

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

1ST SESSION, 43RD LEGISLATURE, ONTARIO
1 CHARLES III, 2023

Bill 105

An Act to amend the Highway Traffic Act respecting mandatory reports

Mr. M. Mantha

Private Member's Bill

1st Reading May 8, 2023

2nd Reading

3rd Reading

Royal Assent



An Act to amend the Highway Traffic Act respecting mandatory reports

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 Section 203 of the *Highway Traffic Act* is repealed and the following substituted:**Medical reports**

203 Every legally qualified and registered psychologist, optometrist, medical practitioner and nurse practitioner who has a patient who meets the following requirements shall report to the Registrar the name, address and medical condition of the patient:

1. The patient is 16 years of age or older.
2. In the opinion of the psychologist, optometrist, medical practitioner or nurse practitioner, the patient has a medical condition that makes it dangerous for the patient to drive a motor vehicle.
3. The patient continues to drive a motor vehicle after being warned of the danger by the psychologist, optometrist, medical practitioner or nurse practitioner.

2 (1) Subsection 204 (2) of the Act is amended by striking out “prescribed person required or authorized” and substituting “person required”.

(2) Subsection 204 (4) of the Act is repealed.

Commencement

3 This Act comes into force on the day it receives Royal Assent.

Short title

4 The short title of this Act is the *Assessing Fitness to Drive Act, 2023*.

EXPLANATORY NOTE

The Bill amends the *Highway Traffic Act* by repealing and replacing section 203. This changes the approach to required medical reports under the Act. The old section 203 required every prescribed person to report to the Registrar every person who is at least 16 years old who, in the opinion of the prescribed person, has or appears to have a prescribed medical condition, functional impairment or visual impairment. The old section 203 also permitted every prescribed person to report to the Registrar a person who is at least 16 years old who, in the opinion of the prescribed person, has or appears to have a medical condition, functional impairment or visual impairment that may make it dangerous for the person to operate a motor vehicle.

The new section 203 requires every legally qualified and registered psychologist, optometrist, medical practitioner and nurse practitioner to report to the Registrar the name, address and medical condition of any patient 16 years old of age or older who has a medical condition that, in the opinion of the psychologist, optometrist, medical practitioner or nurse practitioner, makes it dangerous for the patient to drive a motor vehicle and who continues to drive the motor vehicle after being warned of the danger by the psychologist, optometrist, medical practitioner or nurse practitioner.