

## **Notice relating to damage insurer inquiries concerning the *Act respecting off-highway vehicles***

The *Act respecting off-highway vehicles*, CQLR, c. V-1.3 (the “AROHV”) came into force on December 30, 2020, replacing the former *Act respecting off-highway vehicles*, CQLR, c. V-1.2.

In addition to changes to the regulation of off-highway vehicles governed by this reform, the AROHV introduces an open-ended definition of “off-highway vehicle”<sup>1</sup> and a definition of “maintenance vehicle”<sup>2</sup>. As a result, subject to the exceptions set out in the AROHV relating to use and areas of use, certain “types” of vehicles may now be covered by the AROHV (e.g., golf carts, groomers and graders) that were not covered by the definitions in the former Act.

The Autorité des marchés financiers (the “AMF”) is of the opinion that this amendment to the scope of the definitions of the off-highway vehicles referred to in the AROHV should not have any impact on insurer practices with respect to the types of insurance policies to be used within the context of the requirement imposed on the owners of such vehicles under section 25 of the AROHV.

Consequently, as is currently the case, most off-highway vehicles (e.g., snowmobiles and all-terrain vehicles) must continue to be insured through an automobile insurance policy. As for the new “types” of vehicles that are now covered by the AROHV, in certain cases (e.g., golf carts, groomers and graders), the AMF does not consider it appropriate to prescribe the use of an automobile insurance policy. These vehicles may therefore be insured under a personal property insurance policy or a commercial liability insurance policy, as applicable.

### **Additional information**

Additional information is available from the AMF Information Centre at:

Québec City: 418-525-0337

Montréal: 514-395-0337

Toll-free: 1-877-525-0337

Fax: 418-647-9963

[www.lautorite.qc.ca](http://www.lautorite.qc.ca)

**December 9, 2021**

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<sup>1</sup> “Off-highway vehicle” means a snowmobile, a quad bike, a recreational off-highway vehicle, a trail bike, such as a motocross motorcycle, and any other motorized vehicle adapted or designed mainly for operation on uneven surfaces or on land that is unpaved or difficult to access, in particular on surfaces consisting of snow, ice, earth, sand or gravel, as well as in wooded areas and other natural settings (s. 2, par. 7 of the Act).

<sup>2</sup> “Maintenance vehicle” includes groomers and graders, whether self-propelled or towed, as well as any other vehicle or combination of vehicles designed or used for trail layout or maintenance (s. 2, par. 6 of the Act).