

A Message from Alberta Transportation - Office of Traffic Safety

Mandatory Helmets on Public Land for Off-Highway Vehicle Riders

Bill 36 *An Act to Enhance Off-Highway Vehicle Safety* received Royal Assent on April 11, 2017 with an in force date set for May 15, 2017. This means that effective May 15, 2017, helmets will be mandatory for those riding off-highway vehicles (OHVs) on public land. OHVs include any motorized vehicle built for cross-country travel on land, ice, and snow. Common types of OHV are all-terrain vehicles (ATVs), snowmobiles, dirt bikes, utility terrain vehicles, and side-by-sides.

The details in the amendments to the *Traffic Safety Act* and *Off-Highway Vehicle Regulation* reflect the valued input received from individual Albertans, organizations, and communities, like yours.

The law aligns helmet safety standards with those used for motorcycles, creates requirements regarding the condition and use of helmets, sets fine amounts for those not complying, and specifies exemptions. These include exempting OHV users from the requirement to wear a helmet when riding on private property; riding on First Nations Reserve and Metis Settlement lands; using an OHV with safe, manufacturer supplied rollover protective structures and seat belts that are worn; and riding for work where Alberta's occupational health and safety laws do not require helmet use, for example for farming and ranching workers.

For municipalities, it is important to note this amends the *Traffic Safety Act* and removes the authority municipalities had to create bylaws requiring OHV riders to wear a helmet in their jurisdiction. It did not change any of the other authority municipalities have regarding OHVs, such as allowing use on roads and ditches under their authority.

If your municipality has a bylaw requiring OHV riders to ride a helmet, it is recommended that it be repealed to reduce confusion for OHV riders in your community, as it may differ from the new provincial helmet requirement. Alberta was the only province in Canada without a provincial law requiring OHV riders to wear helmets.

The details in the law seek to recognize the diversity in OHV use and in OHV riders in Alberta. Thank you for taking part in our engagement and for helping to reduce injuries and fatalities.

More information on new OHV helmet law is available through the following links:

OHV Helmet Law Webpage— www.transportation.alberta.ca/ohv_helmets.htm

OHV Helmet Laws Frequently Asked Questions - www.transportation.alberta.ca/documents/OHVHelmets-FAQ.pdf

Bill 36 - http://www.assembly.ab.ca/ISYS/LADDAR_files/docs/bills/bill/legislature_29/session_2/20160308_bill-036.pdf

Traffic Safety Act and Off-Highway Vehicle Regulation – www.qp.alberta.ca