



MEMBER BULLETIN

May 3, 2017

MTO Contemplating Permanent Exemption for CB Radios from “Hands Free” Regulation

The Ministry of Transportation (MTO) is looking at extending the exemptions, or permanently exempting, CB radio's from the *Ontario Reg. 366/09 – Display Screens and Hand-Held Devices* (“Hands-Free” Regulation) – which prohibits the use of hand-held devices while driving. These exemptions currently allow the following to hold or use a two-way radio:

- Certain public function employees (e.g. bus drivers);
- Commercial drivers; and,
- Amateur radio operators (e.g. an Industry Canada-licensed operator which could include a commercial driver).

When this regulation first came into effect, CB radios were granted a time-limited exemption until January 1, 2013, at which point it was assumed technology would “catch-up” to these new regulations. However, when this failed to occur, the exemption was extended by another five-years, until January 1, 2018. In the absence of any further amendments to the current regulation, expiration of this exemption would prohibit the hand-held use of two-way radios for all road users (aside from law enforcement outlined in the current regulation). For this reason, the MTO is considering three options to address the expiry of the exemption.

- 1- Extend the exemption for hand-held use of two-way radios for an additional seven years;
- 2- Make the exemption permanent; or,
- 3- Allow the exemption to expire (making hand-held use of devices illegal and requiring all currently exempted drivers to use hands-free alternatives only).

OSWCA will be drafting a letter in support of a permanent exemption. If you have any comments or recommendations that you would like us to include in the letter, please contact Patrick McManus (patrick.mcmanus@oswca.org or 905-629-7766 ext. 222).

More detailed can be found by clicking on this [link](#).