ATV or SV manufacturer (*WSC Regs*, Sec. 6.45(5)).
6. If the manufacturer hasn't set limits for operation of the ATV or SV on sloping ground, 5% is the maximum allowable slope unless the employer has developed and implemented written safe work procedures appropriate for any steeper slope on which the equipment is to be used (*WSC Regs*, Sec. 6.45(6)).
7. Each ATV or SV operator must be properly trained in the safe use, handling, and operation of the vehicle (*WSC Regs*, Sec. 6.46(1)).
8. The training program for an ATV or SV operator must cover: (a) the operator's pre-trip inspection, (b) use of personal protective apparel, (c) operating skills according to the ATV or SV manufacturer's instructions, (d) basic mechanical requirements, and (e) loading and unloading the vehicle, if this is a job requirement (*WSC Regs*, Sec. 6.46(2)).
9. ATV or SV operator training must be documented (*WSC Regs*, Sec. 6.46(3)).
10. An ATV or SV operator and any passenger permitted by the manufacturer to be on the vehicle must wear: (a) safety headgear, eye protection, and hearing protection, meeting requirements set out in Part 1 of the *WSC Regs*; (b) clothing suitable for the environmental conditions, (c) when necessary, suitable gloves and clothing which covers the ankles and legs, and the arms to the wrists,

and (d) safety headgear when the ATV or SV is being towed by any means (*WSC Regs*, Sec. 6.47).

11. Loading and unloading of an ATV or SV onto or off of a carrier vehicle must be done safely (*WSC Regs*, Sec. 6.48(1)).
12. Ramps used when loading or unloading an ATV or SV must be placed at a suitable angle, be sufficiently wide, of adequate strength, and have a surface finish that provides an adequate grip for the ATV's tires or the SV's track (*WSC Regs*, Sec. 6.48(2)).
13. Operators and passengers of all ATVs, snow vehicles, motorcycles, or similar vehicles must wear protective headwear that meets: (a) CSA Standard D230-M85, Protective Headgear in Motor Vehicle Applications; (b) US Federal Standard for Motorcycle Helmets (Title-49-Transportation-Part 571.218); or (c) other similar standards acceptable to the board (*WSC Regs*, Sec. 1.20).