



No. 13B

N° 13B

ISSN 1180-2987

Legislative Assembly
of Ontario
Second Session, 38th Parliament

Assemblée législative
de l'Ontario
Deuxième session, 38^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 1 November 2005

Mardi 1^{er} novembre 2005

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

Hansard Reporting and Interpretation Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY
OF ONTARIO

Tuesday 1 November 2005

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mardi 1^{er} novembre 2005

The House met at 1845.

ORDERS OF THE DAY

TRANSPORTATION STATUTE LAW
AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS
EN CE QUI CONCERNE LE TRANSPORT

Resuming the debate adjourned on October 26, 2005, on the motion for third reading of Bill 169, An Act to amend the Highway Traffic Act and to amend and repeal various other statutes in respect of transportation-related matters / Projet de loi 169, Loi modifiant le Code de la route et modifiant et abrogeant diverses autres lois à l'égard de questions relatives au transport.

The Acting Speaker (Mr. Ted Arnott): When we were last debating this matter, the member for Niagara Centre had the floor. He still has additional time. I recognize the member for Niagara Centre.

Mr. Peter Kormos (Niagara Centre): Thank you kindly, Speaker. I've only got a few minutes left, the remnant of the one-hour leadoff. It wasn't the lead; it was the effective lead because, of course, Gilles Bisson, the member from Timmins–James Bay, who is the critic in this area, is going to be doing his leadoff, we hope. He may not be able to finish it tonight, but we hope he'll be able to start it.

I know Michael Prue is going to be here. Michael Prue is anxious to speak to this bill, because Michael Prue has been out there standing shoulder to shoulder, arm in arm, with taxicab drivers across Toronto, who very legitimately, very rightly, for oh, so many obvious reasons—section 4, schedule A—understand that this government is thumbing its nose at hard-working cab drivers. Cab drivers work at dangerous, hard work—dangerous work. I don't have to tell you; you have to read the newspaper to see what kind of dangerous work cab drivers work at, and you know, there isn't a whole lot of pay there.

These hard-working women and men driving cabs make this city work. And while section 4 of schedule A does quite a number on cab drivers in making sure they don't take fares out of the airport, it leaves the doors wide open to the limousine drivers—the limousine drivers in the Lincoln Town Cars and the Cadillac DeVille sedans and the Mercedes Benz S 500s. This Liberal bill leaves the door wide open to the limousine drivers who

have their trade at the airport—cabbies understand that—but who then want to scoop fares in downtown Toronto. Do you understand what I'm saying, Mr. Racco?

Mr. Mario G. Racco (Thornhill): No.

Mr. Kormos: Well, you'd better listen up then, because your constituents are concerned about this. Mr. Racco had better understand exactly what it is this bill does. I'm not going to take him through the whole bill; I'm just going to take him up to section 4 of schedule A. And if Mr. Racco wants to read it with me, he will see that this is a discriminatory, unfair, downright vicious, heavy-handed, ham-fisted—

Mr. John R. Baird (Nepean–Carleton): Mean-spirited.

Mr. Kormos:—and as John Baird, soon to be federal Member of Parliament, I presume, says, mean-spirited. All the cabbies want is fairness. What's wrong with asking for fairness? What's wrong with expecting fairness from any government? Fairness is what they're not getting from the McGuinty Liberals at Queen's Park. Fairness is the last thing on this government's mind. You heard the taxicabs circling Queen's Park, didn't you, Speaker, honking their horns? There were thousands of them, asking for nothing but fairness, the most simple of requests, fairness. New Democrats tried to resolve the problem. We wrote to Mr. Bradley, the government House leader, and said, "Please sever section 4 and, quite frankly section 1, which is a complementary section of schedule A, and Bill 169 could proceed relatively smoothly and promptly"—not hastily, by any stretch of the imagination—"through third reading."

1850

Michael Prue, the NDP member for Beaches–East York, has been fighting like the devil on this one. He's been fighting for cab drivers. He's made it clear that New Democrats can't and won't vote for or support a bill that leaves taxicab drivers to hang out and dry. We proposed solutions, but the government wasn't interested in solutions. The government, rather, wanted to talk about its studded tires for northerners.

Do you know what? I've got to take the government at face value when it says that the new technology of studded tires don't chew up the road.

Mr. Norm Miller (Parry Sound–Muskoka): I don't see that in here.

Mr. Kormos: It's in this bill, Mr. Miller.

My fear is that the studded tires that are being promoted by this bill are going to cause extra and exceptional damage to the roadways in northern Ontario. Look,

I'm not averse to safety anywhere in Ontario, but I say this government had better stand up and make it very clear that should there be excessive road wear in northern Ontario as a result of studded tires, this government is going to help those municipalities pick up the tab for the extra work that's going to be required, which is going to cost the taxpayers of those municipalities.

Quite frankly, if studded snow tires don't cause any damage, why can't folks in Ottawa use them? If studded tires don't cause any damage, like the government says, why can't folks up in Barrie use them?

Mr. Baird: Or Bells Corners. What about Bells Corners?

Mr. Kormos: If studded tires don't cause any damage, why can't the folks out in Ailsa Craig use them? If studded tires don't cause any damage, why can't the folks down in Cooks Mills, where I'm from, use them, never mind Dain City. What's going to happen to the northerner who drives south of whatever boundary there is going to be? It's a problem. If studded tires are good enough for Timmins-James Bay, why aren't they good enough, Mr. Baird says, for Bells Corners and the hard-working women and men who live there?

One suspects that the government has not been entirely forthcoming on this issue; that studded tires are but another political ploy.

Look, the government is reeling today. There isn't a Liberal in this province—in this country—who's thinking straight. Mr. Justice Gomery, in his report, revealed the federal Liberal Party, which most of these Liberals are members of, to be rife with corruption—millions of dollars of taxpayers' money brown-enveloped to friends. Mr. Martin thinks he's curing this cancer by expelling, Soviet-style, 10 members of his party. But, you see, Mr. Martin has only got the surface there; he's scratching away at this scab, and the sickness is far deeper—the rot, the corruption.

You don't rip off millions of dollars like that with but a handful of players. It takes more than a few to handle a heist like that. I say the Adscam kickback scandal—

Mr. Baird: Money laundering.

Mr. Kormos: —money laundering, as Mr. Baird would have it, which has constituted rot in Ottawa—we've only seen but the very surface.

The Acting Speaker: Questions and comments?

Mr. Lorenzo Berardinetti (Scarborough Southwest): With Bill 169, I think we're looking at a number of housekeeping amendments that are being made to various traffic acts and the Highway Traffic Act that exists here in Ontario.

In the limited time I have, just to comment briefly, I think one of the key points about this bill that I'm concerned about is the whole issue of traffic calming. People out there who are driving today are a lot different than they were 10, 15 or 20 years ago. We have, this past year alone, more pedestrians killed in the city of Toronto—I don't know what the stats are for the rest of Ontario, but more have been killed than in previous years. I just find that when I get on the road and I'm driving my vehicle,

I've never seen such bad driving habits as are being established now.

One of the things Bill 169 does—and I don't have much time to talk about it—is permit the use of traffic calming in municipalities throughout Ontario. I know that Toronto does it and is doing it more and more by bringing in speed bumps and other ways to calm drivers down. If it takes five more minutes to get to a destination, big deal. At least you'll arrive safely. People seem to get behind a car wheel—some people, anyway—and treat the vehicle almost like a toy, when they're driving something that is a machine that can kill.

Permitting more speed bumps to be put in is a way to deal with this. Traffic-calming measures bring speed limits down to 30 kilometres an hour. I think this is something that is good for everyone in Ontario, those who drive as well as those who potentially may be hit. We had a former minister's father hit by a speeding driver just recently. It was very, very tragic. Drivers are hitting pedestrians, and this bill is starting to address that issue. I appreciate that.

Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to speak on Bill 169. Our party supports all of this bill with the exception of section 4. We would like that not to be proclaimed or to stand alone, because we want an even playing field for all taxicab drivers.

Quite frankly, there's been a lack of consultation on this particular section of the bill. It's somewhat similar, with respect to the lack of consultation to Bill 2, the sprinklers bill that we're going to be facing as a private member's bill on Thursday. I've got some letters with respect to the lack of consultation on that from the Barrie Construction Association and Pratt Homes. What they're looking at is increasing the cost of homes by \$3,000 to \$5,000, with no consultation with the building home industry, similar to Bill 169, where there's no consultation with the taxicab drivers, basically putting forth a dictum in terms of what they're supposed to do.

I want at this time to read a letter that I got from Minister Harinder Takhar with respect to transportation in my riding. He says:

“Dear Mr. Tascona:

“Thank you for your letter of August 15, 2005, on behalf of your constituent, Scott Tate, about the status of the extension of GO Transit rail service from Bradford to Barrie, and the concern that there has been a delay by the provincial government in funding this extension. I appreciate the opportunity to provide an update on this project.

“This project is scheduled for completion in the first half of 2007, pending agreement on the city of Barrie's financial contributions. As currently planned, the service would provide three trains in each direction per weekday from Toronto to Barrie. Ministry staff are working with the city of Barrie to finalize the details of its financial contribution to this project.

“Thank you again for bringing this matter to my attention.”

I've been working hard on GO Transit.

Mr. Gilles Bisson (Timmins–James Bay): I just want to say, to the comments of my colleague the member from Niagara: He's bang on. The question one has to ask oneself is, "What is it that this government has against taxis in the province of Ontario?" Now, some people would characterize this as an issue that only affects the Toronto cab industry and the limos out at the Toronto airport. But I've got to tell you, coming from northern Ontario, that there are many communities across this province that are going to be affected by this bill. People are tired, quite frankly, of being scooped by what's going on with airports.

1900

Let me give you an example. What happens at many airports across this province is that the airports, which basically control the land they're on, say, "If you want to come and pick up a fare over here, you've got to pay us some money in the way of a licence in order to have the exclusive right to pick up fares at the airport." So those particular cab organizations in Sudbury, Timmins, Thunder Bay, Toronto, Ottawa and a whole bunch of other places pay a fee to the airport authority in their community, and they have the exclusive right to pick up fares at that airport. The part that is really galling is that once they drop the fare off in the community to which the airport is attached—Timmins, Ottawa, Toronto, whatever it is—you end up with a situation where they drop off the fare and then they can pick up another fare in Toronto or Timmins, bring them back to the airport, and not have to pay the fee to the city of Timmins or the city of Toronto or whoever it might be if they happen to be licensed by the airport authority. That's rather unfair, because there's no reciprocal agreement for taxis going the other way.

Mr. Tascona: They don't do that in Timmins, do they?

Mr. Bisson: It happens in a number of communities.

Mr. Tascona: Do they do that in Timmins?

Mr. Bisson: They do it in a number of communities.

We have exclusive contracts at most of the airports across this province. I say to this government, why is it that this government wants to favour the limo association and those who service airports but is not willing to do what's fair to the cabbies across this province? As a former cab driver, I've got to say, this bill really irks me.

The Acting Speaker: Questions and comments.

Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell): First of all, I want to make sure that the members from Niagara Centre, Barrie–Simcoe–Bradford and Timmins–James Bay really understand why we've got section 4 within Bill 169. It's very clear, if you take the time to look at it decisively and know why it is there. At the present time, anybody who wants to take a taxi cab from the airport could pre-arrange with any taxi cab from Toronto. They will be allowed to pick them up at the airport as long as they pay \$10.

Gentlemen, I just want to make sure you are fully aware that the licenses of those taxi cabs at the airports get issued by the Greater Toronto Airports Authority, and the cost of the last license that was sold was \$465,000.

We want to make sure that the tourists coming into Toronto and all over Ontario—this bill does not only apply to Toronto; it applies to the whole province of Ontario—are well covered, that all the taxi cabs have proper insurance and also that they don't get gypped. We know that some people have charged \$180 to get down from the airport to Toronto centre, and others—a member of this Legislature—paid \$80 to get a cab. They were scoopers. We want to eliminate the scoopers. We want to eliminate the cookies standing at the hotels at the present time, making pre-arrangements with all those people.

Studded tires: you don't get this problem in Niagara Centre. The roads in northern Ontario get snow-packed, because there's not enough traffic to get the calcium to work. This is why we are going to allow studded tires in northern Ontario.

The Acting Speaker: The member for Niagara Centre has two minutes to reply if he wishes to do so.

Mr. Kormos: I hope I heard the member from Glengarry–Prescott–Russell correctly when he said that a member of this Legislative Assembly took an illegal cab and paid \$80.

Mr. Lalonde: He didn't know.

Mr. Kormos: Well, he's the stupidest member this Legislative Assembly has ever seen. I think he should stand up and identify himself so that we can help him in any way possible, so that we can teach him to read the little label on the—I mean, I can't believe it. I understand maybe somebody's been on a plane for first time in their life, they've just arrived in Toronto—like my cousins from Slovakia, from the village—they've come to the airport from that little village in Prešov region, they don't speak English, they've never been outside the country, they've never been in the big city. If they fly into Toronto and they get taken by an illegal cab driver, I understand; but somebody whose constituents have entrusted him with representing that constituency in the province of Ontario is stupid enough to take an illegal cab and then pay \$80? No wonder the member for Glengarry–Prescott–Russell doesn't want to identify him. This guy probably paid the member for Glengarry–Prescott–Russell \$80 not to say who he is because he doesn't want his name known. This person is the stupidest MPP who has ever sat in this chamber. Eighty dollars for a ride in an illegal cab from the Toronto airport to downtown Toronto. This member clearly doesn't get out and about very much. I think, rather than discriminating against cab drivers, you ought to sit this member down, Monsieur Lalonde, and explain to him that he shouldn't be getting into unmarked cars that don't have signs on top, that don't have meters, and where the guy wants cash and won't give you a receipt. I feel sorry for this member. I feel even sorer for his constituents. This guy is as dumb as a bag of hammers.

The Acting Speaker: Further debate?

Mr. John O'Toole (Durham): I've actually been looking forward to this, and I appreciate that the House has set aside the time for the critic's response to Bill 169.

I want to go on the record here a bit and make sure that my remarks are taken in good taste and in all respects are germane to the bill before us, Bill 169.

It's important to put on the record that Bill 169 was first introduced by Norm Sterling as Bill 241. Many of the aspects and sections of the bill are similar to the legislation introduced and the work done by Frank Klees as the Minister of Transportation in our time in government. I do want to respect the minister for taking that up. It may have taken a bit of time to get this thing on the road, so to speak.

I took some time to look into Minister Takhar's background. I would say, respectfully, that I was quite impressed. He was elected in October 2003 and immediately appointed as Minister of Transportation by Dalton McGuinty. Mr. Takhar has held leadership positions with several Canadian companies, including AGRA Industries Ltd., Linear Technology Inc./Gennum Corp. and Timex Canada. But more importantly, he also served as president and CEO of the Chalmers Group of Companies until his election in October 2003. He is a well-respected and highly established business person. I want to start out with the tone to say that I respect the effort he's making here, and for the most part, our leader, John Tory, has said to me that we agree with this bill. There is one very small, rather administrative amendment that we think could be dealt with very expeditiously by just not proclaiming a section of the bill, which has been said.

In my further inquiries, the regard in which he is held in his community is important. The Chalmers Group, headed by Mr. Takhar, was recognized by the Financial Post as a finalist among the top 50 best-managed companies in Canada. The company was also given the Outstanding Business Achievement Award by the Ontario Chamber of Commerce in 1999.

I think he understands the importance of—the roadways are the arteries of our economy, and it's important that the minister has a really strong appreciation for that. The mix of transit modes that he has responsibility for in that ministry is important to the economy of Ontario, whether it's northern Ontario or the borders—the gateway issues—or the GTA, where we're suffering a fair amount of gridlock and frustration. The importance of the public safety issue is a paramount theme throughout all of his decisions as minister.

We have no problem with most of the bill, because most of the bill addresses issues that all of us, including our leader, John Tory, would agree with. So I think, respectfully, when someone with business acumen, such as John Tory, and, as I've said, Minister Takhar, they're pretty much singing out of the same hymn book here. There are just a couple of small details, which I'll get into.

As I said, in the last couple of weeks the Minister of Transportation has been the subject of the estimates committee. For the viewers, the estimates committee is really a review of all the program spending by a minister. Today they were doing the Minister of Education, Gerard Kennedy, and last week they were doing the Minister of

Transportation. I think the next minister is the Minister of Energy, which would be, probably, an interesting one to attend.

1910

But I should get to the bill. The bill, as I said, was first introduced by our government after extensive consultation with the various stakeholders: the Ontario Safety League, the Ontario Trucking Association, the road builders' associations—and how important these links were to commerce in Ontario. We know that we started down the long road of trying to find the resolve to—the fundamental issue here is getting 85% of the goods produced in Ontario, either in the form of raw materials or finished product, exported.

So it's required that we have really good border interchange for our economy. I can tell you that that work was started in our government and it's still ongoing. It's a tripartite—in fact you could say it's a five-party agreement—on the border issues at Windsor. You've got the US government, the city of Detroit and the state of Michigan. You've also got the city of Windsor. You've also got the regional authority there. You've got the province and you've got the federal government. You have a lot of responsibilities here for the process for linkage with our neighbours in the United States. It's probably a lot of red tape and really causing lot of waste in our economy. Each delay there is costing jobs. I would urge the minister—the general thrust of the Minister of Transportation is to get the border solved.

We could deal with some of the commodities at the border, one of which is the auto sector, which is so dependent on that gateway with the just-in-time environment. The auto sector and many of the ancillary supply-side issues in the auto sector are very much transport-truck-based. Those border issues for component parts, as well as finished products, are absolutely critical.

I do want to say right from outset that Bill 169, which I've had the pleasure to go through in some detail probably a couple of times—I can't find an awful lot that I disagree with. And I'm not just filling time here. I think it's important to put concisely and politely on the record a couple of the concerns, and as critic it is my role to listen, to bring to the minister's attention concerns. We'd like very much to support it because it is about road safety and the economy of Ontario. John Tory has made that eminently clear to caucus just this morning when we reviewed our position on this legislation.

The two parts of the bill that I want to get to, and now I'm going to move into a bit more detail—some of the people I see may wish to go on with other business. But for the record, it's my requirement, in response to the bill here, to put the issues that we see as somewhat in question. I'll mention names and give credit to persons who have made a contribution to these issues.

The first one would be the airport limousine drivers and the taxi drivers—a long-standing issue. There was interference by government some time ago where they took it upon themselves to make it what I would call illegal for taxi drivers to pick up fares at the airport.

Now, let's roll out for the ordinary person, the average citizen of Ontario or Toronto, or some parts of Ontario, that they're actually going to the airport with a fare in a taxi, and the taxi driver has to leave the airport empty. It's illegal for them—some of them are licensed through the city of Mississauga, because part of the airport is actually in Peel region, the city of Mississauga. Part of it's in Toronto as well. So there's a licensing issue; in fact, the licences are issued by the municipality, not the province.

You see that this argument's been sort of phrased or captioned by the term "the scooper bill" or "the level playing field." Here's the other part of it: The limousine driver sits at the airport waiting to be of service to people coming into Ontario or Toronto, or wherever, for that matter. They arrive in Toronto; the limousine is there to take them, often for a prearranged fee, a certain amount of money, to a hotel where they've made their reservation for the first night to start their tour. Welcome to Ontario. I think it's absolutely critical that they have classy vehicles and well-trained, professional drivers. They can drive to Toronto, to the Hilton or wherever they're going.

Mr. Baird: Holiday Inn.

Mr. O'Toole: The Holiday Inn. Best Western is usually where I stay. You know: modest person, modest income.

The real story here is that the limousine driver is allowed to pick up a return fare. Often, money changes hands to the maître d' or the bellhop or whatever they call them at the various hotels; they may get a bit of money to get a return fare to the airport. So you have the limousine able to deliver from the airport and back to the airport from the hotel. But who is to say that the person they pick up is actually going to the airport? They're probably going to—

Mr. Bisson: John, are you taking the whole time on this?

Mr. O'Toole: We have quite a bit to say on this. For viewers who want to record this, you'll need an hour's tape.

To be serious, that fare could be dropped off at Yorkdale or could be dropped off anywhere in the city of Toronto, which then would arguably be replacing the normal taxi driver, who pays for a licence and abides by the rules. What the taxi industry has said to me is that it's not a level playing field.

I do want to put on the record—and this is where it's very important for me to have notes handy that I can actually read. On the taxi issue, I met with Hillel Gudes, Andy Réti and Gerry Manley. They're representing the Toronto Taxi Drivers Association. All they want is a level playing field; that is, that the taxi can deliver to the airport and make a return trip back to a hotel or to Yorkdale or wherever a person may want to go. It seems to be environmentally friendly; it seems to be a level playing field, because at the moment the limousine driver can actually deliver from the airport to some destination

downtown and return a fare to some other place in Toronto. That's all this is about.

In the committee hearings on Bill 169, which I attended, I moved an amendment. I want that amendment to be put on the record again now, because this is where we got into some difficulty. Our position, with John Tory, caucusing on this several times, was that we wanted to find a way we could go forward, working co-operatively, sort of hand in hand, if you will—not exactly that way, but certainly working co-operatively—to move this bill forward. We had spent considerable time consulting with the various sectors, as I said, and the right thing to do, I think, politely and respectfully, with the minister being fairly new on the job—we moved an amendment, and I'm going to read the amendment. I moved that section 32 of schedule A of the bill be amended by adding the following section—this is really the essential part of our argument on a very compatible bill:

"(3) A proclamation shall not be issued in respect of sections 1 and 4 until after legislation is enacted respecting the operation of taxis at airports,

"(a) as an amendment to the Municipal Act, 2001 that incorporates the terms of an agreement among the affected municipalities and the associations that represent taxi operators; or

"(b) as an act respecting the city of Toronto that incorporates the terms of an agreement between the city of Toronto and the associations that represent taxi operators."

All I can say is that this motion was debated in committee. In fact, one of the committee members, Mr. Duguid; whose riding, I believe, is Scarborough—just a minute; where is Mr. Duguid sitting now? They've changed the seating plan on me.

Mr. Baird: Scarborough Centre.

1920

Mr. O'Toole: Scarborough Centre, yes. Pardon me. Thank you, to the member from Nepean, who has an illustrious future ahead of him.

If you look up Hansard, he said that, yes, they kind of tacitly agreed that much of this could be dealt with under the Municipal Act. I'm actually speaking to my constituents and the people of Ontario, because I know many people in here know that there are discussions between Mr. Gerretsen, the Minister of Municipal Affairs and Housing, and the city of Toronto, David Miller, on a new City of Toronto Act. It's probably long overdue, and I would say that perhaps Barbara Hall will serve a role there in her new job.

But that is a very good point for me to establish a very important piece of evidence. I'm looking at a letter here, and it's from David Miller, the mayor of Toronto. It says, "I am writing to express city council's"—that's the city of Toronto—"position on Bill 169 with respect to 'scooping' taxi fares. At its meeting on May 17-19, 2005, council adopted Planning and Transportation Report 4, clause 3, which included the following motion by Councillor Howard Moscoe:

"...The city indicate its opposition to Bill 169 as it pertains to "scooping" fares at the airport, unless it is

amended to remove the exemption that permits airport licensed vehicles from “scooping” fares within the city of Toronto, and the Minister of Transportation and opposition critics be so advised...”

Mayor Miller’s signature says, “I support council’s position on this matter.”

He is really saying that the city of Toronto, which is a large, complex, sophisticated city, is prepared to take this on under the new City of Toronto Act.

We also know that there are discussions, or at least the House leaders are discussing, the possibility of amending the Municipal Act generally, which would allow autonomy in many forms to deal with this problem under the Municipal Act. That’s basically what Brad Duguid, the member from Scarborough Centre, said in committee. He more or less tacitly agreed with the amendment we moved that that section of Bill 169, section 4, not be proclaimed until such time as the Municipal Act has been dealt with—not an unreasonable request. I put that formally on the table tonight.

Our position on this bill is that we do want to support it, and we probably support 95% of the bill. There are two little sections—the one I just mentioned, section 4, dealing with the taxi issue, where we are strongly in favour of the cities and the municipal regional levels of government dealing with this issue. I can tell you that some of the airports, like Hamilton or Windsor or London or Ottawa, have unique circumstances where they have too many or too few limousines and they might want to have the flexibility to move to a different approach or resolve to the issue.

That’s about accountability and transparency, and I think Minister Takhar, with his knowledge of and background in business, would realize that would be just smart business. He would have won the day with David Miller. He would have set a precedent of the government’s willingness to let democracy work. We have the mayor of Toronto saying that’s a solution. So I encourage him on the record here tonight to do the right thing, and you’ll find that John Tory is one who wants to work and move forward together when we’re trying to do the right thing. That is the first issue that I wanted to bring to the viewers’ attention and to put on the record.

The second issue is not quite as well debated and understood, but I would say our position on the second issue—that’s the issue raised by the driving school associations. This is a bit more difficult to explain on my feet here without notes, so I’m going to refer to the Hansard discussion during the hearings on Bill 169. I’m going to refer to two individuals who are quite experienced in this area of the self-regulating organization of the driving schools.

What do the driving schools and licensed instructors have to do with this bill? There’s a section in this bill that prescribes how a student taking driving school lessons and course work dealing with Highway Traffic Act passes and conforms with that before they go and take their practical exam with the Ministry of Transportation offices. There seems to be a suggestion that there is

inconsistency between certain driving schools, for a variety of reasons. I don’t necessarily want to go there

It’s important to put on the record here that, as I said earlier, the economy is dependent on having an effective, efficient, well-maintained transportation infrastructure, everything from ferry service between islands, like in Kingston, for instance; transit systems, whether it’s GO Transit or public municipal transit like the TTC; some airports, which are controlled, funded and maintained through licensing, permits and fees by the province and are important to the local economy—and northern Ontario might be one example—and I would say highways, which are the ribbon of economy.

The second part is the driving licence and auto insurance issue. It has been recognized for quite a few years here that if you take driving instructions and courses for safe driving, you will receive an insurance reduction. I think it’s about 10% off your premium if you’ve taken driver ed, as they call it. Sometimes the certificate they get to turn in to the insurance company is issued by the driving school, and that certificate entitles you to a premium reduction, which is important because auto insurance is very expensive. Governments right from the NDP have been struggling with it, and certainly you’re struggling with it now, as I see you’re going to be closing the designated assessment centres which deal with injuries and accidents.

The point I’m making here is that the Driving School Association of Ontario was set up in, I believe, 1991, as far as my notes here go. There were two presenters at the committee. One was a fellow named Bob Lewis from North Bay:

“I’ve had a driving instructor’s licence since 1973. I’m presently a member of the Road Safety Educators’ Association, the Canadian Association of Road Safety Professionals and the Ontario Safety League. You have my presentation there, and I’m just going to skip over some parts of it,” and make a few points.

“Keith Wallace, who was one of the best-qualified driving educators in Ontario at that time, indicated in 1978 that the driver training industry had gone backward in the last 18 years. So it was 18 years behind in 1978. Also at that time, the Ontario Safety League”—and this is the issue I’m trying to establish here; it’s a little more complicated than the scooping issue—“was severely criticized for the standards that it set for approving driving schools.”

So there was a set of standards, and the ministry took over and set standards for qualifications for instructors and to issue these certificates. I’m still quoting from Bob Lewis:

“So where are we now? One of the organizations named above refused to co-operate with the plans to regulate, and it now no longer exists. The DSAO,” the Driving School Association of Ontario, “which was the only provincial organization that has tried to introduce standards of behaviour for driving schools and encourage professional development for all instructors, has been emasculated since 1998, when the Minister of Trans-

portation and the government of the day unilaterally changed the rules and procedures.” The Ontario Safety League, “for no reason that was apparent at the time, was given the functions of certificate distribution and audit, previously carried out by DSAO.”

The DSAO made a presentation as well, and I just want to put that on the record here, because there was some question. This was put on the record by John Svensson:

“In response to challenges from the government, going back as far as 1985—I won’t go back to 1978 when another bill came forward for self-regulation, but in response to challenges the government put to us in 1985—we undertook a path for industry self-regulation. By 1994, 100% of all of the driving schools offering formal driver education programs in their communities were part of the DSAO-approved school system.”

1930

It worked quite well, and for some reason or other—there’s a large question that needs to be examined by the minister and staff to ensure—I know they’ve made minor changes recently and taken the Ontario Safety League, who did these audits of compliance of the driving schools that were issuing the certificates, and they’ve given it to independent, arm’s-length audit groups.

I recently asked the minister a few questions in estimates on the transparency and accountability of this process.

It’s a bit technical, but what I’m saying is that this was an issue in the paper this very day. I could quote that for you, and I will, because I’m going to make that quote later on. I am saying now that there is a newspaper article talking about the safety on our roads. It could be coined under lots of different phrases, but I think it’s just a lack of familiarity and a lack of rigour in acquiring a driver’s licence. We should always remember that a driver’s licence, whatever type—I’m talking primarily about a G licence—is a privilege, not a right.

Some of the attention in the courts and some of these judgments or decisions are set aside because the courts are kind of backlogged, but it goes back to what the driving school certification process is trying to do: standardize a very high level of expectation in the curriculum; audit that and verify that by the Driving School Association of Ontario—that has been taken over a bit by the Ontario Safety League, is the information I’ve been given by the presenters I just mentioned, Mr. Svensson as well as Mr. Lewis, with many years of experience. The Ontario Safety League basically took their computer system, their certificates and the auditing system from them. They’ve been struggling to get it back. There’s more to that story; some of it’s speculation. I just think there needs to be an organization.

I asked the minister a question: “How much money do you get for each one of these certificates?” Because I read in an article that these insurance certificates were virtually being sold with no course required. What they were saying to me is that the certificates were being given out by the ministry to the driving schools, and

every time they issued one, the Ministry of Transportation would get, I believe it’s \$4.50. These certificates were being sold to people who may have been in need of getting their licences. You can use that the way you wish. They’d have to be able to drive, obviously, because they’d have to go and pass a driving exam. The certificate would be as if they’d had driver’s education, and it would give them a discount on their insurance. That was the accusation being made: that this process was somewhat flawed; that they were printing these certificates on laser printers and selling them for 50 bucks.

The Insurance Bureau of Canada, Mark Yakabuski, did appear before the committee. They need to make sure that there are standards in driver education.

I feel confident that the minister wants to have a professional climate for driver ed and driver certification processes. We all want to have safe driving. There are two issues that I’ve raised, one being the taxi industry issue and the other being the driving school issue.

With that, as I said before, we’ve offered an amendment where the minister would simply not proclaim—I believe if he gave John Tory, our leader, his word that he would not proclaim that section until they had resolved the taxi issue under the Municipal Act or the City of Toronto Act, tomorrow or the next day—whenever we vote on Bill 169—our caucus and our leader, John Tory, would be supporting Bill 169.

Failing to do that, we have to make sure that, under the definition, as Premier McGuinly says, there is transparency and accountability. We need to do the right thing. We need to not just slip over or ignore these unresolved issues of fairness.

I believe that our position isn’t really earth-shattering; it’s simply doing the right thing. That’s the point I’m trying to make at some length, and I’m trying to do it politely. In fact, I’m confident that it’s non-partisan when I see Mayor David Miller’s signature on recommending roughly the same suggestion, that they can deal with this under the Municipal Act.

I just want to move to a couple of other points, since I’ve solved our problem on Bill 169. I want to go back to the estimates process because, as I did compliment the minister in my remarks, he’s trying to do the right thing.

You know, I represent the riding of Durham. It’s in Durham region, obviously, and it’s part of the city of Oshawa, as well as Scugog township—a wonderful, beautiful area of Lake Scugog—as well as Port Perry, which is a great destination for anyone, and Clarington. The three mayors there—I work very well with John Mutton and Marilyn Pearce from Scugog, and certainly with John Gray from the city of Oshawa. I, of course, worked in the auto sector for many years. So I think it’s important to respect the importance of the economy.

I’m getting back to the broader discussion of the mandate the Minister of Transportation has. I just recently made presentations, as I do annually for sure, maybe semi-annually: I appear before the mayors that I work with and the regional chair, Roger Anderson. It is my job to represent their interests, certainly to listen to them and

indeed support them, if not initially question them. In those presentations, I've asked them what their top issues are, and I've got quite a little list. In fact, I can tell you that I have a number of issues that I want to put on the table here that I've raised with the minister.

Do you know what the number-one issue was, Mr. Speaker? I'm just wondering. Mr. Speaker, I was just wondering if you were interested in the top issues in my riding, and probably in all of Durham region. It was the completion of Highway 407. It's important to the city of Kawartha Lakes; it's important to the city of Peterborough; it's important to Windsor, actually, because the Windsor area and the border area is a huge issue. The Minister of Transportation—now we're getting into what I'd call really sensitive areas of where you've got to deliver. I don't mean that in any way to be a threat. It's just linking the importance of the Ministry of Transportation's Bill 169 and those functions with respect to—

Mr. Speaker, I think somebody's on the floor of the House.

The Acting Speaker: I apologize to the member for Durham. He still has the floor.

Mr. O'Toole: Yes, thank you very much. Holy—what do Batman and Robin say? Holy—whatever it is. I forget what they say. Anyway, I hope he brought his Batmobile, because it is transportation. Holy—what is it?

Mr. Dave Levac (Brant): Holy taxi, Batman.

Mr. O'Toole: Holy taxi, Batman. Yes, exactly.

The number-one issue certainly in our area was the 407 completion. Now, I put to the minister in estimates—you can look this up in the Hansard copy of estimates from last week. I quite humbly said to the minister, "Are you sure that your election promise to roll back the tolls on the 407—and now you're in court with the 407 group. Are you sure that you are not going forward with the 407 completion because you're in court with the very operators of the system? So why would you sign an agreement with the operators of the 407 until you've resolved this election promise?"

1940

I'm not talking about the broken promise and all that rhetoric we use in here. I think it's a serious question. It actually has legal legs in terms of precedents and ministerial responsibility to contract with an operator with whom he is in court. But what we want is some certainty for our economy and our opportunity—equal opportunity in Durham region and eastward destinations—to get on with the job of the 407. In fact, Durham region council and Chair Roger Anderson, who is also the chair of AMO, the Association of Municipalities of Ontario, also have a resolution on the record, which I read into Hansard in the estimates committee, insisting that the minister get on and stop using the environmental assessment as a delay for the completion of the 407.

In the provincial sense, I met with the chambers of commerce. Do you want to know what the chamber of commerce felt was the most important issue? It was the border issue at Windsor, to allow our goods and services and our produce and our hard manufacturing, as well as

resources, to get across the borders. This border issue has to be ramped up, because it is going to become a barrier to opportunities for our youth and for our economy.

We know from today's economic statement that the economy is at some risk; in fact, they said there is a bit of a shadow. I don't want to go down a road of hyper-criticism. I'm pointing up in a helpful way two recent observations that I have heard from municipally elected leaders. I'm communicating that, as is my duty, and how it applies to our opportunity not just in Durham region but indeed across the province. So I do leave that on the record as an important thing for Minister Takhar to work on, and I suspect—I can say it here. I know I listen to our leader, John Tory, who fundamentally believes that a strong economy will allow the government to enhance the programs we offer, and we've all established that part of that strong economy is the infrastructure that we're talking about, mainly our roads, highways and bridges etc. that come under the direct responsibility of the Minister of Transportation.

But I also said that there were a few other small, minor things that for the public who may still be listening—some of them may have videotaped it, and hopefully have, because I would like perhaps to get a copy of it. But one of them was in some of our connecting roads, our links.

On the 407, I have raised two issues in Durham that need to be resolved before they can move forward to build the links from the 407 down to the 401. One of them is the Lakeridge Road connection. That has to be resolved. There's no real link from the 407 as it heads eastward toward the 35/115 highway until you get past Oshawa. I'm looking at the member for Northumberland, because Mr. Rinaldi, as a former mayor, would know how important that is to his community, to get that economy moving across Toronto through the GTA. We're all dependent on it, Mr. Rinaldi. I would say we're working together here.

Well, there is no link until you actually get past Oshawa, and it is in the area of Courtice Road. The initial study was done when I was a regional councillor—before I was a councillor. In the early 1990s, there was a 407 environmental assessment done eastward right to 35/115. I'm told by the ministry that this EA was never filed with the Ministry of the Environment, but there was a lot of work done. They developed what they called the technically preferred route. That technically preferred route is still showing on the official plan of Durham region. And here we are, let's say from 1990 to 2005; we're talking over 15 years that this thing's been talked about, and probably five years before that.

This is a barrier, and those are two issues that should be worked on as we speak: the links with the eastern portion of the 407 highway. One would be the Lakeridge Road link and the other one would be the Hancock Road link, and I would think it probably should be somewhere between Hancock and Holt Road. I say that because I do listen to my constituents about how important it is.

There are other issues that may not relate just exactly to the 407, but, as I said before, I know the city of Peterborough has a resolution on it. In those meetings I've had with the public, I heard quite a bit, actually, in terms of some of the priorities locally. And—surprise, surprise—I've had a lot of e-mails.

I have a bill that may come before this House before Christmas. It's Bill 137, and it's really to the Minister of Finance, but it works directly with the Minister of Transportation. I would gladly give the legislation and deny any ownership of it, because it is just good public policy. Bill 137—Mr. Speaker, you may be interested in this—provides a transit tax credit. There would be a tax deduction for all receiptable expenses for use of public transit.

Now, why did I come up with this idea? I didn't. I was on the GO train with one of my constituents. He found out I was a member and we got talking. He said to me, "Do you realize it costs me \$70 a week for a GO pass to take the GO train to Union Station? It costs me another \$5 a day to go up north of Bloor street." He works north of Bloor Street. It's costing him \$100-plus a week, and his wife. They're doing the right thing, they're using public transit, and they're spending \$100 or \$200 a week. For a young person with a young family, that's \$5,000 a year, after tax. That's like \$10,000 it's costing them, and at the same time they're doing the right thing. They're not polluting; they're not in gridlock; they're not idling their cars.

I'm asking the Minister of Finance or the Minister of Transportation to adopt my Bill 137 and modify it in any way they wish. They could implement it over a period of years. It could be set by regulation. They could give a 5% tax credit the first year, 10%, whatever, and they could phase it in over time. It will help gridlock, it will help the environment, and it will improve everyone's quality of life. Just think about it. It isn't going to cost that much, because if we don't get cars off the road, it's costing the economy billions of dollars. So there is one small bill and one example of trying to work co-operatively with the government to do the right thing and to implement the right policies, and I offer this tonight to Minister Takhar. I don't need my name mentioned—perhaps the name of my constituent who gave me the idea—but I'd like to see him implement that, because it's simply good politics, it's good policy and I think it's the right thing to do. I would be the first one to be there taking his picture at the photo op—not being in the picture, if you know what I mean. That's kind of a selfish thing, but we're all trying to work—our leader, John Tory, is big on urban issues. He's big on public transit as part of the solution. There's no one-size-fits-all in these suggestions.

We see the transit strategy. Now we're getting into a bit more sophisticated language. The strategy we've tried to develop, in the very few minutes I've had so far, is to stress the importance of the economy and its link to infrastructure, that is, our transportation infrastructure. We all agree on that. We've offered minor solutions. The completion of the 407 would be one of those. Increased public transit would be another part of it, through the tax

mechanism. We've got to create the opportunity and the incentive to get people to make that choice, to stop for a moment and just say, "I'm not going to be in gridlock any more. I'm going to use public transit." I put it to you that when they buy that first pass for a month, they'll be hooked. It's more relaxing, more convenient and generally on time and on schedule. We just need to make it on budget for young families.

The other one I'm suggesting is on the taxi issue: giving the autonomy back to the municipal level of government to make the rules that suit them on issues that are relevant to their economy, and whether it's tourism or the hospitality sector, making it work more effectively. They license them. Let them regulate them and let's get over this squabble with airport limousines. The member from Glengarry—Prescott—Russell said earlier that somebody got nicked for \$80 dollars by someone who was inappropriately licensed and doing the wrong thing.

1950

I've been holding gridlock meetings across the province, and quite successfully. I know your riding has had them as well, Mr. Speaker. These aren't partisan. We've basically had boards of trade, chambers of commerce, trucking associations, home builders, senior citizens, retired persons, students—students wanting to get to York University. I've been very impressed with the input we've had.

We're developing, on behalf of John Tory, what I call some refreshing looks at new ways of doing things. Without digressing too much, I'm going to share one suggestion—I believe it was in York region. We had a very excellent presentation from York University on the York subway—the Spadina line—and all that, a lot of issues going on. York has an excellent transit system. Many of the regions are working on coordinating transit now—I'm sort of getting ahead of myself a little bit.

At that meeting one person, who I believe was a high school teacher, came unsolicited and made a presentation to the committee. These are just people wanting to bring up simple ideas that are cost-effective. I think her idea is worth listening to. She was so sincere and very well-spoken. She had given this a lot of thought. Frank Klees was with me. He is a former Minister of Transportation and very familiar with York region. He had not met her before, as far as I know.

She said that she likes to ride her bicycle to school, five or 10 blocks from where she lives. The reason is that she believes in health, wellness, health promotion and a healthy lifestyle—what Minister Watson is trying to promote. She said it's good for your health, it's good for the economy, it's good for the environment and it's inexpensive. She's trying to be a model for her students—that's what she said. I give her so much credit, because actions speak louder than words. We've said that. Her idea—are you listening?—is so unique.

Her suggestion was—and I throw this out for public consumption—that on, let's say, Pharmacy or Eglinton, one of the major streets heading north-south where it's almost too dangerous to ride your bicycle, one sidewalk

would be for cyclists and others and the other side would be for pedestrians. So where there are two sidewalks on those arterial streets, municipalities could designate one for cycling or non-motorized vehicles, and the one on the other side could be for walking. What a neat idea. We wouldn't have to have cycling lanes. We wouldn't have to have a whole bunch of congestion because of potential accidents and the risks to people riding bicycles. What a neat idea. Just think about it.

I put these things out because we're talking about a bill about the Highway Traffic Act and road safety. There's a free idea that came from—I could get the number for this young high school teacher who brought this idea up at one of our gridlock meetings.

We've had a number of very non-partisan comments with respect to the whole issue of gridlock. The preponderance of presenters were pro-transit. In fact, I've had input from the Canadian Urban Transit Association—Dr. Roschlau. I'm very respectful of the work done by Transport 2000. A lot of groups are working at trying to find solutions for transit. Why is it so important? It's important for our economy; it's important for our environment.

I think we often lose sight of these opportunities of putting on the record, since we are in public office, that we listen. The transit bill, Bill 137, came from one of my commuters on the GO train on the way to work one day, not from me. My job is to listen to things such as the idea of the young high school teacher on alternate lanes for use of bicycles and other innovative transportation modes—what was the name of that transportation thing that was at Toronto council?

Interjection: The Segway.

Mr. O'Toole: The Segway was a big issue at city council. I think to ban that is backward thinking. You've got to develop ways of modifying; otherwise, we're just going to build more roads, more cars and more congestion. The city of Toronto has no more room to build houses, let alone roads. So we have to think differently and listen to people who aren't engaged in this political process, because we're always wrong and you're always right, or the other way around. Some of these ideas—and Mr. Levac is a former teacher—come from some of the most unsuspected inputs. I just was so happy to hear the input, and I could go on.

One of the other issues that was raised in which they really respect the work done by the minister was—

Interjection.

Mr. O'Toole: Pardon? Oh, yes. Young people in some of our schools and universities today are looking at issues that are far more innovative in connecting fixed transit, which technically is rail transit, with other modes of transit and interconnecting between those modes of transit. It's a big issue. How do you get people from GO trains at Union Station up to the airport or their final destination? I think some of the innovation of young people will solve these things. We think they're not solvable, but if we keep doing what we've always done,

we're going to get what we've always got. And what is that? Gridlock.

Another idea that came up in one of these presentations was that the 407 is built as a broader, high-volume transit route. That high-volume transit route should have a transit link on it. They're building it now. They could embed a super rail as part of the component of the 407 to bring them right straight to York University, almost, from the city of Kawartha Lakes, from Oshawa, from other parts of Ontario. In fact, they could bring people to other parts of the province as well. I just put to you that that's the way we need to think. That came up at one of our public sessions on gridlock as well.

I also want to thank Jim Wilson, who was the critic previous to me, for the work he's done on this file. He set up this template that I'm using, so I want to thank Jim for the work he's done to build a network of relationships. Of course, in opposition, we don't have any serious money—we do this basically on our own—to go out and network and listen to develop alternative policies so that we can become government in 2007. That's ultimately the goal, to get our feet back on the ground, to demonstrate to people in our policy documents that we do see a clear way for the future to bring accountability and responsibility. Our leader, John Tory, is encouraging us to do that and I'm just happy to be talking about it tonight under the freedom of speech allowed me under Bill 169.

One of the things that I have heard a lot of compliments about—and I want to put this on the record because each of us is looking forward to next week. It's the Remembrance Day constituency week, as we know; we're all wearing poppies, as we should. I've got to thank the Ministry of Transportation staff, because this idea of a veteran's licence plate is very, very well received and very well respected. The member from—Ernie Parsons, anyway, has Bill 5. He wants to name one of the highways down in his area for veterans. I'd be supporting those initiatives. Local members aren't trying to change the phenomenon of politics; they're just trying to make a statement out of respect for those individuals, like veterans, in our ridings. I certainly think that Bill 5, from the member for—it's Prince Edward—Hastings, I believe. All we're saying here is that we've tried to connect the dots. The Minister of Transportation is in an enviable position technically to do some of the things that we're hearing from the critic tonight.

The other thing that there is some question about is the MTO inspectors. There has been some media on this one; there has been a campaign. There are apparently 70 vacancies under the MTO inspectors. That kind of flies in the face of road safety issues, as I said before. I have an article here and I'm going to get it; I think it's in my notes. That issue was brought up, I believe, in the clippings today. Most of you have probably read it. It said that there isn't much confidence in the road safety issue, for a lot of different reasons. One of the issues that come up at these meetings was the number of these inspectors.

2000

I also want to mention one problem I'm having and that most members working for constituents are having. The one that I'm sure we all hear about is medical reinstatements. This is where someone, normally a doctor, would determine that a patient's licence should be removed. It could be a stroke; it could be high blood pressure; it could be some other more serious condition, I guess.

I have one that I'm dealing with right now, and I talked to the minister about it. Here's the point I made: It's a little bit complicated, but the idea is, getting your licence back is harder than getting it taken away. If it's determined that you're medically fit, you've got to wait for an appeal to get your licence back. It could be months. I think of constituents of mine in Port Perry or Caesarea as examples. There is no transit there. If you have a job that requires an automobile and you don't have wheels—and in many of our ridings you could be way out of town—you're not going to work. If you can't work, then your family suffers. In many cases in today's world—the economy—both people work. In that case, I would say that hopefully they—that whole idea of getting the licence back is an issue.

I've asked the minister to look at treating these areas that don't have public transit or any options other than driving their vehicle or getting someone to drive them—they should be expedited. In the case I'm dealing with, the doctor's report came back later, on a retest, indicating that he did not have this medical condition, but his licence had been removed. Now he had another medical document, but there was no expedited way of him getting that driver's licence back. That's his life and that's his family that are now in peril. I have some confidence that the minister did hear me on that issue in estimates.

I just want to put a few more things on the record that I think are worthy. As I said, Bill 5, by the member from Prince Edwards–Hastings, is something we could all work on. I think our leader John Tory is encouraging us to work together.

I just want to mention that a lot of questions on high-occupancy vehicle lanes, which are covered in Bill 169, were raised by Garfield Dunlop.

Driver's licence suspensions for medical reasons were mentioned by Gilles Bisson as well.

Northern airports were mentioned by Mr. Bisson, as well as highway construction. I have mentioned, as I said, the Lakeridge interchange and the Hancock Road interchange.

We've also put on notice for the minister—without sounding threatening here—that we do want to know, on behalf of the public, how much money they've spent or plan to spend to date on the 407 legal battle on that artificial promise they made back in the election. That is public money, and it's our duty to ask these difficult but necessary questions.

We've asked questions on some of the road maintenance. In fact, it came under the environmental commissioner's report on the very shoddy workmanship that was

done on a particular highway. Our Minister of Agriculture would know that, as the former Minister of the Environment. I'm certain that the two ministries involved will work to correct that to have clear goals and penalties.

There's also a great deal of work being done on northern highways, and that was announced a few months ago.

There are other questions that are outstanding, in the last two minutes I have here—the time has moved so quickly.

Mr. Tascona had a very good question. He's here tonight, and he could be in the chair shortly. He inquired of the minister, "Would the Minister of Transportation, for the maintenance of Highway 400 from Highway 9 to Highway 11, explain how maintenance contracts were awarded, provide the names of the maintenance contractors and describe the standards of maintenance?" This was dated November 1, so it's very current. There's an example from the member from Barrie–Simcoe–Bradford. It the duty of all of us to ask the difficult but necessary questions of the minister, as I would.

I could go on here, looking at Bill 169, a fairly broadly embraced and accepted bill that we together have worked on drafting. Certainly the Ministry of Transportation people themselves should be commended, because at the end of the day, let's be honest, let's deal with the truth here. I was privileged to meet Frank D'Onofrio, who is the acting deputy minister. Ernie Bartucci is the acting assistant deputy minister of the road user safety division. These people actually draft these bills and work with government on policy to direct priorities, whether it's the John Tory government—and hopefully it will be the John Tory government soon. But they are the people we work with, and they are the professionals in those areas.

I've taken as much time as—with unanimous consent, I could go on. Do I have unanimous consent?

The Acting Speaker: The member from Durham has inquired whether there is unanimous consent to allow him to continue beyond the normal 60-minute limit for his leadoff speech. Is there such consent in the House? I heard a no.

Mr. O'Toole: Could you name the person who said no, because they're really shutting down my voice on behalf of the constituents of the riding of Durham, and in the limited time I'm given here this late at night—

Interjection.

Mr. O'Toole: I do appreciate the time to address this, and I look forward to comments from members. With that, my comments on Bill 169 are as follows: Do not proclaim section 4; John Tory and the opposition will support the bill.

The Acting Speaker: Questions and comments?

Mr. Michael Prue (Beaches–East York): I listen, as always, to the member from Durham. He talks about all of the issues contained in this bill, and you know, there are some really good things in this bill. I have to tell you, I am shocked at the things that make sense: high occupancy, northern airports, seat belts, buses, studded tires.

Then you go and ruin it all. Then you go and make a provision of the bill that makes many members from the Toronto area think that you don't know what you're doing. You talk about the whole issue around taxi cabs, you talk about the airport, you talk about scooping and you talk about the stuff of which you know nothing. You make a bill in which you have put this poison pill—I don't know, for us to vote against it or for you to say that you've done a good job for the constituents in Mississauga? Really, this bill is about so many things, but in the end what has happened is that you have supported one group of taxi drivers against another. I can't talk about this too often: It's one group of taxi drivers against another. You have picked the ones from Mississauga who are going to have the Liberal largesse. They are going to have all of this extra money. They are going to have anti-scooping provisions work for them. But the one—

Interjection: Where's the minister from?

Mr. Prue: The minister, who is from there—and if I get a chance to speak, I'm going to talk about the fundraiser, about the \$200,000, about the anti-scooping provisions that were promised. But the reality is that the Toronto cabbies are going to suffer because of your bill. The 2,500,000 people in Toronto, the mayor, the council and all the people who support them have been absolutely ignored. That's the problem I have. That's the problem I think the Conservatives have. It's the problem with your bill. Sever it, set it aside. Do the good things; don't do the bad things. Until you do that, we're voting no.

The Acting Speaker: Questions and comments?

Mr. Kim Craitor (Niagara Falls): Just a few comments I want to make. I've had a number of people come into my office regarding this bill. I think one of the reasons they come in and talk to me is because on city council I was chair of the city's parking and traffic committee. There were a number of things that they said to me that they're really pleased see, because these are the kinds of things that we kept pushing the government of the day to go ahead with.

What we asked for was the lowering of the speed limits and traffic calming, to give municipalities that authority to have speed humps in place. Only Toronto had that. That's in the bill, so that's great.

Crossing guards: I can't tell you how many times I've stood out in the street with our crossing guards, and it used to scare the heck out of me to see how people drove. We put into the bill the requirement that drivers remain stopped for school crossing guards until the children and crossing guards have left half of the roadway. That was something that was asked for by the crossing guards over and over in my community.

Cut down on illegal taxis. I've had the taxicab operators come into my office—5-0 Taxi, Niagara Falls Taxi—and they said, "Why doesn't the government put something in place to create offences when you have passengers being transported by illegal taxi drivers?" We have those in our community. They asked for this to be put in the bill. It has been, so I'm pleased to see that.

2010

There are a number of things that I could go on and on with, which were asked for by our community when I was on city council and now they're happening, they're in the bill. What they've said is: "It's a good bill. Keep going forward with it. No bill is perfect, but it's a great start. We're really pleased with it, and it's going in the right direction."

So I'm pleased to be able to comment on it. I'm commenting certainly as a member of the government, but more importantly, from the people in my community whom I represent and who are saying, "Go forward with this bill." So I'm pleased to have a few minutes to speak.

Mr. Bill Murdoch (Bruce-Grey-Owen Sound): I'm pleased to take a couple of minutes to talk about this bill and congratulate the speaker on telling us about a lot of the good things that were in the bill, but there is this one stumbling block to do with the taxis.

One of the other things that's good in the bill—and I didn't hear the member mention it, but he may have—is about allowing our volunteer firefighters to go on roads when they become snow-blocked. Now they have a sign that goes up that says anybody who travels on that road—it's illegal, and this happens in rural Ontario a number of times.

I have to congratulate Jean-Marc Lalonde and Gilles Bisson, because I understand that they helped get this amendment for this bill. So I've got to congratulate the government on that one issue. I brought that up about a year ago, and hopefully it can be solved for this winter, because as I say, in Bruce and Grey, we have many snowstorms, and sometimes roads are closed and people can't go down, but we want our volunteer firemen to be able to do so, and they can't do that right now, before this bill is passed. When this bill is passed, they will be able to do that, and they won't be breaking the law. So we certainly needed that.

Unfortunately, just like many of the speakers have said, there are a lot of good things in this bill but then you throw in the taxi one and make a bit of a mess of it. As I say, I don't know why you would do that, why you wouldn't take that section and set it aside, because as you can see, there are a lot of people who think that more debate should be put into that part of it and looked at. Maybe they are paying you off. I notice some of them laughing about it. Maybe they are paying—I don't know. I wouldn't want to say that some people are paying you off to get this in, but it does look fishy when you've got so many other good things in the bill, things that were needed: more inspectors and seat belts and stuff like that that was needed.

I do commend you on helping out my volunteer firemen. I appreciate that, and we will go forward with the bill.

Mr. Tascona: I'm certainly pleased to join in the debate with respect to the comments made by the member from Durham. Certainly, this is a bill that has been debated at length. The weaknesses of the bill primarily focus around section 4 in terms of the cab driver issue that we

have pointed out in terms of it being set aside or not proclaimed until there's full consultation and, in fact, fairness with respect to that particular issue.

Transportation is an issue about which, quite frankly, I don't know what the Minister of Transportation is doing. I drove down from Barrie today, and I can tell you, it was bumper-to-bumper cars from about Highway 88, all the way down until the 401. I don't know what measures are being taken with respect to dealing with this gridlock, but certainly this minister really doesn't have any solutions. Bringing more safety to the road is something that we do need, but to deal with what we have out there is—day in and day out, you have heavy volume on the highways from the outlying areas coming into Toronto, and there are no solutions coming from this government.

One area that I've been pushing for—and the Minister of Transportation has responded—is with respect to GO Transit. That's something that we need desperately up in the city of Barrie. I could see that growing from the projected four trains a day, up to about 21 easily, because of the number of people who would like to be able to use GO Transit and be able to change their work patterns, be able to get to Toronto in an easier fashion and safer fashion. I'm very disappointed in terms of how the government is dealing with the gridlock out there and the heavy volume, because there doesn't seem to be a solution there.

The Acting Speaker: That concludes the time for questions and comments. The member for Durham has two minutes to reply if he chooses to do so.

Mr. O'Toole: I just want to put on the record that during the hearings on Bill 169, I thought we were that close to an agreement. I'm going to quote from the Hansard of Wednesday, September 28, the standing committee of general government. The pages that I'm actually quoting from are G-1132-4.

Mr. Duguid was the critic or the parliamentary assistant at that time, and I'm quoting him directly. He said, in response on page G-1133:

"As we move forward with these reforms, certainly we will take that into consideration." He said, "It's important for us to know that in fact the opposition party, the Conservatives, are in favour of amending the Municipal Act" to amend the taxi driver issue.

Interjection.

Mr. O'Toole: Barrie-Simcoe-Bradford—I'm having trouble hearing; he keeps speaking.

On page 1134, Mr Duguid again: "I appreciate both opposition parties and critics being clear that they would support extending the provisions, whether it be under the Municipal Act or the City of Toronto Act, to Toronto or potentially other cities, to regulate licensing of taxicabs. It is helpful as we move forward in our reforms" of the act, and "I think they are in support of extending those provisions to municipalities. We're considering that now." I took that as an admission from Mr. Duguid that they were going to set that section apart. Now, I'm putting that on the record because we felt comfortable—my tone tonight is out of respect for the Minister of

Transportation. I'm asking him to do the right thing, to not proclaim that section. Give your word to Mr. Tory and you have the word of the Conservative opposition that we will be supporting Bill 169.

The Acting Speaker: Further debate?

Mr. Bisson: It's day two, and I have an hour. As the transportation critic for the New Democratic Party of Ontario, I want to raise a number of issues in regard to this bill, and some of them more related to practices within the Ministry of Transportation. I want to put on the record at the outset that there are a number of things in this bill that the New Democratic caucus supports. As transportation critic, there are a number of issues, such as the snow tires and others, that we're generally supportive of.

But we went to the government, and we said, "Listen, we're prepared to give you fast passage." We said, as the New Democratic whip—my caucus colleague, Mr. Peter Kormos, who's our House leader within the New Democratic Party, went to government and said, "Listen, we are going to give you fast passage on all sections of this bill at third reading in one second, provided you take the taxi part out of the bill." And the government came back and said, "No."

So I guess the government is doing a little bit of game-playing here. They want to try to score some political points in order to do whatever, and they're playing politics with the bill. I accept that. I understand the Liberals are very good at playing games. We saw today with the Gomery inquiry the kinds of games that this government likes to play—or Liberals like to play, I should say—when it comes to the largesse of the Liberal Party. This may not be so much largesse in this bill, but certainly it is largesse to certain people in the cab industry. So this may not be Gomery in scope, but it certainly is the kind of largesse that this party has toward particular issues.

Now, in this bill, we are dealing with a provision that will basically give a great big gift to the limo drivers at the Toronto airport. I've got to say up front, I, like many other out-of-town members, fly into Toronto Pearson airport every week. I do Aerofleet and aerocab, or whatever they call them. I travel with those two on a very regular basis, and I have no particular argument with the drivers themselves. They're very professional people. They do a good job and get me safely from point A to point B. But I've got to say, as in the Gomery inquiry, we are finding that the Liberals in this particular case are giving a gift to their friends. You will know in the Gomery inquiry we found that the Liberals, when it came to certain ad executives and people who were friendly to the Liberal Party, had lots of money to dole out. They doled it out by the millions of dollars to the friends of the Liberal Party in the province of Quebec. I would argue that this is not just a Quebec phenomenon; it probably happens in many other places in the country. The difference is that they've not been caught so far.

2020

But in this particular case, the provincial Liberals are saying, "We want to be nice to the cab industry in the areas that are represented by certain Liberal members,

specifically the Minister of Transportation. So they went to the cab companies and said, "Come to our fundraiser and give lots of money to the Liberal Party, and we'll be good to you." Do you know what? Those limo drivers responded in spades. They came through big time. They came through with the cash. They walked up to the fundraiser and they gave the Liberal Party of Ontario, as I understand it, \$200,000. Can you get over that? What I've learned is that \$200,000 will buy you a bill in this House—

The Acting Speaker: The member for Timmins—James Bay just crossed the line, and I would ask him to withdraw the statement he just made, which was unparliamentary.

Mr. Bisson: I withdraw, Speaker.

I will only say that what is clear is that there has been a certain largesse on the part of the Liberals when it comes to making sure that they're good to their friends. I think the sad part about this is that, at the end of the day, are cab drivers or limo drivers of any more worth, one than the other? I think it's rather sad.

We understand the issue for what it is. Listen, there is a legitimate issue in this bill that needs to be dealt with, and that is people, which the government side sees as scoopers, who basically operate cabs illegally without insurance, without licences from either the airport authority or the city of Toronto. I don't have a big argument with the government on that, because I agree that we should not be allowing people to go into the cab business who are not licensed and are not insured because, at the end of the day, that can and may lead to a very dangerous situation for the person who is picked up by somebody whom they have no idea is not insured. So I agree with the government.

But that's not all that we're dealing with in this section of the bill. What we're dealing with in this section of the bill is to say, "We are going to give to the limo drivers something that we're not going to give to the cab drivers of the city of Toronto, and we're going to do the same as it applies across the province," and I think that's rather unfortunate.

What is the government doing? Well, here's how it works. If you want to have a cab licence anywhere in the province, in a city or a town, you have to go to your municipality and buy a licence. In the city of Timmins, that licence is probably—I don't remember. I drove cab in 1970s, so I don't know what the numbers are, but it's probably 200, 300, 400 or 500 bucks in today's dollars. But if you're in a place like the city of Toronto, a licence, because they're limited, is quite expensive. What are they, Mike, a licence in the city of Toronto?

Mr. Prue: They're \$50,000 to \$80,000.

Mr. Bisson: Yes, it's \$50,000 to \$80,000 to get a licence. Once you buy that licence, you have the right to do business as a cab in city of Toronto. So I would argue that those people pay good money to have the right to drive their cabs, which are insured and licensed by the city, to transport people within the city of Toronto and

out of the city of Toronto to other locations that people may want to go to.

At the airport, we have a very different licensing regime. We have a licensing regime at the airport where basically the airport authority of the city of Toronto, as in other cities, says that if you want to come and pick up a fare here at the airport—

Mr. Prue: City of Mississauga.

Mr. Bisson: The city of Mississauga, exactly—you have an opportunity to buy a licence, for how much? About \$100,000 or \$200,000?

Mr. Prue: Only the companies own them; not the drivers.

Mr. Bisson: But per licence.

Mr. Prue: It's about the same.

Mr. Bisson: I've heard some people tell me over \$100,000, some of the people I've talked to who drive me on a weekly basis. So let's argue it's \$70,000 or \$80,000.

We understand the system. If you want to transport people out of the Toronto airport, you pay for a licence to—I guess it's the city of Mississauga—and you have the right to transport people out of the airport. If you want to do business in the city of Toronto, you pay for a licence from the city of Toronto and you have the right to transport people within the city of Toronto. But there's a real grave injustice, because what you have is, the people who work out at the airport have the ability to do business in the city of Toronto and don't have to pay for a licence. So they pick up fares that rightfully should be the fares of the cab drivers in the city of Toronto, and transport them back into the airport.

Mr. Lalonde: It's illegal.

Mr. Bisson: It's not illegal.

Mr. Prue: It's the same thing. That's what you're doing.

Mr. Bisson: Exactly. That's a very good point, Michael.

My point is that there's no reciprocal agreement. All I'm saying is, you could have taken one of two approaches. The approach I would prefer is that basically the business at the airport is the business for the limos and the business in the city of Toronto is for the cabbies in the city of Toronto. That would have been a fair arrangement, because they'd pay licences to both those areas to do business from those areas. But, instead, you've said, "We're going to tell the city of Toronto drivers that they can do business in the city of Toronto, but they're going to get charged if they go and pick up a fare at the Toronto airport," and vice versa. You're saying that a guy or woman who is operating a limo at the airport is not only going to be able to pick up a fare at the airport, but is going to be able to come into the city of Toronto, as now, and pick up a fare that rightfully should be a fare of those who drive the taxis in the city of Toronto.

So it seems to me this is not a balanced and fair approach to both parties. What you end up with is one that very, very heavily weighs in on the side of the limo

drivers. And I come back to my first point. Why is that? I believe, quite frankly, at the end of the day, it's because the government did a \$200,000 fundraiser with the limo drivers. The limo drivers came in numbers, they paid \$200,000 to the Liberal Party, and at the end of the day, they got themselves a bill. I think that's rather sad.

I don't disagree that a political party has the right to fundraise. That's not my argument. I think, God bless. If the Liberal Party is able to go out and fundraise in a way that's fair and that is not going to be seen as trying to buy favour and goes out and raises \$50,000, \$100,000, a half a million dollars, so be it. That's the system we live in, to be able to raise the dollars we need to run provincial and local campaigns. But in this particular case, it seems to me a little bit over the line, quite frankly. I think it's rather unfortunate.

The province of Ontario could have done what I think would have been fair and say the business in the city of Toronto belongs to the cab drivers of the city of Toronto and the business at the airport belongs to the limo drivers who work out of the airport in Toronto. That would have been a fair arrangement. Or the other position they could have taken, which is not opposite, but another way to do it, is that by buying your licence you are able to go to both areas. That's something I don't think the city of Mississauga would have ever supported when it came to the Toronto people coming in to pick up fares at that particular airport. So it's rather unfortunate.

I say to the government across the way, we, as New Democrats, were prepared to pass the entire legislation, save for the issue of the cab drivers, if at the end of the day they would have severed out all those other pieces of legislation. We would have passed the entire sections of the bill other than the cab and limo drivers section on a nod. Instead, this government chose to play a bit of politics, and I think that's rather sad.

So I want to say as a former cab driver—and I've been very upfront about this. I drove cab in the 1970s.

Mr. Craitor: Did you have a licence?

Mr. Bisson: Yes, I had a licence, and I drove cab in the 1970s. I was old enough then to do it, believe it or not. Could you not tell? Oil of Olay does amazing things for one.

Mr. Levac: Procter and Gamble.

Mr. Bisson: No, not Procter and Gamble; Oil of Olay. Is it Procter and Gamble that does it? Man, I can't believe that. I worked at Procter and Gamble.

Interjection.

Mr. Bisson: You too? Man, oh man, Dave. That's amazing.

So anyway, as I said earlier, this problem doesn't exist only in the city of Toronto. It exists in Ottawa, it exists in Sudbury, it exists in a number of municipalities across the province, and this legislation will impact on cab drivers and whoever has the contract at the airports in the cities and towns across Ontario, and I think that's rather sad. What we've got is legislation that is weighted on the side of those who do business at airports versus people

who do business within municipalities, and I think that's rather sad.

I also want to put on the record this whole issue of studded snow tires; as our friend the Minister of Northern Development and Mines calls them, Swedish studs. I don't know; I thought that was kind of an interesting comment. I'm all for Swedish studs. I think they're great. I just thought it was so funny when he said that in the Legislature. I just want to say that all of us understand that the technology of studded tires has changed from what it used to be years back. I remember when I was in high school in the late 1960s and early 1970s, there were basically the old studded tires as we understood them, and they were quite damaging to the roads, and for that reason, the province of Ontario banned those tires on the roadways across Ontario. Now we have technology that basically, I would argue, probably can still do damage to some of our roads, but certainly not to the extent that we had before. In this bill, the government is trying to move forward on the tires provision.

2030

I just want to say that, as New Democrats, generally we're in support of that notion. But I want to raise a couple of issues. One is, if there is any damage done to the roadways in northern Ontario as a result of people using those tires, is the province prepared to compensate the municipalities for the maintenance of those roads or highways? That's the first question I would have. The second thing is, how are we going to deal with those people in southern Ontario who still get snow, ice and the bad conditions of winter? Why are we doing this strictly just as a northern Ontario issue? I have to believe it's for one of two reasons: (a) the government thinks it doesn't snow in southern Ontario—

Mr. Norm Miller (Parry Sound–Muskoka): They don't get a lot of ice in southern Ontario.

Mr. Bisson: —and they don't get a lot of ice in southern Ontario. I think that's not the case, because I've driven in southern Ontario, and I see that they don't have as much snow as we get back home but they certainly get ice. They get snow, they get sleet and slippery highway conditions. Certainly the government is not banning studded tires in southern Ontario because of weather conditions.

It is then (b), they think that maybe—

Interjection.

Mr. Bisson: No. I was going to say that the second issue is (b), maybe it's because they think that the roads in southern Ontario can't handle the studded tires. Which one is it? It's one or the other. Why would the government pass legislation that basically says that you can only use a studded tire in northern Ontario? When I drive my Ford F-150 from northern Ontario, should I put studded tires on my truck, I'm going to have to keep a pit crew in the back of the box, and when I get down to Parry Sound, take the tires off in order to be legal when I go into southern Ontario. My good friend Norm Miller, who resides right on that line, is going to have a business changing those tires as they come south.

Interjection.

Mr. Bisson: What's that, David?

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): You just have to be a resident of the north.

Mr. Bisson: I'm just saying that it's interesting. My good friend the Minister of Natural Resources, although at times we find ourselves at the opposite side of issues— not often.

Mr. Miller: Just today, yesterday—

Mr. Bisson: Just today, yesterday and the day before, but not often. He said to me—and I was going to come to that—you have to be a resident of northern Ontario, and have your car registered as a resident of northern Ontario, in order to get permission to use studded tires. I understand what he's getting at, but my point is, why is it only for northern Ontario? I find it kind of odd, as a northerner, arguing this.

Hon. Mr. Ramsay: Snow-packed roads.

Mr. Bisson: That was going to be my next point. My next point was, is the government telegraphing us in northern Ontario that they're going to snow-pack the highways in order to cut back on winter road maintenance, so we're going to need studded tires?

It's either (a) the government thinks it doesn't snow and get icy in southern Ontario, (b) they think it's going to harm the highways in southern Ontario, or (c) they're going to cut winter road maintenance in northern Ontario in order that we'll need to buy studded tires. I just say to the government across the way that (a), (b) or (c) is a weird choice. Philosophically, I don't have a problem with the tire issue, but I'm just saying that the way that you've done this is kind of interesting, strictly for northern Ontario. It's kind of strange, and I think you could probably have done a bit better communication on it.

The other provision in this bill is one that I wholeheartedly support—I'm not going to get up and jump and say that I'm going to hug the government, as I've heard some opposition members say on certain issues—this whole issue of being able to help firefighters.

My good friend Norm Miller is going to take exception to this. The Conservatives, in the previous government, passed what they called the Safe Streets Act. Was that the one—

Mr. Levac: The squeegee kids.

Mr. Bisson: The squeegee kids act; that's right.

Mr. Miller: It was before my time, Gilles.

Mr. Bisson: It was before Norm Miller's time. He's a much more progressive Conservative than others, I must say.

Anyway, they had this bill that they passed in this Legislature and they said, "We've got to do something to get all these squeegee kids off the roads of the city of Toronto and other places. We're going to basically outlaw squeegee kids from being able to offer their services to the motoring public to clean their windshields." I thought at the time, "Here's entrepreneurship at its pure essence." Here are these poor little entrepreneurs trying to make a

living for themselves, these young people who are unemployed and down on their luck, who want to go out and become entrepreneurs, and the Conservative government of the day is saying, "You can't be an entrepreneur. We don't want you washing that windshield. Don't go out and get yourself your own money by working for yourself. We would rather you go to welfare or something." I thought, "Boy, what a weird thing for Conservatives to be doing." But they passed this legislation that basically said, "No more squeegee kids in the province of Ontario; zero; no more can they exist."

Well, the downside of that was it really affected some other people, because our good friends the firefighters—you know, my friends in the Legislature, Liberals, Conservatives, New Democrats—especially the volunteer and the full-time guys, go out and fundraise for all kinds of great works in our communities. Firefighters are some of the—I wouldn't say the biggest volunteers in our community, but certainly they're there, and we see them. They would have this thing called the boot—what is it? The boot patrol?

Mr. Levac: The boot toll.

Mr. Bisson: Right, that's what they call it. They would go out and basically stand at the entrance of a community somewhere or on the road at a busy intersection and hold out a fire boot in order to collect cash for the charity of their choice. Harris said, "You can't do that, you firefighters. You're squeegee kids." I remember thinking, "What a silly thing for them to do." Why are we stopping this? Never mind our little entrepreneurs who are trying to wash somebody's windshield and are being told they're being put out of business by the entrepreneur party, which was killing the entrepreneurs at the most basic level, but then we went after the firefighters. They said, "You shall not have the boot toll. You cannot stand there as firefighters, hold out the boot and say, 'Drop your change. We need it for a charity in your community.'" I thought, coming from Mike Harris—he's the one who went out and cut out all the social programs that support our communities, and he's saying those people who are fundraising to replace the services that were cut by the Tories are being put out of business. I said, "What stupidity."

Mr. Levac: They lost \$500,000.

Mr. Bisson: It was \$500,000, my good friend Dave Levac says from across the way. I don't doubt it. I know in our community in Timmins, in Iroquois Falls, in Kapuskasing, Hearst and other places, that boot patrol raised dollars for those local communities.

Again, I say to the government, I support that part of bill that gives firefighters the right to go back and set up the boot toll. I would give you passage—bam—like that. All you've got to do is sever out the taxi portion.

I like firefighters. I like the boot toll. I like the idea of studded snow tires. I even like Rick Bartolucci with Swedish studs, but you've got to take out the taxis—you really do—because the taxi thing is a bit of a bitter pill, and we as New Democrats are saying, "Listen, we need to make sure that we have a law that treats limo drivers

and cab drivers equally when it comes to the issue of scooping.” If you have a law that says limo drivers can scoop but cab drivers can’t, you’re legalizing scooping. That’s basically what you’re doing with this bill, and we’re saying to the members across the way, “Help out the cab drivers. Help out the limo drivers. Put in place a law that is equal for both.”

Another part of this bill that I thought was an interesting one was the whole issue that we dealt with in regard to giving firefighters the ability to access a road when there is an emergency. As we know, at times you’ll have weather conditions or whatever it might be and the highway is closed for an accident, and you have a volunteer firefighter or a full-time firefighter who is off duty and all of a sudden—especially in small-town Ontario, where volunteers are normally the first response at an accident. You’re giving them the ability to go on a closed road.

This is the situation we’ve got: Imagine you live in small-town Ontario somewhere, northern, southern, southwestern, eastern, wherever it might be, and there is the volunteer firefighter out there who is basically driving, listening to his or her scanner and all of a sudden you hear, “Attention all units: Emergency on whatever highway. Come give us a hand.” If they got on that highway and the highway was closed, they wouldn’t have access, because the highway was closed, and as a civilian, off duty, they didn’t have the opportunity to access the highway to get to the emergency.

The government, I give them credit on this one, are saying that’s wrong. Listen, I’ve been a critic of this government. My good friend David Ramsay would know that, from time to time, I oppose things that even he does; but on this one I support him, my good friend David Ramsay from the riding just south of me.

I think it’s important—especially David knows, in communities in his riding volunteer firefighters are the first-tier response. In Kapuskasing, in Hearst, in Opasatika, all kinds of communities across northern Ontario—Moosonee—the first response at an accident is often a volunteer firefighter. We need to make sure that the volunteer firefighters have access to the closed road and are not prevented from accessing the accident to be able to provide tertiary care and be the first response at an accident. The government is saying, “We need to change that in order to make sure that those firefighters have access.” I say to the government, we support you. Uncle. “Mon oncle,” as we say in French. “Mon oncle; c’est correct. We give it to you.”

2040

But I say to you, my friends in the Liberal Party, Monsieur Levac, the whip, and others, Mr. Ramsay, my good friend from Timiskaming—he waves back. I just thought, David, I’ve got to make you feel welcome some times.

Interjection.

Mr. Bisson: It was hard to take; right, David?

Hon. Mr. Ramsay: It is.

Mr. Bisson: I know. I can’t get over it either. I’m going to go out and burn this Hansard after.

It is a funny place we work in, though. I have to say, to digress a second, that all of us here in this House feel very passionately about issues. It doesn’t matter if you’re a New Democrat or a Liberal or a Conservative; we feel strongly about what we feel strongly about. At times we oppose each other and we go to war over a particular issue, but what’s really nice at the end of the day is that we still respect each other, because we all understand we have a role to play. I say to my good friend David Ramsay, I think he understands that probably more than most, because he’s been on both sides of the House and has been in a couple of parties to boot. That’s a little dig, but I thought I’d have some fun.

I will just say on accessing the highway, I think it makes sense to give those volunteer firefighters the ability to access that closed road so they can get to the accident, they can provide the first response and hopefully save a life.

I was in Hearst on Friday. Jeez, I was so many places last week, I don’t know where the heck I was, but I know that on Friday I was in Hearst. I met with the paramedics from the town of Hearst and the town of Kapuskasing.

One of the things we also heard when we were on committee on a bill that the Conservatives put forward—I forget which one it was—was that the key to being able to save a life is how quickly you can access the person who is in distress. If you have a person who is in an accident, having a heart attack, whatever it might be, the quicker you get to them, the larger the ability there is to make a difference in saving that person’s life and giving them a better quality of life after the trauma.

This particular bill, if it does anything to give volunteer firefighters a quicker response time to get to the accident and provide first response to an accident, I think that would be a good thing. I say to the government, again, it’s a part of the bill that we support. We, as New Democrats, would have no problem trying to support it.

My good friend Andrea Horwath is coming in. Oh, you’re such a good person, Andrea. I’ve got to say, as a whip, I am blessed to have good colleagues like this, like Andrea Horwath, who ran all the way probably from her apartment to bring me a letter I lent her last week when she gave her speech on this. I needed a copy from her, and she came all the way back to make sure that I have it. Isn’t that teamwork? Isn’t that great? Andrea, thank you.

So I say to the government, there are parts of this bill that we can support, we are OK with, we will give you quick passage of. We have said to Dave Levac, the whip, and to Jim Bradley, the government House leader, “Separate the bill. Sever the portions on the cab drivers. We, as New Democrats, will give you this bill on a nod.” That’s all you have to do. But instead, we’re here. It’s like 9:45 on Tuesday night. We’re using up House time. We’re—8:45; excuse me. I’m still on last week’s time. I haven’t quite made the switch yet. It certainly feels like 9:45, though, doesn’t it?

Mr. Levac: Stop talking.

Mr. Bisson: What’s that? Stop what?

Mr. Levac: Stop talking.

Mr. Bisson: Stop talking. I normally would be sleeping by this time, and I hope I'm not putting you to sleep, Dave. I don't think so. I think you and I are good enough friends.

Mr. Levac: I'm listening.

Mr. Bisson: I know, I know. David Levac and I go back a long way. I just say to my friends across the way, we could pass it.

I want to go back to the taxi bill, because I want to say that it's not just New Democrats who oppose this bill, Speaker. I know you will be surprised. Originally, Tories supported this bill, and I hope they will in the end—in regard to the taxi provisions in this bill, I think they're still onside with us New Democrats in trying to support the cab drivers in the city of Toronto.

But there is another person and a group of people who oppose this bill, and that's the municipality of the city of Toronto, David Miller. You know him, the mayor of Toronto?

Mr. Mario Sergio (York West): Who?

Mr. Bisson: They say, "Who?" My, my, my, how sad they are that this guy is a New Democrat. Imagine that: The largest city in Canada and the Liberals are wondering who David Miller is. My, my, my.

Anyway, I want to make sure that I've got the right letter before I read it, right? I want to read a letter on the record, dated September 29, 2005, from one Mayor David Miller, city of Toronto, cc'd to Howard Moscoe. You don't want Howard Moscoe coming against you, my friend Dave; he's a pretty tough hombre. Anyway, I want to read what he says:

"I am writing to express city council's position on Bill 169 with respect to 'scooping' taxi fares. At its meeting on May 17-19, 2005, council adopted Planning and Transportation Report 4, clause 3, which included the following motion by Councillor Moscoe:

"... the city indicate its opposition to Bill 169 as it pertains to "scooping" fares at the airport, unless it is amended to remove the exemption that permits airport licensed vehicles from "scooping" fares within the city of Toronto, and the Minister of Transportation and opposition critics be so advised...."

"I support council's position on this matter."

Signed, "Yours truly, David Miller," mayor of Toronto.

I say to the government, you're the guys who ran in the last election and said, "We believe in cities. We believe in towns. We want to be partners. We want to work with cities. We want to do what they need in order to operate and we want to respect them." Aren't these the guys who said that? And here we've got the mayor of the city of Toronto, along with council, who says, "Don't pass the scooping provisions on Bill 169." Then the government says, "Oh, I don't know. We don't need to take that into account," and they go ahead and do what they've got to do. I just say it's kind of a sad thing. It would seem to me that if the city of Toronto, who are the ones who license cabbies in the city of Toronto, don't want this particular bill passed, then I would argue, don't

pass the scooping provisions of this bill. Do what New Democrats are asking you to do, which is to sever all those sections of the bill that deal with anything but scooping. We as New Democrats, along with David Miller and others, would say, "We'll give you quick passage," and at the end of the day you get all the other good parts of this bill. You leave the scooping portion out and you basically send that back to committee to be dealt with.

What the city of Toronto is saying is what we as New Democrats are saying, which is that you currently have sections basically within the City of Toronto Act and also within the Ontario Municipal Act that gave exemption—is it both or just one? Is it the City of Toronto Act or is it the Ontario Municipal Act that exempted the cabbies from the scooping? It's one of the two. I'd have to go back and look at my notes; it might be both. But one of the two basically exempted the ability of the city of Toronto to charge limos who scoop in the city of Toronto. So what the city of Toronto said—

Interjection.

Mr. Bisson: Hang on a second. Until such time as you review and introduce new legislation on the City of Toronto Act or the Ontario Municipal Act, you should do nothing until we go to one of those acts, and when we do that act, we can revisit those sections of the other acts that give limo drivers the right to scoop in the city of Toronto. That's what we've got now: We currently have a regime in Ontario that says, at the end of the day, that we have an unfair playing field, and the government is entrenching that in this legislation. We say that's wrong.

I say to the government, you don't have to listen to Gilles Bisson, the NDP critic for transportation. You don't have to listen to Michael Prue—

Mr. Prue: But they should.

Mr. Bisson: They should, but you don't have to listen to Michael Prue or Peter Kormos or Andrea Horwath or Howard Hampton. Why not try the city of Toronto, the people who going to be affected by this? Mayor Miller says he doesn't want this bill. What are we doing passing it? I've got to shake my head in disbelief that you're actually going there. So I say to the government across the way—

Interjection: People are going to hate you.

Mr. Bisson: Yes, there are going to be a lot of people in the city of Toronto who are not going to like the government over this. I would imagine there are certain people in Mississauga and other parts who are limo drivers who paid \$200,000 worth of fundraisers to the Liberal Party—

Interjection.

Mr. Bisson: Well, you know, I listen to my good friend Jean-Marc Lalonde, with whom I go back a long way. He is a good friend of mine. He and I are colleagues in arms on a whole bunch of issues and the francophone issues, but on this one I disagree. I just think it's rather unfortunate. So I say to my friends across the way, you should reconsider.

2050

Now I want to raise another issue, something totally different. This is something that I'm sure a number of members have seen come across their desks or gotten by way of a phone call. How many MPPs have gotten a phone call from somebody who's had their driver's licence revoked as a result of a medical review? Oh, wow. All of us, right? What an irritating situation we're in.

Mr. Jeff Leal (Peterborough): Red tape personified.

Mr. Bisson: Red tape personified. I've got to agree with you. This is a Liberal telling me this, and I agree with him. What riding are you from?

Mr. Leal: Peterborough.

Mr. Bisson: The member from Peterborough and I agree, and I see other members are now saying the same.

I'm going to tell you a couple of stories about how stupid this is, all right?

I've got a Mr. Gemme, and I've got permission to use his name in the Legislature. About a year ago this time, poor Mr. Gemme got dizzy. He was not feeling well, and he said, "I'm going to go get checked. I'm not sure what it is, so I'm going to go to the hospital." He goes to the hospital, and he happens to go to the Timmins and District Hospital on the same date a neurologist happens to be there, a Dr. Meloff, who I know quite well. He goes to the attending physician in the hospital and the attending physician checks him. They do the blood work, they check the heart, they do all those things, and they say, "We can't find anything wrong with you, so maybe we will get you to see the attending neurologist who is here today."

The attending neurologist looks at him and says, "There's nothing wrong with you, but I've got to send a report to the drivers' examiner. I've got to send a letter to the Ministry of Transportation saying that I've seen you," because there is a regulation in Ontario that says that if a physician sees a patient for some kind of seizure, they've got to report it to the Ministry of Transportation. The minute that they write "seizure" on the paperwork, what happens? The driver's licence is gone, boom, finito. You no longer have a driver's licence. So poor Mr. Gemme a little bit more than a year ago got his licence revoked.

It happened to you, Jean-Marc? Is that what you're saying?

Mr. Lalonde: No.

Mr. Bisson: I thought you were saying it happened to you. He had his licence revoked as a result of walking into emergency because he was feeling dizzy. Now, as it turns out, it had nothing to do with a seizure. This is the part that was so frustrating.

Mr. Leal: What did he have?

Mr. Bisson: I don't know what he had, but it wasn't a seizure, and I don't want to get into his medical records because, as you know, you're not allowed to do that here. I just want to say that it wasn't a seizure. It could have been the flu, it could have been what he ate, it could have been anything, but I'm not going to get into that, it wouldn't be fair.

The point is that Dr. Meloff had no choice but to send the report to the Ministry of Transportation, and had to say on the report, "Saw this gentlemen. Was referred to me because of a suspected seizure. Checked him out. Don't see anything wrong with him. Have referred him back to his family physician." As a result of that, the Ministry of Transportation took his licence and said, "You don't have one any more."

Now, try to get it back. Here's the problem we have as MPPs: Mr. Gemme comes to see us and says, "They took my driver's licence away." We said, "Let's check it out." I talked to Dr. Meloff. Dr. Meloff said, "There's nothing wrong with the guy. His driver's licence should be reinstated. It never should have been taken in the first place. He has no medical condition that should cause him to lose his driver's licence."

I thought that if I got a letter from the specialist we should be all right. The attending neurologist wrote a letter—I think it was about October of last year—to us that we gave to the Ministry of Transportation to say, "This guy's got no problem. Give him his licence back."

Well, God, we wait for them to take a look at the letter. That's the first problem. It probably sits there for the better part of a couple of months before the medical review specialist at the Ministry of Transportation looks at it. They look at it and say, "Seizure. OK, we confirm." The licence is still gone. I then get on the phone and say, "Come on, give this guy a break. The neurologist is saying there's nothing wrong with him." They say, "We need more medical evidence." So I call the family doctor who happens to be my family doctor, Steve Cohen. We had a bit of a chat. Nothing's wrong with him. Now we send letters back to the Ministry of Transportation from the doctors saying, "There's nothing wrong with this guy. Give him back his driver's licence."

We just got his driver's licence back about three weeks ago. It took over a year to get this man back his licence.

I'm saying, listen, as an MPP, I accept that if you've got somebody who is a danger to the public because they may have a seizure or a condition that prevents them from driving safely, we need some kind of restriction or to take away his licence. But when you've got the attending physician, the family doctor and the neurologist all saying the same thing, that there's nothing wrong with the guy, what are we doing taking away his licence for a year? He can't work. You can't get to work if you happen to need a driver's licence for your job. It takes away your mobility. Imagine living in rural Ontario, my good friend Jean-Marc Lalonde, imagine in Prescott, Russell, in Embrun or one of your small communities, or mine in Opatatika or Fauquier? If you lose your driver's licence, man, that's a pretty tough situation. You can't go shopping to get your food, you can't go to the liquor control board to get your bottle of wine on the weekend—that would be a disaster for me—you can't do anything, so you have to rely on your wife. What do you do if your wife doesn't drive? In my case, my wife doesn't drive—never did drive. So what do you do?

Interjection.

Mr. Bisson: No, my wife doesn't drive. So what do you do? You're really in a tough spot. We got his licence back. I'm going to come to the end of all this.

I've got another case. I'm just going to call him Willie. Actually, this is an interesting story. There is a coffee club, as I call them. They're good friends of mine who are of a different political persuasion. They happen to be a little bit right of me.

Interjection.

Mr. Bisson: What's that? Right, the coffee club. I think most of them are Conservatives in this particular coffee club. But I like to drop in and talk to these guys when I get a chance, in the morning. They give me some good ideas every now and then and I set them straight about politics and how they should see things, but that's a whole other story. Actually, there are a couple of Liberals at that table, too. Anyway, my point is, I go there and we kibitz and they tease me all the time and call me their socialist friend and, you know, everybody should have a friend who is a socialist and keep them far away. We have these kinds of conversations. It's quite fun.

Anyway, I go there one morning and this one guy, Albert, says to me, "My brother lost his driver's licence and he's distraught." Here's the story. The guy was a bus driver. As a bus driver he had an accident, working on his bus or working at home—I'm not sure what happened, but he lost the vision in one eye. So he went to his employer and said, "Listen, I really don't think I should be driving a bus. I just think it would be better if I was working in the garage, doing something other than driving a bus, because I've lost the vision in one eye." This was years ago. So the employer says, "Yes, not a problem. We'll accommodate you. We think that's a fair request. We'll give you another job within the transit, with no loss of income." So he does what he does within the garage of the transit and everything goes on fine.

So the guy works for years and when he's eight months from retirement—this is the silly part of it, right? One day the employer decides, "We think it's important that you get this particular classification of licence, because at times we may want you to drive the bus from point A to point B, so you have to have that licence." He says, "No, come on. I've got eight months to retirement. Why are you doing this to me? In eight months I'll be gone. I'm gone this spring. Why are you asking me to do this? Just let me work out my retirement and I'll be gone." "No, no," they said. "We want you to do this." So he has to go for the driver's test. He doesn't go for the driver's test; he goes for the application. He has to do the written. Guess what happened? The licence was gone. They withdrew his licence—his class G, not the bus driver's licence. They never got that. They took his class G licence away and said, "You can't have a driver's licence because of your condition."

How many people do we all know who drive with vision only in one eye? I'll bet we all know somebody. I know a number of them. I know a driving instructor who has one eye—probably the best driving instructor we

have in our area, quite frankly. That's not a reason why a person shouldn't be able to drive safely, right? But the Ministry of Transportation, I imagine because they've got some kind of regulation, says, "Well, we're going to withdraw this guy's licence." Here's the problem: The minute you have lost your licence, as my good friends Mr. Miller, Mr. Ramsay, Mrs. Chambers, Mrs. Papatello and Mr. Peterson know well, and especially my esteemed colleague Mr. Racco—Laurie will never forgive you, by the way, from the last election, but that's another story.

I would only say that at the end of the day, this poor gentleman lost his licence, which threw him into a whole bunch of stress. This guy is saying, "I'm almost at the end of my work career and I've lost my driver's licence, and now I can't drive myself to work." He lives outside the city of Timmins. He has to get into the community in order to get to work, and it has become a real problem. So here we are working at trying to get his driver's licence back.

Here's the kicker that I like. They said, "All right, Mr. Bisson, not a problem. Send him in to see a special medical examiner," of some type, to do some kind of a test on his vision, "and we'll give him back his class G." Guess where is the closest place to Timmins that he can go to get this test? Who here represents the city of London? I'm telling you, the closest place he can go to is London. I love London, England, and I love London, Ontario, but I don't believe, at the end of the day, somebody from Timmins should only have one option: to go to London to get a test to get his driver's licence back. We say to the Ministry of Transportation, surely to God you can figure out some way that this guy can get his class G licence back without having to go to London, Ontario. They said, "Oh, no, bureaucracy says, according to manual 5(3), regulation 53, buried somewhere in paragraph 300, printed probably in 1912, probably thought about in 1908"—just about the time they got the car out—"you've got to have this particular test to get your driver's licence back." So this poor guy has to make his way to London.

2100

I just want to point out, what do you do if your wife doesn't drive? How do you get to London? "Hi, friend, neighbour, brother-in-law, sister-in-law, can you drive me to London?" which happens to be about a 12-hour drive from Timmins if you drive the way I do; probably eight hours the way Mr. Ramal, my good friend from London, drives. Because I'm a law-abiding citizen, right? I never speed. All right, OPP friends who are watching, you know me. I'm a law-abiding citizen. Actually, I don't speed.

Mr. Leal: Not like Yakabuski.

Mr. Bisson: Yes, if it was Yakabuski, he'd do it in two hours.

Mr. Leal: He's a legend on Highway 28.

Mr. Bisson: The legend of Highway 28. I like that.

But I just say, what is wrong with a province that says that we have to get somebody to have a test in London when they live in Timmins? Imagine if this guy lived in

Red Lake or Kenora. They would say, "You've got to go all the way to London." Do you know how far that is by road? There's a time zone difference between Kenora and London. It's a two-day drive. And that's the closest place you can get a test. I say to the government across the way, I understand you didn't create this problem, but we've raised this issue at the estimates committee with your minister and he didn't quite get it, I thought. Anyway, that's a whole other issue. So we're basically making some recommendations to the minister to fix that, so people are not put in the position of having to go on a 10-hour drive to go to a medical appointment in order to get back a class G licence that they should never have lost.

Here's the kicker. He goes to the first appointment and they say, "You did really well, but we've got to see you again in about a month." So the guy has to go all the way back to Timmins, sit there on pins and needles and hope that he gets back to London in a month in order to redo the medical examination so he can possibly get his driver's licence back, hopefully some time before he retires. I say to the government across the way, I'm making a little bit of fun of this, but, man, this is serious stuff for people like Willie and Mr. Gemme and others we've represented.

I've got a guy in Kapuskasing. I remember this one—and I've got to be careful, because I didn't get permission to use his name, so I won't. But I'll tell you this story. The guy went into the emergency, you know, after having a couple, and the doctor decided that he had had a seizure. It wasn't even a seizure; the guy probably had a few too many. It took us eight months to get his driver's licence back. The guy didn't drive to the emergency ward, he took a cab. He didn't break any law. He just went there because he wasn't feeling good. But here this guy lost his licence and lost his job. This was the sad part, because the guy needed a driver's licence to do the work he was doing. So there are all kinds of examples about how people are really put in a very bad position as a result of some pretty stupid rules.

The other one I wanted to raise—I've got another constituent. I'm trying to remember his name, because I did have permission to raise this. I'm trying to remember offhand. Anyway, I'll tell you the story. This particular fellow lost his licence as a result of a health incident. The health incident did, quite frankly, justify him losing his licence in this case. The guy came into my office and said, "Gilles, I had an incident. I had a medical condition that basically caused me to lose my driver's licence, and I couldn't get my driver's licence back until such time that the doctor said I had a clean bill of health and was able to drive again. I don't argue that point. I don't like it, I don't like it that I got sick, I don't like it that I lost my driver's licence, but I understand why the government took my licence away."

In order to get his licence back—it was a year after he lost his licence. Two problems: First, they said, "You have to go for a specific driver's test," to get back the class of licence that he had—and I can't remember, but it was some kind of truck driver's licence—and there was

none in Timmins. The only place he was able to get the test was in Sudbury. So here's this guy who needs to get his driver's licence back in order to go back to gainful employment and the only place he could get the test was in Sudbury, as approved by the Ministry of Transportation. I just want to remind the Ministry of Transportation that there is life after Sudbury. You know, there's a whole new world north of Sudbury, there's a whole new world north of London, where you have northern Ontario and communities like Kapuskasing, Hearst, Timmins and Thunder Bay. You've got all kinds wonderful people living there who need services too. I say to the Ministry of Transportation, do you want to get out of your old regulations and try to figure out how you can provide services to the people in northern Ontario, so that they don't have to go out of the community to get a driver's test to get their licence back? That's problem number 1.

Problem number 2: They wouldn't give him back a full licence. Now, why is that? Do most people understand? Do you know what, Mrs. Jeffrey, member from Brampton Centre? I'm a big fan of yours. I've got to say that she's one of the best Chairs we've seen in committee in a long time. I want to say that in this House.

Interjection.

Mr. Bisson: I don't think she does, because I think that will probably—will that keep you in committee? If so, I take it back.

Mr. Prue: It's going to be in her next election brochure.

Mr. Bisson: That's OK. I like her as Chair. I digress, but there are not a lot of members who come to this place who right off the get-go understand what their job is as Chair. There are people in this Legislature who have been around a long time who don't do very well as Chairs. I've got to give you some credit: I sat on a couple of committees with you and found you to be quite effective. Take that out of your campaign literature, why don't you?

I just say to my good friend, the member from—

Mr. Leal: Another endorsement.

Mr. Bisson: I don't endorse Liberals, because I think that Liberals run like New Democrats and govern like Tories. I always argue that. Listen, do you remember the hydro, last election? This was the Liberals: "Vote for us. We're opposed to the privatization of hydro. We think that Ernie Eves and Mike Harris got it wrong." Then they got elected, and said, "We like privatized hydro. We want to keep on doing what Ernie Eves and Harris did." Do you remember the P3s? "We're opposed to public-private sector partnerships. We're opposed to P3s." They got elected and said, "Well, they're really not P3s but they are P3s, and we're going to keep on doing them too." They run like New Democrats but they govern like Tories. I've always said that.

Mr. Miller: I wish they did.

Mr. Bisson: We tell you that they are. Norm said, "I wish they did." I'm just saying they do. Look at the hydro policy; look at the P3 policy; look at most of what

these guys are doing. Tweedle-Dee and Tweedle-Dumber, that's what we've got, basically.

Mr. Leal: I remember the campaign in 1990: Bob Rae and government-run auto insurance. You were going to save 50%.

Mr. Bisson: Yes. We should have done it; I agree with you. We should have done public auto. I have no argument with you; I lost that argument. Public auto should have been done. I admit it. Bob Rae was wrong not to do it. I say it. He should have done public auto. Some of us fought for it.

Interjections.

Mr. Bisson: You make me digress. Stop that.

Some of you on the other side were New Democrats, but that's a whole other story.

I just say to the members across the way, now that I've got your attention, why is it that people lose their driver's licences because of the stupid rules we have about how we apply people losing their licence for medical conditions?

Here is what the doctors tell me: "We don't disagree: If there is somebody who we think should be restricted or should lose their licence because of a medical condition, we should have the ability to report that so that the highways are safe." What the doctors and specialists oppose is that they've got to report everything: lots of people with red tape, all kinds of it, and as a result all kinds of people lose licences, and once they lose licences they can't get them back.

If you lose your licence for more than a year, you end up having to go back through the graduated driver's licence system. We all agree that the graduated licence system is a good system; no argument. But somebody who has already got their licence and loses it because of a medical condition shouldn't have to go back through the graduated driver's licence system to get a full licence.

Here's the scenario: Mr. or M^{me} Smith lose their licence at age 55 because they've had a stroke, or whatever condition it might be, some kind of seizure. They recover after a year of having lost their licence and have to go back to get a driver's licence as if they were 16. We don't count the driving experience they had from 16 to 55; we say, "You're a brand new driver." I say to the government, in this bill we could have amended that. I suggested that at the committee level. We should have amended the legislation to say that anybody who loses their license for a year as a result of having to report a medical condition should get their regular licence back. I say to my good friends across the way that that's something we could have done in this bill that would have been quite helpful.

2110

I say to my good friends across the way, here is an opportunity you had, I believe, and my good friend Michael Prue understands as well, where we could have passed this legislation on a nod. New Democrats told you, "We will pass all parts of this legislation on a nod—we will vote in the affirmative; we will say yes to this legislation—if you withdraw the section on cab drivers

and limos." This government, for whatever reason, said, "No. We want to play politics with this, therefore we're going to leave it in." I just think that's rather sad. The government had a chance to have a win here. It would have been an easy win. I think it would have been good for the people of Ontario. Instead, they pass a bitter pill through this debate and through this legislation.

Mr. O'Toole: It's a lot like Bill 183, really.

Mr. Bisson: It's a lot like Bill 183. You're quite right on that.

I'd just say to the government that we need to have a new way of doing things in this Legislature. That's the point I want to wrap up on in the last six minutes that I've got. The people in Ontario want to see their Parliaments function, and by and large our Parliament does function. They want to see every now and then that opposition and governing parties basically work together to do what is best for the people we represent. I think this is a shining opportunity where we could have done what's right for cab drivers, firefighters, driving schools and all kinds of other people in this province. We could have passed it on a nod, and at the end of the day the government would have gotten credit for having done what's right, the opposition parties would have been acknowledged for supporting a government bill and doing what's right, and we could have referred off to committee the parts that we didn't agree with. Instead, the government says, "We got a majority. We'll do what we want." I think that's rather sad.

That brings me to my point. I've always believed, Speaker, and I've raised this in the House a number of times, in the system of proportional representation. I think this is an example of how proportional representation can work for people. Why should a government that doesn't have a clear majority in an election, 50%-plus of the vote, have more than 50% of the seats? Our system is an adversarial one. A government gets elected with less than 50% of the vote, as all governments have except for a few in the last 100 years. They get 50%-plus of the seats and they can do what they want.

Here's what happens. The Premier's office—you remember that: Mr. Harris, Mr. Eves, Mr. Rae, Mr. Peterson, Mr. Dalton McGuinty—same thing. Change the players, same old story. Those guys have their office, they have their unelected staff around them, and they say, "You backbenchers will do what we tell you to do or else you may never get into cabinet; you may never get the appointment to a committee; you may never get whatever." The poor old member who has been elected for the first time says, "Oh, Mr. Premier, I want to be in your good books, so I will vote for legislation that I don't like, because I have to be good to my party. But more importantly, I've got to be good to my Premier, because one day the Premier will look at me and say something nice, like, 'Mr. or Mrs. MPP, you're a parliamentary assistant,' or 'You're in cabinet.'" How does that serve the constituents we represent?

I would say that there are other systems. Under proportional representation, the idea is that those elections

would say that if a government only got 48% of the vote, they would have 48% of the seats, shy 2% of a majority. That would mean that the combined opposition would have 52%, as the people decided in the election. Then the government would have to work with the opposition. In our Parliament today, that would mean that if the Liberal majority, which got under 50% in the last election, wanted to pass this bill, they would have had to go to the Conservatives or New Democrats or a combination thereof to pass this bill. I would argue—

Mr. Murdoch: They were going to change things.

Mr. Bisson: Oh, yes, they're the democratic reform party that did nothing. That's a whole other story.

On this particular bill, my good friend Mr. Murdoch, you know that the Conservatives wouldn't have sold out the taxi drivers, New Democrats wouldn't have sold out taxi drivers, and I would argue that some backbench Liberals wouldn't have sold out cab drivers under a proportional representation system, and, God forbid, the democratic will would have been done. What is it with democracy that you guys don't like? So I say to the government across the way, we've got your dog and pony show going on on democratic reform. You're going to have an opportunity—my good friend Mr. Prue is on that particular committee, along with some other members, trying to deal with this particular issue. I think we can get it right. What we should be recommending is not what British Columbia did. They had a complicated system, the Irish system, which was basically so complicated that even the political scientists couldn't understand it. And even the Irish don't like it; that's the really interesting part. My good friend Michael Prue told me after the meeting they had with the Irish delegation in Ireland, or wherever they went, that even they didn't like it. Was it Ireland that you went to?

Interjection: We went there.

Mr. Bisson: Yes, Belfast or wherever it was. I think it's a good thing; I think members should travel.

Mr. Prue: Dublin.

Mr. Bisson: Dublin. Members should travel to other countries in order to learn what's happening in other places. I've got no problem with that; I've traveled to Vietnam, central and west Africa and South America. I've got no argument with it. I've been to Europe a number of times on behalf of APF. I think that has built my ability as a member to do my job. I have no problem with that.

But my point is, the government has got something—

Mr. O'Toole: Kormos does.

Mr. Bisson: Well, Peter doesn't like to travel. He likes to drive but he doesn't like to fly, so that sort of limits where he can go. But that's another story.

I say to the government, you have a chance to do the right thing here on proportional representation and recommend to the voters, by way of a referendum, a system that would basically say that a governing party will only have a percentage of vote that they have in a general election and therefore, they can't just do what they want. The Premier's office doesn't have all the power. Imagine

that: Backbench Liberals having a bit of a say—whew, would that be fun—and opposition parties having a bit of a say.

I would argue that we wouldn't be having the problem we're having right now in northern Ontario with forestry. I know there are backbench Liberals who don't like it; I know even the Minister of Natural Resources doesn't like what's going on in northern Ontario. But how do you win your fight with the Premier's office and a cabinet that has your mind made up on a particular policy around hydro or whatever it might be?

Mr. Leal: Look what happened under Bob Rae: casino gambling.

Mr. Bisson: Listen, I argue that it happened under Bob Rae and I argue that it happened under Mike Harris and Mr. Eves. My argument is that you have to do the people's will in this Legislature, and I think the way you do that is to move to a system of proportional representation.

With that, I want to thank the members for the opportunity of having addressed this esteemed chamber for the last hour, and I would ask unanimous consent to give me another hour so I can continue.

The Acting Speaker: The member for Timmins—James Bay has sought unanimous consent of the House to continue for another hour. Is there such consent? I heard a no.

Questions and comments?

Mr. Sergio: Thank you, Mr. Chairman—or rather, Mr. Speaker. I guess the black robe just gave it away, even though you are always so impeccably dressed. My apologies.

Mr. Leal: It's the new tie.

Mr. Sergio: It must be the new tie, yes.

I don't have one hour to ramble, as did the member from Timmins—James Bay, but let me say this: It's a typical speech in the House when they say, "We are ready to support this bill, but..." It's like saying if my grandfather had wheels, he would have built a car. It's the same thing.

In this very short bill, I can count 32 improvements to the transportation system, but there is a little comma somewhere that maybe could have been in another place. They say, "Unless you eliminate this comma, we cannot support this bill." Well, my goodness. There are so many improvements—

Interjection.

Mr. Sergio: With all due respect to my colleague from Timmins—James Bay, you had an hour, and we listened to you.

The minister has spent a considerable amount of time addressing the needs—because this bill has already gone through public hearings, and we had clause-by-clause as well. If every bill had to be perfect, we wouldn't be sitting here at 9:30 on a Tuesday evening and we wouldn't have had public hearings; we would be going through them in one day—first, second and third readings—and there we go. There is always something that doesn't please someone.

Let me say that the improvements proposed in this bill, the safety measures that are being provided here for our people, go a long way toward making not only our highways and byways safer, but the way we drive as well and the way we deliver our goods. I think this bill deserves support, and I hope that in the end they will.

2120

Mr. Toby Barrett (Haldimand–Norfolk–Brant): I want to point out that in this transportation bill, I see that it requires truck drivers, commercial drivers, to check for something like 70 itemized defects. This is up from 23. I sincerely hope that doesn't add to a plethora of additional rules and regulations and red tape. I suspect we'll be hearing from drivers about this. I would hope the government has consulted with the trucking industry on that one in particular.

I want to raise a question about the automatic road test that's now required for professional drivers once they turn age 65. I don't think anyone would argue against the fact that a driver, once they turn age 65, should have an annual medical, a written test to make sure they're up to speed on changes like we're seeing in this proposed legislation. If they fail the written test, obviously a road test would be in order. But I've had a number of meetings on this. I've had meetings with Kim Richardson. He's the president of KRTS truck training out of Caledonia, and he does raise this issue where if those commercial drivers, say a class AZ, have to perform a road test, they have to rent a tractor-trailer or get their company to provide one, to take a tractor-trailer out of commission, probably for a day, to permit this test. I've talked to a number of these senior drivers. They feel the actual road test, after in some cases millions of miles of driving, is unnecessary and ridiculous, and that's an amendment that I think might be in order for this particular bill.

Mr. Prue: I listened to my friend, as always, from Timmins–James Bay. He's erudite; he's passionate; he says it all.

The one point that I want to talk about again and again is the taxi drivers. The one thing I want to talk about to the Liberal members, especially the new Liberal members who were elected but two years ago and who think that this is a new bill—this is not a new bill. I challenge all of you to go back to the last Legislature and look to the private member's bill from the member who was then from Bramalea–Gore–Malton–Springdale. His name was Raminder Gill. He brought forward this self-same bill dealing with scooping at the airport. This Legislature, including Liberals who are now sitting all around me, who were there then, voted against it because it was a bad bill. And now you have seized upon this very same bill, with all of the same provisions, and you have adopted it as your own. I don't understand where you are coming from. I don't understand the old members sitting over there smiling at me who voted against Raminder Gill's bill, who are now standing up here thinking that it is the most wonderful thing because it is contained in your bill.

It is still flawed. It is still wrong. It is still bull-headed. It still pits the drivers from the airport versus the drivers from downtown Toronto. It is unfair. It is misguided. I don't know what else to tell you. For the newbies, go back and look and you will see that this isn't some new, brilliant scheme you have thought up; this is a stolen Conservative idea that failed. We are telling you—and we voted against it, as you did then, and we're still continuing to vote against it—you should have the good grace and the good sense to look at what went before you and realize it's even worse today than it was then.

Mr. Lalonde: There aren't too many people in this House watching this debate from the gallery, but let me tell you there are a lot of people sitting in front of their TV screens watching this debate. I want to make sure that the people are properly informed. When I say "properly informed," I don't like anybody being misled by a debate we have going in the House. When the member from Timmins–James Bay gets up and says that we intend to put in studded tires because we want to reduce maintenance on our highways in northern Ontario, it is completely false, because we have in place a contract at the present time that will expire either in 2010 or 2011.

The Acting Speaker: The member used the word "misled," which I believe is unparliamentary, and I would ask him to withdraw it.

Mr. Lalonde: I withdraw it, Mr. Speaker.

To go a little further concerning drivers' licences being revoked, let me tell you, I go through this all the time. It's too bad to say it, but most of the time, when people come to my office and talk to me about having to wait for their driver's licence to be reinstated, first of all, I tell them, "Go back to your doctor or your neurologist and tell them to give you a copy of the report that was submitted." Did you know that seven to eight out of 10 times, the report is not sent to the medical review board within a couple of months? All you have to do is contact the medical review office and they will tell you immediately if the medical report or the neurologist's report has been sent in. Most of the time, it wasn't sent in.

The Acting Speaker: The member for Timmins–James Bay has two minutes to reply.

Mr. Bisson: I'm hurt. My good, esteemed colleague, M. Lalonde, says I misled the House. I thought I was quite clear. The reason they lost their licence was because the report was sent in. It's not a question of the report never getting there. The report basically said there was nothing wrong with the guy. I can give you the documents if you want. I say to my good friend, my colleague from Glengarry–Prescott–Russell or wherever it is, that the basic problem was that the report was sent in. That's how they lost it.

I can't speak to all my friends who commented, I don't have enough time, but to Mr. Prue, what an interesting point he raises. I didn't raise it in debate. I remember Mr. Gill standing in this House on behalf of the Conservative Party saying he wanted the same bill. The Conservatives of the day voted for it, except for some of them like my good friend from Bruce–Grey, but

the Liberals voted with the New Democrats in opposition. They said, "We didn't want this bill going forward because we think it's a bad bill." Mr. Prue is right. Now they come back as cabinet ministers, and as backbenchers because they never made to it cabinet, and they basically say, "Oh, we want to do Raminder Gill's bill. We think it's a great thing." I say, you run like New Democrats and govern like Tories. That was my point. Members of the Liberal Party must finally stand up and be consistent in their position and say that they will do what they said they would do when they came to office, something they have not done.

Interesting point: My good friend Mr. Murdoch has seen fit to knock some sense into his Conservative caucus, because now they've jumped offside and they're with New Democrats saying that Mr. Gill's bill was bad and this bill is bad. I say to Mr. Murdoch, there's room in the New Democratic caucus for you. Come on over. Fly. Be free. Spread your wings. You'll have a great time.

The Acting Speaker: On that note, this House stands adjourned until tomorrow at 1:30 p.m.

The House adjourned at 2128.

CONTENTS

Tuesday 1 November 2005

THIRD READINGS

Transportation Statute Law

Amendment Act, 2005,

Bill 169, *Mr. Takhar*

| | |
|-------------------------------|---------------|
| Mr. Kormos | 619, 621 |
| Mr. Berardinetti | 620 |
| Mr. Tascona | 620, 630 |
| Mr. Bisson | 621, 631, 642 |
| Mr. Lalonde | 621, 642 |
| Mr. O'Toole | 621, 631 |
| Mr. Prue | 629, 642 |
| Mr. Craitor | 630 |
| Mr. Murdoch | 630 |
| Mr. Sergio | 641 |
| Mr. Barrett | 642 |
| Debate deemed adjourned | 643 |

TABLE DES MATIÈRES

Mardi 1^{er} novembre 2005

TROISIÈME LECTURE

Loi de 2005 modifiant des lois en ce qui concerne le transport,

projet de loi 169, *M. Takhar*

| | |
|-----------------------------|-----|
| Débat présumé ajourné | 643 |
|-----------------------------|-----|