



TOWN OF AJAX
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Hon. Caroline Mulroney
Ministry of Transportation
5th Floor, 777 Bay St.
Toronto, ON M7A 1Z8
caroline.mulroneyco@pc.ola.org

Sent by E-Mail

June 24, 2021

Re: Vehicle Noisemaker Muffler Systems

The following resolution was passed by Ajax Town Council at its meeting held June 21, 2021:

WHEREAS according to section 75 of the *Highway Traffic Act (HTA)*, every motor vehicle shall be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and excessive smoke, and no person shall use a muffler cut-out, straight exhaust, gutted muffler, Hollywood muffler, by-pass or similar device upon a motor vehicle;

AND WHEREAS the act of modifying the exhaust system of a motor vehicle is not currently an offence under the *HTA*, and as a result muffler and auto-body shops continue to provide such services to individuals who choose to modify their vehicles which could make these vehicles less safe;

AND WHEREAS Durham Regional Police Service has been actively laying charges (49 to date) pursuant to section 75 of the *HTA* against motor vehicle operators whose vehicles make excessive or unusual noise or produce excessive smoke from muffler systems that have been modified;

AND WHEREAS Ajax Council continues to receive negative feedback about an increase in noise due to modified vehicles on Regional and local roads;

AND WHEREAS on October 28, 2019, the Province of Ontario introduced *Bill 132, Better for People, Smarter for Business Act, 2019* which in part sought to amend the *HTA* to include a new section 75.1 that will make 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 that can create excessive noise or smoke on our streets and in our neighbourhoods;

AND WHEREAS Bill 132 received Royal Assent on December 10, 2019, however, the Lieutenant Governor has not yet proclaimed section 75.1 of the *HTA*;

AND WHEREAS the City of Mississauga has passed two motions (August 2020 and May 2021), and Region of Peel also passed a motion (May 2021) calling on the Province of Ontario to immediately proclaim and bring into force section 75.1 of the *HTA*;

NOW THEREFORE BE IT RESOLVED THAT:

1. Ajax Council urge the Province of Ontario to work with the Lieutenant Governor to expedite the proclamation of 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)*;
2. The Ministry of Transportation be requested to set a maximum decibel count for exhaust systems to ensure that exhaust systems with the capability of exceeding 80 decibels will not be available for sale and will not be permitted in the Province of Ontario, and consider reviewing and increasing associated penalties for non-compliance;
3. The Province of Ontario be requested to provide funding for police services in Ontario to be equipped with approved decibel monitor devices to aid in effective enforcement efforts; and
4. A copy of this motion be sent to the Hon. Caroline Mulroney, Minister of Transportation, the Hon. Rod Phillips, Minister of Long-Term Care and MPP for Ajax, all Durham Region Members of Provincial Parliament, the Region of Durham, all Durham municipalities, Durham Regional Police Service, and the Ontario Provincial Police.

If you require further information please contact me at 905-619-2529 ext. 3342 or alexander.harras@ajax.ca.

Sincerely,



Alexander Harras
Manager of Legislative Services/Deputy Clerk

Copy: Regional Councillor M. Crawford
Councillor R. Tyler Morin
Hon. Rod Phillips, Minister of Long-Term Care and MPP for Ajax
All Durham Region MPPs
Region of Durham
All Durham Region municipalities
Durham Regional Police Services
Ontario Provincial Police