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ONTARIO REGULATION 417/22

made under the

TOWING AND STORAGE SAFETY AND ENFORCEMENT ACT, 2021

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INTERPRETATION

Interpretation

1. (1) In this Regulation,

“CVOR certificate” has the same meaning as in the *Highway Traffic Act*.

(2) An applicant or certificate holder is related to a person for the purposes of sections 6 and 16 if,

- (a) they are related individuals;
- (b) either of them is a partner of the other or was a partner of the other or they have or have had partners in common;
- (c) either of them, directly or indirectly, controls or controlled or manages or managed the other; or
- (d) they have or have had common officers or directors or they are or have been controlled, directly or indirectly, by the same shareholders.

(3) Any reference in this Regulation to a conviction or discharge for an offence under the *Criminal Code* (Canada) includes a conviction or discharge for the corresponding offence under the *National Defence Act* (Canada).

(4) This Regulation applies to a person who has been granted a discharge under the *Criminal Code* (Canada) or a disposition or sentence imposed under the *Youth Criminal Justice Act* (Canada) in the same manner as if the person had not been granted the discharge, disposition or sentence.

Disqualifying record of convictions or charges

2. A person has a disqualifying record of convictions or charges if,

(a) the person has ever been convicted or found guilty of an offence under any of the following provisions of the *Criminal Code* (Canada), or of a comparable offence in another jurisdiction:

- (i) Part II.1 (Terrorism),
- (ii) Part V (Sexual offences), other than section 163, 167, 168, 173 or 174 to 182, or
- (iii) section 219, 220, 221, 222, 235, 236, 239, 240, 241, 244, 245, 246, 248, 268, 269.1, 271, 272, 273, 279, 279.01 or 279.011 of Part VIII (Offences against the person);

(b) the person has been convicted or found guilty in the preceding five years of an offence under any of the following sections of the *Criminal Code* (Canada), or of a comparable offence in another jurisdiction:

- (i) Part III (Firearms and other weapons),
- (ii) section 163, 167, 168 or 173 of Part V (Sexual offences),
- (iii) section 213 of Part VII (Offering, providing or obtaining sexual services for consideration),
- (iv) sections 264.1 to 286.1 of Part VIII (Offences against the person), other than section 268, 269.1, 271, 272, 273, 279, 279.01 or 279.011,
- (v) Part VIII.1 (Offences relating to conveyances),

- (vi) Part IX (Offences against rights of property),
- (vii) Part X (Fraudulent transactions),
- (viii) Part XI (Wilful and forbidden acts in respect of certain property), or
- (ix) Part XII (Offences relating to currency);
- (c) the person has been convicted or found guilty in the preceding ten years of an offence under section 5, 6, 7 or 7.1 of the *Controlled Drugs and Substances Act* (Canada), or of a comparable offence in another jurisdiction; or
- (d) the person is subject to a court order, conditions of parole or an undertaking to an officer in charge prohibiting him or her from,
 - (i) possessing a weapon, or
 - (ii) being alone with, in the presence of or in proximity to persons under any age that may be specified in the order, conditions or undertaking.

GENERAL REQUIREMENTS FOR CERTIFICATES

Application

3. (1) An applicant for the issuance or renewal of a tow certificate, tow driver's certificate or vehicle storage certificate shall submit an application in a form approved by the Director, together with any fees that may be prescribed and any other document or information that the Director may require as evidence that the applicant meets the prescribed qualifications and requirements.

(2) An applicant shall include on the application,

- (a) the applicant's complete legal name; and
- (b) all names registered under the *Business Names Act* by the applicant, if the applicant is a tow operator or vehicle storage operator.

Term of initial certificate

4. The term of an initial tow certificate, tow driver's certificate or vehicle storage certificate shall be for a period of between 12 and 36 months.

Renewal of certificate

5. (1) Every renewal of a tow certificate shall be for a term of one year.

(2) Every renewal of a tow driver's certificate shall be for a term of three years.

(3) Every renewal of a vehicle storage certificate shall be for a term of one year.

(4) A certificate that is not renewed within three years after its most recent expiry is not renewable.

TOW CERTIFICATES

Qualifications and requirements for certificate

6. The qualifications and requirements for the issuance or renewal of a tow certificate are as follows:

1. The applicant,
 - i. has a CVOR certificate that is not suspended or cancelled, or
 - ii. in the case of an applicant that is exempt from the requirement for a CVOR certificate under s. 1.1 of Ontario Regulation 424/97 (Commercial Motor Vehicle Operators' Information) made under the *Highway Traffic Act*, has a valid safety fitness certificate, within the meaning of the *Motor Vehicle Transport Act* (Canada), unless the applicant is exempted from that requirement by the jurisdiction whose number plates are used on the applicant's vehicles.

2. Based on the applicant's safety record within the meaning of section 5 of Ontario Regulation 424/97 made under the *Highway Traffic Act*, there are no reasonable grounds to believe that the applicant will not provide towing services competently and safely in accordance with the Act, the regulations and other laws relating to highway safety.
3. The applicant maintains insurance coverage in the amounts required by section 52.7 of Ontario Regulation 17/05 (General) made under the *Consumer Protection Act, 2002* and section 2 of the *Compulsory Automobile Insurance Act*.
4. The applicant does not have a disqualifying record of convictions and charges under section 2.
5. If the applicant is an individual, the applicant is a fit and proper person to be a tow operator, having regard to the applicant's character, integrity and past conduct.
6. If the applicant is a corporation, the officers and directors of the corporation meet the qualifications and requirements set out in paragraphs 4 and 5.
7. Any person related to the applicant meets the qualifications and requirements of paragraphs 4 and 5.

Exemptions

7. (1) Where a tow truck is being operated under the authority of a service permit and number plate under section 13.1 of Regulation 628 of the Revised Regulations of Ontario, 1990 (Vehicle Permits), made under the *Highway Traffic Act*, for a purpose set out in clause 13.1 (3) (a) of that Regulation, the person to whom the service permit and number plate has been issued is not required to have a tow certificate.

(2) The following motor vehicles are not required to be operated under the authority of a tow certificate:

1. An off-road vehicle, as defined in section 1 of the *Off-Road Vehicles Act*.
2. A motor vehicle that is used for personal purposes only and that is used infrequently to tow, for no compensation, another motor vehicle that is also used for personal purposes only.
3. A motor home that is used for personal purposes only and that is towing another motor vehicle that is for the use of the driver of the motor home for personal purposes only.
4. A commercial motor vehicle, as defined in subsection 1 (1) of the *Highway Traffic Act*, towing one or more motor vehicles using the saddlemount configuration.

Conditions

8. (1) The following condition applies to every tow certificate in addition to any other condition attached to the certificate pursuant to subsection 6 (1) or (2) of the Act:

1. The certificate holder must monitor and maintain an email address for the purposes of receiving correspondence from the Ministry.

(2) Where the Director, in issuing a tow certificate, attaches a condition to it pursuant to subsection 6 (1) of the Act, the Director is not required to provide notice or reasons to the applicant.

(3) If the Director proposes to amend a tow certificate pursuant to subsection 6 (3) of the Act by varying a condition or attaching a new condition, the Director shall notify the certificate holder in writing of the proposal together with the effective date and a summary of reasons.

(4) Within 30 days after being notified of the Director's proposal under subsection (3), the certificate holder may make written submissions respecting the proposal.

(5) The Director shall review and consider any information submitted under subsection (4) before making a decision on whether to vary a condition or attach a new condition.

(6) A condition takes effect starting on the effective date specified in the notice referred to in subsection (3) unless the certificate holder makes a submission under subsection (4), in which case it takes effect in accordance with the decision made by the Director under subsection (5).

(7) There is no right to appeal a decision of the Director under this section.

Tow operator requirements

9. (1) A tow certificate holder shall, within 15 days, notify the Director of any change to,

- (a) the holder's name or address;
- (b) the particulars of the holder's insurance; and
- (c) where applicable, the officers or directors of the holder.

(2) If, in the tow certificate holder's application for a tow certificate, the holder was required to provide information about any relationships to other businesses, the holder shall notify the Director within 15 days of any changes to the information.

(3) The Director may at any time request that a tow certificate holder confirm whether the information that the Director has in the Director's records for the holder is accurate and update any information that is no longer accurate, and the holder shall, within 15 days, comply with the request.

(4) If a tow certificate holder has physical premises in Ontario from which the holder provides towing services, the holder shall inform the Ministry of the location of the premises.

(5) A tow certificate holder shall ensure that a copy of the tow certificate is kept in each tow truck the holder operates.

(6) A tow certificate holder shall keep a record of qualifications for each tow truck driver employed or engaged by the holder including,

- (a) a copy of the tow truck driver's licence; and
- (b) a copy of the tow driver's certificate.

Refusal to issue or renew; revocation or suspension

10. (1) The Director may refuse to issue or renew a tow certificate under clause 5 (3) (b) of the Act or may revoke or suspend the certificate under subsection 7 (1) of the Act for the following reasons:

1. The certificate holder did not meet a qualification or requirement set out in paragraph 1, 2, 3 or 4 of section 6 on the date the application for the certificate was made or the date the certificate was issued.
2. The certificate holder did not meet a qualification or requirement set out in paragraph 5, 6 or 7 of section 6 on the date the application for the certificate was made or the date the certificate was issued.
3. The certificate holder ceased to meet a qualification or requirement set out in paragraph 1, 2, 3 or 4 of section 6 after the certificate was issued.
4. The certificate holder ceased to meet a qualification or requirement set out in paragraph 5, 6 or 7 of section 6 after the certificate was issued.
5. The certificate was issued subject to terms or conditions and a term or condition has not been met.
6. The certificate holder's CVOR certificate has been suspended or cancelled.
7. The certificate holder made a false or inaccurate statement on the application for the issuance or renewal of the certificate.
8. The certificate holder failed to comply with the Act or the regulations or with any provision of the *Highway Traffic Act* or regulations made under that Act applicable to the driving of tow trucks.

9. The certificate holder failed to provide towing services competently and safely in accordance with the Act, the regulations and other laws relating to highway safety.

(2) If the Director decides to refuse to issue or renew or to suspend or revoke a tow certificate under subsection (1), the Director shall notify the applicant in writing of the decision together with a summary of reasons.

(3) A decision of the Director under this section takes effect starting on the date specified in the notice.

(4) An applicant for a tow certificate or a tow certificate holder has no right to be heard before the Director makes the following decisions and has no right to appeal the decision:

1. A decision to refuse to issue a tow certificate for a reason set out in paragraph 1 or 6 of subsection (1).

2. A decision to refuse to renew or to suspend or revoke a tow certificate for a reason set out in paragraph 3 or 6 of subsection (1).

(5) A holder of a suspended tow certificate shall not provide the services authorized by the certificate while the suspension is in effect.

TOW DRIVER'S CERTIFICATES

Qualifications and requirements for certificate

11. (1) The qualifications and requirements for the issuance or renewal of a tow driver's certificate are as follows:

1. The applicant is,

i. a fully licensed driver under Ontario Regulation 340/94 (Drivers' Licences) made under the *Highway Traffic Act*, or

ii. the holder of a valid, equivalent driver's licence from another jurisdiction to whom an exemption under section 34 of that Act applies.

2. The applicant's driver's licence has not been under suspension at any time in the preceding two years,

i. pursuant to section 48, 48.0.4, 48.2.2, 48.3, 48.3.1 or subsection 172 (9) of the *Highway Traffic Act*,

ii. as a result of being convicted or found guilty of an offence under section 9 or 53, subsection 128 (15), section 130, subsection 172 (2) or section 200 or 216 of that Act,

iii. as a result of being convicted or found guilty of an offence under section 2 of the *Compulsory Automobile Insurance Act*, or

iv. as a result of being convicted or found guilty of an offence under the *Criminal Code* (Canada) committed by means of a motor vehicle or while driving or having the care or control of a motor vehicle, or of a comparable offence in another jurisdiction.

3. Where the applicant has a licence issued by another jurisdiction, the applicant's driving record in that jurisdiction is comparable to that required by paragraph 2.

4. The applicant does not have a disqualifying record of convictions and charges under section 2.

5. The applicant has successfully completed, not more than three years before the date of the application, a tow truck driver training course referred to in subsection (2).

6. The applicant is a fit and proper person to be a tow truck driver, having regard to the applicant's character, integrity and past conduct.

(2) The Director may set or approve tow truck driver training courses for the purpose of testing knowledge of the safe driving of tow trucks and of the statutory and regulatory requirements applicable to the driving of tow trucks.

(3) If a driver successfully completed a course before the day this section came into force but not more than three years before the date of the application, and the Director considers the course to be equivalent to the course referred to in subsection (2), the Director may consider the applicant to have met the requirement set out in paragraph 5 of subsection (1).

(4) The Director may require a tow driver's certificate holder to retake a training course if the Director is of the view that the holder does not drive tow trucks competently and safely in accordance with the Act, the regulations and other laws relating to highway safety.

Exemption re service permits

12. (1) A person who is driving a tow truck under the authority of a service permit and number plate under section 13.1 of Regulation 628 (Vehicle Permits), made under the *Highway Traffic Act*, for a purpose set out in clause 13.1 (3) (a) of that Regulation is not required to have a tow driver's certificate.

(2) A person driving a motor vehicle described in subsection 7 (2) of this Regulation is not required to have a tow driver's certificate.

Conditions

13. (1) The following conditions apply to every tow driver's certificate in addition to any other condition attached to the certificate pursuant to subsection 6 (1) or (2) of the Act:

1. The certificate holder must have the appropriate class of driver's licence for the tow truck being operated.
2. The certificate holder must ensure that copies of their tow driver's certificate and of the tow operator's tow certificate and CVOR certificate are in the tow truck at all times.
3. The certificate holder must monitor and maintain an email address for the purposes of receiving correspondence from the Ministry.

(2) Where the Director, in issuing a tow driver's certificate, attaches a condition to it pursuant to subsection 6 (1) of the Act, the Director is not required to provide notice or reasons to the applicant.

(3) If the Director proposes to amend a tow driver's certificate pursuant to subsection 6 (3) of the Act by varying a condition or attaching a new condition, the Director shall notify the certificate holder in writing of the proposal together with the effective date and a summary of reasons.

(4) Within 30 days after being notified of the Director's proposal under subsection (3), the certificate holder may make written submissions respecting the proposal.

(5) The Director shall review and consider any information submitted under subsection (4) before making a decision on whether to vary a condition or attach a new condition.

(6) A condition takes effect starting on the effective date specified in the notice referred to in subsection (3) unless the certificate holder makes a submission under subsection (4), in which case it takes effect in accordance with the decision made by the Director under subsection (5).

(7) There is no right to appeal a decision of the Director under this section.

Tow driver requirements

14. (1) The following are prescribed for the purposes of section 13 of the Act as documents that a person referred to in that section must surrender on the demand of a police officer or inspector:

1. The tow driver's certificate.
2. Documents in the person's possession relating to,

- i. the ownership and driving of the tow truck,
- ii. the tow operator's tow certificate and CVOR certificate,
- iii. the ownership of the towed vehicle, and
- iv. the current trip or tow.

(2) If a person is required to surrender a document and the document is in an electronic format, the person shall, at their option, either,

- (a) produce or surrender a printed copy of the document; or
- (b) produce an electronic display of the document that is,
 - (i) in a format so that it is readable from outside the vehicle,
 - (ii) complete, as required by law, and
 - (iii) unaltered in its final form.

(3) The tow driver's certificate holder must notify the Director of any change in the holder's name, address or qualifications within 15 days of the change occurring and must provide the Director with any documents relating to those particulars that the Director requests.

(4) If, in their application for a tow driver's certificate, a tow driver was required to provide information about any relationships to other businesses, the tow driver shall notify the Director within 15 days of any changes to the information.

Refusal to issue or renew; revocation or suspension

15. (1) The Director may refuse to issue or renew a tow driver's certificate under clause 5 (3) (b) of the Act or may revoke or suspend the certificate under subsection 7 (1) of the Act for the following reasons:

1. The certificate holder did not meet a qualification or requirement set out in paragraph 1, 2, 3, 4 or 5 of subsection 11 (1) on the date the application for the certificate was made or the date the certificate was issued.
2. The certificate holder did not meet a qualification or requirement set out in paragraph 6 of subsection 11 (1) on the date the application for the certificate was made or the date the certificate was issued.
3. The certificate holder ceased to meet a qualification or requirement set out in paragraph 1, 2, 3, 4 or 5 of subsection 11 (1) after the certificate was issued.
4. The certificate holder ceased to meet a qualification or requirement set out in paragraph 6 of subsection 11 (1) after the certificate was issued.
5. The certificate holder made a false or inaccurate statement on the application for the issuance or renewal of the certificate.
6. The certificate holder failed to comply with the Act or the regulations or with any provision of the *Highway Traffic Act* or regulations made under that Act applicable to the driving of tow trucks.
7. The certificate holder failed to drive tow trucks or provide towing services competently and safely in accordance with the Act, the regulations and other laws relating to highway safety.
8. The tow driver's certificate expired more than three years before the application for renewal was received by the Director.
9. The certificate holder's driver's licence has been cancelled or suspended or otherwise ceases to be valid.
10. The certificate holder fails to retake a training course after being ordered to do so or fails to pass it.

(2) An applicant for a tow driver's certificate has no right to be heard before the Director decides to refuse to issue the certificate for a reason set out in paragraph 1, 8 or 9 of subsection (1).

(3) If the Director proposes to refuse to issue a tow driver's certificate for a reason set out in paragraph 2 of subsection (1), the Director shall notify the applicant in writing of the proposal together with a summary of reasons.

(4) A tow driver's certificate holder has no right to be heard before the Director decides to refuse to renew or to suspend or revoke the tow driver's certificate for a reason set out in 3, 8, 9 or 10 of subsection (1), but the Director shall notify the holder in writing of the decision together with the effective date and a summary of reasons.

(5) If the Director proposes to refuse to renew or to suspend or revoke a tow driver's certificate for a reason set out in paragraph 4, 5, 6, or 7 of subsection (1), the Director shall notify the certificate holder in writing of the proposal together with the effective date and a summary of reasons.

(6) Within 30 days after being notified of the Director's proposal under subsection (3) or (5), the person may make written submissions respecting the proposal.

(7) The Director shall review and consider any information submitted under subsection (6) before making a decision.

(8) A decision of the Director under this section takes effect starting on the effective date specified in the notice referred to in subsection (5) unless the certificate holder makes a submission under subsection (6), in which case it takes effect in accordance with the decision made by the Director under subsection (7).

(9) There is no right to appeal a decision of the Director under this section.

(10) A holder of a suspended tow driver's certificate shall not provide the services authorized by the certificate while the suspension is in effect.

VEHICLE STORAGE CERTIFICATES

Qualifications and requirements for certificate

16. The qualifications and requirements for the issuance or renewal of a vehicle storage certificate are as follows:

1. The applicant has an office with a physical location in Ontario.
2. The applicant maintains insurance coverage in the amounts required by section 52.7 of Ontario Regulation 17/05 (General) made under the *Consumer Protection Act, 2002* and section 2 of the *Compulsory Automobile Insurance Act*.
3. The applicant does not have a disqualifying record of convictions and charges under section 2.
4. If the applicant is an individual, the applicant is a fit and proper person to be a vehicle storage operator, having regard to the applicant's character, integrity and past conduct.
5. If the applicant is a corporation, the officers and directors of the corporation meet the qualifications and requirements set out in paragraphs 3 and 4.
6. Any person related to the applicant meets the qualifications and requirements set out in paragraphs 3 and 4.

Conditions

17. (1) The following conditions apply to every vehicle storage certificate in addition to any other condition attached to the certificate pursuant to subsection 6 (1) or (2) of the Act:

1. The certificate holder must monitor and maintain an email address for the purposes of receiving correspondence from the Ministry.

(2) Where the Director, in issuing a vehicle storage certificate, attaches a condition to it pursuant to subsection 6 (1) of the Act, the Director is not required to provide notice or reasons to the applicant.

(3) If the Director proposes to amend a vehicle storage certificate pursuant to subsection 6 (3) of the Act by varying a condition or attaching a new condition, the Director shall notify the certificate holder in writing of the proposal together with the effective date and a summary of reasons.

(4) Within 30 days after being notified of the Director's proposal under subsection (3), the certificate holder may make written submissions respecting the proposal.

(5) The Director shall review and consider any information submitted under subsection (4) before making a decision on whether to vary a condition or attach a new condition.

(6) A condition takes effect starting on the effective date specified in the notice referred to in subsection (3) unless the certificate holder makes a submission under subsection (4), in which case it takes effect in accordance with the decision made by the Director under subsection (5).

(7) There is no right to appeal a decision of the Director under this section.

Vehicle storage operator requirements

18. (1) A vehicle storage certificate holder shall, within 15 days, notify the Director of any change to,

- (a) the holder's name or address;
- (b) the particulars of the holder's insurance; and
- (c) where applicable, the officers or directors of the holder.

(2) If, in a vehicle storage operator's application for a vehicle storage certificate, the holder was required to provide information about any relationships to other businesses, the holder shall notify the Director within 15 days of any changes to the information.

(3) The Director may at any time request that a vehicle storage certificate holder confirm whether the information that the Director has in the Director's records for the holder is accurate and update any information that is no longer accurate, and the holder shall, within 15 days, comply with the request.

(4) A vehicle storage certificate holder shall inform the Ministry of the location of all premises in Ontario from which the holder provides vehicle storage services.

(5) A vehicle storage certificate holder shall post or display, at all premises from which the holder provides vehicle storage services in a conspicuous place so that the public is likely to see it,

- (a) a copy of the vehicle storage certificate; and
- (b) an immovable sign that displays the legal name of the holder.

Refusal to issue or renew; revocation or suspension

19. (1) The Director may refuse to issue or renew a vehicle storage certificate under clause 5 (3) (b) of the Act or may revoke or suspend the certificate under subsection 7 (1) of the Act for the following reasons:

1. The certificate holder did not meet a qualification or requirement set out in paragraph 1, 2 or 3 of section 16 on the date the application for the certificate was made or the date the certificate was issued.
2. The certificate holder did not meet a qualification or requirement set out in paragraph 4, 5 or 6 of section 16 on the date the application for the certificate was made or the date the certificate was issued.
3. The certificate holder ceased to meet a qualification or requirement set out in paragraph 1, 2 or 3 of section 16 after the certificate was issued.

4. The certificate holder ceased to meet a qualification or requirement set out in paragraph 4, 5 or 6 of section 16 after the certificate was issued.
5. The certificate was issued subject to terms or conditions and a term or condition has not been met.
6. The certificate holder made a false or inaccurate statement on the application for the issuance or renewal of the certificate.
7. The certificate holder failed to comply with the Act or the regulations or with any provision of the *Highway Traffic Act* or regulations made under that Act applicable to vehicle storage facilities and their operation.
8. The certificate holder failed to provide vehicle storage services competently and safely in accordance with the Act and the regulations.

(2) If the Director decides to refuse to issue or renew or to suspend or revoke a vehicle storage certificate under subsection (1), the Director shall notify the applicant in writing of the decision together with a summary of reasons.

(3) A decision of the Director under this section takes effect starting on the date specified in the notice.

(4) An applicant for a vehicle storage certificate or a vehicle storage certificate holder has no right to be heard before the Director makes the following decisions and has no right to appeal the decision:

1. A decision to refuse to issue a vehicle storage certificate for a reason set out in paragraph 1 of subsection (1).
2. A decision to refuse to renew or to suspend or revoke a vehicle storage certificate for a reason set out in paragraph 3 of subsection (1).

(5) A holder of a suspended vehicle storage certificate shall not provide the services authorized by the certificate while the suspension is in effect.

APPEALS

Decisions that can be appealed

20. (1) The following decisions made by the Director may be appealed to the Licence Appeal Tribunal:

1. A decision made under subsection 10 (1) in respect of a failure to meet a qualification or requirement set out in paragraph 2 of that subsection.
2. A decision made under subsection 10 (1) in respect of a reason set out in paragraph 4, 5, 7, 8 or 9 of that subsection.
3. A decision made under subsection 19 (1) in respect of a failure to meet qualification or requirement set out in paragraph 2 of that subsection.
4. A decision made under subsection 19 (1) in respect of a reason set out in paragraph 4, 5, 6, 7 or 8 of that subsection.

Appeals

(2) An appeal to the Licence Appeal Tribunal shall be commenced by filing with the Tribunal a notice of appeal, together with the fee established by the Tribunal, within 15 days after the day the decision of the Director takes effect.

Parties

(3) The parties to the appeal are the Director and the applicant or certificate holder.

Hearing date

(4) If the person submits a written request for a hearing within the allowed time, the Licence Appeal Tribunal shall hold a hearing.

Immediate suspension, revocation of certificate not stayed

(5) Despite the *Statutory Powers Procedure Act*, the filing of an appeal under subsection (2) does not stay the decision, unless the Licence Appeal Tribunal orders otherwise.

Powers of Tribunal

(6) The Licence Appeal Tribunal may confirm, modify or set aside the decision of the Director.

ADMINISTRATION

Notice

21. (1) Under this Regulation, notice is sufficiently given if it is emailed, couriered, delivered personally or mailed to the latest address of the person on the records of the Ministry or to another address at which there is reason to believe the person may be found.

When notice received

(2) Notice shall be deemed to have been received,

- (a) on the day it was delivered personally;
- (b) on the fifth day after it was couriered;
- (c) on the fifth day after it was mailed; or
- (d) on the day after it was sent by email.

Deemed received

(3) If the day described in clause (2) (b), (c) or (d) is a holiday, the notice shall be deemed to have been received on the next day that is not a holiday.

Email

(4) For the purposes of clause (2) (d), an email sent to the person at the most recent email address for the person in the Ministry's records is sufficient giving of notice.

Personal information

22. For the purposes of subsection 52 (1) of the Act, the prescribed purposes are,

- (a) to assist with the enforcement of the Act;
- (b) to assist the Director in making decisions on the issuance, renewal, suspension or revocation of certificates; and
- (c) to assist the Director with the administration of the Act.

Commencement

23. This Regulation comes into force on the later of the day subsection 5 (1) of Schedule 3 (*Towing and Storage Safety and Enforcement Act, 2021*) to the *Moving Ontarians More Safely Act, 2021* comes into force and the day this Regulation is filed.

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