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Wednesday 23 November 2005

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des débats
(Hansard)**

Mercredi 23 novembre 2005

**Standing committee on
regulations and private bills**

**Comité permanent des
règlements et des projets
de loi d'intérêt privé**

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Clerk: Tonia Grannum

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE
ON REGULATIONS
AND PRIVATE BILLS**

**COMITÉ PERMANENT DES
RÈGLEMENTS ET DES PROJETS DE LOI
D'INTÉRÊT PRIVÉ**

Wednesday 23 November 2005

Mercredi 23 novembre 2005

The committee met at 1004 in committee room 1.

**HIGHWAY TRAFFIC AMENDMENT ACT
(LICENCE SUSPENSIONS), 2005**

**LOI DE 2005 MODIFIANT
LE CODE DE LA ROUTE
(SUSPENSIONS DE PERMIS)**

Consideration of Bill 209, An Act to amend the Highway Traffic Act with respect to the suspension of drivers' licences / Projet de loi 209, Loi modifiant le Code de la route en ce qui concerne les suspensions de permis de conduire.

The Vice-Chair (Mr. Tony C. Wong): Ladies and gentlemen, this is the standing committee on regulations and private bills. This morning, we have one item and that is Bill 209, An Act to amend the Highway Traffic Act with respect to the suspension of drivers' licences. The sponsor is MPP David Zimmer. Do we have anyone here to make a deputation to committee? No?

I would like to call upon MPP David Zimmer.

Mr. David Zimmer (Willowdale): Can we just go off the record for a second?

The Clerk of the Committee (Ms. Tonia Grannum): Do you want to recess?

Mr. Zimmer: Just for two seconds.

The Vice-Chair: We'll recess for one minute.

The committee recessed from 1005 to 1006.

The Vice-Chair: The committee is back in session. MPP David Zimmer, would you like to make a few comments?

Mr. Zimmer: Thank you, Mr. Chair. It's my pleasure and honour to be able to bring forward Bill 209 for clause-by-clause review by this committee.

The bill is aimed at boat safety and saving lives. The bill is about giving law enforcement the tools to address the problem of drinking and boat operation. It's about ensuring that the millions of tourists and Ontario residents who enjoy boating and water recreational activities can go out on our waterways without having to fear for their lives or safety because of drinking and boating.

We suspend drivers' licences for offences such as non-payment of child support and the operation of snowmobiles. There is no reason why we shouldn't do the same for boating offences involving alcohol. We have a

responsibility as legislators for boat safety here in Ontario.

Through the hard work of organizations like Mothers Against Drunk Driving, law enforcement agencies, boat operators' associations and cottage associations, this message has been made clear: If you drink, don't drive.

The message should also be clear: If you boat, don't drink. As well, with respect to the operation of motor vehicles and alcohol, through various strategic campaigns over the last number of years—advertisements, RIDE programs, public awareness programs—the culture of Ontario has been changed with respect to impaired driving and the operation of motor vehicles.

But the same hasn't been true of the operation of motorboats and alcohol. This is an area which has long been ignored. Driving an automobile or a snowmobile while impaired has been deemed unacceptable behaviour, but the same message has not, apparently, been carried through with the boating community.

Every boating season, there are numerous accidents involving alcohol and boating. Lives are lost; people are injured.

We have to get the message out that alcohol and boating is no less dangerous than operating a car under the influence of alcohol. Most boaters don't seem to understand the effect of the sun, the wind, the rain, the feeling of exhilaration when you're on the open water in a boat. The attitude that it's acceptable to operate a motor vessel while impaired seems to be prevalent among the boating community.

I want to thank the committee for moving this legislation forward so quickly. I look forward to a quick review process so that I can bring the legislation up for debate in the Legislature. I can tell you that my sense from speaking to my colleagues in the Legislature, from all parties, is that the bill enjoys support in all three caucuses and enjoys support with all the various stakeholder communities in Ontario. Thank you, Mr. Chair.

The Vice-Chair: Thank you, Mr. Zimmer. Questions and comments from members of committee?

Mr. Kim Craitor (Niagara Falls): I just want to read in for the record, since our last meeting on this matter I had the opportunity—in fact I made it a point—of visiting our local city councils, two of which I represent. With our riding, we are truly surrounded by water, and boaters are very common. I just want to share with my

colleagues that, without any hesitation, both the council of Niagara-on-the-Lake and the city council of Niagara Falls totally endorsed the bill. Appropriate letters have been sent to Queen's Park to let them know. So I am extremely pleased.

As I said, in our riding boats are everywhere. I will also say for the record that since the bill came out, I've had a number of boaters who have contacted me and expressed their extreme pleasure with what's going forward. They made me aware that they have seen some of their friends loading drinks into their boats that are not appropriate, so they're really pleased to see that we're going forward with this. I just wanted to share that and put it into the record.

The Vice-Chair: Any further comments or questions?

Mr. Gerry Martiniuk (Cambridge): I would just like to take this opportunity to thank and congratulate Mr. Zimmer for bringing forth a long-overdue provision.

Mr. Khalil Ramal (London-Fanshawe): Just for the record, I want to commend my colleague, the member from Willowdale, Mr. Zimmer, for his bill. I also get a lot of phone calls in my constituency office in London commending the member for bringing forward this bill, because it's a very important bill to protect many innocent lives. When people go on a trip, they want to have a fun day, and then for some reason the fun day turns into tragedy. With this bill, I think we create some kind of protective measure to protect people who want to enjoy a day of boating.

The Vice-Chair: If there are no further comments or questions, we're going to start with clause-by-clause consideration. We'll start with section 1. Are there any comments, questions or amendments to section 1 of the bill? If not, all in favour of section 1? Opposed, if any? That is carried.

Section 2, any comments, questions or amendments? All in favour of section 2? Opposed, if any? That is carried.

Section 3, any comments, questions or amendments?

Mr. Zimmer: I have an amendment on subsection 3(2) of the bill. I move that the definition of "vessel" in subsection 48(13) of the act, as set out in subsection 3(2) of the bill, be struck out and the following substituted:

"'vessel' means a vessel within the meaning of section 214 of the Criminal Code (Canada). ('bateau')"

The Vice-Chair: Any questions or comments on the amendment? If not, then all in favour of section 3, as amended?

Oh, sorry. We'll start with the amendment first. All in favour of the amendment? Opposed, if any? That is carried.

All in favour of section 3, as amended? Opposed, if any? That is carried.

Section 4, any questions, comments or amendments?

Mr. Zimmer: I propose an amendment. I move that the definition of "vessel" in subsection 48.3(16) of the act, as set out in subsection 4(2) of the bill, be struck out and the following substituted:

"'vessel' means a vessel within the meaning of section 214 of the Criminal Code (Canada). ('bateau')"

The Vice-Chair: Questions and comments on the amendment? If not, all in favour of the amendment? Opposed, if any? That is carried.

All in favour of section 4, as amended? Opposed, if any? That is carried.

Section 5, any questions, comments or amendments? All in favour? Opposed, if any? That is carried.

Section 6, comments, questions or amendments? All in favour? Opposed, if any? That is carried.

Section 7.

Mr. Zimmer: I propose an amendment. I move that section 7 of the bill be struck out and the following substituted:

"Short title

"7. The short title of this act is the Highway Traffic Amendment Act (Drinking and Boating Offences), 2005."

The Vice-Chair: Comments and questions on the amendment? If not, all in favour of the amendment? Opposed, if any? That is carried.

All in favour of section 7, as amended? Opposed, if any? That is carried.

Shall the title of the bill carry? All in favour? Opposed, if any? That is carried.

Shall Bill 209, as amended, carry? All in favour? Opposed? That is carried.

Shall I report the bill, as amended, to the House? All in favour? Opposed, if any? That is carried.

Meeting adjourned.

The committee adjourned at 1015.

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