

BY-LAW NO. 2

METROLINX (the "Corporation")

A by-law regulating the use of the regional transit system

BE IT ENACTED as a by-law of the Corporation as follows:

1. All previous by-laws of the Corporation and any amendments thereto relating to the subject matter of this by-law, including those by-laws and regulations relating to the subject matter hereto deemed by section 43(6) of the *Metrolinx Act, 2006* to have been passed as a by-law of the Greater Toronto Transit Authority are repealed and the by-laws contained herein shall become the by-laws of the Corporation for the subject matter contained herein.

INTERPRETATION

The Corporation provides an interregional public transit system, linking Toronto with the surrounding regions of the Greater Toronto and Hamilton Area (GTHA). The fare structure of the Corporation is based predominantly on the "honour system" which involves random proof-of-payment fare inspections. The system is barrier free to improve efficiency and reduce costs to passengers. The fare structure is based on a pay by distance model. The primary object of this by-law is to protect the integrity of the transit system and to establish appropriate rules of conduct for passengers and users of Corporation property.

Definitions

- 1.1 In this by-law and in all other by-laws of the Corporation, unless the context otherwise requires:
 - (a) Words defined in the *Metrolinx Act, 2006* shall have the meaning assigned to them for purposes of the *Metrolinx Act, 2006*;
 - (b) "bicycle" includes a tricycle and unicycle but does not include a motor assisted bicycle, except a motor assisted bicycle designated pursuant to Section 2(1) of the *Canada Motor Vehicle Safety Regulations*. The Corporation reserves the right to refuse any bicycle that in the sole opinion of a proper authority may pose a safety risk or otherwise inconvenience any other person;
 - (c) "Cardholder" means the person who has in their possession the fare card for travel on the regional transit system;
 - (d) "Child" means a person who is six (6) years of age or more but has not yet reached thirteen (13) years of age;
 - (e) "concession fare" means a classification of persons to whom a fare discount applies based on criteria established by the Corporation from time to time;

- (f) “Corporation property” means all owned, leased, used or maintained lands, facilities, structures, trains and vehicles of the Corporation;
- (g) “designated area” means a single parking spot designated by painted markings for the parking of one vehicle on the property of the Corporation;
- (h) “designated reserved area” means a single parking spot designated by painted markings for the parking of one vehicle on the property of the Corporation and a sign designating the parking spot as reserved;
- (i) “designated accessible area” means a parking spot on the property of the Corporation designated by painted markings and a sign consisting of the international symbol for accessible parking for persons with disabilities designating the parking space for the sole use of vehicles operated by or conveying physically disabled persons, and for the purposes of this paragraph, the parking spot includes the adjacent area marked by hatch marks intended to be used by mobility assistance devices such as lifts or ramps;
- (j) “designated smoking area” means an area designated with a sign and painted markings clearly indicating the area within which smoking is permitted;
- (k) “fare” means the amount to be paid for travel on the transit system as determined by the Corporation;
- (l) “*Metrolinx Act, 2006*” means the *Metrolinx Act, 2006*, S.O. 2006, c. 16, as it may be amended from time to time;
- (m) “person” includes an individual, sole proprietorship, partnership, unincorporated association, unincorporated syndicate, unincorporated organization, trust, body corporate, and a natural person in the capacity of trustee, executor, administrator, or other legal representative;
- (n) “proper authority” means any employee of the Corporation carrying an identification card issued by the Corporation;
- (o) “senior citizen” means a person 65 years of age or over;
- (p) “student” means a person living in an area served by a transit system who is,
 - (i) thirteen (13) years of age or more but not yet twenty (20) years of age and in full daytime attendance at a public or private elementary or secondary school; or
 - (ii) in full time attendance for a minimum period of eight consecutive weeks and not earning a salary from full time employment while attending a post-secondary educational institution, or a post-secondary vocational institution that is either public or registered under the *Private Career Colleges Act, 2005* S.O. 2005, Chapter 28;
- (q) “ticket” means any ticket, pass or other fare media issued by and acceptable to the Corporation, and includes, without limitation, any single or multi ride ticket, an adult day pass, a group pass, an electronic fare

card or any period pass. Any ticket remains the property of the Corporation and is subject to confiscation without refund if the holder violates any conditions of its use. Any reference to information printed on the face of a ticket includes information electronically stored or encoded on an electronic fare card;

- (r) “transit corridor” means a single route or a combination of routes connected by a transfer point where a transit service is provided by the Corporation, either by train or by bus;
- (s) “transit system” means a transit system operated by or on behalf of the Corporation;
- (t) “valid” means,
 - (i) in reference to a single ride ticket, a ticket for a one-way trip between the origin and the destination as marked on the ticket which commences within four hours of the date and time of issuance;
 - (ii) in reference to a multi-ride ticket, a ticket for transportation on the next scheduled trip after validation between the origin and the destination as marked on the ticket and (ii) for a one-way trip only, a return trip requires a subsequent validation;
 - (iii) in reference to an electronic fare card with pre-programmed default origin and destination, a ticket for transportation on the next scheduled trip after validation between the origin and the destination as encoded on the fare card and (ii) for a one-way trip only, a return trip requires a subsequent validation; and;
 - (iv) in reference to an electronic fare card without pre-programmed default origin and destination, a cardholder is required to validate the origin prior to commencing the trip and validate the destination upon completing the trip;
 - (v) and in reference to a period pass, a ticket for transportation between the origin and destination as marked on the ticket, applicable for the date or period for which a passenger using the pass is taking the trip;
- (u) “validate” means, (i) for paper-based tickets, marking a ticket for use for transportation in a device provided by the Corporation for the purpose of validating the payment of a fare, and (ii) for electronic fare cards issued by the Corporation, touching the fare card to the device provided by the Corporation for the purpose of electronically debiting the payment of the fare. Any reference on any sign, ticket or other media referencing “cancel” a ticket shall be deemed a reference and synonymous to the term “validate”.
- (v) “vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*, R.S.O. 1990, c. M-44, as amended, and any vehicle drawn, propelled or driven by any kind of power but does not include a streetcar, motorized wheelchair or medical scooter;

- (w) “zone” means a geographic area to distinguish an origin and destination defined by the Corporation which is used to determine the fare required to be paid for travel between, through, within or any combination thereof.

2. REQUIREMENT TO PAY FARE – CONDITIONS OF USE

requirement to pay

- 2.1 No person shall travel or attempt to travel on the transit system without paying the appropriate fare:
- (a) Where the amount of the fare charged for passage on a transit system is disputed, the passenger shall pay the amount requested by a proper authority;
 - (b) A passenger who refuses to pay the amount of fare requested by a proper authority shall be refused passage on the transit system.

requirement to carry a ticket

- 2.2 No person shall travel or attempt to travel on the transit system without having in their possession a valid ticket issued by and acceptable to the Corporation during their entire trip on the transit system.

altered or counterfeit ticket or pass

- 2.3 No person shall:
- (a) in any way alter, change, recreate any ticket in any fare medium, other than an employee or agent of the Corporation authorized to do so;
 - (b) travel or attempt to travel on the transit system with a ticket that has been altered, changed, recreated in any way by any person other than an employee or agent of the Corporation authorized to do so;
 - (c) in any way alter, change, recreate any student identification card in any fare medium, other than an employee or agent of the Corporation authorized to do so;
 - (d) travel or attempt to travel on the transit system with a student identification card that has been altered, changed, recreated in any way by any person other than an employee or agent of the Corporation authorized to do so.

Rules relating to Period Passes

adult, senior and student monthly pass

- 2.4 An adult monthly pass, a senior monthly pass or a student monthly pass shall be:
- (a) valid for the period of one calendar month;
 - (b) valid for the personal use of the individual whose signature appears on the face of the pass.

Student monthly pass

- 2.5 A student monthly pass is valid only during the calendar month and year for which it is issued and is valid for an unlimited number of rides on the transit system between the zones within the same transit corridor for which

the pass is issued:

- (a) A student monthly pass is valid for the personal use of a student whose signature appears on the face of the pass and who is in possession of a current and signed student identification card issued by or acceptable to the Corporation.

Use of adult and senior monthly pass

2.6 An adult monthly pass or a senior monthly pass is valid only during the calendar month and year for which it is issued and is valid for an unlimited number of rides on the transit system between the zones within the same transit corridor for which the pass is issued,

- (a) by the holder of the pass; and
- (b) by the holder of the pass and one person travelling with him or her, but only on Saturdays, Sundays and statutory holidays.

senior proof of age

2.7 In order for a senior citizen ticket to be valid, a senior citizen must carry reasonable proof of age for presentation when asked by a Proper Authority.

seniors and children

2.8 The following class of persons may travel together on an valid adult single-ride ticket, a valid adult two-ride ticket, a valid adult ten-ride ticket, a valid adult day pass:

- (a) two senior citizens,
- (b) two children under 13 years of age,
- (c) a senior citizen and one child

cancellation of pass

2.9 An adult monthly pass, a senior monthly pass and a student monthly pass are subject to cancellation, without refund, by the Corporation if the holder of the pass:

- (a) wilfully causes damage to Corporation property; or
- (b) fails to comply with the conditions under which the pass is sold.

group pass

2.10 A group pass is available to a group consisting of a maximum of five persons of whom at least one but not more than two are 18 years of age or over and is valid,

- (a) on the date printed on the face of the pass for an unlimited number of rides on the transit system between the zones within the same transit corridor for which the pass is issued; and
- (b) for a trip that begins before 3:00 a.m. on the day after the date printed on the face of the pass to the originating point of the holder of the pass.

day pass

2.11 A day pass is valid for the personal use of the purchaser of the pass and,

- (a) on the date printed on the face of the pass for an unlimited number of rides on the transit system between the zones within the same transit corridor for which the pass is issued; and

- (b) for a trip that begins before 3:00 a.m. on the day after the date printed on the face of the pass to the originating point of the holder of the pass.

31 day limitation period

- 2.12 No pass shall be sold more than 31 days in advance of the date printed on the face of the pass.

Rules Relating to Multiple-Ride Tickets

2 ride ticket

- 2.13 A two-ride ticket is valid for two rides on the transit system between the zones within the same transit corridor for which the ticket is issued, and,
 - (a) for transportation only after it has been validated; and
 - (b) for two simultaneous trips where there are two simultaneous validations.

10 ride ticket

- 2.14 A ten-ride ticket is valid for ten rides on the transit system between the zones within the same transit corridor for which the ticket is issued, and,
 - (a) for transportation only after it has been validated; and
 - (b) for as many simultaneous trips as there are simultaneous validations to a maximum of ten.

student 10 ride ticket

- 2.15 Ten-ride student tickets, after they have been validated, are valid for the personal use of a student who is in possession of a current student identification card issued by or acceptable to the Corporation.

user responsibility

- 2.16 No person shall travel on a multi-ride ticket that has more than the allowed number of validations, the ticket holder bears responsibility to ensure the ticket is validated in accordance with these provisions and any posted instructions.

Validation and Inspection of Tickets and Passes

validate 2 and 10 ride tickets

- 2.17 No person shall enter the transit system without activating the device to validate tickets so as to validate the appropriate ticket for the intended trip.

exception

- 2.18 Section 2.17 does not apply to a person who,
 - (a) enters the transit system at a location where a cash fare may be paid for a specific service as designated by the Members of the Corporation and who pays the prescribed fare for that service; or
 - (b) has a ticket that is not intended to be validated.

requirement to show ticket

- 2.19 When requested to do so by a proper authority, a person travelling on the transit system shall immediately surrender for inspection the valid ticket under which the person is travelling.

- exception* 2.20 Section 2.19 does not apply to a person who has paid a cash fare pursuant to Section 2.18.
- conditions of use* 2.21 A valid ticket must be used for a continuous trip, without stop-overs, from the date and time of issuance or validation, as the case may be, on a train or bus scheduled to stop at the destination printed, marked or encoded on the ticket.
- terms and conditions general* 2.22 It is a term and condition of every ticket or pass issued by the Corporation that:
- (a) the Corporation and its employees and agents are not liable to patrons for lost or stolen tickets or passes;
 - (b) the Corporation and its operators are not liable for delays or cancellations caused by accidents, road or track conditions, snow storms, labour disruptions, Acts of God or other conditions beyond their control or for failure to depart from or arrive at any point, station or destination at the time shown in timetables published by the Corporation;
 - (c) trains and buses shall be required to make stops only as provided by the timetables established by the Corporation except for accidents, road or track conditions, snow storms, labour disruptions, acts of God or other conditions beyond their control or where for reasons of safety an alternate stopping place is required;
 - (d) the Corporation and its employees and agents shall have the right, whenever operating circumstances required it, to transfer a passenger from a train to a bus or from a bus to a train or to another train or bus, as the case may be; and
 - (e) the Corporation, its employees and agents are not responsible for loss of or damage to property of passengers carried on the transit system, including but not limited to vehicles and any contents while on Corporation property.

Rules Relating to PRESTO Fare Cards

- User Responsibility* 2.23 Any cardholder who presents a PRESTO fare card for travel on the transit system bears the responsibility to ensure that they comply with all rules related to tickets in this by-law and the terms and conditions provided in the cardholder agreement for PRESTO users.

3. Rules Relating to Conduct on the Regional Transit System

- animals* 3.1 No person shall bring an animal on the transit system unless it is in an enclosed container that must be secured and does not inconvenience other passengers.

- exception* 3.2 Section 3.1 does not apply to prohibit a seeing-eye dog from accompanying a blind passenger, a hearing-ear dog from accompanying a deaf passenger or a special skills dog from accompanying any other disabled passenger.
- proper entry and exit* 3.3 No person shall enter or leave a station or station grounds or other facility of the transit system except through a designated entrance or exit, as the case may be.
- crossing tracks* 3.4 No person shall cross any railway tracks on the Corporation property except where specifically designated for pedestrian crossing.
- crossing platform edge safety markings* 3.5 Every person shall remain a safe distance behind the platform edge or if marked the platform safety markings until it is safe to enter or leave the train or bus as the case may be. For greater certainty, no person shall encroach, enter or cross an area beyond platform edge or if marked the platform safety markings unless such action is in compliance with the above subsection, or upon the direction of a proper authority.
- railway crossings* 3.6 No person, whether a pedestrian or the driver of a vehicle as defined in the *Highway Traffic Act* or the operator of a motorized snow vehicle, shall:
- (a) attempt to enter a railway crossing while the electrical or mechanical crossing warning devices are activated; or
 - (b) go through, around or under a railway crossing gate or barrier while the gate or barrier is closed or is being opened or closed; or
 - (c) cross a railway crossing while the electrical or mechanical crossing warning devices are activated; or
 - (d) disobey instructions of a flagperson or proper authority in control of a railway crossing,
- until such time as the warning devices have ceased to operate and it is safe to proceed, or when permission to proceed is given by a flagperson or proper authority in control of the railway crossing.
- speed limitation* 3.7 No person shall operate a vehicle on the Corporation property at a speed in excess of 25 kilometres per hour.
- incidental to transit system* 3.8 No person shall operate a vehicle on Corporation property unless the operation is incidental to the use of the transit system.
- operation of vehicles in proper areas* 3.9 No person shall operate a motor vehicle on Corporation property except upon roadways, parking areas or any other areas designated for use by motor vehicles.
- unlicensed vehicles prohibited* 3.10 No person shall operate, park or store an unlicensed, unregistered or un-plated vehicle on Corporation property.

- roller-skates, skate boards, etc* 3.11 No person shall roller-skate, in-line skate or skate-board on any Corporation property.
- not to be worn on system* 3.12 No person shall wear roller-skates or in-line skates while in a train or other vehicle operated by or on behalf of the Corporation.
- operating bicycle* 3.13 No person shall operate a bicycle on Corporation property except on a roadway or a designated bicycle path for the purpose of arriving at or departing from a station or terminal of the Corporation.
- bicycles prohibited on trains* 3.14 No person shall:
- (a) bring or attempt to bring a bicycle on a train that is scheduled to arrive at Union Station between 6:30 a.m. and 9:30 a.m., Monday through Friday;
 - (b) bring or attempt to bring a bicycle on a train that is scheduled to depart from Union Station between 3:30 p.m. and 6:30 p.m., Monday through Friday.
- bicycles prohibited at Union Station* 3.15 No person shall bring a bicycle into Union Station, or attempt to board or disembark from a train at Union Station with a bicycle, between 6:30 a.m. and 9:30 a.m. and between 3:30 p.m. and 6:30 p.m., Monday through Friday.
- exceptions* 3.16 The prohibitions stated in Sections 3.14 and 3.15 do not apply on a statutory holiday. The Corporation reserves the right to provide further exceptions for operational or promotional reasons from time to time. Any such exemption will be posted on the Corporation's website.
- following instructions* 3.17 No person shall do any act in contravention of instructions,
- (a) indicated on any sign erected on Corporation property; or
 - (b) indicated on any painted markings on Corporation property; or
 - (c) of a proper authority who considers them necessary to,
 - (i) ensure orderly movement of persons;
 - (ii) prevent injury to persons;
 - (iii) prevent damage to the Corporation's property;
 - (iv) make available a seat in the designated priority seating area to a person who is disabled or has a physical limitation requiring priority seating, or;
 - (v) permit proper action in an emergency.
- obstruction* 3.18 No person shall wilfully obstruct or interfere with a proper authority in the performance of his or her duties or the exercise of his or her rights, powers and privileges under this By-law.

- provide false information* 3.19 No person shall knowingly provide any false information in any statement, whether in writing or otherwise, made to a proper authority investigating an offence under this or any by-law of the Corporation.
- distribute material* 3.20 No person shall distribute or place handbills, signs, notices or any form of written or printed matter on Corporation property without express written permission of the Corporation.
- solicit, sell on Corporation property* 3.21 No person shall sell or attempt to sell any merchandise, article or other thing or solicit members of the public for any purpose on Corporation property without the express written permission of the Corporation.
- commercial photography and recording devices prohibited* 3.22 No person shall operate any camera, video recording device, movie camera or any similar device for commercial purposes upon the transit system without the express written permission of the Corporation.
- exemption* 3.23 Nothing in this by-law prohibits the posting of signs, official notices and information or the use of any camera, video recording device, movie camera or any similar device by the Corporation on Corporation property.
- litter* 3.24 No person shall litter or deposit any waste on Corporation property.
- audio devices* 3.25 No person shall, without authorization, operate any radio, tape recorder, musical instrument, or similar device in or upon any vehicle or the premises of the Corporation unless the sound therefrom is conveyed to that person by an earphone at a sound level that does not disturb other passengers.
- spitting* 3.26 No person shall expectorate in or upon any vehicle or premises of the Corporation.
- loitering* 3.27 No person shall:
(a) loiter without due cause on Corporation property
(b) For the purposes of paragraph (a), a person 'loiters' when such person:
(i) idly spends time inside or on Corporation property without express purpose of using the transit system; or
(ii) lingers, saunters, or remains on Corporation property without due cause, and;
(iii) at least fifteen minutes have elapsed upon initial arrival onto Corporation property.
- public order* 3.28 No person shall commit an act contrary to public order on Corporation property, including but not limited to:
(a) urinating or defecating, except in facilities specifically intended for such actions; or

- (b) using profane, insulting or obscene language; or
- (c) behaving in an indecent or offensive manner; or
- (d) fighting; or
- (e) behave in a manner which does or is likely to interfere with the ordinary enjoyment of persons using the transit system.

Behaviour

- 3.29 No person shall commit an act contrary to respectful and customary etiquette which may detract from the overall enjoyment of the transit system, including but not limited to:
- (a) place his or her foot or feet on a vehicle seat or lay thereon any object that may soil it; or
 - (b) lie down on a bench, seat or floor of any vehicle or property of the Corporation; or
 - (c) ride, hang or stand on any exterior portion of a vehicle; or
 - (d) lean out of or project any part of his or her body through any window or opening of any vehicle.

interfere with operator

- 3.30 No person shall place himself or herself in a position or perform an action likely to interfere with the operator of a vehicle of the Corporation having proper control of the vehicle or likely to obstruct the vision of the operator:

use of equipment

- 3.31 No person shall, without authorization, handle or operate any part of the mechanical, electrical or electronic equipment of any vehicle or any part of the transit system operated by the Corporation, except devices which are intended for passenger use, and then only in accordance with posted instructions.

passenger assistance alarm

- 3.32 No person shall interfere with or activate the passenger assistance alarm devices on the Corporation's vehicles or property without reasonable cause.

smoking

- 3.33 No person shall smoke on Corporation property, except in areas designated as smoking areas.

cause damage to Corporation property

- 3.34 No person shall wilfully or recklessly cause damage to any Corporation property.

refusal of passage

- 3.35 A proper authority may refuse passage on the transit system to;
- (a) a person in possession of explosives, a firearm, a dangerous weapon, flammable material or any other dangerous thing or material; or
 - (b) a person under the influence of drugs or alcohol; or
 - (c) a person whose conduct is or is likely to be objectionable to other passengers; or
 - (d) a person carrying hand luggage, a parcel or any object or thing that does inconvenience or is likely to inconvenience other passengers; or

- (e) a person who fails to comply with the instructions of a proper authority; or
- (f) a person who fails to comply with the provisions of this by-law.

4 PARKING

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| <i>parking generally</i> | 4.1 | Except as otherwise provided parking shall be provided on a first come first served basis and the Corporation does not warrant the availability of parking. |
| <i>parking and use of transit system</i> | 4.2 | No person shall park or operate any vehicle on Corporation property unless the parking or operation of the vehicle is incidental to the use of the transit system by the driver or a passenger of the vehicle |
| <i>48 hour limitation</i> | 4.3 | No person shall park a vehicle for a period of more than 48 hours on Corporation property. |
| <i>exception</i> | 4.4 | Section 4.3 does not apply to a person who has received prior authorization from the Corporation. |
| <i>weight restriction</i> | 4.5 | No person shall park a vehicle having a gross weight in excess of 4,536 kilograms on Corporation property. |
| <i>park, stand, stop in designated areas only</i> | 4.6 | No person shall park, stand or stop any vehicle on Corporation property unless the parking, standing or stopping of the vehicle is within an area so designated for parking, standing or stopping. |
| <i>reserved parking spaces</i> | 4.7 | No person shall park, stand or stop any vehicle on Corporation property in an area designated and marked as "reserved" except the vehicle or class of vehicles for whom such designated area is reserved. |
| <i>one space only</i> | 4.8 | No person shall park a vehicle on Corporation property that occupies more than one designated area at a time. |
| <i>interfere with traffic</i> | 4.9 | No person shall park in such a manner as to interfere with the movement of traffic or otherwise prevent the safe removal of any other vehicle previously parked or left standing. |
| <i>designated accessible area</i> | 4.10 | No person shall park, stand or stop a vehicle in a Designated Accessible Area unless a valid accessible parking permit is displayed on the vehicle so that such permit is reasonably visible to a person standing outside the vehicle. |
| <i>inspection of permit</i> | 4.11 | Every person having possession of an accessible parking permit shall, upon the demand of an officer appointed for carrying out the provisions of this By-law, surrender the permit for reasonable inspection to ensure that the provisions of this By-law are being complied with. |

retain permit 4.12 An officer to whom a accessible parking permit has been surrendered may retain it until disposition of the case if the officer has reasonable grounds to believe that the permit:

- (a) was not issued under the authority of the *Highway Traffic Act*;
- (b) was obtained under false pretences;
- (c) has been defaced or altered;
- (d) has expired or been cancelled; or
- (e) is being or has been used in contravention of this By-law.

emergency access and fire routes 4.13 No person shall park, stand or stop a vehicle in an area designated as a fire route or an emergency access route.

exemption 4.14 Nothing in Part 4 shall prevent any vehicle operated by or on behalf of the Corporation from standing, stopping or parking on Corporation property where it is safe to do so for the purpose of carrying on the business of the Corporation.

towing 4.15 In addition to the penalties provided for herein, the Corporation may tow or cause to be towed any vehicle which is parked in any location on Corporation property other than as authorized in this by-law, at the cost and risk of the owner and/or operator of such vehicle.

5. PENALTIES AND ENFORCEMENT

contravention of by-law 5.1 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*.

enforcement 5.2 The provisions of this by-law shall be enforced by an officer as defined in the *Metrolinx Act, 2006*, S.O. 2006, c. 16 or a police officer as defined in Section 2 of the *Police Services Act* (Ontario).

The forgoing By-law No. 2 is hereby consented to and passed by the Members of the Corporation, this 29th June 2010, pursuant to Subsection 21(1) of the *Metrolinx Act, 2006*. [And that the By-law becomes effective on the same day that the Chief Justice orders the new approved short form wordings to be effective]