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Vol. 139, No. 13 — March 26, 2005

## Regulations Amending the Motor Vehicle Safety Regulations (Diverse Amendments) and the Motor Vehicle Tire Safety Regulations, 1995

*Statutory authority*

*Motor Vehicle Safety Act*

*Sponsoring department*

Department of Transport

### REGULATORY IMPACT ANALYSIS STATEMENT

*(This statement is not part of the Regulations.)*

#### **Description**

The Department of Transport is proposing to amend the *Motor Vehicle Safety Regulations* ([see footnote 1](#)) (MVSR) and the *Motor Vehicle Tire Safety Regulations, 1995* ([see footnote 2](#)) (MVTSR). With respect to the MVTSR, this is a proposal to amend paragraph 1(1)(d) of Schedule IV. With respect to the MVSR, the proposed amendments include the addition of an abbreviation to correct an omission in paragraph 6(1)(f); the correction of a subsection reference in subparagraph 6.2(1)(f)(ii); the addition of a requirement to display the tire load range on the compliance or information label referred to in subsection 120(12) of Schedule IV; the re-instatement of the content of subparagraph 120(6)(a)(viii) of Schedule IV, inadvertently deleted in a previous amendment; the clarification of Section 210.2 of Schedule IV; the correction of references in subsections 301.2(1.1) and (1.2) of Schedule IV, and the introduction of a revised version of Test Method 1106.

## **Background**

### *Motor Vehicle Tire Safety Regulations, 1995*

#### Paragraph 1(1)(d) of Schedule IV

The Department proposes to update paragraph 1(1)(d) of Schedule IV to the MVTSR by adding 350 kPa (51 p.s.i.) to the list of maximum permissible inflation pressures. This change will align the Canadian requirements with those in the United States.

### *Motor Vehicle Safety Regulations*

#### Section 6

The Department proposes to correct an omission in paragraph 6(1)(f) by adding in subparagraph 6(1)(f)(xxii) the abbreviation "SNO/MNG" to refer to a snowmobile.

The Department also proposes to amend subparagraph 6.2(1)(f)(ii) of Schedule IV to the MVSR to refer to the correct subsection, namely subsection 120(14).

#### Section 120 of Schedule IV

Modifications were made to section 120 of the MVSR — *Tire Selection and Rims for Vehicles Other than Passenger Cars* — by SOR/2003-272, registered on July 24, 2003, and published in Part II of the *Canada Gazette* on August 13, 2003. These included an update of subparagraphs 120(6)(a)(iv) to (viii), which listed the letters used for identification of the rim's published nominal dimensions. In doing so, subparagraph 120(6)(a)(viii), which listed the letter "N," was inadvertently deleted.

The Department is proposing to re-instate in paragraph 120(6)(a) the requirement that the letter "N" be marked on the rim if the nominal dimensions are contained in the document referred to in paragraph 1(1)(b) of Schedule IV or paragraph 1(1)(a) of Schedule V to the *Motor Vehicle Tire Safety Regulations, 1995* and required to be provided under subsection 7(1) of those Regulations.

Also, the Department proposes to update paragraph 120(12)(a) of Schedule IV to the MVSR. That paragraph currently reads as follows:

(12) Subject to subsection (14), the compliance label required by these Regulations shall display, after each GAWR,

(a) the size designation of tires appropriate for that GAWR;

The Department proposes to amend that paragraph to read as follows:

(12) Subject to subsection (14), the compliance label or information label required by these Regulations shall display, after each GAWR,

(a) the size designation of tires appropriate for that GAWR, followed by the load range of the tires if it is marked on their sidewalls in accordance with the *Motor Vehicle Tire Safety Regulations, 1995*;

The tire's load range designation on the compliance label or information label will enable compliance

officers to verify important tire information quickly. It will also ensure that, when vehicle owners purchase a new tire, they purchase the correct one for the vehicle.

#### Section 210.2 of Schedule IV

The Department wishes to clarify paragraph 210.2(2)(c) and subsection 210.2(8) of Schedule IV to the MVSР. Those provisions currently read as follows:

210.2(2) This section does not apply to

(c) a vehicle that is not equipped with a passenger-side air bag cut-off switch that accommodates all makes of restraint systems and booster cushions and

210.2(8) If the distance between the rearward surface of the front seat back and the forward surface of the rear seat back is less than 720 mm, as measured in accordance with Figure 6, a lower universal anchorage system may be installed in a designated passenger seating position in the first row of designated seating positions instead of in the second row of designated seating positions if the vehicle is equipped with a passenger-side air bag cut-off switch.

The Department proposes the following wording to clarify paragraph 210.2(2)(c) and subsection 210.2(8):

210.2(2) This section does not apply to

(c) a vehicle that is not equipped with a manual cut-off switch to deactivate the frontal air bag that is installed at the right front outboard designated seating position when any restraint system or booster cushion is installed and

210.2(8) If the distance between the rearward surface of the front seat back and the forward surface of the rear seat back is less than 720 mm, as measured in accordance with Figure 6, a lower universal anchorage system may be installed in a designated passenger seating position in the first row of designated seating positions instead of in the second row of designated seating positions if the vehicle is equipped with the manual cut-off switch referred to in paragraph (2)(c).

#### Section 301.2 of Schedule IV

The Department proposes to correct the references in subsections 301.2(1.1) and (1.2) of Schedule IV, located under the heading "CNG Fuel System Integrity." These two subsections should refer to *Test Method 301.2 — CNG Fuel System Integrity* and not to *Test Method 310.1 — LPG Fuel System Integrity*.

#### Test Method 1106

The Department proposes to introduce a revised version of *Test Method 1106* to correct section 1 of that Test Method, which incorrectly identifies the current location of section 1106. That section should refer to Schedule V.1.

#### **Effective date**

With the exception of the amendment to paragraph 6(1)(f), these proposed amendments would come into effect on the day of their registration by the Clerk of the Privy Council.

The modification to paragraph 6(1)(f) would come into effect on January 1, 2006, for the 2007 snowmobile models.

### ***Alternatives***

The Department determined that there were no reasonable alternatives to making these amendments. The proposed changes serve to correct, clarify and update current requirements.

### ***Benefits and costs***

These proposed amendments are not expected to have any significant negative cost impact on vehicle manufacturers and are not expected to have any significant impact on the environment.

### ***Consultation***

#### *Road Safety Consultation Mechanisms*

The Department has instituted a systematic and extensive consultation process that is intended to keep the automotive industry, public safety organizations, and the general public informed of planned and recent changes to the regulatory requirements governing motor vehicle safety in Canada and that provides a mechanism to comment on these initiatives. Three times a year, Departmental representatives meet with the Canadian Vehicle Manufacturers' Association (CVMA), which represents Canada's leading motor vehicle manufacturers. ([see footnote 3](#)) The Department also meets three times a year with the Association of International Automobile Manufacturers of Canada (AIAMC), which represents international motor vehicle manufacturers and importers. ([see footnote 4](#)) In addition, once a year, members of the Alliance of Automobile Manufacturers (AAM) attend the AIAMC meeting. The AAM is a trade association of 10 car and light-truck manufacturers whose members account for more than 90 percent of U.S. vehicle sales. ([see footnote 5](#)) Semi-annual meetings are also held with the Motorcycle and Moped Industry Council, the Rubber Association of Canada, and the Juvenile Product Manufacturers Association. ([see footnote 6](#))

These automotive industry meetings allow manufacturers and importers to respond to proposed changes to the regulations for which the Road Safety and Motor Vehicle Regulation Directorate is responsible, to raise problems with the existing requirements and to discuss any matters of concern to the member companies. On a quarterly basis, these associations receive a copy of the Directorate's Regulatory Plan, which outlines all contemplated changes to the governing safety requirements and tracks initiatives as they are developed, published in the *Canada Gazette*, and as new regulations come into force.

The Department also consults with the federal authorities of other countries. In particular, semi-annual meetings are held with the U.S. Department of Transportation that provide a valuable opportunity to discuss future regulatory initiatives and problems of mutual interest. In addition, the Department is committed to the development of global regulations, which is being carried out under the auspices of the United Nations World Forum for the Harmonization of Vehicle Regulations. Along with members of other world regulatory bodies and public interest groups, Departmental representatives participate in 11 or more meetings a year as part of the initiative to develop Global Technical Regulations in order to simplify the regulatory process for automotive manufacturers who market their products internationally.

Consultation with the provinces and territories also takes place on a regular basis mainly through the Department's membership in the Canadian Council of Motor Transport Administrators (CCMTA). Its Board of Directors meets a minimum of twice a year, as do the three standing committees of the CCMTA, which are comprised of officials from each member jurisdiction who deal with a broad range of short- and long-term issues.

In order to monitor public opinion and concerns, as well as to keep the public informed of road-safety-related issues, the Department offers a free telephone information service that Canadians may call from across the country and it publishes specific safety-related information on its Web site. The public may also make inquiries using the Department's Web site and by mail. In addition, a dedicated toll-free telephone line allows the public to notify the Department of safety-related defects, which are subsequently investigated by the Public Complaints, Recalls and Investigations Division. As part of its research program, the Department has established several teams of collision investigators that are affiliated with major universities, one of whose tasks is to monitor road safety issues. A system for training instructors on the proper installation of infant and child restraint systems has also been implemented and the instructors advise the Department of safety issues that arise.

This consultation process enables the Department to identify and respond to safety-related problems in a timely fashion. More important, it keeps the public, the automotive industry, and public safety organizations abreast of the Directorate's many regulatory initiatives and provides opportunities for all concerned to participate in the development of new motor vehicle safety measures.

#### *Consultation Specific to These Amendments*

A consultation period of 75 days will follow the publication of this proposal in the *Canada Gazette*, Part I. Comments may be made by writing to the address given below or at any government-industry meeting. All responses will be taken into consideration in the development of the final amendment.

#### **Compliance and enforcement**

Motor vehicle manufacturers and importers are responsible for ensuring that their products comply with the requirements of the *Motor Vehicle Safety Regulations*. The Department monitors the self-certification programs of manufacturers and importers by reviewing their test documentation, inspecting vehicles, and testing vehicles obtained in the open market. When a defect is found, the manufacturer or importer must issue a notice of defect to owners and to the Minister of Transport. If a vehicle does not comply with a safety standard, the manufacturer or importer is subject to prosecution and, if found guilty, may be fined as prescribed in the *Motor Vehicle Safety Act*.

#### **Contact**

Winson Ng, Senior Regulatory Development Engineer, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Place de Ville, Tower C, 330 Sparks Street, Ottawa, Ontario K1A 0N5, (613) 998-1949 (telephone), (613) 990-2913 (facsimile), ngwk@tc.gc.ca (electronic mail).

### **PROPOSED REGULATORY TEXT**

Notice is hereby given, pursuant to subsection 11(3) of the *Motor Vehicle Safety Act* ([see footnote a](#)), that the Governor in Council, pursuant to section 5 ([see footnote b](#)) and subsection 11(1) of that Act, proposes to make the annexed *Regulations Amending the Motor Vehicle Safety Regulations (Diverse Amendments) and the Motor Vehicle Tire Safety Regulations, 1995*.

Interested persons may make representations, in writing, with respect to the proposed Regulations to the Minister of Transport within 75 days after the date of publication of this notice. All such representations must cite the *Canada Gazette*, Part I, and the date of publication of this notice, and be sent to Winson Ng, Senior Regulatory Development Engineer, Road Safety and Motor Vehicle Regulation Directorate, Department of Transport, Place de Ville, Tower C, 8th Floor, 330 Sparks Street, Ottawa, Ontario K1A 0N5 (Tel: (613) 998-1949; fax: (613) 990-2913; e-mail: ngwk@tc.gc.ca).

Persons making representations should identify any of those representations the disclosure of which should be refused under the *Access to Information Act*, in particular under sections 19 and 20 of that

Act, and should indicate the reasons why and the period during which the representations should not be disclosed. They should also identify any representations for which there is consent to disclosure for the purposes of that Act.

Ottawa, March 21, 2005

EILEEN BOYD  
*Assistant Clerk of the Privy Council*

**REGULATIONS AMENDING THE MOTOR VEHICLE SAFETY REGULATIONS (DIVERSE AMENDMENTS) AND THE MOTOR VEHICLE TIRE SAFETY REGULATIONS, 1995**

**AMENDMENTS**

*Motor Vehicle Safety Regulations*

**1. Paragraph 6(1)(f) of the *Motor Vehicle Safety Regulations* ([see footnote 7](#)) is amended by striking out the word "and" at the end of subparagraph (xx) and by replacing subparagraph (xxi) with the following:**

(xxi) "TWV/VTR" to refer to a three-wheeled vehicle, and

(xxii) "SNO/MNG" to refer to a snowmobile;

**2. Subparagraph 6.2(1)(f)(ii) of the Regulations is replaced by the following:**

(ii) the information need not appear on the label if it is set out on the placard referred to in subsection 110(5) of Schedule IV or on the label referred to in subsection 120(14) of Schedule IV; and

**3. (1) Paragraph 120(6)(a) of Schedule IV to the Regulations is amended by striking out the word "or" at the end of subparagraph (v) and by replacing subparagraph (vi) with the following:**

(vi) "S", if the nominal dimensions are published by the South African Bureau of Standards, or

(vii) "N", if the nominal dimensions are contained in the document that is referred to in paragraph 1(1)(b) of Schedule IV or paragraph 1(1)(a) of Schedule V to the *Motor Vehicle Tire Safety Regulations, 1995* and required to be provided under subsection 7(1) of those Regulations;

**(2) The portion of subsection 120(12) of Schedule IV to the Regulations before paragraph (b) is replaced by the following:**

(12) Subject to subsection (14), the compliance label or information label required by these Regulations shall display, after each GAWR,

(a) the size designation of tires appropriate for that GAWR, followed by the load range of the tires if it is marked on their sidewalls in accordance with the *Motor Vehicle Tire Safety Regulations, 1995*;

**4. (1) The portion of paragraph 210.2(2)(c) of Schedule IV to the Regulations before**

**subparagraph (i) is replaced by the following:**

(c) a vehicle that is not equipped with a manual cut-off switch to deactivate the frontal air bag that is installed at the right front outboard designated seating position when any restraint system or booster cushion is installed and

**(2) Subsection 210.2(8) of Schedule IV to the Regulations is replaced by the following:**

(8) If the distance between the rearward surface of the front seat back and the forward surface of the rear seat back is less than 720 mm, as measured in accordance with Figure 6, a lower universal anchorage system may be installed in a designated passenger seating position in the first row of designated seating positions instead of in the second row of designated seating positions if the vehicle is equipped with the manual cut-off switch referred to in paragraph (2)(c).

**5. Subsections 301.2(1.1) and (1.2) of Schedule IV to the Regulations are replaced by the following:**

(1.1) Instead of being tested in accordance with subparagraph (1)(a)(ii), a vehicle referred to in subsection (1) may be tested in accordance with paragraph S6.2(b) of TSD 301, except for the fuel spillage requirements, under the applicable conditions set out in sections 3.2 to 3.4 of *Test Method 301.2 – CNG Fuel System Integrity* (February 28, 2004) and paragraph S7.3(b) of TSD 301.

(1.2) Instead of being tested in accordance with subparagraph (1)(a)(iii), a vehicle referred to in subsection (1) may be tested in accordance with paragraph S6.3(b) of TSD 301, except for the fuel spillage requirements, under the applicable conditions set out in sections 3.2 to 3.4 of *Test Method 301.2 – CNG Fuel System Integrity* (February 28, 2004) and paragraph S7.2(b) of TSD 301.

**6. The Regulations are amended by replacing the expression "(October 15, 1996)" with the expression "(March 1, 2004)" wherever it occurs in the following provisions:**

**(a) the definition "dBA" in section 1 of Schedule V.1;**

**(b) subparagraph 2(b)(i) of Schedule V.1; and**

**(c) section 5 of Schedule V.1.**

*Motor Vehicle Tire Safety Regulations, 1995*

**7. Paragraph 1(1)(d) of Schedule IV to the *Motor Vehicle Tire Safety Regulations, 1995* ([see footnote 8](#)) is replaced by the following:**

(d) have a maximum permissible inflation pressure of 220, 240, 250, 275, 280, 300, 340, 350 or 415 kPa (32, 35, 36, 40, 41, 44, 50, 51 or 60 p.s.i.);

COMING INTO FORCE

**8. (1) These Regulations, except for section 1, come into force on the day on which they are registered.**

**(2) Section 1 comes into force on January 1, 2006.**

[Footnote 1](#)

C.R.C., c. 1038

[Footnote 2](#)

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[Footnote 3](#)

The CVMA represents DaimlerChrysler Canada Inc., Ford Motor Company of Canada, Limited, General Motors of Canada Limited, International Truck and Engine Corporation Canada, and Volvo Cars of Canada Ltd.

[Footnote 4](#)

The AIAMC represents the following automotive manufacturers and importers: BMW Canada Inc.; Daewoo Auto Canada Inc.; Honda Canada Inc.; Hyundai Auto Canada; Kia Canada Inc.; Mazda Canada Inc.; Mercedes-Benz Canada Inc.; Mitsubishi Motor Sales of Canada, Inc.; Nissan Canada Inc.; Porsche Cars Canada Ltd.; Subaru Canada Inc.; Suzuki Canada Inc.; Toyota Canada Inc.; and Volkswagen Canada Inc.

[Footnote 5](#)

The AAM represents BMW Group, DaimlerChrysler, Ford Motor Company, General Motors, Mazda North American Operations, Mitsubishi Motor Sales of America, Inc., Nissan, Porsche Cars North America, Inc., Toyota, and Volkswagen of America, Inc.

[Footnote 6](#)

The Juvenile Product Manufacturers Association represents the manufacturers and importers of infant and child restraint systems.

[Footnote a](#)

S.C. 1993, c. 16

[Footnote b](#)

S.C. 1999, c. 33, s. 351

[Footnote 7](#)

C.R.C., c. 1038

[Footnote 8](#)



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