

Legislative  
Assembly  
of Ontario



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**Official Report  
of Debates  
(Hansard)**

G-51

**Journal  
des débats  
(Hansard)**

G-51

**Standing Committee on  
General Government**

Moving Ontarians  
More Safely Act, 2021

1<sup>st</sup> Session  
42<sup>nd</sup> Parliament  
Friday 14 May 2021

**Comité permanent des  
affaires gouvernementales**

Loi de 2021 visant à assurer  
à la population ontarienne  
des déplacements plus sûrs

1<sup>re</sup> session  
42<sup>e</sup> législature  
Vendredi 14 mai 2021

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Chair: Goldie Ghamari  
Clerk: Isaiah Thorning

Présidente : Goldie Ghamari  
Greffier : Isaiah Thorning

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# CONTENTS

Friday 14 May 2021

Moving Ontarians More Safely Act, 2021, Bill 282, Ms. Mulroney / Loi de 2021 visant à assurer à la population ontarienne des déplacements plus sûrs, projet de loi 282, Mme Mulroney .....	G-1267
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES  
AFFAIRES GOUVERNEMENTALES**

Friday 14 May 2021

Vendredi 14 mai 2021

*The committee met at 0900 in committee room 1 and by video conference.*

**MOVING ONTARIANS  
MORE SAFELY ACT, 2021**

**LOI DE 2021 VISANT À ASSURER  
À LA POPULATION ONTARIENNE  
DES DÉPLACEMENTS PLUS SÛRS**

Consideration of the following bill:

Bill 282, An Act in respect of various road safety matters / Projet de loi 282, Loi concernant diverses questions de sécurité routière.

**The Chair (Ms. Goldie Ghamari):** Good morning, everyone. The Standing Committee on General Government will now come to order. We are here today to conduct clause-by-clause consideration of Bill 282, An Act in respect of various road safety matters.

We have the following members present in the room: MPP Thanigasalam. The following members are participating remotely: MPP Bailey, MPP Bourgouin, MPP Crawford, MPP Glover, MPP Sabawy, MPP Wai and MPP Park.

MPP French, welcome. Can you please confirm that you are MPP French and that you are in Ontario?

**Ms. Jennifer K. French:** I am MPP French. I am in Oshawa, Ontario.

**The Chair (Ms. Goldie Ghamari):** Thank you. We have MPP French joining us via Zoom as well.

Have any other members—oh, I see MPP Schreiner. MPP Schreiner, welcome. Can you please confirm that you are present and in Ontario?

**Mr. Mike Schreiner:** Hi. It's MPP Schreiner. I'm present in Guelph, Ontario.

**The Chair (Ms. Goldie Ghamari):** Thank you. MPP Schreiner is also joining us remotely.

I also see MPP Jessica Bell. Welcome, MPP Bell. Can you please confirm that you are MPP Bell and that you are in Ontario?

**Ms. Jessica Bell:** Hey, this is Jessica Bell. I'm in Toronto, Ontario.

**The Chair (Ms. Goldie Ghamari):** Thank you very much. We also have staff from Hansard, broadcast and recording and legislative counsel joining us remotely today. Please take a brief pause before beginning and, as always, all comments should go through the Chair. Are there any questions before we begin?

The Clerk has distributed the amendment package to all members and staff electronically. Bill 282 is comprised of three sections which enact three schedules. In order to deal with the bill in an orderly fashion, I suggest we postpone these three sections in order to dispose of the schedules first. Is there agreement on this? Yes. Thank you.

We'll turn now to schedule 1. Is there any debate or general comment on schedule 1 before we turn to sections?

Is there any comment or discussions on the bill as a whole before we begin the schedules? Yes, MPP French.

**Ms. Jennifer K. French:** Thank you very much. I don't know if I'm making a point of order, but I do have a question, because since we met last—actually, I think it was just yesterday that the government posted a “power-assisted bicycle (e-bike) redefinition” proposal to the regulatory registry for 30 days. So my question to this committee and to you is: That's a 30-day consultation on the stuff that is relevant to what we're doing today at clause-by-clause. Is it even in order for us to consider clause-by-clause for Bill 282 before that 30-day comment period is over? By doing this, are we violating the EBR? I'm actually asking a real question. I don't know, because we've got to wait for the 30 days, don't we? So anything that comes from that—we can't amend this bill again. What we're doing today is—that's it, that's all. So are we in order to do this? Or should we kind of extend and wait to do clause-by-clause for 30 days until we have that consultation period?

**The Chair (Ms. Goldie Ghamari):** Can you give me one moment, please?

**Ms. Jennifer K. French:** Yes.

**The Chair (Ms. Goldie Ghamari):** MPP French, we've going to refer that question to legislative counsel.

**Ms. Jennifer K. French:** I'm happy to speak further if you're looking for clarification.

**The Chair (Ms. Goldie Ghamari):** Could you please perhaps clarify and then just repeat your question?

**Ms. Jennifer K. French:** Yes. I realize it was tangled. I'm not going to lie: I was up late last night working on amendments for this committee. Don't worry; I'm ready, though.

On May 12, the government posted a redefinition proposal, a “power-assisted bicycle (e-bike) redefinition” proposal, to the regulatory registry for a 30-day consultation. What is in that proposal summary is what we're actually looking at today, right? It's what we're going over in clause-by-clause. So I'm wondering, when the deadline

for submitting comments for that is June 10, but the text of the bill is going to be finalized today and maybe referred to the House, are we meeting our statutory obligations to appropriately consult? I don't know how we're able to consider that input prior to a decision when the decision will be made at whatever time today.

**The Chair (Ms. Goldie Ghamari):** If you could please give us a moment and I'll have an answer for you shortly, MPP French. Thank you.

I would like to ask Catherine Oh, legislative counsel, to join us in the Zoom chat so that she could respond to MPP French's question.

**Ms. Catherine Oh:** Hello, MPP French?

**The Chair (Ms. Goldie Ghamari):** Your voice is a little bit low, though. We can't hear you.

**Ms. Jennifer K. French:** We can hear you; you just may have to speak up.

**Ms. Catherine Oh:** Hi. Can you hear me now? Yes? Okay.

I am afraid I'm not able to answer that particular question. What I can say is that—

**The Chair (Ms. Goldie Ghamari):** Sorry. We can't hear you in the room. I am not sure if members on the Zoom can hear. I don't know if there is a way to make the audio louder on your end.

**Ms. Catherine Oh:** Are you able to hear me better now?

**The Chair (Ms. Goldie Ghamari):** Yes.

**Ms. Catherine Oh:** Yes? Okay. Sorry, I'll just hold the microphone here.

I'm not sure I know the answer to your question, but what I can say is that when a regulation is made under an act, anything in the regulation is subject to what the act says. So whatever it would govern is what the regulation ends up saying. Does that help?

**Ms. Jennifer K. French:** I understand that. We're finalizing the statute today, but there is still the 30-day comment period, and this was put out there on May 12. So we will finish the statute side of it a month before the comments come in. Are we meeting our obligation? Are they consulting in good faith? Don't we have to wait for that in order to—I don't know. I just feel like—

**Ms. Catherine Oh:** I can't speak to what the government obligations are about the regulation. I just wanted to say that in case people didn't know, but that's all I can contribute. I'm sorry.

**Ms. Jennifer K. French:** That's okay.

**The Chair (Ms. Goldie Ghamari):** MPP Glover?

**Mr. Chris Glover:** I just want to be clear on this. There's a consultation going on, and if we finalize the amendments today, then whatever consultation goes on, the only changes that they will be able to make would be through whatever is limited by regulation. Is that correct? Through you, Madam Chair, to the legislative counsel.

**Ms. Catherine Oh:** I'm sorry, can you repeat the question?

**Mr. Chris Glover:** Sure. I just want to make sure I understand what's happening here and what you just said. Basically, we're going to be finalizing amendments to this

bill today. There is a consultation that is going on that is relevant to the content of this bill, but the only changes that will be able to be made after that consultation will be ones that are limited to the regulations. Whatever changes the government makes through that consultation will be limited to regulatory changes. They won't be able to further amend this bill.

**0910**

**Ms. Catherine Oh:** No, any amendments to an act will have to be done through the Legislature.

**Mr. Chris Glover:** Right. My colleague is asking—it seems that consultation would encourage people to make recommendations that may be relevant to this act itself, not just to regulations coming out of this act. So then the question that my colleague is asking is—and I'm just trying to get clarification here—does the government have a duty to consult in good faith if the amendments are going to be finalized today?

**Ms. Catherine Oh:** I can't speak for the government on this.

**Mr. Chris Glover:** So there is no legislative rule that forces the government to consult in good faith?

**Ms. Catherine Oh:** I think that's a procedural question. I would defer to the Chair and the Clerk on that.

**Mr. Chris Glover:** Okay. So through you, Madam Chair, to yourself: to you as Chair and to the Clerk.

**The Chair (Ms. Goldie Ghamari):** My understanding is that, because this is a government bill, we would need input from either ministry staff or a representative of the government in this situation. If we could perhaps just take a five-minute recess—sorry, before we go to recess, MPP Schreiner, did you have a question?

**Mr. Mike Schreiner:** I just want to get this question in before we recess, because it's applicable to the conversation. If we proceed with this section of the bill, which is currently posted on the Environmental Registry, are we potentially in violation of the government's obligation under the Environmental Bill of Rights and possibly subjecting government to future legal actions because the proper ERO process has not been followed? If some feedback on that particular question could be provided during the conversation over recess, it would be appreciated as well. Thank you, Chair.

**The Chair (Ms. Goldie Ghamari):** I'm not sure if I can provide—as Chair, I can't provide legal counsel in that sense. But before we go to a recess, I just want to clarify, so that I understand the question here. So the question is whether or not this committee can proceed with clause-by-clause of Bill 282 while there is consultation that is happening with respect to related regulations to the bill, correct? So the consultation is not with respect to the statute itself. The consultation is with respect to regulations that are related to the bill. Do I have the correct understanding from the committee? MPP French?

**Ms. Jennifer K. French:** Yes, Chair, I think that's a pretty fair summary of it. And to the conversation, I have written a letter to the Auditor General on what Mr. Schreiner had said about whether the committee would be in violation or the government would be in violation. We

don't have an answer yet, because the turnaround on things was so fast. So I think what you just said is the right thing: to find out if it's in order for us to proceed before the 30-day comments period has concluded on relevant issues.

**The Chair (Ms. Goldie Ghamari):** Does the committee agree, then, to having a 10-minute recess? MPP Glover.

**Mr. Chris Glover:** I would just like to add to these questions that are being posed for this recess period that, if the consultation—is it defined as being limited to only regulatory changes, or does the consultation—

**The Chair (Ms. Goldie Ghamari):** I haven't seen the posting, but if someone can provide the link to that consultation in the Zoom chat so that I can take a look at that. I can't provide any responses outside of what this committee is or is not authorized to do. I will speak with my Clerk, and I will get back to the committee within 10 minutes.

At this point, we'll take a brief recess. Thank you.

**Mr. Chris Glover:** And then the second part of my question—

**The Chair (Ms. Goldie Ghamari):** Yes?

**Mr. Chris Glover:** —have a legal obligation to negotiate or to consult in good faith?

**The Chair (Ms. Goldie Ghamari):** Again, MPP Glover, as Chair, all I can look into is whether or not we can proceed with clause-by-clause if there is a regulatory consultation that is happening. I will need 10 minutes. Any other questions? As Chair, that is not something that I can answer at this point. No more questions? Let me just get the answer to this, and then, at that point, the committee can proceed.

Thank you. We'll take a 10-minute recess now.

*The committee recessed from 0916 to 0932.*

**The Chair (Ms. Goldie Ghamari):** We're now going to resume the committee on general government. I have consulted with legislative counsel, and as it stands, Bill 282 has been properly referred to this committee by the House.

As reference to the committee: As Bosc and Gagnon note in the third edition of House of Commons Procedure and Practice, standing committees have “a general power to examine all matters” referred to them “or that may fall within their mandate.” At this point, Bill 282 is something that we have a general power to examine as it has been referred to us. Anything outside of clause-by-clause consideration of Bill 282 cannot be examined by this committee. I hope that answers the question.

At this point, we'll now resume clause-by-clause. We are currently on schedule 1. Is there any further comment before we begin looking at each section? MPP French.

**Ms. Jennifer K. French:** Thank you, Chair, and thank you for taking the time to look into that.

I will just remind all committee that we are debating these amendments in statute today, but we won't have a second kick at the can. Once we do this today, we can't amend it again, so I know that with the consultation and a lot of the community involvement in this bill—if anybody

thinks that we can go back and change what's written in legislation after today, we can't, so just factor that in when we've got thoughtful amendments before us. That's all. Please pass the amendments that we will never get a second chance to pass and that are needed. Thank you.

**The Chair (Ms. Goldie Ghamari):** MPP Bell?

**Ms. Jessica Bell:** Thank you, Chair. Are we going to be doing general comments on the bill before we start going through the schedules?

**The Chair (Ms. Goldie Ghamari):** That's where we left off. We are currently at the point of making general comments on the bill before we turn to schedule 1. So are there any further general comments to the bill? MPP Bell?

**Ms. Jessica Bell:** Thank you very much. I do want to make a few general comments about Bill 282. Clearly, there are some measures in Bill 282 that will make some improvements to road safety, including the measures around making sure that police track and report on all dooring incidents and then also requiring safety cameras to be on streetcars, so drivers that go by an open streetcar door and put a rider's life at risk can be found and fined.

But there are many amendments that myself and my colleagues have introduced today to make this bill better. These amendments come from the really important testimony that we heard in committee from organizations like MADD, Cycle Toronto, Friends and Families for Safe Streets, the Ontario Brain Injury Association—people who deal with loved ones who have lost a family member who has died and who understand, more than anyone, the value of making sure this bill is done right and that we make our roads safer for all.

I think it's important to acknowledge that just recently in Toronto, we had a five-year-old boy die as he was crossing a street with his father on his bicycle. That is an absolute tragedy. He was hit by an SUV. It is unclear what penalties the driver will face, but what we do know is that a family will be grieving for the rest of their life.

So the significance of this bill is very high and there is a real need for all committee members here to look really carefully at the amendments that will be presented to you today and to vote for them, because we have to stop these road deaths. We just have to. Road safety is paramount.

**The Chair (Ms. Goldie Ghamari):** MPP Glover?

**Mr. Chris Glover:** Yes, I just want to echo some of the comments that have been made. First, on the dooring issue, I'm actually very glad that the government is re-classifying doorings as accidents. They had been downgraded to incidents in 2011, and that was a measure that just never made sense by the former government. It's led to a lot of confusion. I was doored on Bloor Street a couple of years ago and when the police arrived at the scene, they said that there's no real form for reporting it because the dooring was an incident. I would like to see further amendments to that section, and we'll be bringing those forward later.

The real concern that a lot of industry players brought to the committee hearings last week was that the classification system that the government has in this legislation would effectively ban a lot of e-bikes that are currently on

the road or make them illegal, or classify them as, essentially, motorcycles, and you would need a class M motorcycle licence in order to drive them. That really needs to be amended. So I hope the government side is open to amendments to clarify and to bring the classification system for e-bikes into alignment with what's in the three classes that are in place in Europe and in the United States.

**The Chair (Ms. Goldie Ghamari):** Is there further comment? MPP Schreiner?

**Mr. Mike Schreiner:** Thanks, Chair. I'll take a moment to make a few comments as well. First of all, in the spirit of trying to be truly not overly partisan on this bill, I was just in a meeting, actually, prior to this one with a number of mental health and addictions service providers in my community, and all of them talked about the increased incidents of stunt driving, aggressive driving and the importance of road safety.

I think this bill is a step forward as originally proposed, but can actually go much further in truly providing safe streets for everyone in our communities, and especially the most vulnerable road users. And so I'm hoping that members from all parties, especially government members, will be open to some of the amendments that have been brought forward, not only in response to testimony we've heard today but testimony that this committee has heard in previous bills during this Parliament around the importance of protecting all road users but especially vulnerable road users. There are some opportunities today to provide those added layers of protection, which will save lives and provide justice to individuals who, tragically and sadly, have lost loved ones or been significantly injured due to careless driving and violations of the Highway Traffic Act.

**0940**

The other thing I would say is, I've spent a lot of time meeting with cycling advocates and e-bike manufacturers and retailers, in particular, over the years and actually wrote the minister letters last year advocating on their behalf around the need to bring in legislation to support electric e-assisted bikes. I want to compliment the minister for responding to that and taking action, but I'm deeply concerned that there are unintended consequences that will actually set us back instead of move us forward in the adoption of e-assisted bikes. I'm assuming unintended consequences because I don't think anyone has an interest in outlawing e-bikes that are already being legally used on our roads and, in some cases, part of government pilot projects when it comes to helping transport seniors and doing more cargo bike delivery, particularly in urban areas.

I think it would be a very unfortunate outcome of this legislation that in—what I'm hoping and assuming, especially given the minister's response to some of my questions and other people's questions, is an attempt to actually facilitate the adoption of electric-assisted bikes that would help promote tourism, help promote more affordable and sustainable transportation in our communities; would help our economy in terms of economic recovery and in terms of manufacturers and retailers

selling more of these, delivery companies being able to offer deliveries in more sustainable, affordable, efficient ways. It would be very unfortunate to pass legislation that would actually make that more difficult and set us back when I'm hoping and thinking the intent of the legislation is to actually move us forward. I'm hoping that members are open to consideration of passing amendments that would truly achieve the opportunity to move forward and support e-bike adoption, manufacturing and use in our province.

**The Chair (Ms. Goldie Ghamari):** Further comment? MPP French.

**Ms. Jennifer K. French:** I'll take a few quick moments to speak to this bill. It's interesting. I'm the critic for the official opposition on transportation. With the speed with which this bill has moved through the House, I haven't yet had the opportunity to debate it, interestingly, so I look forward to when I can.

But what I'll say right now is, for the folks watching at home—and I know that there's a lot of interest around this important bill—as we proceed through these amendments, I hope that the issues about vulnerable road users, teaching the reach, safe practices on the road, different things for fairness for road users—we have tabled these amendments, as we're going to delve into. I really hope that the government will allow unanimous consent to discuss them and debate them and really make sure we're opening up the Highway Traffic Act with this bill. We should make these changes to make our roadways safer.

As we've been hearing, all of the MPPs in their inboxes and from the communities, the e-bike challenges with classification specifics—we're going to delve into in these amendments, but I really hope that the government approaches this in the spirit that I believe the minister intended. I'm going to give her credit, because she came before committee and said that the intent was to have more people using e-bikes. What we're seeing now is we're going to have something called the MOMS Act, where it literally will take away active transportation that moms rely on to transport their kids and their groceries.

So, let's get this done today. This is our only opportunity to amend and fix the mistakes or to add things that were left out that could make our roads safer and have fairness for families and road users. Again, we're making this appeal, because, of course, at every committee, the government has already pre-determined that they're going to vote against all of our amendments, but these are thoughtful amendments. There's so much work that has gone into them from the community, people who really know what they're doing, that it doesn't matter about this 30-day consultation—it does matter, that 30-day consultation, but that can't shape this bill. Once this is done today, it is done. So just a reminder of the process, just a reminder of the importance.

I know that we have a stack of amendments to get through, and I am pleased to do that. We can debate each issue from dooring and the other things that are in order, but please be willing to talk about the things that you've excluded from this bill and be willing to change the things that need to be fixed.

**The Chair (Ms. Goldie Ghamari):** MPP Thanigasalam.

**Mr. Vijay Thanigasalam:** Good morning, Madam Chair. Good morning, colleagues. I just want to highlight that this bill, the MOMS Act, is all about road safety. It's what the people of our province asked for: to have safer roads. We all know Ontario has one of the safest roads in North America; however, there is room for enhancement, room for improvement. I hope the members would be cognizant, at the end of the day, that for the road users, we should make sure we have their safety as the number one priority.

Again, this MOMS Act will make our roads safer by introducing legislation that combats street racing, stunt driving, aggressive and unsafe driving, and other high-risk driving behaviour. That's what this bill is all about. If the MOMS Act passes, it will create tougher penalties for those who engage in unsafe and high-risk driving. Again, that's what this proposed legislation is all about, including the measures to protect vulnerable road users, such as pedestrians, highway workers on the side of the road, and also improve truck safety and strengthen the province's overall oversight of the towing industry—that a lot of criminal activity took place in the past year.

Again, at the end of the day, it's about road safety. I hope the members from all sides will be cognizant that we are here as legislators to make sure we protect the people who go to work and come back, who go to drop their kids at daycare and come back—to make sure that we protect them on the roads and the vulnerable road users.

**The Chair (Ms. Goldie Ghamari):** MPP Bourgouin.

**M. Guy Bourgouin:** Écoute, je veux amener une perspective du nord de l'Ontario. C'est sûr et certain qu'on voit de plus en plus de « e-bikes » dans le Nord, qu'on voit que le Nord rattrape quand ça vient à ça. J'en vois de plus en plus. Je demande au gouvernement d'être ouvert aux propositions qu'on va amener, parce que j'ai vu qu'il y a beaucoup de « e-bikes », comme c'est là, qui seraient jugés non-sécuritaires ou qui ne feraient pas partie du projet ou seraient jugés illégaux, si je peux utiliser le terme. Ça fait que, je demande au gouvernement de considérer nos amendements. Comme ma collègue d'Oshawa a mentionné, c'est qu'il y a eu beaucoup de pensées derrière ces projets de loi.

On voit souvent le gouvernement juste voter contre, pour le simple principe que ça vient de l'opposition. Mais dans ce cas-ci, je pense que c'est important qu'on considère nos propositions, parce que ça va affecter tellement de choses. Puis le Nord rattrape quand ça vient aux « e-bikes ». On est sujet à voir, des fois, des petites communautés—elles sont prêtes, et on voit de plus en plus de « e-bikes » sur nos autoroutes. La santé et la sécurité, c'est important—puis de protéger les communautés. Je demande au gouvernement de sérieusement regarder nos amendements, puis voter en support pour les changements qu'on demande.

**The Chair (Ms. Goldie Ghamari):** Excusez-moi. Sorry to interrupt, MPP Bourgouin. Just to let you know, nous n'avons pas un translator today.

**Mr. Guy Bourgouin:** We don't have a translator?

**The Chair (Ms. Goldie Ghamari):** No, we don't have a translator in this room. If you would like to—

**M. Guy Bourgouin:** Ça veut dire que je ne peux pas parler dans ma langue natale?

**The Chair (Ms. Goldie Ghamari):** No, no. MPP Bourgouin, what I'm trying to say is, si vous voulez parler en français, nous devons avoir cinq minutes—a recess so that we can bring in a translator, so you can continue to speak in French.

**M. Guy Bourgouin:** J'aimerais être capable de parler dans ma langue—

**The Chair (Ms. Goldie Ghamari):** Yes. You are welcome to continue to speak in French. We would just need to take a five-minute recess—sorry, a 10-minute recess so that we can bring in an interpreter so that interpreter can translate into English for the rest of the committee members, just because in the current room that we are in, we do not have a translator. This is—

**M. Guy Bourgouin:** Bien, écoute, ça va sans dire qu'en tant que critique francophone, j'exige que l'interprète soit là. Je demande qu'on ait une « recess » pour être capable de m'exprimer dans ma langue.

**The Chair (Ms. Goldie Ghamari):** Is that okay, MPP Bourgouin?

**Mr. Guy Bourgouin:** Yes. Recess.

**The Chair (Ms. Goldie Ghamari):** Thank you. Merci beaucoup.

All right. A 10-minute recess: Do we have agreement from the committee for a 10-minute recess so that we can bring in an interpreter? Merci beaucoup, tout le monde. A 10-minute recess.

*The committee recessed from 0951 to 1005.*

**The Chair (Ms. Goldie Ghamari):** The Standing Committee on General Government is now going to resume clause-by-clause consideration of Bill 282. At this point, I would like to invite MPP Bourgouin: S'il vous plaît, continuez en français. Nous avons le « translator » ici maintenant pour les autres membres du comité.

**M. Guy Bourgouin:** Merci à tous les députés pour leur compréhension. Je pense que c'est un droit qu'on a comme francophones de pouvoir s'exprimer, et j'apprécie beaucoup le geste.

Ceci dit, je vais répéter un petit peu ce que j'ai dit. Le nord de l'Ontario à près rattraper quand ça vient aux bicyclettes électriques. On en voit de plus en plus. On sait que c'est beaucoup populaire dans le sud de l'Ontario, mais on le voit de plus en plus dans nos régions éloignées puis dans le Nord. Ça fait que, je demande au gouvernement de considérer nos amendements.

Comme la députée d'Oshawa a mentionné, ce sont des consultations qui ont eu lieu avec les « stakeholders » et nos partenaires, et je pense que c'est réfléchi. C'est basé sur la sécurité. Puis aussi, les « e-bikes », on sait qu'il y a différents modèles, il y a différentes choses, mais qu'on en voit de plus en plus qui sont déjà sur le chemin, qui sont déjà dans nos communautés. Ça fait que, je demande au gouvernement de supporter nos amendements.

On a tendance à voir trop souvent un gouvernement qui vote contre un amendement quand ça vient de l'opposition juste parce que ça vient de l'opposition. Je trouve qu'on a besoin de considérer plus ce qu'on amène, parce que bien des choses—c'est du travail qui a été fait avec nos partenaires. Ce sont des motions qui ont été vraiment consultées, puis il y a beaucoup d'ouvrage puis de travail puis de pensées derrière ça. Ça fait que, je demande au gouvernement de supporter nos motions.

**The Chair (Ms. Goldie Ghamari):** Merci beaucoup, MPP Bourgouin. Are there any further comments from the committee?

Seeing none, we'll now turn to schedule 1. We have, with respect to schedule 1, section 1—is there any general debate on schedule 1 before we turn to the sections?

Okay, schedule 1, section 1, we have motion number 1. Who would like to move this motion? MPP French?

**Ms. Jennifer K. French:** Thank you, Chair. I move that section 1 of schedule 1 to the bill be amended by—I think there's a typo: "be amended by amended by." Am I fine to change this?

**The Chair (Ms. Goldie Ghamari):** Let's—

**Ms. Jennifer K. French:** I'm seeking direction, because I can read it as written, but it says "be amended by amended by." I'm going to say it once. Are we fine for meaning?

**The Chair (Ms. Goldie Ghamari):** Legislative counsel can respond to that.

**Ms. Jennifer K. French:** I know I have to be precise in exactly the words as written, but there's a typo.

**Ms. Catherine Oh:** I believe that's a procedural question, is it not?

**The Chair (Ms. Goldie Ghamari):** My understanding is that, MPP French, you can read it, and then legislative counsel can just correct it afterwards so that it's the proper sentence.

**Ms. Catherine Oh:** I see. Okay.

**Ms. Jennifer K. French:** I will start over; apologies.

**The Chair (Ms. Goldie Ghamari):** Thank you.

**Ms. Jennifer K. French:** I move that section 1 of schedule 1 to the bill be amended by amended by striking out clause (a) of the definition of "power-assisted bicycle" in subsection 1(1) of the Highway Traffic Act and substituting:

"(a) a pedal-driven cycle of exposed frame design and appearance that,

"(i) does not resemble a motor scooter or motorcycle,

"(ii) is equipped with one or more electric motors that, singly or in combination, have a continuous rated output power not exceeding 500 watts or another prescribed maximum,

"(iii) is capable of providing propulsion assistance only when the rider is pedaling and is incapable of providing propulsion assistance when the cycle attains a speed of 32 kilometres per hour or more,

1010

"(iv) may be equipped with a walk-assist function whereby the motor can be activated without pedaling to speeds no greater than five kilometres per hour, and

"(v) meets the prescribed standards and requirements,  
 "(a.1) a pedal-driven cycle of exposed frame design and appearance that,

"(i) does not resemble a motor scooter or motorcycle,

"(ii) is equipped with one or more electric motors that, singly or in combination, have a continuous rated output power not exceeding 500 watts or another prescribed maximum,

"(iii) has a maximum weight of 55 kilograms or another prescribed maximum,

"(iv) is capable of providing propulsion assistance when the rider is pedaling, when a throttle is engaged, or both, and is incapable of providing propulsion assistance when the cycle attains a speed of 32 kilometres per hour or more,

"(v) may be equipped with a walk-assist function whereby the motor can be activated without pedaling to speeds no greater than five kilometres per hour, and

"(vi) meets the prescribed standards and requirements,

"(a.2) a pedal-driven cycle of exposed frame design and appearance that,

"(i) does not resemble a motor scooter or motorcycle,

"(ii) is equipped with one or more electric motors that, singly or in combination, have a continuous rated output power not exceeding 500 watts or another prescribed maximum,

"(iii) has a maximum weight of 55 kilograms or another prescribed maximum,

"(iv) is capable of providing propulsion assistance only when the rider is pedaling and is incapable of providing propulsion assistance when the cycle attains a speed of 45 kilometres per hour or more,

"(v) may be equipped with a walk-assist function whereby the motor can be activated without pedaling to speeds no greater than five kilometres per hour, and

"(vi) meets the prescribed standards and requirements,"

**The Chair (Ms. Goldie Ghamari):** Ms. French has moved motion number 1. Is there any further comment or debate?

MPP French?

**Ms. Jennifer K. French:** Thank you. This amendment seeks to, I'd say, remedy or seeks to fix the challenges that have been raised across the e-bike community. The three-class system has been strongly recommended by e-bike stakeholders, and we've been consulting with them when we put together this amendment. They have very clearly warned us at the committee that the definitions in Bill 282, as they are currently written, would effectively make most e-bikes already on Ontario's roads illegal or possibly put them in the category that includes heavier and faster mopeds which require registration, insurance and a class M driver's licence.

So, in some cases, Bill 282, as currently written, would needlessly exclude a popular e-bike model simply because of a millimetre difference in wheel diameter or width or for some other pointless technicality, and I think that Bill 282 that we have before us, as currently written, would even exclude e-bikes for seniors that are used in the province's own Cycling Without Age program. On the one

hand, the government is focusing on and working to advance a program and then this bill—I don't know whether it accidentally or on purpose creates problems there and would even exclude them.

The minister did sort of claim that that is not her intent, so I would say that this amendment provides a very clear opportunity for the government members of the committee to keep the minister's promise. This amendment would reflect what the claimed intention of encouraging e-bike use gives, and I think it would ensure the harmonization with the most widely used manufacturing standards and the regulation used in other jurisdictions. This amendment allows that flexibility, by the way, so that the government can make various tweaks via regulation.

As we had talked about earlier, you've got a consultation that's going to be for the next 30 days, and when that yields whatever we learn from that, this amendment, as written, allows for that flexibility and incorporation that they can make the tweaks by regulation.

So this is establishing those three classes of bicycle style e-bikes the way that it was intended, providing harmonization and flexibility. As I had said earlier, you're calling this the MOMS Act, but if it's literally taking away the active transportation that moms rely on to transport their kids and groceries, we're going to end up in a mess in Ontario. This is a chance to fix that.

**The Chair (Ms. Goldie Ghamari):** MPP Thanigasalam?

**Mr. Vijay Thanigasalam:** I recommend voting against this motion, because the proposed amendments are deemed to have significant road safety concerns, Madam Chair: for example, no maximum weight; permitting e-bikes with a speed of up to 45 kilometres per hour. These amendments would not adequately respond to enforcement of municipality or industry or even road safety stakeholders' concerns.

We brought this bill to increase road safety, and this amendment would definitely have significant road safety concerns. This proposal is in direct contradiction to the federal requirements relating to limited-speed motorcycles. The ministry's proposal distinguishes exactly the styles of e-bikes operated today, the different requirements of each class of e-bike. For example, municipalities will be able to choose which classes of e-bikes to permit on their infrastructure and where, and that will enhance safety and mobility.

This Bill 282 proposal is anticipated to increase the use of bicycle-style e-bikes through the increased transportation infrastructure access while increasing road safety. The increasing the road safety aspect is for the vulnerable road users in close proximity to e-bikes as, for example, the larger bikes can now be restricted to infrastructure more suitable to their specifications.

Therefore, Madam Chair, I would recommend voting against this motion.

**The Chair (Ms. Goldie Ghamari):** MPP Glover, and then MPP Schreiner.

**Mr. Chris Glover:** I am hoping the government will actually change its mind. I've done a lot of consultations,

especially since, at committee last week, we had a number of industry workers come to the committee and say that having a unique classification system for e-bikes in Ontario will destroy or very much impede one of the fastest-growing transportation sectors in the world right now. Just to give you some numbers on the speed that this is growing, I spoke with Amego bikes, which is an e-bike distributor in my riding: Their sales have quadrupled over the past year. The estimate is that the number of e-bikes will increase to 17 million by 2030 in annual sales. This is a multi-billion dollar industry, and we want to be a part of that industry.

The other thing is that e-bikes, when properly regulated, improve road safety, because they will facilitate the mobility of vehicles in dense urban areas like Toronto. Because if you have one person in a car, that's taking up a lot of space. If you have a person in an e-bike, then that person is taking up much less space, and so the traffic can move. It will help to reduce traffic congestion. E-bikes also have a positive environmental impact because they have almost no emissions, especially when compared to a car. So it can actually improve our overall health and our environmental health, and e-bikes can help us to achieve our green energy goals.

When I look at this bill and I look at what the government is doing, it's potentially banning, making illegal many of the e-bikes that are currently on the roads. We heard that over and over again from different industry players. I just don't understand the logic of doing that when this is the fastest-growing segment of the transportation industry globally. So I really hope that the government will reconsider and actually support this amendment, because the legislation, as written—I was hoping it was an error. I really hoped that they had just made a mistake in developing a unique classification system, but what they are actually doing is potentially impeding a transportation alternative for Ontario that is growing in acceptance and is growing globally.

1020

**The Chair (Ms. Goldie Ghamari):** MPP Schreiner.

**Mr. Mike Schreiner:** I'll be speaking in favour of this amendment. First of all, schedule 1 section 1 of this bill, through the way e-bikes are defined through configuration, wheel size and weight limits, actually will probably and possibly outlaw most of the e-power-assisted bikes in use legally in Ontario right now. I'm really hoping that's an unintended consequence of the original bill that was put forward.

As the previous member, from Spadina-Fort York, just stated, e-assisted-power bikes are one of the fastest growing transportation options around the world, especially in the EU and Europe and across Canada. I can't tell you how many families have reached out to me saying that, instead of purchasing a second car, they've purchased an e-assisted bike, because it is a lower-cost, more environmentally responsible, more family- and community-friendly way of transporting their children, buying their groceries, doing errands around their community. It would be highly unfortunate if many of those bikes would now be outlawed.

I just want to address a few of the concerns the government member raised. I've done a lot of consultation on this with people who use e-assisted bikes, people who manufacture e-assisted bikes, people who retail those bikes, as well as cycling advocacy groups. In particular, I've met with somebody who both owns a bike company and is a municipal councillor. This particular individual and others have said that aligning ourselves with the three-class system that's outlined in the US and in the EU would not only facilitate trade and economic development across countries but within Canada, because of interprovincial trade. But it would also actually help municipalities in regulating e-assisted bikes, because they could say, in certain instances, "In this case, class 1 is okay, but 2 and 3 are not. In this particular case, all three are okay. In this particular case, maybe 1 and 2 are okay." And so it actually gives municipalities more tools to make their roads safer by doing it this way, through the three-class system.

And then the other thing I would say in terms of the member's concern about weight limits: Right now, one of the bikes being used as part of the Cycling Without Age program, which is really designed to encourage elders to cycle, is a 97-kilogram bike, which would be outlawed under the government's proposal. Every advocate I've talked to about road safety has said the road safety issues are addressed through the limitations in speed, not by weight. The weight is important in some cases, because you may need that for the cargo that you're transporting and as far as the e-cargo pilot projects that are happening, but also, you may need it in terms of providing mobility for people with disabilities, for elders, for families with children. The safety concerns the member has raised can be addressed through the limitations on speed. And so I would highly recommend that the government members support this amendment.

I'll make a final two cases outside of road safety, because I know the focus of this bill is road safety, and I think this amendment addresses road safety concerns. I would say, there is a huge growing market that, if we're not aligned with other jurisdictions, could keep Canada out of that market, hurting both manufacturers, retailers and users—people, families who want to use e-assisted bikes. So to jeopardize our economy in that way to me is shortsighted, especially when there are other provisions that have addressed the road safety concerns that are the intent of this bill.

And then related to that is a huge opportunity in cycling tourism, especially given the concerns around the current pandemic that we're in. People are looking for ways to travel, to enjoy themselves, be tourists, to get out, to be mobile in a way that is safe. The outdoors, according to the scientists, is a safer way to do that. E-assisted bikes provide a huge opportunity for us to really ramp up tourism and support safe outdoor activities, particularly during the current pandemic, and there's a lot of speculation about future pandemics. So for the government to place limits on that, I think, really, potentially is just another thing that hurts our tourism industry and hurts people's ability to have safe mobility options. I would hope that if

it's good enough for the EU and it's good enough for the US and their roads are safe, that we align ourselves in Ontario with those kinds of safe regulations. That's the intent of what this amendment sets out to accomplish, so I would encourage the government members to vote in favour.

**The Chair (Ms. Goldie Ghamari):** MPP French and then MPP Bourgouin and then MPP Thanigasalam.

**Ms. Jennifer K. French:** I didn't know how this committee was going to go because, as we have heard from others, I think we thought that the government made mistakes accidentally with the drafting and created these problems for the e-bike community. We have been working very hard as the opposition with stakeholders on creating—like, conversations through the middle of the night. We've been really working, because the timeline has been so tight with this bill, to thoughtfully put forward these amendments that would change what the government had put in the original legislation that we thought was inadvertently creating problems and making folks and families and grandmas and parents—or their bikes existing on the roads right now—illegal. We thought that making them unlawful was an accident. You as the government have had the chance to hear from people, and if we've had time to put forward amendments in this tight turnaround, you must have.

So I think, hearing from Mr. Thanigasalam earlier, I was expecting maybe a breakdown of which parts were problematic rather than the government messaging. Be thoughtful about this. Look at this and realize you—"you" being the government—are going to wish that you had passed these amendments when you get into those 30-day consultations, which should have happened before this. You're going to realize, "Uh-oh, oops, we've got a problem we can't fix in regulation. It needs to be fixed in statute," which is why we're doing your job, frankly. We're putting this forward.

I guess I'm frustrated because we anticipated maybe you didn't want to pass amendment 1 because it's all of it in together. There will be amendments that are coming forward that are breaking it into chunks: just looking at weight limit, just looking at wheel and tire and all of that. If you're not passing this, be ready to really look at those.

This has been a strange process all the way through, but as I started saying, we thought this was inadvertent. You have the information now to know there is a tripwire, there are problems, and the fact that you're refusing—you said you're going to counsel to vote against. If you're refusing to make these changes, you're doing that knowingly now. There are no mistakes anymore. If it was a matter of sloppy drafting or whatever, you have a chance to fix it. We've done that for you. You're welcome. Please do this.

I'll stop, but we've got a full day ahead of us, breaking this down, and I'm happy to take the time to explain it on behalf of the industry, the folks, the grandmas, the people on e-bikes. We're not bringing forward a whole bunch of amendments on towing and stunt driving. We recognize that safer streets across the community has to happen. You have an opportunity to have safe streets in smaller, more

local community settings with these e-bikes. For goodness' sakes, do this properly. We only get one shot. The government messaging and whatever you were handed to read—like, think. Use this. You've got the answers here, and they come from the community. Don't make a mistake on purpose.

1030

**The Chair (Ms. Goldie Ghamari):** Thank you. MPP Bourgouin?

**M. Guy Bourgouin:** Je ne comprends pas la position, après avoir entendu le député du gouvernement. Quand il a mentionné—le gouvernement semble aller à contre-courant. On sait qu'en Europe puis aux États, ce qu'on propose est là. Ça existe. Ça fait partie de la loi.

On a entendu les « stakeholders » nous informer pourquoi c'est nécessaire. On l'a dit aussi ici, pour les amendements, qu'ils existent déjà, qu'ils sont déjà sur les routes de l'Ontario, puis là on va à contre-courant pour essayer de réduire ça. Je ne comprends pas la logique derrière ça. On est dans le processus; on devrait l'adresser. Puis, on attache les mains, là. On attache les mains d'une industrie. On est en pleine pandémie. On va sortir de la pandémie, et on va être dans une crise économique. On a une chance d'ouvrir les portes pour cette industrie, puis les marchands et tout. On va à contre-courant.

On va à contre-courant aussi, comme mon collègue a dit, contre l'environnement. On sait que l'électricité est l'énergie du futur quand ça vient aux automobiles. Ça va être dans les vélos. Ça va être partout. On va à contre-courant de la technologie du futur. Je ne comprends pas la logique derrière le gouvernement pour faire ça.

Le tourisme, c'est très important. Il y a un député qui l'a mentionné. C'est une autre industrie qui va développer, puis qui va amener les touristes à la grandeur—pour l'économie, pour développer notre économie. On va à contre-courant comme ça, contre ça.

Je demande au gouvernement de sérieusement considérer les propositions qu'on vous fait. On a essayé de vous dire au début qu'on commence dans les amendements, mais je pense que, pour une raison ou une autre, on est fermé à l'idée qu'on attache les mains de l'industrie. On s'attache les mains comme province—puis du développement économique. Je pense que c'est un manque de vision de la part du gouvernement, si on attache les mains de l'industrie.

Merci, madame la Présidente.

**The Chair (Ms. Goldie Ghamari):** Merci, MPP Bourgouin. MPP Thanigasalam?

**Mr. Vijay Thanigasalam:** I've been listening to the comments from the members. I just want to highlight that while our ministry supports creating the use of bicycle-style e-bikes and differentiating between bicycle-style e-bikes and larger e-bikes, mopeds and motorcycles, these amendments would have negative impacts on the larger e-bikes' owners and retailers selling moped- and motorcycle-style e-bikes, as these larger e-bikes would no longer be called e-bikes.

Additionally, the following concerns can be noted with a three-tier framework. Motor-assisted vehicles with a

maximum speed exceeding 32 kilometres per hour are required to meet a federally mandated class. As such, permitting these class 3 e-bikes with a speed of up to a maximum of 45 kilometres per hour would contravene the federal requirements and would definitely pose concerns for road safety stakeholders.

Look, increasing safety is going in the right direction, and reducing the risk for road users is going in the right direction. This proposal was supported by most stakeholders as the right, adequate method for driving e-bikes.

Also I want to highlight the proposal not to have a maximum weight for class 1 and class 2 e-bikes, again, is a safety concern that would ignore the concerns of the stakeholders from enforcement, municipalities, industries and road safety stakeholders. They have been asking the ministry to create an e-bike class that more closely aligned with bicycles. That's why the MOMS Act, this proposal, Bill 282—this act is here to increase transportation infrastructure access for bicycle-style e-bikes, while this motion, I would argue, would put further restriction on the e-bike access.

I really want to openly say to all members, when you have, for example, a maximum—not to have this maximum weight, it's going against road safety, and this bill is all about road safety, so the government is going in the right direction.

**The Chair (Ms. Goldie Ghamari):** MPP Schreiner, and then MPP Glover.

**Mr. Mike Schreiner:** Through you, Chair, to the member opposite: With the utmost respect, I'm curious if you've actually had an opportunity to use an e-power-assisted bike or to meet personally with a family who uses one or a retailer who sells them, because your concern about weight, frankly, is addressed by speed, and in many cases, the higher weight means it actually goes slower and is safer. The higher weight is there to address the needs of being able to deliver cargo and to have passengers, whether it's family members, elders, people with disabilities, and the higher weight actually means the vehicle goes slower if it has the pedal—if it's pedal-required—which is what is in the class system. I don't know if there has been some confusion or some misunderstanding in the consultations that were done or what have you—for instance, in the US regulations, they have no weight maximum limit because of the issue I've just described. So I'm just worried that maybe there is some confusion.

As MPP French has stated, we have one shot to get this right today. If we don't get it right today, we don't have a chance to amend the bill. So I think what we're really trying to do, and I'll be able to do this in some other amendments as well—and there are a whole host of amendments here trying to get this right the best way we can—is to make sure that we don't take actions today that actually set Ontario back, literally back to the pre-e-power-assisted bike days, while every other jurisdiction moves forward. It's just a mistake I don't think we want to make, and I keep holding out hope that the government members don't want to make this mistake either.

**The Chair (Ms. Goldie Ghamari):** MPP Glover.

**Mr. Chris Glover:** So what is at stake here, and we heard from many industry players, is that if this bill goes through without this type of amendment, then most e-bikes that are currently on the road in Ontario would be made illegal, including the bikes that are used by seniors in the government's own Cycling Without Age program.

We are talking about the fastest-growing sector of the global transportation economy. The expectation is that by 2023 there will be 130 million e-bikes sold annually around the world. This is a \$20-billion industry. It would be really nice if some of those bikes were manufactured in Canada and exported to other markets. But if we have a regulatory system—and this government always talks about red tape—that bans most of the e-bikes and sets a different standard for e-bikes in Ontario than the rest of the world, then that industry is not going to be located in Ontario. Those jobs will not be located in Ontario.

Many of the e-bike distributors that are currently selling bikes that, after this legislation passes, if it passes without amendment—those distributors will not be able to sell the bikes that they are currently selling. I can't understand why this government would do that, why it would hobble our economy, especially when we're talking about the green tech economy with e-bikes.

**1040**

Just to give you an example: There's a resident in my riding, Derek Rayside, who gave up his car. His family now has a triple tandem e-bike. They use it for going all the way from downtown Toronto near the Lakeshore all the way up to the science centre for visits with his kids. They use it for getting their groceries. It doesn't meet the weight restrictions that this government is imposing right now. That family that was able to give up a car and transfer over to an e-bike—thousands of other families are in the same boat. Thousands of seniors who are also using e-bikes as an alternative transportation form will now not be able to ride their bikes or those bikes may be made illegal by this legislation.

I would urge the government to reconsider and support this NDP amendment so that our classification system for e-bikes is in alignment with what's in Europe and what's in North America.

**The Chair (Ms. Goldie Ghamari):** Seeing no further debate, are members prepared to vote on NDP motion number 1? Okay. MPP French has moved NDP motion number 1. All those in favour, please raise their hands. All those opposed, please raise their hands. I declare the motion lost.

Turning now to motion number 2: MPP Schreiner?

**Mr. Mike Schreiner:** I move that section 1 of schedule 1 to the bill be amended by striking out the definition of "power-assisted bicycle" in subsection 1(1) of the Highway Traffic Act and substituting the following:

"power-assisted bicycle" means,

"(a) a class-1 power-assisted cycle, being a cycle equipped with an electric motor that provides assistance only when the rider is pedalling and that ceases to provide assistance when the cycle reaches a speed of 32 kilometres per hour or greater and,

"(i) has two or three wheels,

"(ii) is fitted at all times with pedals that are always operable to propel the cycle,

"(iii) has steering handlebars,

"(iv) has one or more electric motors that, singly or in combination, have a continuous rated output power not exceeding 500 watts and that is incapable of providing propulsion assistance once the cycle attains a speed of 32 kilometres per hour, and

"(v) may be equipped with 'walk-assist' whereby the motor can be activated without pedalling to speeds no greater than five kilometres per hour,

"(b) a class-2 power-assisted cycle, being a cycle equipped with one or more electric motors that, singly or in combination, have a continuous rated output power not exceeding 500 watts, may be used to power the cycle independently of pedal use and are incapable of providing propulsion assistance once the cycle attains a speed of 32 kilometres per hour or greater and,

"(i) has exposed frame cycle design and appearance that does not resemble a motor scooter or motorcycle,

"(ii) has two or three wheels,

"(iii) is fitted at all times with pedals that are always operable to propel the cycle,

"(iv) is capable at all times of being propelled on level ground solely by using muscular power to operate the pedals,

"(v) has steering handlebars,

"(vi) may be equipped with 'walk-assist' whereby the motor can be activated without pedalling to speeds no greater than five kilometres per hour,

"(c) a class-3 power-assisted cycle, being a cycle equipped with an electric motor that provides assistance only when the rider is pedalling and that ceases to provide assistance when the cycle reaches the speed of 45 kilometres per hour and,

"(i) has two or three wheels,

"(ii) is fitted at all times with pedals that are always operable to propel the cycle,

"(iii) has steering handlebars,

"(iv) has one or more electric motors that, singly or in combination, have a continuous rated output power not exceeding 500 watts and that are incapable of providing propulsion assistance once the cycle attains a speed of 45 kilometres per hour,

"(v) weighs not more than 55 kilograms,

"(vi) is equipped with a speedometer, and

"(vii) may be equipped with 'walk-assist' whereby the motor can be activated without pedalling to speeds no greater than five kilometres per hour, or

"(d) a class L-category e-motorbike, being either a vehicle that has the appearance of a motorcycle, with a saddle designed to be straddled and a footrest and pedals or pegs where the rider's feet may remain secure, or a vehicle that has the appearance of a motor scooter, with a seat and an open frame that may be stepped through and a platform on which the rider's feet may rest, and,

"(i) has one or more electric motors that, singly or in combination, have a continuous rated output power not

exceeding 500 watts and that are incapable of providing propulsion assistance once the cycle attains a speed greater than 32 kilometres per hour,

“(ii) has two or three wheels,

“(iii) is fitted at all times with pedals that are always operable to propel the cycle,

“(iv) has steering handlebars,

“(v) has wheels that have a width of not less than 35 millimetres and a diameter of not less than 349 millimetres,

“(vi) weighs not more than 120 kilograms, and

“(vii) may be equipped with ‘walk-assist’ whereby the motor can be activated without pedalling to speeds no greater than five kilometres per hour.”

**The Chair (Ms. Goldie Ghamari):** On independent motion number 2, further debate? MPP Schreiner.

**Mr. Mike Schreiner:** This amendment is similar to the previous motion, with a couple of differences that I’m hoping may address government members’ concerns. One of the concerns raised in the previous—actually, let me step back a second. It’s proposing a three-class system, on which we’ve already had pretty significant debate, and it acknowledges a fourth class, which would be the e-motorbike or what some people might refer to as a moped. Issues around needing this kind of classification were raised by one of the presenters who used to be the executive director of Share the Road Cycling Coalition, probably one of the most respected cycling advocacy organizations in the province, and the organization that organizes the all-party cycling caucus which has representatives—

*Interjection.*

**The Chair (Ms. Goldie Ghamari):** MPP Schreiner, my apologies. MPP Thanigasalam has a point of order.

**Mr. Vijay Thanigasalam:** Madam Chair, I have called a point of order because this motion has a similarity to the earlier motion 1 proposed by the NDP member. That’s why I call a point of order.

**The Chair (Ms. Goldie Ghamari):** MPP Thanigasalam, it is not identical and therefore MPP Schreiner can move the motion. It is in order.

MPP Schreiner, you may continue.

1050

**Mr. Mike Schreiner:** The member opposite raised concerns that the previous motion that we debated would place restrictions on the use of e-motorbikes or mopeds, and I believe this particular motion addresses that concern, because it clearly identifies a category of e-motorbike or moped, with clear definitions around it. That, I know, was one of the concerns the member opposite raised, and I believe this addresses it.

The member opposite also raised concerns about speed, and this amendment clearly shows that with the pedal-assisted cycle, the assisted speed ends when you reach a certain level, and there is no more power-assist when you hit that speed. And so, the only way you could exceed that speed would be through your own physical power. I realize there are some limited cyclists out there who may have the leg strength to exceed that speed, especially if

they’re going downhill—I’m an avid cyclist; I don’t hit some of those speeds very often, but occasionally I do, though I would say it’s harder with a heavier bike.

I want to just read a quote. I think I’ve addressed the member’s speed concerns. Then the member raised weight concerns, and I just want to read a quote from an email I received from a presenter to the committee and one of the foremost experts on cycling in the province. It says:

“To me the ideal weight limit on these is no weight limit at all (like in the US). They are already speed-limited by definition at 32 km/h and I feel that” if a weight limit is added and it’s not based on any sort of research or anything like that, it’s going to push “families, seniors and people with disabilities” out of e-bikes. That’s just not right. It then goes on to cite some examples of e-bikes, power-assisted bikes already on the road being used as part of government pilot projects, particularly around Cycling Without Age, that are 97 kilograms.

I’m hoping I’ve addressed the member’s concerns that were raised in the debate on the first motion that we debated and can give the members a second opportunity to make sure that we don’t significantly damage the e-bike industry in Ontario.

**The Chair (Ms. Goldie Ghamari):** Is there further debate? MPP Thanigasalam.

**Mr. Vijay Thanigasalam:** Again, as I mentioned for the last motion—but I want to add one thing before I do my conclusion. The proposal to amend Ontario’s current 350-millimetre wheel diameter requirement to 349 millimetres is not required, as the wheel diameter recommended exists today and does not limit any bikes from operating. The walk-assist feature would restrict the operation of any pedal-assist e-bike that is able to increase their speed up to 32 kilometres per hour without pedalling. This, again, would have a negative impact on Ontario’s e-bike marketplace and current users.

Again, as I repeated for the last motion, this proposal would—again, the safety concerns are the bottom line here. I would suggest and recommend voting against this motion, because these amendments would not adequately respond to the concerns raised by all the stakeholders I listed in the last motion.

**The Chair (Ms. Goldie Ghamari):** MPP Schreiner, before we begin, I believe MPP Rasheed has joined us. MPP Rasheed?

**Mr. Kaleed Rasheed:** Good morning, Chair. MPP Rasheed, from Ontario.

**The Chair (Ms. Goldie Ghamari):** Thank you. Just to mention, MPP Rasheed: You’re obviously, of course, welcome to participate in the debate. However, you cannot move any motions or vote. I just wanted to confirm. Thank you.

We’ll now turn to MPP Park and then MPP French.

**Ms. Lindsey Park:** Thank you, Chair. Actually, MPP Kaleed Rasheed is going to be subbing for me on the committee, so he should be able to vote. Hopefully, that’s been taken care of.

**The Chair (Ms. Goldie Ghamari):** We have not received any notices, MPP Park. We’ll continue with

debate for now, but we have not received notice, MPP Park. I think that's something you'd like to look into.

*Interjection.*

**The Chair (Ms. Goldie Ghamari):** MPP Rasheed. Yes?

**Mr. Kaleed Rasheed:** Chair, actually just to clarify, there was an email with a slip. There was an email sent with a slip to the Clerk that I will be subbing for MPP Park.

**The Chair (Ms. Goldie Ghamari):** Okay. We'll try to find that email. In the meantime, MPP French?

**Ms. Jennifer K. French:** Thank you very much. I explained our position when I moved the first amendment. This one is a slightly different approach, but basically seeking to achieve the same thing that we were hoping to fix with the first amendment.

I'm going to say this, and it's going to sound rude: I don't think the government has an understanding of what their legislation is going to do, for the member to keep referencing the consultations they've done—we know in the opposition, and I'll probably say in the Green Party as well; we've been consulting because we are being forced, on their behalf, to fix government legislation. So please, you're going to—

**The Chair (Ms. Goldie Ghamari):** Sorry, MPP French; my apologies to interrupt.

Just to confirm, we have located the substitution slip, so MPP Rasheed will be subbing in for MPP Park at 11 o'clock. Thank you.

MPP French, you may continue.

**Ms. Jennifer K. French:** I don't know why that couldn't have waited a second. I've lost my train of thought.

Regardless, I think the government, when they do this 30-day consultation, will realize that their earlier consultation was insufficient or was "okay-ish," but the fact that we have this outlined in the government legislation creating such problems—we have a chance today to fix it. So those consultations that you had done were not sufficient to create appropriate legislation that seeks to do what I believe the minister—she said to us at committee that the intent was to regulate and create these classifications and solve problems and get more people using e-bikes. This is going to have the opposite effect, and to keep hearing the same things from the government, the same argument, just keeps indicating to me that they don't have a clear understanding.

It's very frustrating. It's disappointing. Obviously, I'm opposition, but I think the government is wrong to not pass the first amendment, this amendment—and we're going to be doing this for a while. Also, I think it was not appropriate—and I know that the Chair handled it—to suggest that we can't debate things that are in order. We've got to take the time and do this right, and this is a chance for you to do that.

We support this amendment; it's basically ours.

**The Chair (Ms. Goldie Ghamari):** MPP Glover?

**Mr. Chris Glover:** I have a question and, Madam Chair, it could be referred to the government members or it could be referred to legislative counsel.

I'm wondering if this legislation passes as is, without these amendments—and what we have heard from multiple stakeholders is that it would effectively make illegal many of the e-bikes that are currently on the roads in Ontario—what would the practical effect of that be? How would that be implemented in the province? What will it mean for sellers of e-bikes? What will it mean for manufacturers of e-bikes and importers? Like, if this legislation goes back to the Legislature, is passed at the Legislature, then when will the implementation take place and what will it mean for e-bikes that have been made illegal by this government's legislation?

**1100**

**The Chair (Ms. Goldie Ghamari):** Would anyone like to respond? No? Further debate? MPP Schreiner.

**Mr. Mike Schreiner:** The honourable member from Scarborough—Rouge Park mentioned stakeholder consultations and numerous stakeholders who support the approach the government is taking. Could you maybe share who some of the stakeholders are, because pretty much everyone who came to committee to give a presentation raised the concerns that are trying to be addressed with this motion.

I would, say beyond that, I've had so many cycling advocates reach out to me and I've also had municipal councillors reaching out to me, saying that going to the three-class system with a separate class system for mopeds and e-motorbikes would help them better regulate e-power-assisted bikes as well. I believe that the safety concerns that the member has raised—I think I've addressed those concerns.

I'm just curious which stakeholders or who in the province is raising the concerns that would suggest that this amendment and the previous one would somehow make roads less safe, because I simply haven't heard that. The only thing I would say that could be is—I've had some people suggest to me that the power in the cycle 1 or 2 should be 250 watts instead of 500, which is line with the EU. I went with 500 in my amendment because that's in line with what is done federally in Canada. I'm happy to make a friendly amendment, if we can do that, if that would address the member's concern. But I'm just trying to figure out what else can be done before we make a big mistake. I don't know if the member has an opportunity to say which stakeholders have raised the road safety concerns, and to share that with the committee. Thank you, Chair.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP French.

**Ms. Jennifer K. French:** This is not specific, necessarily, to this amendment: I was under the impression that this committee was able to be viewed publicly. I know that the Amethyst Room is not being utilized; is there a reason? Could I have clarification from the Clerk whether or not this committee is visible publicly, whether it's being recorded in any way, and if we are able to share any of this discussion with the community? Because my understanding is no one can see what we're doing right now except the folks on this screen, and that there is no availability.

I'm not going to lie; I would like to be able to go back and to share some of the things that I have said on behalf of e-bike users, and now I realize everything we've said to this point we will now have to wait weeks and weeks for, or however long it takes for Hansard to be able to make a permanent record for us. Am I correct, and is there a reason that we're not using an available broadcast-able space for this committee?

**The Chair (Ms. Goldie Ghamari):** The reason is because the Standing Committee on Social Policy was there this morning, and the Standing Committee on Finance and Economic Affairs will be there this afternoon, so that room is being utilized for those two committees.

**Ms. Jennifer K. French:** Is there any way, then, to record this so that we indeed have that visibility and accountability and transparency? Is there a means to record this for posterity?

**The Chair (Ms. Goldie Ghamari):** So there is a possibility of recording this Zoom call. We are just looking now into seeing whether it could be done by unanimous consent from the committee or whether a motion would have to be put forward. If you can give me one moment, MPP French.

*Interjection.*

**The Chair (Ms. Goldie Ghamari):** What would happen, MPP French, is that you would have to seek unanimous consent from the committee. You can go ahead.

**Ms. Jennifer K. French:** I'm hoping that if you seek it, you shall find unanimous consent to record the proceedings of this general government committee on Bill 282.

**The Chair (Ms. Goldie Ghamari):** Do we have unanimous consent from the committee to record? I see a no, so we do not have unanimous consent from the committee to record.

We shall now continue. Is there further debate on motion number 2? MPP Glover.

**Mr. Chris Glover:** I think that's absolutely disgusting that we are not recording and broadcasting these hearings on the future of e-bikes in Ontario. I think that a government member would vote down the broadcast—that the government member wants this hearing to be held in secret so that what they are saying is not public—is just shocking. I think it's incredibly undemocratic—

**The Chair (Ms. Goldie Ghamari):** MPP Glover, I would like to remind you and all members of the committee—MPP Bailey, I'll get to you in one moment—to maintain parliamentary decorum, and I would like to remind members of the committee that everything here is being transcribed and will be publicly available on Hansard. I believe that it would be incorrect to say that this meeting is secret. It is absolutely not secret. Everything is being transcribed.

Having said that, MPP Bailey, you had your hand raised.

**Mr. Robert Bailey:** Just a point of order: We have Hansard recording this—one member said “for posterity.” I think Hansard is for posterity. I've been reading some of

the Hansards from the past, and I know that the debates are recorded verbatim, so I think it's very unfair to accuse motive—to all the government members and anyone else who may feel the same way. If it's recorded in Hansard, it will be available. Twitter didn't exist 10, 15 years ago or whatever else you want to use this for. We've got Hansard, and I rest my case.

**The Chair (Ms. Goldie Ghamari):** Again, I would like to remind all members to please temper their language and to make all comments through the Chair.

MPP Glover.

**Mr. Chris Glover:** We've had Hansard for 150 years, but we're now in 2021, and it's possible to video record this; in fact, it's possible to broadcast this hearing so that people can watch it, and what a government member just did is that they voted against—or they shut down a unanimous consent motion by MPP French to record this and make a video recording of this so that people would be able to access it. I think that is incredibly undemocratic and is shameful. It is 2021. Hansard is a good thing, but it's not the modern way of transmitting information about what government decisions are being made and what government—

**The Chair (Ms. Goldie Ghamari):** Thank you, MPP Glover. We're going to move on from this now, as the unanimous consent request is complete. We're now going to return and resume back to independent motion number 2. Are members prepared to vote? MPP Schreiner?

1110

**Mr. Mike Schreiner:** I'd request a recorded vote, please.

#### Ayes

Bourgouin, French, Glover, Schreiner.

#### Nays

Bailey, Crawford, Rasheed, Sabawy, Thanigasalam, Wai.

**The Chair (Ms. Goldie Ghamari):** Independent motion number 2 is lost.

Turning now to NDP motion number 3: Who would like to move that motion? MPP French.

**Ms. Jennifer K. French:** I move that section 1 of schedule 1 to the bill be amended by striking out “bicycle of conventional exposed fork-and-frame bicycle design and appearance” in clause (a) of the definition of “power-assisted bicycle” in subsection 1(1) of the Highway Traffic Act and substituting “bicycle of exposed frame design and appearance”.

**The Chair (Ms. Goldie Ghamari):** MPP French has moved motion number 3. Is there debate? MPP French.

**Ms. Jennifer K. French:** As we heard from the e-bike community, from retailers and from those who work in the industry, there is a need to remove the term “conventional” from the definition of bicycle-style e-bikes, so that's what this amendment seeks to do, is to clarify the definition

used in the bill. There are many styles of bicycles that are very safe that may not appear “conventional” to a layperson; for example, some three-wheeled cycles don’t use a conventional fork.

Anyway, it’s arbitrary language that changes the meaning, potentially. Had the government done better consultations, this would have been already remedied, so we are seeking to remedy that.

**The Chair (Ms. Goldie Ghamari):** MPP Thanigasalam.

**Mr. Vijay Thanigasalam:** The ministry’s current proposal adequately describes the difference between bicycle-style e-bikes and larger e-bikes, mopeds or motorcycles, while remaining inclusive of all e-bikes used today. The proposed changes within Bill 282 to the e-bike definition are meant to ensure that those e-bikes that are permitted today will be permitted tomorrow as an e-bike or under the cargo e-bike pilot.

“Exposed fork-and-frame bicycle design” is terminology also used in the MTO cargo e-bike pilot, to ensure consistency and to distinguish between the moped and motorcycle styles, which are covered in [*inaudible*]. Keeping the consistent language is intended to ensure clarity in types of bicycle-style e-bikes to be permitted within the definition and includes tricycles and cargo e-bikes which meet the e-bike definition. Therefore, I recommend voting against this motion.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP Schreiner.

**Mr. Mike Schreiner:** There’s going to be this motion and a few following motions that don’t completely fix the problems with this schedule of this bill, but at least address some of the most egregious potential mistakes, so I appreciate the member putting this forward.

If the government is opposed to and has now voted against aligning Ontario’s regulations with the US and the EU so we can facilitate trade, commerce, business and e-bike adoption, I would encourage the government to at least vote in favour of this amendment and the next couple, only because at least it addresses some of the gravest concerns that have been brought forward by stakeholders who I’m assuming the government would have consulted with and heard from about this concern. I don’t know who they’ve consulted with, but I can tell you that this was one of the concerns that was brought forward by stakeholders who came to committee and who have been very vocal in trying to help the government improve this bill.

**The Chair (Ms. Goldie Ghamari):** Further debate? Seeing none, are members prepared to vote? NDP motion number 3: MPP French has moved this. Shall the motion carry? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare the motion lost.

Turning now to NDP motion number 4: Who would like to move this motion? MPP French.

**Ms. Jennifer K. French:** I move that section 1 of schedule 1 to the bill be amended by striking out subclause (a)(v) of the definition of “power-assisted bicycle” in subsection 1(1) of the Highway Traffic Act and substituting the following:

“(v) has wheels fitted with tires that have a width of not less than 28 millimetres or the prescribed minimum, and an International Organization for Standards (ISO) diameter of not less than 349 millimetres or the prescribed minimum,”

**The Chair (Ms. Goldie Ghamari):** MPP French has moved motion number 4. Is there further debate? MPP French.

**Ms. Jennifer K. French:** This reduces the statutory minimum wheel width and diameter. It also allows the government to be able to prescribe different wheel dimensions in regulation. The e-bike folks and stakeholders that we have talked to and that came and spoke at committee said that Bill 282, as it’s written, would exclude several popular bicycle-style e-bike models simply because their wheels are slightly narrower or thinner than these arbitrary minimums specified by Bill 282. In some cases, the diameters are maybe one millimetre narrower than the Bill 282 minimum.

We’re not even sure—it’s not clear what the ministry considers to be the wheel for the purposes of Bill 282 and whether or not that includes the tire. If you think of “wheel” as being a rim, if you think of “wheel” as being rim plus tire—we’re not sure, and I don’t know if the government is sure, because these numbers exclude, as I said, popular models. The global bicycle industry distinguishes between wheel width and tire width. If the ministry intended to refer to tires and not to wheels, then this bill should reflect that.

This amendment is seeking to lower default minimum wheel widths and diameters, which is in line with what e-bike stakeholders have recommended. But again, thoughtfully, it also gives the government the flexibility to set different minimums by regulation. As I said, it isn’t clear whether or not this includes the tire on a rim, what “wheel” means to the government—that’s a piece of it, but this would fix what we have heard from experts in the e-bike world. So this is an important one for the government to make sure that it passes today.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP Thanigasalam.

**Mr. Vijay Thanigasalam:** I recommend voting against this motion because this amendment is in contradiction to the requirements prescribed today, which do not restrict the use of any e-bikes. The proposed changes within Bill 282 to the e-bike definition are meant to ensure that those e-bikes that are permitted today will be permitted tomorrow as an e-bike or under the cargo e-bike pilot. On top of that, the requirement regarding the tire width and diameter aligns with Ontario’s e-bike requirement today.

**The Chair (Ms. Goldie Ghamari):** MPP Schreiner.

**Mr. Mike Schreiner:** I’m just surprised by the comments I just heard. I thought if there was one amendment the government was going to accept, it would actually be this one, because this amendment does two important things. It defines wheel size based on an international standard so we are very clear, because the bill, as it’s currently written, is unclear. And that lack of clarity, many people are interpreting right now, would

actually outlaw a number of the power-assisted bikes that are actually in use right now and being sold in Ontario. And so the level of lack of clarity in the industry is going to create huge headaches for e-bike retailers, manufacturers and users, who are going to be asking themselves whether their e-power-assisted bike is legal or not or whether what they're selling in their shops is legal or not. At least this defines it.

**1120**

In the past, I've been one of those members who has given the government a rough time for moving so many items into regulation and not having them in legislation. But this is one where, at the very least, can you move this to regulation so we can fix the problem later? Because once it's in legislation and once it has been established, it's very hard to come back, and it's cumbersome and untimely to come back, and do it through legislation.

This amendment, I think, more clearly defines things, and it gives the government an opportunity to hear the feedback they're going to hear, based on the ERO posting that came out yesterday, and to at least be able to address concerns and make sure we get this right in the regulations.

I would encourage all members to vote for this. It actually gives the government more power and flexibility moving forward to make adjustments to the rules around e-power-assisted bikes. Thank you, Chair.

**The Chair (Ms. Goldie Ghamari):** Further debate? Seeing none, are members prepared to vote on motion number—oh, MPP French?

**Ms. Jennifer K. French:** Yes, I've been neglecting to call for a recorded vote. If I can't record the meeting, maybe just the vote.

**The Chair (Ms. Goldie Ghamari):** Okay. MPP French has called for a recorded vote on motion number 4.

### Ayes

Bourgouin, French, Glover, Schreiner.

### Nays

Bailey, Crawford, Rasheed, Sabawy, Thanigasalam, Wai.

**The Chair (Ms. Goldie Ghamari):** I declare motion number 4 lost.

Turning now to motion number 5, who would like to move this motion? MPP French?

**Ms. Jennifer K. French:** I move that section 1 of schedule 1 to the bill be amended by striking out subclause (a)(vii) of the definition of "power-assisted bicycle" in subsection 1(1) of the Highway Traffic Act and substituting the following:

"(vii) weighs not more than 75 kilograms or the prescribed maximum,"

**The Chair (Ms. Goldie Ghamari):** MPP French has moved motion number 5. Is there any debate? MPP French.

**Ms. Jennifer K. French:** We had spoken earlier a bit about weight and these e-bikes. With this amendment, since we didn't pass all of amendment 1, now we're sort of breaking it into pieces, and this is focused on weight. It raises the maximum weight of bicycle-style e-bikes from 55 kilograms to 75 kilograms. Again, it's also—thoughtfully—allowing the government to prescribe a different maximum by regulation.

Bill 282 focuses on cycle weight, but most jurisdictions focus on something called gross vehicle weight. That's the total maximum weight of the cycle with the rider and cargo. Right now, Bill 282 puts us out of step with other jurisdictions. E-bike stakeholders showed committee how Bill 282 would include certain e-bike models while excluding others even though they all have the same gross vehicle weight—so with passenger, cargo and the bike itself.

If the government insists on focusing on cycle weight and not gross vehicle weight, then in that case, the default weight should be increased to 75 kilograms, as has been recommended to us, in putting forward these amendments, by the e-bike stakeholders. That would at least ensure that several popular, already existing e-bike models are not arbitrarily excluded. If the government wants to tweak the weight requirements, they're more than welcome to do that because, as I said, thoughtfully included in this amendment is the ability for the government to do so by regulation. Thank you.

**The Chair (Ms. Goldie Ghamari):** MPP Thanigasalam?

**Mr. Vijay Thanigasalam:** Again, I recommend voting against this motion because the proposed amendment is deemed to be in contradiction of the stakeholder request to create a smaller e-bike class to support the use of e-bikes through increased transportation infrastructure and ensure safety when used in close proximity to pedestrians, for example, on bike paths. These amendments would not adequately respond to the stakeholder consultation that we had with safety stakeholders, enforcement and industry and municipal partners as well.

Any e-cargo bike exceeding 55 kilograms will be captured within the Cargo E-Bikes Pilot Program if those municipalities choose to pass bylaws. This power to govern these larger cargo e-bikes is important to municipalities because each municipality has their own environment and own unique transportation infrastructure needs, so it's good to have them govern these large e-cargo bikes. The municipalities can make their own bylaws and pass their bylaws, and this authority totally aligns overall with the current authority provided to these municipalities, again, for e-bikes and other current ministerial pilots, such as for e-scooters, to allow consideration for specific municipal needs, as I said, because not all the municipalities have the same transportation infrastructure, and they know their system much better.

It is important to note that certain stakeholders still felt the maximum weight limit of 55 kilograms was too high, specifically asking for a weight within 30 kilograms to 40 kilograms, which the ministry understands would eliminate the vast majority of smaller cargo e-bikes. The weight

of 55 kilograms was further discussed at consultations for Bill 282 and was determined to strike the right balance between being responsive to industry while ensuring the future framework is safe to all road users.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP Schreiner.

**Mr. Mike Schreiner:** With all due respect to the comments just heard, this amendment gives the government an out clause. If the fear of the unintended, or what I was assuming was unintended, consequence of the initial drafting of this bill to potentially, I'll say, outlaw a number of e-assisted bikes—at least this amendment gives the government the opportunity to make the kinds of changes the member just suggested in regulation so we don't unintentionally outlaw certain e-bikes that are currently legal.

I would argue the member's concerns around bike path use, which I think is a valid concern and I absolutely share it, was why some of us had proposed a three-class system which would make it easier for municipalities to bring in those kinds of regulations, saying things like a class 1 could go on a bike path but the other classes could not, for example. That's why jurisdictions in the EU and the US use that system and why some of us were proposing that.

But at least this gives the government an out. They can define the weight in regulation, so if a mistake has been made in legislation, an adjustment can be made moving forward. So I would actually encourage members to vote for this amendment.

**The Chair (Ms. Goldie Ghamari):** Further debate? Seeing none, are members prepared to vote on NDP—MPP Glover. Yes?

**Mr. Chris Glover:** Recorded vote, please.

**The Chair (Ms. Goldie Ghamari):** MPP Glover has requested a recorded vote on NDP motion number 5.

### Ayes

Bourgouin, French, Glover, Schreiner.

### Nays

Bailey, Crawford, Thanigasalam, Rasheed, Sabawy, Wai.

**The Chair (Ms. Goldie Ghamari):** I declare motion number 5 lost.

1130

Turning now to NDP motion number 6: Who would like to move this motion? MPP French.

**Ms. Jennifer K. French:** I move that section 1 of schedule 1 to the bill be amended by striking out subclause (a)(vii) of the definition of "power-assisted bicycle" in subsection 1(1) of the Highway Traffic Act and substituting the following:

"(vii) weighs not more than 55 kilograms or the prescribed maximum,"

**The Chair (Ms. Goldie Ghamari):** Is there further debate? MPP French.

**Ms. Jennifer K. French:** This keeps the 55-kilogram cycle weight standard that is already written in the bill. This is in anticipation of if the government had concerns with seeing the number 75. This keeps the 55, but it allows the government to prescribe a different maximum. So they can do their consultations, come back to this and be able to say, "Oops, we should have passed it, but at least we have this ability to prescribe a different maximum." This is an alternative to our earlier amendment number 4. If the government is going to double down on insisting on cycle weight versus the gross vehicle weight and if they're going to insist on 55 kilograms, then this amendment at least would allow the government to prescribe that different maximum weight by regulation.

I'll tell you, even though the government isn't seeming to understand—I don't think they understand what is happening right now and the consequences of it. This is an important one. You need to do this one. I highly, highly recommend to pass this one, because the government will likely be grateful to have this kind of flexibility once it understands the unintended consequences of Bill 282, as written, and how many beneficial models of e-bikes it has inadvertently excluded on the basis of cycle weight. So, this is an important one. If you pass nothing else, pass this to make sure you have that flexibility when you do have the understanding.

And, with all due respect, the comments from the government member in terms of why it's recommended do not indicate to me that the consultations were indeed with people who are—I don't know who the consultations were with, because they don't seem to be specific and have a real understanding of that harmonization need across jurisdictions. After the 30-day consultation that you were doing as a side process, you're going to wish that you had this flexibility, so please pass this amendment.

I will be calling for a recorded vote now for later, if I'm allowed to do that.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP Thanigasalam.

**Mr. Vijay Thanigasalam:** One of the key concerns that we heard from stakeholders was a need for clarity within the e-bikes marketplace. Bill 282's amendments are anticipated to reduce confusion through clear requirements, are intended to be responsive to a variety of stakeholders' interests. While the 55-kilogram maximum weight aligns with the ministry's current proposal in Bill 282, allowing the regulations to change the maximum weight creates uncertainty with respect to weight class, which may create concerns with enforcement, industry, municipal and road safety stakeholders. Again, when there's a road safety bill come forward, there is a thorough study and consultation. The extensive consultation led to the 55-kilogram proposal, which balanced the concerns from municipal and safety stakeholders, as well as industry stakeholders.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP French.

**Ms. Jennifer K. French:** I have Bill 282 in front of me, and I'm looking at what it currently says. It currently says,

“weighs not more than 55 kilograms.” That is what’s written in your bill. We’re adding the words, in effect, “or the prescribed maximum.” Okay? That’s literally what we’re adding: four words that give you flexibility to prescribe a different maximum if you realize, “Oops, there’s a new bike on the market,” or “Oops, we’ve excluded a whole bunch of bikes. Good thing we passed NDP amendment number 6 so that we can indeed prescribe a different maximum.”

I just heard the government member, in a very eloquent prepared speech there, say they don’t want extra power to fine-tune. We’re giving four words: “or the prescribed maximum.” The government would be allowed in regulation to prescribe a different maximum, and the government member just said, “We don’t want more power,” which I literally—I may not be being recorded visibly, but I’m shaking my head, so that that can read in Hansard. I’m finding this challenging to understand. It’s just a matter of: “If the opposition has proposed it, thou shalt vote against,” rather than, “This is a good idea that is needed in the community.” This is not just short-sighted; this is a mistake on the part of the government.

**The Chair (Ms. Goldie Ghamari):** MPP Schreiner.

**Mr. Mike Schreiner:** I would say that I’m having a bit of a strange day today because usually when the opposition is putting forward amendments and speaking in favour of amendments to give the government more power, usually I would think the government would want it. Usually at committee, I’m used to arguing that the government should have less power and we should define things more in legislation, and certainly, if some previous amendments had passed, I’d be making that case. But now I’m just saying to the government that I think the opposition members—I can’t speak for the official opposition, but I’ll say this opposition independent Green Party member now is just saying: Government, please give yourself a little extra power so you can fix the mistake that you’re going to make today.

I’m a big advocate for e-bikes. I see the economic, environmental and community and family and wheel-mobility benefits, and I would really hate for us to lose some of those benefits because mistakes were made in this bill. Here’s an opportunity to at least give you an out clause, and I would encourage the government to take that out clause.

**The Chair (Ms. Goldie Ghamari):** Further debate? Seeing none, are members prepared to vote? MPP French has requested a recorded vote.

#### Ayes

Bourgouin, French, Glover, Schreiner.

#### Nays

Bailey, Crawford, Rasheed, Sabawy, Thanigasalam, Wai.

**The Chair (Ms. Goldie Ghamari):** I declare motion number 6 lost.

Turning now to NDP motion number 7: Who would like to move this motion? MPP French.

**Ms. Jennifer K. French:** I move that section 1 of schedule 1 to the bill be amended by striking out “and” at the end of subclause (a)(vi) of the definition of “power-assisted bicycle” in subsection 1(1) of the Highway Traffic Act, by adding “and” at the end of subclause (a)(vii) and by adding the following subclause:

“(viii) may be equipped with a walk-assist function whereby the motor can be activated without pedaling to speeds no greater than five kilometres per hour,”

**The Chair (Ms. Goldie Ghamari):** Further debate on NDP motion number 7? MPP French.

**Ms. Jennifer K. French:** What we have in the bill is that we’ve got everything listed that tells us what a power-assisted bicycle means. It means a pedal-driven bicycle that has two or three wheels that spin—all that stuff that’s laid out in the bill. So what we’re doing is adding a section here that says that a power-assisted bicycle means a pedal-driven bicycle that may be equipped with a walk-assist function, and the specific wording is here.

Why this matters is that it specifies that the e-bike may include a walk-assist function, which pretty much all e-bikes these days have that. For the folks here that maybe aren’t that familiar with walk-assist, it’s a function that provides power assistance when the operator is walking beside the e-bike. So if they’re walking beside their e-bike, the walk-assist allows it to kind of propel itself, so if you’re a grandma or a family member or whatever, you don’t have the weight of that bike. That’s what it is. And since the power assistance is not technically pedal-driven, because they’re walking with it, it’s not totally clear whether or not Bill 282, as written, includes or excludes such e-bikes.

#### 1140

All that this amendment does—we’re not changing the game here. We are just simply making it clear that e-bikes with walk-assist will indeed be included. We’re just putting in clarity and clarification, because that is missing from this bill. Again, sloppy writing; we’re happy to clean it up for you. We certainly hope that you will vote for this to tidy up this part of the legislation.

**The Chair (Ms. Goldie Ghamari):** MPP Schreiner.

**Mr. Mike Schreiner:** I wanted to jump in as quickly as I could on this before the government commits themselves to voting against this one. Just to be clear, for those of you who maybe haven’t used one of these types of bikes, imagine you’ve gone grocery shopping and you’ve got a lot of groceries on your bike and you come up to the corner, and maybe you don’t feel safe riding your bike through the intersection, and so you want to just walk your bike across, but it’s really heavy with groceries right now. The power assist helps you do that. It’s just basically designed to help somebody, particularly who maybe isn’t as strong or maybe has some ability challenges or what have you, move the bike. And it’s not just across intersections; it’s across parking lots. It might be in your yard. There are a lot of times when having this assists you and actually makes it safer, because when you’re moving it—

and I wish I could get up and demonstrate this—if it's really heavy, oftentimes, if you're not going fast enough, it's going to fall over, which is dangerous if you have cargo or your children, for instance. It just helps you be able to go just fast enough—not very fast—that the bike maintains its balance and it helps you. So I don't see how this would create a road safety concern. I actually think it would enhance road safety, and especially user safety. So I would hope the government would at least support this particular amendment.

**The Chair (Ms. Goldie Ghamari):** MPP Thanigasalam.

**Mr. Vijay Thanigasalam:** A walk-assist feature would restrict the operation of any throttle-assist e-bike that is able to increase the speed up to 32 kilometres without pedalling. This would have a significant negative impact on Ontario's e-bike current users and the marketplace. Therefore, I recommend voting against this motion.

**The Chair (Ms. Goldie Ghamari):** MPP Schreiner.

**Mr. Mike Schreiner:** I just want to try to bring a little common sense to the conversation for a moment. Can you imagine somebody walking their bike, throttle-assisting it at 32 kilometres an hour? Just imagine. So they don't do that. This was really slow. But even if they were designed to do that, which they are not, just imagine from pure common sense, who would throttle-assist their e-bike while they're walking beside it, with their children or their groceries in it, at 32 kilometres an hour?

This is really an important safety feature to help people walk a heavy bike. Anyway, I don't understand why you'd be opposed to this particular one.

**The Chair (Ms. Goldie Ghamari):** Are members prepared to vote? Oh, MPP French.

**Ms. Jennifer K. French:** I don't understand what is happening right now. These amendments are so specific and clear. I missed some of what the government member said about the walk-assist would restrict something. Mr. Schreiner eloquently explained that people using it to assist them while walking—it's an important thing to clarify in this. I think in these answers that we're hearing, these responses that have been prepared by the same people who drafted this bill, I would say, there is not an understanding of e-bikes and how they're used. I don't care if somebody takes exception to that. I think, fundamentally, there is a lack of understanding of the e-bike.

The government is in for a rude awakening when they have their 30-day consultation and they realize what they're accomplishing today and the missed opportunities.

I will call for a recorded vote as well. Thank you.

**The Chair (Ms. Goldie Ghamari):** MPP French has called for a recorded vote on motion number 7. Shall the motion carry?

### Ayes

Bourgouin, French, Glover, Schreiner.

### Nays

Bailey, Crawford, Park, Sabawy, Thanigasalam, Wai.

**The Chair (Ms. Goldie Ghamari):** I declare motion number 7 lost.

Turning now to NDP motion number 8: Who would like to move this motion? MPP French?

**Ms. Jennifer K. French:** I'm seeking input from the Clerk. My understanding is because amendment number 1—this is tied to that, our first amendment—failed, so I believe it would be in order for me to withdraw that. If not, I'm happy to read and share, but can I have clarification from the Clerk?

**The Chair (Ms. Goldie Ghamari):** He's going to double-check; just one moment, please.

*Interjections.*

**The Chair (Ms. Goldie Ghamari):** There is no comment from the Clerk or legislative counsel, so you are welcome to move motion number 8.

**Ms. Jennifer K. French:** Okay. Actually, I think I will withdraw it. I think I'm clear that if our amendment 1 was successful that this connected with that. Because it wasn't, I am going to withdraw amendment number 8.

**The Chair (Ms. Goldie Ghamari):** Okay.

Is there any further debate on section 1 of schedule 1 of the bill? Seeing none, are members prepared to vote? Shall schedule 1, section 1, carry? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare section 1 of schedule 1 carried.

Turning now to schedule 1, section 2: Is there any further debate on section 2? Seeing none, are members prepared to vote? Shall schedule 1, section 2, carry? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare schedule 1, section 2, carried.

Turning now to schedule 1, section 3, I have NDP motion number 9. Who would like to move that? MPP French?

**Ms. Jennifer K. French:** Again, this is about minimum age class. I think it tied to our amendment 1, had that been successful. Because amendment 1 failed, I am going to withdraw this amendment.

**The Chair (Ms. Goldie Ghamari):** Okay.

We now turn to independent motion number 10. MPP Schreiner, would you like to move motion number 10?

**Mr. Mike Schreiner:** I will withdraw this motion. It's a technical motion related to a previous motion that failed.

**The Chair (Ms. Goldie Ghamari):** Okay.

Turning now to NDP motion number 11: Who would like to move this motion? MPP French?

**Ms. Jennifer K. French:** Again, as earlier, this connected to a hopefully would-have-been successful amendment 1. As that failed, I will indeed withdraw amendment 11.

**The Chair (Ms. Goldie Ghamari):** Okay.

Turning now to independent motion number 12: MPP Schreiner?

**Mr. Mike Schreiner:** I'll withdraw this motion for the same reasons I withdrew the previous motion.

**The Chair (Ms. Goldie Ghamari):** Okay, thank you.

Is there any further debate on section 3 of schedule 1? Seeing none, are members prepared to vote? Shall section

3 carry? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare schedule 1, section 3, carried.

**1150**

There are no amendments to sections 4 through 13. I propose we bundle them. Do I have agreement from the committee? Thank you. Is there any further debate on schedule 1, sections 4 to 13? Seeing none, are members prepared to vote? Shall schedule 1, sections 4 to 13, carry? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare schedule 1, sections 4 to 13, carried.

Turning now to schedule 1, section 13.1, we have NDP motion number 13. Who would like to move this motion? MPP French.

**Ms. Jennifer K. French:** I move that schedule 1 to the bill be amended by adding the following section:

“13.1 Section 165 of the act is amended by adding the following subsections:

“Dutch reach method

“(3) The ministry shall ensure that the Dutch reach method of opening the door of a vehicle that is parallel parked on a highway,

“(a) is recommended as a preferred way of opening the door to exit the vehicle in any official driver’s handbook, instruction manual or study guide to safe driving prepared or endorsed by the ministry;

“(b) is taught as a preferred way of opening the door to exit the vehicle in any in-vehicle driving instruction course or classroom driver education program approved or licensed by the ministry; and

“(c) is a subject that shall be included by the ministry on the written portion of an examination for a driver’s licence, where appropriate, as part of a series of questions intended to test the applicant’s knowledge relating to safe driving in the presence of bicyclists.

“Definition, Dutch reach method

“(4) In subsection (3),

““Dutch reach method” means, with respect to a vehicle that is parallel parked on a highway, a method of opening a door to the vehicle that is used by a person inside the vehicle to exit the vehicle in order to reduce the risk of injuring a bicyclist approaching the vehicle from behind and that consists of the following steps, or a variation of the following steps:

“1. The person checks the rear-view mirror and the side-view mirror for oncoming traffic.

“2. The person uses his or her hand that is the farthest from the door and reaches across his or her body to place the hand on the door handle.

“3. The person opens the door sufficiently to look in the direction of the oncoming traffic and check one more time for oncoming traffic.

“4. The person opens the door completely and exits the vehicle.”

**The Chair (Ms. Goldie Ghamari):** On NDP motion number 13: Committee members, the proposed amendment is out of order, because it seeks to amend a section of a parent act that is not before the committee. As Bosc

and Gagnon noted on page 771 of the third edition of House of Commons Procedure and Practice, “an amendment is inadmissible if it proposes to amend a statute that is not before the committee or a section of the parent act, unless the latter is specifically amended by a clause of the bill.” MPP French?

**Ms. Jennifer K. French:** This is Bill 89, the Teach the Reach Act, and we were hoping to put it in where it would fit as we’re discussing the Highway Traffic Act. I would like to seek unanimous consent to go ahead and hear and debate the motion anyway as we are here talking about road safety. This is an important piece to that.

**The Chair (Ms. Goldie Ghamari):** Okay. Do we have unanimous consent? Yes or no from the committee members? I need a response. Do we have unanimous consent? Okay. I heard a no, so this motion is out of order.

We’ll now turn to independent motion number 14. Who would like to move this motion? MPP Schreiner.

**Mr. Mike Schreiner:** In the interest of time, I will withdraw this motion, but I will say that dooring is a part of this bill, and teaching people how not to door folks seems to be compatible with the bill, so if the government members are interested in granting unanimous consent, I’d be happy to move the motion again.

**The Chair (Ms. Goldie Ghamari):** All right, motion number 14 is withdrawn.

Is there any further debate on schedule 1, section 13—sorry, it doesn’t exist. My apologies. Okay, then, there are no amendments to sections 14 through 17 of schedule 1. I propose we bundle them. Do I have agreement from the committee? Yes? Is there any further debate on schedule 1, sections 14 through 17? Seeing none, are members prepared to vote? Shall schedule 1, sections 14 through 17, carry? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare schedule 1, sections 14 through 17, carried.

Turning now to NDP motion number 15, with respect to schedule 1, section 17.1: MPP French.

**Ms. Jennifer K. French:** I move that schedule 1 to the bill be amended by adding the following section:

“17.1 The act is amended by adding the following part:

“Part X.0.1

“Harm to vulnerable road users

“Offence

“191.0.2(1) Every driver of a motor vehicle, other than a motor assisted bicycle, who causes or contributes to causing death or serious bodily harm to an individual described in subsection (2) by contravening one or more listed provisions under section 191.0.2.1 is guilty of an offence.

“Vulnerable road users

“(2) The following are the individuals referred to in subsection (1):

“1. A pedestrian.

“2. An individual on a bicycle or on a motor assisted bicycle.

“3. An individual in a wheelchair or other device driven by muscular or any other kind of power that is designed for and used by a person whose mobility is

limited by one or more conditions or functional impairments.

“4. An individual who is on the highway because the individual is engaged in construction, maintenance, repair or a similar function while on that part of the highway.

“5. An individual who,

“i. is,

“A. a police officer, a special constable, a First Nations constable, a municipal law enforcement officer or an auxiliary member of a police force, within the meaning of the Police Services Act,

“B. a firefighter within the meaning of the Fire Protection and Prevention Act, 1997,

“C. an individual who attends on a call for an ambulance, or

“D. an emergency response worker, and

“ii. is acting in the course of their duties, and

“iii. is not in or on a motor vehicle, streetcar or other motor vehicle running only upon rails, motorized snow vehicle, traction engine, farm tractor, self-propelled instrument of husbandry or road-building machine.

“6. An individual prescribed by the regulations.

“Relation to absolute liability offence

“(3) An offence under subsection (1) is not an absolute liability offence, even if an offence of contravening a listed provision is an absolute liability offence.”

**The Chair (Ms. Goldie Ghamari):** MPP French has moved motion number 15. At this point, seeing that it is almost noon, we are going to recess for one hour. At 1 o'clock, we will resume, and at that point MPP French can start further debate on this motion.

Yes, MPP French?

**Ms. Jennifer K. French:** Quick question, Chair: Sorry, so we're coming back at 1? I thought it was from 9 to 12, then 12:30 to 6, then 6:30 to whenever.

**The Chair (Ms. Goldie Ghamari):** It says at 12 and we're resuming at 1 o'clock. That was in the schedule, so we will resume at 1 o'clock.

Thank you, everyone. The committee is now recessed until 1 o'clock.

*The committee recessed from 1200 to 1302.*

**The Chair (Ms. Goldie Ghamari):** Good afternoon, everyone. The Standing Committee on General Government will now resume. We are currently debating clause-by-clause on Bill 282, An Act in respect of various road safety matters.

At this point, MPP French has moved NDP motion number 15. MPP French, would you like to begin the discussion on this motion?

**Ms. Jennifer K. French:** Yes, I would. Thank you very much, Chair. This amendment should seem familiar, I think, to the folks here at committee. The bulk of it is Bill 62, MPP Bell's Protecting Vulnerable Road Users Act. We've taken the meat and potatoes from that and put this here, because this is a bill that, as we've heard repeatedly, is about road safety. Certainly, when we talked with the minister at committee on May 6, there is a desire to make roads safer, and here is a perfect example. This ensures that drivers who commit an offence that kills or seriously

injures a vulnerable road user face meaningful consequences, including a licence suspension and mandatory driver retraining, and a requirement that they attend court to hear victim impact statements.

We certainly heard from folks at committee. I know everyone on this call was moved, I'm sure, by the heart-wrenching stories that we heard from folks in the community who know what it would mean to have a meaningful vulnerable road users act in the province. So this is what we're hoping to do today. I don't think this one will be controversial. I do think that all members recognize that if harm is done to vulnerable road users, there should be, as I said, consequences that are meaningful, whether that's the licensing suspension, retraining, and that need to hear the victim impact statements.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP Thanigasalam.

**Mr. Vijay Thanigasalam:** While the government shares the same concerns regarding protecting vulnerable road users, the proposals contained in Bill 282 are already expected to have a significant impact in curbing aggressive and high-risk driving behaviour that affects all road users, including vulnerable road users such as pedestrians, workers on and near highways, and streetcar passengers.

For example, the current proposals in Bill 282 include proposed legislation that, if passed, introduce a streetcar camera evidence framework. This proposal would improve vulnerable road user safety by improving driver behaviour around streetcar and light rail, and also enable changes to how the government collects collision data so that we can track dooring incidents involving cyclists and stationary cars.

The government is also exploring a requirement for drivers to complete an education course if convicted of stunt driving or careless driving causing bodily harm or death. This course would educate drivers on the risks and consequences of aggressive driving behaviour.

The government's proposed amendments and recent legislative changes apply in all circumstances to protect all road users, not just those involving certain road users. MTO's measures do not define a vulnerable road user so as not to prioritize or suggest that one life is more important than another. I recommend voting against this motion.

**The Chair (Ms. Goldie Ghamari):** Before we continue, there is someone who is connected and it just says "iPhone." The Clerk has asked for that person to please identify themselves. Do we know who that user is who is connected via iPhone?

**Ms. Kristi Cairns:** It's Kristi Cairns. I didn't realize that; sorry.

**The Chair (Ms. Goldie Ghamari):** Oh, okay. Thank you very much.

Further debate? Seeing none, are members—MPP French?

**Ms. Jennifer K. French:** It's not about one life being more valuable than another; it's about each life having value. What we heard at committee was that in the wake

of bad things happening, there need to be better consequences, more meaningful—this is the crux of a vulnerable road users act, and that is indeed what is missing and why we're hoping to have it included in this legislation. We heard that time and time again. If we're talking about the different penalties—the minister raised it; we've heard it before—the careless driving causing bodily harm or death being an offence, convictions are exceedingly rare under that. We don't see justice for families, whether that's fairness for road users—which I know we're going to talk about in my bill, Bill 122—and having meaningful penalties but also, if something happens, having meaningful consequences.

The retraining: The government member just talked about stunt driving. Okay, but we have in front of us here something that is factoring in victim impact statements. It's the deterrent but also the consequence, and that has to carry weight; that has to carry value. To not be inclusive of those who are on our roadways, whether they be construction workers, pedestrians, cyclists—we do want to name them and recognize them.

Again, I don't know how to explain it in a way that would yield more understanding than what we heard at committee from people who have lived this, who have been injured, who have lost loved ones. It was their voices, repeatedly, that we heard from. Please change your mind and please adopt this amendment today.

**The Chair (Ms. Goldie Ghamari):** MPP Schreiner?

**Mr. Mike Schreiner:** I'll be voting in favour of this amendment. If the members just pause for a moment and think about what you've seen on the nightly news, or maybe read in a newspaper or online, heard on the radio, listened to people who came to our committee—some of the most tragic and horrific deaths on the road are elders who are trying to cross the street and are hit and killed, somebody on their bike being run over by a truck, a person with a disability being hit while they're in a wheel mobility device, somebody doing roadside construction who is hit and significantly harmed or killed. What sets them apart from other road users is they don't have tons of steel around them to help protect them.

1310

While we absolutely need to have road safety measures and penalties in place to protect all road users—and I'm somebody who uses the road as a driver, as a transit passenger, as a pedestrian, as a cyclist. I can tell you that the moments when I'm in my car, I always feel safer than the moments in other areas, because you don't have that protection around you. Far too often, people who are significantly injured or killed as a vulnerable road user—the person who contravenes a certain part of the Highway Traffic Act is either not charged or has limited charges against them.

While I certainly agree with the government's efforts to really target stunt driving, aggressive driving, people who try to speed around streetcars, absolutely, I think it's a huge missed opportunity if we don't take this moment when we're all focused on how to make our roads safer for all users to really address something that has been brought

up in coroner's reports, has been brought up in numerous media stories, about the vulnerability of individuals in the categories outlined in this amendment on our roads and streets. Here's an opportunity to begin to fix that and to have some real consequences to contravening parts of the Highway Traffic Act. I would think if we're going to make our roads and streets safer, let's really get the job done and make them safer for everyone.

**The Chair (Ms. Goldie Ghamari):** Further debate? Seeing none, are members prepared to vote? MPP French?

**Ms. Jennifer K. French:** I'd like a recorded vote. Thank you, Chair.

**The Chair (Ms. Goldie Ghamari):** MPP French has requested a recorded vote on NDP motion number 15.

### Ayes

Bourgouin, French, Glover, Schreiner.

### Nays

Bailey, Crawford, Park, Rasheed, Thanigasalam, Wai.

**The Chair (Ms. Goldie Ghamari):** I declare the motion lost.

Turning now to independent motion number 16: MPP Schreiner.

**Mr. Mike Schreiner:** I move that schedule 1 to the bill be amended by adding the following section:

“17.1 The act is amended by adding the following part:

“Part X.0.1

““Contraventions causing death or serious bodily harm

““Contravention causing death or serious bodily harm

““191.0.2 Every person who, while contravening this act or the regulations, causes, or contributes to causing, an accident that causes the death of a person or serious bodily harm to a person is guilty of an offence and on conviction is liable to a fine of not less than \$2,000 and not more than \$50,000 or to imprisonment for a term of not more than two years, or to both, and in addition his or her driver's licence or permit may be suspended for a period of not more than five years.””

**The Chair (Ms. Goldie Ghamari):** Is there debate on independent motion number 16? MPP Schreiner.

**Mr. Mike Schreiner:** In the interest of non-partisanship, I'll just say that I know MPP French has brought forward similar legislation—I believe Bill 122—and I've modelled this amendment based off of that bill. I want to just acknowledge that on the record. And just to say that I can't tell you how many times, sitting at this committee on this bill and on previous bills, people have come to committee and talked about the fact that a loved one was killed or that they had experienced serious bodily injury on the road, and the person got off literally with almost no penalty—in some cases no penalty, in some cases a slap on the wrist, in some cases a fine of maybe \$500.

The stories of people's pain and anguish and feeling the injustice of a system that does not adequately penalize people who literally, in some cases, kill another person are

heartbreaking, and I think those folks deserve justice. Just as important, I think it's vital for us to send a message to all road users, including myself as a road user, that there will be significant penalties if you contravene the act and do it in a way that leads to significant bodily harm or causes the death of another person.

Here's an opportunity to, once again, in a bill about road safety, increase road safety and justice for people.

**The Chair (Ms. Goldie Ghamari):** MPP Thanigasalam.

**Mr. Vijay Thanigasalam:** This motion incorporates private member's Bill 122. There is already an existing offence under the Highway Traffic Act for careless driving causing bodily harm or death that was introduced on September 1, 2018, that, on conviction, may result in the same fine amounts, licence suspensions and the possibility of imprisonment that Bill 122 proposes.

The government shares the same view that drivers who commit these offences should be prosecuted to the fullest extent of the law. That is why, in 2018, a new offence was created that addresses these very cases. The offence of careless driving causing bodily harm or death already carries these significant penalties on conviction, including fines of between \$2,000 and \$50,000, imprisonment up to two years or both, and a driver's licence suspension of up to five years.

The offence also includes a sentencing provision which allows the courts to take into consideration an aggressive factor for sentencing, whether the person injured or killed was vulnerable by virtue of the fact that the person was a pedestrian or cyclist.

The police also have other tools available to them to address serious contraventions of the law, including offences under the Criminal Code of Canada. Therefore, I would recommend voting against this motion.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP French.

**Ms. Jennifer K. French:** Yes, Bill 122 is one I was proud to table. It was tabled before and debated with the last government, brought forward by a different member. I brought it back because there's such a need for this. It's the Fairness for Road Users Act (Contraventions Causing Death or Serious Bodily Harm).

The reason this is needed, despite what we just heard from the government, is that families are not getting justice, and there is no opportunity in many cases for them to have that justice as they are grieving the death or massive serious bodily harm—which changes families, of course, and changes people's lives or ends them. The problem with what the government member just said is that the careless driving causing bodily harm or death offence very rarely leads to conviction.

Should it lead to conviction? Yes. What he said about throwing the book at them—you have opportunities there. The thing is, in the vast majority of cases—I don't have my numbers, but we can find it. In many cases, as we heard at committee, and as folks connected to the court system know, they plead down to a lesser infraction. That happens time and time and time again. We heard from folks who

said that the courts are backed up—there are a million reasons. But if they plead down to a lesser offence, like an improper right turn, if someone was killed but it was an improper right turn or it was an improper left turn or a failure to stop or something that is—I'm saying “lesser” in quotations—a lesser infraction of the Highway Traffic Act, then they're able to avoid significant consequences. The judges, as frustrated as they might be, as we have heard, don't have the tools to either throw the book at them or look at the circumstances of the case in front of them and give an appropriate penalty. They may have a limitation of only a \$500 fine when someone has been killed.

**1320**

So it's not about always throwing the book at them. It is about giving the courts the opportunity to proceed fairly, factoring in justice for families to be able to declare a larger fine, and I think—

**The Chair (Ms. Goldie Ghamari):** Sorry. MPP Park, do you have a point of order?

**Ms. Lindsey Park:** No, I'll let MPP French finish and then jump in. Thank you.

**The Chair (Ms. Goldie Ghamari):** I would just ask members, unless you have a point of order, to not raise your hand. I will ask if members would like to speak, but if I see your hand raised while someone is speaking, I'll assume it's a point of order. Thank you.

MPP French?

**Ms. Jennifer K. French:** I don't mind because, actually, I know MPP Park draws from that legal background. I do want to have this debate and discussion, because a number of community members, organizations like the Bikers Rights Organization, have been lobbying for this change for a long time and have been getting these form letters from the government saying, “Ah, but we have careless driving causing bodily harm. That's good enough. That's really major. That's really bad. So don't worry. It's fine.” The fact of the matter is that while Bill 282 increases penalties for careless driving causing bodily harm or death in narrow circumstances, it isn't addressing the shortcomings of the Highway Traffic Act, which still allows nearly all drivers who kill or seriously injure others to avoid those significant consequences. That is the reality of what's happening.

I want judges to be able to have the tools they need and the discretion, because we have heard from families who said that the judge's hands were tied and they were quite frustrated that in their decisions, they said, “This is all I am allowed to do, this \$500 fine,” which adds insult to injury when people have lost a loved one.

The government member has said that the police have tools available to them. The police are frustrated. They can charge someone, but the conviction is where that sentencing and the consequences come in or don't come in.

I've said it before but I'm going to be very, very clear, because I don't know that there is understanding, based on what I've seen come from the government in response to people who have been lobbying on this issue: Currently, a person convicted of contravening the Highway Traffic Act for minor driving offences such as an unsafe left turn,

failure to stop at a stop sign, following too closely, things like that—it gives a small fine in the range of approximately \$100 to \$1,000, depending, regardless of the extent of physical damage to the victim. No one sets out in the morning to kill someone on the road; we know that. This is not about criminal intent. This is about: Someone did something that is in contravention of the Highway Traffic Act; something horrible happens; and the families are left with that slap on the wrist—\$500—that that person's life was only worth that.

So this increases the penalty to be in line with careless driving, yes, but it is more likely to actually have those consequences because it's—I mean, I've explained it. I've over-explained it. I'm glad to take this opportunity.

The people that we heard from at committee that have written to us have said repeatedly that this is absolutely needed. So please, please amend Bill 282 to provide for stiffer, more just penalties. It will deter the infractions of the HTA as much as it can, but also it gives justice for families.

**The Chair (Ms. Goldie Ghamari):** MPP Park?

**Ms. Lindsey Park:** I appreciate MPP Schreiner and MPP French and the work they have done in digging into this. Certainly, they have dug into it longer than I have, and with good intentions—and hearing the stories, I'm sure, of where things have gone terribly wrong and there have been severe injuries causing death or causing serious bodily harm and where it feels to the public, which we all hear stories of—when it feels to the public unfair, I think, to use some of the language MPP French used; when it seems maybe like the penalty doesn't match the crime, if I can call it that, and there's a disconnect.

I guess my question just looking at this, because this particular provision creates a new offence rather than just addressing the penalties aspect of it—this creates a new offence with particular penalties. The way I read this is it creates an absolute liability offence. I raised that a little bit when we were hearing from the witnesses near the end of the committee day, hearing from the witnesses, just to distinguish this is indeed the way I read it, creating an absolute liability offence versus a strict liability offence, where you still have the chance to prove due diligence and that your intentions were right. This, regardless of your intention, you're found liable. And so I just wanted to get MPP Schreiner or MPP French or anyone on the committee—the question I have is, will there be unintended consequences of creating an absolute liability offence here?

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP French.

**Ms. Jennifer K. French:** In terms of some of the technical pieces that MPP Park is asking, I don't feel that I have what I would need to answer it specifically in terms of the liability offence. But what is my understanding is that this differs from the Protecting Vulnerable Road Users, that this is a focus on the wrongdoer versus the victim, but at sentencing, like if convicted of, then it gives the judge discretion to factor in various things. It's not a hard and fast if someone died, then you must pay \$50,000

or what have you; it is giving the judge the opportunity to still have discretion, rather than capping it at a \$500 fine, as it is currently.

Families are so gutted by the term “lesser infraction.” When someone is killed because of an improper left turn, it doesn't feel like a lesser infraction; however, that doesn't speak to motive or intent or any of the other pieces. You know, like a crash or a collision, someone made a choice to do something that was in violation of the Highway Traffic Act in that moment, not with motive to kill or injure, but if they knowingly contravened the Highway Traffic Act, this gives a judge that discretion to look at the merits of the case or look at it and decide what an appropriate penalty would be, circumstance-dependant.

That is my understanding, that certainly this bill has been fine-tuned for years. I get it has been before this House a few times since 2015 and it has withstood that. So I'm not sure of some of the tighter specifics, Lindsey. I can get you better answers on that, and I am certainly happy to talk about this bill with others who have both drafted it and advocated for it for a long time.

**The Chair (Ms. Goldie Ghamari):** MPP Schreiner.

**Mr. Mike Schreiner:** Yes, obviously, MPP Park, you have much deeper legal knowledge than I have, but in my reading of this and in conversations I've had with others, the person would still have to be found guilty and convicted. And so, if somebody was in some sort of traffic incident and was not found guilty or not convicted, then they would not be subject to the penalties or fines; but if are found guilty and convicted, then would be subject to them.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP Park.

**Ms. Lindsey Park:** Again, I'm new to it. I'm just bringing the legal perspective. Again, you guys have heard lots of stories, and it's not to say by any means that you don't have good intentions with this; let me be clear.

**1330**

Again, I'll just say the way I read it and what I'm left wondering when I read it is—there are all sorts of different kinds of offences under the act, right? There are some that you don't have to prove intention: for example, speeding. It doesn't matter. You were going a certain speed, right? Whether you intended it or not, your car was moving at a certain speed, and so you're found guilty of that because you were going a certain speed, regardless of your intention.

The way I read this is that if you're found guilty of that offence, if the consequence of the speeding was that someone died, regardless of what your intention was, regardless of if you were trying to avoid a bunch of things, whatever your intentions might have been and your due diligence and everything, this is the consequence of that. Versus there are other offences in the act where you actually have that ability to prove you took the due diligence and it's not just absolute, like the car was going a certain speed, and it's not as black and white.

I'm just left wondering, in those specific offences that are under the act that are absolute-liability offences—

that's just the legal term for it, but basically meaning that you don't get to prove—that due diligence can't get you out of it, if I can describe it that way. I worry about the consequence in that instance. All members know I'm happy to have discussions, but I'm just leaving you with those concerns.

**The Chair (Ms. Goldie Ghamari):** MPP French?

**Ms. Jennifer K. French:** This is if someone is convicted of contravening the Highway Traffic Act: if they made the improper left turn, if they failed to stop at a stop sign. If the judge convicts them, then this increases the penalty range. The fine is a minimum of \$2,000 and a maximum of \$50,000, as I had put in my bill. What we have before us isn't sentencing; it's looking at whether—I don't know if I'm using the term “mitigating factors” in the right way here, in the right context, but I do think they have to be convicted. Lindsey, I'm learning law stuff right now—or MPP Park, sorry.

Even if it's an automatic that if you fail to stop at a stop sign and it can be proven, then you'll be convicted of that, then these are factors—“aggravating” or whatever the legal term is. This gives the judge the chance to look at it and say that someone was killed or there was serious bodily harm, and they have other tools in their tool box. They have other penalty opportunities.

The consequences that you might be concerned about—I don't know what they could look like, but my understanding is, it would be if you had a whole bunch of judges who were throwing the book at people, that might be a consequence; I don't know. But it would be up to the courts at that point to use these penalties or have access to these penalties, and that's if someone was killed or there was serious bodily harm. Otherwise, if those two things don't happen, it's an infraction of the Highway Traffic Act and the standard penalties would apply, if it's \$500, \$600 or whatever it is, that \$100 to \$1,000. But when you have that additional piece, if someone has died or there's serious bodily harm, then there's a different penalty framework or penalty bucket to draw from, to use a formal legal term.

**The Chair (Ms. Goldie Ghamari):** MPP Schreiner?

**Mr. Mike Schreiner:** I'll add to this, and then we can all make a decision. It was my understanding that one of the reasons there is such a wide range, \$2,000 to \$50,000, is for a judge to assess whether the level of fault, if that's the right term—I'm sure there's a more legally appropriate term, so in layperson's terms—to assess how egregious the violation was in terms of assessing a penalty.

The bottom line is, right now, if you make an illegal left turn and you—even if you had no intent of harming anyone, but in the process of making that illegal left turn, you hit somebody and they die, your fine is 500 bucks. With this amendment, it has a minimum of \$2,000, and it gives a judge—they probably would, I'm assuming, look at things like: “Have you done this a lot? Were you driving completely recklessly when you made your illegal”—they would look at other factors and decide whether the fine merited a higher level, but at the very least, there would be a minimum fine of \$2,000, whereas now it's a fine of \$500.

I think for a lot of people who have experienced that grief, it feels like an injustice and it feels like their loss is not being reflected in the law and—what do I want to say? I just lost my train of thought. It will come back to me. But anyway, it's an opportunity, I believe, for us to have some real consequences and penalties, and could serve not only for justice for families, but also just to look at it at a level of deterrence for people who repeatedly or even recklessly contravene parts of the Highway Traffic Act.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP French.

**Ms. Jennifer K. French:** Just in terms of the recognition that it's over 80%, my understanding is, of careless driving charges don't end up in careless driving convictions, that they plead down to improper U-turn or something. So the reality of what we think is happening or think could happen is not happening. People are not having those consequences. That's why when they plead down or whatnot, there isn't that closure for families. But it's over 80%, is my understanding, of those careless driving charges do not end up in those convictions.

**The Chair (Ms. Goldie Ghamari):** Further debate? Seeing none, are members prepared to vote? MPP Schreiner?

**Mr. Mike Schreiner:** Could we have a recorded vote on this one, please?

#### Ayes

Bourgouin, French, Schreiner.

#### Nays

Bailey, Crawford, Park, Rasheed, Thanigasalam, Wai.

**The Chair (Ms. Goldie Ghamari):** I declare the motion lost.

Turning now to NDP motion number 17: Who would like to move this motion? MPP French.

**Ms. Jennifer K. French:** I move that schedule 1 to the bill be amended by adding the following section:

“17.1 The act is amended by adding the following section:

““Contravention causing death or serious bodily harm

“191.0.2 Every person who, while contravening this act or the regulations, causes, or contributes to causing, an accident that causes the death of a person or serious bodily harm to a person is guilty of an offence and on conviction is liable to a fine of not less than \$2,000 and not more than \$50,000 or to imprisonment for a term of not more than two years, or to both, and in addition his or her driver's licence or permit may be suspended for a period of not more than five years.””

**The Chair (Ms. Goldie Ghamari):** Motion number 17: I am ruling this amendment out of order as it is identical to the previous motion on which the committee has already decided.

Turning now to NDP motion number 18, with respect to schedule 1, section 17.2: Who would like to move this motion? MPP French.

**Ms. Jennifer K. French:** I move that schedule 1 to the bill be amended by adding the following section:

“17.2 The act is amended by adding the following sections:

“Listed provisions

“191.0.2.1 The listed provisions referred to in subsection 191.0.2(1) are the following provisions:

“1. Subsections 32(1) and (3).

“2. Subsections 44.1(1) and (2).

“3. Subsections 44.2(4) and (6).

**1340**

“4. Subsections 53(1) and (1.1).

“5. Subsection 78(1).

“6. Subsections 78.1(1) and (2).

“7. Section 128.

“8. Subsections 130(1) and (3).

“9. Subsection 134(1).

“10. Subsections 135(2) and (3).

“11. Subsections 136(1) and (2).

“12. Subsection 138(1).

“13. Subsection 139(1).

“14. Subsections 140(1) and (3).

“15. Subsections 141(2), (3), (5), (6) and (7).

“16. Subsections 142(1), (2) and (8).

“17. Subsection 142.1(1).

“18. Section 143.

“19. Subsections 144(5), (6), (7), (8), (9), (10), (11), (14), (15), (16), (17), (18), (19) and (21).

“20. Subsection 145(1).

“21. Subsections 146(3), (4) and (5).

“22. Subsections 146.1(3) and (4).

“23. Subsections 148(1), (4), (6.1) and (8).

“24. Subsection 149(1).

“25. Subsections 150(1) and (2).

“26. Subsection 151(5).

“27. Subsection 153(1).

“28. Subsection 154(1).

“29. Subsection 156(1).

“30. Subsection 157(1).

“31. Subsections 158(1) and (2).

“32. Subsections 159(1), (2), (3) and (4).

“33. Section 160.

“34. Section 161.

“35. Section 162.

“36. Subsections 163(1) and (2).

“37. Section 164.

“38. Subsection 165(1).

“39. Subsections 166(1) and (2).

“40. Section 167.

“41. Section 168.

“42. Subsection 170(1).

“43. Subsection 172(1).

“44. Subsections 175(11), (11.1), (12), (12.1) and (12.2)

“45. Subsection 176(3).

“46. Subsection 182(2).

“Sentence

“191.0.3(1) On conviction of an offence under subsection 191.0.2(1),

“(a) the defendant is liable to the penalty to which the defendant would be liable if they were convicted of contravening the listed provision or provisions;

“(b) any other consequence that must be imposed for contravening the listed provision or provisions shall be imposed on the defendant; and

“(c) any other consequence that may be imposed for contravening the listed provision or provisions may be imposed on the defendant.

“Mandatory probation order

“(2) In addition to the penalty and consequences imposed under subsection (1), on conviction of the offence, the court shall direct that the defendant comply with the conditions prescribed in a probation order.

“Probation order conditions

“(3) The probation order must remain in force for no more than one year from the date when the order takes effect and must contain the following conditions, despite clauses 72(3)(b) and (c) of the Provincial Offences Act:

“1. That the defendant successfully complete a driving instruction course that satisfies the requirements, if any, provided for by the regulations.

“2. That the defendant perform a community service as set out in the order.

“Community service

“(4) The probation order must, in respect of the community service condition ordered under paragraph 2 of subsection (3),

“(a) set the number of hours of community service required at no less than 50 hours and no more than 200 hours; and

“(b) require the community service to include activity related to public education on driving safety or otherwise improving driving safety.

“Licence suspended

“(5) The driver’s licence of a person who is convicted of the offence is suspended for the duration of the probation order.

“Charging procedure

“191.0.4(1) A proceeding in respect of an offence under subsection 191.0.2(1), or in respect of an offence of contravening any listed provision the contravention of which is alleged in respect of the offence under subsection 191.0.2(1), shall be commenced by laying an information under part III of the Provincial Offences Act, not by filing a certificate of offence, despite subsection 3(1) of the Provincial Offences Act.

“Nullity

“(2) A proceeding referred to in subsection (1) is a nullity if it purports to be commenced by filing a certificate of offence.

“Attendance at sentencing

“191.0.5(1) The defendant in a proceeding in respect of an offence under subsection 191.0.2(1) shall personally attend every sentencing hearing in respect of the offence,

even if the defendant acts by representative in the proceeding.

“Defendant fails to attend

“(2) If the defendant is not in personal attendance at a sentencing hearing in respect of the offence, the court shall not hold the hearing until the defendant is in personal attendance, despite clause 54(1)(a) of the Provincial Offences Act, except under subsection 52(1) of that act.

“Compel attendance

“(3) For greater certainty, the court may exercise its powers under clause 54(1)(b) of the Provincial Offences Act if the defendant fails to personally attend sentencing proceedings.

“Victim impact statement

“191.0.6(1) In determining the penalty and other consequences to be imposed for an offence under subsection 191.0.2(1), the court shall consider any statement of a person who has suffered or claims to have suffered physical or emotional harm, property damage or economic loss as the result of the commission of the offence, including a person who has suffered or claims to have suffered physical or emotional harm, property damage or economic loss as the result of the commission of the offence against another person, describing,

“(a) the physical or emotional harm, property damage or economic loss they have suffered as the result of the commission of the offence; and

“(b) the impact of the offence on them.

“Presentation of statement

“(2) A person may present the statement to the court in any manner that the court considers appropriate.

“Consideration of statement

“(3) In considering the statement, the court shall take into account the portions of the statement that it considers relevant to determining the penalty and other consequences and disregard any other portion.

“Breach of probation order

“191.0.7 A defendant who is convicted of an offence under section 75 of the Provincial Offences Act in respect of a probation order imposed under subsection 191.0.3(2) of this act is liable to a fine of not more than \$50,000 and, in addition, their licence or permit may be suspended for a period of not more than two years. Clause 75(d) of the Provincial Offences Act does not apply.

“Continuation of probation order

“191.0.8 (1) The court may continue a probation order imposed under subsection 191.0.3(2) with such changes or additions and for such extended term, not exceeding an additional year, as the court considers reasonable, if the defendant,

“(a) fails to comply with the conditions of the probation order set out in paragraphs 1 and 2 of section 191.0.2.1; and

“(b) shows good cause for failing to comply.

“Exception

“(2) Subsection (1) does not apply if the defendant is convicted of an offence under section 75 of the Provincial Offences Act in respect of the probation order.

“Regulations

“191.0.9 The Lieutenant Governor in Council may make regulations,

“(a) prescribing individuals for the purpose of paragraph 6 of subsection 191.0.2(2);

“(b) respecting requirements of driving instruction courses for the purpose of paragraph 1 of section 191.0.2.1.”

Finished.

1350

**The Chair (Ms. Goldie Ghamari):** On NDP motion number 18: Committee members, the proposed amendment is out of order. As Bosc and Gagnon note on page 771 of the third edition of House of Commons Procedure and Practice, a motion is out of order if it is dependent on an amendment which has already been negated.

We’ll now turn to section 17.3. We have independent—oh, sorry. We now have, in section 17.2 again, independent motion number 19. MPP Schreiner?

**Mr. Mike Schreiner:** In light of the ruling we just heard, I’ll withdraw this motion and save everyone a bit of time and me a bit of breath.

**The Chair (Ms. Goldie Ghamari):** Okay. It’s withdrawn.

Turning now to independent motion number 20. Mr. Schreiner?

**Mr. Mike Schreiner:** Once again, given the previous ruling, the same will apply to this motion, so I withdraw.

**The Chair (Ms. Goldie Ghamari):** Okay. Turning now to independent motion 21: MPP Schreiner?

**Mr. Mike Schreiner:** Withdraw again. They’re all going to be ruled out of order at this point.

**The Chair (Ms. Goldie Ghamari):** Independent motion number 22?

**Mr. Mike Schreiner:** Yes, I’ll withdraw 22.

**The Chair (Ms. Goldie Ghamari):** Okay. Independent motion 23?

**Mr. Mike Schreiner:** I’ll withdraw this one.

**The Chair (Ms. Goldie Ghamari):** Independent motion 24?

**Mr. Mike Schreiner:** Again, I’ll withdraw.

**The Chair (Ms. Goldie Ghamari):** Independent motion 25?

**Mr. Mike Schreiner:** Again, this one will have to be withdrawn, given the previous rulings and votes.

**The Chair (Ms. Goldie Ghamari):** Okay. Turning now to schedule 1, section 18: Is there any further debate on schedule 1, section 18? Seeing none, are members prepared to vote? Shall schedule 1, section 18, carry? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare schedule 1, section 18, carried.

Turning now to schedule 1, section 19: We have NDP motion number 26. Who would like to move that motion? MPP Glover?

**Mr. Chris Glover:** I move that section 19 of schedule 1 to the bill be amended by striking out “comes into contact with” in subsection 200(1.1) of the Highway Traffic Act and substituting “comes into contact with, interferes with the movement of or otherwise endangers”.

**The Chair (Ms. Goldie Ghamari):** Thank you. Is there any further debate? MPP Glover.

**Mr. Chris Glover:** The purpose of this amendment is to broaden the interpretation of dooring to capture accidents in which there isn't actually contact with the door, but where a driver or passenger exiting a vehicle opens a door into the pathway of the bicycle and the bicyclist veers off and that results in the accident. So that's the purpose of this.

Let's see: Currently, this amendment would align the section with existing language in section 165 of the Highway Traffic Act, which defines the offence of dooring. So it's just a chance to redefine doorings so that it's not necessarily just contact, but it's actually any accident caused by a passenger or driver exiting a vehicle, resulting in an accident.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP French and then MPP Thanigasalam.

**Ms. Jennifer K. French:** Thank you. As my colleague had said, this isn't about redefining dooring; this actually would align it with the existing language in the Highway Traffic Act in section 165. That's where dooring is defined, so this is consistent. The existing definition in the Highway Traffic Act in section 165 does not require contact with the door. So here we have, in Bill 282, the way it's written, somebody can open a door and, as we heard at committee, more and more with Ubers or ride-shares or just passengers opening doors, with a driver opening a door, if it causes a response or a reaction, like a cyclist just swerving into traffic, for example—if something were to happen there—the police would not be obliged to record that incident as a dooring accident. And so that's why we're trying to—the spirit and the intent of this is that we're trying to keep track of things. This amendment removes Bill 282's inconsistency with section 165 to ensure that all serious dooring offences are treated as reportable accidents.

We heard the need for this at committee from individuals who could speak from experience. I look around this Zoom call, and I see MPP Glover and MPP Schreiner, and they both have had near misses, I think is a fair way of saying it. But this makes sense and is in keeping with what already exists in legislation, so I don't know why Bill 282 explicitly put the line in there about that it requires contact. Let's take that out.

**The Chair (Ms. Goldie Ghamari):** MPP Thanigasalam.

**Mr. Vijay Thanigasalam:** This motion refers to expanding the definition of dooring to include not only a cyclist making contact with the door of a stationary vehicle, but also instances of when an open door interferes with the movement of or otherwise endangers a cyclist.

I would recommend voting against this motion because dooring collisions that involve contact will be captured under section 19 of schedule 1 of the bill. The collisions resulting from cyclists taking evasive action and colliding with another vehicle in motion are already captured through the existing motor vehicle collision reporting forms. Enhancements to the existing motor vehicle

collision forms are currently under way to include a driver reaction to evasive action, which will make it even easier to identify these types of collisions. That's the reason I would recommend voting against it.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP Glover.

**Mr. Chris Glover:** I don't think the government member understands or he did not mention that this doesn't change the definition of dooring. This aligns the definition of dooring in this act with what's already in existence in the Highway Traffic Act. As Bill 282 is currently written, someone would open a door in a way, say, that forces a cyclist to swerve out of the way and crash on the road, and the driver would not be guilty of dooring; the police would not be obliged to record this as a dooring incident. But these near misses are in fact dooring incidents, and they need to be recorded as dooring incidents. That's what this amendment is about. And so I'm hoping that the government will actually support this amendment. It also creates consistency with what's already in the Highway Traffic Act.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP French.

**Ms. Jennifer K. French:** In the example that my colleague just gave with opening the door, they may be guilty of the offence of dooring, but the police are not obligated to record this incident as dooring. A big thing we heard at committee is that we need to track this, that we want it to not be an incident but treated as a reportable accident. So leaving out some of those examples—I'm trying to understand what the government member just said about if a cyclist takes evasive action and swerves out into traffic and gets hit by oncoming traffic or something happens, that that would be—I forget how he worded it, but basically captured under—yes, someone would keep track of that accident, but it doesn't have to be reportable under this dooring—we're talking about dooring specifically, right? So if someone swerves into traffic and gets hit by a vehicle, that will be handled as that particular, I'll say, collision, but to track it back to dooring is a very important part of this. Why we're trying to make roads safer is to be able to keep track of dooring and make this a reportable accident.

1400

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP Schreiner.

**Mr. Mike Schreiner:** Yes, I wanted to respond a bit. I actually think this amendment enhances the bill and actually fulfills the intention of the bill, because we're trying to collect data to make our roads safer for all users. It would be interesting to know, actually—and we probably don't have data on this, so my assumption is that most dooring incidents actually don't result in contact. That is purely an assumption at this point because we're not collecting the data, but it would be fantastic to know that data, because, sometimes, the actual swerving to avoid a door can lead to more catastrophic road incidents than the actual coming in contact with the door.

So collecting data on all dooring-related incidents I think would be beneficial to all of us and further the intentions of the bill. Therefore, I'll be voting for this amendment.

**The Chair (Ms. Goldie Ghamari):** MPP Thanigasalam.

**Mr. Vijay Thanigasalam:** The enhancements to the motor vehicle collision reporting form are currently under way to include driver action of evasive action, which will make it even easier to identify those collisions that are the result of doors creating an impediment to the cyclist. These enhancements will enable the government to track dooring collisions with contact and those that necessitate evasive action on the part of the cyclist.

Again, as the member had mentioned, currently the ministry is unable to collect these collision reports, and this bill, if passed, will rectify that issue.

**The Chair (Ms. Goldie Ghamari):** Further debate? Seeing none, are members—MPP French?

**Ms. Jennifer K. French:** I'm just calling for a recorded vote.

#### Ayes

French, Glover, Schreiner.

#### Nays

Bailey, Crawford, Park, Sabawy, Thanigasalam, Wai.

**The Chair (Ms. Goldie Ghamari):** I declare the motion lost.

Turning now to independent motion number 27. MPP Schreiner.

**Mr. Mike Schreiner:** I move that section 19 of schedule 1 to the bill be amended by adding “or if a cyclist or driver is required to take measures to avoid coming into contact with the door of the motor vehicle” after “comes into contact with a cyclist, a bicycle or a moving vehicle” in subsection 200(1.1) of the Highway Traffic Act.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP Schreiner.

**Mr. Mike Schreiner:** Yes. This is a similar amendment to the previous amendment but with the addition of recording dooring events that require motorists to take action as well. I included motorists because, anecdotally, we're hearing of a lot more incidents of doors being opened in an unsafe way. Most of the time it affects cyclists, but sometimes it actually affects other motorists who then take action that affects other road users. It could be cyclists, it could be other motorists, it could be people in wheeled mobility devices etc.

So I thought it would be good to record all those incidents, have data collection on all of them, especially making sure that it's not always when you come in contact with the door.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP Thanigasalam.

**Mr. Vijay Thanigasalam:** As I mentioned for the earlier motion, under section 19 of schedule 1 of the bill, the dooring collisions that involve contact will be captured, and, when it comes to the collisions resulting from cyclists taking evasive action and colliding with another vehicle in motion, they are already captured through the existing motor vehicle collision report forms. Right now, enhancements to these motor vehicle collision reporting forms are currently under way to include a driver action of evasive action, which will make it even easier to identify these types of collisions. Therefore, I would recommend voting against it.

**The Chair (Ms. Goldie Ghamari):** Further debate? Seeing none, are members prepared to vote on—sorry, MPP Glover? MPP Schreiner? Who had their hand raised?

**Mr. Chris Glover:** I'll give it to MPP Schreiner.

**Mr. Mike Schreiner:** [*Inaudible*] a recorded vote.

**The Chair (Ms. Goldie Ghamari):** MPP Schreiner has requested a recorded vote.

#### Ayes

French, Glover, Schreiner.

#### Nays

Crawford, Bailey, Park, Sabawy, Thanigasalam, Wai.

**The Chair (Ms. Goldie Ghamari):** I declare the motion lost.

Turning now to independent motion number 28: MPP Schreiner, would you like to move this motion?

**Mr. Mike Schreiner:** Thank you, Chair. I would. I move that section 19 of schedule 1 to the bill be amended by adding the following subsection:

“(2) Section 200 of the act is amended by adding the following subsection:

“Application to passengers

“(1.2) In the event of an accident described in subsection (1.1), subsection (1) also applies to any passenger of the motor vehicle responsible for opening the door of the motor vehicle that caused the accident, except that the passenger is only required to provide his or her name and address under clause (1)(c).”

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP Schreiner.

**Mr. Mike Schreiner:** We're seeing—and this conversation took place at committee as well—an increasing number of door incidents that don't always affect the driver. As a matter of fact, as we've seen more ridesharing and vehicles that are not easily identified as providing a taxi service, we're starting to see a lot more dooring incidents. It's oftentimes passengers who are opening the door. Holding passengers or anyone in the motor vehicle responsible for safe door opening I think should be a priority. Granted, not all passengers have a driver's licence, so there will be different ways of having to collect the data from them, but I think applying this provision to everyone in the vehicle, if they exit the vehicle in an unsafe

way that leads to a dooring incident—then that should be part of this section of the bill.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP Glover.

**Mr. Chris Glover:** Yes, I want to speak in support of this amendment. I was doored on Bloor Street, and it resulted in a minor injury. The ambulance came, and I was treated on-site. It was a rideshare vehicle. The driver of the rideshare vehicle pulled past me, stopped three feet out from the curb, and the passenger in the back opened the door on me. This is happening more and more often. Between 2014 and 2018, the number of doorings in the city of Toronto doubled. It seems to correlate with the introduction or the expansion of rideshare vehicles in the city. It only makes sense. With more and more rideshare vehicles picking up and dropping off people throughout the city—and across Ontario, really—all the time, it just makes more sense that there would be more dooring incidents. And so we need to raise awareness and we need to make sure that passengers are responsible for these dooring incidents.

And this was the other thing: When I was doored, I was in shock, and the passenger left. The driver of the rideshare said that this had nothing to do with her; she was going to leave the scene. The police came and they said, “This is an incident, not an accident.”

1410

I’m glad that the government has changed doorings back to accidents. That was an important step. But this is also an important step in order to update the Highway Traffic Act, to consider what’s actually happening on our roads. There are more and more rideshare vehicles out there, and there are more and more dooring incidents. We need the legislation to be changed in order to reflect that new reality, and so I am very supportive of this. I’ll be voting in favour, and I hope the government will vote in favour of this amendment as well.

**The Chair (Ms. Goldie Ghamari):** MPP French?

**Ms. Jennifer K. French:** I’m not going to add much more, because I think we have a very clear picture. Thank you, MPP Glover.

Many of us can relate to the fact that when we’re driving, or visiting Toronto and driving around, that there will suddenly be a vehicle that just stops dead in front of you or swerves across to pull over, and you’ve got to respond really quickly. They’re oftentimes, whether it’s an Uber or a Lyft or what have you, unpredictable, driving into the bike lanes, doing all sorts of things. Recognizing the challenge that I have seen as a vehicle driver, I can only imagine the vulnerability of those who are on unprotected vehicles like a bicycle.

What I appreciate about this solution, that it doesn’t just—it ensures that passengers are held accountable, right? It doesn’t just acknowledge that passengers are opening doors; it holds them accountable for incidents that they cause, and not just the drivers. That is a very important piece, as we have heard.

**The Chair (Ms. Goldie Ghamari):** MPP Thanigasalam?

**Mr. Vijay Thanigasalam:** Section 165 of the Highway Traffic Act already permits the charging of a passenger who opens a door without due care or leaves open a door longer than necessary. So there’s already an existing offence section on this motion. Further analysis is required to evaluate the feasibility of this proposal and, of course, consultation required with stakeholders across the board, especially enforcement partners as to how this section could be enforced.

I would recommend voting against this, because as well as the stakeholder consultation with enforcement, there’s also a proposal that needs to be reviewed for legal considerations. So I would recommend voting against it.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP Schreiner?

**Mr. Mike Schreiner:** I would just say, with all due respect, that the collection of the data of dooring accidents is really important. I think it would be highly valuable to know how many of these accidents are from passengers and how many are from drivers of vehicles. I think that would be valuable in terms of ensuring road safety and moving forward.

**The Chair (Ms. Goldie Ghamari):** Further debate? Seeing none, are members prepared to vote on independent motion number—MPP Schreiner?

**Mr. Mike Schreiner:** A recorded vote, please.

**The Chair (Ms. Goldie Ghamari):** MPP Schreiner has requested a recorded vote on independent motion number 28.

### Ayes

Bourgouin, French, Glover, Schreiner.

### Nays

Bailey, Crawford, Park, Sabawy, Thanigasalam, Wai.

**The Chair (Ms. Goldie Ghamari):** I declare the motion lost.

Turning now to independent motion number 29: MPP Schreiner.

**Mr. Mike Schreiner:** I move that schedule 1 to the bill be amended by adding the following section:

“19.1 Subsection 205.1(1) of the act is amended by striking out ‘or’ at the end of clause (a), by adding ‘or’ at the end of clause (b) and by adding the following clause:

“(c) on a highway located in a municipality where the prescribed rate of speed is less than 80 kilometres per hour.”

**The Chair (Ms. Goldie Ghamari):** Further debate—oh, my apologies. On independent motion number 29, committee members, the proposed amendment is out of order because it seeks to amend a section of a parent act that is not before the committee. As Bosc and Gagnon noted on page 771 of the third edition of House of Commons Procedure and Practice, “an amendment is inadmissible if it proposes to amend a statute that is not

before the committee or a section of the parent act, unless the latter is specifically amended by a clause of the bill.”

Turning now to—MPP Schreiner?

**Mr. Mike Schreiner:** I was just going to move for unanimous consent to consider independent amendment 29.

**The Chair (Ms. Goldie Ghamari):** Do we have unanimous consent from the committee? No, we do not.

We’re just going to go back to schedule 1, section 19. Just for clarification purposes, we had the three motions and now we are going to vote on schedule 1, section 19.

Shall schedule 1, section 19, carry? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare schedule 1, section 19, carried.

Turning now to schedule 1, section 20, is there any further debate? Seeing none, are members prepared to vote? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare schedule 1, section 20, carried.

Turning now to schedule 1, section 21, we have NDP motion number 30. Who would like to move this motion? MPP French.

**Ms. Jennifer K. French:** As much fun as it was for me to read 15,000 pages earlier about a motion that was out of order, I will save myself a bit of time. This is housekeeping related to an earlier failed amendment. I will withdraw.

**The Chair (Ms. Goldie Ghamari):** Okay. Turning now to independent motion number 31, MPP Schreiner?

**Mr. Mike Schreiner:** I’ll withdraw this amendment because it is a housekeeping amendment for previous amendments that failed.

**The Chair (Ms. Goldie Ghamari):** Okay. In that case, there are no amendments to sections 21 through 24. I propose we bundle them. Do I have agreement from the committee? Is there any further debate on schedule 1, sections 21 to 24? Seeing none, are members prepared to vote? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare schedule 1, sections 21 through 24, carried.

Shall schedule 1 carry? Is there any further debate? MPP Bailey? No? You had your hand raised. Is there any further debate on—

**Mr. Robert Bailey:** I was just ready to vote.

**The Chair (Ms. Goldie Ghamari):** Ah, I hadn’t asked the question yet, MPP Bailey.

All right, is there any further debate on schedule 1? MPP French, and then MPP Schreiner.

**Ms. Jennifer K. French:** I realize that we have discussed a number of issues that would have made the Highway Traffic Act better, would have made our roads safer, and would have made it better for vulnerable road users and families that are grieving in the wake of awful things that have happened on the roads.

We have brought forward a number of extremely well-thought-out amendments when it comes to e-bikes. The fact that all of them were unceremoniously defeated is not just disappointing, it is a mistake.

We have talked at length, and I won’t get back into all of the reasons that each item should have been passed, but

what’s about to happen today—if we finish this and refer this back to the House and it goes to third reading, nothing can be amended in statute on this bill. So your options are: It goes through and the government realizes, “Oops, those consultations were not what they needed to be. We’ve made mistakes and we’re in a bit of a mess.” Your option is to live with that and have all of the folks who are disappointed or now are going to be driving illegal vehicles—they’re not going to be happy with this government. I see it as creating a mess. The only option, if we actually go through with this and pass it, then, is for the government to bring legislation in again, like a new piece of legislation to again deal with e-bikes, which is a poor strategy when approaching what is supposed to be legislation that makes the system better in the province.

**1420**

I was reviewing the draft Hansard from May 6 when we had that one hour with the minister and the associate minister. Obviously, I can’t speak for them. I know what they said in committee, but it will be interesting if what has happened here at committee with whoever prepared the speaking notes for government members—like, whatever happened here at committee, I don’t believe from where I sit that it reflects the spirit or the intent based on what the ministers had said.

Now we haven’t gotten into—and I don’t think we’re going to get into it, because that’s all of the amendments. We’re all on the same page it would seem around stunt driving and regulating the towing industry. There’s a lot of good stuff that’s happening with this legislation. We’ve spent a lot of time fine-tuning the problems, and whatever the resistance is, it’s poorly informed. I can’t imagine what government members are sitting here thinking. Do you think that we’re all wrong?

I don’t know e-bikes. I’ve learned it as the critic from the experts from the industry, from the folks. These are not just amendments that I willy-nilly have made up or that the research is just a pet project. This is from the folks who are living it. This is their industry.

It really has been a surprising day. The consultations—I’ll wait to hear back from the Auditor General. I mentioned at the beginning of this committee that I wrote them a letter, wondering if this government is again in violation of the EBR. We shall wait and see. But those consultations are probably going to yield information that will inform what you should have done at this committee.

Hopefully, some of you are having inner dialogue that you’re not sharing, that you take this back to the team and talk about different strategies for incorporating good ideas. I get it. You didn’t want to live with us saying, “Hey, we did your job for you. Thanks for accepting the amendments,” and “You’re welcome. We did the government’s work for them.” I understand that that would be tough politically for you to live with, but it’s going to be tough politically for this government to hear back from all these stakeholders who are very, very frustrated and unhappy—and many of them no longer legal on our streets.

I think parts of the legislation are sloppy. We had a chance to fix it with the right fixes. Anyway, if this goes

to the House, you're in a mess. There's still time. I'm done.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP Schreiner?

**Mr. Mike Schreiner:** I just want to be on the record, especially on schedule 1 of this bill, that there are a number of parts of this bill I support. I want our roads to be safer. I think at the beginning of the day I said I'd just had a meeting with folks in my riding around the increase in stunt driving and aggressive driving and people especially who are facing some mental health challenges from COVID engaging in more aggressive and unsafe driving and needing to address that. So those parts of this bill I certainly agree with.

But I found this whole conversation around electric bikes, e-power-assisted bikes very frustrating. Back in the days when people could still come into Queen's Park and meet with us in our offices, I had a delegation from the cycling community and I would say people from across the political spectrum, who were very clear to me, "I'm a Conservative businessperson and I run an e-bike company" to more progressive cycling activist types, the kinds of folks who want us to put forward vulnerable road user legislation—which, unfortunately, was voted down today as well. But literally across the political spectrum, they told me that getting e-bikes right should be something that would not be partisan and that every party could get behind, because it just makes so much sense for our economy, for affordability for families, for addressing and reducing climate pollution, for reducing gridlock in our communities, for healthier forms of transportation, for enhancing the tourism industry. I feel like COVID has even made all of that more important, because so much of this is outdoors, where the scientists and public health folks are telling us it's safe.

I'm not sure what the resistance to listening to the experts is. I can tell you that I spent the lunch hour literally phoning people in the e-bike community and just saying that all the amendments failed: "What is going on? Have you been consulted? Has anyone talked to you?" Most of them were like: "No." They're all saying to me, "We're trying to be incredibly reasonable here. We don't want to attack the government. We want to actually tell the government they're doing a great job and actually laying the foundation for a successful industry that Ontario can actually be a player in when it comes to manufacturing and exporting product." I feel like, for some reason, it just hasn't happened.

I guess the commitment I will make—and it's on the record—is that I am happy to work across party lines to try to figure out how we get this e-bike system right, because not getting it right is going to hurt our economy. It's going to hurt our communities. It's going to hurt families who want to use this form of transportation. It's going to hurt elders who are looking for transportation alternatives. It's going to hurt delivery companies who are looking for alternative ways of more efficiently delivering packages at a lower cost. There are so many opportunities for win-win-win here that I would think we could all agree

on across partisan political lines, and so the fact that it hasn't happened today—I'll just say that anything we can do between now and when this bill comes to third reading to try to get that right, I'm willing to put some work into it.

In some ways I almost feel a bit disappointed. When those folks came to my office and I wrote to the Minister of Transportation, and actually went and talked to the minister and said, "Hey, this is a great opportunity," if I had known it would lead to not getting it right—anyway, I think there could be a better way of doing this and we could get it right. It could be a great opportunity to show people that we can work across party lines to get things right. And so I'm hoping that we can all figure out a way to do that, because we haven't been able to, unfortunately, today.

**The Chair (Ms. Goldie Ghamari):** MPP Glover?

**Mr. Chris Glover:** Yes, I just want to be on the record as saying that by refusing to support any of the amendments to fix this legislation today, the government has dealt a blow to e-bikes in Ontario. It's going to impact seniors. It's going to impact families who have transitioned to e-bikes. It's going to impact a lot of Uber, DoorDash and other delivery people who use and depend upon e-bikes.

E-bikes are a burgeoning industry. It's doubling every year. It's expected to hit \$20 billion a year globally by 2023 and continue doubling at least until 2027. This is an industry that we should be getting ahead of in Ontario. We should be encouraging it. Instead, think about what would happen if an e-bike entrepreneur came to Dragons' Den tomorrow and said, "Hey, I'm looking for investment in the e-bike industry in Ontario." They'd say, "Well, they just passed this legislation that's going to make most of the e-bikes in Ontario illegal, so I don't think you're in the right place for your industry." And that is awful.

So I'm hoping the government will take this back in your caucus to discuss this and think about how you can fix this mistake that was made today, before it passes third reading next week.

1430

**The Chair (Ms. Goldie Ghamari):** MPP Thanigasalam.

**Mr. Vijay Thanigasalam:** The Moving Ontarians More Safely Act, also known as the MOMS Act, is a series of measures that will help people and families. The act, if passed, will help Ontarians—it will send a strong message that those who threaten the safety of others on roads have no place on our roads. We'll continue to target those drivers with increased suspensions and fines and other penalties. This way, the government is sending a clear message. Ontario is taking strong action to protect young drivers and vulnerable road users by introducing these new measures to target street racing, stunt driving and aggressive and unsafe driving. That's what this proposed legislation is all about: to continue Ontario's efforts to increase the standard for consumers and businesses while protecting pedestrians and other vulnerable road users, such as highway workers.

Madam Chair, the MOMS Act also includes some provisions to enact the Towing and Storage Safety and Enforcement Act. This act, if passed, will strengthen provincial oversight of the towing and storage sectors to reduce crime and fraud, promote road user and tow operator safety and improve customer protections, and create a level playing field for towing and storage operators.

Overall, our government is fighting against distracted driving to ensure the public is aware of its preventable dangers and consequences.

Thanks for the opportunity, Madam Chair.

**The Chair (Ms. Goldie Ghamari):** Further debate? MPP Bourgouin.

**M. Guy Bourgouin:** Écoute, moi, je veux être sur le record aussi. On a passé une grosse partie de la journée à traiter des amendements. On voit qu'en Europe, on propose la même chose. Aux États-Unis, ils l'ont accepté. Puis nous, on va à contre-courant. On va à contre-courant avec l'industrie. On va sortir d'une pandémie et on va avoir besoin d'une économie vibrante. On va à contre-courant de ça. On attache les mains de l'industrie. On sait que les vélos électriques sont le futur pour beaucoup de communautés, beaucoup de villes, puis aussi, c'est en ligne avec l'environnement. On sait que la crise environnementale est sérieuse, puis encore on va à contre-courant.

Je voulais juste être sur le record pour dire que c'est dommage que le gouvernement a voté contre nos amendements quand ça vient aux vélos électriques. Ils ont voté contre—vraiment, ils attachent les mains. Il y a du monde qui ont déjà ces vélos-là sur les routes. Ils sont existants comme c'est là, et maintenant ils vont être illégaux. Je pense que c'est un manque de vision puis que c'est dommage qu'ils ont voté contre nos amendements. Je voulais être sur le record, pour faire certain que ça soit sur le record qu'on a voté pour puis qu'on n'a pas été supporté.

**The Chair (Ms. Goldie Ghamari):** Merci beaucoup. Further debate? Seeing none, are members prepared to vote? MPP Sabawy.

**Mr. Sheref Sabawy:** I want to thank the opposition. Some good ideas have been put in there and lots of efforts in getting to the details. I understand that some of the amendments have been dropped because it's not part of this specific bill we are discussing. That doesn't make it totally out of the *[inaudible]*, it's just not being specifically in this piece of legislation. We were today doing this specific piece of legislation, clause-by-clause and amendments.

So I just want to thank them for their efforts. Hopefully, we will have more chances in working in other areas where it can be related to the exact same point. I think that this piece of legislation is adding very needed changes to the specific points we were working on, making our roads more safe, protecting Ontarians and the people on the highways, making sure that the tow truck industry, which has been needing more—we can see and we can hear every day there is something related to that. There were stakeholder requirements to get in and fix it. So I think that this

piece of legislation is good for what it is meant to do, but that doesn't give any less respect to the points which were raised by the opposition.

**The Chair (Ms. Goldie Ghamari):** Further debate? Seeing none, are members prepared to vote? Shall schedule 1 carry? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare schedule 1 carried.

Turning now to schedule 2, there are no amendments to sections 1 through 2. I propose we bundle them. Is there agreement from the committee? Yes? Thank you. Is there any further debate on schedule 2, sections 1 and 2? Seeing none, are members prepared to vote? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare schedule 2, sections 1 and 2, carried.

Shall schedule 2 in its entirety carry? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare schedule 2 carried.

Turning now to schedule 3, there are no amendments to sections 1 through 70. I propose we bundle them. Is there agreement from the committee? Thank you. Is there any further debate on schedule 3, sections 1 through 70? MPP French.

**Ms. Jennifer K. French:** I certainly won't go long. I think we all across communities recognize the need to take action on the towing and storage industry. Now, there were points raised at committee by CAA, by the insurance folks, by different people who are watching carefully as the regulations take shape. As the government continues to do that work, I would just make the point that I do hope that the consultations, unlike with the e-bike folks, continue to be what they deserve and need to be. CAA had raised questions around the municipalities, licensing and things like that. Just, please, as a government, connect with them and make sure that we're not creating problems where we're trying to solve them.

**The Chair (Ms. Goldie Ghamari):** Is there any further debate? Seeing none, are members prepared to vote? Shall schedule 3, sections 1 through 70, carry? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare schedule 3, sections 1 through 70, carried.

Is there any further debate on schedule 3? Seeing none, are members prepared to vote? Shall schedule 3 carry? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare schedule 3 carried.

We'll now go to section 1 of the bill. Shall section 1 carry? Is there any further debate? Seeing none, are members prepared to vote? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare section 1 carried.

Turning now to section 2, is there any further debate, or are members prepared to vote? Okay. Shall section 2 carry? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare section 2 carried.

Section 3: short title. Is there any debate, or are members prepared to vote? Okay. Shall section 3 carry? All

those in favour, please raise their hands. All those opposed, please raise their hands. I declare section 3 carried.

Shall the title of the bill carry? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare the title carried.

Shall Bill 282 carry? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare Bill 282 carried.

Shall I report the bill to the House? All those in favour, please raise their hands. All those opposed, please raise their hands. I declare the motion carried, and I shall report the bill to the House.

There being no further business, the committee is now adjourned until 9 a.m. on Monday, May 17, 2021. Thank you, everyone.

*The committee adjourned at 1441.*





## **STANDING COMMITTEE ON GENERAL GOVERNMENT**

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Ms. Goldie Ghamari (Carleton PC)

### **Vice-Chair / Vice-Président**

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Ms. Jill Andrew (Toronto–St. Paul’s ND)  
Mr. Robert Bailey (Sarnia–Lambton PC)  
Mr. Guy Bourgouin (Mushkegowuk–James Bay / Mushkegowuk–Baie James ND)  
Mr. Stephen Crawford (Oakville PC)  
Ms. Goldie Ghamari (Carleton PC)  
Mr. Chris Glover (Spadina–Fort York ND)  
Mr. Mike Harris (Kitchener–Conestoga PC)  
Mr. Sheref Sabawy (Mississauga–Erin Mills PC)  
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Ms. Lindsey Park (Durham PC)  
Mr. Kaleed Rasheed (Mississauga East–Cooksville / Mississauga-Est–Cooksville PC)  
Mr. Vijay Thanigasalam (Scarborough–Rouge Park PC)

### **Also taking part / Autres participants et participantes**

Ms. Jessica Bell (University–Rosedale ND)

### **Clerk / Greffier**

Mr. Isaiah Thorning

### **Staff / Personnel**

Ms. Kristi Cairns, legislative counsel  
Ms. Catherine Oh, legislative counsel