



Haliburton Forest

& WILD LIFE RESERVE LTD

RULES AND REGULATIONS FOR THE USE OF “SPECIAL VEHICLES” AT HALIBURTON FOREST

23 June 2020

Opening Comments

This document presents the rules and regulations for the use of ATVs, UTVs, Side-By-Sides, and Golf Carts at Haliburton Forest. All users of Special Vehicles at Haliburton Forest must be thoroughly familiar with the contents of this document at all times.

In this document, the term “Special Vehicles” is used to describe all of these vehicles collectively, except where otherwise explicitly stated using *italics* to describe conditions specific to a type of vehicle. As an example provided for clarity, a statement that refers to “Special Vehicles” means all of the above vehicles, but a statement that refers to “*Side-By-Sides*” is specifically addressing the use of that type of vehicle.

Please note that in addition to the rules and regulations in this document, there is additional legislation, manufacturer recommendations, and insurance considerations that require compliance. For more information, please refer to the Off-Road Vehicles Act, Highway Act, and other documents published by the Ministry of Transportation of Ontario. Some of this legislation is provided below.

Our Obligation

“An occupier (Haliburton Forest) of premises owes a duty to take care as in all the circumstances of the case is reasonable to see that persons entering on the premises, and the property brought on the premises by those persons are reasonably safe while on the premises. The duty of care provided for in subsection (1) applies whether the danger is caused by the condition of the premises or by an activity carried out on the premises.” [Occupiers Liability Act, 1990, 3, (1,2)]

Off-Road Vehicles Act

- “No owner of an off-road vehicle shall permit anyone without a G2/G or M2/M licence to drive the vehicle”. [ORVA, 1990, 19]
- “No person shall drive an off-road vehicle unless it is insured under a motor vehicle liability policy in accordance with the Insurance Act; No owner of an off-road vehicle

shall permit it to be driven unless it is insured under a motor vehicle liability policy in accordance with the Insurance Act.” [ORVA, 1990, 15]

- “No person shall drive an off-road vehicle except under the authority of a permit for the vehicle and the number plate showing the number of the permit displayed on the vehicle in the manner prescribed”. [ORVA, 1990, 3]
- “No person shall drive an off-road vehicle or ride on an off-road vehicle or on a conveyance towed by an off-road vehicle unless he/she is wearing a helmet that complies with regulations, securely fastened under his or her chin with a chin strap”. [ORVA, 1990, 19]

Trespass To Property Act

- “Every person who is not acting under a right or authority conferred by law and who...engages in an activity on premises when the activity is prohibited under this act...is guilty of an offence and on conviction is liable to a fine...” [TTPA 1990, 2.(1, a)]

Ministry Of Transportation

- A single-rider *ATV* has: four wheels, steering handlebars, a seat that is straddled by the driver to carry only a driver. A two-up *ATV* has: four wheels, steering handlebars, a seat that is straddled by the driver, a passenger seat directly behind the driver, separate footrests for the passenger. A single-rider *ATV* that has been modified to carry a passenger by installing an after-market seat and foot rests is not considered a two-up *ATV*. The reason for this is that an *ATV* handles differently, has different weight distribution and different centre of gravity; there is also a higher possibility of a passenger interfering with the driver.

Important Considerations

- The rules governing the use of Special Vehicles at Haliburton Forest are based on many of the above regulations and considerations.
- Please remember that only 20% of the Leases are Special Vehicle owners and operators. The safety and privacy of all users of Haliburton Forest is paramount.
- The following rules and regulations have been put in place to address both safety and environmental concern within the boundaries of Haliburton Forest. These rules are to be used in conjunction with common sense and good judgment.
- The use of Special Vehicles is a privilege extended only to campsite lessees and hunters during hunting season. This privilege is not transferable to friends or visitors.

Rules for All Special Vehicles

In summary, the following are the mandatory rules and regulations governing the use of Special Vehicles on the property of Haliburton Forest, with no tolerance for infractions:

- All vehicles must be registered at the Haliburton Forest office prior to use.
 - *Golf Carts* do not come with formal, legal ownership documents, but each one must still be registered with Haliburton Forest prior to use.

- Permit stickers must be prominently displayed on the front of every Special Vehicle.
- All riders must sign a waiver of liability prior to riding, storing, or otherwise using their Special Vehicle in Haliburton Forest.
- Riders of Special Vehicles must follow all provincial and federal laws.
- All drivers of Special Vehicles must have a valid driver's license and be 16 years or older (G2/G or M2/M) prior to operating a Special Vehicle.
- All Special Vehicles must be insured and licensed.
- Speed limits remain in effect for all Special Vehicles. The speed limit is 40 km/hour.
- No impaired driving is permitted at any time. A zero tolerance policy in effect.
- Riders of Special Vehicles must wear an approved helmet securely fastened under the chin by the chin strap.
 - *Golf Carts* do not require helmets at this time.
- Argos, motorcycles, dirt bikes, and other sport recreational vehicles are not permitted at Haliburton Forest at any time or under any circumstances.
- Passengers of Special Vehicles are permitted on factory-produced two-up vehicles. After market seats are not considered safe and therefore not permitted.
- Users of Special Vehicles must open and close gates to gain access. Deviating from the main road around gates is strictly prohibited at all times.

Limitations on Side-By-Sides, Golf Carts, and UTVs

- There are size limitations in effect for *Side-By-Sides*, *UTVs*, and *Golf Carts*:
 - Width - Wheel stance no wider than 64 inches (1625.6mm)
 - Length - No seating capacity greater than 4 persons
- All *Golf Carts* must be entirely stock from the manufacturer and not retrofitted to provide off-road riding capabilities. The evaluation of this condition will be entirely at the discretion of Haliburton Forest staff.

Access Limitations

- The rules relating to access and the use of Special Vehicles should be interpreted according to the map that is available at the Main Office of Haliburton Forest. This map indicates which trails/roads are Class 1, Class 2, and Other. All users of Special Vehicles are expected to familiarize themselves with this map.
- The access limitations can be easily summarized in this manner:
 - *ATVs* are allowed everywhere in the winter, on Class 1 and Class 2 roads and trails in the spring and fall, and on Class 1 roads and trails in the summer.
 - Other Special Vehicles (i.e. *Golf Carts*, *Side-By-Sides*, and *UTVs*) are allowed for recreational riding on main gravel roads and trails in the spring, summer and autumn but restricted to site access only in the winter. *Golf Carts*, *Side-By-Sides* and *UTVs* must also follow the same limitations with respect to Class 1 and Class 2 roads and trails as *ATVs*.
- For greater clarity, the following access limitations apply to Special Vehicles:
 - Spring (from the end of snowmobile season until the last Thursday in June):

- Special Vehicles are permitted on Class 1 and Class 2 roads and trails only, unless otherwise specified by Haliburton Forest.
 - Summer (from the last Thursday in June until the day after Labour Day):
 - Special Vehicles are permitted on Class 1 roads and trails only, unless otherwise specified by Haliburton Forest.
 - No Special Vehicles are allowed on East Road, Dutton Road, Kelly Road, L'Azure Road or any of the trails that lead onto these roads.
 - Autumn (from the day after Labour Day until the start of snowmobile season):
 - Special Vehicles are permitted on Class 1 and Class 2 roads and trails only, unless otherwise specified by Haliburton Forest.
 - Winter (from the start of snowmobiling until the end of snowmobile season):
 - *ATVs* are permitted on all roads and trails that are groomed for snowmobiles, unless otherwise specified by Haliburton Forest.
 - *Special Vehicles* other than *ATVs* may only be used on main gravel roads for site access only. No recreational riding is permitted.
- Questions or concerns relating to the use of Special Vehicles at various times of year and on various trails/roads can be answered by Haliburton Forest staff at any time.

Closing Statement

Haliburton Forest retains the right to change these terms and conditions at any time. Signing this document and registering/purchasing a Special Vehicles does not present any obligation on Haliburton Forest to allow that Special Vehicle to be used on its properties.

Any contravention of the above stated rules may result in the loss of Special Vehicle privileges and/or the loss of all other privileges at Haliburton Forest. Haliburton Forest shall not be liable for any property damage or personal injury to the permit holder or his/her guests arising from the use of the property or for any other reason whatsoever.

By signing below, I warrant that I have read and understand the above and will comply completely at all times and in every circumstance, and that I understand the consequences of non-compliance and will be fully responsible for my actions at all times.

Name of Special Vehicle User

Site Number and Lake

Signature of Special Vehicle User

Date

Haliburton Forest Staff

Date