Citation: *R. v. Belair*, 2005 ONCJ 345

JUDGMENT

2005 ONCJ 345 (CanLII)

Cornwall, Ontario
Ontario Court of Justice

Re: **Regina v. Roger Belair**

Counsel: Ms. Ferland, barrister
for the crown

Mr. Moak, agent
for the defence

Statutes and Authority:

Constitution Act, 1867, s.92
Highway Traffic Act, R.S.O. l990, c. H.8.; s.73(3)
Provincial Offences Act, R.S.O. 1990 c.P.33.,Part I
Criminal Code, R.S.C. 1985, Chap. C-46, Part VIII

Ontario Provincial Offences Act, Murray Segal and Rick Libman, 2004, Thomson Carswell;

Cases Followed:

Giagnocavo (1995) 99 C.C.C.(3rd)383 (OCA); 974649 Ontario Inc.[2001] 3 S.C.R.575; Boise Cascade Canada Ltd.(1991)14 W.C.B. (2d) 259 (Gen.Division,Ont.Ct.); Gosselin v.Quebec[2002]4 S.C.R.429; Beare [1988]2 S.C.R. 387; 1260448 Ontario Inc. [2003] O.J.No.4306 (OCA) (dismissed by S.C.C.April,2004); Johnson v. British Columbia (Securities Commission) [1999] B.C.J.No.552 (B.C.S.C.); 94 B.C.L.R. (3rd) 233 (B.C.C.A.); Nova Scotia Pharmaceutical Society (1992) 74 C.C.C. (3rd); Gibbons [l994] N.B.J.No.296; Harbottle (1993) 84 C.C.C.(3rd) 1; Nette (2001) 3 S.C.R.488;Nova Scotia Pharmaceutical Society [1992] 2 S.C.R. 606; (1992) 74 C.C.C. (3rd) p.289; Kehoe [l990]O.J.229; 1260448 Ontario Inc. [2003] O.J.4306; Pontes [1995] 3 S.C.R.44;

12604448 Ontario Inc. [2002] O.J.2163; Horsefield 134 C.C.C.(3rd) 161; Mussani v. College of Physicians and Surgeions of Ontario [2004] O.J.No.5176; Buhlers v. British Columbia (1998) 33 M.V.R.(3rd)164(appeal dismissed without reasons: S.C.C. at [1999]S.C.C.A.No.219); Nova Scotia Pharmaceutical Society [1992] 2 S.C.R..606; Reference re Motor Vehicle Act (British Columbia) [1985]2 S.C.R.486; Pearlman v. The Manitoba Law Society Judicial Committee [1991] 2 S.C.R..869; Canadian Foundation for Children,Youth and the Law v. Canada (Attorney General) [2004]1 S.C.R.76; Nickel City Transport(Sudbury Ltd.) 14 O.R.(3rd)115; Springdale 86 Nfld.P.E.I.R.230; McQuaig [1998] A.J.639; Lovett [1986] N.B.J.No.788; Combs [1992] A.J.No.1061; Arnand N.B.J.No.440; Woodman Nfld.Prov.Ct. May 2, l995, Reid,J.; Dawe [1995] N.J.246; Richard [1996] 3 S.C.R.525; Mainstream Transportation [2001] O.J.No.5564; Condo [1999]O.J.No.1601

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Cases Referred To:

[1995]N.J.No.246; Trabulsey (l995) 97 C.C.C.(3rd) 147; Catroppa [2003] O.J.No.3814; Brown (Blencoe[2000]2 S.C.R.307; Bowman[2002]O.J.3803; Budreo(2000)46 O.R.(3rd)481; Dawe 1993) 83 C.C.C.(3rd)129; Biniaris (2000)143 C.C.C.(3rd); Ample Annie's[2001]O.J.5968; (Elections Canada)[2003]O.J.No.3939; Norkum [2004] O.J.No.3244; Miles of Music (l989) 74 O.R.(2nd) 518; Thawer [2003] A.J.Noo.1653; Doherty [1999] A.J.No.1459; Rallison [2002]O.J.No.3323

Adams, J:-

INTRODUCTION

[1] This is an appeal by the crown from a decision by the Justice of the Peace who ordered a judicial stay of proceedings due to a breach of Mr. Belaire's liberty under s.7 of the Charter and which section was not saved by s.1 of the Charter.

[2] Mr. Belaire was given a "ticket" or a "certificate of offence proceeding" for violating the colour coating section under s.73.3 of the Highway Traffic Act, R.S.O. l990, c. H.8. and pursuant to Part 1 of the Provincial Offences Act, R.S.O. 1990 c.P.33: see schedule "A" attached. After hearing the facts and argument and in lieu of granting or rejecting the set fine of $110, the trial justice ordered a judicial stay of proceedings

because of a violation of s.7 of the Charter and which said violation did not pass s.1 of the said Charter.

[3] I believe that this court has jurisdiction to hear this appeal: see the POA act, (supra), s.29; Giagnocavo (1995) 99 C.C.C.(3rd)383 (OCA); 974649 Ontario Inc.[2001] 3 S.C.R.575; Boise Cascade Canada Ltd.(1991) 14 W.C.B. (2d)259 (Gen.Division,Ont.Ct.).

[4] In my view, this is a strict liability offence. S.73 (3) HTA and Part I of the POA is not a constitutionally protected liberty interest under s.7 of the Charter. In the event of a conviction for this offence, there is no imprisonment which follows from such a violation and Mr. Belair has not proven a deprivation of his liberty from imprisonment. In the event that there was a deprivation, the doctrine of being void for vagueness does not apply.

[5] As a result, under s.138 (1) of the POA act, I would vary the decision of the trial Justice and direct a new trial in this matter.

THE FACTS:

[6] There is no issue as to the facts. On August 25th, 2004, Mr.Belair was driving a motor vehicle in Cornwall and was stopped by the police for squealing his tires. Officer Seguin said that when he looked at the vehicle both the driver and passenger windows had a “mirror like tint” and he could barely see a shape inside of the motor vehicle. A second officer, officer Hebert, said the windows were “an extremely dark tint resembling a limo tint”. Neither officers could make out the driver or passenger(s), if any, until the window was lowered. Mr. Belair indicated that he had the 35% tint installed in the windows by a third party and admitted that if the sun was shining in the back of the vehicle then a person was unable to see inside. He said that this tint was installed because he went to car shows; he liked the privacy; and it protected the occupants from UV rays.

THE ARGUMENTS OF THE PARTIES:

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[7] Firstly, the appellant says that s.7 of the Charter has not been breached because this violation fails to pass the first step in the s.7 analysis as required by the Supreme Court. The effect of imprisonment, if any, is too remote to engage the liberty interest. However, in the event that the liberty interest of Mr. Belair is engaged, the principles of fundamental justice have not been met and s.73(3) is not impermissibly vague. Further, the wrong test was applied for vagueness by the trial justice. As a result, the matter should be returned for trial.

[8] The respondent says that there is a possibility of imprisonment under the POA for failure to pay a monetary penalty if convicted under the tinting section, s.73.3, of the HTA. Second, s.73.3 of the HTA is impermissibly vague and violates s. 7 of the Charter and cannot be saved by s.1 of the Charter.

DECISION OF THE JUSTICE OF THE PEACE:

[9] In a very thoughtful judgment, Her Worship clearly considered the arguments of both the Crown and the agent for Mr. Belair.

[10] The defence raised the issue of vagueness as a violation under s.7 of the Charter. The crown argued that that the interpretation of the section was sensible and therefore legal.

[11] The justice concluded that the section was too vague. It had no legal standard to meet and no regulatory standard to follow. The test, therefore, was subjective in nature and the court followed the decision of Justice Cain in Gibbons [l994] N.B.J.No.296 from the New Brunswick Provincial Court. The section violates s.7 of the Charter and cannot be saved by s.1 of the Charter.

[12] In fairness to the justice, however, the arguments of both parties were restricted only to the question of vagueness and that issue alone. And in Gibbons it should be noted that judge Cain also considered only the issue of vagueness.

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ANALYSIS:

ABSOLUTE OR STRICT LIABILITY:

[13] S.73 of the Highway Traffic Act (supra) reads as follows:

> **Colour coating obscuring interior**
>
> (3) No person shall drive on a highway a motor vehicle on which the surface of the windshield or of any window to the direct left or right of the driver's seat has been coated with any coloured spray or other coloured or reflective material that substantially obscures the interior of the motor vehicle when viewed from outside the motor vehicle. R.S.O. 1990, c. H.8, s. 73 (3).

[14] The section is part of the Equipment Section under the said Act, s.VI, and which regulates things such as lamps on vehicles; lighted streets; possession of red lights on vehicles; visibility of lights; brakes; windshield wipers; mirrors; speedometers; wheels; safety glass; mufflers; alarm bells; televisions in vehicles; and various others.

[15] As Justice Tarnopolsky confirmed in Nickel City Transport(Sudbury Ltd.) 14 O.R.(3rd)115, there are three types of offences: criminal, strict liability and absolute liability. These offences were defined by Dickson, J. in City of Sault St.Marie(1978) 2 S.C.R.1299 and also in Pontes [1995] 3 S.C.R.44.

[16] The Court of Appeal said in Kurtzman (1991) 4 O.R.(3rd)417 at p.423:

> It is clear from the Supreme Court decisions in Sault St.Marie and Chapin, that public welfare offences such as those created by the Highway Traffic Act are prima facie offences of strict liability and that absolute liability offences will be exceptional and will only be recognized in the face of clear legislative direction.

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[17] Although the definition of window tinting is not universal there have been definitions throughout the country and they have been decided to be both strict liability and absolute liability. As strict liability (with fault and induced error): Springdale 86 Nfld.P.E.I.R.230; McQuaig [1998] A.J.639; Lovett [1986] N.B.J.No.788; Combs [1992] A.J.No.1061; Arnand N.B.J.No.440. As absolute liability (without fault; fair notice): Woodman Nfld.Prov.Ct. May 2, l995, Reid,J.; Dawe [1995] N.J.246; Gibbons [1994] N.B.J.No.296.

[18] In the Ontario s.73 (3) HTA offence, there has to be proof that the accused is the driver of the motor vehicle. There has to be credibly acceptable evidence of actual coating of the windows and evidence of viewing from the outside of the vehicle. And the tinting must be an act which substantially obscures the viewing of the interior. The prosecution has the necessity of proving a prima facie case. It is then available to the person charged to avoid a guilty finding by showing that reasonable care was taken under the circumstances and that the test of the prosecution has not been met. The defence of due diligence is available.

[19] This is not a mistake in law but rather is a factual issue. And in Mr. Belaire's case, the court has heard both a prima facie case and evidence relating to the tinting of his windows. The final determination by the justice about what a reasonable person would have done in these circumstances is based upon her judicial findings on those facts: Nickel City Transport (Sudbury Ltd.) (supra); Pontes (supra). Consequently, I am of the opinion that s.73 (3) HTA is a strict liability offence.

STEP ONE:

HOW IS S.7 OF THE CHARTER ENGAGED

[20] It is my view that s.7 of the Charter is not engaged with s.73 (3) of the HTA and part I of the POA.

[21] In Horsefield (1999)134 C.C.C.(3rd) 161, Finlayson, J. speaking for the Ontario Court of Appeal, said the following:

> The Supreme Court of Canada has ruled conclusively that the right

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> to build and operate highways, including the right to provide for the circulation and safety of traffic, is wholly within the purview of the provinces under one or more heads of s.92 of the Constitution Act, 1867. As for the Charter argument, the weight of judicial authority is against the conclusion that the right to drive a motor vehicle is a liberty within the meaning of s. 7. Accordingly, it is not a constitutionally protected interest.

[22] And in Buhlers v. British Columbia (1998) 33 M.V.R.(3rd)164(appeal dismissed without reasons:[1999]S.C.C.A.No.219) the Court held that "the right or privilege to drive a motor vehicle on a public highway is not a liberty protected by s.7". And further "It is not a matter that is fundamental or inherently personal to the individual. *It is not a matter that goes to the root of a person's dignity and independence. To hold otherwise would trivialize the liberty sought to be protected by s.7*". (emphasis mine).

[23] Only a year later, the Ontario Court of Appeal, in Condo [1999]O.J.No.1601, confirmed that the right to drive was not a liberty within the meaning of s.7 of the Charter and that Horsefield (supra) was dispositive of that issue.

[24] In the present case, Mr. Belair is charged under s.73(3) of the HTA not for his right to drive a motor vehicle but because of the way he has his windows tinted in his motor vehicle. In my view, this is a liberty interest which is even further remote than the right to drive a motor vehicle and forms part of the authority wholly within the purview of the provinces under the Constitution Act, s.92.

[25] The respondent has relied upon the decision of the New Brunswick Provincial Court in Gibbons (supra) which mentions the advantages of having a tint to the windows. The owner could protect himself from harmful rays of the sun and for personal reasons of not seeing inside the car. In my view, there are other public reasons for not allowing tinting. For example, the medic who is attending an accident must be able to see who is in a car and where those person(s) are located both for the safety of the medic and the occupant. Another example may be the driving public who sees an errant vehicle swerving from side to side and not being able to see if the driver is conscious or unconscious while on the highway. Another example might be the ability to determine the age of a

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driver. For instance, a youngster who has engaged a vehicle accidentally. And the police officer who has a plain view to obtain our security. But all of these reasons can be considered by the province for the positive advantages to the community in accordance with s.92 of the Constitution Act. And it is the legislature that has the right to administer the safety of traffic as outlined in Horsefield (supra).

[26] In 1260448 Ontario Inc. [2003] O.J.4306 (leave to appeal S.C.C.dismissed: [2004] SCCA no.8) the Court, in reviewing s.84.1 "wheels" section of the HTA which is also included in the Equipment Section of the HTA, considered the security interest under s.7 of the Charter. In adopting the decision in Blencoe[2000] 2 S.C.R.307, the Court held that a prosecution under the s.84.1 "wheels" section did not "engage the kind of exceptional state-induced psychological stress…that would trigger the security of the person". Even with the possibility of a significant fine, this offence was "…not sufficient to trigger the security interest in s.7…".

[27] I believe that the weight of the authorities suggest that a part I offence under the POA for a conviction under s.73(2) of the HTA is not exceptional and does not go to the root of a person's dignity and independence.

PENAL SECTION FOR VIOLATING S.73 (3) HTA

[28] Next, does s.73(2) HTA engage the liberty interest of the person under s.7 of the Charter because of the penal sanction for this offence?

[29] The respondent says that a conviction under s.73(3) HTA violates s.7 liberty because in the event of a conviction there is a possibility of imprisonment.

[30] First, strict liability offences may be subject to imprisonment. In speaking about the difference between strict liability and absolute liability, Cory,J. said the following: "The sole difference will be that if the offence is found to be one of strict liability, the possible sanction of a term of imprisonment may be retained": see Pontes (supra) at para.8. However, under Part I of the POA, the legislature has not legislated any

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period of imprisonment for the offence under s.73 (3) HTA and this is not a strict liability offence which is subject to imprisonment by statute.

[31] Second, there is no other period of imprisonment for violating s.73 (3) HTA and its' collection procedures.

[32] Prior to the various road statutes amended and enacted by the Provinces in order to distinguish Provincial authority from Federal authority, the Supreme Court considered the mandatory imprisonment of an absolute liability offence. In Reference re Motor Vehicle Act(British Columbia)[1985]2 S.C.R.486, the majority of the Court held that an absolute liability offence which ended in imprisonment violated s.7 of the Charter. About 10 years later, in the Court's decision in Pontes (supra), the revised and amended legislation which did not make imprisonment "automatic" and "without notice" was deemed to be appropriate.

[33] When there is an allegation for a breach under s.73(3) of the HTA, there is a commencement of proceedings by certificate of offence under Part I of the Provincial Offences Act.

[34] This is the least serious of all POA offences and is punishable by a maximum fine of $500.00.

[35] As outlined in Ontario Provincial Offences Act, 2004, Murray Segal & Rick Libman, p.1:

> As noted, Part I of the Act governs certificate of offence proceedings. This mode of procedure is less serious than commencing a proceeding by laying an information under Part III. The maximum fine under Part I is $500; ***there is no imprisonment provision***. Sworn informations are not required. It is open to the defendant to plead not guilty, dispute the charge without appearing court, plead guilty "with representations", plead guilty in writing, or be deemed not to dispute the charge where none of these options are exercised within 15 days of service of the offence notice.
>
> (emphasis mine)

[36] In Kehoe [l990]O.J.No.229, a breach of s.7 was considered under the then s.57(4) which was the unnecessary noise section. In a comprehensive review of the penalty provision, Justice Megginson rejected the suggestion of imprisonment and held that the statutory

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penalty was separated and distinguishable from the judicially supervised collection procedures.

[37] Mr. Belair, if convicted, is subject to a set fine of $90 plus an administrative cost of $20 for a total of $110 as a “set fine” under the POA.

[38] S. 2 of the POA act says the following:

> **Purpose of Act**
>
> **2.** (1) The purpose of this Act is to replace the summary conviction procedure for the prosecution of provincial offences, including the provisions adopted by reference to the *Criminal Code* (Canada), with a procedure that reflects the distinction between provincial offences and criminal offences.

[39] In the event that a fine is not paid by the offender, then s.69(1) of the POA act takes effect:

> **Default**
>
> **69.** (1) The payment of a fine is in default if any part of it is due and unpaid for fifteen days or more. 1993, c. 31, s. 1 (26).
>
> **Order on default**
>
> (2) A justice of the peace who is satisfied that payment of a fine is in default,
>
> (a) shall order that any permit, licence, registration or privilege in respect of which a suspension is authorized under any Act because of non-payment of the fine be suspended until the fine is paid;
>
> (b) shall order that any permit, licence, registration or privilege in respect of which any Act authorizes a refusal to renew, validate or issue the permit, licence, registration or privilege because of non-payment of the fine not be renewed, validated or issued until the fine is paid; and

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(c) may direct the clerk of the court to proceed with civil enforcement under section 68. 1993, c. 31, s. 1 (26)

[40] There are even further possibilities for such penalties instead of monetary penalties. Under s.67 of the POA, there is a possibility of credits for work in lieu of the fine. In the event that a fine is not acceptable, then the Fine Option Program, R.R.O. 1990, REGULATION 948, Amended to O. Reg. 925/93 Amended to O. Reg. 925/93 has been passed although it has yet seen any administrative capability due to Ontario provincial budget problems: see Wu [2003] 2 S.C.R.530 at par.54.

[41] The respondent has argued that the civil enforcement proceeding for non-payment of a fine creates imprisonment. I disagree. It is not the fine owing to the province that creates imprisonment. It is the warrant issued from a judicial officer to a person who fails to attend at a private, judicially supervised interview after clear service that may cause incarceration. And the purpose is only to convince the person who owes a debt, whether civil or otherwise, to attend before the court to be examined regarding the ability to pay and when ordered to do so.

[42] In Doherty[1999]A.J.No.1459, Justice Allen said the following to a person charged with a speeding violation:

> Mr. Doherty has chosen not to rely upon s. 7 of the Charter. That is a wise decision. Because he faced no loss of liberty he would have been precluded from alleging an infringement of that right

[43] Recently, the Ontario Court of Appeal decided that an absolute liability offence which did not impose imprisonment did not violate the security of the person under s.7 of the Charter. In 1260448 Ontario Inc. (supra), the court said the following:

> As the law now stands, a defendant alleging a violation of s. 7 must establish both a violation of the right to life, liberty or security of the person and that the deprivation of that right does not accord with the principles of fundamental justice. The defendants properly concede that since there is no possibility that an individual convicted of the offence can

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> be either imprisoned or placed on probation, s. 84.1 of the HTA does not violate any liberty interest protected by s. 7.

(Unlike s.73(3) of the HTA, however, the violation alleged in this case was an absolute liability offence against the security interest of the accused with specific statutory exemption from imprisonment.)

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[44] In my view, the sentence for violating s.73 (3) HTA and under part I of the POA is a monetary penalty or a fine and there is no imprisonment in default of payment of that fine. This is clearly distinguishable from collection procedures. And in the area of collection, just as in parking tickets, speeding and other violations, there is the appropriate judicial supervision for non-attendance at examinations to determine the ability of a person to pay a previously outstanding fine.

SUMMARY of the OFFENCE, LIBERTY, and PENALTY:

[45] My conclusion is that s.73(3) HTA is a strict liability offence. Section 7 of the Charter is not engaged with this offence as the liberty interest under the HTA and POA is not a constitutionally protected liberty interest. And in the event of a conviction for this offence, there is no imprisonment that would follow from such a violation.

STEP TWO:

VOID FOR VAGUENESS:

[46] The question of void for vagueness as it relates to the principles of fundamental justice was the issue before the trial court and was the focus of the respondent in argument on appeal. The position was that the public is unable to find a law or guidance to install tint to succeed with what is acceptable.

[47] In my view, the issue of vagueness does not apply for two reasons.

[48] First, there has been no deprivation of liberty interest to advance the argument.

[49] In Beare [1988]2 S.C.R. 387, the Supreme Court said that the violation of s.7 of the Charter was a two step process:

> The analysis of s. 7 of the Charter involves two steps. To trigger its operation there must first be a finding that there has been a deprivation of the right to "life, liberty and security of the person" and, secondly, that that deprivation is contrary to the principles of fundamental justice.

The Ontario Court of Appeal, in December 2004, reaffirmed that two-step process under s.7. Justice Blair said that the first component was the determination of a deprivation of the right to life, liberty or security of the person. And the second was to establish that this deprivation was not in accordance with the principles of fundamental justice. The onus, he said, is on the respondent to show that the deprivation of his liberty is not in accordance with the principles of fundamental justice:.see Mussani v. College of Physicians and Surgeions of Ontario [2004] O.J.No.5176.

[50] Because I have concluded that s.73(3) HTA and Part I POA is not a constitutionally protected liberty interest with a failure to show that there is a deprivation of his liberty under s.7 of the Charter, then the principle of vagueness does not apply.

[51] Second, the argument has not met the test of vagueness.

[52] In the respondents' argument, there is vagueness in s.73 (3) HTA. The tinting "substantially obscures" the viewing of the interior of the motor vehicle and is impermissible because no precise law and no regulations.

[53] Vagueness was summarized by the Supreme Court in Nova Scotia Pharmaceutical Society [1992] 2 S.C.R..606 at para.28:

> 1. Vagueness can be raised under s. 7 of the Charter, since it is a principle of fundamental justice that laws may not be too vague…
> 2. The "doctrine of vagueness" is founded on the rule of law, particularly on the principles of fair notice to citizens and limitation of enforcement discretion …

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> 3. Factors to be considered in determining whether a law is too vague include (a) the need for flexibility and the interpretative role of the courts, (b) the impossibility of achieving absolute certainty, a standard of intelligibility being more appropriate and (c) the possibility that many varying judicial interpretations of a given disposition may exist and perhaps coexist …

[54] In summary, the court said that:

> The doctrine of vagueness can therefore be summed up in this proposition: a law will be found unconstitutionally vague if it so lacks in precision as not to give sufficient guidance for legal debate. This statement of the doctrine best conforms to the dictates of the rule of law in the modern State, and it reflects the prevailing argumentative, adversarial framework for the administration of justice.

[55] This test must be such that it is not intelligible; cannot provide coherent judicial interpretation and incapable of giving legal advice: Mussani (supra); Canadian Foundation for Children (supra).

[56] The Supreme Court has recently indicated how seldom claims of vagueness succeed. In Canadian Foundation for Children,Youth and the Law v. Canada (Attorney General) [2004]1 S.C.R.76, the majority held that s.43 of the Criminal Code was not unduly vague. Force then, upon children, can be used even when the test amounts to what is "reasonable under the circumstances".

[57] And the word "substantial" has not been unduly vague in other more serious crimes when there are circumstances such as offences against the person under part VIII of the Criminal Code.

[58] I believe the test under s.73 (3) HTA is intelligible. A reasonable member of the public knows or ought to know about viewing into a motor vehicle. It gives fair notice to any person who adds tinting that this action may be impermissible. The accused has fair opportunity to retain opinion evidence which may contradict the prima facie case presented by the crown. It provides coherent judicial interpretation for the trial justice who may or may not believe the prosecution or defence in the opinion on factual evidence. In other words, the defence evidence

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that it “does not fairly obscure” may be credibly accepted over the crown evidence which is contrary to the same set of facts.

[59] Therefore, I do not believe that s.73(3) is impermissibly vague.

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CONCLUSION

[60] In conclusion, I believe s.73 (3) is a strict liability offence where the defences are available to the defence. Section 7 of the Charter is not engaged with this offence as the liberty interest under s.73 (3) HTA and Part I of the POA is not a constitutionally protected liberty interest. In the event of a conviction for this offence, there is no period of imprisonment which follows from such a violation. And finally, the principle of void for vagueness does not apply.

[61] As a result and pursuant to s.138 of the POA, the trial is hereby directed to proceed. All other stayed matters attached to this ticket and from this issue are also ordered to proceed.

July 11th , 2005

Adams, J.

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Schedule "A"

Provincial Offences Act

R.R.O. 1990, REGULATION 950

Amended to O. Reg. 134/05

PROCEEDINGS COMMENCED BY CERTIFICATE OF OFFENCE

Notice of Currency:* The following amendments have not been consolidated into this document:

O. Reg. 412/05

O. Reg. 411/05

O. Reg. 410/05

O. Reg. 409/05

O. Reg. 408/05

O. Reg. 406/05

O. Reg. 407/05

SCHEDULE 43

Highway Traffic Act

Item	Column 1		Column 2
	198.	Drive with window coated — view obstructed	subsection 73 (2)

R.R.O. 1990, Reg. 950, Sched. 43; O. Reg. 364/93, s. 1; O. Reg. 365/93, s. 1; O. Reg. 465/94, s. 1; O. Reg. 496/94, s. 1; O. Reg. 430/95, s. 1; O. Reg. 485/96, s. 1; O. Reg. 511/96, s. 1; O. Reg. 180/97, ss. 1-3; O. Reg. 344/97, s. 1; O. Reg. 536/97, s. 1; O. Reg. 457/98, s. 1; O. Reg. 2/00, s. 1; O. Reg. 162/00, s. 1; O. Reg. 566/00, s. 4; O. Reg. 568/00, s. 1; O. Reg. 239/01, s. 1; O. Reg. 329/01, s. 1; O. Reg. 402/01, s. 1; O. Reg. 108/03, s. 1; O. Reg. 438/03, s. 1; O. Reg. 84/04, s. 1; O. Reg. 133/05, s. 1.

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