



RESOLUTION 2022-05

Illegible Licence Plates in Ontario

WHEREAS licence plates are intended to readily identify the vehicle upon which they are affixed, and

WHEREAS the prevalence of peeling and/or otherwise illegible licence plates in the Province of Ontario has increasingly become a problem for law enforcement, and

WHEREAS Frontline officers have encountered a growing number of vehicles not in compliance with licence plate standards, and

WHEREAS operating a vehicle with peeling or otherwise illegible licence plates constitutes an offence under the *Highway Traffic Act*. In particular: Section 7(1)(b)(i): Drive Motor Vehicle – Plate Improperly Displayed; and Section 13(2) – Entire Plate Not Plainly Visible, and

WHEREAS due to a lack of judicial appreciation for the broader impacts of these offences, most charges are withdrawn or dismissed by provincial courts, based on police anecdotal accounts, particularly from across the Greater Toronto Area, and

WHEREAS illegible licence plates are worthy of government action due to the public safety risks associated, and

WHEREAS operating a motor vehicle without identifiable plates allows drivers (and/or registered vehicle owners) to avoid police detection, and

WHEREAS the improperly marked vehicle may be done so simply out of owner negligence, or intentionally as a tactic to evade law enforcement. If the latter is the case, an officer can quickly become involved in a compromised and dangerous situation that could have been otherwise avoided had the officer been able to identify the plate prior to their engagement, and

WHEREAS current authority under *Highway Traffic Act* Section 14(1)(a)(iii) does not grant police power to seize peeling plates. The language in this specific section only applies to defaced or altered plates, and does not capture peeling or otherwise illegible plates, and

WHEREAS in instances of defaced or altered plates, there is intentional action taken to bring about a change to the plate's appearance, whereas peeling plates could potentially come to be illegible through negligence, and

WHEREAS by amending Section 14(1)(a)(iii) to include peeling plates, a police officer would have the ability to seize an illegible plate and retain it until the facts have been determined, and

WHEREAS the Ontario Ministry of Transportation outlines the process for replacing peeling or illegible plates as follows: if plates require replacement within five years of issuance, exchanges are free of charge; if plates are older than five years, the registered owner must pay a \$55.00 replacement fee, and

WHEREAS while the fee for replacement may seem trivial, some drivers may consider it an added nuisance on top of having to attend a Ministry of Transportation Service Ontario location, and

WHEREAS if the fee is removed, or even reduced, it may encourage the general public to proactively comply with regulations, thereby making it easier for law enforcement to identify which plates are left illegible intentionally, and

WHEREAS With licence plate stickers (Validation Tags) no longer required in Ontario and the expansion of ALPR technology, it is imperative that licence plates are compliant with the *Highway Traffic Act*.

THEREFORE BE IT RESOLVED that the Ontario Association of Chiefs of Police (OACP) calls on the Government of Ontario to conduct review of *Highway Traffic Act* fines and penalties and consider amending *Highway Traffic Act* Sections 7(1)(b)(i) and 13(2) to match penalties for Section 12(1).

BE IT FURTHER RESOLVED that the OACP calls on the Government of Ontario to allow police to seize illegible plates at roadside, and consider amending *Highway Traffic Act* Section 14(1)(a)(iii) to explicitly include peeling or otherwise illegible plates.