



The Regional
Municipality
of Durham

Corporate Services
Department
Legislative Services

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Don Beaton, BCom, M.P.A.
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THIS LETTER HAS BEEN FORWARDED
TO THE EIGHT AREA CLERKS

CNCL-22-57

(Previously INFO-22-183)

April 27, 2022

Mary Medeiros, Clerk
City of Oshawa
50 Centre Street South
Oshawa ON L1H 3Z7

Dear Ms. Medeiros:

RE: Modified Vehicles in Durham Region - Our File: C11

Council of the Region of Durham, at its meeting held on April 27, 2022, adopted the following resolution of the Works Committee:

“A) WHEREAS Regional and Area Municipal Councils are receiving an increasing number of community complaints and negative feedback regarding increased noise due to modified vehicles in the Region;

AND WHEREAS the Durham Regional Police Service have laid over 300 tickets for vehicles making unnecessary noise and over 500 tickets for vehicles with prohibited mufflers or mufflers making excessive noise in the Region over the last two years under the *Highway Traffic Act (HTA)*;

AND WHEREAS on October 28, 2019, the Province of Ontario introduced *Bill 132, Better for People, Smarter for Business Act, 2019*, which creates a new section 75.1 in the HTA that makes it an offence to tamper with motor vehicles by (a) removing, bypassing, defeating or rendering inoperative all or part of a motor vehicle's emission control system or (b) modifying a motor or motor vehicle in any way that results in increased emissions from the level to which it was originally designed or certified by the manufacturer of the motor or motor vehicle, as well as prohibit the sale of tampering devices;

AND WHEREAS section 75.1 of the HTA will help reduce noise from vehicles by reducing modifications to emission systems that can lead to unnecessary noise and prohibit the sale of tampering devices to emission systems in Ontario;

AND WHEREAS although *Bill 132* received Royal Assent on December 10, 2019, the Lieutenant Governor has not yet proclaimed section 75.1 of the *HTA* and therefore is currently not in force;

AND WHEREAS Regional Council want all legislative options available to assist the Durham Regional Police Service and Local Area Municipalities to enforce the HTA and reduce unnecessary noise from Regional and local roads;

NOW THEREFORE BE IT RESOLVED:

1. THAT Regional Council requests that the Province of Ontario proclaim section 75.1 of the *Highway Traffic Act (Better for People, Smarter for Business Act, 2019, S.O. 2019, c. 14, Sched. 16, s. 11)* immediately;
2. That Regional Council request that funding for approved decibel monitoring devices and supporting legislation be provided by the Province, outfitting police services in Ontario with the necessary tools for enhanced enforcement;
3. That Regional Council request that updates be provided by the Province as to the timing of when section 75.1 of the *Highway Traffic Act* will be proclaimed and what steps the Province will take to limit the import and sale of modified exhaust systems in Ontario;
4. That a copy of this motion be sent to The Honourable Caroline Mulroney, Minister of Transportation; all Durham Region Members of Provincial Parliament; Durham Regional Police Service; the Ontario Provincial Police; and, the Durham Region Roundtable on Climate Change Committee; and
5. That a copy of this motion be forwarded to the Durham Local Area Municipalities for endorsement.

Alexander Harras

Alexander Harras
Regional Clerk/Director of Legislative Services

AH/np

c: J. Demanuele, Acting Commissioner of Works