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of Debates  
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des débats  
(Hansard)**

**Monday 8 December 2014**

**Lundi 8 décembre 2014**

Speaker  
Honourable Dave Levac

Clerk  
Deborah Deller

Président  
L'honorable Dave Levac

Greffière  
Deborah Deller

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Monday 8 December 2014

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Lundi 8 décembre 2014

*The House recessed from 1802 to 1845.*

ORDERS OF THE DAY

TRANSPORTATION STATUTE LAW  
AMENDMENT ACT (MAKING  
ONTARIO'S ROADS SAFER), 2014  
LOI DE 2014 MODIFIANT DES LOIS  
EN CE QUI CONCERNE  
LE TRANSPORT (ACCROÎTRE LA  
SÉCURITÉ ROUTIÈRE EN ONTARIO)

Resuming the debate adjourned on December 1, 2014, on the motion for second reading of the following bill:

Bill 31, An Act to amend the Highway 407 East Act, 2012 and the Highway Traffic Act in respect of various matters and to make a consequential amendment to the Provincial Offences Act / Projet de loi 31, Loi modifiant la Loi de 2012 sur l'autoroute 407 Est et le Code de la route en ce qui concerne diverses questions et apportant une modification corrélative à la Loi sur les infractions provinciales.

**Mr. Michael Harris:** Point of order.

**The Acting Speaker (Mr. Ted Arnott):** Point of order, the member for Kitchener–Conestoga.

**Mr. Michael Harris:** I seek unanimous consent to complete the remainder of my leadoff on Bill 31.

**The Acting Speaker (Mr. Ted Arnott):** The member for Kitchener–Conestoga is seeking unanimous consent of the House to complete his leadoff speech on this bill. Agreed? Agreed.

The member for Kitchener–Conestoga has the floor.

**Mr. Michael Harris:** I thank the members for allowing me to continue my leadoff on Bill 31. I appreciate that. I've got about 47 minutes to entertain folks tonight, and I'm planning on taking that entire time.

I know that, unfortunately, in night sittings you don't have an opportunity to welcome guests to the Legislature. Of course there's no one here tonight, but there are a few significant folks—

**Miss Monique Taylor:** We're here.

**Mr. Michael Harris:** Well, of course, you guys are here.

I wanted to introduce my family at the first opportunity, to be watching tonight at home: of course, Sarah and Brayden. Murphy is well attuned to the TV. Lincoln may not be able to understand what's going on, but he's tuned in; he's tuned in for sure. I know Rafi is listening

as well tonight probably to finally get some common sense.

**Hon. Yasir Naqvi:** I think he's already sleeping.

**Mr. Michael Harris:** Rafi is asleep.

I know my mom and dad are watching tonight, too, Don and Marg Harris from Guelph. They're tuned in, so I want to make those introductions before we get started.

Speaker, I left off, obviously, and I was beginning to address some important steps, as well as some concerning missteps that Bill 31 takes towards making Ontario roads safer.

We all know—and many have first-hand experience in the past of course with a myriad of distractions faced by the modern driver, and we have all heard the stories of the impact distracted driving can cause. That's why it's the government's responsibility—it's our responsibility as legislators to ensure our laws reflect the startling realities we see on our roads.

I imagine we all think we have an idea of what distracted driving is, but for the purposes of our discussion, I think it's important to understand exactly what we are talking about. According to the RCMP, "Distracted driving is a form of impaired driving as a driver's judgment is compromised when they are not fully focused on the road. Distracted driving qualifies as talking on a cell-phone, texting, reading (e.g. books, maps and newspapers) ... watching videos or movies." That's according to the RCMP.

As the term "distracted driving" applies to the legislation we are discussing today, we have to look back to Ontario's initial hand-held device ban from 2009. Here, we can see that the law makes it illegal for drivers to talk, text, type, dial or email using hand-held cellphones or other hand-held devices. The law also prohibits drivers from viewing display screens unrelated to the driving task, such as laptops or DVD players, while driving, of course. It's pretty much along the lines of the RCMP definition. The bottom line is, if you have to grab it to read it or speak to it, you can't and you shouldn't do it at all. While the law addressed these concerns in 2010, the fact is that the faster pace at which our world moves has meant that the prevalence and temptations towards further incidents of distracted driving have only grown since that time.

In fact, this is how the CAA puts it: "Despite all efforts, distracted driving has become more prevalent on Ontario roads, putting motorists, passengers, cyclists and pedestrians at risk." When you look at the numbers, it paints a disturbing picture and certainly calls out for further action to address this growing problem head on.

According to the OPP, 78 people died from distracted driving-related crashes in 2013—78 fatalities in one year because we can't put the phone down.

**1850**

The CAA, who have done yeoman's service in researching and supporting effective legislation in this area, have further indicated that driver distraction is a factor in about four million motor vehicle crashes in North America each year and that 20% to 30% of all collisions internationally involve some sort of driver distraction. In Ontario specifically, the OPP have upped that number, indicating that distracted driving is a causal factor in 30% to 50% of traffic collisions here in Ontario.

A few other numbers from the CAA to consider: Consider this comparison indicating the increased likelihood for drivers engaged in distractions to be in a crash or a near-crash event compared to non-distracted drivers. For instance, text messaging or texting on a cellphone: 23 times more likely; talking on a cellphone: four to five times more likely; reading, like my colleague in the House is right now: three more times likely; applying makeup, which I don't believe anybody is doing here tonight: three times more likely; reaching for a moving object: nine times more likely; dialing on a hand-held device: three times more likely; talking or listening on a hand-held device: 1.3 times more likely. Here again, Speaker, we see a disturbing trend in the numbers that call out for action. That's why we support the principle of increased fines for distracted driving.

As today's legislation proposes fine increases of up to \$1,000, we do look to support that increase. But more importantly, we want to ensure that this is part of a bigger picture, a picture which includes demerit points on licences and emphasizes the need to ensure that all drivers understand the importance of focusing on the road while they're driving because, given those numbers we just heard, it doesn't seem that everyone is, in fact, getting the message.

To that end, Speaker, I think it's important that we recognize the work of our traffic safety partners and their continued work to get the message out. There's the Seriously ... Just Drive! campaign, made up of motorsport enthusiasts who are passionate about cars; expert community figures from the OPP; Ontario Students Against Impaired Driving; and real-life families who have been tragically affected by the dangers of distracted driving.

The Seriously ... Just Drive! campaign features student and public events focusing on the 15- to 26-year-old demographic and corporate programs targeting 26- to 45-year-old professionals who could influence their kids and the younger generation. Events will allow students and adults to try their hand at a driving simulator which puts attendees through a three-minute distracted driving scenario. Each attendee who successfully completes the distracted driving course will be gifted with items supplied by the community partners—not a bad deal, Speaker.

The campaign just took its next step in teaming up with belairdirect insurance company to promote a newly released mobile app to Ontario drivers in a bid to curb

distracted driving. It's called the bump'r application and is an example of the different ways and products available to make real inroads into the incidence of distracted driving. Bump'r automatically senses and responds to incoming calls and text messages when a vehicle is moving and offers a solution to the growing issue. Depending on the settings that the user chooses, bump'r can redirect calls or voice mail, temporarily block various kinds of alerts and notifications, and send a pre-selected response to incoming text messages, all without requiring the driver to touch the phone. This is the type of important awareness work that is an essential piece to the overall approach to significantly curb the tragedies that ensue from our modern-day addiction to driving distractions.

Then there's the work of our friends at the CAA, along with their Traffic Safety Coalition partners: CAA South Central Ontario, the Ministry of Transportation, the Ontario Provincial Police, 407 ETR, Arrive Alive, Road Today, the IBC, the Ontario Association of Chiefs of Police, the city of Toronto, Sunnybrook, and the Motorcycle and Moped Industry Council.

Speaker, CAA and the Traffic Safety Coalition have launched an annual distracted driving awareness campaign called "Missing" aka "Promise to Focus on the Road," with a stated aim to educate drivers about the range of distractions that lead to collisions and what can be done to minimize these distractions. That campaign also includes an interactive online element to be done at home, at the desk or when pulled over. The campaign encourages users to make their promise to focus on the road and share their commitment with friends, family and co-workers via social media.

So to that end, I would encourage those listening and watching to log on to [caasco.com/promise](http://caasco.com/promise) or check out #CAAfocus to join me in taking the promise. It only takes less than a minute and involves little more than your pledge to stop driving distracted. Here's the rest of the pledge, Speaker: "For my friends, my family and my future. I promise to focus on the road. I will not answer my cellphone, respond to texts, or let other distractions pull my focus away from the road or letting other distractions to pull my focus away from the road. No distraction is worth my life."

As I've said, I've made the promise, so I'm hopeful we can get the word out in the Legislature and make them reach their goal of 4,000 promise makers by the end of the week. They're currently about half-way there.

I've just provided a couple of examples, but these are the types of forward-thinking awareness-creating initiatives that are an essential part of the overall strategy to directly address the concerns and impacts of distracted driving.

As I referenced earlier, another key part of that strategy has to be the introduction of demerit points as an effective deterrent tool to curb driver behaviour. I don't know about you, Speaker, but when it comes to demerit points, I think of insurance rates. As we know, insurance companies review the driver abstracts that indicate a driver's demerit points; of course one can expect higher

annual rates if one accumulates enough demerits. Instead of just one fine for the incident itself, that's like a fine every year, and given the notion of paying annual increases, it may give more than a few pause for thought the next time they go to answer that buzz.

It's surprising to realize that Ontario is one of only three provinces and territories to have absolutely no demerit penalty for distracted driving violations. That's why I was glad to see in the news reports and in our ministerial briefing on this bill that the Making Ontario's Roads Safer Act would be imposing a three-demerit-point penalty for convicted motorists. The problem is, Speaker, just as my predecessor and caucus colleague from Elgin–Middlesex–London found in the previous version of this legislation, Bill 173, there's absolutely no mention of demerit points in it. I would challenge the minister, or anyone else for that matter, to even point to the word "demerit" in the bill, because it's simply not there.

I would have thought in the weeks and months since we debated Bill 173 that the minister would have addressed this confusion, as my colleague presented a compelling case back in April for immediate action. Yet here we are in December, some seven months later, and there's still no demerits, still no mention in the legislation and still a lot of misleading information in media and on ministerial backgrounds indicating the legislation would include demerits.

You see, Speaker, the simple fact is that, again as the member for Elgin–Middlesex–London pointed out over half a year ago, the minister doesn't require legislation to implement demerits. In fact, he can introduce demerits himself any time he wants through regulation, an order in council. So what is most concerning is that here we have a minister who says that he wants to take action on distracted driving, and yet this same minister has waited months to take the simplest first step, which I feel would have a major impact on people's driving habits.

The concern is further that, given the impacts of distracted driving and the numbers I quoted earlier associated to the impacts of distracted driving—78 deaths; half of all traffic collisions—what is the minister waiting for? How many accidents could have been prevented while we spin our wheels reading headlines of demerit penalties that just simply are not there?

#### 1900

While we debate this proposed legislation in the House, I feel it's incumbent on the minister to avoid further delay. Don't wait for the bill to pass, because you don't have to. Act now to introduce demerits and have a real, immediate impact on the occurrence and impacts of distracted driving here in the province. I can tell you, our concern grows on this side of the House with every passing day that this minister refuses to act.

That said, again I feel that demerits—if ever implemented—along with awareness campaigns and, yes, the increased fines that we find in Bill 31, can be an effective strategy to address distracted driving here in Ontario. But before I move away from the distracted driving aspects of the bill, I did want to talk for a minute about the multi-

tude of ways that people can abide by the legislation and still achieve communication from the driver's seat—and no, I'm not talking about hand gestures.

Two words: hands-free. As long as you set up your hearing device—Bluetooth, earbuds, what have you—ahead of time and you ensure that your device is mounted in or secured to your vehicle so that it cannot move or obstruct your view of the road, you're good to go—talking, that is, not texting. So too with GPS. As long as you have your global positioning system device properly secured to your dashboard, not impeding your vision of the road, you are within the law. Again, I would encourage everyone who has not already done so to get your hands-free system ready to roll as soon as possible to ensure no further temptation to put that phone back in your hand when your hand should be on the wheel.

On a final distracted driving point, it is worth noting legislative exceptions that allow for hand-held emergency 911 calls and allow police, fire department and emergency medical services personnel to use hand-held wireless communication devices and view display screens in the normal performance of their duties. That is an exception.

Speaker, when it comes to this bill's enhanced measures to address impaired driving, we all agree that those impaired, whether from alcohol or drugs, should not be driving—period. But as we know, the concerning reality is that people continue to take this risk despite the potential impacts and despite the already well-established penalties—penalties that include the also well-established and quite effective ignition interlock program. While scientific evaluations of interlock programs have repeatedly found reductions in repeat offenders among interlock program participants of up to 90% over those of DWI offenders who were under suspension over the same period of time, the fact is that there are those who continue to put lives at risk. This bill's call for licence suspension or car impoundment for non-compliance with the ignition interlock program further addresses those who would choose this unfortunate reality.

While it is an unfortunate reality that there are about 13,000 drinking and driving convictions recorded annually in Ontario, ignition interlock is an important control measure that is prescribed for those convicted of an impaired driving offence under the Criminal Code of Canada—that is, over a 0.08 blood alcohol level; and those suspended for registering a blood-alcohol concentration of 0.05 to 0.08 three or more times in a five-year period. The ignition interlock device is like an in-car breath screening device. It will prevent a vehicle from starting if it detects a blood-alcohol concentration over a pre-set limit of 0.02. The device would be located inside the vehicle near the driver's seat and connected to the engine's ignition system. As I said earlier, it works as an effective deterrent measure with regard to those repeat offenders, and I think there is certainly room to support further steps to help deal with those who choose to contravene the program.

When it comes to Bill 31's direction with regard to drug-impaired driving, I will repeat that we all agree that

those impaired, whether from alcohol or drugs, should not be driving at all. Ontario is one of only three jurisdictions in Canada that currently have no sanctions for drug-impaired driving, and so the fact that the issue is finally addressed here allows Ontario motorists to have the protection that other provinces already benefit from.

Again, we talk about our road safety partners, and certainly we must commend the work of MADD Canada. It is MADD that estimates that just less than 50% of all fatal collisions involved either drug and/or alcohol impairment. We already have laws to deal with the impacts of drunk driving, so this bill proposes to fill the void in Ontario to take on the impact of drugged driving.

Specifically, the bill will allow for someone's driver's licence to be suspended for three, seven, 30 or 90 days if the driver fails a roadside test and the police officer, trained in standardized field sobriety testing or as a drug recognition expert, reasonably believes that their ability to drive is impaired, depending on the level of impairment. Even as we support the direction toward dealing with the occurrence of drug-impaired driving, the fact is that there will be concerns moving forward as government has yet to introduce any reliable, scientific testing for drug impairment, leaving the imposition of penalties open to question and possible legal challenges.

While government has spoken about examining testing procedures in other jurisdictions, until some verifiable type of roadside breathalyzers for drugs is proven valid and accurate, we will require further detail if this legislation moves on to committee as to how and when a driver is determined to be drug-impaired for the purposes of this legislation.

Speaker, as I said off the top, this legislation does address a whole slew of issues when it comes to road safety, and while most of these issues are directed at motorists alone, we have some sections dedicated to the mutual responsibility of both motorists and bicyclists to ensure the safety of both.

Before I go into the work my colleague, who is here tonight, from Parry Sound–Muskoka put into pushing the government to permit cyclists to ride on the paved shoulders of our highways, I would like to commend him for his outstanding work. I know he didn't get proper recognition in the leadoff, and I wanted to make sure this House and the viewers at home knew the hard work that my colleague from Parry Sound–Muskoka put into this necessary change.

I would like to explore another one of the more publicized aspects of this bill in taking aim at the issue of dooring. As some may be new to the term, to be clear, dooring describes the very dangerous and unpredictable collision that occurs when a driver opens their door into the path of an oncoming bicycle. We see and hear of the growing incidents in Toronto and the GTA, but certainly the problem is an emerging hazard in many of our urban settings where bicycles and parked cars intermingle on a daily basis.

Bill 31 proposes to deter instances of dooring with the increase of fines from \$50 to between \$300 and \$1,000

for drivers found guilty of dooring. I'm going to repeat that last part because it's important: These increased fines are proposed for drivers while there is no mention of the shared responsibility for all to be aware of their environment. Much in the same way that drivers must be aware of any potential hazards when opening their vehicle, to have success in preventing further incidents and accidents I think it is vital that cyclists too are actively aware of vehicle blind spots and, when cycling after dark, take steps to do what they can to make themselves visible to drivers. At the very least, I feel to be effective, a full spectrum dooring strategy should include both fines and awareness to ensure all parties are prepared to exercise caution before they walk out the door. Again, much as it is important to ensure appropriate penalties for dooring incidents, it is equally important to increase awareness of the shared responsibility of all drivers, whether they operate cars, trucks, motorcycles, ebikes or bicycles, to be alert to all potential safety hazards as they navigate our roadways across Ontario.

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Further, Speaker, I will mention, as the former transportation critic noted in the spring, that there are valid questions surrounding the deterrence effect of this bill, given the current environment where most instances of dooring, in which a driver is negligent, end up in court anyway. While we are discussing the government's proposal of fines up to \$1,000 for dooring incidents, the fact is that in most instances of dooring, the legal process already provides a significant deterrent in the form of much higher damages awarded from negligence lawsuits. The deterrent is already there, Speaker, so we do question how this new fine will further affect driver behaviour.

That said, as I noted a few minutes ago, Bill 31 gets it right in endorsing the work of my colleague from Parry Sound–Muskoka, who spent much time and effort in this House during private members' debate to allow cyclists to ride on the paved shoulders of highways. The key ingredients to today's legislative call for the right of cyclists to enjoy travel on the paved shoulders of highways can be found in the private member's bill, Bill 137, the Paved Shoulder Construction and Bicycling Act. As I said, my colleague from Parry Sound–Muskoka spent much time and effort in ensuring this right was written into law. In fact, Bill 137 represented his third time introducing the legislation, in 2013, proposed legislation that had originally passed second reading back in 2010, so it's good to see his work finally recognized with the parameters spelled out in Bill 31 today.

Speaker, Bill 137 called for a minimum one-metre paved shoulder on designated provincial highways when those roads are being paved or resurfaced, as well as an amendment to the Highway Traffic Act to make it actually legal for cyclists to ride on the shoulder portion of the highway. While it is common knowledge that this already is a common practice, the law prohibiting bicycles on highway shoulders goes widely unenforced. It's important that we get the law right to avoid confusion down the road.

As my colleague put it back in 2013, or back behind me now, “By creating paved shoulders alongside our provincial roadways, we would be providing more opportunities for individuals to safely cycle, run or walk around this province. Many people express reservations about cycling out of fear for their personal safety, which is a result of lack of infrastructure that supports active transportation and outdoor activities.” I think it’s pretty well established that there are many benefits to be gained from creating more opportunities for individuals to participate in physical activities throughout the province. That’s what Bill 137 proposed to do.

Of course, I would note that the government’s cycling strategy for the province does recommend paved shoulders and greater biking infrastructure across Ontario, so it is somewhat curious that we see no similar call in the Making Ontario’s Roads Safer Act. Perhaps given the common ground we share and the obvious benefits to health and safety, this is something we can explore further, possibly in committee.

As we look to commend the recognition of the work by our representative from Parry Sound–Muskoka, we should note that the dedication shown by my colleague from Simcoe North to have motorists slow down and move over is also front and centre in Bill 31. It’s been well established in Ontario for quite some time now that it is the law to slow down and move over if you’re approaching a stopped police cruiser, fire truck or ambulance along the highway with its red or blue lights flashing. The law requires it, and motorists for the most part are well aware of their responsibilities and the importance of taking the extra step to slow down, move over and allow emergency personnel to perform their vital duties safely and effectively.

The unfortunate fact is that police, fire and ambulance aren’t the only ones called to roadside vehicle mishaps and therefore placed in these vulnerable situations where motorists are passing by at high speeds within just a few feet. The truth is that both motorists and tow truck drivers risk injury or death during tow truck assistance calls as, currently, passing vehicles are not required by law to slow down and move over as they approach. That’s why my colleague from Simcoe North introduced private member’s bills on two separate occasions seeking amendments to the Highway Traffic Act extending the “slow down” law to tow trucks.

I will note that despite the fact that my colleague’s efforts have so far not been adopted as law, the approach he has proposed is common sense. In fact, the CAA, which came out in full support of the previous private member’s bill, has done a members’ survey in which 83% of respondents indicated support for extending the “slow down” provision to tow trucks. Add to that the fact that petitions supporting CAA’s efforts on this front have garnered over 8,500 signatures in support.

Of course, there are many of these examples that are borne out. One of the most tragic reports came in 2012 in the Windsor area, when a local tow truck driver was killed when struck by a car as he was changing a tire at

the side of the road. Police reports later indicated that the tow operator was where he should have been at the time. Over in Innisfil, a 45-year-old tow operator was struck by a passing grey SUV in 2013, when he was standing at the back of his flatbed lifting a car that had broken down on the 20th Sideroad. The operator was quoted as saying, “I thought I was dead. That person hit me at full speed with no brakes.” About a week later—I’m pleased to report—that he was back at home with his wife and children, bruised and battered, nonetheless, and in need of the protection the “slow down, move over” provisions would allow.

“Slow down, move over” for tow truck laws already exists in five Canadian provinces and 47 US states, so this would be bringing our province up to speed, so to speak. Everyone deserves a safe environment in which to work, and given the ability to prevent potential tragedies for both tow truck operators and motorists alike, I again commend my Simcoe North colleague for his important work on his private member’s bill.

I also want to quickly state my support for some of the shared-responsibility direction we find in this bill when it comes to pedestrian safety. Much as I expressed concern earlier for the need to encourage shared responsibility when it comes to the interactions of cyclists and motorists, I’m pleased to see that similar concern addressed when it comes to pedestrian crossovers.

Specifically, while Bill 31 requires drivers to remain stopped at pedestrian crossovers or school crossings until the person crossing is completely off the street—as is already the case for school crossings with attendants—it also speaks to the need for shared responsibility. I’ll read from the explanatory note here to drive home a point: “Drivers must stop before entering the crossover and not overtake another vehicle already stopped at the crossover; pedestrians (which includes persons in wheelchairs) must not enter a crossover and into the path of a vehicle or streetcar that is so close that the driver cannot stop.” That’s shared responsibility, Speaker. It’s heartening to see it all here, because I think if we put the onus on all who travel or walk across our roads we have a much better chance of maintaining safety than if we just place one group against another. Again, I feel it’s important that we recognize the responsibility of all road users for safety, and Bill 31’s direction on pedestrian safety does just that.

So now that I’ve spoken to some of the provisions we see in Bill 31 that I feel are commendable, I do want to spend some further time looking at where more of our concerns lie. There is no one in this House who doesn’t know what I’m talking about when I mention concerns with Ontario’s medical licence review system, the bane of many constituency offices. There is no shortage of representatives who will tell you of the long-standing concerns over issues where healthy, diligent drivers have their licences stripped away from them for months at a time while they are forced to put their lives on hold. While the program and the growing constituent concerns cry out for change, we question just what exactly is being proposed to fix this broken system.

Specifically, Bill 31 proposes changes for the current requirement of only doctors and optometrists to report to the registrar of motor vehicles anyone over the age of 16 who suffers from a condition that may make it dangerous for the person to drive. Rather than imposing those requirements strictly on doctors and optometrists, the bill calls for new regulations to outline who is required to report to the registrar. Unfortunately, the bill doesn't go so far as to spell out exactly who that might be, which I, again, find puzzling.

This conceivably means that the minister will be able to empower a broader range of professionals to report drivers who they think could pose a road safety risk. Just who are we talking about here, Speaker? We are calling on, perhaps, physiotherapists or chiropractors to report; perhaps the government is considering reporting by dentists, oral hygienists and the like. Or how about accountants, CGAs? Just who is the minister going to call upon to report people who, in the opinion of the unnamed professional, perhaps shouldn't be on the road?

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It's this lack of accompanying detail as to who the minister will be able to empower to report medical conditions to the registrar, or how that decision will impact on the system as a whole, that leaves us with many questions. We will need more details as we move forward with the bill, to ensure a workable system that protects the safety of both Ontario motorists and pedestrians without unnecessarily impacting those who are medically, physically and mentally capable of driving.

I've had many constituents who have emailed and called our office, and I'll give you an example of just one: "It is now four weeks post-surgery. I am absolutely fine to drive, and my doctors have not restricted me in any way. I have two children, aged three and four," this constituent writes.

"This suspension has not only cost me my freedom to come and go as I please, it also cost me the ability to get to and from work for the week leading up to surgery.

"I have inquired countless times to the MTO medical suspension line and have had no luck.

"Each time I have called I have waited no less than 40 minutes in the queue.

"When I called last week the woman at the MTO informed me that it was taking so long because I have epilepsy. I do not and have never had epilepsy! I tried to tell her this but she didn't seem very interested in anything I had to say....

"I feel that it is an absolute disgrace considering this suspension should never have been submitted in the first place."

There it is, in one well-worded email: a system that forces able-bodied drivers to wait extended periods, often past the six- to eight-week timeline that the ministry suggests, while their work and social opportunities remain out of reach due to their inability to have their licence restored or get behind the wheel. Speaker, that's just one example, and I'll tell you, many of the offices I have heard from have dealt with many similar examples.

Of course, this brings me to another concerning part of the bill that again provides so little detailed information that we're left with a long list of questions regarding the government's intent. I speak of Bill 31's introduction of a vehicle inspection centre system. While we have been made to understand the stated reasons for this new system's inclusion in the bill, after our too-long experience with Drive Clean there has got to be a better way of dealing with these concerns than introducing some sort of new mandatory inspection and mandatory fee program.

We do understand that the automotive after-market industry has long supported increasing the number of interactions that drivers have with automotive specialists, due in most part to the fact that approximately 40% of recommended light vehicle maintenance and repair is postponed or abandoned every year, posing significant risks on the roads. There are concerning stats that show that \$14 billion worth of required work is underperformed, including half a billion dollars in brake work alone.

While those are certainly concerning numbers, given the Wynne Liberals' and previously the McGuinty Liberals' handling of the Drive Clean program, you can't blame us for being skeptical of any attempt by this government to legislate more mandatory costs and inspection programs onto the shoulders of Ontario motorists, especially when, for the most part, the structure and framework of this new vehicle inspection system are left to the regulations, while the legislation itself provides no checks or balances on what it will look like.

I'll just give you a taste of what Bill 31 suggests here: "Under new section 100.2, the minister may establish a program for the inspection of vehicles and the issuance of certificates and stickers and other types of proof of inspection and may appoint a director of vehicle inspection standards"—we'll call him a czar; the new czar of vehicle inspection standards—"to administer the program." Further, the bill proposes that, "The minister may enter into agreements with service providers to assist in operating the program. The minister may also enter into agreements to authorize persons to operate vehicle inspection centres and to authorize service providers to enter into such agreements.

"The director"—or czar—"of vehicle inspection standards is given broad authority to issue directives governing certificates, inspection procedures and requirements and equipment and performance standards under section 100.7."

I'll tell you what it sounds like to me, Speaker. It sounds like we're getting ready for the release of Drive Clean 2.0, the sequel. As far as I'm concerned, we've been there and done that and are still paying for it. I don't know anyone who really wants to go back there again. In fact, as opposed to adding another layer of mandatory inspections, we in the PC caucus have been calling on the Liberal government for years to scrap Ontario's redundant Drive Clean program, which has veered into becoming, in fact, an illegal tax.

I also want to mention Bill 31's direction for extended length B-train trailer combinations, another aspect of the



bill. Just so we know what we're talking about here: In the simplest terms, B-trains are those transport trucks we see consisting of two trailers linked together by a fifth wheel. Currently, the Highway Traffic Act allows the prescribed combinations of the units to have a maximum length of 25 metres. Bill 31 would amend that length parameter to a maximum of 27.5 metres. So we're talking about two and a half metres in extension.

I understand that the Ontario Trucking Association has long advocated for this extension of B-train trailer combinations to accommodate a more comfortable sleeper berths for drivers and animal strike guards—think of moose bumpers etc. While Ontario is the first Canadian jurisdiction to introduce this proposed extension, I think we can understand, given the stated reasons from the OTA, that the need for this provision to accommodate the evolving job of truckers in 2014 is necessary.

I've only got about seven minutes left. For those viewers at home who may want to take a quick break, we've got only about seven minutes left.

I want to address, obviously, some more of the concerns I have with the bill. But I'd like to take a few minutes to look at what's missing in the bill. Specifically, I was very hopeful, when we heard about the coming introduction of a reintroduced bill to amend the Highway Traffic Act, that we would see the minister take the opportunity to finally address roundabout rules and testing when the bill came out. However, I checked it from top to bottom, and it was nowhere to be found. It's unfortunate, because there is a very real need for rules to be spelled out for motorists as the prevalence of these traffic circles grows.

In recent years, Ontario has seen a growing number of roundabouts created to ease the flow of traffic at intersections in communities across the province. There are now nearly 40 roundabouts in Waterloo region alone, and plenty more are being built across the province. As their presence increases, like in Lambton, so too do questions of safety, increases in accidents, and concerns of consistency of rules for drivers and pedestrians navigating their way through and across these traffic circles.

It is not just me sounding the alarm bell. The CAA, who worked with me to support my private member's bill—which I will discuss in a second—has done surveys which indicated that only 32% of members were familiar with how pedestrians should use a roundabout. A follow-up survey this past September indicated that three quarters of respondents said drivers with roundabouts in their communities should be tested on navigating a roundabout during their road test, and 89% were supportive of greater education for road users on how to use a roundabout.

That's why I introduced the Safe Roundabouts Act: to give the government the ability to establish clear, uniform rules for roundabouts throughout Ontario. That's why I've also called on the government to examine roundabout procedures for G2 and G road exams.

My bill would have enabled the minister to “make regulations establishing rules of the road that apply to roundabouts” and stated further that, before making a

regulation, the minister would “conduct a study about the safe use of roundabouts” and “must consult with members of the public.” Finally, my bill would have required the minister to table a progress report in the assembly every year until the regulation is made, which I hope he will do sooner rather than later.

In fact, before Bill 31 was tabled, and given that we've had a new Minister of Transportation installed since the introduction of my bill, I wrote directly to him to share the direction of my Safe Roundabouts Act and to ask for concrete action steps to clear up ongoing confusion over consistency of rules for drivers and pedestrians.

Again: With nearly 40 roundabouts in the Waterloo region and more across Ontario, the continued blinders-on approach is short-sighted at best and negligent at worst.

There is no doubt that the government's continued support for including roundabouts in Ontario's infrastructure, while refusing specific rules for these intersections in Ontario's laws, will have far-reaching impacts if allowed to continue.

Speaker, in the minutes that I have left I do want to spend some time on the new powers for Highway 407 and the long-awaited tools for municipalities to collect unpaid fines.

#### **1930**

I will begin with the latter, as municipalities have long awaited the ability to put some teeth into their fine-collection system that will prevent countless millions—likely over \$1 billion—in unpaid fines heading out the door, leaving municipalities holding the bag. The region of Waterloo wrote to me about the need for collection powers back before the election. I've since had discussions with our regional chair and do share his concerns for the municipal inability to see that violators pay their fines and municipalities catch up on runaway unpaid penalties.

Bottom line: Bill 31 would ensure that those in default of fine payment for traffic or parking offences would no longer be allowed to renew their licence plates while also making it easier for the municipal government to pursue out-of-province drivers for offences.

Speaker, there we have it: both significant steps and, I would submit, some missteps on making Ontario roads safer. From driving distractions to drug-impaired penalties, fine collection powers to yellow chrome buses, which I didn't get an opportunity to address—perhaps I will later—as I said, there is a little something here for everyone. So after taking an in-depth look at the parameters of this bill, I will say for now that while I support many of the principles that are at the heart of the Making Ontario's Roads Safer Act, I look forward to the opportunity to ensure our concerns and unanswered questions are addressed as we move forward toward a more positive and timely piece of legislation that will effectively protect the safety of all motorists, cyclists and pedestrians alike.

I will say I definitely want to thank the road traffic partners for all of their work that they've done, whether it

be the CAA, Mothers Against Drunk Driving, the Ontario Association of Chiefs of Police—the list goes on and on.

I know I've only got about a minute left. I did mention the chrome bus aspect of it. I will bring it back because I did find it was a bit weird. I'll say "weird" because while media reports suggest that the ministry backgrounder on Bill 31 indicates that to address ambiguous wording the proposed legislation would also clarify that only school buses could be painted chrome yellow. I know we've got a caucus colleague who drives a yellow car. It appears it may be chrome. She asked me if she'd have to paint it. I did question the minister on that and I did bear some good news to her, that she would not need to paint her car if this legislation were to pass. She's happy with that.

There is a section, 3.1, that states: "If all or part of a bus" registered in Ontario "is painted chrome yellow, the bus shall also display on its front and rear the words 'school bus' and on its rear the words 'do not pass when signals flashing.'" Now, I'm not sure if that's what the ministry is referring to in their backgrounder but I do wonder why we're even going here. I think it's quizzical that we are referencing the very specific colour chrome yellow.

I asked the minister about this in committee. As I mentioned, I brought a number of pictures of yellow vehicles as examples, and do you know what, Speaker? None of them was chrome yellow. So my question: What happens with buses painted a shade lighter or brighter than chrome? Are these vehicles allowed on our roadways? What if someone attempts to paint a bus—like the Griswolds—a different shade of yellow, let's say, butter yellow? But when it comes out as closer to chrome than butter, does an owner face charges because he has no school bus designation or "do not pass" wording on the front or rear?

I guess my time is coming to a close here. Perhaps we'll pick that last little bit up on the next two minutes to wrap it up.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**M<sup>me</sup> France Gélinas:** I'm happy to talk about the Making Ontario's Roads Safer Act. Last week I had a Mr. David Loney, a small business man from my riding, who came to see me. Mr. Loney owns a couple of big rigs; you know, those big trucks that haul all over the country. He knew that we were talking about road safety in the Legislature and he wanted me and all of us to know that the most dangerous of all—to all of us and for the drivers of big rigs in northern Ontario—is not distracted driving. It is the winter road maintenance. He tells me that the roads in Ontario are so poorly maintained that he and his drivers heave a sigh of relief when they reach the Manitoba border. He actually promised to bring me a picture next time he drives through the border in the daytime to show me the difference. He says it is like night and day. Manitoba roads are clear; the ones in Ontario are covered with ice, snow and slush.

The roads are so poorly maintained in northern Ontario that he will actually slow down his business and

lose close to \$40,000 rather than risk having his trucks involved in an accident in the winter, by taking them off the roads for a couple of months—just do the minimum he has to do. This is terrible news. We are talking about an experienced, professional driver who would rather lose \$40,000 worth of business than drive our highways in the winter.

Bill 31 is about making Ontario's roads safer. I have an idea: How about we improve our winter road maintenance? That would go a long way toward making Ontario roads a whole lot safer.

If you figure what he does to our economy when he parks his truck—multiply this by a lot of parked trucks that are afraid to drive on Ontario roads and you'll see why our economy is sputtering.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mrs. Kathryn McGarry:** I just want to reiterate to the members in this House that for the last 13 years Ontario has been ranked either first or second in North America for road safety. But, in saying that, we also know that there's more that we can do to improve our road safety programs, and we are doing that with the combined legislation of Bill 31.

I was actually delighted to hear my colleague from Kitchener-Conestoga really support a lot of the parts of the bill that dealt with some of the increased fines and with distractions. I really wish I could speak more than a couple of minutes on this.

I just wanted to talk about distracted driving, which, as we know, is continuing to increase in issues regarding more fatalities. In fact, in 2016, if we continue our current trend, we will actually exceed deaths on our highways from drinking and driving. It will be distracted driving that's the worst offender there.

I just really wanted to state that some of the proposed legislative and regulatory amendments that are contained in Bill 31 regarding distracted driving include increasing penalties by increasing the existing fine from \$300 to \$1,000, adding three demerit points for distracted driving through regulation, and also adding a distracted driving prohibition to the existing novice driver's licence conditions under the graduated licensing system through regulation. So it really affects my teenage son and his friends. These proposed increases in fines are going to be among the highest fine ranges in Canada, and I'm proud of that.

I also just wanted to speak a moment about dooring. Certainly dooring has been an increased topic of discussion. The Ministry of Transportation is proposing regulatory changes that would apply demerit points to convictions for distracted driving but also increase the number of points applied for dooring.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments? The member for Samia-Lambton.

*Applause.*

**Mr. Robert Bailey:** Thank you, and thanks for the applause there, guys.

I would like to commend the member for Kitchener-Conestoga on his remarks, as he went through and gave

us quite a summary of Bill 31. I had to stay tuned right to the very end to find out if we were supporting it, but that's good, because I wasn't sure. I came in in the middle of it. It was 47 minutes, and it was a great summation of the facts as he knew them.

**Mr. Bob Delaney:** It took him a whole week to deliver that.

**Mr. Robert Bailey:** Yes. He also, of course—and well said—paid tribute to the member for Simcoe North and, of course, the member from Parry Sound—Muskoka for all of the work they have done over the years in their private members' bills, to either highlight the issues about the paved shoulders, the “move over” law and, of course, safe cycling, which we all agree with. I don't ride a bicycle much anymore, but I have to deal with them.

**Mr. Randy Pettapiece:** Maybe you should.

**Mr. Robert Bailey:** I should. Somebody said I should. The stationary bike—maybe I should. Who said that? The member from London—Fanshawe?

**Ms. Teresa J. Armstrong:** No.

**Mr. Robert Bailey:** Anyway, somebody down that way said that. Maybe I could start out with a stationary bike.

Anyway, I have to deal with them. When I am driving the car, I've got to deal with bicycles. I'm always leery of opening the door in traffic—more since I came to Toronto. I never had that back in Lambton county, but more so down here. It's crazy out there, but then I don't need to tell everybody that who lives in Toronto.

He talked about the great investments—more investments in highway safety and in road safety, which, obviously, with infrastructure we could use certainly, and a number of the other ones.

**1940**

Oh, the medical licence review: That's something that comes up in my office numerous times. I can validate that as well. A number of people have no idea why they're not driving anymore. They come in and they have a doctor's bill of health that says they're okay to drive. Still, it's very difficult to get your licence back. I just talked to a lady last night at 10 o'clock. I gave her a call at home and she was telling me about her issues.

Anyway, thank you, Mr. Speaker, for the opportunity to respond.

**The Acting Speaker (Mr. Ted Arnott):** One more question and comment.

**Ms. Teresa J. Armstrong:** Speaker, I want to make a point of order informally to the member for Sarnia—Lambton. It was not I who made that comment but the member from Perth—Wellington.

**Mr. Randy Pettapiece:** You were thinking it.

**Ms. Teresa J. Armstrong:** No. Just to clear that up for you.

You know, what is interesting about this bill is that I looked up some provinces that actually have the fines. BC: Hand-held devices, plus novice drivers using hands-free equipment, is \$167. Alberta: same kind of idea, \$172. Saskatchewan is \$280. Manitoba is \$199.80. Ontario currently is about \$280. Quebec is \$115 to \$154.

New Brunswick is \$172.50. Nova Scotia is \$164 to \$337. PEI is \$250 to \$400. Newfoundland is \$100 to \$400. Yukon is \$250. Northwest Territories: \$100. Nunavut has none.

What this bill is proposing is, we're going from \$280 and we're going to increase that to—

**Miss Monique Taylor:** Up to \$1,000.

**Ms. Teresa J. Armstrong:** Well, it says, “is liable to a fine of not less than \$300 and not more than \$1,000.” That's quite substantial, as we can see, compared to the other provinces. If we're using this as a deterrent financially, it certainly is a deterrent.

However, there may be ways to also inform the public and make people aware of how dangerous hand-held devices are—maybe commercials, maybe apps on the hand-held devices that children, that youth of today, are using for communication tools—and make them understand that, yes, the financial piece is punitive; however, the result of doing that is even more punitive when your life is at stake. So I would encourage education and awareness on hand-held devices to help protect our future generation and stop this distracted driving.

**The Acting Speaker (Mr. Ted Arnott):** The member for Kitchener—Conestoga has two minutes to reply.

**Mr. Michael Harris:** I would like to thank those who chimed in on my last 47 minutes—I could go on for another 47, I know, but I'm out of water—but definitely the member for Nickel Belt; the parliamentary assistant to the Minister of Transportation, the member from Cambridge; my colleague from Sarnia—Lambton; and of course, more recently, the member from London—Fanshawe.

I think she finished off by saying “more awareness.” Of course, that is exactly what it is going to take. We can have all of the fines and penalties entrenched into law, but it is the work of us as legislators, as well as our driving safety partners, to communicate the need for better road safety. As I mentioned earlier, you are 23 times more likely to get into an accident if you're texting—23 times more likely. That tells you right there.

I think it is important that we definitely thank our Traffic Safety Coalition partners for their extensive work on publicizing these new changes. You can think of the drunk driving campaign, Mothers Against Drunk Driving and how that has impacted our roads, as we see now distracted driving actually being more the leading cause of deaths on our Ontario highways rather than impaired driving. That's great, but we've got some work to do now on distracted driving. I need to thank those folks, like the CAA South Central Ontario; the Ontario Provincial Police, of course; 407 ETR; Arrive Alive; Road Today; the IBC—they do some great work in promotion of better driving habits; the Ontario Association of Chiefs of Police; the city of Toronto; Sunnybrook; and Ontario Students Against Impaired Driving.

These are real-life families that have been impacted by impaired driving, and we'll now need to focus on distracted driving and the impacts it's going to have.

I would like to thank the members tonight and those watching at home for Bill 31's comments. I will look forward to further debate on such a bill.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mrs. Lisa Gretzky:** It always gives me great pleasure to rise in this chamber on behalf of the great people in my riding of Windsor West. I'm looking forward to soon spending the holidays there, although I have to admit that I just might miss these night sittings—might.

**Mr. Michael Harris:** Or not.

**Mrs. Lisa Gretzky:** Not.

I want to take a moment and thank my colleagues from Kitchener–Conestoga, Nickel Belt, Cambridge, Sarnia–Lambton and London–Fanshawe for their previous comments on Bill 31. I think they've all done a wonderful job of bringing up some of the positives in the bill, and also sharing some of their concerns.

It's my first opportunity to rise to speak to this bill, Bill 31, the Transportation Statute Law Amendment Act—which is, in itself, a mouthful—also known as Making Ontario's Roads Safer. I think the title is a great place to begin an examination of this bill, and I hope to add some meaningful deliberation in my 20 minutes this evening.

As the title indicates, this is a very comprehensive bill. It actually combines two previous pieces of legislation that were before the second session of the 40th Parliament: Bill 34, the Highway Traffic Statute Law Amendment Act, also known as municipal fine collection, which attempted to give additional tools to municipalities seeking to collect defaulted traffic fines from drivers, and Bill 173, the former Highway Traffic Amendment Act, or Keeping Ontario's Roads Safe, which included provisions to enhance pedestrian, driver and cyclist safety. If this wasn't ambitious enough, this piece of legislation we are discussing and debating today, Bill 31, also includes new provisions to deal with drugged driving, as well as changes to the Highway 407 East Act. I'll return to these two additional provisions very shortly.

In a bill this ambitious, I think it's only right to speak to both its positive and negative aspects. I think we can all agree with the intention of this bill: to make Ontario roads safer.

As many of you know, one of the busiest border crossings in North America—in fact, two of the busiest border crossings in North America—run directly through my riding. We have a tunnel and a bridge, and they connect Windsor to Detroit. It's a major trading hub and a major part of the city's identity. It also poses some unique challenges. For instance, just this past November, in fact, a computer glitch on the US side of the border caused major delays and cost companies on both sides of the border well over \$1 million. These delays took place all day long through two of the busiest intersections in my riding. I was unfortunate enough to be tied up at one of them waiting for these large rigs to cross the border. There was a great expense to the companies they were driving for.

Speaking through the lens of the unique characteristics of my riding will be a good addition to this debate in much the same way my colleague from Algoma–Manitoulin was able to walk us through the unique character-

istics of his northern Ontario riding during his excellent deliberation on this bill about a week ago today. Being able to listen to all of the members of this chamber and hear about how legislation impacts their ridings is truly something I appreciate, and I am glad I have a chance to rise and participate in these discussions.

I'm also privileged to speak today as the NDP critic for community safety and correctional services, a role I take very seriously here at Queen's Park although it often sees me end up in jail, sometimes with the member from Niagara Falls. But don't worry, Speaker, we were just visiting.

**Ms. Catherine Fife:** You got out.

**Mrs. Lisa Gretzky:** They let us out.

I think I'll start with the provisions pertaining to road usage for drivers, pedestrians and cyclists. Primarily, these provisions increase penalties for prohibited behaviour. Traditionally, this is meant to act as a deterrent to such behaviour, and if used properly it can actually work quite well. Examples of deterrents in Bill 31 include stiffer penalties for distracted driving, which specifically prohibit display screens and hand-held devices. Among other things, these provisions include increasing the range of fines and adding demerit points for infractions. Generally, these are good ways to deter the behaviour, and I do think distracted driving is something we should work to reduce in this province. The OPP concludes that distracted driving has become the number one killer on Ontario roads, and often campaigns against these infractions, along with the CAA.

**1950**

It's tempting, given the more demanding, fast-paced lifestyles many employers demand from their employees, to try to continue to be productive while we are commuting. I think the key here, Speaker, is to remember all of the cognitive skills required by one to drive. It's truly a very impressive skill that requires tremendous attention, but it's integrated into so many of our routines that we often forget this and try to do a number of other tasks while we drive.

Another example of a deterrent in this bill is the new provision to prohibit drugged driving. This bill allows for escalating licence suspension for driving while drugged. This is proven when a police officer trained in administering a standardized field sobriety test believes the driver is impaired. I'm interested to know what this test entails, however, along with how it is or will be developed to ensure accuracy in these tests. The two examples I just outlined, being stiffer penalties for distracted and drugged driving, are generally good examples of deterrents, pending some clarity over a few provisions. I think we want to make sure that the punishment fits the infraction, and increasing penalties in these two areas is a good example of something that could work.

A number of stakeholders have spoken in support of these provisions, including Mothers Against Drunk Driving. As a mother myself, I appreciate the work and advocacy of this organization. Mothers Against Drunk Driving indicates that out of 60,000 charges laid for

impaired driving in 2012, just 1,126 charges were for drug impairment. Now, it's not my intention to assume that there are more people driving drugged than we lay charges on, but I do believe we should be doing all we can to enforce the laws and deter people from breaking them.

Along with drugged driving and distracted driving, the bill adds new cycling provisions. As many of my colleagues in this chamber know, Windsor is quickly becoming a major cycling destination, and I know our newly elected council and mayor will be working hard to incorporate cycling into the city's urban and rural landscape. In fact, in 2011 the city of Windsor received an inaugural award from the Share the Road Cycling Coalition. This organization recognizes communities that actively support cycling, and it's right that Windsor is included as one of them.

Since 2002, citizens in my riding have been taking part in an annual bike across the Ambassador Bridge, from downtown Windsor across the border to Detroit. The annual Bike the Bridge event, also known as Tour de Troit, continues to grow in success and received over 6,000 participants in 2013.

Another young but successful cycling event in Windsor is the Tweed Ride. This event sees cyclists of all ages and skill levels coming out dressed in—you guessed it—tweed for a bike ride through the city.

*Interjections.*

**Ms. Catherine Fife:** Come on. It's true.

**Mrs. Lisa Gretzky:** It's an impressive event. Everybody is very nicely dressed.

The efforts of local bike vendors like City Cyclery are crucial in organizing these events and putting cycling on the urban agenda of the city. Windsor is in the final stages of connecting the Windsor Loop, which is a 42.5-kilometre circular loop that connects the city around its perimeter, joining city neighbourhoods and providing access to the Trans Canada Trail. Windsor's waterfront trail is particularly beautiful, and follows the Detroit River through town, through Malden Park and under the Ambassador Bridge. My federal counterpart, Brian Masse, has also strongly pushed for a bike lane to be included in the plans to build a new crossing between Canada and the United States, so that you can bike right into another country before making your way back to Windsor. That would be a great addition for Windsor.

**Ms. Catherine Fife:** Let's all do it, the whole Legislature.

**Mrs. Lisa Gretzky:** You should. You should all come to Windsor and bike across the bridge—unless you're afraid of heights.

**Ms. Catherine Fife:** Yes, which I am. I'm out.

**Mrs. Lisa Gretzky:** As you see, Speaker, my community takes cycling seriously. I want to make sure cyclists are safe, whether they're sharing a rugged single-track path with hikers, a multiple-use pathway with joggers or a roadway with motorists. The bill we are debating today, Bill 31, adds new cycling safety provisions.

The bill indicates that drivers must allow a distance of one metre when overtaking a cyclist. Here we have another good provision of this bill.

The bill allows cyclists to have a rear flashing red light at night—currently not allowed under Ontario law. It's about time this changed, as we see many of these flashing lights on bicycles today, and the law should not penalize cyclists for being proactive about their safety. Ask yourself how many times you've seen a cyclist with these red lights and were thankful that they had them—or you were biking and had a flashing red light yourself.

Bill 31 permits cyclists to ride on paved shoulders of all unrestricted highways and allows for contraflow bike lanes on one-way roads. The latter is an interesting provision, a good idea originally proposed by my former colleague Jonah Schein. My colleague from Parkdale–High Park has also been a strong advocate for cycling safety throughout the years, in particular calling for the one-metre rule.

Some of this is reflected in this bill, and I do thank the members opposite for this. I think it's great that the Liberals are finally listening to New Democrats, and we see some of the positions the NDP has been advocating for over the years.

**Ms. Catherine Fife:** There is hope.

**Mrs. Lisa Gretzky:** There is hope.

I look forward to this government adopting many more of our ideas in the months ahead. In fact, I hope they increase their level of consultation before they implement change from here on in, with both members of the opposition and the general public. This is a theme I will return to in the latter part of my time today.

That being said, there are a few provisions regarding cycle safety in this bill that I find a bit odd; rather, I would say that they are severe. The bill increases the maximum fine for not having a bike light from the current \$20 to \$500. It also replaces the \$20 set fine for not having reflectors or lights with a general penalty of \$60 to \$500.

**Interjection:** It's worth more than the bike.

**Miss Monique Taylor:** That's more than the distracted driving penalty.

**Mrs. Lisa Gretzky:** Yes, these are very steep increases.

I do think that cyclists need to protect themselves at night by increasing visibility, just as I believe drivers must be aware that they share the road with cyclists during the day and at night. But I do think we must reflect on this theme of how to deter prohibited behaviour. Again, the increase in fines is meant to act as a deterrent, but in these circumstances, I think there is also a way to incentivize our desired outcome, which, in this case, is making our roads safer. We need to ask: Is this penalty the proper deterrent to achieve the desired outcome of seeing all cyclists bike with a light at night? What need is there to increase the maximum fine for not having a bike light to \$500? I think we need to explore other ways we can deter unsafe behaviour for not carrying a bike light or, better yet, look for ways we can incentivize cyclists to

carry a light. I think all members of this chamber would agree that cyclists also want to be safe and have a vested interest in carrying a bike light.

If the penalty for not having a light on a bike is going to be dramatically increased, are we also going to see more attention paid to theft of bike property? Between March and July of this year in Windsor, police received 226 bike theft reports. This is up from 168 reported in the same time period last year. In July alone, from 2013 to 2014, bike-related theft went up 53%. It's important to ask how many lights and bells were stolen in this time frame. How many of these crimes were actually reported? If we're going to start fining cyclists large sums of money for not having a light on their bike, I sincerely hope we're going to crack down on bike theft and the theft of bike-related items like lights.

Moreover, I'm concerned that many cyclists in my riding will be shocked to learn of these changes, especially if they learn about them when they are receiving a \$500 fine. Will cyclists be educated about the changes in this bill? I sincerely hope we don't see cyclists being made an example of by receiving the new maximum fine for not having a light on their bike before reasonable attempts are made to educate cyclists on these new fines. If my colleagues in the chamber think I'm exaggerating here, ask yourself, how many of you knew that rear red lights on bicycles are currently prohibited?

These two provisions may be an instance where a deterrent of this nature may not be appropriate or, at the very least, could be augmented with other efforts. I would hope that this government is open to discussions about ways to incentivize cyclists to install lights, as well as educating them on changes in the fine structure. This can really increase the success of achieving all of the objectives of this bill.

Moving along, another portion of this bill requires that drivers wait until a pedestrian has cleared the roadway before proceeding to encroach upon a crosswalk, rather than simply waiting until they are no longer on the driver's half of the roadway. What this bill does not do, however, is mandate truck side guards, which ignores constant calls from the Ontario coroner. New Democrats have long called for this federally, as well as provincially. While the Liberals seem to finally be listening to some New Democrat ideas, it seems this one in particular is being ignored.

Another portion of this bill enables regulators to outsource vehicle inspection centre systems to a private operator. My colleague from Algoma-Manitoulin spoke at length to this section of the bill on December 1, and I will reiterate some of his points here today.

#### **2000**

First and foremost, you are creating a body that will not be overseen—that is to say, will lack proper oversight. How many times do we have to learn this lesson, Mr. Speaker? What I'm talking about here is the creation of the new vehicle inspection centre. The administrator of this system is not an agent of the crown, and as such would not be subject to normal oversight by the govern-

ment agencies committee, the Ombudsman or the Auditor General unless the service agreement with the ministry allows for this oversight. We need accountability and we need oversight in Ontario now, more than ever.

As I said in my introduction, Speaker, Bill 31 is a very large bill, and I assure you I'm working my way through all aspects of the legislation I'm hoping to speak to tonight.

Now we finally get to my thoughts on consultation, as I promised you. I know members on both sides of the chamber were waiting eagerly to hear me speak on this.

**Ms. Catherine Fife:** I am, I'm just going to say.

**Mrs. Lisa Gretzky:** I can tell.

**Ms. Catherine Fife:** I know.

**Mrs. Lisa Gretzky:** I should first contextualize this theme with a discussion of the portion of Bill 31 that weakens the notification provisions to align the Highway 407 East Act with the 407 ETR plate denial process. This bill removes a requirement that obliges the registrar of motor vehicles to notify a driver 30 days in advance, via registered mail or bonded courier, that a plate or a licence will not be renewed due to failure to pay the tolls.

Also—and this is crucial—this legislation removes the legislated obligation to consult with the public before raising tolls. At long last in my speech tonight, we've reached the point on limiting public consultation. I would like to spend some time to unpack this concept.

In 1997, Highway 407 opened as a toll highway and in 1999 it was leased for just under a hundred years to a private operator in exchange for \$3.1 billion. To illustrate how this investment appreciated in value for the private operator, in 2013 alone, the 407 Express Toll Route reported revenues of \$801.2 million.

In 2012, the Ontario government enacted the Highway 407 East Act, which will govern the extension of the 407 when completed. This project is a P3, operated and maintained by, for the most part, the same private companies that currently operate the 407.

In 2012, under the same budget negotiations, New Democrats backed a position that called for a requirement for public consultations to be undertaken prior to a 407 toll increase. Bill 31, the bill before us today, removes the requirement for public consultation. Why? Why is it a good idea to remove a provision mandating public consultation before the increase of a user fee? The Ministry of Transportation claims that this will be replaced with a regulation calling for automatic inflationary increases. However, the ministry would be allowed to set whatever rate it wishes via regulation.

I'm still relatively new to this chamber, but I do believe that under these terms, the increase may not be subject to debate among democratically elected officials, nor would it need to be put directly in front of the public through some form of consultation. Any increase would be decided by the ministry, limiting consultation and public inquiry.

The people in my riding are no strangers to sudden toll increases without consultation. Just last year, they saw bridge tolls on the Ambassador Bridge increase from

\$4.75 to an even \$5, making it one of the most expensive border crossings in the province. At the time, the only Canada-US crossing that was more expensive was the Fort Frances-International Falls bridge, and this may still be the case.

I think back to the sudden adjustments many students in both Windsor and Detroit would have had to make, as many cross over daily to attend school in the country opposite. These increased fees are something people need time to account for in their financial planning. I also think about the many businesses in Windsor that rely on the Canada-US supply chain and how this must have increased their operating costs.

However, these voices and concerns were not heard, because the bridge is privately owned and can raise fees without public consultation. I think the new provision in Bill 31 would resemble this to a certain extent. I can appreciate the government attempting to add stability to cost increases by claiming that a regulation will be added to set automatic inflationary increases, but will they consult the public to set those increases? How will this be decided, and over what period? Will there be contingencies in place if the increases are found to be steep?

I notice, Speaker, that I'm running out of time, so I just want to reiterate that I think the most important point in this is that any of these items should have public consultation. We see time and time again with the Liberal government that they're stifling the debate and the conversation with the public. I think that it's important to have that input.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Eleanor McMahon:** I'd like to thank the member from Windsor West for her comments.

I'm proud to stand here because, as many of the members of the House will know—I mentioned this earlier today in my inaugural speech—I started the Share the Road Cycling Coalition in 2006 following the death of my husband in a tragic accident.

I'm pleased that the member mentioned the Bicycle Friendly Communities program, which is one of the programs that we started at Share the Road. In fact, it was launched in Windsor in 2010 at the Association of Municipalities of Ontario meeting in order to bring recognition to communities who have succeeded in doing well in cycling, and Windsor is definitely one of those. There's some work left to do in Windsor, I know, having grown up in Windsor and understanding the infrastructure, but well done for Windsor for, I think, it's a bronze now in the Bicycle Friendly Communities program. I thank the member also for her comments.

The other reason I'm proud to stand in this place and speak to this legislation is because—and the member noted this—it's an amalgam of ideas. I think, arguably, we're at our best when we share good ideas. No one in the House owns them; not one party owns them; we share them. This legislation is an amalgam of the ideas of the members for Parry Sound-Muskoka, Parkdale-High Park, Simcoe North, to name a few. I know that the

member from Parkdale-High Park, who unfortunately isn't with us this evening but is here in spirit, was an ardent advocate for cycling and proposed, as a private member's bill, the one-metre safe passing law. That is now part of this legislation. The member from Parry Sound-Muskoka, of course, has done tremendous work on paved shoulders in this province, and that, too, is part of this legislation. I think, as we can see, we're at our best when we work together.

When I was at Share the Road I was part of the coroner's review into cycling deaths. Many of the recommendations of the coroner's review in 2012 are contained in this legislation. I think it's a hallmark day in Canada when we can say that we have the makings of a one-metre safe passing law—only the second province in Canada to have it. There are more than 30 US states that have the one-metre safe passing law. It has been demonstrated to make a real difference in terms of safety, so I'm pleased to stand in this place and speak to Bill 31.

I thank the member opposite for her comments.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Randy Pettapiece:** It gives me pleasure to rise and speak to the comments from the member for Windsor West. I noticed in her remarks that she was talking about consultation. Since you have been here—and I've only been here a short time; you've been here maybe a shorter time—when have you ever seen this with this government? Consultation is not in their vocabulary. They certainly don't listen to us. They don't listen to their stakeholders, and they keep cutting off debate on important pieces of legislation.

Look at what they did to the horse racing business a number of years ago. They cut it off at the knees. There was no consultation there.

Look at what the Minister of the Environment, endorsed by the Minister of Agriculture, has done to the Ontario grain farmers with the neonics controversy. Despite what the farmers are trying to do to correct that problem, they haven't even listened to what could be a solution to that problem. Many farmers have adjusted their planters to help with dust control when they're planting their crops in the spring. That has not been listened to by this government.

They have also changed the formulation of some of these chemicals to help with dust control. Again, they were not listened to by this government.

I really hope there's some consultation going forward, but it certainly hasn't been shown in these recent months. We've also asked for consultation on different bills, bills that the previous speaker, the member from Kitchener-Conestoga, mentioned. Again, it's not there.

I do hope that the government will start listening, not only to us, but to people who are involved in industry, people who are involved with traffic control, instead of pushing these bills through and thinking that they know best for everybody, because they certainly don't.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Catherine Fife:** It's a pleasure to stand and comment on the member from Windsor West. Her analysis of this bill was thorough. She didn't get through all of it because it's actually a very big bill. A lot of the changes that are contained within this legislation have been a long time coming.

I just want to reflect back. The member from Windsor West, Lisa, and I served on the Ontario Public School Boards' Association for a lot of years, so we always pivot back to education. Education is the prevention piece. It's the smart place to invest dollars, but as she also mentioned, the enforcement and the oversight are the needed components to any legislation.

**2010**

Any government can come forward and have great ideas contained in a piece of legislation, but if they're not going to uphold them, if they're not going to enforce them and if the oversight is the missing component, then you might as well be writing on blank pieces of paper for all that we're—

**Ms. Cindy Forster:** And they enforce nothing.

**Ms. Catherine Fife:** Yes.

The other key component, I think, which should resonate with the entire House—the member from Windsor West touched on the public consultation process. We are seeing a diminishment, a watering down, of public consultation, which is incredibly worrisome. It's an emerging trend. It has actually accelerated under this majority government. So I think that she was right, in her role as an opposition member, to raise that as a concern as regards Bill 31.

The coroner's review, as was already mentioned as well—we are in this place in time because laws and legislation and regulations have not been upheld or enhanced or enforced by this government. Therefore, we are looking at coroners' reviews on too often a basis.

Quite honestly, I think the member raised—she spoke to her riding. She spoke to the importance of this legislation to her riding. I hope that the government, going forward, takes those words to heart.

**The Acting Speaker (Mr. Ted Arnott):** The member for Scarborough–Rouge River.

**Mr. Bas Balkissoon:** I just want to add my few comments to this debate on Bill 31, the Transportation Statute Law Amendment Act.

I listened to the member for Windsor West carefully and also to the member from Kitchener–Conestoga previously. There's a clear indication that everyone in this House supports many parts of this bill. If you look at the bill carefully where it's making improvements to this act in terms of impaired driving; drugs and alcohol; distracted driving; medically unfit drivers; truck, vehicle and bus safety; pedestrian safety; cycling safety; collection of default Provincial Offences Act fines; and Highway 407—all of us agree with those things.

But the most important thing about this bill is that it incorporates the ideas of members of all parties. The member for Parry Sound–Muskoka knows it was his private member's bill that was discussed. There are other

members like that. That's why I have an interest in this bill: because the residents of my riding asked me to bring that bill on distracted driving because the parts of the act that existed at that time were not enough to deal with distracted driving.

In fact, an innocent person got killed in my riding because of a distracted driver. It left a family, a husband and kids, without a mom, someone that they cherished very well. To be honest with you, my interest in the distracted driving bill is that the previous legislation was only brought in 2010, and people were not observing the rules of the road that were in that act. So it was my view that the fines were too low to really create that impact that we need with drivers. A major link that was missing was that distracted drivers were not being punished with demerit points. We have learned from drunk driving that when we instituted demerit points, the drunk driving rate dropped in the province. So that's my comment to this one.

**The Acting Speaker (Mr. Ted Arnott):** The member for Windsor West has two minutes to reply.

**Mrs. Lisa Gretzky:** I'd like to thank the members from Burlington, Perth–Wellington, Kitchener–Waterloo and Scarborough–Rouge River for their comments. I did have to write them all down so I'd remember. I'm still learning who everybody is.

I think it's important to note, not just specifically to my riding but all ridings—and being in Toronto you see cyclists frequently—that education, as the member from Kitchener–Waterloo pointed out, is key. I think that there are many items in place in the bill that will act as deterrents for distracted drivers and for cyclists who don't have proper lighting and such on their bikes. But the key is education. We can't expect people to follow laws that they don't know are in place.

I also think that, because cycling has become such a big part in my riding, we have to make sure that the fines that are in place are fair. Often people who are riding bicycles are doing so not only to be healthier, but because they simply can't afford to own a vehicle. So to have such expensive penalties for something such as not having a light on their bike I think would be a deterrent for some and a financial hardship. I think we need to look at those penalties and make sure that they're fair penalties.

The member from Burlington mentioned how we've had an amalgamation of ideas, and I think that's very important. It's not just about the government side, the members on the other side, but there are members from this side of the House too who are representing the people in our ridings, and I think it's important that the government side listen to what we have to say on behalf of the people in our ridings.

Lately, we've not seen that consultation process, and I'm hoping that we will begin to see a change such as we've had in this bill.

**The Acting Speaker (Mr. Ted Arnott):** Further debate? The government House leader.

**Hon. Yasir Naqvi:** Thank you very much, Speaker, for recognizing me to speak on Bill 31, Making Ontario's



Roads Safer. I'm very excited to talk about this bill, to speak on this bill. It's something that I've been wanting to do for some time, and I'm glad that I've got the opportunity tonight to do so.

The issue around road safety, the issue around safety for our pedestrians, for our bicyclists, is an extremely relevant and important issue for my community of Ottawa Centre. As members have heard me speak about often, I have the great privilege of representing downtown Ottawa, a community which is at the heart of the city of Ottawa, with some of the most incredible landmarks in our nation's capital located in my great community of Ottawa Centre.

But one of the incredible things about living in a downtown community, Speaker, as you can recognize, is that the members of my community very much rely on various forms of transportation, be it walking to work or to the local community centre; or taking a bicycle to various activities, to the farmer's market at Parkdale; or taking the bus to the newly developed Lansdowne Park in the Glebe; or living in Old Ottawa South and, in the middle of winter, skating downtown to work on the Rideau Canal. I mean, you name it, all different kinds of transportation are used in my riding by my constituents.

The next most exciting thing that's happening in my community of Ottawa Centre is the building of the Confederation Line, the light rail transit system, which basically starts in my community at Tunney's Pasture and goes all the way through downtown—actually underground through the downtown and then to the Rideau Centre, the University of Ottawa and beyond. So we are getting this incredible new addition of another way of great public transit by way of light rail that is going to make it even easier for my constituents, members of my community, to be able to travel from their home to their work, to the local farmer's market or one of our community rinks or local parks. Needless to say, for all those reasons, Speaker, there is a great sense of interest in my community in making sure that our roads are safe, that it is easy for members of my community to be able to walk, skate, ride their bike or take public transit to various things in our community.

I'm very proud to come from Ottawa because there are a lot of great things happening in my community to make it even more of a bicycle-friendly, pedestrian-friendly city. I'll give you a couple of examples that are happening right in my community of Ottawa Centre. First, there is, for the very first time, right in the downtown core, on Laurier Avenue, a segregated bike lane. It started two years ago as a pilot project. It has now been made permanent because of the incredible amount of use that came about. That has allowed for people to be able to travel through our downtown on Laurier Avenue.

#### 2020

Those who know Ottawa well will know that Laurier Avenue is in the heart of downtown; it's a very busy road. Having two segregated bike lanes on both sides of the road makes it that much easier for people to get to work from their home. The Laurier Avenue Segregated

Bike Lane Project has been so successful that it won the 2015 Sustainable Community Award from the Federation of Canadian Municipalities. It has been celebrated as a best practice and is being encouraged in other communities as well.

Another great thing that is happening in my community is the building of complete streets. Complete Streets for Canada is an incredible concept where cars, bicyclists and pedestrians are all treated equally. Lanes are created for all three modes of transportation in a way that people feel safe and have equal access to get from point A to point B. The very first complete street to be built in Ottawa is actually in my riding of Ottawa Centre, where Churchill Avenue in Westboro is now a complete street. There are two more planned in Ottawa, and they also happen to be in my community of Ottawa Centre: one on Main Street, starting construction in the spring, and the other will be on Scott Street, a couple of years from now—once again, really making sure that we're putting emphasis on all modes of transportation in my community, be it cars, bicyclists or pedestrians, by building more complete streets.

The result of all this great activity—and there are many other great things that are happening, with kilometres and kilometres of bike lanes, an easy-access foot bridge etc.—is that Ottawa is being recognized around Ontario and Canada as a leader and a bicycle-friendly community. I'm really happy to note that through Share the Road Cycling Coalition—and my good friend the member from Burlington, in her capacity as a CEO of Share the Road, was there two years ago and presented Ottawa the very first Gold Bicycle Friendly Community Award, yet again recognizing the fact that Ottawa has been doing incredible stuff in making sure it has safe streets. It's a usable city for bicyclists, for pedestrians and for skaters, and you name it.

That's why in my community—Speaker, you won't be surprised—we're really engaged in the development of Ontario's first bicycling strategy, #CycleON, which has resulted in so much behind the great things that we find in Bill 31. #CycleON was announced almost two years ago, laying out a very ambitious plan to make Ontario a cycle-friendly jurisdiction. Members of my community were quite engaged in that process.

I want to note three people, Speaker, who were part of the minister's advisory committee: Zlatko Krstulich, who works with the city of Ottawa, was quite engaged. He lives in my community, is a cycle enthusiast and has done a lot of good work in this area; Hans Moor, who is part of Citizens for Safe Cycling, another great advocacy group in my community, was part of that advisory group; City Councillor David Chernushenko, another great advocate of bicycling and pedestrian-safe streets.

They were very much part and parcel of the work that went into #CycleON, and I want to take this opportunity to thank all three of them for their advice to me as the member of provincial Parliament on how we can take concrete, practical steps within the provincial context to ensure that cities like Ottawa, which are putting so much

effort into making our communities safe for bicycles and pedestrians, can do more. A lot of their input and advice is reflected in #CycleON, the bicycling strategy that Ontario has put forward.

Speaker, as mentioned, Bill 31 has a lot of incredible stuff and, pulled together, it really takes a major, major step when it comes to making Ontario a leader in Canada—I would argue even in North America—toward making sure that our cities, our towns and our villages are welcoming to cyclists and pedestrians, with things like an emphasis on distracted driving, alcohol and drug-impaired driving, pedestrian and cyclist safety, and truck, vehicle and bus safety. All these things are very important components in making sure that our communities are safe for everyone and we are really fostering a culture of sharing between pedestrians, between cyclists and, of course, car drivers on our streets.

I would like to first focus on the part dealing with red-light cameras. You will notice that this bill has a section dealing with supporting municipalities. It proposes an improvement in municipalities' ability to charge and prosecute individuals from out of province who run red lights and fail to stop for school buses. This is a very important element in this bill, something that I had some hand in working on. I had the great opportunity of tabling Bill 131, a private member's bill, in October 2012, dealing with the enforcement of the Provincial Offences Act as it relates to red-light camera infractions from out-of-province drivers.

As you can imagine, in Ottawa, it being a border town just next to Quebec, this is a significant issue. We have red-light cameras on our streets. They are put in place to make our roads safer for other car drivers but also for pedestrians. We find ourselves in a strange situation where out-of-province drivers do not face the same rigour of law under the red-light camera regulations as do Ontario drivers. What my private member's bill, Bill 131, did was make sure that we created a level playing field and gave municipalities the power to be able to enforce the infractions on out-of-province plates.

I'm really happy to see that Bill 31 incorporates my private member's bill, something that I think represents a real challenge in my community. This will go a long way in making sure that roads are safer in the long run, in Ottawa and other communities where you have red-light cameras.

The second aspect I want to focus on in this bill, which is very important, is around pedestrian and cyclist safety, something that, as I mentioned earlier, is a very important issue for my community. There are some really interesting and important things that are part of this legislation that will promote cycling as active transportation and specifically improve cyclist safety. Too many times, we hear in my community that a person unfortunately loses his or her life because of a collision between a car or truck and a cyclist. Just a week and a half ago, we had another fatality—it happened to be in my community, in Ottawa Centre—where a person was hit by a garbage truck and succumbed to his injuries.

These are the things that we need to prevent and take every step possible. I think this particular bill will go a long way by ensuring that municipalities now will be allowed, if the bill passes, to create contraflow bicycle lanes to provide more direct routes and connectivity. It's a real challenge, especially in dense urban communities like Ottawa where you've have a lot of one-ways. This will allow for a real opportunity for municipalities to be able to use a one-way and put in contraflow bicycle lanes for cyclists to travel.

Increasing the range of convictions for dooring of cyclists is, I think, another very important move. Fines going from between \$60 and \$500 to between \$300 and \$1,000, and raising the demerit points from two to three, is a very significant step, again, to make sure that people are a little bit more cognizant when they are opening their doors on busy streets and check their blind spots so they are not hitting a bicyclist who may be coming.

The other important point that has been mentioned during the debate is the one-metre rule when passing cyclists where it is practicable—another very important step that will allow for more safe cycling and better understanding of sharing the road within our communities. This is an issue that I have heard about quite often in my community, and I'm really excited to see that it is part of this bill.

#### **2030**

In terms of pedestrian safety, requiring drivers to yield the whole roadway to pedestrians at school crossings and pedestrian crossovers is, again, a very important and significant step. In the grand scheme of things, when you think about it, it doesn't seem like a big thing. Why was it not done before? The fact of the matter is that the Highway Traffic Act was written in a particular way. It was written as legislation at a time where driving cars was the prevalent way of doing things, and now the reality is changing. More and more, in communities across the province, we see more people walking, more people being active in their lives. These changes are extremely important, so I'm really happy to see that we are changing the manner in which we take active transportation. Through these changes, we really are bringing a cultural shift, a cultural change, in ensuring that our roads are safe.

To that I would add that the provisions around distracted driving are very important, as well. There are ample studies now out that show that when you're on your phone while driving, on your BlackBerry or iPhone, and texting, the danger that you cause on the road in some instances is more than drinking and driving. This is a serious issue. I think that we know as much, that we are not allowed to use our hand-held devices while driving. We often see people doing it. Just this morning, as I was coming from the airport to Queen's Park, I saw about three drivers at stop signs, their eyes were gazing down. It is easy to spot when somebody is looking at their device, and not at the steering wheel, not at the road. It is dangerous. It jeopardizes your own life, but most importantly, it jeopardizes the lives around you, whether pedes-

trians or cyclists or other car drivers. To see that we are increasing the fines and we are introducing demerit points is a very important step that is very much part of this bill.

So add all these things together, Speaker—and I've just picked things that I think are very important from the perspective of my community in Ottawa—and you really start to see that this bill takes a very significant step in making our roads safer, I really want to thank everybody in this House who has contributed to this bill. I want to thank the Minister of Transportation, Steven Del Duca, for his leadership in bringing this very fulsome package together to the Legislature so that we can really get to see all these pieces together that will make our community safe.

In my last couple of minutes, I do want to talk about another important issue, which is not part of this legislation, but I think it's a discussion worth having. This is something that I heard in my community quite a lot, and that's around speed limits on residential streets. This is a very significant issue in my community. As I mentioned, it's a densely populated community with a lot of young families, and we're finding that 50 kilometres an hour as a default speed is just too much. We live in a time when we live in more tight-knit communities, there are more kids on the streets, the cars are much faster now than ever before, and perhaps—having had conversations with my constituents—it is time that we consider lowering the default speed limits from 50 kilometres an hour to 40 kilometres an hour on residential streets, and to 30 kilometres an hour around school zones.

Ample studies have been done that demonstrate that the impact on collision of a car driving at 50 kilometres an hour versus a car driving 40 kilometres an hour is drastically lower; in fact, the chances of a person surviving that kind of collision is much higher just by reducing the speed limit by 10 kilometres. In fact, even our coroner, who did quite an extensive study on pedestrian deaths—one of the recommendations he outlined was to reduce the default speed limit on residential streets from 50 kilometres an hour to 40 kilometres an hour. We're excited to see other jurisdictions around the world taking the same step. In fact, most recently, New York City reduced their speed limit to 30 kilometres an hour on residential streets, and Paris has done the same. I introduce that as a topic for debate and discussion.

In the long run, I think there still needs to be more analysis done in the context of Ontario. No doubt, we still need to do some consultation to hear from our municipal partners, from other community groups and those who advocate on behalf of drivers, bicyclists and pedestrians, to see if that is something Ontario needs to consider.

But, Speaker, I can tell you, listening to my constituents in Ottawa Centre as I go knocking on doors in my community every weekend, this is an issue that I hear quite often about. There will be a tremendous amount of support in my community if we as the Legislature consider reducing default speed limits on our residential

streets from 50 kilometres to 40 kilometres an hour and in our school zones to 30 kilometres an hour because it will really complement well some of the changes that are outlined here.

Thank you, Speaker, for the time, and I hope all members will support Bill 31.

**The Acting Speaker (Mr. Ted Arnott):** It is now time for questions and comments.

**Mr. Toby Barrett:** I do wish to respond to the presentation by the Minister of Community Safety. As we all in this Legislature have stressed with Bill 31, and as the minister indicated, it's all about making our roads safe.

I will say that, down our way, the Ontario Ministry of Transportation are doing their best. They have been trying to replace a bridge in Cayuga; it was built in 1924. This is a bridge that now is subject to US Steel coil trucks—a tremendous weight. I know that because I've stood out on the bridge when this happens.

However, once again, Six Nations activists have taken over the bridge. This has happened several times now. Construction workers essentially determine that discretion is better than valour, and leave. We have a bridge that was built in 1924. The Ontario Ministry of Transportation has reached out to the confederacy; these are the activists. The most recent incursion on this bridge was just Friday. Men's Fire and the confederacy—

**Hon. Deborah Matthews:** What does this have to do with the bill?

**Mr. Toby Barrett:** I'm talking about safety, and I'm talking about transportation.

I can give you another quote from the Minister of Community Safety. Maybe we need him down there rather than the Ministry of Transportation. They're being hung out to dry.

The minister just indicated that we all want to feel safe. The title of this bill has the word "safety." We cannot have construction workers finish a bridge that needs to be replaced—going back to 1924. Because of political correctness on this side of the House, nobody is doing anything to deal with this illegal activity out on this bridge. Things have been going on for eight and a half years.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Miss Monique Taylor:** I'm happy to speak to the government House leader, who is also the Minister of Community Safety and the member from Ottawa Centre. I will have my turn shortly to fully debate this bill, but I just want to add a couple of pieces since I've been sitting here listening to the debate.

We've heard a lot from the other side about this bill being about lots of folks coming together and having their say. Then, on this side of the House, we don't exactly see that other than that, in this bill, we do have things that were from previous members Jonah Schein and Rosario Marchese and our current member from Parkdale–High Park.

They have put input into this bill, but at that time the members on the opposite side said that it wasn't some-

thing that could be done; they weren't ready to do it. They said our policy hadn't been thought through. Now here they are, putting it together in another omnibus bill that I'm sure we're going to see time-allocated.

**2040**

It's interesting and ironic that they're going to bring us in here on a night sitting to time-allocate another bill. I mean, if I had to sit here on a night sitting, I wish I was talking about the child care bill; I wish I was talking about accountability and transparency. But instead, Speaker, we've been time-allocated on all of those bills. People across this province have had no say about really important bills. And here we are, on transportation, which I think is an important bill—don't get me wrong—but a night sitting, Speaker? I'm not quite so sure.

I'm really going to enjoy my 20-minute piece later.

**The Acting Speaker (Mr. Peter Z. Milczyn):** Questions and comments? The member from Beaches–East York.

**Mr. Arthur Potts:** Thank you Mr. Speaker. What an honour to have you in the chair for the first time as I have a chance to represent—congratulations.

I, too, am delighted to speak to Bill 31, Making Ontario's Roads Safer. The minister from Ottawa–Carleton—sorry, Ottawa Centre; my apologies—represents my daughter, Dara, who is at Carleton University—hence the confusion there—who tells me repeatedly what a great job you're doing in that community. She and her boyfriend, who live there, are very, very supportive.

I think it's really appropriate that the Minister of Community Safety and Correctional Services should be addressing this bill. All these new measures we're putting into place to make the roads safer—distracted drivers, drinking and driving, new fines and such—let's be clear: As the Minister of Community Safety—you'd better look out and you'd better watch out; you'd better do what you're told in this particular bill, because—

**Mr. Steve Clark:** You'd better not pout, you'd better not cry.

**Mr. Arthur Potts:** Exactly. Thank you for picking up on that. You'd better not cry, because if you don't pick up on the measures here and you get pulled over, you're once again going to be under his purview in the correctional services system, and then you will be crying, and then you will be naughty or nice. Thank you.

I'm just saying, if people don't do what the bill says, they will be under your direction as the Minister of Correctional Services. I know they'll be well looked after in the system. However—

**Mr. Steve Clark:** So be good, for goodness' sake.

**Mr. Arthur Potts:** For goodness' sake, be good.

There are some very important measures here, and we've had such impassioned words today from the member from Burlington about bike safety. For no other reason than that, that section of the act is so very important.

I know we've heard from many members on both sides of the House. There seems to be widespread support. I think we're going to move very quickly. We may not need to time-allocate this bill because you'll be

so supportive that we could have unanimous consent before this debate is over.

**The Acting Speaker (Mr. Peter Z. Milczyn):** Questions and comments?

**Mr. Steve Clark:** It's a pleasure for me to provide a couple of moments of questions and comments on the government House leader's speech on Bill 31. I'm not going to talk about time allocation. I think I've been very clear on my position on time allocation. But I do want to make a few comments on the minister's response regarding cycling. I know he mentioned his riding, Ottawa Centre, and his passion for cycling.

I remember a few years ago—and the member for Burlington was involved in the Share the Road coalition—that I got the opportunity to speak on a panel with the member for Kitchener–Waterloo, from the New Democrats, the Minister of Labour, the member for Oakville and also the head the Green Party. We had a great co-operative discussion about cycling and about what needs to happen in the province when it comes to cycling legislation.

I'm glad that this bill actually incorporates some of the components from my colleague from Parry Sound–Muskoka's bill. I'm glad that it includes that. Also, on the towing side, I'm glad that the member for Simcoe North's provisions are included.

I wanted to let the House know of a great project in my riding. The member for Kingston and the Islands is sitting beside the government House leader, and she knows all about it. I'm so pleased this year that the United Counties of Leeds and Grenville and the St. Lawrence Parks Commission were able to finish the trail, the parkway bike path. It is a 27-year project that has just gotten resurfaced. I'm so glad. If anybody is anywhere near Leeds–Grenville, the Thousand Islands Parkway is this very picturesque, 37-kilometre trail that helps our community with cycling and with active living.

We all know the importance of cycling in our communities. I have to say that this wonderful collaborative effort between the municipalities and the parks commission is well used. It's good public policy, and I'm glad it promotes cycling, not just in my riding but all around the province.

**The Acting Speaker (Mr. Peter Z. Milczyn):** The Minister of Community Safety and Correctional Services for a response.

**Hon. Yasir Naqvi:** I want to thank the members from Haldimand–Norfolk, Hamilton Mountain, Beaches–East York and Leeds–Grenville for their very constructive feedback to my comments earlier on.

I've got to share an observation that I noticed. There is a tremendous amount of excitement in this Legislature when it comes to Bill 31. I think a lot of people see their input, their fingerprints, in this bill from all three parties.

We've come a long way. When anybody who stands up in this House brags about all the great things that are happening in their community when it comes to making it more accessible for cyclists and for pedestrians and making sure that the community is a healthy community,

a community that welcomes people using active modes of transportation, that's an amazing place to be at. I think it speaks volumes for our province in terms of the direction we're going in in making sure that not only do we create the right set of conditions for active transportation but also that we make Ontario the nexus in Canada for bicycling-related tourism, which is a huge source of revenue around the world. We could be at the forefront of that.

Bill 31 will really help us get to that milestone, will really move us in that direction. And with all the positive feedback that is being shared in this Legislature, I'm confident that the debate on this bill and the subsequent consideration at the committee and back at third reading is going to be a very useful process to ensure that we're listening to our communities, that this bill is a strong bill and will make sure that we truly are making roads in Ontario safer.

I thank all the members for their comments and look forward to the passage of this bill.

**The Acting Speaker (Mr. Ted Arnott):** The member for Leeds–Grenville.

**Mr. Steve Clark:** Point of order, Speaker: I want to correct my record.

In my enthusiasm about the \$2-million project along the Thousand Islands Parkway, I omitted the name of the project. It is the Thousand Islands Recreational Trail. I wanted to correct my record and make sure I got the correct name of the project on the public record.

**The Acting Speaker (Mr. Ted Arnott):** It is now time for further debate.

**Mr. Norm Miller:** I'm pleased to have an opportunity to speak to Bill 31, An Act to amend the Highway 407 East Act, 2012 and the Highway Traffic Act in respect of various matters and to make consequential amendment to the Provincial Offences Act.

Our critic, the member from Kitchener–Conestoga, I think, did a good job of going into all aspects of the bill. It does cover many different areas, so I won't try to cover everything.

It is a highway safety bill, so I want to talk, probably for most of my time, about the issue of the greatest importance in my riding right now to do with highway safety, and that is certainly winter road maintenance. That's an issue that I'm receiving daily emails on. All last year—and last year was quite a winter, with lots of snow and ice and cold temperatures. But already this year, we've had some significant snow events. I've received many, many emails, all very unique, concerned with road conditions. I've certainly experienced it myself as well.

It's just in the last, I think, three years since the government changed the contract. I'll provide my advice on how I think they could improve things after I get some of the concerns of my constituents on the record.

Certainly, Highway 11 has been closed north of Huntsville and south of Gravenhurst a few times. On a Thursday night driving down here, I had to divert across country when I saw the tail lights all backed up. I learned

after the fact that the transport trucks were stuck on Highway 11 south. It wasn't that there was an accident; they actually just couldn't get moving. Coming back a couple weeks after that, again on a Thursday, Highway 11 southbound was closed at about the same spot. In that case, I could see that there were transports across the highway. I can tell you, it was pretty slippery, and there didn't seem to be any sign of sand or salt on the highway.

Over on the Parry Sound side of the riding, we've had numerous closures of Highway 400 and, really, across the whole region. We heard, I think, the member from Nickel Belt getting on the record, talking about how generally across northern Ontario the last few years have just not been satisfactory.

**2050**

I have a long letter from the operator of a bus service in Parry Sound district. It's a good letter. I want to get it on the record, so I shall read that letter. It's from Barry Bell, who's president of Bell Transportation operating out of Dunchurch, which is northeast of Parry Sound on Highway 124. He writes:

“Mr. Miller,

“I am asking for your help because apparently Premier Wynne has hired a bunch of inspectors to keep an eye on the contractors charged with maintaining the safety of our province's highways and byways during these winter months.

“I need someone to have Premier Wynne direct some investigation into the Parry Sound-Almaguin area, specifically the Highway 124 corridor.

“Mr. Miller, I have eight school buses that have to navigate various sections of this highway. However, there are other school bus companies that are also servicing various sections of this roadway as well.

“This morning, November 11, 2014—there was no precipitation falling. The temperature in Dunchurch was a shade under zero degrees Celsius. However, there had been a wet snowfall yesterday evening that had been plowed off by our local contractor (Carillion) but the highway remained very wet.

“At some point last night the servicing stopped but the moisture on the road froze and by morning there was a dangerous sheen of ice coating large portions of the road.

“I could hear McDougall township's road crews commenting on the ridiculous condition of Highway 124 on the radio scanner, as they were out making sure their township roads were safe.

“My drivers began to filter into work, all with stories about how slippery the highway was. Each more incredulous than the next as to why the road wasn't being serviced.

“As they began their routes, they began providing updates on two-way radio and advising caution about the frozen surface on specific sections of the road, how some were sliding through bus stops, and asking if there were any Carillion sightings.

“Mr. Miller, I had attempted to contact the local contractor's yard in Dunchurch, but there was no answer. I called the Carillion office in Emsdale—no answer. I

finally got in touch with a Carillion patrolman for Parry Sound who agreed with me about the state of the highway as he had noticed the severity of the slickness and had called the patrolman who was supposed to be monitoring this area, and was assured that someone would be called in right away.

“This was all happening between 7:30-8 a.m. The patrolman should have had a salter/sander on the road long before. Certainly the issue should have been addressed before the school buses hit the road.

“I don’t ask for preferential treatment because of my buses, but I expect it, Mr. Miller. Everybody says we transport the world’s most precious cargo, and I happen to wholeheartedly agree. If a busload of children is involved in a catastrophic accident, the reverberations of that would extend far beyond just the children on board and the driver. It would impact everyone, because in small communities like mine, every child on our buses is someone’s niece or nephew or grandchild or friend or neighbour. We are all connected by very small numbers of separation. It is one thing to keep the roads safe for people to commute to work, but shouldn’t ensuring safe passage for our area’s children to school warrant more dedicated service than we receive?

“I was on pins and needles this morning, Mr. Miller, because if the buses were sliding, it would only stand to reason that the other motorists would be doing the same. So, although this morning did pass without serious incident, left unchecked it is only a matter of time before a car or truck or tractor-trailer will slide into the back of a school bus. Or, worse still, slide through the flashing red lights and put the lives of children crossing the road in peril.

“Will a serious accident have to occur before Premier Wynne does something more than hire some investigating inspectors? Will a child have to die on the side of the road in a pile of frozen slush before Carillion and their ilk realize they should be doing a better job?

“When weather and road conditions dictate, the Transportation Consortium in North Bay cancel bus service. That determination is made on a day-to-day, in-the-moment, basis. We had 13 such cancellations last year. That was almost 10% of the school year. I know there will be days when we will not be able to send the buses and that will not be Carillion’s fault. But those determinations should always be because of a reaction to the tableau Mother Nature has presented—not because someone hasn’t done their job properly.

“In retrospect I could have and perhaps should have contacted the consortium and recommended shutting down service this morning. But when the sky is clear and the temperature trend set to warm up significantly and with the misguided faith that a salter would be imminently dispatched, I chose to trust that someone would be addressing the road conditions expeditiously. But that did not occur. Oh, the sky remained clear and the thermometer did rise as the forecast remained true, but Carillion was nowhere to be found.

“A Carillion truck was finally spotted salting the Highway 124 after 8:30 a.m. That is completely unacceptable

and I would contend a dereliction of duty on someone’s part. (Having said this, my abhorrence for the lack of attention afforded Highway 520 to Ardbeg, a purported class 5 road, that three of my school buses have to traverse, typically gets an appalling lack of service based on this categorization, and puts lives at risk constantly, has been documented and reported to the MTO and Carillion. Highway 520 was also grossly underserved today, but that is a completely different situation according to the maintenance standard.)

“An even more troubling question haunts me because such obvious gross incompetence seems hard to imagine. A slippery road is a pretty black and white problem. Are the patrolmen being ruled by some ridiculous notion that comes from their superiors to save money and cut back on services to do so? Perhaps our local patrolman was just asleep at the wheel (perhaps literally), or maybe he is an inexperienced new hire or maybe he is just really bad at his job. But we have historically received less than stellar service from this organization, and presumably so have others, as evidenced by Premier Wynne’s directive. The question I ask is, ‘Why?’ The shoddy maintenance seems to be a given, and the doling out of fines for such almost a cost of doing business, but ‘why’ is this so? Perhaps there is a nexus at play that should be part of an investigation as well, no? How much money does it cost to salt/sand Highway 124? Therefore that cost is being directly saved when it isn’t done when it should have been. Does this concern anyone other than myself?

“I honestly do not feel this letter is overreactionary or exaggerated. As I previously mentioned, my claim was substantiated by another patrolman. But we are only into November with a long road of winter ahead. That idea alone inspires not much more than depression and anxiety, but those emotions are compounded by having to experience the daily crapshoot as to whether Carillion has adequately held up their end of the bargain or not.

“Mr. Miller, if you could be so kind as to help me do something about this predicament before it becomes something none of us want to contemplate let alone live through—that being the unwarranted and unjustifiable and completely preventable sustained injury or death of a child, I would be in your debt and very much appreciative.

“Thank you for your consideration in this matter.”

That was Barry Bell, president of Bell Transportation.

Mr. Speaker, I have countless other emails, all unique situations, all talking about various and sundry different highways around Parry Sound–Muskoka, but I think that one letter gives a pretty good indication, and I don’t want to use all my time speaking about that issue.

However, on that issue, my recommendation to the government is, go back to the old system that you had, that worked. I was a member here for 10 years when we still had private contractors, but MTO had the experience in-house. They had patrollers who drove the roads and they had supervisors who simply directed the private contractor when to sand and when to salt. The system worked. There was no incentive for the contractor to not

put salt on or to put salt on. As far as I understand, they didn't pay for the salt and sand. Now, the contractor is totally responsible for the contract, including determining when sand and salt goes on, and for the cost of it; so there is actually an incentive. If you want to save money and make more money, you put less sand and salt on. Well, the system in the last two years has not worked.

With the old system, I hardly had a complaint in 10 years. I think all the rural and northern representatives in this place would tell you that they're getting hundreds of complaints now, and if they drive the roads at all, they'll realize that it is a real situation with safety at risk, as demonstrated by the letter that I have received.

Now, Mr. Speaker, I'd like to go on, and I guess I'll talk next a bit about the cycling part of this, seeing as I'm pleased that as part of Bill 31, an aspect of the private member's bill that I debated a few times in this Legislature, which was advocating for paved shoulders on designated provincial highways, has been taken into the bill, and that is actually making it legal to cycle on paved shoulders.

#### 2100

I think we have seen a change in the last number of years. I remember a few years back—I think Jim Bradley was the Minister of Transportation—I would write on behalf of constituents who would be requesting that the shoulder be paved on their secondary highway as the road work was being done. I would get, more or less, a form letter back from the government saying why they couldn't possibly pave the shoulder and how it didn't make any sense. I'm glad to say that eventually that has changed and we have seen some highways paved.

I think the benefits of that are safety for cyclists and pedestrians, and for automobile and truck drivers; the obvious health benefits, if people have more safe places to cycle; tourism opportunities, especially in a riding like mine, Parry Sound–Muskoka; and, of course, reduced maintenance costs.

Recently, I met with the Parry Sound active transportation committee, and the member from Burlington sat in on that meeting. We have a very active committee that has great plans to try to connect some of the areas that aren't connected right now. I know there are plans for a cycling route around Georgian Bay. They'd love to see Highway 559 connected to Killbear Provincial Park, which is one of the most popular parks in the province. It's about 30 kilometres from Parry Sound, which is a nice cycling distance. There are probably, I'm guessing, 5,000 people at Killbear Provincial Park through the summertime. It's obviously a very cyclable distance into Parry Sound, if it's safe, and it's not safe on Highway 559 at this time.

The municipality of Carling would like to see some short routes to connect to the busy places, and in the long-term they'd like to see a paved shoulder, at the minimum, on Highway 559.

Highway 124, which connects Parry Sound to Sundridge—a good portion of it does have a paved shoulder. As it's been getting rebuilt, they have been paving the

shoulder; and, of course, the committee would like to see the gaps filled in when an opportunity presents itself. As well as in the town of Parry Sound and McDougall, where Nobel, which has some great paved shoulders, connects it right into downtown Parry Sound, they would like to see that with paved shoulders, and a trail as well in that short section that connects to the town.

Michael Gordon and Sue Woodhouse and Aleesha Mullen are all members of that committee, working hard to provide more safe cycling opportunities in the Parry Sound area. We have similar committees around Muskoka as well, and I know the district of Muskoka has, on some of the recent jobs, paved shoulders going into Gravenhurst. I know High Falls Road was also, when it was rebuilt, done in a cycling-friendly fashion.

I did want to speak a bit about another private member's bill that I have coming up, and that is one to do with UTVs. There's some reference in Bill 31 to low-pressure tires; maybe somebody from the government can explain what is supposed to be accomplished by that, because I'm not positive. My private member's bill would sort of catch up with the times and allow utility task vehicles to be driven where ATVs are currently allowed to be driven.

I think anybody from, again, rural or northern Ontario, especially as you get further afield, would realize that there are many types of devices that hunters and some seniors and other folks are using that they use in the same manner as an all-terrain vehicle. But right now, the definition of an ATV is very limited. It's one person, four wheels, a vehicle that you straddle. My private member's bill would allow UTVs, and they're brands like Polaris Ranger, as an example, which has a bench seat that two or three people could sit on. They have specific ATVs that are designed for two people, two-ups, that are very popular. My private member's bill would allow those vehicles to be driven where ATVs currently are designated on some provincial highways and where municipalities allow them.

I look forward to February 26 and having the opportunity to debate that private member's bill. I know that there are some members on all sides of the House who have said they support it, so I'm looking forward to that.

I did want to talk a bit about pedestrians, because there's a reference in this bill to pedestrians. Having spent a wee bit of time in London, England, I think we could learn a lot from the way London handles everything, really. They have far more traffic and bicycles and pedestrians than we do in Toronto, for example—in fact, when you come back, it seems kind of quiet here in Toronto—but they do a way better job of managing that.

For example, pedestrian crosswalks are not in the intersection; they're a bit up from the intersection. Generally speaking, you just cross onto an island and there's a relatively short time frame to cross. But instead of the intersection being filled with pedestrians and cars trying to drive through them, which is a very dangerous situation, the intersections are more or less free and the traffic—bicycles, cars, buses and taxis—is all moving pretty

quickly through them. I would suggest that our province could learn—and the city of Toronto, certainly, if Mr. Tory is looking for ideas—and spend some time in London and learn from that.

I heard the member from Kitchener–Conestoga saying that we needed traffic circle rules. We could probably learn from Europe there too. He was talking about how pedestrians are involved with traffic circles. I spent a week in Ireland and I don't remember any pedestrians being at traffic circles but I'm sure they have it figured out. Maybe it is that the pedestrians don't cross right at the circle but up the street a little bit from the—

*Interjections.*

**Mr. Norm Miller:** I'd volunteer to go to Ireland to study this if it needs to be studied.

*Interjections.*

**Mr. Norm Miller:** I can see I've got all-party—a bunch of people wanting to go with me to study this situation.

I'm running out of time, but I did want to just briefly commend the member from Simcoe North on his move for the tow truck aspect of this bill that has been adopted. Of course, as well, the NDP member from—

*Interjection.*

**Mr. Norm Miller:** —Parkdale–High Park, who had a private member's bill to do with the one-metre rule for cyclists that is also part of this.

I'm not going to have a chance to talk about it, but an important part of the bill, I think, is the distracted driving part. I do think that distracted driving is kind of the new drunk driving, especially when our young people and some of the people in this building are addicted to looking at their devices every time they buzz, which is about every 30 seconds around this place. The temptation, when you're driving along and it buzzes, to look at it or to try to respond, is strong, so I certainly worry. That's probably the thing I worry about—other than winter road maintenance—a lot on our roads. I think it's something that needs to be dealt with. I know in places like Australia they've run pilot programs to incentivize people to use hands-free devices, and I think that might be a good approach versus just having huge penalties like we're seeing in the current bill.

Mr. Speaker, I can see I'm out of time, so I shall sit down. Thank you.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Catherine Fife:** It's a pleasure to comment on the member from Parry Sound–Muskoka. But first, my daughter just texted me; I just want to say good night, Claire. It's late. It's time to go to bed. Have a good day tomorrow. I love you.

The member from Parry Sound–Muskoka actually touched on two major issues that I'm just so heartened to hear from him. Hopefully it's reflective of the entire PC caucus. He commented on the road maintenance in the north. He said that a long time ago MTO had the full purview of that safety and that maintenance. He said they had the experience to maintain those roads. They had the

system in place. It was a public service. They were tasked with keeping those roads clear, because it was a direct public safety issue.

I have to say, when he commented that there's an incentive now to not put the sand and the salt down on the road, this is a very powerful statement. It's actually reflective of the experience that he has had in this House over these many years: When profit drives the safety agenda, profit wins and safety loses.

Actually, that is the experience that we are seeing in the north of Ontario. Because, you know what? Those northerners don't have Matt Galloway on CBC, who actually gets on the radio and the callers call in. They don't have that balance, the demographic, the power of the people up in the north, because it's so disparate, if you will. When things go wrong on the QEW, on the Gardiner or on the 427, people call up the local media and they get the attention of the government pretty fast.

**2110**

So I just want to thank the member for raising that issue. I think that those concerns are felt by northern members across this province.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Chris Ballard:** I just wanted to take a couple of minutes to respond to comments from members opposite, and just to highlight—for me, anyway, and I know for a number of residents of Newmarket–Aurora—some of the more salient and interesting and important points that Bill 31, the Making Ontario's Roads Safer Act, 2014, highlights.

I know that, for the past 13 years, Ontario has been ranked either first or second in North America for road safety. But we know as well that there is always more that we can do to improve our road safety.

Some of the things that shocked me in terms of why we need some improvement: Recent statistics talk about that over 45% of drivers killed in Ontario were found to have drugs or a combination of drugs and alcohol in their system. Drinking and driving fatalities represented nearly one quarter of all fatalities in 2011. From 2008 to 2012, an average of 14% of convicted alcohol-impaired drivers were repeat offenders. If current collision trends continue, fatalities from distracted driving may exceed those from drinking and driving by 2016. In 2011, pedestrians constituted approximately one in five motor vehicle-related fatalities.

Mr. Speaker, there is so much more that we need to do. One last point I wanted to make—because I have been talking to tow truck drivers and they're delighted to hear about the “slow down, move over” law being extended to tow trucks that are stopped on the roadsides with their amber lights flashing. On the 400-series highways, we're looking at \$600,000 an hour when an accident shuts down the roads, and tow truck drivers are often the first people there.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Steve Clark:** It's a pleasure again to provide a couple of minutes of questions and comments, this time



to my colleague the member for Parry Sound–Muskoka. First of all, he did mention his private member's bill, An Act to amend the Highway Traffic Act with respect to utility task and all-terrain vehicles. I told him this when he introduced it for first reading: I think this is a great bill. I'm pleased to—if he'll let me; I made a private plea to him and now I'm going to make a public plea: I'd really like to be able to speak to your bill that day. I think I've given lots of praise tonight, so he better let me speak.

I do want to make a few comments because I did table a motion at public accounts about highway maintenance, and I know that the Auditor General is doing her due diligence on that. I know that the committee allowed her to do a report, and I believe it's not going to come out until next year. I'm a bit disappointed that we couldn't have had it leading up to this year.

One of the frustrating things as an MPP is when you ask a very simple question and you don't get a simple answer. I filed two order paper questions—you know, Speaker, if we're not satisfied with the answer to a question in question period, we can ask for a late show. We can ask for a special debate.

I would love the standing orders—and I know the Clerk is raising her eyebrows already—I'd love to change the standing orders so that if we're not happy with an order paper question response, we're actually eligible to have a special debate for a late show, because I had two very easy order paper questions for the ministry, and they blew both of them. One of them was a simple one asking about the practice of installing a snow fence along Highway 401; and the second one was, basically, why did MTO accept a Kingston East winter maintenance contract that reduced the pieces on the road to 34 from the 52 pieces of equipment that were required in the previous contract? Simple questions; no answers from the Ministry of Transportation. I'm sick of it.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Teresa J. Armstrong:** Speaker, it's 15 minutes after 9 o'clock, and there's something that we've all been speaking about on this bill. We're focusing on distracted driving. But let's not be distracted from this bill. There's all kinds of little pieces in here.

*Interjection.*

**Ms. Teresa J. Armstrong:** Sometimes I do my best work at night.

**Ms. Catherine Fife:** Don't encourage night sittings.

**Ms. Teresa J. Armstrong:** Don't misconstrue that.

Anyways, here's what I want to point out with regard to—

*Interjection.*

**Ms. Teresa J. Armstrong:** You found that kind of funny. The Speaker found it funny, too. I think it's called—you know, how you get when working overtime. We all know what that feels like.

This particular piece, I don't want us to be distracted from. It's very interesting here. This bill actually weakens the notification provided to align the Highway

407 East Act with the 407 ETR plate denial process. It's a very interesting piece in this bill. What it's doing is, it's actually removing the requirement—and maybe some of the Liberal caucus members didn't know, because I see some of them perking up. They're perking up at 9:16, now. What you're going to find, and this could happen to you: If you are on the 407—what's going to happen is that this company does not need to notify you by registered mail 30 days prior to your plate not being renewed. So you're going to find yourself in a bit of a pickle. You're going to end up with no plate renewal if you weren't aware of that. You go to the MTO and you can't get your plate. Then you're driving around with a plate that's expired, and guess what can happen? You get another ticket.

This government really is not doing anybody any favours by not requiring corporations or companies to meet their obligations legally to people when their actual legal reason why you have to have a plate—you can actually cause more expense to someone when they don't have that plate renewal. So that's not a good thing in this bill.

**The Acting Speaker (Mr. Ted Arnott):** That concludes our questions and comments. The member for Parry Sound–Muskoka has two minutes to reply.

**Mr. Norm Miller:** Thank you to the members from Kitchener–Waterloo, Newmarket–Aurora, Leeds–Grenville and London–Fanshawe for their comments.

The member for Kitchener–Waterloo talked about the MTO-directed system for roads.

The member for Newmarket–Aurora was talking about drug-impaired driving, and I think that's one where we need some testing. I know, having spoken to my spouse, who's an OPP officer, she has mentioned how difficult it is to deal with a drug-impaired driver, even if you suspect there's something wrong. So I suspect the government has got some work to do there.

The member from Perth–Wellington hasn't had an opportunity to speak to this bill, but he represents a rural area, and he brought up the section of the chrome yellow school buses and that they'll have to have all the markings of a school bus. He said that in his area, hog farmers use old school buses to—what do they do with them, member from Perth–Wellington?

**Mr. Randy Pettapiece:** They haul hogs.

**Mr. Norm Miller:** They haul hogs in old school buses. So he's wondering if this new law is going to somehow adversely affect the hog haulers in his area. That's something to consider.

I know the member from London–Fanshawe was talking earlier about the great increase in fines for distracted driving. I certainly agree that distracted driving is the new drunk driving. It's something we do need to be concerned about. I'm not sure a huge increase in fines is the complete answer. I think education and programs to incentivize people to use hands-free devices is maybe a better approach than simply increasing the fines, which, as she pointed out, go from now a low of \$300 up to \$1,000.

**The Acting Speaker (Mr. Ted Arnott):** I think I'm obligated to call for further debate. The member for Hamilton Mountain.

**Miss Monique Taylor:** Thank you for being obligated, because I would hate to miss out on my opportunity. I know, Speaker, that if I don't get up and stand right now and speak to this, it could be time-allocated and I'll totally miss the boat.

This is a very comprehensive bill, as we've definitely heard. It has a number of issues that have been of long-standing concern to many people in this House. It does offer definitely some great solutions that I'm happy to support, but it's not perfect by any stretch of the imagination. I hope that we can see some changes made in amendments when it goes to committee.

The bill revisits the issues brought forward in the previous Parliament in Bill 34, the Highway Traffic Statute Law Amendment Act, in relation to the collection of fines by municipalities, and also Bill 173, an amendment to the same act in relation to keeping Ontario roads safe.

It also introduces some new measures to address drugged driving, as well as some changes to the Highway 407 East Act.

**2120**

Our roads are a dangerous place. As I drive along the QEW to go between here and my riding, I see way too—

*Interjections.*

**The Acting Speaker (Mr. Ted Arnott):** I don't know if it's bothering the member for Hamilton Mountain or not, but I would ask the government members to please come to order so that I can hear the member for Hamilton Mountain.

The member for Hamilton Mountain has the floor.

**Miss Monique Taylor:** Thank you, Speaker. I'm used to them not paying attention to anything I have to say in this House. It happens often.

As I'm driving between my riding and here, there are many times where I see accidents on the road. Usually, we're sitting in the back of traffic.

**Ms. Cindy Forster:** Like today.

**Miss Monique Taylor:** We actually experienced just that this morning. The member from Welland and myself were driving in, and coming on an off-ramp, there was a tractor-trailer that quite possibly was either distracted driving or something. God bless, but it didn't look good. He was completely over a hill and the front cab was just smashed.

That's something that we see often in this travel, and a lot of times that possibly is from distracted driving. It's a major issue. I'm glad that it's being addressed in this bill, because a lot of times it could be very inconvenient to folks—you know, we're in a meeting and we're late, and it's a dented vehicle, probably. Then we have to deal with our insurance, and we all know in this House what that can be like. It definitely puts us at risk of our insurance premiums being increased, or anything, you know. But it could also be worse. It could be at the expense of

somebody's life because somebody's not paying attention.

A couple of weeks ago, I met with Ron Summers and Stan Double, who are representatives from my Hamilton firefighters. I know that, across this House, we all had those meetings. We were talking about a very important issue, and it was post-traumatic stress disorder. It's something that they face. We may have to be stuck in traffic, and we can drive by that accident, but those first responders have to live with what they're seeing on that road. We know that we have to support them in that PTSD, to make sure, when they are responding to accidents on our roads, that we're also taking care of them at the same time.

I'm just trying to filter through here, Speaker, because I definitely won't have enough time to go through everything that I have prepared in this House. Right in this House, we see that members in this House are going through distracted debate. We know how important it is that many of us are picking up our BlackBerry and we're looking at our BlackBerry, because of the urgency that we see. We know that people want an instantaneous response from us, and it has become a way of life for many folks.

The same thing is happening in vehicles. How many times are you driving down the road and you're seeing the guy next to you talking on his BlackBerry, talking on the phone, sending text messages? It's a serious problem, so we need to make sure that we take care of that, and that we just pay attention to what's happening in our lives and, I think, maybe get back to some basics.

We know that getting messages across the House—once upon a time here, it had to be a pretty important message for a page to be bringing you that note and making sure that you got it. But, like I said today, it's all at the tap of our fingers, and it happens really quickly.

Let's take a look at some statistics from CAA:

- drivers engaged in text messaging and on a cell-phone are 23 times more likely to be involved in a crash or a near-crash event, compared with non-distracted drivers;

- 80% of collisions and 65% of near-crashes have some form of driver inattention as a contributing factor;

- distracted drivers are three times more likely to be in a crash than attentive drivers; and

- international research shows that 20% to 30% of all collisions involve a distracted driver.

In March of this year, the OPP reported that distracted driving was the number one killer on our roads. On roads patrolled by the OPP, there were 78 people killed as a result of distracted driving-related crashes in 2013.

I did hear in some debate earlier that we need to be educating our young people about how important this is. There's one clip that I have seen on YouTube of young girls. They're driving in the car and they're all chatting. Then, all of a sudden, the driver gets a text, and the car crashes and everybody in the car dies except the driver—and what that person had to live with.

It was just a short clip on YouTube, but how many students, how many children, how many young people

who are getting their licence are watching these kinds of videos to make sure that they're paying attention and that they know the serious risks that they're doing not to just themselves but either to their friends or their neighbour or just a stranger in the next car?

*Interjections.*

**Miss Monique Taylor:** Lots to talk about here, folks. Lots to talk about.

This bill increases the fines for distracted drivers to a maximum of \$1,000.

We were talking earlier about bikes and having proper lighting on bikes. The numbers kind of threw me off there, because—let me see here. A fine could be up to \$500 for not having a proper light on your bicycle, yet it's a minimum fine of \$300 for distracted driving. There is something wrong there, Speaker. There's something wrong when not having a light on your bicycle is not as high an offence as driving distracted. I think there's a problem with that.

I think there's a good framework there. It is a very important issue. This is a very important issue. I'm happy to see that demerit points can be attached to this too. But, again, there needs to be a little bit more that goes on with that.

Tinted windows, Speaker: This is something that, just by chance, I happened to send a letter to the Minister of Transportation on the same day that he tabled this bill. It was brought to me by a constituent saying that some people have very dark tinted windows, and you're not able to see if they are distracted driving: if they're on their cellphone, if they're texting, what they're doing. You can't see them.

**Ms. Cindy Forster:** They're doing their hair, their makeup.

**Miss Monique Taylor:** They're doing all kinds of things: mascara—and I'm the mascara queen, Speaker. Let me tell you, there is no possible way I could drive and put mascara on. Yet you see people actually doing this on the road. It's unbelievable.

If an officer believes a particular tinted window obstructs a driver's view or obscures the view into a vehicle, they can write a ticket for the offence.

I'm hoping that the minister would consider this as part of this bill. I think it's something that really needs to be looked at.

I haven't had a response, unfortunately, from the minister on this very important matter that I know he's just itching to get at, Speaker. I know he's going to get that response out to me quickly, especially since maybe it would be my addition to this bill that had all of this various input.

**Ms. Cindy Forster:** Maybe in 22 sessional days.

**Miss Monique Taylor:** Maybe.

Mothers Against Drunk Driving has reported that only 1.9% of the total impaired driving charges laid in Canada in 2012 were for drug impairment. They have called for the development of a roadside test, similar to a breathalyzer, to identify drugged drivers. I think that's a major concern, Speaker.

I understand that the government is looking into technology that might be available for such a test, and I encourage them to follow through on that work. I think it is a very vital, important piece that really nobody has been able to pinpoint, because I believe that when some of those things went to court, there really wasn't the opportunity to prove what was happening.

Another part of this bill is on private delegated administrative authority with a relationship to government, similar to that of Tarion for new homeowners. So something along that theme, like the Technical Standards and Safety Authority, would be a way for them governing and policing motor vehicles.

I have a problem with that. I think that would definitely—are you cutting me off, Speaker? I see you jumping. Speaker, at 9:30—

**The Acting Speaker (Mr. Ted Arnott):** I'm not cutting you off.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mr. Ted Arnott):** I want to thank the members for their participation in the debates this afternoon and this evening. However, it is 9:30 of the clock. This House stands adjourned until tomorrow at 9 a.m.

*The House adjourned at 2130.*

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Fedeli, Victor (PC)	Nipissing	
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Fraser, John (LIB)	Ottawa South / Ottawa-Sud	
French, Jennifer K. (NDP)	Oshawa	
Gates, Wayne (NDP)	Niagara Falls	
Gélinas, France (NDP)	Nickel Belt	
<b>Gravelle, Hon. / L'hon. Michael (LIB)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development and Mines / Ministre du Développement du Nord et des Mines
Gretzky, Lisa (NDP)	Windsor West / Windsor-Ouest	
Hardeman, Ernie (PC)	Oxford	
Harris, Michael (PC)	Kitchener–Conestoga	
Hatfield, Percy (NDP)	Windsor–Tecumseh	
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Hoggarth, Ann (LIB)	Barrie	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
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		Minister Without Portfolio / Ministre sans portefeuille
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Jones, Sylvia (PC)	Dufferin–Caledon	
Kiwala, Sophie (LIB)	Kingston and the Islands / Kingston et les Îles	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Marie-France (LIB)	Ottawa–Orléans	
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MacLaren, Jack (PC)	Carleton–Mississippi Mills	
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Malhi, Harinder (LIB)	Brampton–Springdale	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Mantha, Michael (NDP)	Algoma–Manitoulin	
Martins, Cristina (LIB)	Davenport	
Martow, Gila (PC)	Thornhill	
<b>Matthews, Hon. / L'hon. Deborah (LIB)</b>	London North Centre / London- Centre-Nord	Deputy Premier / Vice-première ministre Minister Responsible for the Poverty Reduction Strategy / Ministre responsable de la Stratégie de réduction de la pauvreté President of the Treasury Board / Présidente du Conseil du Trésor Minister of Natural Resources and Forestry / Ministre des Richesses naturelles et des Forêts
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Miller, Norm (PC)	Parry Sound–Muskoka	
<b>Miller, Paul (NDP)</b>	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	Third Deputy Chair of the Committee of the Whole House / Troisième vice-président du comité plénier de l'Assemblée législative
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<b>Naqvi, Hon. / L'hon. Yasir (LIB)</b>	Ottawa Centre / Ottawa-Centre	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels Government House Leader / Leader parlementaire du gouvernement
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Peter Tabuns  
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