

MTO Officers Stop Treating “Restricted Use” Defects as “Out-of-Service” Defects Effective April 1st

As reported last December in *OMCA Report*, many years ago MTO created a list of various passenger-safety related bus equipment defects that, if discovered by an MTO officer during a facility visit or on-road inspection, results in the bus being placed into “restricted use”. Once in “restricted use” the bus can still be operated but passengers cannot be carried, or in some cases, passengers can be carried if the defective component (loose seat, defective loading ramp, etc.) wasn’t required on that trip. Some of the restricted use items included:

- Mist/fog in thermo-pane windows on school bus
- Defective ignition interlock on emergency exit of school bus
- Inoperative heaters
- Missing first aid kit
- Defective wheelchair loading ramp
- Missing fire extinguisher
- Loose passenger seat (no passenger allowed in that seat or the one behind it)
- Mirror improperly adjusted
- School bus sign covered with snow/dirt
- Missing reflective tape on school bus

The problem was that when the MTO officer filled out their Inspection Report, the “restricted use” code was entered in the “out of service” box, which meant that it showed up as “out of service” on the operator’s CVOR. OMCA and OSBA long-objected to this practice as it was a distortion of the North American Standard Out of Service Criteria that Ontario subscribes to. Also, a restricted use defect was not an indication that the bus is not roadworthy. It exaggerated an operator’s OOS rate and made for unfair comparisons. School board officials, parents, insurance companies etc. interpret “Out of service” events on CVOR abstracts as a serious mechanical defect rendering a bus unfit or unsafe to operate which is not the case with most “restricted use” defects.

As of April 1st, MTO officers have been instructed to cease the practice of recording “restricted use” defects as “out of service” defects. A “restricted use” defect will be noted on the inspection report as a violation, but it will not show up on the operator’s CVOR as an “out of service”. Any operator who notices an “out of service” on their CVOR abstract as a result of a “restricted use” defect during an inspection on or after April 1, 2014 should advise OMCA immediately so that we can assist in having the record corrected.