[Français](http://www.ontario.ca/fr/lois/loi/90m36)

Ministry of Transportation Act

R.S.O. 1990, Chapter M.36

**Consolidation Period:** From July 1, 2019 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: [2019, c. 7, Sched. 17, s. 122](http://www.ontario.ca/laws/statute/S19007" \l "sched17s122).

Legislative History: 1996, c. 9, s. 27; [2002, c. 18, Sched. P, s. 43](http://www.ontario.ca/laws/statute/S02018" \l "schedps43s1); [2006, c. 19, Sched. T, s. 9](http://www.ontario.ca/laws/statute/S06019" \l "schedts9); [2006, c. 35, Sched. C, s. 85](http://www.ontario.ca/laws/statute/S06035" \l "schedcs85); [2019, c. 7, Sched. 17, s. 122](http://www.ontario.ca/laws/statute/S19007" \l "sched17s122).

Definitions

**1** In this Act,

“Minister” means the Minister of Transportation; (“ministre”)

“Ministry” means the Ministry of Transportation. (“ministère”) R.S.O. 1990, c. M.36, s. 1.

Ministry continued

**2** (1)  The ministry of the public service formerly known as the Ministry of Transportation and Communications is continued under the name Ministry of Transportation in English and under the name ministère des Transports in French. R.S.O. 1990, c. M.36, s. 2 (1).

Minister to have charge

(2)  The Minister shall preside over and have charge of the Ministry. R.S.O. 1990, c. M.36, s. 2 (2).

Employees

(3)  Such employees may be appointed under Part III of the Public Service of Ontario Act, 2006 as are required from time to time for the proper conduct of the business of the Ministry. R.S.O. 1990, c. M.36, s. 2 (3); 2006, c. 35, Sched. C, s. 85.

**Section Amendments with date in force (d/m/y)**

[2006, c. 35, Sched. C, s. 85](http://www.ontario.ca/laws/statute/S06035" \l "schedcs85) - 20/08/2007

Duties of Minister

**3** The Minister is responsible for the administration of this Act and any other Acts that are assigned to him or her by the Legislature or by the Lieutenant Governor in Council. R.S.O. 1990, c. M.36, s. 3.

Delegation of powers and duties of Minister

**4** (1)  Any power conferred or duty imposed on the Minister by this or any other Act may be delegated by him or her in writing, subject to such limitations, conditions and requirements as the Minister may set out in the delegation, to the Deputy Minister of Transportation or to any employee of the Ministry who may act in the Minister’s place and stead, and when the Deputy Minister of Transportation or such other employee acts in the place and stead of the Minister, it shall be presumed conclusively that he or she acted in accordance with such delegation. R.S.O. 1990, c. M.36, s. 4 (1).

Effect of contract

(2)  Despite the Executive Council Act, a deed or a contract made by a person empowered to do so under subsection (1) has the same effect as if signed by the Minister. R.S.O. 1990, c. M.36, s. 4 (2).

Enforcement of contracts

**5** Contracts respecting any work or property under the control of the Ministry that are entered into by the Minister or by any other person duly authorized to enter into them enure to the benefit of the Crown and may be enforced as if entered into with the Crown. R.S.O. 1990, c. M.36, s. 5.

Possession of maps, etc., relating to highways

**6** The Minister may require a person having possession of a map, plan, specification, estimate, report or other paper, book, drawing, instrument, model, contract, document, record or thing relating to a work under the control of the Ministry, and not being private property, to deliver it without delay to the Ministry. R.S.O. 1990, c. M.36, s. 6.

Provincial agreements re licensing and fees of commercial motor vehicles, etc.

**7** (1)  The Minister, with the approval of the Lieutenant Governor in Council, may make reciprocal arrangements and enter into agreements with the government or governments of any province or provinces of Canada,

(a) providing for the registration of commercial motor vehicles and trailers, and for exemptions from such registration;

(b) prescribing the fees to be paid therefor and providing for the payment and apportionment of such fees; and

(c) providing for such other related matters as are considered necessary. R.S.O. 1990, c. M.36, s. 7 (1); 1996, c. 9, s. 27 (1); 2002, c. 18, Sched. P, s. 43 (1).

Acts subject to agreement

(2)  The provisions of the Highway Traffic Actand regulations made thereunder, with respect to licensing and registration of vehicles, are subject to any agreement entered into under this section. R.S.O. 1990, c. M.36, s. 7 (2); 1996, c. 9, s. 27 (2); 2002, c. 18, Sched. P, s. 43 (2).

(3)  Repealed: 2002, c. 18, Sched. P, s. 43 (3).

(4)  Repealed: 1996, c. 9, s. 27 (3).

Commercial motor vehicles

(5)  A permit for the registration of a commercial motor vehicle or trailer issued by a province with which an agreement has been entered into under this section with respect to such a permit shall be deemed for the purposes of the Highway Traffic Act to be a permit for the registration of such vehicle under that Act. R.S.O. 1990, c. M.36, s. 7 (5).

Suspension of licences or permits

(6)  Where a licence or permit issued by a province with which an agreement has been entered into under this section is deemed for the purposes of any Act of the Legislature to be a licence or permit under such Act, the provisions of such Act with respect to suspension or cancellation of such a licence or permit apply in so far as the licence or permit is effective in Ontario. R.S.O. 1990, c. M.36, s. 7 (6).

Arrangement, etc., made under predecessor of section

(7)  Any arrangement or agreement made or entered into under a predecessor of this section that is in effect on the 28th day of May, 1971 shall be deemed to be an arrangement or agreement made or entered into under this section. R.S.O. 1990, c. M.36, s. 7 (7).

**Section Amendments with date in force (d/m/y)**

1996, c. 9, s. 27 (1-3) - 30/05/1996

[2002, c. 18, Sched. P, s. 43 (1-3)](http://www.ontario.ca/laws/statute/S02018" \l "schedps43s1) - 1/01/2006

Annual report

**8** The Minister after the close of each year shall submit to the Lieutenant Governor in Council an annual report upon the affairs of the Ministry and shall then lay the report before the Assembly if it is in session or, if not, at the next session. R.S.O. 1990, c. M.36, s. 8.

Protection from personal liability

**9** (1)  No action or other proceeding for damages shall be instituted against the Deputy Minister, any officer or employee of the Ministry or anyone acting under the authority of the Minister or the Deputy Minister for any act done in good faith in the execution or intended execution of the person’s duty or for any alleged neglect or default in the execution in good faith of the person’s duty. 2006, c. 19, Sched. T, s. 9.

Crown not relieved of liability

(2)  Despite subsection 8 (3) of the Crown Liability and Proceedings Act, 2019, subsection (1) does not relieve the Crown of liability in respect of a tort committed by a person mentioned in subsection (1) to which it would otherwise be subject. 2006, c. 19, Sched. T, s. 9; 2019, c. 7, Sched. 17, s. 122.

**Section Amendments with date in force (d/m/y)**

[2006, c. 19, Sched. T, s. 9](http://www.ontario.ca/laws/statute/S06019" \l "schedts9) - 22/06/2006

[2019, c. 7, Sched. 17, s. 122](http://www.ontario.ca/laws/statute/S19007" \l "sched17s122) - 01/07/2019

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