

LEGISLATIVE ASSEMBLY OF THE
NORTHWEST TERRITORIES
7TH COUNCIL, 45TH SESSION
RECOMMENDATION TO COUNCIL
NO. 3-45

JUNE 14, 1971.

RECOMMENDATION TO COUNCIL NO. 3-45

MOTOR TOBOGGAN LEGISLATION

MOTOR TOBOGGAN LEGISLATION

Provincial Legislation

A review of provincial legislation indicates a variety of approaches in regulating the use of Motor Toboggans. Some jurisdictions define a motor toboggan as a motor vehicle and require licensing, insurance and licensed operators. Others use special legislation, not defining these as motor vehicles, but allowing operation only in certain areas and at specified times. In all cases, a great deal of authority in the control of these vehicles is given to local governing bodies and relates to movement on, over or near highways.

NWT Vehicles Ordinance

The Vehicles Ordinance of the Northwest Territories gives authority to municipalities and hamlets to regulate the operation of vehicles, including motor toboggans, within municipal boundaries. By by-law, municipalities may control speed, hours of operation, routes, and may place restrictions on operation of vehicles in any area. The question now is whether further Territories wide controls are required.

The circumstances and conditions under which motor toboggans are used in the Territories differ greatly from those that apply in the provinces. In the provinces the great majority of motor toboggans are used solely as "fun" vehicles; in the Territories a very high percentage are used for utilitarian purposes. To a great extent they have supplanted dog teams and are an essential mode of transportation for a large segment of the population. The Territories do not have either the mileage of highways or the volume of traffic, on any basis, that exists in the provinces. The land in the Territories is not divided into private holdings or cut up by fences as in the provinces.

Accidents

A great deal of publicity has been given to accidents involving motor toboggans. Very little, however, is available in the way of accurate statistical data. The Province of Ontario has analyzed accident statistics over a two year period, and produced some interesting facts. A summary of these findings appears as Appendix A. Most significant is the fact that, of 323 reported accidents, 288 occurred on highways, 35 off highways. A significant percentage of the reported accidents involved the snow vehicle colliding with parked motor vehicles, either on the roadway or shoulder. Operating a snow vehicle while under the influence of alcohol also appeared as a significant factor.

Recommendations

As municipalities have the means of controlling the operation of snowmobiles within their own boundaries, no further limiting legislation should be required at this time.

SUMMARY OF FINDINGS
(Province of Ontario)

1. There are 323 official reports of collisions involving motorized snow vehicles: 288 occurred on highways, 35 off-highway.
2. There were 53 fatalities: 30 on highways, 23 off-highway.
3. Of the 288 highway collisions, 88 including 3 fatal collisions were known to occur on urban roads and 200 including 23 fatal collisions occurred on rural roads.
4. 86% (249/288) of all highway collisions occur in the travelled portion of the highway. 11% (32/288) occur on the shoulder. 2% involve collisions occurring in the residual area of the highway.
5. Seven of the 26 fatal collisions, and 65 of the 183 injury collisions involved the snow vehicle impacting a motor vehicle parked either in the roadway or on the shoulder of the highway.
6. 119 of 286* highway collisions occurred during the week-end in hours of darkness.
7. 79% (221/278) of highway collisions occurred on icy packed snow, or dry surfaces. Only 47 occurred on a loose snow surface. 19 of the 26 fatal collisions occurred on icy or packed snow surfaces.
8. 14% (38/278) of highway collisions occurred during poor atmospheric visibility conditions caused by falling snow or sleet.
9. 36% (106/291) of snow vehicle operators in collisions were under 20 years of age; 12% were under 16 years of age and therefore driving illegally.
10. 22% (56/254) of snow vehicle operators 16 years or more of age did not hold a valid licence to operate any class of motor vehicle. Overall 32% (93/291) of all snow vehicle operators lacked formal experience with the operation of motor vehicles on the highway.
11. 20% (57/291) of the operators of the snow vehicles may not have been familiar with the operation of snow vehicles as judged by the fact that they neither owned nor did their immediate family own the snow vehicle. The vehicle was rented in only 5 cases.
12. 23% (62/272) of the snow vehicle operators for whom driver condition was stated were described as "ability impaired" or "had been drinking". In the case of fatal collisions in which driver condition was specified, 50% (12/24) involved a driver in this condition.

*Condition or situation not known in all conditions.