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## **Standing Committee on Transport, Infrastructure and Communities**

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**EVIDENCE**

**Thursday, December 9, 2010**

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**Chair**

**Mr. Merv Tweed**



## Standing Committee on Transport, Infrastructure and Communities

Thursday, December 9, 2010

• (1110)

[English]

**The Chair (Mr. Merv Tweed (Brandon—Souris, CPC)):** Welcome, everyone, to meeting 43 of the Standing Committee on Transport, Infrastructure and Communities.

Pursuant to the order of reference of Monday, December 6, 2010, we are studying Bill S-5, An Act to amend the Motor Vehicle Safety Act and the Canadian Environmental Protection Act, 1999.

We are here today to do clause-by-clause on this bill.

Mr. Bevington has advised us that he may be 15 minutes late and has asked the committee to wait. I'm looking for direction from the committee.

**Mr. Brad Trost (Saskatoon—Humboldt, CPC):** There he is.

**The Chair:** We didn't have to wait very long. That's perfect then. Thank you.

I just want everybody to hear my first comment. In yesterday's report that we sent to the House on Bill C-42, there was one mistake in the report that suggested that after the timeframe we would review. We discussed that. In the words that were put in the report, it was to review the act. The government is going to propose an amendment at report stage that we review that section of the act—so there are no surprises when it happens in the House and nobody will feel they've been blindsided.

Mr. Jean.

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** Just a matter of procedure, Mr. Chair, I understand that the committee did resolve to have that reported to the House. Being that we're the masters of our own destiny, is there no way we can fix that at this stage to avoid the complication of having an amendment there? Could we not just deal with it?

**The Chair:** Regrettably, no. Once it's at report stage, it has to be amended at that stage.

**Mr. Brian Jean:** So we're masters of our own destiny at report stage, but not after.

**The Chair:** When it's sent back to the House, it's for the House to deal with, regrettably.

**Mr. Brian Jean:** Thank you.

**The Chair:** When it happens, I want to make sure everybody is aware of it, and that's the only thing we're correcting.

[Translation]

Mr. Guimond, the floor is yours.

**Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ):** I understand the amendment perfectly well on a technical level, but is the 5-year period the same one Mr. McCallum asked for?

[English]

**The Chair:** Everything will stay the same. The only thing we're saying is we're not going to review the entire act; we're going to review this section of the act.

Mr. Bevington, just for your information, I've opened the meeting and announced that we're going to move to clause-by-clause on Bill S-5.

Although we don't have witnesses directly sitting at the table, we do have members from Environment Canada and Transport Canada who, if there are questions or outstanding issues, can come forward and answer.

Mr. Dhaliwal.

**Mr. Sukh Dhaliwal (Newton—North Delta, Lib.):** Why don't you bring them forward to the table anyway just in case we have questions.

**The Chair:** Well, if they're here, I might ask them to join us at the table. Then we won't have the delays.

If you wouldn't mind, that would be greatly appreciated. I believe we have people from Environment Canada and Transport Canada.

As they're taking their chairs, I'll welcome them. I think everybody is anxious to move forward with the clause-by-clause.

Mr. Dhaliwal.

• (1115)

**Mr. Sukh Dhaliwal:** I have a question regarding this act and the implementation. Would it be okay if I ask them?

**The Chair:** Mr. Bevington.

**Mr. Dennis Bevington (Western Arctic, NDP):** Since we've only had this bill for one day, and since we're going into clause-by-clause here.... We support this bill generally. There may be amendments that we may present at report stage.

**The Chair:** I appreciate the advice on that.

Mr. Jean.

**Mr. Brian Jean:** Mr. Bevington, if that indeed is the case, if you would be prepared to provide me with those amendments, we could probably talk about them and deal with them without having to hold up the House.

**The Chair:** I think what I'll do then, because there are no proposed amendments at this time, is just open the floor, and if we have questions to be asked directly of our guests, we can do that, and then move to clause-by-clause.

Mr. Dhaliwal.

**Mr. Sukh Dhaliwal:** Thank you, Mr. Chair.

I would like to thank the panel members.

Mr. Chair, through you, my question to the fellows at the witness table is this. We're going to pass this legislation. It's my understanding that Mexico has already implemented a similar reciprocal agreement as of January 1, 2009, and now we are already heading into 2011. If we pass this legislation, if this legislation goes through here, how long would it take to implement this legislation? How much more delay are we looking at on the part of government?

**Mr. Kash Ram (Director General, Road Safety and Motor Vehicle Regulation, Department of Transport):** Thank you.

Mr. Chair, typically, it would take about a year to two years to draft and enact regulations that would allow the importation of vehicles, once the legislation has been passed.

**The Chair:** Mr. Dhaliwal.

**Mr. Sukh Dhaliwal:** A follow-up. You are saying one to two years, so basically we're four years behind Mexico. Is any one of you in a position to say why it would be that way?

**Mr. Kash Ram:** In order for us to draft regulations and to consult with Canadian stakeholders, there is a process we have to abide by under the cabinet directive on streamlining regulation to give opportunities to all interested Canadian stakeholders to comment, and in order to abide by that process there is a timeline we have to abide by.

**Mr. Sukh Dhaliwal:** No, no, Mr. Chair, the timeline is there. My concern is why we are four years behind in that process that you are going through now. I fully understand that you've got to go through stakeholders, you have to consult many people, but why did it not happen four years ago when Mexico or its counterpart was doing it at that time? That is the question I ask.

**Mr. Kash Ram:** I would say that we have been in continuous contact with our Mexican colleagues and we have consulted with them.

With regard to tabling of legislation, that's not my purview to comment on, but I would like to assure members that we have been in very close contact with the parties in Mexico to make sure that any sensitivities they may have were dealt with in a proactive manner.

**The Chair:** Mr. Jean, five minutes.

**Mr. Brian Jean:** Thank you.

Mr. Ram, do you work for Transport Canada?

**Mr. Kash Ram:** Yes, sir.

**Mr. Brian Jean:** How long have you worked there?

**Mr. Kash Ram:** About four and a half years.

**Mr. Brian Jean:** I heard a rumour that you were the most valuable employee of Transport Canada. Is that true?

**Mr. Kash Ram:** Thank you for an early Christmas present.

**Mr. Brian Jean:** Thank you. Those are all my questions, sir.

**The Chair:** Okay. Thank you.

Mr. Bevington.

**Mr. Dennis Bevington:** Thanks to the witnesses for being here today.

I'm curious. There are many differences between Mexican and Canadian vehicles. One of them is in terms of daylight running.... What kinds of regulations are in place in Mexico, in terms of the importation of Canadian vehicles that may not meet up to their standards?

• (1120)

**Mr. Kash Ram:** With regard to the Mexican requirements, that's for them to determine in order to meet their safety and environmental needs. As far as we're concerned in Canada, we have the authority to establish what's needed to ensure the safety of the Canadian public and to protect the environment.

With regard to daytime running lights, it's a good question. I'd like to say that it's not even a requirement in the U.S.; it is a requirement in Canada. So vehicles that are imported from the U.S., in fact, have to be modified if they do not already meet the requirement for daytime running lights. With regard to Mexico, we'd be treating those vehicles in exactly the same manner.

**Mr. Dennis Bevington:** Are you not familiar with what the Mexicans have done to set standards for the importation of used vehicles from Canada?

**Mr. Kash Ram:** We are. Actually, they have two very minimal requirements. The safety standard requirements in Mexico are not terribly expansive at this stage. In the course of time, Mexico may choose to adopt/adapt Canadian, European, American standards, but at this time we're aware of only two, and they do not have safety standards for the vast majority of vehicles.

**Mr. Dennis Bevington:** So what are the two standards?

**Mr. Kash Ram:** There is one with regard to buses and another with regard to tow trucks, I believe.

**Mr. Dennis Bevington:** Okay. Basically, then, any vehicle from Mexico would have to meet all Canadian safety standards. Is that the position of the department going forward with regulations?

**Mr. Kash Ram:** Yes, indeed, Mr. Chair.

**Mr. Dennis Bevington:** And now in terms of the timing of this, is there an obligation under NAFTA to have this law in place in a timely fashion or with a deadline?

**Mr. Kash Ram:** Mr. Chair, we're not in compliance with NAFTA currently. The objective is to try to rectify that and enable the importation of vehicles from Mexico in as timely a manner as possible going forward.

**Mr. Dennis Bevington:** Are there any penalties now for the fact that we're not in compliance? What is the legal position of the two countries?

**Mr. Kash Ram:** There is no penalty. There is a potential irritant, and that's why we're choosing to move forward as quickly as possible in order to prevent any potential issues.

**The Chair:** Are there further questions?

Okay. Seeing none, we shall move into clause-by-clause.

Clause 1 is postponed until the end.

(Clause 2 agreed to)

**The Chair:** Seeing no amendments, if—

**Mr. Dennis Bevington:** On a point of order, Mr. Chair, I don't mind going along with approving these clause by clause, but I reserve the right to propose amendments without any sanction, as I received one time from this committee.

**The Chair:** You're talking about amendments in the House at report stage?

**Mr. Dennis Bevington:** Yes.

**The Chair:** I am advised that that is something the Speaker deals with directly once it is reported, and you deal with him, as you do with the chair in this committee.

(Clauses 3 to 6 inclusive agreed to)

**The Chair:** Shall clause 1, the short title, carry?

**Some hon. members:** Agreed.

**The Chair:** Shall the title carry?

**Some hon. members:** Agreed.

**The Chair:** Shall the bill carry?

Mr. Jean.

**Mr. Brian Jean:** Mr. Chair, did I hear right? Which clauses did you group? Did you group all the clauses?

**The Chair:** They were clauses 3, 4, 5, and 6.

**Mr. Brian Jean:** Excellent. I apologize. I thought it was just to clause 5.

**The Chair:** Shall the bill carry?

**Some hon. members:** Agreed.

**The Chair:** Shall I report the bill to the House?

**Some hon. members:** Agreed.

**The Chair:** That's good. That's it.

With that, I'll thank committee members for their time today.

And I thank our guests. You are certainly welcome to go on to the other parts of your day. I'm sure you have a busy day. Thank you very much.

Monsieur Guimond.

• (1125)

[Translation]

**Mr. Michel Guimond:** Mr. Chair, I would like to know what the plans are for next week. We have discussed the program, but I am not sure whether we have discussed the work we are going to do next Tuesday and Thursday. I would like to know if we have any extra meetings, just in case that information slipped by me.

[English]

**The Chair:** Currently on the agenda for Tuesday, December 14, we have ACPPA, with Air Canada representatives coming. That's the only thing we have confirmed for next week, and that would be on the Tuesday meeting.

**Mr. Michel Guimond:** That is concerning the maintenance....

**The Chair:** Maintenance, yes.

[Translation]

**Mr. Michel Guimond:** Mr. Chair, has the clerk tried to invite...

Has the list of witnesses we were expecting to hear from been drawn up?

[English]

**The Chair:** Yes.

[Translation]

**Mr. Michel Guimond:** Yes? Who are the other scheduled witnesses that we have not heard from yet?

[English]

**The Chair:** That was the list that people were presented with, those we've invited, and these are the ones who have confirmed so far in the schedule. I'll check to see whether there's anybody we've missed.

We haven't gone to the individuals at that level, at this point; we've just been dealing with Transport, with associations, and with Air Canada.

My thinking was, if the committee so chooses, in the new year we could bring individuals in, if we want to continue to hear people.

[Translation]

**Mr. Michel Guimond:** I do not remember any of that. I probably missed that part of the meeting. I missed the end of the meeting, but I do not recall you asking us to suggest witnesses for the study on the Air Canada Public Participation Act.

[English]

**The Chair:** The list we have, for clarification, is dealing with noise. We don't have an individual list in respect of the issue with maintenance contracts.

[Translation]

**Mr. Michel Guimond:** Oh, fine.

So, are you inviting us to provide you with a list of witnesses on the subject of keeping the maintenance facilities in Montreal, Mississauga and Winnipeg?

Have you asked us for that?

[English]

**The Chair:** I haven't. I was going to do it by letter to the committee members, simply because I made the assumption that we would continue this into the new session in the spring.

[Translation]

**Mr. Michel Guimond:** Okay.

[English]

**The Chair:** I will at this moment, then, ask committee members, if they have groups, organizations, or individuals who would like to attend or who you feel would add to the debate, to please forward the list to Bonnie.

Mr. Bevington.

**Mr. Dennis Bevington:** Does that apply as well to the noise issue?

**The Chair:** Yes. We have a fairly substantial list of people now on the noise. I think it's been out there for quite a while. If there are any others you'd care to add, we'd be happy to take a look at them.

Is everybody else good? Thank you.

We'll see you Tuesday.

Lunch is served. The meeting is adjourned.

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